

**PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 1

**DATE:** May 12, 2021  
**APPLICATION:** PRDP20211171

**FILE:** 05828008

**SUBJECT:** Single-lot Regrading / Discretionary Use, with no Variances

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**APPLICATION:** Application is for single-lot regrading and the placement of clean topsoil.

**GENERAL LOCATION:** Located approximately 1.21 km (3/4 mile) west of Hwy. 22 and on the north side of Towers Trail.

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

**EXECUTIVE SUMMARY:** The Applicant is proposing to place approximately 160,000.00m<sup>3</sup> (5,650,346.68 ft<sup>3</sup>) of clean topsoil on the subject parcel. The proposed soil placement is proposed to be placed over four (4) different areas of the 24.24 ha (59.90 acres) parcel, totalling approximately 5.90 hectares (14.58 acres) and to a maximum depth of approximately 4.90 m (16.08 ft.). The Applicant states the soil is originating from the adjacent La Vita Land Fireside Community in the Town of Cochrane. The Applicant states the soil is to expand existing saskatoon and cherry fruit orchards and to be utilised for future reclamation of disturbed areas, on the parcel, that are currently experiencing utility installation trench subsidence, soil admixing and weed issues.

**ADMINISTRATION RECOMMENDATION:** Administration recommends refusal in accordance with Option #2.

**OPTIONS:**

- Option #1: THAT Development Permit Application PRDP20211171 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20211171 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.

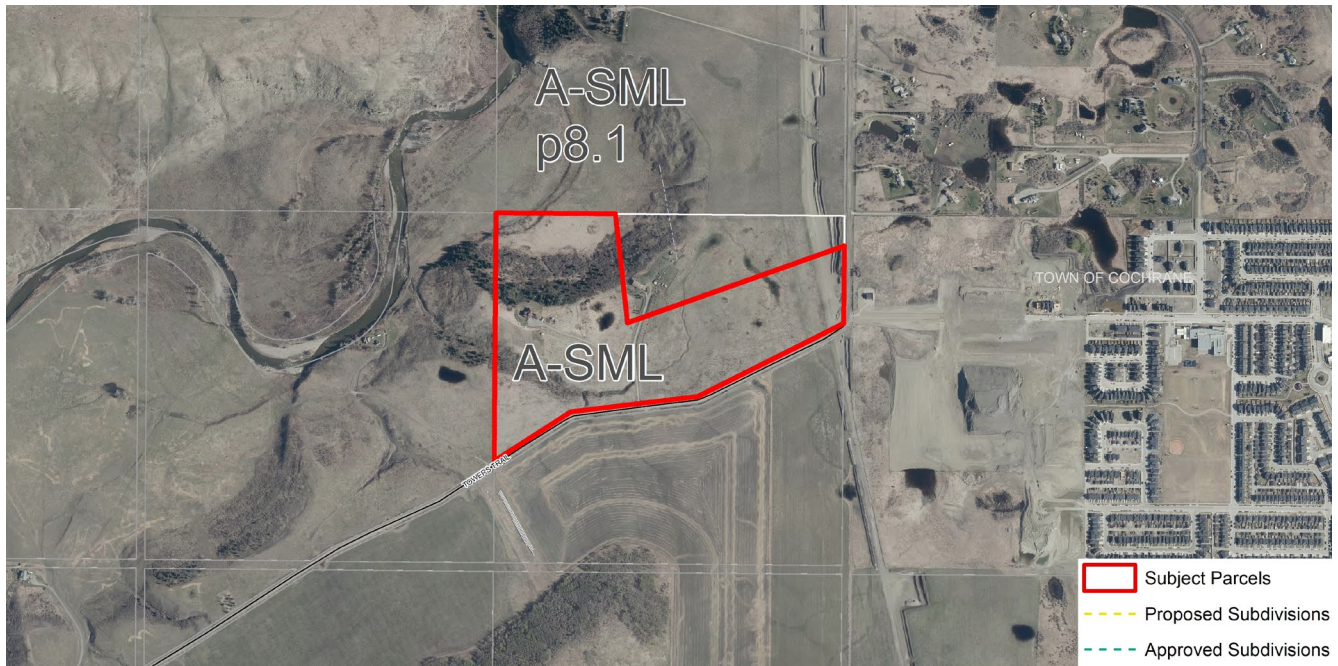
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**Administration Resources**

Wayne Van Dijk, Planning and Development



## AIR PHOTO & DEVELOPMENT CONTEXT:



## APPLICATION EVALUATION:

The application was evaluated based on the technical reports 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; and</li> <li>• Town of Cochrane Intermunicipal Development Plan</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Willow Ridge Geotechnical Assessment Report</li> <li>• Willow Ridge Ranch Soil Fill Environmental Screening Report</li> <li>• Phase I and II Environmental Site Assessment Report</li> </ul>
<b>DISCRETIONARY USE:</b> Stripping, Grading, Excavation and Fill is listed as Discretionary Use	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Municipal Planning Commission</li> </ul>

### Additional Review Considerations

The application was assessed in accordance the Sections 157 and 158 of the LUB, which requires that any Stripping, Grading, Filling or Excavation proposals require a Development Permit. The application appears to comply with the regulations. Similar proposals have shown that this amount of topsoil is not conducive to farming and that the placement of such large volumes has the potential to sterilize lands from future development.

