

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission

DATE: December 10, 2020

DIVISION: 5

APPLICATION: PRDP20203516

SUBJECT: Development Item – *Stripping and Grading*

APPLICATION: single-lot regrading and placement of clean fill, for a gravel driveway

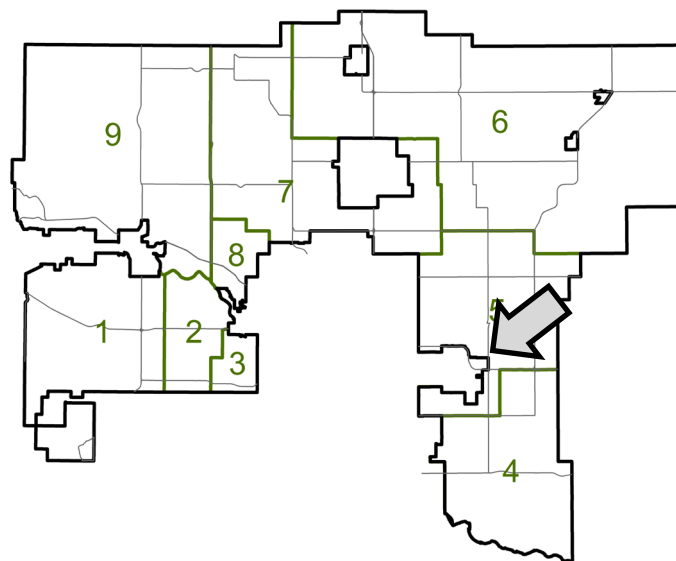
GENERAL LOCATION: Located approximately 0.81 km (1/2 mile) south of Highway 1 and 0.81 km (1/2 mile) east of Highway 79.1

LAND USE DESIGNATION: Agricultural, General District (A-GEN) within the Land Use Bylaw C-8000-2020

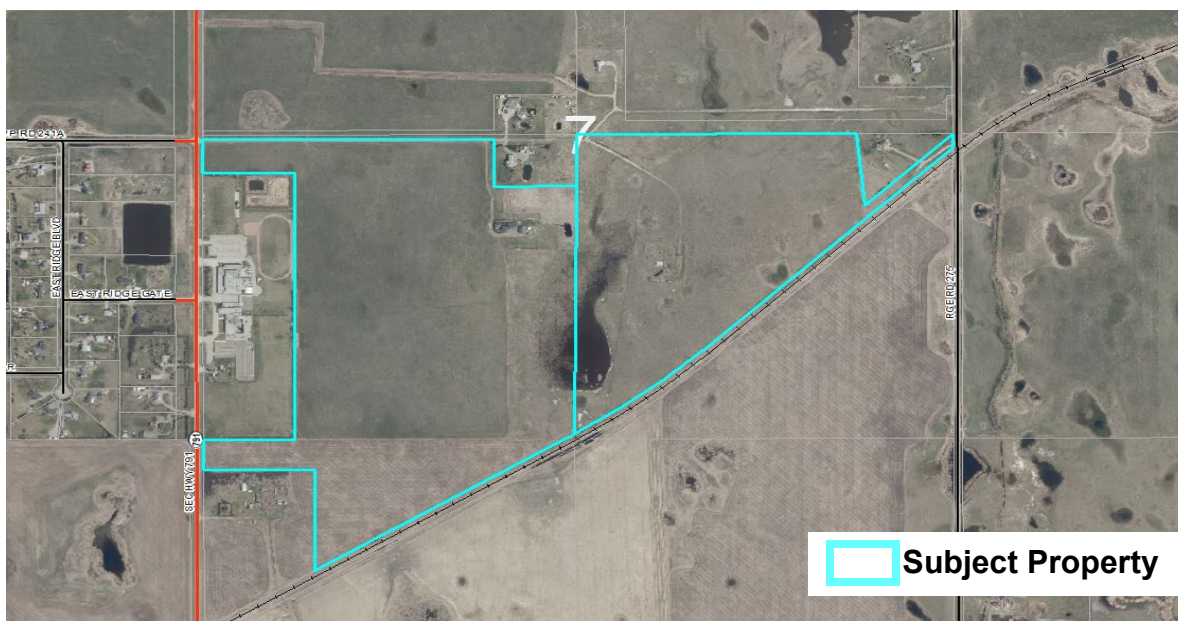
ADMINISTRATION RECOMMENDATION: Administration recommends Approval in accordance with Option #1.

