

## PLANNING AND DEVELOPMENT SERVICES

**TO:** Municipal Planning Commission  
**DIVISION:** 5  
**SUBJECT:** Development Item: *Stripping and Grading*  
**USE:** Discretionary use, with no Variances

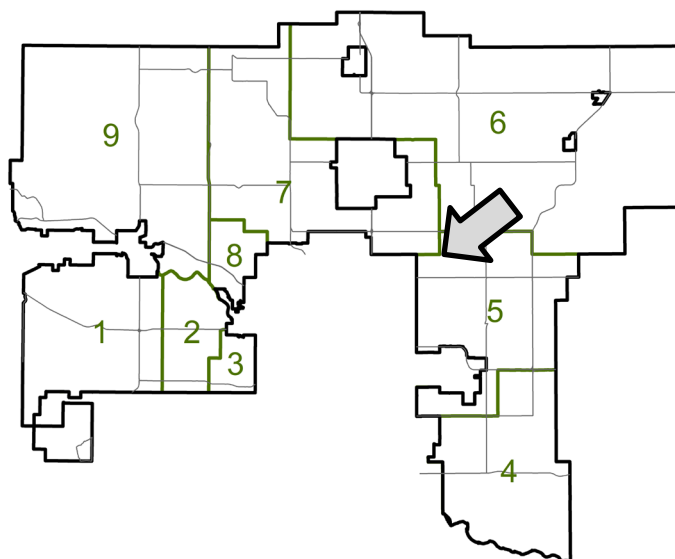
**DATE:** December 10, 2020  
**APPLICATION:** PRDP20203253

**APPLICATION:** Single-lot regrading, placement of clean fill and excavation, for a proposed road and future dwelling, single detached

**GENERAL LOCATION:** located approximately 1.21 km (3/4 mile) south of Twp. Rd. 260 and on the west side of Rge. Rd. 281

**LAND USE DESIGNATION:** Agricultural, Small Parcel District (A-SML) under Land Use Bylaw C-8000-2020

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



### OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203253 be approved with the conditions noted in the Development Permit Report, attached.
- Option #2: THAT Development Permit Application PRDP20203253 be refused as per the reasons noted.

### AIR PHOTO & DEVELOPMENT CONTEXT:



### Administration Resources

Bronwyn Culham - Planning and Development Services

## DEVELOPMENT PERMIT REPORT

<b>Application Date:</b> October 13, 2020	<b>File:</b> 05335027
<b>Application:</b> PRDP20203253	<b>Applicant/Owner:</b> Sandhu, Kulvir & Rajwant
<b>Legal Description:</b> Lot 4, Block , Plan 7410910, SE-35-25-28-04	<b>General Location:</b> located approximately 1.21 km (3/4 mile) south of Twp. Rd. 260 and on the west side of Rge. Rd. 281
<b>Land Use Designation:</b> Agricultural, Small Parcel District (A-SML) under Land Use Bylaw C-8000-2020	<b>Gross Area:</b> ± 19.94 acres (± 8.06 hectares)
<b>File Manager:</b> Bronwyn Culham	<b>Division:</b> 5

### PROPOSAL:

The proposal is for the single-lot regrading, excavation and placement of clean fill, for a proposed road and future dwelling, single detached.

Site stripping, grading, excavation, or fill is a discretionary use in all land use districts as per section 157 of the Land Use Bylaw.

Driveway construction is a permitted use within Table 2(i) if there is no impact to existing site grades. As the proposal is importing and excavating to level the grades of the site, this section is not applicable as the site grades are being altered.

The application is to level the existing grade by moving fill from the rear of the property and to place clean fill and pit run to create an even path to the rear of the property, to create a new road surface.

#### *Details:*

#### Proposed Filling – New Road Surface:

- Height Change: Not provided;
- Length: 1,468.04 ft. (447.46 m)
- Width: Not provided;
- Area: 48,793.25 sq. ft. (4,533.04 sq. m.)
- Volume: Not provided

#### Excavation Area:

- 48,901.50 sq. ft. (4,543.09 sq. m.)

