



## PLANNING AND DEVELOPMENT SERVICES

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**TO:** Municipal Planning Commission  
Development Authority

**DATE:** June 23, 2021 **DIVISION:** 7

**FILE:** 06404011/013/603/ **APPLICATION:** PRDP20212116

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

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**APPLICATION:** Multi-lot regrading and the placement of clean fill and topsoil, for future site preparation, construction of a storm pond.

**GENERAL LOCATION:** Located approximately 0.40 kilometre (1/4 mile) east of Hwy. 2 and on the west side of Range Road 293.

**LAND USE DESIGNATION:** Direct Control District 131, Cell 4, under Land Use Bylaw C-4841-1997 (LUB)

**EXECUTIVE SUMMARY:** This proposal is for the multi-lot grading for Phase 2 of the Nose Creek Business Park. The parcels are undeveloped and the application includes a subject development area of activity is  $\pm 60.32$  hectares ( $\pm 149.07$  acres).

The proposed work includes the relocation of a Utility gas pipeline, construction of the stormwater management facility, re-grading of low areas for future development, and creation of a temporary storage pond. Once complete, the site will have the ability to support existing development within Phase 1 of the Nose Creek Business Park and can accommodate existing and proposed development within the far north parcel.

Upon completion of proposed grading activities, the Developer will stabilize the area(s) and seed them for future agricultural use, until development commences.

The proposal is necessary to complete the required grading activities to support existing and future development within the Nose Creek Business Park. All technical matters can be addressed as conditions of the permit. Therefore, Administration is supportive of this application.

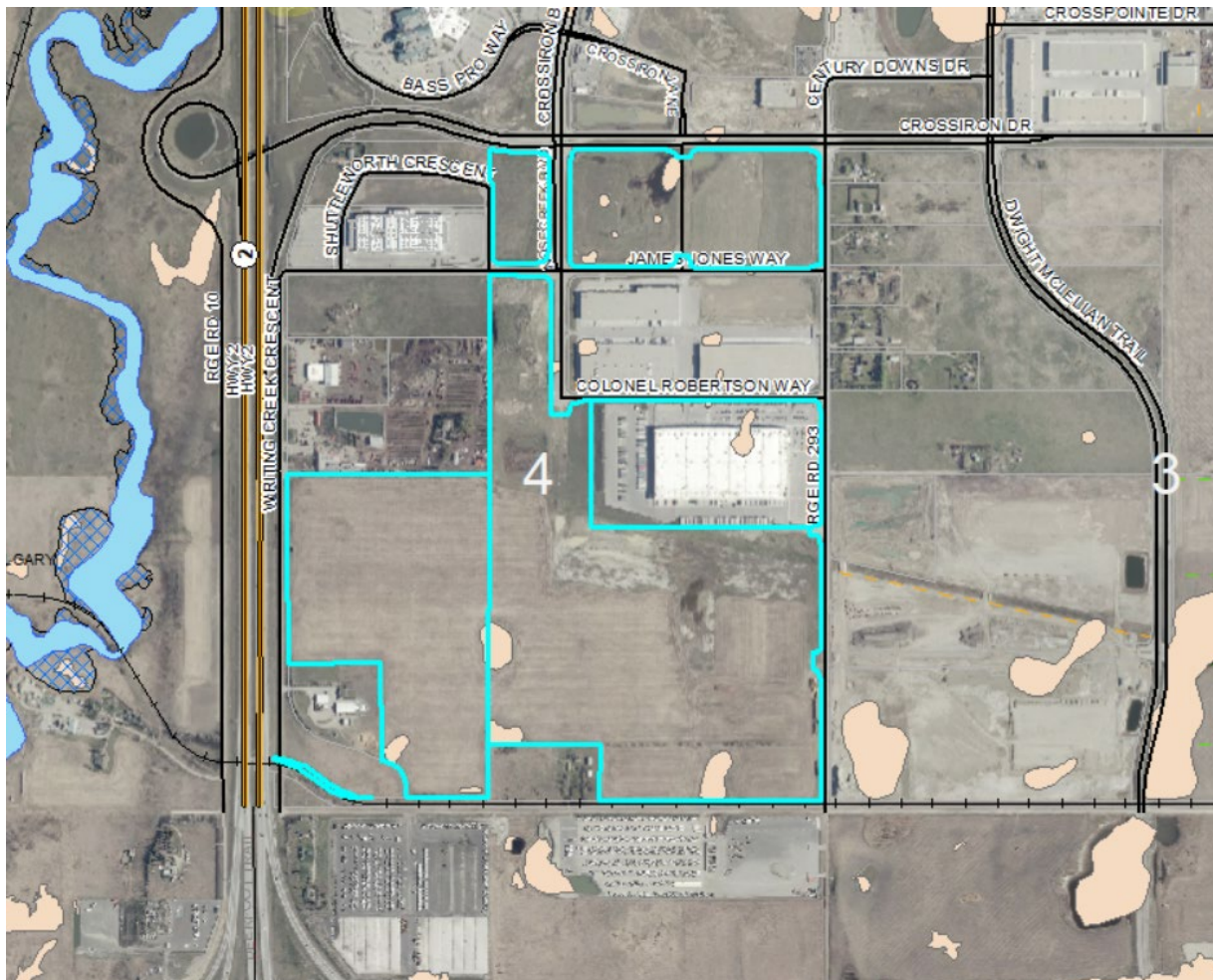
**ADMINISTRATION RECOMMENDATION:** Administration recommends approval in accordance with Option #1.

