

PLANNING AND DEVELOPMENT SERVICES

TO:: Municipal Planning Commission
DIVISION: 3
SUBJECT: Development Item: Single-lot Regrading
USE: Discretionary use, with no Variances

DATE: November 12, 2020
APPLICATION: PRDP20202377

APPLICATION: single-lot regrading, excavation, and placement of clean fill, to construct a dry creek and dry well.

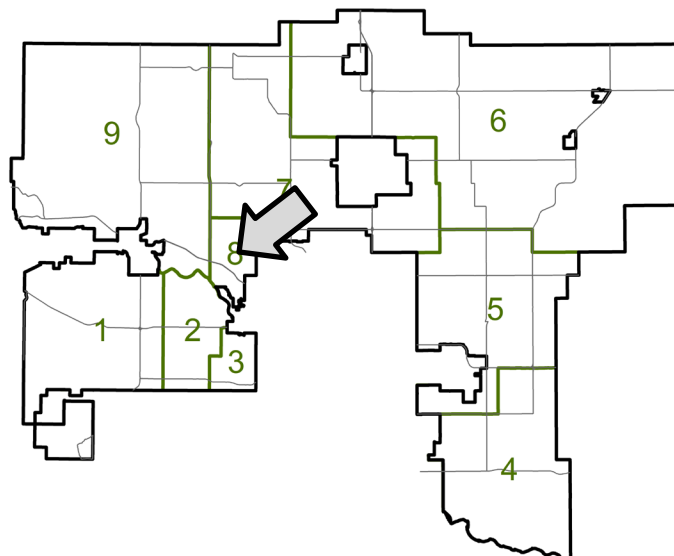
GENERAL LOCATION: Located approximately 1.61 km (1 mile) north of Hwy. 1A and 0.41 km (1/4 mile) east of Bears paw Rd.

LAND USE DESIGNATION: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20202377 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20202377 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Stefan Kunz - Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: September 10, 2020	File: 05631200
Application: PRDP20202377	Applicant/Owner: Raymond Vincent/Randal & Collette Andruckow
Legal Description: Lot 46, Block 5, Plan 0010537 within SW-31-25-2-W5M	General Location: Located approximately 1.61 km (1 mile) north of Hwy. 1A and 0.41 km (1/4 mile east of Bearspaw Rd.
Land Use Designation: Residential, Country Residential District (R-CRD) under Land Use Bylaw C-8000-2020.	Gross Area: ± 0.94 hectares (± 2.33 acres)
File Manager: Stefan Kunz	Division: 8

PROPOSAL:

The proposal is for single-lot regrading, excavation, and the placement of clean fill. The purpose of the work is to construct a dry creek and dry well to mitigate site drainage concerns.

- Dimensions
 - Height (depth) – 2.44 m (8.00 ft.)
 - Length – 3.05 m (10.00 ft.)
 - Width – 3.05 m (10.00 ft.)
 - Area – 9.29 sq. m (100.00 sq. ft.)
 - Volume – 22.60 m. cu. (798.11 cu. ft.)
 - Truck loads – 2

STATUTORY PLANS:

- Bearspaw Area Structure Plan
- City of Calgary Intermunicipal Development Plan
- Land Use Bylaw

INSPECTOR'S COMMENTS:

- No inspection completed at the time of report preparation.

CIRCULATIONS:

City of Calgary (NA)

- No comment received.

Building Services, Rocky View County (October 6, 2020)

- No comments.

Development Compliance, Rocky View County (NA)

- No comment received.



Planning and Development Services - Engineering, Rocky View County (October 6, 2020)

Geotechnical:

- As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.

Transportation:

- Access to the parcel is provided off Church Ranches Way.
- This is unlikely to increase traffic on local road networks. Traffic Impact Assessment and TOL are not required.

Sanitary/Waste Water:

- No information was provided and not required at this time.

Water Supply and Waterworks:

- No information was provided and not required at this time.

Storm Water Management:

- Applicant submitted a site plan, dated September 9, 2019, prepared by OnGrowing Works. As per the drainage plan and work statement, dry creek and dry well are proposed to control water through an already established ditch.
- Prior to issuance, applicant shall provide a memo/letter, prepared by a stormwater engineer to confirm that proposed solution/development is adequate to manage on-site stormwater without causing any adverse impacts to drainage patterns and neighboring properties.

Environmental:

- Engineering has no requirements at this time.