### Property History:

#### Planning Applications, Development Permits:

- 2012-DP-15135 (single lot regrading, to an existing pond)
  - Expiry date to meet the Prior to Issuance conditions has been extended until May 31, 2014.
  - File closed extension not requested. - October 23, 2014

#### Building Permits

- PRBD20182007 (Farm Building – Horse Shelter); Closed – Complete: May 30, 2018
- PRBD20182008 (Farm Building - Detached wood used to store water tanks); May 30, 2018  
Closed - Complete
- 1990-BP-1947 (Garage); Occupancy Granted: Sep 17, 1990

#### **STATUTORY PLANS:**

The subject property does not fall under any Area Structure Plans or Conceptual Schemes. As such, the application was evaluated in accordance with the LUB.

#### **INSPECTOR'S COMMENTS:**

No inspection was completed at the time of report preparation.

#### **CIRCULATIONS:**

##### Alberta Environment and Parks

- No comments received.

##### Development Compliance Officer Review (November 09, 2020)

- Back in 2019 a complaint was filed against this property for bringing in gravel. At the time of inspection, it was determined that it was not significant enough to be in violation of the Land Use Bylaw and the case file was closed.

##### Agricultural and Environmental Services Review (November 09, 2020)

- The applicant must ensure compliance with the Alberta Weed Control Act and have a contractor available (or be personally prepared) to control any regulated weeds.

##### Planning and Development Services - Engineering Review (November 18, 2020)

#### **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:**

- The proposed application involves excavation for future dwelling and hauling in clean fill and pit run to build a road.
- As a permanent condition, the applicant will be required to provide compaction testing results, prepared and provided by a qualified professional, for any areas of the site filled greater than 1.2m in depth.
- Engineering has no requirements at this time.

#### **Transportation:**

- Access to the parcel is provided off Range Road 281.
- Prior to issuance, the applicant is required to contact County Road Operations to determine if a Road Use Agreement is required for hauling in fill materials to the subject land. Should a Road Use agreement be required by County's Road Operations Department, the applicant shall enter into a Road Use Agreement with the County in accordance with Road Use Agreement Bylaw C-8065-2020 and submit a copy of the executed agreement.



- As the proposed development is unlikely to increase traffic on local road networks, Traffic Impact Assessment and TOL are not required.

**Sanitary/Waste Water:**

- No information was provided.
- Engineering has no requirements at this time.

**Water Supply and Waterworks:**

- No information was provided.
- Engineering has no requirements at this time.

**Storm Water Management:**

- The proposed development involves backfilling depressed areas on site which may potentially be providing storage for stormwater. Also, based on a review of County's GIS system, the proposed development is likely to disturb a wetland on the south side of the lot.
- Prior to issuance, the applicant shall provide a stormwater memo, prepared by a qualified professional, confirming whether the proposed development involving new road and future dwelling conforms with the overall stormwater management strategy for the subject land and check if there are any stormwater implications due to proposed development. Should improvements be necessary, the applicant will be required to provide a site-specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with CSMI Stormwater Plan and County servicing standards.
- As a permanent condition, the applicant will be required to implement and maintain the approved stormwater management system in perpetuity.

**Environmental:**

- Based on a review of County's GIS system, wetlands are present on site. The location of a wetland on south side is such that it would impede construction of a future road.
- Prior to issuance, applicant shall provide a Wetland Assessment memo for the County identified wetland on the subject lot to check whether it is actually a wetland or not. If the wetland assessment memo confirms it to be a wetland, the memo will provide recommendations for wetland impact mitigation and applicant/owner will be required to obtain approval from AEP under the *Water Act* for the disturbance of onsite wetland prior to construction of future road.
- As an advisory condition, the applicant shall implement appropriate ESC measures during the construction of the proposed development in accordance with County's servicing standards.
- As a permanent condition, any Alberta environment approval for wetland disturbance is the sole responsibility of applicant/owner.