### OPTIONS:

Option #1: THAT Development Permit No. PRDP20212116 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit No. PRDP20212116 be refused noted below:

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:****APPLICATION EVALUATION:**

The application was evaluated based on the application submitted 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>• Subdivision and Development Regulations;</li> <li>• City of Calgary Intermunicipal Development Plan;</li> <li>• Direct Control District 131, Cell 4;</li> <li>• LUB;</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Construction Management Plan</li> <li>• Deep Fill Report</li> <li>• Grading Plan</li> <li>• Profile / Civil Drawings</li> <li>• Geotechnical Report</li> <li>• Water &amp; Sanitary Memos</li> <li>• Stormwater Report</li> </ul>
<b>DISCRETIONARY USE:</b> <ul style="list-style-type: none"> <li>• Stripping, Grading, Fill, and Excavation</li> </ul>	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> <ul style="list-style-type: none"> <li>• Subdivision and Development Appeal Board</li> </ul>



### Additional Review Considerations

The application was assessed in accordance the Section 33 of the LUB, which requires any Stripping, Grading, Filling, or Excavation proposals to obtain a Development Permit. The application appears to comply with those regulations.

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

A Roadside Development Permit from Alberta Transportation and a Road Hauling Agreement with the County may be required, should the Applicant be hauling materials/equipment to and from the site.

### **CONCLUSION:**

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

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

JT/lt

### **ATTACHMENTS:**

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps & Other Information

**ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS****Description:**

1. That multi-lot regrading and the placement of clean fill, over an area of  $\pm 60.32$  hectares ( $\pm 149.07$  acres) may be permitted in accordance with the drawings submitted with the application, *as prepared by WSP., File 211-03119-00; "BCIMC REALTY CORPORATION c/o QUADREAL PROPERTY GROUP," dated May 12, 2021*, as amended as part of conditions of approval, and includes:
  - i. Temporary stockpiles of stripped topsoil material, in accordance with the Erosion Control – During Construction Dwg, as prepared by WSP., File 211-03119-00, dated May 12, 2021, totaling 70,125.00 cu. m in volume

**Prior to Issuance:**

2. 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.
3. That prior to release of this permit, the Applicant/Owner shall obtain and submit proof of \$5,000,000.00 liability insurance with the County named as an additional insured for the works associated with the permit, to the satisfaction of the County.
4. That prior to release of this permit, the Applicant/Owner(s) shall submit a Letter of Credit or refundable security in accordance with the County Policy C-407. The requirement shall be \$5,000.00/disturbed acre of the development area.
5. That prior to release of this permit, the Applicant/Owner shall submit detailed cut/fill and site grading plans, as prepared by a qualified engineering professional, in accordance with the County's Servicing Standards.
6. That prior to release of this permit, the Applicant/Owner shall submit a Geotechnical Investigation, in accordance with the County's Servicing Standards. For any areas (if any) with greater than 1.20 m (3.93 ft.) of fill, a Deep Fill report shall also be submitted.
7. 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 agreement or permit shall be issued by the County, unless otherwise confirmed by County Road Operations.
8. That prior to release of this permit, the Applicant/Owner shall submit an Erosion Sediment Control Plan (ESC), in accordance with the County's Servicing Standards. *Note: based on the size of the disturbed area, a full ESC Report is required.*



9. That any interim site drainage shown in the ESC Plan shall adhere to the Nose Creek Watershed Management Plan
10. That prior to release of this permit, the Applicant/Owner shall submit copies of regulatory approvals should any wetlands exist on the subject lands and be affected by the proposed construction. *Note: The Applicant/Owner shall be responsible for any and all regulatory approvals. This issuance of this development permit does not absolve the Applicant/Owner of their Provincial and/or Federal responsibilities.*

**Permanent:**

11. 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.
12. 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.
13. That upon completion of the proposed development, the Applicant/Owners shall submit as-built survey(s), confirming that the development proposal and post grades align with the supporting technical submissions for the file.
14. That that the stockpiled native topsoil shall be maintained and re-spread onsite. However, if required, may be removed from the site, if deemed excessive and would cause detriment to the property if re-spread.
15. 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.
16. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane-related issues.
17. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
18. 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 no potable water shall be used for grading and/or construction purposes.
  - ii. That water trucks shall be available at all times on-site to control dust blowing from the site and/or roadways.
  - iii. 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.
19. That any material entering to or leaving from the site, shall be hauled on/off in a covered trailer/truck, to help 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 adjacent Highway and/or County roads during hauling shall be the responsibility and cost of the Applicant/Owner for clean-up.
20. That the proposed development graded area, including stockpiles, as per the approved application, shall be spread and seeded to native vegetation or farm crop, to the satisfaction of the County, upon completion, until commercial development commences.



