

HERITAGE POINTE



Stage 3 Area Structure Plan

Bylaw 55/2007

Adopted September 13, 2007

prepared for:
Upper Lakes Group Inc.

prepared by:

STONEFIELD
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PREFACE

In 1991 the Heritage Pointe Golf Course and three residential development areas at Heritage Pointe were approved as a recreational settlement under The Calgary Regional Plan.

The original Heritage Pointe Area Structure Plan (ASP) was adopted by the Municipal District of Foothills #31 on September 28, 1995 (Bylaw # 97/94). Amendments to the ASP were approved by the MD of Foothills on 2 March 2000 (Bylaw # 174/99) and further amendments were approved September 16, 2004 (Bylaw 80/2004).

The Heritage Pointe Stage 3 Area Structure Plan was prepared for the MD of Foothills on behalf of Upper Lakes Group by Stonefield Development Consultants. This ASP addresses a parcel of land contained within the Hamlet of Heritage Pointe, which is located east of the golf course lands and Deerfoot Trail and referred to herein as Heritage Pointe Stage 3. This parcel area was not included within the boundaries of the Plan area covered by the 1995 plan or subsequent plan amendments.

Following the required and prescribed public process, M.D. Council at its September 13, 2007 meeting, gave third and final reading to Bylaw 55/2007 authorizing the adoption of Heritage Pointe Stage 3 Area Structure Plan located in SW 4-22-29 W4 which will include a total of 272 dwelling units.

1.0 INTRODUCTION

1.1 Purpose of the Plan

The Heritage Pointe Stage 3 Area Structure Plan (ASP) has been prepared pursuant to provincial legislation, in order to provide for the orderly expansion of an established Residential District. The Plan is more detailed than the MD of Foothills Municipal Development Plan, and is intended to provide a framework for continued subdivision and development within the plan area.

In accordance with Part 17 of the Municipal Government Act (MGA), the Council of a Municipality may, by bylaw, adopt the Plan as a statutory document.

The Heritage Pointe Stage 3 Area Structure Plan has been prepared in accordance with provincial requirements outlined in section 633 (1) of the Municipal Government Act (Statutes of Alberta, 1994, Chapter M-26.1).

Section 633(1) For the purpose of providing a framework for subsequent subdivision and development of an area of land, a council may, by bylaw, adopt an area structure plan.

(2) An area structure plan:

(a) Must describe:

- (i) the sequence of development proposed for the area;*
- (ii) the land uses proposed for the area, either generally or with respect to specific parts of the area;*
- (iii) the density of population proposed for the area either generally or with respect to specific parts of the area; and,*
- (iv) the general location of major transportation routes and public utilities.*

(b) may contain any other matters the council considers necessary.

This ASP was prepared in accordance with the Municipal District of Foothills Municipal Development Plan and Land Use Bylaw and complies with the Municipal "Guideline for the Preparation of Area Structure Plans." Technical information required to complete this Area Structure Plan was obtained from the Municipal District of Foothills staff.

1.2 Background to this ASP

Heritage Pointe Stage 3 has evolved from an ongoing community based planning effort which commenced with the creation of the original Heritage Pointe ASP. Development and implementation of the original Heritage Pointe ASP involved consultation between the developer, adjacent landowners and residents, and

A 55.53 ha (137.23 acre) parcel (referred to herein as Heritage Pointe Stage 3) to the east of the Deerfoot Trail and north of Dunbow Road is the focus of this ASP. Figures 2(a) and 2(b) delineate the lands that are subject to this Area Structure Plan. Upper Lakes Group Inc. is the owner and intended developer of all the lands contained within the Plan boundaries.

This Plan is intended to establish the parameters for the orderly development of Heritage Pointe Stage 3.

The Area Structure Plan also considers numerous issues and concerns which have arisen regarding residential development in the Municipal District of Foothills / City of Calgary Intermunicipal Development Plan area. Specifically, this Plan within its boundaries:

- 1) establishes in more precise terms the nature, character, and location of future activities and development;
- 2) guides the orderly growth of this portion of the Dunbow Road corridor;
- 3) provides a basis for future planning actions within or adjacent to the Intermunicipal Development Plan;
- 4) addresses requirements for utility service rights-of-way; and,
- 5) provides for long-term infrastructure to service the Plan area and portions of the Dunbow Road corridor.

