

**PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 3

**DATE:** March 24, 2021  
**APPLICATION:** PRDP20204032

**FILE:** 04714177

**SUBJECT:** Single-Lot Regrading / Discretionary use, without Variances

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**APPLICATION:** Single-lot regrading and construction of three (3) berms and two (2) ponds, for general landscaping purposes

**GENERAL LOCATION:** Located approximately 0.40 km (1/4 mile) west of Rge. Rd. 31 and 0.20 km (1/8 mile) south of Lower Springbank Rd.

**LAND USE DESIGNATION:** Residential, Country Residential District (R-CRD)

**EXECUTIVE SUMMARY:** The intent of the application is for general landscaping purposes and includes the construction of three landscaped berms around the perimeter of the property and two ponds in the rear yard. Drainage would be directed towards the larger pond at the far rear of the property. The entire property would be landscaped with various trees and shrubs. The proposal includes the following:

- Construction of a berm along the west and southwest property lines, approximately 72.20 m (236.88 ft.) in length and up to 2.50 m (8.20 ft.) in height;
- A second berm to be located along a portion of the southeast property line, approximately 35.10 m (115.16 ft.) in length and up to 2.00 m (6.56 ft.) in height;
- A third berm to be located along the south property line, approximately 26.60 m (87.27 ft.) in length and up to 1.00 m (3.28 ft.) in height;
- A larger pond, approximately 30.00 m (98.43 ft.) in length, 19.00 m (62.34 ft.) in width, and up to 1.50 m (4.92 ft.) in depth; and
- A smaller pond, approximately 15.10 m (49.54 ft.) in length, 13.40 m (43.96 ft.) in width, and up to 1.50 m (4.92 ft.) in depth.

This application is the result of enforcement action by Development Compliance. Administration has reviewed the proposal in accordance with the County Servicing Standards and technical considerations have been reflected in the proposed condition set.

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

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20204032 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20204032 be refused.

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**Administration Resources**

Sandra Khouri, Planning & Development Services

**AIR PHOTO & DEVELOPMENT CONTEXT:****APPLICATION EVALUATION:**

The application was evaluated based on the technical reports 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>• Municipal Development Plan;</li> <li>• Central Springbank Area Structure Plan;</li> <li>• Montebello Conceptual Scheme</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>PERMITTED USE:</b> Stripping, filling, and regrading is a discretionary use in all districts	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission

Additional Review Considerations

All technical considerations have been addressed in the proposed condition set.



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**CONCLUSION:**

Subject to the proposed conditions of approval, 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

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**ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description**

1. That single-lot regrading for the construction of three (3) berms and excavation of two (2) ponds may commence on the subject property, in accordance with the Grading and Drainage plan prepared by Browning Design Inc., dated November 16, 2020 (Project No. 20-20) and in accordance with the conditions of this permit, including:
  - a. Berm approximately 72.20 m (236.88 ft.) in length and up to 2.50 m (8.20 ft.) in height;
  - b. Berm approximately 35.10 m (115.16 ft.) in length and up to 2.00 m (6.56 ft.) in height;
  - c. Berm approximately 26.60 m (87.27 ft.) in length and up to 1.00 m (3.28 ft.) in height;
  - d. Pond approximately 30.00 m (98.43 ft.) in length, 19.00 m (62.34 ft.) in width, and up to 1.50 m (4.92 ft.) in depth; and
  - e. Pond approximately 15.10 m (49.54 ft.) in length, 13.40 m (43.96 ft.) in width, and up to 1.50 m (4.92 ft.) in depth.

**Prior to Release**

2. That prior to release of this permit, the Applicant/Owner shall submit an updated site grading plan and a letter from a professional engineer confirming that the placement of fill will have no impact on adjacent lands. The grading plan shall show the extent of proposed work (with dimensions) and pre and post site grades.
3. 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.
  - a. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

**Permanent**

4. 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 condition shall be implemented and adhered to in perpetuity.
5. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
6. That upon request of the County, the Applicant/Owner shall submit an as-built grading survey, to confirm that post grades align with final grades as approved with the application.
7. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
8. That no topsoil shall be removed from the subject property.
9. That the proposed regrading area shall have a minimum of six (6) inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
10. That the Applicant/Owner shall take effective measures to control dust in the regrading area of the subject property, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.