21. That the County staff or agents shall have access to the site at all times.
22. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
23. 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.

**Advisory:**

24. That the Applicant/Owners shall be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the Master Rates Bylaw.

*Note: For any 3rd party review work completed prior to Issuance of the Development Permit, the invoices shall be paid prior to the Development Permit being issued. For any work completed after Permit issuance, the invoices shall be paid as per the required deadline.*

25. That the subject development shall conform to the County's Noise Bylaw C-8067-2020 and Road Use Agreement Bylaw C-8065-2020, in perpetuity.
26. That the works or portions thereof allowed under this Development Permit may be transferred and incorporated within a Development Agreement executed by both the Developer and Rocky View County if desired.
27. That prior to any utility work commencing, the Applicant/Owner shall submit a Utility Request to the County's Utility Services, to have the infrastructure located prior to any work. For any locate requests, please email [locate@rockyview.ca](mailto:locate@rockyview.ca).
28. That the site shall adhere to any requirements of any Instruments registered on title. Any impact to any instrument, the Applicant/Owner shall contact the Grantor of the instrument, prior to commencement.
29. 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*].
30. That if the development authorized by this Development Permit is not commenced with reasonable diligence within twelve (12) months from the date of issue, and completed within forty-eight (24) 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.
31. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
  - i. The Applicant/Owner shall submit a copy of the issued Roadside Development Permit from Alberta Transportation, if required, to the County once obtained.
32. That if the Development Permit is not issued by **DECEMBER 31, 2021**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.

***Note: The Applicant/Owner shall be responsible for all Alberta Environment approvals/compensation if any wetland is impacted by the proposed development, prior to commencement.***



## ATTACHMENT 'B': MAPS AND OTHER INFORMATION

<b>APPLICANT:</b> WSP Canada Inc.	<b>OWNER:</b> bcIMC Realty Corporation
<b>DATE APPLICATION RECEIVED:</b> May 14, 2021	<b>DATE DEEMED COMPLETE:</b> May 16, 2021
<b>GROSS AREA:</b> ± 129.35 hectares (± 319.65 acres)  <b>DEVELOPMENT AREA:</b> ± 60.32 hectares (± 149.07 acres)	<b>LEGAL DESCRIPTION:</b> SW-04-26-29-W4M; 75.17 acres; Lot 1, Block 5, Plan 1811286, E-04-26-29-W4M; Lot 2, Block 2, Plan 1711421, E-04-26-29-W4M;
<b>APPEAL BOARD:</b> Subdivision and Development Appeal Board	
<b>HISTORY:</b> 06404013 <i>Development Permits:</i> <ul style="list-style-type: none"> <li>PRDP20172620; Warehouse, construction of a distribution centre and signage; Issued November 8, 2017</li> <li>PRDP20173762; Stripping &amp; Grading and the placement of clean fill (continuation of 2011-DP-14532); Issued November 1, 2017</li> </ul> 06404011 <i>Development Permits:</i> <ul style="list-style-type: none"> <li>PRDP20211852; General Industry, Type II, construction of a warehouse, overheight fencing and signage; In processing;</li> </ul> 06404603 <i>Development Permits:</i> <ul style="list-style-type: none"> <li>2011-DP-14532; Stripping &amp; Grading (11 lots); Issued August 23, 2011</li> </ul>	
<b>AGENCY SUBMISSIONS:</b> The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.	

