

**PLANNING AND DEVELOPMENT SERVICES**

TO: Municipal Planning Commission
Development Authority
DIVISION: 8

DATE: June 23, 2021
APPLICATION: PRDP20211667

FILE: 05607195

SUBJECT: Single-Lot Regrading / Discretionary use, without Variances

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

GENERAL LOCATION: Located approximately 0.41 kilometres (1/4 mile) east of Bearspaw Village Road and 0.81 kilometres (1/2 mile) south of Township Road 252.

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

EXECUTIVE SUMMARY: The purpose of this application is to regrade the property in preparation for the construction of a dwelling, single detached. The subject parcel is undeveloped and sits at a lower elevation than the surrounding lands. The Applicant proposes to increase the elevation of the building site to ensure that the final grades are complementary to those of adjacent properties.

The proposed building site is approximately 1,858.06 sq. m (20,000.00 sq. ft.) in area, where imported fill will be placed up to a maximum height of 3.50 m (11.48 ft.). The Applicant will also be constructing a driveway along the panhandle, using the existing approach off Blazer Estates Ridge.

Administration has reviewed the proposal in accordance with the County Servicing Standards, and technical considerations are reflected in the proposed condition set.

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

OPTIONS:

Option #1: THAT Development Permit Application PRDP20211667 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20211667 be refused.

Administration Resources

Sandra Khouri, 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"> • <i>Municipal Government Act</i>; • Municipal Development Plan; • City of Calgary Intermunicipal Development Plan; • Bearspaw Area Structure Plan; • Land Use Bylaw; and • County Servicing Standards. 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
PERMITTED USE: Stripping, filling, and regrading 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.



ROCKY VIEW COUNTY

CONCLUSION:

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

SK/lt

ATTACHMENTS:

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

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

1. That single-lot regrading and the placement of clean fill of an area approximately 1,858.06 sq. m (20,000.00 sq. ft.) in the area and up to 3.50 m (11.48 ft.) in height, for site preparation to construct a Dwelling, Single Detached, 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 provide a stormwater memo, prepared by a qualified professional, to confirm that the proposal is adequate to manage stormwater onsite without causing any adverse impacts to drainage patterns and neighboring properties.
 - a. If the findings of the memo require local stormwater improvements, a Site-Specific Stormwater Management Plan, prepared by a qualified professional, shall be provided identifying an onsite stormwater management strategy for the proposed development, in accordance with the County Servicing Standards.
3. That prior to release of this permit, the Applicant/Owner(s) shall submit a Letter of Credit or refundable security in accordance with County Policy C-407 for \$5,000.00/disturbed acre of the development area.
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.
 - 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.
5. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill Report, in accordance with County Servicing Standards and prepared by a professional engineer, that provides recommendations on the placement of fill for areas where fill is greater than 1.20 m (3.93 ft.) in depth.

Permanent:

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 if conditions of this permit are not satisfied, the County may draw upon the Letter of Credit or Refundable Security once registered with the County, without recourse to the Applicant/Owner, to cover the costs in surface reclamation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
8. That the Applicant/Owner shall submit compaction-testing results verifying that the fill is placed in accordance with the Deep Fill Report
9. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
10. That upon request of the County, the Applicant/Owner shall submit an as-built grading survey, to confirm that post grades align with final grades as approved with the application.



ROCKY VIEW COUNTY

11. 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.
12. That no topsoil shall be removed from the subject property.
13. That the proposed regrading area shall have a minimum of six (6) inches of topsoil placed on top, which shall then be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
14. 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 creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
15. 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.
16. That with the hauling of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
 - b. That the clean-up of any mud tracking and/or dirt that enters onto the County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
17. 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.
18. 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.
19. 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.
20. That if this Development Permit is not issued by **January 31, 2022** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Advisory:

21. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
22. 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].



