

# **SUBDIVISION & DEVELOPMENT APPEAL BOARD (SDAB)**



## **AGENDA**

**Thursday, December 4, 2025, at 1:00 P.M.**  
Council Chambers – City of Fort Saskatchewan City Hall

### **APPEAL TO BE HEARD:**

**NOTICE OF APPEAL: DEVELOPMENT APPROVAL REFUSAL (PLVAR2025-0744)**

**APPLICANT: KEVIN HARTER & ERIN SHEWCHUK**

**APPELLANT: KEVIN HARTER & ERIN SHEWCHUK**

**CIVIC ADDRESS (OF DEVELOPMENT): 187 CRANBERRY BEND**

**LEGAL ADDRESS: LOT 83, BLOCK 28, PLAN 142 3602**

**CALL TO ORDER: 1:00 PM.**

- 1. Appointment of Chair**
- 2. Introductions**
  - (a) Board Chair**
  - (b) Board Introductions**
  - (c) SDAB Administrative Staff Introductions**
- 3. Adopt Agenda of December 4, 2025**
- 4. Announce Case (Secretary)**
- 5. Introduction of the Parties to the Appeal**
  - (a) Development Authority**
  - (b) Applicant / Appellant**
- 6. Objections to Board**
- 7. Hearing Process**
- 8. Hearing of Appeal**
  - (a) Presentation of the Development Authority**
  - (b) Presentation of the Applicant / Appellant**
  - (c) Presentations of others in favour of the appeal**
  - (d) Presentations of others opposed to the appeal**
  - (e) Read into the record additional information**
  - (f) Additional Board questions**
  - (g) Other questions**
- 9. Summaries**
  - (a) Development Authority's final comments**
  - (b) Applicant's / Appellant's final comments**
  - (c) Potential Conditions**
  - (d) Fairness**
  - (e) Conclusion - Announcement that the Board's decision will be made within fifteen (15) days upon conclusion of the Hearing and that those affected will be notified of the decision and reasons for it by mail.**
- 10. Close of Hearing**



# SUBDIVISION & DEVELOPMENT APPEAL BOARD (SDAB)



## Exhibit List

**Thursday, December 4, 2025, at 1:00 PM.**

Council Chambers – City of Fort Saskatchewan City Hall

Exhibit Designation	Page(s)	Item Description
Exhibit "A"	3-6	Notice of Appeal
Exhibit "B"	7-31	Development Authority Submission
B-1		Development Authority Report
B-2		Map – Property Location
B-3		Development Authority Presentation
Exhibit "C"	32-81	Applicant / Appellant Submission
C-1		Appellant Response to Notice of Refusal
Exhibit "D"	82-92	Hearing Notification Mailing Information
Exhibit "E"	93-106	Correspondence from 183 Cranberry Bend
Exhibit "F"	107-108	Correspondence from 191 Cranberry Bend
Exhibit "G"	109-110	Correspondence from 171 Cranberry Bend
Exhibit "H"	111-112	Correspondence from 203 Cranberry Bend



# Exhibit “A”

## Notice of Appeal





CITY OF  
**FORT SASKATCHEWAN**  
ALBERTA

**NOTICE OF APPEAL****SUBDIVISION & DEVELOPMENT APPEAL BOARD**

<b>Site Information:</b>		Appeal Fee: (highlight applicable fee)	
Municipal Address of site: 187 Cranberry Bend		<b>Development Appeal:</b> \$150.00 (Residential) \$450.00 (Commercial, Industrial, Institutional, DC – Affected Party) \$650.00 (Commercial, Industrial, Institutional, DC – Applicant, Appellant, S.O.)	
Legal land description of site: Lot 83, Block 28, Plan 142 3602		<b>Subdivision Appeal:</b> \$650.00 (Residential) \$650.00 (Commercial, Industrial, Institutional, DC – Affected Party) \$1,000.00 (Commercial, Industrial, Institutional, DC – Applicant, Appellant)	
Development Permit number or Subdivision Application number: PLVAR 20250744			
<b>Appellant Information:</b>			
Name: Kevin Harter		Phone: [REDACTED]	Agent Name: (if applicable)
Mailing Address: 187 Cranberry Bend		City, Province: Fort Saskatchewan, Alberta	
Postal Code: T8L 0R5		Email: [REDACTED]	
<b>APPEAL AGAINST</b> (Check <b>ONE</b> Box Only) for multiple appeals you must submit another Notice of Appeal			
<b>Development Permit</b>		<b>Subdivision Application</b>	
<input type="checkbox"/> Approval		<input type="checkbox"/> Approval	
<input type="checkbox"/> Conditions of Approval		<input type="checkbox"/> Conditions of Approval	
<input checked="" type="checkbox"/> Refusal		<input type="checkbox"/> Refusal	
<b>Stop Order</b>		<input type="checkbox"/> Stop Order	
<b>REASON(S) FOR APPEAL</b>			
Sections 678 and 686 of the <i>Municipal Government Act</i> require that the written Notice of Appeal must contain specific reasons for the appeal.			
(Attach a separate page if required)			
Please see attached documents.			
Additional letters of support from neighbours to be presented at hearing once scheduled			

This personal information is being collected under the authority of Section 33 (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the Subdivision and Development Appeal Board hearing process. It will be managed in accordance with the privacy protection provisions of Part 2 of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection, contact the FOIP Coordinator for the City of Fort Saskatchewan at 780-992-6200. This information will form part of a public record.

<b>Name and Signature of Appellant or Agent:</b>		
Name (Print): Kevin Harter	Signature: [REDACTED]	Date: November 7, 2025
<b>OFFICE USE ONLY</b>		
SDAB Appeal Number: PLVAR 20250744	Appeal Fee Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No \$ 150	Date Received: November 10, 2025



## APPEAL SUBMISSION INFORMATION

The Notice of Appeal must be received by the Subdivision and Development Appeal Board, no later than the final date of the appeal, as specified in the *Municipal Government Act*. Otherwise, the appeal may be found invalid by the Board.

## FILING INFORMATION

If the Notice of Appeal is being sent via mail, it must be received on or before the final date of appeal or it will not be processed and a hearing before the Board will not occur.

### MAIL OR DELIVER TO:

Secretary to the Subdivision & Development Appeal Board  
10005 - 102 Street  
Fort Saskatchewan, AB T8L 2C5

**NOTE:** A Notice of Appeal is not deemed complete until payment of the corresponding appeal fee is paid, as set out within the *City's Fees and Charges Bylaw*.

## APPEAL PROCESS AND FAQ

**Who can file an appeal?** In accordance with the *Municipal Government Act*, an appeal to the Subdivision and Development Appeal Board can be filed by:

### Subdivision Appeals:

- The applicant for a subdivision approval;
- Government department if the application is required by the subdivision and development regulations to be referred to that department
- By the council of the municipality in which the land to be subdivided is located if the council, a designated officer of the municipality or the municipal planning commission of the municipality is not the subdivision authority, or
- By a school board with respect to the allocation of municipal reserve and school reserve or money in place of the reserve, the location of school reserve allocated to it, or the amount of school reserve or money in place of the reserve.

**Note:** Adjacent land owners are entitled to notification of a subdivision and the ability to attend and speak at a hearing, but are not granted a right to appeal the subdivision.

### Development Appeals:

 Appeals can be made to the SDAB if the Development Authority:

- Fails or refuses to issue a development permit to a person,
- Issues a development permit subject to conditions, or
- Issues a stop order pursuant to section 645 of the *Municipal Government Act*.

In addition to the rights to appeal developments above, any person affected by an order, decision or development permit made or issued by a Development Authority may appeal the decision **except** where a development permit was issued for a permitted use and the *Land Use Bylaw* was not varied, relaxed or misinterpreted.

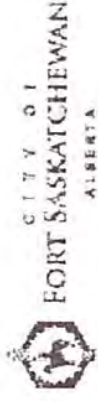
**When will the hearing take place?** In accordance with the *Municipal Government Act*, a hearing must commence within 30 days of receiving a Notice of Appeal. Hearings are scheduled based on the availability of the board members.

If you require additional information regarding the Appeal deadlines and procedures of the Board, please contact the Secretary of the Subdivision and Development Appeal Board at:

Phone: 780.992.6200

Email: [sdab@fortsask.ca](mailto:sdab@fortsask.ca)





10005-102 ST  
City of Fort Saskatchewan  
AB T8L 2C5  
780-992-6200

finance@fortsask.ca  
Finance

Invoice/Receipt  
124060203 RT0001

Transaction	681301	
Transaction Date	2025-Nov-10 10:12:55 AM	
Reference		
<hr/>		
Residential Subdivision Appeals : 187 Cranberry bend		\$
1.00 @ \$ 150.00		\$150.00
<hr/>		
Discount.....		\$0.00
Subtotal....		\$150.00
Tax.....		\$0.00
Total Sales Amount ....		\$150.00
<hr/>		
Payment Received		
Debit Card		\$150.00
<hr/>		



# Exhibit “B”

## Development Authority Submission





## DEVELOPMENT PERMIT APPLICATION VARIANCE

**Planning & Development**

**10002 105 St Fort Saskatchewan AB T8L 2C5**

**780.992.6198 Fortplanning@fortsask.ca**

### OFFICE USE ONLY

Application Number: PLVAR20250744 Land Use District: R1  
 Lot: 83 Block: 28 Plan: 142 3602 Tax Roll: 4624862  
 Long Legal (if Applicable): \_\_\_\_\_

**A variance is the relaxation of a specific requirement of the Land Use Bylaw.** A variance is considered in cases where the character or situation of the land will cause practical difficulties for the siting of a development and where those characteristics and situations are not generally common to other land in the same district.

In support of your application you may provide photographs of the existing or proposed structure & the site and a Real Property Report or Plot Plan illustrating the required variance.

**There shall be no variance of regulations regarding Use and Definition.**

### Project Address

Municipal Address: 187 Cranberry Bend, Fort Saskatchewan AB, T8L 0R5

### Applicant Information—All correspondence will be provided to the applicants email.

Applicant: Kevin Harter Email: [REDACTED]  
 Contact Name: Kevin Phone: [REDACTED]  
 Address: 187 Cranberry Bend City: Fort Saskatchewan Postal Code: T8L 0R5  
 Are you the current Property Owner? ☐ No ☒ Yes

**\*\*If NO, a letter of permission must be supplied from the current property owner(s).**

### Variance Information

What is the specific variance you require? Wood fencing on property vs. chain link

Are there unique circumstances of your property/development that warrants a variance? ☐ No ☒ Yes

For Yes provide the circumstance

Please see attached.

I have reviewed all the information supplied to the City of Fort Saskatchewan with respect to this application for a Variance and confirm that it is true and accurate to the best of my knowledge and belief. I understand that the Development Authority will rely on this information in its evaluation of my application for a Variance and that any decision made by the Development Authority based on inaccurate information may be rescinded at any time.

Applicant Signature [REDACTED] Date: October 13, 2025

Applicants Name (Please Print) Kevin Harter

### OFFICE USE ONLY

Date Reviewed: \_\_\_\_\_ Date Complete: \_\_\_\_\_ Variance Fee: \_\_\_\_\_

Development Authority Comments: \_\_\_\_\_

Decision: \_\_\_\_\_

*This personal information is being collected and used under the authority of Section 4(c) of the Protection of Privacy Act for the purpose of this Development Permit. If you have questions about the collection, contact the Access to Information Coordinator for the City of Fort Saskatchewan at 780-992-6200*



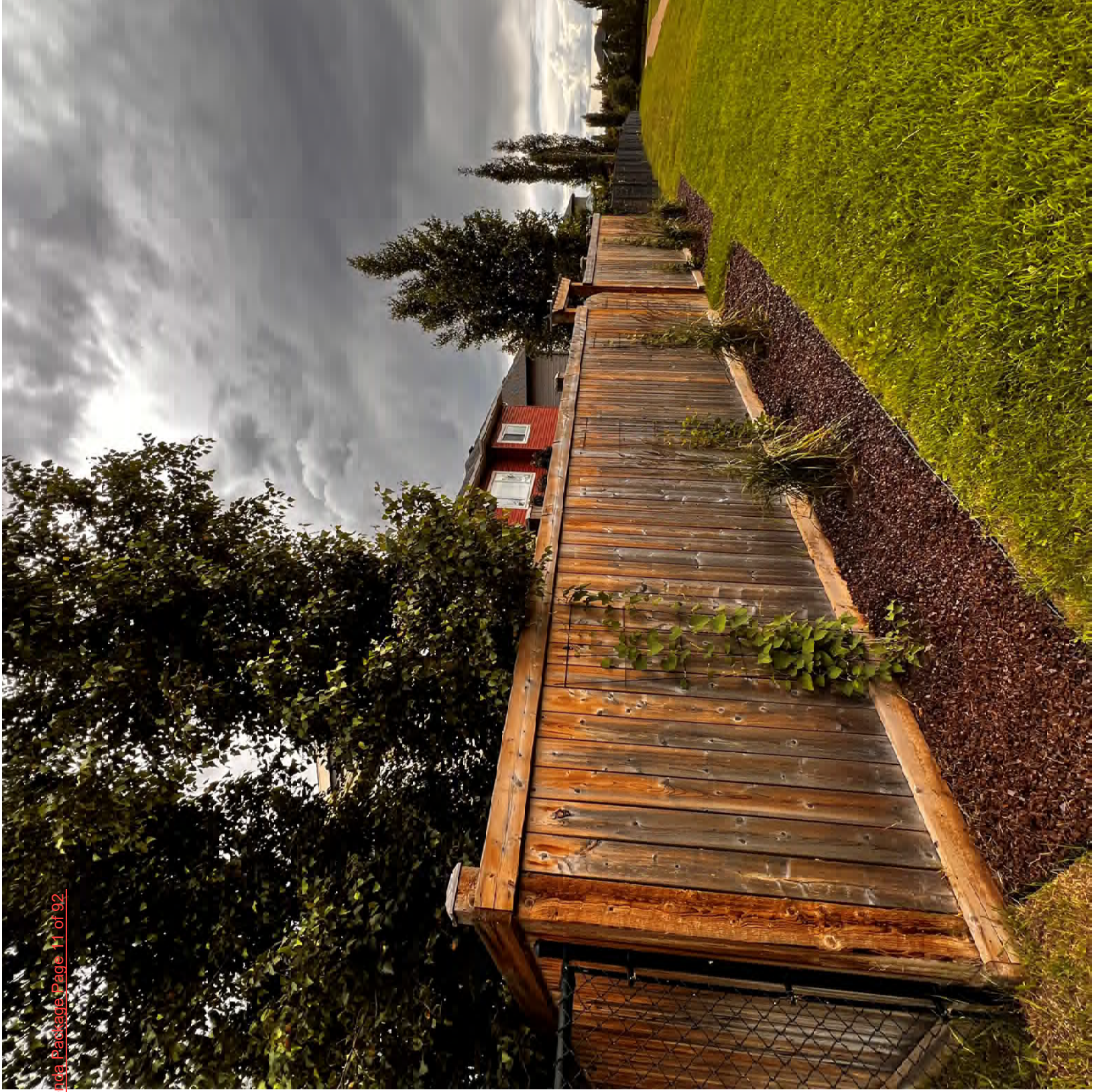
Kindly note the following circumstances to warrant variance that we hope you consider:

