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**PLANNING AND DEVELOPMENT SERVICES**

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<b>TO:</b>	Municipal Planning Commission Development Authority	<b>DIVISION:</b> 5
<b>DATE:</b>	July 14, 2021	<b>APPLICATION:</b> PRDP20211905
<b>FILE:</b>	04207003	
<b>SUBJECT:</b>	Single-lot Regrading / Discretionary use, with no Variances	

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**APPLICATION:** The application is for the single-lot regrading and the placement of clean fill on the subject parcel.

**GENERAL LOCATION:** Located at the southeast junction of Hwy. 1 and Hwy 791.

**LAND USE DESIGNATION:** Agriculture, General District (A-GEN)

**EXECUTIVE SUMMARY:** The Applicant is proposing to place clean fill to realign an existing access road on the parcel. The proposed realignment is approximately 100.00 m (328.08 ft.) long, 10.00 m (32.81 ft.) wide and the fill will be approximately 0.46 m (1.50 ft.) in depth. The Applicant anticipates approximately 15 truckloads of clean fill and 15 truckloads of gravel for the proposed realignment.

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

**OPTIONS:**

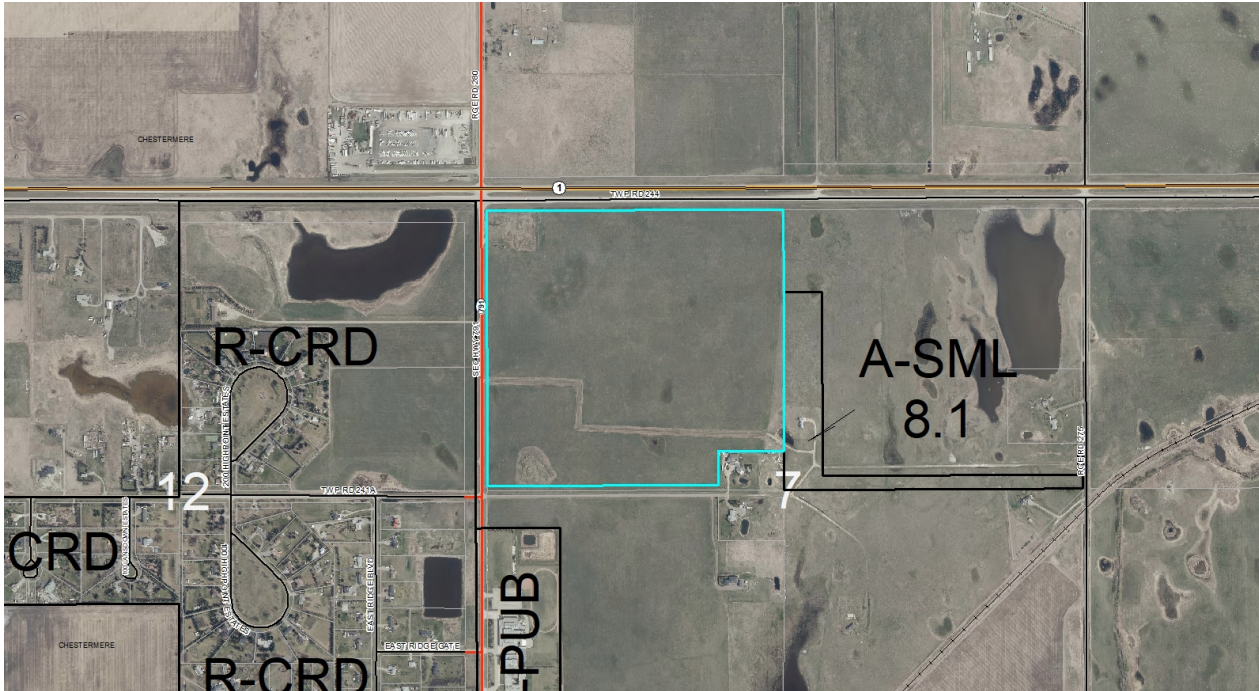
- Option #1: THAT Development Permit Application PRDP20211905 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211905 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

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**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.

<b>APPLICABLE POLICY AND REGULATIONS:</b> <ul style="list-style-type: none"> <li>• <i>Municipal Government Act;</i></li> <li>• Land Use Bylaw C-8000-2020.</li> <li>• City of Chestermere Notification Zone</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> No technical reports submitted
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Stripping, Grading, Excavation, and Fill</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

Additional Review Considerations

Site stripping and grading are considered discretionary in all land use districts, as per Section 157 of Land Use Bylaw C-8000-2020.

