

SUBDIVISION AND DEVELOPMENT APPEAL BOARD FOR ROCKY VIEW COUNTY

File:	1 - PRDP20250861 Hoffman
Appellant(s):	Richard Hoffman and Trudi Hoffman
Applicant(s):	Patricia Zucsek
Owner(s):	Jeffrey James Binda, Patricia Zucsek

Exhibit	Description	Pages
1.	Notice of Appeal	3
2.	Notice of Hearing	2
3.	Development Authority Report	47

Exhibits can be submitted to the Board until 9:00 am the day before the hearing. This exhibit package will be updated and republished if more submissions are received. Check the [County's website](#) for any updates.

NOTICE OF APPEAL

Subdivision & Development Appeal Board for Rocky View County
Enforcement Appeal Committee for Rocky View County

APPELLANT INFORMATION			
Name of Appellant			
Richard Hoffman & Trudi Hoffman			
Appellant Property Address	Municipality	Province	Postal Code
9 Swift Creek Green	Calgary	AB	T3Z 0B6
Mailing Address (if different than above)	Municipality	Province	Postal Code

PROPERTY UNDER APPEAL	
Address	Legal Land Description (Lot, Block, Plan OR Quarter-Section-Township-Range-Meridian)
31108 Swift Creek Terrace	Lot 12, Block 3, Plan 0715771, SE-14-24-03-05
Property Roll #	Development Permit, Subdivision Application, or Enforcement Order #
04714106	PRDP20250861

I AM APPEALING THE DECISION ISSUED BY		
<input checked="" type="checkbox"/> Development Authority	<input type="checkbox"/> Subdivision Authority	<input type="checkbox"/> Enforcement Services

REASONS FOR APPEAL (include as much detail as possible as to why you are appealing the decision, attach a separate page if required)
<p>The applicant intends to build up the back of their lot in order to accommodate a walkout basement, which clearly their lot is not conducive for. As per the HOA rules, there is a maximum build up of 1 metre allowed. We understand the applicant is asking for a 2.3 metre build up.</p> <p>If the requested build up is approved, we feel that this will cause issues with our septic field and will obstruct the mountain views currently available from our property. This will have a negative impact on the value of our home, which we just purchased on May 9, 2025 for \$3,935,000.</p> <p>Having the runoff from the applicant's built up lot flow into our septic field will cause back ups in our system. You can see on the photo's we have included that those little white caps are our septic field drain. You can also see that the applicant's lot has water that sits on it, this photo is a current photo from July 31, 2025. We have also included a photo from 2020 where there was significant flooding on the lot. With more development on the applicant's lot, there will be more water to be disbursed to our lot and the neighbors to the south as well.</p> <p>We will rigorously defend against these adverse effects to our property. We didn't just spend \$3,935,000 on our property on May 9 2025 to have our property degraded like this. We have consulted with the neighbors and we all agree that we will be starting a lawsuit if our appeal is not successful.</p>

Personal information collected on this form is collected under section 4(c) of the Alberta *Protection of Privacy Act* (POPA) for the Subdivision and Development Appeal Board or the Enforcement Appeal Committee for Rocky View County and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 13(1)(c) of POPA. Your personal contact information, including your phone number and email address, may be redacted prior to your appeal being made available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.

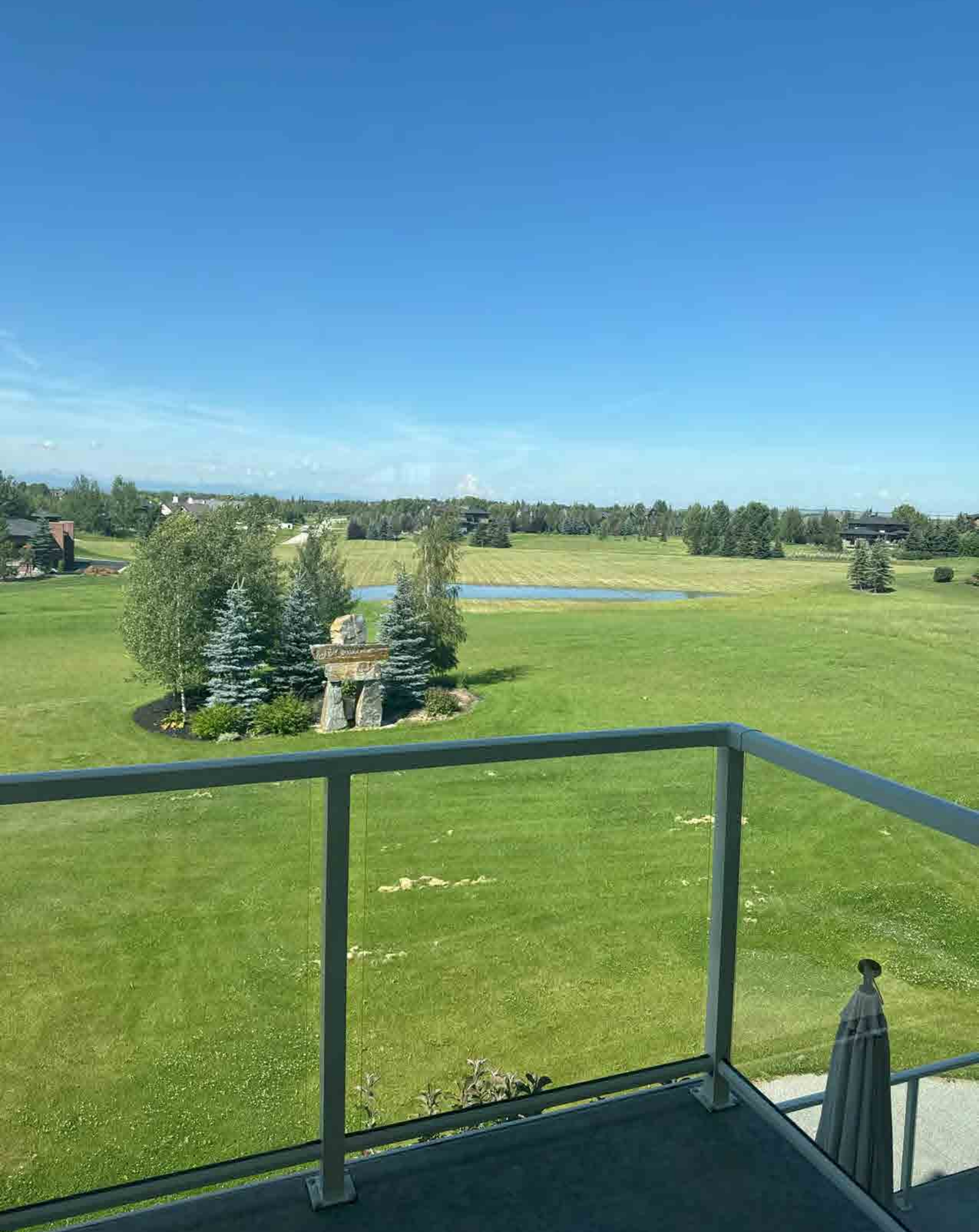
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DATE RECEIVED STAMP

August 01, 2025





SUBDIVISION AND DEVELOPMENT APPEAL BOARD
FOR ROCKY VIEW COUNTY

262075 Rocky View Point
Rocky View County, Alberta T4A 0X2
403-230-1401 | sdab@rockyview.ca

NOTICE OF HEARING

Issued: August 12, 2025

An appeal has been filed with the Subdivision and Development Appeal Board for Rocky View County (“Board”) against the Development Authority’s decision to conditionally approve a single-lot regrading and excavation, to support the construction of a Dwelling, Single Detached and site improvements.

INFORMATION ABOUT THE PROPERTY UNDER APPEAL	
File:	PRDP20250861
Location:	31108 Swift Creek Terrace (Lot 12, Block 3, Plan 0715771, SE-14-24-03-W05). Located approximately 1.21 km (0.75 mile) south of Lower Springbank Road and 0.41 km (0.25 mile) west of Range Road 31
Appellant(s):	Richard Hoffman and Trudi Hoffman
Applicant(s):	Patricia Zuczek
Owner(s):	Jeffrey James Binda, Patricia Zuczek

APPEAL HEARING INFORMATION	
Further information about the appeal will be available in the Board’s agenda six days before the hearing on www.rockyview.ca .	
Date and time:	August 21, 2025 at or after 9:00 a.m.
Location:	Council Chambers - County Hall 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2

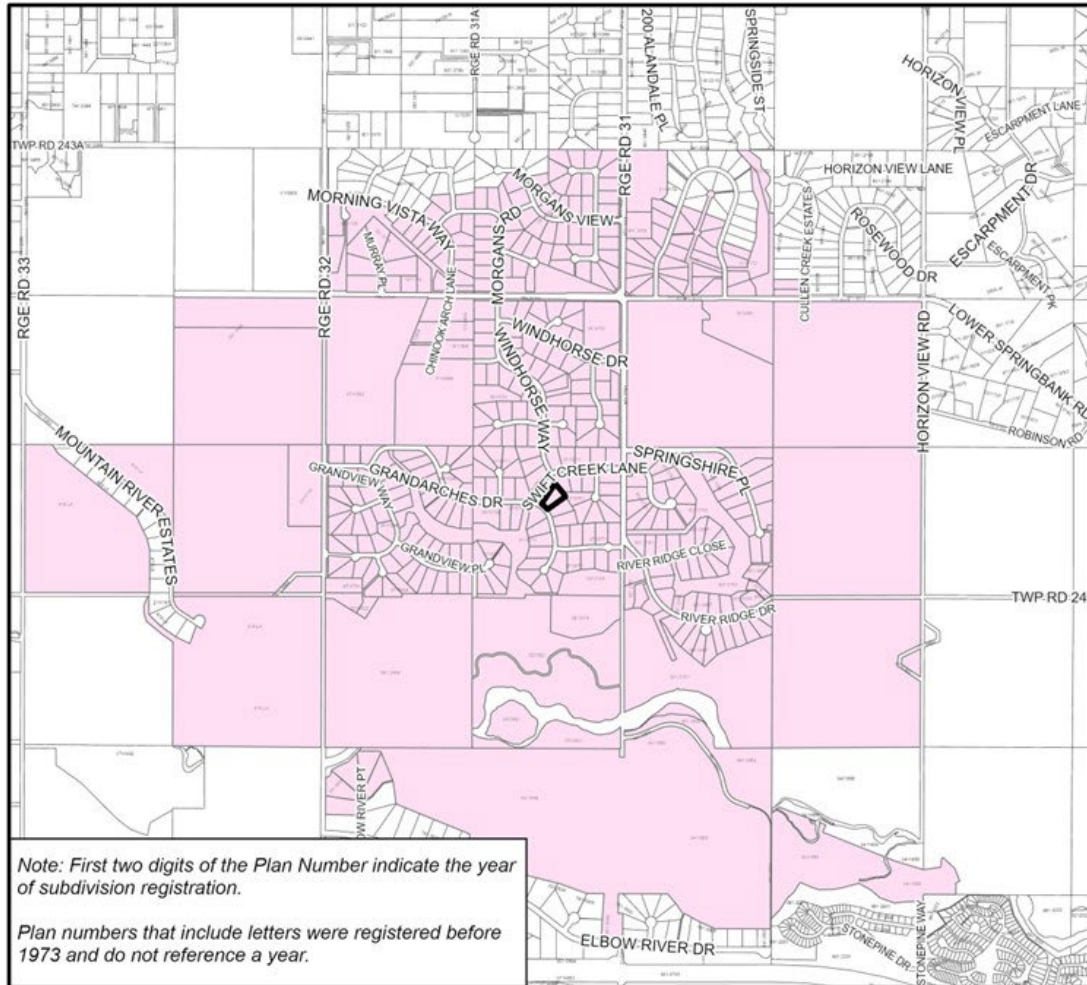
HOW TO PARTICIPATE IN THE HEARING	
If you feel you are affected by this appeal, you can provide a submission or present at the hearing as noted below.	
Before the hearing:	<div>In your submission, clearly state how you are affected and include where you live in relation to the property under appeal. Submissions are due by 9:00 a.m. the last business day before the hearing. It is at the Board’s discretion whether late submissions are accepted. Submissions can be provided by:</div> <ul style="list-style-type: none">email to sdab@rockyview.ca; ormail to the SDAB Clerk at 262075 Rocky View Point, Rocky View County, Alberta T4A 0X2
At the hearing:	Add your name to the sign-in sheet to present to the Board at the hearing

If you have questions about the development permit application, contact Planning Services at development@rockyview.ca. For inquiries about the hearing procedure, contact the Board clerk at sdab@rockyview.ca.

SITE MAP

LEGEND

Bolded: property under appeal
Shaded: notification area



Landowner Circulation Area

Development Proposal

Single-lot Regrading and
Excavation, to support
the construction of a
Dwelling, Single
Detached and site
improvements

Legend

Support



Not Support



Division: 1
 Roll: 04714106
 File: PRDP20250861
 Printed: 7/25/2025
 Legal: A portion of
 SE-14-24-03-W05M

Submissions may be made available to the public on www.rockyview.ca in accordance with section 13(1)(c) of the Alberta *Protection of Privacy Act* (POPA). Personal information contained in your submission is collected under section 4(c) of POPA for the purpose of public participation in the Board's decision-making process. Your name, legal land description, street address, and any opinions provided in your submission will be made available to the public and form part of the public record. Your personal contact information, including your phone number and email address, may be redacted prior to making your submission available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.



