

PLANNING AND DEVELOPMENT SERVICES

TO: Municipal Planning Commission
DATE: March 10, 2021 **DIVISION:** 5
FILE: 04324016 **APPLICATION:** PRDP20203812
SUBJECT: Single-lot Regrading / Discretionary use, with no Variances

APPLICATION: Single-lot Regrading and placement of clean topsoil for agricultural purposes.

GENERAL LOCATION: Located approximately 1.21 km (3/4 mile) south of Inverlake Road and on the east side of Rge. Rd. 281.

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

EXECUTIVE SUMMARY: The Applicant is proposing the placement of topsoil, not exceeding ± 0.30 m (12.00 in) in depth, over an area of ± 7.89 acres, to enhance land for potential agricultural improvements. The application is consistent with the relevant policies of 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.

This file was presented to the Municipal Planning Commission on February 24, 2021 and was tabled to the current Commission meeting.

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

OPTIONS:

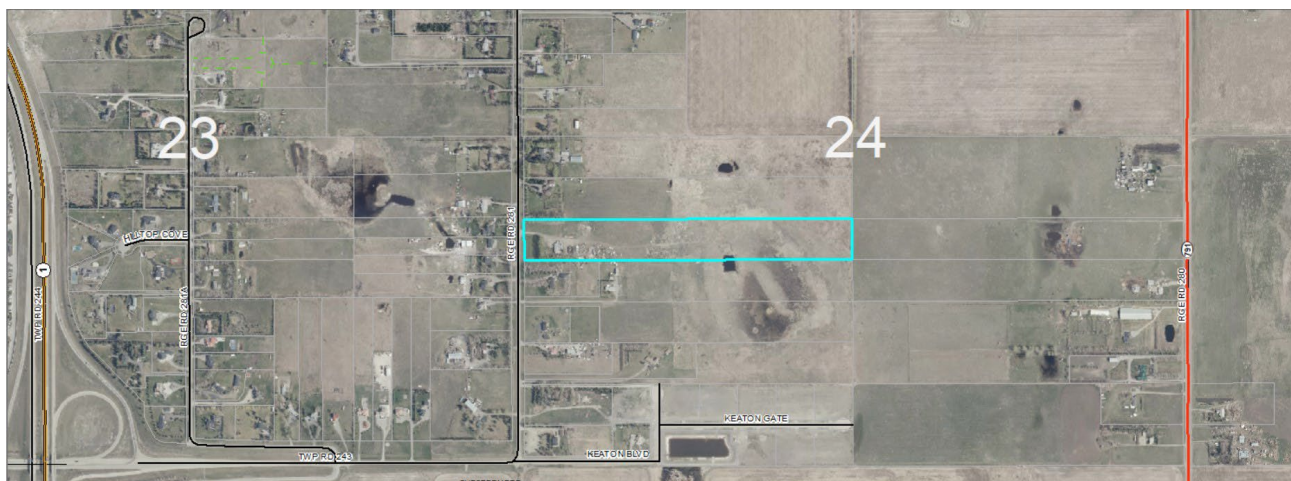
- Option #1: THAT Development Permit Application PRDP20203812 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20203812 be refused for the following reasons:
1. That in the opinion of the Municipal Planning Commission, the development unduly interferes with the amenities of the neighbourhood and materially interferes with and affects the use, enjoyment, and value of neighbouring parcels of land.

Administration Resources

Bronwyn Culham, Planning & Development Services



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.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> Land Use Bylaw 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> Site Plan
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 topsoil, for agricultural purposes.

- The Applicant has proposed to regrade a portion of the subject land, approximately $\pm 31,965$ sq. m (± 7.89 acres) in size to enhance land for agricultural improvements.
- It is anticipated approximately 10,000.00 cubic meters of material will be brought on site. The applicant has noted this is approximately 740 truckloads.
- The subject land is located along Rge. Rd. 281, surrounded by predominately residential and agricultural parcels. Currently, a single family dwelling and several accessory buildings are located on the subject land.