- We purchased our home, located at 187 Cranberry Bend, in late 2016 and constructed the fence in early 2017 after having contacted both the city and the land developer.
- We noted other properties within the same area, along the same back pathway, also had rear facing wooden fencing.
- At the time we thought we did our due diligence by going down to city hall to confirm whether or not a permit was required and asking about the wooden fencing bylaws. The only stipulation we were given at the time was it must meet height requirements and to contact the land developer for any additional information.
- We contacted the developer who did not indicate we needed chain link fencing and that we needed to contact the city. At this point we felt we did our due diligence and constructed our fence.
- We have resided at our residence for 8+ years with no issues until now. Our yard and fence are well maintained with matured landscaping that is also well maintained. We did add a hot tub by acquiring the necessary permit and believed the fence provided more security and privacy with regards to this addition.
- Having to remove and replace our fence that has not been an issue for the numerous years previous would cause undue financial hardship and stress. It would also alter the mature landscaping we have worked hard to develop and maintain.
- The fence itself is constructed of 6x4 posts, 2x6 runners and 1x6 treated fence boards and does have a gate to allow access through. It is in good structural condition with no loose boards, deteriorating materials, vandalism or graffiti.

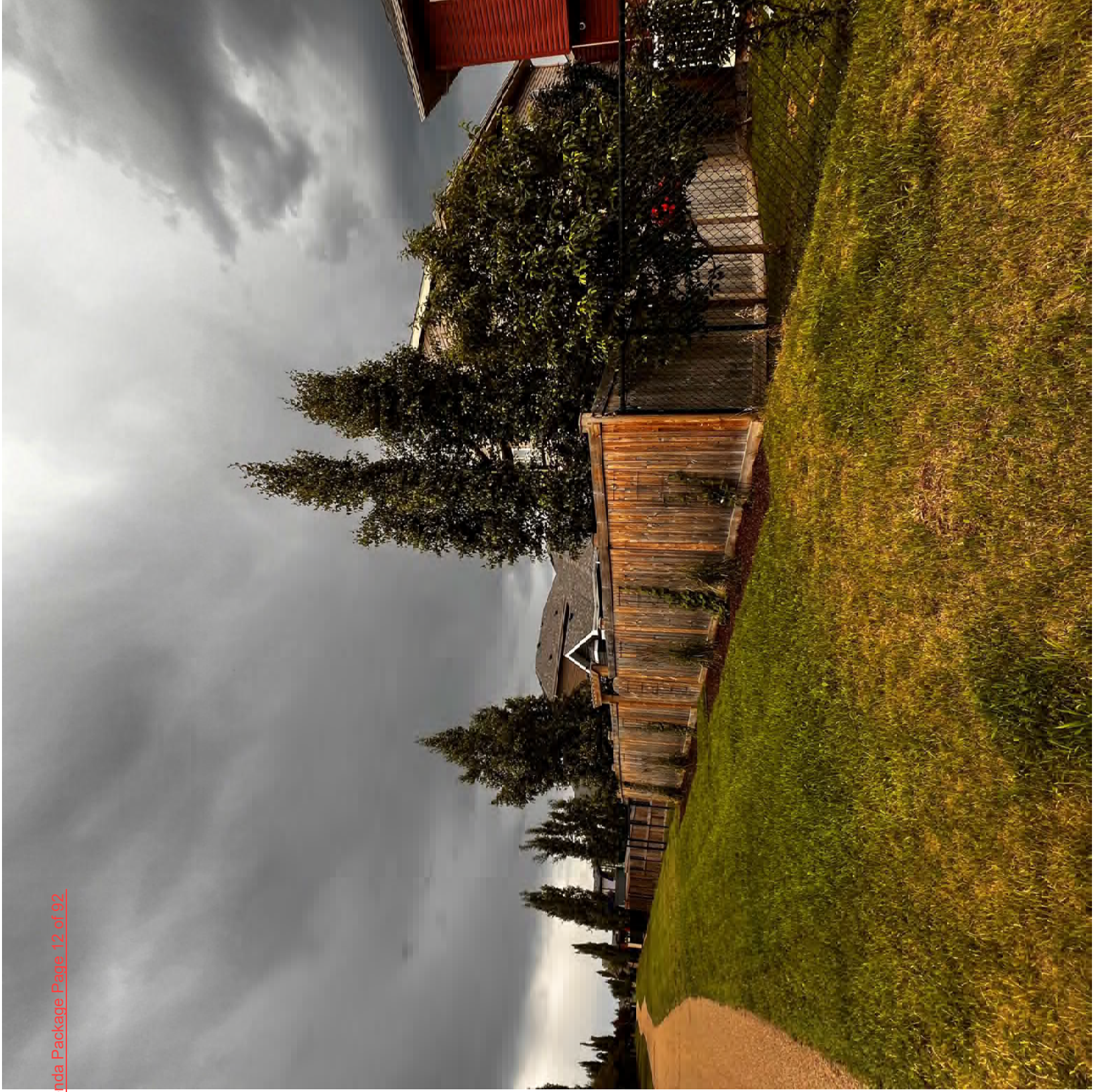




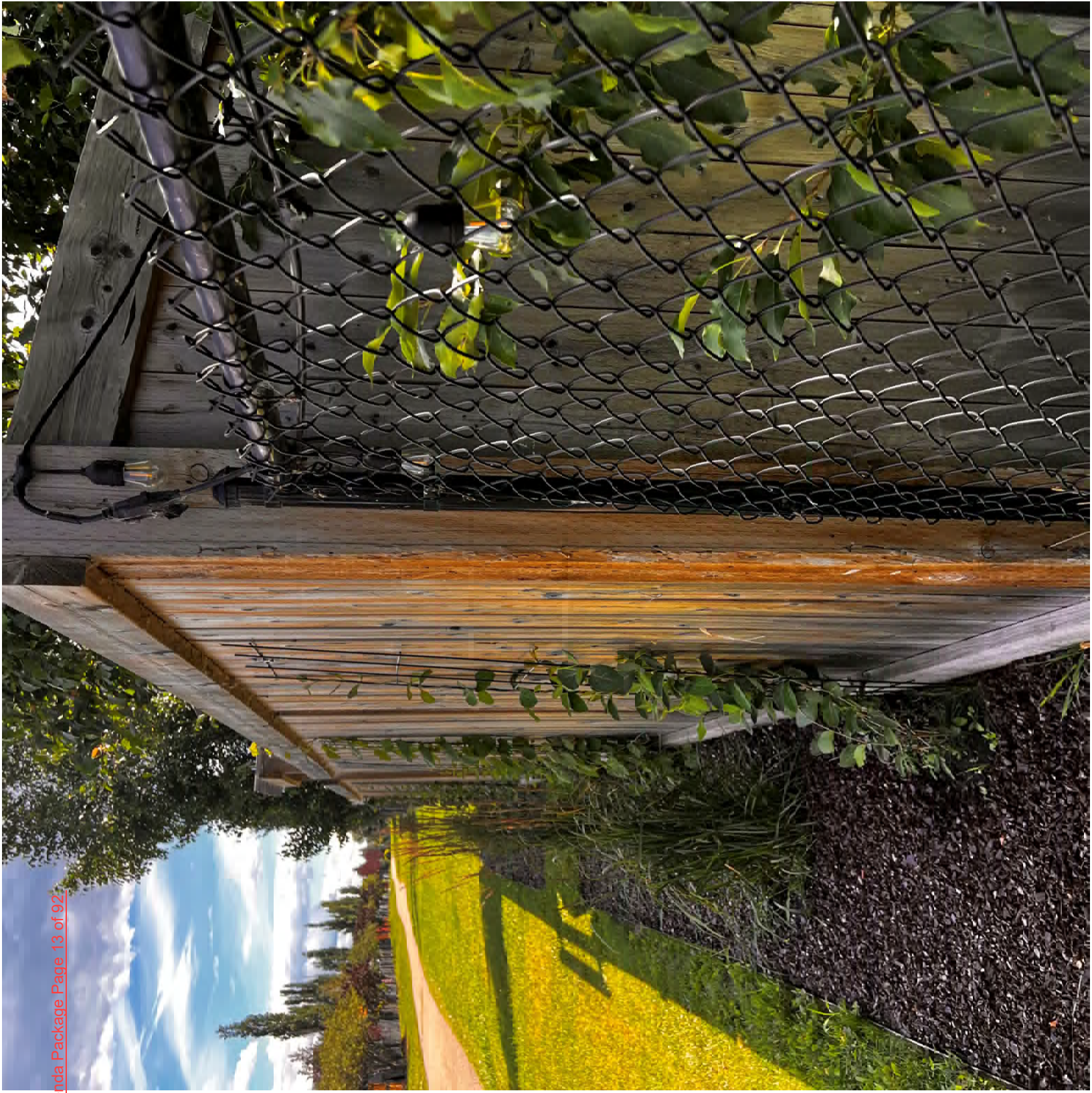














Preview

S

LINC	SHORT LEGAL	TITLE NUMBER
0036 251 569	1423602;28;83	

LEGAL DESCRIPTION  
PLAN 1423602  
BLOCK 28  
LOT 83  
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE  
ATS REFERENCE: 4;23;54;24;E

MUNICIPALITY: CITY OF FORT SASKATCHEWAN

REFERENCE NUMBER:

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

OWNERS

KEVIN HARTER

AND  
ERIN SHEWCHUK  
BOTH OF:  
187 CRANBERRY BEND  
FORT SASKATCHEWAN  
ALBERTA T8L 0R5  
AS JOINT TENANTS

[Close](#)



## Development Authority Written Submission to the Subdivision and Development Appeal Board

Property Address	187 Cranberry Bend
Application #	PLVAR20250744
Date of Written Submission	November 25, 2025
Development Authority	Patricia Brummet

### 1. Zone and Use Class

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The Appellant is appealing against the development permit refusal decision by the Development Authority for a board fence development at the rear of the property adjacent to a public open space, see Attachment A. This property is districted as R1 – Single Detached Residential District and the Use of the land is Single Detached Housing.

### 2. Policy Framework

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The property is located within the Forest Ridge neighborhood which is a subarea within Westpark. The primary land use type is low density residential housing, see Attachment B.

The applicable Land Use Bylaw sections are:

Part 5 – General Regulations for All Land Use Districts

*Section 5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.*

*Section 5.14.1. Development should be designed to retain significant existing natural features and characteristics of the site and surrounding area. The Development Authority shall review applications with respect to their response to the physical characteristics of the site and the contextual influences of the surrounding area.*

### 3. Relevant Background

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October 14, 2025: A Development Permit Application for variance to allow a board fence at the rear of the property adjacent to public land was submitted to Planning & Development.

October 24, 2025: The Development Authority issued a decision of Refusal for PLVAR20250744 to the Applicant.



#### **4. Regulation Review and Related Justification**

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While the proposed development, a board fence, is an accessory development to a residential dwelling, the proposed development fails to comply with certain sections of the Land Use Bylaw. These regulations are designed to ensure orderly neighbourhood development, safety, and the protection of the residential character. The Development Authority cannot support the proposal for the reasons outlined below.

##### **1. Undue Interference with the Amenities of the Neighbourhood**

The proposed board fence along the pedestrian corridor contravenes City policy and the Land Use Bylaw regulations intended to preserve the integrity and function of the City's pedestrian network and the aesthetic quality of this residential area:

- The City's Engineering Standards requires a chain link fence to be installed when adjacent to open spaces by the land developer at the time of servicing the new subdivision.
- Section 5.5.3. of the Land Use Bylaw gives authority to the Development Authority to require common fencing to remain on private lands when adjacent to public open spaces.
- Section 5.14.1. stipulates that development should be designed to retain characteristics of the site and surrounding area. The characteristics of the site and surrounding area contain an open space pedestrian corridor with chain link fencing on the adjacent private lands.