SDAB REPORT

Subdivision & Development Appeal Board

Electoral Division: 1

File: PRDP20250861

Date:	August 21, 2025
Presenter:	Jeevan Wareh, Development Planner
Subject:	Development Item – Single-lot Regrading and Excavation

EXECUTIVE SUMMARY

The subject application is for Single-lot Regrading and Excavation, to support the construction of a Dwelling, Single Detached and site improvements. As per Section 157 of the County's *Land Use Bylaw C-8000-2020* (LUB), Site stripping, grading, excavation, or fill is a discretionary use in all land use districts, therefore a Development Permit is required for such uses.

The proposed land works in relation to the application is to excavate and regrade the subject parcel to support the construction of a future Dwelling, Single Detached, and to address existing onsite stormwater concerns, particularly on the easterly side of the parcel. The scope of work does not include the importation of any offsite material to the subject land and does not permit the exportation of any native topsoil, as per Section 278 of the LUB. During the course of development, native topsoil shall be stripped and temporarily stockpiled, and shall be respread and reseeded upon development completion, as per condition #13 of the approved Notice of Decision. The Notice of Decision was conditionally approved on July 29, 2025, and can be found in Attachment B of the agenda package.

County Engineering Services reviewed and accepted the preliminary professional engineer drawings provided by the Applicant, which demonstrate that all post-development stormwater drainage on the subject parcel will be redirected to the County ditch within the road right-of-way of Swift Creek Terrace.

Among several prior to release conditions of approval, the County shall be requiring the Applicant/Owner to submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, to adequately demonstrate that the proposed development (Single-Lot Regrading and Excavation) will not cause negative stormwater impacts to adjacent parcels of land. Upon development completion, the Applicant/Owner shall submit as-built drawings, prepared by a professional engineer, to ensure that the development has been carried out as demonstrated in the SSIP. Following receipt and acceptance of the as-built drawings, County Engineering Services shall complete a visual inspection of the site to verify that all work has been completed as per the as-built drawings.

On August 1, 2025, a Notice of Appeal was submitted by an adjacent landowner of the decision, stating concerns with the overall development and adverse negative offsite impacts as a result of the development and drainage issues.

It is the Development Authority's position that given the required prior to release conditions as part of the notice of decision requiring the applicant to provide technical reports in relation to stormwater management, construction management and deep fills to the satisfaction of the County, the proposed development will not unduly interfere with the amenities of the area, or materially interfere with and affect the use, enjoyment, or value of neighbouring parcels of land.



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ADMINISTRATION DECISION

Approval, subject to conditions

OVERVIEW

Applicant	Zuczek, Patricia
Landowner	Zuczek, Patricia Binda, Jeffrey James
Subject Site(s)	31108 Swift Creek Terrace
Land Use District	Residential, Country Residential District
Site Area	± 0.83 hectares (± 2.06 acres)
Proposal	Single-lot Regrading and Excavation
Surrounding Uses	Residential
Applicable Regulations	Municipal Development Plan (County Plan), Land Use Bylaw C-8000-2020, County Servicing Standards, Springbank Area Structure Plan, Montebello Conceptual Scheme

SITE MAPS

Figure 1 – Site Location (Regional Context)





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Figure 2 – Site Plan (Intended Use Areas)



POLICY/LAND USE BYLAW REVIEW

Springbank Area Structure Plan (ASP) (Bylaw C-8568-2024):

22) STORM WATER

22.02) Storm water runoff to surface water will be in accordance with County Servicing Standards and any other applicable policy.

- Applicant/Owner to submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, in order to adequately demonstrate that the proposed development shall not cause negative stormwater impacts to adjacent parcels of land, in accordance with the County's Servicing Standards.



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22.07) *The location of the storm water conveyance systems shall be protected as part of the development process, in general accordance with Map 15.*

- Subject development does not hinder or interfere with Elbow River Catchment Area conveyance system, as shown on Map 15 of ASP.

22.08) *All development shall conform to the recommendations outlined in the Springbank Master Drainage Plan regarding release rates, volume control targets, and assessment of downstream drainage constraints.*

- As per Section 703.6 of County's Servicing Standards: required SSIP to be reviewed against County's Servicing Standards, which requires adherence to recommendation of applicable overarching policy documents including the Springbank Master Drainage Plan.

22.10) *Storm water shall be conveyed in a manner that protects downstream properties and preserves the water quality of receiving water courses.*

- Required SSIP shall be required to adequately demonstrate that the proposed development shall not cause negative stormwater impacts to adjacent parcels of land.

a) *Local plans will include a Construction Management Plan outlining how a reduction in sedimentation disruption and deterioration of catchment areas will be achieved.*

- Subject application is for a Development Permit and not a Local Plan, however a Construction Management Plan (CMP) has been included as a prior to release condition by administration.

22.11) *Storm water conveyance systems shall be designed to accommodate upstream storm water flows, to the satisfaction of the County.*

- County Engineering Services to review the required technical documentation to ensure all adjacent land remain unaffected by the development, which shall include analysis of upstream and downstream implications.

Municipal Development Plan (County Plan) (Bylaw C-7280-2013):

Stormwater and Wastewater

7.6) *Require environmentally sustainable wastewater disposal practices to protect watersheds and surface/ground water quality. Wastewater treatment systems should not exceed the land's carrying capacity.*

7.7) *Effectively treat stormwater to protect surface water, riparian areas, and wetlands.*

7.8) *Encourage and support Low Impact Development as an approach to treat and manage stormwater.*

7.9) *Stormwater treatment should avoid the use of natural wetlands.*

7.10) *Support the use of constructed stormwater wetlands for treatment and storage of surface runoff.*



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7.11) *Stormwater treatment and storage facilities shall not be located in floodways or riparian areas located along waterways.*

- Subject application is in keeping and does not conflict with above policies; no issues/concerns noted by administration.

Stormwater

17.14) *Stormwater shall be managed in accordance with provincial regulations. Where required and in accordance with provincial approvals, on-site stormwater may be effectively released into a downstream receiving water body in accordance with the following requirements:*

- No existing registered water bodies observed or identified onsite; provincial approvals not required by County.
 - a) *Stormwater shall be conveyed downstream in a manner that protects downstream properties; and*
- Applicant/Owner to submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, in order to adequately demonstrate that the proposed development shall not cause negative stormwater impacts to adjacent parcels of land.
 - b) *Where required, proponents of new development shall identify and secure the downstream stormwater conveyance system.*
- Existing stormwater infrastructure has been identified by applicant in application documents, SSIP to ensure that post-development drainage is to the satisfaction of County Engineering Services.

17.15) *Stripping, grading, or the placement of fill shall not alter the existing pattern of stormwater storage and/or movement across private land unless the activity complies with the Land Use Bylaw and a development permit has been issued for such activity.*

- Subject application is for a Development Permit for such earthwork activities to occur, conditions of approval included to ensure no negative stormwater impact to adjacent parcels of land, in accordance with the LUB.

17.16) *Stormwater ponds required for stormwater storage and treatment shall be provided as per the Servicing Standards.*

- Application does not include the construction of a stormwater pond; the subject section does not apply.

Montebello Conceptual Scheme (CS):

8.2) *Utility Infrastructure and Connections*

8.2.2) *All subdivisions and development within the planning area shall be subject to the provisions of the Springbank Interim Servicing Strategy.*



- Springbank ASP Servicing Strategy, dated October 2020, does not include stormwater policies pertaining to single-lot development in respect to stormwater drainage. It only speaks to stormwater re-sue which does not apply to subject application.

8.2.6) *The post-development stormwater runoff rate from the plan area shall remain consistent with the pre-development stormwater runoff rate for the plan area.*

- Applicant/Owner to submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, in order to adequately demonstrate that the proposed development shall not cause negative stormwater impacts to adjacent parcels of land, and in turn parcels of lands located outside the Plan Area of the CS.

Land Use Bylaw C-8000-2020 (LUB):

STRIPPING, GRADING, EXCAVATION AND/OR FILL

157) *Site stripping, grading, excavation, or fill is a discretionary use in all land use districts.*

- Subject use is a discretionary use in all districts; Development Permit required.

158) *Site stripping, grading, excavation, or fill Development Permit Requirements:*

- a) *A Development Permit is required for all Stripping, Grading, Excavation and/or Fill,*
- b) *A Development Permit application will detail the following:*
 - i. *Location and area of the site on which the development is proposed,*
 - ii. *Existing land use,*
 - iii. *Type of excavation, stripping, or grading proposed, showing dimensions of the operation or the area of the land and depth to which the topsoil is to be removed, and the effect on existing drainage patterns,*
 - iv. *Pre-development grading plan and post-development grading plan,*
 - v. *A soil-handling plan depicting movement of fill on the site and confirmation that soil will be transported when it is in favourable condition,*
 - vi. *Location of wetlands and watercourses and any ecologically sensitive features,*
 - vii. *Timing of works, which shall not coincide with bird nesting seasons, as determined,*
 - viii. *Location where the excavation, stripping, or grading is to be taking place,*
 - ix. *Methods to prevent dust and erosion,*
 - x. *A traffic control plan,*



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- xi. *A Weed management plan,*
- xii. *Costs to reclaim the site, and*
- xiii. *The condition in which the excavation, stripping, or grading is to be left when the operation is complete (including submission of site grading or re-contouring plans if required by the Development Authority), or the use of the area from which the topsoil is removed,*
- The above relevant requirements met either via application submission, subsequent revisions, or via prior to release conditions of approval.
- c) *The Development Authority may require a:*
 - i. *Stormwater Management Plan,*
 - Limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, included as a prior to release condition.
 - ii. *Fill Management Plan,*
 - Fill Management Plan not required as no offsite fill is to be imported to the subject parcel. No topsoil is to be exported from the subject parcel, and submitted drawings illustrate the pre- and post-development grade points.
 - iii. *Soil Quality Report, and/or*
 - Soil Quality Report is not required as no offsite material is to be hauled to site, and because application is not for agricultural purposes.
 - iv. *Letter of credit for performance of approval conditions based on the cost of remediation.*
 - Letter of Credit not deemed as necessary given scope of development is limited to a single 2.06-acre residential lot. As-built drawing and subsequent site inspection required post-development to ensure adherence with approved plans.

Stripping, Grading, Excavation and Fill

GENERAL STRIPPING, GRADING, EXCAVATION AND FILL REGULATIONS

273) *Site stripping, filling, excavation, grading, and/or re-contouring (including construction of an artificial waterbody, but not a dugout) requires a Development Permit.*

- Scope of work includes the stripping, grading, excavation of the subject parcel to accommodate the future construction of a Dwelling, Single Detached and to improve the site for stormwater management purposes.

274) *Where, in the process of development, areas require levelling, filling, or grading, the topsoil shall be removed before work commences, stockpiled, and replaced following the completion of the work.*

- Topsoil to be temporarily stockpiled during the course of development and respread on the subject parcel upon earthwork completion.



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275) *Where the proposed development incorporates excavation and filling/grading, details regarding potential impacts on drainage (subject lands and adjacent) and water bodies as identified in a stormwater management plan shall be required.*

- Limited Scope Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, included as a prior to release condition.

STRIPPING AND GRADING

276) *Stripping and grading may include stockpiling of site materials, road construction up to but not the final layer of asphalt, and underground utilities.*

- Temporary stockpiling of topsoil included as part of Development Authority's approval. The proposal does not include any road construction and/or underground utilities.

277) *Repairing or resurfacing of existing approved private gravel access roads and driveways in accordance with County Standards does not require a Development Permit when approved grades are unchanged.*

- The proposal does include the repairing or resurfacing of existing approved private gravel access roads or driveway.

278) *Unless specifically approved in a Development Permit, topsoil shall not be removed from any site.*

- Removal of native topsoil is not permitted as part of conditions of approval. Permanent condition to prohibit such activity included as part of approval.

279) *Stripping, grading, and stockpiling for the purpose of construction site preparation incidental to an approved development does not require a Development Permit provided the following conditions are met:*

- A Grading Plan is approved, and*
 - Construction site preparation does not include the digging of a building foundation or the installation of pilings.*
- Subject application is not for construction site preparation incidental to an approved development; section does not apply.

County Servicing Standards

701.1) Submission Requirements

All developments will be reviewed on a case-by-case basis by the County to determine the requirement of a drainage study as per Section 700. The County will base this review on existing area densities, existing drainage issues, scope of development and other matters of concern as deemed appropriate by the County.



