

BYLAW 149/99

BEING A BYLAW OF THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31 TO ADOPT AN AREA STRUCTURE PLAN

WHEREAS the Council of the Municipal District of Foothills No. 31 (hereinafter called the "Council") is empowered by Section 633(1) of the Municipal Government Act, being Chapter M-26.1, to adopt an Area Structure Plan which provides a framework for subsequent subdivision and development of an area of land within the Municipality's boundaries; and

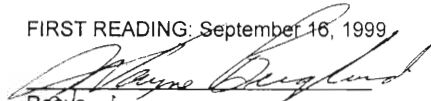
WHEREAS the Council did direct the preparation of an Area Structure Plan for the Ranchers Hill Area Structure Plan located in N.E. 29-22-3 W5 (55.94 hectares/138.23 acres) and SE 29-22-3 W5 (17.96 hectares/44.4 acres); and

WHEREAS the Area Structure Plan has been prepared under the direction of the Council;

NOW THEREFORE the Council of the Municipal District of Foothills No. 31 in the Province of Alberta, hereby enacts as follows:

1. This Bylaw may be cited as the "Ranchers Hill Area Structure Plan Bylaw".
2. That the Ranchers Hill Area Structure Plan may be amended by Bylaw from time to time in accordance with the Municipal Government Act, by the Municipal District of Foothills No. 31.
3. That the Ranchers Hill Area Structure Plan being Schedule "A" attached hereto and forming part of this Bylaw.
4. This Bylaw comes into full force and effect upon the third and final reading.

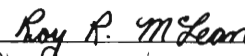
FIRST READING: September 16, 1999



Reeve

Municipal Manager

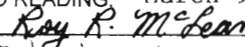
SECOND READING: March 9, 2000



Reeve

Municipal Manager

THIRD READING: March 9, 2000



Reeve

Municipal Manager

PASSED IN OPEN COUNCIL assembled at the Town of High River in the Province of Alberta this
9 day of March, 2000

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Cover Photo: Courtesy of the Glenbow Museum Archives

MISSION STATEMENT

The Ranchers Hill Area Structure Plan (ASP) is intended to provide a long-term vision and development framework serving as a guide to appropriate forms of future land use and development within the Plan Area. The Ranchers Hill ASP will assist municipal policy makers, planners, landowners, and the developer.

1.0 INTRODUCTION

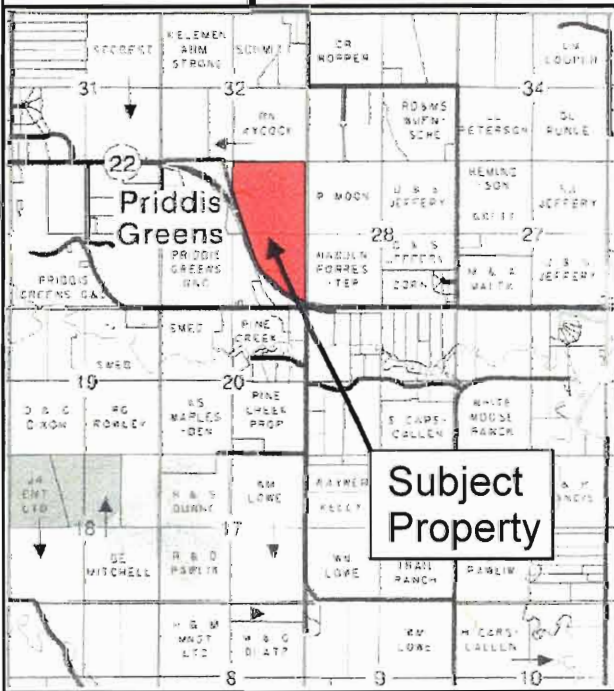
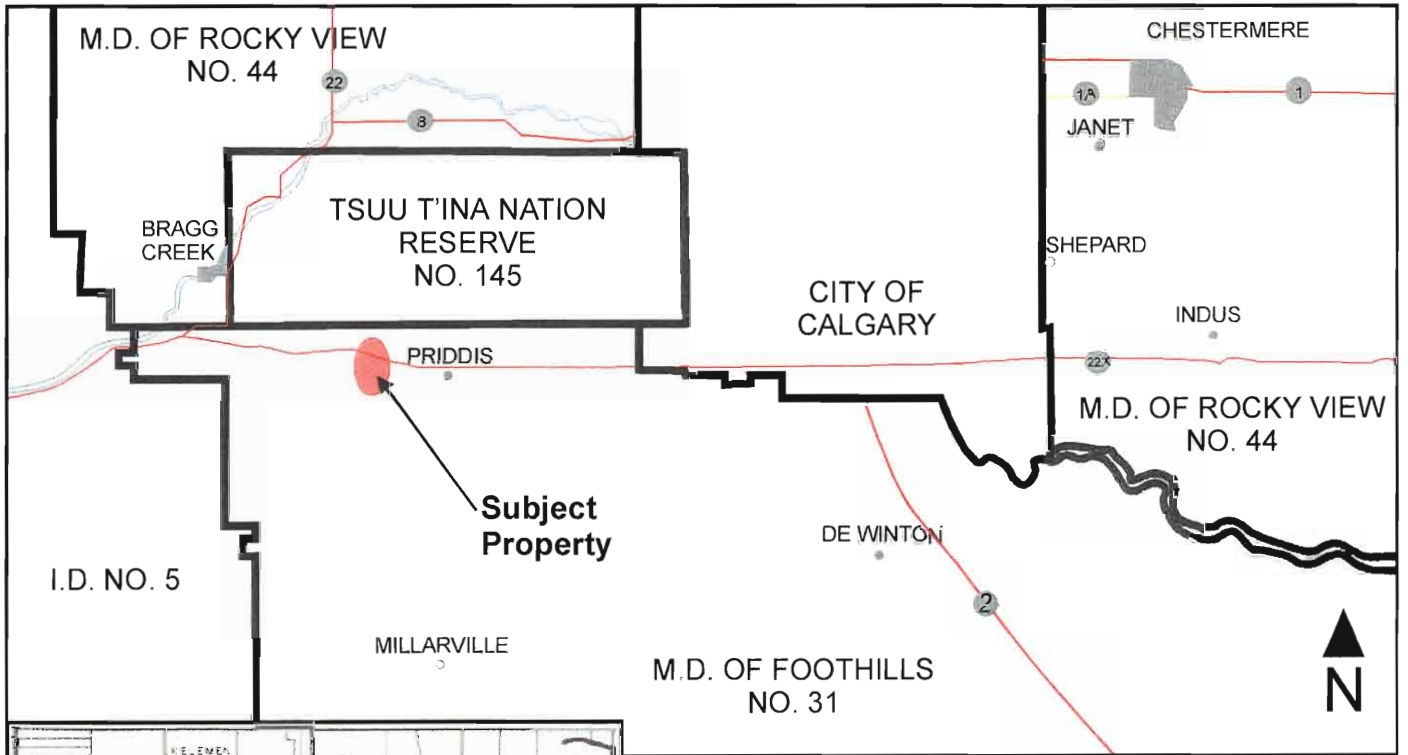
1.1 Context

