

**PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 9

**DATE:** March 10, 2021  
**APPLICATION:** PRDP20210331

**FILE:** 06929010

**SUBJECT:** Stripping, Grading, Excavation and Fill / Discretionary use, with no Variances

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**APPLICATION:** Application is for single-lot regrading and placement of clean fill for the construction of a pond and berm.

**GENERAL LOCATION:** located approximately 2.36 km (1 ½ mile) north of Hwy 1A and on the east side of Hwy 40 (Forestry Trunk Road).

**LAND USE DESIGNATION:** Agriculture, General District (A-GEN) under Land Use Bylaw C-8000-2020

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to construct a pond approximately 400.00 sq. m (4,305.56 sq. ft.) and 6.00 m (19.69 ft.) deep. The excavated pond material is proposed to be utilized for the construction of a privacy berm, approximately 10.00 m (32.81 ft.) wide, 100.00 m (328.08 ft.) long and 2.50 m (8.20 ft.) high. The Applicant proposes the pond and privacy berm for recreation, beautification and privacy on the subject parcel.

**OPTIONS:**

Option #1: THAT Development Permit Application PRDP20210331 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210331 be refused for the following reasons:

1. That is 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:



## 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>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>Stripping, Grading, Excavation and Fill 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.



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

WV/ilt

**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



## ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

### Option #1:

Approval subject to the following conditions:

#### **Description:**

1. That the single-lot regrading for the construction of a pond and berm may commence on the subject land in general accordance with the drawings submitted with application.
  - i. That the excavation of approximately **10.00 m (32.81 ft.) wide, 40.00 m (131.23 ft.) long and 6.00 m (19.69 ft.) in depth**, may take place on the subject lands.
  - ii. That the placement of clean fill approximately **10.00 m (32.81 ft.) wide, 100.00 m (328.08 ft.) long and 2.50 m (8.20 ft.) high** may take place on the subject lands.

#### **Prior to Release:**

2. That Prior to Release of this permit, the Applicant/Owner shall provide a stormwater memo, prepared by a qualified professional, confirming whether the proposed developments conforms with the overall stormwater management strategy for the subject land without any adverse impacts to neighboring properties and/or the public road network. Should further improvements be necessary, the applicant will be required to provide a site specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with County servicing standards.
3. That Prior to Release of this permit, the Applicant/Owner shall submit a Erosion and Sedimentation Control 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 and includes recommendations for mitigation measures for Erosion & Sediment Control as a result of the proposed development to the satisfaction of the County..

#### **Permanent:**

4. That the Applicant/Owner shall submit a Deep Fill Report, conducted and stamped by a professional geotechnical engineer for the placement of fill for areas where the fill is greater than 1.20 m (3.93ft) in depth, in accordance with County Servicing Standards..
5. That the Applicant/Owner shall ensure the excavation and fill has been completed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage.
6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands form drainage alteration.
7. That the Applicant/Owner shall take whatever means necessary to keep visible dust from blowing from the subject site onto adjacent lands or roadways at all times.
8. That the proposed graded area shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation or landscaped, to the satisfaction of the County.
9. 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 Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

**Advisory:**

10. That the site shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
12. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 6 months from the date of issue, and completed within 12 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.
13. That if this Development Permit is not issued by **September 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

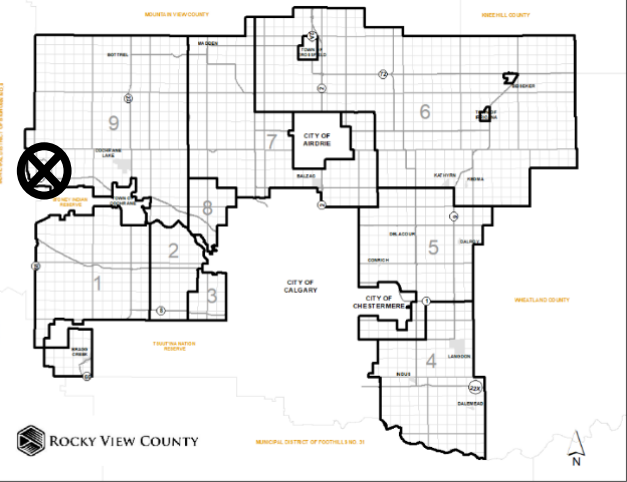
<b>APPLICANT:</b> Tyler Williscroft	<b>OWNER:</b> Tyler & Holly Williscroft
<b>DATE APPLICATION RECEIVED:</b> January 27, 2021	<b>DATE DEEMED COMPLETE:</b> February 8, 2021
<b>GROSS AREA:</b> ± 4.94 hectares (± 12.21 acres)	<b>LEGAL DESCRIPTION:</b> Lot 1, Plan 8911821, SW-29-26-05-W05M
<b>APPEAL BOARD:</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

