

# BEARSNEST ESTATES CONCEPT PLAN

Adopted by a motion of Council on May 30, 1995

Prepared in support of applications for redesignation and subdivision  
located in a portion of the E-12-26-3-W5M

**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44**

**COUNCIL MEETING MINUTES**

**EXCERPT FROM MAY 30, 1995**

1-95E30-37 (C-6)

Consideration of Bylaw C-4461-95

File: 6712001/003

A Bylaw of the Municipal District of Rocky View No. 44 to amend Land Use Bylaw C-1725-84

**Notation:** Mr. Vincent returned to the meeting at 4:47 p.m.

Mr. MacFarlane moved that the Concept Plan as submitted, to include a 66' right of way for internal subdivision roads, including the incorporation of trails, be approved.

Lost

Mr. MacFarlane moved that the Concept Plan as submitted, to include a 66' right of way for internal subdivision roads, including the incorporation of trails and an emerging access from 176 Street NW to the northwestern cul-de-sac, be approved.

Lost

Mr. Hall moved that the Concept Plan as shown amended in the staff report, be approved, including an 82' right of way for internal subdivision roads.

Carried

Mr. MacFarlane moved that Bylaw C-4461-95 be given second reading.

Carried

Mrs. Wilkinson moved that Bylaw C-4461-95 be given third and final reading.

Carried

# **Bearsnest Estates Concept Plan**

Prepared in support of a proposed amendment to Bylaw C-1725-84, the Land Use Bylaw  
to Redesignate a Portion of the NE-12-26-3-W5M  
from  
Agricultural Conservation (1) District  
to  
Small Holdings District

Prepared for:

A2 Energy Ltd.

By

Grady White Planning Ltd.  
323-11 Avenue NE.  
Calgary, Alberta  
T2E 0Z2

April, 1995.

**Bearsnest Estates  
Concept Plan**

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**Bearsnest Estates  
Concept Plan**

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## **1.0 Introduction**

### **1.1 Background**

The subject lands comprise approximately 230 acres (93.08 ha) and are located west of the City of Calgary in the Bearspaw area of the Municipal District of Rocky View No.44. The lands are currently designated for country residential and agricultural uses under the Land Use Bylaw. The owner wishes to facilitate the comprehensive development of a planned residential community and is seeking to redesignate the subject lands to a country residential land use.

In 1994, Council adopted the Bearspaw Area Structure Plan which establishes land use planning policy for the Bearspaw Area. Section 8.1.8 of the Bearspaw Area Structure Plan indicates that the preparation of a Concept Plan is required prior to the redesignation of the subject lands for a country residential land use.

An application for redesignation of the subject lands has been submitted to the M.D. of Rocky View. In September, 1994, Council moved that a Concept Plan be prepared pursuant to the Bearspaw Area Structure Plan for consideration and adoption by resolution of Council prior to redesignation of the subject lands. The Concept Plan will be considered jointly with the redesignation application during the Public Hearing.

### **1.2 Concept Plan Policy Format**

The Bearsnest Estates Concept Plan is intended to provide Council with supporting planning rationale for redesignation of the subject lands from Agricultural Conservation (1) District to Small Holdings District to accommodate the development proposal. The Concept Plan will also provide Council with a non-statutory mechanism to guide and control subdivision.

Preparation of the Bearsnest Estates Concept Plan has been guided by Section 8.1.14 of the Bearspaw Area Structure Plan and by the M.D. of Rocky View's Policy 644 - Preparation and Processing of Concept Plans and Procedures for the Processing of Concept Plans No. 039.

The Plan begins by identifying objectives in Section 2.0 and then proceeds to describe the surrounding land use context of the subject lands in Section 3.0. Section 4.0 provides a description and analysis of existing natural site features to determine development constraints and opportunities. Section 5.0 and Section 6.0 present the development and servicing proposals.

Each Section begins with a discussion of relevant land use planning issues followed by a policy statement when appropriate. The policies are intended to establish principles that will guide subdivision and development on the subject lands and address land use adjacency issues. Section 9 provides a summary of all policies contained in various sections of the concept plan.

## **2.0 Concept Plan Objectives**

- To identify development issues within the Plan Area and establish appropriate and comprehensive policies for addressing these issues.
- To establish the appropriateness of the Plan Area for the land uses proposed by the Development Proposal.
- To establish Servicing Scenarios appropriate to the Development Proposal and a policy framework for implementation.
- To facilitate subdivision design that maximizes lot yields, servicing efficiencies and development opportunities.
- To facilitate the phasing of subdivision and development in the Plan Area.
- To address compatibility with adjacent land uses and the surrounding community.

## **3.0 Concept Plan Context**

The Bearsnest Estates Concept Plan Location is identified in Figure 1. The Plan Area comprises 230 acres (93.08 ha) as shown in Figure 2 and is described under two titles as follows:

NE-1/4-12-26-3-W5M

Ptn. SE-1/4-12-26-3-W5M

### **3.1 Existing Area Land Use**

The Concept Plan Area is located in a portion of the Bearspaw community that has experienced extensive subdivision and development for residential uses as shown on Figure 3. Adjacent 1/4 sections to the east and west of the subject lands continue to remain under agricultural land uses comprised of grazing and hay cultivation. Adjacent sections to the north and south however, have been subdivided for country residential purposes.

Within a one mile radius of the Bearsnest Estates Concept Plan area there are over 200 parcels that have been redesignated and subdivided for country residential development. Parcel sizes and development patterns range from the existing 20 acre parcels to comprehensive multi-lot 2 acre subdivisions located one half mile to the south of the subject lands.

*Policy 3.1.1: Proposed land uses shall be compatible with the surrounding residential community.*

### **3.2 Future Area Land Use**

The Bearspaw Area Structure Plan establishes a future land use scenario for the Bearspaw community. Section 7.1.3 of the Bearspaw Area Structure Plan requires that proposals for redesignation conform with this future land use scenario.

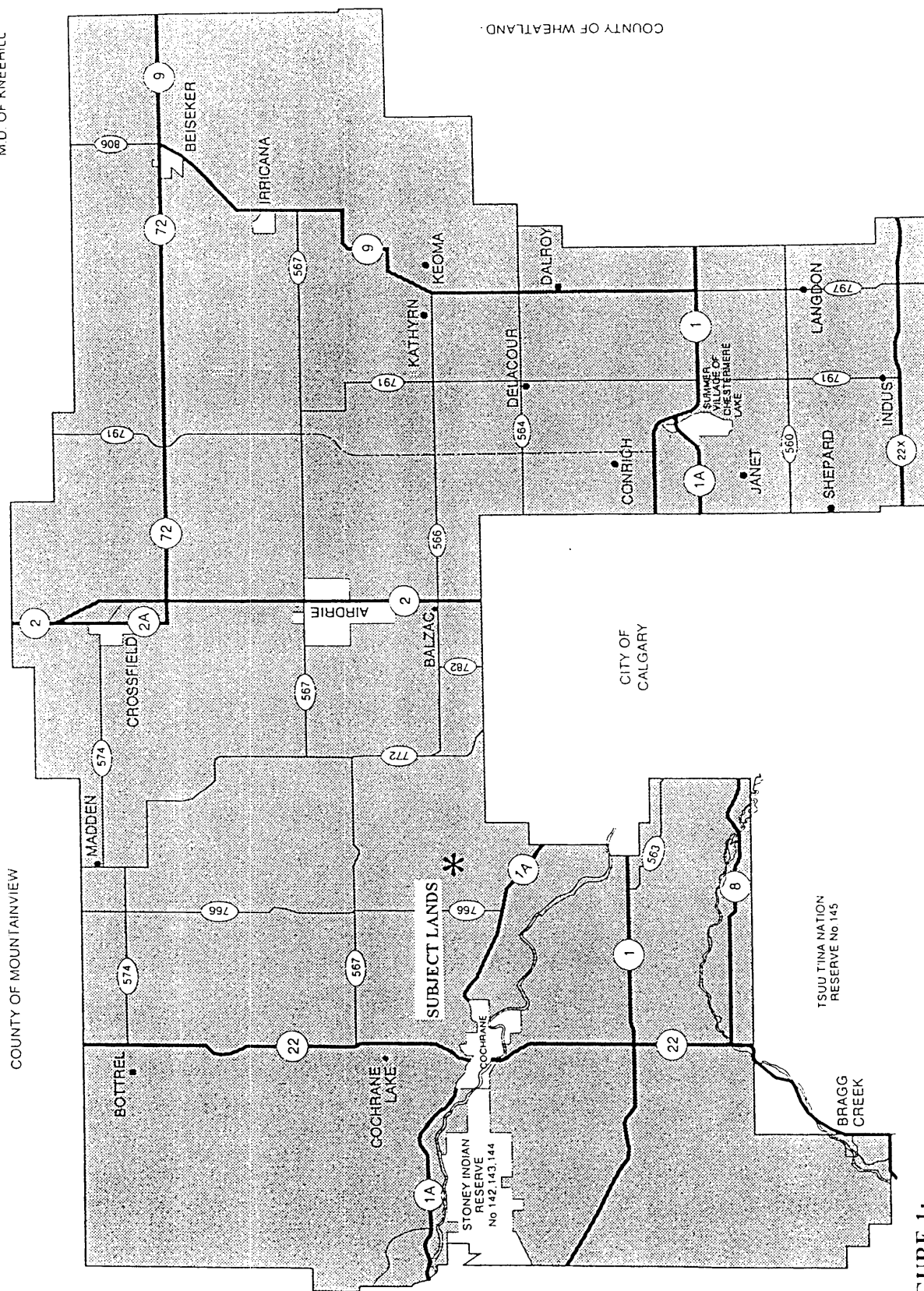


FIGURE 1:

CONCEPT PLAN LOCATION

Bearsnest Estates Concept Plan





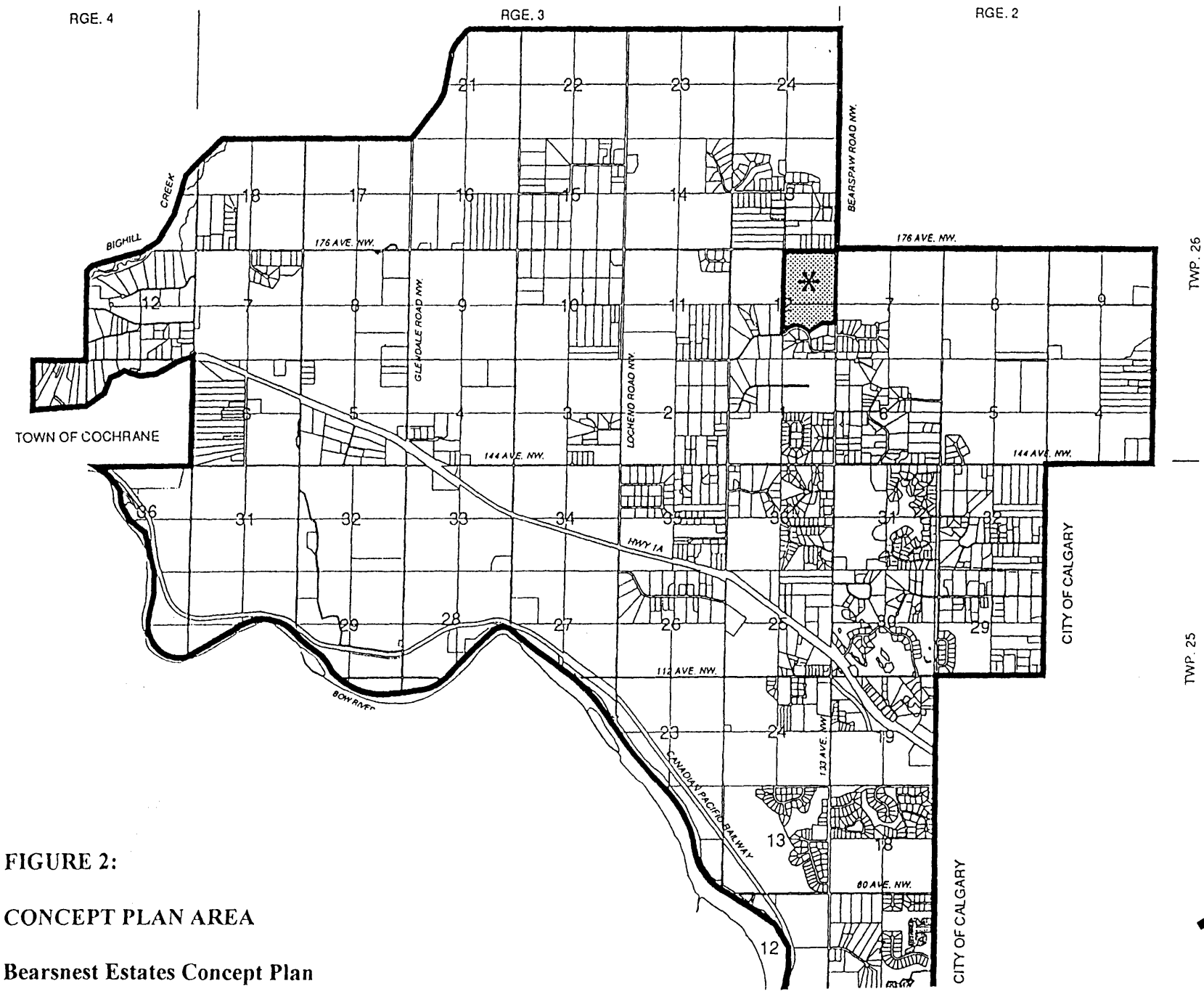
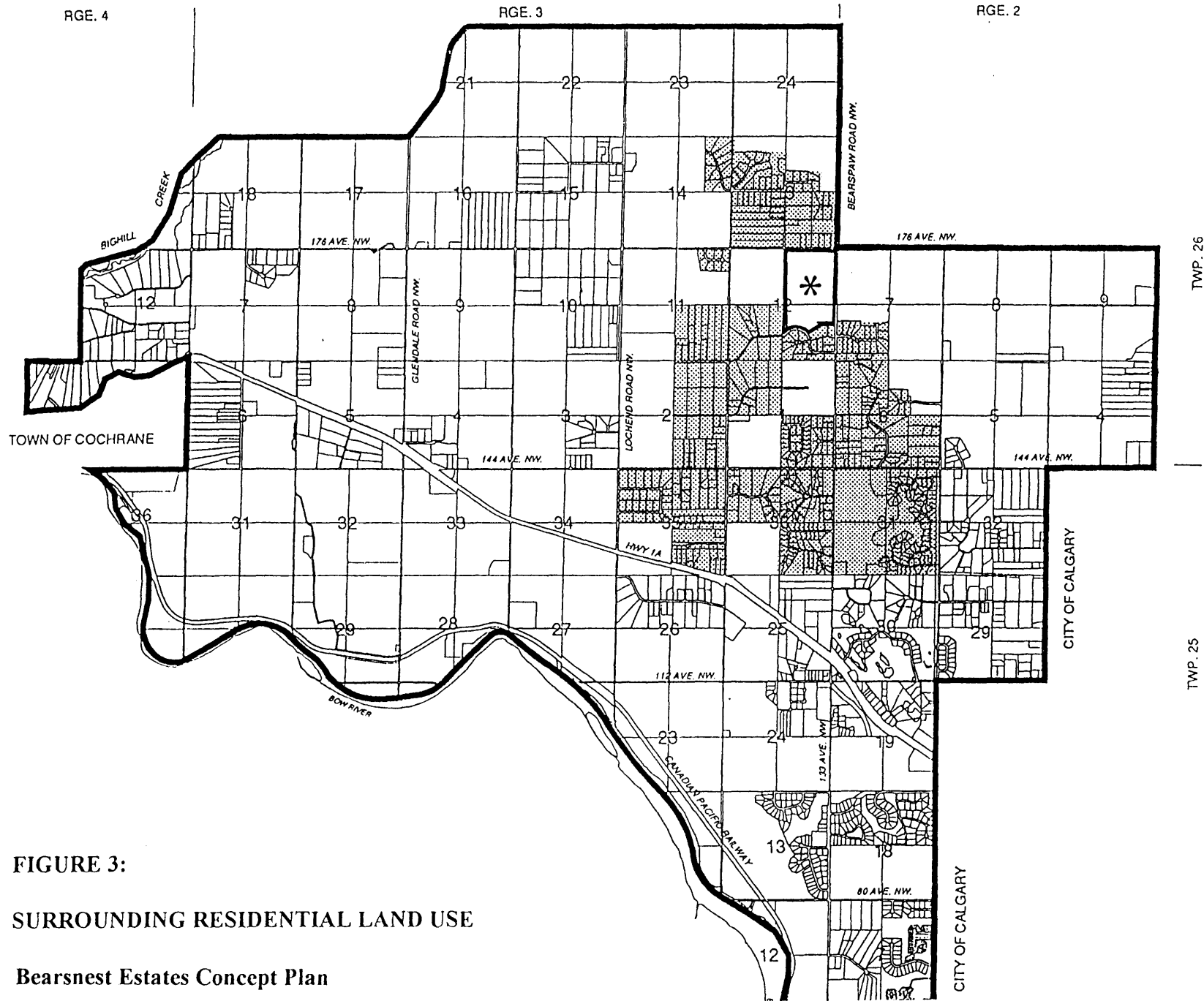


FIGURE 2:  
CONCEPT PLAN AREA  
Bearsnest Estates Concept Plan





**FIGURE 3:**  
**SURROUNDING RESIDENTIAL LAND USE**  
**Bearsnest Estates Concept Plan**



The subject lands are identified as being appropriate for country residential land uses pursuant to Section 8.1.8 of the Bearspaw Area Structure Plan Bylaw C-4129-93. However, the preparation of a Concept Plan is required prior to redesignation for country residential purposes.

The Bearspaw Area Structure Plan also provides a guideline for development phasing and identifies the subject lands as being within Development Priority Area 2. Appendix B of the Area Structure Plan indicates that Priority Area 2 contains lands which are unsubdivided but are within close proximity of existing country residential lands uses.

Section 7.2.2 of the Bearspaw Area Structure Plan provides policy for the Municipality to proceed with the development of lands out of sequence provided it can be demonstrated that this is appropriate.

In this regard, the Bearsnest Estates Concept Plan area is located between two areas of existing country residential uses which are identified in the Bearspaw Area Structure Plan as Priority Area 1 lands. As such, development of the subject lands can be viewed as infill subdivision that will continue existing residential uses and encourage a more cohesive and efficient development pattern.

*Policy 3.2.1: Proposed land uses, subdivision and development shall conform to the provisions of the Bearspaw Area Structure Plan Bylaw C-4129-93.*

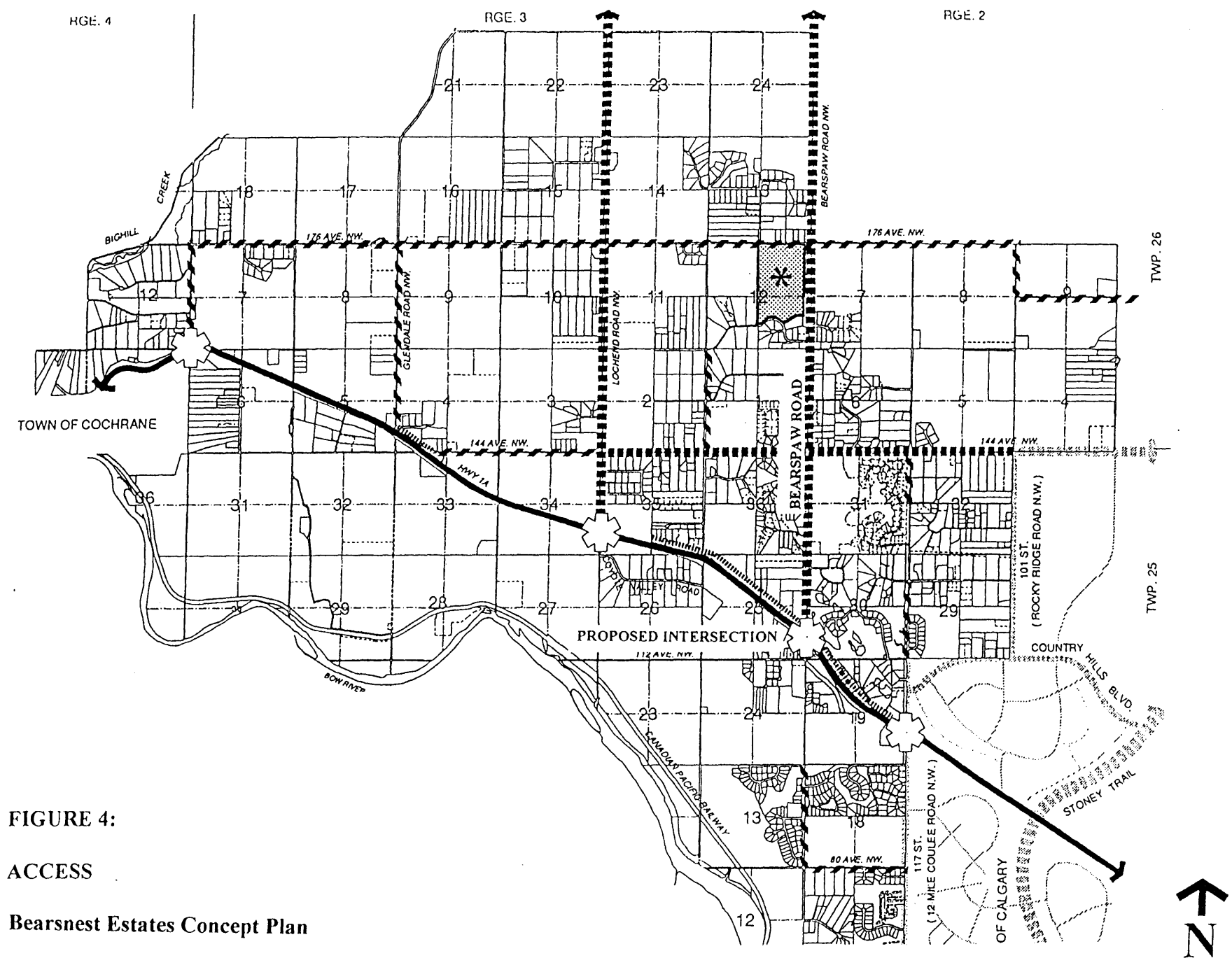
### **3.3 Access**

Direct access to the plan area is available from Highway 1A, 2.5 miles (4 km) to the south via Bearspaw Road as shown in Figure 4. Bearspaw Road is identified as a Major Collector Road in the Bearspaw Area Structure Plan with a traffic volume capability of up to 2000 vehicles per day. Bearspaw Road was paved and upgraded in 1994 and the intersection of Bearspaw Road and Highway 1A is identified as an interchange location once Highway 1A is twinned.

