

## **PLANNING AND DEVELOPMENT SERVICES**

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**TO:** Municipal Planning Commission  
Development Authority  
**DIVISION:** 7

**DATE:** January 27, 2021  
**APPLICATION:** PRDP20203434

**FILE:** 06411012

**SUBJECT:** Single-lot regrading / Discretionary use with no Variances

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**APPLICATION:** Single-lot regrading, for stockpiling purposes

**GENERAL LOCATION:** Located approximately 0.81 km (1/2 mile) south of Hwy. 566 and 0.41 km (1/4 mile) west of Rge. Rd. 292.

**LAND USE DESIGNATION:** Direct Control District 99 (DC 99) and under Land Use Bylaw C-4841-97.

**EXECUTIVE SUMMARY:** The application is consistent with all applicable policies for the site. This item was originally before the Municipal Planning Commission on December 10, 2020. The Commission tabled the application until more information was gathered surrounding stockpile timelines onsite.

After further conversation with the Applicant, the intent is to use the stockpile for the future phase II and III of the owner's expansion plans and will be used for sub base for future structures. The intent is for Phase II to commence in Spring 2021. Having the stockpile remain will reduce disturbance of future construction to adjacent neighbours (less equipment and trucks needed on site). Additionally, the stockpile is native to the site, which is preferential than exporting offsite.

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

### **OPTIONS:**

Option #1: THAT Development Permit Application PRDP20203434 be approved with the conditions noted in Attachment 'A'.

Option #2: THAT Development Permit Application PRDP20203434 be refused.

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### **Administration Resources**

Scott Thompson, 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.

<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>• Municipal Development Plan;</li> <li>• Balzac East Area Structure Plan;</li> <li>• Wagon Wheel Industrial Conceptual Scheme</li> <li>• Land Use Bylaw; and</li> <li>• County Servicing Standards.</li> </ul>	<b>TECHNICAL REPORTS SUBMITTED:</b> <ul style="list-style-type: none"> <li>• Erosion and Sediment Control Plan</li> </ul>
<b>DISCRETIONARY USE:</b> Site Stripping, filling, excavating, grading, and or re-contouring.	<b>DEVELOPMENT VARIANCE AUTHORITY:</b> Municipal Planning Commission

*Payments and Levies*

APPLICABLE FEE/LEVY	AMOUNT OWING (ESTIMATE)
<i>Refundable Security</i>	\$3,800.00

Additional Review Considerations

Conditions were set based on the following items:

*Balzac East Area Structure Plan*

The Balzac East Area Structure Plan states that: *Any areas subject to excavation, stripping or grading during construction phases of development that are not identified as a landscaped area in the Landscape Plan shall be seeded to grass.* The proposed application meets this requirement as it will be seeded and hydro mulched.

*Wagon Wheel Industrial Conceptual Scheme*



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The Wagon Wheel Industrial Conceptual Scheme provides guidance through policy 8.3.1 that states: *A Construction Management Plan shall be provided by the developer to the satisfaction of the M.D. of Rocky View prior to issuance of a Stripping and Grading Permit.* Given that this particular application is an existing berm, no Construction Management Plan is necessary.

**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

ST/lt

**ATTACHMENTS:**

ATTACHMENT 'A': Development Permit Conditions

ATTACHMENT 'B': Maps and Other Information



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

Option #1 (this would allow the development to commence)

APPROVAL, subject to the following conditions:

**Description:**

1. That the single-lot regrading, for the stockpiling of a stockpile shall remain on site in accordance with the drawings submitted with the application and the conditions of this permit.

**Prior to Issuance:**

2. That prior to issuance of this permit, the Applicant/Owner shall submit a \$3,800.00 Irrevocable Letter of Credit or Refundable Security, to be deposited with the County to ensure that conditions of this permit are met. If conditions of this permit are not met, the County may use the funds, enter onto the described land, and carry out the work necessary to meet the condition.

**Permanent:**

3. That any plan, technical submission, agreement, matter or understanding submitted and approved as part of the application or in response to a Prior to Issuance condition shall be implemented and adhered to in perpetuity.
4. That it shall be the responsibility of the Applicant/Owners to ensure the fill has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
5. 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.
6. That no topsoil shall be removed from the site.
7. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
8. That the fill shall not contain large concrete, rebar, asphalt, building materials, organic materials, or other metal.
9. 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.
10. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands from drainage alteration.
11. 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.

