

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: January 13, 2020
FILE: 05333071
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

DIVISION: 5
APPLICATION: PRDP20203287

APPLICATION: Single-lot regrading and the placement of clean topsoil, for construction of a private dog track.

GENERAL LOCATION: Located approximately 0.41 km (1/4 mile) east of Rge. Rd. 284 and 0.20 km (1/8 mile) south of Twp. Rd. 260.

LAND USE DESIGNATION: Residential, Rural District (R-RUR) under Land Use Bylaw C-8000-2020.

EXECUTIVE SUMMARY: The application is consistent with the relevant policies of the Municipal Development Plan and the Land Use Bylaw. It is the interpretation of the Development Authority that the proposed development on the subject land, in conjunction with the conditions of approval, will not pose any impact to adjacent lands nor impact the enjoyment of value of neighbouring properties.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20203287 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203287 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.

AIR PHOTO & DEVELOPMENT CONTEXT:



Administration Resources

Christina Lombardo, Planning and Development Services

**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> • Subdivision and Development Regulations • Municipal Development Plan • Land Use Bylaw; and • County Servicing Standards 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • N/A
DISCRETIONARY USE: <ul style="list-style-type: none"> • Stripping and Grading is a discretionary use within the Land Use Bylaw 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

The proposal is for the single-lot regrading and placement of clean fill to accommodate a dog running or racing track.

- The Applicant has proposed to regrade a portion of the subject land, approximately ± 0.16 hectares (± 0.39 acres) in size. This area is to accommodate a dog racing track.
- It is anticipated approximately 1800.00 cubic meters of material will be brought on site. The applicant has noted this is approximately 60 pup and truckloads.
- The track is to be used by the owner only and notes three dogs will be brought on site, utilized seasonally.
- A small fence with tarping 0.91 m. (3.00 ft.) high, has been placed on either side of the track as screening from adjacent lands.

The subject land is located along Shore Drive, surrounded by predominately residential parcels and agricultural parcels to the north. The property is a bare parcel and no buildings are currently on the subject land.

This application is a result of an enforcement file with Development Compliance beginning in July 2019. The applicant has been placing fill on the property and regrading the rear portion of the site. It is estimated that at its highest point, approximately 2.44 m (8.00 ft.) of material has been added on the north west side of the property and that more than 100 truckloads have been brought on site.

CONCLUSION:

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



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Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

CL/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



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ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONSOption #1:

Approval, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean fill and topsoil shall be permitted in general accordance with the approved drawings and the conditions of this permit.

Prior to Issuance:

2. That prior to issuance of this permit, the Applicant/Owner shall submit a grading plan, conducted and stamped by a professional engineer, which provides pre-development and post-development grades, in accordance with County Servicing Standards.
 - i. That should there be any areas of fill that are greater than 1.20 m (3.93 ft.) in depth, the Applicant/Owner shall submit a Deep Fills report, conducted by a professional geotechnical engineer for all areas of fill greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
3. That prior to issuance of this permit, the Applicant/Owner shall submit a stormwater memo, prepared by a qualified professional, confirming 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 the County Servicing Standards.
4. That prior to issuance of this permit, the Applicant/Owner shall contact County Road Operations:
 - i. with approach details, for the constructed road approach.
 - ii. 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.
 1. Written confirmation shall be received from County Road Operations confirming the status of this condition. Any required agreement, inspection or permits shall be obtained unless otherwise noted by County Road Operations.

Permanent:

5. 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 condition shall be implemented and adhered to in perpetuity.
6. 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.



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7. That upon completion of the proposed development, the Applicant/Owner shall provide a Deep Fills Report, prepared by a qualified geotechnical professional, indicating the as-built cut and fill areas of the site, and providing compaction testing results of the graded areas.
8. That upon completion of the proposed development, the Applicant/Owners shall submit an as-built survey, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
9. 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 any County roads during hauling, shall be the responsibility and cost of the Applicant/Owner for clean-up.
10. That no topsoil shall be removed from the site.
11. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
12. 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.
13. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
14. 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.
15. That if this 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.
16. That once this Development Permit is issued, the proposed development of single-lot regrading and placement of clean fill/topsoil shall be completed within twelve (12) months of the date of issue.

Advisory:

17. 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*].
18. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
19. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



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ATTACHMENT 'B': MAPS AND OTHER INFORMATION

APPLICANT: Upkar Munhas & Gurpreet Mann	OWNER: Gurpreet Mann & Manjit Mann
DATE APPLICATION RECEIVED: October 15, 2020	DATE DEEMED COMPLETE: November 9, 2020
GROSS AREA: ± 1.62 hectares (± 4.00 acres)	LEGAL DESCRIPTION: NW-33-25-28-W4M
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: N/A	
PUBLIC & AGENCY SUBMISSIONS: The application was also circulated to a number of internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