Importantly, this pedestrian corridor in the subdivision, flanked on the west and east sides by residential housing serves as a public walkway system connecting to other City pedestrian networks. The chain link fencing provides a welcoming and safe experience for users of this pedestrian corridor. The corridor functions as an amenity not only for adjacent residents but for the area at large, contributing to community identity, safety, and visual appeal.

Introducing board fencing at the rear of private residential properties would negatively impact the established character of the walkway, reduce pedestrian safety, and erode a community amenity.

There is no planning rationale to justify this variance request. The appellant already had a physical barrier to their lot from the pedestrian corridor providing separation between public and private land, see Attachment C & D. Constructing a board fence is not a necessity; it is a preference.



**DA Written Submission to SDAB cont ...**

**2. Material Interference with the Use, Enjoyment, or Value of Neighbouring Parcels**

The proposed development would introduce a walled corridor and will take away from the intent of the design. The rear yards along this pedestrian corridor are characterized by a quasi-public and private space for a walkway creating pedestrian connectivity amongst the neighbourhoods. Allowing board fencing at the rear of the residential properties would alter the pedestrian experience and materially interfere with:

- Adjacent properties being subject to increased crime and other undesired activities due to less use of the corridor by community members as it no longer feels like a safe public space.
- The interface between the private properties and the walkway system would change from a quasi-public/private space to one featuring an unwelcoming walled corridor.

Additionally, approving this development risks setting a precedent for similar applications, which would collectively degrade the cohesive and consistent fencing along the rear adjacent to public open spaces in this subdivision.

There is no legitimate planning hardship that necessitates a variance being granted to allow a board fence adjacent to this public open space.

**3. Intent and Purpose of the Regulations**

The proposal contravenes regulations where the intent is clear and valid:

- Section 5.5.3. establishes uniform fencing to promote the safety, experience, and integrity for fencing on private land when adjacent to public open spaces.
- Section 5.14.1. provides direction that development should be designed to retain characteristics of the site and surrounding area. The characteristics of the site and surrounding area contain an open space pedestrian corridor with chain link fencing on adjacent private lands.

The proposal circumvents the regulatory framework designed to promote attractive neighbourhoods for private housing backing onto public open spaces. It is inconsistent with the Land Use Bylaw's broader objectives when it comes to open spaces for pedestrian corridors linking neighbourhoods where uniform fencing is required for the purpose of separating private and public land.

The pedestrian corridor is an amenity for all residents in the neighbourhood and adjoining neighbourhoods contributing to community safety and visual appeal.



## **DA Written Submission to SDAB cont ...**

The black chain link fencing adjacent to an open space is an engineered standard that was established to create a theme that achieves an open concept for residential neighbourhoods. This design provides a safe and welcoming environment for residents and neighbours when experiencing this place.

The proposal offers no compelling planning justification and directly contravenes the purpose and intent of certain sections of the Land Use Bylaw. For these reasons, the Development Authority respectfully maintains its decision to refuse the development permit.

### **5. Recommended Alternatives for SDAB Consideration.**

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1. The SDAB may overturn the decision and permit the Board Fence to remain as sited.

#### **Advisements:**

A refused Development Permit means that the proposed development has been reviewed against the provisions of the current City of Fort Saskatchewan Land Use Bylaw. It does not address any obligations to conform with any other legislation, bylaws, or land title instruments.

### **6. Attachments.**

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**Attachment A:** Development Permit PLVAR20250744 Refusal

**Attachment B:** Aerial photos (187 Cranberry Bend)

**Attachment C:** Engineering drawing for fencing (October 9, 2020)

**Attachment D:** Engineering drawing detail of approved chain link fencing requirements





**DEVELOPMENT PERMIT**  
**PLVAR20250744**  
**Lot 83, Block 28, Plan 142 3602**  
**187 CRANBERRY BEND**

This document is a record of Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit and the Fort Saskatchewan Land Use Bylaw, as amended.

**Scope of Application**

Rear Yard Board Fence

**Development Permit Decision**

Refused

**Development Authority**

Patricia Brummet

The Development Authority of the City of Fort Saskatchewan hereby **REFUSES** this application for the Board Fence located on the rear yard property line. The Development Permit was refused for the following reasons:

The proposal circumvents the regulatory framework designed to promote attractive neighbourhoods for private housing backing onto public open spaces. It is inconsistent with the land use bylaw's broader objectives when it comes to open spaces for pedestrian corridors linking neighbourhoods where uniform fencing is required for the purpose of separating private and public space.

The pedestrian corridor functions as an amenity not only for adjacent residents but for the area at large, contributing to community safety and visual appeal.

The black chain link fencing adjacent to an open space is an engineered standard that was established to create a theme that achieves an open concept for the neighbourhoods. This design provides a safe and welcoming environment for residents and neighbours when experiencing this place.

The proposal offers no compelling planning justification and directly contravenes the purpose and intent of the Land Use Bylaw.

As per the current Land Use Bylaw:

*5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.*

*5.14.1. Development should be designed to retain significant existing natural features and characteristics of the site and surrounding area. The Development Authority shall review applications with respect to their response to the physical characteristics of the site and the contextual influences of the surrounding area.*



Additionally, this development risks setting a precedent for similar applications, which would collectively degrade the cohesive and consistent form of the corridor.

DATE OF DECISION:

October 24, 2025

**FINAL DATE TO FILE AN APPEAL:**

**November 14, 2025**



If you have questions about this development permit decision, please contact Planning and Development at 780-992-6198 or [fortplanning@fortsask.ca](mailto:fortplanning@fortsask.ca)

If you wish to appeal the above decision, please submit a completed *Notice of Appeal form* (fees apply) by **November 12, 2025** to:

**Secretary of the Subdivision and Development Appeal Board**

City Hall, 10005 - 102 Street,

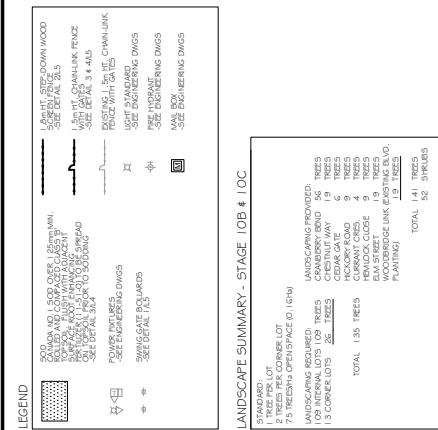
Fort Saskatchewan, AB T8L 2C5

Website: <https://www.fortsask.ca/en/your-city-hall/subdivision-and-development-appeal-board.aspx>









### UTILITY SETBACKS

1.	7.5m FROM STREET CORNER
2.	3.0m FROM LIGHT POLES
3.	4.0m FROM STOP SIGN 4 YIELD SIGNS
4.	4.0m FROM STOP SIGNS
5.	2.0m FROM OTHER SIGNS
6.	2.0m FROM DRIVEWAYS AND WALKWAYS
7.	2.0m FROM ALL UNDERGROUND AND OVERHEAD UTILITIES, FENCELINES, TRANSFORMERS, AND OTHER STREET FURNITURE.
8.	LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DAMAGES AND LIABILITIES INCURRED BY DAMAGES TO SITE UTILITIES.
9.	

4	even well branched head above 1200mm Broken leader unacceptable.
4	even well branched head above 1200mm Broken leader unacceptable.
4	even well branched head above 1200mm Broken leader unacceptable.

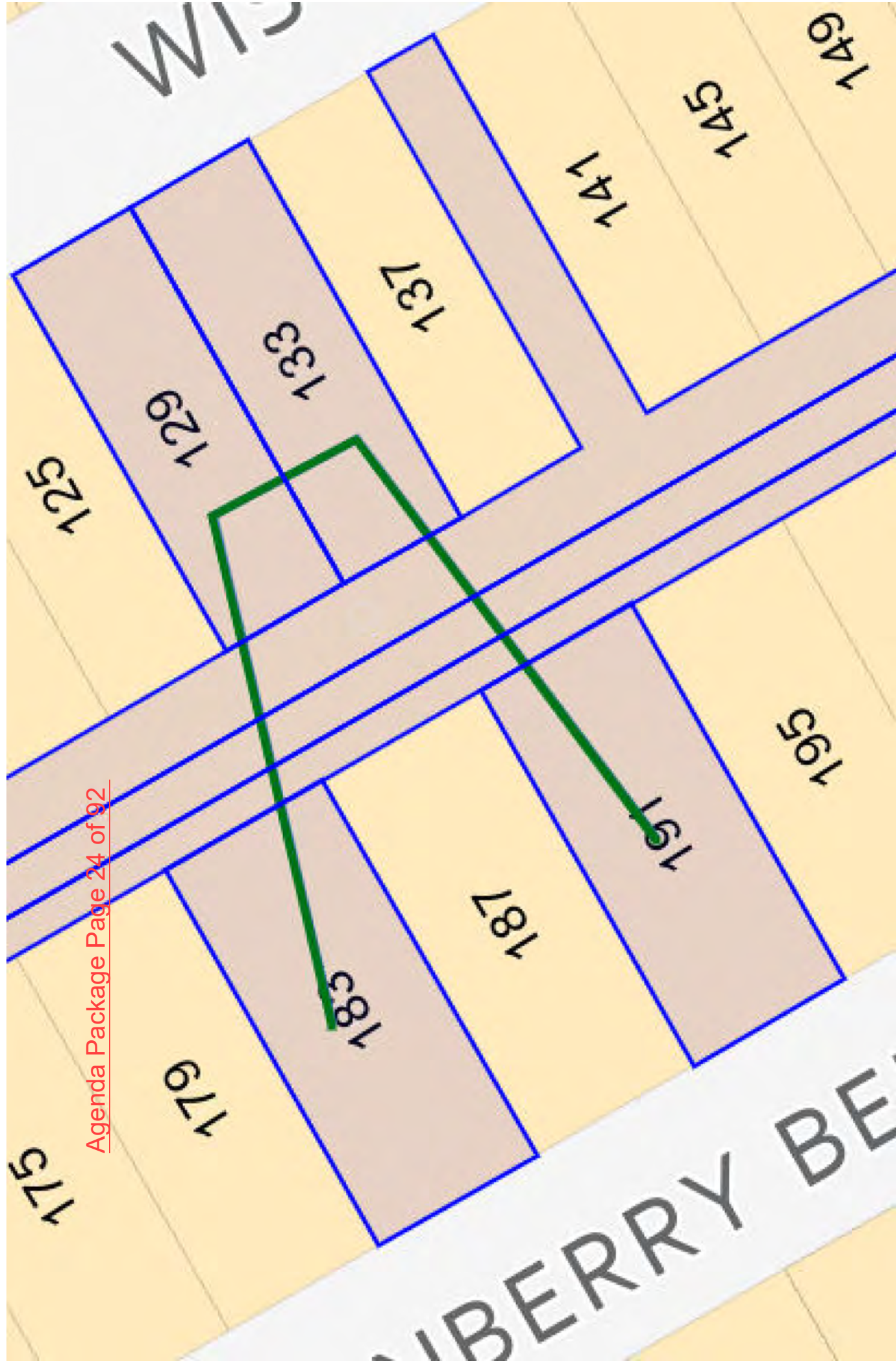
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CITY OF  
FORT SASKATCHEWAN

