

**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**

Hofer, Daniel & Debora

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Tuesday, January 20, 2026

Roll: 08013004

**RE: Development Permit #PRDP20256924**

**SW-13-28-25-04; (282060 RGE RD 251)**

The Development Permit application for Single-lot regrading and placement of clean topsoil, for agricultural purposes [*commenced without permits*] has been **conditionally-approved** by the Development Officer subject to the listed conditions below (**PLEASE READ ALL CONDITIONS**):

**Description:**

1. That the single-lot regrading and placement of clean topsoil, for agricultural purposes, at a maximum volume of  $\pm 12,192.00 \text{ m}^3$  ( $\pm 15,946.53 \text{ yd}^3$ ), up to a maximum depth of 20.32 cm (8.00 inches), over a maximum area of  $\pm 6.00$  hectares ( $\pm 14.83$  acres), may commence on the subject lands, in accordance with the following:
  - i. The approved Site Plan, as prepared by the Applicant/Owner, as amended;
  - ii. Required technical to meet the condition of approval of this permit; and
  - iii. The conditions of approval of this permit.

**Prior to Release:**

2. That prior to release of this permit, the Applicant/Owner submit a Soil Testing Analysis, by a qualified professional, to the satisfaction of the County, completed on the proposed topsoil, which includes where the topsoil originated from and confirm that:
  - i. Texture is balanced and not over 40.00% clay;
  - ii. Organic matter is a minimum of 3.00%, and equal to or greater than the organic matter of the soil on the application site;
  - iii. SAR/EC rating is at least "good"; and
  - iv. PH value is in the "acceptable" range for crop growth.
3. That prior to release of this permit, the Applicant/Owner shall submit a stamped and endorsed statement from a Professional Agrologist, or Certified Crop Advisor, confirming the soil quality improvements achieved by the proposed addition of  $\pm 12,192.00 \text{ m}^3$  ( $\pm 15,946.53 \text{ yd}^3$ ) of topsoil. The statement shall also confirm the anticipated agricultural benefits.



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4. That prior to release of this permit, the Applicant/Owner shall submit a limited scope Site-Specific Stormwater Implementation Plan (SSIP), prepared by a qualified professional engineer, in accordance with the County's Servicing Standards. The SSIP shall include:
  - i. A grading plan that illustrates the original ground profile, the depth of proposed soil, the total amount of soil to be imported/exported from the site, and analysis of pre and post construction grades to determine whether there are any impacts to adjacent properties or the public road network;
  - ii. Confirmation of pre and post construction conditions associated with site stormwater storage, site releases and offsite drainage; and
  - iii. Recommendations for Erosion and Sediment Control (ESC) mitigation measures.
5. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan (CMP) addressing noise mitigation measures, traffic accommodation, sedimentation and dust control, erosion and weed control, construction practices, waste management, hazardous material containment and all other relevant construction management details, for all new placement of topsoil works.
6. That prior to release of this permit, the Applicant/Owner shall submit confirmation of *Water Act* Approval Application submission from the Ministry of Environment & Protected Areas, to the Development Authority.
7. That prior to release of this permit, the Applicant/Owner shall submit an Irrevocable Letter of Credit or Refundable Security, in accordance with Sections 112 – 115 of the County's *Land Use Bylaw C-8000-2020* (LUB) and *Council Policy C-407*, outlining anticipated site remediation costs, in the event that the development is abandoned and/or not completed to the satisfaction of the County.
  - i. That the amount of security required shall be determined via a cost estimate, submitted by the Applicant/Owner to the County, subject to review and approval by the Development Authority.
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 development. Information provided will confirm if a Road Use Agreement or a Roadata/Heavy Haul/Overweight/Overdimension Permit will be required for any hauling along the County Road system and to confirm the presence of County road ban restrictions.
  - i. That the Applicant/Owner shall answer all questions from the County Road Operations Road Use Agreement Questionnaire and send the information to [roaduse@rockyview.ca](mailto:roaduse@rockyview.ca);
  - ii. That any required agreements or a Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations;
  - iii. That 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.



