

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
Development Authority
DIVISION: 5

DATE: April 14, 2021
APPLICATION: PRDP20210425

FILE: 04332043

SUBJECT: Single-Lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot regrading and placement of clean fill, gravel, and large stones around the perimeter of the storm pond for landscaping purposes

GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) west of Rge. Rd. 284 and 1.61 km (1 mile) south of Twp. Rd. 250

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

EXECUTIVE SUMMARY: The intent of the application is to place approximately 7.62 cm (3.00 inches) of fill around the perimeter of the existing storm pond, and then top it with gravel and large stones for landscaping purposes. The storm pond is associated with an overland drainage right-of-way registered on title (Plan No. 0210498). No fill or aggregate will be placed within the boundaries of the right-of-way, as indicated on the site plan. The subject area to be filled is approximately 0.76 m (2.50 ft.) in width and spans the length of the southern right-of-way boundary line.

This application is the result of enforcement action by Development Compliance. This development is not anticipated to modify stormwater management infrastructure so there are no concerns with potential impacts to drainage for the surrounding lands within the subdivision.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20210425 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210425 be refused.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Sandra Khouri, Planning & Development Services

**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"> • <i>Municipal Government Act</i>; • Municipal Development Plan; • City of Calgary Intermunicipal Development Plan; • Conrich Area Structure Plan; • City of Chestermere Notification Area; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: Stripping, Grading, Excavation and/or Fill is a discretionary use in all districts	DEVELOPMENT VARIANCE AUTHORITY: Municipal Planning Commission

Additional Review Considerations

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

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Al Hoggan”

Acting Executive Director
Community Development Services

Chief Administrative Officer

SK/ltt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

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

1. That the placement of aggregate and up to 7.62 cm (3.00 inches) of clean fill on the perimeter of the storm pond may commence on the subject property, in accordance with the approved site plan and conditions of this permit.

Prior to Release

2. 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

3. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
4. That upon request of the County, the Applicant/Owner shall submit an as-built grading survey, to confirm that post development grades align with final grades as approved with the application.
5. 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.
6. That no topsoil shall be removed from the subject property.
7. That no work shall occur within the boundaries of the overland drainage right-of-way (Plan No. 0210498). If the Applicant/Owner wishes to carry out work in the right-of-way, a Stormwater Management Plan shall be submitted to and approved by the County, confirming that the work occurring will not impact drainage for the overall subdivision.
8. 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.
 - a. That if at any time the removal or handling of the fill or aggregate creates a visible dust problem, the removal or handling of the fill or aggregate shall cease immediately until remedial measures are taken.
9. 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.
10. 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.
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.



ROCKY VIEW COUNTY

12. 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 properties 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.
13. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.

Advisory

14. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
15. 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].
16. 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.
17. 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.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Sarabjit Sumal	OWNER: Sarabjit Sumal
DATE APPLICATION RECEIVED: February 3, 2021	DATE DEEMED COMPLETE: February 8, 2021
GROSS AREA: ± 0.99 hectares (± 2.44 acres)	LEGAL DESCRIPTION: Lot 16, Block 1, Plan 0210496; SE-32-24-28-W04M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>June 3, 2009:</i> development permit issued for the construction of a dwelling, single detached, placement of clean fill and relaxation of the maximum height requirement	
PUBLIC & AGENCY SUBMISSIONS: 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.	

