

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

Scheffer Andrew Ltd. (Nathan Ross)

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Tuesday, April 22, 2025

Roll: 02336003, 02336030, 02336002 & 02336001**RE: Development Permit #PRDP20251011**

**NW-36-22-28-04; (101 FULTON DRIVE);
NE-36-22-28-04; (56 FULTON ROAD);
SW-36-22-28-04; (265 FULTON DRIVE); &
SE-36-22-28-04; (326 FULTON DRIVE)**

The Development Permit application for Stripping and Grading, for the Fulton Industrial Park, Phase 3 has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

Description:

1. That Stripping and Grading, for future subdivision (Fulton Industrial Park Phase 3) 42.39 hectares (104.75 acres) may be permitted in accordance with the drawings package, project "*FULTON INDUSTRIAL PHASE 3*" submitted with the application, *as prepared by Scheffer Andrew Ltd., Drawing No.: FIG-01 – FIG-04*; as amended as part of conditions of approval, as amended.

Prior to Release:

2. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan, in accordance with Policy 6.1.2 & 11.3.1 of the Fulton Industrial Park Conceptual Scheme (CS) and the County's Servicing Standards, Section 1100. The Construction Management Plan shall:
 - i. Including a Weed Management Plan, truck route and access to site;
 - 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 shall submit a Letter of Credit or refundable security in accordance with Sections 112-115 of the County's *Land Use Bylaw C-8000-2020* (LUB), County Policy C-407 and the County's Servicing Standards. The requirement shall be \$5,000.00/ disturbed acre of the development area.



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5. That prior to release of this permit, the Applicant/Owner shall submit a Deep Fill report for any areas with greater than 1.20 m (3.93 ft.) of fill in accordance with the County's Servicing Standards.
6. That prior to release of this permit, the Applicant/Owner shall submit an interim Site-Specific Stormwater Management Report (SSIR), signed and sealed by a professional engineer, that provides recommendations on managing interim stormwater flows in accordance with the Policy 6.0 and 9.5 of the CS and the County's Servicing Standards.
7. That prior to release of this permit, the Applicant/Owner shall submit a revised Erosion Sediment Control Plan (ESC) prepared by Scheffer Andrew Ltd., dated February 11, 2025, in accordance with Policy 6.0 of the CS and the County's Servicing Standards, including:
 - i. That the revised ESC shall only address the stripping and grade of the development;
 - ii. That the revised ESC shall include clarification of the loam stockpile in the southeast corner of the site; and
 - iii. That the revised ESC shall include the manufacture specification for the tackifier.
8. 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 a Road Use Agreement or a Roadata Heavy Haul/Overweight/Overdimension Permit shall be required for any hauling along the County road system and to confirm the presence of County road ban restrictions.
 - i. The Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire (*Bylaw C-8323-2022*) and send the information to roaduse@rockyview.ca;
 - ii. Any required agreements or a Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operation;
 - iii. If a road use agreement is required, the Applicant/Owner shall be required to provide a refundable security to the County pursuant to the *Road Use Agreement Bylaw C-8323-2022*; and
 - iv. Written confirmation shall be received from County Road Operations confirming the status of this condition.

Permanent:

9. That if the prior to release conditions have not been met by **DECEMBER 31, 2025**, or the approved extension date, then this approval is null and void and the Development permit shall not be issued.
10. That the stockpiled material shall be removed within **two (2) years** from the date of permit issuance.
11. That any plan, technical submission, agreement, matter, or understanding submitted and approved as part of the application, in response to a Prior to Release condition, including the SWMR, CMP, ESC, and Deep Fills Report, shall be implemented and adhered to in perpetuity.
12. That if the 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/Owner shall submit as-built survey(s), confirming that the development proposal and post grades align with the supporting technical submissions for the file.



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14. That upon completion, 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.
15. That all work or portions thereof allowed under this Development Permit may be transferred and incorporated within a Development Agreement executed by both the Applicant/Owner and the County.
16. That this approval does not include the approval of any deep utility installations, the placement of stormwater infrastructure for the subdivision, or the final layer of asphalt for future roads.
17. 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.
18. That the proposed development graded area, including stockpiles, as per the approved application, shall be spread and seeded to native vegetation or landscape, to the satisfaction of the County, upon completion.
19. That it shall be the responsibility of the Applicant/Owner 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.
20. That the Applicant/Owner shall ensure no organic material is buried and capped in a manner that will cause methane-related issues.
21. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, organic materials, or other metal.
22. 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.
 - 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; and
 - 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.
23. 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.
24. 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.
25. That the Applicant/Owner shall be solely financially responsible for rectifying any adverse effect on adjacent lands from drainage alteration, including stormwater implications from the proposed development. Post-development drainage shall not exceed pre-development drainage.
 - i. That any lot regrading and excavation is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way; and
 - ii. That upon completion of the proposed development, the County may request the Applicant/Owner submit an as-built survey, confirming the post-development drainage does not exceed pre-development drainage and is in compliance with any matter submitted and approved as part of the of the Development Permit application, or in response to a Prior to Release condition.



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26. 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 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-8065-2022*, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious, Noxious, or Nuisance weeds and be in accordance with their approved Weed Management Plan and be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1; Current as of December 7, 2023]*.
- That any other government permits, approvals, or compliances are the sole responsibility of the Applicant/Owners, including:
 - Alberta Environment and Protected Areas, Water Act, Permit No. 00410292-00-00.

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.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, May 13, 2025**, a Development Permit may be issued, unless there are specific conditions which 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 Land and Property Rights Tribunal.

Regards,

A handwritten signature in black ink, appearing to read 'D. K. [illegible]'. The signature is stylized and cursive.

Development Authority
Phone: 403-520-8158
Email: development@rockyview.ca