



BUTTE HILLS CONCEPTUAL SCHEME

Prepared in support of an application for subdivision
located in the NW ¼ 22-26-29-W4M

Bylaw C-4801-97, Adopted January 27, 1998

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
Department of Planning and Development

MUNICIPAL DISTRICT OF ROCKY VIEW NO. 44
BYLAW C-4801-97

A Bylaw of the Municipal District of Rocky View No. 44 to adopt the attached Schedule "A", the "Concept Plan", pursuant to Divisions 7 and 12 of Part 17 of the Municipal Government Act.

WHEREAS the Council of the Municipal District of Rocky View No. 44 wishes to adopt the Concept Plan affecting the lands herein described as:

NW ¼ 22-26-29-W4M

and

WHEREAS a notice was published on January 13, 1998 and January 20, 1998 in the Calgary Rural Times, a newspaper circulating in the Municipal District of Rocky View No. 44 advising of the Public Hearing for January 27, 1998; and

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 Amendment 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 Concept Plan be adopted to provide a framework for subsequent subdivision and development in the:

NW ¼ 22-26-29-W4M

and is attached hereto as Schedule "A".

2. That this Bylaw shall come into effect upon third and final reading hereof.

First reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 16th day of December, 1997, on a motion by Councillor Fullerton.

Second reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 27th day of January, 1998, on a motion by Councillor Thurn.

Third and final reading passed in open Council, assembled in the City of Calgary, in the Province of Alberta, this 27th day of January, 1998, on a motion by Councillor Vincent.

Reeve or Deputy Reeve

Municipal Secretary

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1.0 Introduction

This Concept Plan was prepared at the request of the M.D. of Rocky View in support of an application to amend the *Land Use Bylaw (Bylaw C-1725-84)* to redesignate lands within the NW 1/4 22-26-29-W4M:

- Lot 2, Block 2, Plan 91121185
- Lots 4 and 5, Block 2, Plan 9612205

from Small Holding District to Country Residential District in order to create five 2 acre parcels, a 2.5 acre parcel and three remainder parcels (two at 2 acres and one at 2.5 acres) from three parent parcels totaling 20.17 acres in area, and to allow for the construction of an internal subdivision road.

Preparation of this Concept Plan has been guided 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.

1.1 Plan Purpose

This Plan provides supporting land use rationale for the redesignation of portions of the Plan Area to accommodate country residential subdivision and development.

This Plan provides a mechanism to guide and manage subdivision and development through the establishment of policies that provide specific direction for all subdivision and development issues identified by the Plan.

2.0 Plan Objectives

The objectives of the Concept Plan are:

- to establish the appropriateness of the Plan Area for the Land Uses proposed by the Future Subdivision and Development Scenario.
 - to establish a Future Subdivision and Development Scenario that addresses existing constraints and opportunities while protecting and enhancing subdivision and development opportunities for all lands within the Plan Area.
 - to facilitate subdivision design that maximizes lot yields, servicing efficiencies and on-site development opportunities within the context of Municipal Plans and Policies.
-

3.0 Concept Plan Area

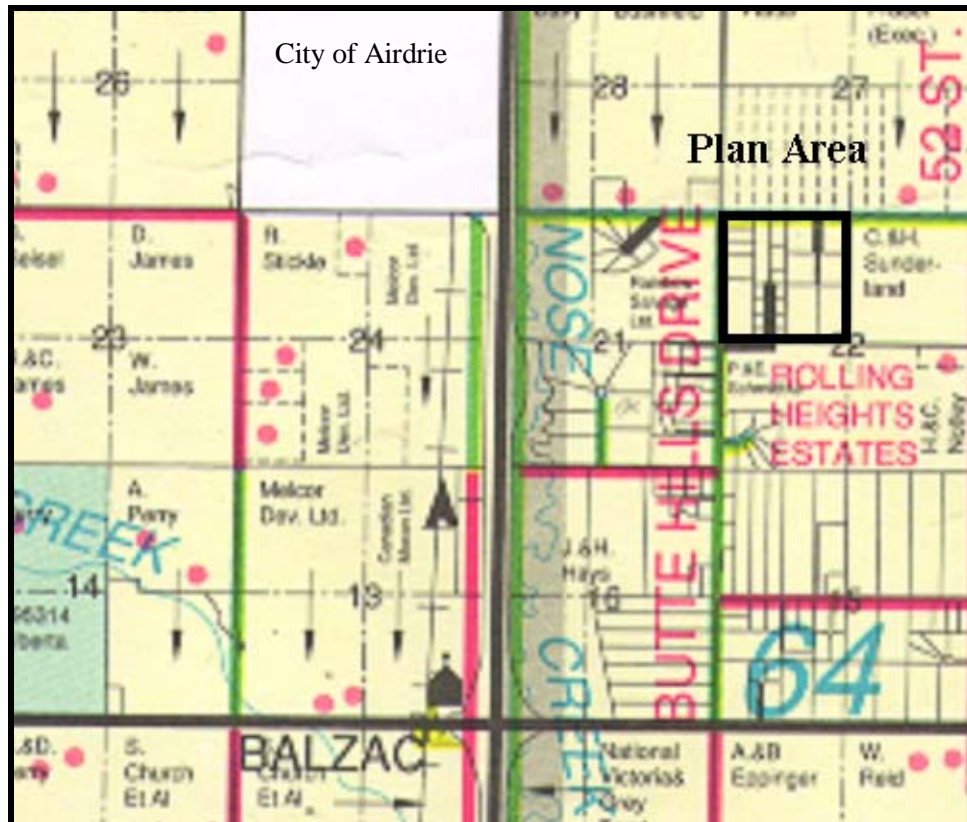
3.1 Defining the Plan Area

M.D. of Rocky View policy suggests that concept plans should be focused at the quarter section scale¹. This scale facilitates policy planning for areas of the Municipality, is easily definable and with sufficient scope to provide for a range of planning considerations. This Concept Plan and its subdivision and development concept is focused on the NW 1/4 22-26-29-W4M.

