

AREA STRUCTURE PLAN

For

Ridge View Estates

Proposed Subdivision

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1. INTRODUCTION

1.1. PURPOSE

This Area Structure Plan (ASP) has been provided to the Municipal District of Foothills No. 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 (LUD) adopted September 30, 1999. It is intended to outline future development and subdivision in the SE ¼ 23-21-29W4M.

1.2. DEVELOPMENT BACKGROUND

The subject Lands have had three previous subdivisions and now consists of 3 lots varying in size from 15 acres to 30 acres.

1.3. APPROVAL PROCESS

An Area Structure Plan is identified in the Municipal Government Act as:

Definitions 616(dd) "statutory plan" means an inter-municipal 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.
- 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 595

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.

1.5. 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 maybe 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 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 No. 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 No. 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 No. 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. Area Location Map

The location of the proposed subdivision is shown in the Location Map, Figure 1, Appendix A.

2.2. Existing Subdivision Plans

The existing plans in the area of the proposed subdivision is shown in the Existing Plans, Figure 2, Appendix A.

2.3. Plan Area

The plan area of the proposed subdivision is shown in the Plan Area, Figure 3, Appendix A.

2.4. Area Land Use

The area land use of the proposed subdivision and surrounding area is shown in the Area Land Use Map, Figure 4, Appendix A.

2.5. Arial Photography

Arial photographs of the subject section and quarter section of the proposed subdivision is shown in the Figure 5 and Figure 6, Appendix A.

2.6. Proposed Subdivision Plan

The proposed subdivision plan is shown in Tentative Plan Showing Survey of Proposed Subdivision, Figure 7, Appendix A (11x17 foldout).

2.7. Slope Analysis

The slope analysis for the proposed subdivision is shown in Slope Analysis And Contours For Proposed Subdivision, Figure 8, Appendix A (11x17 foldout).

2.8. General Physical Description And Location

The Subject Lands have a centrally located ridge running north to south. From the central ridge the Subject Lands slope gently to the east and slope moderately to the west. The land is open grass land, agricultural fields and residential yards with little natural tree cover.

The Subject Lands are located between 48th Street and 64th Street East and South of Highway 552. Specifically the Subject Lands are accessed by traveling 1.4 km south of Highway 552 on 64th street and are on the west side of 64th street.

2.9. Ownership

The land is under title to Don and Lorna Buie and Carl Hassell and John Parr.

The Certificate(s) of Title are attached as Appendix C of this document.

2.10. Development History Of Subject Quarter Section - SE ¼ 23-21-29W4M

This quarter was originally split into one 80 acre parcel (North 80) on the north and two 40 acre parcels on the south side (Middle 40 and South 40).

North 80

- ❖ One 16 acre parcel was subsequently subdivided off the NE side. Later on the rest of the easterly 40 acres were subdivided into three parcels of 11.75 acres, 5.70 acres and 5.70 acres.
- ❖ The westerly 40 acre portion has recently been subdivided into seven approximately 4.5 acre parcels.

Middle 40

- ❖ Two 5 acre parcels were subsequently subdivided off the east side of the Middle 40.

South 40

- ❖ The South 40 parcel was subsequently subdivided into two parcels of 15 acres on the west and 25 acres on the east.

The South 40 and the remaining 30 acres of the Middle 40 are the Subject Lands of this Area Structure Plan. The Subject Lands currently have three residences on them and are zoned as agricultural.

2.11. Development History Of Other Neighboring Lands

The other neighboring quarters around the Subject Lands are zoned as a combination of Agricultural and Country Residential. They range from a 32 lot, Country Residential subdivision on Shannon Estates in the adjoining half section to the west of the Subject Lands to the SW ¼-24-21-29W4M to the east of the Subject Lands which has had one 10 acre parcel subdivided out as Country Residential with the remainder of the quarter still being zoned as Agricultural.

The existing subdivision plans of the Subject Lands and surrounding area are shown in Appendix D and the current land use is shown in Appendix E.

3. PLAN GOALS AND OBJECTIVES

The goals and objectives of this Area Structure Plan are to:

1. Set out an orderly and phased plan of development for the subject lands;
2. Create 11 new Country Residential lots, 2 new Municipal Reserve lots and 3 lots for existing Country Residential residences that best utilizes the land base and natural topographic features of the site;
3. Ensure that the proposed development conforms to the goals and objectives of the Municipal District of Foothills No. 31 Municipal Development Plan;
4. Provide a mechanism of amending the Municipal District of Foothills No. 31 Land Use Bylaw so that all development existing and proposed conforms to the Bylaw.

4. PLAN POLICIES

4.1. Plan Concept

In order to meet the Plan's objectives, 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 the best use of the Lands.

The Municipal Reserve lots are designed to be accessible to all lots and provide land for recreational purposes. The lots on the development have access to the Municipal Reserves by means of the internal road system.