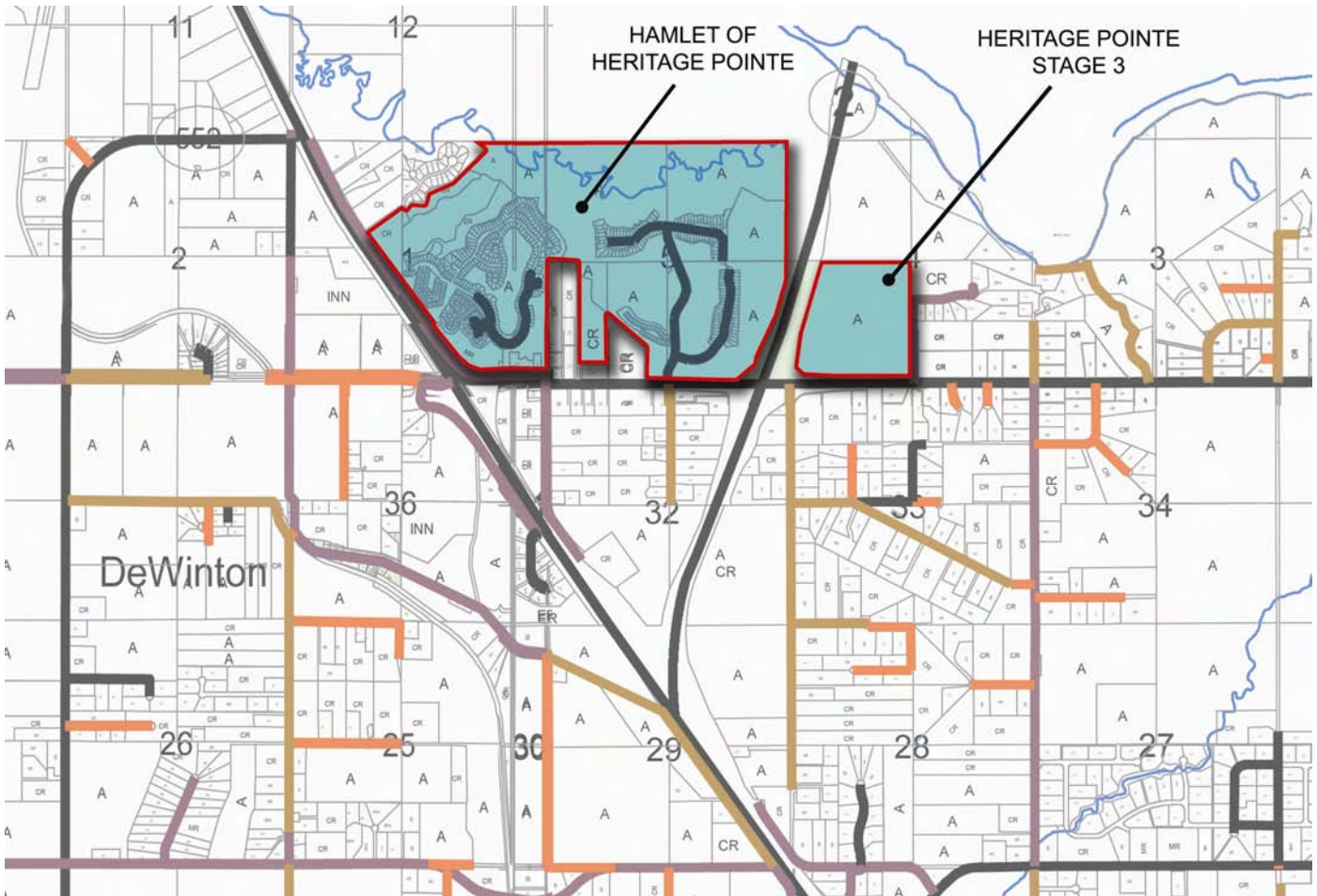


Figure 2 (a): *Lands Subject to the Heritage Pointe Stage 3 Area Structure Plan within the Hamlet of Heritage Pointe*