Operations Division Review

- No comments received.

**OPTIONS:**

Option #1: (this would allow the proposed development)

APPROVAL, for the following reasons:



**Description:**

1. That single-lot regrading, placement of clean fill and excavation, for a proposed road and future dwelling, single detached area shall be permitted in general accordance with the drawings submitted with the application, as amended through conditions.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit final details confirming the proposed height change, width and volume of the proposed filled area of the driveway and the height, length, width, and volume of the excavated area, to the satisfaction of the County.
3. 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 both components of this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
4. That prior to issuance of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming whether the proposed development involving the new road and future dwelling area conforms with the overall stormwater management strategy for the subject land and confirm if there are any stormwater implications due to proposed development.
  - i. Should improvements be necessary, the Applicant/Owner shall submit a site specific stormwater management report, prepared by a qualified professional, addressing the necessary improvements to be implemented on the subject land to support the proposed development in accordance with CSMI Stormwater Plan and County Servicing Standards.

**Site Completion:**

5. That upon completion of the proposed development and request of the County, the Applicant/Owner shall submit an as-built drawings, stamped by a professional engineer, confirming that the final grades align with the supporting technical submission approvals for the file.
6. That upon completion of the proposed development, the Applicant/Owner shall submit compaction test results that demonstrate that any areas of fill greater than 1.20 m (3.93 ft.) in depth.

**Permanent:**

7. That it shall be the responsibility of the Applicant/Owners to ensure that any fill placed onsite, has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
8. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
9. That the Applicant/Owners shall take effective measures to control dust on the parcel so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity.
10. 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 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 Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands or road infrastructure from drainage alteration.
12. That the subject land shall be maintained in a clean and tidy manner 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.
13. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Issuance or Occupancy condition shall be implemented and adhered to in perpetuity.

**Advisory:**

14. That the Applicant/Owner shall implement appropriate Erosion and Sediment Control measures during the development of the proposal in accordance with County's Servicing Standards.
15. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
16. 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*].
17. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
18. That if the development authorized by this Development Permit is not completed within 12 months of the date of issuance, the permit is deemed to be null and void.
19. 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 approvals/compensation if any wetland is impacted by the proposed development.***

Option 2: (this would not allow the proposed development)

REFUSAL, for the following reasons:

1. 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.