Existing traffic volumes on Bearspaw Road south of 176 Avenue are in the range of 500 vehicle trips per day which is well below its design capacity. North of 176 Avenue vehicle trip counts are approximately 150. Additional traffic volumes from the proposed Bearsnest Estates development are expected to be in the range of 150 daily vehicle trips, which will have minimal impact upon the operational safety of Bearspaw Road.

On-site access to individual lots within the proposed Bearsnest Estates development will be via rural local internal subdivision roads constructed to municipal standards. Shared road approaches and common driveways will be encouraged to minimize the proliferation of access points.

*Policy 3.3.1: There shall be no additional direct access points onto Bearspaw Road from individual residences.*



## **4.0 Site Features**

### **4.1 Existing Land Use**

The NE-1/4 of section 12 is designated Agricultural Conservation (1) District under the M.D. of Rocky View's Land Use Bylaw C-1725-84. It has been used primarily as marginal pastureland for the grazing of horses and cattle. Approximately 35 acres (14.16 ha) in the northeast portion contains a small hay field, an oil well and pump jack.

A portion of the SE-1/4 of Section 12 comprises the balance of the subject lands and is designated Small Holdings District under the M.D. of Rocky View's Land Use Bylaw. It is adjacent to an area of existing country residential development to the south and west and is used for the occasional pasturing of horses and cattle. There is also an oil well and pump jack located in the northeast corner of the 1/4 section.

One residence and accessory farm buildings are located on the subject lands and will be removed.

The existing oil wells are to remain under their current lease arrangements for the next several years. Each will be accommodated within larger balance portions of the subject lands which will result in the oil wells being isolated from any residences.

### **4.2 Topography**

Figure 5 provides an overview of natural features found on the subject lands.

The central topographic feature of the plan area is a ravine which originates in the southeast corner of the NE-1/4 section and continues in a southwesterly direction. The ravine is between ten and fifteen meters in depth with stable side slopes that are vegetated with grasses. The ravine floor is composed of two flat benches with the western bench being the bed of a former slough.

The remainder of the subject lands are mainly flat with gentle undulations in the north west portion and a small drainage swale running through the east central area into the ravine.




Although there are no slopes in excess of 15%, no permanent structures or disturbance should be permitted adjacent to the ravine slopes in order to preserve the integrity of the ravine feature.

*Policy 4.2.1: No permanent structures or surface disturbing activity shall be permitted adjacent to or on the slopes associated with the ravine.*

FIGURE 5:

## NATURAL FEATURES

## Bearsnest Estates Concept Plan

**Ravine Area:**   
**Vegetation:**   
**Drainage Course:** 

### **4.3 Soils**

The majority of the subject lands contain lower capability agricultural soils and are identified as class 4 to class 5 under the Canada Land Inventory classification system for agricultural capability pursuant to the Soils Report prepared by Jim Lore & Associates Ltd. dated February, 1995. As such, they are limited for crop production and the proximity of existing residential development on adjacent lands would prevent their use for intensive livestock operations.

Soils over the subject lands consist of a well sorted glacial till. Percolation test results indicate that soil permeability is well suited for conventional septic tank and tile field installation.

### **4.4 Vegetation**

Most of the tree and brush cover occurring on the subject lands is restricted to the northwest portion of the plan area and consists of scattered stands of poplar. The remainder of the lands has been subject to agricultural practices and grazing which has resulted in the removal of the original natural vegetation.

### **4.5 Drainage**

Overall, the subject lands are well drained since the soils exhibit good infiltration rates. As the subject land is generally sloping to the south, any surfacewater runoff that is generated from a storm event is naturally directed toward the ravine feature previously described. There is one minor drainage swale identified on Figure 5 that provides drainage for the northeasterly hay field area into the ravine to the south and this should be preserved to maintain the lands natural drainage regime.

*Policy 4.5.1: The subject lands' natural drainage patterns should be preserved.*

## **5.0 Development Proposal**

### **5.1 Proposed Land Uses**

An analysis of site features indicates that there are few natural features that would present a constraint or hazard for development and virtually the entire concept plan area is suitable for development.

Consequently, a Small Holdings Land Use Designation is requested for the Plan Area to facilitate its development for residential purposes as shown in the Development Concept in Figure 6. The ravine area and its related slopes will be protected from disturbance by prohibiting development through restrictive covenants within the ravine or on its associated slopes.

## 5.2 Subdivision Concept

Figure 7 depicts a conceptual subdivision design for the Plan Area and Table 1 below summarizes the approximate land use areas.

**Table 1: Land Use Areas**

Land Use	Acres	Ha.	%
Country Residential:	158.00	63.94	68.69
Balance Lands:	72.00	29.13	31.31
Total Plan Area:	230.00	93.00	100.00

The overall density of lots proposed for the Plan Area is .16 parcels per acre contained in title. This is well below the maximum density of .3 parcels per acre under the M.D. of Rocky View's Land Use Bylaw.

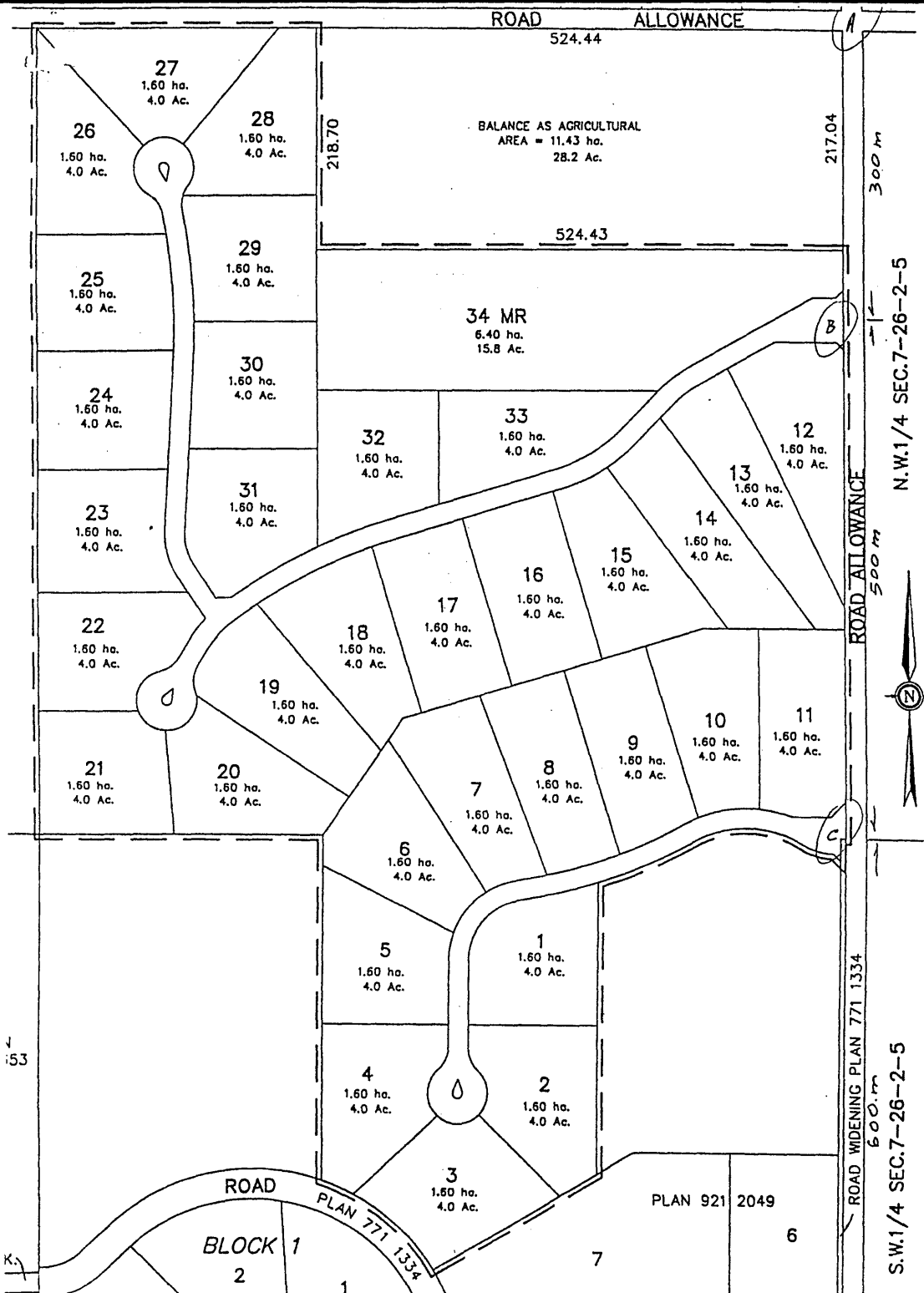
The subdivision concept shown in Figure 7 is oriented around the ravine which represents a unique landscape feature that provides both an amenity focus for the neighborhood and a design element in the subdivision layout.

Thirty-three 4 acre lots are oriented around two cul-de-sac neighborhoods each with its own entry feature and a landscaped island in the bulb. A ten meter buffer strip is also planned adjacent to the north and east boundaries of the plan area to screen development from adjacent municipal roads. In addition, 1000 spruce trees and 500 poplar trees will be planted along the buffer strip to provide an attractive landscape feature for the development.

The south and central cul-de-sacs provide for building sites overlooking the ravine and all lots contain a minimum of 1 acre of developable land above the top of ravine slope. All lots adjacent to the ravine should be encumbered with a Restrictive Covenant Building Scheme that prohibits permanent structures or surface disturbing activity on or adjacent to all slopes. In addition, architectural controls on these lots will limit the height of residences to encourage building forms that are compatible with the ravine feature.

The northwest cul-de-sac is nestled into mature stands of poplar trees and provides a unique grouping of nine lots. Each parcel contains a naturally occurring design feature in the form of a either a small hill or trees or a dry slough that could be transformed into a pond. Almost every lot in this cul-de-sac contains trees providing for a screened selection of building sites that results in a private neighborhood with its own character.





**FIGURE 6:**

**DEVELOPMENT CONCEPT**

**Bearsnest Estates Concept Plan**



A 28.2 acre agricultural balance parcel will be left under an agricultural land use designation in the northeast portion of the subject lands to preserve the existing hay field and allow for the pasturing of horses.

The oil well in the NE 1/4 will also continue to reside on the agricultural balance parcel and as such will be isolated from any proposed development. The oil well located in the SE 1/4 will continue to remain on the 18 acre balance parcel.

*Policy 5.2.1: All proposed lots adjacent to the central ravine shall be required to have a Restrictive Covenant registered against them through subdivision approval conditions that prevents any disturbance of the ravine slopes.*

*Policy 5.2.2: A 10m landscape strip shall be provided by easement adjacent to the north and east boundaries of the plan area.*

### **5.3 Municipal Reserves**

Pursuant to the Planning Act of Alberta, RSA. 1980, Chapter P9 as Amended, Council as Subdivision Approving Authority has the opportunity to acquire up to 10% of the gross area of the subject lands as Municipal or School Reserve or require the payment of cash in lieu of the land that would have been dedicated as Reserve.