OPTIONS:

Option #1: (this would grant the requested proposal)

APPROVAL subject to the following conditions:

Description:

1. That single-lot regrading, excavation and the placement of clean fill, approximately 9.29 sq. m. (100.00 sq. ft.) in area and a total volume of 22.60 m. cu. (798.11 cu. ft.), may take place on the subject lands (Lot 46, Block 5, Plan 0010537 within SW-31-25-2-W5M), in general accordance with the site plan submitted with the application and conditions of this permit.

Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a Stormwater Confirmation Memo, prepared by an engineer, in order to confirm that the stripping and grading undertaken will not cause any adverse impacts to drainage patterns and neighboring properties.

Permanent:

3. That the Applicant/Owner shall submit compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.20 m (3.93 ft.) in depth.



4. That the Applicant/Owner shall not screen and/or sell the excess topsoil to others without written approval from the County, as there is potential for additional off-site impacts.
5. That topsoil from the subject site:
 - i. Be used whenever possible on the subject site, for landscaping purposes;
 - ii. Any additional or excess topsoil may be removed from the subject site;
 - A separate Development Permit shall be required to place the topsoil on a property if located within the County.
 - iii. All topsoil remaining on the subject site shall be spread and seeded to grass or landscaped.
6. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
7. That the Applicant/Owner shall take effective measures to control dust in the regrading areas of the subject properties, so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
8. That any materials removed from the site shall be hauled 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.
 - i. That the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. 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.
11. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.
12. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition, shall be implemented and adhered to in perpetuity.

Advisory:

13. That the subject development shall conform to the County's Noise *Bylaw C-5773-2003* in perpetuity.
14. That the Applicant/Owner shall be responsible for onsite weed control and shall adhere to the regulations in the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017]* at all times.
15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
16. That the grading activities shall be completed within twelve (12) months from the date of issuance of this permit.
17. That if this Development Permit is not issued by **JULY 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 & Park approvals/ compensation as there may be wetlands on site that could be impacted by the proposed placement of fill.

Option #2 (this would not allow the development to proceed)

REFUSAL, 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.







ROCKY VIEW COUNTY
Cultivating Communities

20202377

APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$450.00	File Number 0563/200
Date of Receipt Aug 19, 2020	Receipt # 202002518

Name of Applicant RAYMOND VINCENT Email [REDACTED]

Mailing Address [REDACTED]

[REDACTED] Postal Code [REDACTED]

Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

For Agents please supply Business/Agency/ Organization Name ONGROWING WORKS LTD.

Registered Owner (if not applicant) RANDAL ALAN ANDRUCKOW

Mailing Address [REDACTED]

[REDACTED] Postal Code [REDACTED]

Telephone (B) [REDACTED] (H) [REDACTED] Fax [REDACTED]

1. LEGAL DESCRIPTION OF LAND

a) All / part of the 1/4 Section 2 Township 25 Range 31 West of 5 Meridian

b) Being all / parts of Lot 46 Block 5 Registered Plan Number 001 6537

c) Municipal Address 234 CHURCH RANCHES WAY, ROCKY VIEW COUNTY, AB

d) Existing Land Use Designation [REDACTED] Parcel Size [REDACTED] Division [REDACTED]

2. APPLICATION FOR

Landscaping - stripping, filling, grading & excavating.

3. ADDITIONAL INFORMATION

- a) Are there any oil or gas wells on or within 100 metres of the subject property(s)? Yes [REDACTED] No ✓
- b) Is the proposed parcel within 1.5 kilometres of a sour gas facility?
(Sour Gas facility means well, pipeline or plant) Yes [REDACTED] No ✓
- c) Is there an abandoned oil or gas well or pipeline on the property? Yes [REDACTED] No ✓
- d) Does the site have direct access to a developed Municipal Road? Yes ✓ No [REDACTED]

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I RAYMOND VINCENT hereby certify that [REDACTED] I am the registered owner
(Full Name in Block Capitals)

✓ I am authorized to act on the owner's behalf

and that the information given on this form
is full and complete and is, to the best of my knowledge, a true statement
of the facts relating to this application.

Affix Corporate Seal
here if owner is listed
as a named or
numbered company

Applicant's Signature [Signature]

Date 2020-08-10.

Owner's Signature [Signature]

Date Aug 12-2020

5. RIGHT OF ENTRY

I hereby authorize Rocky View County to enter the above parcel(s) of land for purposes of investigation and enforcement related to this Development Permit application.