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701.2) Submission Timing for Reports/Studies/Plans: (see image below)

TABLE 700-A Submission Timing for Reports/ Studies/ Plans	
DEVELOPMENT STAGE	MUNICIPAL REQUIREMENT
ASPs	<ul style="list-style-type: none"> Master Drainage Plan Staged Master Drainage Plan (SMDP) SMDP if required
Land-use planning and redesignation	<ul style="list-style-type: none"> "Conceptual Level" Stormwater Management Report (SWMR) prior to scheduling public hearing
Subdivision (10 lot or more)	<ul style="list-style-type: none"> "Conceptual Level" SWMR prior to scheduling subdivision hearing SWMR as a condition of approval or prior to subdivision hearing if required by the County
Subdivision (less than 10 lots)	<ul style="list-style-type: none"> SSIP as a condition of approval or prior to subdivision hearing if required by the County
Development Agreement	<ul style="list-style-type: none"> SWMR or SSIP Detailed design drawings
Development Permit	<ul style="list-style-type: none"> SWMR / SSIP / LSSIP as required

703.6) Limited Scope Site-Specific Stormwater Implementation Plan

A Limited Scope Site-Specific Stormwater Implementation Plan (LSSIP) is a drainage and servicing stormwater plan generally prepared to support minor Development Permits that may have downstream stormwater impacts and where a full SSIP is not warranted. A LSSIP:

- Adheres to applicable Watershed/Water Management Plans, Master Drainage Plans, Sub-Catchment Master Drainage Plans, and/or Stormwater Management Report.
- Provides stormwater design for on-lot development at the Development Permit stage.
- Ensures that post-development flows and volumes do not exceed pre-development flows and volumes.
- Ensures that pre-development on-site storage will not be reduced.
- Ensures that proposed development does not adversely impact downstream lands or drainage routes.
- May correspond to an applicable set of engineering drawings.
- It is prepared by the Developer's Engineering Consultant.



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Applicant/Owner to submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP) prepared by a qualified professional engineer, in order to adequately demonstrate that the proposed development shall not cause negative stormwater impacts to adjacent parcels of land.

VARIANCE SUMMARY

N/A

DISCUSSION

Administration reviewed the application against all applicable County bylaws policies and found the application to be consistent with all applicable requirements/regulations, and as such, Administration has conditionally-approved the application.

Site inspection conducted by File Manager and assigned County Municipal Engineer; met with landowner and their stormwater engineer. File Manager captured several photos of the parcel and the community as well, in order to observe existing site conditions in respect to stormwater drainage. Following the inspection, it was determined that a complete limited scope Site-Specific Stormwater Implementation Plan (SSIP), was required prior to a decision being rendered on the application.

Following further conversation between the landowners and senior County administration, it was determined that the applicant may submit preliminary professional engineer drawings demonstrating their proposed scope of work and general stormwater management strategy. Such drawings were submitted by the applicant and reviewed and accepted by County Engineering Services. Subject application was then conditionally-approved in accordance with the accepted technical drawings, with the condition that the complete SSIP be submitted as a prior to release condition. It is to be noted that no development is permitted to occur without an issued Development Permit, which shall not be issued until the Applicant/Owner has successfully satisfied all prior to release conditions.

Administration has also included post-development conditions, which are to ensure the development has been carried out as approved and does not cause negative impacts to adjacent lands. As per condition #9 of the Notice of Decision, the SSIP shall be implemented and adhered to in perpetuity. Any future earthworks on the subject lands shall require an issued Development Permit, prior to commencement, unless exempted under Table 2 of the LUB.

The future Dwelling, Single Detached shall require an issued Building Permit, prior to construction commencement and shall be compliant to the County's LUB. If any variances or additional grading/excavation/placement of fill, in excess of what is permitted under Table 2 of the LUB, is proposed as part of said application, the Applicant/Owner would be required to apply for and be issued a separate Development Permit.

ATTACHMENTS

Attachment A: Development Permit Report Conditions

Attachment B: Maps & Application Information

APPROVALS

Supervisor:

Justin Rebello, A/Manager of Planning



SDAB REPORT

ATTACHMENT A: DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That single-lot regrading and excavation, to support the construction of a Dwelling, Single Detached and site improvements may commence on the subject lands, in accordance with the approved application, Site Plan, as prepared by Arc Surveys Ltd., File No: 243549, dated August 12, 2024, as amended, technical drawings, as prepared by Eretz Consulting & Contracting Inc., Project Name: 31108 Swift Creek Terrace, Swift Creek Estates, Lot 12, Block 3, Plan 071 5771, Dwgs: 1 – 6, dated July 16, 2025, as amended, and required technical, as amended, and conditions of approval including:
 - i. Regrading and excavation over an area of approximately 0.83 hectares (2.06 acres), to support the construction of a Dwelling, Single Detached;
 - ii. Site improvements for the purpose of improving stormwater drainage on the subject parcel;
 - iii. Temporary stockpiling of stripped native topsoil during the course of development; and
 - iv. Respreading of stripped native topsoil for site restoration purposes.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional engineer, in accordance with the County's Servicing Standards. The SSIP shall include:
 - i. A grading plan that illustrates the original ground profile and the depth of proposed fill;
 - ii. The total amount of material to be exported from the site (if any);
 - iii. Analysis of the pre-and post-construction grades to determine whether there are any impacts to adjacent properties or the public road network;
 - iv. Confirmation of pre-and-post construction conditions associated with site stormwater storage, site releases and offsite drainage; and
 - v. Recommendations for Erosion and Sediment Control (ESC) mitigation measures.
3. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan (CMP) addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, erosion and weed control, construction practices, waste management, hazardous material containment and all other relevant construction management details, in accordance with the County's Servicing Standards.
4. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fills Report prepared by a qualified professional engineer, for all areas of fill greater than 2.00 m (6.56 ft.) in depth, in accordance with the County's Servicing Standards.
5. That prior to release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during site development. Information provided will confirm if a Road Use Agreement or a Roaddata/Heavy Haul/Overweight/Overdimension Permit will be required for any hauling along the County Road system and to confirm the presence of County road ban restrictions.



ROCKY VIEW COUNTY

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- i. That the Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (*Bylaw C-8323-2022*) and send the information to roaduse@rockyview.ca;
- ii. That any required agreements or a Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations; and
- iii. That if a Road Use Agreement is required, the Applicant/Owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323- 2022*.

Upon Development Completion:

6. That prior to occupancy of the site and building, the Applicant/Owner shall submit as-built drawings, prepared by a professional engineer. The as-built drawings shall include verification of all required information that is relevant to the SSIP, to the satisfaction of County Engineering Services.
 - i. Following receipt and acceptance of the as-built drawings, the County's Engineering Services team shall complete an inspection of the site to verify all infrastructure has been completed as per the stamped examined drawings.
7. That the Applicant/Owner shall provide compaction testing verifying that any fill areas, excluding topsoil, greater than 2.00 m (6.56 ft.) in depth were placed in accordance with the Deep Fills report accepted by the County.

Permanent:

8. That if the prior to release conditions have not been met by **FEBRUARY 28, 2026**, or by any approved extension date, then this approval is null and void and the Development Permit shall not be issued.
9. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a prior to release or occupancy condition, including the required CMP, Deep Fills Report, and SSIP, shall be implemented and adhered to in perpetuity.
10. That the site shall be maintained in a neat and orderly fashion at all times, to the satisfaction of the County. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways.
11. That the Applicant/Owner shall take whatever means necessary to prevent visible dust associated with the development from escaping the site and having adverse effects on adjacent roadways and properties.
 - i. That no onsite potable water shall be used for dust suppression purposes.
 - ii. That water trucks shall be available at all times onsite to control dust blowing from the site and/or roadways.
 - iii. That if at any time the development creates a visible dust problem, the development shall cease immediately until remedial measures are taken.
12. That the Applicant/Owner shall exercise due care on the subject lands to protect any public infrastructure. Any damage to public infrastructure as a result of the development shall be rectified at the Applicant/Owner's cost.



SDAB REPORT

13. That no native topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be re-spread on-site and seeded to grass or landscaped after development is complete, as part of site restoration.
14. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any public road right-of-way.
15. That any material entering or leaving the site shall be hauled in a covered trailer/truck, to help prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto adjacent County roads during site development shall be the responsibility and cost of the Owner.
16. That it shall be the responsibility of the Applicant/Owner to ensure that any material regraded and moved onsite has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
17. That this approval does not include the importation of any material to the subject site for the purposes of this development.
18. That the County and/or agents acting on behalf of the County shall have access to the site at all times for the purpose of inspection.
19. That the Applicant/Owner shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
20. That the Applicant/Owner shall not be approved for a *Noise Exemption Permit* from the County.
21. That all on site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 225 – 231 of the *Land Use Bylaw C-8000-2020* (LUB). All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, which may interfere with the use and enjoyment of neighbouring lands.
22. That if the development authorized by this Development Permit is not commenced with reasonable diligence within (12) months from the date of issue and completed within (24) months of the date of issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Authority.

Advisory:

- That the subject development shall conform to the County's *Noise Control Bylaw C-8067-2020*, *Road Use Agreement Bylaw C-8323-2020*, *Roads and Transportation Bylaw C-8427-2023*, and *Nuisance and Unightly Property Bylaw C-7690-2017*, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*.



ROCKY VIEW COUNTY

SDAB REPORT

- That the Applicant/Owner shall adhere to any requirements of any instruments registered on title. That should there be any impact to any instrument, the Applicant/Owner shall contact the grantor of the instrument, prior to development commencement.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.



SDAB REPORT

ATTACHMENT B: APPLICATION INFORMATION

APPLICANT: Zuczek, Patricia	OWNER: Zuczek, Patricia Binda, Jeffrey James
DATE APPLICATION RECEIVED: February 2, 2025	DATE DEEMED COMPLETE: February 26, 2025
GROSS AREA: 0.83 ha (2.06 ac)	LEGAL DESCRIPTION: Lot 12, Block 3, Plan 0715771; SE-14-24-03-05
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> November 2, 2007: Subject parcel created as part of subdivision Plan of Survey 0715771, under Subdivision Application 2006-RV-259. 	
PUBLIC & AGENCY SUBMISSIONS: The application was circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments. At the time this report was prepared, one written submission was received from the Swift Creek Estates Homeowners Association, noting concern about the application. No submissions were received in support of or formal opposition to the application. The submission can be found in Attachment B of the agenda package.	

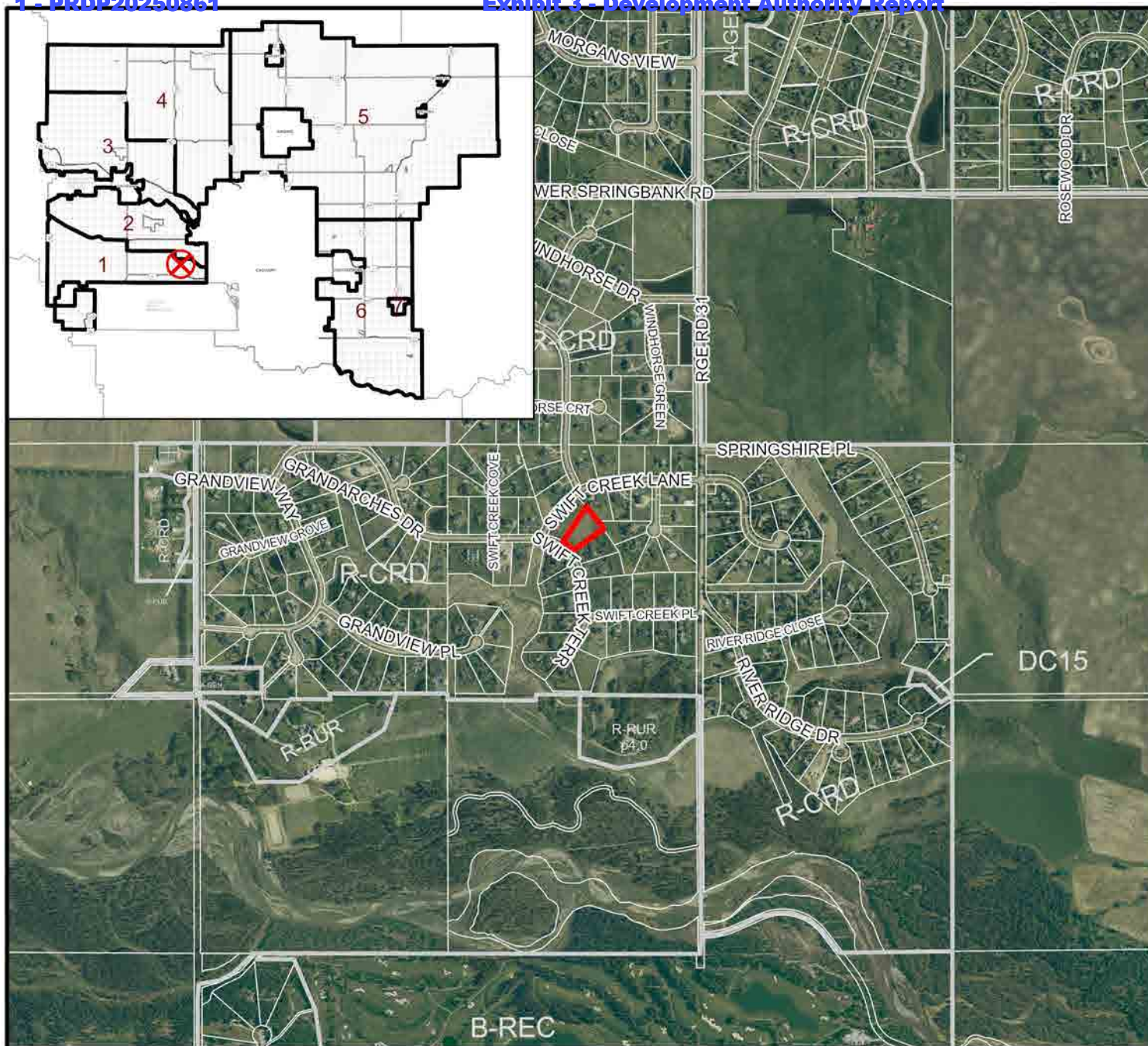


ROCKY VIEW COUNTY

Location & Context

Development Proposal

Single-lot Regrading and
Excavation, to support
the construction of a
Dwelling, Single
Detached and site
improvements



Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
Legal: A portion of
SE-14-24-03-W05M



ROCKY VIEW COUNTY

Site Aerial

Development Proposal

Single-lot Regrading and Excavation, to support the construction of a Dwelling, Single Detached and site improvements



Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
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SE-14-24-03-W05M



ROCKY VIEW COUNTY

Inspection Photos

Development Proposal

Single-lot Regrading and
Excavation, to support
the construction of a
Dwelling, Single
Detached and site
improvements



Looking East from North Corner



Looking North from South Corner



Looking East from West Corner



Looking South from East Corner

Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
Legal: A portion of
SE-14-24-03-W05M



ROCKY VIEW COUNTY

Inspection Photos

Development Proposal

Single-lot Regrading and
Excavation, to support
the construction of a
Dwelling, Single
Detached and site
improvements



Slope of South Property Line



Looking North from Swift Creek Terrace

Looking South onto Swift Creek Terrace



Looking at East Corner from Centre of Parcel



Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
Legal: A portion of
SE-14-24-03-W05M



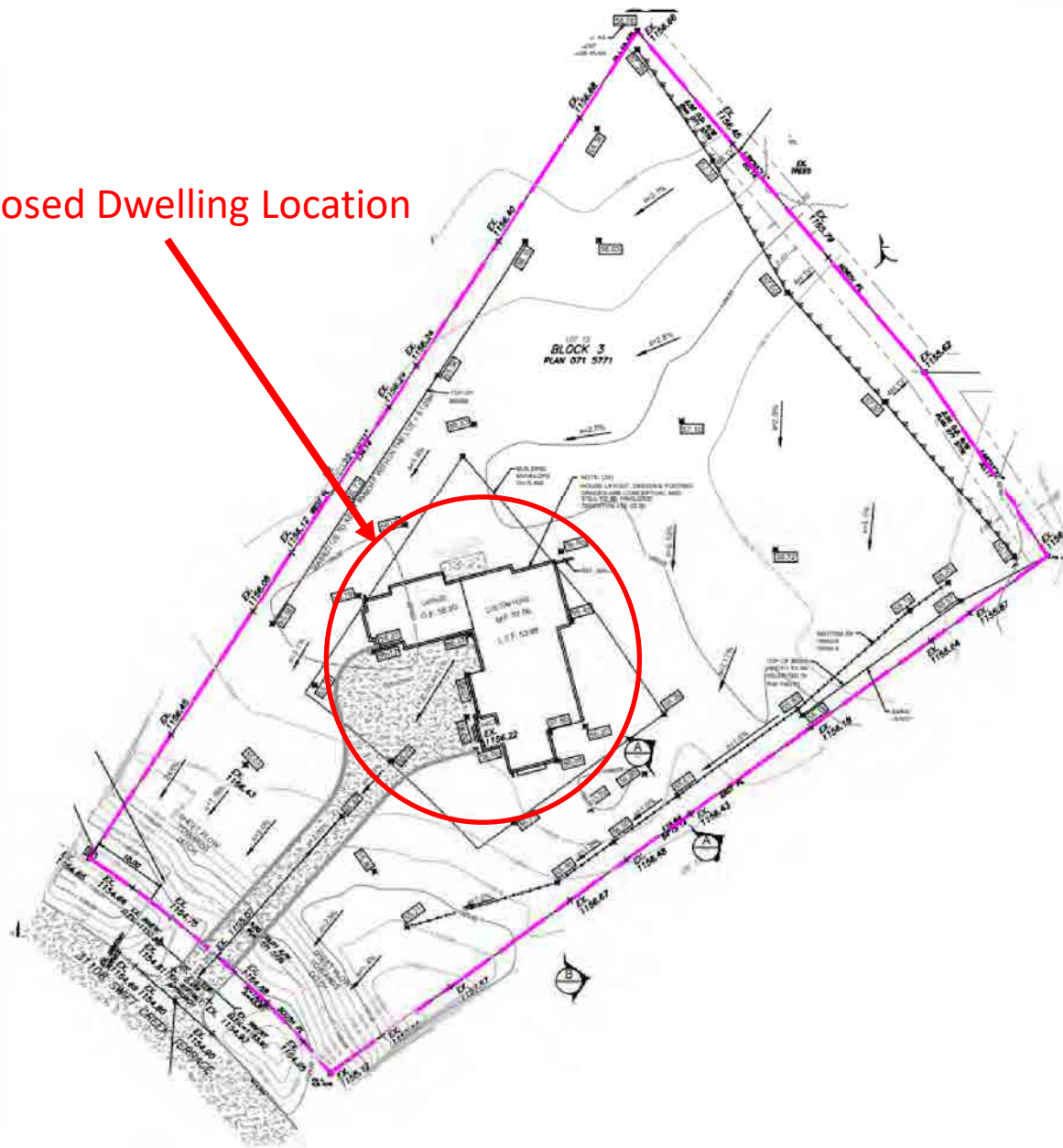
ROCKY VIEW COUNTY

Site Plan

Development Proposal

Single-lot Regrading and Excavation, to support the construction of a Dwelling, Single Detached and site improvements

Proposed Dwelling Location



Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
Legal: A portion of
SE-14-24-03-W05M

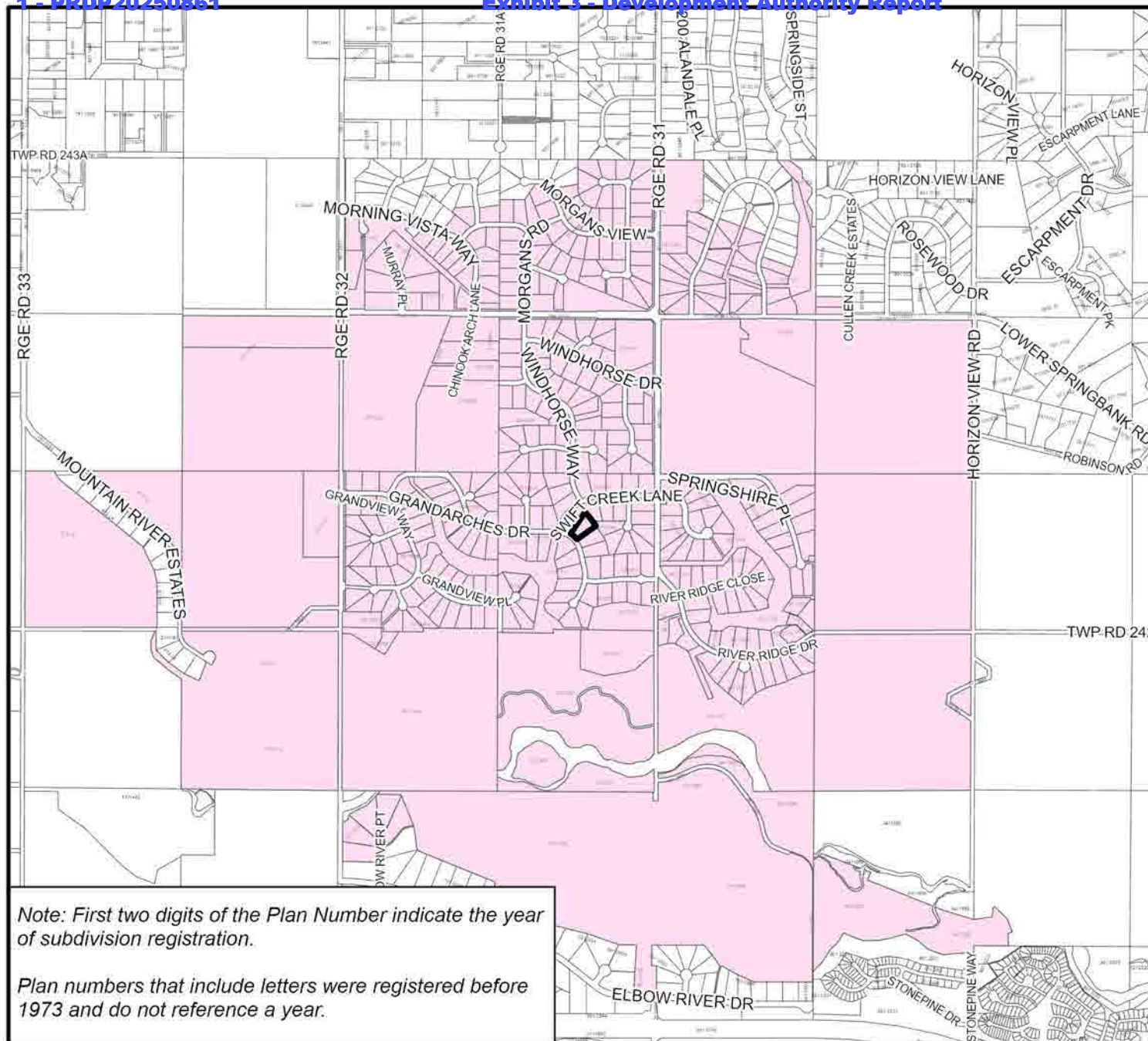


ROCKY VIEW COUNTY

Landowner Circulation Area

Development Proposal

Single-lot Regrading and
Excavation, to support
the construction of a
Dwelling, Single
Detached and site
improvements



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.

Legend

Support



Not Support



Division: 1
Roll: 04714106
File: PRDP20250861
Printed: 7/25/2025
Legal: A portion of
SE-14-24-03-W05M



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20250861
ROLL NO.	04714106
RENEWAL OF	-
FEES PAID	\$620.00
DATE OF RECEIPT	Feb, 02, 2025

APPLICANT/OWNER							
Applicant Name: Patricia Zuczek					Email: [REDACTED]		
Business/Organization Name (if applicable):							
Mailing Address: [REDACTED]					Postal Code: [REDACTED]		
Telephone (Primary): [REDACTED]				Alternative:			
Landowner Name(s) per title (if not the Applicant): Patricia Zuczek & Jeffrey Binda							
Business/Organization Name (if applicable):							
Mailing Address: [REDACTED]					Postal Code: [REDACTED]		
Telephone (Primary): [REDACTED] (Jeff)				Email: [REDACTED]			
LEGAL LAND DESCRIPTION - Subject site							
All/part of:	SE ¼	Section: 14	Township: 24	Range: 3	West of: 5	Meridian	Division: 1
All parts of Lot(s)/Unit(s): 12		Block: 3	Plan: 071 5771		Parcel Size (ac/ha): 2 acres		
Municipal Address: 31108 Swift Creek Terrace, Rocky View					Land Use District: R-CRD		
APPLICATION FOR - List use and scope of work							
Site stripping, regrading and placement of clean fill to bring the lot into alignment with the Overland Drainage Plan for the construction of a single detached dwelling and site improvements.							
Variance Rationale included: <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A				DP Checklist Included: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
SITE INFORMATION							
a.	Oil or gas wells present on or within 100 metres of the subject property(s)						<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
b.	Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant)						<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
c.	Abandoned oil or gas well or pipeline present on the property (Well Map Viewer: https://extmapviewer.aer.ca/AERAbandonedWells/Index.html)						<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
d.	Subject site has direct access to a developed Municipal Road (accessible public roadway)						<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO



ROCKY VIEW COUNTY

AUTHORIZATION

I, PATRICIA ZUCZEK (Full name in Block Capitals), hereby certify (initial below):

- ☒ That I am the registered owner OR ☒ That I am authorized to act on the owner's behalf.
- ☒ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.
- ☒ **Right of Entry:** I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.
- ☒ That I am aware of and have read and agree to the following:
- The personal information collected on this application is collected in accordance with s.33(c) the Alberta Freedom of Information and Protection of Privacy Act (FOIP).
 - I have obtained written permission from the copyright holder for any information included with this application which is protected by copyright.
 - I agree to indemnify, save and hold harmless the County, its elected officials, agents, and employees from and against all demands, claims, liability costs and expenses (including legal fees) in relation to copyright infringement as a result of the information submitted.
 - The information collected will be used to communicate with the applicant during the application review and site inspection processes.
 - As part of the review process, both personal information and copyrighted materials will be circulated as needed to relevant internal departments, provincial and federal governments, external partners, and adjacent landowners.
 - Such information and materials may also be submitted to the Subdivision and Development Appeal Board and the Land and Property Rights Tribunal.
 - Personal information and copyrighted materials may also be included in public meeting agendas, on the County's website, and on the Rocky View County Planning Development Map web application.
 - The applicant's name and the nature of the application will be publicly available, in accordance with the FOIP Act.
 - For questions on FOIP or copyright issues, please contact the Manager of Planning at 403-230-1401.

