



PLANNING AND DEVELOPMENT SERVICES

TO:	Municipal Planning Commission Development Authority	DIVISION: 4
DATE:	July 28, 2021	APPLICATION: PRDP20212643
FILE:	03305080	
SUBJECT:	Agriculture (Intensive) and Single-lot Regrading / Discretionary use, with no Variances	

APPLICATION: Agriculture (Intensive) and single-lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables.

GENERAL LOCATION: Located approximately 0.20 kilometres (1/8 mile) west of Range Road 284 and 0.80 kilometres (1/2 mile) south of Township Road 231.

LAND USE DESIGNATION: Residential, Rural District (R-RUR).

EXECUTIVE SUMMARY: The Applicant is proposing agriculture (intensive) and placement of topsoil on the subject parcel. The Applicant proposes to establish a market garden, producing a variety of berries, vegetable crops, and fruit trees on a portion of the parcel. It is planned to be completed in two phases and with a combined area of approximately 0.35 ha (0.87 acres). If successful, the Applicant intends to apply for an additional development permit to be able to sell the produce onsite, either by pick-up or u-pick.

The Applicant proposes to till the soil in rows, approximately 1.5 m (4.92 ft.) wide, with a swath of fallow ground in between rows, approximately 2.4 m (7.87 ft.) wide. The Applicant proposes the addition of approximately 38.00 cu. m (1,341.96 cu. ft.) of imported loam, compost, and manure to an approximate depth of 0.10 m (0.33 ft.), only if required to achieve proper soil quality.

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

OPTIONS:

- Option #1: THAT Development Permit Application PRDP20212643 be approved with the conditions noted in Attachment 'A'.
- Option #2: THAT Development Permit Application PRDP20212643 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

Wayne Van Dijk, Planning and Development



AIR PHOTO & DEVELOPMENT CONTEXT:



APPLICATION EVALUATION:

The application was evaluated based on the information submitted with the application and the applicable policies and regulations.

APPLICABLE POLICY AND REGULATIONS: <ul style="list-style-type: none"> • <i>Municipal Government Act;</i> • Land Use Bylaw C-8000-2020 • Calgary IDP Study Area 	TECHNICAL REPORTS SUBMITTED: <ul style="list-style-type: none"> • No reports submitted
DISCRETIONARY USE: <ul style="list-style-type: none"> • Agriculture (Intensive) • Stripping, Grading, Excavation, and Fill 	DEVELOPMENT VARIANCE AUTHORITY: <ul style="list-style-type: none"> • Municipal Planning Commission

Additional Review Considerations

Site stripping and grading are considered discretionary in all land use districts, as per Section 157 of Land Use Bylaw C-8000-2020.

Agriculture (Intensive) is listed as a discretionary use in Residential, Rural District, as per Section 318 of the Land Use Bylaw C-8000-2020.

The parcel is currently vacant, has relatively flat topography and there are no anticipated drainage or water impacts.



ROCKY VIEW COUNTY

CONCLUSION:

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

Respectfully submitted,

Concurrence,

“Brock Beach”

“Kent Robinson”

Acting Executive Director
Community Development Services

Acting Chief Administrative Officer

WVD/llt

ATTACHMENTS:

ATTACHMENT ‘A’: Development Permit Report Conditions

ATTACHMENT ‘B’: Maps and Other Information



ATTACHMENT 'A': DEVELOPMENT PERMIT REPORT CONDITIONS

Description:

1. That Agriculture (Intensive) (Market Garden) and single-lot regrading (placement of topsoil) may commence on the subject parcel, in accordance with the submitted application and drawings.

Permanent:

2. 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.
3. That prior to any onsite sales or u-pick occurring on the subject property, the Applicant/Owner shall apply for a development permit.
4. That prior to the placement of topsoil on the subject property, the Applicant/Owner shall submit to the County 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 the placement of topsoil on the subject property 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.
6. 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.
7. That the Applicant/Owner shall be responsible for rectifying any adverse effect on the adjacent lands from drainage alteration.
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 the adjoining property owners and others in the vicinity.
9. That if the development authorized by this Development Permit is not commenced with reasonable diligence within 12 months from the date of issue, and completed within 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.