A-SML

35  
p8.1

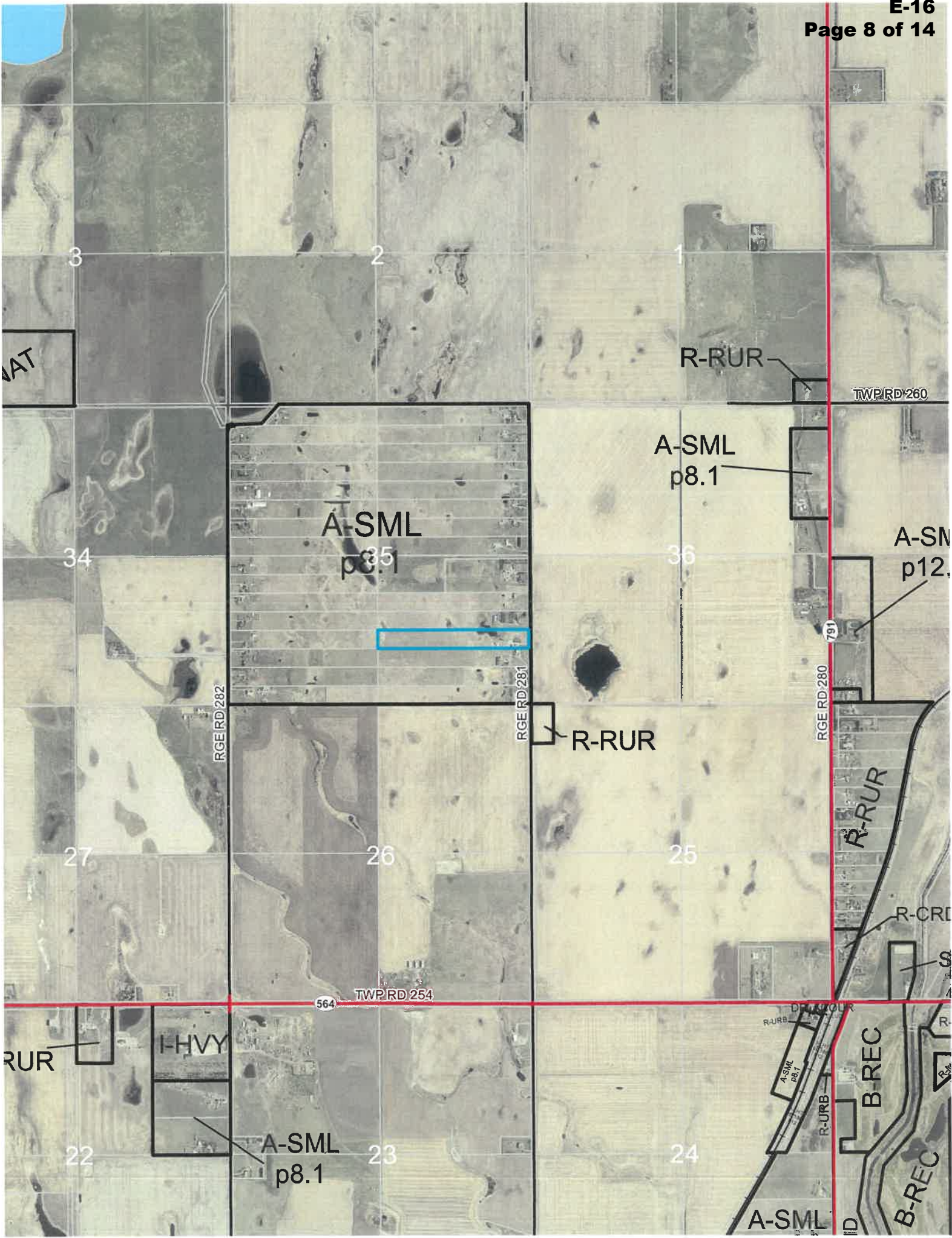


RSE RD 281

R-RU

26









ROCKY VIEW COUNTY

# DEVELOPMENT PERMIT APPLICATION

FOR OFFICE USE ONLY	
APPLICATION NO.	20203253
ROLL NO.	05335027
RENEWAL OF	
FEES PAID	\$450.00
DATE OF RECEIPT	OCT 22, 2020

## APPLICANT/OWNER

Applicant Name: KULVIR Singh Sandhu

Email:

Business/Organization Name (if applicable):

Landowner Name(s) per title (if not the Applicant): KULVIR Singh Sandhu

Business/Organization Name (if applicable):

## LEGAL LAND DESCRIPTION - Subject site

All/part of: ¼ Section: Township: Range: West of: Meridian Division:

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

Municipal Address: 255051 Range Road 281

Land Use District:

## APPLICATION FOR - List use and scope of work

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, Kulvir Singh Sandhu (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 22 sept 2020

Landowner Signature

Date 22 sept 2020



ROCKY VIEW COUNTY

# STRIPPING, GRADING, EXCAVATION AND/OR FILL INFORMATION SHEET

FOR OFFICE USE ONLY	
APPLICATION NO.	20203253
ROLL NO.	05335027
DISTRICT	A-SML

DETAILS		APPLICATION FOR:
Total area of work	1 acre (ac / m <sup>2</sup> )	<input 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	(m / ft.)	
Width	(m / ft.)	
Height	(m / ft.)	
Volume	(m <sup>3</sup> / ft <sup>3</sup> )	
Number of truckloads (approx.)	30 TRUCKS SPUK total 60	
Slope factor (if applicable)		

## DESCRIPTION OF WORK

Describe the purpose and intent of the work proposed (include cover letter for detailed description):