1.3 The Approval Process

The Municipal District of Foothills No. 31 requires the preparation of an ASP as a prerequisite to development of Heritage Pointe Stage 3. Preparation of this Area Structure Plan document has been undertaken by consultants engaged by Upper Lakes Group Inc., in consultation with Municipal District staff. The consultation process also involved numerous planning workshops and discussions with adjacent landowners and the public, identification of development opportunities and constraints, review of planning and conservation strategies, and the selection and refinement of a land use concept.

The Plan in its statutory form is the result of technical review, adjustment as necessary, a statutory public hearing, and consideration and subsequent adoption by Council as the Heritage Pointe Stage 3 Area Structure Plan.

1.4 Plan Implementation

The Heritage Pointe Stage 3 Area Structure Plan, once adopted, is a statutory document of the Municipal District of Foothills No.31. The ASP does not supersede, repeal, replace, or regulate or otherwise diminish the Intermunicipal Development Plan or other statutory plans in effect in the Plan area.

To be fully implemented, this Area Structure Plan may have to be incorporated into several other planning documents. These include: the MGA; the MD of Foothills Municipal Development Plan; and, the MD of Foothills Land Use Bylaw. In practice, this Plan will be implemented through commitments to public and private improvements which are embodied in the Area Structure Plan policies contained herein.

