

# Cara Ranch Estates

## Area Structure Plan

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<b>Appendix 2</b>	<b>Water Survey – Groundwater Exploration</b>

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## INTRODUCTION

### 1.1 PURPOSE

This Area Structure Plan (ASP) has been provided to the Municipal District of Foothills #31 as required by The Municipal Development Plan (MDP) adopted by By-law 139/98 dated October 1, 1998 and the Land Use Bylaw 1/99(LUB) adopted September 30,1999. It is intended to outline future development and subdivision in the NE 23-21-29W4

### 1.2 DEVELOPMENT BACKGROUND

The subject quarter section has had five previous subdivisions and now consists of 9 lots varying in size from 3 acres to 60 acres.

### 1.3 APPROVAL PROCESS

An Area Structure Plan is identified in the Municipal Government Act

*Definitions*                    **616(dd) “statutory plan” means an intermunicipal development plan, a municipal development plan, an area structure plan and a area redevelopment plan adopted by a municipality under Division 4;**

As noted in Section 633 of the Municipal Government Act, the Council may by bylaw adopt an Area Structure Plan. The Municipal Government Act also states that Council in the process of adopting this plan must comply with provisions of Section 636, 637 and 638 which are quoted as follows:

*Statutory plan Preparation*                    **636 While preparing a statutory plan a municipality must**

- (a) provide opportunities to any person who may be affected by it to make suggestions and representations,**
- (b) notify the public of the details of the plan preparation process and of the means to make suggestions and representations referred to in clause (a),**
- (c) notify the school authorities with jurisdiction in the area to which the plan preparations applies and provide opportunities to those authorities to make suggestions and representations,**
- (d) in the case of a municipal development plan, notify adjacent municipalities of the plan preparation and provide opportunities to those municipalities to make suggestions and representations, and**
- (e) in the case of an area structure plan, where the land that is the subject of the plan is adjacent to another municipality, notify that municipality of the plan preparation and provide opportunities to that municipality to make suggestions and representations.**

## 1. INTRODUCTION

### APPROVAL PROCESS (cont.)

*Effect of plans*      **637 The adoption by a council of a statutory plan does not require the municipality to undertake any of the project referred to in it.**

*Plans consistent*      **638 All statutory plans adopted by a municipality must be consistent with each other.**

1995 c24 s95

### 1.4 LEGISLATED REQUIREMENTS

The Municipal Government Act (MGA) outlines the contents that are required to be present in an Area Structure Plan. Section 633 of the Municipal Government Act reads as follows:

*Area structure plan*      **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**

**may contain other matters the council considers necessary.**

## 1. INTRODUCTION

### 1.5 MUNICIPAL REQUIREMENTS

The Municipal District of Foothills has outlined when an Area Structure Plan is required or may be required in Section 5.3.5 of the Municipal Development Plan, as outlined below:

**5.3.5 An Area Structure Plan drafted in accordance with the guidelines adopted by the Municipality shall be required as part of a Country Residential proposal that would create 8 new lots or more and for proposals of less than 8 new lots an Area Structure Plan may be required if in the opinion of Council one is necessary, due to:**

- a) the impact the proposal may have on adjoining lands;
- b) the need to review, in greater detail, the infrastructure requirements of this proposal;
- c) the proposal being a continuation of an existing subdivision and leads to a density greater than 8 lots per quarter section;
- d) the proposal, in the opinion of Council being phase 1 of a development that will create 8 new lots or more.

