

## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 5

**DATE:** March 24, 2021  
**APPLICATION:** PRDP20210154

**FILE:** 03231033

**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 fill and topsoil.

**GENERAL LOCATION:** Located approximately 0.20 km (1/8 mile) east of Hwy 791 and 0.81 km (1/2 mile) south of Twp. Rd. 240. (2-235109 Rge. Rd. 275 A)

**LAND USE DESIGNATION:** Agriculture, Small Parcel District (A-SML) p8.1 under Land Use Bylaw C-8000-2020.

**EXECUTIVE SUMMARY:** The Applicant is proposing to place approximately 50.00 m<sup>3</sup> (1,765.73 ft.<sup>3</sup>) of clean fill onto an area of approximately 360.00 sq. m (3,875.01 sq. ft.) in size to an approximate depth of 0.10 m (0.33 ft.). The applicant proposes the addition of the clean fill to improve the growing potential of the parcel for vegetation growth and horse grazing. The applicant proposes to utilize a sand and topsoil mixture, ratio 1:3.5, as fill. The applicants have placed approximately six (6) truckloads of sand on the parcel, currently being utilized as a toboggan hill, and propose to mix that sand with approximately 20 loads of topsoil. There are potential wetlands on the parcel and the Applicant is not proposing placement of any fill in those areas.

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

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20210154 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20210154 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</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>No technical reports</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

There are no additional considerations.

**CONCLUSION:**

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

Respectfully submitted,

Concurrence,

“Theresa Cochran”

“Al Hoggan”

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Executive Director  
Community Development Services

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Chief Administrative Officer

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**ATTACHMENTS**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



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**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 fill and topsoil, approximately 50.00 m<sup>3</sup> (1,765.73 ft.<sup>3</sup>), to a depth of approximately **0.10 m (0.32 ft.)** may commence on the subject parcel, in general accordance with the submitted application and drawings.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner shall submit a Grading Plan, prepared and stamped by a qualified professional, that illustrates the pre and post grades, depth of fill, as well as any resulting impacts to existing drainage conditions, potential wetland impacts and/or provide recommendations to mitigate any potential impacts.
3. 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.
4. 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.
5. 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:**

6. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
7. That the Applicant/Owner shall ensure the fill 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.
8. 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.



## ROCKY VIEW COUNTY

9. 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.
10. 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.

**Advisory:**

11. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-5772-2003) at all times.
12. 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*].
13. 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.
14. 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.
15. That if this Development Permit is not issued by **September 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.



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## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> Billie-Jo Dekort	<b>OWNER:</b> Nathan and Billie-Jo Dekort
<b>DATE APPLICATION RECEIVED:</b> January 10, 2021	<b>DATE DEEMED COMPLETE:</b> January 20, 2021
<b>GROSS AREA:</b> ± 5.30 hectares (± 13.09 acres)	<b>LEGAL DESCRIPTION:</b> SW-31-23-27-W04M (2-235109 Rge. Rd. 275A)
<b>APPEAL BOARD:</b> Municipal Government Board	
<b>HISTORY:</b> PRDP20130876 - Dwelling, Moved-in.	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> 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.	