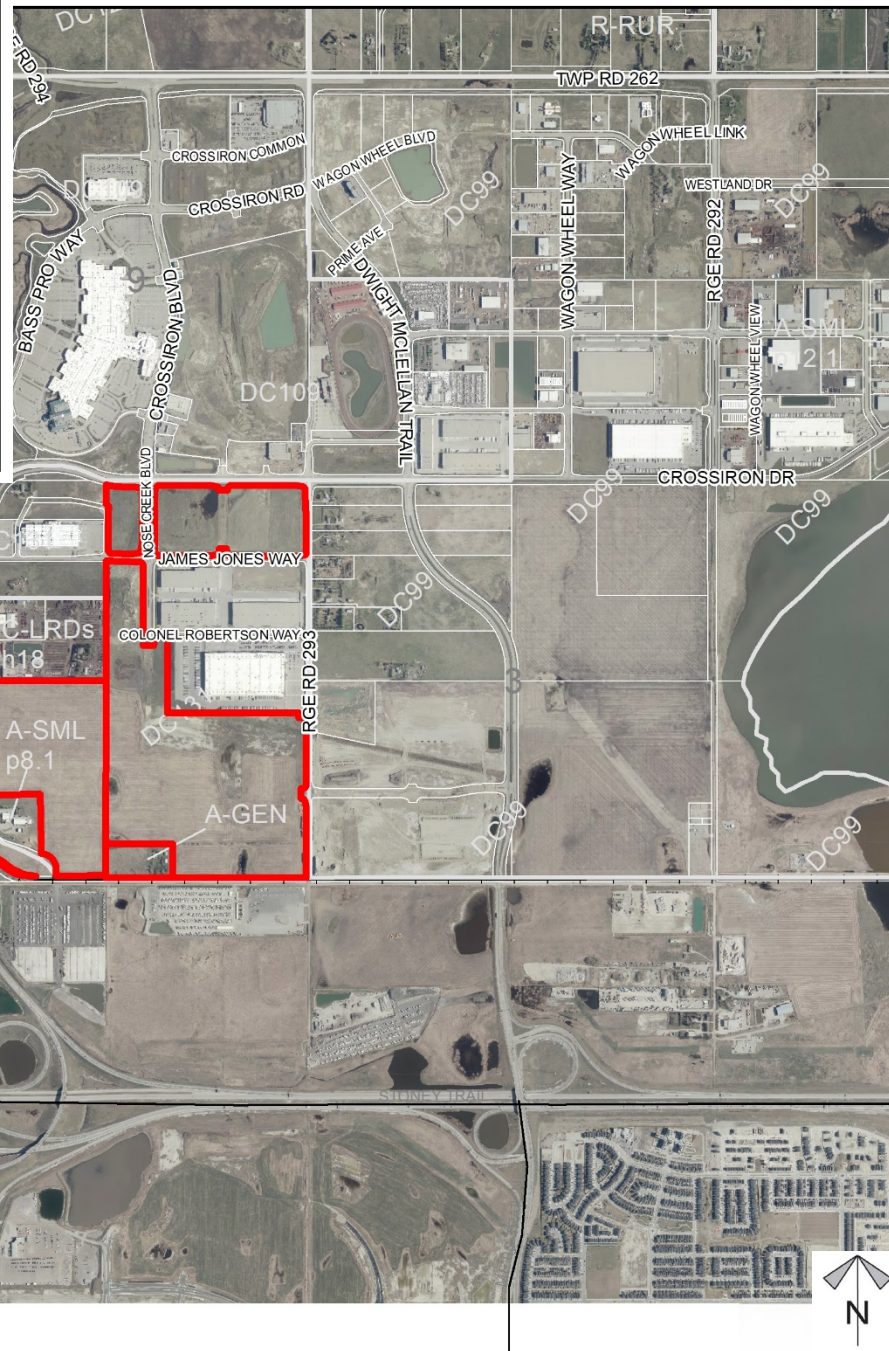
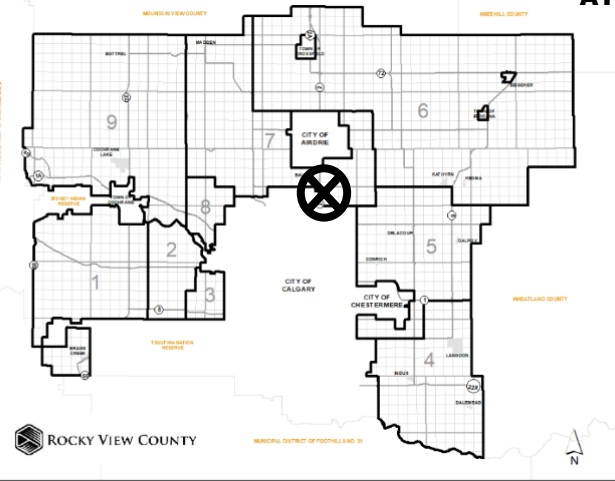




## Location & Context

### Development Proposal

*Multi-lot regrading and the placement of clean fill and topsoil, for future site preparation, construction of deep utilities and a stormpond*



Division: 7  
 Roll: 06404011/06404005/  
 06404603  
 File: PRDP20212116  
 Printed: June 1, 2021  
 Legal: Portions of SE/SW-  
 04-26-29-W04M