### 1.6 DEFINITIONS AND INTERPRETATIONS

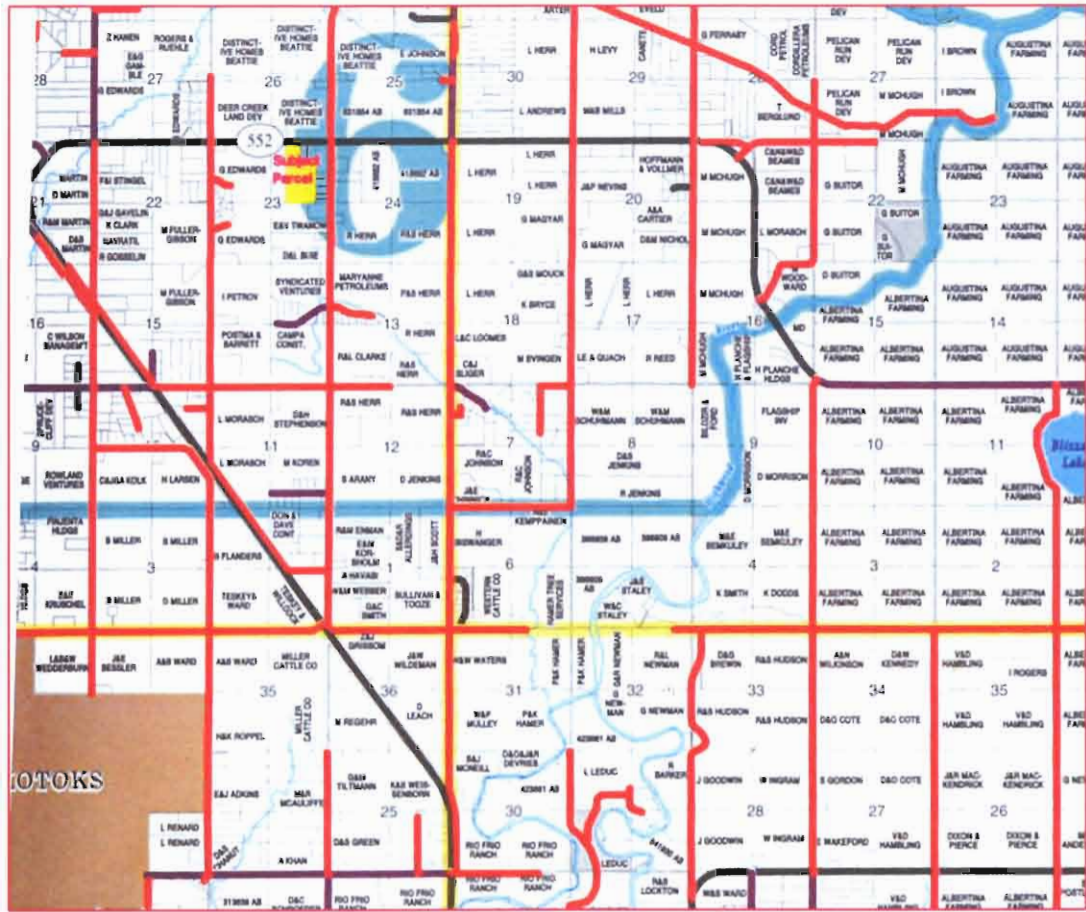
In this plan:

- I. “Act” means the Municipal Government Act 1995 and amendments thereto.
- II. “Council” means the elected Council of the Municipal District of Foothills #31.
- III. “Developer” means the landowner of the subject parcel(s) as listed on the title(s) or their duly appointed agent.
- IV. “Land Use Bylaw” means Bylaw 1/99 passed by Council pursuant to the Municipal Government Act which regulates and controls land uses and development controls and approvals within the boundaries of the municipality.
- V. “Municipal Development Plan” means the plan adopted by Bylaw 139/98 pursuant to the Municipal Government Act.
- VI. “Municipality” mean the Municipal District of Foothills #31
- VII. “Plan Area” means the specifically outlined areas that are mentioned in Section 1.1 of this plan and shown in the attached Figures 1, 2 and 3.
- VIII. “Subdivision Approving Authority” means the Council of the Municipal District of Foothills #31.

All other definitions and interpretations shall have the meaning that is assigned to them in the Municipal Government Act, the Municipal Development Plan or the Land Use Bylaw.