3.2 Location

The Plan area is located within Division 6 of the M.D. of Rocky View No. approximately 5.6 kilometers (3.5 miles) north of the City of Calgary and 1.6 kilometers (1.0 miles) east of the City of Airdrie. The Plan Area is immediately south of and adjacent to 208 Avenue NE, east of and adjacent to Butte Hills Drive and approximately 1.4 miles east of Highway #1. Figure: 1 identifies the municipal context of the Plan Area.

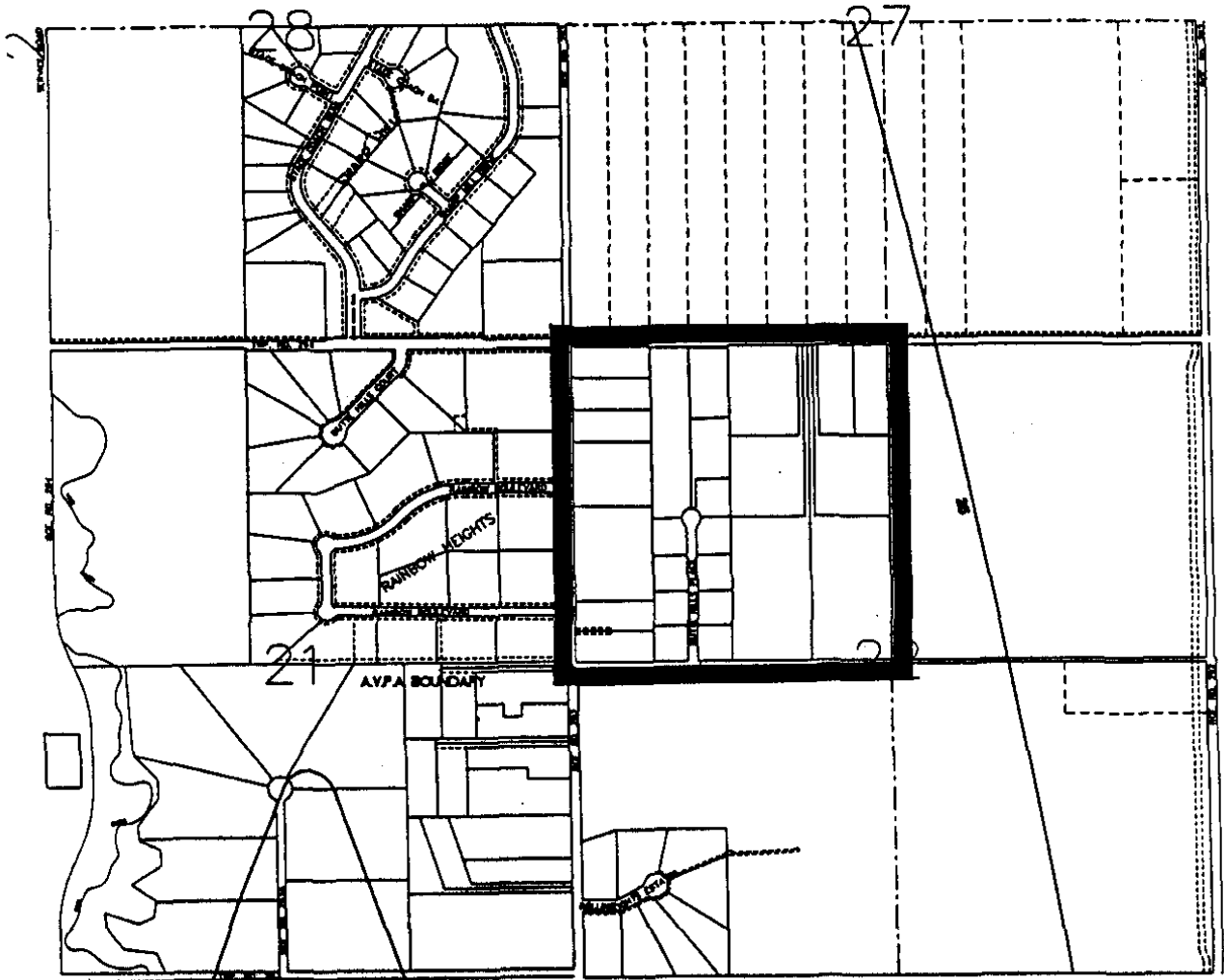
Figure: 1 - Municipal Context



Source: M.D. of Rocky View No.44 Municipal Map

¹ M.D. of Rocky View Policy 644 - Preparation and Processing of Concept Plans

Figure 2 - Concept Plan Area



Concept Plan Area
NW 1/4 22-26-29-W4M



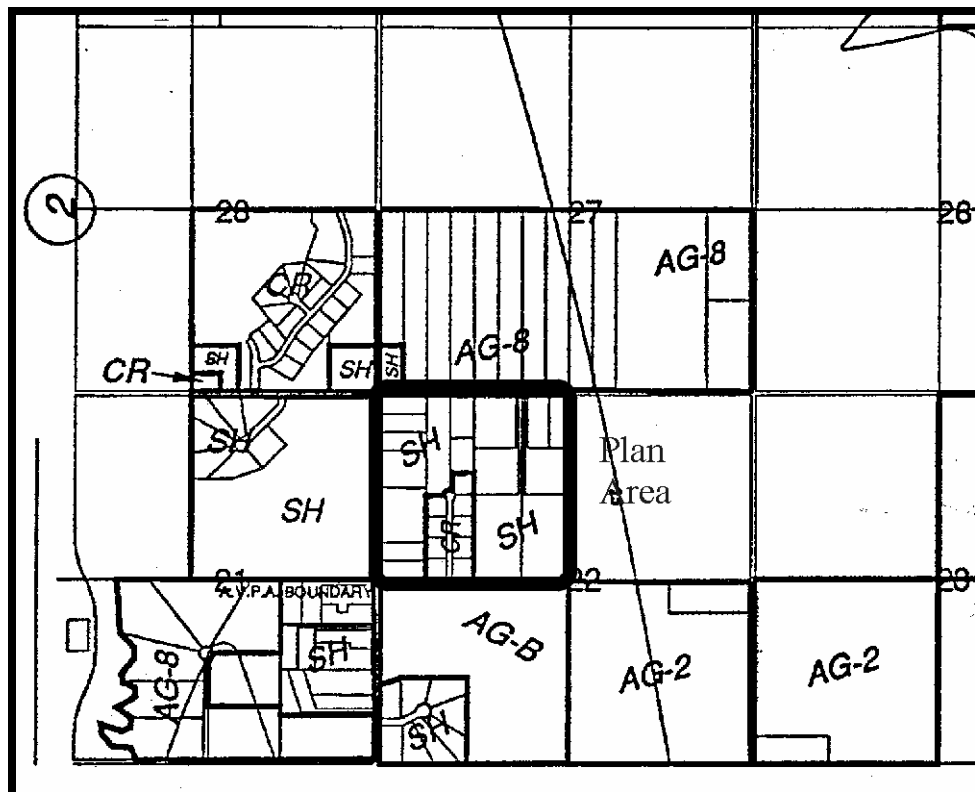
3.3 Community Context and Land Use

The community in which the Plan Area is located is characterized by a mix of residential and agricultural land uses. To the east of the Plan Area parcel sizes can be found ranging from 2 to 4 acres in size. On October 19, 1993, subdivision approval was granted subdividing the balance of NE 1/4 21-26-29-W4M into 4 acre parcels. Figure 2 identifies the existing parcel distribution in proximity to the Plan Area.

All lands contained within the Plan Area are designated for residential land uses under the *Land Use Bylaw*. Approximately 12.9 % (20.6 acres) of the Plan Area is under the designation of Country Residential District while the balance 87.1 % (139.4 acres) is designated Small Holding District.

Figure: 3 identifies the land use districts within and in proximity to the Plan Area.

