

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: March 24, 2021 **DIVISION:** 2
FILE: 04726040 **APPLICATION:** PRDP20210323
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

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

GENERAL LOCATION: Located approximately 0.41 km (1/2 mile) North of Springbank Rd. and on the east side of Rge Rd 32.

LAND USE DESIGNATION: Residential, Rural District (R-RUR)

EXECUTIVE SUMMARY: The Applicant is proposing the placement clean fill, up to a height of 2.00 m (6.56 ft.) meters, over a total area of 3,024 m² (9,921.26 ft²). The regrading is required to raise the pre-grades to establish post-grades, in order to construct a dwelling, single detached with a walk-out basement.

The proposed dwelling, single detached meets all other requirements within the R-RUR district and requires no variances.

This Applicant has stated the fill being used will be from an existing approved parking pad on the parcel and any additional material needed will be imported onsite. The exact location of the fill will vary depending on who is available to provide it at the time.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20210323 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20210323 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.

Administration Resources

Bronwyn Culham, 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.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • Land Use Bylaw • Calgary Intermunicipal Development Plan • Central Springbank Area Structure Plan 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Site Plan • Elevation Plans • Grading Plan • Plan drawings
DISCRETIONARY USE: <ul style="list-style-type: none"> • Stripping and Grading is a discretionary use within the Land Use Bylaw 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

- The Applicant has proposed to regrade a portion of the subject land, approximately $\pm 3,024 \text{ m}^2$ (± 0.75 acres) in size to allow the placement of a dwelling, single detached.
- It is anticipated approximately 391 cubic meters of material will be brought on site. The applicant has noted this is approximately 49 truckloads.
- The highest point will be 2 meters adjacent to the dwelling, with the slope slowly decreasing in size until the original grade is met, with an average height change of 1.20 m (3.93 ft.)
- The subject land is located along Rge. Rd. 32, surrounded by predominately residential and agricultural parcels. Currently, the parcel remains vacant and undeveloped.
- The calculated height of the dwelling is of 8.34 m (27.38 ft)
- The proposed dwelling meets all the minimum setback requirements.
 - The front yard is setback far exceeds the minimum setback requirement of 45.00 m (147.64 ft.)
 - The side yard setbacks being 30.19 m (99.04 ft.) to the south, and 34.01 m (111.58 ft.) on the north side.
 - The rear yard setback is 89.69 m (294.25 ft.) with the required being 7.00 m (22.97 ft.).



CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

CC/llt

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 single-lot regrading and the placement of clean fill shall be permitted in general accordance with the site plan submitted with the application and includes:
 - i. Total area of approximately $\pm 3,024 \text{ m}^2$ (± 0.75 acres) and placement of approximately 391 cubic meters of clean fill, not exceeding $\pm 2.00 \text{ m}$ (6.56 ft.) in depth.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill report, prepared by a geotechnical engineer, for areas where fill depth exceeds 1.20 m (3.93 ft.), to the satisfaction of the County.
3. That prior to release of this permit, the Applicant/ Owner shall submit a grading plan prepared and stamped by a qualified professional, that illustrates the original ground profile, identifies the depth of proposed fill, indicates the total amount of soil to be imported/exported from the site and analyzes the pre and post grades to determine if there are any impacts to adjacent properties or the public road network. The engineer shall confirm conditions, in both pre and post grading, associated with site stormwater storage, site releases and offsite drainage, in accordance with the Springbank Master Drainage Plan and Springbank Creek Catchment Drainage Study. The analysis shall also include recommendations for mitigating measures for Erosion and Sediment control as a result of the activity, as per County Servicing Standards.
4. 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:

5. That the Applicant/Owner shall provide compaction testing verifying that the fill areas greater than 1.2 m in depth were placed in accordance with the Deep Fills report accepted by the County.
6. 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.
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 no native topsoil shall be removed from the site.
9. That it shall be the responsibility of the Applicant/Owners to ensure the material has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
10. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.