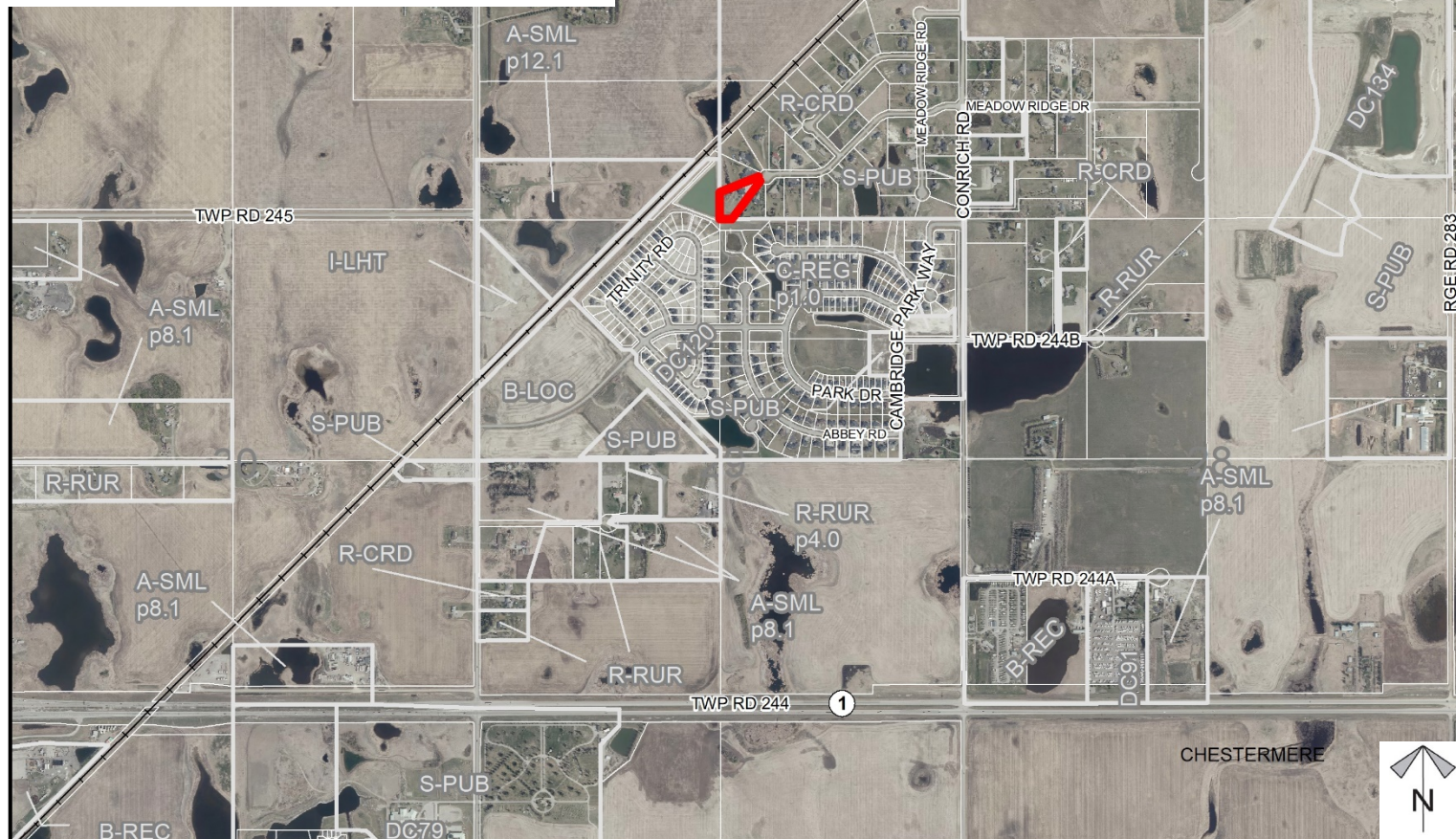
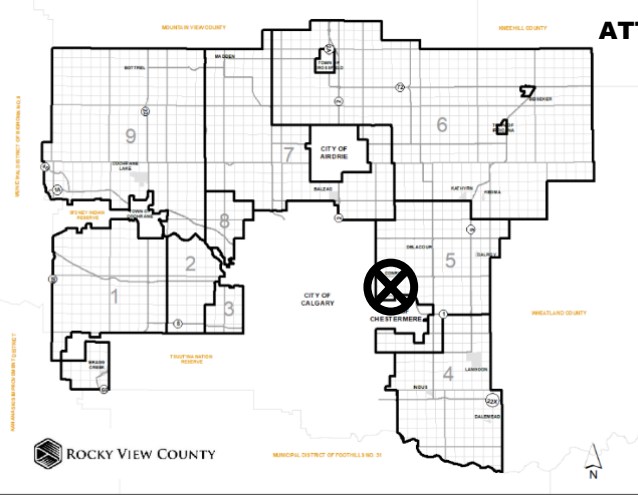


Location & Context

Development Proposal

Single-lot regrading and placement of clean fill, gravel, and large stones around the perimeter of the storm pond for landscaping purposes