# Rear Fence Appeal 187 Cranberry Bend





# **Subdivision and Development Appeal Board**

**Development Permit PLVAR20250744  
187 Cranberry Bend**

**December 4, 2025**

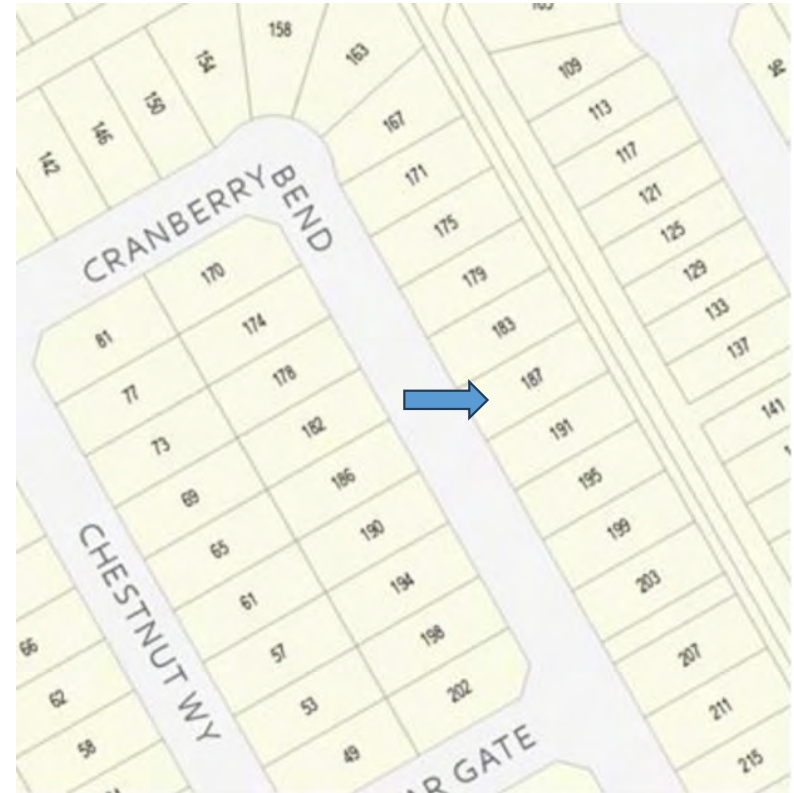
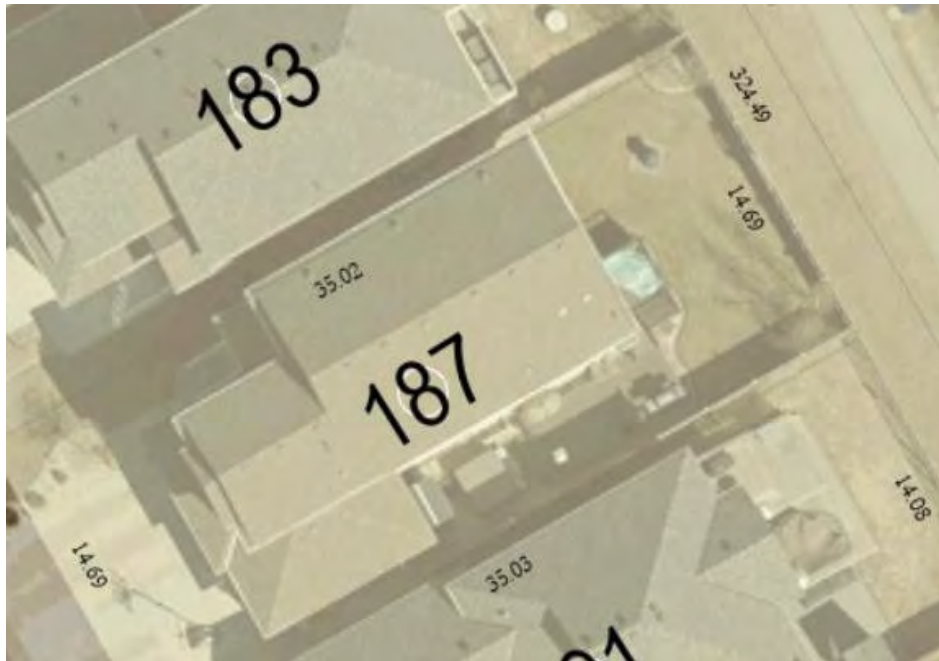


## Background and Timeline

- October 14, 2025: A Development Permit Application for variance to allow a board fence at the rear of the property adjacent to public land was submitted to Planning & Development.
- October 24, 2025: The Development Authority issued a decision of Refusal for PLVAR20250744 to the Applicant.



# Site Photos





# Pictures of Existing Fence





## **APPLICABLE REGULATIONS IN THE LAND USE BYLAW**

- 5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.
- 5.14.1. Development should be designed to retain significant existing natural features and characteristics of the site and surrounding area. The Development Authority shall review applications with respect to their response to the physical characteristics of the site and the contextual influences of the surrounding area.





## **1. Undue Interference with the Amenities of the Neighbourhood**

- The City's Engineering Standards requires a chain link fence to be installed when adjacent to open spaces by the land developer at the time of servicing the new subdivision.
- Section 5.5.3. of the Land Use Bylaw gives authority to the Development Authority to require common fencing to remain on private lands when adjacent to public open spaces.
- Section 5.14.1. stipulates that development should be designed to retain characteristics of the site and surrounding area. The characteristics of the site and surrounding area contain an open space pedestrian corridor with chain link fencing on adjacent private lands.













## **2. Material Interference with the Use, Enjoyment, or Value of Neighbouring Parcels**

- The proposed development would introduce a walled corridor and will take away from the intent of the design altering the pedestrian experience in this area. This could result in increase crime and other undesired activities occurring in this open space if the corridor is no longer a quasi-public/private space.
- Additionally, approving this development risks setting a precedent for similar applications, which would collectively degrade the cohesive and consistent fencing along the rear property lines adjacent to public open spaces in this subdivision.



### **3. Intent and Purpose of the Regulations**

The proposal contravenes regulations where the intent is clear and valid:

- Section 5.5.3. establishes uniform fencing to promote the safety, experience, and integrity for fencing on private land when adjacent to public open spaces.
- Section 5.14.1. provides direction that development should be designed to retain characteristics of the site and surrounding area. The characteristics of the site and surrounding area contain an open space pedestrian corridor with chain link fencing on the adjacent private lands.



## **Summary of Development Authority's Reasons for Refusal**

- The proposed development unduly interferes with the amenities when introducing the board fencing at the rear of properties backing onto public open space and contravenes regulations intended to preserve the integrity and safety of the City's public open spaces with pedestrian trails.
- The proposal offers no compelling planning justification and directly contravenes the purpose and intent of certain sections of the Land Use Bylaw and the engineering standard for fencing on private property adjacent to public open spaces.

For these reasons, the Development Authority respectfully maintains its decision to refuse the development permit.





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# Questions?





#### **4. Recommended Alternatives for SDAB Consideration.**

1. The SDAB may overturn the decision and permit the Board Fence to remain as sited.

##### **Advisements:**

A refused Development Permit means that the proposed development has been reviewed against the provisions of the current City of Fort Saskatchewan Land Use Bylaw. It does not address any obligations to conform with any other legislation, bylaws, or land title instruments.



# Exhibit “C”

## Applicant / Appellant Submission





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ALBERTA

**NOTICE OF APPEAL****SUBDIVISION & DEVELOPMENT APPEAL BOARD**

<b>Site Information:</b>		Appeal Fee: (highlight applicable fee)	
Municipal Address of site: 187 Cranberry Bend		<b>Development Appeal:</b> \$150.00 (Residential) \$450.00 (Commercial, Industrial, Institutional, DC – Affected Party) \$650.00 (Commercial, Industrial, Institutional, DC – Applicant, Appellant, S.O.)	
Legal land description of site: Lot 83, Block 28, Plan 142 3602		<b>Subdivision Appeal:</b> \$650.00 (Residential) \$650.00 (Commercial, Industrial, Institutional, DC – Affected Party) \$1,000.00 (Commercial, Industrial, Institutional, DC – Applicant, Appellant)	
Development Permit number or Subdivision Application number: PLVAR 20250744			
<b>Appellant Information:</b>			
Name: Kevin Harter		Phone: [REDACTED]	Agent Name: (if applicable)
Mailing Address: 187 Cranberry Bend		City, Province: Fort Saskatchewan, Alberta	
Postal Code: T8L 0R5		Email: [REDACTED]	
APPEAL AGAINST (Check ONE Box Only) for multiple appeals you must submit another Notice of Appeal			
<b>Development Permit</b>		<b>Subdivision Application</b>	
<input type="checkbox"/> Approval		<input type="checkbox"/> Approval	
<input type="checkbox"/> Conditions of Approval		<input type="checkbox"/> Conditions of Approval	
<input checked="" type="checkbox"/> Refusal		<input type="checkbox"/> Refusal	
<input type="checkbox"/> Stop Order			
<b>REASON(S) FOR APPEAL</b> Sections 678 and 686 of the <i>Municipal Government Act</i> require that the written Notice of Appeal must contain specific reasons for the appeal. (Attach a separate page if required) Please see attached documents. Additional letters of support from neighbours to be presented at hearing once scheduled			

This personal information is being collected under the authority of Section 33 (c) of the *Freedom of Information and Protection of Privacy Act* and will be used for the Subdivision and Development Appeal Board hearing process. It will be managed in accordance with the privacy protection provisions of Part 2 of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection, contact the FOIP Coordinator for the City of Fort Saskatchewan at 780-992-6200. This information will form part of a public record.

<b>Name and Signature of Appellant or Agent:</b>		
Name (Print): Kevin Harter	Signature: [REDACTED]	Date: November 7, 2025
OFFICE USE ONLY		
SDAB Appeal Number: PLVAR 20250744	Appeal Fee Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No \$ 150	Date Received: November 10, 2025



## APPEAL SUBMISSION INFORMATION

The Notice of Appeal must be received by the Subdivision and Development Appeal Board, no later than the final date of the appeal, as specified in the *Municipal Government Act*. Otherwise, the appeal may be found invalid by the Board.

## FILING INFORMATION

If the Notice of Appeal is being sent via mail, it must be received on or before the final date of appeal or it will not be processed and a hearing before the Board will not occur.

### MAIL OR DELIVER TO:

Secretary to the Subdivision & Development Appeal Board  
10005 - 102 Street  
Fort Saskatchewan, AB T8L 2C5

**NOTE:** A Notice of Appeal is not deemed complete until payment of the corresponding appeal fee is paid, as set out within the *City's Fees and Charges Bylaw*.

## APPEAL PROCESS AND FAQ

**Who can file an appeal?** In accordance with the *Municipal Government Act*, an appeal to the Subdivision and Development Appeal Board can be filed by:

### Subdivision Appeals:

- The applicant for a subdivision approval;
- Government department if the application is required by the subdivision and development regulations to be referred to that department
- By the council of the municipality in which the land to be subdivided is located if the council, a designated officer of the municipality or the municipal planning commission of the municipality is not the subdivision authority, or
- By a school board with respect to the allocation of municipal reserve and school reserve or money in place of the reserve, the location of school reserve allocated to it, or the amount of school reserve or money in place of the reserve.

**Note:** Adjacent land owners are entitled to notification of a subdivision and the ability to attend and speak at a hearing, but are not granted a right to appeal the subdivision.

### Development Appeals:

 Appeals can be made to the SDAB if the Development Authority:

- Fails or refuses to issue a development permit to a person,
- Issues a development permit subject to conditions, or
- Issues a stop order pursuant to section 645 of the *Municipal Government Act*.

In addition to the rights to appeal developments above, any person affected by an order, decision or development permit made or issued by a Development Authority may appeal the decision **except** where a development permit was issued for a permitted use and the *Land Use Bylaw* was not varied, relaxed or misinterpreted.

**When will the hearing take place?** In accordance with the *Municipal Government Act*, a hearing must commence within 30 days of receiving a Notice of Appeal. Hearings are scheduled based on the availability of the board members.

If you require additional information regarding the Appeal deadlines and procedures of the Board, please contact the Secretary of the Subdivision and Development Appeal Board at:

Phone: 780.992.6200

Email: [sdab@fortsask.ca](mailto:sdab@fortsask.ca)





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FORT SASKATCHEWAN  
ALBERTA

10005-102 ST  
City of Fort Saskatchewan  
AB T8L 2C5  
780-992-6200

finance@fortsask.ca

Finance

**Invoice/Receipt**

124060203 RT0001

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Transaction	681301
Transaction Date	2025-Nov-10 10:12:55 AM
Reference	

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			\$
Residential Subdivision Appeals : 187 Cranberry bend			
1.00	@	\$ 150.00	\$150.00

Discount....	\$0.00
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Subtotal....	\$150.00
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Tax....	\$0.00
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Total Sales Amount ....	\$150.00
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Payment Received

Debit Card	\$150.00
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**DEVELOPMENT PERMIT**  
**PLVAR20250744**  
**Lot 83, Block 28, Plan 142 3602**  
**187 CRANBERRY BEND**

This document is a record of Development Permit application, and a record of the decision for the undertaking described below, subject to the limitations and conditions of this permit and the Fort Saskatchewan Land Use Bylaw, as amended.	
<b>Scope of Application</b> Rear Yard Board Fence	
<b>Development Permit Decision</b> Refused	<b>Development Authority</b> Patricia Brummet

The Development Authority of the City of Fort Saskatchewan hereby **REFUSES** this application for the Board Fence located on the rear yard property line. The Development Permit was refused for the following reasons:

The proposal circumvents the regulatory framework designed to promote attractive neighbourhoods for private housing backing onto public open spaces. It is inconsistent with the land use bylaw's broader objectives when it comes to open spaces for pedestrian corridors linking neighbourhoods where uniform fencing is required for the purpose of separating private and public space.

The pedestrian corridor functions as an amenity not only for adjacent residents but for the area at large, contributing to community safety and visual appeal.

The black chain link fencing adjacent to an open space is an engineered standard that was established to create a theme that achieves an open concept for the neighbourhoods. This design provides a safe and welcoming environment for residents and neighbours when experiencing this place.

The proposal offers no compelling planning justification and directly contravenes the purpose and intent of the Land Use Bylaw.

As per the current Land Use Bylaw:

*5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.*

*5.14.1. Development should be designed to retain significant existing natural features and characteristics of the site and surrounding area. The Development Authority shall review applications with respect to their response to the physical characteristics of the site and the contextual influences of the surrounding area.*



Additionally, this development risks setting a precedent for similar applications, which would collectively degrade the cohesive and consistent form of the corridor.

DATE OF DECISION:

October 24, 2025

**FINAL DATE TO FILE AN APPEAL:**

**November 14, 2025**

  
**DEVELOPMENT AUTHORITY**

If you have questions about this development permit decision, please contact Planning and Development at 780-992-6198 or [fortplanning@fortsask.ca](mailto:fortplanning@fortsask.ca)

If you wish to appeal the above decision, please submit a completed *Notice of Appeal form* (fees apply) by **November 12, 2025** to:

**Secretary of the Subdivision and Development Appeal Board**

City Hall, 10005 - 102 Street,

Fort Saskatchewan, AB T8L 2C5

Website: <https://www.fortsask.ca/en/your-city-hall/subdivision-and-development-appeal-board.aspx>



Kindly note the following circumstances to warrant further consideration regarding our variance denial:

We purchased our home, located at 187 Cranberry Bend, in late 2016 and constructed our fence in early 2017 after having contacted both the city and the land developer.

