

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 5

DATE: May 26, 2021
APPLICATION: PRDP20211321

FILE: 04332053

SUBJECT: Single-lot Regrading / Discretionary use with no Variances

APPLICATION: Application is for single-lot regrading, for the relocation of a drainage ditch.

GENERAL LOCATION: Located approximately 1.22 km (1.00 mile) south of Twp. Rd. 250 and 0.41 km (1/4 mile) west of Conrich Rd

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

EXECUTIVE SUMMARY: The Applicant is proposing to strip and grade a total area of approximately 1,274.00 sq. m (0.13 acres) for the relocation of a drainage ditch/swale. The proposed drainage ditch relocation is approximately 60.00 m (196.85 ft.) in length and 30.00 m (98.43 ft.) in width, all within parcel boundaries.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20211321 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211321 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

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

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| APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020; • Conrich Area Structure Plan; • City of Calgary Intermunicipal Development Plan; and • City of Chestermere Notification Area. | TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • Site Servicing Plan, as prepared by Jubilee Engineering Consultants Ltd, Job No. 21-020; dated March 31, 2021 |
| DISCRETIONARY USE: <ul style="list-style-type: none"> • Stripping, Grading, Excavation, and Fill | DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission |

Additional Review Considerations

The application was assessed in accordance the Sections 157 and 158 of the Land Use Bylaw, which requires that any Stripping, Grading, Filling or Excavation proposals require a Development Permit. The application appears to comply with the regulations.

The City of Chestermere was circulated and did not have any concerns with the proposed development.

The proposed realignment of the drainage ditch does not appear to negatively impact the drainage of the area or interfere with and affect the use, enjoyment, and value of neighbouring parcels of land.



ROCKY VIEW COUNTY

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

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, for the relocation of a drainage ditch, may commence on the subject parcel in general accordance with the drawings submitted with the application.
 - i. That the stripping and grading of approximately **1,274.00 sq. m (13, 713.22 sq. ft.)**, may take place on the subject lands.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a revised Overland Drainage Right of Way Plan of Survey (and conduct any associated revisions to the associated Overland Drainage Easement Agreement), that accommodates the revised overland drainage path and once approved, it shall be registered on title.

Permanent:

3. That the Applicant/Owner shall ensure the excavation and fill has been completed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage.
4. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
5. That the proposed graded area shall have a minimum of six inches of topsoil placed on top, which shall then be spread and seeded to native vegetation or landscaped, to the satisfaction of the County.
6. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or submitted in response to a Prior to Release or Occupancy condition, shall be implemented and adhered to in perpetuity.
7. That if this Development Permit is not issued by **November 30, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
8. 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.

Advisory:

9. 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]*.
10. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
11. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ROCKY VIEW COUNTY