A 15.8 acre Municipal Reserve parcel is proposed to satisfy the requirement for dedication of municipal reserves. This represents 10% of the total area of 158 acres that is proposed for residential subdivision and is based on the deferral of reserves on the 26 acre and 18 acre balance parcels in the SE1/4 and the 28 acre agricultural balance parcel in the NE 1/4. The proposed municipal reserve parcel would be leased back for use as either pasture for grazing horses or the development of a park for the surrounding residents.

### **5.4 Phasing Scheme**

Figure 8 depicts the expected phasing scheme for the proposed subdivision. Each cul-de-sac, including the provision of services and utilities, will be constructed first for the entire phase. This will simplify the administration of development agreements and allow for the logical extension of services and roads across the site.

## **6.0 Servicing Proposal**

### **6.1 Wastewater Treatment**

Sewage treatment and disposal will be managed on site with individual septic tank and tile field installations. Alberta Environmental Protection prefers a minimum of 1 acre (.4 ha.) of developable land on each lot proposed through subdivision to facilitate the proper siting of tile fields and the proposed subdivision has been designed to accomplish this. In addition, percolation rates on those portions of the plan area proposed for residential development are ideal.

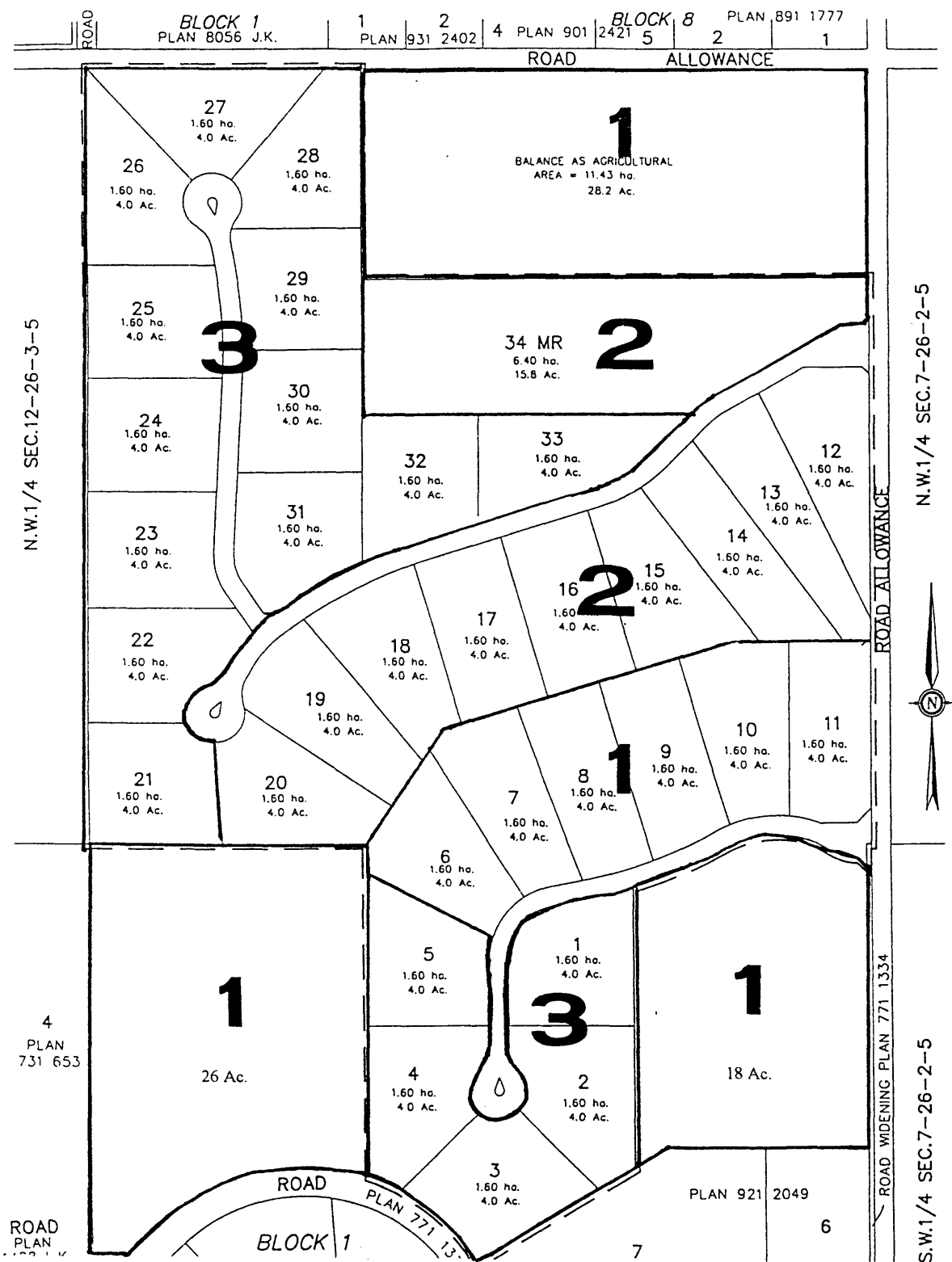


FIGURE 8:

## PHASING

Bearsnest Estates Concept Plan

*Policy 6.1.1: Sewage treatment shall be by individual septic tank and tile field for each lot proposed for residential development to the satisfaction of Alberta Environmental Protection and/or Alberta Labor.*

## **6.2 Water Supply and Distribution**

Water will be supplied to each of the proposed parcels via a piped distribution system. In this regard, the Rocky View Water Co-op pipeline is located on the subject lands within its own utility right of way adjacent to the east and north boundaries of the plan area. The Rocky View Water Co-op has provided written confirmation that sufficient capacity is available within their water system to supply the proposed development.

*Policy 6.2.1: The water supply and distribution system required to service subdivision in the plan area shall be determined at the tentative plan preparation stage through conditions of subdivision approval and shall comprise a privately operated system utilizing a surface or groundwater source in accordance with the requirements of Alberta Environmental Protection.*

*Policy 6.2.2: Any water distribution or supply system required to service subdivision in the plan area shall be constructed to the standards imposed by Alberta Environmental Protection and shall be licensed and permitted by same.*

## **6.3 Utility Services**

Power, cable and natural gas are all available in the area with sufficient capacities to service the proposed Bearsnest Estates development. All utilities will be underground.

## **6.4 On-Site Roads**

All internal subdivision roads will be constructed to municipal standards in accordance with the cross-sections provided in the Bearspaw Area Structure Plan.

Roads have been located to minimize the need for extensive earthworks and to maintain grades well below the maximum standard of 7%. Consequently, the need for cut and fill grading and associated back slopes is eliminated thus allowing for a 66 ft. (20m) right of way width for all of the internal subdivision roads.

Shared road approaches will be used for the majority of lots and ditches will be eliminated where natural drainage patterns permit. Small cul-de-sac islands are also proposed to provide a landscape amenity and to reduce the amount of stormwater runoff from cul-de-sac bulbs. Entrance features and intersection flares also provide an additional landscape amenity and allow for snow storage and safer turning movements onto adjacent municipal roads.

*Policy 6.4.1: Internal subdivision roads shall be constructed to municipal standards in accordance with the Rural Local (Subdivision) Road Undivided- Typical Cross-Section profile in Appendix C of the Bearspaw Area Structure Plan, Bylaw C-4129-93.*

*Policy 6.4.2: Shared road approaches shall be encouraged along all internal subdivision roads within the Bearsnest Estates development.*

## **7.0 Concept Plan Conformity**

### **7.1 Municipal Statutory Plans and Policy**

In addition to the planning principles established by this Concept Plan, implementation of the development proposed in the Bearsnest Estates Concept Plan will be guided by the planning policies adopted by the M.D. of Rocky View in its statutory Plans.

*Policy 7.1.1: All subdivision and development within the Plan Area shall conform to:*

- *Bylaw C-3894-92 being the Municipal District of Rocky View No. 44 General Municipal Plan*
- *Bylaw C-1725-84 being the Municipal District of Rocky View No. 44 Land Use Bylaw.*
- *Bylaw C-4129-93 being the Bearspaw Area Structure Plan.*

## **8.0 Implementation**

The development of the Bearsnest Estates Concept Plan Lands is regulated by the provisions of the Small Holdings District Land Use Designation guidelines pursuant to the Land Use Bylaw C-1725-84. Subdivision of the lands is guided by the policies contained herein and implemented by Development Agreements imposed through conditions of subdivision approval by the Municipal District of Rocky View No. 44.

## **9.0 Policy Summary**

The following is a summary of all policy statements contained in the Bearsnest Estates Concept Plan:

### ***Section 3.0: Concept Plan Context***

*Policy 3.1.1: Proposed land uses shall be compatible with the surrounding residential community.*

*Policy 3.2.1: Proposed land uses, subdivision and development shall conform to the provisions of the Bearspaw Area Structure Plan.*

*Policy 3.3.1: There shall be no additional direct access points onto Bearspaw Road from individual residences.*

#### **Section 4.0: Site Features**

*Policy 4.2.1: No permanent structures or surface disturbing activity shall be permitted adjacent to or on the slopes associated with the ravine.*

*Policy 4.5.1: The subject lands' natural drainage patterns should be preserved and areas of surface water ponding should be incorporated into lots as amenity features provided that building sites maintain at least one acre of developable land.*

#### **Section 5.0: Development Proposal**

*Policy 5.2.1: All proposed lots adjacent to the central ravine shall be required to have a Restrictive Covenant registered against them through subdivision approval conditions that prevents any disturbance of the ravine slopes.*

*Policy 5.2.2: A walkway shall be installed in such a manner as to provide access from the north to the ravine park and lakes.*

*Policy 5.2.3: A 15 ft. (5m) landscape strip shall be provided by easement adjacent to the north and east boundaries of the plan area.*

#### **Section 6.0: Servicing Proposal**

*Policy 6.1.1: Sewage treatment shall be by individual septic tank and tile field for each lot proposed for residential development to the satisfaction of Alberta Environmental Protection and/or Alberta Labor.*

*Policy 6.2.1: The water supply and distribution system required to service subdivision in the plan area shall be determined at the tentative plan preparation stage through conditions of subdivision approval and shall comprise a privately operated system utilizing a surface or groundwater source in accordance with the requirements of Alberta Environmental Protection.*

*Policy 6.2.2: Any water distribution or supply system required to service subdivision in the plan area shall be constructed to the standards imposed by Alberta Environmental Protection and shall be licensed and permitted by same.*

*Policy 6.4.1: Internal subdivision roads shall be constructed to municipal standards in accordance with the Rural Local (Subdivision) Road Undivided- Typical Cross-Section profile in Appendix C of the Bearspaw Area Structure Plan, Bylaw C-4129-93.*

*Policy 6.4.2: Shared road approaches shall be encouraged along all internal subdivision roads within the Bearsnest Estates development.*

***Section 7.0: Concept Plan Conformity***

*Policy 7.1.1: All subdivision and development within the Plan Area shall conform to:*

- *Bylaw C-3894-92 being the Municipal District of Rocky View No. 44 General Municipal Plan*
- *Bylaw C-1725-84 being the Municipal District of Rocky View No. 44 Land Use Bylaw.*
- *Bylaw C-4129-93 being the Bearspaw Area Structure Plan.*



# CPA PLANNING AND DEVELOPMENT REPORT

C-6  
1 of 16

TO: Council

FROM: Planning Services

DATE: May 30, 1995  
2:30 p.m.