## 2. PLAN AREA

### 2.1 LOCATER MAP



Extracted From Municipal District of Foothills Map – Dated November 30, 2000

Figure 1

**2. PLAN AREA (cont.)**

2.2 ZONING MAP

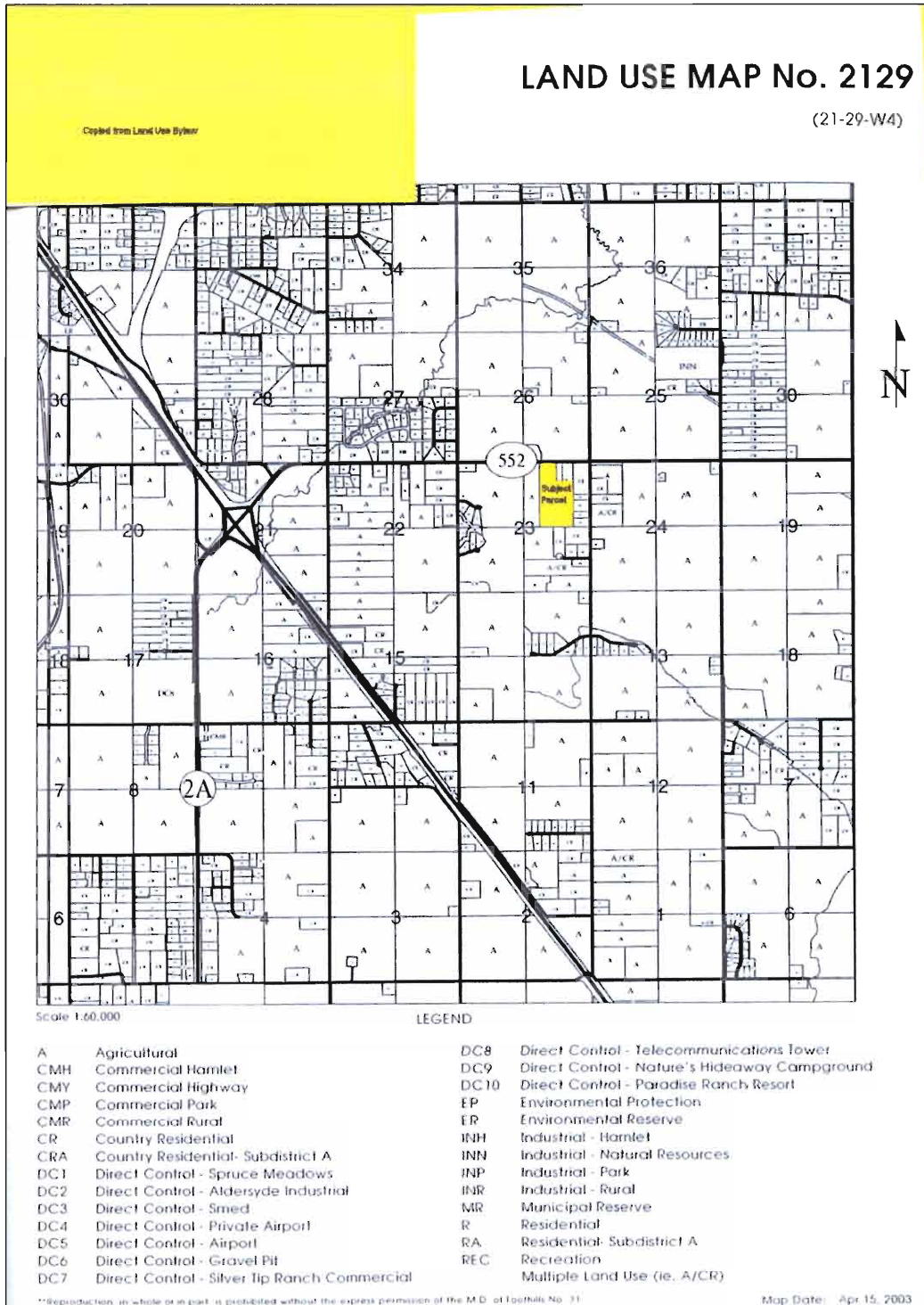
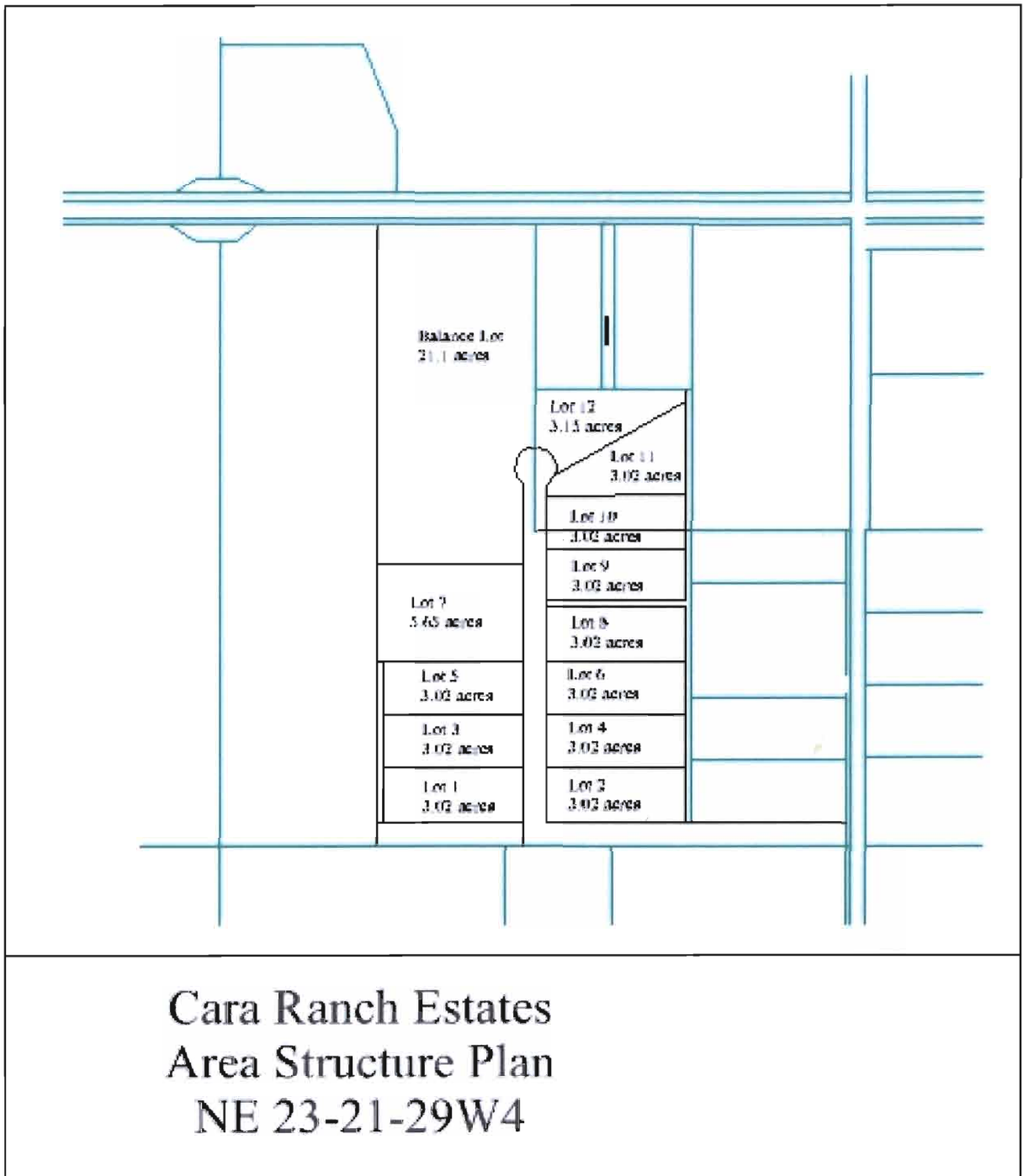