The minimum proposed lot size is 3.5 acres ranging up to a maximum proposed lot size of 6.5 acres with the majority of the lots being either 3.5 or 4.5 acres. The exact lot layout is presented in Figure 7, Appendix A. Each lot will have only one single family residence and the development of the lots shall conform to terms of the Land Use Bylaw of the Municipal District of Foothills No. 31 and the terms of the restrictive covenants as outlined in Appendix B of this document.

Grading shall be minimized and limited to roadways and driveways and shall not interfere with the natural drainage of the Subject Lands.

4.2. Land Uses

Zonings

a) COUNTRY RESIDENTIAL

A portion of the area designated for country residential development under this Plan is currently zoned Agricultural District under the Municipal District of Foothills No. 31 Land Use Bylaw. Prior to proceeding to subdivision, the Plan Area will be required to be re-designated into Country Residential to comply with the provisions of the Municipal District of Foothills No. 31 Municipal Development Plan and the Municipal District of Foothills No. 31 Land Use Bylaw. Plan 0111013, Lot 1 is zoned country residential, thus relies on amendment to the land use bylaw to allow for the creation of 3 new country residential lots. Each lot has in excess of one acre of developable land.

b) MUNICIPAL RESERVE

The area designated for the municipal reserve under this Plan is currently zoned Agricultural District under the Municipal District of Foothills No. 31 Land Use Bylaw. Prior to proceeding to subdivision this area will be re-designated to Municipal Reserve to comply with the provisions of the Municipal District of Foothills No. 31 Municipal Development Plan and the Municipal District of Foothills No. 31 Land Use Bylaw.

All uses and final design of the Municipal Reserve will be to the satisfaction of Council. The Municipal Reserve dedication will be dedicated at the time of subdivision.

4.3. Topographic Considerations And Constraints

The land has a centrally located ridge running north to south. From the central ridge the land slopes gently to the east and has moderate sloping to the west 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 or valley views without utilizing slopes in excess of 10% for building. The roadway going to the lots on the western side of the plan area will be an engineered roadway and will conform to the Municipal District of Foothills No. 31 standard of not exceeding 7% grade.

The land is open prairie and agricultural fields with little or no natural tree cover and no streams or permanent water bodies.

4.4. Environmental Considerations

No portion of the Subject Lands are environmentally sensitive.

All engineering tests as required by Municipal District of Foothills No. 31 Council shall be provided at the sole cost of the developer and to the satisfaction of the Municipality.

4.5. Transportation

All lots will have direct access to the internal paved road system. The internal roads are to be constructed to Municipal District of Foothills No. 31 standards on a 30 metre right of way and to the satisfaction of Council, and the public works department.

All access points will be off of the internal road system. The Developer will enter into a development agreement for the construction and maintenance of the internal roads. All roads will be constructed at the sole expense of the Developer.

The Developer will make a contribution toward the maintenance and upkeep of external roads through a payment of an infrastructure levy fee at the time of subdivision approval.

One internal road runs east / west and starts at 64th street east and ends on the westerly side in a turnaround. Eleven of the lots will be accessed from this road. The second internal road starts as a "Y" junction from 288th avenue south and curves around to a southerly direction. This road ends in a turnaround and accesses four lots.

4.6. Density

The Municipal District of Foothills No. 31 Municipal Development Plan outlines the maximum density provision for Country Residential to be 32 lots per quarter section or 1 lot per 5 acres. This is the proposed density for the plan area.

The total number of developable acres within the plan area is 70 acres. This Area Structure Plan proposes 3 existing residences, 2 lots dedicated as Municipal Reserve and 11 lots for new residences. The Municipal Reserves equates to 7 acres or 10% of the total planned development area.

4.7. Neighborhood Impact

Some land in all 9 of the adjacent quarters to the Subject Lands has land zoned as Country Residential and has been developed over the years into a variety of parcel sizes.

The chosen lot size and the Municipal reserve parcels will allow for an abundance of open space. The natural slope of the land from the central ridge would place residences 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 No. 31. The Municipal Reserve has the ability to be accessed directly from the internal road.

5. SERVICING CONSIDERATIONS

5.1. Storm Water Drainage

The existing parcels slope to the east and the west from a central ridge and there is no evidence of any defined water courses. When the internal roads are engineered and constructed, storm water drainage shall be incorporated and will follow best management practices whereby post-development flows are no greater than pre-development flows and storm water runoff is contained within the plan area.

A storm water management plan will be prepared by a qualified engineer and at the sole expense of the Developer, and will be provided as part of the engineered internal road drawings.

5.2. Domestic Water

There are a number of producing wells on the quarter section and adjoining lands. All lots will be supplied by individual wells that are certified by a registered engineer to meet or exceed the requirements of the Alberta Water Act to the satisfaction of the Council of the Municipal District of Foothills No. 31 and at the sole expense of the Developer.