FILE: 6712001/003

RV: 95-RV-64

## REDESIGNATION ITEM

**PROPOSAL:** To redesignate the subject lands from Agricultural Conservation (1) District to Small Holding District and Agricultural Balance District in order to facilitate the creation of thirty-three  $\pm 4$  acre parcels, one  $\pm 16$  acre Municipal Reserve parcel, one  $\pm 18$  acre parcel, one  $\pm 26$  acre parcel and a  $\pm 28$  acre parcel.

**LEGAL DESCRIPTION:** DIVISION 9 - A portion of the NE $\frac{1}{4}$  12-26-3-W5M.

**GENERAL LOCATION:** Immediately south of and adjacent to 176 Avenue NW and 1.5 miles east of SH #766.

**APPLICANT:** Martin Grady of Grady White Planning Ltd.

**OWNERS:** A2 Energy Ltd., Lawrence & Hazel Merkley

**GROSS AREA:** 160 acres

**EXISTING LAND USE DESIGNATION:** Agricultural Conservation (1) District

**PROPOSED LAND USE DESIGNATION:** Small Holding District and Agricultural Balance District

**A.R.C.:** 35% class 3c: good arable soil with adverse climate;  
20% class 4t: fair arable land with adverse topography;  
20% class 6t,e: poor non-arable pastureland with adverse topography;  
13.5% class 5t: fair non-arable pastureland with adverse topography;  
8% class 6t: poor non-arable pastureland with adverse topography;  
3.5% class 4w: fair arable land with excess water.

**RESERVE STATUS:** Municipal reserves outstanding comprise 10% of the parent parcel.

## CIRCULATION:

**Rocky View School Division** - No objections. Notes that residents in the area should be aware that area students may be bussed to a school in the M.D. where space is available.  
**Development Services** - The Applicant will be required to enter into a Development Agreement for construction of internal roads and all utilities. The Applicant should provide field survey of sight distances along Bearspaw Road for both proposed intersections. Steep slopes for lots backing onto the coulee may require a Restrictive Covenant for building setbacks. Building sites

on Lots 12 and 13 may be somewhat limited by a small coulee. The balance parcel of  $\pm 26$  acres in the southwest corner does not have a developed access. The road is rough-graded within the road allowance, but there is no surfacing. **Transportation and Field Services** - The Municipal road north of the subject lands is maintained in gravel and will be the future of subgrade improvements in 1995. The width of Bearspaw Road is to be widened and it is noted that 176 Avenue NW is considered to be a minor collector road and Bearspaw Road is considered to be a major collector road. **Canadian Western Natural Gas** - Requires Easements. **Development Officer** - No objections. **ERCB** - No abandoned wells or sour gas facilities on the subject lands, however, active wells have 100m setback from wellhead to any proposed residence. **Agricultural Service Board** - Application could be considered to be fragmentation of agricultural land, however, the application appears to have followed the Bearspaw Area Structure Plan and have no agricultural concerns. **Calgary Health Services** - Percolation and water table tests to be submitted and approved by Alberta Environmental Protection for future private sewage disposal systems, and water well production and quality tests to be submitted to Calgary Health Services and Alberta Environmental Protection for approval.

#### HISTORY:

At its meeting of February 7, 1995, Council refused the application to redesignate the NE 12-26-3-W5M and a portion of the SE 12-26-3-W5M from Agricultural Conservation (1) District and Small Holding District to Country Residential District in order to create seventy-five lots.

#### CONTEXT:

The subject land is bordered by residential designations to the north and south and agricultural designations to the east and west. The lands are contained within the Bearspaw Area Structure Plan and are located in priority area two and three. The lands contain some hazards to development, such as slopes, high water tables as well as environmentally significant areas. These have been dealt with in a Concept Plan, which has been submitted by the Applicant. Lands in the SE 12-26-3-W5M are already designated Small Holding District and are also included in the Concept Plan.

#### SITE CHARACTERISTICS:

A significant feature is a ravine which runs NE to SW through the centre of the parcel. There is an existing residence and improvements located north of the ravine, which are to be removed. Two oil wells are located on the parcel, one in the northeast and one located in the southeast. Soils consist of 35% class 3c (good arable soil with adverse climate) as shown on the attached soil map. The Applicant has attempted to avoid the majority of the higher capability soils providing for a  $\pm 28.2$  acre agricultural parcel and a  $\pm 15.8$  acre Municipal Reserve parcel. Percolation tests were conducted on eight test holes, monitored in locations as shown on the Tentative Plan, which indicated favourable percolation rates. The Concept Plan proposes that the subject land's natural drainage patterns are to be preserved.

Nova Gas Transmission Ltd. has indicated that a high-vapour, large diameter, high pressure hydro-carbon pipeline is located in the northeast corner of the subject lands. No structures are to be built on its right-of-way. The pipeline is presently under consideration for upgrading in this area. The pipeline right-of-way is located primarily on the proposed agricultural parcel.

#### SUBDIVISION CONCEPT:

The Applicant proposes to create thirty-three  $\pm 4$  acre parcels oriented around cul-de-sac neighbourhoods. The ravine is being incorporated into the concept and held under a number of separate titles with Restrictive Covenants to prevent disturbance or development on or near

the slopes. The overall density of the lots proposed for the plan area is 0.16 lots per acre, which is well below the maximum density of 0.3 lots per acre under the Small Holding designation. The Applicant proposes that each lot adjacent to the ravine contain a minimum of 1 developable acre of land. Each lot would be encumbered with a Restrictive Covenant to avoid development on or near the slope. A further Geotechnical Study could be required as a condition of subdivision to determine the slope stability and the appropriate setback from the top of the slope. A 10m landscape strip shall be provided by easement adjacent to Lots 11, 12, 27 and 28 to screen development from adjacent Municipal roads.

Access is proposed from the Bearspaw Road. Sight lines at the proposed access points, as noted by Development Services, should be further examined and meet Municipal standards. The Applicant has indicated the site lines on both the accesses are favourable, however, at the time of writing this report had not provided site line distances. Staff have concerns with the length of the proposed cul-de-sacs and suggest that an access point should be provided onto 176 Avenue NW to facilitate better traffic circulation in the subdivision as shown on the Amended Concept Plan. The Applicant has indicated that the cul-de-sac design is preferred to preserve the privacy of the lots, which otherwise may be compromised by traffic. However, the Applicant is prepared to adjust the design in order to accommodate this concern. Staff have further altered the road configuration of the Concept Plan to provide for a linkage to the adjacent quarter section to the west and provide developed access to the  $\pm 26$  acre parcel in the S.W. corner. The Applicant proposes to construct the internal subdivision roads within a 66 ft. (20m) right-of-way which is provided as a possible design option under the Bearspaw Area Structure Plan in Appendix C. However, Development Services recommends a 82 foot right of way be applied, especially if the road is to be extended.

The two existing oil wells shown on the subject lands would be contained on the  $\pm 28.2$  acre agricultural parcel located in the northeastern portion of the subject lands and on the  $\pm 18$  acre parcel located in the southeastern portion. The 100m setback from operating oil wells has been applied as shown on the Tentative Plan.

The Applicant has proposed a Municipal Reserve dedication of  $\pm 15.8$  acres, representing 10% of the total area of  $\pm 158$  acres proposed for subdivision. Deferral of reserves on the  $\pm 26$  acre and  $\pm 18$  acre balance parcels in the southeast quarter and the  $\pm 28$  acre agricultural balance parcel in the northeast quarter would be applied. Staff have altered the location of the Municipal Reserve parcel in order to provide a parcel which is integrated into the concept plan.

Phasing is proposed in three sequences. Servicing will be via individual septic tank and tile fields, and water supply via the Rocky View Water Co-op pipeline.

#### STAFF COMMENTS:

The Concept Plan appears to meet the requirements of the Bearspaw Area Structure Plan. Further, in an attempt to preserve the higher capability lands, an Agricultural Balance District is located in the northeast corner. Each lot appears to have a building site and percolation testing indicates that septic tank and tile fields are appropriate on the lands. The Applicant has indicated that adjustments in the design could be accommodated and further addressed at the time of concept plan approval and subdivision. Council could adopt the concept plan as submitted or as amended, and proceed with approval of the redesignation application, or, recess for further amendments and/or information.

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OPTION #1 - APPROVAL:

That Council:

- a) adopt the Concept Plan as submitted by resolution and to include a 66' right of way for internal subdivision roads;
- b) consider second and third reading to Bylaw C-4461-95.

OPTION #2 - APPROVAL:

That Council:

- a) adopt the Concept Plan as amended and to also include an 82' right of way for internal subdivision roads;
- b) consider second and third reading to Bylaw C-4461-95.

OPTION #3 - RECESS

To September 19, 1995 at 2:30 p.m. to allow the Applicant to address additional amendments to the Concept Plan or provide additional information.

OPTION #4 - REFUSAL:

Rescind first reading to Bylaw C-4461-95.

STAFF RECOMMENDATION:

Staff prefer Option #2.

Respectfully submitted,



Alan Ward, M.C.I.P.  
Supervisor, Planning Services

VH/sr

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**MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44**

**BYLAW C-4461-95**

A Bylaw of the Municipal District of Rocky View No. 44 to amend Bylaw C-1725-84.

- WHEREAS** the Council deems it desirable to amend the said Bylaw; and
- WHEREAS** the Council of the Municipal District of Rocky View No. 44 has received an application to amend Section 7.3.0; Land Use Map No. 67 and 67 - SE of Bylaw C-1725-84 to redesignate a portion of the NE-12-26-3-W5M from Agricultural Conservation (1) District to Small Holding District and Agricultural Balance District as shown on the attached Schedule "A"; and
- WHEREAS** a notice was published on May 16, 1995 and May 23, 1995 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 May 30, 1995; and
- WHEREAS** Council held a Public Hearing and have given consideration to the representations made to it in accordance Section 139 and 140 of the Planning Act being Chapter P-9 of the Revised Statutes of Alberta 1980, amendments thereto.

**NOW THEREFORE** the Council enacts the following:

1. That Section 7.3.0; Land Use Map No. 67 and 67 - SE of Bylaw C-1725-84 be amended by redesignating a portion of the NE-12-26-3-W5M from Agricultural Conservation (1) District to Small Holding District and Agricultural Balance District as shown on the attached Schedule "A" forming part of this Bylaw.
2. That all lands within a portion of the NE-12-26-3-W5M are hereby redesignated to Small Holding District and Agricultural Balance District as shown on the attached Schedule "A" forming part of this Bylaw.
3. The Bylaw comes into effect upon the date of its third reading.