Figure 2

## 2. PLAN AREA



### 2.3 Plan Area Map

Figure 3  
Bowwood Land Service Inc.

## **2. PLAN AREA**

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### **2.4 GENERAL PHYSICAL DESCRIPTION AND LOCATION**

The subject parcel is located between 48<sup>th</sup> Street & 64<sup>th</sup> Street East – South of Highway 552

### **2.5 OWNERSHIP**

The land is under title to Dale Carpenter.

The Certificate of Title is attached as Appendix “A” of this document.

### **2.6 DEVELOPMENT HISTORY**

#### Subject Quarter Section

The subject quarter section has had some previous subdivisions removed. There was a forty acre subdivision to the west of the parcel and three twenty acre subdivisions to the north and west of this parcel. One of the twenty acre parcels has since been divided into four parcels, one is still intact and the third has had two five acre parcels removed with the balance of that twenty and the remaining sixty acre parcel being the parcel that is the subject of this Area Structure Plan.

There are one permanent residence, one mobile home for stable help, barns and animal shelters plus a public use indoor riding arena on the land. The horse operation has been in existence for forty plus years. The arena is used for the breeding and training of Arabian Horses as well as horse boarding. There are up to 50 animals on site at the time of drafting this plan. The land has been utilized mainly as an area to ride the horses and hayland up to now. All feeding year-round is done with hay raised off site and manure removal has been done on local farmer’s tilled lands.

#### Adjacent Lands

#### Subject Quarter

The westerly 40 acres has been used for country residential purposes coupled with a small equestrian operation.

The two five acre parcels in the NE corner of the subject parcel are used for Country Residential with one of these parcels being also owned by the applicant.

The NE twenty acre parcel is being used as Country Residential

The SE twenty acre parcel has been subdivided into four parcels which are all used as Country Residential



## 2. PLAN AREA

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### 2.6 DEVELOPMENT HISTORY (continued)

#### SE 23-21-29W4

This quarter was originally split into one eighty acre parcel and two forty acre parcels. The eighty acre has been split into one sixteen acre parcel plus four 4-5 acre parcels with one more in the redesignation stage. The middle forty acre parcel has had 2 five acre parcels split out for Country Residential use. The southerly forty acre parcel has been split into two Country Residential parcels.

#### NW 23-21-29W4

This quarter section has had two subdivisions – one for one five acre parcel in the NW corner and a cluster development of 5 3-5 acre Country Residential parcels in the SW corner of the quarter section.

#### SW 23-21-29W4

This quarter section has a cluster subdivision of three 3-5 acre Country Residential Parcels plus one further parcel which is in the subdivision stage in the NW corner of the subdivision plus one 11.5 acre parcel that is on the SW corner of the quarter.

#### Other Neighboring Lands

The other quarters around this parcel range in use from a 32 lot subdivision on Shannon Estates in the adjoining quarter to the Northwest to the unsubdivided quarter to the Northeast of this parcel with the majority of the quarters having some Country Residential lots in varying degrees of density.

### **3. PLAN GOALS AND OBJECTIVES**

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1. To set out an orderly and phased plan of development for the subject lands
2. To create 11 new Country Residential lots, an Agricultural balance with a site specific use for an existing equestrian center and a Municipal Reserve lot that best utilizes the land base and natural topographic features of the site
3. To ensure that the proposed development conforms to the goals and objectives of the Municipal District of Foothills Municipal Development Plan.
4. To provide a mechanism of amending the Municipal District of Foothills Land Use Bylaw so that all development existing and proposed conforms to the Bylaw.

## **4. PLAN POLICIES**

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### **4.1 PLAN CONCEPT**

In order to meet the Plan’s objective, this Plan incorporates a development that will be compatible with the general area and will facilitate the growing demand for Country Residential lots of a size that allows for equestrian use while still maintaining a portion of land for an Equestrian operation.

The Municipal Reserve lot is designed to be centrally located to all lots and provides land for recreational purposes. The internal lots on the development have access to the parcel by means of pathways off the internal road system and surrounding the perimeter of the development.

### **4.2 LAND USES**

#### **Zonings**

#### **a) COUNTRY RESIDENTIAL**

The area designated for the residential development under this Plan is currently zoned Agricultural District and Country Residential under the Municipal District of Foothills Land Use Bylaw. Prior to proceeding to subdivision, the Plan Area will be required to redesignate in phases to Country Residential to comply with the provisions of the Municipal District of Foothills Municipal Development Plan and the Municipal District of Foothills Land Use Bylaw. Each lot has in excess of the one acre developable site.