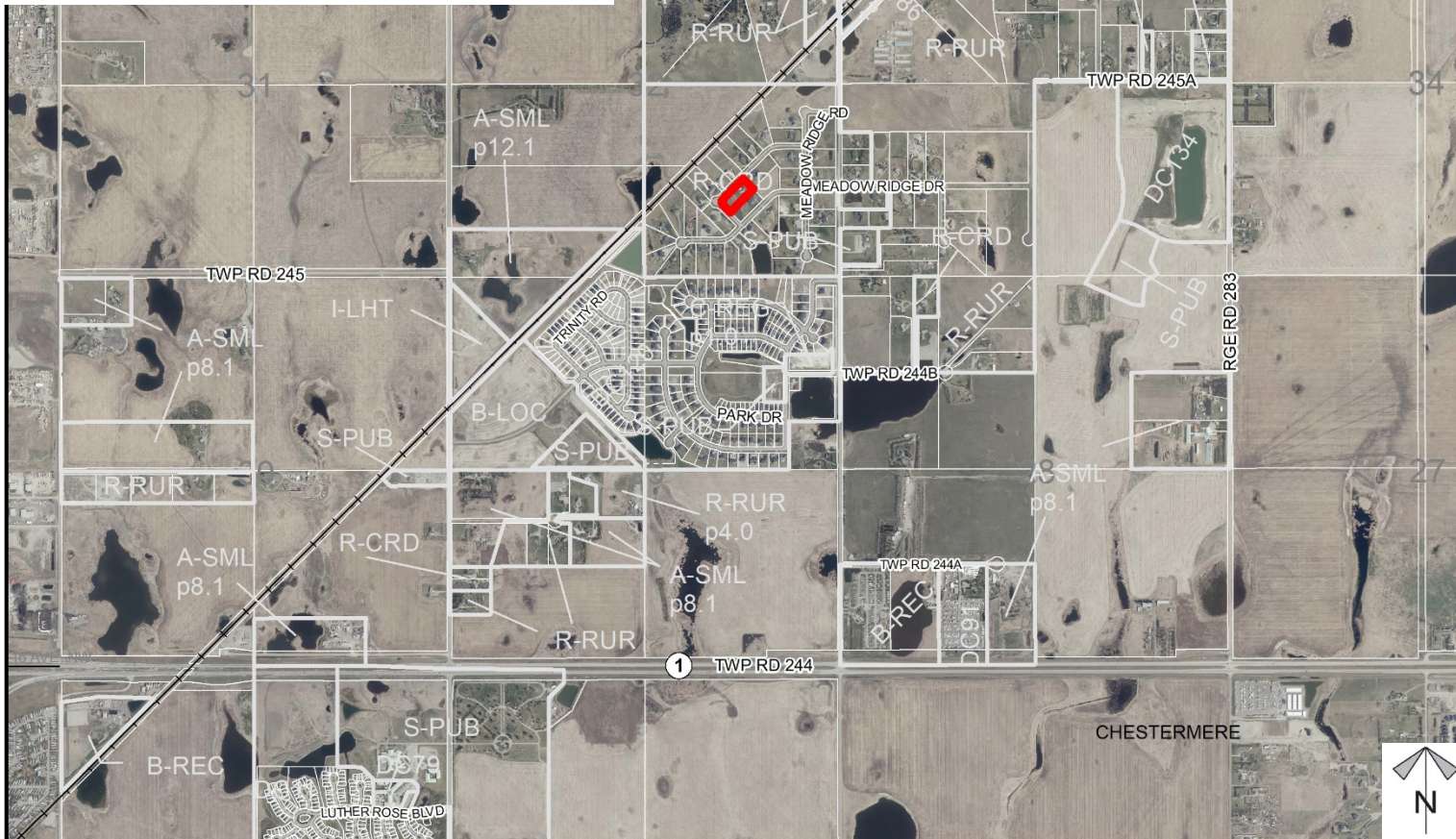
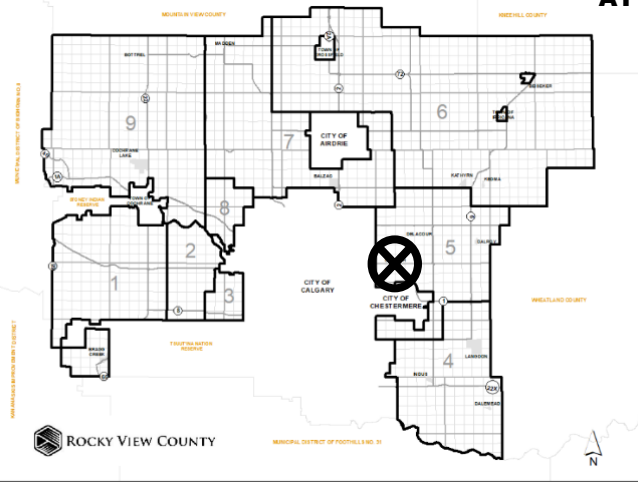
ATTACHMENT 'B': MAPS AND OTHER INFORMATION

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|--|---|
| APPLICANT: Aziz Rahmani (Jubilee Engineering) | OWNER: Yashpal & Kamaljeet Shergill |
| DATE APPLICATION RECEIVED: April 1, 2021 | DATE DEEMED COMPLETE: April 19, 2021 |
| GROSS AREA: ± 0.81 hectares (± 2.00 acres) | LEGAL DESCRIPTION: Lot: 26, Block: 2, Plan: 0210496, SE-32-24-28-W04M (29 Meadows Ridge Way) |
| APPEAL BOARD: Subdivision & Development Appeal Board | |
| HISTORY: <ul style="list-style-type: none"> No previous development permits. | |
| 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, for
the relocation of a swale



Division: 05
Roll: 04332053
File: PRDP20211321
Printed: April 12, 2021
Legal: Lot:26 Block:2
Plan:0210496 within SE-32-
24-28-W04M