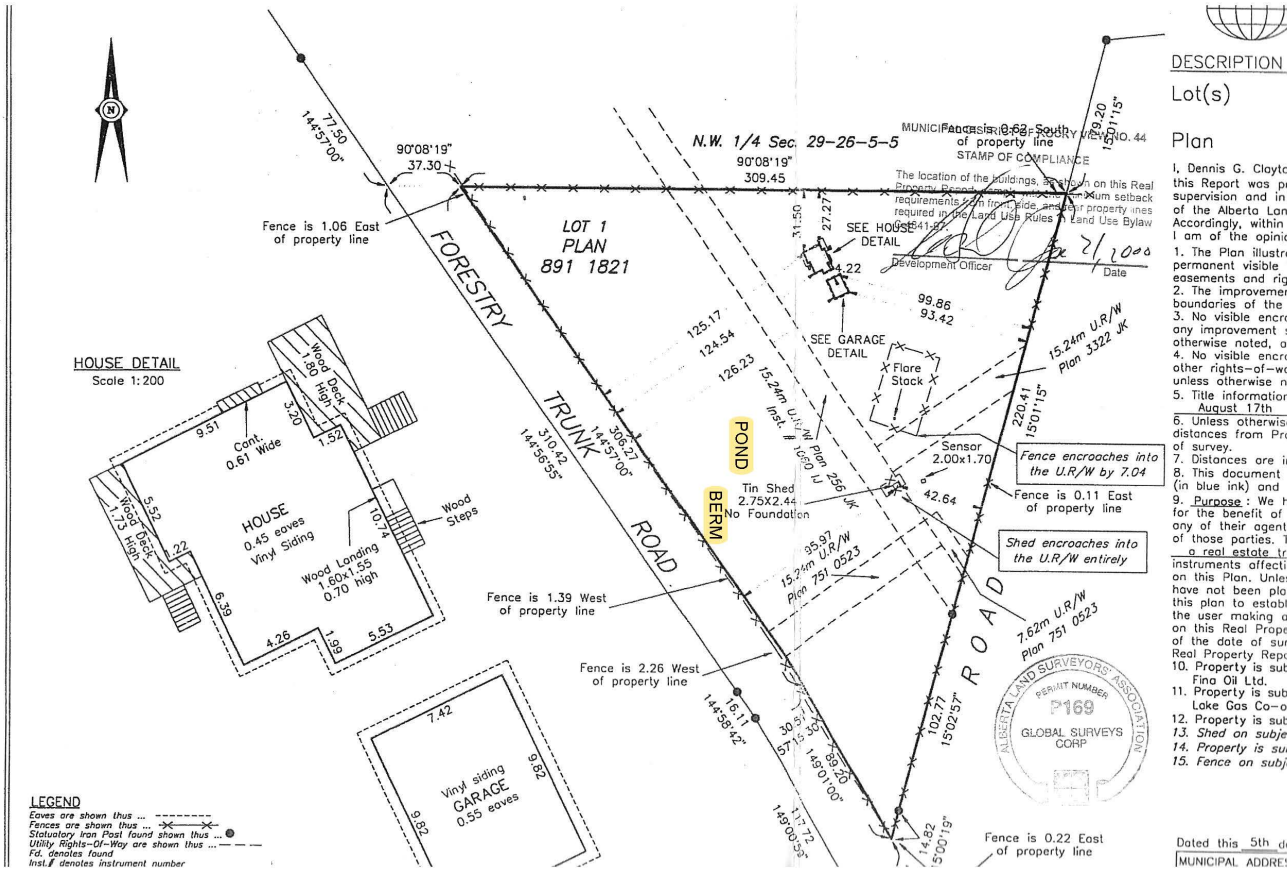
Stripping, Grading,  
 Excavation and Fill for  
 construction of a pond and  
 berm



Division: 9  
 Roll: 06929010  
 File: PRDP20210331  
 Printed: Feb 2, 2021  
 Legal: Lot:1 Plan:8911821  
 within SW-29-26-05-W05M

## Development Proposal

Stripping, Grading,  
Excavation and Fill for  
construction of a pond and  
berm