#### **b) MUNICIPAL RESERVE**

The area designated for the municipal reserve under this Plan is currently zoned Agricultural District under the Municipal District of Foothills Land Use Bylaw. Prior to proceeding to subdivision of Phase One (1), this area will be redesignated to Municipal Reserve to comply with the provisions of the Municipal District of Foothills Municipal Development Plan and the Municipal District of Foothills Land Use Bylaw. The 8 meter pathways and the frontage access are to provide ready access to the MR parcel for all residences of the quarter. There will be a Homeowners Association formed and registered on title of all lots; the purpose of this Association is to provide a means of maintaining the pathways on an ongoing basis. These lands are mainly treed and straddle a small coulee that runs east and west throughout the parcel.

## **4. PLAN POLICIES**

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### **b) MUNICIPAL RESERVE (continued)**

All uses and final design of the MR will be to the satisfaction of Council. The Municipal Reserve dedication for Phases One (1) and Phase Two (2) will be dedicated at the time of subdivision of Phase one (1). Further dedication on lands adjacent to the Municipal Reserve parcel have been provided at this time so that in the event further subdivision of the balance parcel should occur the MR is already provided and will be contiguous with the required MR.-

### **c) AGRICULTURAL DISTRICT**

The balance of the Plan area is presently zoned Agricultural District and is to remain with this designation after Phase II is implemented.

This area contains the owner’s residence plus the equestrian center which will be subject to a site specific zoning to recognize its long standing operation

The manufactured home would require a Development Permit as part of this site specific zoning

### **4.3 TOPOGRAPHIC CONSIDERATIONS AND CONSTRAINTS**

The land has moderate sloping from Northeast to Southwest with no defined water runs that exceed the normal flow over the land. All building sites and roadway locations have been selected to make optimum use of the mountain views without utilizing slopes in excess of 15% for building and 7% for roadways.

There is a small wooded ravine located midway between Lots 3 and the Balance lands and is enclosed entirely within the Municipal Reserve..

### **4.4 ENVIRONMENTAL CONSIDERATIONS**

No land constitutes ER dedication under the MGA within the plan area however; it is Council’s opinion that there are lands within the plan area that are environmentally sensitive. Environmental Reserve Parcels are not contemplated in the Plan. The lots numbered 8 through 12 contain a significant amount of treed land. The Developer shall pre-determine building site locations or disturbance areas on proposed lots 8 through 12 to minimize areas of building disturbance and retain the natural vegetation and drainage on site. These predetermined building sites will be clearly identified and strictly enforced by Restrictive Covenant on title in order to maximize retention of the existing vegetation and drainage on site. The building sites shall be approved by Council at the time of Redesignation.

#### **4.5 PHASING**

The project is divided into 2 phases. The first phase consists of seven (7) lots on the Southern portion of the parent parcel. The second phase consists of a further four (4) lots in the middle of the parent parcels and includes the neighboring ten acres. The entire Municipal Reserve for the plan area will be dedicated as part of Phase one (1)

The staging of these phases will be based upon market demand and each phase beyond Phase one (1) will not proceed until sixty-six percent (66%) of the previous phase(s) are sold and fifty percent (50%) have dwellings constructed on them. (Figure 4)

The second phase will be redesignated taking the above sales ratios into consideration as well as the impact that the previous developments have had on the groundwater supply in the area as well as transportation infrastructure.

#### **4.6 TRANSPORTATION**

The internal roads are to be constructed to Municipal District of Foothills standards on a 30-meter right of way. All accesses will be off of the internal road system. The developer will enter into a development agreement for this road. This internal road will come out onto 64<sup>th</sup> Street over a parcel of land that was dedicated for this purpose over the adjoining twenty acre parcel.

The internal road will have a permanent turnaround built to Municipal Standards. All accesses will be off of the internal road system.

