

## PLANNING AND DEVELOPMENT SERVICES

<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 5
<b>DATE:</b>	May 12, 2021	<b>APPLICATION:</b> PRDP20211261
<b>FILE:</b>	04714179	
<b>SUBJECT:</b>	Single-lot Regrading / Discretionary use, with no Variances	

**APPLICATION:** Application is for the single-lot regrading and the placement of clean fill, for the construction of a dwelling, single detached.

**GENERAL LOCATION:** located approximately 0.20 km (1/4 mile) west of Rge. Rd. 31 and 0.040 km (1/4 mile) south of Lower Springbank Rd.

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to place approximately 2,067 m<sup>3</sup> (72,995.00 ft<sup>3</sup>) of fill on an area of approximately 1,378.00 sq. m (14,832.67 sq. ft.), to an approximate depth of 1.56 m (5.11 ft.). The Applicant states the proposed fill is required to raise the elevation of a proposed dwelling, single detached due to a high water table in the area. The proposed dwelling meets all other requirements of the Land Use Bylaw C-8000-2020.

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

### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20211261 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211261 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.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Wayne Van Dijk, Planning and Development

**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> <li>• Central Springbank Area Structure Plan; and</li> <li>• Montebello Conceptual Scheme</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</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

Additional Review Considerations

Site stripping and grading is considered discretionary in all land use districts, as per Section 157 of Land Use Bylaw C-8000-2020.

Applicant states the placement of fill is required due to grading in the area and to bring the proposed dwelling, single detached above the high water table in the area.

There has been a history of filling and re-grading issues in this community. The proposed condition set includes elements such as erosion and sediment control, deep fills report, grading plan and grade slip, stormwater memo, and road use agreements which been placed on similar permits to address potential concerns and impact on adjacent landowners and municipal infrastructure.

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

WVD/llt

**ATTACHMENTS:**

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Option #1:

Approval subject to the following conditions:

**Description:**

1. That the single-lot regrading and placement of clean fill and topsoil for the construction of a dwelling, single-detached may commence on the subject parcel, in general accordance with the submitted application and drawings.
  - i. Total area of approximately 1,378.00 sq. m (14,832.67 sq.ft.) and placement of approximately 2,067 m<sup>3</sup> (72,995.00 ft<sup>3</sup>) of clean fill to an approximate depth of **1.56 m (5.11 ft.)**

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill report, conducted and stamped by a professional engineer, that provides recommendations on the placement of fill for areas where fill is greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
3. That prior to release of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, that assesses the impact of the proposed grading to neighboring properties and municipal infrastructure
  - i. The Applicant/Owner shall also submit a building grade slip prepared by a qualified professional, that verifies that the proposed grading plan aligns with the storm water management plan for the subdivision.

That prior to release of this permit, the Applicant/Owner shall submit an Erosion Sediment Control Plan, in accordance with the County's Servicing Standards.

4. That prior to release of this permit, the Applicant/Owner 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.
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 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.
  - i. 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:**

6. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.
7. That the Applicant/Owner, upon completion, shall submit and be accepted by the County, compaction testing results verifying that the fill was placed in accordance with the Deep Fills Report.



## ROCKY VIEW COUNTY

8. That the Applicant/Owner shall ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
10. That the Applicant/Owner shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to the adjoining property owners and others in the vicinity.
11. 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.
12. That is this Development Permit is not issued by **November 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Advisory:**

13. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
14. 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]*.
15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Satnam Pannu	<b>OWNER:</b> Harmeet Pannu
<b>DATE APPLICATION RECEIVED:</b> March 29, 2021	<b>DATE DEEMED COMPLETE:</b> April 8, 2021
<b>GROSS AREA:</b> ± 0.81 hectares (± 2.00 acres)	<b>LEGAL DESCRIPTION:</b> Lot: 24, Block: 3, Plan: 0914791, NE-14-24-03-W05M (31051 Windhorse Drive)
<b>APPEAL BOARD:</b> Subdivision & Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>No previous development permits.</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

single-lot regrading and the placement of clean fill, to accommodate the construction of a new dwelling, single detached

Division: 03  
Roll: 04714179  
File: PRDP20211261  
Printed: April 1, 2021  
Legal: Lot:24 Block:3  
Plan:0914791 within NE-14-  
24-03-W05M





## Aerial Imagery

### Development Proposal

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## Cover Letter

### Development Proposal

single-lot regrading and the placement of clean fill, to accommodate the construction of a new dwelling, single detached

### COVER LETTER

Date: March 26, 2021

Planning & Development  
 262075 Rocky View Point  
 Rocky View County, AB T4A 0X2  
[Development@rockyview.ca](mailto:Development@rockyview.ca); Ph: 403-520-6303

RE: DP for 31051 Windhorse Drive; Lot 24, Block 3, Plan: 0914791

Dear Application Processing Officer,

I am writing this cover letter requesting to issue a Development Permit for 31051 Windhorse Drive; Lot 24, Block 3, Plan: 0914791. I am building a house on this lot for our own family residence. The architectural plans have been approved by the Heaven Designs, an Architectural Firm, working on behalf of the Windhorse Estate Home Owners Association (HOA). The HOA has also reviewed and approved the plans along with the required grades. The working drawings have been reviewed & stamped by the Blueline Engineering.