*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.*

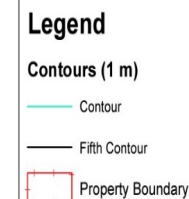
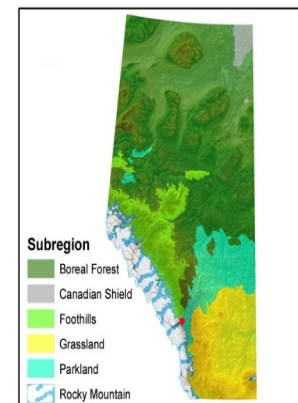
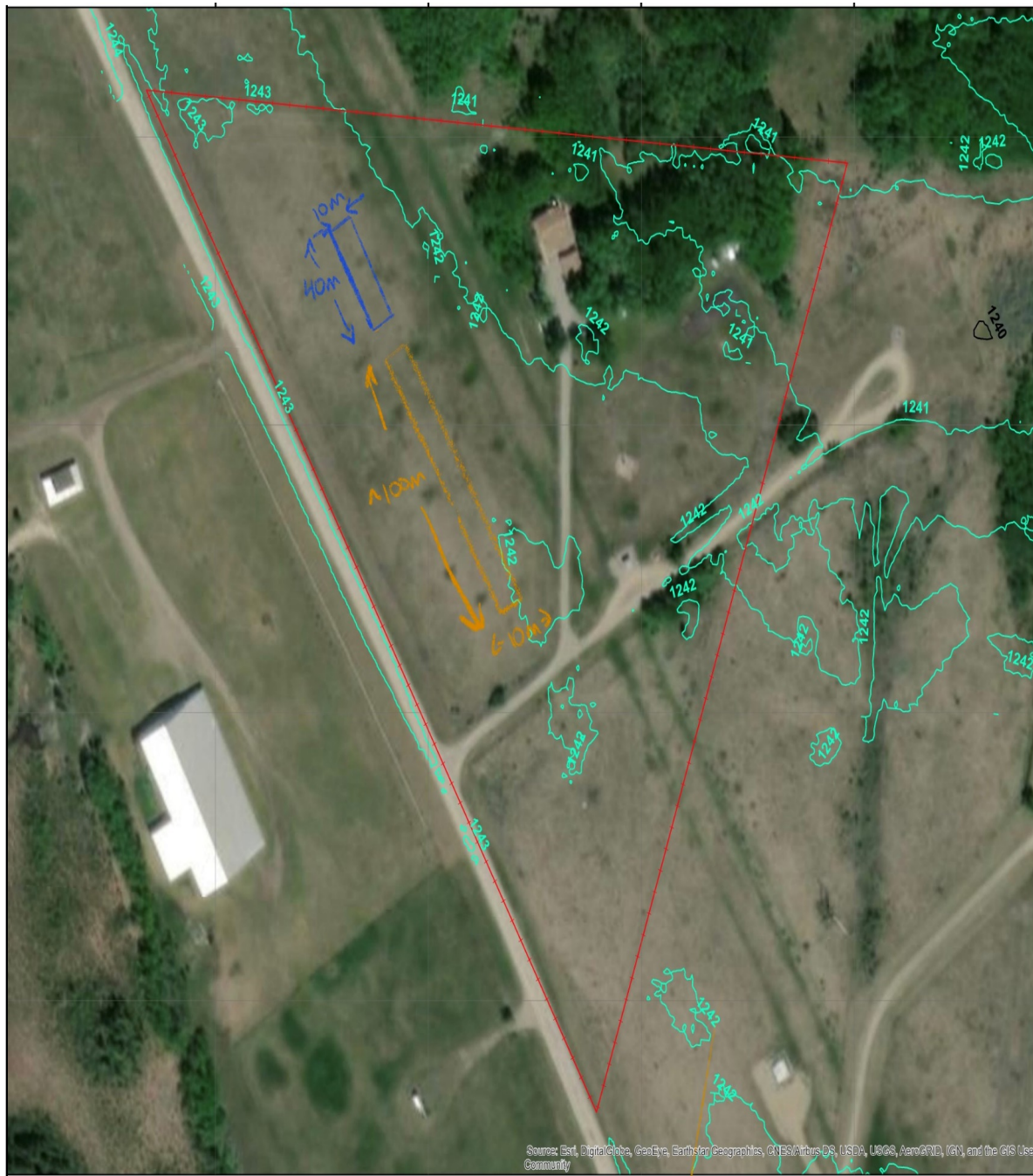
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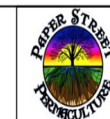
## Site Plan