The Applicant has submitted supporting technical information that is currently under review at this time. As the technical information is under review, the proposed conditions of approval have included all technical requirements.

The Lands are located within the Intermunicipal Development Plan (IDP) area with the Town of Cochrane. The Town has replied and expressed concerns with dust mitigation, requirements for a Road



## ROCKY VIEW COUNTY

Use Permit and Traffic Safety Plan within their boundaries. Further, the Town had not expressed concern with the eastern access being utilized on a temporary basis but have concerns if it were to remain.

It is to be noted that all hauling activities are originating from the adjacent community of Fireside and are proposed to utilize a short portion of Towers Trail for hauling within the parcel boundaries. The proposed haul route will require a County Road Use Agreement on Towers Trail and has been included in the condition set.

The Applicant states that this activity and haul route will eliminate the approximately 5000 - 6000 truck trips through the Town of Cochrane to dispose of this soil that is originating from the adjacent community of Fireside. The soil is also proposed to reclaim an onsite utility corridor and the Applicant is currently working with the utility company for the necessary agreements to proceed.

### CONCLUSION:

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

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

WD/ltt

### ATTACHMENTS

ATTACHMENT 'A': Development Permit Report Conditions

ATTACHMENT 'B': Maps and Other Information



ROCKY VIEW COUNTY

**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 topsoil may commence on the subject parcel, in general accordance with the submitted application and drawings.
  - i. Total area of approximately 5.90 hectares (14.58 acres) and placement of approximately 160,000.00 m<sup>3</sup> (5,650,346.68 ft.<sup>3</sup>) to a depth of approximately 4.90 m (16.08 ft.).

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall submit a Letter of Credit or refundable security in accordance with County Policy C-407. The requirement shall be \$5000.00/disturbed acre of the development area.
3. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of Rocky View County ("the County") in accordance with the County's Servicing Standards, Section 1100. The Construction Management Plan shall:
  - i. Include a Weed Management Plan;
  - ii. Provide details regarding how dust mitigation will be provided onsite, along with a process for how any complaints will be handled;
  - iii. Provide details regarding the supply and use of water for dust suppression; and
  - iv. Provide construction notification sign design including proposed locations for the signs situated on the subject lands, identifying the Owner, Engineer, Contractor and contact information for local resident questions or concerns, in accordance with the County's Servicing Standards.
4. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill Report, conducted and stamped by a professional engineer, that provides recommendations on the placement of fill for areas where fill is greater than 1.20 m (3.93 ft.) in depth, in accordance with County Servicing Standards.
5. That prior to release of this permit, the Applicant/Owner shall submit a limited scope Stormwater Management Plan/Report for the subject lands prepared by a professional engineer, licensed by the Association of Professional Engineers and Geoscientists of Alberta (APEGA). The plan/report shall:
  - i. Evaluate possible impacts that the proposed site grading will have on adjacent lands and any on-site wetlands.
  - ii. Provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands and any on-site wetlands.
  - iii. Provide both pre and post-development site grading.
  - iv. Include an Erosion and Sedimentation Control Plan.
6. That prior to release of this permit, the Applicant/Owner shall submit a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality improvements achieved by the proposed addition of topsoil. The anticipated agricultural benefits must be identified.





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7. That prior to release of this permit, the Applicant/Owner shall submit a soil testing analysis, completed on the proposed topsoil, that includes where the topsoil originated from. The report and approval shall be to the satisfaction of the County. The soil analysis report will need to confirm that:
  - i. Texture is balanced and not over 40% clay; and
  - ii. Organic matter is a minimum of 3%, and equal to or greater than the organic matter of the soil on the application site; and
  - iii. SAR/EC rating is at least 'good'; and
  - iv. PH value is in the 'acceptable' range for crop growth.
8. That prior to release 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 the condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.