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203516 be approved with the suggested conditions noted in the staff report.
- Option #2: THAT Development Permit Application PRDP20203516 be refused as per the reasons noted.



AIR PHOTO & DEVELOPMENT CONTEXT



Administration Resources

Xin Deng, Planning and Development Services

DEVELOPMENT PERMIT REPORT

Application Date: November 2, 2020	File: 04207002 / 04207008
Application: PRDP20203516	Applicant: Feroz Bandali Owner: Glenvista Estates Inc. & Crescent Marketing Ltd.
Legal Description: Lot 3, Block 1, Plan 0811032, SW-07-24-27-W04M & SE-07-24-27-W04M	General Location: Located approximately 0.81 km (1/2 mile) south of Highway 1 and 0.81 km (1/2 mile) east of Highway 791
Land Use Designation: Agricultural, General District (A-GEN) under Land Use Bylaw C-8000-2020.	Gross Area: ± 91.26 hectares (± 225.5 acres) (combined)
File Manager: Xin Deng	Division: 5

PROPOSAL:

The proposal is for single-lot regrading and placement of clean fill, in order to construct a private driveway.

- The subject land (04207002) contains a dwelling and an accessory building. The property is accessed through the existing shared driveway with an approach off Highway 791.
- The Applicant is seeking an alternative route to access the subject land. The applicant proposes to extend another driveway from the adjacent land he owns (04207008) to reach the subject land (04207002).
- The Applicant indicated that the extension of the driveway will be about 200.00 m (6.56 ft.) long and 7.00 m (22.93 ft.) wide. It will be a gravel surface which matches the existing driveway.
- It is anticipated that approximately 210 cubic meter of material to be brought to the property, approximately 20 truckloads.

LAND USE BYLAW (C-8000-2020):

92 A Development Permit is not required for driveways, so long as it does not impact existing site grades.

273 Site stripping, filling, excavation, grading, and/or re-contouring (including construction of an artificial waterbody, but not a dugout) requires a Development Permit.

- The proposed construction of a driveway would result in grading change, with elevated road surface and ditches on both sides. Therefore, a Development Permit is required.

Additional Information:

Development Permit History:

- There is no history for the Development Permit on both lands.

**Building Permit Applications:**

04207002:

- 2004-BP-17870 Building Permit for “single detached dwelling” was issued on November 9, 2004.
- 2004-BP-17871 Building Permit for “Accessory Building” was issued on October 21, 2004.

04207008:

- 1999-BP-13465 Building Permit for “single detached dwelling” was issued on December 21, 1999.

STATUTORY PLANS:

The subject land does not fall within any Area Structure Plan. The application was primarily evaluated in accordance with the Land Use Bylaw. The property falls under the City of Chestermere Notification Area.

INSPECTOR’S COMMENTS:

- The dwelling is accessed through the existing shared driveway.
- The site is gently flate with a couple of lower areas.

CIRCULATIONS:Development Compliance, Rocky View County:

- No concerns.

Operations Division, Rocky View County:

- No responses were received:

Planning and Development Services – Engineering Review, Rocky View County:**General:**

- The review of this file is based upon the application submitted. These conditions/recommendations may be subjected to change to ensure best practices and procedures.

Geotechnical:

- As per GIS review, steep slopes are not observed on the subject lands. As per the applicant, fill heights for the installation of the proposed driveway are not anticipated to exceed 1m.
- As a permanent condition, the applicant will be required to provide “Deep Fill” reports, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.

Transportation:

- Access to the parcel is provided via an approach and driveway from SEC HWY 791.
- Prior to issuance, the applicant is required to contact county road operations to confirm if a road use agreement is required for any hauling on or off the subject land for the proposed development.