Figure 1 identifies the physical Plan Area for the Ranchers Hill Area Structure Plan.


The Plan Area includes a half section of land on the east-side of Highway 22, west of the City of Calgary and east of the Priddis Greens Golf Course in the Municipal District (M.D.) of Foothills N0. 31. The Plan Area consists of all legal subdivision plans and lands contained within the following legal description:

- North East Quarter of Section 29, Township 22, Range 3, West of the Fifth Meridian containing 55.94 hectares (138.23 acres).
- South East Quarter of Section 29, Township 22, Range 3, West of the Fifth Meridian containing 17.96 hectares (44.4 acres).

The Plan Area can be classified as an agricultural transition zone. In 1992 a first parcel out was taken from the NE of Section 29. In 1998 a seven (7) lot subdivision was registered on the SE of 29-22-3 W5M. The subdivision of the quarter allowed for the creation of a public utility lot that now contains the M.D. of Foothills Fire Hall. In addition, the subdivision will be serviced by a central water system that is licensed and approved by Alberta Environment. As a result of past subdivision, the Plan Area is now distributed between agriculture, small residential land holdings, and municipal facilities. The transition from agricultural to residential (or other uses) continues with an increase in land values, urban growth pressures, and proximity to urban areas. The Ranchers Hill Area Structure Plan is required to establish an orderly approach to future development addressing infrastructure and traffic changes, and a diverse resident population.



East 1/2 29 - 22 - 3 W5M
 M.D. of Foothills No. 31

<p>Project Title Ranchers Hill Area Structure Plan Legal Description: E 1/2 S 29 - T 22 - R 3 W5M</p>	<p>Project Number: 99-08 Date: November 1999</p>	
<p>Drawing Title Site Location</p>	<p>Scale: NTS</p>	<p>Figure No: 1</p>

1.2 Population Growth

Based on federal census information, the M.D. of Foothills has experienced a generally high residential population growth trend. The population in the Plan Area will be determined by a number of factors including planning and development policies contained in the Ranchers Hill ASP, market demand, land owner decisions, and the availability of services and infrastructure. To provide some indication of future population potential, the following scenario could be considered:

If the Plan Area was fully developed as outlined in the Ranchers Hill ASP, the total Plan Area population is estimated at approximately 52 persons. This projection assumes an average household size of 2.6 persons - the average household size in the 1996 federal census - and that seventy-five (75%) of the available land is developable allowing for environmental considerations and road reserves. The projection does not consider municipal reserve lots, public utility lots as sustaining a resident population.

1.3 Public Involvement

A statutory Public Hearing was held 16 September 1999 where upon first reading of this ASP (Bylaw 149/99) was given.

Second and third reading were obtained _____ and Bylaw 149/99 was adopted.

In addition, stakeholder meetings provided better understanding of specific concerns. Stakeholders included Alberta Transportation and the Municipal District of Foothills planning staff.

1.4 Opportunities and Constraints in the Plan Area

A number of issues and technical considerations were evaluated as part of the Ranchers Hill ASP process, and the following opportunities and constraints were identified:

- a. Differing lifestyle/livelihood aspirations - Agricultural landholders express difficulties in continuing their farming operations, while existing small land owners wish to retain the "country charm" of their once rural surroundings.
- b. Proximity to Urban Centres - Urban growth pressures will continue. Proximity to urban centres and good road infrastructure increases the potential for subdivision in rural areas.