Figure 3 - Land Use Bylaw Districts



Source: Land Use Map No. 64 - North (May 07, 1997), *Land Use Bylaw C-1725-84*.

Figure 4 is an air photo of the Plan Area. The residential character of the Plan Area is evident by the number and distribution of single family residences (Recent subdivision and development within the Plan Area has increased the number of single family residences since this air photo was taken).

Figure 4: Plan Area Air Photo



4.0 Plan Area Attributes

4.1 Relief

Topography within the Plan Area is flat. No significant relief features are contained within the Plan Area.

4.2 Soils

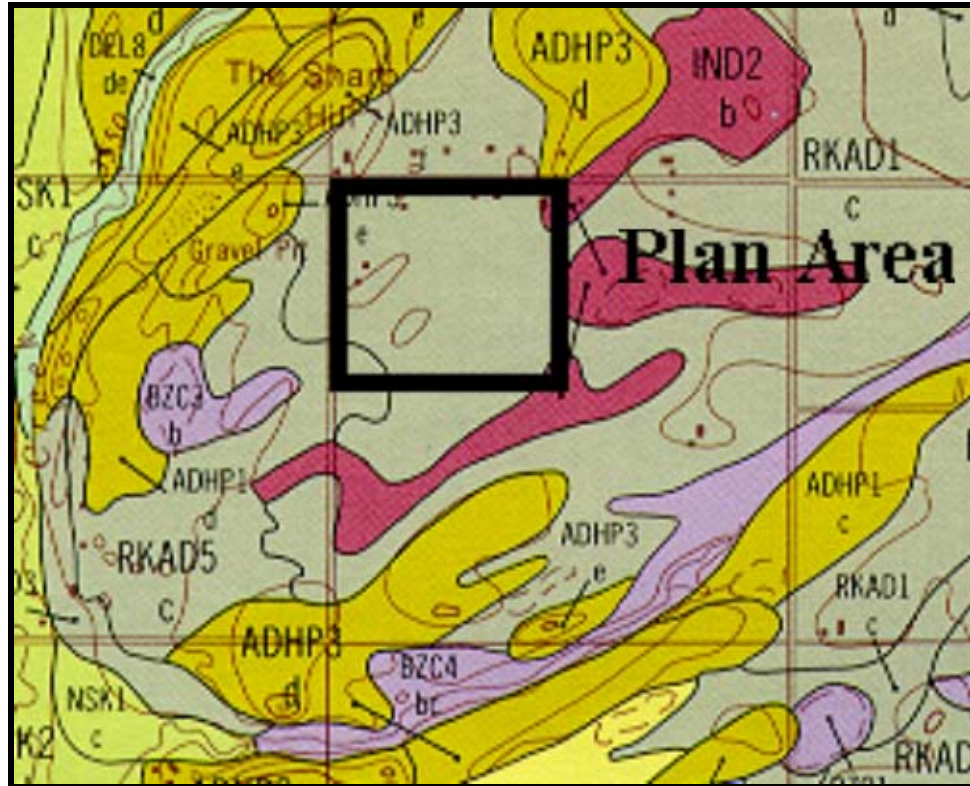
Figure 5 identifies the Soil Mapping Units within the Plan Area. Soils within the Plan Area are of the Rockyview soil group and are identified as the RKAD 1 soil unit. These soils are generally found on smooth, undulating to gently rolling morainal topography. Soils of this unit are being used extensively for agriculture. Notwithstanding soil characteristics of the Plan Area, the subdivision of the quarter section into small parcels and the number and distribution of existing residential land uses impairs the viability of these soils to support agricultural activity.

Soils within the Plan Area generally exhibit moderate permeability and offer slight to moderate limitations for septic tank absorption fields. Recent percolation tests conducted within the Plan Area and the reliability of existing septic fields suggests that the soils within the Plan Area are appropriate for septic field construction.