Advisory:

10. That the Applicant/Owner shall adhere to the County's Noise Bylaw (C-8067-2020) at all times.
11. 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]*.
12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



ATTACHMENT 'B': MAPS AND OTHER INFORMATION

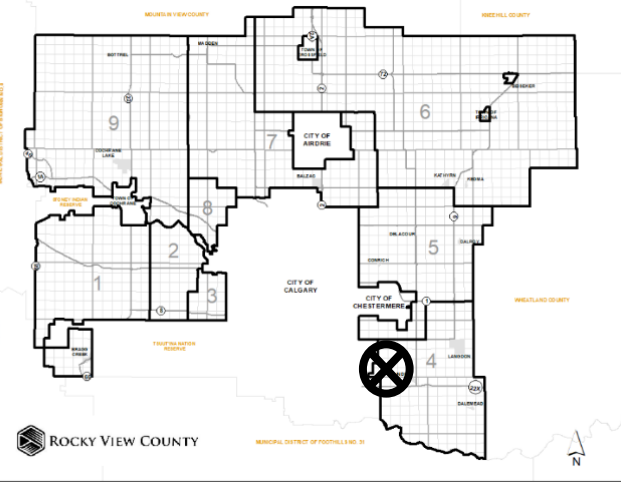
APPLICANT: Donald and Maryanne Umbsaar	OWNER: Donald and Maryanne Umbsaar
DATE APPLICATION RECEIVED: June 18, 2021	DATE DEEMED COMPLETE: June 28, 2021
GROSS AREA: ± 2.02 hectares (± 4.99 acres)	LEGAL DESCRIPTION: Lot 1, Block 4, Plan 0914213, SE-05-23-28-W4M (11 Shortbridge Place)
APPEAL BOARD: Subdivision & Development Appeal Board	
HISTORY: <ul style="list-style-type: none"> • PRDP20152058: dwelling moved in • PRDP20213039: construction of the accessory building 	
PUBLIC & AGENCY SUBMISSIONS: 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.	



Aerial Imagery

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables



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 Printed: June 25, 2021
 Legal: Lot:1 Block:4
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Cover Letter

Development Proposal

Agriculture (Intensive) and single lot regrading (placement of topsoil), for a market garden for the production of fruits and vegetables

To: Rocky View County

From: Don and Maryanne Umbaar

Subject: Application for Proposed Development – lot regrading and possible fill

Property: 11 Shortridge Place [Lot 1, Block 4, Plan 92 4213]

1. Current Land conditions and Use

The land is undeveloped grassland, with no buildings, and an existing water well. There are well established shelter belts on the north and west boundaries. The 5 acre property has gentle topography, with less than 4m elevation variation. There are no existing or proximal water bodies.

2. Proposed Land Use

The proposal is to establish crops: berries, fruit trees, vegetables in a portion of the land not exceeding 1 acre. If successful, produce would eventually be sold through a home-based business. Potentially, the property could become the point of sale for produce, either by pickup or u-pick. Alternatively, produce could be delivered to local buyers.

3. Scope of Work

The immediate scope of work covers 2 regions (phase 1 and phase 2), with a combined area of 3515m² (0.87 acres). The primary work is to till soil, in swaths 1.5m wide, leaving strips of fallow ground 2.4m wide between adjacent rows. Additionally, up to 10cm of loam, compost, or manure may be added to the tilled areas for soil conditioning. The tilled swaths account for approximately 41% of the area outlined for development; the total disturbed soil is significantly less than 1 acre.

If any fill is added, it will be clean and free from contaminants or weeds. After tilling, the swaths will be covered by cardboard until autumn, to restrict the growth of grasses or weeds prior to anticipated planting. Phase 1 will be planted in the autumn of 2021; Phase 2 will be tilled in 2021, and not planted until a future date.

The grading operation will have no significant impact on local traffic or dust. Most likely, the equipment will be mobilized and the work completed on the same day when conditions are favourable. The small work crew should have less than 3 vehicles, and there is no need for multiple in/out visits.

The addition of fill could be a maximum volume of 38m³, approximately 4 truckloads. This fill is optional, and depends on costs. If fill is added, there would be extra vehicles for delivery and possibly equipment for distributing fill into the swaths.