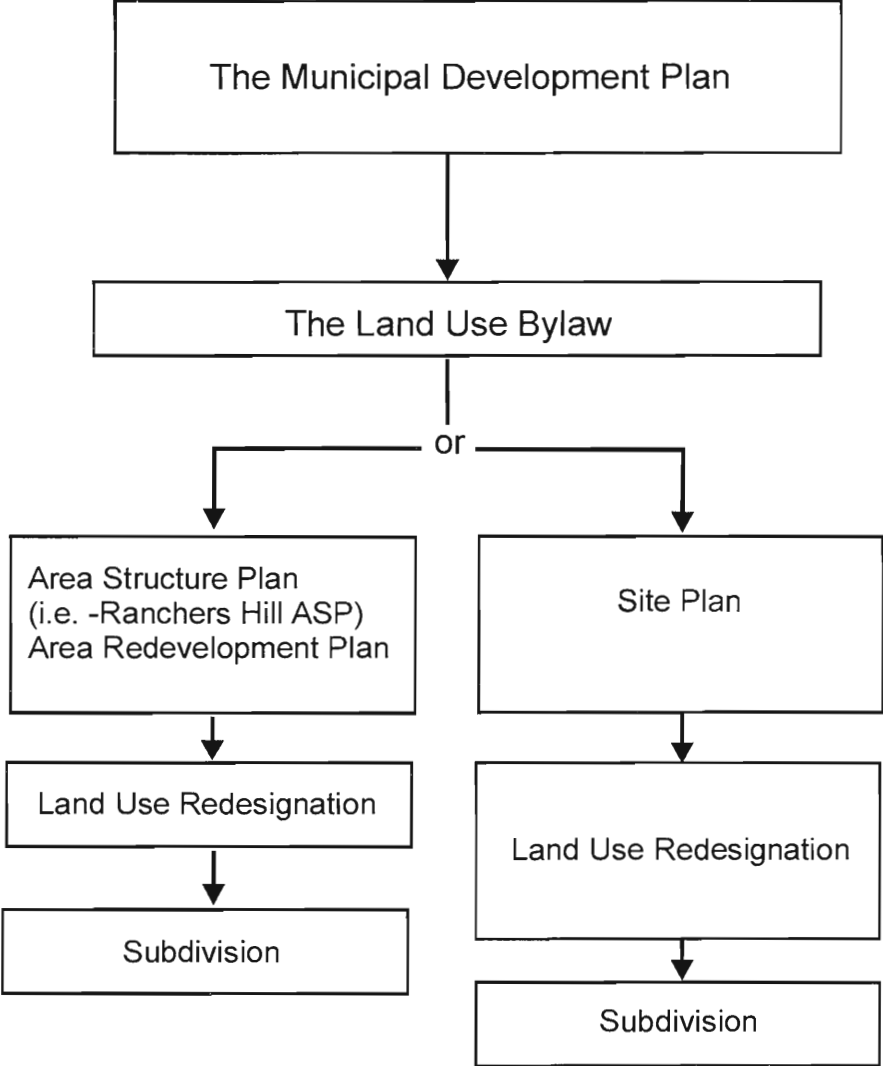
- c. Highway 22 – A scenic highway that has controlled accesses and requires special consideration with respect to visual appearance of roadside development.
- d. Central Water – A large aquifer is licensed and available for treatment and distribution of water to the area that reduces reliance on multiple sources of groundwater.

2.0 THE PLANNING PROCESS

2.1 Purpose of the Plan

The Ranchers Hill ASP was prepared to address municipal concerns that development without proper planning would be detrimental to the area as a whole. The Plan Area has experienced residential growth pressures; as a result, comprehensively planned areas are increasingly important.

The purpose of the Ranchers Hill ASP is to define a planning and development framework to guide future growth in the Plan Area by establishing a range of appropriate and compatible land uses. The Ranchers Hill ASP supports the Foothills Municipal Development Plan by adding another layer of detail to this particular area. The Ranchers Hill ASP takes into consideration existing land uses, surrounding developments, potential future land uses, public input, physical and environmental characteristics, infrastructure requirements, and growth trends. The Ranchers Hill ASP outlines a vision. The plan structure and the policies contained within are the means by which that vision can be achieved. The Ranchers Hill ASP integrates the planning process illustrated as follows:



2.2 The Legislation

The Ranchers Hill ASP has been prepared in accordance with provincial requirements outlined in s.633 of the *Municipal Government Act* (MGA) (*Statutes of Alberta, 1994, Chapter M-26.1*).

633(1) *For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may, by bylaw, adopt an area structure plan.*

(2) *An area structure plan*

(a) *must describe*

*(i) the sequence of development proposed for the area,
(ii) the land uses proposed for the area, either generally or with respect to specific parts of the area,
(iii) the density of population proposed for the area either generally or with respect to specific parts of the area, and
(iv) the general location of major transportation routes and public utilities,*

and

(b) *may contain any other matters the council considers necessary.*

In addition, this ASP was prepared in accordance with the Municipal District of Foothills Municipal Development Plan and Land Use Bylaw and complies with the Municipal guidelines for the preparation of Area Structure Plans.

3.0 PLAN VISION AND GOALS

The Ranchers Hill ASP attempts to achieve orderly, economical and beneficial development, use of land, and patterns of human settlement. It is intended to be a flexible long-term framework for development in the Plan Area.

The Ranchers Hill ASP envisions orderly transition striving to retain many open space and visual characteristics that attract new residents, while, at the same time, providing new opportunities for those who have historically earned their livelihood in the area.

3.1 Plan Goals

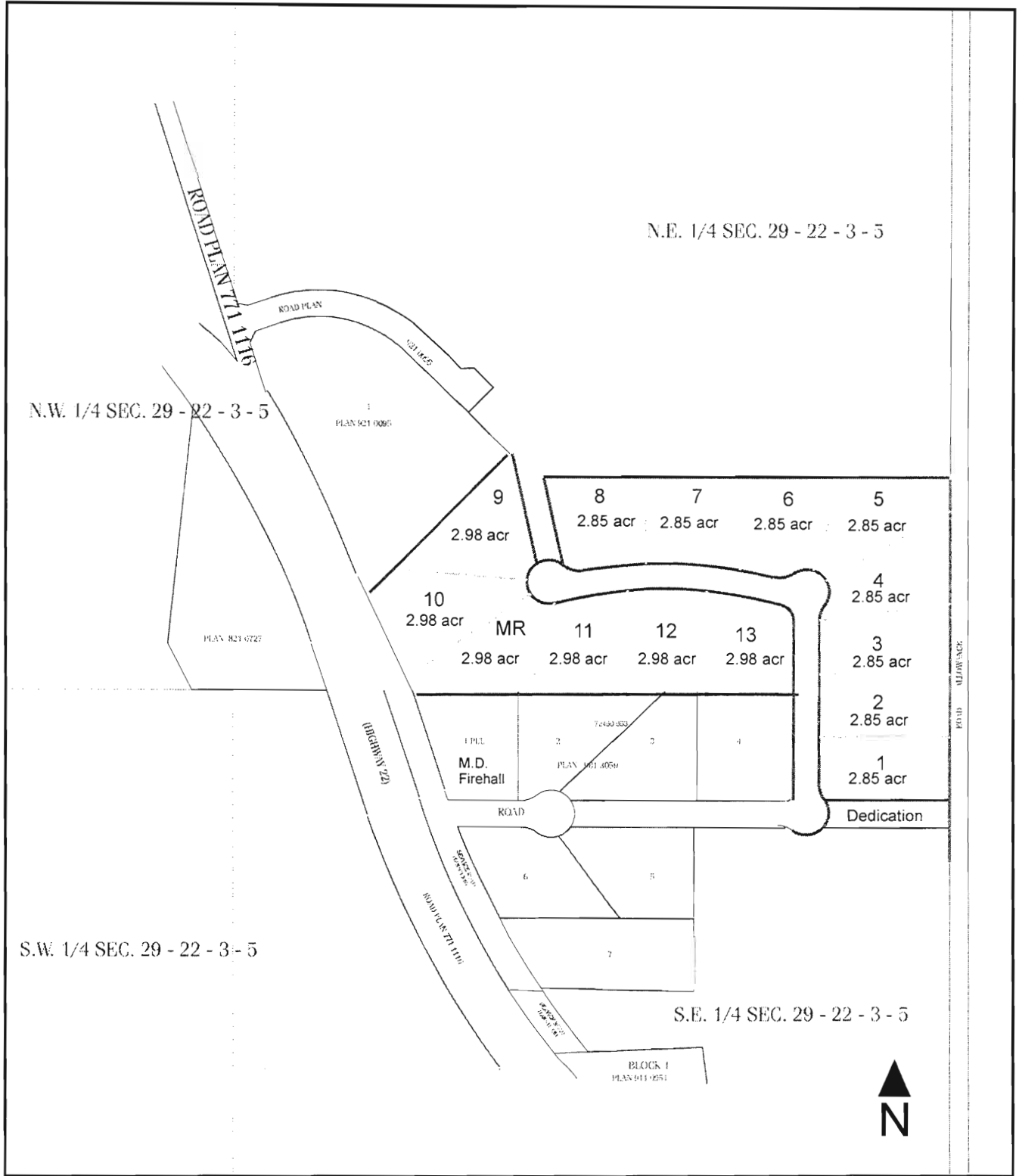
The following goals provide the focus to the Ranchers Hill ASP, build on the Plan Area vision, and collectively represent the future aspirations of the developer.

