

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DIVISION: 9
SUBJECT: Development Item: Single-lot Regrading
USE: Discretionary use, with no Variances

DATE: November 26, 2020
APPLICATION: PRDP20203178

APPLICATION: single-lot regrading and the placement of clean fill, to construct a sports court and install a water retention tank

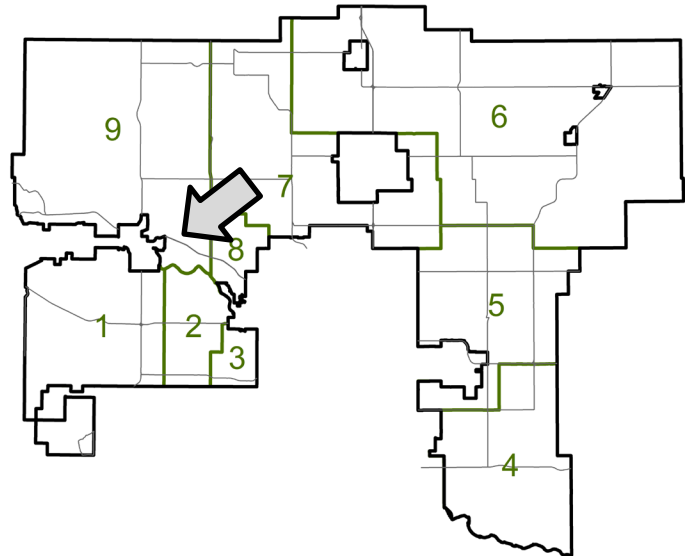
GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) west of Glendale Rd. and on the south side of Twp. Rd. 262.

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

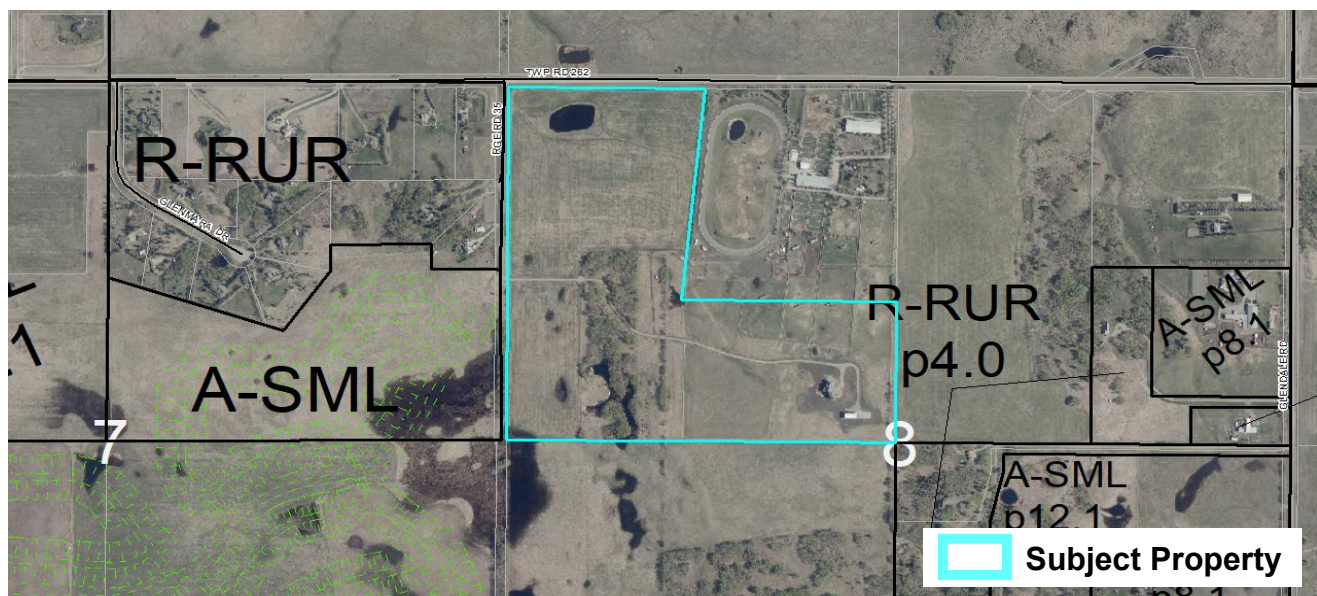
ADMINISTRATION RECOMMENDATION:
 Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203178 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20203178 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Stefan Kunz / Jacqueline Targett - Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: October 7, 2020	File: 06708016
Application: PRDP20203178	Applicant/Owner: Aline Melo/Christopher & Buffy Afseth
Legal Description: A portion of NW-8-26-3-W5M	General Location: Located approximately 0.81 km (1/2 mile) west of Glendale Rd. and on the south side of Twp. Rd. 262
Land Use Designation: Agricultural, General District (A-GEN)	Gross Area: ± 43.44 hectares (± 107.36 acre)
File Manager: Stefan Kunz	Division: 9

