



WESTMINSTER GLEN CONCEPTUAL SCHEME



Bylaw C-5379-2001, Adopted July 31, 2001

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-5379-2001

A Bylaw of the Municipal District of Rocky View No. 44 to adopt the attached Schedule "A" referred to as the "Conceptual Scheme", pursuant to Divisions 7 & 12 of Part 17 of the Municipal Government Act.

- WHEREAS** the Council of the Municipal District of Rocky View No. 44 has received an application to adopt a Conceptual Scheme as affecting the lands described as the NW12-26-03-W4M; and
- WHEREAS** the Council deems it desirable to adopt the Conceptual Scheme; and
- WHEREAS** a notice was published on Tuesday, June 12, 2001 and Tuesday, June 19, 2001 in the Rocky View Five Village Weekly, a newspaper circulating in the Municipal District of Rocky View No. 44, advising of the Public Hearing for Tuesday, June 26, 2001;
- WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance with Section 692 of the Municipal Government Act, being Chapter 24 of the Revised Statutes of Alberta, 1995, and all amendments thereto.

NOW THEREFORE the Council enacts the following:

1. That the Conceptual Scheme be adopted to provide a framework for the subsequent redesignation, subdivision and development in the NW 12-26-03-W4M, as hereto attached as Schedule "A".
2. The Bylaw comes into effect upon the date of its third reading.

File: 6712002-2000285

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on Tuesday, May 29, 2001, on a motion by Councillor Gough.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on July 31, 2001, on a motion by Councillor Kent.

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on July 31, 2001, on a motion by Councillor Kent.

REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

Westminster Glen Conceptual Scheme

NW ¼ Sec. 12-26-03-W5M

Submitted in support of
Applications for Redesignation and Subdivision Approval to the
M.D. of Rocky View No.44
For the
NW ¼ Sec. 12-26-03-W5M

Prepared for:

Chernesky Holdings Ltd.

July, 2001

(Revised as per M.D. of Rocky View Council motion of June 26, 2001)

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Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

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Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
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List of Supporting Reports (Submitted under separate cover)

- ❑ Slope Stability Assessment, McIntosh Lalani Engineering Ltd., March 21, 2000.
- ❑ Percolation and Near-surface Water Testing, McIntosh Lalani Engineering Ltd., January 26, 2000.
- ❑ Stormwater Management Study, Jubilee Engineering Consultants Ltd., June 2000.

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1.0 Introduction

The Westminster Glen Conceptual Scheme (Westminster Glen CS) was prepared at the request of the M.D. of Rocky View No.44 and applies to the NW ¼ Sec. 12-26-03-W5M.

Preparation of the Westminster Glen CS has been guided by the Bearspaw Area Structure Plan (Bearspaw ASP), Bylaw C-4129-93, adopted January 18th, 1994 and M.D. of Rocky View No. 44 Procedure No. 301 dealing with the processing of concept plans.

1.1 Conceptual Scheme Purpose

The Westminster Glen CS provides supporting land use rationale for the redesignation and subdivision of the NW ¼ Sec. 12-26-03-W5M to accommodate residential subdivision and development. It provides a comprehensive policy framework intended to guide and evaluate redesignation, subdivision and development proposals within its Planning Area.

The individual policies of the Westminster Glen CS address the land use issues identified by the Bearspaw ASP and provide specific direction to achieve the objectives of the Bearspaw ASP and the Westminster Glen CS.

2.0 Conceptual Scheme Objectives

The objectives of the Westminster Glen CS are:

- ❑ To establish the appropriateness of the NW ¼ Sec. 12-26-03-W5M for the land uses proposed by the Westminster Glen Conceptual Scheme.
- ❑ To establish a Conceptual Scheme that addresses existing constraints and opportunities while protecting and enhancing subdivision and development opportunities for the NW ¼ Sec. 12-26-03-W5M and the adjacent community.
- ❑ To facilitate sustainable subdivision of the NW ¼ Sec. 12-26-03-W5M within the context of Bearspaw ASP and other municipal statutory plans, policies and procedures.
- ❑ To accommodate the phased subdivision and development of the NW ¼ Sec. 12-26-03-W5M.

3.0 Conceptual Scheme Planning Area

Discussion

The Westminster Glen CS applies to the NW ¼ Sec. 12-26-03-W5M. The Planning Area comprises a total area of 158.50 acres (64.142 hectares) contained under a single title. A current title search is contained under Appendix 1.

The Planning Area is located within Division 8 of the M.D. of Rocky View No. 44, approximately 5.0 miles east of the Town of Cochrane and 2.5 miles west of the City of Calgary. The Planning Area is approximately 0.50 miles west of Bearspaw Road, and approximately 3.5 miles north of Highway #1A. Exhibit 1- Municipal Location identifies the municipal location of the Planning Area.

Exhibit 2 - Planning Area identifies the Westminster Glen CS Planning Area



Exhibit: 1 - Municipal Location

Source: M.D. of Rocky View Municipal Map, 1998

Conceptual Scheme Policy – Planning Area

Policy 3.1 Policies contained in the Westminster Glen Conceptual Scheme shall apply to lands identified in Exhibit 2 - Planning Area.

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Westminster Glen Conceptual Scheme

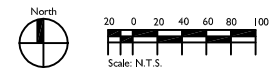
Exhibit 2 - Planning Area

N.W. 1/4 Sec. 12-26-03-W5M

Planning Area outlined in
red comprises 158.50 acres
(64.142 ha).

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Revision No.	Revision Note	Issue Date
Designed by CZW	Checked by CZW	Approved by date: CZW Drawing Number:
Cherniesky Holdings Ltd. 5005 Dalhousie Drive NW Calgary, AB T3A 3B8		
CS Exhibit 2 - Planning Area		Sheet
CZW Project No.: Cherniesky NW 12-26-03-W5		

3.1 Community Context and Land Use

Discussion

A mix of country residential and small-scale agricultural land uses characterizes the community in which the Planning Area is located. Exhibit 3 - Current and Surrounding Land Use Districts identifies the community context and land use districts within and in proximity to the Planning Area at the time of Conceptual Scheme preparation. At the time of Conceptual Scheme preparation, the Planning Area was designated Ranch and Farm District (RF) under the M.D. of Rocky View No.44 Land Use Bylaw 1997.

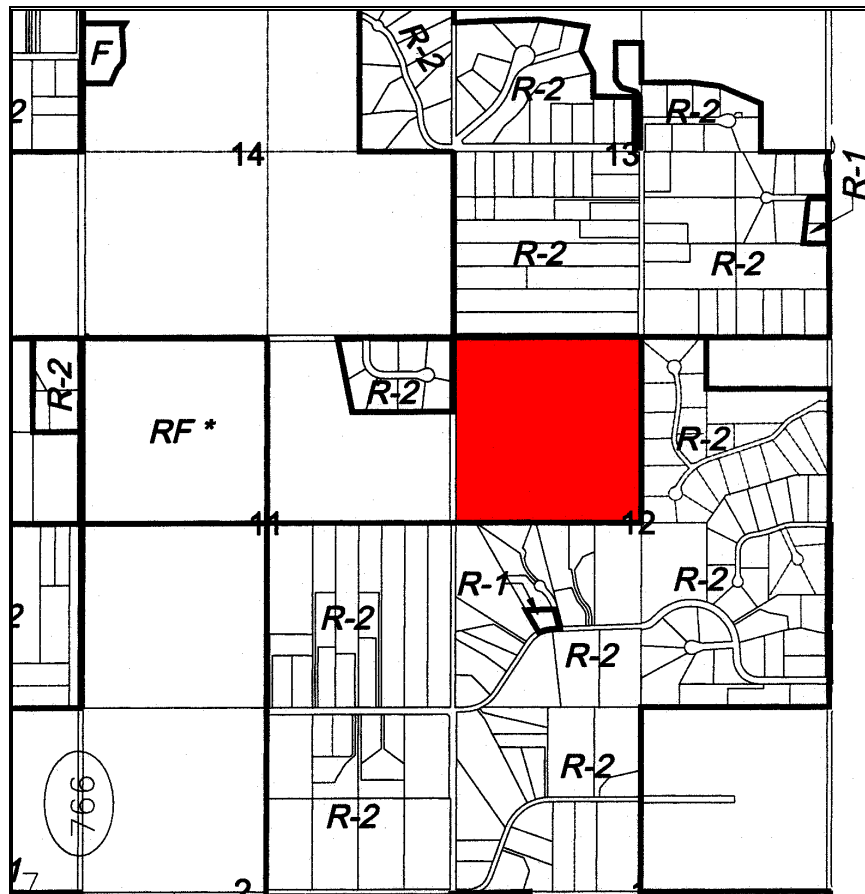


Exhibit 3 - Current and Surrounding Land Use Districts
(Planning Area shown in red)

Source: M.D. of Rocky View Land Use Bylaw C-1725-84.

3.2 Site Features

Exhibit 4 - Air Photo is an air photo of the Planning Area showing prominent site features.