- a. Achieve an efficient, sequential pattern of development.
- b. Establish a high quality residential area to harmonise development with the natural and built environment.
- c. Provide an efficient and safe road network.
- d. Preserve, protect, conserve and/or enhance important and valued natural features of the Plan Area.
- e. Maintain the functional and visual integrity of the Highway 22 corridor.
- f. Encourage a diversity of land uses working in harmony with one another.

4.0 LAND USE STRATEGY (Figure 2)

Figure 2 delineates both the approved and proposed lots in the Plan Area. The land use strategy is based on a sequential development pattern recognising agricultural activity where possible, and allowing for the orderly, efficient and affordable development of infrastructure and services. In all, the Ranchers Hill development contains seven (7) previously approved lots (one (1) Public Utility Lot and six (6) residential lots) with an additional fourteen (14) lots – thirteen (13) for residential use, and one (1) municipal reserve lot on a half section of land.

- a. When considering redesignation, subdivision or development applications in the Plan Area, the Municipality shall confirm that the application conforms to the land use strategy illustrated in **Figure 2** and is compatible with the policies of this Plan.
- b. Any application in the Plan Area that is contrary to the land use strategy and policies contained within the Ranchers Hill ASP requires a formal application for amendment to the Ranchers Hill ASP.



Project Title
Ranchers Hill
Area Structure Plan
 Legal Description: E 1/2 S 29 - T 22 - R 3 W5M

Project Number: 99-08
 Date: November 1999



Drawing Title
Site Plan

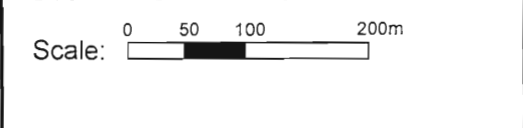


Figure No: **2**

4.1 Agricultural Balance Land Use

Historically, the Plan Area has been under agricultural use. Slope of the land prohibited the use of large farm implements to facilitate the raising of crops. The land has supported the grazing of livestock. Soil consists of a mix of Canada Land Inventory ratings of soil classes 3, 4 and 5. The development is located on the class 4 and 5 soils.

Urban growth pressures from Calgary, increasing non-agricultural land values, demand for country residential development, and conflicts between residential and agricultural land use increase pressure for non-agricultural uses. Agricultural lands within the Plan Area have potential for long-term transition to residential uses provided the transition is orderly and based on market-driven build-out. It is anticipated that the agricultural balance lands can support the intermittent grazing of livestock.

- a. Intensive agricultural operations are discouraged from locating within areas adjacent to residential land use.
- b. The large agricultural balance lands within the Ranchers Hill ASP have limited potential for agriculture. These lands will continue to be intermittently grazed by cattle.
- c. The large agricultural balance lands have some potential for long-term conversion to Country Residential uses. Any conversion of these lands to Country Residential uses will require an amendment to this Area Structure Plan and will be in accordance with the general principles of this Area Structure Plan and the M.D. of Foothills Municipal Development Plan and Land Use Bylaw.

4.2 Residential Land Use

Orderly settlement patterns of residential development should be compatible with the natural environment. The Plan Area rises to the north and allows for excellent unobstructed views west. There appears to be no environmentally significant sites or areas of low-lying water on the property. Lots are proposed to be not more than three acres (1.21 hectares) in size to accommodate single family dwellings. A surface water system is proposed to service all lots within the Ranchers Hill ASP. The Ranchers Hill development is proposing to create thirteen (13) additional residential lots on the E ½ 29-22-3 W5M.

- a. Residential Lots shall not exceed 1.21 hectares (3.00 acre) parcels.
- b. Residential lots shall be supplied by a central water system.
- c. Residential lots shall have direct access to a surfaced road in accordance with the Municipal Internal Subdivision road policies.
- d. Residential lots shall support single-family dwellings only. No agricultural uses shall be permitted.
- e. In accordance with Transportation Policies contained in **Section 6.2**, a Traffic Impact Analysis may be required at the time of redesignation or subdivision for residential purposes.
- f. Uses on residential lots shall comply with the Restrictive Covenant registered on title, copied here in **Appendix A**.

5.0 NATURAL ENVIRONMENT

The biophysical characteristics and environmental significance of lands in the Plan Area should be considered in applications for development. **Appendix B** contains additional detailed information regarding environmental characteristics in the Plan Area (i.e. - air photo, topography, slope calculations).