**Permanent:**

9. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
10. That the Applicant/Owner shall submit and be accepted by the County, compaction testing results verifying that the topsoil was placed in accordance with the Deep Fills Report.
11. That the topsoil shall not contain large concrete, large rocks, rebar, asphalt, building materials, or metal.
12. That the Applicant/Owner shall conduct a complete soil testing, by a qualified professional, at the destination location of the topsoil material, at a frequency of 1 test per 10,000 cu. m. (with standard processing times).
  - i. Texture is balanced and not over 40.00% clay;
  - ii. Organic matter is a minimum of 3.00%, and equal to or greater than the organic matter of the soil on the application site;
  - iii. SAR/EC rating is at least "good"; and
  - iv. PH value is in the "acceptable" range for crop growth.

The results shall be recorded and summarized to confirm compliance within the standards specified above. Once completed, the recorded results shall be submitted to the County, for review and acceptance. Should the results not be within tolerance of the standards specified above, the County reserves the right to suspend all hauling activities and not permit further material to be placed at the destination location.

13. That the Applicant/Owner shall ensure the topsoil 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.



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14. 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 adjoining property owners and others in the vicinity.
  - i. That if at any time the removal/placement of the fill creates a visible dust problem, the handling of the fill shall cease immediately until remedial measures are taken.
15. That the proposed development/graded area, as per the approved application, shall be spread and seeded to native vegetation or farm crop, to the satisfaction of the County, upon completion.
16. 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.
17. That if conditions of this permit are not satisfied, the County may draw upon the Letter of Credit or Refundable Security, once registered with the County, without recourse to the Applicant/Owner, to cover the costs in surface reclamation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
18. That the Applicant/Owner shall adhere to any regulations of any registered Utility Right-of-Way on title. Prior to any work commencing, the Applicant/Owner shall contact the appropriate Utility company and obtain approval as required.
19. That any plan, technical submission, agreement, or other matter submitted and approved as part of the Development Permit application, or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.
  - i. That if any future development occurs on the subject development graded area, the Applicant/Owner shall obtain any required approvals from the County, with the proper supporting technical documentation approved by the County, prior to commencement.

*Note: For future applications, unless otherwise conditioned, the Applicant/Owner shall register a Caveat on title, including a site plan attachment, stating that the identified area may be limited/restricted for future development, with the exception of minor agricultural pursuits.*
20. 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.
21. That if this Development Permit is not issued by **November 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

**Advisory:**

22. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
23. 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]*.



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24. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.
- i. That the Applicant/Owner shall be responsible for obtaining all required Alberta Environment And Parks (AEP) approvals should the proposed development have a direct impact on any wetlands.
  - ii. That the Applicant/Owner shall obtain any Road Use Agreement/Permit, as required, with the Town of Cochrane.



ROCKY VIEW COUNTY

## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Grant Chapman	<b>OWNER:</b> Grant Chapman
<b>DATE APPLICATION RECEIVED:</b> March 25, 2021	<b>DATE DEEMED COMPLETE:</b> April 7, 2021
<b>GROSS AREA:</b> ± 24.24 hectares (± 59.90 acres)	<b>LEGAL DESCRIPTION:</b> Lot: 2, Block: 1, Plan: 1811055, SE-28-25-04-W05M (254059 Towers Trail)
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> <ul style="list-style-type: none"> <li>• PRDP20210760: vacation rental for a dwelling, tiny</li> <li>• PRDP20210901: existing dwelling, tiny</li> <li>• PRDP20210917: accessory dwelling unit</li> <li>• PRDP20210918: vacation rental within the accessory dwelling unit</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>	



## Development Proposal

Single-lot Regrading,  
placement of clean fill

Division: 01  
Roll: 05828008  
File: PRDP20211171  
Printed: March 26, 2021  
Legal: Lot:2 Block:1  
Plan:1811055 within SE-28-  
25-04-W05M





## Aerial Imagery

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## WRR Chapman Haul Route



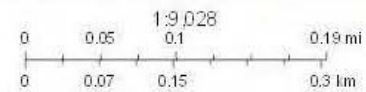
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2021 Assessment

Road Label

Highway Label

Parcels



Geomatics Department

The Town of Cochrane provides no warranty, nor accepts any liability arising from incorrect, incomplete or misleading information or its improper use. Each user of this map is responsible for determining its suitability for his or her intended use or purpose.