4.3 Vegetation

Natural vegetation within the Plan Area has been disturbed by human activity. There are no significant natural plant communities within the Plan Area that have been identified.

Figure 5 - Soil Mapping Units



Source: Soil Survey of the Calgary Urban Perimeter

5.0 Proposed Land Use

The Plan Area is unconstrained by any physical impediment to further subdivision and development. Residential land use is the dominant use within the Plan Area.

Residential land use designations that recognize the character of the Plan Area and accommodates the full potential of these lands for additional subdivision and development may be appropriate, taking into consideration this Plan and other plans and policies of the Municipality.

Concept Plan Policy 5.0.1

Redesignation of land to a residential Land Use District pursuant to the Land Use Bylaw within the Plan Area to accommodate proposals for subdivision that are in accordance with the Subdivision and Development Concept proposed in this Plan shall be considered generally appropriate for approval subject to the extension of services, the suitability of the lands for development and other applicable municipal policies and regulations.

6.0 Subdivision and Development Concept

6.1 Future Subdivision and Development Concept

A concept for the future subdivision and development of the Plan Area is presented in Figure 7. The size and location of each of the parcels depicted in the Subdivision and Development Concept illustrates the full build-out of the Plan Area for residential land uses. In this regard the Future Subdivision and Development Concept contemplates subdivision to accommodate +/- 2 acre parcel sizes. In some situations however, the existing development or the personal preferences of land owners within the Plan Area may dictate other parcel sizes.

Concept Plan Policy 6.1.1

Subdivision of land within the Plan Area shall be generally in accordance with the Subdivision and Development Concept shown in Figure 7.

Concept Plan Policy 6.1.2

Lot layouts shown in Figure 7 are conceptual only and may not reflect the design, number or sizes of lots 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.

6.2 Development Potential

Table 1 summarizes the number of existing residences within the Plan Area and accounts for “build-out” potential on existing parcels. Under current conditions, the Plan Area could accommodate 26 residences on individual parcels. Figure 6 identifies the existing subdivision and development within the Plan Area.

**Table 1 - Build -Out Potential on Existing and Undeveloped Parcels
(Figure 6 - Existing Subdivision and Development within the Plan Area)**

Item	No. of Residences
Existing Residences - Plan Area	18
Build-Out Potential on Existing Undeveloped Parcels within the Plan Area	8
Total	26

Table 2 provides the total “build-out” potential on existing vacant lots and new development on lots contemplated by the Subdivision and Development Concept. The total build-out potential of the Plan Area contemplated by the Subdivision and Development Concept is approximately 56 residences. This results in an overall gross density for the Plan Area of one (1) residence per 2.86 acres (1.16 ha) or 0.35 lots per acre.