We noted other properties within the same area, along the same back pathway, also had rear facing wooden fencing. There are 14 other neighbours along the same shared walkway who have followed the same course of erecting a wood fence for privacy as a replacement for the chain link. Should the planning decision hold on our property we believe the city would then be in a position to create 14+ houses non compliant as well. *(Pictures included for reference)*

At the time we thought we did our due diligence by going down to city hall to confirm whether or not a permit was required and asking about any specific bylaws regarding the implementation of wooden fencing on our property. There is no permit process in place for residential fence construction. There is nothing in the LUB that specifically identifies neighbourhoods that require mandated fencing and/or fencing materials. The only stipulation we were given at the time was it must meet height requirements and to contact the land developer for any additional information.

We contacted the developer who did not indicate we needed chain link fencing and that we needed to contact the city. At this point we felt our due diligence was met and we constructed our fence.

We have resided at our home for 8+ years with no issues until now. Our yard and fence are well maintained with matured landscaping that is also well maintained. We did add a hot tub by acquiring the necessary permit and believed the fence provided more security and privacy with



Agenda Package Page 46 of 92  
regards to this addition. Having to remove and replace our fence that has not been an issue for the numerous years previous would cause undue financial hardship and stress. It would also alter the mature landscaping we have worked hard to develop and maintain. *(Pictures included for reference)*

The fence itself is constructed of 6x4 posts, 6x2 runners and 6x1 treated fence boards as well as a gate to allow access through. It is in good structural condition with no loose boards, deteriorating materials, vandalism or graffiti. It is aesthetically pleasing. The fence conforms under the height requirements. The documents from planning seem to indicate the material (in this case wood) is in contravention. It should be noted that fences get replaced for various reasons and to our understanding after CCC and developer turnover to the city the fence becomes property of the homeowner.

Furthermore, this process was triggered by a single neighbour which has created quite the turmoil for us in recent months. It is disheartening that only our property has been targeted in this case.

We have a huge amount of pride with regards to our yard. It sparks conversation and engagement with neighbours as well as adds to the overall appeal of our neighbourhood. We have had many conversations with neighbours regarding their fondness of our landscaping, yard and the way in which it is all maintained. Our property has been shared on Facebook as a focal point for people in the community to come and see especially during the holidays. This fosters positive community engagement that should not be overlooked.  
*(Example letter from neighbour, Kyle Baird attached)*



Please see below pictures of the **14** other properties along the same back path that wraps around Cranberry Bend for further consideration.

Further note, this does not include the homes on the adjacent paths that would also be consider non-compliant should the planning decision hold on our fence.

**Home #1**





Home #2





Homes #'s 3, 4, 5





**Home #6**





**Home #7**





**Home #8**





**Home #9**





Home #10





**Home #11**





**Home #12**





**Home #13**





**Home #14**





Please see attached photos for your review of our yard and the fence in question.

Note the matured landscaping we have developed and maintained.









From: Kyle [REDACTED]  
Subject: Letter  
Date: Nov 7, 2025 at 3:55:33 PM  
To: [REDACTED]

---

Kyle [REDACTED]  
[REDACTED]

Fort Saskatchewan, AB, T8L 0R6

November 7<sup>th</sup> 2025

To Whom It May Concern,

I am writing in support of my neighbor, Erin Shewchuk, regarding the fence located at the rear of their property at 187 Cranberry Bend.

I have lived nearby for 8 years and have never had any concerns about the appearance, maintenance, or impact of their home, yard or fence. They are always outside maintaining their home nicely. They always have a perfectly manicured yard with flowers and kept very clean. The wooden fence has been in place for several years and fits appropriately with the character of other fencing along the same pathway. In my view, it does not detract from the neighborhood and poses no issues related to safety, aesthetics, or property value.

I respectfully ask that the City consider allowing the existing fence to remain as is.

Sincerely,

Kyle [REDACTED]

Thank you,

Kyle [REDACTED]

Project Manager

**NOYEN**  
Construction

[REDACTED]  
8309 – 113 Street | Fort Saskatchewan, AB T8L 4K7

[noyenconstruction.com](http://noyenconstruction.com)





Our family loves your  
annual Christmas light display.  
Thanks for all the effort!

I'd like to recognize your display  
on a list of local Christmas light  
exhibits. If you'd rather I didn't  
include yours, please let me know

Merry Christmas!



In further exercising our due diligence on the matter, we looked at our land title for any applicable restrictive covenants pertaining to this compliancy issue to which there were none. *Copy for review available upon request.*

We also reiterate that you take into consideration we have followed proper processes when securing permits for our basement development and garage heater/air conditioner/hot tub installation. Again, we innocently followed what we believed to be the same, proper steps with regards to the construction of our fence and were told no permit was required and advised of no further stipulations other than the height restriction.

There are limited resources, a lack of readily accessible information and contradictory direction(s) available for the homeowner regarding the stipulations we have been called non-compliant on. One could infer that to be the reason many of our other neighbors also altered their rear fencing using a material other than chain-link. *Refer to the notes provided on the permit process and direction with regards to fencing on the city website as one example.*

Examples of contradictions can be identified when looking at the Land Use Bylaw vs. Municipal Development Plan. vs. Westpark Structural Plan. *Refer to the notes provided.*

Our fence is not single handedly altering the overall visual appeal, open concept or general safety of the neighborhood. It is again important to note the other numerous homes that have varied their rear fence from black chain link and the impact your decision will have on them. With the current number of homes that also do not have black chain link, it could be argued that our fence is in fact common with regards to the fences in our neighborhood. *Refer to maps attached highlighting the other connected pathways with non-chain link rear fencing along with pictures of the fencing.*

It should also be noted that we feel no further action or penalty be held against us until all other homeowners with non-chain link fencing have been contacted and given the opportunity to discuss further with the City should the variance denial not be overturned.

- It is arguable that a chain link fence with privacy slats/privacy tarps is more compliant than a wood fence.
- It is arguable that a chain link with privacy slats/privacy tarps is more welcoming than a wood fence.
- It is arguable that a chain link fence with privacy slats/privacy tarps is safer than a wood fence.
- It is arguable that a chain link fence with privacy slats/privacy tarps is more aesthetically pleasing than a wood fence.

The maliciousness of the complaint should also warrant consideration:

- The neighbor who issued the complaint did so out of retaliation. This was also mentioned when we were initially notified of said complaint, but we were told that once a complaint is filed it needs to be addressed regardless.
- The fence has been in place for 8+ years and the neighbor who issued the complaint was a part of initial build process at the time of construction as we also built the fence that stands between the 2 properties at the same time.
- There is doorbell camera footage of the neighbor threatening to make the malicious claim along with other acts of harassment, intimidation and threatening behavior. An information file was started at the local RCMP detachment after this incident occurred through Officer B. Stahl (*Badge # and Contact info available if required*) due to the nature of the threats and potential for escalation.

Attached we have compiled a list of fellow neighbors and path users (*with more indicating their support as we continue to reach out*) in favor that our fence remains in place along with emails/messages of support we received as well. We have also received great support from several City Councilors.

Neighbours in Support of Fence Remaining in Place:			
		235 Cranberry Bend	
		203 Cranberry Bend	
		191 Cranberry Bend	
		190 Cranberry Bend	
		170 Cranberry Bend	
		171 Cranberry Bend	
		1 Rookley Place	



## Municipal Development Plan

We think it is important to highlight the City's Municipal Development Plan (MDP): Our Fort, Our Future. The MDP is said to recognize *"the uniqueness of the city's different neighborhoods and moves away from a "one size fits all" approach to land use planning."* Please see below notes to consider:

### ➤ 6.2 General Neighbourhoods

**Neighbourhoods are the building blocks that make up communities. They are organized to provide housing, education facilities, parks and open spaces, recreation facilities and social gathering places.**

When designed well, neighbourhoods foster a strong sense of community, promote healthy lifestyles, encourage active modes of transportation, offer a variety of small scale commercial amenities and personal services as well as provide affordable and accessible places to live.

Neighbourhood Nodes act as walkable neighbourhood centres and local destinations for adjacent residential areas. Nodes generally contain higher density residential development, neighbourhood scale commercial uses, civic facilities, and cultural, recreational and social gathering spaces for the neighbourhood.

The composition of each node varies, with either a recreation focus, a commercial focus and/or an institutional/educational focus; however, all nodes will accommodate a mix of uses and the focus for neighbourhood activity. Nodes will be well connected to the surrounding neighbourhood, providing active and public transportation connections. The design and character of a node should incorporate a high-quality standard of architecture and landscaping, and a diverse range of amenities with a strong sense of place and identity.

#### Objectives

- 6.2.a A range of indoor community gathering spaces, such as libraries, community halls, and cafes are located near residences.
- 6.2.b The amount of indoor community gathering spaces is increased.
- 6.2.c Public and private outdoor spaces are increased and accessible throughout the city.
- 6.2.d Public and private outdoor spaces are designed for use and enjoyment through all seasons.
- 6.2.e Neighbourhoods and public spaces are designed to be welcoming, comfortable, and visually interesting to encourage positive interactions between residents.
- 6.2.f The built environment of neighbourhoods is varied and diverse.
- 6.2.g Access to neighbourhood businesses and services is increased to meet the needs of surrounding residents.
- 6.2.h Neighbourhood nodes are developed utilizing walkable designs, a mix of uses, and higher densities to serve as hubs of community activity.
- 6.2.i The number of recreational amenities that are within walking distance of residences is increased.
- 6.2.j Diverse housing types are integrated into the community to meet the needs of our different ages, incomes and household sizes.
- 6.2.k Neighbourhoods are multi-generational.

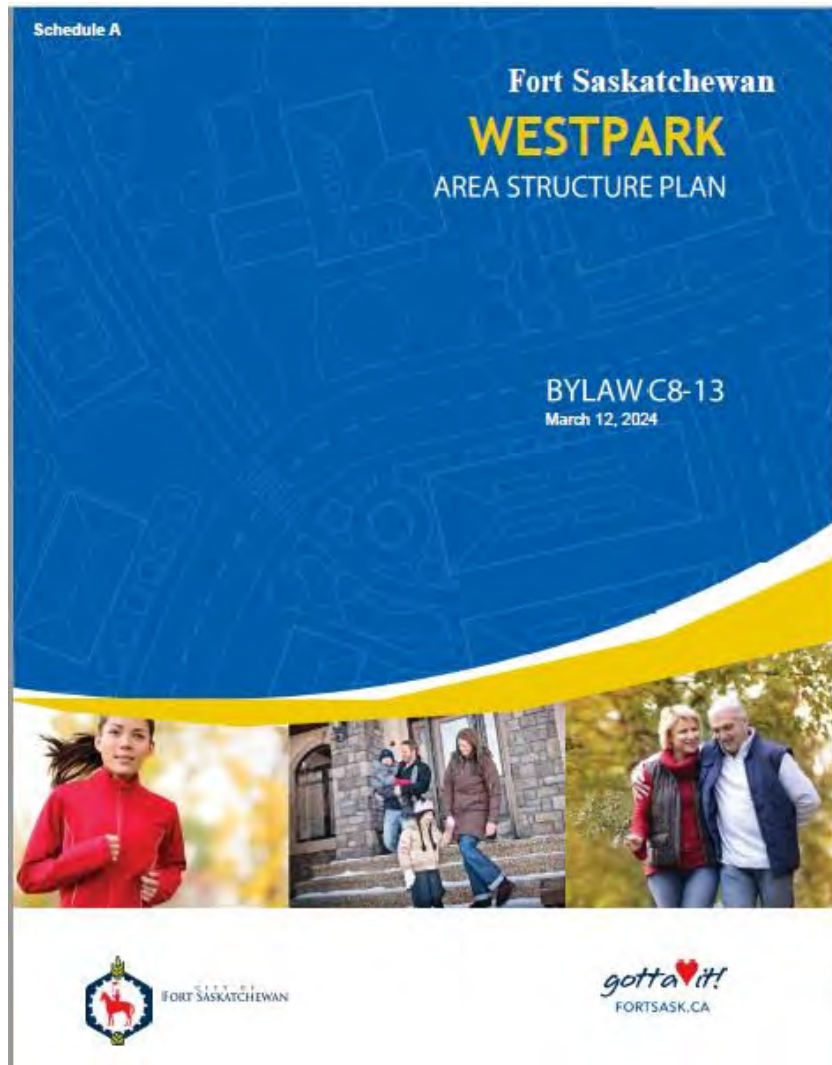


Term	Definition
Public and Private outdoor spaces	Outdoor space for rest, recreation, and enjoyment, that may be public or private depending on the circumstances (such as patios, parks, plazas, courtyards, sidewalks, etc.).
Built Environment	Places and spaces created or modified by people.
Node	A centre of community activity where people and transportation routes congregate.
Pedestrian-Oriented Development	A development that is oriented to pedestrians prioritizing walking first, followed by cycling and public transit use, and lastly providing for motor vehicle use. Following this hierarchy encourages the use of sustainable modes of transportation and supports public health initiatives. Development considerations that contribute to the pedestrian experience include the number and location of entrances, the size and distribution of windows, building setbacks from the street, landscaping, along with building design elements such as lighting and awnings. Site layout is also important to facilitating pedestrians, cyclists, and transit users. Factors such as the building location, parking lot, driveway, open space, plazas, and pocket parks merit careful attention.
Dw/ha	Short form for measurement to determine density. The measurement is the number of Dwelling Units (DU) divided by the net amount of Residential area (R) in hectares (Ha).
Gateway Feature	A visually stimulating, often large-scale structure that indicates arrival into a municipality or community or other such place. These features may be a statue, sculpture, or architectural feature such as an arch sign, or other such construction. A gateway feature often incorporates local symbolism of community pride.
Vision Zero	The long-term goal of zero traffic fatalities and serious injuries.
Complete Streets	Streets that are designed to be safe for everyone: people who walk, bicycle, take transit, or drive, and people of all ages and abilities.
Active Transportation	Human powered travel, including but not limited to: walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power assisted devices moving at a comparable speed.
Eco-industrial development	Eco-industrial development (EID) is a framework for industry to develop while reducing its impact on the environment. It uses a closed-loop production cycle to tackle a broad set of environmental challenges such as soil and water pollution, desertification, species preservation, energy management, by-product synergy, resource efficiency, air quality, etc. Mutually beneficial connections among industry, natural systems, energy, material and local communities become central factors in designing industrial production processes.
Low Impact Development (LID)	LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and restoring natural landscape features; minimizing effective imperviousness to create functional and appealing site drainage that treat stormwater as a resource (rather than a waste-product). There are many practices that have been used to adhere to these principles such as bioretention facilities, rain gardens, vegetated rooftops, rain barrels and permeable pavements. By implementing LID principles and practices, water can be managed in a way that reduces the impact of built areas and promotes the natural movement of water within an ecosystem or watershed. Applied on a broad scale, LID can maintain or restore a watershed's hydrologic and ecological functions.
Major employment area	An area with a concentration of industrial, commercial and/or institutional land uses that have regionally significant business and economic activities and high levels of employment. This includes existing large scale urban and rural industrial parks, Alberta's Industrial Heartland, the lands around Edmonton International Airport and regional airports.