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- a. That if at any time the removal or handling of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
11. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, which will prevent blowing of dust/small rocks onto the road or cause issues with other vehicles on the road.
12. That with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
  - a. That the clean-up of any mud tracking and/or dirt that enters onto adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
13. That the fill shall not contain construction rubble or any hazardous substances, including but not limited to large concrete, rebar, asphalt, building materials, organic materials, or other metal.
14. That the subject land shall be maintained in a clean and tidy fashion at all times and all waste material shall be deposited and confined in an appropriate enclosure. All waste material shall be regularly removed from the property to prevent any debris from blowing onto adjacent property or roadways. That all garbage and waste shall be stored in weatherproof and animal proof containers and be in a location easily accessible to containerized garbage pickup.

**Advisory**

15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
16. That the site shall remain free of restricted and noxious weeds and maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017]*.
17. That if the development authorized by this Development Permit is not completed within six (6) months of the date of issuance, or the approved extension date, the permit is deemed to be null and void.
18. That if this Development Permit is not issued by **October 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Note: That the Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation should the development result in the direct impact of any wetlands.**



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## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> David Vandermeer	<b>OWNER:</b> David & Marnie Vandermeer
<b>DATE APPLICATION RECEIVED:</b> December 8, 2020	<b>DATE DEEMED COMPLETE:</b> January 20, 2021
<b>GROSS AREA:</b> ± 0.81 hectares (± 2.00 acres)	<b>LEGAL DESCRIPTION:</b> Lot 22, Block 3, Plan 0914791; NE-14-24-03-W05M
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> N/A	
<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.	



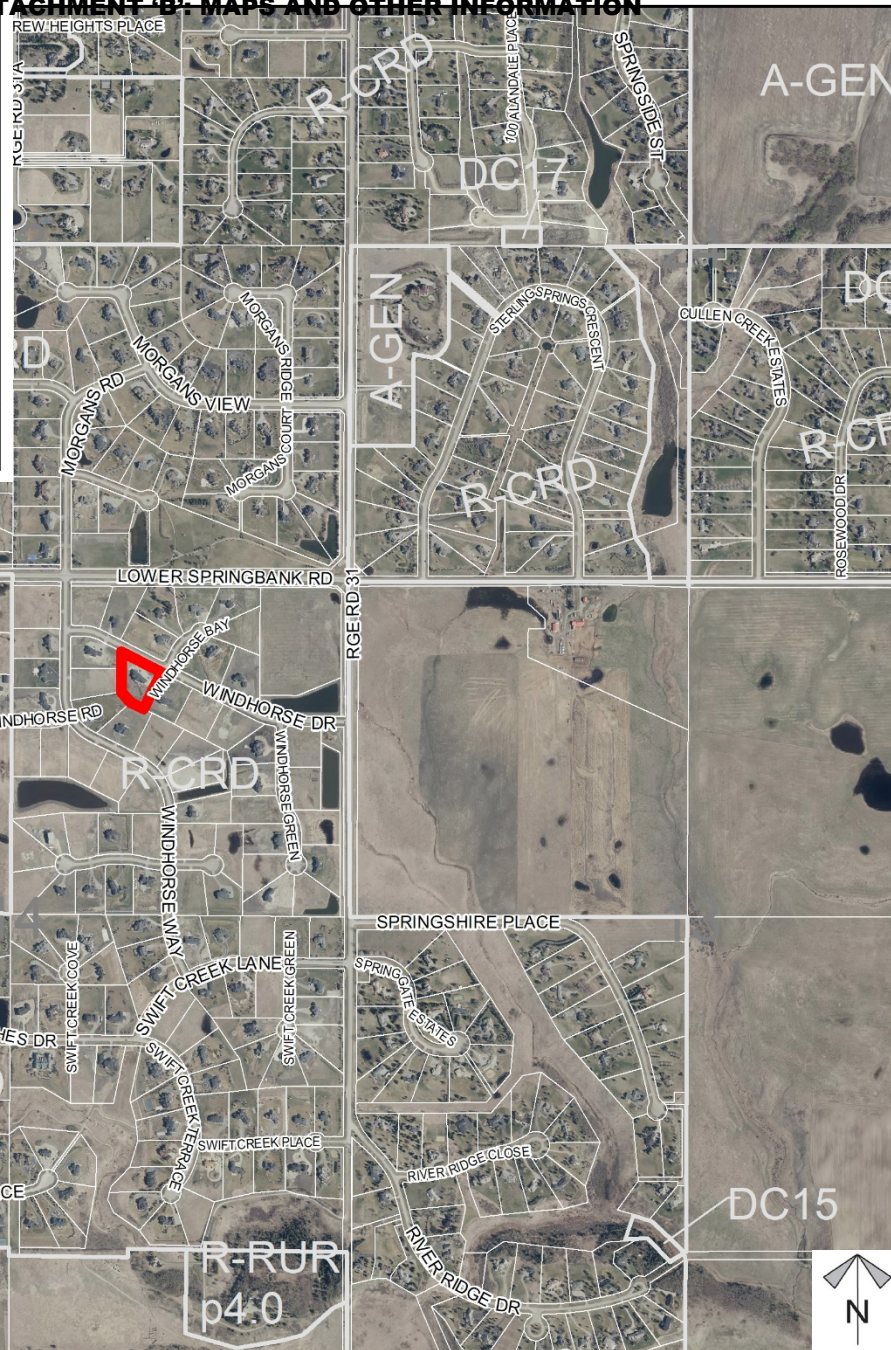
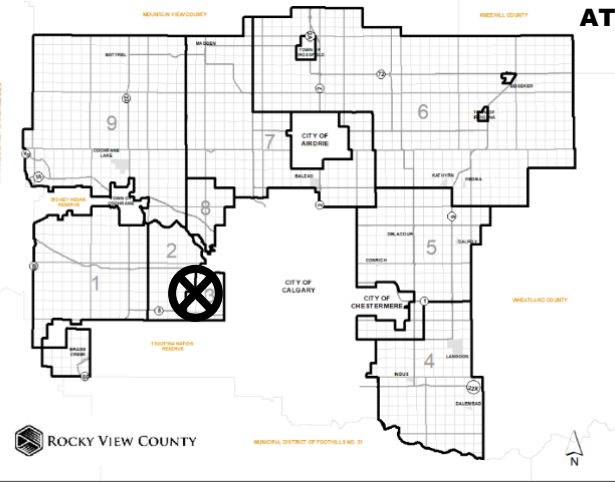