Sanitary/Waste Water:

- Engineering has no requirements at this time.

Water Supply and Waterworks:

- Engineering has no requirements at this time.



Stormwater Management:

- Given the size of the subject land(s) and the scope of the development, engineering does not anticipate that the proposed development will result in a significant increase in imperviousness, therefore an SSIP is not required at this time.

Environmental:

- The proposed development does not appear to have a direct impact on any wetlands. Should the applicant propose development that has a direct impact on any wetlands, the applicant will be responsible for obtaining all required AEP approvals.

OPTIONS:

Option 1: (this would allow the development to proceed)

APPROVAL, subject to the following conditions:

Description:

1. That the single-lot regrading and placement of clean fill, in order to construct a private driveway, may commence on the site in general accordance with the approved application drawings, as prepared by JSR Consulting Ltd, Sheet: A; dated November 1, 2020 and information submitted with the application and includes:
 - i. approximately 1,400 sq. m (15,069.47 sq. ft.) in area, with approximately 210.00 cu. m of fill;

Prior to Issuance:

2. That prior to issuance 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:

3. That the Applicant/Owner shall submit Deep Fill reports, prepared and provided by a qualified professional, for any areas of the property filled, that exceed 1.20 m (3.93 ft.) in depth.
4. That upon completion of the development proposal, the proposed development graded area (as per the approved site plan), shall be spread and seeded to native vegetation, farm crop, or landscaped to the satisfaction of the County.
5. That the Applicant/Owner shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
6. That the Applicant/Owner shall take effective measures to control dust in the grading areas 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.
 - i. That if at any time the removal or handling of the topsoil creates a visible dust problem, the removal or handling of the topsoil shall cease immediately until remedial measures are taken.



7. That any topsoil hauled to or removed from the site, shall be hauled 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 Applicant/Owner shall take whatever means necessary to avoid the transfer of dirt onto public roadways.
8. 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.
9. That the entire site shall be maintained in a neat and orderly manner at all times to the satisfaction of the Development Officer.

Advisory:

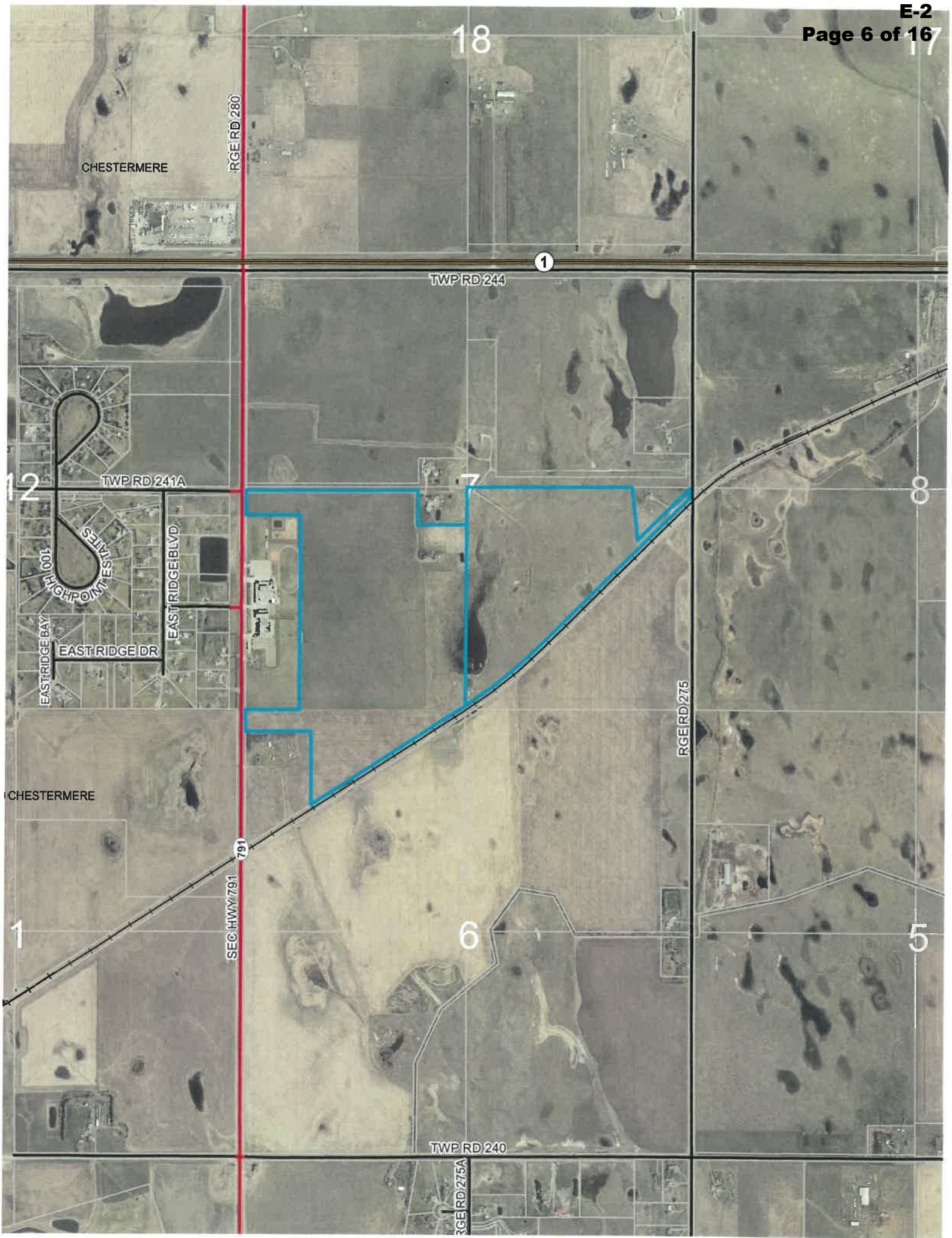
10. That the Applicant/Owner shall remain free of restricted and noxious weeds and be maintained in accordance with the Alberta Weed Control Act [*Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 15, 2017*].
11. That the *County's Noise Bylaw (C-5772-2003)* shall be adhered to at all times.
12. That any other government permits, including through Alberta Transportation, approvals, or compliances are the sole responsibility of the Applicant/Owner.
13. That all grading activities shall be completed within 12 months from date of permit issue.
14. That if this Development Permit is not issued by **June 30, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

Note: The Applicant/Owner shall be responsible for all Alberta Environment and Park (AEP) approvals for any impact to any wetland areas or for on-site stormwater Infrastructure

Option #2: (this would not allow the development to proceed)

REFUSAL, 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.







ROCKY VIEW COUNTY

DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	2020 3516
ROLL NO.	04207002, 09207008
RENEWAL OF	
FEES PAID	\$465.00
DATE OF RECEIPT	Nov 2, 2020

APPLICANT/OWNER

Applicant Name: - GLEN VIEW ESTATES INC
- CRESCENT MARKETING LIMITED

Business/Organization Name (if applicable):

Landowner Name(s) per title (if not the Applicant): GLEN VIEW ESTATES INC

Business/Organization Name (if applicable):

LEGAL LAND DESCRIPTION - Subject site

All/part of: SE ¼ Section: 7 Township: 24 Range: 27 West of: 4 Meridian Division:

All parts of Lot(s)/Unit(s): Block: Plan: Parcel Size (ac/ha):

Municipal Address:

Land Use District:

APPLICATION FOR - List use and scope of work

STRIPPING & GRADING OF TEMPORARY ROAD ACCESS

Variance Rationale included: ☐ YES ☐ NO ☐ N/A

DP Checklist Included: ☐ YES ☐ NO

SITE INFORMATION

- a. Oil or gas wells present on or within 100 metres of the subject property(s) ☐ YES ☒ NO
- b. Parcel within 1.5 kilometres of a sour gas facility (well, pipeline or plant) ☐ YES ☒ NO
- c. Abandoned oil or gas well or pipeline present on the property ☐ YES ☒ NO
(Well Map Viewer: <https://extmapviewer.aer.ca/AERAbandonedWells/Index.html>)
- d. Subject site has direct access to a developed Municipal Road (accessible public roadway) ☐ YES ☒ NO

AUTHORIZATION

I, FERD M. BANDALI (Full name in Block Capitals), hereby certify (initial below):

That I am the registered owner OR ☒ That I am authorized to act on the owner's behalf.