We are bringing Cleanfill and pit run to build a road and grading

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

Indicate the effect(s) on existing drainage patterns or environmentally sensitive areas (i.e. riparian, wetland, other waterbodies etc.) if applicable:

No

Confirm if proposed fill contains any rubble or hazardous substances:

No

## 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

Date

22 Sept 2020

RANGE ROAD LOT GRADING

255051 RANGE ROAD 281

SCOPE OF WORKS:

1. CREATION OF EVEN ACCESS PATH TO REAR OF PROPERTY TO ALLOW EASY VEHICULAR TRAVEL BY LEVELLING THE EXISTING GRADE MOVING SOIL FROM THE REAR OF THE PROPERTY TO FORM THE SMOOTH AND EVEN SURFACE.
2. THE PURPOSE OF THE ABOVE IS FOR A PROPOSED HOUSE ABOUT TO BE CONSTRUCTED ON THIS PROPERTY.



LAND TITLE CERTIFICATE

S  
LINC                      SHORT LEGAL  
0013 762 026          7410910;;4

TITLE NUMBER  
191 074 767

LEGAL DESCRIPTION  
PLAN 7410910  
LOT 4  
EXCEPTING THEREOUT ALL MINES AND MINERALS  
AND THE RIGHT TO WORK THE SAME  
AREA: 8.07 HECTARES (19.94 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE

MUNICIPALITY: ROCKY VIEW COUNTY

REFERENCE NUMBER: 181 128 548

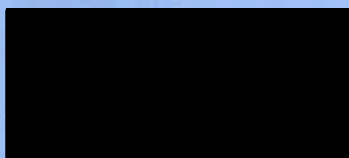
REGISTRATION	DATE (DMY)	REGISTERED OWNER(S) DOCUMENT TYPE	VALUE	CONSIDERATION
191 074 767	18/04/2019	TRANSFER OF LAND	\$640,000	\$640,000

OWNERS

KULVIR SANDHU

AND

RAJWANT SANDHU



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
7605AO		RESTRICTIVE COVENANT "SUBJECT TO THE RIGHTS AND RESERVATIONS CONTAINED IN TRANSFER"

( CONTINUED )



ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS	PAGE 2 # 191 074 767
1539LM	17/05/1972	UTILITY RIGHT OF WAY GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY LIMITED.	
5384LJ	09/08/1972	UTILITY RIGHT OF WAY GRANTEE - FORTISALBERTA INC. (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 021209442) (DATA UPDATED BY: CHANGE OF ADDRESS 091126018) (DATA UPDATED BY: TRANSFER OF UTILITY RIGHT OF WAY 191010141)	
741 098 438	24/10/1974	CAVEAT RE : DEFERRED RESERVE CAVEATOR - THE CALGARY REGIONAL PLANNING COMMISSION.	
191 074 768	18/04/2019	MORTGAGE MORTGAGEE - ATB FINANCIAL. 600 100 MARINA DR CHESTERMERE ALBERTA T1X0R9 ORIGINAL PRINCIPAL AMOUNT: \$640,000	

TOTAL INSTRUMENTS: 005

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN  
ACCURATE REPRODUCTION OF THE CERTIFICATE OF  
TITLE REPRESENTED HEREIN THIS 6 DAY OF  
OCTOBER, 2020 AT 12:49 P.M.

