

Topic: Development Permit 12-D-368 to locate a dwelling and complete grading works

### Introduction:

1260582 Alberta Ltd. has applied to undertake site grading and locate a modular home on the property described as Plan 852 0616, Block 1, Lot 1, Eden Lake.

### Facts (Background Information):

The subject site is a 220 acre parcel that includes the waterbody known as Lake Eden. The site is governed by the Eden Lake Direct Control District Regulations and the underlying land use district is Country Residential. This site has historically been used for recreational purposes.

The Eden Lake Direct Control Regulations delegate decision making to the Development Authority, where there is a comprehensive plan for the site adopted by Council. As there is no such adopted plan, this application is coming to Council for decision.

In the spring of 2012, the Planning Department became aware that site grading activity and industrial storage were occurring on the Lake Eden property. Following a site inspection on July 5, 2012, a Stop Order was issued to cease all activity on the site.

On July 19, 2012, a development permit application was submitted requesting approval for the following:

1. Site grading activity;
2. Locate a permanent modular home on the site;
3. Operate a home based business from the site.

On February 2, 2013, the applicant submitted a written request to withdraw the application to operate a home based business.

### Application to Locate a Dwelling

The applicant asserts that the application to locate a permanent residence on the site is needed to address ongoing problems with trespassers and vandalism. This application proposes to locate one permanent single detached dwelling in the form of a modular home on the site. The landowner intends to submit an application in the future for a second dwelling on the property.

Presently, there are four seasonal use cabins on the site. The applicant states they intend to occupy two of these cabins until such time as two permanent dwellings are located on the site. The other two cabins will be demolished in due course.

The landowner and their consultant have commenced the public consultation process to begin preparing an area structure plan to address future development on the site. As there is no formal plan proposed or drafted, it is unknown how the location of the proposed dwelling (and a future dwelling) will be integrated into the long term plans for the re-development of this site.

### **Application for Site Grading**

The applicant states that the proposed grading is partly necessary to create an equipment staging site for the clean-up and future re-development of the site.

To support their application for site grading, the applicant has submitted professional grading plans and an Erosion & Sedimentation Control Plan. These plans have been reviewed by Parkland County Engineering Services as well as Alberta Environment. It is recognized that the grading proposed is a temporary measure. The future re-development of the site will require an extensive review of site grading and drainage. No concerns have been expressed with the proposed plans and control measures.

### **Current Status of the Site**

A Stop Order was issued on July 5, 2012, for the unauthorized grading and industrial storage. The land owner continues to use this property for industrial storage and remains in breach of the Land Use Bylaw. Materials and equipment stored on site include:

- Semi tractor trucks and trailers;
- Dozers, grader, trailer dumps, packers, hoes, disc;
- Span bridges
- Walking bridges
- Wood forms
- Barge
- Culverts
- Atco trailers
- Various garbage and debris

Administration recommends that if Council favours approving this development permit, a condition of development permit approval should require the site to be cleared of all industrial storage prior to issuance of a building permit for the dwelling.

#### **Alternatives:**

1. Council could approve Development Permit 12-D-368 with amended conditions of approval.
2. Council could table Development Permit 12-D-368 and request additional information.
3. Council could deny Development Permit 12-D-368.

#### **Conclusion/Summary:**

Administration supports this application, subject to the following conditions of approval:

1. Prior to any activity on site or issuance of a building permit, the site shall be cleared of all industrial storage of equipment and/or materials, to be confirmed by a site inspection of the Development Officer.
2. Silt and erosion control measures shall be implemented to the satisfaction of Parkland County Engineering Services and conform to the approved grading plans and Erosion & Sedimentation Control Plan.
3. The applicant shall ensure any and all provincial permits and/or licenses are obtained, which shall include but not be limited to Alberta Environment and if required approval under the Water Act and Alberta Transportation.
4. The exterior of the single detached dwelling shall be finished in the manner shown on the submitted drawings.
5. The proposed development shall be sited, oriented and conform to all building setbacks as shown on the submitted site plan and shall not be moved or enlarged except where authorized or directed through this permit approval.
6. Prior to construction or commencement of any development, the applicant is responsible to obtain building, electric, plumbing and gas permits required. Permits must be obtained from Parkland County.
7. All development shall be graded and landscaped in a manner to prevent any surface run-off onto adjacent properties, as shown on the submitted documentation.
8. The applicant shall remove all garbage and waste at his/her own expense and keep the site in a neat and orderly manner.
9. Any changes or additions to this permit shall require a new development permit application.
10. Failure to comply with the conditions of this permit may result in the permit being cancelled, suspended or modified.

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