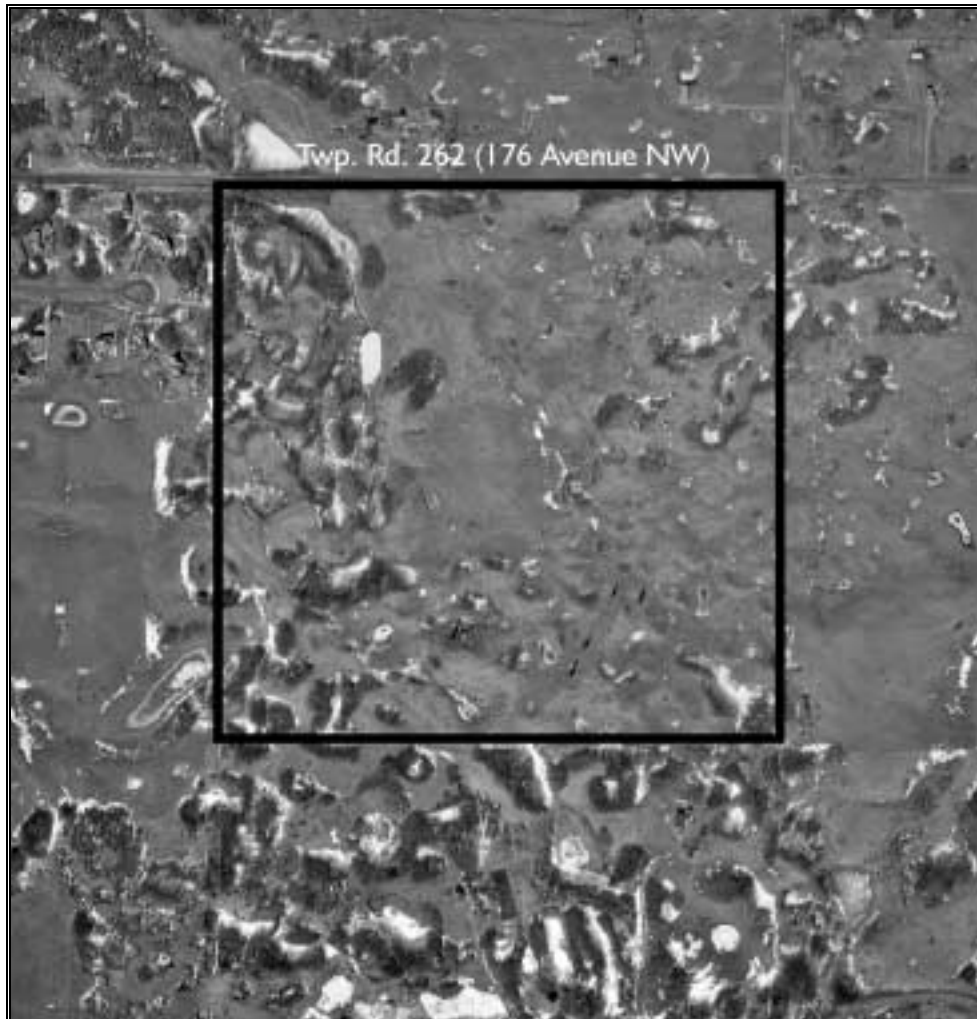


Exhibit 4 - Air Photo

Source: Orthoshop, Air photo Date: 1994.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
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3.2.1 Soils

Discussion

Soils found within the Planning Area are of the Dunvargan soil group (represented as the DVG1, DVG3 and DVG4 soil units) and the Spy Hill soil group (represented by the SPY1 and SPY2 soil groups).

DVG soils are mapped on rough morainal landscapes. Terrain and the variability of soil properties may impair agricultural production however; the short frost-free season generally limits the crops that can be grown in this soil unit. Soils found within the Planning Area generally exhibit moderate permeability and offer slight to moderate limitations for septic tank absorption fields.

SPY soils are thin well-drained soils formed under mixed forest and grassland vegetation. Agricultural use of these soils is limited by irregular topography, steep slopes moderate permeability and stoniness.

With the limiting factor of soil and the irregular topography, the Planning Area is unsuitable for agricultural production.

Exhibit 5 - Soils identifies the Soil Mapping Units for the Planning Area.

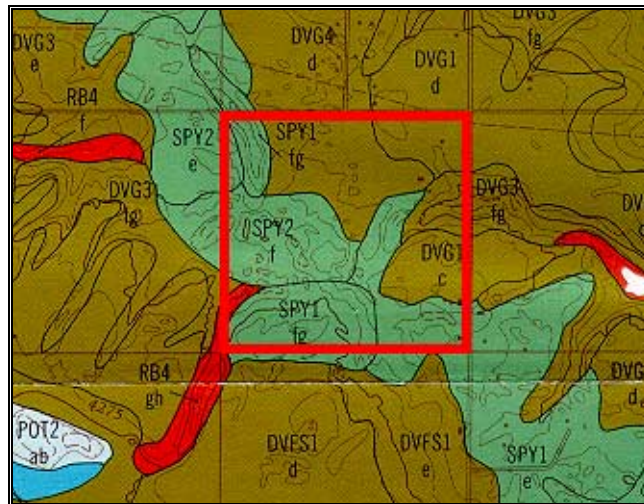


Exhibit 5 - Soils

Source: Soil Survey of the Calgary Urban Perimeter, R.A. MacMillan, Alberta Energy, 1987.

3.2.2 Terrain

Discussion

The terrain found within the Planning Area offers a range of development opportunities for country residential land use but has very limited potential for agricultural production due to its irregular relief. A large coulee dominates the north-west portion of the Planning Area. Where areas of the Planning Area contain slopes in excess of 15%, there is no evidence on-site of slope instability (See Slope Stability Assessment, McIntosh Lalani Engineering Ltd., March 21, 2000. (Available under separate cover) for an assessment of slope stability within the Planning Area.

Exhibit 6 - Terrain shows the Planning Area with contours at 1-metre intervals (Exhibit 7 - Subdivision and Development Concept with contour intervals at a scale of 1:2000 is included in an envelope at the rear of this scheme).

Conceptual Scheme Policy – Terrain

Policy 3.2.2.1 Alterations in the existing terrain of the Planning Area should proceed in accordance with an attendant grading plan and a stormwater management plan, to the satisfaction of the M.D. of Rocky View and Alberta Environment.

3.2.3 Vegetation

Discussion

The plant community found within the Planning Area is typical parkland vegetation dominated by native and non-native grasses and periodic aspen forest cover. The forested areas consist of aspen poplar, willow, balsam poplar and white spruce. Some vegetation can be seen on Exhibit 3 - Air Photo and is notionally illustrated on Exhibit 2 - Planning Area.

The Planning Area contains no environmentally significant animal or plant communities that require avoidance or mitigation measures prior to the development of residential land uses.

3.2.4 Existing Development

Discussion

The Planning Area is currently undeveloped and contains no known cultural or historically significant structures or features.

Westminster Glen Conceptual Scheme

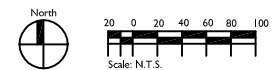
Exhibit 6 - Terrain

N.W. 1/4 Sec. 12-26-03-W5M

Area proposed for subdivision comprises
158.50 acres (64.142 ha).

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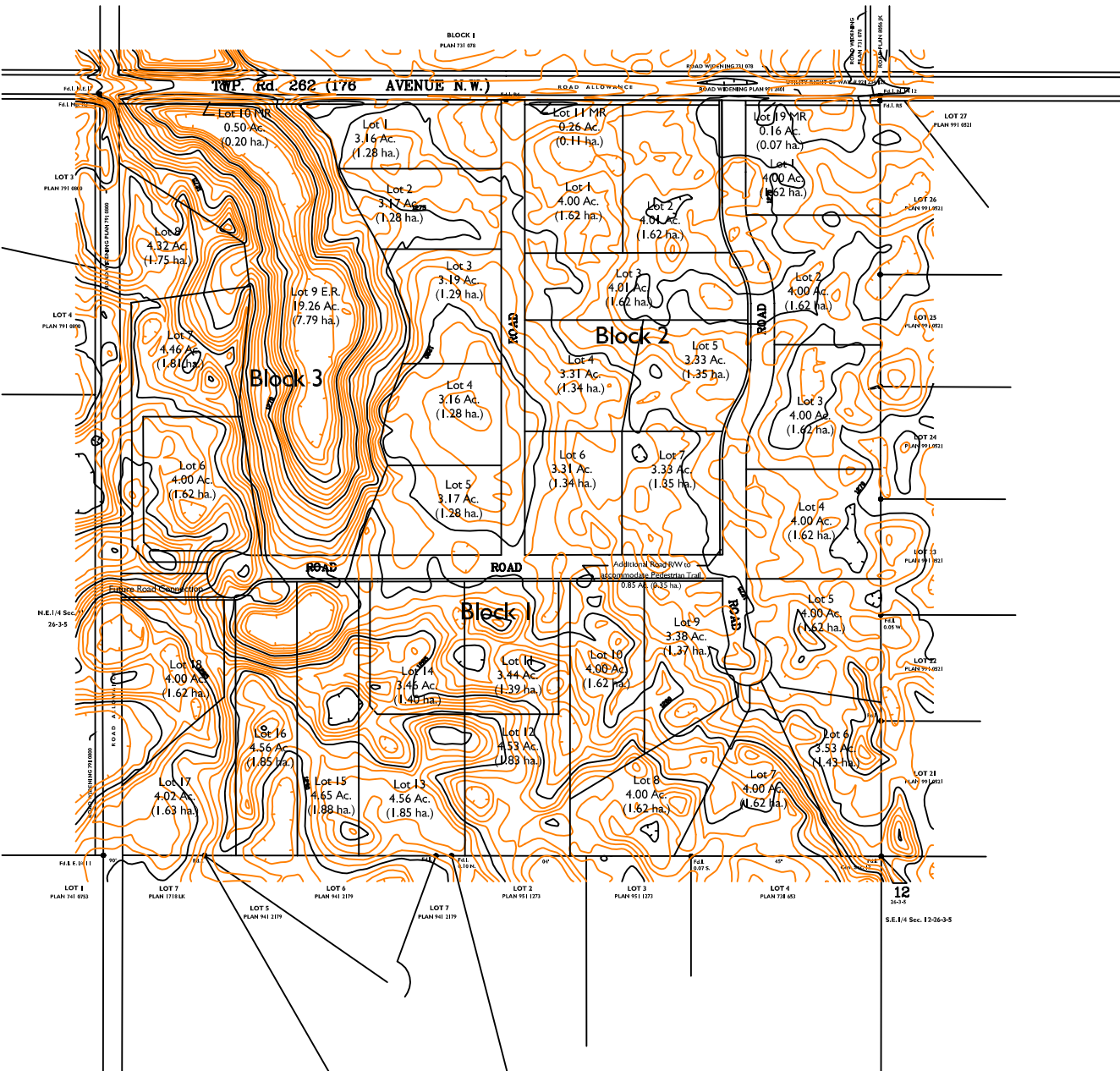
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Cherniesky Holdings Ltd. 5005 Dalhousie Drive NW Calgary, AB T2A 3B8		CS Exhibit 6 - Terrain C2W Project No.: Cherniesky NW 12-26-03-W5M