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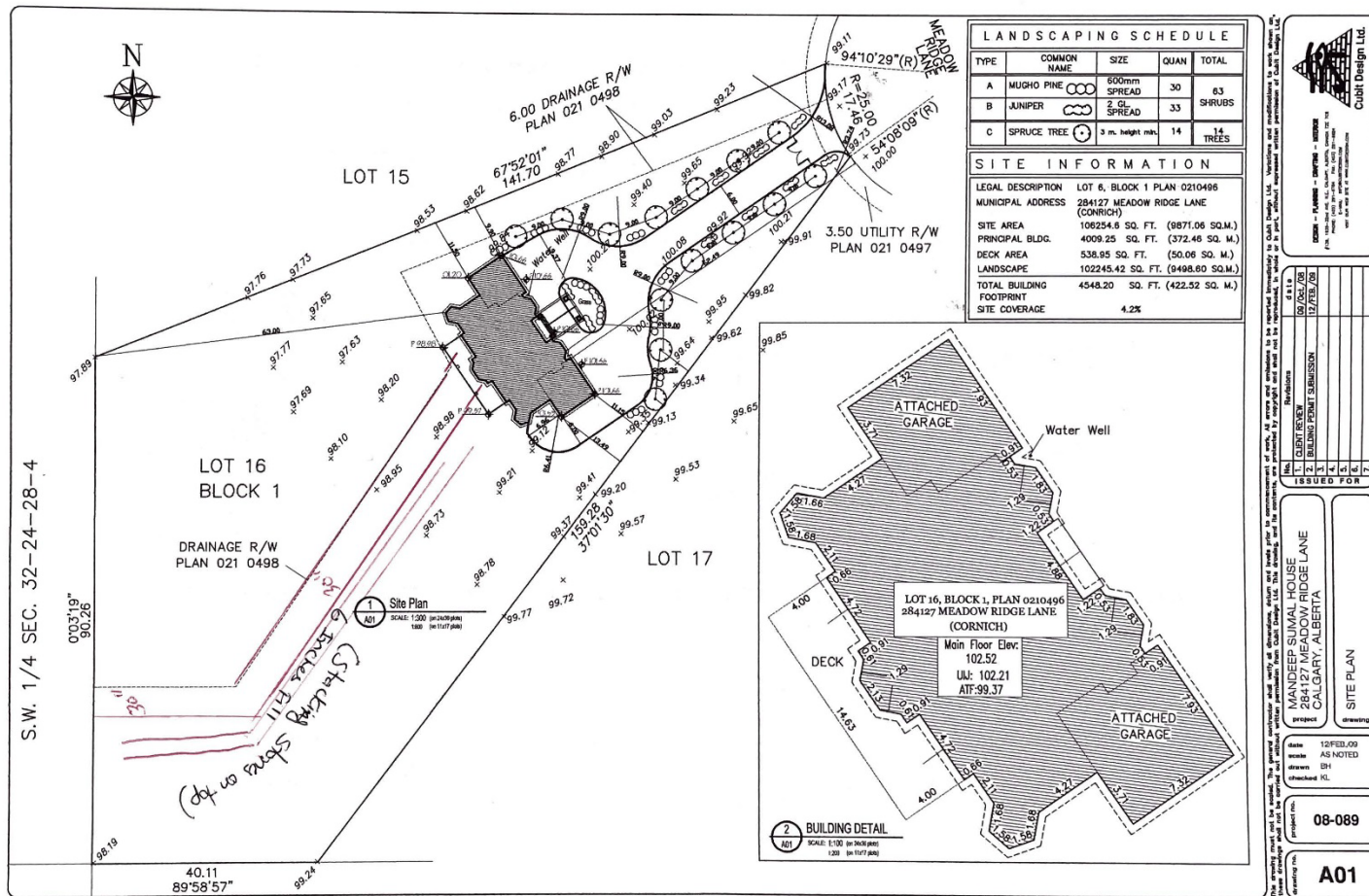


Division: 05
 Roll: 04332043
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 Printed: Feb 18, 2021
 Legal: Lot:16 Block:1
 Plan:0210496 within SE-32-
 24-28-W04M

Site Plan

Development Proposal

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Site Photos

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