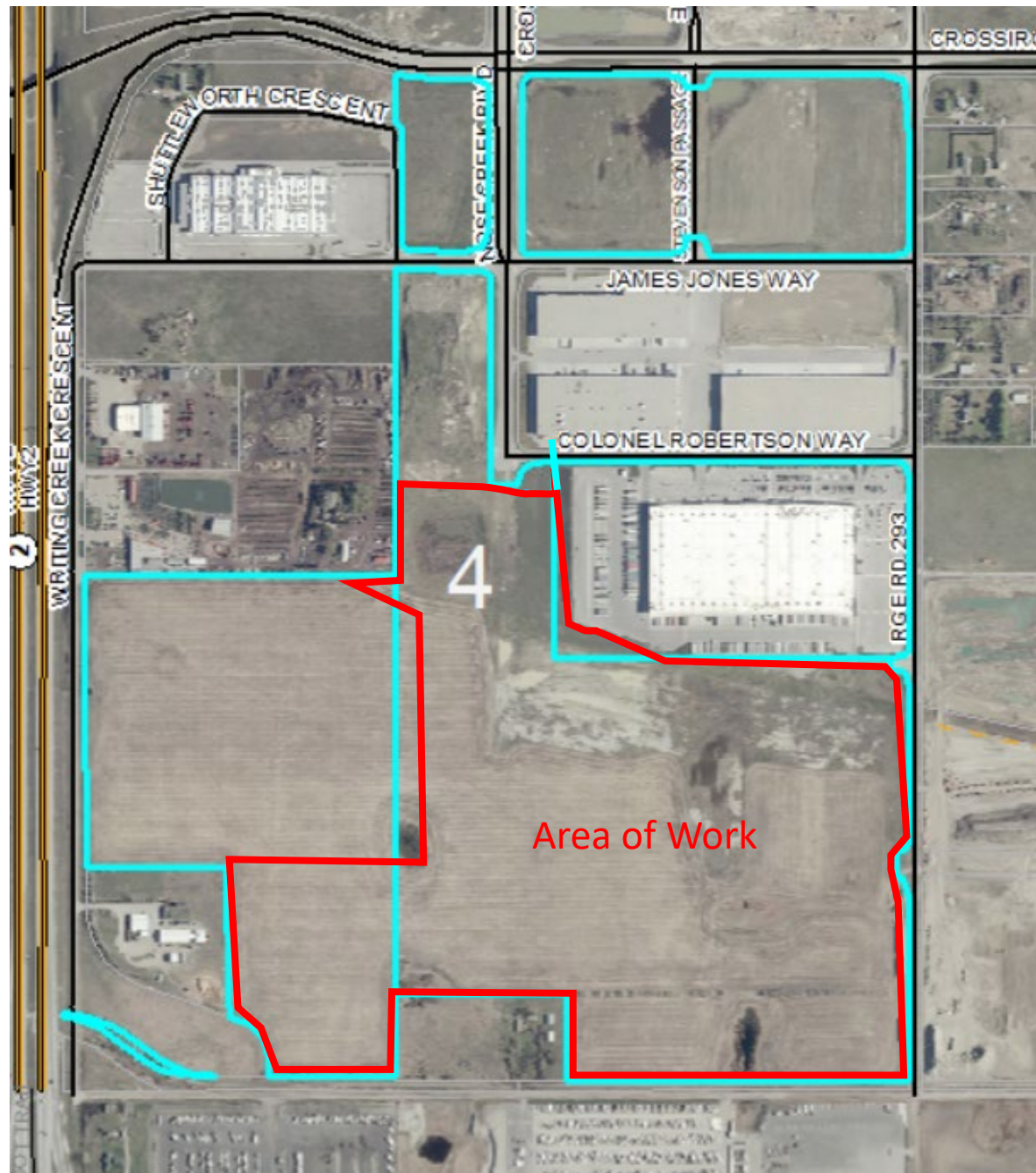




## Location & Context

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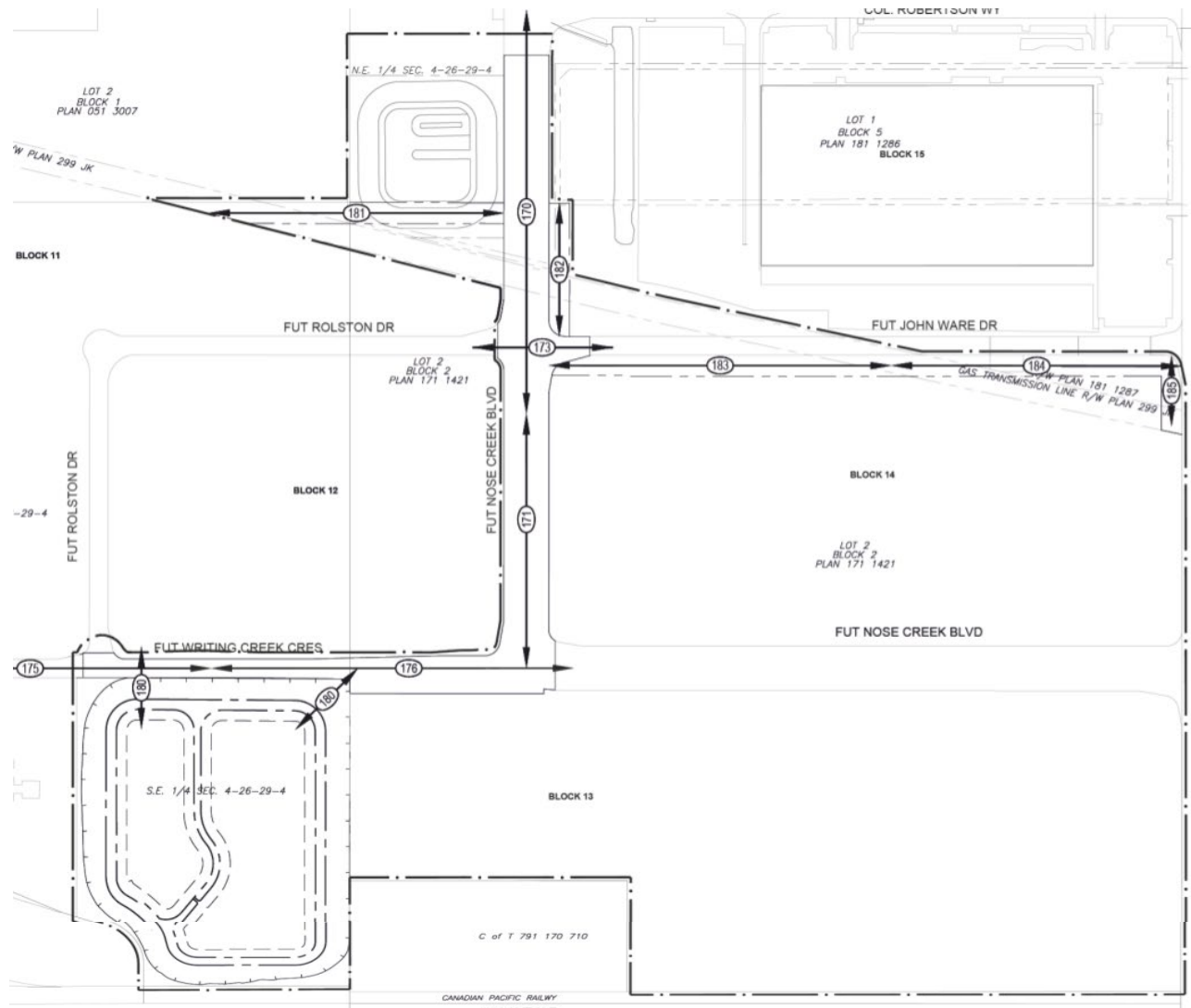


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## SITE PLAN