4.0 Planning Area – Future Land Use

Proposals for the redesignation of the Planning Area from its current land use designation of Ranch and Farm District (RF) to land use districts permitting country residential land use is consistent with residential land uses found on lands throughout the Bearspaw community. A discussion of the appropriateness of residential land uses within the Planning Area is contained under Section 6.1 of this Conceptual Scheme.

Exhibit 7 - Subdivision and Development Concept (discussed under Section 5.0) contemplates the subdivision and development of a residential community accommodating single family estate homes with no attendant agricultural land uses.

Conceptual Scheme Policy – Land Use

Policy 4.1 Proposals for redesignation of land within the Planning Area to land use districts pursuant to the Land Use Bylaw shall be considered appropriate where such proposals will support subsequent subdivision and development which:

1. Recognizes and responds to the physical characteristics and attributes of the Planning Area;
2. Will result in a sustainable residential community at a scale appropriate to the surrounding community;
3. Accommodates the full potential of these lands for residential subdivision and development; and
4. Conforms to the policies of the Westminster Glen CS, the Bearspaw ASP and other relevant policies and regulations of the M.D. of Rocky View No.44.

5.0 Planning Area – Future Subdivision

5.1 Subdivision and Development Concept

Discussion

Exhibit 7 - Subdivision and Development Concept proposes a subdivision design that is in conformity with the Bearspaw ASP and other relevant M.D. of Rocky View No.44 policies.

The Subdivision and Development Concept proposes a residential community (comprising 33 lots) that:

- ❑ Responds to the physical attributes of the Planning Area;
- ❑ Is sustainable;
- ❑ Offers a range of parcel sizes and development opportunities;
- ❑ Extends protection to important environmental areas within the Planning Area;
- ❑ Is compatible with existing and future development of adjacent lands; and
- ❑ Retains the established country residential character of the surrounding area.

A Tentative Plan of Subdivision (at a scale of 1:2000) is contained in the envelope at the rear of this Conceptual Scheme.

Land use statistics for Exhibit 7 - Subdivision and Development Concept are provided in Table: 1

Conceptual Scheme Policy – Subdivision and Development Concept Design

Policy 5.1.1 Proposals for the subdivision of land within the Planning Area shall be generally in accordance with subdivision design of Exhibit 7 - Subdivision and Development Concept.

Policy 5.1.2 Lot layouts shown in Exhibit 7 - Subdivision and Development Concept are conceptual only and may not reflect the a final subdivision design, number or sizes of lots that may be proposed in future tentative plans of subdivision. The final size, configuration and design of individual parcels proposed through subdivision shall be determined at the tentative subdivision plan approval stage and conform to the provisions of the Bearspaw ASP.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
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Table: 1 - Land Use Statistics (Exhibit 7 - Subdivision and Development Concept)

Land Use	Acres	Hectares	Lots	Percent of Planning Area (%)
Residential	126.88	51.35		80.05
Block 1			18	
Block 2			7	
Block 3			8	
Public Road	11.44	4.63		7.22
Municipal Reserve	0.92	0.37		0.58
Environmental Reserve	19.26	7.79		12.15
Total	158.50	64.14	33	100.00

Table Notes:

-
1. Land Use Statistics are for Exhibit 7 - Subdivision and Development Concept.
 2. Totals may not equal due to rounding and metric conversion.
 3. All areas should be considered more or less.

Westminster Glen Conceptual Scheme

Exhibit 7 - Subdivision and Development Concept

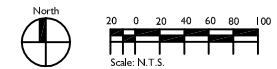
N.W. 1/4 Sec. 12-26-03-W5M

Area proposed for subdivision comprises
158.50 acres (64.142 ha).

Land Use Statistics				
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Residential	126.88	51.35		80.05
Block 1			18	
Block 2			7	
Block 3			8	
Road	11.44	4.63		7.22
Municipal Reserve	0.92	0.37		0.58
Environmental Reserve	19.26	7.79		12.15
Total	158.50	64.14	33	100.00

Drawing Notes:

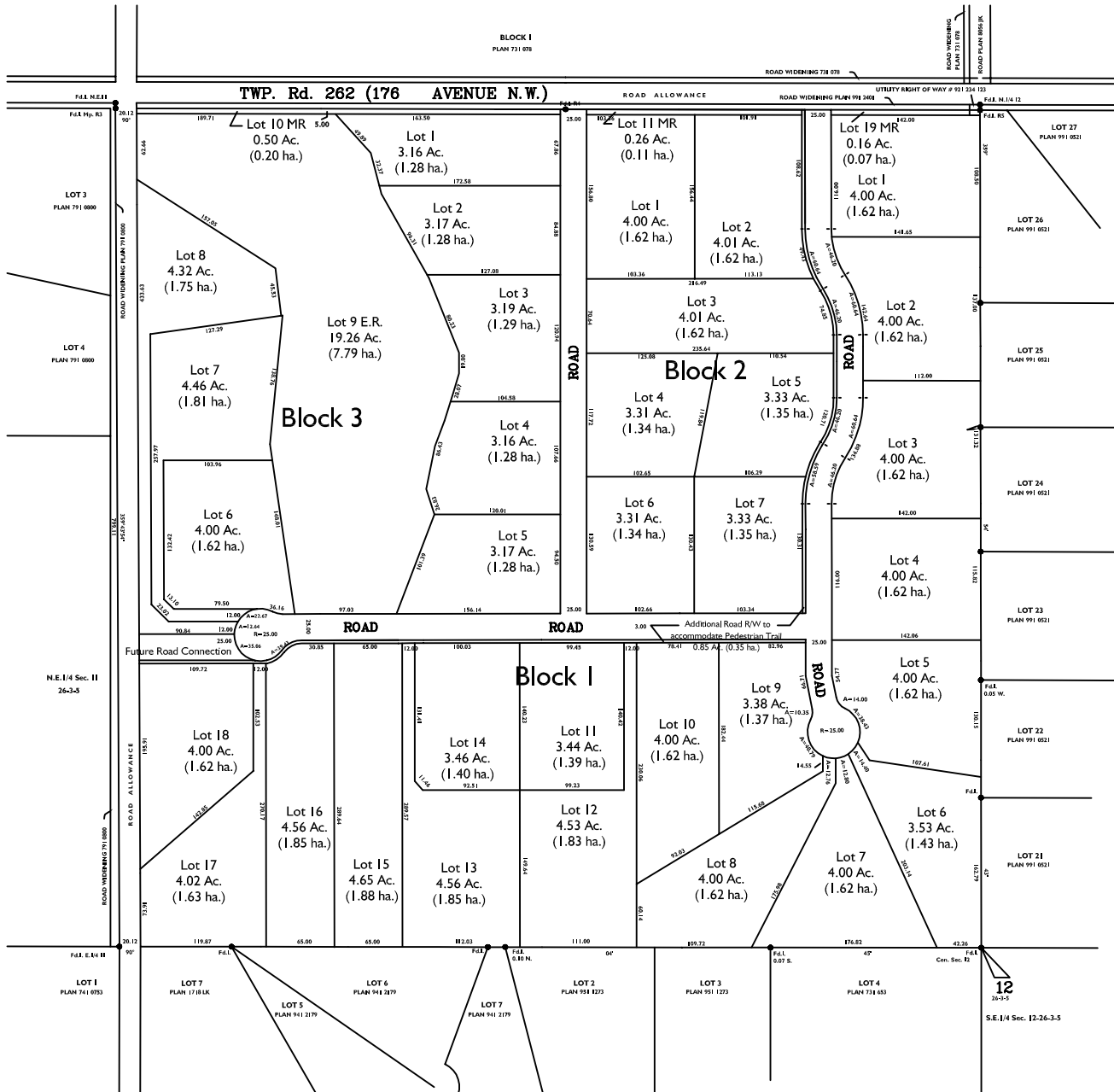
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Designed by C2W	Checked by C2W	Approved by date: C2W Drawing Number:
Cherniesky Holdings Ltd. 5005 Dalhousie Drive NW Calgary, AB T2A 3B8		CS Exhibit 7 - Subdivision and Development Concept C2W Project No.: Cherniesky NW 12-26-03-W5M