The proposal requires a new approach off Hwy 791. Alberta Transportation requires a roadside development permit for the new approach and stated that there are plans, from a June 2009 Functional Planning Study, for an interchange improvement at Hwy 1 and Hwy 791. If Alberta Transportation approves a new approach of Hwy 791, if/when the improvements to the Hwy 1 and Hwy 791 interchange are to occur, the Applicant may have to find an alternate access route to this parcel at that time. The Applicant has stated that they have no concern with removing the proposed approach at such a time of interchange construction.



**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

"Brock Beach"

"Kent Robinson"

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Acting Executive Director  
Community Development Services

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Acting Chief Administrative Officer

WVD/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 the single-lot regrading and placement of clean fill for the realignment of an access road may commence on the subject parcel, in general accordance with the submitted application and drawings.
  - i. Total approximate length of **100.00 m (328.08 ft.)**, width **10.00 m (32.81 ft.)**, and depth of **0.46 m (1.50 ft.)**.

**Permanent:**

2. That the Applicant/Owner, upon completion of the proposed development, shall submit and be accepted by the County, a Deep Fills Report, prepared by a qualified professional, for any areas of the site that fill is greater than 1.20 m (3.94 ft.).
3. 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 with the removal of any fill, the Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
4. That the fill shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal and shall be free of any contamination.
5. That any excavation and/or stockpile of topsoil shall be completed in a safe manner that does not cause any slope stability issues, slumping, erosion, or any adverse impacts to drainage.
6. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the County.
7. That the Applicant/Owner shall ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any adverse impacts on drainage and/or potential wetlands.
8. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
9. That the Applicant/Owner shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to the adjoining property owners and others in the vicinity.
  - i. That if at any time the removal or handling of the topsoil and/or fill creates a visible dust problem, the removal or handling of the topsoil and/or fill shall cease immediately until remedial measures are taken.
10. 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:**

11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
12. That the Applicant/Owner shall be aware of any registered instruments on title and shall obtain appropriate approval if any potential impacts from the proposed filling and grading.



13. That the Applicant/Owner shall implement appropriate erosion and sedimentation control measures during the construction of the proposed development in accordance with County servicing Standards.
14. 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]*.
15. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
  - i. That a copy of the required Roadside Development Permit, through Alberta Transportation, shall be submitted to the County, upon approval.

**ATTACHMENT 'B': MAPS AND OTHER INFORMATION**

<b>APPLICANT:</b> Crestar Management Ltd. (Feroz Bandali)	<b>OWNER:</b> Prairie Mountain Developments Inc.(Feroz Bandali)
<b>DATE APPLICATION RECEIVED:</b> April 21, 2021	<b>DATE DEEMED COMPLETE:</b> May 19, 2021
<b>GROSS AREA:</b> ± 57.68 hectares (± 142.54 acres)	<b>LEGAL DESCRIPTION:</b> NW-07-24-27-W04M
<b>APPEAL BOARD:</b> Subdivision & Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"><li>• PRDP20203527: installation of five (5) billboards.</li></ul>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>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.</p>	