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 Council of the Municipal District of Foothills No. 31 determines necessary and at the sole expense of the Developer.

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.

5.5. Solid Waste Removal

Solid waste removal will be the responsibility of the individual landowner. There are a number of private contractors in the area that can be utilized or the land owners may haul the waste themselves to the Foothills 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 Municipal District of Foothills No. 31 for traffic matters.

5.7. Fire Protection

The plan area is within the fire protection area of the 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 area 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

The Developer will register a restrictive covenant, concurrently with the plan of subdivision, on each of the new titles to be created. This agreement will outline the building envelope. The Agreement will also outline location, size, style and exterior finishes of dwellings and outbuildings.

All dwellings will be encouraged 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.

The restrictive covenant is attached as Appendix B.

Appendix A

Location Map

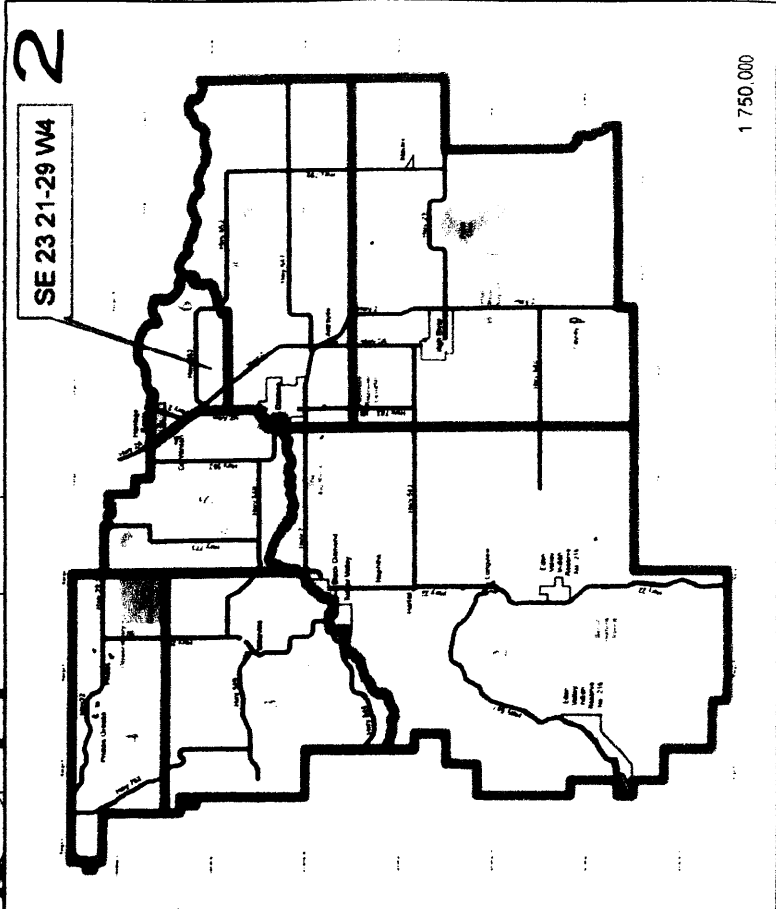
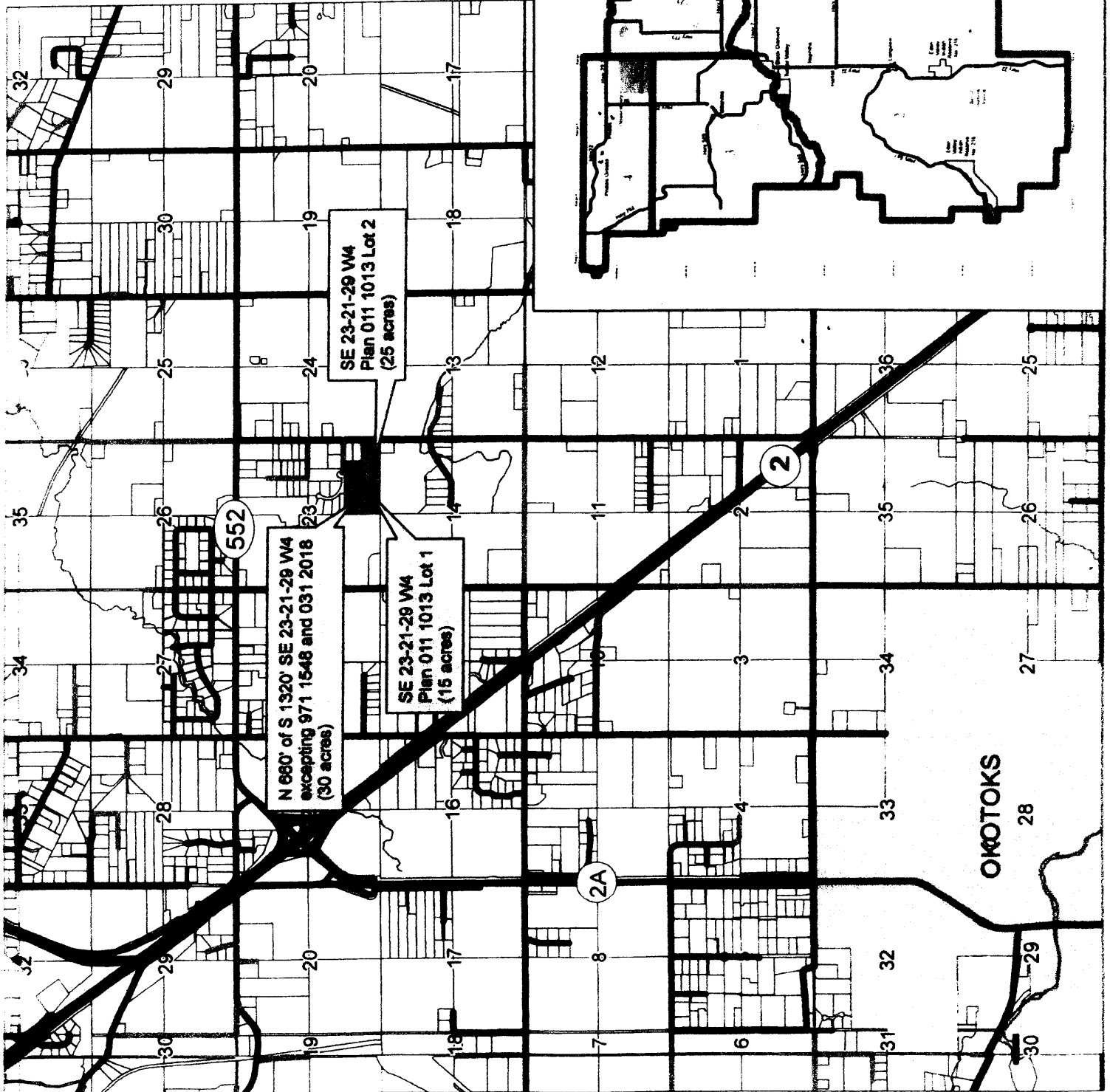
SE 23-21-29 W4