Upon approaching the Building Permit branch to obtain the BP, I came to know that I may need a DP because my house design needs clean fill at a few places which are more than a meter.

Front side grade of the building structure will be raised at a few places per the approved plans. The site plan & grade slip along with the approved plans are being submitted for your review & assessment. This grade raise is a need of the building structure and to avoid the potential problems which may occur due to the high water table in the area.

It seems that most of the fill in requirement may be met by the dirt coming out of the digging for basement in the lot. However, if we need to haul dirt for clean fill from outside that will be hauled with all the safety requirements and without disrupting the traffic in the area. This is very low traffic area though.

My submission is that overall grading scheme of the area will not be affected. The raise of Grade is at the front of the building structure only. The neighboring properties' grade will not be affected at all. The above surface water flow is being managed by meeting the overall grade requirements of the area and the neighboring lots. My Property line grades, on all the four sides, are in match with the neighboring properties grades. In addition, we have designed a swale on the east side of my house structure to drain all the water from behind and around the building structure. This Swale will drain out water into the existing designated ditch and water will end up in the storm water pond.

To sum up I request you to review my DP request positively and issue the same at the earliest. I trust you have everything to process my request, however, feel free if you need any further information from me.

Regards,

Satnam Pannu

81 Sherwod Cir NW  
 Calgary, AB T3R 1R3

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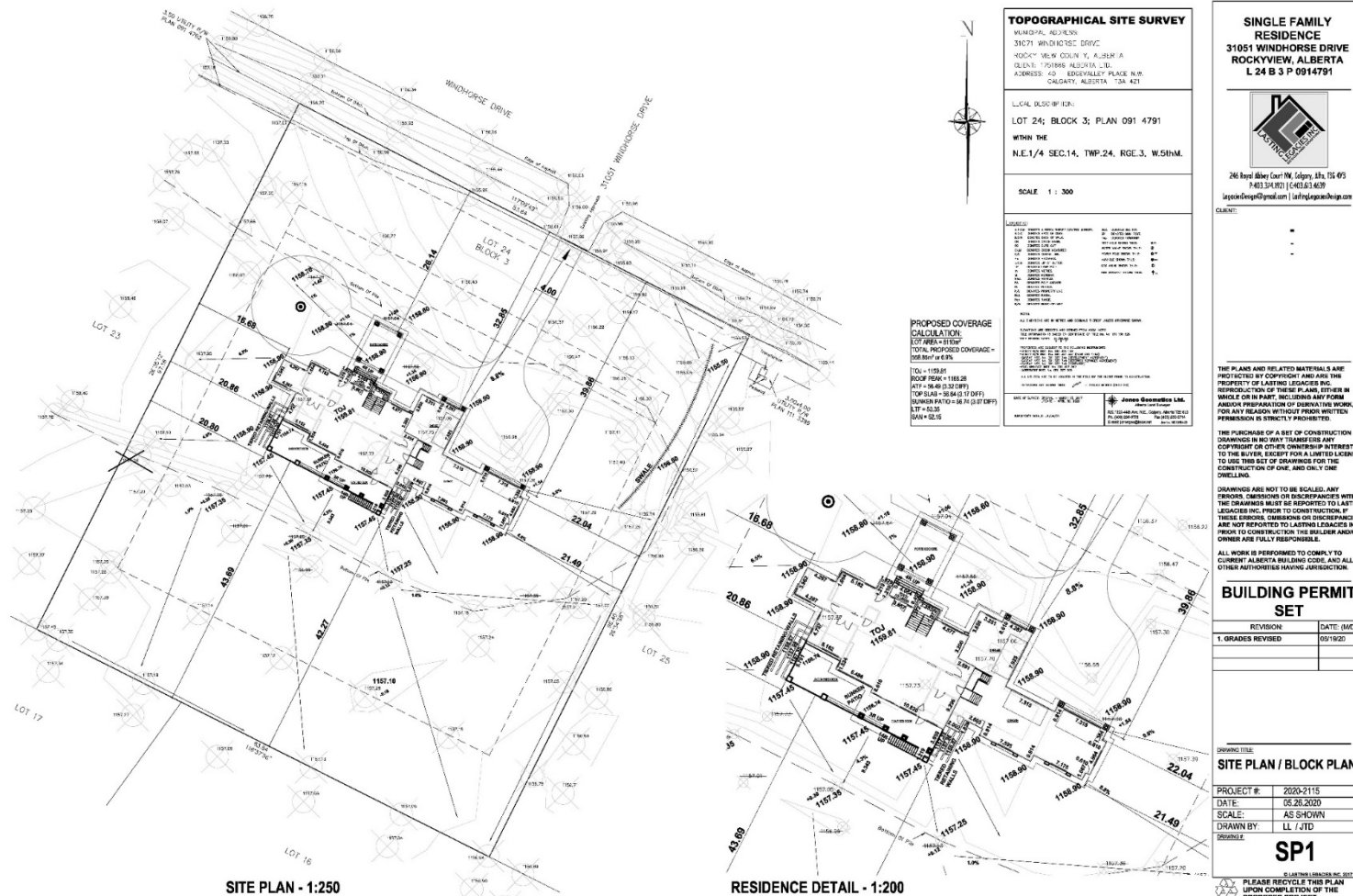




## Site Plan

## Development Proposal

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**Site Photos**

(April 8, 2021  
Inspection)

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