## Site Plan Haul Route

### Development Proposal

Single-lot Regrading,  
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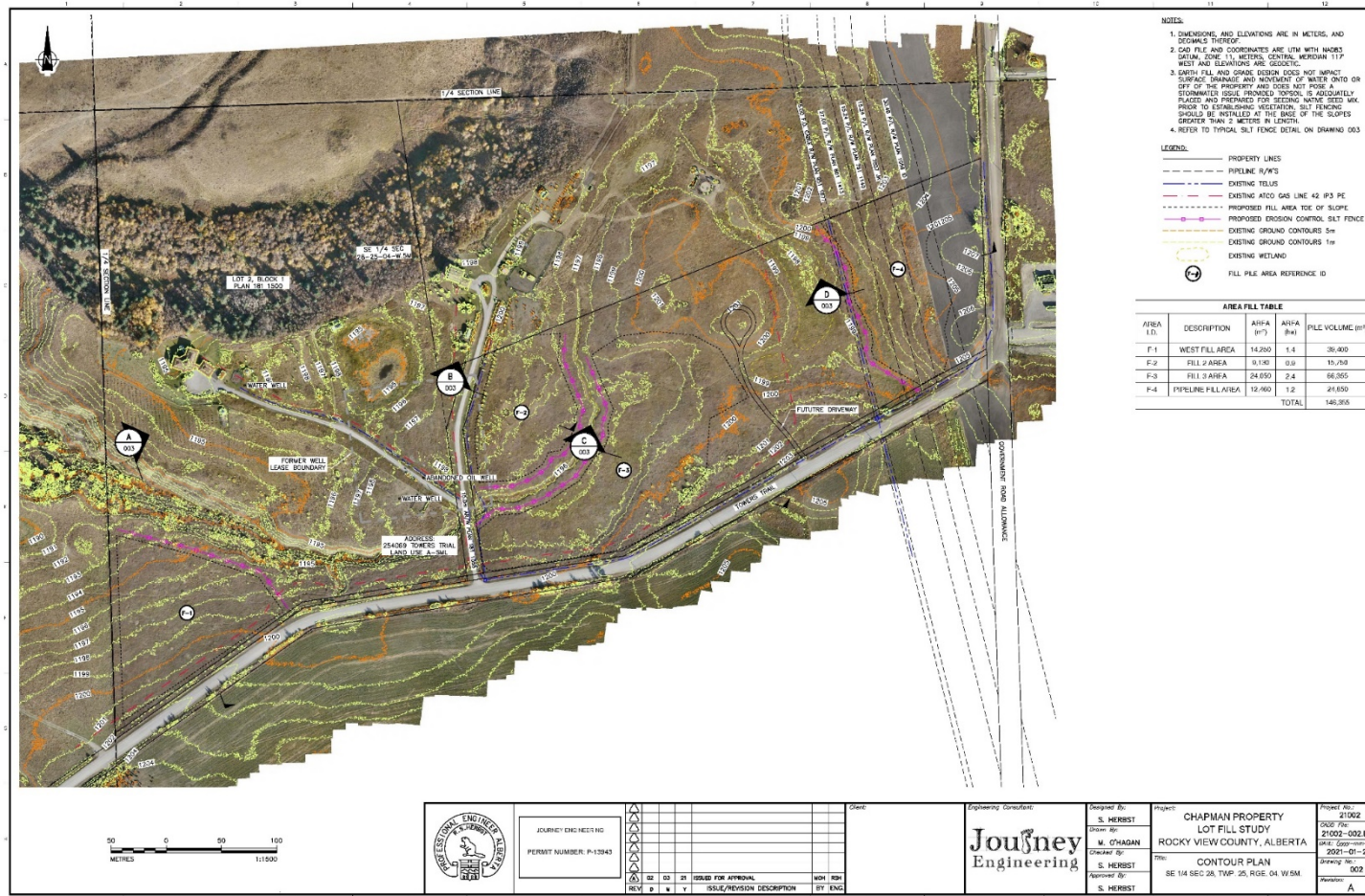
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# Site Plan