**File: 6712001/003**

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on May 9, 1995, on a motion by Councillor Konschuk.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on , on a motion by Councillor

Third reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, on , on a motion by Councillor

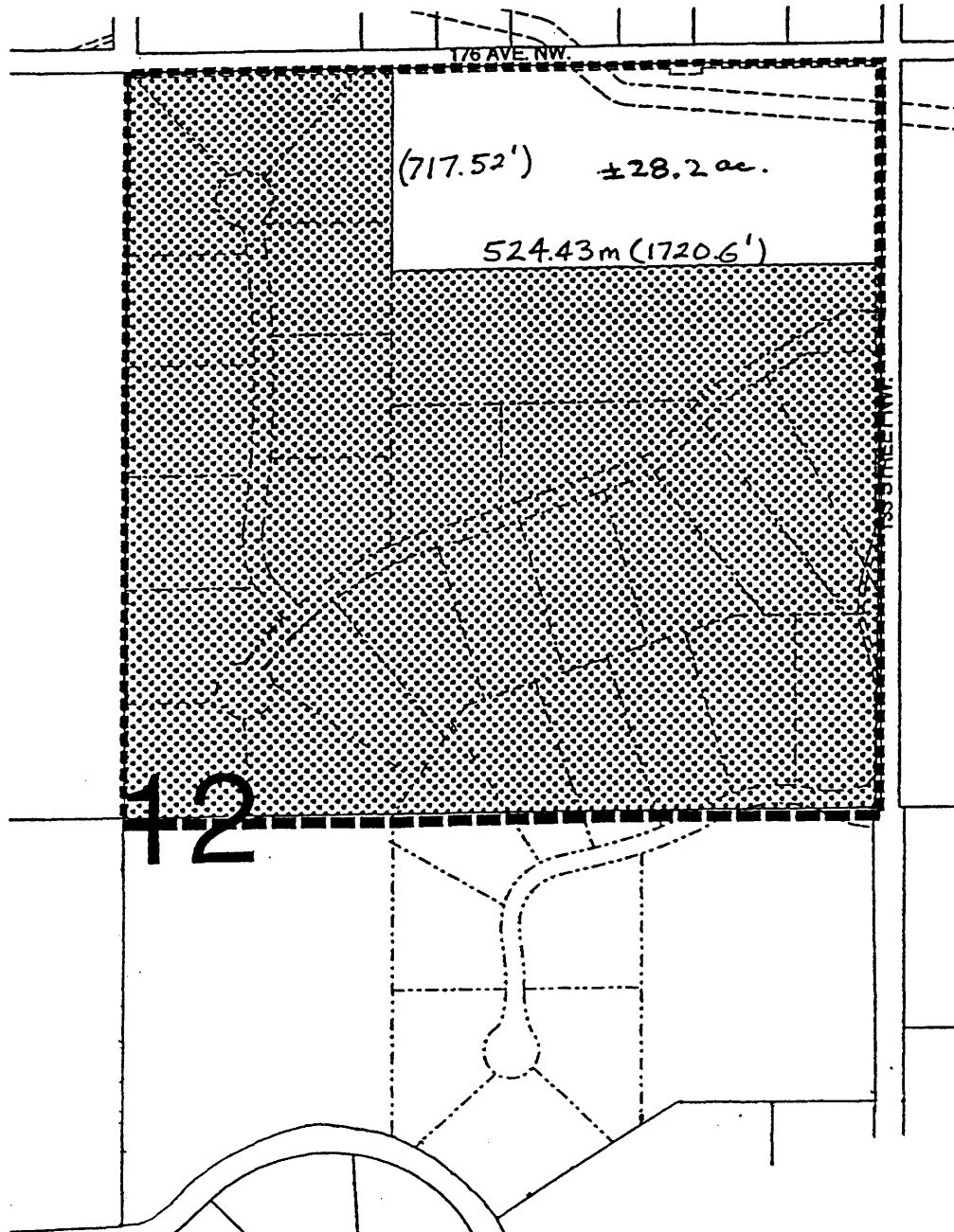
REEVE OR DEPUTY REEVE

MUNICIPAL SECRETARY

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# SCHEDULE "A"

BYLAW: C-4461-95

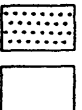


## AMENDMENT:

FROM Agricultural Conservation (1) District  
FROM Agricultural Conservation (1) District