Applicant Signature

Date January 22, 2025

Landowner Signature

Date January 22, 2025



STRIPPING, GRADING, EXCAVATION AND/OR FILL INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	PRDP20250861
ROLL NO.	04714106
DISTRICT	R-CRD

DETAILS		APPLICATION FOR (check all that apply):
Total area of work (m ² / ft ² / ac.)	2 ac.	<input checked="" type="checkbox"/> Site Stripping <input type="checkbox"/> Fill
Length (m / ft.)	120 m	<input checked="" type="checkbox"/> Grading <input type="checkbox"/> Re-contouring
Width (m / ft.)	90 m	<input type="checkbox"/> Excavation (cut-to-fill) <input type="checkbox"/> Excavation (borrow areas)
Height (m / ft.)	< 2 m	<input type="checkbox"/> Construction of artificial waterbody (not including dugouts)
Volume (m ³ / ft ³ .)	See drawing	<input type="checkbox"/> Stockpiling
Number of truckloads (approx.)	0	<input type="checkbox"/> Other: _____
Slope factor (if applicable)		

DESCRIPTION OF WORK

Indicate the timing/duration of work: Earthworks to occur as part of home site prep, grading adjustments due to settlement to occur following year

Amount of Days (approx.): 110 days	Potential start date: May 1, 2026
General hours of daily work: 7am - 5pm	Potential end date: Aug 31, 2026

Describe the purpose and intent of the work proposed (include cover letter for detailed description):

Stripping and regrading is required as the lot was not properly graded. This has resulted in multiple low spots and the site is not draining. This work will ensure positive drainage for the site.

Describe your soil-handling plan depicting movement of fill on site:

Please see attached cover letter.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (riparian areas, wetlands, etc.):

No environmentally sensitive areas. Drainage will be redirected to the roadside ditch.

Describe methods in weed management, mitigation of dust, and erosion:

Please see attached cover letter.

SITE INFORMATION

Does any of the proposed fill contain any rubble or hazardous substances?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Is any material coming from off site? If so, please indicate from where: _____	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO

Applicant Signature

Date July 22, 2025



ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION CHECKLIST – STRIPPING & GRADING

Applicant Checklist	Office Use Only	All plans shall be submitted as one PDF document in DIGITAL form Select [x] all that are included within application package. Incomplete applications may not be accepted for processing.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	APPLICATION FORM(S) AND CHECKLIST: All parts completed and signed.
<input type="checkbox"/>	<input type="checkbox"/>	APPLICATION FEE: Refer to Planning and Development Fee Schedule within the Master Rates Bylaw.
<input type="checkbox"/>	<input type="checkbox"/>	CURRENT LAND TITLES CERTIFICATE COPY - dated within 30 DAYS of application submission: <ul style="list-style-type: none"> Copy of <u>all non-financial</u> instruments/caveats registered on title <input checked="" type="checkbox"/> I give the Development Authority authorization to pull a Land Title Certificate at a \$20.00 fee
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TIME EXTENSION FORM: Authorizing the County to continue your application if there are any delays meeting the 40-day timeline as set out by the Municipal Government Act of Alberta (MGA).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LETTER OF AUTHORIZATION: Signed by applicant <u>if acting on behalf</u> of the registered landowner(s). <ul style="list-style-type: none"> If the registered landowner is a company, please include Affidavit (signed by commissioner of Oaths).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	COVER LETTER, shall include: <ul style="list-style-type: none"> Proposed material that will be placed on the parcel (Clay, topsoil, gravel, etc) Purpose of the grading/placement of material, and location of where material was obtained Number of days and hours of project with approximate start and end dates Weed Management Plan – How will weeds be adequately managed upon placement? Traffic Control Plan – Construction management for traffic flow Methods to mitigate dust and erosion resulting from ongoing work
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DETAILED SITE PLAN(S), shall include: <ul style="list-style-type: none"> A pre-development grading plan AND a post-development grading plan Legal description and municipal address All property lines, dimensions, and north arrow Dimensions of work highlighted, with approximate length and width dimensions shown (in ft. or m.) The depths or grade change of material for each area of work Location of wetlands, watercourses, and any ecologically sensitive areas Location and labels for existing/proposed approach(s)/access to property Identify names of adjacent internal/municipal roads and highways Identify oil wells, septic fields/tanks, or water wells on site, including distance to proposed work area Identify any existing/proposed site features such as trees, shelterbelts, canals, waterbodies, etc. Identify site slopes greater than 15% and distances of these slopes from existing/proposed structures Location and labels for easements and/or rights-of-way on title
<input type="checkbox"/>	<input type="checkbox"/>	HAUL ROUTE MAP: <ul style="list-style-type: none"> A clear map providing the haul route (Google maps, or similar will suffice) If the haul route includes travel within other municipalities (Calgary, Airdrie, etc), an RUA from the respective municipality is required This information will help determine if a Road Use Agreement (RUA) is required
<input type="checkbox"/>	<input type="checkbox"/>	PHOTOGRAPHS: Of existing site features, where work will take place, including surrounding context.
<input type="checkbox"/>	<input type="checkbox"/>	SUPPORTING DOCUMENTS (may be required for approval): Stormwater Management Plan, Fill Management Plan, Soil Quality Report, and any additional plans relating to the proposed development.

FOR OFFICE USE ONLY

Proposed Use(s): Stripping&Grading&Fill	Land Use District: R-CRD
Applicable ASP/CS/IDP/MSDP: Central Springbank ASP/Montebello CS/Calgary IDP Study Area	
Included within file: <input checked="" type="checkbox"/> Information Sheet <input checked="" type="checkbox"/> Parcel Summary <input checked="" type="checkbox"/> Site Aerial <input checked="" type="checkbox"/> Land Use Map Aerial <input checked="" type="checkbox"/> Site Plan	

NOTES:

Staff Signature: Tanya Cairney



LAND TITLE CERTIFICATE

S
 LINC SHORT LEGAL TITLE NUMBER
 0032 881 799 0715771;3;12 241 200 520

LEGAL DESCRIPTION
 PLAN 0715771
 BLOCK 3
 LOT 12
 EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
 ATS REFERENCE: 5;3;24;14;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 171 162 365

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
241 200 520	01/08/2024	TRANSFER OF LAND	\$849,900	\$849,900

OWNERS

PATRICIA ZUCZEK

AND

JEFFREY JAMES BINDA

BOTH OF:

[REDACTED]
 [REDACTED]
 [REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
001 243 172	29/08/2000	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. 320-17 AVE SW CALGARY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

241 200 520

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
--------	--------------	-------------

ALBERTA T2S2V1

(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 021211273)(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 041177258)

(DATA UPDATED BY: CHANGE OF NAME 051060436)

071 575 459	26/11/2007	UTILITY RIGHT OF WAY GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. GRANTEE - FORTISALBERTA INC. GRANTEE - ATCO GAS AND PIPELINES LTD. GRANTEE - TELUS COMMUNICATIONS INC. GRANTEE - SHAW CABLESYSTEMS LIMITED. AS TO PORTION OR PLAN:0715772
071 575 460	26/11/2007	CAVEAT RE : EASEMENT
071 575 466	26/11/2007	RESTRICTIVE COVENANT
071 575 467	26/11/2007	ENCUMBRANCE ENCUMBRANCEE - THE SWIFT CREEK ESTATES HOMEOWNERS ASSOCIATION. C/O SUITE 104, 122 - 17TH AVE. SE CALGARY ALBERTA T2G1H2
071 575 469	26/11/2007	CAVEAT RE : DEFERRED SERVICES AGREEMENT CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44. 911-32 AVE NE CALGARY ALBERTA T2E6X6

TOTAL INSTRUMENTS: 006

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 7 DAY OF
FEBRUARY, 2025 AT 02:29 P.M.

ORDER NUMBER: 52821100

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).

Attention: Rocky View County Development Planning

To support the construction of a new single family dwelling at 31108 Swift Creek Terrace, the landowners propose the following:

- Stripping of existing organic material, as required
- Regrading the site to ensure site drainage is directed to the roadside ditch swale at the south-west side of the property along Swift Creek Terrace.

Stripping and regrading is required as the lot was not properly graded during the initial development construction in early 2000's. This has resulted in multiple low spots, and the site is not draining.

Two swales will be created parallel to the property lines and existing site material will be used to create a raised area in order to prevent any overland water migrating onto the adjacent neighbouring properties.

Weed Management

Prior to the commencement of construction activities, the site will be reviewed for the presence of weeds. Stripping activities will be within the limits identified on the grading plan; topsoil will be segregated and stored within the site.

The site will be monitored for noxious weeds and prohibited noxious weeds. Noxious weeds will be controlled by hand-pulling, cultivating or mowing. Prohibited noxious weeds will be destroyed by hand-pulling, cultivation or mowing followed by an application of an appropriate herbicide. Noxious weeds and prohibited noxious weeds will be disposed of in a manner that prevents the spread of weed seeds.

During post-construction landscaping, weed-free seed will be used for revegetation.

Traffic Management

All construction activities and construction traffic will be restricted to the approved routes and access roads. The construction site boundary will be clearly delineated in the field prior to commencing construction activities.

It is expected that all vehicles will access the site using existing paved roads. All construction equipment and personnel will adhere to local road hauling/permitting requirements and construction hours will follow Rocky View County bylaws.

A Haul Route Map will be provided prior to start of work as Prior to Release conditions.

Soil Handling

Existing topsoil on the lot will be preserved and used as a final cover. Soils and materials will be properly placed on site to ensure materials will not be eroded to off-site areas.

Vehicle and machinery traffic access will be limited to the driveway approach.

All placed material will be compacted using suitable compaction equipment.

Dust Management and Erosion and Sediment Controls

Erosion and Sediment control measures may include:

- Minimize exposed soils to decrease erosion potential
- Avoid stripping and grading activities in wet weather to minimize erosion potential
- Placement of topsoil and seeding when reasonable to do so in order to cover exposed soil
- Preserve and use existing drainage systems that are well-vegetated (e.g. roadside ditch swale)
- Silt fencing, as required

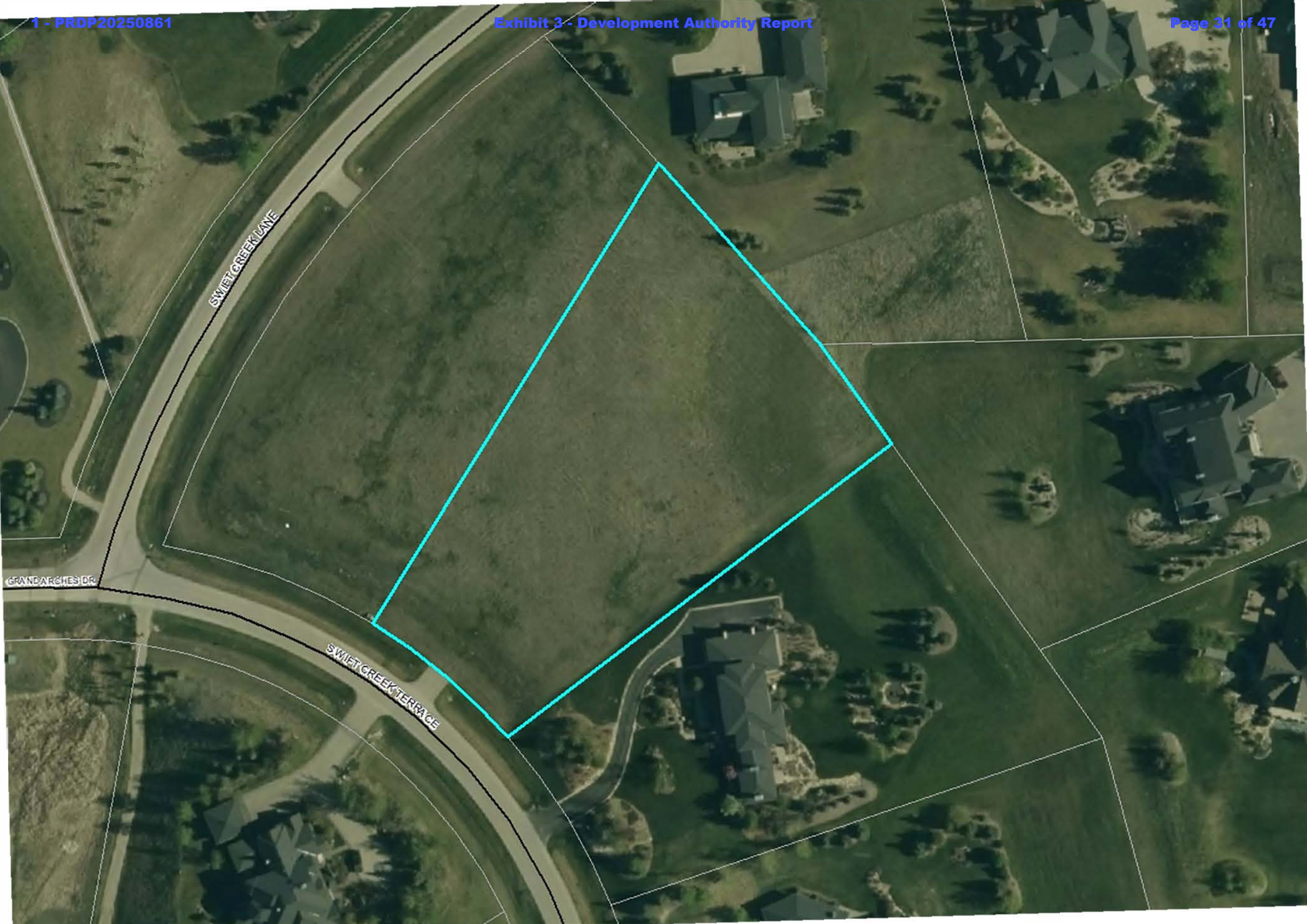
If there are extreme rain events that reduce the effectiveness of these measures, additional measures will be reviewed and implemented.