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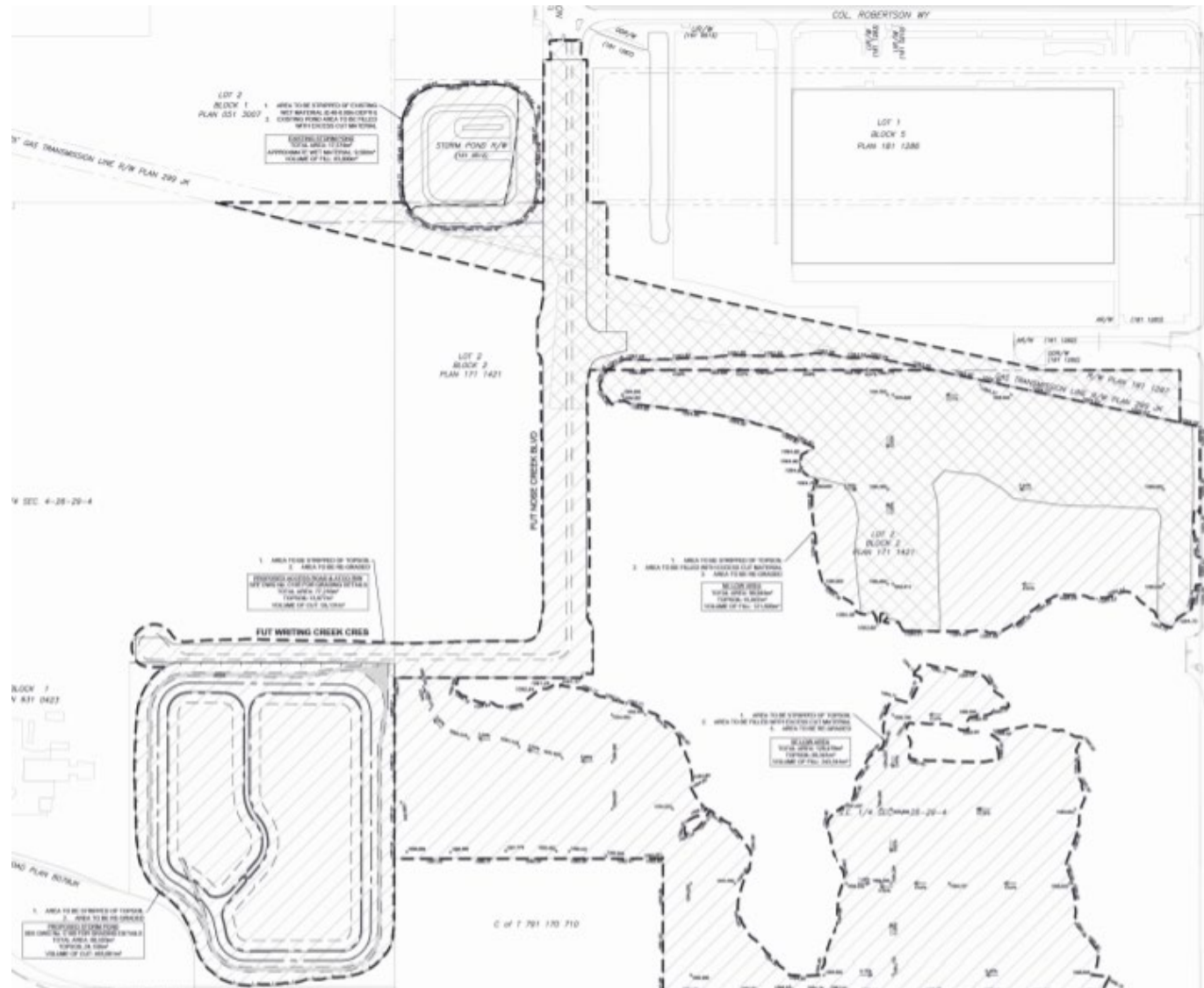
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## STRIPPING & GRADING PLAN

