



## **PLANNING AND DEVELOPMENT SERVICES**

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 5
<b>DATE:</b>	February 10, 2021	<b>APPLICATION:</b> PRDP20203952
<b>FILE:</b>	03304009	
<b>SUBJECT:</b>	Dwelling, Single Detached, Accessory Building and Single-lot Regrading / Permitted & Discretionary Use, with Variances	

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**APPLICATION:** Application is for single-lot regrading and placement of clean fill for the future construction of a dwelling, single detached and the construction of an accessory building with relaxation to the maximum accessory building area and the maximum accessory building parcel coverage.

**GENERAL LOCATION:** located approximately 0.20 km (1/8 mile) south of Twp. Rd. 231 and 0.81 km (1/2 mile) east of Rge. Rd. 284.

**LAND USE DESIGNATION:** Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020

**ADMINISTRATION RECOMMENDATION:** Administration recommends Approval in accordance with Option #1.

**EXECUTIVE SUMMARY:** The Applicant is proposing to place fill and grade an area of approximately 0.55 hectares (1.36 acres) to facilitate positive drainage for the construction of a new single detached dwelling and accessory building on the parcel. The proposed average depth of fill is 1.50 m (4.92 ft.) with the greatest depth proposed at of 2.15 m (7.05 ft.). The total volume of proposed fill will be approximately 1000 m<sup>3</sup> (35,314.7 ft<sup>3</sup>).

The proposed accessory building is approximately 297.29 sq. m (3,200.00 sq. ft.) and requires a relaxation as it exceeds the maximum building size and parcel coverage as per the Land Use Bylaw.

### **OPTIONS:**

- Option #1: THAT Development Permit Application PRDP 20203952 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203952 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

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### **Administration Resources**

Wayne Van Dijk, Planning and Development



**AIR PHOTO & DEVELOPMENT CONTEXT:**



**VARIANCE SUMMARY:**

Variance	Requirement	Proposed	Percentage
Maximum Accessory Building Size	190.00 sq. m (2,045.14 sq. ft.)	297.29 sq. m (3,200.00 sq. ft.)	56.47 %
Maximum Accessory Building Coverage	285.00 sq. m (3,067.71 sq. ft.)	297.29 sq. m (3,200.00 sq. ft.)	4.31 %

**APPLICATION EVALUATION:**

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act</i></li> <li>• Land Use Bylaw C-8000-2020</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• None</li> </ul>
<b>PERMITTED &amp; DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Dwelling, Single Detached is listed as a Permitted Use</li> <li>• Stripping, Grading, Excavation and Fill is listed as Discretionary Use</li> <li>• Accessory Building &gt;190 sq. m (2,045.14 sq. ft.) is listed as Discretionary Use</li> <li>• Maximum Building Coverage 285 sq. m (3,067.71 sq. ft.) is listed as Discretionary Use</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

Additional Review Considerations

No additional considerations.

**CONCLUSION:**

Subject to the proposed Development Permit conditions, the application is recommended for approval.

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

WV/sl

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Conditions  
ATTACHMENT ‘B’: Maps and Other Information  
ATTACHMENT ‘C’: Agency Circulation Comments



## ATTACHMENT 'A': DEVELOPMENT PERMIT CONDITIONS

Option #1:

Approval subject to the following conditions:

**Description:**

1. That construction of a dwelling, single detached and the accessory building, approximately **297.29 sq. m. (3,200.00 sq. ft.)** in area, may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the single-lot regrading and the placement of clean fill, to a depth of approximately **2.15 m (7.05 ft.)**, may take place on the subject lands.
  - ii. That the maximum building area for the accessory building (pole barn) is relaxed from **190.00 sq. m (2,045.14 sq. ft.)** to **297.29 sq. m (3,200.00 sq. ft.)**.
  - iii. That the maximum accessory building parcel coverage is relaxed from **285.00 sq. m (3,067.71 sq. ft.)** to **297.29 sq. m (3,200.00 sq. ft.)**.