PROPOSAL:

The proposal is for single-lot regrading and the placement of clean fill, to construct a sports court and install a water retention tank. The property is proposing various landscaping renovations including the noted elements.

- Court Dimensions
 - Height (depth) – 0.30 m (1.00 ft.)
 - Length – 29.26 m (96.00 ft.)
 - Width – 19.20 m (63.00 ft.)
 - Area – 561.88 sq. m (6,048.00 sq. ft.)
 - Volume – 561.88 cu. m (6,048.00 cu. ft.)
- Water Tank Dimensions
 - Height (depth) – 3.66 m (12.00 ft.)
 - Length – 14.63 m (48.00 ft.)
 - Width – 7.32 m (24.00 ft.)
 - Area – 107.02 sq. m (1,152.00 sq. ft.)
 - Volume – 391.45 cu. m. (13,824.00 cu. ft.)
- Estimated Truck loads – 22

In total, for all the proposed landscaping activities:

- Total Excavation Cut Area: 285.43 cu. m (10,080.00 cu. ft.)
- Total Void to Fill w/ Aggregate: 133.53 cu. m (4,715.84 cu. ft.)
- Total Void to Fill w/ Native Clay: 94.43 cu. m (3,334.80 cu. ft.)
- Total Fill with Soils: 19.74 cu. m (697.20 cu. ft.)



- Total Tank and Deadman Volume: 37.72 cu. m (1,332.16 cu. ft.)

STATUTORY PLANS:

- Bearspaw Area Structure Plan
- Town of Cochrane Intermunicipal Development Plan
- Land Use Bylaw

INSPECTOR'S COMMENTS:

- No inspection completed at the time of report preparation.

CIRCULATIONS:

Town of Cochrane (November 3, 2020)

- No concerns.

Building Services, Rocky View County (October 22, 2020)

- Advisory condition- Applicant is required to submit a Building permit application prior to the construction of the timber structure if its size will exceed 10 sq.m.
- Advisory condition- Applicant is required to acquire permits for all electrical, plumbing and gas work for the timber structure and any work involving the sports court and water retention tank (if applicable).
- The attached link below includes the checklist for a personal use accessory/cold storage building
https://www.rockyview.ca/Portals/0/Files/BuildingPlanning/Building/checklists/Accessory-Buildings_Checklist.pdf
- Construction drawings and related documents referenced in the above checklist shall be provided for a BP submission.

Development Compliance, Rocky View County (October 21, 2020)

- No comments or concerns

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

General

- The review of this file is based upon the application submitted. These conditions/recommendations may be subjected to change to ensure best practices and procedures.

Geotechnical:

- The proposed application involves excavation and removal of top soil for water tank installation and sport court construction.
- 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 Range Road 35.
- As per the application, approximately 22 truckloads of fill material/topsoil will be hauled out for water tank installation and sport court construction.
- Prior to issuance, the applicant is required to contact County Road Operations to determine if a Road Use Agreement is required for hauling of the fill material and topsoil out of the subject land.
- As the proposed development is an accessory use and 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:

- The proposed development is unlikely to have significant impacts to the drainage patterns on site.
- Engineering has no requirements at this time.

Environmental:

- As an advisory, the applicant is responsible for ensuring that proper dust mitigations measures and ESC controls are adhered to on site.

Engineering Operations, Rocky View County (NA)

- No comment received.