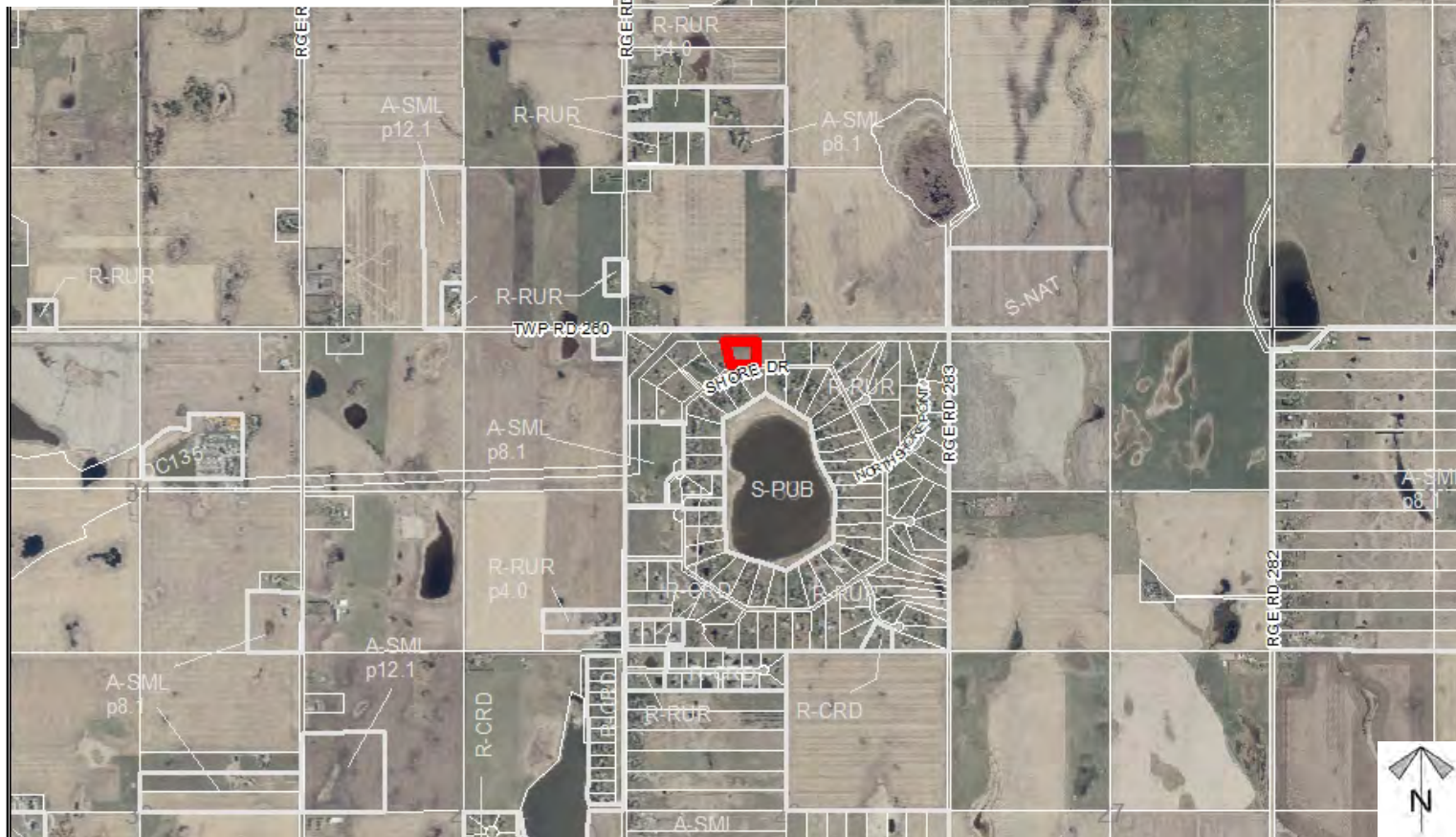
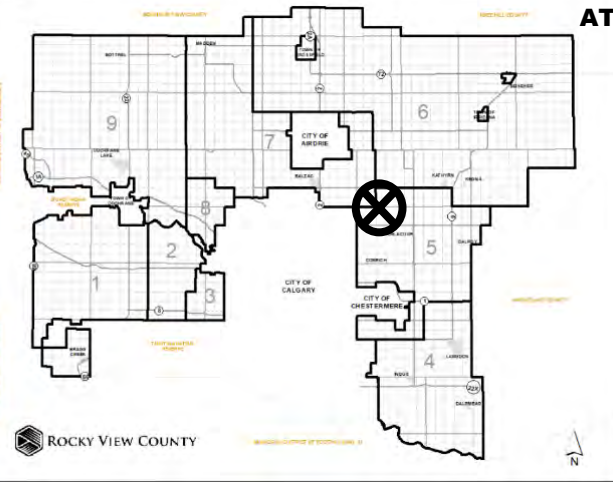


Location & Context

Development Proposal

Single-lot regrading and the placement of clean topsoil, for construction of a private dog track

ATTACHMENT 'B': MAPS AND OTHER INFORMATION



Division: 5
 Roll: 05333071
 File: PRDP20203287
 Printed: December 10, 2020
 Legal: Lot:8 Block:2
 Plan:9913200; within NW-33-25-28-W04M



Inspection Photos
December, 2020





12 05 2020



21 06 2020



21 06 2020



19 08 2020



19 08 2020



19 08 2020