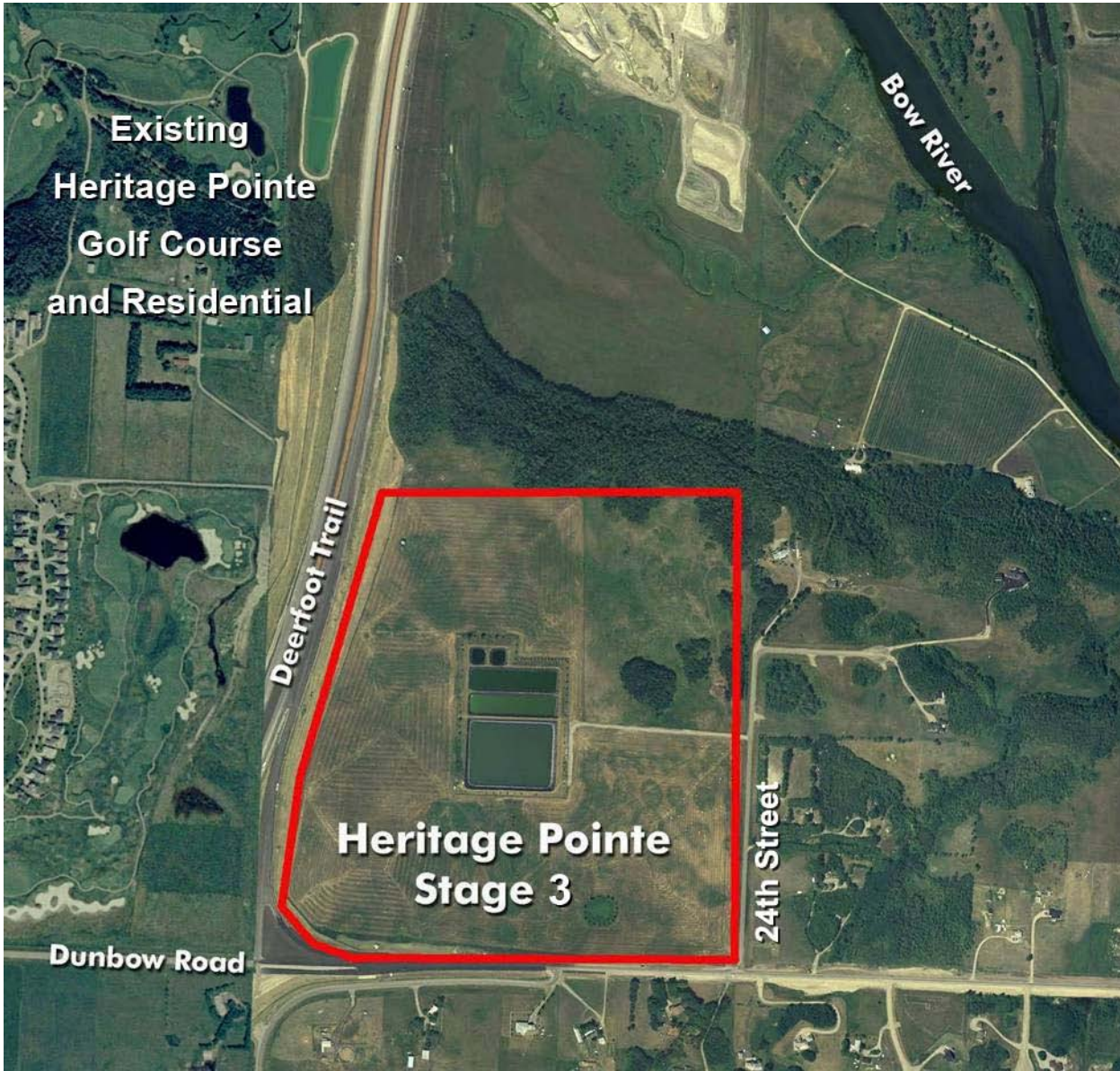


Figure 2(b): Aerial Photo of Plan Area

1.5 Plan Review

The ASP is designed to establish long-term planning strategies and guidelines for the Plan area. Because of this long-term nature, changing considerations such as environmental, social or economic factors may require periodic review and occasional amendment of the Plan. Council through monitoring of subdivision and development approvals, may initiate amendment of the ASP in accordance with Part 17 of the MGA. In addition, the landowner(s) or their agent(s) may request an amendment of the ASP by application amendment in accordance with the requirements and procedures of the MGA.

1.6 Interpretation

In this Plan, the following Interpretations shall apply:

"**ASP**" or "**Plan**" means the Heritage Pointe Stage 3 Area Structure Plan.

"**Construction Management Plan**" means a plan to be written and implemented by the developer to mitigate to a reasonable extent the effects of construction on the neighbouring land owners.

"**Council**" means the Council of the Municipal District of Foothills No. 31.

"**Developer's Agreement**" means a negotiated agreement between the developer and the Council of the Municipal District of Foothills which outline the responsibilities of the developer for each phase of development.

"**Heritage Pointe Stage 3**" means all lands within the defined boundaries of the Heritage Pointe Stage 3 Area Structure Plan.

"**MD**" means the Municipal District of Foothills No. 31.

"**Owners' Associations**" means the Heritage Pointe Stage 3 Owners' Association and/or various Condominium Corporations.

"**Qualified Professional**" means a professional engineer, geologist, or geophysicist licensed to practice in the Province of Alberta.

"**Intermunicipal Development Plan**" means The City of Calgary/MD of Foothills No. 31 Joint Plan ratified by the MD of Foothills in May 1996, and the City of Calgary in June of 1996.

"**Subdivision Approving Authority**" means the Council of the Municipal District of Foothills No. 31.

"**Tentative Plan Preparation Stage**" means that stage of the land development process in which detailed site analysis is undertaken, local planning needs and

development philosophy are identified, and site-specific subdivision design is prepared.

"**Tentative Plan**" means a detailed proposal for development of the lands or of any portion thereof, which may form the basis for an application for subdivision.

2.0 THE PLAN AREA

2.1 Regional / Municipal Context

Heritage Pointe is located near the northern boundary of the Municipal District of Foothills No. 31, immediately east of Highway 2 and north of Dunbow Road (refer to Figure 1). The Dunbow Road corridor is the highest density residential area in the MD outside of Okotoks and High River. In addition to the existing development at Heritage Pointe, two other major golf course developments and numerous country residential subdivisions are located in this area.