ROCKY VIEW COUNTY

ATTACHMENT 'B': MAPS AND OTHER INFORMATION

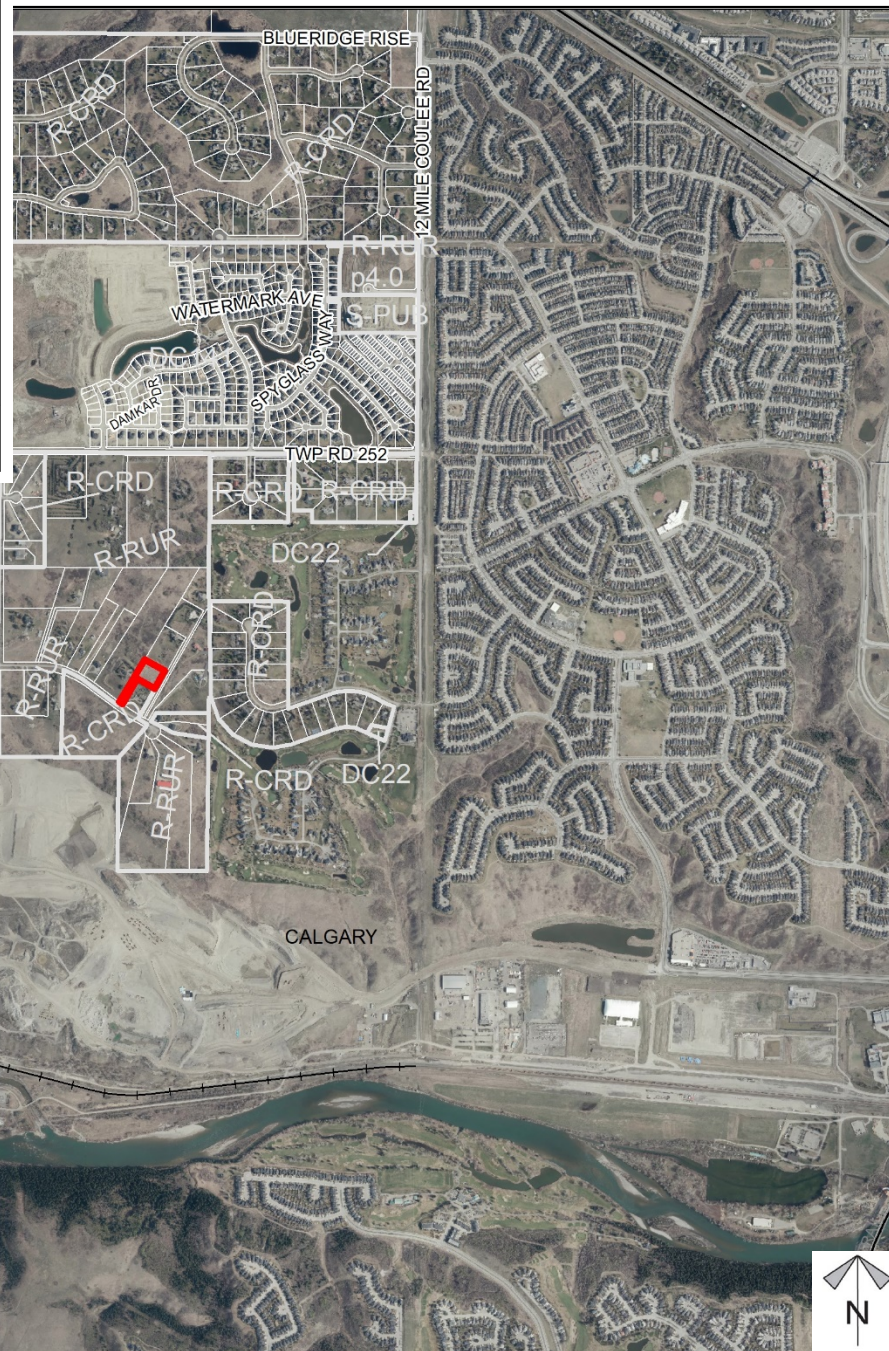
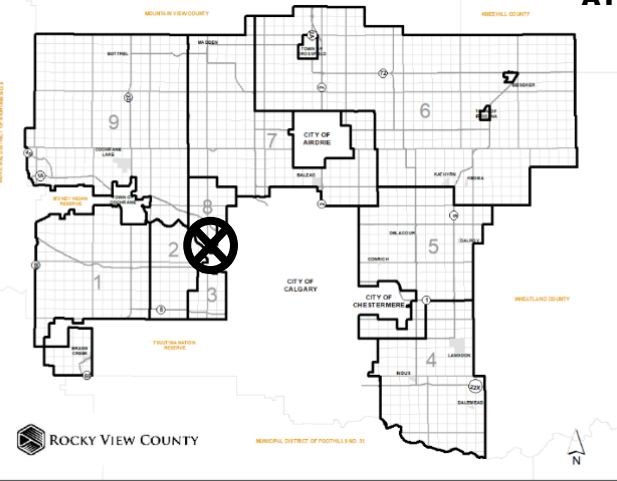
APPLICANT: Mohammad Alizadeh	OWNER: Copious Eatery Ltd.
DATE APPLICATION RECEIVED: April 15, 2021	DATE DEEMED COMPLETE: April 22, 2021
GROSS AREA: ± 0.88 hectares (± 2.17 acres)	LEGAL DESCRIPTION: Lot 22, Block 13, Plan 0612504; W1/2-07-25-02-W05M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: <i>No development or building history</i> <i>Planning</i> <ul style="list-style-type: none"> • 2004-RV-332 Redesignation (<i>to redesignate the subject lands from Residential Two District to Residential One District to create a +/- 2 acre parcel from +/- 4.45 parent parcel</i>); Issued November 28, 2005 • 2004-RV-333 Subdivision (<i>to create a +/- 2 acre parcel from a +/- 4.45 acre parent parcel</i>); Issued June 10, 2007 	
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, for the construction of a dwelling, single detached