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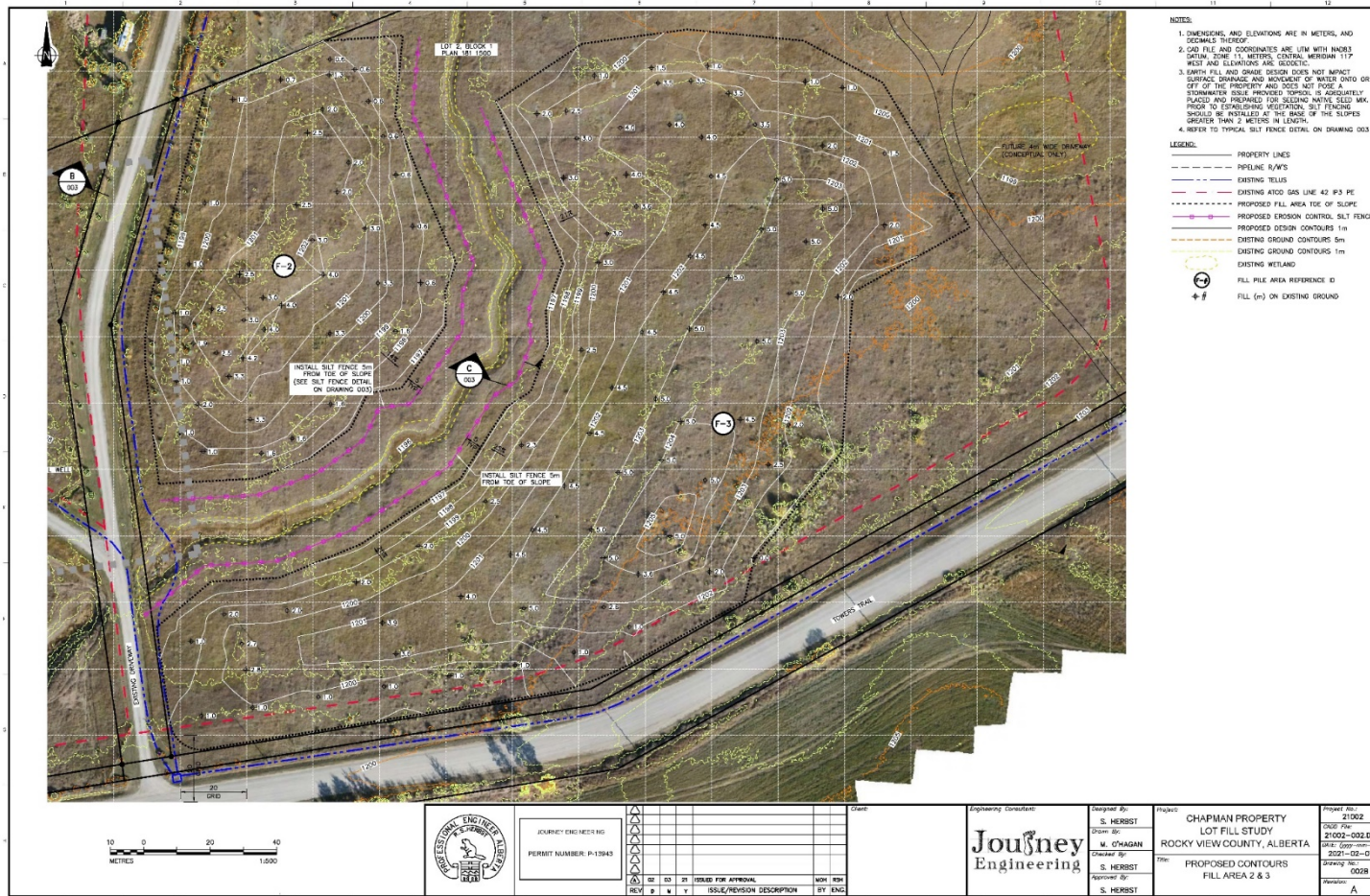
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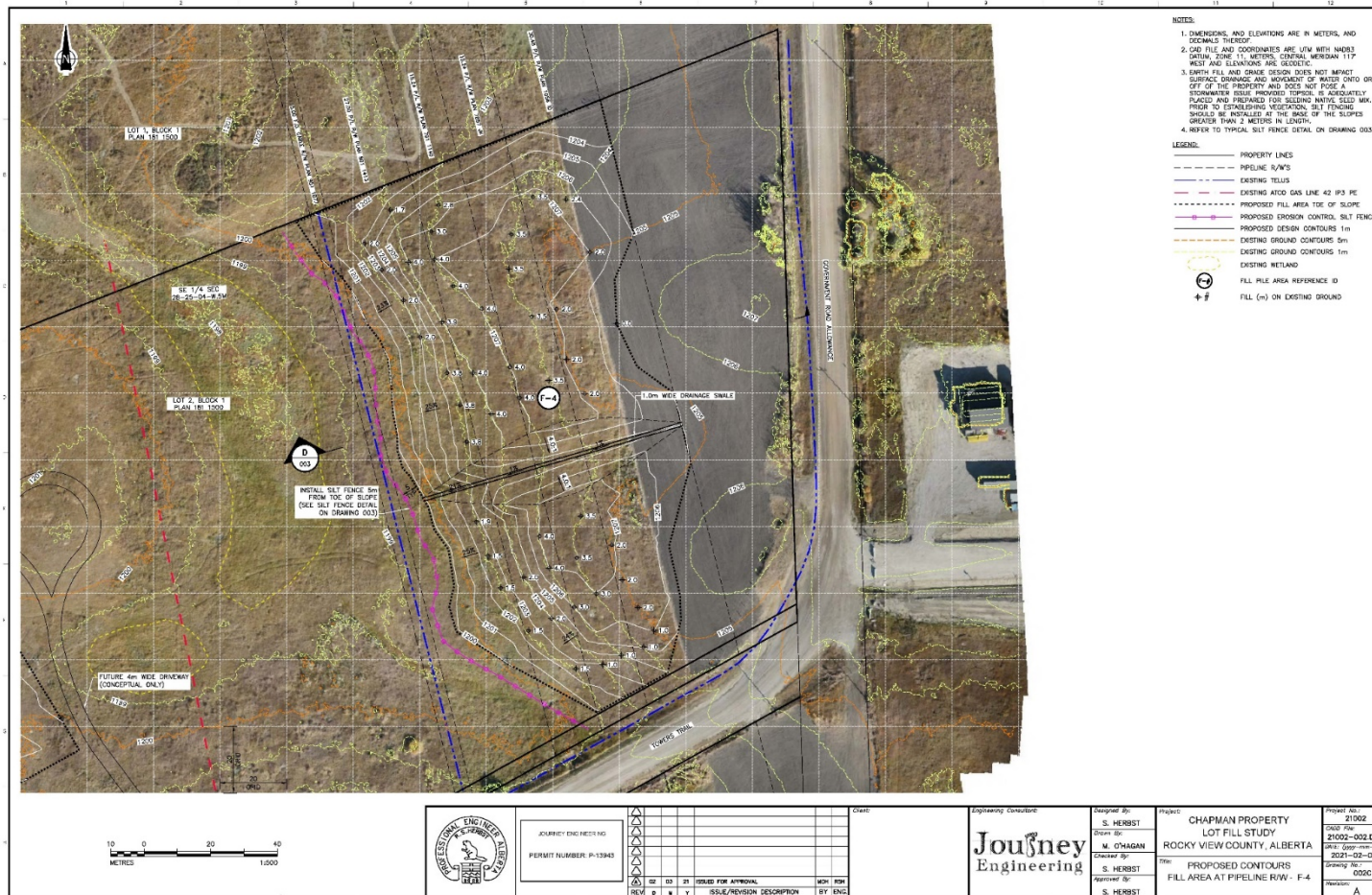
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## Site Plan