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S.E. 1/4 Sec. 12-26-3-5

6.0 Conformity to the Bearspaw Area Structure Plan

Discussion

The Westminster Glen CS and Exhibit 7 - Subdivision and Development Concept has been prepared having consideration for the objectives of the Bearspaw ASP:

Relevant Excerpt from the Bearspaw ASP Policy (page 25):

- 6.1 To establish a future land use scenario for the Plan Area that in concert with sound land use planning principles will provide a future reference for the achievement of an efficient development pattern while balancing and protecting the character of the Bearspaw community.
 - 6.2 To guide growth and change within the Plan Area through the implementation of sound land use planning policies.
 - 6.3 To facilitate the review and evaluation of the feasibility and appropriateness of any redesignation, subdivision and/or development proposal within the Plan Area in accordance with an established framework of policies.
 - 6.4 To achieve the goals and objectives of the General Municipal Plan through the implementation of sound land use planning policies.
 - 6.5 To protect, conserve and/or enhance the unique natural features of the Plan Area by requiring proposals for redesignation, subdivision and/or development to consider these features and implement measures that will avoid or mitigate any resulting potentially negative impacts.
 - 6.6 To facilitate the provision of essential community services in accordance with the needs of current and future development within the Plan Area.
 - 6.7 To preserve the archaeological, historical and/or cultural heritage within the Plan Area.
-

6.1 Appropriate Land Use

Discussion

The land use and subdivision design as provided in Exhibit 7 - Subdivision and Development Concept is in accordance with the following Bearspaw ASP policies:

Relevant excerpt from the Bearspaw ASP Policy (page 29):

- 8.1.2 Figure 7 identifies areas within the Plan Area generally considered appropriate for country residential land uses.**
-

Figure 7 - Future Land Use Scenario of the Bearspaw ASP identifies the subject lands as country residential.

Conceptual Scheme - Appropriate Land Use

Policy 6.3.1 Development of the Planning Area for single family residential development is the preferred development form. Other uses may be considered appropriate where allowed as permitted and discretionary uses under the Residential Two District (R-2) of the Land Use Bylaw.

6.2 Subdivision and Development Phasing

Discussion

The land use and subdivision design as provided in Exhibit 7 - Subdivision and Development Concept is in conformity with the subdivision and development phasing established for the Bearspaw ASP plan area.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Relevant excerpt from the Bearspaw ASP Policy (page 30):

8.1.8 Country residential land uses as illustrated in Figure 7, should develop in accordance with the phasing sequence identified in Figure 8. Country residential development proposing to proceed out of phase shall be required to provide rationale for the proposal in accordance with the provisions of this Plan and as may be required by the Municipality.

The Bearspaw ASP (Figure 8 - Phasing) identifies the Planning Area as being within Development Priority Area 2. Appendix B of the Bearspaw ASP identifies Priority Area 2 lands as:

- ❑ *Contains lands, which are unsubdivided and are within a close proximity of country residential land uses.*
- ❑ *Contains lands which are generally lower capability agricultural land pursuant to the Calgary Regional Plan and the General Municipal Plan.*
- ❑ *Lands may contain hazards to development such as slopes and high water tables as well as, environmentally significant natural landscapes, archaeological, historical and/or cultural features.*

Since its adoption in 1993, the Bearspaw ASP policies have guided the development of country residential land use in proximity to the subject land. In this regard, the context of the Planning Area has changed with country residential land uses now bordering it on all sides.

Further, at the time the Bearspaw ASP was prepared, many lands within the plan's area were determined to be Priority 2 lands. At the time of plan preparation no comprehensive plan of development for these lands was under consideration by the Municipality and these lands contained one or more site issues that could affect the development of country residential land uses (as noted in Appendix B of the Plan).

The Westminster Glen CS has comprehensively examined all the development issues (including the influences of the terrain on the development of country residential land use) and has prepared a subdivision design that responds to the opportunities and constraints of the site in a manner that is appropriate and sustainable.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

The subdivision of the Planning Area is timely and appropriate for the following reasons:

- ❑ infilling of country residential land use on land adjacent to the Planning Area and throughout the Bearspaw community over a seven year period since adoption of the Bearspaw ASP has changed the context of the Planning Area; and
- ❑ the submission of a comprehensive subdivision design proposal for the subject lands addresses all issues of development in a manner that is in conformity to the provisions of the Bearspaw ASP and consistent with the principles of sound community planning.

Conceptual Scheme Policy – Bearspaw ASP Subdivision and Development Phasing

Policy 6.2.1 The Planning Area is considered to be appropriate for subdivision and development and no amendment to the Subdivision and Development Phasing provisions of Bearspaw ASP is required prior to consideration of proposals for redesignation and subdivision of the Planning Area.

6.3 Subdivision Design Considerations

Discussion

Preparation of Exhibit 7 - Subdivision and Development Concept has been guided by the following Bears paw ASP policy considerations:

Relevant excerpt from the Bears paw ASP Policy (page 32):

8.1.19 When considering applications for subdivision approval, the Municipality should evaluate tentative plans of subdivision in terms of the following considerations:

- a) the natural condition of the lands proposed for subdivision and the manner in which these conditions (ie. topography, environmentally sensitive areas, etc.) have been integrated into the design of the tentative plan of subdivision;
- b) the serviceability of the proposed parcels by private and public utilities;
- c) the suitability of each of the proposed parcels to accommodate a building site of sufficient area to permit the development of a residential building and ancillary structures;
- d) the context of the lands proposed for subdivision and the compatibility of the proposed design with adjacent lands including, but not limited to, site conditions, parcel sizes, visual impact, etc.;
- e) the intensification potential of the tentative plan of subdivision and the flexibility of the proposed design to accommodate future subdivision;
- f) the conformity of the tentative plan of subdivision with any Concept Plan prepared and/or adopted pursuant to the provisions of this Plan;
- g) the design of the proposed road system having regard for Municipal Engineering Standards and integration with the Municipal and Provincial road hierarchy;
- h) conformity to this Plan, which may necessitate an amendment to the Plan;
- i) any other matter deemed appropriate by the Municipality.

The individual Bearspaw ASP policy considerations and the corresponding design solutions presented in Exhibit 7 - Subdivision and Development Concept are discussed in the following sections.

6.3.1 Bearspaw ASP Consideration a) - Natural Conditions

Discussion

Exhibit 7 - Subdivision and Development Concept provides a design for lots in which a variety of options for a building site can be found with every lot containing a mix of forested and open landscape. Additional discussion of suitability to accommodate a building site is discussed under Bearspaw ASP Consideration c).

6.3.2 Bearspaw ASP Consideration b) - Serviceability

Serviceability relates to the ability of the existing and proposed service infrastructure to sustain and manage subdivision and development of the Planning Area in accordance with Exhibit 7 - Subdivision and Development Concept. The issues of serviceability relate to:

- ❑ the provision of Potable Water;
- ❑ the proposed method of Sewage Management;
- ❑ the provision of Shallow Utilities;
- ❑ the proposed method of Stormwater Management;

Potable Water

Potable water will be distributed to development within the Planning Area by connection to the Rocky View Water Co-op (a confirmation by the Rocky View Water Co-op to provide potable water to the Planning Area is attached as Appendix 3).

This is in accordance with the following Bearspaw ASP policy:

Relevant excerpt from the Bearspaw Area Structure Plan Policy (page 56):

- 8.9.1 The provision of water to subdivisions within the Plan Area shall be in accordance with policy established by Council and the guidelines established by Alberta Environmental Protection.**
-

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NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Conceptual Scheme Policy – Potable Water

Policy 6.3.1.1 The water supply and distribution system required to service subdivision within the Conceptual Scheme Planning Area shall be via a piped water system constructed, licensed and permitted by Alberta Environmental Protection.

Sewage Management

Sewage treatment for the development within the Planning Area will be managed through the use of individual septic tanks and fields located within each of the proposed lots in accordance with M.D. of Rocky View guidelines. Percolation testing and near-surface groundwater conditions within the Planning Area have been evaluated and found to be appropriate for sewage management using conventional septic tank and field systems (see Percolation and Near-surface Water Testing, McIntosh Lalani Engineering Ltd., January 26, 2000 available under separate cover).