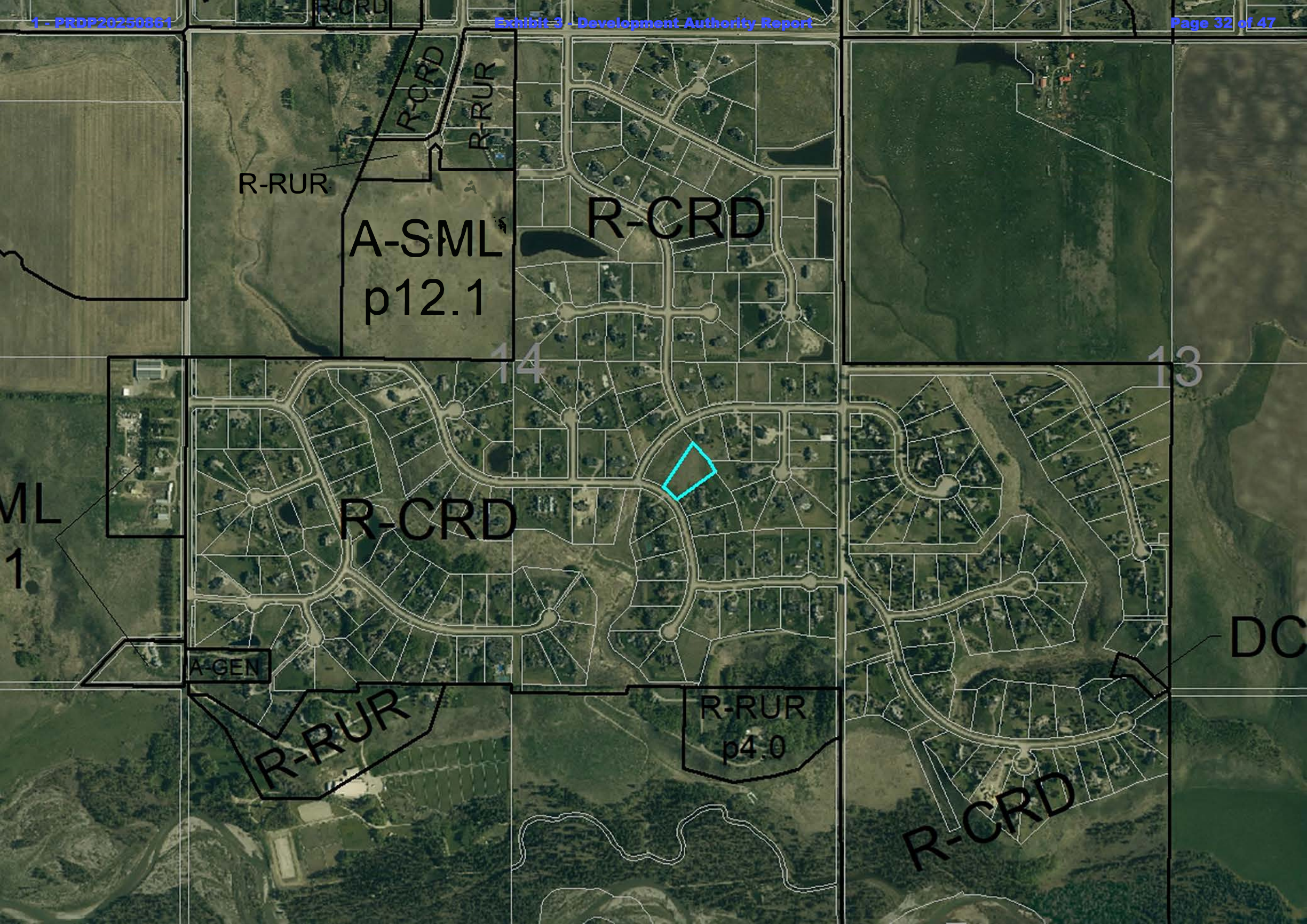
Where dust pollution is caused by high winds during constructions activities, measures to control dust on the parcel will be implemented. This may include water trucks to spray down bare soil.

Please feel free to contact me if you require any further information.

Thank you,

Patricia Zuczek

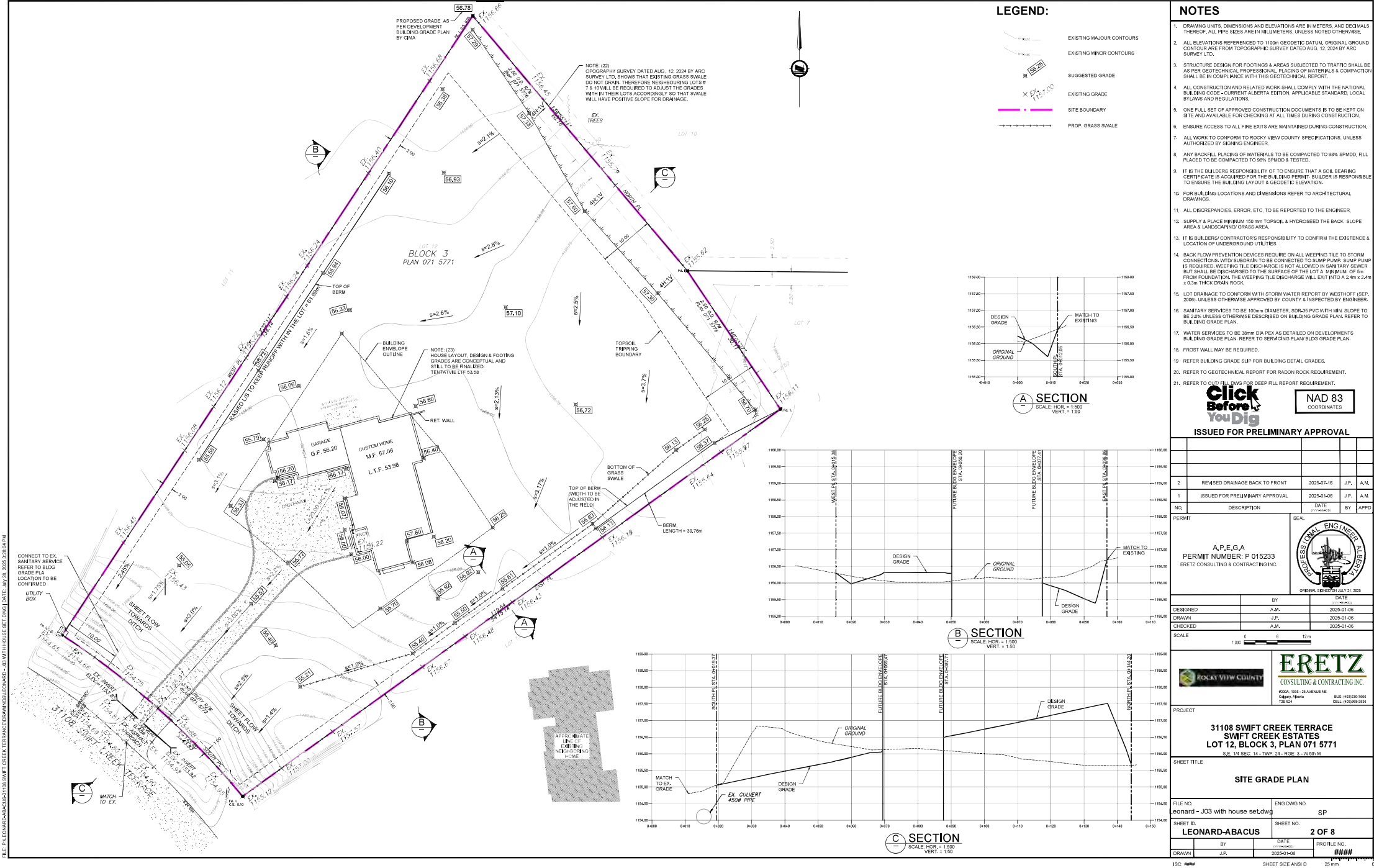


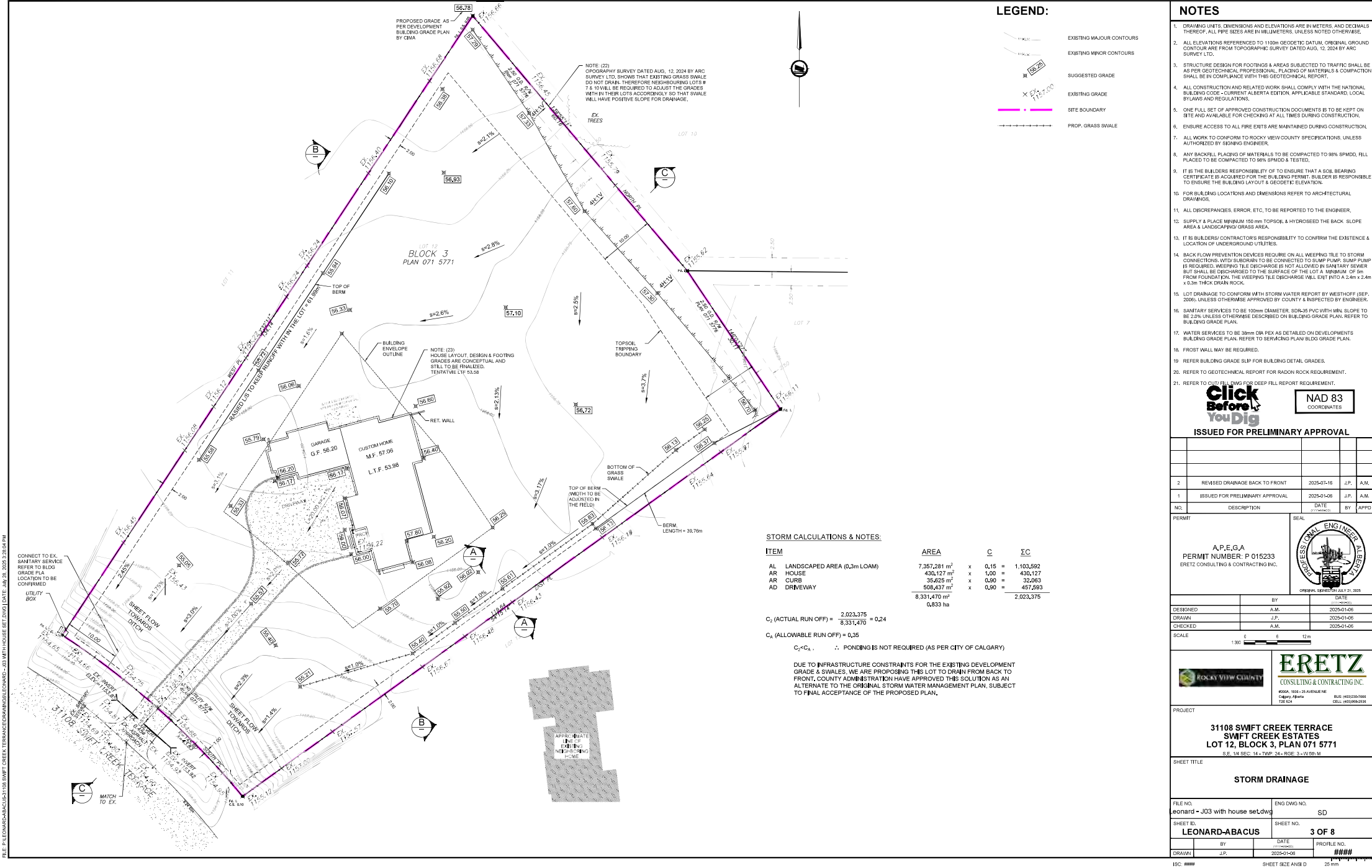


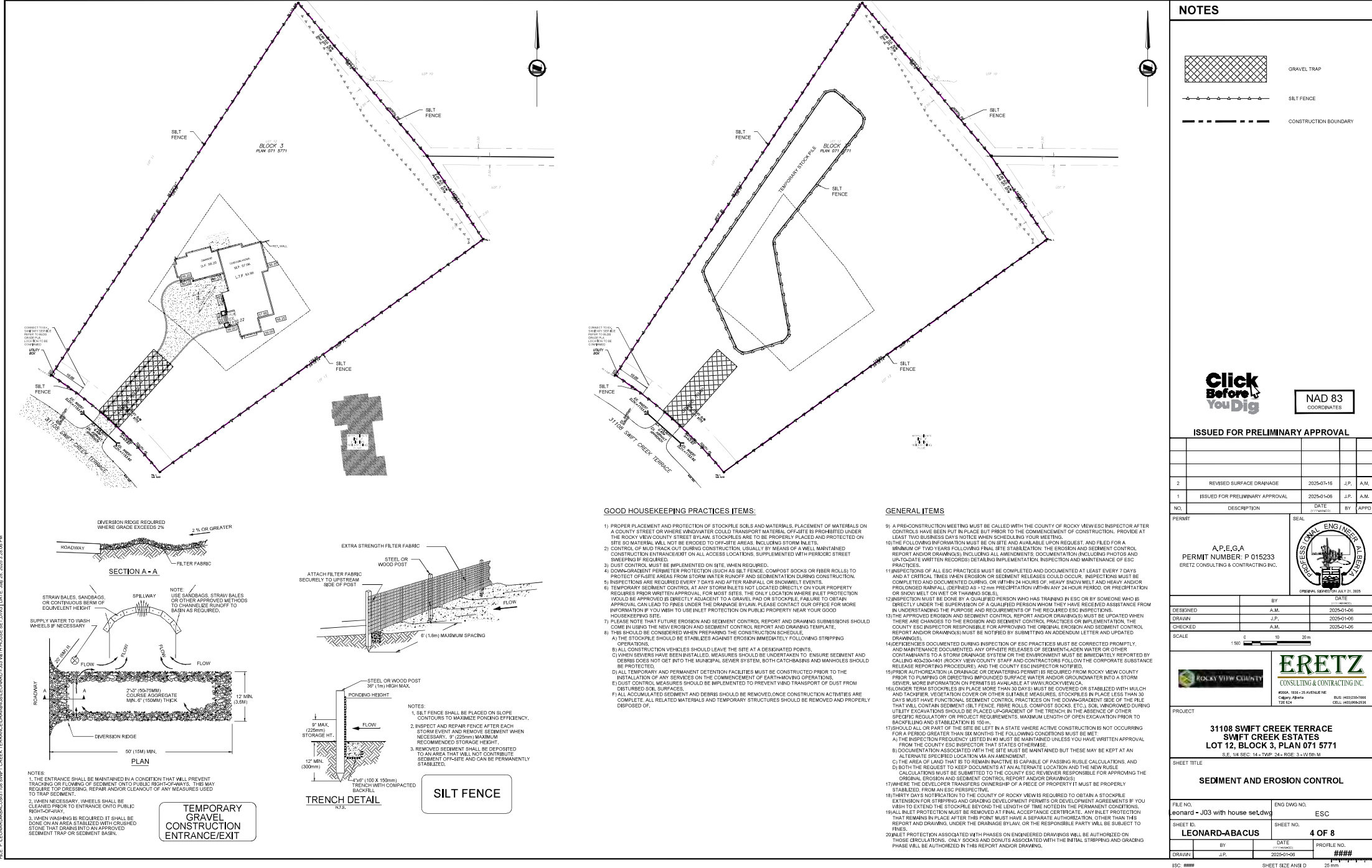
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1.