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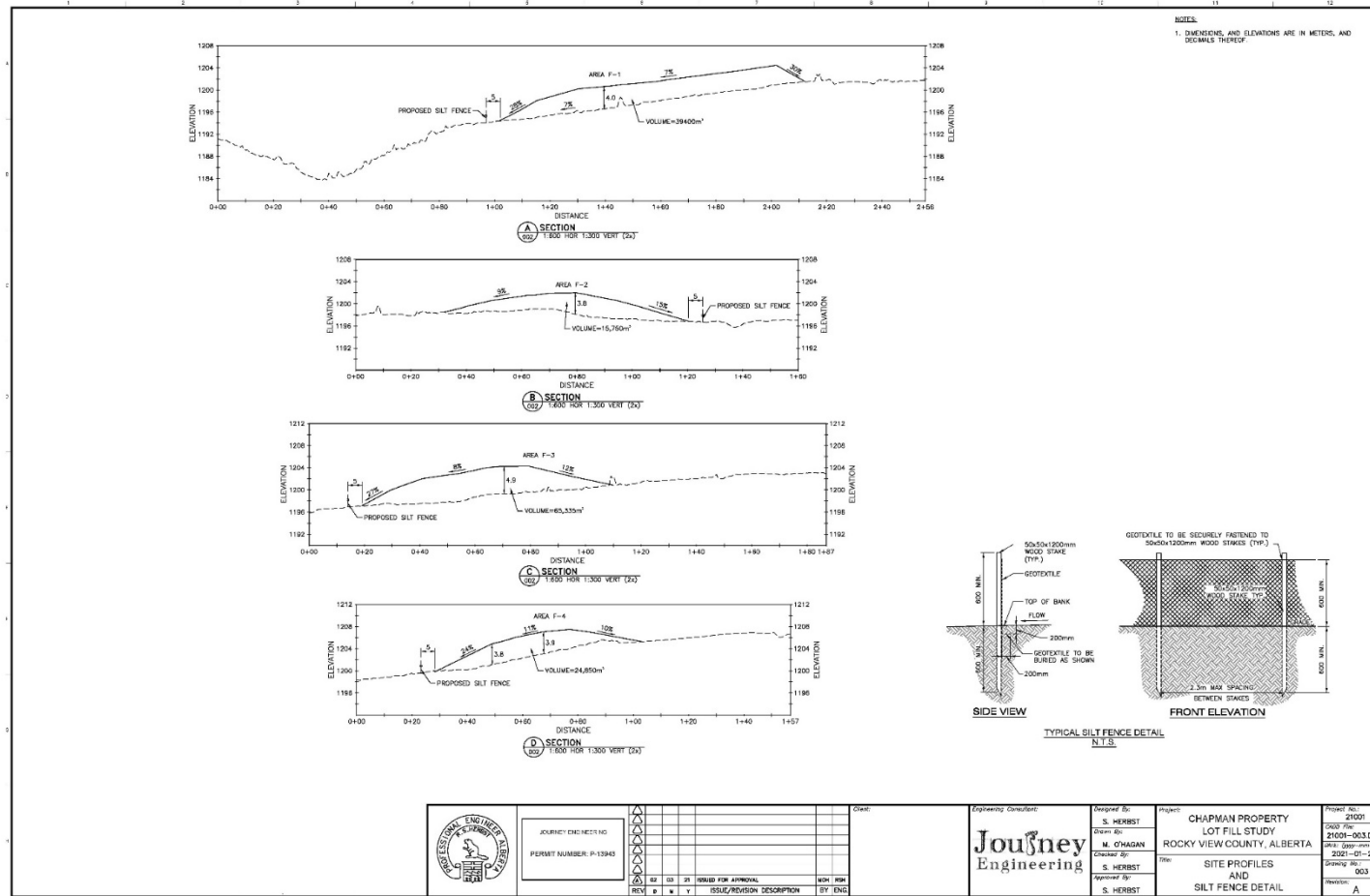