This is in accordance with the following Bearspaw ASP policy:

Relevant excerpt from the Bearspaw ASP Policy (page 56):

8.9.2 Sewage disposal and/or treatment shall be handled on a site-specific basis in accordance with guidelines established by Alberta Labour and Alberta Environmental Protection.

Conceptual Scheme Policy – Sewage Management

Policy 6.3.1.2 Sewage treatment shall be by individual septic tanks and fields in accordance with M.D. of Rocky View Servicing Standards for Residential Subdivisions and Road Construction adopted by Council on October 21, 1997, as amended.

Policy 6.3.1.3 Percolation and near-surface water-table testing shall be required by the Municipality to verify the suitability of the soil to accommodate residential development. The Municipality may require this testing as a condition of subdivision approval, and it may also be required prior to approval of the final plan of subdivision.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Shallow Utilities

The Planning Area will be serviced by shallow utilities by the appropriate utility company providing service to the area. This is in accordance with the following ASP policy:

Excerpt from the Bearspaw ASP Policy (page 56):

8.9.3 Shallow utilities (telephone, natural gas, etc.) shall be provided by the appropriate public or private utility companies in the Plan Area.

Conceptual Scheme Policy – Shallow Utilities

Policy 6.3.1.4 Shallow utilities will be provided by the appropriate utility company providing service to the Planning Area at the sole expense of the developer.

Stormwater Management

Exhibit 7 - Subdivision and Development Concept has been designed to compliment the natural drainage patterns found within the Planning Area (see Stormwater Management Study, Jubilee Engineering Consultants Ltd., June 2000, available under separate cover). Areas required for the management of stormwater will be accommodated within individual lots under separate easements. Environmental Reserve parcels may also contain areas which retain stormwater from the planning Area.

The management of stormwater within the Planning Area will be in accordance with the M.D. of Rocky View's Servicing Standards Residential Subdivisions and Road Construction which mandates the implementation of "best management practices".

Conceptual Scheme Policy – Stormwater Management

Policy 6.3.1.5 Stormwater management within the Planning Area shall be designed and constructed to municipal standards in accordance with the Servicing Standards for Residential Subdivisions and Road Construction adopted by Council on October 21, 1997, as amended and in accordance with the recommendations of the Stormwater Management Study, Jubilee Engineering Consultants Ltd., June 2000, to the satisfaction of the M.D. of Rocky View and Alberta Environment.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Policy 6.3.1.6 Where stormwater retention ponds and other stormwater management works are required within the Planning Area, the lots containing these works will be subject to a encumbrance which binds a Homeowner's Association (created at the time of subdivision approval) to the long-term responsibility for the preservation and maintenance of these works. Environmental Reserve parcels may also contain areas which retain stormwater from the Planning Area.

6.3.3 Bearspaw ASP Consideration c) - Suitability to Accommodate a Building Site

Discussion

Alberta Environmental Protection suggests that unserviced residential subdivisions should have a "Suitable Residential Development Area" of at least 1 acre (0.40 ha).

A "Suitable Residential Development Area" is defined as:

Suitable Residential Development Area - is an area within a proposed or existing lot:

- that has sufficient well-drained land with slopes not exceeding a grade of 15% for the development of an access road, buildings, a water supply system and a sewage disposal system;
- that can potentially have a water supply system that can provide an adequate, long term supply of potable water
- where there is minimal, long term risk that the sewage disposal system will malfunction and contaminate surface and/or groundwater;
- where there is minimal risk to life, property or quality of life by non operating, operating or proposed land uses within the Proposed Subdivision Area or its vicinity;
- where there is minimal risk to life and property by natural environmental hazards such as flooding, erosion and slope instability; and
- that does not contain an Environmentally Significant Area.

Source: Environmental Screening Manual, Alberta Environmental Protection, November 27, 1995.

All proposed parcels contain a "Suitable Residential Development Area" as suggested by Alberta Environmental Protection.

Exhibit 9 – Building Envelope by Lot identifies the suitable building envelope within each of the proposed lots shown on Exhibit 7 - Subdivision and Development Concept.

Conceptual Scheme Policy – Building Envelope

Policy 6.3.3.1 As proposals for subdivision within the Planning Area shall provide a "Suitable Residential Development Area" within each proposed lot as suggested by Alberta Environmental Protection and in accordance with the Servicing Standards for Residential Subdivisions and Road Construction adopted by Council on June 1, 1999, as amended.

6.3.4 Bearspaw ASP Consideration d) - Context

Land Use

The development of the Planning Area as proposed, is expected to be compatible and have minimal impact on adjacent land uses.

Parcel Size and Density

Lots provided in the Planning Area offer a wide range of lot sizes ranging from 3.16 acres (1.28 ha) to 4.65 acres (1.88 ha).

The lot size distribution for the 33 residential lots proposed in Exhibit 7 - Subdivision and Development Concept is provided in Table 2 – Residential Lot Size Distribution.

Table 2 – Residential Lot Size Distribution

Range of Lot Sizes (acres)	Number of Lots	Percentage of Total
3.00 – 3.99	13	39.39
4.00 or greater	20	60.61
Total	33	100.00

Table Notes:

1. Residential lot size distribution is for Exhibit 7 - Subdivision and Development Concept.
2. Totals may not equal due to rounding.

With the total area of the Planning Area being 158.50 acres (64.14 ha), the overall development density proposed by Exhibit 7 - Subdivision and Development Concept is 0.21 dwelling units per gross acre or 4.80 gross acres (1.94 ha) per dwelling unit.

The overall density proposed by Exhibit 7 - Subdivision and Development Concept is compatible with the average gross development densities that can be achieved from full development of a quarter section under a uniform 4-acre subdivision scenario (0.25 dwelling units per gross acre or 4.00 gross acres (1.78 ha) per dwelling unit).

Exhibit 7 - Subdivision and Development Concept is comprehensive in that it offers an efficient subdivision design while maintaining an overall gross development density for the Planning Area that is compatible with the surrounding residential community

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Exhibit 7 - Subdivision and Development Concept offers a range of lot sizes, which are distributed throughout the proposed subdivision in response to a range of design considerations which include terrain, appropriateness of the lot to contain a suitable building envelopes and the development on adjacent lands.

The subdivision design offered in Exhibit 7 - Subdivision and Development Concept creates a transition from four acre lots to the smaller sized lots located toward the centre of the Planning Area by locating the larger lots to the perimeter of the Planning Area and adjacent neighbouring lands. Smaller lots are located near the centre of the Planning Area. All roads are internal to the Planning Area and located away from adjacent lands.

When fully developed, the appearance of the community will have avoided a uniform and dense settlement pattern found in urban situations in favour of one, which offers a natural appearing open country residential settlement pattern.

The proposed subdivision design results in lots which:

- ❑ are designed to offer a range of development opportunities while respecting the privacy and uses on adjacent lands;
- ❑ accommodate residential development with varying separation distances between neighbouring residences;
- ❑ locates smaller parcels adjacent the proposed 20-acre Environmental Reserve parcel;
- ❑ integrates and respects the natural systems present on the Planning Area; and
- ❑ preserves the views and vistas internal and external to the Planning Area.

Proposals for redesignation and subdivision, which comply with the policy provisions of the Westminster Glen ASP and reflect the design considerations of Exhibit 7 – Subdivision and Development Concept will result in a community that will integrate well with the established country residential settlement pattern evolving in the Bearspaw area and respect the intent of Bearspaw ASP Policy 8.1.20.

Conceptual Scheme Policy – Lot Size and Density

Policy 6.3.4.1 In accordance with Exhibit 7 - Subdivision and Development Concept and Table 1 - Land Use Statistics, lot sizes should vary throughout the Planning Area.

Policy 6.3.4.2 In accordance with Exhibit 7 - Subdivision and Development Concept and Table 1 - Land Use Statistics, an overall density of one (1) residence per 4.00 gross acre (1.57ha) or 0.26 residences per gross acre should be maintained within the Planning Area.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Concept Plans

Concept Plans (now referred to as Conceptual Schemes by the M.D. of Rocky View No.44) are generally required prior to the redesignation of lands for country residential land use and provide the opportunity to evaluate the general suitability of the lands under consideration to sustain residential land uses.

Relevant Excerpt from the Bearspaw ASP Policy (page 33):

- 8.1.20 Within the country residential areas identified in Figure 7, the minimum parcel size should not be less than four (4) acres.
 - 8.1.21 Notwithstanding Policy 8.1.20 and Figure 3, the Municipality may consider redesignation proposals and/or application for subdivision contemplating parcel sizes of less than four (4) acres in size, provided these proposals are supported by a Concept Plan that is prepared and adopted pursuant to the provisions of this Plan.
-

Conceptual Scheme Policy – Concept Plans

Reference Policy 6.3.6.1.

6.3.5 Bearspaw ASP Consideration e) - Potential for Future Subdivision

Discussion

The policies of the Westminster Glen CS do not contemplate further subdivision of the Planning Area beyond that shown on Exhibit 7 - Subdivision and Development Concept.