☒ That the information given on this form and related documents, is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this application.

☒ That I provide consent to the public release and disclosure of all information, including supporting documentation, submitted/contained within this application as part of the review process. I acknowledge that the information is collected in accordance with s.33(c) of the Freedom of Information and Protection of Privacy Act.

☒ Right of Entry: I authorize/acknowledge that Rocky View County may enter the above parcel(s) of land for purposes of investigation and enforcement related to this application in accordance with Section 542 of the Municipal Government Act.

Applicant Signature

Date

Landowner Signature

Date



STRIPPING, GRADING, EXCAVATION AND/OR FILL INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	
ROLL NO.	
DISTRICT	

DETAILS		APPLICATION FOR:
Total area of work	1 ACRE (ac / m ²)	<input checked="" type="checkbox"/> Site Stripping <input type="checkbox"/> Fill <input checked="" type="checkbox"/> Grading <input type="checkbox"/> Re-contouring <input type="checkbox"/> Excavation (cut-to-fill) <input type="checkbox"/> Excavation (borrow areas) <input type="checkbox"/> Construction of artificial waterbody (not including dugouts) <input type="checkbox"/> Stockpiling <input type="checkbox"/> Other:
Length	200m (m / ft.)	
Width	7m (m / ft.)	
Height	(m / ft.)	
Volume	(m ³ / ft ³)	
Number of truckloads (approx.)		
Slope factor (if applicable)		

DESCRIPTION OF WORK

Describe the purpose and intent of the work proposed (include cover letter for detailed description):
OBTAIN ACCESS TO ACCEPTABLE MUNICIPAL STANDARD AS PER ATTACHED ENGINEER CONSULTANTS DRAWING, ATTACHED

Indicate the timing/duration of work (which shall not coincide with bird nesting seasons, as determined):
BY SPRING 2021

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, other waterbodies etc.) if applicable:
ROAD ACCESS WILL BE TO MUNICIPAL STANDARDS PROVIDING DRAINAGE ON SIDES CONNECTING TO EXISTING DRAINAGE

Confirm if proposed fill contains any rubble or hazardous substances:
NO, BUT GRAVEL TO BE PACKED TO STANDARD

ADDITIONAL REQUIREMENTS, in addition to DP Checklist - General requirements

The following must be included with the application (select if provided):

- ☐ Pre-development and Post-development grading plans
- ☐ Other documents: Stormwater Management Plan, Fill Management Plan, Soil Quality Report may be required
- ☐ **Cover letter shall address ALL of the following:**
 - Soil-handling plan depicting movement of fill on the site and confirmation that soil will be transported when it is in a favourable condition (include this information on the Site/Grading Plan as necessary)
 - Traffic control plan
 - Weed Management Plan
 - Costs (anticipated) to reclaim the site
 - Methods to dust and erosion resulting from ongoing work

On the Site/Grading Plans:

- ☐ Dimensions and area(s) of excavation, fill, and/or grading
- ☐ Location of wetlands and watercourses and any ecologically sensitive features
- ☐ Location where the excavation, stripping, or grading is to be taking place
- ☐ Proposed access, haul routes, and haul activities

Applicant Signature M. Bandali

Date November 2, 2020



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0032 148 710 4;27;24;7;NE 071 186 109

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 27 TOWNSHIP 24
SECTION 7
QUARTER NORTH EAST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES MORE OR LESS
ROAD	5008HX	0.983	2.43
ROAD	694LK	3.07	7.58
SUBDIVISION	9311023	4.05	10.0
SUBDIVISION	0614731	8.17	20.19

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 061 523 708 +1

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
071 186 109	19/04/2007	TRANSFER OF LAND	\$1,235,000	\$1,235,000