Figure 6 - Existing Subdivision and Development within the Plan Area

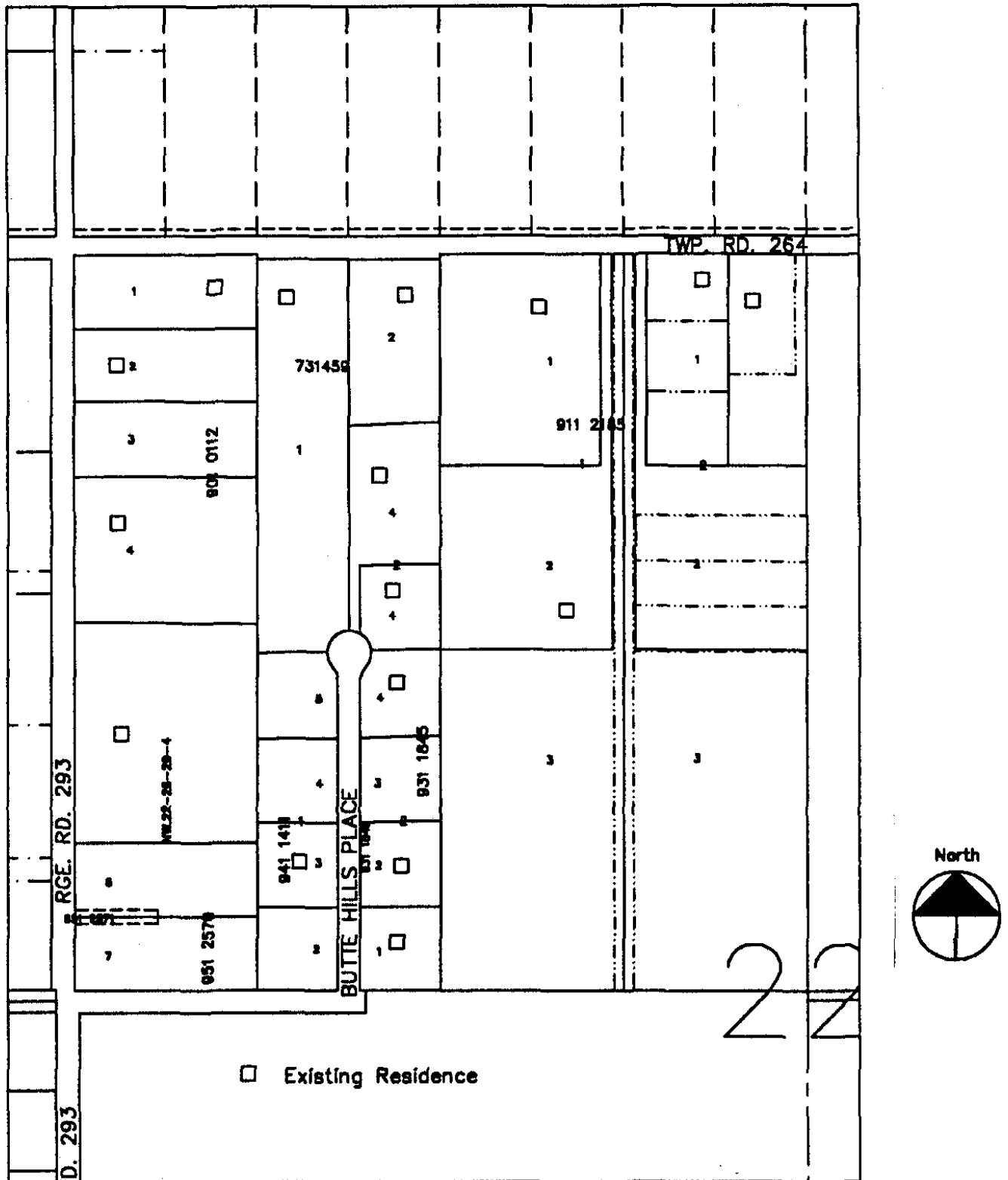


Figure 7 - Future Subdivision and Development Concept

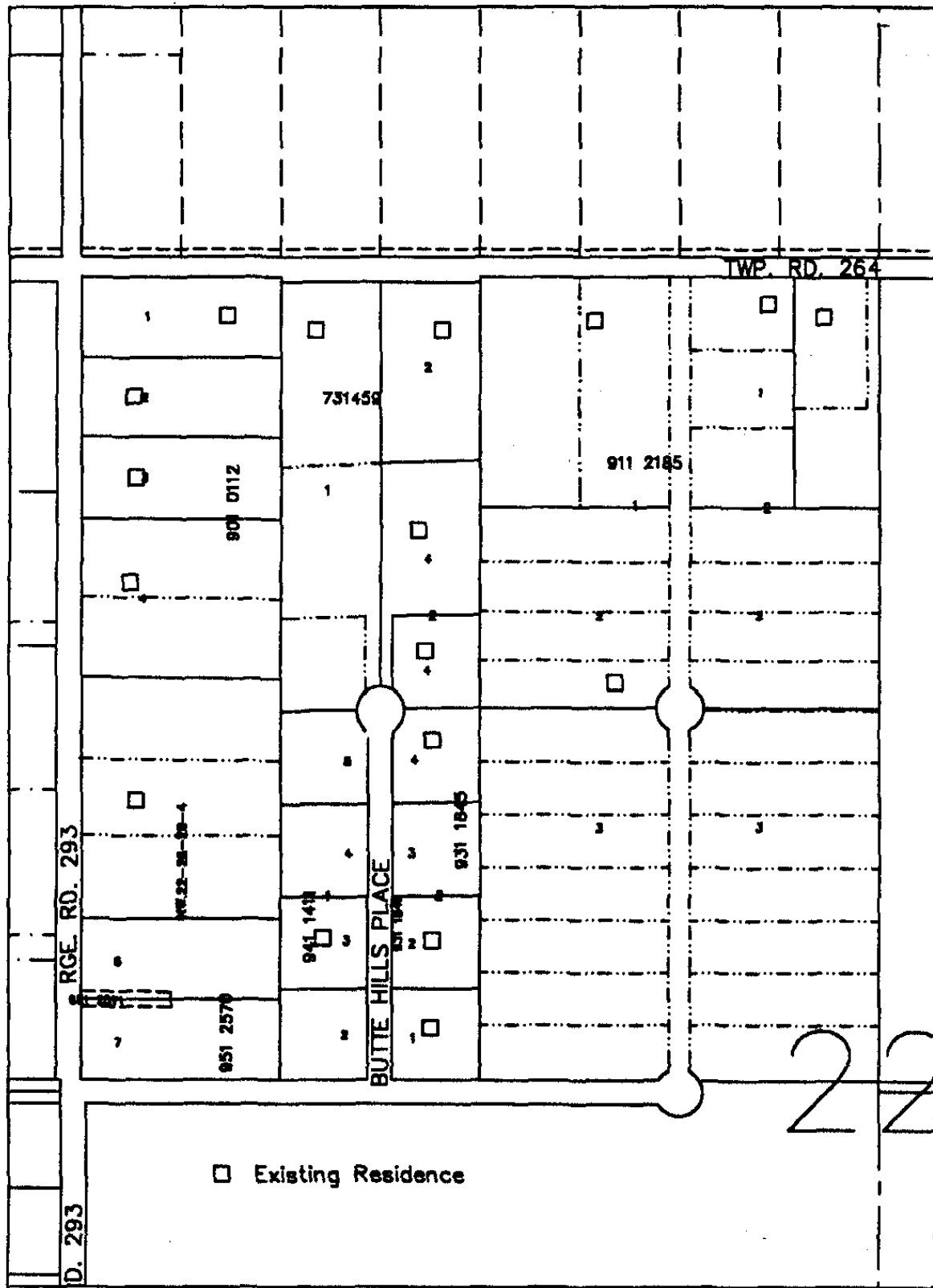


Table 2 - Build-Out Potential
 (Figure 7 - Future Subdivision and Development Concept)

Item	No. of Residences
Existing Residences - Plan Area	18
Build-Out Potential based on Conceptual Layout shown on Figure 4 - Subdivision and Development Concept	38
Total	56

6.3 Development Concept

Single -family residential development is contemplated by this concept plan for the Plan Area. No other uses are contemplated beyond those permitted and discretionary uses allowed in the Country Residential District and/or the Small Holding District.

6.4 Municipal Reserves

Concept Plan Policy 6.4.1

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

7.0 Servicing Scenario

7.1 Sewage Management

Sewage treatment within the Plan Area will be managed through the use of individual septic tanks and fields located within each of the proposed lots in accordance with Alberta Labour guidelines. Percolation testing conducted within Lots 4 and 5, Block 2, Plan 9612205 have indicated that the use of a septic tank and field disposal system is an acceptable method of sewage disposal within the Plan Area (a copy of correspondence from the consulting engineer is attached as Appendix 1).

Concept Plan Policy 7.1.1

Sewage treatment shall be by individual septic tank and field for each lot proposed for residential development.