## Westpark Area Structure Plan

Please also consider that within the *Westpark Area Structure Plan* we were unable to note any fencing restrictions (pre-existing or to be implemented in the future). Furthermore our rear facing yard/fence aligns with a vast number of its objectives, concepts and input from the completed survey of residents.





## City of Fort Saskatchewan Website

If a homeowner goes to the City of Fort Saskatchewan website and looks for info regarding permits/licenses/applications, specifically pertaining to fencing, there is nothing noted with regards to specific materials required for the fence or specific neighborhoods requiring specific materials.

The information provided matches the steps we followed when constructing our fence along with the information we were given when we contacted the city directly.

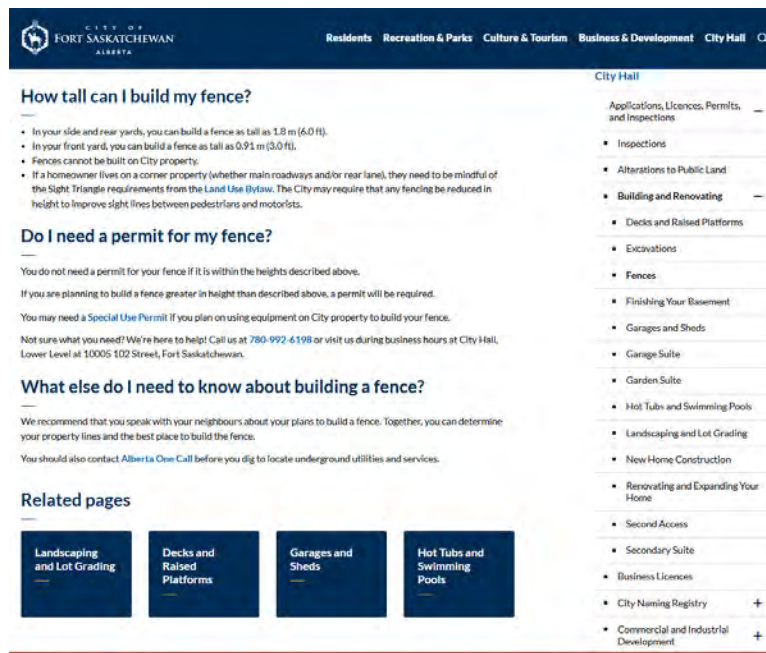
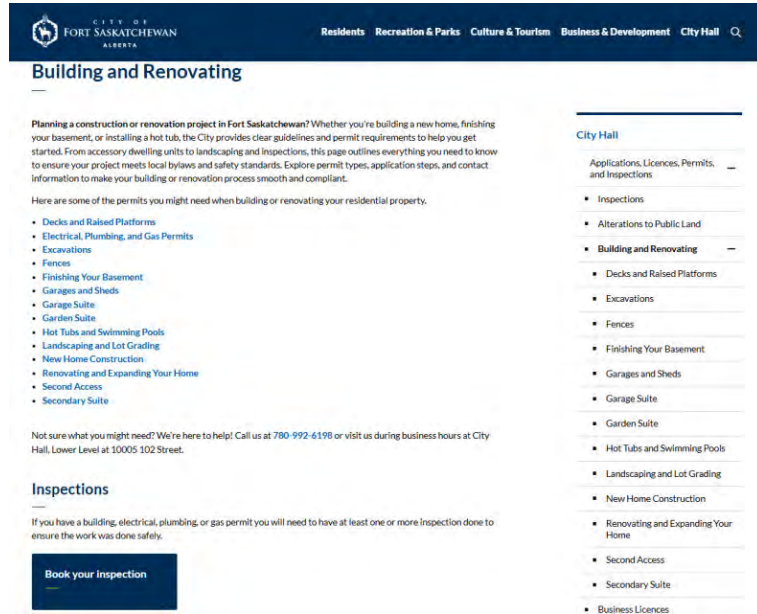
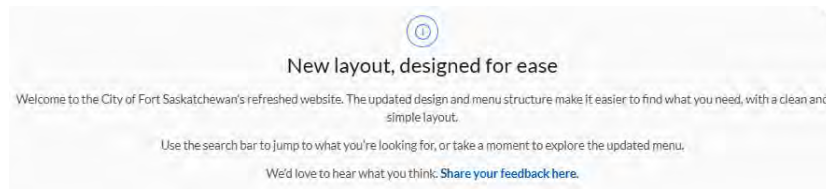
Website prior to recent update and in place when we received notice of the complaint:

The screenshot shows the City of Fort Saskatchewan website. The header includes the city logo and navigation tabs: LIVING HERE, THINGS TO DO, DOING BUSINESS, YOUR CITY HALL, and HOW DO IT. A search bar is present with the text 'What are you looking for?' and a 'Search' button. The breadcrumb trail reads: Home / Your City Hall / Applications, Licences and Permits / Building and Renovating. The main heading is 'Building and Renovating'. Below it, a paragraph states: 'Here are some of the permits you might need when building or renovating your residential property.' This is followed by a bulleted list of categories: Accessory Dwelling Units (Secondary Suite, Garage Suite, Garden Suite), Apartment & Townhouse Construction, Decks, Electrical, Plumbing and Gas Permits Information, Excavations, Fences, Finishing Your Basement, Garages and Sheds, Hot Tubs and Swimming Pools, Inspections, Landscaping and Lot Grading, New Home Construction, Renovating and Expanding your Home, Second Access, and Secondary Suite. A note at the bottom says: 'Not sure what you might need? We're here to help! Call us at 780-992-6198 or visit us during business hours at City Hall, Lower Level at 10005 102 Street.' On the right side, there is a sidebar titled 'Applications, Licences and Permits' with a minus sign. It contains a link 'Apply Online' and a list of categories under 'Building and Renovating' with plus and minus signs: Accessory Dwelling Units, Decks, Excavations, Fences, Finishing Your Basement, Garages and Sheds, Hot Tubs and Swimming Pools, Inspections, Landscaping and Lot Grading, New Home Construction, and Renovating and Expanding Your Home.

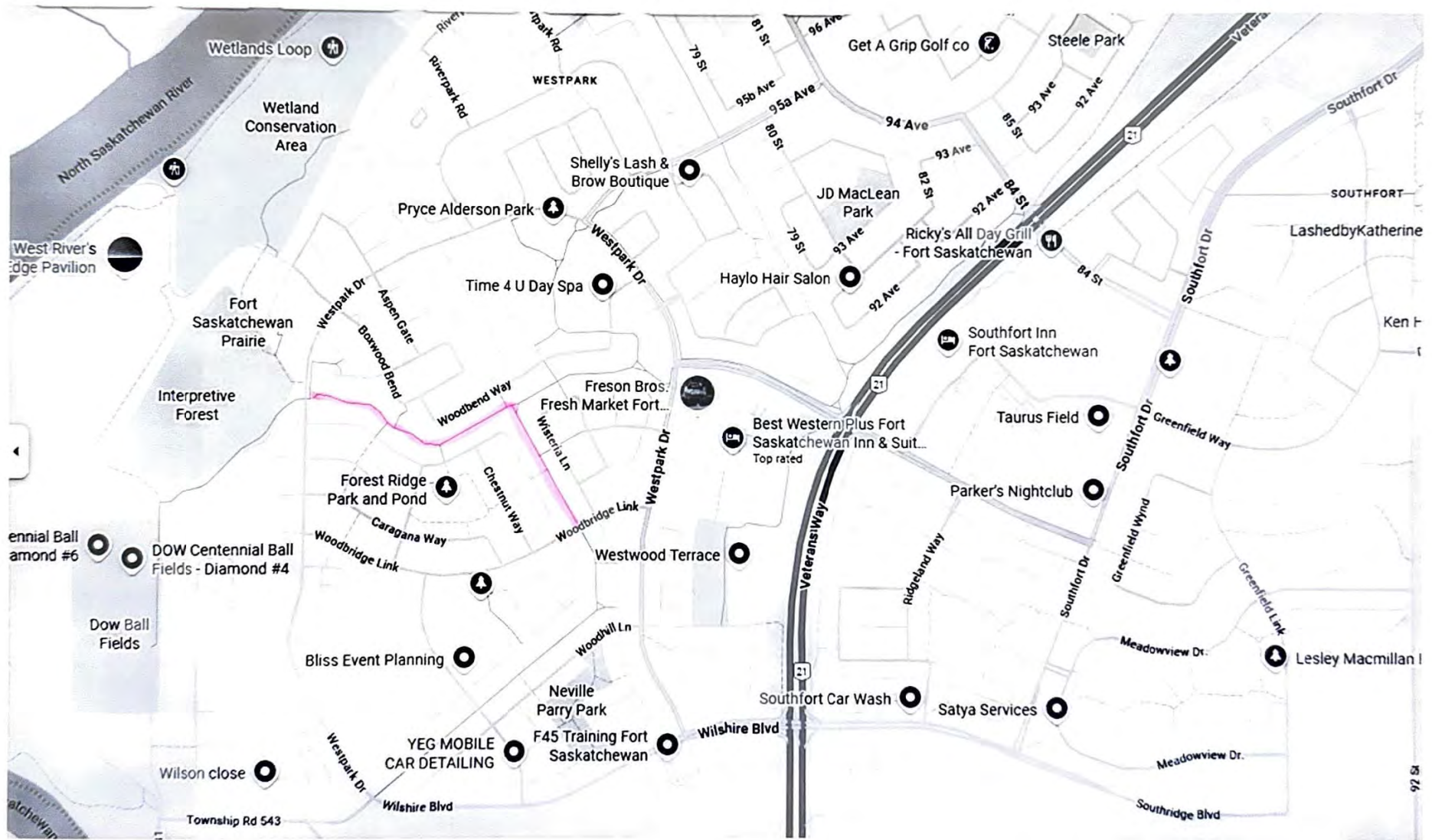
The screenshot shows the City of Fort Saskatchewan website, specifically the 'Fences' page. The header is the same as the previous screenshot. The breadcrumb trail reads: Home / Applications, Licences and Permits / Building and Renovating / Fences. The main heading is 'Fences'. Below it, a paragraph states: 'Fence heights are set by the Land Use Bylaw.' This is followed by a section titled 'How tall can I build my fence?' with a bulleted list: 'In your side and rear yards, you can build a fence as tall as 1.8 m (6.0 ft).', 'In your front yard, you can build a fence as tall as 0.91 m (3.0 ft).', 'Fences cannot be built on City property.', and 'If a homeowner lives on a corner property (whether main roadways and/or rear lane), they need to be mindful of the Sight Triangle requirements from the Land Use Bylaw. The City may require that any fencing be reduced in height to improve sight lines between pedestrians and motorists.' Below this is a section titled 'Do I need a permit for my fence?' with a paragraph: 'You do not need a permit for your fence if it is within the heights described above.' Another paragraph follows: 'If you are planning to build a fence that is greater in height than described above, a permit will be required. We can help you through that process. Call us at 780-992-6198. You can also visit us during business hours at City Hall, Lower Level at 10005 102 Street, Fort Saskatchewan.' This is followed by a section titled 'Special Use Permits' with a paragraph: 'You may need a Special Use Permit if you plan on using equipment on City property to build your fence.' Below that is a section titled 'What else do I need to know about building a fence?' with a paragraph: 'We recommend that you speak with your neighbours about your plans to build a fence. Together, you can determine your property lines and the best place to build the fence.' A final paragraph states: 'You should also contact Alberta One Call before you dig to locate underground utilities and services.' On the right side, there is a sidebar titled 'Applications, Licences and Permits' with a minus sign. It contains a link 'Apply Online' and a list of categories under 'Building and Renovating' with plus and minus signs: Accessory Dwelling Units, Decks, Excavations, Fences, Finishing Your Basement, Garages and Sheds, Hot Tubs and Swimming Pools, Inspections, Landscaping and Lot Grading, New Home Construction, Renovating and Expanding Your Home, Second Access, City Naming Registry, Commercial and Industrial Development, Compliance Certificate, Demolition, Electrical, Plumbing and Gas Permits, and Home-Based Business.