Applicant's/Owner's Signature

Please note that all information provided by the Applicant to the County that is associated with the application, including technical studies, will be treated as public information in the course of the municipality's consideration of the development permit application, pursuant to the Municipal Government Act, R.S.A 2000 Chapter M-26, the Land Use Bylaw and relevant statutory plans. By providing this information, you (Owner/Applicant) are deemed to consent to its public release. Information provided will only be directed to the Public Information Office, 262075 Rocky View Point, Rocky View County, AB, T4A 0X2; Phone: 403-520-8199.

I, RAYMOND VINCENT, hereby consent to the public release and disclosure of all information contained within this application and supporting documentation as part of the development process.


Signature

2020/08/10.
Date



ROCKY VIEW COUNTY
Cultivating Communities

STRIPPING, FILLING, EXCAVATION AND GRADING

FOR OFFICE USE ONLY	
Fee Submitted	File Number
Date of Receipt	Receipt #

Name of Applicant RAYMOND VINCENT

Address of Applicant _____

Telephone (C) _____ (H) _____ (Fax) _____

1. NATURE OF THE APPLICATION

Type of application (Please check off all that apply):

- ☐ Site stripping
 ☒ Re-contouring
☐ Filling
 ☐ Stockpiling
☒ Excavation (including removal of topsoil)
 ☐ Construction of artificial water bodies and/or dugouts
☒ Grading
 ☐ Other _____

2. PURPOSE

What is the intent of the proposal? THE INTENT IS TO CLEAN-UP ~~THE~~ AND DIRECT THE STAGNANT, EFFLUENT WATER FROM THE NEIGHBOURING PROPERTY TO A DRY WELL AND ALLOW THAT WATER TO PERMEATE BACK IN TO THE GROUND IN A RESPONSIBLE AND ASTHETICALLY PLEASING WAY.

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, waterbodies) (if applicable) _____

THERE WILL BE NO EFFECTS ON EXISTING DRAINAGE PATTERNS OR ENVIRONMENTALLY SENSITIVE AREAS.

☐ The fill does not contain construction rubble or any hazardous substances (please check)

3. TYPE

Height 8' - 0"

Volume 22.6. meters cubed

Width 10' - 0"

Truckload 2 (approximately)

Length 10' - 0"

Slope Factor _____ (if applicable)

Area 100 SQFT. square metres

* Please show all measurements in detail on your site plan.

4. TERMS AND CONDITIONS

(a) General statement about conditions:

- The Development Authority may include any condition necessary to satisfy a Land Use Bylaw provision, a County Plan, Area Structure Plan, Conceptual Scheme, Master Site Development Plan policy and/or County Servicing Standard.
- Where on-site works are proposed the County may, by condition, require the provision of a Construction Management Plan and/or Stormwater Management Plan.
- The Development Authority may impose any condition to meet a requirement of the Municipal Government Act or Subdivision and Development Regulation.
- As a condition of development approval, the Development Authority may include the requirement to update technical reports submitted with the application.

5. The Development Authority shall impose relevant requirements for the payment of levies associated with Bylaws for transportation, wastewater, water supply and stormwater:
- Transportation Offsite Levy Bylaw;
 - Water and Wastewater Offsite Levy Bylaw; and
 - Such other Bylaws as may be in force or come into force and be applicable to development or activities on or services provided to the subject land from time to time.
6. The Development Authority shall determine any oversizing requirements for services and infrastructure required to be constructed as part of the proposed development. The County will determine Cost Recovery arrangements through preparation and execution of documents prior to endorsement of a plan of survey for registration.

(b) *Technical reports* are defined as any report or any information regarding a matter identified in the Municipal Government Act, Subdivision and Development Regulations, Statutory Plan, County Policy, Servicing Standards or Bylaw.

(c) General statement about technical reports:

- Additional technical reports may be required after the time of application, based upon the ongoing assessment of the application.

(e) All costs of development are borne by the landowner / applicant including, but not limited to, all on and off-site construction works, infrastructure development, securities, levies, contributions, additional fees associated the preparation and review of reports and technical assessments, endorsement fees imposed by the County, registration fees and such other costs as may be associated with the development of the land. Further, that it is the landowner / applicant responsibility to identify and consider all costs of development.

(f) The applicant and landowner acknowledge that not providing the information required in this form or failing to provide accurate information may prejudice the assessment of the application.