5.1 General Environmental Policy

- a. The Municipality, through its Municipal Development Plan policies, encourages the preservation of significant and/or sensitive natural environments in the development process.
- b. The Municipality may require that a proponent, in support of a proposal for redesignation, subdivision or development, and at their sole expense, prepare and submit the following in a form and content satisfactory to the Municipality, and in accordance with all pertinent Alberta Environmental Protection guidelines or requirements of the appropriate Provincial Departments:
 - i. A Geotechnical report pursuant to the provisions of the *Municipal Development Plan*;
 - ii. An Archaeological and/or Historical Resources Impact Assessment pursuant to the provisions of the *Municipal*

Development Plan and to the satisfaction of the provincial department of Alberta Culture.

5.2 Topography (Appendix B)

Appendix B delineates contour information for the east half of Section 29-22-3 W5M. The majority of the development proposed in the Ranchers Hill project is contained within the NE quarter of Section 29. Slopes on residential lots in the Plan Area range from 1.3% to 6.9%. Each lot contains one acre of developable land within an acceptable slope range. Most lots are situated on the flatter toplands of the site.

- a. The Municipality may require a geotechnical report prepared by a qualified engineer in areas where topography is a factor of development. The geotechnical report should contain all information required by the Municipality as described in MD policy.

5.3 Open Space, Recreation and Public Land

Public Land consists largely of Municipal Reserve (MR) or Environmental Reserve (ER) land that has been dedicated to the Municipality upon development. The Municipality can negotiate the amount of land required and its potential public use through the planning process.

5.3.1 Municipal and Environmental Reserve

The Ranchers Hill project contains a 1.20 hectare (2.98 acre) municipal reserve parcel that is intended to be utilised by the municipality for park, recreational or other uses.

- a. The Municipality supports the retention and enhancement of open space and recreation facilities in the municipality. Linkages between, and continuity of, these spaces are encouraged.
- b. Dedication of Municipal Reserve, either by cash-in-lieu of land or by physical dedication of land, or both, in the Plan Area shall be determined by the Municipality in accordance with the MDP policy and s. 666 of the *Municipal Government Act*.
- c. Physical land dedication of Municipal Reserve shall consist of lands that are equivalent to the developable lands (i.e. similar in kind to the land being developed).

- d. Dedication of ER in the Plan Area shall be determined by the Municipality in accordance with MDP policy and s. 664 of the *Municipal Government Act*.

5.3.2 Recreation

- a. The Municipality shall consider the creation of public recreation spaces in developments where large amounts of MR are owing and the community has agreed upon a demonstrated use for the property. The Municipality encourages pedestrian linkages from residential development areas to recreational sites.

6.0 INFRASTRUCTURE

Infrastructure includes the hierarchy of road networks, public and private water systems, septic systems, solid waste management systems, and police, fire, and ambulance service.

6.1 All Infrastructure

The quality of infrastructure is a fundamental part of the well-being of a community and its ability to sustain growth over time. To improve the quality of life in the Municipality as a whole, it is important that the Municipality occasionally assess infrastructure as it relates to the planning of communities. The Ranchers Hill ASP contains policies that recommend improvements, and a trigger for assessment of infrastructure over time as the community continues to grow.

- a. The Municipality has developed a set standard for roads and infrastructure servicing that follows a general hierarchy. The Municipality may require an assessment of necessary infrastructure when considering redesignation, subdivision, and/or development proposals.

6.2 Road Systems (Figure 3)

6.2.1 Highway 22

Highway 22 is a Provincial highway administered by Alberta Infrastructure (AI). It is important to ensure that future land uses within the Plan Area do not impair the function and safety of this highway. To this end AI has additional influence over permitted developments within 0.8 km of the right of way of Highway 22. **Figure 3** outlines the proposed short-term changes to Highway 22 access and the service road that will result in improved traffic circulation and safety of this development.

- a. In accordance with AI standard practices, no new or direct access to Highway 22 shall be permitted.
- b. Improvements to the Highway 22 access location and parallel service road shall be at the sole expense of the developer. **Figure 3** illustrates that an existing access that parallels the quarter line will become the primary access location. An access north of the primary location will be removed and the local road will be realigned to tie-in to the proposed subdivision service road system. The proposed local road/service road connection must be reviewed and approved by AI. An access south of the primary access location will be closed and the ditch blocked to prohibit further access at this location. Access to this area will be via the parallel service road.
- c. In addition to Municipal Building and Development Permits, an application within 0.8 kilometres ($\frac{1}{2}$ mile) of the Highway 22 of the right of way of Highway 22 requires a Provincial Roadside Development Permit from AI.
- d. AI may request a Traffic Impact Analysis (T.I.A) to be prepared at the time of redesignation or subdivision. The T.I.A shall be prepared by a qualified transportation engineer, at the sole expense of the developer. The T.I.A. should include, but is not limited to, an analysis and evaluation of:
 - i. the potential impact of a proposed subdivision, and/or development on the existing transportation network;
and

- ii. a program of future expansion and/or improvement of the transportation network to accommodate the proposed growth and to preserve the function and integrity of the transportation network.

6.2.2 The Existing Service Road

An existing service road serves local traffic in the Plan Area. It is owned and maintained by the Municipality and runs parallel to Highway 22 through the full length of the Plan Area.

- a. The service road shall be upgraded, as necessary, to Municipal standard at the sole cost of the developer. The Municipality will assume long-term maintenance of the service road upon issuance of a Final Acceptance Certificate to the developer.

6.2.3 The Internal Road Network

The Plan Area shall be serviced with an internal road that contains two points of ingress/egress from the service road. The internal road will not exceed a grade of 4% at any point, will be constructed to municipal standard and paved as required.

- a. Connections between existing and proposed internal subdivision roads should be made wherever possible to improve the local road network.
- b. The internal subdivision road shall be constructed to Municipal standard at the sole expense of the developer. Ownership and maintenance of the internal subdivision road shall be the responsibility of the Municipality upon issuance of a Final Acceptance Certificate to the developer.