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11. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
12. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
 - i. That if at any time the removal/placement of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
13. 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.
 - i. That the clean-up of any mud tracking and/or dirt that enters onto any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
14. That the proposed development graded area, as per the approved application, shall be spread and seeded to native vegetation or farm crop, to the satisfaction of the County, upon completion.
15. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
16. 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.
17. That if this permit is not issued by **SEPTEMBER 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
18. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill shall be completed within twelve (12) months of the date of issue.

Advisory:

19. 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*].
20. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
21. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Mike Kandil	OWNER: Rab & Insaf Kandil
DATE APPLICATION RECEIVED: January 26, 2021	DATE DEEMED COMPLETE: January 26, 2021
GROSS AREA: ± 2.08 hectares (± 5.15 acres)	LEGAL DESCRIPTION: SW-26-24-03-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: Development Permit History <ul style="list-style-type: none"> • 2012-DP-15031 Placement of clean fill (Approved) 	
PUBLIC & AGENCY SUBMISSIONS: The application was also circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

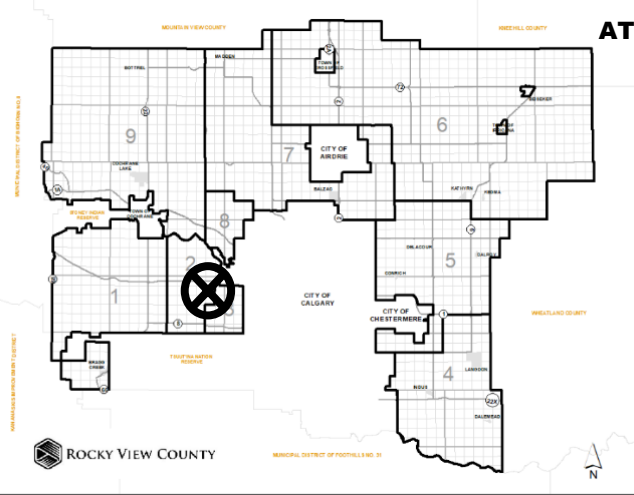


Location & Context

Development Proposal

The placement of clean fill to raise the house and accommodate a walk out basement.

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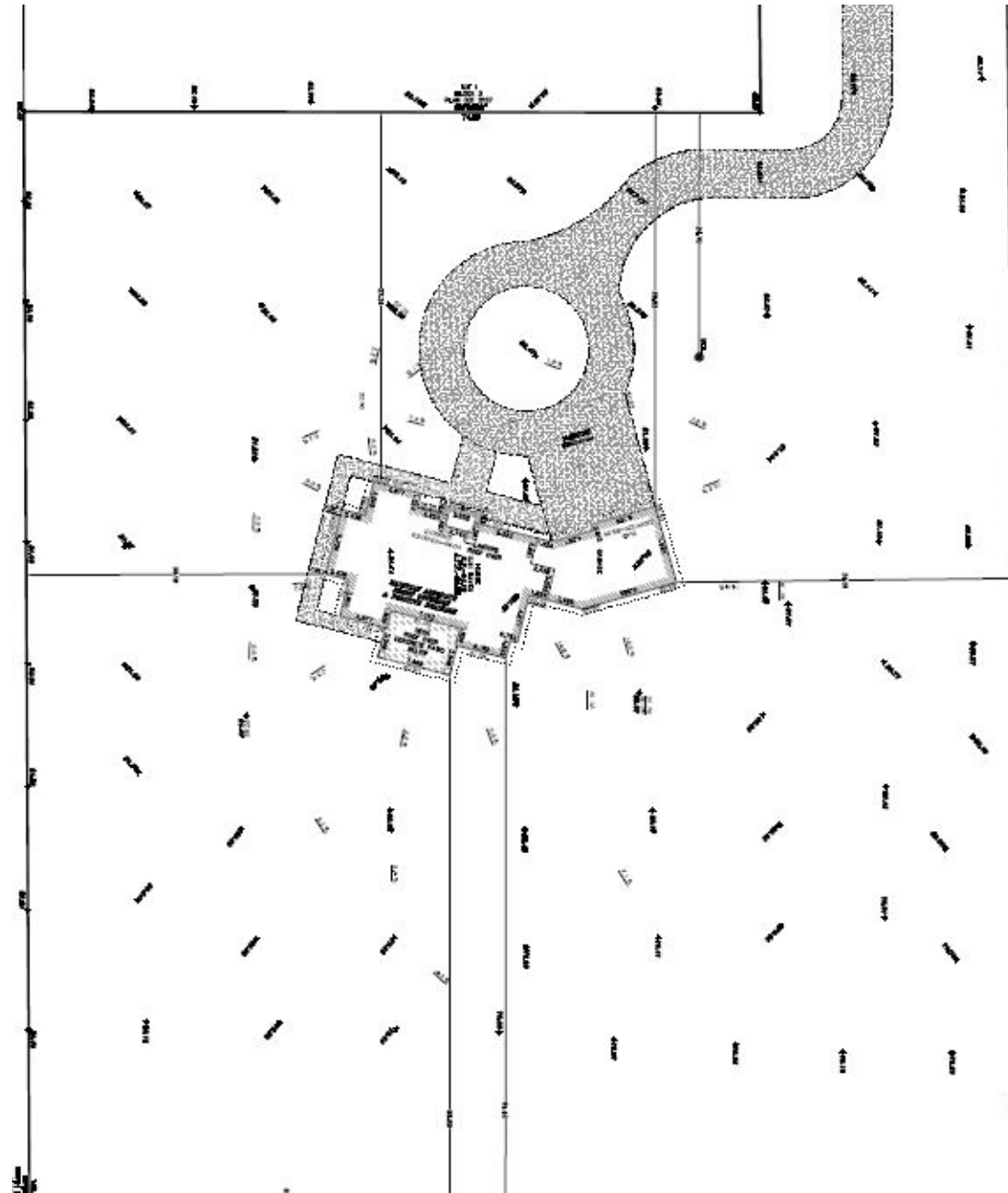
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Printed: March 11, 2021
Legal: Block:3 -N1/2
Plan:7410500 within SW-26-
24-03-W05M