Conceptual Scheme Policy – Potential for Future Subdivision

Policy 6.3.5.1 The potential for future subdivision is limited by the densities and policy provisions of the Westminster Glen CS and the provisions of the M.D. of Rocky View Land Use Bylaw.

Westminster Glen Conceptual Scheme

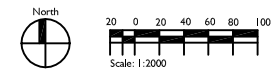
Exhibit 8 - One Acre Building Envelopes by Lot

N.W. 1/4 Sec. 12-26-03-W5M

Area identifying building
envelopes within individual
lots is shown in green and is
approximately 60 x 70
metres in size and comprises
1 acre (0.405 ha).

Drawing Notes:

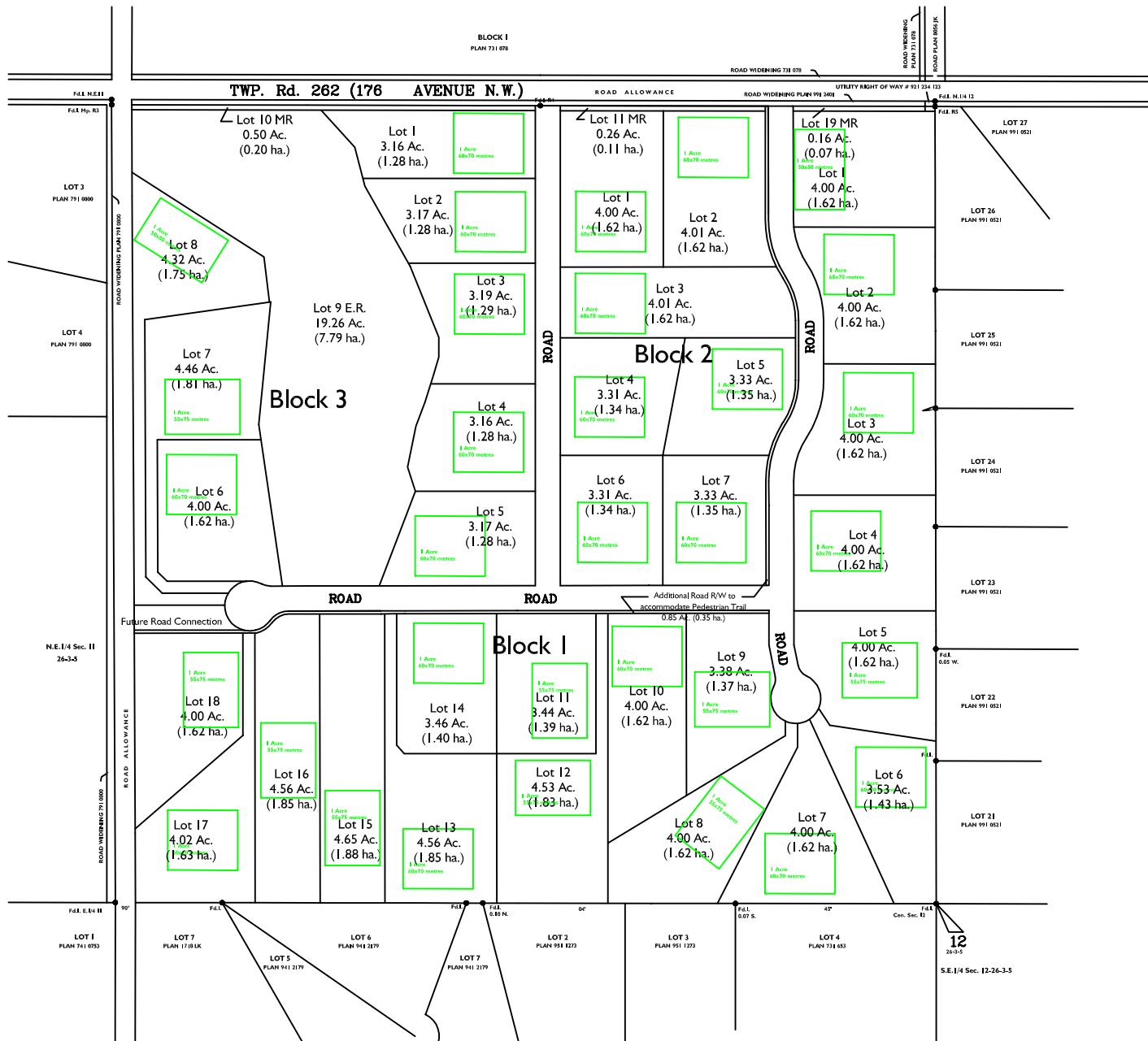
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4.0	CS Revision / March 2001 Drawing Set	March 1 / 2001
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2.0	CS Revision / December 2000 Drawing Set	January / 2001
1.0	CS Revision	December / 2000
Revision No.	Revision Note	Issue Date
Designed by C2W	Checked by C2W	Approved by date: C2W Drawing Number:
Cherniesky Holdings Ltd. 5005 Dalhousie Drive NW Calgary, AB T2A 3B8		CS Exhibit 9 - Building Envelopes by Lot C2W Project No.: Cherniesky NW 12-26-03-W5M



6.3.6 Bearspaw ASP Consideration f) - Conformity to any Concept Plan

Discussion

The Bearspaw ASP (Figure 3) recommends the Planning Area for a concept plan but does not require its preparation. The Westminster Glen CS addresses this recommendation.

Conceptual Scheme Policy – Concept Plan

Policy 6.3.6.1 Pursuant to provisions of the Bearspaw ASP, the Westminster Glen CS shall be considered the “Concept Plan” for the Planning Area.

6.3.7 Bearspaw ASP Consideration g) - Road System Design

Road System Design

The internal road system of Exhibit 7 – Subdivision and Development Concept is comprised of an internal local subdivision road and two intersection at Township Road 262 (176 Avenue NW). By restricting intersection with the municipal road system to two points and the maintenance of a wide separation distance between the intersections, the subdivision design concept achieves a reduction in the possible hazard to the users of the collector road and the users of the internal subdivision road. As directed by Bearspaw ASP Plan policy, direct lot access to a collector road (Township Road 262) is restricted by the proposed subdivision design with all lots having access to the internal subdivision road. The internal road system conforms to current M.D. of Rocky View Policy, which restricts the maximum number of lots served by a cul-de-sac to 10 lots.

All internal roads are proposed as public roads developed to M.D. of Rocky View standards.

Traffic Generation

Traffic generation at full development of the Planning Area (33 residential lots) is expected to reach +/- 330 vehicle trips per day based on a standard measurement of 10 trips per day per household.

Current Traffic Counts Reports compiled by the M.D. of Rocky View (October 10, 2000) indicate that total vehicular trips on Township Road 262 range from 347 trips (east of Secondary Highway 766¹) to 610 trips (west of Bearspaw Road and east of Poplar Hills Road²).

¹ 24-hour count taken on 10/10/00 as a total of east and west bound vehicular movements.

² 24-hour count taken on 10/10/00 as a total of east and west bound vehicular movements.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Ingress and Egress

As directed by Bearspaw ASP policy, direct individual lot access to a collector road (Township Road 262) is avoided by the proposed subdivision design.

Relevant excerpt from the Bearspaw ASP Policy (page 47):

8.5.5 Roads not identified as service roads or major/minor collector roads within the Transportation Hierarchy (Figure 5) are considered local roads which are intended to provide access and egress to local traffic only. Direct lot access to major and minor collector roads should be avoided.

It is proposed that where possible, mutual approaches will be used to provide access to individual lots from the internal road system.

Conceptual Scheme Policy – Road System Design

Policy 6.3.7.1 Access to subdivision proposed within the Planning Area shall be as shown on Exhibit 7 - Subdivision and Development Concept.

Policy 6.3.7.2 Where appropriate, proposed subdivision within the Planning Area should utilize mutual approaches for lots to gain ingress and egress to the internal road system.

Policy 6.3.7.3 A Traffic Impact Assessment shall be prepared for the Planning Area prior to its' development to determine any road improvements required as a result of the increased usage of the local road network.

Panhandle Access

The Bearspaw ASP has policies dealing with the use of panhandle access as a design element in a proposed subdivision. In Exhibit 7 - Subdivision and Development Concept, panhandles are used to overcome topographical constraints and access optimum development opportunities within proposed lots.

The proposed panhandles facilitate use of mutual approaches and shared access driveways. All panhandles shown in Exhibit 7 - Subdivision and Development Concept have widths, which conform to Policy 8.1.23 of the Bearspaw ASP.

Excerpt from the Bearspaw ASP (page 33):

8.1.22 Where a tentative plan of subdivision proposes panhandle access, the Municipality may consider this design element appropriate only where topographic conditions preclude other design solutions.

8.1.23 Where the Municipality deems panhandle access to be appropriate, the minimum width of an individual panhandle driveway should not be less than 12 metres (40 feet) in width. Panhandle access to major and minor collector roads should be avoided.

6.3.8 Bearspaw ASP Consideration h) - ASP Conformity and the Necessity for Plan Amendment

Discussion

The proposed subdivision is in conformity to the Bearspaw ASP and no amendment to the ASP is required.