DC

Surveyed: KX Drawn: QM/QM Checked by: RB Scale: 1: 250 File No.: 243549



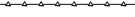




NOTES



GRAVEL TRAP



SILT FENCE



CONSTRUCTION BOUNDARY



NAD 83
COORDINATES

ISSUED FOR PRELIMINARY APPROVAL

NO.	DESCRIPTION	DATE (YYYYMMDD)	BY	APPD
2	REVISED SURFACE DRAINAGE	2025-07-16	J.P.	A.M.
1	ISSUED FOR PRELIMINARY APPROVAL	2025-01-08	J.P.	A.M.

PERMIT

SEAL

A.P.E.G.A.
PERMIT NUMBER: P 015233
ERETZ CONSULTING & CONTRACTING INC.

ORIGINAL 13080701 JULY 21, 2025

DESIGNED	BY	DATE
DRAWN	J.P.	2025-01-08
CHECKED	A.M.	2025-01-08

SCALE

0 10 20 m

1:500

ROCKY VIEW COUNTY

ERETZ CONSULTING & CONTRACTING INC.

1000A 1015 - 25 AVENUE NE
CALGARY, ALBERTA
T2E 6Z4

TEL: (403) 234-7665
CELL: (403) 965-2343

PROJECT

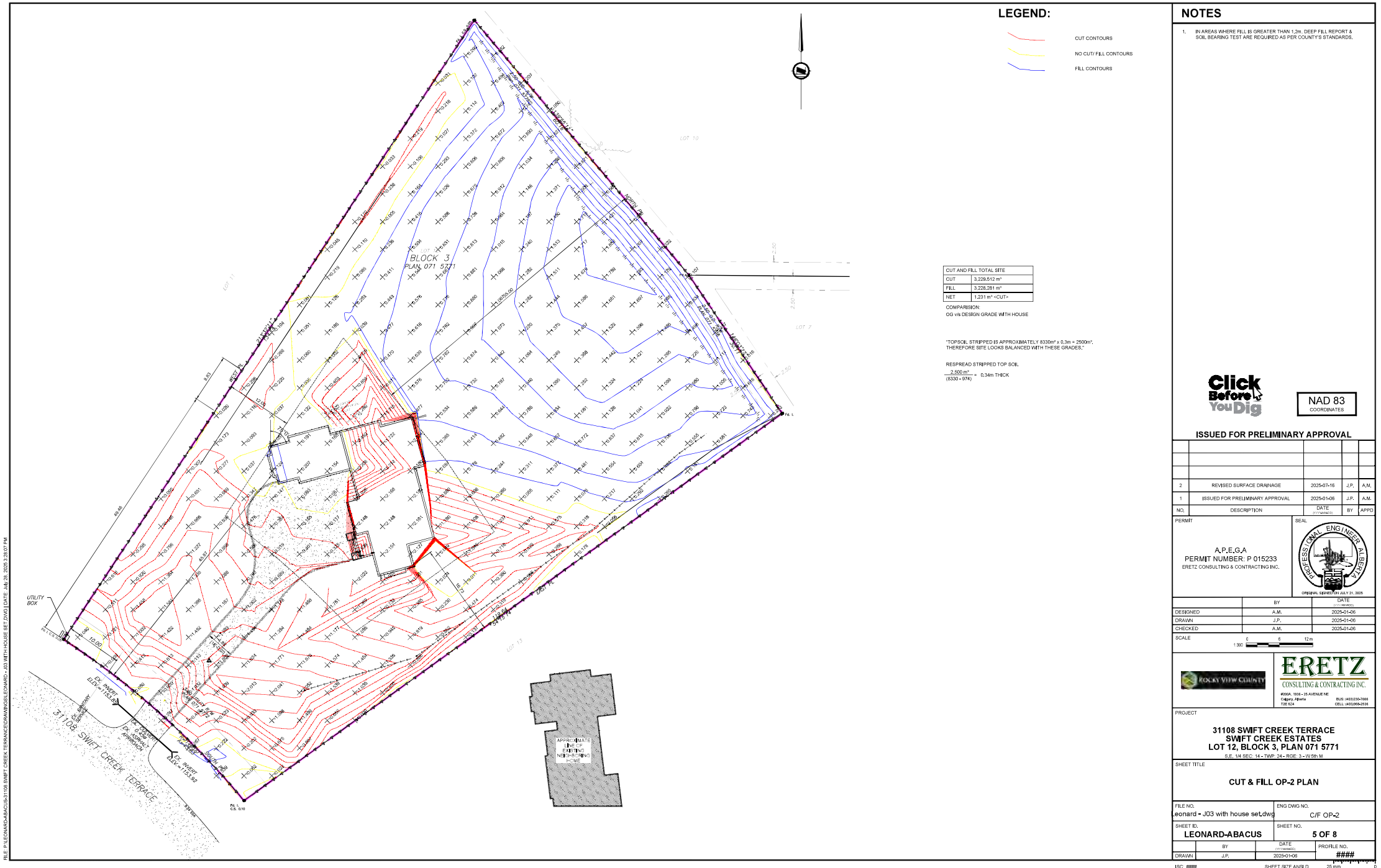
31108 SWIFT CREEK TERRACE
SWIFT CREEK ESTATES
LOT 12, BLOCK 3, PLAN 071.5771
S.B. 1/4 SEC. 14 - T20P. 24 - R01E. 3 - W01M