ORDER NUMBER: 40257352

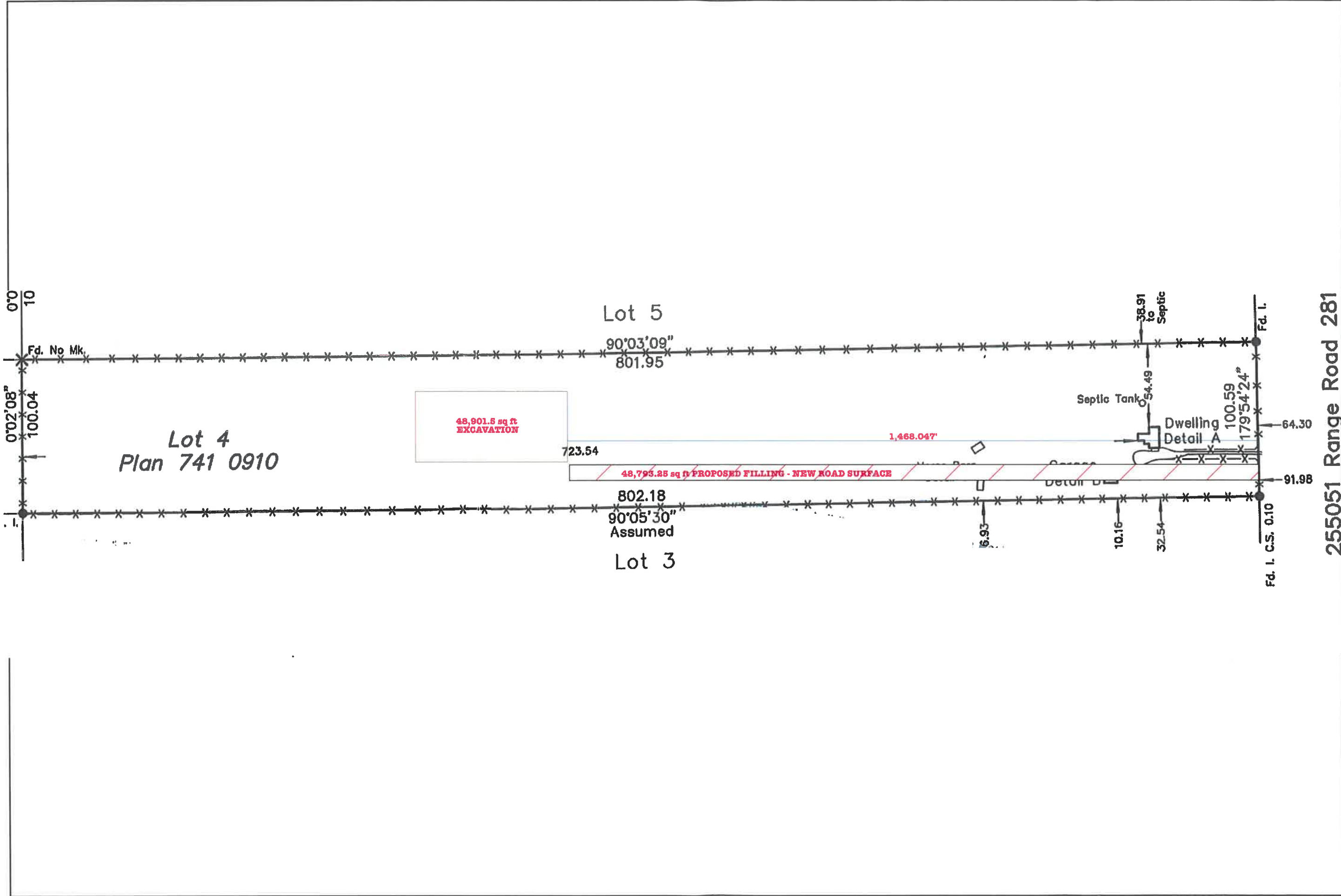
CUSTOMER FILE NUMBER: Walk in



\*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).



DO NOT SCALE DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO QAAD PRIOR TO COMMENCEMENT OF ANY WORK. THIS PLAN & DESIGN REMAIN THE EXCLUSIVE PROPERTY OF QAAD AND CANNOT BE USED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT.		Project Name - PRIVATE HALL		Date	2020-09-28
Drawing Name - Main Floor (2)		Site Address - RANGE ROAD ROCKY VIEW COUNTY ALBERTA		Scale:	1:2025.09
Project Status		Legal Address - ###		Project No.	2020 Q21
SITE GRADING		2020-09-28 • 4:19 AM /Users/qaadineac/Documents/PROJECTS/2020 Q-21 Temple Acreage/Plan Range Rd.pln		Dwg. No.	6D2