6.3.9 Bearspaw ASP Consideration i) - Other Matters

Historical Resources

Alberta Community Development has identified the Planning Area as having a high potential to affect archaeological resources and recommend that a "Historical Resources Impact Assessment" be prepared prior to the development of the Planning Area.

Conceptual Scheme Policy – Historical Resources

Policy 6.3.9.1 A "Historical Impact Assessment" shall be prepared for the Planning Area prior to its development which identifies the location of historical resources and the program for the removal, avoidance and/or conservation of these resources. The "Historical Impact Assessment" shall be prepared by a qualified archaeologist and in accordance with Alberta Community Development requirements and guidelines.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Municipal Reserve

Municipal reserve owing (10 % of the parent parcel under consideration for subdivision) as a result of the subdivision of the Planning Area is proposed through a combination of land dedication and cash in lieu payment as recommended by the Bearspaw Recreation Board and the Bearspaw Glendale Trails Committee.

Exhibit 7 - Subdivision and Development Concept identifies two linear Municipal Reserve lots adjacent Twp. Rd. 262 (176 Avenue NW) to facilitate a pedestrian pathway and regional pedestrian movements. The balance of municipal reserves owing as a result of the subdivision of the Planning Area is proposed to be satisfied through a cash-in-lieu payment.

This is in accordance with the following Bearspaw ASP policy:

Relevant excerpt from the Bearspaw ASP Policy (page 34):

8.1.25 Applications for subdivision approval shall be subject to the Municipal Reserve provisions of the Planning Act and this Plan.

Conceptual Scheme Policy – Municipal Reserve

Policy 6.3.9.1 Where municipal reserves are owing as a result of subdivision approvals for parcels within the Planning Area, the provision of these reserves may be satisfied by the payment of cash-in-lieu or by the dedication of land or both.

Environmental Reserve

The Westminster Glen CS proposes that a large natural area of approximately 19.26 acre (7.79 ha) within the Planning Area be preserved as environmental reserve (pursuant to the provisions of the Municipal Government Act). Exhibit 9 – Environment Reserve generally identifies the area of the Planning Area for dedication as environmental reserve.

Conceptual Scheme Policy – Environmental Reserve

Policy 6.3.9.2 Where environmental reserve is provided within the Planning Area, the area of land dedicated as environmental reserve will be deducted from the area of the parent parcels prior to calculation of any municipal reserves which may be owing at the time of subdivision approval.

Westminster Glen Conceptual Scheme
NW 1/4 Sec.12-26-03-W5M
Chernesky Holdings Ltd.

Policy 6.3.9.3 Pursuant to the provisions of the Municipal Government Act, areas of the Planning Area dedicated as environmental reserve may also contain a stormwater works necessary to maintain “best management practices” for stormwater management within the Planning Area.

Policy 6.3.9.4 The boundary of the Environmental Reserve shall be determined by the slope stability line identified in the Slope Stability Report, McIntosh Lalani Engineering, March, 2000.

Policy 6.3.9.5 Uses permitted within the Environmental Reserve shall be in accordance with Section 671 of the Municipal Government Act.

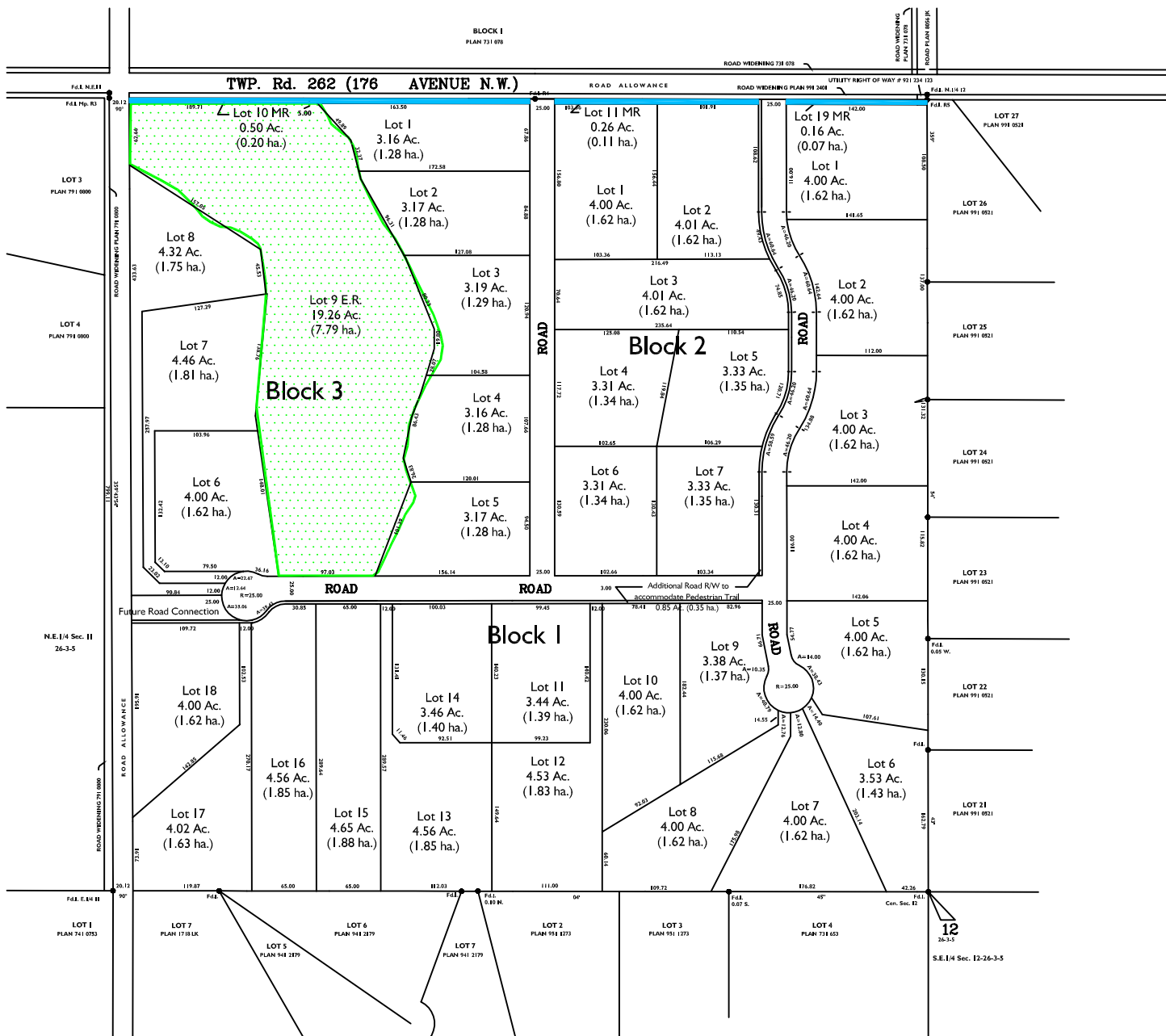
Pedestrian Trail System

In addition to the two linear Municipal Reserve lots adjacent Township Road 262 (176 Avenue NW), the internal road right of way has been widened to accommodate the development of a pedestrian pathway system within the Planning Area. Further, an informal pedestrian pathway is proposed within the Environmental Reserve lot.

Policy 6.3.9.6 A Pedestrian Trail System shall be constructed as part of this development with all operating and maintenance costs being the sole responsibility of a local Homeowner's Association.

Public Consultation

Consultation with adjacent property owners and other homeowners within the Bearspaw community has occurred during the preparation of the Westminster Glen CS. An “Open House” was held on November 30, 2000 at the Bearspaw Lions Hall. Revisions were made to this conceptual scheme in response to the comments received at the Open House.



Westminster Glen Conceptual Scheme

Exhibit 9 - Environmental and Municipal Reserve

N.W. 1/4 Sec. 12-26-03-W5M

Area proposed for Environmental
Reserve comprises
19.26 acres (7.79 ha).

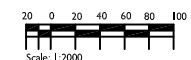


Area proposed for Municipal
Reserve comprises
0.92 acres (0.37 ha).



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2.0	CS Revision / December 2000 Drawing Set	January / 2001
1.0	CS Revision	December / 2000
Revision No.	Revision Note	Issue Date
Designed by C2W	Checked by C2W	Approved by date: C2W Drawing Number:
Cherniey Holdings Ltd. 5005 Dithouse Drive Calgary, AB T2A 5B8		
CS Exhibit 9 - Environmental and Municipal Reserve		C2W Project No.: Cherniey NW 12-26-03-W5
		Sheet

7.0 Subdivision and Development Phasing

Conceptual Scheme Policy – Phasing

- Policy 7.1 While the subdivision and development within the Planning Area is intended to proceed in a single phase matched to a logical progression of servicing; subdivision and development may proceed in multiple phases without amendment to this Scheme provided the required infrastructure to sustain the planned subdivision and development is in place and/or available at the time of approval.
-

8.0 Conceptual Scheme Implementation

Discussion

Exhibit 7 - Subdivision and Development Concept has been designed to be compatible with land use in the area and the provisions of the Bearspaw ASP. It is anticipated that the development of the Planning Area in accordance with the provisions of the Subdivision and Development Concept will maximize the development potential of the Planning Area and create a sustainable residential community, which is complementary with the adjacent community.