Division: 8
Roll: 05607195
File: PRDP20211667
Printed: June 3, 2021
Legal: Lot:22 Block:13
Plan:0612504 within W1/2-07-25-02-W05M

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2 Metre Contours

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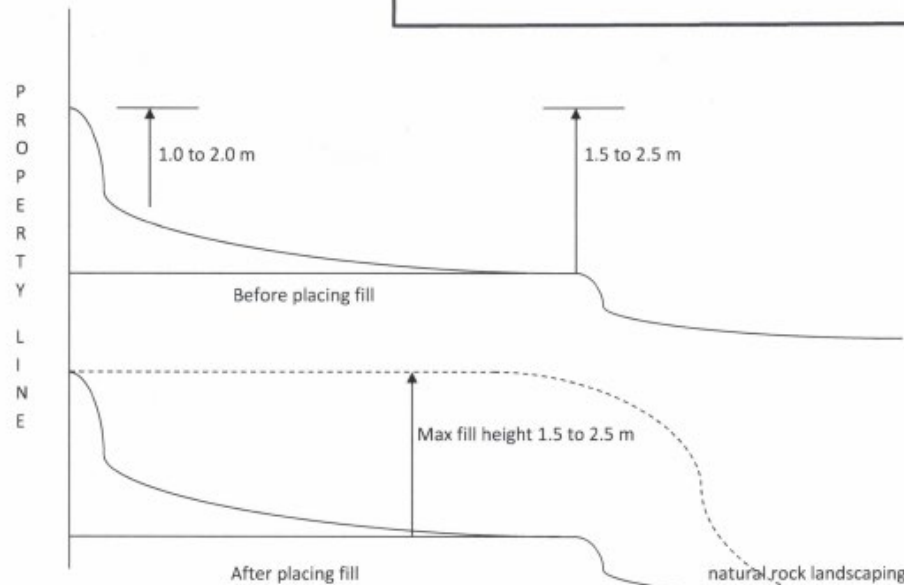
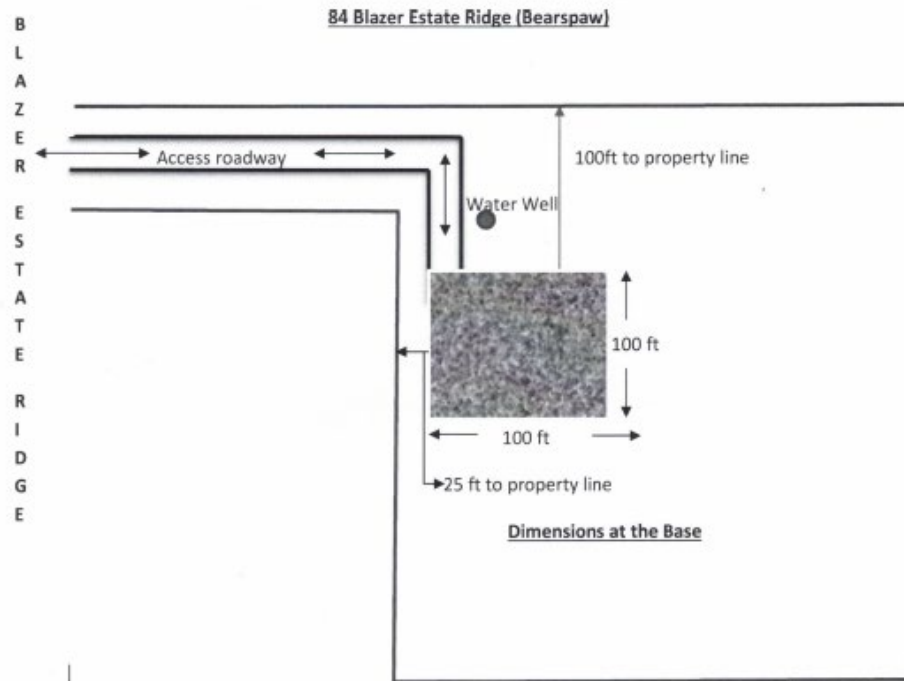