### Development Proposal




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**LEGEND**

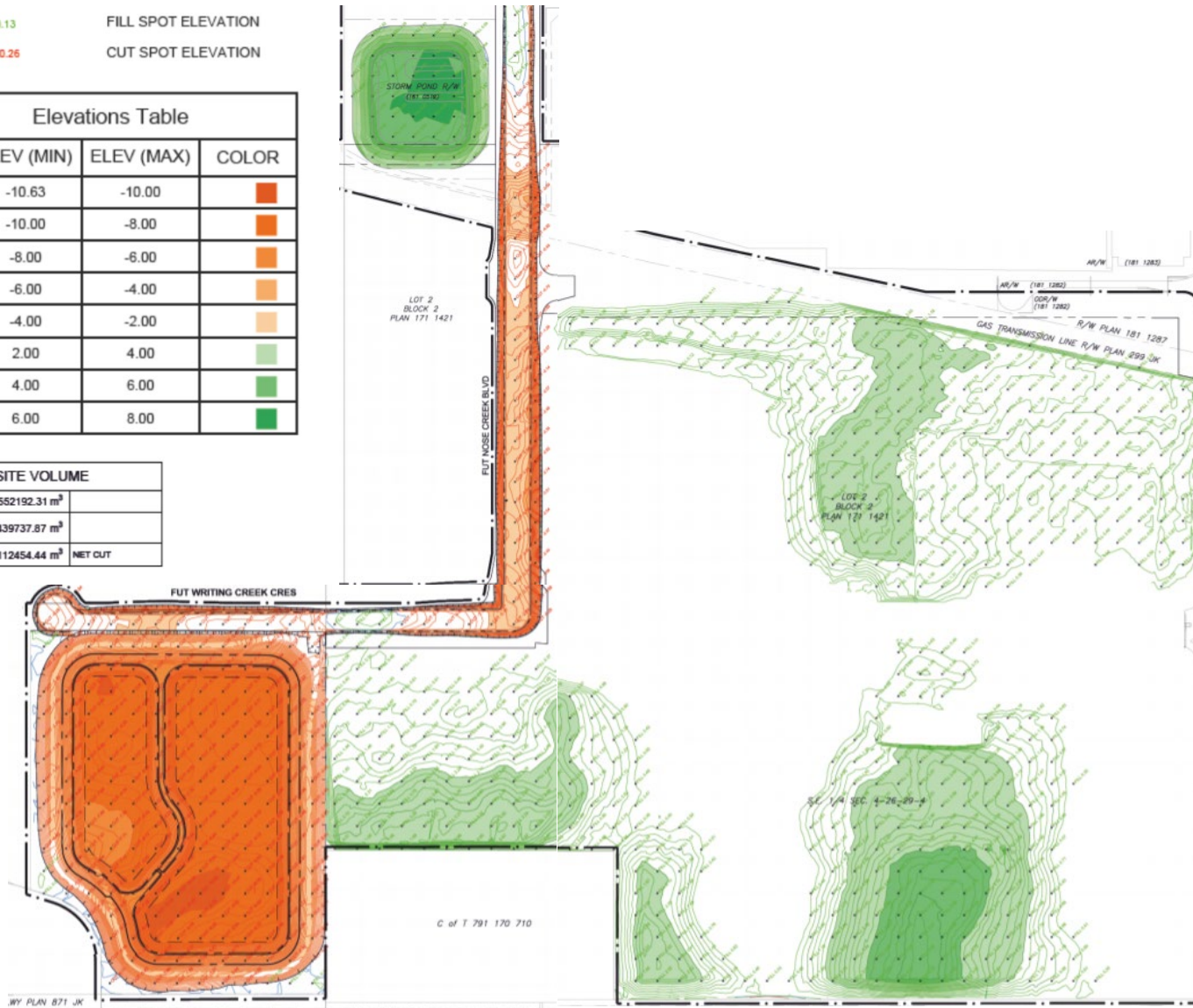
	CONSTRUCTION BOUNDARY
	FILL SPOT ELEVATION
	CUT SPOT ELEVATION

Elevations Table

No.	ELEV (MIN)	ELEV (MAX)	COLOR
1	-10.63	-10.00	
2	-10.00	-8.00	
3	-8.00	-6.00	
4	-6.00	-4.00	
5	-4.00	-2.00	
6	2.00	4.00	
7	4.00	6.00	
8	6.00	8.00	