The anticipated changes to existing grades and possible impacts on drainage and erosion will be negligible or too small to measure.

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Cover Letter
(continued)

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4. Requested Variance

No variance is requested

5. Business Operations

This is a small business; starting as a part-time venture. There are no plans for employees. The immediate focus of this small business will be the planting and care of the trees. It could take a few years before production is achieved. Once production is achieved, we will apply for a home-based business permit, and other permits requested by the County.

6. Attachments

- a. Development Permit Application
- b. Stripping Grading Excavation Information Sheet
- c. Checklist
- d. Site Plan
- e. Detailed diagram of grading plan (phase 1 and phase 2)
- f. Title document
- g. Photographs of property

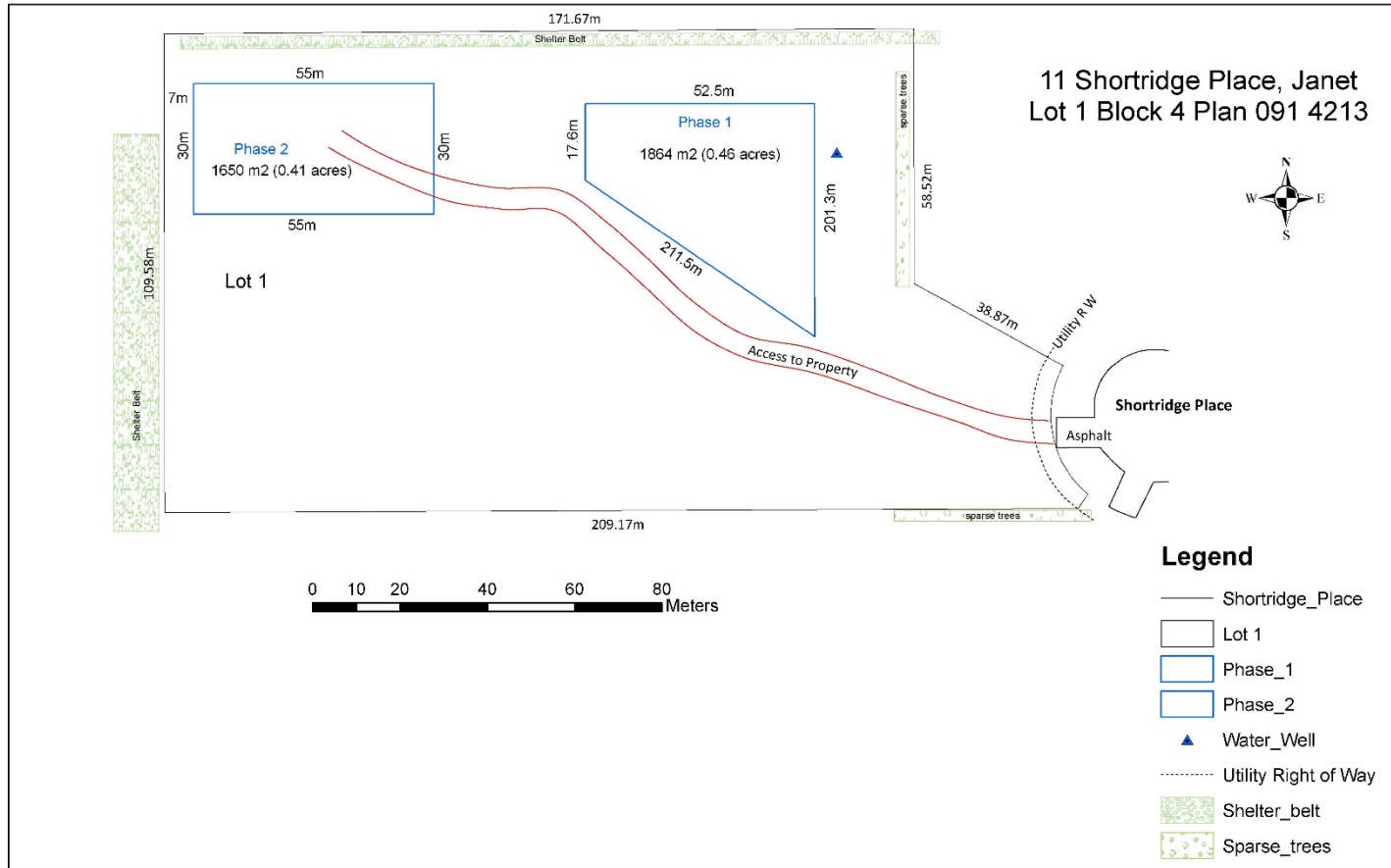
Don and Maryanne Umbsaar
[REDACTED]