Concept Plan Policy 7.1.2

Percolation and near-surface water-table testing may be required by the Municipality to verify the suitability of the soil to accommodate septic field instillation. The Municipality may require this testing as a condition of subdivision or redesignation approval, and it may also be required prior to approval of the final plan of subdivision.

7.2 Potable Water

Potable water will be distributed to the Plan Area by connection to the Rocky View Water Co-op.

Concept Plan Policy 7.2.1

The water supply and distribution system required to service subdivision within the Plan Area shall be via a piped water co-op system constructed, licensed and permitted by Alberta Environmental Protection.

7.3 Access

Concept Plan Policy 7.4.1

Access to subdivision proposed within the Plan Area shall be in accordance with Policy 647 Roadway Linkages in New Subdivisions.

Concept Plan Policy 7.4.2

Internal roads shall be 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.

7.4 Shallow Utilities

Shallow utilities will be provided by the appropriate utility company providing service to the area.

7.5 Stormwater Management

Residential development site coverage and non-permeable surfaces on lots within the Plan Area will be minimal and is not expected to generate a storm water management concern. Stormwater should be appropriately managed within the existing and proposed lots. It may be required as a condition of approval for subdivision that a Storm Water Management Plan be completed.

7.6 Traffic Impact

Traffic generation from the Plan Area at the full potential build out contemplated, is expected to reach +/- 560 vehicle trips per day based on a standard measurement of 10 trips per day per household. The current development within the Plan Area is estimated to generate +/- 180 vehicle trips per day using the same standard. Accordingly, full build-out will have the potential to add an additional +/- 380 vehicle trips per day on adjacent municipal roads.

Current traffic counts for roads in the vicinity of the Plan Area are as follows:

Location of Traffic Count	Date	Vehicle Trips per Day
208th Ave. NE east of 36 Street NE	10/09/96	216
208th Ave. NE west of 36 Street NE	10/09/96	257
36 Street NE north of Sec. Hwy 566	05/07/96	481
36 Street NE north of 192 Avenue NE	10/09/96	320

The anticipated traffic generation of +/- 380 vehicle trips at full build out of the Plan Area will likely be split with a portion of the traffic flowing north to 208th Avenue NE and a portion flowing south to 36 street NE. Notwithstanding this split, the addition of +/- 380 vehicle trips on either 208th Avenue NE or 36 Street NE will be well below the estimated 1,500 - 2,000 vehicle trips per day design capacity of these roads.

8.0 Public Consultation

A public consultation program was undertaken as part of the process of Plan preparation. Using assessment roll information obtained from the M.D. of Rocky View, 23 individual property owners within the Plan Area were sent a copy of the Concept Plan and a cover letter requesting their input and comments.

As of July 2, 1997, two property owners had responded by telephone and four (4) responded with letters of support for the proposed redesignation and subdivision comprising Phase 1 herein.

No letters or comments were received in opposition to this Plan or the proposed redesignation and subdivision comprising Phase 1 herein.

Appendix 2 contains a summary letter from Mr. Wayne Poffenroth respecting the public participation in addition to the letters of support.

9.0 Phasing

Phase: 1

Phase 1 of subdivision and development within the Plan Area comprises redesignation and subdivision of :

- Lot 2, Block 2, Plan 91121185
- Lots 4 and 5, Block 2, Plan 9612205
- Lot 1, Block 1, Plan 9112185

In this phase these lands are proposed for redesignation from Small Holdings District to Country Residential District in order to create +/- 2 acre parcels, as well as one +/-5 acre parcel.

In this phase the existing panhandles currently providing access to parcels within the easterly half of the Plan Area will be replaced with a public cul-de-sac road. This has been achieved through the cooperation of the affected property owners. Under Phase 1 the maximum number of parcels gaining access from the proposed cul-de-sac road shall be in accordance with municipal access policy.

Phase: 2

Phase 2 contemplates the subdivision of the balance of the easterly half of the Plan Area and the southerly extension of the cul-de-sac developed during Phase 1 to link with the existing municipal road adjacent the southerly boundary of the Plan Area which provides ingress and egress to Butte Hills Place. The looping of this road way will provide an alternative access in accordance with municipal access policy.