## Website after recent update:







Cranberry Bend Walking Path  
15 Non Chain Link Fences



Please see below pictures of the **14** other properties along the same back path that wraps around Cranberry Bend for further consideration.

Further note, this does not include the homes on the adjacent paths that would also be consider non-compliant should the planning decision hold on our fence.

**Home #1**





**Home #2**





**Homes #'s 3, 4, 5**





Home #6





Home #7





**Home #8**





**Home #9**





Home #10





**Home #11**





**Home #12**





**Home #13**





**Home #14**

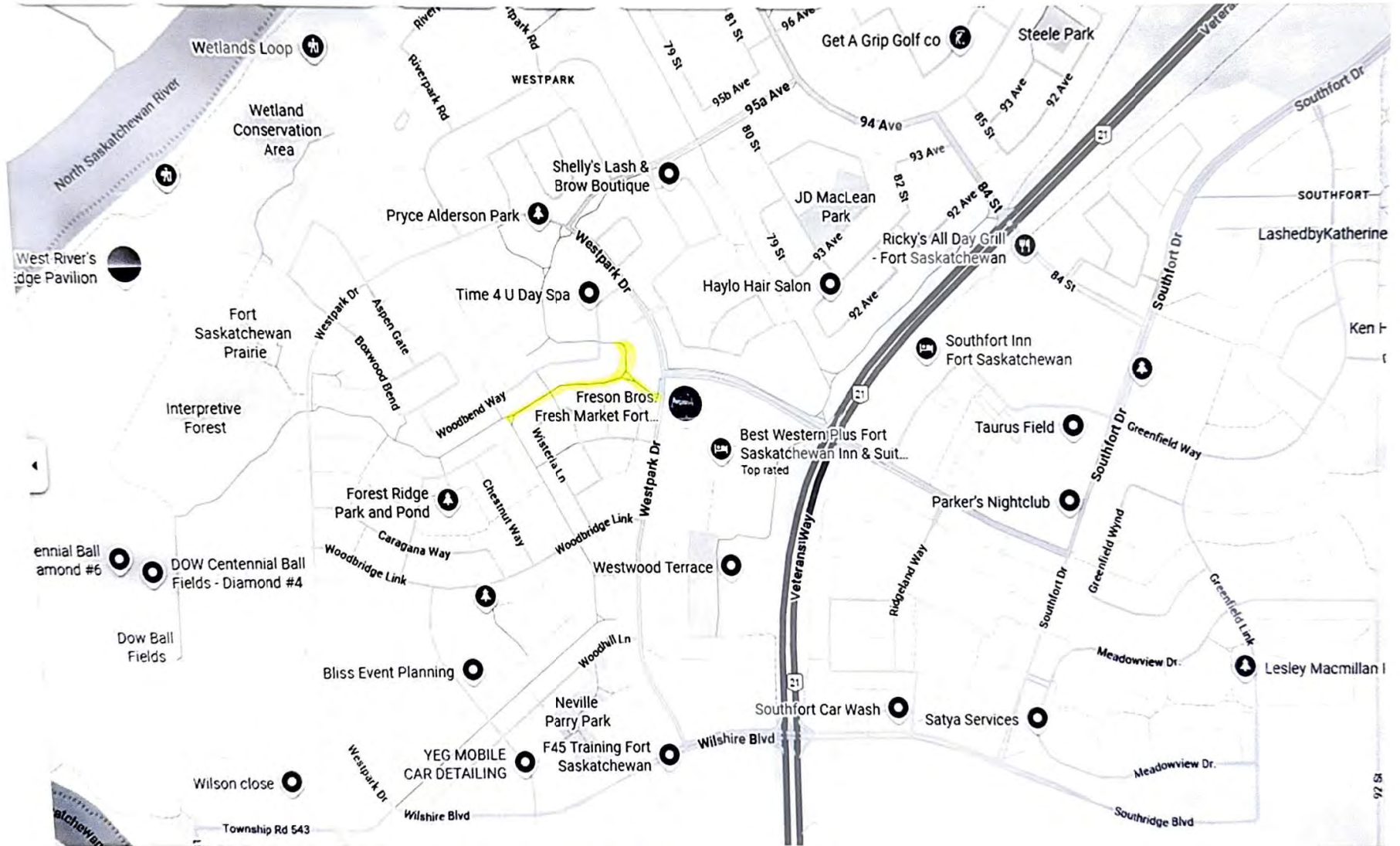






- Pathway Connecting Cranberry Bend to Woodbend Way / Aspen Gate
- 16<sup>+</sup> Non Chain Link Fences
- Mixture of original developer wood fencing and multiple variances
- Mixture of wood, chainlink





Pathway adjacent to Cranberry Bend  
Behind Wistana Lane  
≡ Non Chainlink Fences

















Outlook

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**Letter**

---

From Kyle [REDACTED]

Date Fri 2025-11-07 4:55 PM

To [REDACTED]

[REDACTED]  
**170 Cranberry Bend**  
**Fort Saskatchewan, AB, T8L 0R6**  
**November 7<sup>th</sup> 2025**

**To Whom It May Concern,**

I am writing in support of my neighbor, Erin Shewchuk, regarding the fence located at the rear of their property at 187 Cranberry Bend.

I have lived nearby for 8 years and have never had any concerns about the appearance, maintenance, or impact of their home, yard or fence. They are always outside maintaining their home nicely. They always have a perfectly manicured yard with flowers and kept very clean. The wooden fence has been in place for several years and fits appropriately with the character of other fencing along the same pathway. In my view, it does not detract from the neighborhood and poses no issues related to safety, aesthetics, or property value.

I respectfully ask that the City consider allowing the existing fence to remain as is.

Sincerely,

**Kyle Baird**

Thank you,

**Kyle Baird**  
Project Manager



[REDACTED]  
8309 – 113 Street | Fort Saskatchewan, AB T8L 4K7

[noyenconstruction.com](http://noyenconstruction.com)





Outlook

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**Fence line**

---

From Michelle [REDACTED]  
Date Thu 2025-11-20 6:37 PM  
To [REDACTED]

[REDACTED]  
**1 Rockley Place**  
**Fort Saskatchewan, AB, [REDACTED]**  
**November 20, 2025**

**To Whom It May Concern,**

**I am writing to express my support for the existing back fence located at 187 Cranberry Bend. I walk the path behind their property regularly, and I have always admired the appearance and quality of their current fence.**

**From my perspective as someone who uses the path often, the fence is visually appealing, well-maintained, and contributes positively to the overall look of the walkway. It provides a clean, uniform appearance and blends well with the surrounding environment. I genuinely prefer the look of the fence as it stands now and have never found it to be disruptive, unsafe, or out of place in any way.**

**Based on my experience walking this route, I do not believe there is a need for the fence to be changed. In fact, altering it would negatively impact the visual aesthetic and pleasant atmosphere of the path. The current fence adds to the sense of privacy and comfort for both residents and those of us who enjoy using the walkway.**

**Thank you for considering my perspective as someone who regularly uses the path and directly observes the fence. I hope my comments are helpful in your review.**

**Sincerely,**

[REDACTED]

Get [Outlook for iOS](#)



235 Cranberry Bend





## Exhibit “D”

# Hearing Notification Mailing Information





CITY OF FORT SASKATCHEWAN  
**LEGISLATIVE  
SERVICES**

10005 102 Street, Fort Saskatchewan, Alberta T8L 2C5  
780.992.6200 | [legislativeservices@fortsask.ca](mailto:legislativeservices@fortsask.ca)

November 20, 2025

Kevin Harter  
187 Cranberry Bend  
Fort Saskatchewan, AB T8L 0R5

**RE: NOTICE OF APPEAL – SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

The Clerk of the Subdivision and Development Appeal Board (SDAB) has received your appeal regarding a refusal of a development permit for a rear yard board fence by the City's Development Authority. The development permit was refused for the property municipally addressed as 187 Cranberry Bend, as indicated on the map below.

In accordance with the *Municipal Government Act*, the SDAB will hold a public hearing as follows:

**Date and time of Hearing:** December 4, 2025, at 1:00 PM  
**Location of Hearing:** City Hall – Council Chambers  
10005 – 102 Street, Fort Saskatchewan  
**Development Permit Refusal:** PLVAR20250744  
**Appellant:** Kevin Harter



As the Appellant, you are hereby notified of the appeal hearing. Persons wishing to make submissions to, or presentations before, the Board may do so by registering their intent with the Clerk on or before **12:00 PM on November 28, 2025**. Any written submissions received by the deadline will be included in the agenda package, which can be found at [fortsask.ca/sdab](https://fortsask.ca/sdab)

During the hearing, the SDAB will hear, review, and consider both written and verbal presentations from the Appellant, persons given notice of the appeal, and City officials. Upon conclusion of the hearing, the SDAB has 15 days within which to render a decision.

Questions concerning this appeal may be directed to our offices by calling 780-992-6200, or by way of email to [sdab@fortsask.ca](mailto:sdab@fortsask.ca).

Sincerely,

Iryna Kennedy  
Clerk, Subdivision and Development Appeal Board  
cc: Shree Shinde, Acting Director, Planning & Development



Landowner	133 WISTERIA LN	FORT SASKATCHEWAN, AB T8L 0B4
Landowner	129 WISTERIA LN	FORT SASKATCHEWAN, AB T8L 0B4
Landowner	183 CRANBERRY BEND	FORT SASKATCHEWAN, AB T8L 0R6
Landowner	191 CRANBERRY BEND	FORT SASKATCHEWAN, AB T8L 0R5





CITY OF FORT SASKATCHEWAN  
**LEGISLATIVE  
SERVICES**

10005 102 Street, Fort Saskatchewan, Alberta T8L 2C5  
780.992.6200 | [legislativeservices@fortsask.ca](mailto:legislativeservices@fortsask.ca)

November 20, 2025

Property Owner

**RE: NOTICE OF APPEAL – SUBDIVISION AND DEVELOPMENT APPEAL BOARD**

The Clerk of the Subdivision and Development Appeal Board (SDAB) has received an appeal regarding a refusal of a development permit for a rear yard board fence by the City's Development Authority. The development permit was refused for the property municipally addressed as 187 Cranberry Bend, as indicated on the map below.

In accordance with the *Municipal Government Act*, the SDAB will hold a public hearing as follows:

**Date and time of Hearing:** December 4, 2025, at 1:00 PM  
**Location of Hearing:** City Hall – Council Chambers  
10005 – 102 Street, Fort Saskatchewan  
**Development Permit Refusal:** PLEVAR20250744  
**Appellant:** Kevin Harter



As an adjacent property owner, you are hereby notified of the appeal hearing. Persons wishing to make submissions to, or presentations before, the Board may do so by registering their intent with the Clerk on or before **12:00 PM on November 28, 2025**. Any written submissions received by the deadline will be included in the agenda package, which can be found at [fortsask.ca/sdab](https://fortsask.ca/sdab)

During the hearing, the SDAB will hear, review, and consider both written and verbal presentations from the Appellant, persons given notice of the appeal, and City officials. Upon conclusion of the hearing, the SDAB has 15 days within which to render a decision.

Questions concerning this appeal may be directed to our offices by calling 780-992-6200, or by way of email to [sdab@fortsask.ca](mailto:sdab@fortsask.ca).

Sincerely,

Iryna Kennedy  
Clerk, Subdivision and Development Appeal Board  
cc: Shree Shinde, Acting Director, Planning & Development



# Exhibit “E”

Correspondence  
183 Cranberry Bend



## Jonathan Milke

---

**From:** Laine [REDACTED] <[REDACTED]>  
**Sent:** December 3, 2025 7:13 PM  
**To:** Iryna Kennedy; Legislative Services  
**Subject:** Re: PLEVAR20250744 Response to Notice of Appeal  
**Attachments:** Complaint Sent Throught Report It July 7 2025.docx; Email from Planning Apr 15, 2025 Page 1.jpg; Email from Planning Apr 15, 2025 Page 2.jpg; Email from Planning Apr 15, 2025 Page 3.jpg

We are the property owners at 183 Cranberry Bend. We are registering our intent to attend the hearing tomorrow December 4, 2025, at 1:00 p.m.

I am submitting our supporting documents to include for the hearing tomorrow. Our position is that an appeal should not be granted. Supporting documents include an email dated April 15 and 16, 2025, from Development Planning and our original complaint submitted to the City of Fort Saskatchewan on July 7, 2025, regarding the rear yard board fence at 187 Cranberry Bend. I will send photos separately as file size won't allow me to send them with this email.