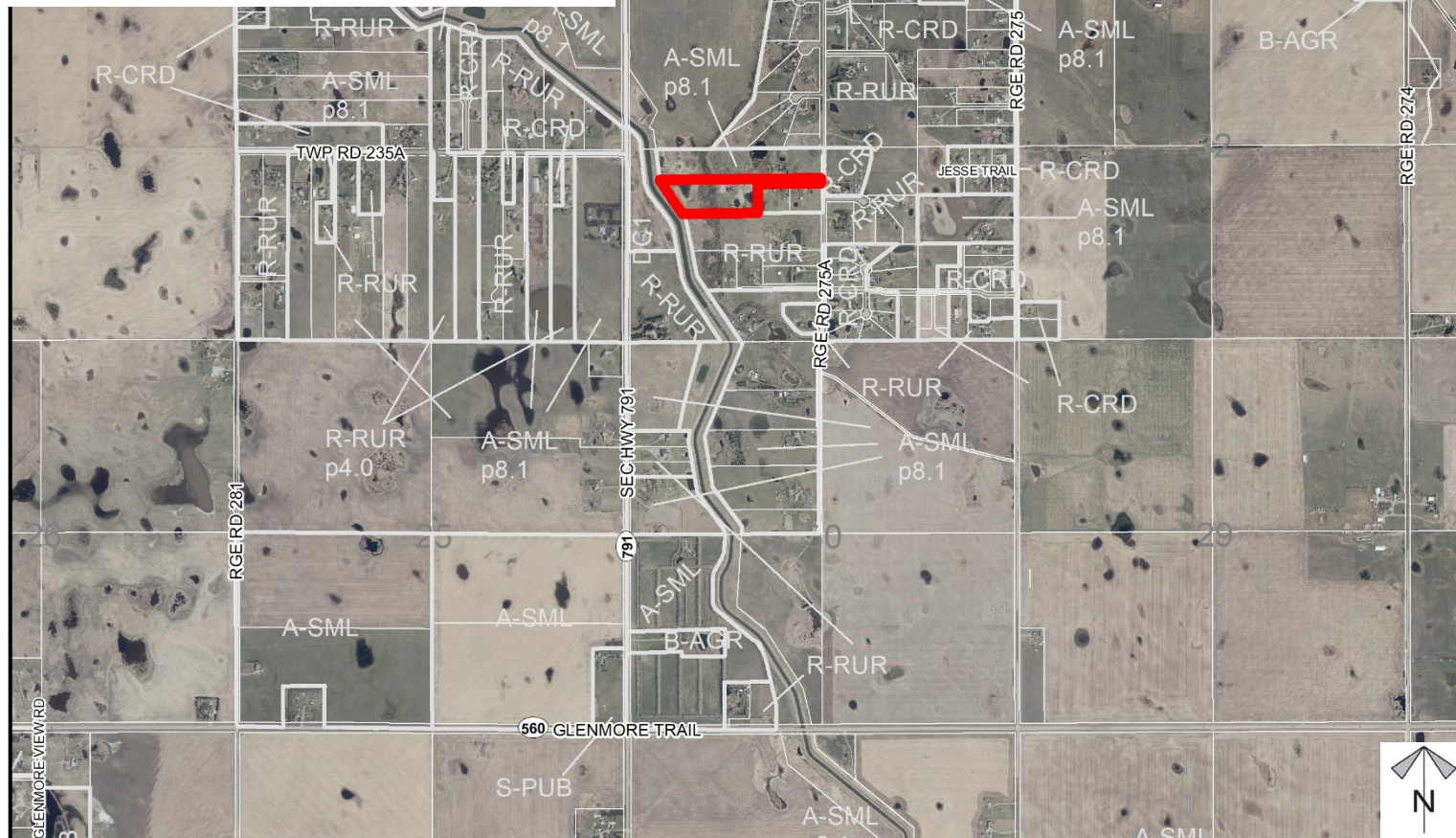
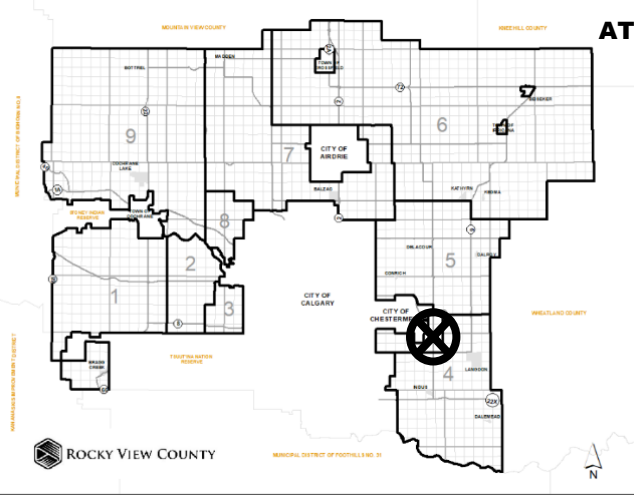