The Heritage Pointe Stage 3 Area Structure Plan covers approximately 55.53 ha (137.23 acres). The Plan area is generally bounded by the Pine Creek Valley to the north; by Dunbow Road to the south; by Deerfoot Trail to the west; and by 24th Street to the east. Dunbow Road, which abuts the Plan area to the south, provides the primary access into the plan area. Deerfoot Trail provides alternate access for eastbound and westbound traffic from Dunbow Road.

The lands immediately adjacent to the Heritage Pointe Stage 3 Plan area possess a distinctly country residential character. The regional landscape varies from flatland prairie to the east and rolling grasslands to the west, with mixed farming operations and residential acreages dominating the countryside. Other existing land uses in the vicinity include higher density residential development within Heritage Pointe, a gravel pit, home-based businesses, as well as the Carnmoney golf course. All of these land uses generate traffic which utilizes Dunbow Road and the Deerfoot freeway.

2.2 Definition of the Plan Area

The Heritage Pointe Stage 3 Area Structure Plan encompasses approximately 55.53 ha (137.23 acres) of land, which is contained in one title within the Hamlet of Heritage Pointe. All of the undeveloped lands contained within the Plan boundary are owned and controlled by Upper Lakes Group Inc.

2.2.1 Legal Description of the Plan Area

SW ¼ Section Township 22, range 29, west W4M excepting thereout Road plan 9411915 comprising 6.343 ha55.53 ha 137.23 acres

2.2.2 Topography

The Plan area encompasses a flat to gently undulating upland. Slopes are less than ten percent on the majority of the upland areas.

The Pine Creek valley, which is a tributary of the Bow River, drains a land area west of Highway 2. Water flow in Pine Creek is seasonal with generally low water flows. Valley sides are steep with heavy tree cover on the south escarpment. See Figure 3 (Topographic Characteristics).

2.3 Land Use Strategy

The land use strategy which has been established for the Heritage Pointe Stage 3 Plan Area (see Figure 4) represents the culmination of a comprehensive land use planning process. It responds to the sensitive interfaces between existing surrounding land uses and proposed land uses within the Plan area. Significant tracts of open space have been incorporated along the south and east plan boundaries in consideration of neighbouring rural residential uses. Site access responds to functional and aesthetic relationships with existing adjacent rural residences by incorporating a realigned section of 24th Street into the entry sequence proposed for the plan area. A municipal reserve area has been incorporated in the southeast corner of the Plan area. In addition, a private community amenity area is strategically located in a central position along the Western Plan Area boundary. The private community amenity area is intended to enhance the recreational character and identity of the overall Heritage Pointe community. This area shall be constructed by the developer and shall be maintained in perpetuity by the developer or by a community-based owners' association.

The land use strategy evolved from discussions, workshops and meetings with adjacent land owners, the public and MD staff. The resulting plan incorporates, to the extent possible, the comments and considerations expressed during the consultative process.