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## Cover Letter

### Development Proposal

Single-lot Regrading,  
placement of clean fill

Date: March 24, 2021

Grant Chapman P.Ag, P. Bio

Willow Ridge Ranch Ltd.

254069 Towers Trail

Cochrane, AB

T4C 2A3

#### **Rocky View County Development**

[development@rovckview.ca](mailto:development@rovckview.ca)

[slam@rockyview.ca](mailto:slam@rockyview.ca)

#### **Re: Willow Ridge Ranch Ltd – Grant Chapman Fill and Grading Permit Cover Letter**

As sole owners of Willow Ridge Ranch Ltd (WRR) and Lot 2 Block 1 Plan 1811055 of SE ¼ of Sec 28, Twp 25, R4, W5, located at 254069 Towers Trail, we Grant Chapman and Jenna Latham are submitting our development permit application and supporting documentation for a Filling and Grading Permit (5.9 ha of our lands, total topsoil volume ~160,000m<sup>3</sup> plus additional sandstone rock). Upon completion of this project, WRR will be expanding our existing saskatoon and cherry fruit orchards in the affected areas F1, F2, F3, and F4 which were previously farmed, hayed, grazed, or pipeline and utility ROW's which will establish an improved agricultural state to current conditions.

The following supporting documentation is attached:

1. Development Permit Application DP Ag Topsoil Fill Chapman WRR
2. Geotechnical Assessment Report WRR - Engineering and Slope Stability Report – Vertex Professional Services Ltd
3. Journey Engineering: Civil Engineering Grade, Surface water, and Sediment Control Drawings WRR
4. Environmental Screening Report WRR – Tannas Conservation Services Ltd
5. La Vita Land Letter of Support
6. Phase 1 ES Sec 27 Source Topsoil Fireside
7. Phase 2 Williams Engineering Fireside Sec 27 Report 1
8. Phase 2 Williams Engineering Fireside Sec 27 Report 2
9. ProMark Telecon DigTix Ticket Survey Report 254069 Towers Trail
10. TC Energy Pipeline ROW Survey

#### **Overview**

This project has included 2 pre submission engineering meetings with (Rocky View County Engineering Staff Milan Patel December 11, 2020, and Bianca Duncan on December 14, 2020). Street Use Permitting (Town of Cochrane Wally Hume - May 2020) and Rocky View County Road Use agreement meetings with Alvin Varma July 17, 2020 and including a March 8, 2021 site visit with Steven Altena, the permits

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thereof will be established upon approval of this development & associated permit conditions. Grading and hauling activities within the Town of Cochrane are approved as part of existing La Vita Land Inc development permitting (see enclosed letter of support). As a component of the WRR Environmental Screening report, a Historical Resources Application (# 019525994 March 21, 2021) and two pre-submission site review meetings have been conducted (Feb 22, 2021 Provincial Archeologist -Wendy Unfreed) as well as >20 field days of onsite searches for any historical resources via a certified research archaeologist with the University of Calgary (Jeremy Leyden and crew) to ensure avoidance of any features.

This project involves the salvaging of non contaminated topsoil (3 reports attached) that is surplus from the immediately adjoining La Vita Land Fireside Community in the town of Cochrane which shares a 200m wide eastern boundary with WRR. Hauling activities will involve direct off road travel Figure 1. from the pile area to the intersection of Fireside way and Towers Trail. From their hauling will occur primarily on WRR private land, however some haul to F1, F2, and F3 will include travel along Towers Trail with low ground pressure agricultural equipment owned and operated by WRR.