(g) The applicant and landowner acknowledge that the County including individual staff members have not provided an advisory role with respect to the preparation and making of this application and that the decision to make the application is entirely that of the applicant and landowner.

(h) It should be noted that while every effort is made to ensure the applicants are provided with clear information regarding the requirement for application, that over the course of the application assessment process, particularly following a full technical review and also following submissions from agencies, additional technical information may be required. In addition to the requirement for further technical information, further justification regarding the merits of a development proposal may also be required.

5. ADDITIONAL INFORMATION

I RAYMOND VINCENT hereby certify that
(Print Full Name)

☐ I am the registered owner

☒ I am authorized to act on behalf
of the registered owner

and that the information given on this form and the material provided with this application is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application for subdivision approval. Further, I have read, understood and accept the contents, statements and requirements contained and referenced in this document – **STRIPPING, FILLING, EXCAVATION AND GRADING.**

PLEASE PROVIDE ALL OF THE ABOVE INFORMATION. THANK YOU.

To Whom It May Concern,

2020-09-10 Scope of Work Statement



OnGrowing Works is conducting a landscape project at the residence. As a portion of the landscape project the client has a request to control water through a already established ditch line between our client and the neighboring property. This Ditch line is a wet sport and very hard to maintain so we opted to use a dry creek to control and direct the water in to a dry well on the property. The drywell is used to allow the water a place to sit and permeate back in to the ground naturally. In the drywell we have an overflow system for when the water levels are to much for the dry well. At this point the water is able to carry on along the natural drainage pathways of the development.

Regards,

Raymond Vincent
Planning Manager
OnGrowing Works Ltd.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0028 332 096 0010537;5;46 181 249 986

LEGAL DESCRIPTION
PLAN 0010537
BLOCK 5
LOT 46
EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE
ATS REFERENCE: 5;2;25;31;SW
ATS REFERENCE: 5;2;25;31;SE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 280 991

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
181 249 986	21/11/2018	TRANSFER OF LAND	\$1,120,000	CASH & MORTGAGE

OWNERS

RANDAL ALAN ANDRUCKOW

AND

COLETTE YVONNE ANDRUCKOW

BOTH OF:

[REDACTED]
[REDACTED]
[REDACTED]

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
991 050 257	23/02/1999	EASEMENT OVER LOTS 4 AND 5 IN BLOCK 4 ON PLAN 9910556 FOR BENEFIT OF SEE INSTRUMENT

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
181 249 986

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

AS TO PLAN 9910558

001 025 791	27/01/2000	<p>EASEMENT</p> <p>AS TO PORTION OR PLAN:0010178</p> <p>OVER LOT 11 IN BLOCK 4 ON PLAN 9910556 FOR</p> <p>BENEFIT OF SECTION 31 IN TOWNSHIP 25 RANGE 2</p> <p>WEST OF THE FIFTH MERIDIAN</p>
001 025 926	27/01/2000	<p>EASEMENT</p> <p>AS TO PORTION OR PLAN:0010180</p> <p>OVER LOTS 15 AND 16 IN BLOCK 3 ON PLAN 9810168</p> <p>FOR BENEFIT OF SECTION 31 IN TOWNSHIP 25 RANGE 2</p> <p>WEST OF THE FIFTH MERIDIAN</p>
001 064 897	09/03/2000	<p>UTILITY RIGHT OF WAY</p> <p>GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.</p> <p>44.</p> <p>GRANTEE - ROCKY VIEW WATER CO-OP LTD.</p> <p>GRANTEE - TELUS COMMUNICATIONS INC.</p> <p>GRANTEE - ENMAX POWER CORPORATION.</p> <p>GRANTEE - ATCO GAS AND PIPELINES LTD.</p> <p>GRANTEE - SHAW COMMUNICATIONS INC.</p> <p>AS TO PORTION OR PLAN:0010538</p>
001 064 902	09/03/2000	<p>RESTRICTIVE COVENANT</p>
001 064 905	09/03/2000	<p>ENCUMBRANCE</p> <p>ENCUMBRANCEE - CHURCH RANCHES HOMEOWNERS</p> <p>ASSOCIATION.</p> <p>2200, 411 1ST STREET S.E.</p> <p>CALGARY</p> <p>ALBERTA T2G5E7</p>
011 131 500	15/05/2001	<p>EASEMENT</p> <p>OVER LOT 41 BLOCK 5 PLAN 0010537</p> <p>FOR BENEFIT OF LOTS 30 TO 48 BLOCK 5 PLAN 0010537</p> <p>(R/W PLAN 0111295)</p>

TOTAL INSTRUMENTS: 007

(CONTINUED)

PAGE 3
181 249 986

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 10 DAY OF AUGUST,
2020 AT 09:57 A.M.