**Advisory:**

12. That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owner.



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13. That the subject development shall conform to the County's Noise Bylaw C-5773-2003 in perpetuity.
14. 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*].
15. That if the development authorized by this Development Permit is not completed within twelve (12) months of the date of issuance, the permit is deemed to be null and void.
16. That if this Development Permit is not issued by **July 31, 2021** or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
17. That this Development Permit, once issued, shall be valid until **February 24, 2022**.

Option #2 (this would not allow the development to commence)

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

<b>APPLICANT:</b> Dawson Wallace Construction	<b>OWNER:</b> Dawson Wallace Construction
<b>DATE APPLICATION RECEIVED:</b> October 27, 2020	<b>DATE DEEMED COMPLETE:</b> October 27, 2020
<b>GROSS AREA:</b> ± 4.73 hectares (± 11.69 acres)	<b>LEGAL DESCRIPTION:</b> Lot 6 Block 1 Plan 1911679, SW-11-26-29-04; (291180 WAGON WHEELROAD; 291196 WAGON WHEEL ROAD)
<b>APPEAL BOARD:</b> Subdivision Development Appeal Board	
<b>HISTORY:</b> <p><b>November 12, 2019:</b> Development Permit (PRDP20192808) issued for the construction an addition (including a freezer and loading area) for a food service distributor.</p> <p><b>November 8, 2011:</b> Development Permit (2011-DP-14723) issued for the placement of one fascia sign.</p> <p><b>March 15, 2011:</b> Development Permit (2011-DP-14409) issued Warehouse (existing building), tenancy for a grocery product distributor</p>	
<b>PUBLIC &amp; AGENCY SUBMISSIONS:</b> <p>The application was circulated to internal and external agencies and, where appropriate, conditions of approval have been proposed based on these comments.</p>	