TO  
TO

Small Holding District  
Agricultural Balance District



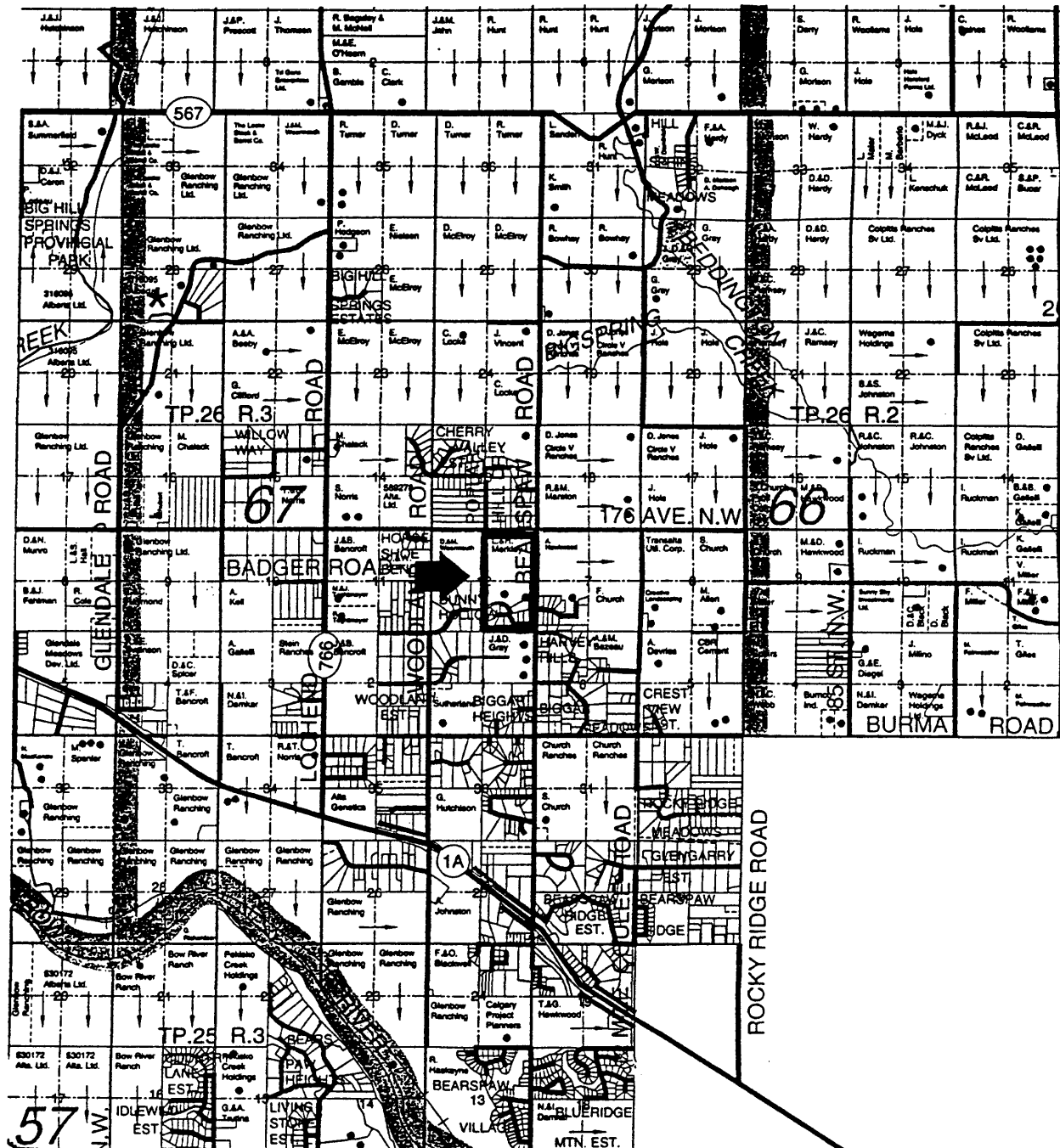
SUBJECT LAND: -----



LEGAL DESCRIPTION: NE 12-26-3-W5M

FILE: 6712001/003





# LOCATION PLAN

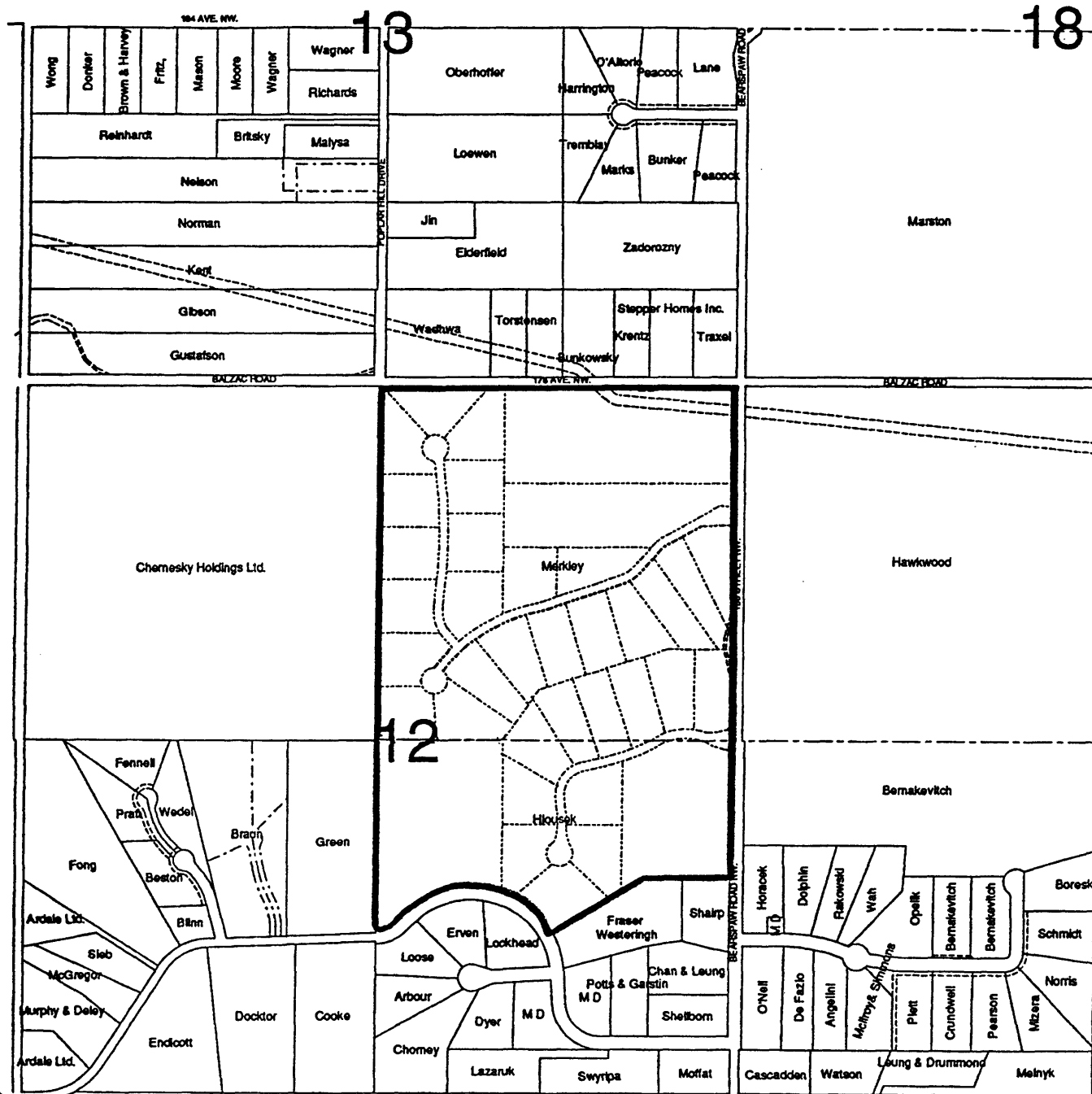
NE, PTN SE-12-26-3-W5M

DATE: MAR.'95

SCALE: NTS

FILE: 6712001,003

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## KEY PLAN

NE, PTN SE-12-26-3-W5M



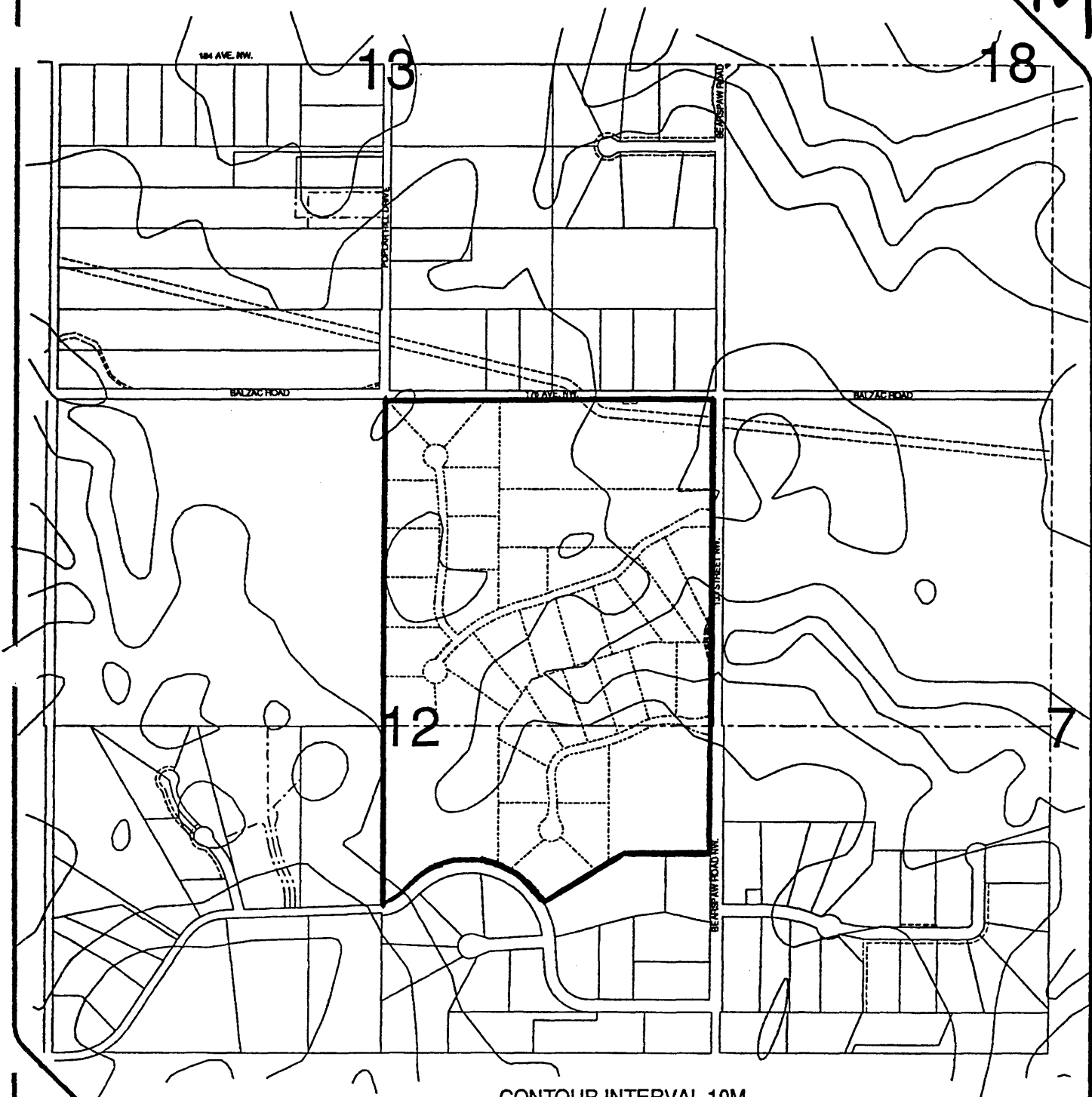
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CONTOUR INTERVAL 10M

## TOPOGRAPHIC MAP

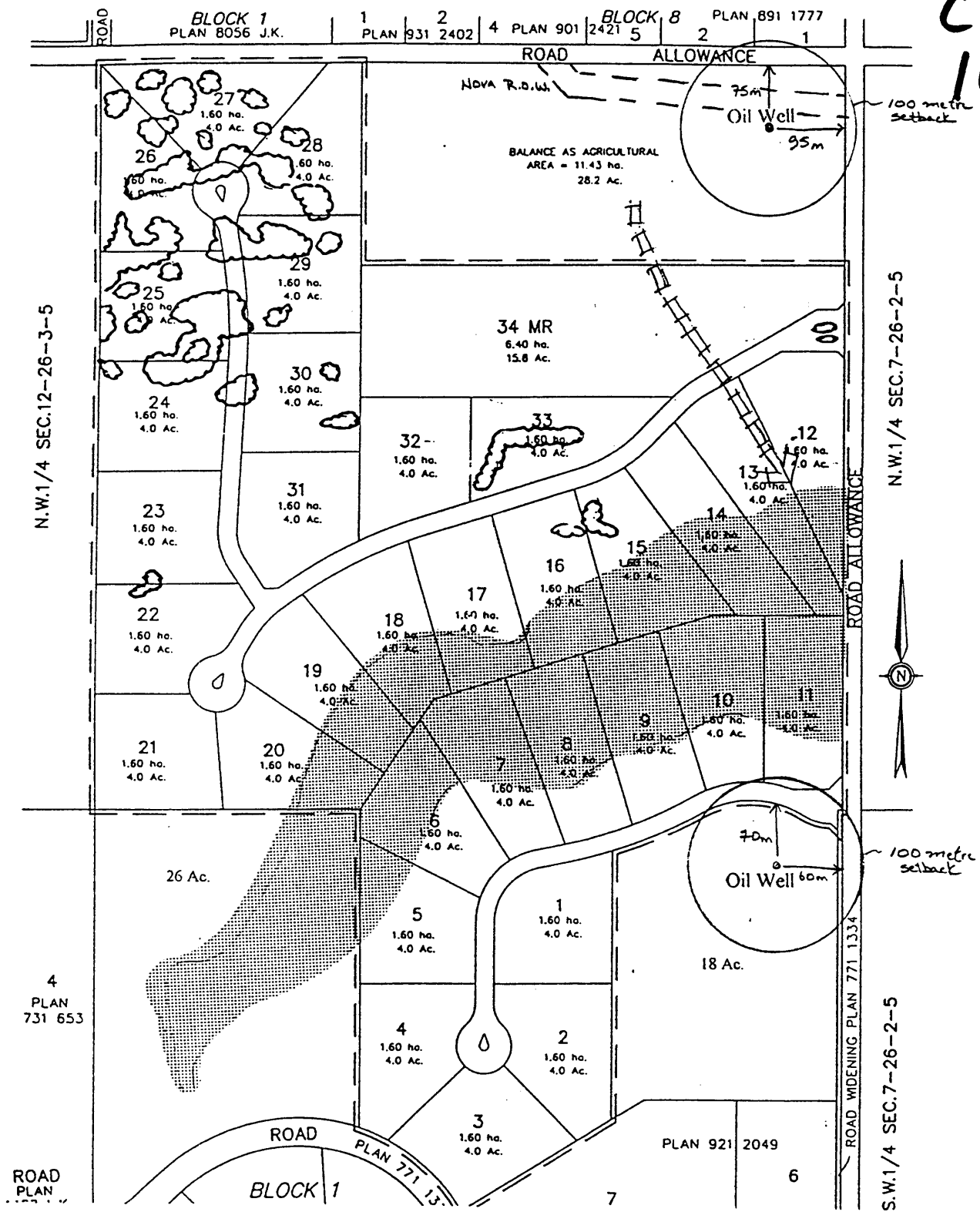
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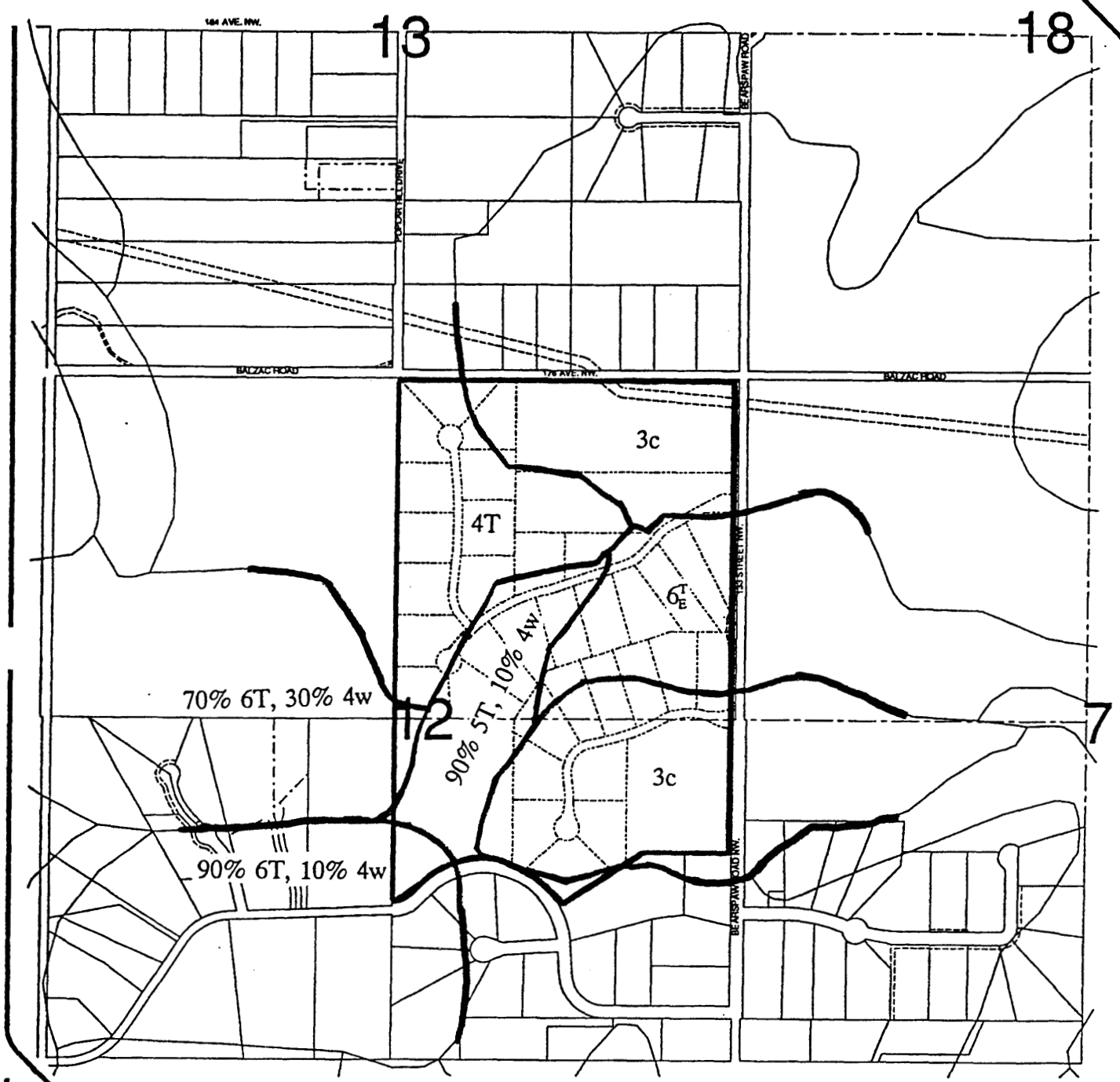
FILE: 6712001,003