ORDER NUMBER: 39880140

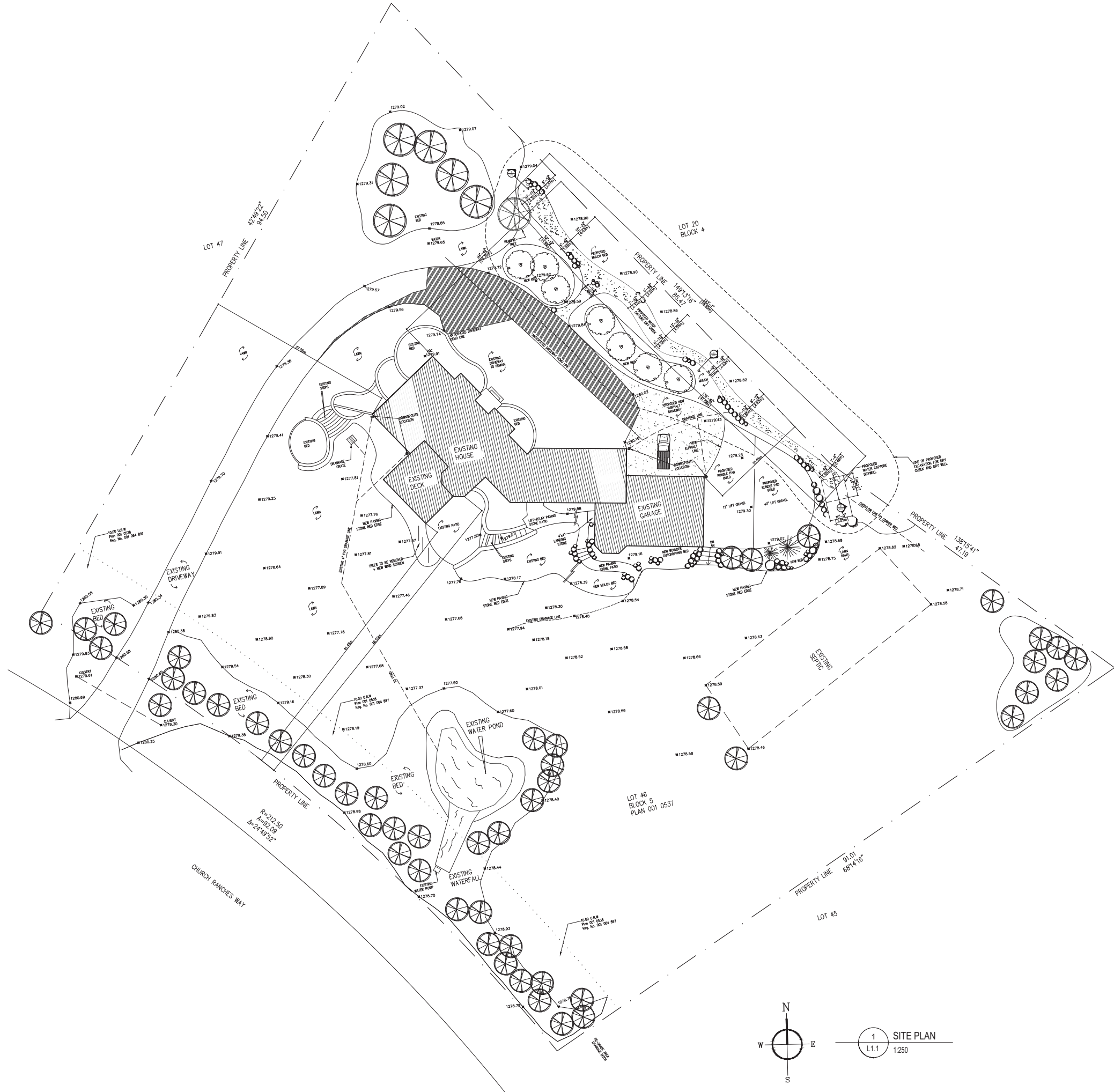
CUSTOMER FILE NUMBER:



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) .



NOTE: DEVELOPMENT PERMIT FOR EXCAVATION, GRADING AND RE-CONTOURING FOR DRY CREEK AND DRY WELL HIGHLIGHTED ON SITE PLAN. REFER TO PAGE L1.2 FOR SECTIONS AND EXCAVATION DEPTH.