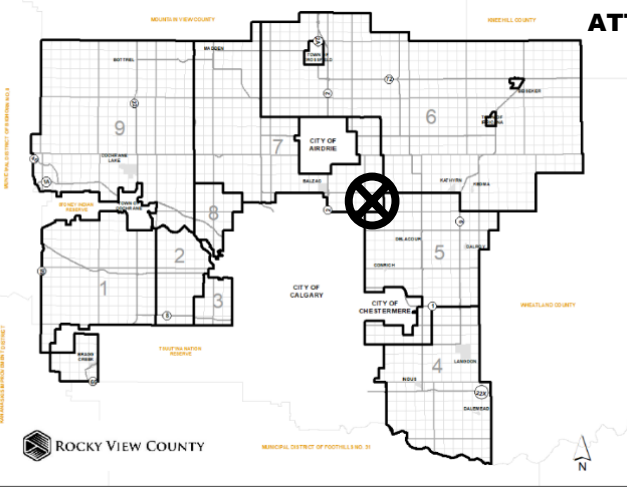


# ATTACHMENT 'B': MAPS AND OTHER INFORMATION

## Location & Context

### Development Proposal

Stock Pile

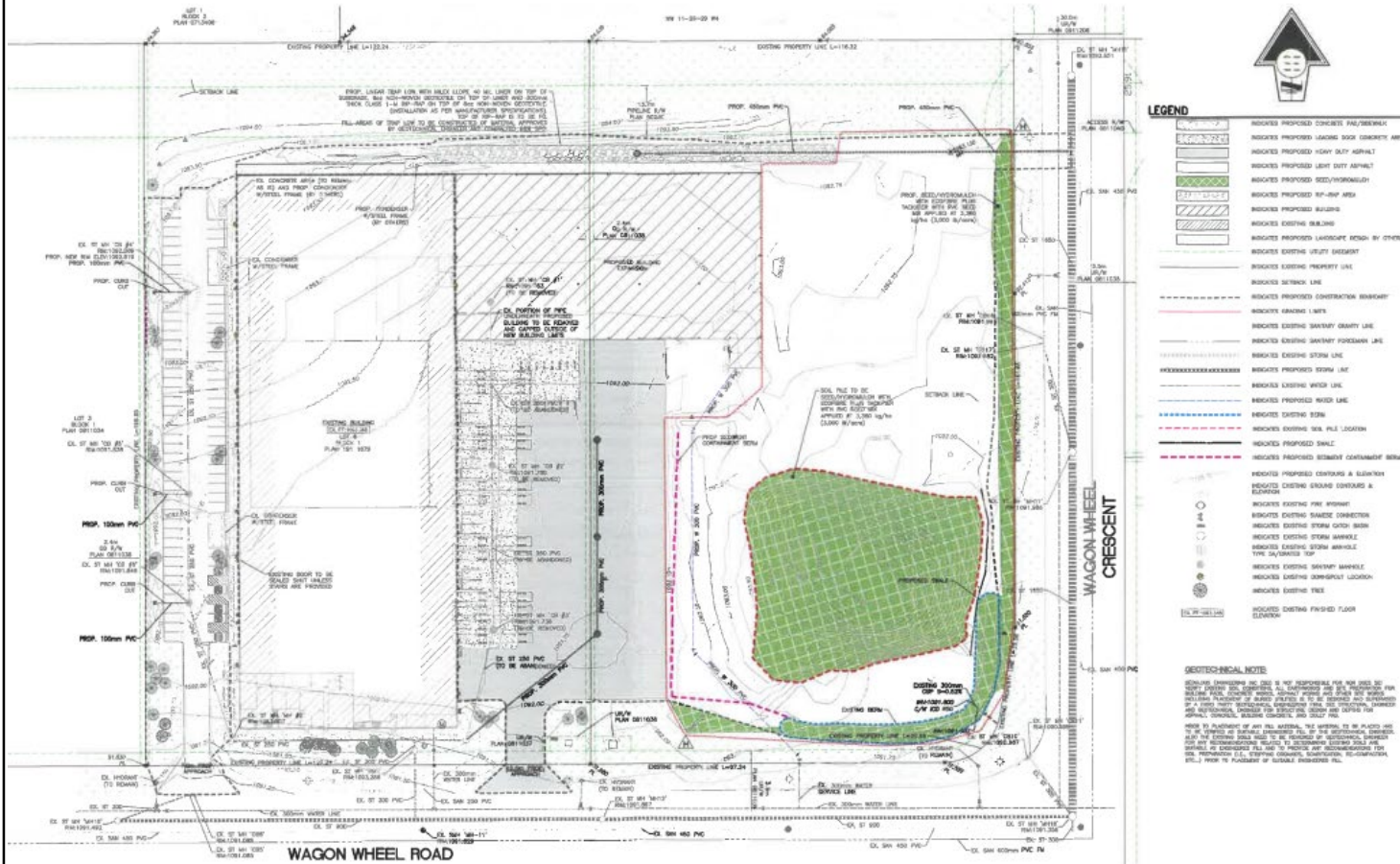


Division: 7  
Roll: 06411012  
File: PRDP20203434  
Printed: January 27, 2021  
Legal: SW-11-26-29-04 Lot 6  
Block 1 Plan 1911679

## Site Plan

## Development Proposal

## Stock Pile



Division: 7  
Roll: 06411012  
File: PRDP20203434  
Printed: January 27, 2021  
Legal: SW-11-26-29-04 Lot 6  
Block 1 Plan 1911679





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12 14 2020



ROCKY VIEW COUNTY

262075 Rocky View Point  
Rocky View County, AB, T4A 0X2403-230-1401  
questions@rockyview.ca  
www.rockyview.ca

Scott - NE

**Inspection Request**

Roll #: 06411012 DP #: PRDP20203434

Applicant/Owner: Dawson Wallace Construction  
Legal Description: Lot 6 Block 1 Plan 1911679, SW-11-26-29-04  
Municipal Address: 291180 WAGON WHEEL ROAD, Rocky View County AB291196  
WAGON WHEEL ROAD, Rocky View County AB

Land Use: DC99CC  
Reason for Inspection: Single lot re-grading and stockpiling

**Inspection Report**

Date of Inspection: \_\_\_\_\_

Permission granted for entrance? Yes

## Observations:

At 12:45 on Monday December 14<sup>TH</sup> I attended the subject property and noted at this time a pile of soil located at the eastern end of the property. At this time there was no evidence that the pile had been recently added to.

Signature: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'SM'.