Site Plan/ Grades

Development Proposal

The placement of clean fill to raise the house and accommodate a walk out basement.

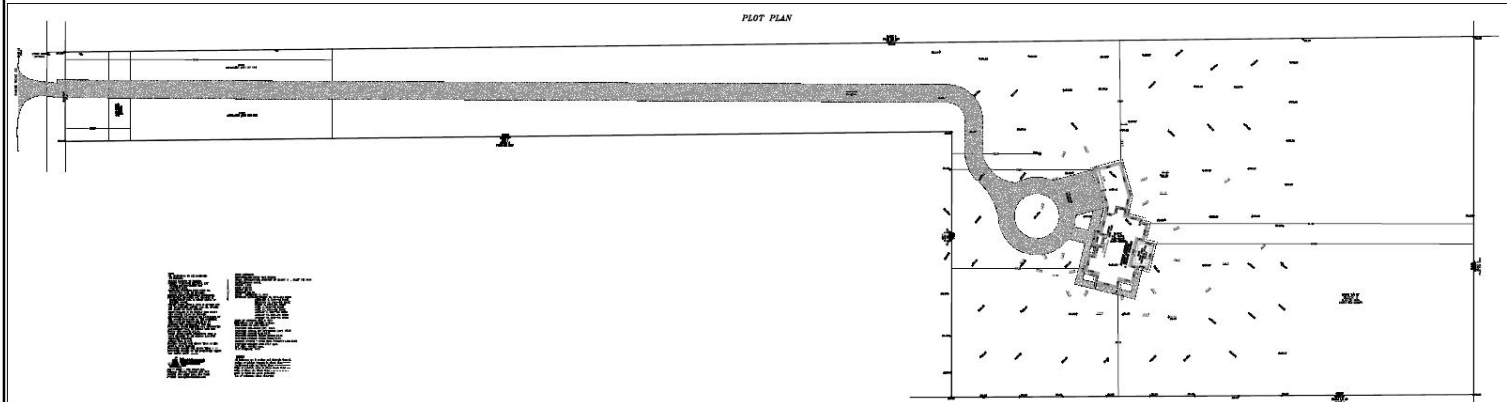


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Full Site

Development Proposal

The placement of clean fill to raise the house and accommodate a walk out basement.



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