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Site Plan

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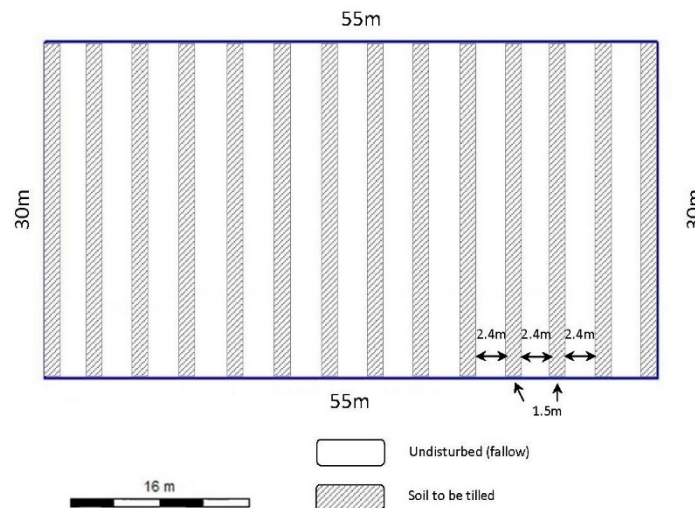
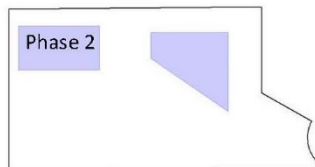
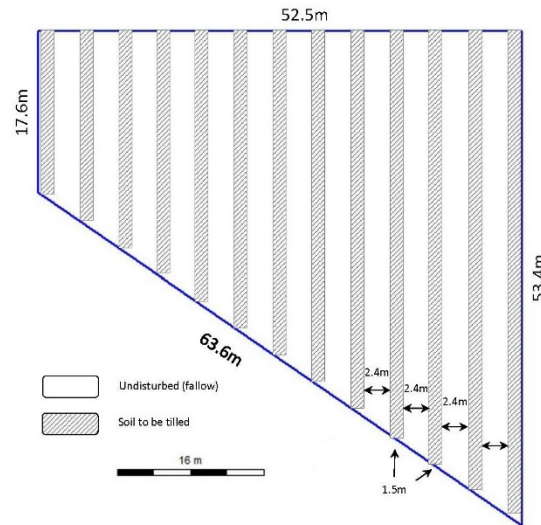
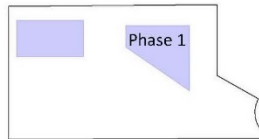


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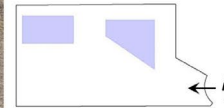
Site Photos

Development Proposal

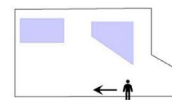
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Picture 1: Looking west from entrance to property



Picture 2: Looking west along the southern boundary



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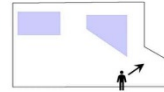
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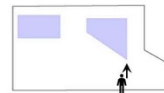
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Picture 3: Looking northeast from the southern boundary



Picture 4: Looking north from the southern boundary



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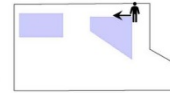
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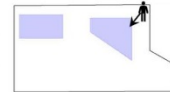
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Picture 7: Looking west from corner of phase 1 development



Picture 8: Looking southwest from near the NE corner



Picture 9: Looking south, along eastern boundary



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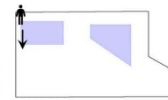
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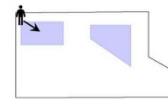
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Picture 10: Looking south along western boundary; corner of phase 2 development



Picture 11: Looking southeast, from corner of phase 2 development



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