6.3 Water, Sewer and Storm Water Servicing

6.3.1 Water Sources and Resources

New, and more restrictive, water policies for groundwater sources have been implemented under the Provincial *Water Act*. The regulations of the *Water Act* may result in the increased utilisation of surface water sources within the Plan Area. Currently a licensed and provincially approved water distribution system is intended to serve the six (7) residential lot subdivision contained with the SE of Section 29. The water system is owned and operated by the Ranchers Hill developer and will be utilised to service the Ranchers Hill development. The well elevation is approximately 4035 feet and is not connected to Priddis Creek or other wells in the vicinity drilled prior to October 1998 (source: Groundwater Investigation report for Gladys Schmaltz SE 29-22-3 W5M prepared by J.K. Engineering Ltd. 08/10/99).

7 total,
6 residential

- a. The Municipality supports the use of central water servicing options for development and encourages central water system extension and tie-ins wherever possible to reduce groundwater reliance.
- b. To maintain water quality in the aquifer(s), consideration must be given to proper disposal of sanitary and sewer waste from future developments. Municipal and Provincial standards for on-site disposal shall be the minimum required.
- c. The Ranchers Hill development shall tie-in to the existing central water system located in the SE of Section 29. The tie-in will require amendment to the existing license issued by Alberta Environmental Protection. The aquifer has the capacity to sustain the increase in use long-term. The central water system shall be developed and approved to the satisfaction of Alberta Environment
- d. All future developments shall implement water conservation methods.
- e. All storm water management shall be contained within the proposed development area. No surface water shall be directed to highway ditches and post-development flows shall not exceed pre-development flows.

6.3.2 Sanitary Sources and Resources

There are no communal sewage collection and treatment systems servicing the Plan Area. Treatment of sanitary effluent is generally restricted to on-site disposal through septic tile fields as per Alberta Labour regulations. This is typical of domestic use within the M.D. of Foothills.

- a. On-site sewage disposal systems shall be developed to the standards of the Municipality and Alberta Labour.
- b. It is recommended that the calculated Sodium Absorption Ratio (SAR) of the potable water source (SAR calculated at 15.96) be considered in the long-term effectiveness of the disposal field.
- c. No chemical or salt based water softeners shall be permitted in the Ranchers Hill development.
- d. Methods of Open Discharge from a septic tank shall not be permitted.
- e. Non-evaporative lagoons shall not be permitted.
- f. Septic Pump-out tanks are discouraged in the Plan Area due to the damage on the road system that loaded septic trucks may cause.
- g. Alternate systems (i.e. slow sand "trickle" filters, modified tile field designs, and full fledged treatment systems such as rotating biological contactors (RBCs), "living systems" including constructed wetlands) may be considered at the discretion of the Municipality and Alberta Labour.

6.3.3 Solid Waste Disposal

- a. The Municipality encourages co-ordination of solid waste disposal systems with urban centres where possible.
- b. Solid waste from the Ranchers Hill development shall be hauled by individual landowners to the nearest transfer site.

6.3.4 Shallow Utilities

Shallow utility services include natural gas, telephone, and electricity. Meota Gas provides gas service to the area. Electrical service is provided primarily by Trans Alta Utilities. There is a mix of underground and overhead electrical services in the area.

- a. Provision of Shallow Utilities in applications for redesignation, subdivision, and/or development shall be at the sole expense of the developer to the extent required in the Municipal Standard Development Agreement.

6.4 Protective Services

- a. The Municipality requires that proposals for redesignation, subdivision, and/or development accommodate design elements that consider safety measures and appropriate levels of servicing required for fire, police, and ambulance services.

6.4.1 Police Service

- a. Police Service to the Plan Area shall be provided by the Royal Canadian Mounted Police and M.D. of Foothills Special Constables.

6.4.2 Fire Service

The Plan Area is serviced by 911 emergency service, with an emergency locator system set up for each individual property. Response is from the Priddis Station in the Plan Area.

- a. New subdivisions shall meet the criteria for on-site fire fighting measures as determined by the Municipality.
- b. Applications for redesignation, subdivision or development shall assure proper emergency vehicle access in accordance with Municipal Policy.

7.0 IMPLEMENTATION, REVIEW AND AMENDMENT

7.1 Plan Implementation

The Ranchers Hill ASP falls within a hierarchy of applicable plans as illustrated in **Section 2**. The M.D. of Foothills *Municipal Development Plan* (MDP) is the guiding document for all development within the municipality. The *Land Use Bylaw* (LUB) establishes the land use rules and regulations. The Ranchers Hill ASP presents a greater level of planning detail within the specific Plan Area and is required to be consistent with both the MDP and LUB.

Development in the Plan Area should be acceptable to the community and consistent with policy contained within the Ranchers Hill ASP. The Ranchers Hill ASP does not supersede, repeal, replace or otherwise diminish any other statutory plan in effect in the Plan Area.

- a. The policies contained within this document shall be reviewed and implemented by Municipal District of Foothills Council members at their discretion.

7.2 Plan Review and Amendment

As the Ranchers Hill ASP is a bylaw of the Municipality, a formal process as outlined in the Municipal Government Act is required to amend the Plan.

- a. The future land use and development outlined in the Ranchers Hill ASP is intended to address a long-term time horizon. Periodic review and occasional amendment of the Ranchers Hill ASP may be required in accordance with the *Municipal Government Act*. The Ranchers Hill ASP is flexible enough to allow for review and amendment every five years should the Municipality deem that appropriate.

APPENDIX A: RESTRICTIVE COVENANT

RESTRICTIVE COVENANT

U7U Holdings Ltd., of Priddis, Alberta (hereinafter referred to as the "Developer"), is the registered owner of certain lands situated near Priddis, in the Province of Alberta, and more particularly described in **Schedule "A"** attached hereto and by this reference made a part hereof (hereinafter collectively called "the lots" or individually referred to as a "lot " as the context hereof requires);

AND WHEREAS the Developer is developing a planned housing subdivision on the lots and considers it is desirable for the greater enjoyment of the lots and that it will increase the value of the lots and it is for the benefit of all of the future owners of the individual lots and that it will protect the owner of each lot against the improper development and use of surrounding lots as will depreciate the value of his lot and that it will prevent haphazard or inharmonious improvements or improper designs or materials, to impose and annex certain restrictions and covenants to the lots and that in making sales of the lots that the lots shall be conveyed subject to the restrictions, covenants and limitations hereinafter set forth;

AND WHEREAS the following covenants and conditions are to be administered and some discretion will be allowed where specifics of an application warrant and there is no substantial departure from the intent and substance of this Restrictive Covenant.