**FIGURE 5:**  
**NATURAL FEATURES**  
**Bearsnest Estates Concept Plan**

**Ravine Area:** [Hatched Box]  
**Vegetation:** [Cloud-like Shape]  
**Drainage Course:** [Line with Arrows]

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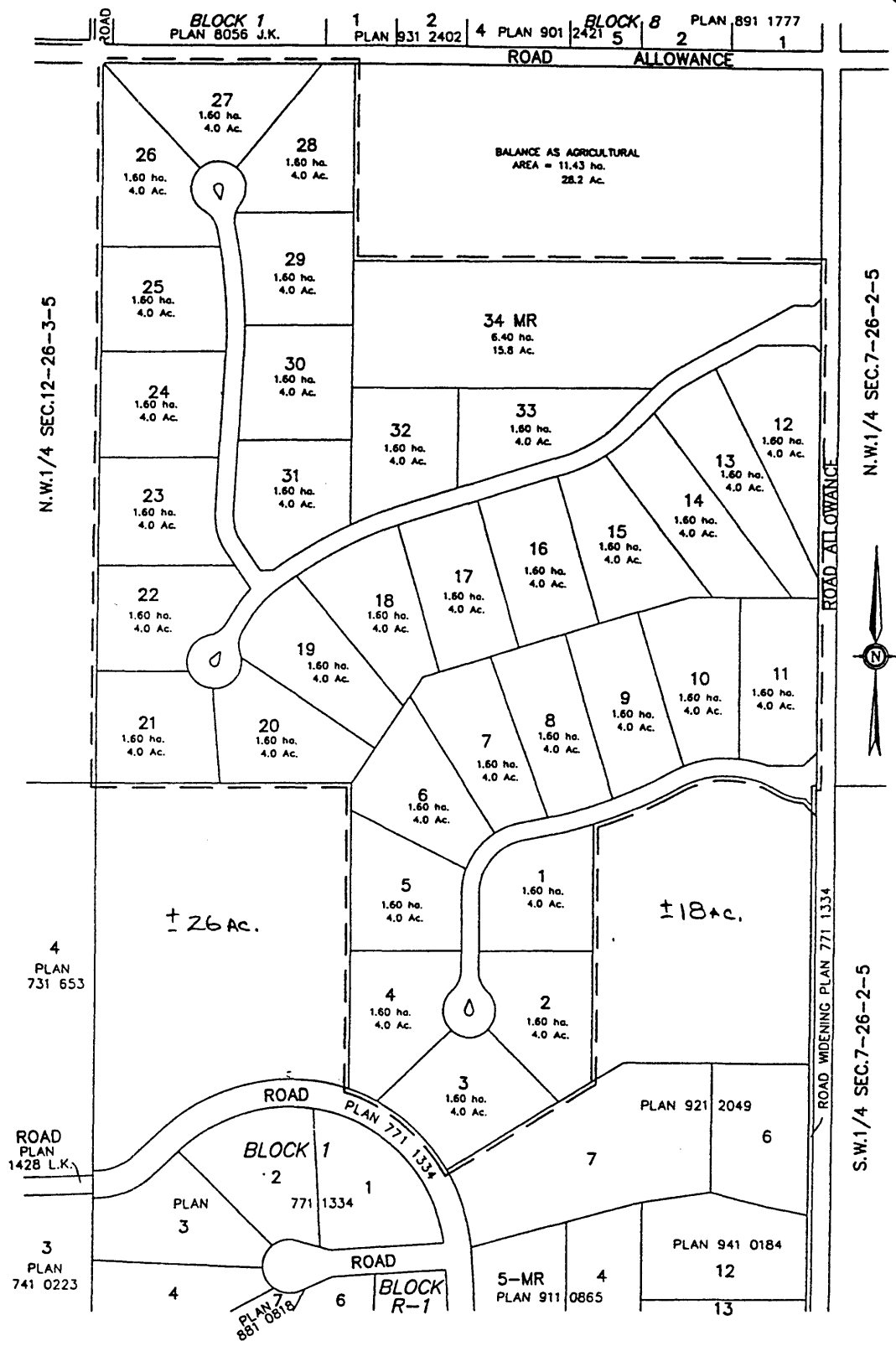


# SOIL MAP

NE, PTN SE-12-26-3-W5M



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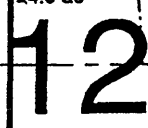
# CONCEPT PLAN

NE, PTN SE-12-26-3-W5M





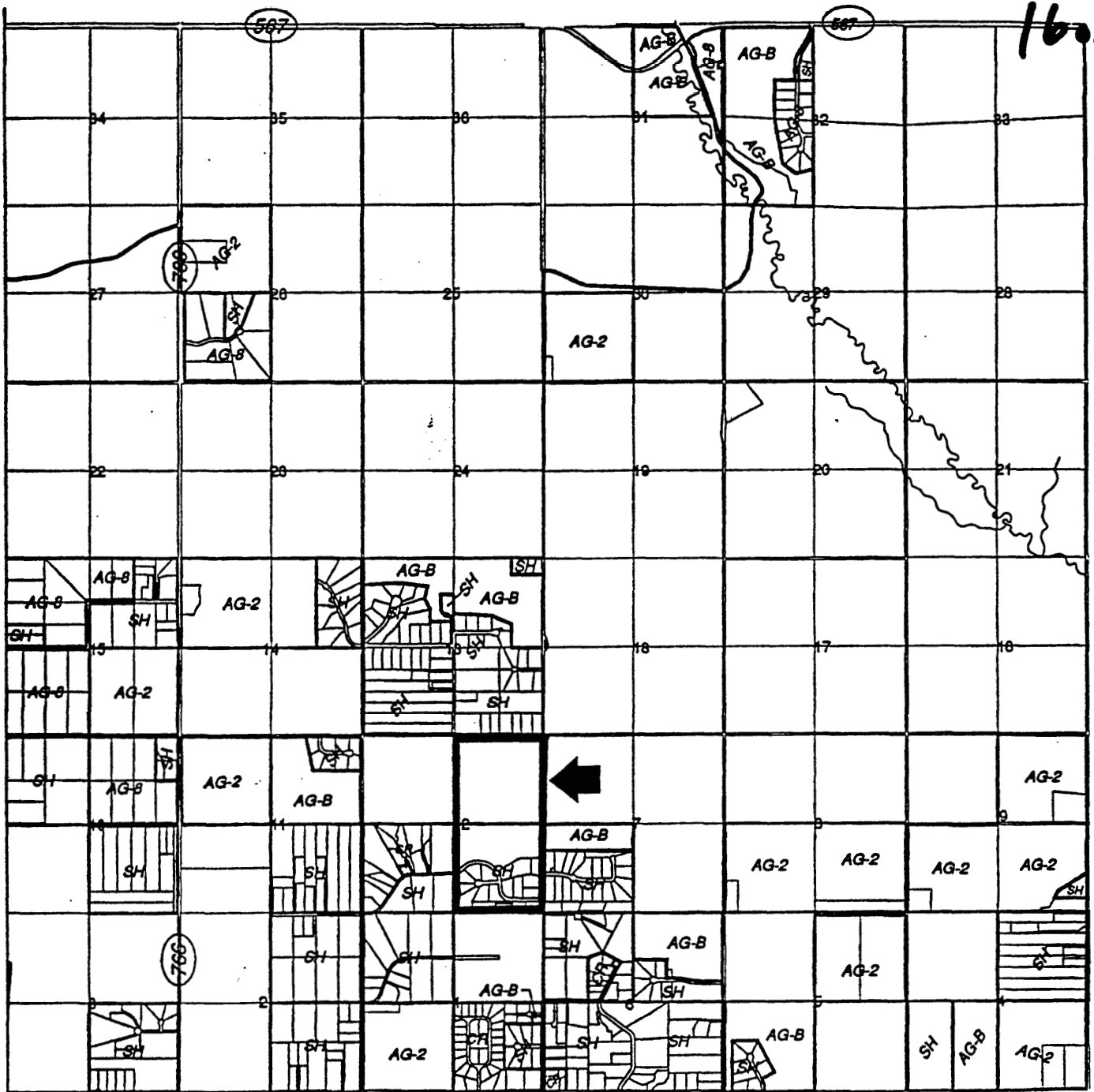
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# TENTATIVE PLAN

FILE: 6712001,003

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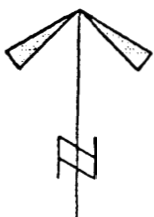
ALL LANDS ARE DESIGNATED AG-1 UNLESS NOTED OTHERWISE.

AGRICULTURAL CONSERVATION (1) DISTRICT  
AGRICULTURAL CONSERVATION (2) DISTRICT  
AGRICULTURAL CONSERVATION (4) DISTRICT  
AGRICULTURAL CONSERVATION (8) DISTRICT  
AGRICULTURAL BALANCE DISTRICT  
AGRICULTURAL COMMERCIAL DISTRICT  
AGRICULTURAL & NATURAL RESOURCE INDUSTRY DISTRICT  
AGRICULTURAL PIPELINE DISTRICT  
AIRPORT DISTRICT  
PUBLIC & QUASI-PUBLIC DISTRICT  
DIRECT CONTROL DISTRICT

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COUNTRY RESIDENTIAL  
SMALL HOLDINGS DISTRICT  
RECREATION COMMERCIAL DISTRICT  
HIGHWAY COMMERCIAL DISTRICT  
RURAL INDUSTRIAL DISTRICT  
PUBLIC SERVICE COMMERCIAL DISTRICT  
HAMLET COMMERCIAL DISTRICT  
HAMLET INDUSTRIAL DISTRICT  
HAMLET RESIDENTIAL (1) DISTRICT  
HAMLET RESIDENTIAL (2) DISTRICT  
HAMLET DIRECT CONTROL DISTRICT

CR  
SH  
RC  
HC  
PC  
MC  
HI  
HR-1  
HR-2  
HDC



# MUNICIPAL DISTRICT OF ROCKY VIEW #44 LAND USE MAP

East 11 R-26-3-W5M  
File #6712001/003

Section 7.3.0 of the BYLAW No. C-1725-84.  
Adopted by COUNCIL this 12th. day of March A.D., 1985