**Prior to Release:**

2. That Prior to Release of this permit, the Applicant/Owner shall submit a Site-Specific Storm Water Plan (SSIP), in accordance with County Servicing Standards.
3. That Prior to Release of this permit, the Applicant/Owner shall submit a Deep Fill report, conducted and stamped by a professional geotechnical engineer that provides recommendations on the placement of fill for areas where the fill is greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
4. That Prior to Release of this permit, the Applicant/Owner shall submit a detailed Erosion and Sedimentation Control/Construction Management Plan, prepared and stamped by a qualified professional that analyzes the pre and post fill grades to determine if there are any impacts to adjacent properties or the public road network. The engineer in both pre and post grading shall confirm conditions associated with site stormwater storage, site releases and offsite drainage. The analysis shall also include recommendations for mitigating measures for Erosion & Sediment Control as a result of the activity, as per County Servicing Standards.
5. That Prior to Release of this permit, the Applicant shall confirm acceptance of or refusal to participate in the Voluntary Recreation Contribution for Community Recreation Funding on the form provided by the County and that the contribution, if accepted, is \$800, calculated at \$800.00 for each new residential unit.
6. That Prior to Release of this permit, the Applicant/Owner shall contact County Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements will be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
7. That Prior to Release of this permit, the Applicant/Owner shall contact County Road Operations to arrange a pre-construction inspection to confirm proposed approach location and that the proposed approach meets the County Servicing Standards.

**Prior to Occupancy:**

8. That Prior to Occupancy, the Applicant/Owner shall contact County Road Operations for an interim and post-construction inspection to ensure the approach meets County Servicing Standards.





## ROCKY VIEW COUNTY

**Permanent:**

9. That the Applicant/Owner shall submit a Compaction Testing Report that verifies that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fill Report.
10. That the exterior siding and roofing materials of the accessory building shall be similar to the existing dwelling, single-detached and/or area.
11. That the accessory building shall not be used for residential occupancy or commercial purposes at any time unless approved by a Development Permit.
12. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Issuance or Occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

13. That during construction of the building, all construction and building materials shall be maintained on-site, in a neat and orderly manner. Any debris or garbage shall be stored/placed in garbage bins and disposed of at an approved disposal facility.
14. That during construction of the accessory building, the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
15. That a Building Permit for the accessory building shall be obtained through Building Services, prior to any construction taking place.
16. 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 issue, the permit is deemed to be null and void, unless an extension to this permit shall first have been granted by the Development Officer.
17. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



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## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Innovative Design and Build Inc.	<b>OWNER:</b> Rujneet & Manpreet Lail
<b>DATE APPLICATION RECEIVED:</b> December 4, 2020	<b>DATE DEEMED COMPLETE:</b> December 11, 2020
<b>GROSS AREA:</b> ± 1.62 hectares (± 4.00 acres)	<b>LEGAL DESCRIPTION:</b> Lot 5, Block 10, Plan 1711559, NE-04-23-28-W04M
<b>APPEAL BOARD:</b> Subdivision, Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permit history</li> </ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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.	



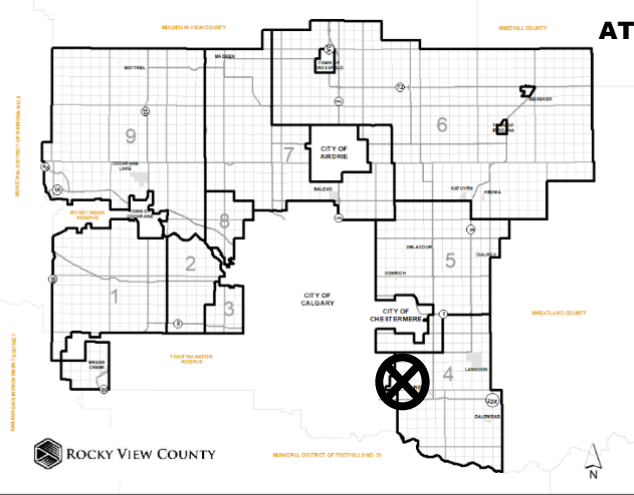
## Location & Context

### Development Proposal

Filling and grading for the construction of a dwelling, single detached and accessory building, relaxation to the maximum accessory building area and the maximum accessory building parcel coverage.