NOW THEREFORE KNOW ALL PERSONS BY THESE PRESENTS that the Developer does for himself, his transferees and assigns, covenants and agrees and does hereby annex the following covenants and conditions to the aforesaid lots:

1. All of the lots shall be subject to the restrictions and conditions herein set forth which shall be deemed to be covenants running with the land and annexed to the land and shall be binding upon and inure to the benefit of each lot and the registered owners of each lot, while they are such registered owners from time to time.
2. No attached or semi-attached house, duplex or apartment shall be constructed or erected, nor shall any house designed for more than one family be built. There shall not be constructed more than one detached single family dwelling on any one lot and every single family dwelling must have at least a two-car attached or semi-attached garage.
3. No mobile home shall be parked or placed on any lot. The phrase "mobile home" shall herein include a house or trailer or other similar portable accommodation for one or more persons that may be moved by being towed, pulled or carried.

4. The buildings erected on any lot shall include, only, a private single dwelling house with attached double or triple garage. A structure to conceal recreational trailers and recreational vehicles may be constructed provided it conforms to the architectural style and exterior finish of the dwelling house. There shall not be constructed on any lot any detached garage, storage sheds, or structures to conceal heavy equipment, gasoline tanks and other fuel tanks and stands therefore. Garden sheds and Greenhouses may be constructed provided they conform to the architectural style and exterior finish of the dwelling house and do not exceed three hundred square feet.
5. If a lot owner wishes to store a recreational vehicle, it must be a recreational vehicle which is owned by the lot owner and is restricted to one of such recreational vehicle.
6. No fuel, gasoline, oil, chemicals of any nature or biological waste (excepting waste in properly installed septic tanks) shall be stored on any lots in an amount excess of 25 litres.
7. The minimum habitable floor area, excluding basement, of any single family dwelling upon any lot shall be:
 - a) 1,800 square feet for a bungalow or bi-level dwelling;
 - b) 2,200 square feet for a split level or two storey dwelling;

In calculating the ground area of a dwelling house, the measurements for the above calculations shall be taken as the outside measurements of the main walls of the building and ground level and shall not include any garage which does not have habitable rooms above it and shall not include any porch, veranda or unheated sunroom.

8. No dwelling house on any single lot shall be used for any purpose other than that of a private dwelling for a single family. *-repetitive*
9. The exterior finish, roof, windows, log finish, siding or stucco of any single family dwelling must be completed within 12 months of the initial excavation of the foundation of the said dwelling.
10. Any garden shed or greenhouse erected on the property shall be architecturally compatible with the said dwelling house or commensurate with the country residential subdivision, utilising the same roofing materials as the dwelling house with only steel, aluminium, log finish, vinyl or stucco sidings acceptable.

DRAFT

11. Any garden shed or greenhouse erected on the property must be sided and completed within 12 months of the commencement of construction of building.
12. The interior of the dwelling and final building inspection shall be fully completed (excluding any basement development) within 24 months of commencement of the initial excavation of the foundation thereof.
13. No heavy equipment or tractor trailers shall be stored or operated on the property other than for the purposes of construction of the dwelling or improvement of the property. In the event that a lot owner is an owner or operator of such equipment for commercial purposes, such equipment shall not be stored or operated within the subdivision other than as set out above.
14. If a lot owner is to keep dogs on their lot, suitable fences or electric restraint systems are to be installed to ensure that any such dogs do not leave the lot owner's property. No lot owner shall have any more than two (2) dogs on the property and the dog(s) must be confined indoors between the hours of 10:00 p.m. and 6:00 a.m.
15. There shall be no keeping of livestock of any kind including, but not limited to, horses, alpacas, llamas, cattle, swine, goats or poultry and excluding dogs and cats, permitted at any time on any lot.
16. No livestock or animals of any nature shall be raised on the lot for commercial purposes.
17. If any of the preceding covenants is determined to be void or unenforceable, in whole or in part, such invalidity or unenforceability of that covenant(s) shall not affect any other covenant and the remaining covenant(s) shall be deemed to be separate and distinct covenants.
18. Sewage disposal is the responsibility of the individual lot owner and shall be in accordance with the requirements of the Municipal District of Foothills and provincial regulations.
19. Household and other garbage must be removed for the property at least monthly and disposed of in accordance with the local laws at the expense of the landowner.
20. No covenants herein shall be deemed to restrict any provision of any development control bylaw, development control resolutions, zoning regulation or land use regulation, or any other similar bylaw, resolution or regulation, passed or imposed by any governmental authority but the covenants herein are to be considered as additional restrictions.

- 21. These covenants shall be and are deemed to be covenants running with the land and shall be personally binding upon the successors and assigns of the property herein referred to.
- 22. This Agreement shall not merge upon the delivery or registration of a Transfer of any lot but shall survive same.

IN WITNESS WHEREOF the Developer have hereunto set their hands and corporate seals, this ____ day of _____ 1999.