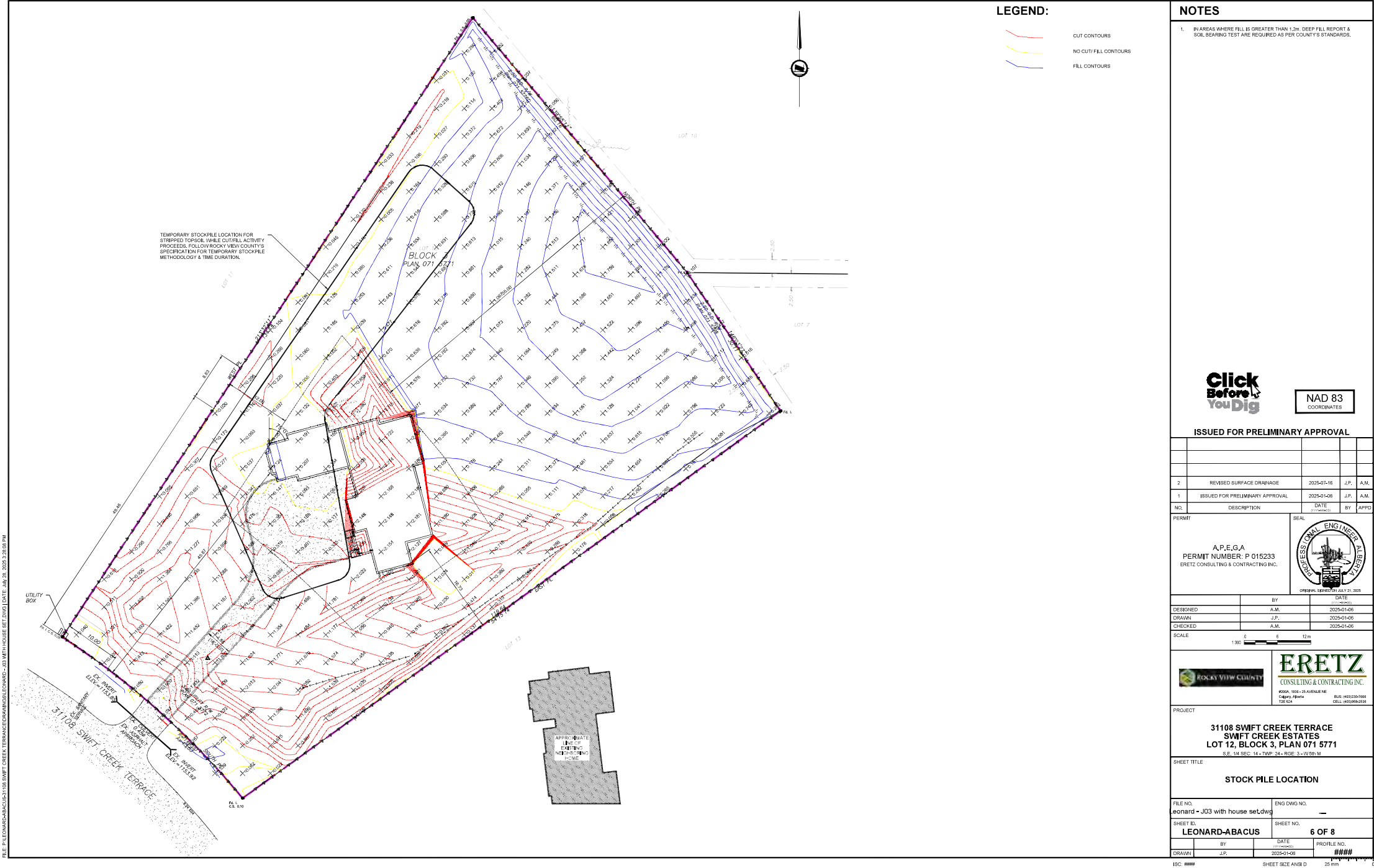
SHEET TITLE

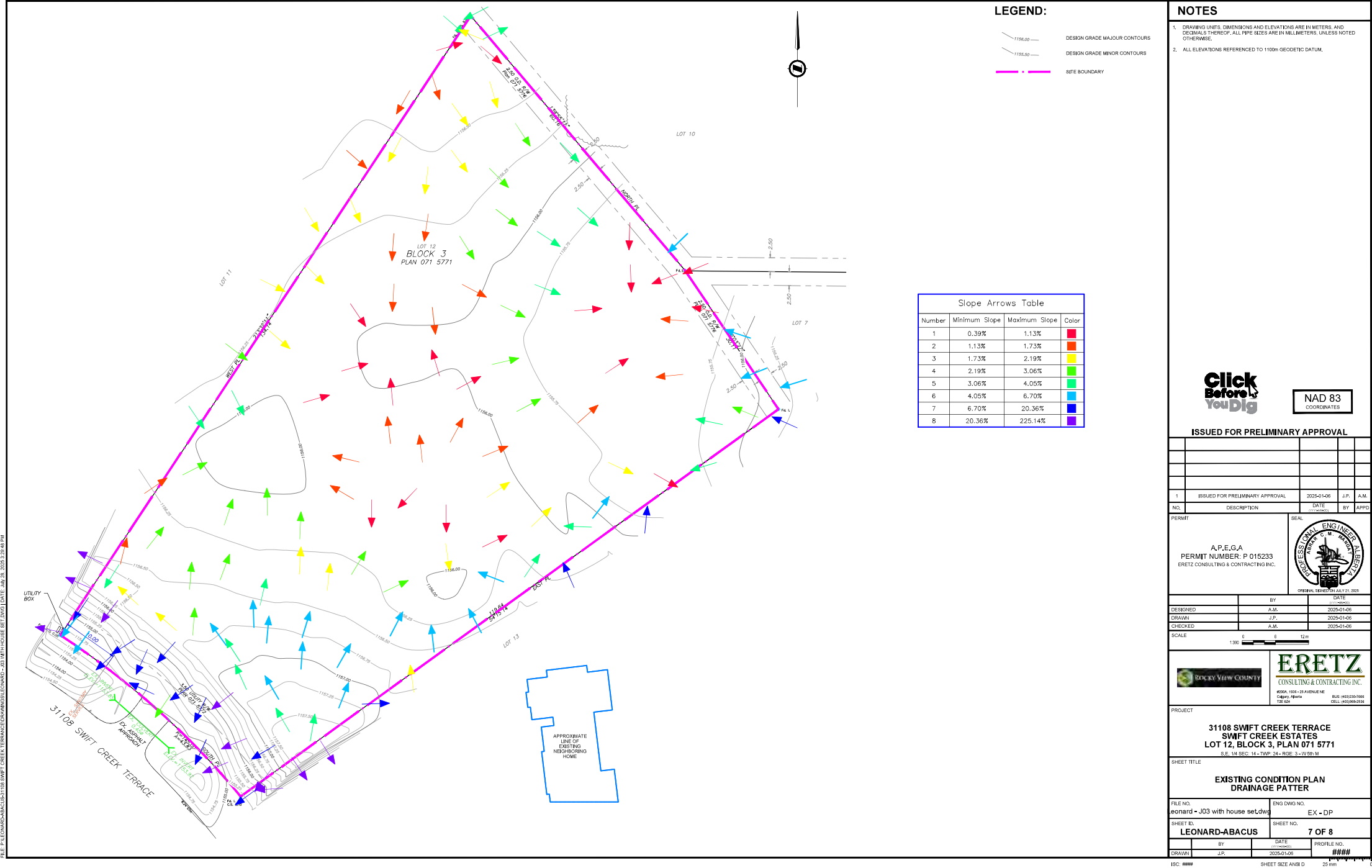
SEDIMENT AND EROSION CONTROL

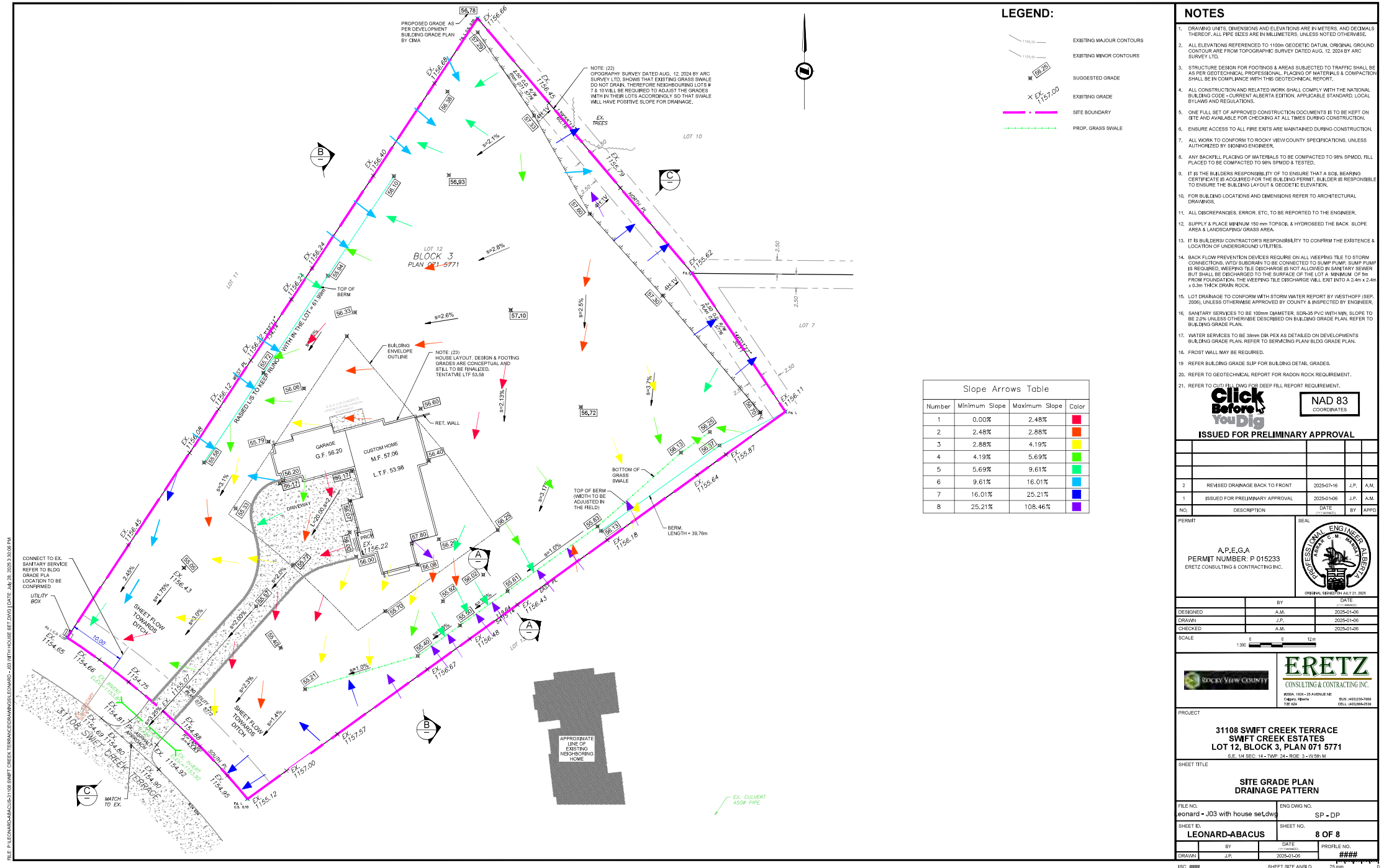
FILE NO.	leonard - J03 with house setdw	ENG DWG NO.	ESC
SHEET ID.	LEONARD-ABACUS	SHEET NO.	4 OF 8
DRAWN	J.P.	DATE	2025-01-08
BY		PROFILE NO.	####

ISC: 1/11/2025 SHEET SIZE ANSI D 29 mm









NOTICE OF APPEAL

Subdivision & Development Appeal Board for Rocky View County
Enforcement Appeal Committee for Rocky View County

APPELLANT INFORMATION			
Name of Appellant			
Richard Hoffman & Trudi Hoffman			
Appellant Property Address	Municipality	Province	Postal Code
9 Swift Creek Green	Calgary	AB	T3Z 0B6
Mailing Address (if different than above)	Municipality	Province	Postal Code

PROPERTY UNDER APPEAL	
Address	Legal Land Description (Lot, Block, Plan OR Quarter-Section-Township-Range-Meridian)
31108 Swift Creek Terrace	Lot 12, Block 3, Plan 0715771, SE-14-24-03-05
Property Roll #	Development Permit, Subdivision Application, or Enforcement Order #
04714106	PRDP20250861

I AM APPEALING THE DECISION ISSUED BY		
<input checked="" type="checkbox"/> Development Authority	<input type="checkbox"/> Subdivision Authority	<input type="checkbox"/> Enforcement Services

REASONS FOR APPEAL (include as much detail as possible as to why you are appealing the decision, attach a separate page if required)
<p>The applicant intends to build up the back of their lot in order to accommodate a walkout basement, which clearly their lot is not conducive for. As per the HOA rules, there is a maximum build up of 1 metre allowed. We understand the applicant is asking for a 2.3 metre build up.</p> <p>If the requested build up is approved, we feel that this will cause issues with our septic field and will obstruct the mountain views currently available from our property. This will have a negative impact on the value of our home, which we just purchased on May 9, 2025 for \$3,935,000.</p> <p>Having the runoff from the applicant's built up lot flow into our septic field will cause back ups in our system. You can see on the photo's we have included that those little white caps are our septic field drain. You can also see that the applicant's lot has water that sits on it, this photo is a current photo from July 31, 2025. We have also included a photo from 2020 where there was significant flooding on the lot. With more development on the applicant's lot, there will be more water to be disbursed to our lot and the neighbors to the south as well.</p> <p>We will rigorously defend against these adverse effects to our property. We didn't just spend \$3,935,000 on our property on May 9 2025 to have our property degraded like this. We have consulted with the neighbors and we all agree that we will be starting a lawsuit if our appeal is not successful.</p>

Personal information collected on this form is collected under section 4(c) of the Alberta *Protection of Privacy Act* (POPA) for the Subdivision and Development Appeal Board or the Enforcement Appeal Committee for Rocky View County and will be used to process your appeal and create a public record of the appeal hearing. Your name, legal land description, street address, and reasons for appeal will be made available to the public in accordance with section 13(1)(c) of POPA. Your personal contact information, including your phone number and email address, may be redacted prior to your appeal being made available to the public. If you have questions regarding the collection, use or disclosure of this information, please contact a Legislative Officer at 403-230-1401.

Received by Legislative

Services on NL

DATE RECEIVED STAMP

August 01, 2025





Swift Creek Estates Homeowners Association

216 Stewart Green SW
P.O. Box 75133
Calgary, AB T3H 3M1
info@swiftcreekestateshoa.com

August 10, 2025

Rocky View County - Development Authority

262075 Rocky View Point
Rocky View County, AB T4A 0X2
development@rockyview.ca

RE: Development Permit #PRDP20250861

Dear Jeevan Wareh, Development Authority

Further to your letter of July 29, 2025, The Swift Creek Estates HOA reviewed plans submitted by Arcadis regarding the Binda-Zuczek build for proposed elevations and preliminary floor plans for their home. Their vision included a single-story residence with a walkout basement, which required raising the grade at the front of their property to make the design possible. The HOA did not approve their plans to raise the grade at the front of the property to accommodate a walk out style home, but asked them to lower their grade and support any proposals of grade change with engineering and water mitigation.

Adjacent property owners, Hrenchuk-Biffin, alerted the HOA regarding water drainage between the two properties. They provided photos from 2020 showing standing water during spring melt and heavy rainfall. The Hrenchuk-Biffin's explained that both they and the property owner directly to the south of their lot have, at times, needed to pump that standing water toward the street. As a result, they were concerned that altering the natural grade of the lot beside them might worsen this issue and potentially affect their septic field along the rear property line. Hrenchuk-Biffin's felt that the Binda-Zuczek's should not be allowed to fill in the low spot on their lot and that the HOA had a responsibility to ensure that any development on the Binda-Zuczek's lot would not result in any water being displaced onto their property and impact their septic field which exists along the rear property line.

In looking into the matter further, the HOA discovered that an Overland Drainage Easement—originally included in the Community Drainage Plan—was never properly built by the developer. As a result the intended grade required for proper drainage was absent and subsequently not maintained during the construction of the surrounding properties. The Binda-Zuczek's initial drainage plan, which proposed channeling water toward the easement at the rear of the lot, would likely have increased standing water along several additional

neighbouring properties (lots 10, 7, 12 & 13)—again, there is currently no effective way for that water to drain due to the higher surrounding land.

Recognizing the importance of resolving these shared concerns, Binda-Zuczek's approached the HOA and the neighbouring property owners Hrenchuk-Biffin and the Adams-Bell (current vacant lot) to work together on potential solutions. Three possible approaches were identified and discussed, which are outlined below:

1. Build the swale that wasn't built or maintained and fix the drainage for all properties along the easement that have issues with standing water. The HOA asked if Rocky View County could enforce the easement or build the swale and were told that the County was not listed on the easement and therefore could not enforce the easement. Further, the County recognized the lack of drainage and non-existence of the overland drainage swale and without an adequate plan for drainage, would not issue a Development Permit or approval of any building proposal submitted without a drainage and Stormwater Management Plan.

A community member offered to have the area along the easement surveyed so there was data to show where the drainage issues came from, and the amount of change needed to improve the drainage. Hrenchuk-Biffin opposed the survey and admittedly expressed that they were not interested in being a part of a solution for the Binda-Zuczek lot drainage.

2. The HOA brought together the Binda-Zuczek and Adams-Bell (the owners of the undeveloped lot to the north of them). The parties met to discuss options for drainage and if during the development of both lots, the drainage grade could be modified to drain north to Swift Creek Lane. Adams-Bell had an engineer look at the drainage option and impact on their property and their decision from that discussion was not to modify the drainage along their property line but instead keep to the original community drainage plan. They were supportive of assisting the Binda-Zuczek's and the HOA in finding a solution to the drainage issues but not along their property.

3. The Binda-Zuczek's recognized that they may not have support of adjacent lot owners to correct the drainage issues along the easement and the quickest way to move forward would be to take on all their lot drainage themselves and redirect the intended flow to the front of their lot and drain west to Swift Creek Terrace. This option was discussed with Rocky View County and supported given the non-existence of the overland drainage swale. The Binda-Zuczek's submitted a Development Permit Application to Rocky View County with grading, drainage and Stormwater Management Plan to increase the grade at the rear of their property, decrease the grade at the front of their property and build their own drainage swale and berms to contain all the drainage on their property and drain it along their swale to Swift Creek Terrace. This Development Plan was supported and approved by Rocky View County, and letters were sent out to the community in the appeal process.

As you can see, not all adjacent property owners agree with the grading, drainage and Stormwater Management Plan. The HOA recognizes that our role in the community is to approve building and landscaping proposals but as a group of volunteers, are not qualified in water mitigation and therefore relying on the support of Rocky View County and the professionals at their disposal for grading and drainage recommendations and approvals.

The HOA strongly believes that clarity is needed: Can the County guarantee this Plan will achieve the intended outcomes? Furthermore, in the event the Plan does not achieve the intended outcomes, the HOA requests clarity on what contingency or secondary measures the County will implement. A definitive response to this matter is critical to securing consensus among all parties.

Swift Creek Estates HOA would appreciate a response to clarify the county's position before Friday August 15th to ensure our ability to submit and appeal if necessary.

Sincerely,

Carmen Brouwer

On behalf of Swift Creek Estates Homeowners Association