Division: 04  
 Roll: 03304009  
 File: PRDP20203952  
 Printed: Jan 13, 2021  
 Legal: Lot:5 Block:10  
 Plan:1711559 within NE-04-  
 23-28-W04M

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

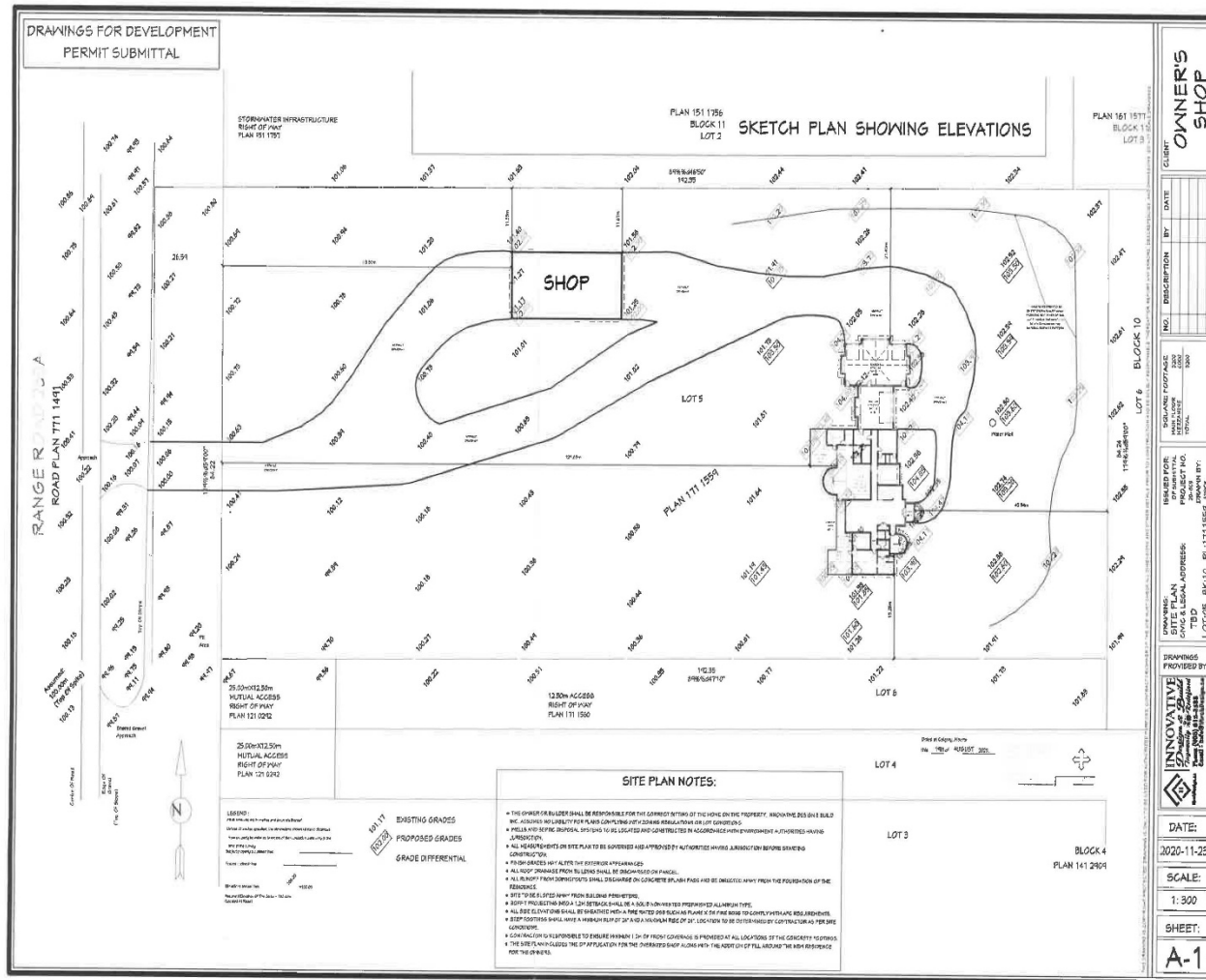




## Site Plan

### Development Proposal

Filling and grading for the construction of a dwelling, single detached and accessory building, relaxation to the maximum accessory building area and the maximum accessory building parcel coverage.