## Location & Context

### Development Proposal

Single-lot Regrading,  
placement of clean fill

### ATTACHMENT 'B': MAPS AND OTHER INFORMATION



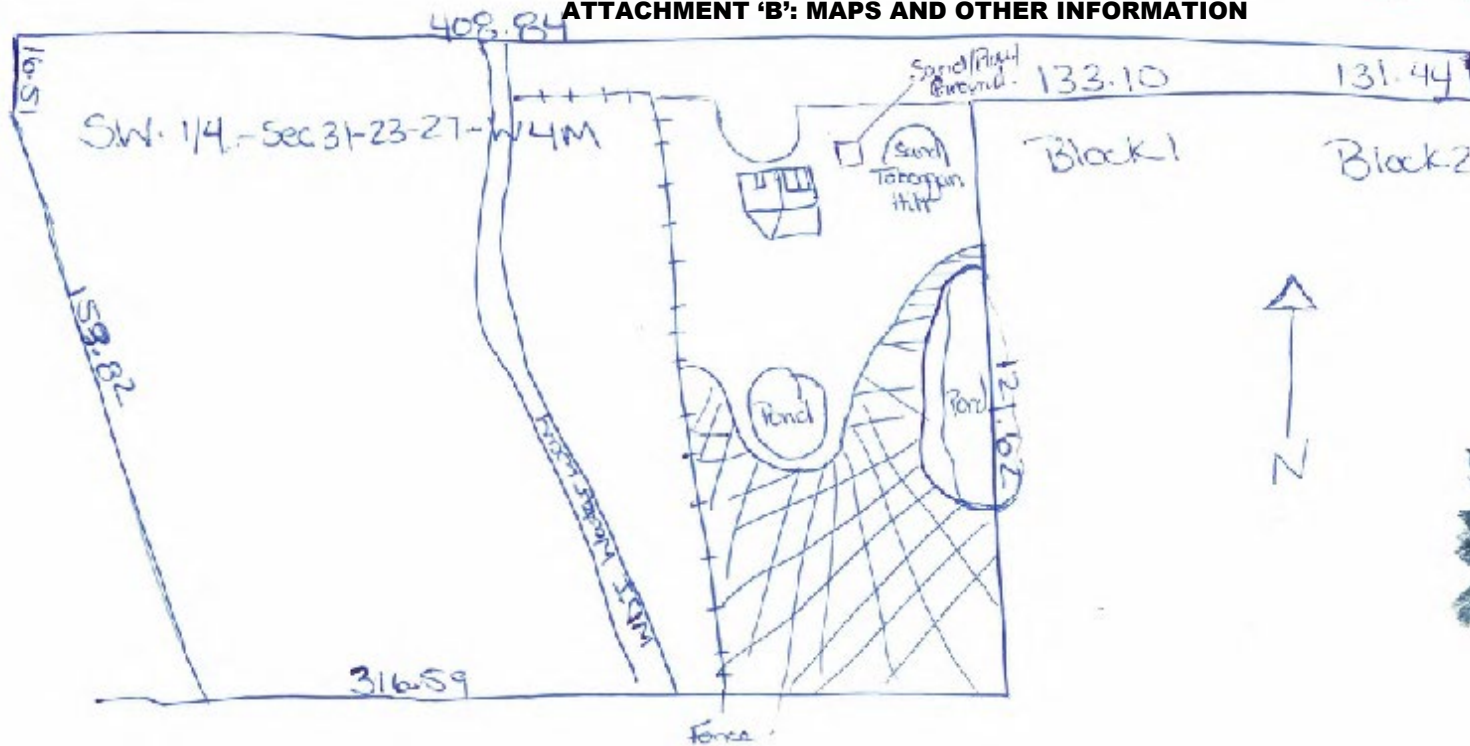
Division: 05  
 Roll: 03231033  
 File: PRDP20210154  
 Printed: Jan 14, 2021  
 Legal: A portion of SW-31-  
 23-27-W04M



## Site Plan

Development Proposal

Single-lot Regrading,  
placement of clean fill



Note: First two digits of the Plan Number indicate the year of subdivision registration.

Plan numbers that include letters were registered before 1973 and do not reference a year.



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## Aerial Imagery

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January 20, 2021

Billie-Jo & Nathan Dekort  
2-235109 RR 275A  
Rocky View Alberta T1X 2H3

Hello,

We are applying for a development permit for our property to make unusable land usable for animals.

We are wanting to fill an area with clean topsoil mixed with left over sand so we can seed and allow our horses to graze. We are currently unable to grow any grass or trees in our field due to high alkaline levels. We are hoping with adding less than 100mm of topsoil/ sand mixture it will give the grass a good base to grow in.

We currently have 2 ponds and have the WDI go through our property, so all winter and spring runoff naturally go to these 3 areas. Also all of this work will be done before or after the birds nesting period in the spring with respect to ground dryness.

We hauled in sand to make our kids and neighbors kids a toboggan hill to use during covid shut down, this sand in the spring will be used for a 20'x20' boxed play area for a sandbox and swing set, unused sand will be used to mix in with the topsoil to help with drainage and reduce the amount of clean topsoil we are bringing in.

Kind regards,



Billie-Jo Wheeler Dekort

## Cover Letter

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## Site Photos

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