Thank you,

Laine and Kevin [REDACTED]  
183 Cranberry Bend  
Fort Saskatchewan, AB T8L 0R6

---

**From:** Iryna Kennedy <ikennedy@fortsask.ca>  
**Sent:** Wednesday, December 3, 2025 9:09 AM  
**To:** [REDACTED] <[REDACTED]>  
**Cc:** Legislative Services <legislativeservices@fortsask.ca>  
**Subject:** RE: PLEVAR20250744 Response to Notice of Appeal

Good morning,  
I would like to confirm that you can attend the hearing on December 4, 2025. You may also make a presentation directly to the Subdivision and Development Appeal Board at the hearing.  
If you would like to submit any written materials (presentation, photos, supporting documents), you may email them to me at this address, and I will ensure they are circulated to the Board members before the hearing tomorrow.  
Please let me know how you would like to proceed.  
Thank you,

**Iryna Kennedy** (*She/Her*)  
Senior Legislative Officer  
**City of Fort Saskatchewan**  
T: 780.992.6236



---

**From:** Legislative Services <legislativeservices@fortsask.ca>  
**Sent:** December 2, 2025 4:38 PM  
**To:** Iryna Kennedy <ikennedy@fortsask.ca>  
**Subject:** FW: PLEVAR20250744 Response to Notice of Appeal

---

**From:** Laine [REDACTED] <[REDACTED]>  
**Sent:** December 2, 2025 4:10 PM  
**To:** Legislative Services <[legislativeservices@fortsask.ca](mailto:legislativeservices@fortsask.ca)>  
**Subject:** PLEVAR20250744 Response to Notice of Appeal

Hello,

We are the property owners at 183 Cranberry Bend in Fort Saskatchewan. We received a Notice of Appeal from the City of Fort Saskatchewan regarding an appeal hearing on December 4, 2025. We just received the letter today, December 2, 2025. It appears we missed the registration deadline to make submissions. Is it still possible to register with the Clerk to make a submission? Can we still attend the hearing on December 4, 2025?

We also left a voicemail at 780-992-6200 as well in the hopes of getting in contact with the Clerk at Legislative Services.

I will keep an eye out for your response.

Thank you,

Laine and Kevin [REDACTED]  
183 Cranberry Bend  
Fort Saskatchewan, AB T8L 0R6



Sent July 7, 2025 at 5:55 pm. Your reference number is **SR-29475**.

Please accept this as a formal complaint. The property at 187 Cranberry Bend has removed the City-installed chain link fence at the rear of the property that backs onto the public walking trail and replaced it with a solid wood fence that exceeds 1.85 metres, along with a pergola privacy screen at the middle of the fence that exceeds 2 metres. The wood fence is also built on City property outside the chain link boundary. The wood fence is unsightly, weathered, and worn. The property has also landscaped on public property. The construction of a solid wood fence on Cranberry Bend's walking trail is not permitted as per Part 5.5.3 of the Land Use Bylaw C23-20, where it states: The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces. The rear solid fence at 187 Cranberry Bend blocks view of the public walking trail and is inconsistent with the design theme throughout the neighbourhood. It does not create a safe, visually cohesive, and welcoming environment for all residents and visitors. We understand that the chain link design was intentionally implemented in this neighbourhood and has always been part of the visual and functional plan for this area. We also understand that the design of the black chain link fence adjacent to this public space is part of crime prevention and tied to Crime Prevention Through Environmental Design (CPTED). Solid fences along our walking trails puts our children, families, and the public at risk of potential offenders as there are no clear sightlines to be able to identify offenders and unauthorized access into our property or the property of others nearby. The fence discourages social interaction and community ownership. Criminals are less likely to offend in areas where they feel watched or where neighbours are likely to take action. Rather than creating a sense of community and responsibility, the said fence fosters isolation, encourages division, and undermines personal responsibility for our community. We ask that enforcement action be taken at 187 Cranberry Bend to uphold the intended design and safety of our neighbourhood and to ensure that it aligns with City's objectives and bylaws. A photo of the property/fence is attached. More photos are available if needed.

Laine [REDACTED]  
183 Cranberry Bend



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**City of Fort Saskatchewan - Fence Removal and Rebuild - Cranberry Bend**

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From Christian Jaggernauth <cjaggernauth@fortsask.ca>

Date Tue 2025-04-15 11:52 AM

To [REDACTED] <[REDACTED]>

Hello Laine,

I was forwarded your email regarding the removal of the City's chain link fence and your request to replace it with a 6 ft wooden fence in Cranberry Bend, where your backyard backs onto a walking path. Thank you for including the reference photo—it was helpful for context.

In consultation with our Engineering Department, I've received the following clarification: The black chain link fencing adjacent to open spaces is part of an engineered standard intended to support a consistent design theme throughout the neighbourhood. This open concept approach was established to help create a safe, visually cohesive, and welcoming environment for all residents and visitors.

As per Part 5.5.3 (screenshot attached for reference) of the Land Use Bylaw C23-20, *the Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces*. In this case, the chain link fencing is considered a required common fence adjacent to public open space.

#### **5.5. FENCES, WALLS AND HEDGES**

5.5.1. No person shall construct a fence or wall, or permit a hedge to grow on public property.

5.5.2. The height of a fence, wall or hedge shall be measured from grade.

5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.

Therefore, you would **not** be permitted to remove the City-installed chain link fence and replace it with a 6 ft wooden fence.

Apologies for any inconvenience this may cause. If you have any further questions, please feel free to reach out.

Thank you,

**Christian Jaggernauth**

Planning Officer, Development Planning

City of Fort Saskatchewan

10005 - 102 Street, Fort Saskatchewan AB T8L 2C5

[cjaggernauth@fortsask.ca](mailto:cjaggernauth@fortsask.ca)





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**From:** Laine [REDACTED] <[REDACTED]>  
**Sent:** Tuesday, April 15, 2025 12:30 PM  
**To:** Christian Jaggernauth <[cjaggernauth@fortsask.ca](mailto:cjaggernauth@fortsask.ca)>  
**Subject:** Re: City of Fort Saskatchewan - Fence Removal and Rebuild - Cranberry Bend

Sorry, another thought that I had after sending that last email reply. Can we erect a 6-foot wooden fence on the inside of the chain-link fence on our property and leave up the City's chain-link fence?

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**From:** Christian Jaggernauth <[cjaggernauth@fortsask.ca](mailto:cjaggernauth@fortsask.ca)>  
**Sent:** Tuesday, April 15, 2025 11:52 AM  
**To:** [REDACTED] <[REDACTED]>  
**Subject:** City of Fort Saskatchewan - Fence Removal and Rebuild - Cranberry Bend

Hello Laine,

I was forwarded your email regarding the removal of the City's chain link fence and your request to replace it with a 6 ft wooden fence in Cranberry Bend, where your backyard backs onto a walking path. Thank you for including the reference photo—it was helpful for context.

In consultation with our Engineering Department, I've received the following clarification: The black chain link fencing adjacent to open spaces is part of an engineered standard intended to support a consistent design theme throughout the neighbourhood. This open concept approach was established to help create a safe, visually cohesive, and welcoming environment for all residents and visitors.

As per Part 5.5.3 (screenshot attached for reference) of the Land Use Bylaw C23-20, *the Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces*. In this case, the chain link fencing is considered a required common fence adjacent to public open space.

## **5.5. FENCES, WALLS AND HEDGES**

- 5.5.1. No person shall construct a fence or wall, or permit a hedge to grow on public property.
- 5.5.2. The height of a fence, wall or hedge shall be measured from grade.
- 5.5.3. The Development Authority may require common fencing be erected on private lands adjacent to arterial or collector roadways and public open spaces.

Therefore, you would **not** be permitted to remove the City-installed chain link fence and replace it with a 6 ft wooden fence.

Apologies for any inconvenience this may cause. If you have any further questions, please feel free to reach out.



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**Re: City of Fort Saskatchewan - Fence Removal and Rebuild - Cranberry Bend**

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**From** Christian Jaggernauth <cjaggernauth@fortsask.ca>

**Date** Wed 2025-04-16 1:19 PM

**To** Laine [REDACTED] <[REDACTED]>

Hello Laine,

Thank you for your follow-up and for sharing your observations about neighboring properties.

I understand your point regarding others on your street who may have replaced the chain link fencing. However, if you were to proceed with constructing a 6 ft wooden fence and a complaint or enforcement issue were to arise, the matter could be brought before the Subdivision and Development Appeal Board (SDAB). In that case, the board would evaluate your situation independently. What your neighbours have done would not set a precedent or influence the outcome—each case is assessed on its own merits.

To clarify the City's role, enforcement of the Land Use Bylaw (LUB) is generally complaint-driven. While we may not actively monitor every property, we are obligated to take action if a complaint is received or if the direction is given to ensure the original design intent is being maintained. This means enforcement action could potentially be initiated in the future—either for your property or for others in the area—if it's determined that the intended design direction is no longer being upheld.

The existing black chain link fence adjacent to public space is part of a broader urban design approach tied to Crime Prevention Through Environmental Design (CPTED). The goal is to keep open spaces safe and visible by encouraging passive surveillance—more “eyes on the path,” so to speak. When properties back onto public areas like walking trails, this openness helps create a more welcoming and secure environment for the whole community. These design features are a key part of the character and safety of Cranberry Bend.

As for your question about building a 6-foot wood fence just inside your property line while leaving the chain link in place: you could apply for a development permit. It would be considered an accessory structure and would need to be set back at least 1.2 metres from the existing chain link fence. However, based on the Land Use Bylaw and the engineering/planning rationale behind the current design, that application would not align with the City's objectives and would be refused. You would have the option to appeal the decision, should you wish to pursue it.

The chain link design was intentionally implemented in this neighbourhood and has always been part of the visual and functional plan for this area. These choices are not arbitrary—they contribute to the overall feel and cohesion of the community.

Please feel free to reach out if you have more questions or would like further clarification. I'm happy to help walk through any options you're considering.

Best regards,

Christian Jaggernauth































# Exhibit “F”

Correspondence  
191 Cranberry Bend





Outlook

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**187 Cranberry Bend Appeal**

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From Amber Trenaman <amby0084@gmail.com>

Date Sat 2025-11-29 12:45 PM

To erin\_shewchuk@hotmail.com <erin\_shewchuk@hotmail.com>

Amber Trenaman and Nick Trites  
191 Cranberry Bend  
Fort Saskatchewan, AB T8L 0R5  
amby0084@gmail.com  
780.257.0033

November 29, 2025

Appeals Board  
10005 102 Street  
Fort Saskatchewan, AB T8L 2C5  
legislativeservices@fortsask.ca  
780.992.6200

Re: Support for 187 Cranberry Bend Fence

Dear Members of the Appeals Board,

We are writing to express our full support for our neighbours, Erin Shewchuk and Kevin Harter, in their appeal regarding their fence at 187 Cranberry Bend.

As neighbouring residents, we believe the fence is both reasonable and beneficial to our neighborhood. The fence enhances both privacy and security for the home owners, while also contributing positively to the overall appearance and property values within our community. The fence is tasteful, very well maintained, and aligns with the character of our area.

This fence poses no negative impact on our property. It helps create clear boundaries, reduce potential disturbances, and supports a more comfortable and harmonious living environment for all.

We respectfully request that the board takes our support into consideration.

Thank-you for your time. Please feel free to contact us if you require any additional information.

Sincerely,

Amber Trenaman and Nick Trites



# Exhibit “G”

Correspondence  
171 Cranberry Bend





Outlook

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**Re: Fence letter from 171 cranberry**

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**From** Erin Shewchuk <erin\_shewchuk@hotmail.com>**Date** Wed 2025-12-03 3:54 PM**To** Erin Shewchuk <erin\_shewchuk@hotmail.com>**From:** kevin Harter <kevins\_bud@hotmail.com>**Sent:** December 3, 2025 2:46 PM**To:** Erin Shewchuk <erin\_shewchuk@hotmail.com>**Subject:** Fwd: Fence letter from 171 cranberry

Sent from my iPhone

Begin forwarded message:

**From:** Duaine Rockwell <duainerockwell@gmail.com>**Date:** December 3, 2025 at 1:33:09 PM MST**To:** KEVINS\_BUD@hotmail.com**Subject:** Fence letter from 171 cranberry

Hello,

My name is Duaine Rockwell, me and my partner Kimberly Kirk have lived at 171 Cranberry Bend since 2017. We've been asked our thoughts on the fence at the rear of the property at 187 Cranberry bend. There is absolutely nothing wrong with that great looking fence! It looks a lot better than the different styles and broken privacy slats as you walk down the path. We're frequent walkers of the path's and there is a huge number of homes with similar wood fences... The folks that live at 187 cranberry in my opinion have the cleanest and well maintained yard on the street.

Again, in our opinion there is nothing wrong with their great looking fence and we think it needs to stay!

Thanks

Duaine

(780) 691-6123



# Exhibit “H”

Correspondence  
203 Cranberry Bend



Chris & Kristy Wilson  
203 Cranberry Bend  
Fort Saskatchewan, AB  
November 27, 2025

To Whom It May Concern,

It has been brought to our attention that a concern was brought to the City regarding the fence located behind our neighbor, Erin Shewchuk's, fence at the back of their property at 187 Cranberry Bend. We are writing to express our support for Erin to allow the fence to remain.

We have lived on Cranberry Bend for 6 years and walk the pathways daily behind our street and along other trails in the neighborhood. There are many many homes with different styles of fences present (not City installed fences) and we have no issue with neighbors wishing to change their fences to suit their personal preference. They are always outside maintaining their home and yard (trimming trees, cutting the grass, maintaining flowers, etc); they are great neighbors and their home, including the fence, is aesthetically pleasing and poses no concern for safety. The fence in question has been in place for a number of years and never posed a concern before, so we are unsure as to why it would be an issue now. Many people prefer to change their fences for reasons such as personal preference, privacy for pets, children, hot tubs, or as a way to increase property value by investing into the maintenance of their property.

Respectfully, we ask that the City allows the current fence to remain as is.

Kindly,

Chris & Kristy Wilson