Contact
125 River Avenue
Cochrane, AB T4C 2C2
P: (403) 932-3766
F: (403) 932-5338
E: info@ongrowing.com

Date
SEPTEMBER 9, 2020

Drawing Title
SITE PLAN

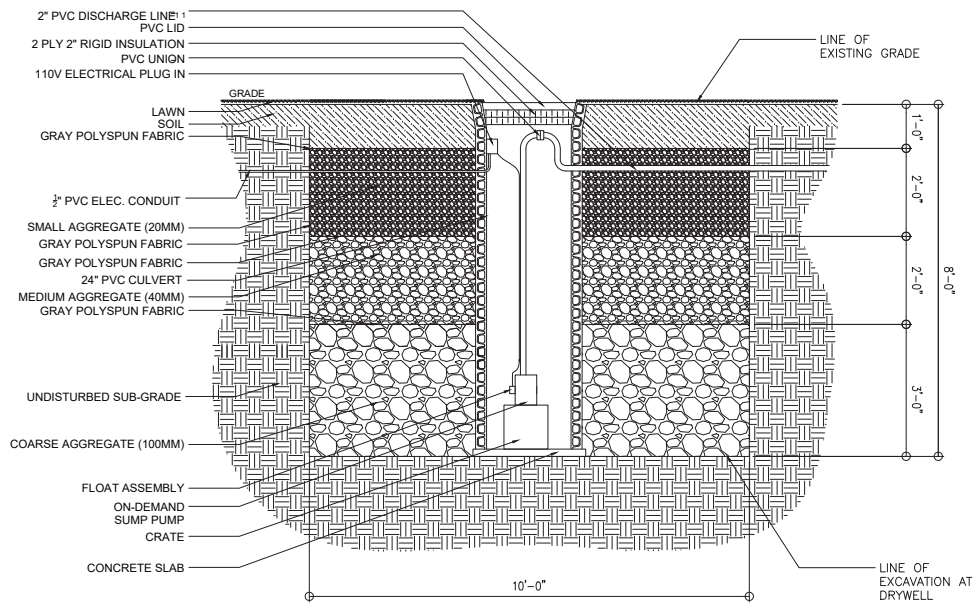
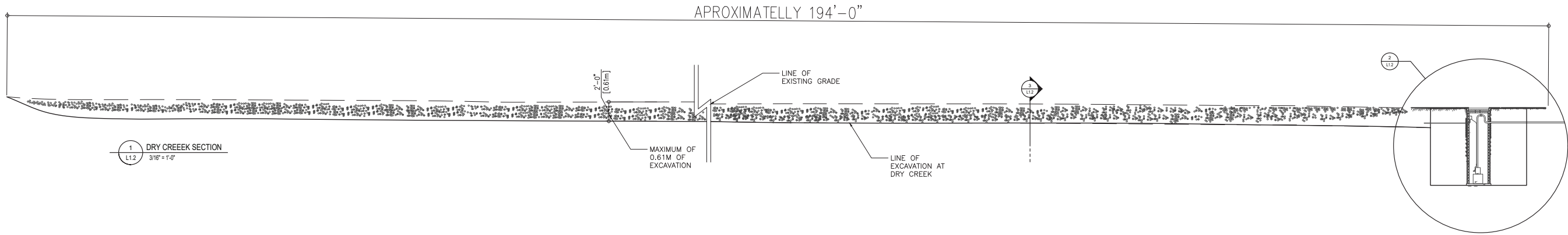
Job
20-699

Address
234 CHURCH RANCHES WAY
CALGARY
ALBERTA

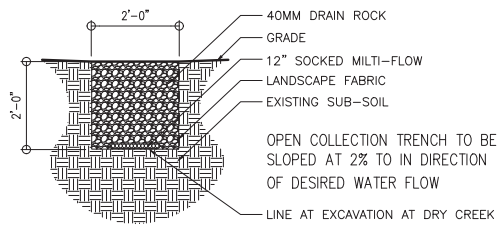
Client
ANDRUKOW

Page
L1.1

DEVELOPMENT PERMIT
234 CHURCH RANCHES WAY, CALGARY



2 PROPOSED DRY WELL SECTION
1/2" = 1'-0"



3 PROPOSED OPEN COLLECTION SECTION
1/2" = 1'-0"