

**THIS IS NOT A DEVELOPMENT PERMIT**

Please note that the appeal period *must* end before this permit can be issued and that any Prior to Release conditions (if listed) *must* be completed.

**NOTICE OF DECISION**

Rocky Mountain Equipment (Jason Carter)

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Tuesday, April 2, 2024

Roll: 06411005

**RE: Development Permit #PRDP20240649**

**Block A, Plan 4156 JK, NW-11-26-29-04; (261244 RANGE ROAD 292)**

The Development Permit application for Stripping and Grading, over approximately 14.16 hectares (35.00 acres), for site preparation of a future commercial development has been **conditionally-approved** by Rocky View County's ('the County') Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

**Description:**

1. That Stripping and Grading, over approximately 14.17 hectares (35.03 acres), may be permitted in accordance with the application drawings package approved with the application, as prepared by *APTUS, Project No. 5633 (8 Drawings), dated January 31, 2024*, as amended as part of conditions of approval, and includes:
  - i. Rough grading to accommodate the future development of *Rocky Mountain Equipment*.
  - ii. Net Fill volume up to  $\pm 125,000.00$  cu. m of material.
  - iii. Rough grading/construction of a permanent berm and pathway, approximately  $\pm 24,000.00$  cu. m.
  - iv. Temporary stockpiles & berms of stripped native topsoil and creation of Sedimentation Ponds.
  - v. Removal of excess topsoil (if required).

**Prior to Release:**

2. 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's Land Use Bylaw C-8000-2020, County Servicing Standards and Policy #C-407. The requirement shall be \$5,000.00/disturbed acre of the development area. *As the subject development area for the proposal is 35.03 acres, the estimated security is \$175,150.00.*



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3. That prior to release of this permit, the Applicant/Owner shall contact the County's Road Operations with haul details for materials and equipment needed during construction/site development to confirm if Road Use Agreements or permits shall 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.
4. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan, to the satisfaction of the County, in accordance with the County's Servicing Standards, Section 1100. The Construction Management Plan shall:
  - i. Include a Weed Management Plan.
  - ii. Include protection/remediation measures around the County's commemorative monument; to be located within the future Municipal reserve property. *The monument shall remain as-is onsite with no impact occurred unless an alternative plan has been approved by the County.*
  - iii. Provide details regarding how dust mitigation will be provided onsite, along with a process for how any complaints will be handled.
  - iv. Provide details regarding the supply and use of water for dust suppression; and
  - v. 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.
5. 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.
6. That prior to release of this permit, the Applicant/Owner shall submit detailed cut/fill and site grading plans, prepared and stamped by a qualified engineering professional, in accordance with the County's Servicing Standards.
7. 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 with greater than 1.20 m (3.93 ft.) of fill, a Deep Fill report shall be also submitted.
8. That prior to release of this permit, the Applicant/Owner shall submit an Erosion and Sediment Control (ESC) Plan, prepared by a qualified professional, in accordance with the County's Servicing Standards. *Based on the size of the development area, a full ESC Report is required.*
9. That prior to release of this permit, the Applicant/Owner shall submit a revised Wetland Assessment and Impact Report, as prepared by CIMA, File Number: CA000901, dated February 28, 2023, that is signed and dated by the qualified engineer, includes references to the proposed stripping and grading activities and includes the noted recommendation of the 20.00 m buffer area around the water bodies, to the satisfaction of the County.

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10. That prior to release of this permit, the Applicant/Owner shall submit copies of regulatory approvals for the classified wetlands on the subject lands within the development area, which will be affected by the proposed construction, once obtained from the Province of Alberta.

**Permanent:**

11. That if the Development Permit is not issued and the prior to release conditions have not been met by **MARCH 31, 2025**, or the approved extension date, then this approval is null and void, and the Development Permit shall not be issued.
12. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of this application and updated in response to a Prior to Release condition shall be implemented and adhered to in perpetuity.
13. That if conditions of this permit are not satisfied, the County may draw upon the Letter of Credit or refundable security 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.
14. That upon completion of the proposed development, the Applicant/Owners shall submit as-built survey(s), prepared, and stamped by a qualified professional, confirming that the development proposal and post grades align with the supporting technical submissions for the file.
15. That the Applicant/Owner shall submit compaction testing to the County, verifying that the fill areas greater than 1.20 m. (3.93 ft.) in depth were placed in accordance with the overlying technical accepted by the County.
16. That it is the responsibility of the Applicant/Owner to obtain approval from the County Engineering team for any new construction, installation, or alterations of any of the existing approaches and/or temporary approaches that will be utilized to access the subject development area, prior to commencing any work on the approaches.
17. That this approval does not include the approval of any deep utility installations, surface, or hard infrastructure.
18. That the Applicant/Owners shall be responsible for rectifying any adverse effect on adjacent lands or adjacent roadway right-of-ways from drainage alteration. That no stormwater from the subject lands shall be released offsite or towards any County Infrastructure, without an offsite pumping permit from the County issued prior.
19. That any stockpiled native topsoil shall be maintained and re-spread onsite upon final completion. However, if required, any excess topsoil may be removed from the site, if deemed excessive above the approved technical reports onsite and would cause detriment to the property if re-spread.
  - i. That until the commercial development of the subject lands commences, the proposed development graded area, including stockpiles as per the approved application, shall be spread and seeded to native vegetation or landscaped, to the satisfaction of the County.



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20. That it shall be the responsibility of the Applicant/Owners to ensure that any material regraded and moved onsite has been placed in a safe manner that does not cause slope stability issues, slumping, or any other related safety issues.
21. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane-related issues.
22. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
23. 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 dust control related to 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.
24. That if at any point any material enters or leaves the site, shall be hauled on/off in a covered trailer/truck, to help prevent the 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.
25. That the County staff or agents shall have access to the site at all times.
26. 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.
27. That the works or portions thereof allowed under this Development Permit, including security registration, may be transferred and incorporated within a Development Agreement executed by both the Developer and the County if desired.
28. 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 twenty-four (24) months of the date of 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:

- That the subject development shall conform to the *County's Noise Bylaw C-8067-2020* and *Road Use Agreement Bylaw C-8323-2022*, in perpetuity.

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- That the site shall remain free of Regulated, Prohibited Noxious or Noxious weeds in accordance with the required Weed Management Plan submitted with the application and be maintained in accordance *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, November 16, 2022]*.
- That the Applicant/Owners shall be responsible for all required payments of 3<sup>rd</sup> party reviews and/or inspections as per the County's Master Rates Bylaw.  
*Note: For any 3<sup>rd</sup> party review work completed prior to release 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.*
- 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.
  - The Applicant/Owner shall obtain a crossing agreement from ATCO Gas Utility Provider, prior to construction commencement.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners.
  - That the Applicant/Owner shall obtain a Highway Roadside Development Application from Alberta Transportation and Economic Corridors, in accordance with the provided Transportation and Economic Corridors *Notice of Referral Decision, dated February 16, 2024, AT Reference #: RPATH0040660.*
  - That the Applicant/Owner shall submit copies any Ministry of Environment and Protected Areas (AEPA) regulatory approvals to the County, once obtained, if not submitted through conditions of this approval.

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

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, April 23, 2024**, a Development Permit may be issued, unless there are specific conditions that need to be met prior to release. If an appeal is received, then a Development Permit will not be issued unless and until the decision to approve the Development Permit has been determined by the Subdivision and Development Appeal Board.

Regards,



Development Authority

Phone: 403-230-1401

Email: [development@rockyview.ca](mailto:development@rockyview.ca)

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