### Development Proposal

Stripping, Grading,  
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**Project Description:**  
 Tyler Williscroft  
 Elevation Contours  
 Scale = 1 : 1500  
 Grid Spacing = 100 m



Author: Brent Smith  
 Date: 2020-10-11  
 Coordinate System:  
 NAD 1983 UTM Zone 12N

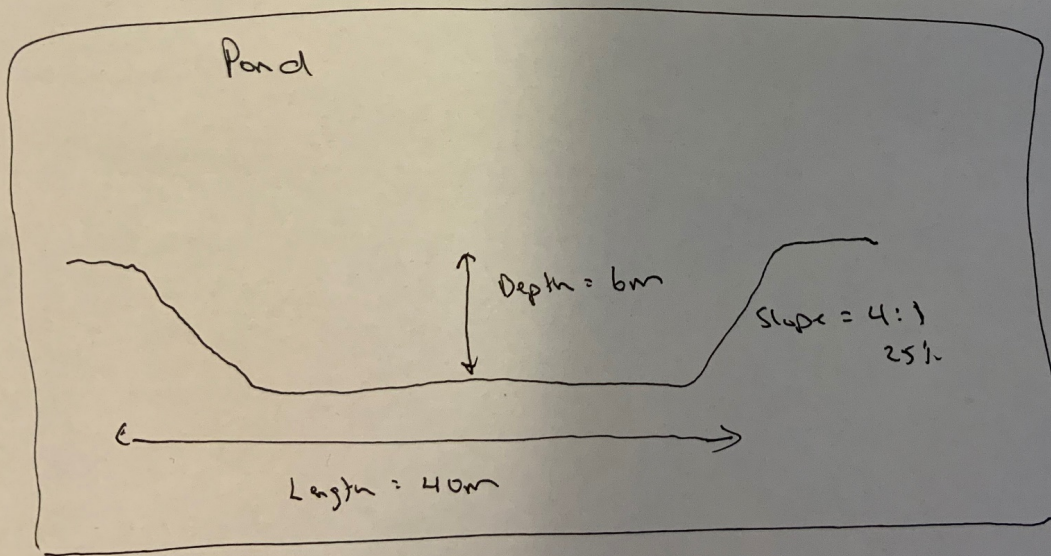
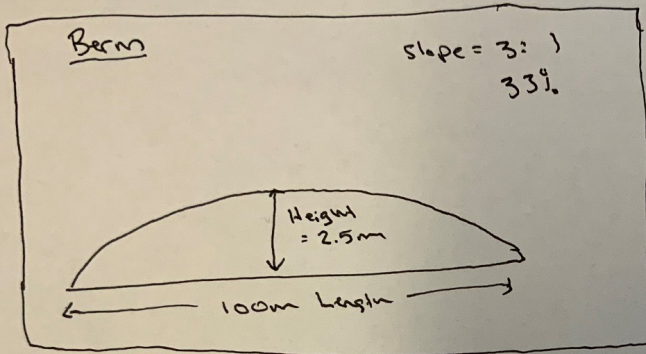
Disclaimer: The information on this map was derived from digital databases accessed from international, federal, provincial, and municipal governments. Care was taken in the creation of this map; however, the User accepts responsibility for errors, omissions, or issues relating to data accuracy.

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Rockyview County Planning and Development  
Development Permit Proposal  
development@rockyview.ca

January 26, 2021

## Cover letter

### Development Proposal

Stripping, Grading,  
Excavation and Fill for  
construction of a pond and  
berm

To Whom It May Concern,

Please find attached a landscape design proposal for your consideration. We wish to develop our acreage property at 264106 Forestry Trunk Road. Specifically, we wish to dig a large pond for recreation, beautification and use for a future market garden. We plan to use the resulting materials to build a berm to provide privacy, wind break and further beautification to the property. It will also act as a visual blocker to the large quonset directly across the highway. We also wish to use the rocks we unearth for further landscaping and permaculture projects around the property.

Due to the 60 meter setback requirement from the highway and the setback from the utility right of way, we would like to request authorization to place the berm and a portion of the proposed pond within the setback from our west property boundary.

Thank you for your consideration of our application. We look forward to your response.

Sincerely,  


Tyler and Holly Willis



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**Site Photos**  
(February 10, 2021  
Inspection)

**Development Proposal**

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