## Location & Context

### Development Proposal

Single-lot regrading and construction of three (3) berms and two (2) ponds, for general landscaping purposes

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Division: 03  
 Roll: 04714177  
 File: PRDP20204032  
 Printed: Jan 19, 2021  
 Legal: Lot:22 Block:3  
 Plan:0914791 within NE-14-  
 24-03-W05M







## Site Plan

## Development Proposal

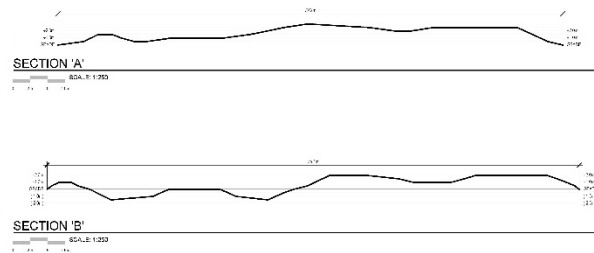
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GENERAL NOTES:

[illegible]

### GRADING NOTES

[illegible]

## © Copyright 1997

This drawing is one of all firm's current, so-called "work in progress" drawings, and shall not be used without their consent. The contractor shall check on a daily basis and report all errors and omissions to the consultant. This contract is not to be scaled and shall not be used to make a further copy or to be signed.

Revision 2			
Description	No.	Date	By
Issued for Engineering Item 1	4	11/10/20	80

## Scale &amp; Portals      The Alberta



Notes:

THE LANDSCAPE CONSULTANT reserves the right to make changes and/or in order to improve the landscape design, or as a result of any time saving the construction operation, as long as that considered appropriate is in the program, all in order to the OWNER. THE LANDSCAPE CONSULTANT or any other professional associated with the project, shall be responsible for a clear definition.

Clin—

VANDERMEER  
RESIDENCE

Project Title:

LOT 2, BLK 3, PLAN 091 4791  
31081 Windhorse Drive  
Rocky View County, AB

Drawing Title:

## GRADING & DRAINAGE PLAN

Project No:	20-28
Date:	11/16/2020
Designed By:	GM
Drawn By:	MM
Checked By:	GM
Scale:	AS IS / 2020
Sheet:	Issues/Revisions

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## Inspection Photos

### Development Proposal

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