

**MINUTES OF THE MUNICIPAL PLANNING COMMISSION MEETING  
AUGUST 28, 2019**

**Present:**

Councillors Al Campbell, Malcom Ficsher, Wayne Smith, Scott Pfeiffer and Cheryl Barros,  
Director of Planning and Development Leann Graham and Planning and Operations Clerk  
Maddie Hall

1. **Call to Order:** Chairman C. Barros called the meeting to order at 8:28 a.m.

2. **Additions to Agenda**

None

3. **Approval of Agenda**

Moved by Councillor W. Smith to accept the agenda as presented.

MOTION CARRIED

Unanimous

4. **Confirmation of the July 11, 2019 MPC Meeting Minutes**

Moved by Councillor M. Ficsher that the Minutes of the July 11, 2019 MPC meeting be approved as presented.

MOTION CARRIED

Unanimous

5. **Business Arising**

None.

6. **Development Application:** 3167-2019

**Applicant:** Tim Walker

**Legal:** Lot Pt7 & 8 , Block 11, Plan RN54A

**Municipal:** 4806 – 52 Street

**Proposed Development:** 2.6 meter (8 ft) Fence

Planning and Operations Clerk read a report that follow:

**Recommendation:**

That the Municipal Planning Commission Approve this application subject to the following conditions:

1. The fencing must be maintained to its original condition for the extent of the use;

2. The owner is responsible for the cost and repair of any damage to public property or works located thereon that may occur as a result of undertaking work regulated by the Alberta Building Code;
3. The applicant must comply with all the provisions of the Town of Stettler Land Use Bylaw #2060-15;
4. Compliance with the provisions of Land Use Bylaw #2060-15 does not exempt the applicant from compliance with any provincial, federal, or other municipal legislation;
5. It is the owner/applicant's responsibility to ensure that lot grading and drainage are compliant with Section 51 of the Town of Stettler Land Use Bylaw #2060-15.

**General:**

The applicant is proposing to construct a 2.6 meter fence in his backyard along the north, west and south property lines. The fence is to be constructed with 2 meter fence board with 0.6 meter lattice on the top. The applicant is requesting a height variance for the lattice portion of the fence as it extends past the 2 meters permitted height.

The purpose for this fence is to provide privacy from the south neighboring lot (rental property), extra security for materials kept on site for home occupation and extra security for dogs when in the backyard.

**Key Issues:**

Applicant proposes to install a fence that exceeds the height restrictions for a back yard in order to provide privacy and security.

**Legislation and Policy:**

Staff has assessed this application against the provisions outlined in the Land Use Bylaw 2060-15.

**Development Review:**

Land Use District - R2 – Residential General

The maximum height of a fence as measured from grade shall be:

- 2.0 m for that portion of the fence which does not extend beyond the most forward portion of the principal building on the lot;

Required variance for the Fence which does not extends beyond the most forward portion of the house = 0.60 meter (2 ft)

**Alternatives:**

- Approve the application with additional conditions
- Defeat the application stating reasons.

**Discussion**

Councillor A. Campbell asked about the storage in the yard. Director of Planning and Development explained that the applicant does utilize storage on the home property for

his home occupation though the majority of work is conducted off site. Planning and Operations Clerk added that appropriate permits were pulled for the home occupation in 2009.

Councillor W. Smith brought a concern about precedent, asking if they were to approve this application would the Board be required to approve all others. Director of Planning and Development L. Graham explained that all applications the Board sees are evaluated individually and are case specific so MPC would not be bound by precedent.

Discussion about the fence structure ensued and it was mutually agreed that a 2 meter fence with 0.6 meter lattice is a visually different fence than a 2.6 meter straight board fence.

Moved by Councillor M. Ficsher to Approve the application as presented.

MOTION CARRIED  
Unanimous

7. **Adjournment:** The meeting adjourned at 8:36 a.m. on a motion by Councillor A. Campbell.