Exhibit 7 - Subdivision and Development Concept responds to site conditions within the Planning Area by providing suitably sized parcels that will accommodate and sustain the development of single family residences.

Subdivision of the Planning Area is guided by the policies herein and implemented through conditions of subdivision approval by the M.D. of Rocky View No. 44.

Conceptual Scheme Policy – Implementation

Policy 8.1 The M.D. of Rocky View No. 44 shall implement the provisions of this Conceptual Scheme through the subdivision approval process.

Appendix I:

Current Title Search

C2W

planning + design ltd

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Calgary, Alberta, T2E 0Z2

voice: (403) 276-5444

fax: (403) 230-3198

email: c2w @ cadvision.com

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: 03/05/2000

S		
LINC	SHORT LEGAL	TITLE NUMBER
0028 054 930	5;3;26;12;NW	991 236 812 +6

LEGAL DESCRIPTION

MERIDIAN 5 RANGE 3 TOWNSHIP 26
SECTION 12

QUARTER NORTH WEST
CONTAINING 64.7 HECTARES (160 ACRES) MORE OR LESS

EXCEPTING THEREOUT:

PLAN	NUMBER	HECTARES	(ACRES)	MORE OR LESS
ROAD	9912401	0.417	1.03	

EXCEPTING THEREOUT ALL MINES AND MINERALS

ESTATE: FEE SIMPLE

MUNICIPALITY: MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44

D.C.T. ISSUED: NO

REFERENCE NUMBER: 941 142 229

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
991 236 812	17/08/1999	ROAD PLAN		

OWNERS

CHERNESKY HOLDINGS LTD.
OF SITE 12, BOX 27, RR 4
CALGARY
ALBERTA T2M 4L4

ENCUMBRANCES, LIENS & INTERESTS

REGISTRATION	DATE (D/M/Y)	PARTICULARS
NUMBER		
781 200 973	11/12/1978	UTILITY RIGHT OF WAY

(CONTINUED)

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
991 236 812 +6

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

GRANTEE - CANADIAN WESTERN NATURAL GAS COMPANY
LIMITED.

921 234 123 21/09/1992 UTILITY RIGHT OF WAY
GRANTEE - THE MUNICIPAL DISTRICT OF ROCKY VIEW NO.
44.
911-32 AVENUE NE
CALGARY
ALBERTA
PORTION AS DESCRIBED
(DATA UPDATED BY: TRANSFER OF UTILITY RIGHT
OF WAY 921250488)

TOTAL INSTRUMENTS: 002 *END OF SEARCH *
YOUR FILE #: FRONT COUNTER/CASH

SR# - J858470 /AR1301

Appendix 2:

Confirmation of a Potable Water Supply from the Rocky View Water Co-op

C2W

planning + design ltd
323 - 11th Avenue NE
Calgary, Alberta, T2E 0Z2

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fax: (403) 230-3198
email: c2w @ cadvision.com

Box 21, Site 23, RR 4
Calgary, Alberta
T2V 0G6

Rocky View Water Co-op Ltd.

Tel: (403) 239-6242
Fax: (403) 241-3897

FAX

To: Mark Kwasnicki
McKinley Masters Inc.

From: Richard Suggitt
General Manager

Fax: 547-4039

Pages: 1 (Including This Page)

Phone: -

Date: January 18, 2000

Re: Proposed 36/45-Lot Subdivision

Cc: -

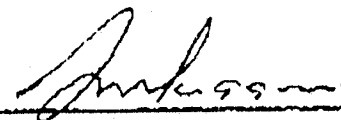
Chemesky Holdings Ltd.

NW-12-25-03-W5M

It is our understanding that you will be representing Chemesky Holdings Ltd. when application is made to the M.D. of Rocky View No. 44 for this proposed development.

When the application is submitted, you may inform the M.D. that Rocky View Water Co-op Ltd. has the capacity in its treatment plant and distribution system to supply the residential development that will occur if this proposed 36/45-lot subdivision is approved.

It is our understanding that Chemesky Holdings Ltd. will be securing this commitment of capacity at the appropriate time by the purchase of the requisite memberships.



Westminster Glen

Tentative Plan of Subdivision

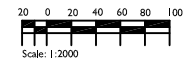
N.W. 1/4 Sec. 12-26-03-W5M

Area proposed for subdivision comprises
158.50 acres (64.142 ha).

Land Use Statistics				
Land Use	Acres	Hectares	Lots	Percent
Residential	126.88	51.35		80.05
Block 1			18	
Block 2			7	
Block 3			8	
Road	11.44	4.63		7.22
Municipal Reserve	0.92	0.37		0.58
Environmental Reserve	19.26	7.79		12.15
Total	158.50	64.14	33	100.00

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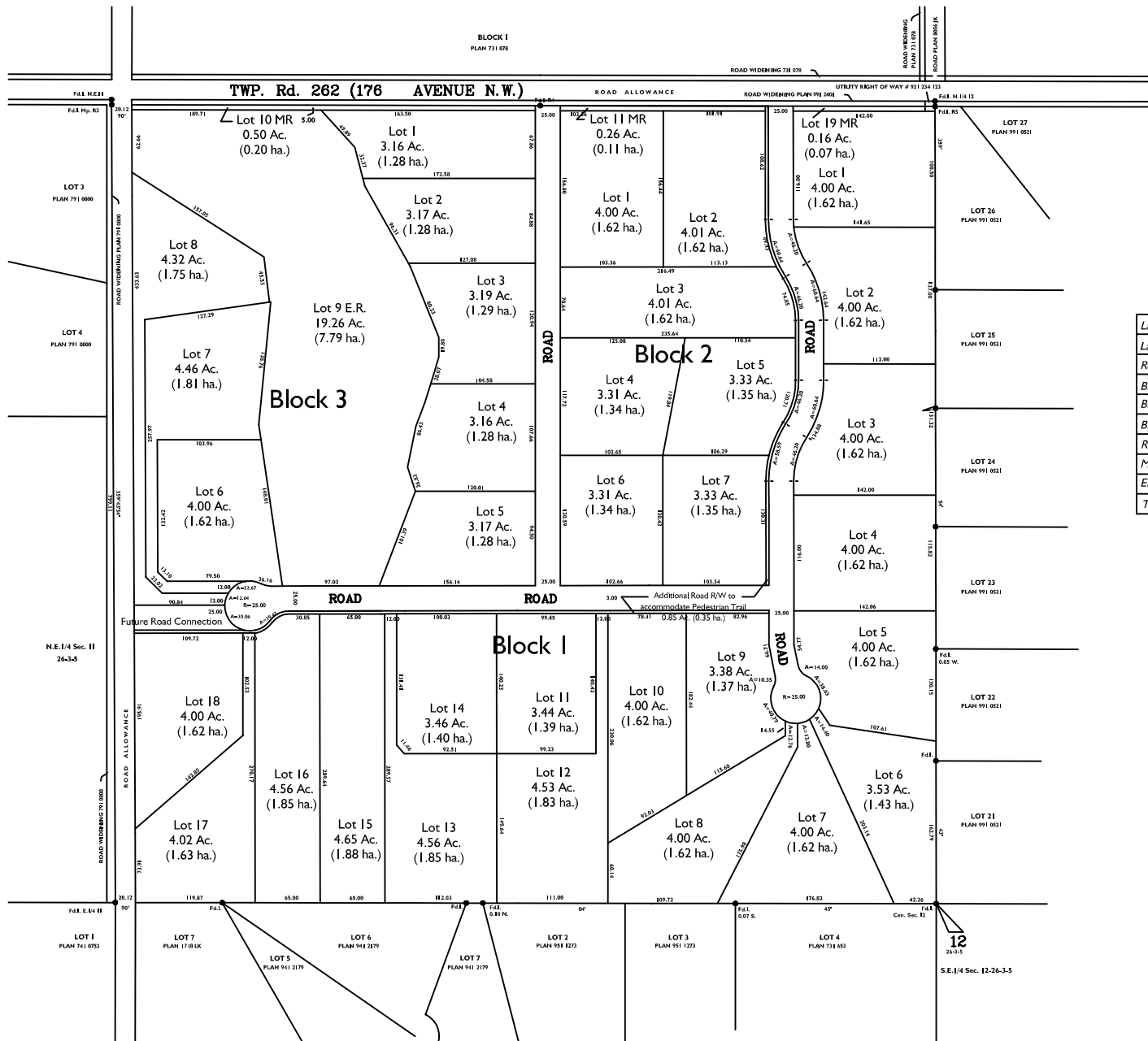
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2.0	CS Revision / December 2000 Drawing Set	January / 2001
1.0	Applications to Rocky View	Sept. / 2000
Revision No.	Revision Note	Issue Date
Designed by C2W	Checked by C2W	Approved by date: C2W Drawing Number:
Cherniesky Holdings Ltd. 5005 Dalhousie Drive NW Calgary, AB T2A 3B8		Tentative Plan of Subdivision C2W Project No.: Cherniesky NW 12-26-03-W5 Sheet



This report, plans and/or attendant data both collectively or severally is a "C2W instrument of service" to its client and incorporates and is subject to these "General Conditions".

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