

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

Philcon Construction LTD (CHAD PHILIPS).

Page 1 of 5

Tuesday, March 24, 2026

Roll: 05225002

**RE: Development Permit #PRDP20257897
SW-25-25-27-W04M; (270138 TOWNSHIP ROAD 254)**

The Development Permit application for single-lot regrading and the placement of clean topsoil, for agricultural purposes 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 the placement of clean topsoil, for agricultural purposes, at maximum volume of $\pm 35,419.43 \text{ m}^3$ ($\pm 46,326.88 \text{ yd}^3$), up to a maximum depth of 15.24 cm (6.00 inches), over a maximum area of ± 23.24 hectares (± 57.43 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 shall submit a revised grading plan, that identifies both pre and post site grades, contours, and all overland flow direction arrows, in accordance with the County's Servicing Standards.
3. That prior to release of this permit, the Applicant/Owner shall submit a Construction Management Plan 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.
4. That prior to release of this permit, the Applicant/Owner shall submit Soil Testing Analysis, by qualified professional, to the satisfaction of the County, completed on the proposed topsoil, which includes where the topsoil originated from and confirms 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.



Philcon Construction LTD (CHAD PHILIPS) #PRDP20257897
Page 2 of 5

5. That prior to release of this permit, the Applicant/Owner shall submit a revised site plan illustrating:
 - i. All sequenced phasing of the placement of clean topsoil, over the subject lands, in accordance with the overall timeline for placement;
 - ii. A revised location for the site access/approach, to be relocated off Highway 564 and proposed along Range Road 271, including:
 - a. The new approach shall be in accordance with the County Servicing Standards, and the final approach location and dimensions shall be confirmed and accepted by the County's Engineering Services;
 - b. Alternatively, written confirmation shall be received by ATEC that the existing agricultural farming approach of Highway 564 can be utilized for the proposed placement of clean topsoil.
6. 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.
 - ii. That upon completion of each phase of the subject development, the subject security may be transferable to each subsequent phase upon completion and written signoff confirmation received from the County, at the discretion of the Development Authority.
7. 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. 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. 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 Roadata/Heavy Haul/Overweight/Overdimension Permit shall be obtained unless otherwise noted by County Road Operations;
 - 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.

Philcon Construction LTD (CHAD PHILIPS) #PRDP20257897
Page 3 of 5

Upon Development Completion:

8. 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 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.
9. That upon development completion, 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 $\pm 35,419.43 \text{ m}^3$ ($\pm 46,326.88 \text{ yd}^3$) of topsoil. The statement shall also confirm the anticipated agricultural benefits.
10. That upon the new approach constructed off Range Road 271, a post-construction inspection shall be completed by the County, to confirm that the approach was constructed in accordance with the County's Servicing Standards, to support the proposed development.

Permanent:

11. That if the prior to release conditions have not been met by **SEPTEMBER 30, 2026**, or through an 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 the application, or in response to a Prior to Release condition, shall be implemented and adhered to in perpetuity.
13. That Applicant/Owner shall complete soil testing, conducted by a qualified professional, at the destination location of the topsoil material. Testing must occur at a minimum frequency of 1 test per $10,000 \text{ m}^3$ (with standard processing times) and must demonstrate 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.
14. That the hours of operation for the development shall be Monday to Friday, 7:00 a.m. to 5:00 p.m.; Saturdays and Sundays 9:00 a.m. to 5:00 p.m. *That this includes no truck idling onsite before or after the noted hours of operation.*
15. That the Applicant/Owner shall not be approved for a *Noise Exemption Permit* from the County.
16. That no native 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 crops after development is complete, as part of site restoration.
17. 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.
18. That the Applicant/Owners shall ensure no organic material is buried and capped in a manner that will cause methane gas related issues.

Philcon Construction LTD (CHAD PHILIPS) #PRDP20257897
Page 4 of 5

19. That the material shall not contain large concrete, large rocks, rebar, asphalt, building materials, toxic/hazardous chemicals, organic materials, or other metal.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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 *Land Use Bylaw C-8000-2020* (LUB). 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.

Philcon Construction LTD (CHAD PHILIPS) #PRDP20257897
Page 5 of 5

27. 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 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 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, April 14, 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