1:60,000

FIGURE 1.

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1:750,000

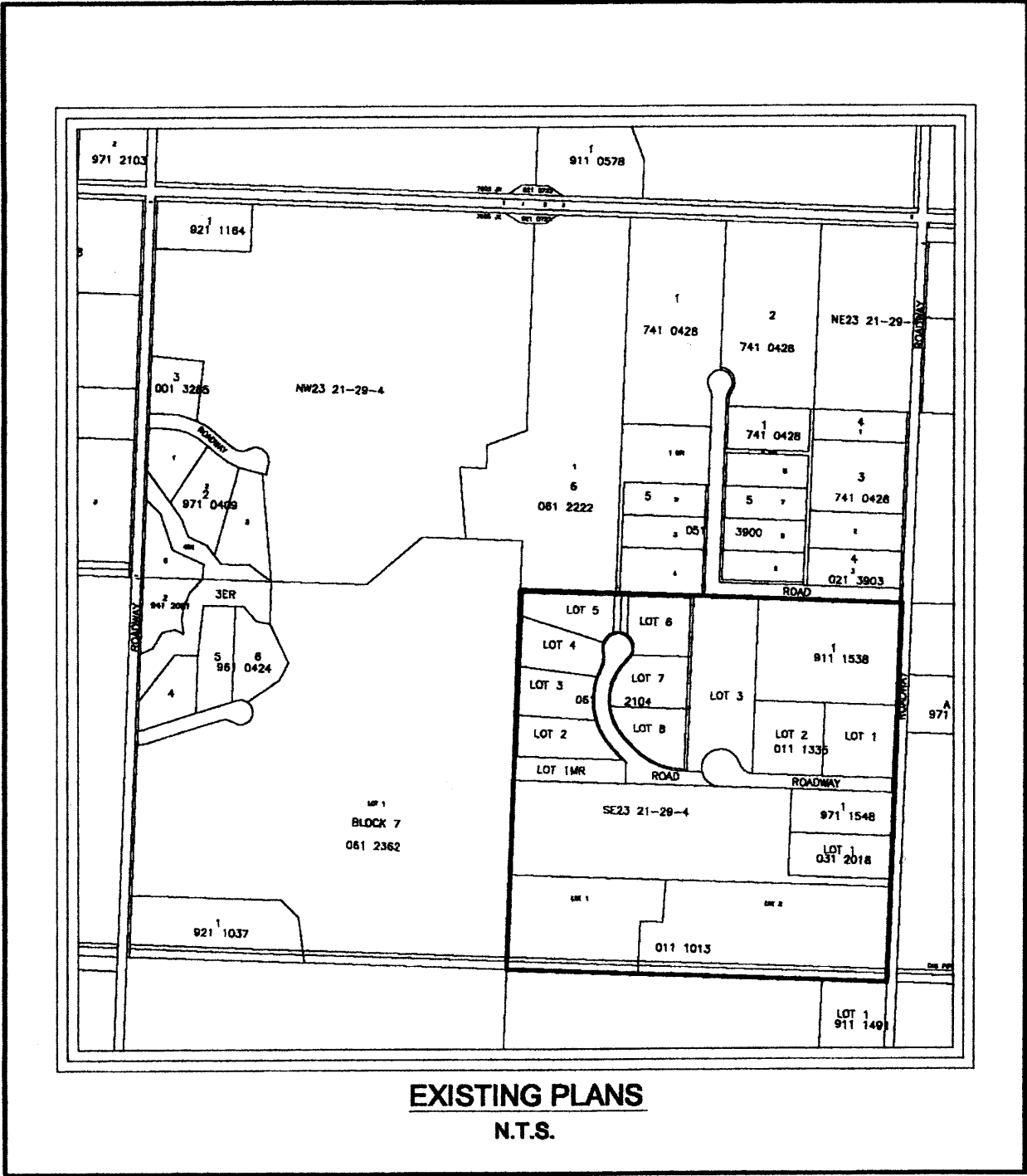


Figure 2
Existing Subdivision Plans Map

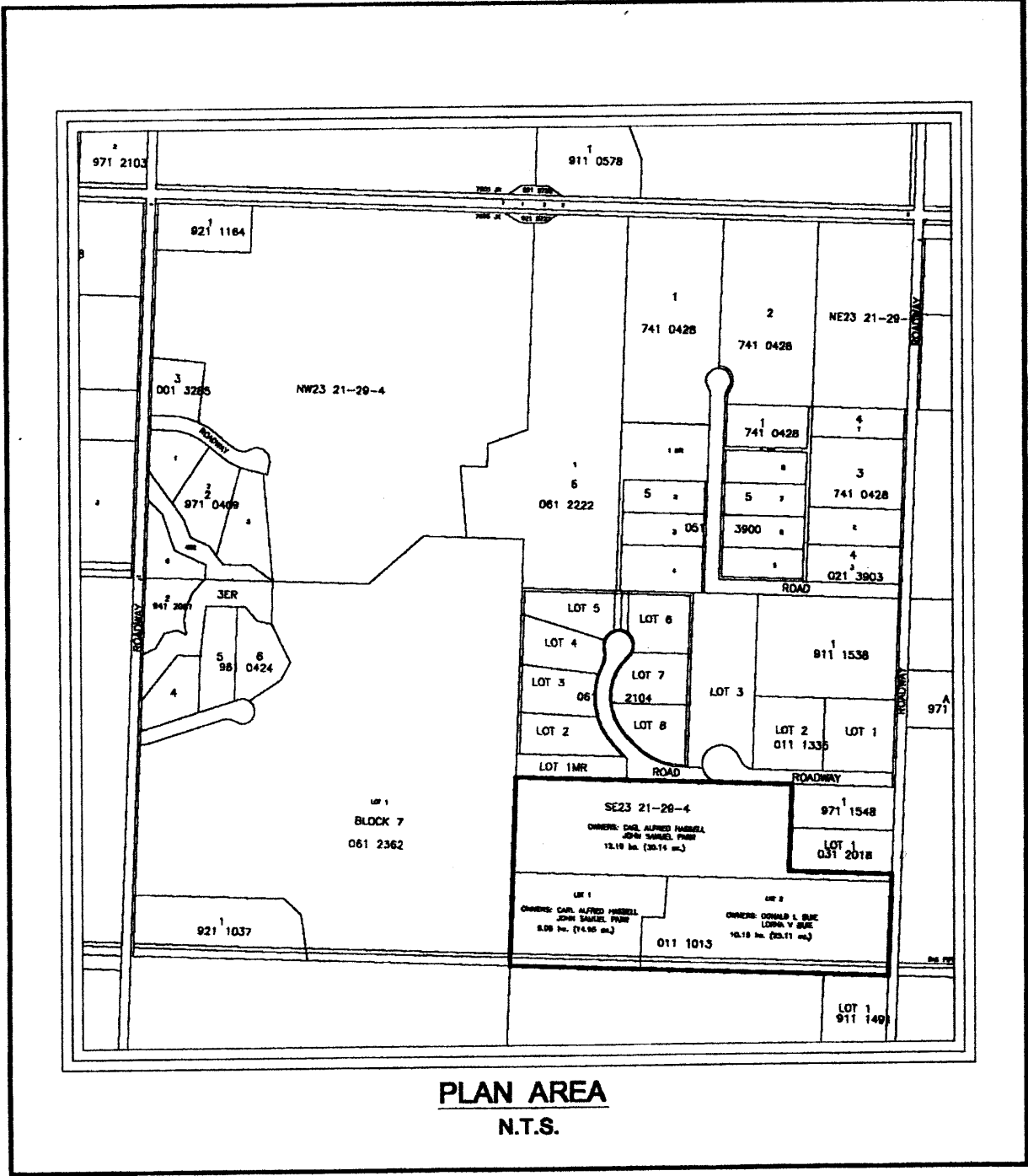
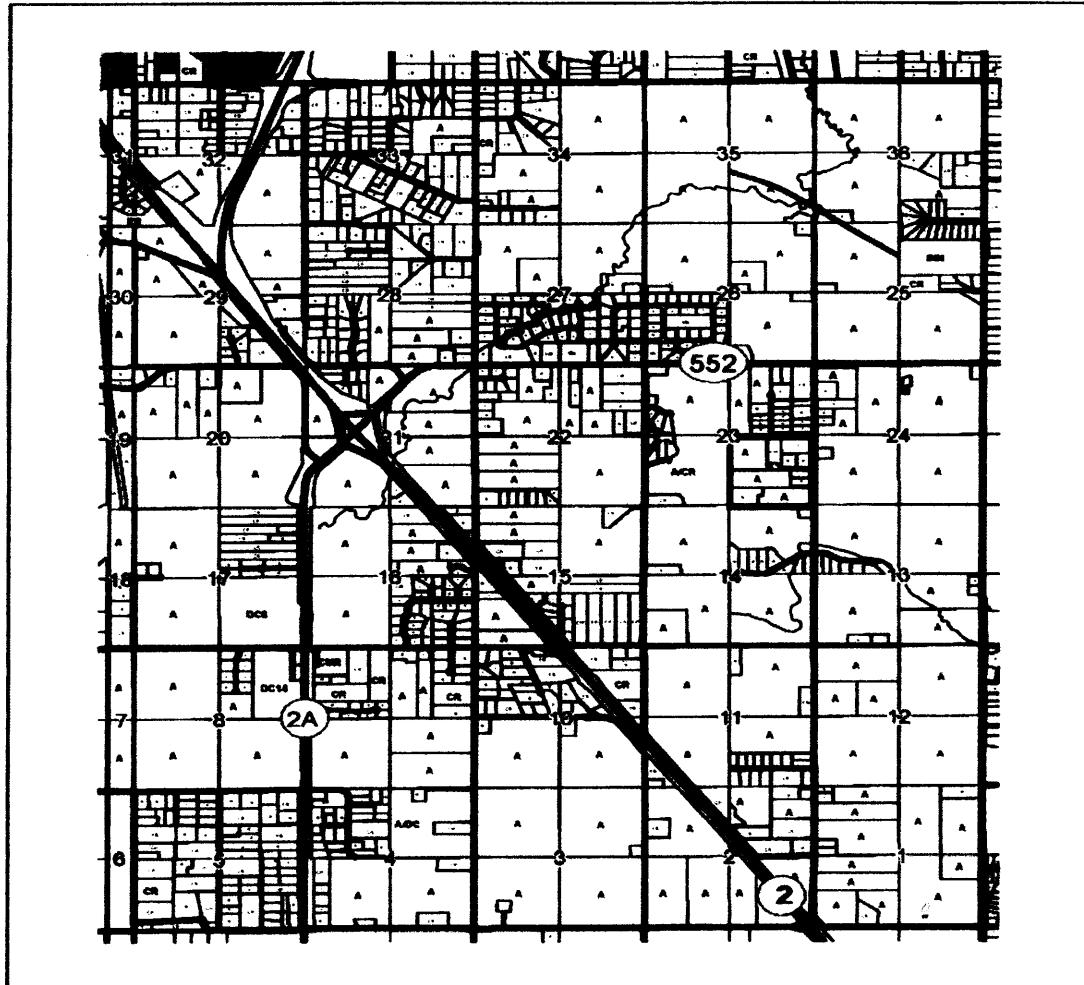


Figure 3
Proposed Subdivision Plan Area



0 0.5 1 Kilometers
Scale 1:60,000

Mar 31, 2006

LEGEND

| | | | |
|-----|----------------------------------------------|------|-----------------------------------------------|
| A | Agricultural | DC8 | Direct Control - Telecommunications Tower |
| CMH | Commercial Hamlet | DC9 | Direct Control - Nature's Hideaway Campground |
| CMY | Commercial Highway | DC10 | Direct Control - Paradise Ranch Resort |
| CMR | Commercial Rural | EP | Environmental Protection |
| CMR | Commercial Rural | ER | Environmental Reserve |
| CR | Country Residential | INH | Industrial - Hamlet |
| CRA | Country Residential- Subdistrict A | INN | Industrial - Natural Resources |
| DC1 | Direct Control - Spruce Meadows | INP | Industrial - Park |
| DC2 | Direct Control - Aldersyde Industrial | INR | Industrial - Rural |
| DC3 | Direct Control - Smead | MR | Municipal Reserve |
| DC4 | Direct Control - Private Airport | R | Residential |
| DC5 | Direct Control - Airport | RA | Residential- Subdistrict A |
| DC6 | Direct Control - Gravel Pit | REC | Recreation |
| DC7 | Direct Control - Silver Tip Ranch Commercial | | Multiple Land Use (ie. A/CR) |

