

OVERLAND DRAINAGE RIGHT-OF-WAYS

Fences may not encroach overland drainage right-of-ways. If your property has an overland drainage right-of-way next to your property line, your fence must be built inside the property line or directly on it.

Access to the overland drainage right-of-ways **must not be restricted or encumbered by fences**. If you and your neighbour both want fences, and an overland drainage right-of-way separates the two properties, the fences must be built such that the right-of-way is still accessible.

RETAINING WALLS

A building permit issued by a certified Alberta Safety Codes Officer is required for retaining walls supporting more than 1.2 m of backfill.

Retaining walls shall be designed and constructed to:

- Maintain positive overland drainage on all portions of the site;
- Respect overland drainage patterns established for the lot at the time the lot was created; and
- Not divert overland drainage onto adjacent properties.

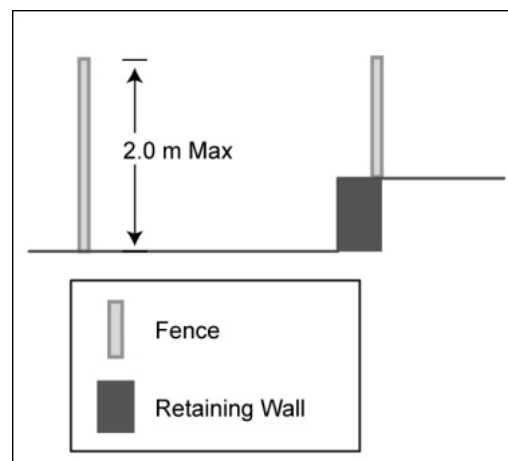
Retaining walls supporting more than 1.2 m of backfill may be allowed as a Discretionary Use for which an application for a Development Permit must be made. Such retaining walls shall be designed by a professional engineer. The landowner shall provide to the municipality the design bearing the seal and signature of a professional engineer upon submission of the application. A letter of verification from the designing engineer must be received

by the Municipality upon completion of the project in order to close the file.

In residential areas in cases where a fence is constructed on top of a retaining wall, the combined height of the fence and retaining wall shall not exceed 2.0 m as illustrated in Figure 2.

Contact the Planning and Development office with questions prior to construction.

Figure 2. Retaining Wall and Fence



APPLICATION FEES

Up-to-date development and building permit application fees can be found:

Online: www.chestermere.ca

By phone: 403-207-7075

In person: Monday to Friday 9 AM – 4 PM

The Town of Chestermere

Planning and Development Department
105 Marina Road
Chestermere, AB T1X 1V7
Telephone: 403-207-7075
Facsimile: 403-207-2817

BUILDING A FENCE OR RETAINING WALL

LAND USE BYLAW REQUIREMENTS

Town of Chestermere



This pamphlet is published as a public information service. It has no legal status and cannot be used as an official interpretation of the various codes and regulations currently in effect.

May 2011

BUILDING A FENCE OR RETAINING WALL

The Town of Chestermere's *Land Use Bylaw 022-10*, as amended, establishes regulations for fences and the *Alberta Building Code* (current year) regulates the construction of retaining walls.

WHEN TO APPLY FOR A DEVELOPMENT PERMIT

A Development Permit from the Development Officer is required if you want a variance to build your fence higher than the *Land Use Bylaw* permits

If your request for a variance is denied, then application to the Subdivision Appeal Board may be made to appeal the decision of the Development Officer.

HOW HIGH CAN I BUILD MY FENCE?

In **most** residential districts in the Town of Chestermere, you may construct a fence:

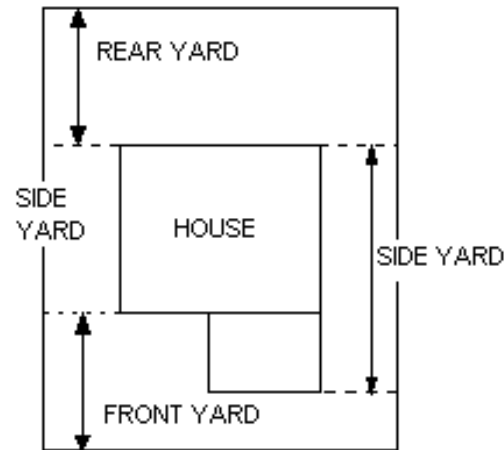
- 2 meters (6.6 ft) in height in the rear yard
- 2 meters (6.6 ft) in height in the side yard
- 1 meter (3.28 ft) in height in the

Call Before You Dig!

**1-800-242-3447;
www.Alberta1call.com**

front yard

Figure 1. Yard Delineation



EXCEPTIONS TO ALLOWABLE FENCE HEIGHT & PLACEMENT

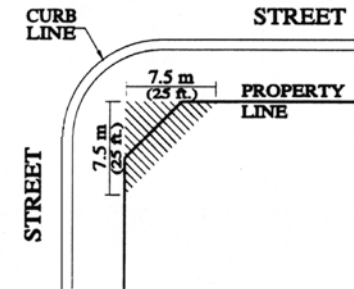
In the residential district **R-1L**, the Approving Authority may allow a higher fence within the front yard. A development permit from the Development Officer for a variance is required in this case.

On lots that have rear property lines on **Chestermere Lake**, a fence may not be higher than 1 meter (3.28 ft) within 8 meters (26 ft) of the rear property line.

On **corner lots**, you cannot build a fence on that part of the lot which lies within a "vision triangle" formed by a straight line drawn between two points on the exterior boundaries of the site, 7.5 meters (25 ft) from the point where they intersect, as the following figure illustrates.

The vision triangle is intended to provide motorists with adequate sight distance to vehicles approaching the intersection.

Figure 2. Corner Lot "Vision Triangle"



Fences are not allowed on Town property, including boulevards, municipal or environmental reserve, or on utility rights of way (including overland drainage).

NOTE: If you are the first owner of a home and a chain link fence or similar Developer's fence is present, it is recommended that the Developer and/or Town be contacted prior to changes being made to the fence, as any changes may contravene the approved subdivision plan or restrictive covenants registered against the property.

WARNING! It is the responsibility of the applicant to ensure that the work being carried out does not contravene the requirements of restrictive covenants, caveats, or any

NOTE: The Town of Chestermere has a designated Building Safety Codes Officer on staff for all permit reviews and inspections. Specific questions related to retaining walls or fences should be directed to the Town's Building Safety Codes Officer. You may also call the Town to request for your building inspection.