CONCLUSION:

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



ROCKY VIEW COUNTY

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

Executive Director
Community Development Services

Chief Administrative Officer

BC/lt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS**Option #1:

Approval, subject to the following conditions:

Description:

1. That single-lot regrading and the placement of clean topsoil shall be permitted in general accordance with the site plan submitted with the application and includes:
 - i. Total area of approximately $\pm 31,965$ sq. m (± 7.89 acres) and placement of approximately 10,000.00 cubic meters of clean topsoil not exceeding ± 0.30 m (12.00 in) in depth.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit proof of \$2,000,000.00 commercial vehicle insurance, for the truck hauling related to the works associated with the permit.
3. That prior to release of this permit, the Applicant/Owner(s) shall submit a Letter of Credit or refundable security in accordance with County Policy C-407. The requirement shall be \$5,000.00/disturbed acre of the development area.
4. 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 this condition. Any required agreement or permits shall be obtained unless otherwise noted by County Road Operations.
5. That prior to release of this permit, the Applicant/owner shall submit a limited-scope site-specific storm water management plan for the subject lands, in accordance with County Servicing Standards. The report shall be stamped by a qualified professional and can be limited to addressing the following:
 - i. The report shall include both pre- and post-development site grading in the vicinity of the work, and shall confirm post-development site run-off characteristics;
 - ii. The report shall evaluate possible impacts the proposed placement of fill will have on adjacent lands. The report shall provide mitigating measures, if necessary, for any impacts the work may have on adjacent lands; and
 - iii. The report shall provide Erosion and Sedimentation Control measures for the proposed activities.
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.
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.

Permanent:

- 8. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.
- 9. 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.
- 10. 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.
- 11. That the Applicant/Owner shall conduct a completion 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.

- 12. That for any areas with greater than 1.20 m (3.93 ft.) of topsoil placed, a Deep Fill report shall be submitted to County, in accordance with County Servicing Standards, upon completion.
- 13. That no native topsoil shall be removed from the site.
- 14. That it shall be the responsibility of the Applicant/Owners to ensure the material has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
- 15. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
- 16. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
- 17. 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.



- i. That if at any time the removal/placement of the fill creates a visible dust problem, the removal or handling of the fill shall cease immediately until remedial measures are taken.
- 18. 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.
- 19. 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.
- 20. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
- 21. 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.
- 22. That if this permit is not issued by **AUGUST 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
- 23. 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:

- 24. 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*].
- 25. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
- 26. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

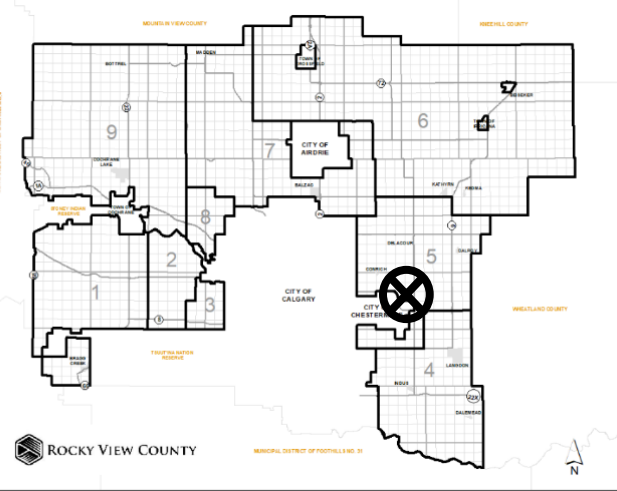
APPLICANT: Devon Tarrant	OWNER: Mandeep Singh Saini
DATE APPLICATION RECEIVED: November 24, 2020	DATE DEEMED COMPLETE: November 24, 2020
GROSS AREA: ± 8.06 hectares (± 19.94 acres)	LEGAL DESCRIPTION: SW-24-24-28-04 Lot, Block, Plan: 7410485 (243094 Rge Rd 281)
APPEAL BOARD: Subdivision and Development Appeal Board	
HISTORY: Sep 7, 1994: Building Permit, 1994-BP-4256, Accessory Building – Open Application	
PUBLIC & AGENCY SUBMISSIONS: The application was also circulated to 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
 placement of topsoil, for
 agricultural purposes.

Division: 5
Roll: 04324016
File: PRDP20203812
Printed: Jan 15, 2021
Legal: Block:3 Plan:7410485
within SW-24-24-28-W04M



Site Plan

Development Proposal

Single-lot regrading and placement of topsoil, for agricultural purposes.



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Roll: 04324016
File: PRDP20203812
Printed: Jan 15, 2021
Legal: Block:3 Plan:7410485
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Inspection Photos

January 6, 2021



Inspection Photos

January 6, 2021



Inspection Photos

January 6, 2021



Inspection Photos

January 6, 2021