SITE VOLUME

CUT	552192.31 m <sup>3</sup>	
FILL	439737.87 m <sup>3</sup>	
TOTAL	112454.44 m <sup>3</sup>	NET CUT

**CUT & FILL PLAN****Development Proposal**

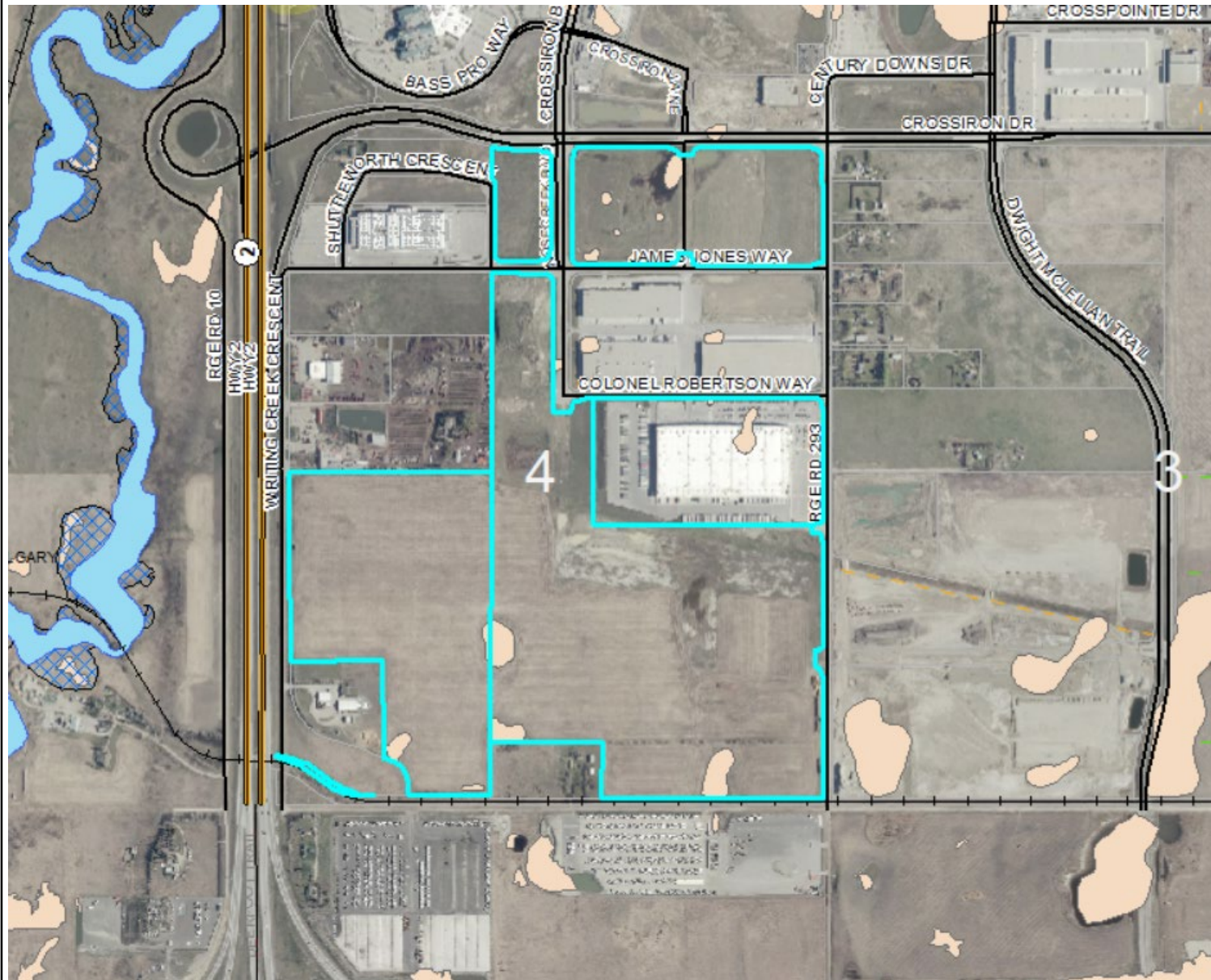
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## ENVIRONMENTAL

### Development Proposal

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## SITE PHOTOS

May, 2021

### Development Proposal

*Multi-lot regrading and the placement of clean fill and topsoil, for future site preparation, construction of deep utilities and a stormpond*



Facing South-West



Facing North-East



Facing West



Facing North



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