All requirements of Alberta Transportation shall be met;

If deemed necessary by Council, the developer shall enter into a Development Agreement with the municipality with respect to a contribution for upgrading and maintenance of the external roadways;

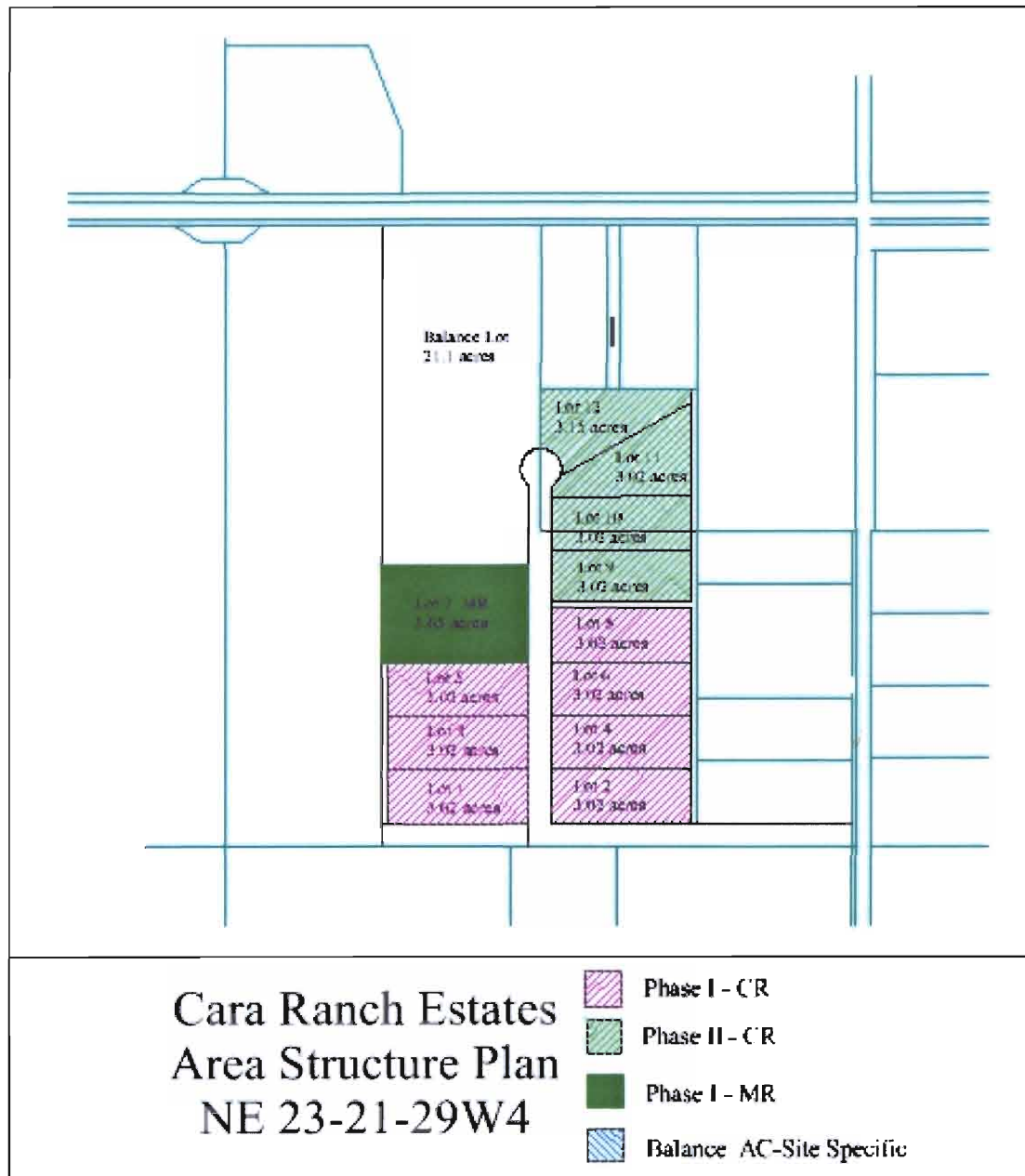
Access to neighboring lands was considered and a road dedication along the southern boundary has been included in the plan by means of caveat on Lot 1.

All internal roads will be surfaced to a standard established by the Municipal Council at the time of redesignation.

The balance lands with the equestrian center would maintain its existing access to Highway 552 but there would be a 30 meter road dedication along the northern boundary for future service road.

The existing easement to access the 10 acre lot would be discharged at the time of completion of Phase 2.