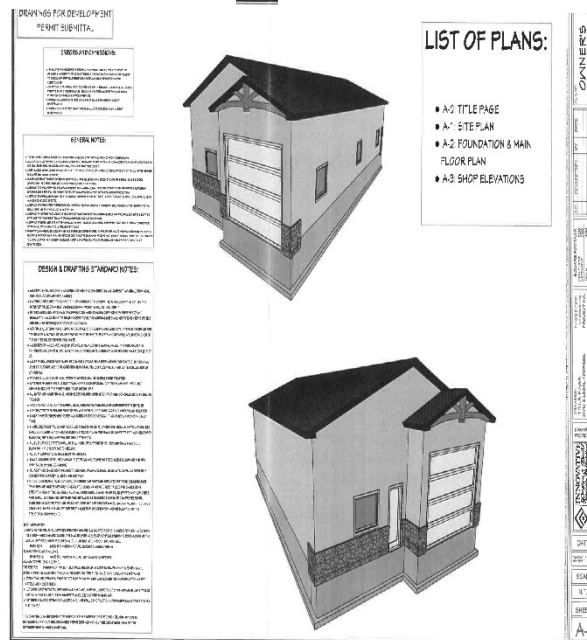
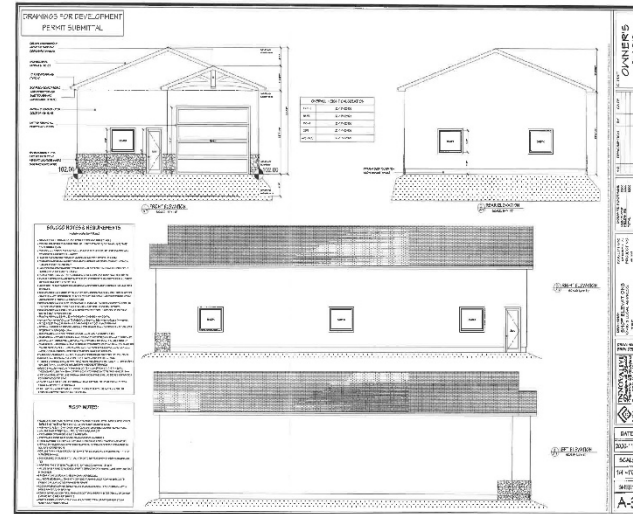
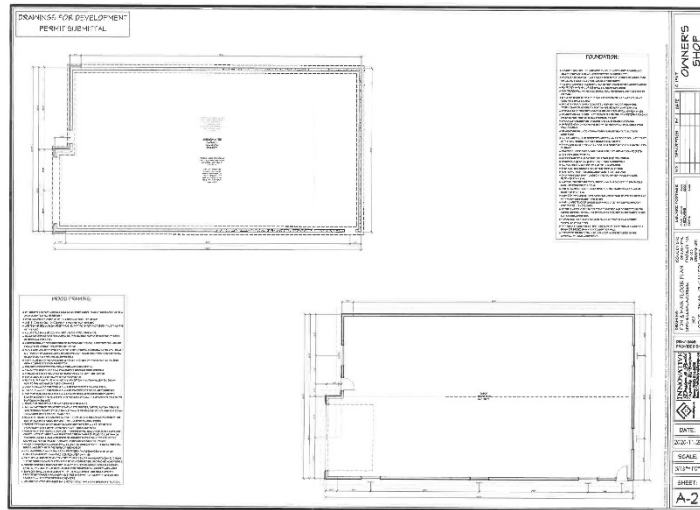




## Site Plan

### Development Proposal

Filling and grading for the construction of a dwelling, single detached and accessory building, relaxation to the maximum accessory building area and the maximum accessory building parcel coverage.