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Figure 4
Area Land Use Map

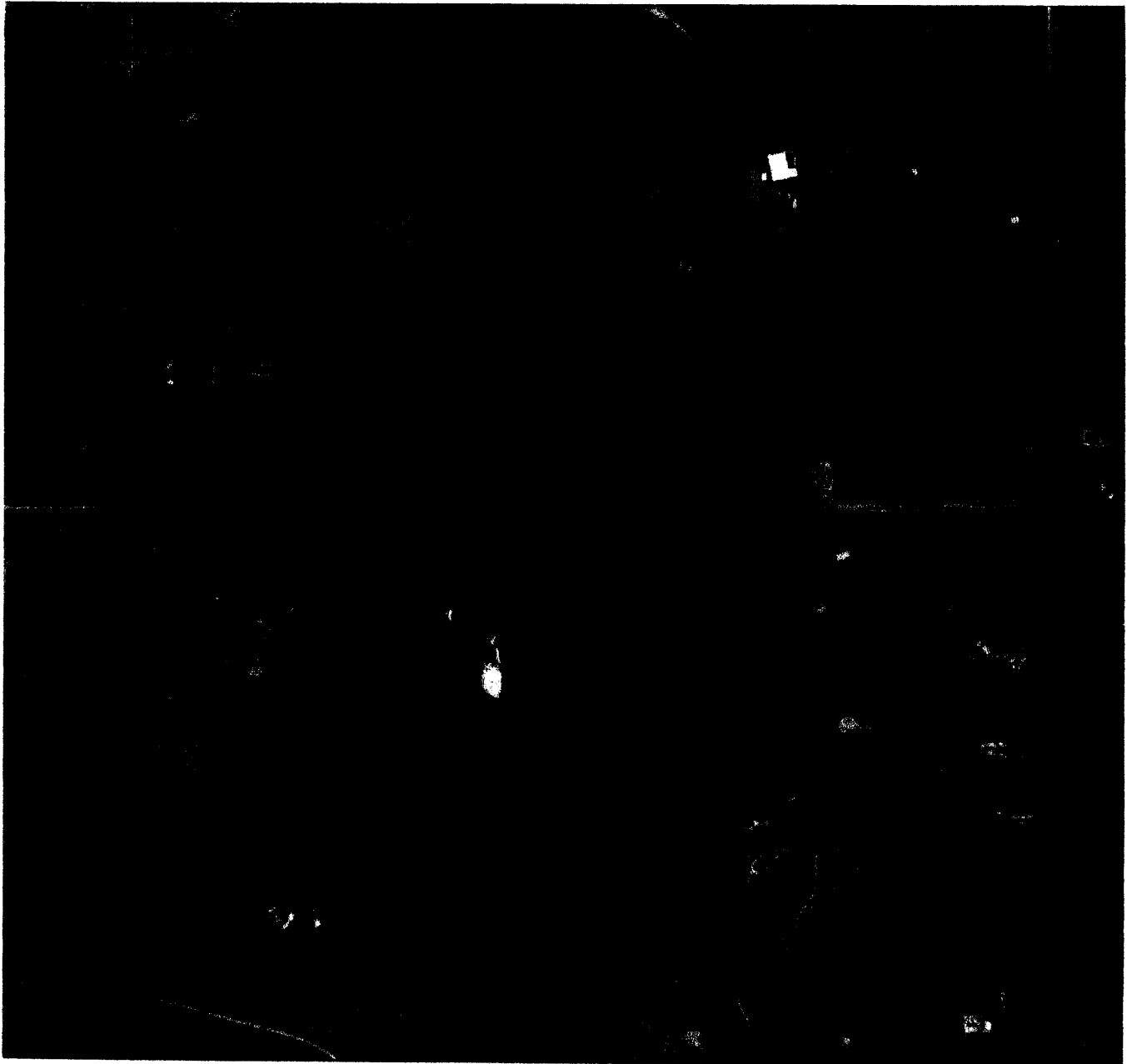


Figure 5
Ariel Photograph Of Section 23-021-29W4

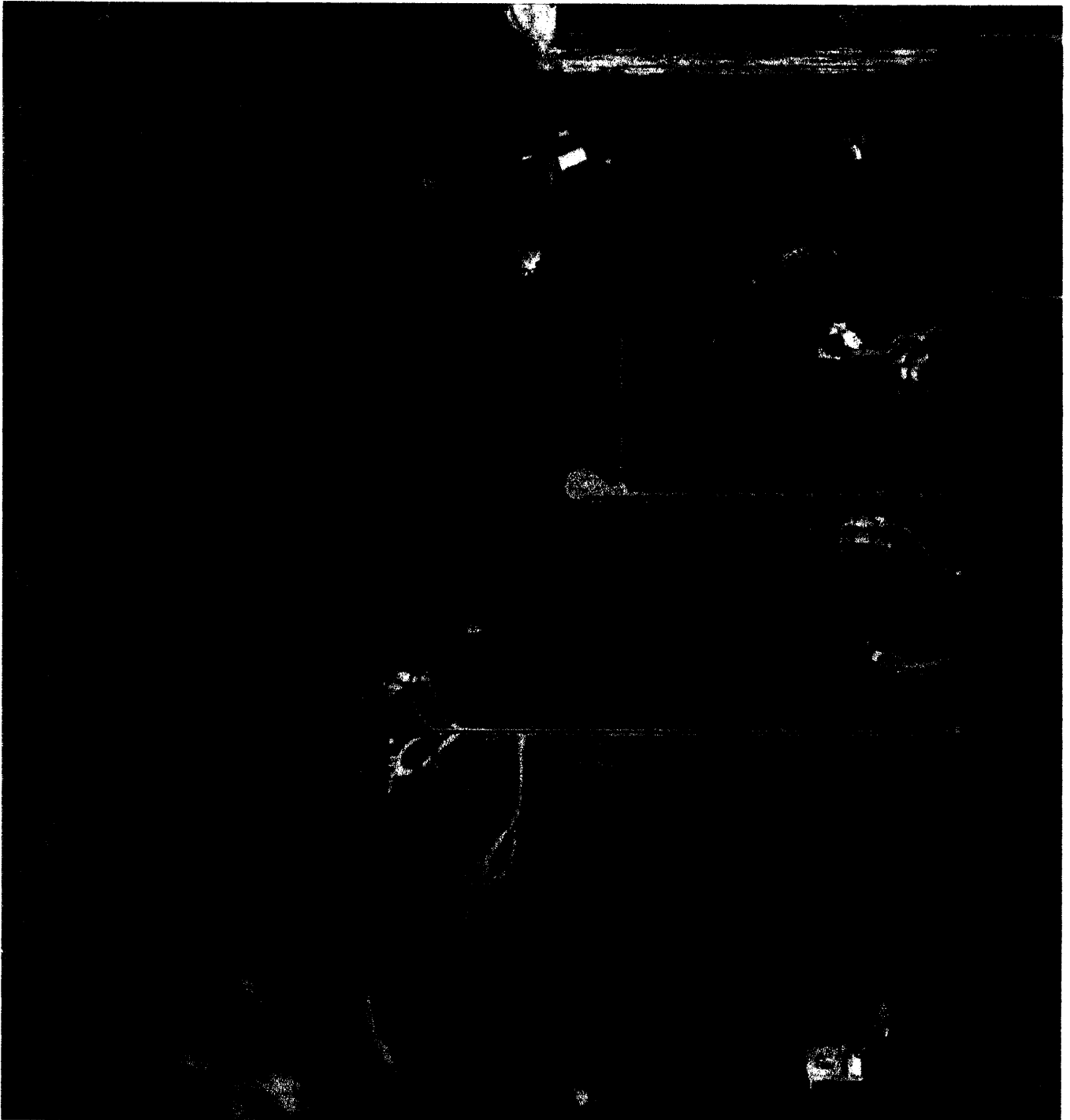


Figure 6

Ariel Photograph Of SE Quarter Section 23-021-29W4



M.D. of FOOTHILLS No.31
ALBERTA

TENTATIVE PLAN SHOWING SURVEY OF
PROPOSED SUBDIVISION
AFFECTING

LOTS 1 & 2, PLAN 011 1013

AND A PORTION OF

S.E. 1/4 SEC. 23, TWP. 21, RGE. 28, W.4M.

WITHIN THE

S.E. 1/4 SEC. 23, TWP. 21, RGE. 28, W.4M.

JEFF BLATZ, A.L.S., 2007

SCALE 1 : 2000



NOTES

1. Dimensions are in metres and decimals thereof.
2. Distances are conceptual and may be regulated by field survey.
3. Area to be registered shown rounded to the nearest square metre.
4. Block lines shown true.

PREPARED FOR

CARL ALFRED HASSELL
SAMUEL JOHN PARER
DONALD L BUE
LORNA V BUE

REGISTERED OWNERS

CARL ALFRED HASSELL
SAMUEL JOHN PARER
DONALD L BUE
LORNA V BUE

APPROVING AUTHORITY

M.D. of FOOTHILLS No.31
FILE NO. _____

FIGURE 7

CHALLENGER GEOMATICS LTD.
17000 45TH STREET, 1000-1000 W
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