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### Upon Development Completion:

9. That upon development completion, the Applicant/Owner shall contact the County for a site inspection to verify all development has been completed in accordance with the conditions of approval of this permit.
  - i. That if upon inspection County should determine that the development has been carried out as approved, the County shall release the Irrevocable Letter of Credit or Refundable Security, to the Applicant/Owner.
  - ii. That if upon inspection the County should determine that the development has not been carried out as approved, the Applicant/Owner shall implement corrective measures, at their own cost, to the satisfaction of the County.

### Permanent:

10. That if the prior to release conditions have not been met by **AUGUST 31, 2026**, or the approved extension date, then this approval is null and void and the Development Permit shall not be issued.
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 or Occupancy condition, shall be implemented and adhered to in perpetuity.
  - i. That the hours of operation for the development shall be Monday to Friday, 7:00 a.m. to 7:00 p.m.; Saturdays and Sundays 9:00 a.m. to 7:00 p.m.
  - ii. That the Applicant/Owner shall not be approved for a *Noise Exemption Permit* from the County.
12. That no topsoil shall be removed from the site. All topsoil shall be retained on-site and shall be re-spread on-site and seeded to native vegetation or farm crop after development is complete, as part of site restoration.
13. 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.
14. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.
15. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, toxic/hazardous chemicals, organic materials, or other metal.
16. That the Applicant/Owner shall take effective measures to control dust on the property so that dust originating therein shall not cause annoyance or become a nuisance to adjoining property owners and others in the vicinity of the area.
  - i. That no onsite potable water shall be used for dust suppression purposes.
  - ii. That water trucks shall be available at all times on-site and utilized to control dust blowing from the site and/or roadways.
  - iii. That if at any time the development creates a visible dust problem, the development shall cease immediately until remedial measures are taken.



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17. 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.
18. That the Applicant/Owner shall exercise due care on the subject lands to protect any public infrastructure. Any damage to public infrastructure as a result of the development shall be rectified at the Applicant/Owner's cost.
19. That the County and/or agents acting on behalf of the County shall have access to the site at all times for the purpose of inspection.
20. 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 work is not to direct any additional overland surface drainage nor negatively impact existing drainage patterns in any road right-of-way.
  - ii. That upon completion of the proposed development, the County may request the Applicant/Owners 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 Development Permit application, or in response to a Prior to Release condition.
21. 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 site remediation of any or all of the disturbed areas or costs involved in actions necessary to ensure compliance with any other conditions of this permit.
22. That the subject land shall be maintained in a clean and tidy fashion at all times, and any 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.
23. That all on-site lighting, including private, site security and parking area lighting, shall be designed to conserve energy, reduce glare, and reduce uplight, in accordance with Sections 225 – 227 of the *Land Use Bylaw C-8000-2020*. All lighting shall be full cut-off (shielded) and be located and arranged so that no direct rays of light are directed at any adjoining properties, that may interfere with the use and enjoyment of neighbouring lands or interfere with the effectiveness of any traffic control devices or the vision/safety of motorists.
24. 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.

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**Advisory:**

- That the subject development shall conform to the County's *Noise Control Bylaw C-8067-2020*, as amended from time to time, *Road Use Agreement Bylaw C-8323-2022*, as amended from time to time, *Roads and Transportation Bylaw C-8427-2023*, as amended from time to time, and *Nuisance and Unsightly Property Bylaw C-7690-2017*, as amended from time to time, in perpetuity.
- That the site shall remain free of Regulated, Prohibited Noxious or Noxious Weeds and the site shall be maintained in accordance with the *Alberta Weed Control Act [Statutes of Alberta, 2008 Chapter W-5.1, December 7, 2023]*. All regulated species identified on the property must be controlled by the Applicant/Owner. Nuisance weeds must also be controlled in order to limit the spread to surrounding agricultural lands.
- That any other federal, provincial, or County permits, approvals, and/or compliances, are the sole responsibility of the Applicant/Owner.
  - That the Applicant/Owner shall obtain any required approvals/permits from the Ministry of Environment and Protected Areas for any development/activity that may impact the on-site wetlands, prior to commencement.
  - That it is the responsibility of the Applicant/Owner to obtain a Roadside Development Permit from the Ministry of Transportation and Economic Corridors, prior to commencement.

If Rocky View County does not receive any appeal(s) from you or from an adjacent/nearby landowner(s) by **Tuesday, February 10, 2026**, 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 County's Subdivision and Development Appeal Board.

Regards,



Development Authority

Phone: 403-520-8158

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