Aerial Imagery

Development Proposal

Single-lot Regrading, for
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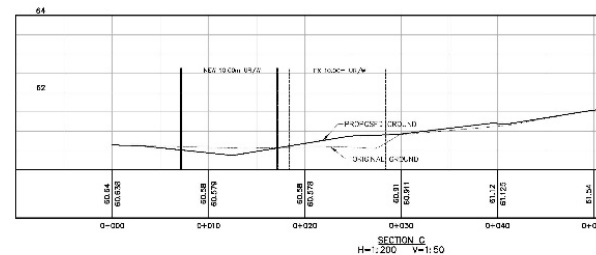
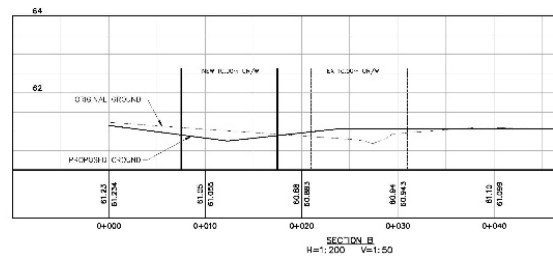
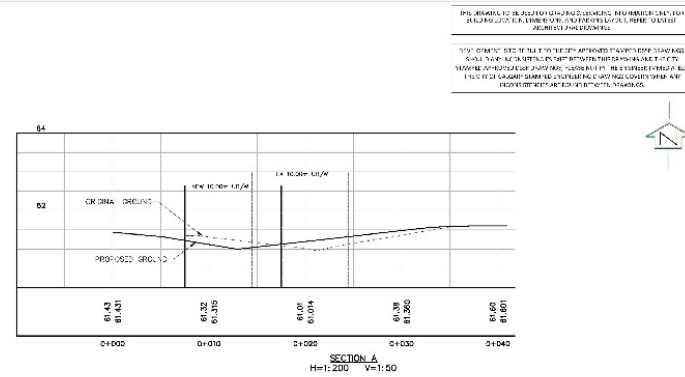
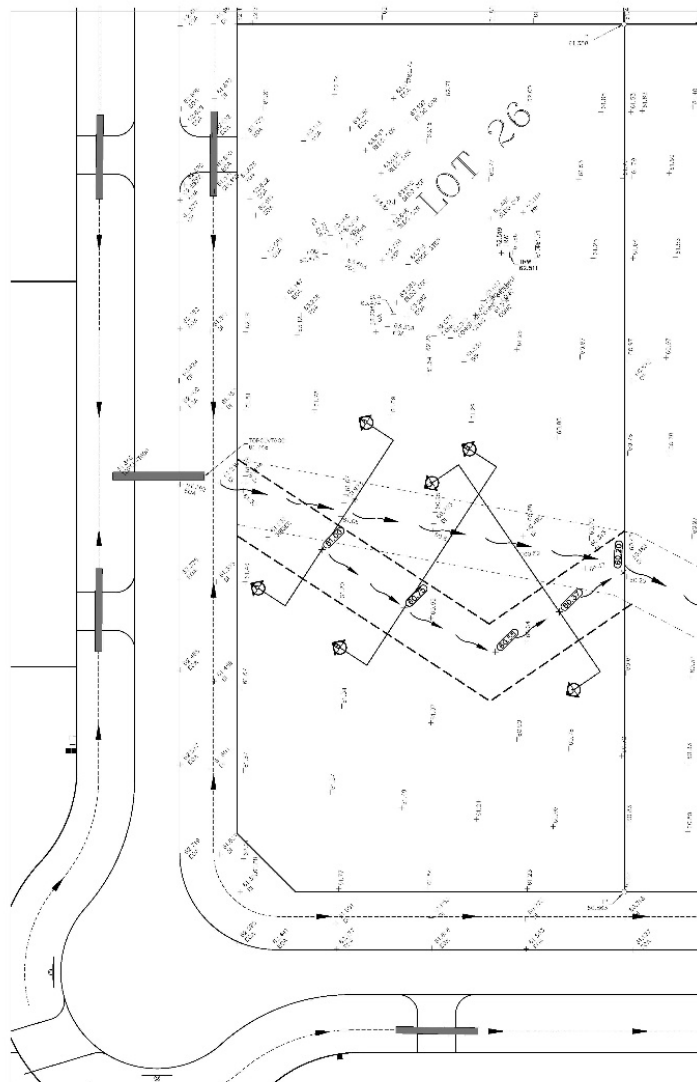


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Site Plan

Development Proposal

Single-lot Regrading, for
the relocation of a swale



NOT A PART OF THE PROPOSED GRADING PLAN. FOR INFORMATION ONLY.

DATE: 04/12/2021
 BY: [Signature]
 CHECKED: [Signature]

DATE: 04/12/2021
 BY: [Signature]
 CHECKED: [Signature]

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**Site Photos**

(April 8, 2021
Inspection)

Development Proposal

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