OPTIONS:

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

APPROVAL subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean fill may take place on the subject lands (Lot 46, Block 5, Plan 0010537 within SW-31-25-2-W5M), in general accordance with submitted application and approved site plan, as prepared by OnGrowing Works, dated October 21, 2020, Job #20-720; Dwgs. DP1.1-DP1.2, and conditions of this permit:
 - i. Landscaping Modifications;
 - ii. Construction of a Sports Court, over an area of 561.88 sq. m (6,048.00 sq. ft.);
 - iii. Installation of a Water Tank, over an area of 107.02 sq. m (1,152.00 sq. ft.).

Prior to Issuance:

2. That prior to issuance 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:

3. 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.
4. That upon completion, 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
11. 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.
12. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.

Advisory:

13. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.



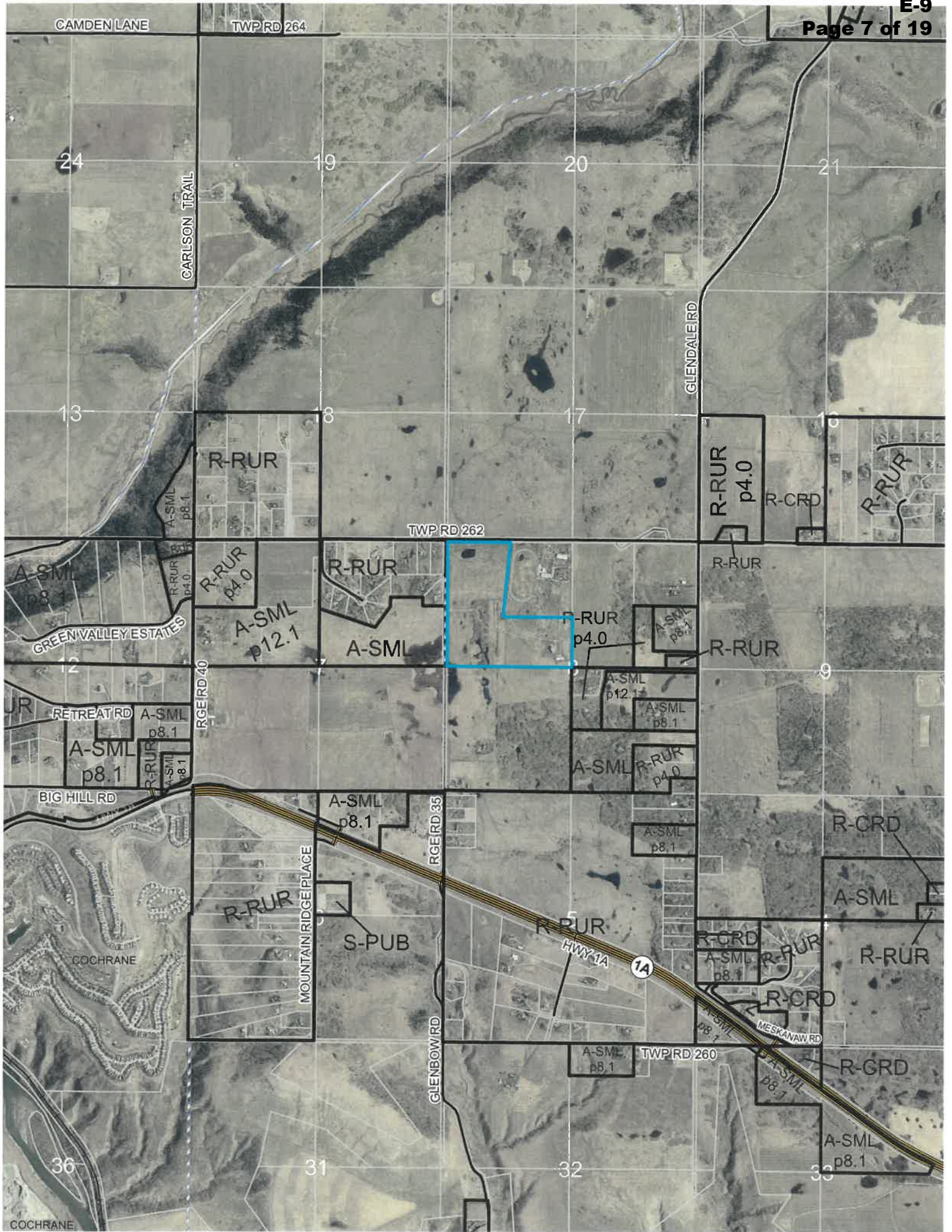
14. That the Applicant/Owner shall be responsible for onsite weed control and shall adhere to the regulations in the Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 2017] at all times.
15. That the grading activities shall be completed within twelve (12) months from the date of issuance of this permit.
16. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
17. That if this Development Permit is not issued by **JUNE 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