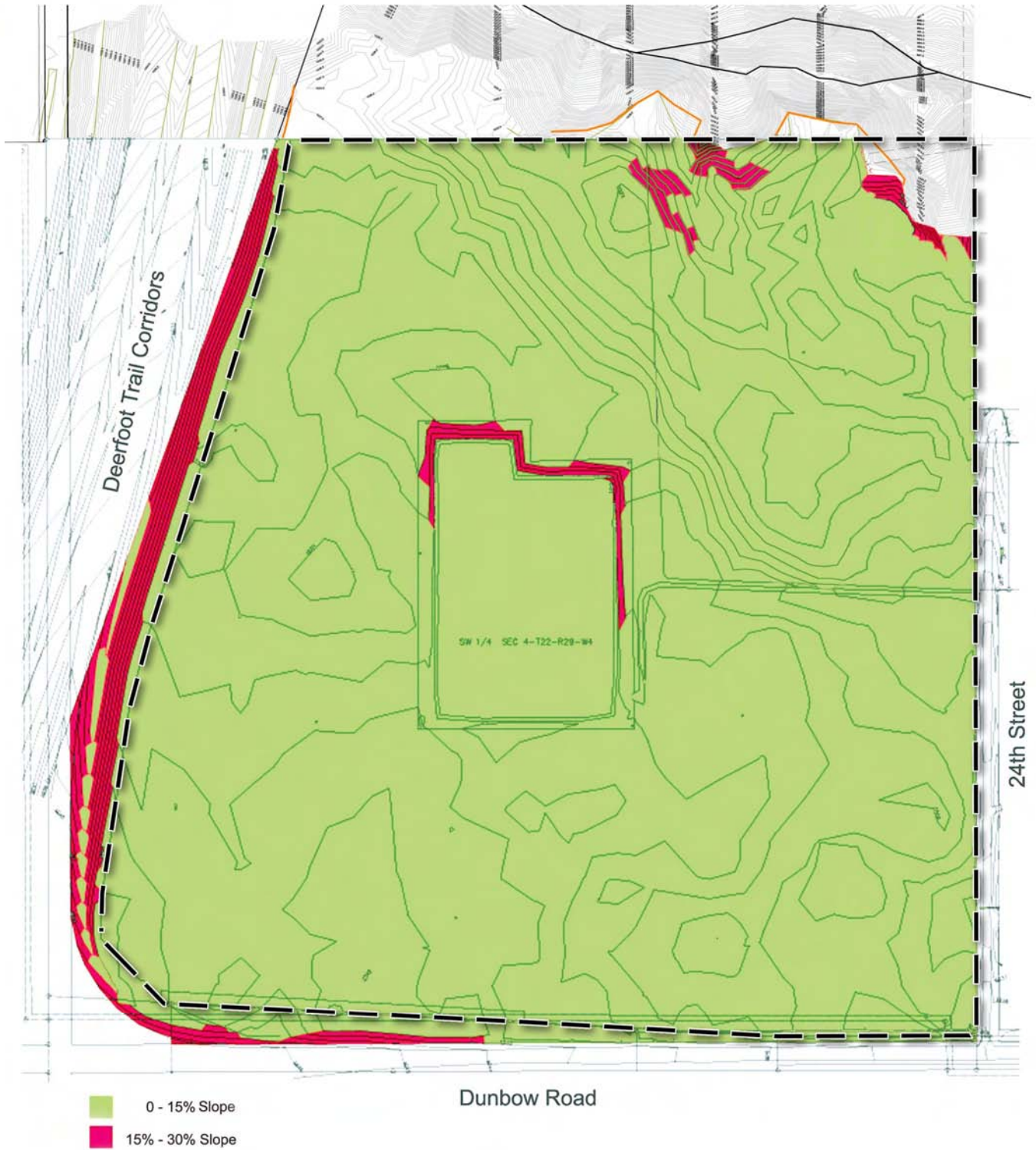


Figure 3 - Topographic Characteristics

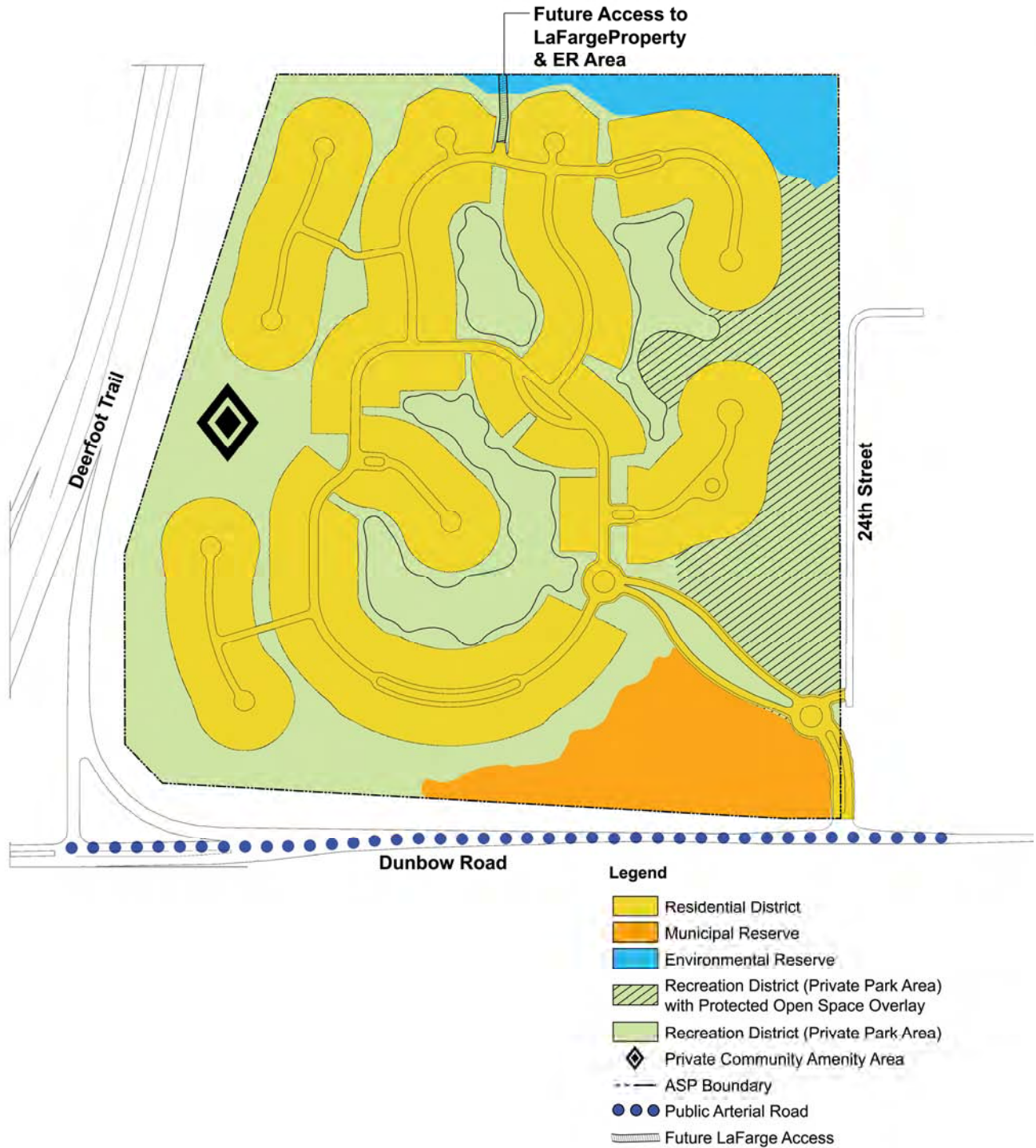


Figure 4: Land Use Strategy

3.0 PLAN OBJECTIVES & GUIDING PRINCIPLES

3.1 Objectives

The primary objective for the Heritage Pointe Stage 3 Area Structure Plan is to provide a planning framework for the development of an attractive residential community which compliments the existing development at Heritage Pointe and the surrounding countryside. These overall objectives are supported by specific guiding principles which determine the form and character of development in the Plan area.

3.2 Guiding Principles

Site Development

- All development shall be in accordance with statutory policy and municipal standards in effect at the time of approval; however there will be site specific requests for relaxation to building heights and building setbacks;
- Development should be permitted in those areas where site constraints are minimal;
- Patterns of development should be reasonably determined by the natural form and character of open spaces;
- Development should be visually buffered from Dunbow Road, 24th Street and Deerfoot Trail, within reason.

Environmental Sensitivity

- Development should contribute to the overall enhancement of the environment and create a positive balance between the Heritage Pointe Stage 3 community and adjacent natural and man-made areas;
- The character of Heritage Pointe Stage 3 should take into account the scenic, recreational, open space, and wildlife issues in the existing community;
- Major creek corridors, woodlands, and steep slopes should be protected from development;
- Public access to Environmental Reserve areas will be accommodated by the future access to the LaFarge Lands or from 24th Street via the appropriate easement to be determined as a condition of subdivision.
- Water resource management and “Built Green” strategies should be developed and implemented for both home construction and site improvements including private and public common areas.