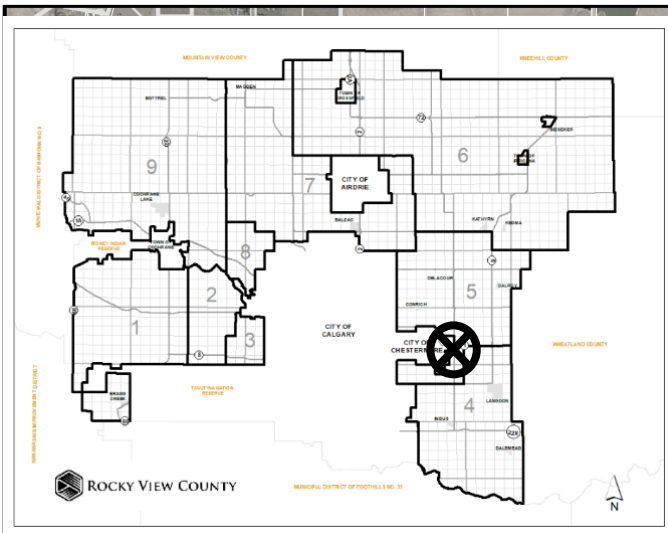




## Location & Context

### Development Proposal

Single-lot Regrading and  
the placement of clean fill

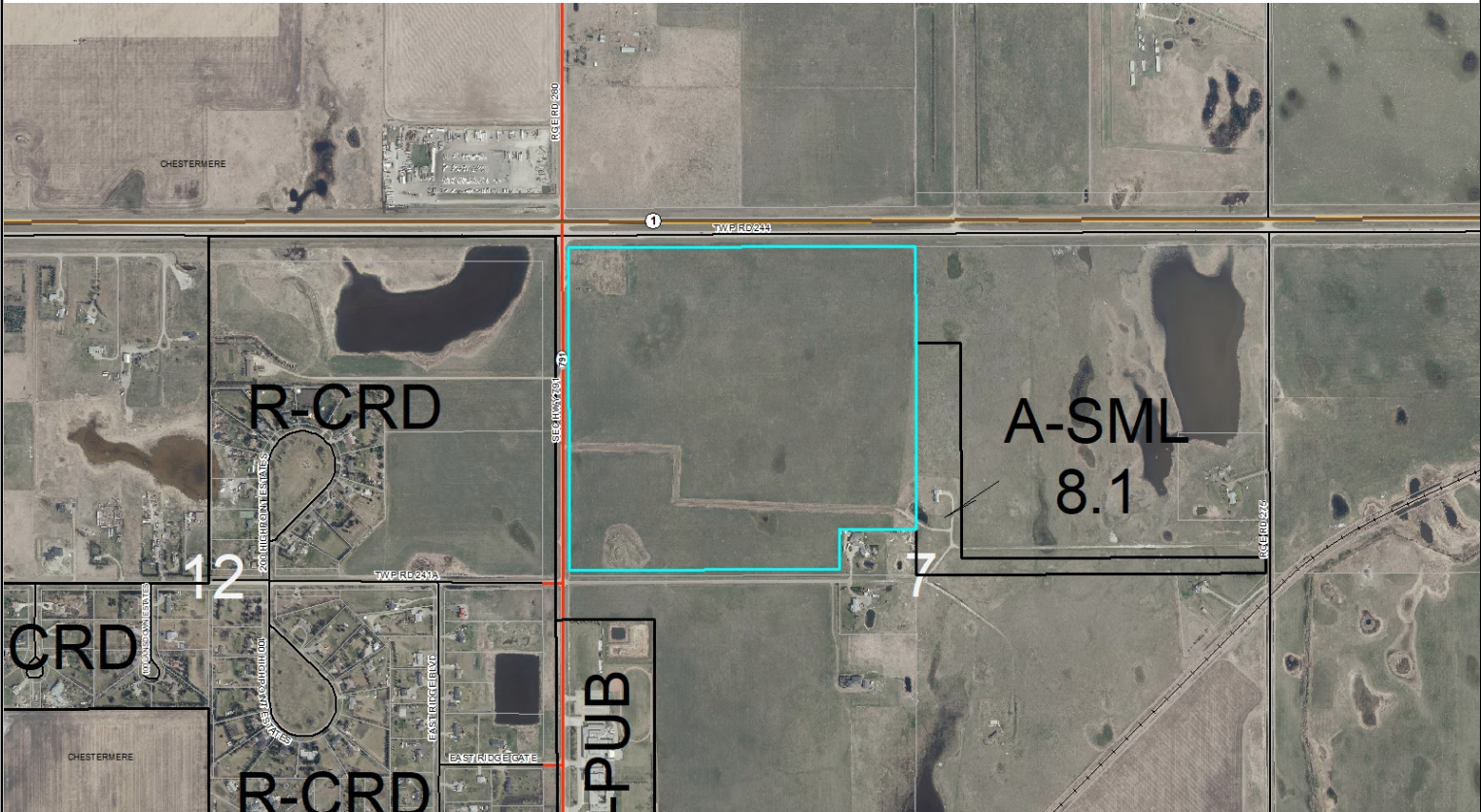


Division: 5  
 Roll: 04207003/007  
 File: PRDP20211905  
 Printed: May 20, 2021  
 Legal: A portion of NE/NW-  
 07-24-27-W04M



## Development Proposal

## Single-lot Regrading and the placement of clean fill



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07-24-27-W04M







## Site Plan

Development Proposal

Single-lot Regrading and  
the placement of clean fill

Doc: Sign Envelope ID: 4888F268-ED29-4CA4-A368-25768621301D

PRDP20211905 aerial  
image - Feroz Bandali

Red line=proposed road

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## Site Photos

### Development Proposal

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**Site Photos**  
**(existing access—  
to be removed)**

**Development Proposal**

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