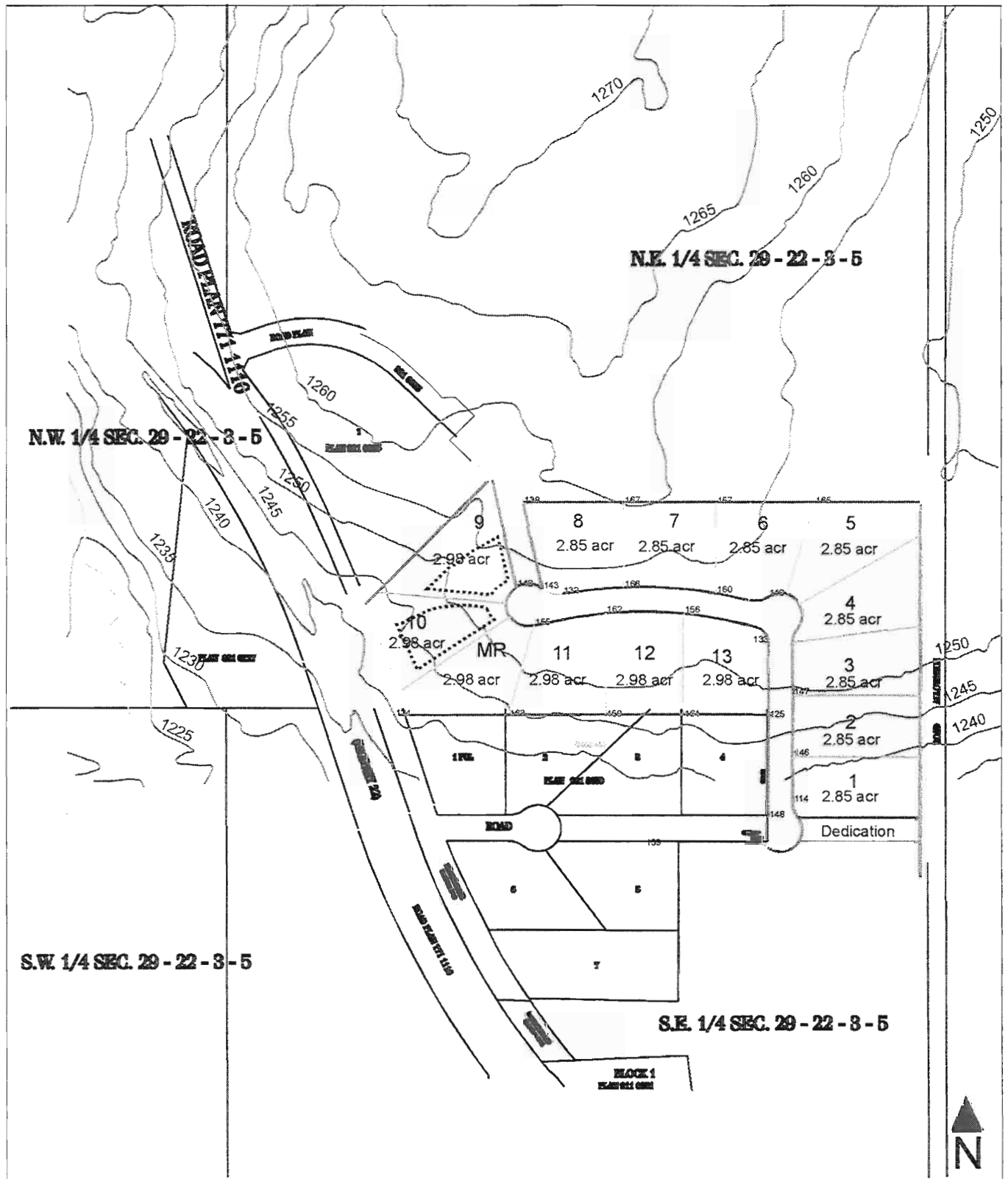
SIGNED IN PRECENSE OF:

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U7U Holdings Ltd.

Witness

APPENDIX B: ENVIRONMENTAL CHARACTERISTICS



Project Title
Ranchers Hill
Area Structure Plan
 Legal Description: E ½ S 29 - T 22 - R 3 W5M

Project Number: 99-08

Date: November 1999



Scale: 0 50 100 200m

Drawing Title
Topography

*Note: Contour Lines are in 5 metre intervals

Appendix B

APPENDIX C: CERTIFICATES OF TITLE

A. L. T. A.

SOUTH ALBERTA LAND REGISTRATION DISTRICT

R E M O T E L A N D T I T L E S E A R C H

SEARCH DATE: 08/06/1999

S

LINC
0027 688 761

SHORT LEGAL
5;3;22;29;SE

TITLE NUMBER
981 396 569

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 3 TOWNSHIP 22
SECTION 29

THAT PORTION OF THE SOUTH EAST QUARTER
WHICH LIES TO THE EAST OF THE ROADWAY
ON PLAN 7711116

CONTAINING 31.16 HECTARES (77 ACRES) MORE OR LESS
EXCEPTING THEREOUT:

		HECTARES	(ACRES)	MORE OR LESS
PLAN 9110951	SUBDIVISION	2.03	(5.02)	
PLAN 9813059	SUBDIVISION	11.16	27.58	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

D.C.T. ISSUED: NO

REFERENCE NUMBER: 981 347 892 +7

REGISTERED OWNER(S)

REGISTRATION	DATE (DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
981 396 569	17/12/1998	TRANSFER OF LAND	\$300,000	SEE INSTRUMENT

OWNERS

GLADYS SCHMALTZ

AND

ARNOLD BROGDEN

BOTH OF:

R.R. 1

PRIDDIS

ALBERTA TOL 1W0

AS JOINT TENANTS

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
981 396 569

REGISTRATION NUMBER	DATE (D/M/Y)	PARTICULARS
971 130 540	09/05/1997	MORTGAGE MORTGAGEE - PROVINCE OF ALBERTA TREASURY BRANCHES. BLACK DIAMOND ALBERTA TOL0H0 ORIGINAL PRINCIPAL AMOUNT: \$135,000
981 062 631	02/03/1998	UTILITY RIGHT OF WAY GRANTEE - MEOTA GAS CO-OP LIMITED.
981 347 890	05/11/1998	CAVEAT RE : DEVELOPMENT AGREEMENT PURSUANT TO MUNICIPAL GOVERNMENT ACT CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 5605 HIGH RIVER ALBERTA T1V1M7
981 347 891	05/11/1998	CAVEAT RE : AMENDING AGREEMENT CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO. 31. BOX 5605 HIGH RIVER ALBERTA T1V1M7

TOTAL INSTRUMENTS: 004
YOUR FILE #: COUNTER

*END OF SEARCH *

SR# - J611594 /AR0729