Concept Plan Policy 9.1

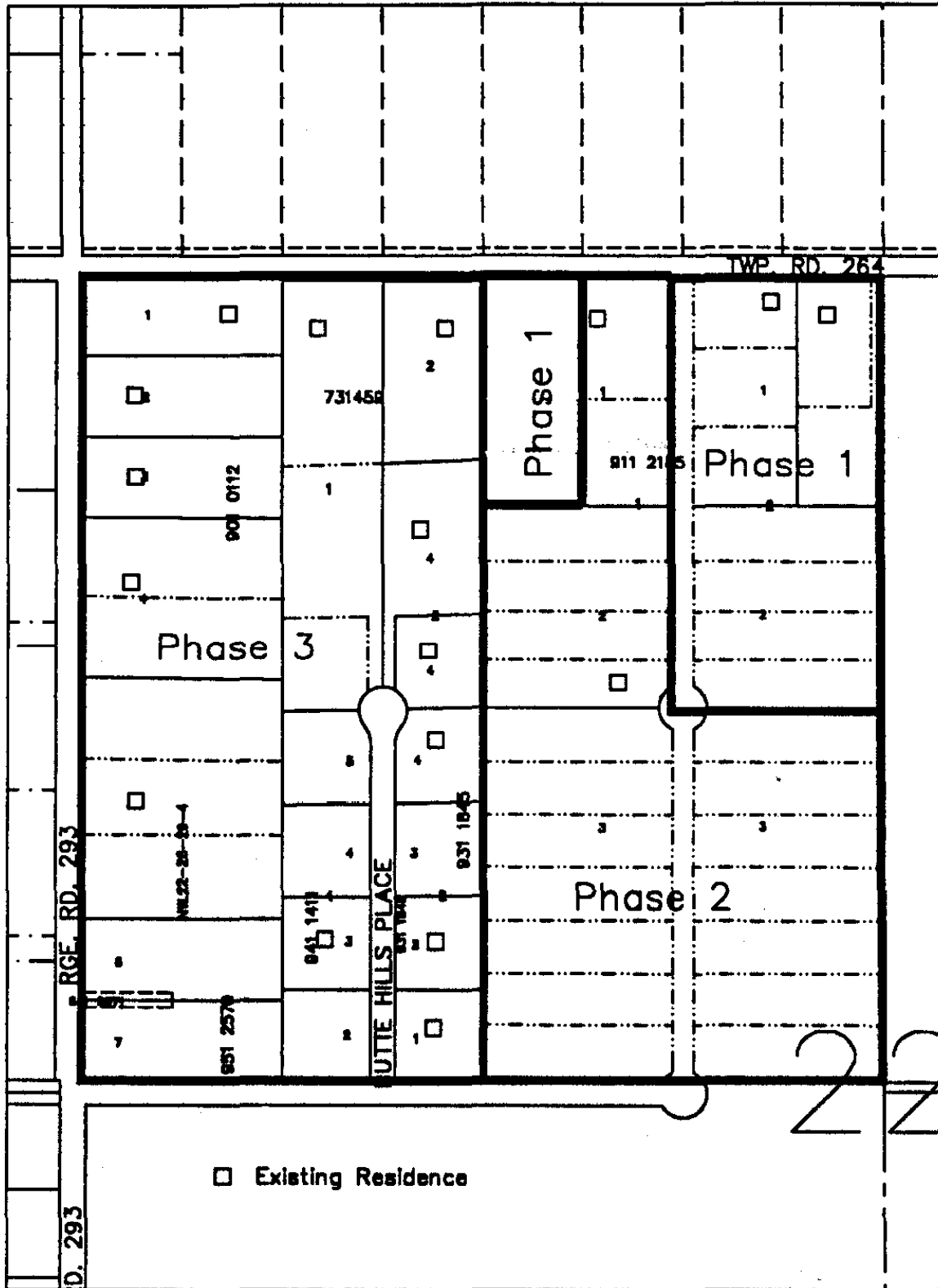
Subdivision contemplated in Phase 2 shall provide for the southerly extension of the cul-de-sac developed during Phase 1 to link with the existing municipal road adjacent the southerly boundary of the Plan Area which provides ingress and egress to Butte Hills Place.

Phase: 3

Phase 3 contemplates the resubdivision and development of the balance of the lands within the Plan Area.

Figure 8 identifies a preferred Concept Plan Phasing.

Figure 8 - Concept Plan Phasing



10.0 Implementation

The proposed Future Subdivision and Development Concept has been designed to be compatible with land use in the area. It is anticipated that the development of the lots proposed by the Future Subdivision and Development Concept will maximize the development potential of the Plan Area while complimenting the existing residential community.

The proposed Future Subdivision and Development Concept responds to existing site conditions by providing a suitably sized parcels that will accommodate and sustain the development of single family residences.

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

APPENDIX 1
SOIL PERCOLATION RATE EVALUATION

McINTOSH • LALANI ENGINEERING LTD.

July 02, 1997

M•L-56

657591 Alberta Ltd.
Box 55101 Temple P.O.
4612 Whitehorn Drive NE
Calgary, Alberta
T2E 6X6

Attention: Mr. Wayne Poffenroth

Dear Sir:

**Re: Soil Percolation Rate Evaluation
Proposed Balzac Subdivision
M.D. of Rockyview No. 44**

This letter serves to provide the results of two percolation tests undertaken at the above noted subdivision. The percolation test holes were advanced to a depth of 0.9m and were filled with clear water to pre-soak the soils prior to conducting the test itself. The percolation tests were conducted on July 02, 1997 in accordance with the recommended test procedures outlined in the Alberta Environmental Protection "Interim Guidelines for the evaluation of Water Table Conditions and Soil Percolation Rate for Unserviced Residential Subdivisions" dated April 26, 1994. The percolation tests were conducted in each of the two locations.

The soil type existing at or near the ground surface is a clayey silt. Percolation tests performed at the two locations produced percolation rates of to 20.0 minutes/cm at each of the two locations.

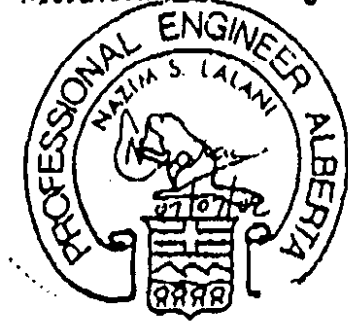
The use of septic tank and field disposal systems is an accepted method of sewage disposal in the M.D. of Rockyview. Based on the results of the percolation tests conducted on the subject property, the site soils meet the Alberta Environmental Protection's acceptable percolation limits of 2.0 to 23.6 minutes/cm, and hence is considered suitable for sewage treatment using septic fields.

- 2 -

We trust that this submission meets with your present requirements. However, should you have any questions or require further elaboration, please do not hesitate to contact the undersigned at your convenience.

Respectfully submitted

McIntosh-Lalani Engineering Ltd.



Nazim S. Lalani, P.Eng
Senior Project Engineer

APPENDIX 2
PUBLIC PARTICIPATION CORRESPONDENCE

Wayne Poffenroth

Site 10, Box 1, RR6
Calgary, Alberta
T2M 4L5

July 3, 1997

Municipal District of Rockyview No. 44
911 - 32 Avenue
P.O. Box 3009
Station B
Calgary, Alberta
T2M 4L6

Att: Laurie Kimber

Dear Sir:

**RE: Proposed Subdivision Re-designation File 6422006-96 RV-101 Lots 4 -
5, Block 2 Plan 9512205 N.W 22-26-29-W4M**

The following is a summary of the response we received concerning the proposed subdivision. As of July 2, 1997 we have received a total of four letters and two phone calls.