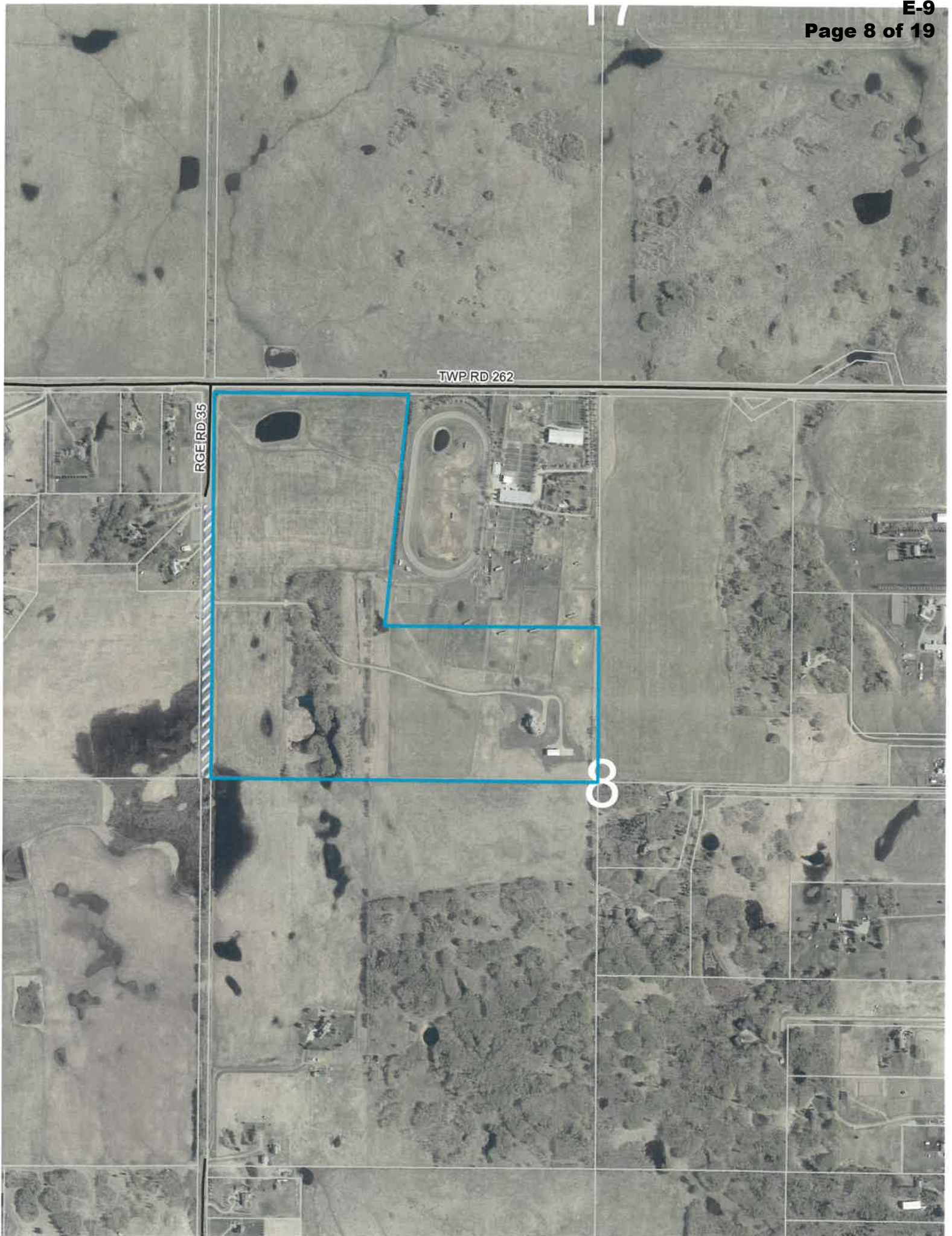
Note: That the Applicant/Owner shall be responsible for all Alberta Environment & Park approvals/ compensation as there may be wetlands on site that could be impacted by the proposed placement of fill.