OWNERS

GLEN PRAIRIE ESTATES INC.
OF 23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L 2N2

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION		
NUMBER	DATE (D/M/Y)	PARTICULARS
931 084 857	20/04/1993	UTILITY RIGHT OF WAY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

071 186 109

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

931 109 680 17/05/1993 CAVEAT
RE : ACQUISITION OF LAND
CAVEATOR - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
911 - 32ND AVENUE N E
CALGARY
ALBERTA T2M4L6

931 214 775 01/09/1993 CAVEAT
RE : SEE CAVEAT
CAVEATOR - ARCHER GORDON WEBB

AGENT - RICHARD L CRAGG

061 523 656 19/12/2006 CAVEAT
RE : ACQUISITION OF LAND
CAVEATOR - HER MAJESTY THE QUEEN IN RIGHT OF
ALBERTA
AS REPRESENTED BY MINISTER OF INFRASTRUCTURE AND
TRANSPORTATION
ALBERTA TRANSPORTATION
REGIONAL SERVICES
2ND FLOOR, TWIN ATRIA BUILDING
4999 98 AVENUE
EDMONTON
ALBERTA T6B2X3

071 602 711 14/12/2007 MORTGAGE
MORTGAGEE - BAHARI INVESTMENTS INC.
23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L2N2
ORIGINAL PRINCIPAL AMOUNT: \$1,861,000

181 100 181 16/05/2018 CAVEAT
RE : BENEFICIAL OWNER , ETC.
CAVEATOR - CRESCENT MARKETING LIMITED.
C/O GLEN PRAIRIE ESTATES INC
23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L2N2
AGENT - FEROZ BANDALI

TOTAL INSTRUMENTS: 006

(CONTINUED)

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 29 DAY OF
OCTOBER, 2020 AT 04:21 P.M.

ORDER NUMBER: 40412749

CUSTOMER FILE NUMBER: PL20200152



END OF CERTIFICATE

THIS ELECTRONICALLY TRANSMITTED LAND TITLES PRODUCT IS INTENDED
FOR THE SOLE USE OF THE ORIGINAL PURCHASER, AND NONE OTHER,
SUBJECT TO WHAT IS SET OUT IN THE PARAGRAPH BELOW.

THE ABOVE PROVISIONS DO NOT PROHIBIT THE ORIGINAL PURCHASER FROM
INCLUDING THIS UNMODIFIED PRODUCT IN ANY REPORT, OPINION,
APPRAISAL OR OTHER ADVICE PREPARED BY THE ORIGINAL PURCHASER AS
PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



LAND TITLE CERTIFICATE

S		
LINC	SHORT LEGAL	TITLE NUMBER
0026 383 687	4;27;24;7;SE	181 229 793

LEGAL DESCRIPTION

MERIDIAN 4 RANGE 27 TOWNSHIP 24
SECTION 7

THAT PORTION OF THE SOUTH EAST QUARTER WHICH LIES TO THE
NORTH WEST OF THE RAILWAY ON PLAN RW 67 CONTAINING 34.7 HECTARES
(85.86 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	ACRES (MORE OR LESS)
SUBDIVISION	9511056	2.02	5.00

EXCEPTING THEREOUT ALL MINES AND MINERALS
AND THE RIGHT TO WORK THE SAME

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 151 173 668

REGISTERED OWNER(S)				
REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION

181 229 793	26/10/2018	TRANSFER OF LAND	\$3,785,000	SEE INSTRUMENT

OWNERS

GLEN VIEW ESTATES INC.
OF 23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L 2N2
AS TO AN UNDIVIDED 37% INTEREST

CRESCENT MARKETING LIMITED.
OF 23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L 2N2
AS TO AN UNDIVIDED 63% INTEREST