The phone calls were from Paul and Laurie Wagner and Richard and Valerie Taylor. Their comments were as follows:

- | | | |
|----------------------------|---|---|
| Paul and Valerie Wagner. | - | When would the panhandle be paved |
| | - | felt the concept plan made sense |
| | - | were very supportive of up grading the current road |
| Richard and Valerie Taylor | - | unclear which road would be the access road |

The four letter received were from the following adjacent land owners:

Ralph and Sheila Wegener
Larry & Kimberly Smith
Colleen Massey
Alan & Gail Johnston

In summarizing the comments and concerns of the landowners within the NW 22-26-29- W4M I feel that this re - designation & subdivision plan is well supported.

This application has allowed me to meet the adjacent landowners and begin a friendship. This has been a good experience.

If you have any questions or require any further information please contact me at 860-9930. Res. 285-0545

Yours truly

Wayne Poffenroth

June 23, 1997

Tekton Construction Ltd.
Box 55101 Temple Postal Station
Calgary, AB T1Y 6R6

Attention: Wayne Poffenroth

Subject: Proposed Concept Plan for NW1/4 22-26-29W4M

Dear Wayne,

We received your Concept Plan for the above mentioned property in the mail on Monday. After reviewing the information contained on the Concept Plan, we have no further concerns or questions. Basically, we feel that the Concept Plan summarizes information that we already had or were aware of and that there is no extra benefit for the Landowners to be in receipt of this Concept Plan. We assume that the M.D. of Rockyview will derive a benefit from the Concept Plan.

As a Landowner that has been patiently waiting to hear of the approval or disapproval of your subdivision application, we are hopeful that this additional administrative work (Concept Plan) will be sufficient for the Municipality of Rocky View to proceed with your application in a timely matter. As we have inquired as to the status several times on your proposal, we are becoming increasingly frustrated with the delays that have resulted in us having to use a "panhandle road" that has not been maintained adequately because we are unsure of this whole process and why it is being stalled. We have thus put off spending money on grading and gravelling the road ourselves as we expected this subdivision proposal to have been reviewed early in the spring of 1997.

Please proceed with the verbal approval from Larry and Kimberly Smith. The Concept Plan looks complete and we have no complaints or concerns at this time.

Yours truly


Larry and Kimberly Smith

Box 340, 300-8120 Beddington Bl. N.W.
Calgary, Alberta
T3K 2A8
Jan 13, 1997

MD of Rockyview No. 44
PO Box 3009
Stn. B., Calgary, Alberta
T2M 4L6

Attn. Laurie Kimber, Planning Services

Re: Application for sub division approval, File # 96-RV-101-6422003/6/22/23/24/25

This letter is submitted after joint discussion with the adjacent landowners, Goodman, Shannon, Huraj, Litkowski, Mc Millan, Taylor, Goodall, and Travis.

We have no objection in general to the proposed sub division by the applicant. We do however, have a concern with the types of development that may take place on these parcels once approval is granted. In particular we are concerned over the potential development of permanent mobile homes and modular homes.

The development of our sub division was made subject to certain restrictive covenants on each title. These restrictions pertained primarily to allowing only residential development in an orderly fashion. It is our request that these restrictions become part of the approval for this subdivision application. The conditions are not onerous, and will in the long term, ensure the maintenance of residential standards and property values in this area for all owners. A copy of the restrictive covenant is attached. Although no address was provided for the applicant, we will endeavor to provide him with a copy of this letter.

Please advise me if additional representations are required for the Municipal Council.

Yours Truly,



Alan Johnston,

Tel 226-0465 (h)
261-2477 (w)

June 26, 1997

Wayne Poffanroth
Tekton Construction Ltd.
Box 56101, Temple Postal Station
Calgary, Alberta T1Y 6R6

RE: Proposed Concept Plan, NW ¼ 22-26-29-W4M

Dear Wayne:

We have received your letter regarding your application before the M.D. of Rocky View to subdivide Lot 2, Block 2, Plan 9112185 and Lots 4 & 5, Block 2, Plan 9812206 within the above referenced quarter. As land owners within the above referenced quarter section, we are writing this letter to communicate our support for the subdivision of the above lots and your Proposed Concept Plan. We have no concerns with the subdivision and in fact, we believe, it will be a positive development for the area.

In summary, please feel free to communicate our support to the M.D. of Rocky View for your application to subdivide Lot 2, Block 2, Plan 9112185 and Lots 4 & 5, Block 2, Plan 9812206 within the NW ¼ 22-26-29-W4M. Should you require any further support, we would be more than happy to assist.

Yours truly,



Ralph & Shella Wegener
Land Owners

June 23, 1997

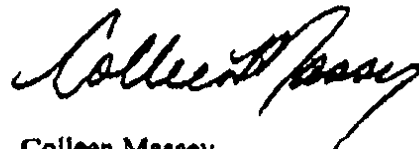
Wayne Poffenroth
Tekton Construction Ltd.
Box 55101, Temple Postal Station
Calgary, Alberta T1Y 6R6

ATTENTION: Wayne Poffenroth

RE: Proposed Concept Plan, NW 1/4 22-26-29-W4M

I am writing this letter regarding your application before the M.D. of Rocky View to subdivide Lot 2, Block 2, Plan 9112185 and Lots 4 & 5, Block 2, Plan 9612205 within the above referenced quarter. As a new land owner within the area, I am in full support of your application to subdivide lots and also of your Proposed Concept Plan. I believe that along with the building regulations in the area, the proposed subdivision will contribute greatly to the area. These particular lots are surrounded by previously subdivided areas that make up very appealing communities. I believe this subdivision would enhance the surrounding areas as well as the lots themselves. Please be aware that I support your application.

Thank you,



Colleen Massey