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

20203178
APPLICATION FOR A
DEVELOPMENT PERMIT

FOR OFFICE USE ONLY	
Fee Submitted \$450.00	File Number 06708016
Date of Receipt Oct 7, 2020	Receipt # 202002574

Name of Applicant Aline Melo

Email _____

For Agents please supply Business/Agency/ Organization Name On Growing Works

Registered Owner (if not applicant) CHRISTOPHER KESETH

Mailing Address _____

Postal Code _____

Telephone (B) _____

(H) _____

Fax _____

1. LEGAL DESCRIPTION OF LAND

- a) All / part of the N.W ¼ Section 8 Township 26 Range 3 West of 5th Meridian
 b) Being all / parts of Lot _____ Block _____ Registered Plan Number _____
 c) Municipal Address 261180 Range Rd. 35
 d) Existing Land Use Designation A-GEN Parcel Size 707.36 ac Division 09

2. APPLICATION FOR

STRIPPING, FILLING, EXCAVATION, GRADING PERMIT FOR WATER WELL & SPORT COURT.

3. ADDITIONAL INFORMATION

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

4. REGISTERED OWNER OR PERSON ACTING ON HIS BEHALF

I AUNE MELO hereby certify that _____ 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.

Official Corporate Seal
 Here if owner is listed
 as a named or
 numbered company

Applicant's Signature _____

Date _____

Aline Melo
September 23, 2020

Owner's Signature _____

Date _____

Christopher Keth

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, Aline Melo, 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

September 23, 2020
Date



STRIPPING, FILLING, EXCAVATION AND GRADING

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

Name of Applicant Aline Melo

Address of Applicant

Telephone (C)

1. NATURE OF THE APPLICATION

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

- | | |
|---|---|
| <input type="checkbox"/> Site stripping | <input checked="" type="checkbox"/> Re-contouring |
| <input type="checkbox"/> Filling | <input type="checkbox"/> Stockpiling |
| <input checked="" type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input checked="" type="checkbox"/> Grading | <input type="checkbox"/> Other _____ |

2. PURPOSE

What is the intent of the proposal?

EXCAVATION FOR WATER TANK INSTALLATION

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 3.66

Width 7.32

Length 14.63

Area 107.09 square metres

Volume 285.43 meters cubed

Truckload 19 (approximately)

Slope Factor _____ (if applicable)

* REFER TO PAGE DPA.1, FILL CALCULATION, FROM THE ARCHITURAL SET, FOR FILL AND EXCAVATION DETAILS.

* 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 Aline Melo

(Print Full Name)

hereby certify that

☐ 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.



STRIPPING, FILLING, EXCAVATION AND GRADING

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

Name of Applicant Aline Melo

Address of Applicant [REDACTED]

Telephone (C) [REDACTED]

1. NATURE OF THE APPLICATION

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

- | | |
|---|---|
| <input type="checkbox"/> Site stripping | <input checked="" type="checkbox"/> Re-contouring |
| <input type="checkbox"/> Filling | <input type="checkbox"/> Stockpiling |
| <input checked="" type="checkbox"/> Excavation (including removal of topsoil) | <input type="checkbox"/> Construction of artificial water bodies and/or dugouts |
| <input checked="" type="checkbox"/> Grading | <input type="checkbox"/> Other _____ |

2. PURPOSE

What is the intent of the proposal? Removal of Top soil for sport court construction.

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 <u>0.21m</u>	Volume <u>117.97</u> meters cubed
Width <u>19.20m</u>	Truckload <u>3</u> (approximately)
Length <u>29.26m</u>	Slope Factor _____ (if applicable)
Area <u>561.79m</u> square metres	

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

4. TERMS AND CONDITIONS

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(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 Aline Melo 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.