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.

Division: 04  
 Roll: 03304009  
 File: PRDP20203952  
 Printed: Jan 13, 2021  
 Legal: Lot:5 Block:10  
 Plan:1711559 within NE-04-23-28-W04M



Re: Lot:5 Block:10 Plan: 1711559 (Development permit application)

## Cover letter

### Development Proposal

Filling and grading for the construction of a dwelling, single detached and accessory building, relaxation to the maximum accessory building area and the maximum accessory building parcel coverage.

On behalf of the owners, our design firm is submitting a Development permit application for the following-

- a) Placement of fill for construction of the owner's new residence, and
- b) Construction of an oversized shop for the owner's personal use/storage.

The natural geodetics on site slope from the NE corner towards the SE corner in a diagonal manner across the lot. With this configuration the placement of their new residence falls within a low spot in relation to the as-built grades from the higher NE corner. To mitigate this situation, the grade around the residence is being raised to promote positive drainage from seasonal storm water discharge. The proposal will assist the owners to utilize their lot in the best possible manner while avoiding imminent flooding of their residence. The average fill addition on site will be around 1.50m while the highest location being the NW corner of the attached garage at **2.15m**.

The oversized shop will be situated near the front NW corner of the lot providing ease of access from the approach to the property. Also, this shop will provide much-needed isolation from the prevailing north west winds during the winter. The proposal entails a relaxation of the single accessory building maximum area from 2045 sq.ft. to 3200 sq.ft. The shop will be constructed with a standard foundation wall/footings and wood framed construction above.

Any supporting documents outside of this submission can be provided as deemed necessary by the Planning Authority. The position of the new residence is centrally located to eliminate any inadvertent drainage concerns with neighboring properties. The existing drainage patterns around the lot parameters will remain intact and the overall storm water management plan shall not be impacted. We hope you find this application to meet the intent of a discretionary DP application for approvals. The owners are looking forward to building their new home and shop in Rocky View County.

Our design firm can be reached for any elaborations on this development permit application.

Regards,



**Arshdeep Singh Warring**  
 BSCO, AT-BDT Honors, CSC  
 (Principal)



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## Site Photos

### Development Proposal

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AGENCY	CIRCULATED	RESPONSE RECEIVED
<b>School Authority</b>		
Rocky View Schools	No	
Calgary Catholic School District	No	
Public Francophone Education	No	
Catholic Francophone Education	No	
<b>Province of Alberta</b>		
Alberta Environment and Parks	No	
Alberta Transportation	No	
Alberta Sustainable Development (Public Lands)	No	
Alberta Culture and Community Spirit (Historical Resources)	No	
Energy Resources Conservation Board	No	
Alberta Health Services	No	
<b>Public Utility</b>		
ATCO Gas	No	
ATCO Pipelines	No	
AltaLink Management	No	
FortisAlberta	No	
Telus Communications	No	
TransAlta Utilities Ltd.	No	
<b>Adjacent Municipality</b>		
The City of Calgary	Yes	No
Tsuut'ina Nation	No	
<b>Other External Agencies</b>		
EnCana Corporation	No	
<b>Rocky View County Boards and Committees</b>		
ASB Farm Members	No	

## ATTACHMENT 'C': APPLICATION REFERRALS

AGENCY	CIRCULATED	RESPONSE RECEIVED
<b>Internal Departments</b>		
Recreation, Parks and Community Support	No	
Development Authority		
GIS Services	No	
Building Services	Yes	No
Fire Services & Emergency Management	No	
Development Compliance	Yes	Yes
Planning and Development Services (Engineering)	Yes	Yes
Transportation Services	Yes	Yes
Capital Project Management	Yes	No
Utility Services	Yes	No
Agricultural and Environmental Services	Yes	No

Circulation Period: December 11, 2021 to January 11, 2021.

Agencies that were not required for distribution are not listed.