Site preparations will commence in April of 2021 (Vegetation mowing, shrub salvage, and sediment control fencing and prevention of bird nest establishment). The enclosed environmental screening report for WRR details mitigations that will be adhered to. Filling and hauling will only occur during the Migratory Bird Nesting Window in areas that have been mowed and prepped prior to the nesting period April 15<sup>th</sup> 2021 (MBCA). WRR project staff comprises professional biologists, agrologists, and engineers whom will conduct necessary sweeps for any wildlife sign and oversee project activities to ensure adherence with all agriculturally applicable provincial, federal, and municipal regulations/law. Hauling will occur in accordance with the Town of Cochrane's bylaws and La Vita Land Inc's existing development permits.

Hauling activities will commence as soon as pile frost is eliminated which is expected to commence June 1, 2021 and continue through October 31, 2021 during dry ground conditions and may extend into May 2022 in the event unforeseen delays occur. Mud/soil tracking will be prevented from being deposited on the road surfaces and comply with county permitting. Dust control will involve appropriate maintenance with grading of the haul route and anti dust treatment as/if/when needed. Traffic control will comply with county road use agreements, but load frequency will not generate significant traffic with each load taking ~15 minutes to complete. Fill areas can be adjusted to minimize road use during hours when traffic volumes are higher. Hauling signage will be installed and tractor will be equipped according to the Alberta Traffic Act requirements. Reclamation activities will continue until June 30, 2022 with ongoing agricultural orchard establishment thereafter and any weed management. The fill areas are active agricultural farming areas and tested soil moisture of the source pile (~22%) will ensure dust conditions are minimal as active haul occurs. All hauling will be completed with Standard Agricultural Tractor and Soil Hauling side dump trailers to minimize total loads with low ground pressure-tired equipment. Areas will be reclaimed with a fall cover crop and weed free certified perennial seed mix once contouring is completed in each Fill Area. Reclamation costs are expected to be ~\$2000 \$/ hectare and reestablish equivalent land capability and similar plan community types. Grant Chapman is a professional agrologist with the AIA #3663 specializing in reclamation.

#### Project Highlights:

1. Eliminates the need for >6000-8000 Gravel Trucks loads Hauling through Cochrane's Fireside community roads, its school zones, & through the provincial highway network to more distant

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## Cover Letter

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- fill area options, which creates significant pedestrian and community safety benefits, reduces county and provincial road use, and reduces carbon emissions associated with this hauling.
2. Ensures that surplus topsoil is conserved in accordance with the *Alberta Soil Conservation Act* and maintains it use for productive agricultural purposes in Rocky View County and prevents soil loss from occurring and further continuing as per the municipal government act authority.
  3. Enables reclamation of disturbed areas on Willow Ridge Ranch property, that currently are experiencing utility installation related trench subsidence, soil admixing, and weed issues.
  4. This project has the support of Town of Cochrane and is a preferred alternative to soil disposal and agreements are in place or underway to obtain any/all required crossing agreements with utility collaborators listed below to support the reclamation of the utility right of ways and easements which are in need of immediate reclamation:
    - A. TC Energy/NGTL – WASML, 30.48, and & Foothills Pipelines
    - B. Pengrowth Energy Corporation – Pipeline Plan 7857JK
    - C. Caledonian Midstream – Pipeline Plan 7911140
    - D. Telus – 5.0 Fiber optic Easement
    - E. Atco Gas
    - F. Fortis – 42IP3PE Plan 181 076 748
  5. Contracts are in place with La Vita Inc and Willow Ridge Ranch Ltd to execute this proposal and support agricultural sector employment within RVC.

Willow Ridge Ranch Ltd is a wholly indigenous owned corporation, whose owner/president – Grant Chapman is a pipeline environmental inspector and practices agrology related to reclamation and ranch management as a professional agrologist (P.Ag.), and is also a Professional Biologist (P. Biol). Grant is the lead project supervisor and manages an exceptional team whom will safely and effectively achieve the beneficial desired outcomes of this project. Should you have any questions, or concerns, or need any supplemental information please do not hesitate to contact Mr. Grant Chapman @ cel 587-432-0066 or willowrranch@gmail.com.

Sincerely,

Grant Chapman P.Ag, P Bio.,

The following supporting documentation is attached:

1. Development Permit Application DP Ag Topsoil Fill Chapman WRR
2. Geotechnical Assessment Report WRR - Engineering and Slope Stability Report – Vertex Professional Services Ltd
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## Site Photos

### Development Proposal

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Fill area #1, looking south from main dwelling

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Legal: Lot:2 Block:1  
Plan:1811055 within SE-28-  
25-04-W05M*

## Site Photos

### Development Proposal

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Fill area #2, looking east

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25-04-W05M*



## Site Photos

### Development Proposal

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Fill area #3, looking south

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## Site Photos

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Fill area #4, looking east

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