September 25, 2020

To Whom It May Concern,

Re: Scope of Work Statement

34131 TWP RD 262

Rocky View County, AB

OnGrowing Works is conducting a landscape project at 34131 TWP RD 262. As part of this landscape job, we will be building a sport court and installing a water tank for water retention. We will need to perform excavation to build the sport court slab and to install the water well tank.

This project will cause no effects on existing drainage patterns or environmentally sensitive areas.

Regards,

Aline Melo
OnGrowing Works Ltd.



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0038 011 904 5;3;26;8;NW 181 165 097 +1

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 3 TOWNSHIP 26
SECTION 8
QUARTER NORTH WEST
EXCEPTING THEREOUT:

	HECTARES	(ACRES)	MORE OR LESS
A) PLAN 9911043 ROAD	0.401	(0.99)	
B) PLAN 1811556 SUBDIVISION	20.90	51.65	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 181 050 115

REGISTERED OWNER(S)
REGISTRATION DATE(DMY) DOCUMENT TYPE VALUE CONSIDERATION

181 165 097 09/08/2018 SUBDIVISION PLAN

OWNERS

CHRISTOPHER AFSETH

AND

BUFFY AFSETH

BOTH OF:

████████████████████
██████████
██████████ ██████████

AS JOINT TENANTS

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
181 165 097 +1

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
761 141 577	17/11/1976	ZONING REGULATIONS SUBJECT TO SPRINGBANK AIRPORT ZONING REGULATIONS

181 254 907	26/11/2018	UTILITY RIGHT OF WAY GRANTEE - ATCO GAS AND PIPELINES LTD.
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TOTAL INSTRUMENTS: 002

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 23 DAY OF
SEPTEMBER, 2020 AT 01:34 P.M.

ORDER NUMBER: 40176295

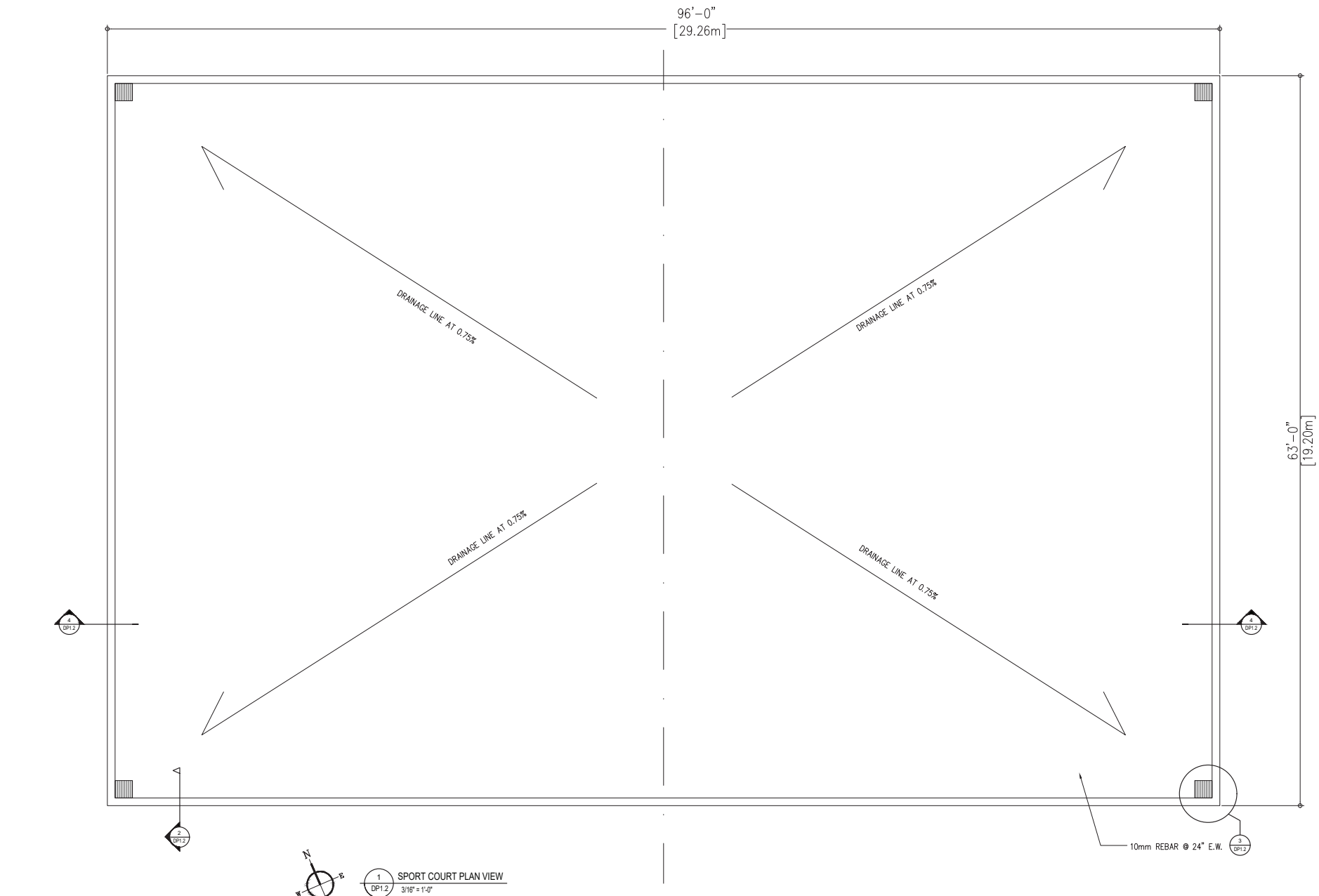
CUSTOMER FILE NUMBER:



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.

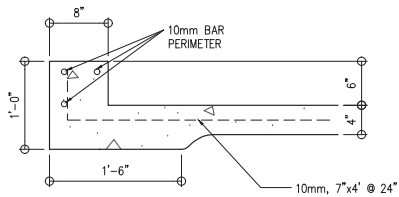
THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



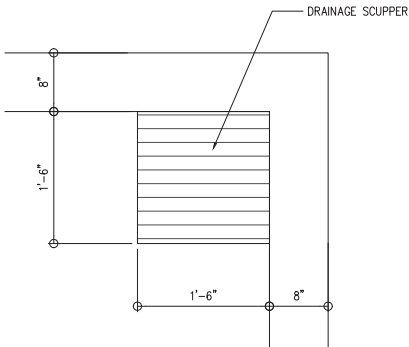
1 SPORT COURT PLAN VIEW
3/16" = 1'-0"
DP1.2

CONCRETE STEPS

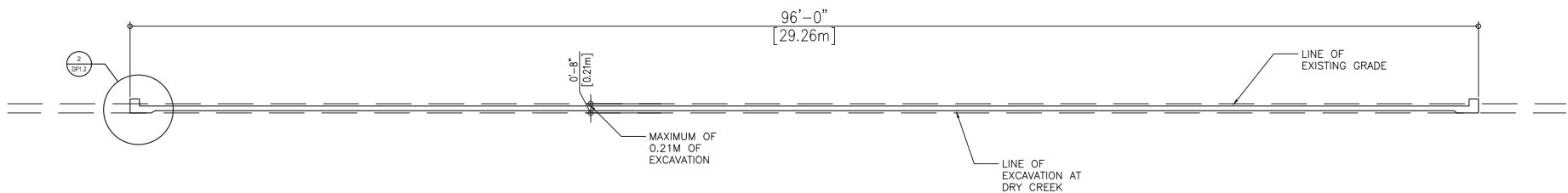
- DURAMIX
- TOLERANCE OF 1/4" OVER 10'
- LIGHT BROOM FINISH



2 THICKEND EDGE CURB DETAIL
1" = 1'-0"
DP1.2



3 CORNER CURB DETAIL
1" = 1'-0"
DP1.2



4 SPORT COURT SECTION
3/16" = 1'-0"
DP1.2

OnGrowing Works

Contact

125 River Avenue
Calgary, AB T4C 2C2
P: 403.932.3765
F: (403) 932-3538
E: info@ongrowing.com

Date

OCTOBER 21, 2020

Drawing Title

SPORT COURT DETAILS

Job

20-720

Address

261180 RANGE RD 35
ROCKY VIEW COUNTY
ALBERTA

Client

AFSETH

Page

DP1.2

DEVELOPMENT PERMIT

261180 RANGE RD 35, ROCKY VIEW COUNTY