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2

181 229 793

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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951 096 790	02/05/1995	EASEMENT OVER PORTION OF SE 7 - 24 - 27 - W4M FOR BENEFIT OF BLOCK 1, PLAN 9511056 (PORTION DESCRIBED)
951 213 581	20/09/1995	EASEMENT OVER AND FOR BENEFIT OF: SEE INSTRUMENT (PORTION AS DESCRIBED)
041 466 972	09/12/2004	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. PORTION AS DESCRIBED
071 049 410	30/01/2007	MORTGAGE MORTGAGEE - 1166988 ALBERTA LTD. 23 BEARSPAW MEADOWS COURT CALGARY ALBERTA T3L2N2 ORIGINAL PRINCIPAL AMOUNT: \$2,275,000
181 076 216	16/04/2018	EASEMENT OVER AND FOR THE BENEFIT OF: SEE INSTRUMENT PORTION DESCRIBED
201 072 338	16/04/2020	ORDER AFFECTS INSTRUMENT: 181076216 RE: EASEMENT 181 076 216 SEE ORDER
201 097 105	27/05/2020	WRIT CREDITOR - SILVANO DEBORTOLI CREDITOR - DEBORAH DEBORTOLI BOTH OF: C/O 207 1717 10 ST NW CALGARY ALBERTA T2M4S2 DEBTOR - CRESCENT MARKETING LIMITED. 23 BEARSPAW MEADOWS COURT CALGARY ALBERTA T3L2N2 COSTS ACTION NUMBER: 1901-02518
201 097 106	27/05/2020	WRIT CREDITOR - SILVANO DEBORTOLI CREDITOR - DEBORAH DEBORTOLI BOTH OF: C/O 207 1717 10 ST NW CALGARY ALBERTA T2M4S2

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 3

181 229 793

REGISTRATION

NUMBER	DATE (D/M/Y)	PARTICULARS
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DEBTOR - GLEN VIEW ESTATES INC.
23 BEARSPAW MEADOWS COURT
CALGARY
ALBERTA T3L2N2
COSTS
ACTION NUMBER: 1901-02518

TOTAL INSTRUMENTS: 008

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN
ACCURATE REPRODUCTION OF THE CERTIFICATE OF
TITLE REPRESENTED HEREIN THIS 4 DAY OF
NOVEMBER, 2020 AT 12:01 P.M.

ORDER NUMBER: 40447405

CUSTOMER FILE NUMBER: PRDP20203516



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PART OF THE ORIGINAL PURCHASER APPLYING PROFESSIONAL, CONSULTING
OR TECHNICAL EXPERTISE FOR THE BENEFIT OF CLIENT(S).



JSR CONSULTING LTD

212 C K G NE
 C , AB, T3J 3K6

SCALE: NOT TO SCALE



ALL DIMENSIONS SHOWN ARE IN METRES & SUBJECT TO
 CONFIRMATION IN THE FIELD AT THE LEGAL SURVEY STAGE

LEGEND

Subject Property ———
 Regional Pathway ———
 MR ———
 ER ———

TITLE:

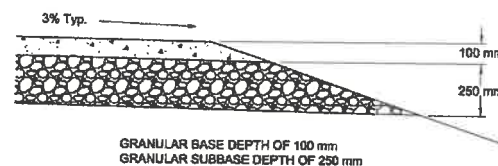
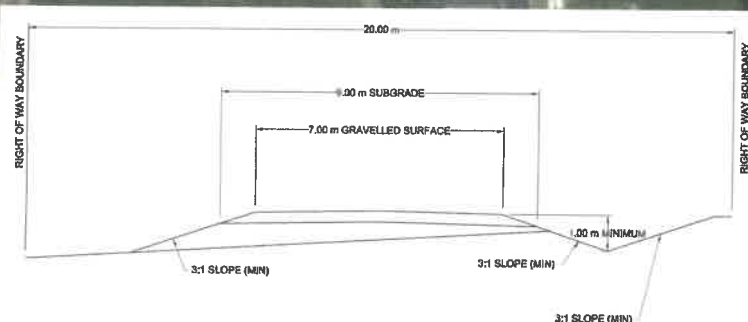
**GRAVEL
 DRIVEWAY
 ROAD PLAN**

CLIENT:

FEROZ BANDALI

LOCATION:

SEC 07-23-27-W4M



DATE:
11/01/20

SHEET:
A