## 4. PLAN POLICIES



### Phasing:

Figure 4.

## **4. PLAN POLICIES**

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### **4.7 Density**

The Municipal District of Foothills Municipal Development Plan outlines the maximum density provision for Country Residential to be 32 lots per quarter section or 1 lot per five acres. The total number of developable acres within the plan area is 70 acres, which equates to 14 lots. This Area Structure Plan allows for 11 lots plus a balance or 78% of maximum density. Should subsequent applications be made on the balance parcel a maximum of two additional parcels would be considered to bring the total density to maximum density.

### **4.8 Neighborhood Impact**

The land on three sides of the subject land has land zoned Country Residential and has been developed over the years into a variety of sizes from 3 acres up to 20 acres. The quarter section to the northwest has gone to full density.

The balance parcel and the Municipal reserve allow for an abundance of open space. The natural slope of the land would place virtually all buildings on differing elevations to maximize view and minimize sight blockages from neighboring dwellings.

The Municipal Reserve besides allowing the separation mentioned above provides for a natural space for residents to develop a park in the future or any other community amenity that is approved by the Council of the Municipal District of Foothills.

The Municipal Reserve has the ability to be accessed directly from the internal road or by means of the pathways connecting to the Reserve parcel.

## **5.0 SERVICING CONSIDERATIONS**

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### **5.1 Stormwater Drainage**

The existing parcel slopes to the south and west and there is no evidence of any defined water courses on the portion of the Plan Area that is to be developed. When the internal roads are engineered, the stormwater drainage plan must be incorporated and will follow best management practices whereby post-development flows are no greater than predevelopment flows.

### **5.2 Domestic Water**

There are a number of moderate to high producing wells on the quarter section and adjoining lands as outlined in the initial water survey done by Groundwater Exploration (Appendix “B”). The lots will be supplied by individual wells that are certified by a registered engineer to meet or exceed the requirements of the Water Act. T

### **5.3 Domestic Sewage**

The domestic sewage disposal will be by means of septic tank and conventional field system. All installations will require permitting and must meet the requirements of Alberta Safety Codes and Building Codes.

While no high water areas have been identified to date, percolation and high water table tests will be performed on any lots that the Municipality determines necessary.

### **5.4 Shallow Utilities**

Electrical service to the plan area is from Fortis and no cost easements will be provided and placed on each title prior to registration.

Natural gas service to the plan area is from Atco Gas and no cost easements will be provided and placed on each title prior to registration.

Telephone service to the plan area is from Telus and no cost easements will be provided and placed on each title prior to registration.



## **5. SERVICING CONSIDERATIONS**

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### **5.5 Solid Waste Removal**

Will be the responsibility of the individual landowner who has a number of private contractors that can be utilized or they may haul the waste themselves to the Foothill’s Regional Landfill south of Okotoks.

### **5.6 Police Service**

The plan area is policed primarily by the RCMP detachment from Okotoks for all purposes and secondarily by the Special Constables from the M.D. of Foothills for traffic matters.

### **5.7 Fire Protection**

The plan area is within the fire protection area of Okotoks Volunteer Fire Department and backup protection is also provided from the City of Calgary, High River and Blackie Fire Departments.

### **5.8 Emergency Medical and Ambulance**

The Foothills Regional Emergency Services Commission services this are from its Okotoks station with back up service provided from High River, Turner Valley or the City of Calgary.

### **5.9 911 Service**

911 emergency calling is provided throughout the area and is for all emergency calls including fire, ambulance and police as well as disaster services. This service is manned 24 hours a day/seven days a week by the Foothills Regional Emergency Services Commission.

## **6. BUILDING RESTRICTIONS AND COVENANTS**

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The developer will be registering a Developer’s Agreement registered on title as a restrictive covenant for each lot which outlines the building envelope allowed so that a minimal impact on neighbors is achieved without lose of view.

The Agreement will also outline size and style of house permitted as well as location of outbuildings.

All houses will be required to install oversize pressure tanks, low volume toilets and water saving shower heads to minimize the impact on the groundwater supply by conserving and managing water usage.