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Site Plan

Development Proposal

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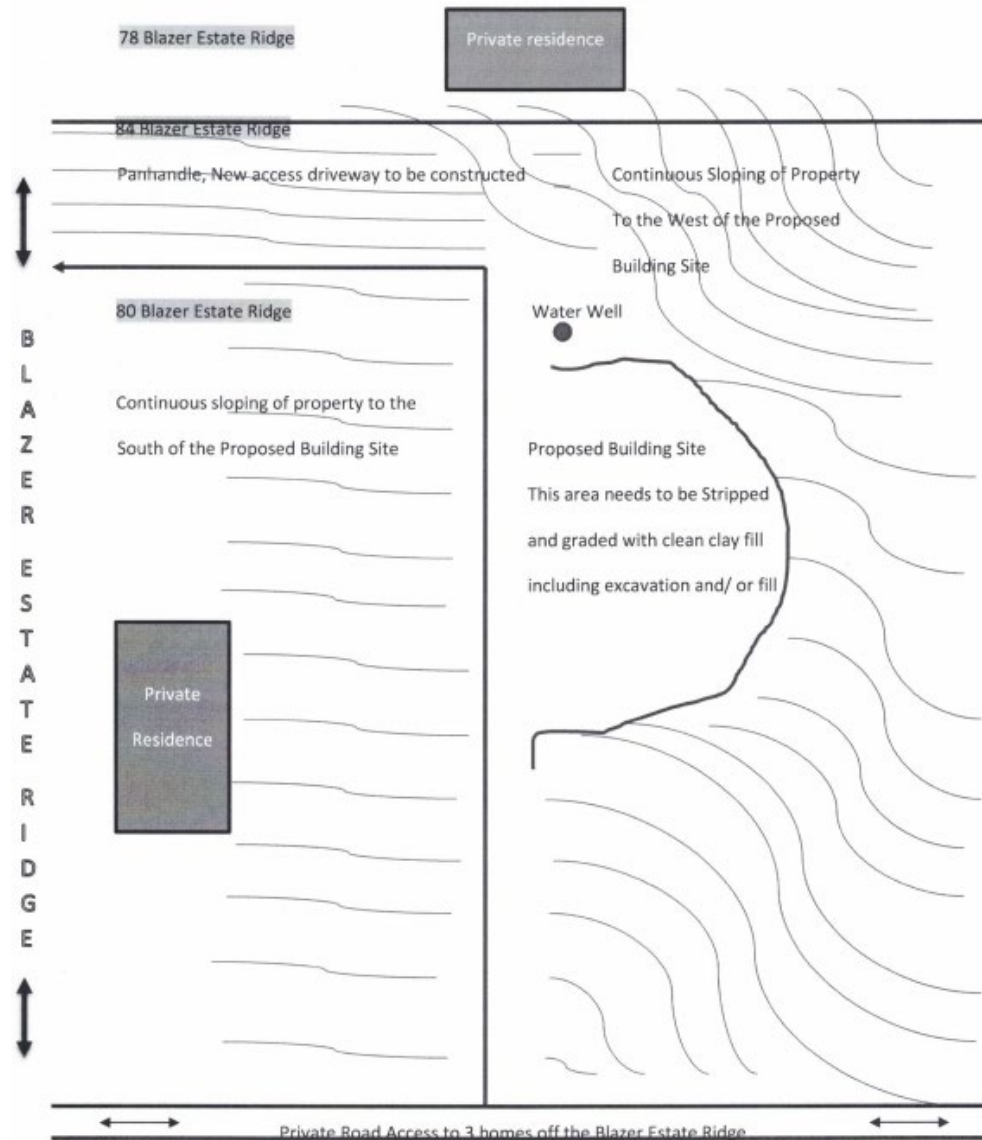


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Dear reader, the above sketch should provide certain clarity to our request for permit to build our house. Although I am including a recent copy of RPR and Topographic survey of 84 Blazer Estate Ridge, as well as a picture, I thought including this sketch will help to show the relevance of the neighboring property's Slopes toward the potentially only building site available on our lot.

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Site Photos

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Subject Property



Subject Property

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