Image and Identity

- The community should create a positive image and identity for the Municipal District of Foothills No. 31 by building upon the area's natural resources and scenic character, by giving structure and orientation to the environment, and by

fostering creativity and innovation in fitting growth and new development within the natural landscape and existing man-made environments;

- A coherent pattern of development should be organized around a series of open spaces and natural areas.

Residential Development

- Residential design standards will be proposed in conjunction with subdivision via the architectural and landscape design guidelines registered on each lot at the time of subdivision;
- The various housing forms should possess their own individual character and identity; however, residential design should contribute to the overall community image reflected in this Plan.
- The land use application shall allow for a site specific amendment to the existing building height limitations, in order to permit 12 metre high residences as well as site specific amendments to side yard setbacks on corner lots to allow up to a 90% relaxation and front yard setbacks to allow for a 4 metre setback. These relaxations are required to enhance the quality and design of the homes. Also, granting these relaxations within the ASP, precludes builders from future requests for relaxations, particularly front yard setbacks on corner lots and determines in advance which street on a corner lot is front and which is side yard.
- The various types of residential development proposed are discussed in section 4.2.1.

Private and Public Recreation

- Adequate land should be provided through municipal reserve dedication to meet the needs of area residents for the development of public amenities;
- Pathways should be provided, where they can offer a pleasant and safe experience;
- In general, pathways should be located in order to maximize safety and minimize conflicts between users while providing, where possible, a sense of detachment from developed areas;
- Common open spaces within development nodes should be planned to provide intermittent breaks in the development pattern, to open up views to ravine areas, and to link to parks, and open spaces;
- Development of private parks serving the passive recreational needs of residents with pathways, sitting areas, grassy knolls, landscaped edges, and children's play areas should be communally created and maintained through locally based Owners' Associations.

Infrastructure

- Service infrastructure should be developed in a manner which best serves the various land uses and future growth plans of the Municipal District;

- Improvements to the existing infrastructure systems should be made in a timely manner appropriate to community needs and the developer's phasing strategy based on market absorption and associated economic conditions;
- The costs of infrastructure as required by Heritage Pointe Stage 3 development may be shared with future developments which propose to utilize the infrastructure, at the discretion of Council.

Safety

- Development should occur in a manner which minimizes public exposure to hazards affecting health, safety, and general welfare.
- Development will be carried out in accordance with requirements of the development agreement executed with the MD of Foothills.

Development Phasing

- Development should be phased in a logical, efficient, and reasonable manner with a concerted effort to minimize the amount of disruption to residents, while corresponding with the growth and development objectives of the Municipal District of Foothills No. 31 and the developer. The developer will prepare a Construction Management Plan which will contain detail with respect to the development phasing, the anticipated schedule of construction and the measures to be employed to mitigate disruption to the area residents. The construction management plan must be approved by Council and will be included with the Developer's Agreement executed with the MD of Foothills.
- Development is generally planned to be phased in accordance with the following phasing table 1, although this will vary depending on actual market conditions at the time. All lands within the plan area will be part of redesignation with future applications for subdivision for each phase. The number of lots for each phase will be part of the application for subdivision to a maximum number of lots on the site of 272.

Table 1: **Development Phasing**

Projected Units in the Heritage Pointe Stage 3 Area Structure Plan

	LOT TYPES			<u>Total</u>
	<u>Estate</u>	<u>Executive</u>	<u>Villa</u>	
Phase 1	33	9	40	82
Phase 2	0	38	42	80
Phase 3	0	45	0	45
Phase 4	39	0	26	65
Total	72	92	108	272

Heritage Pointe - Stage 3 Density:

Total ASP Area = +/- 55.53 ha (137.23 Acres)
 Total ASP Units = 272
 ASP Density = 4.9 Units per ha (1.98 UPA)

Hamlet of Heritage Pointe:

Total Hamlet Area = +/- 419.3 ha (1,036.09 Acres)
 Total Hamlet Units = 927
 Hamlet Density = 2.2 Units per ha (0.89 UPA)

Heritage Pointe Stage 3 Population Forecast

Total ASP Units = 272
 # persons/unit = 2.61
 Stage 3 Forecast Population = 710 persons

Source: StatsCan 2004 Survey of Household Spending



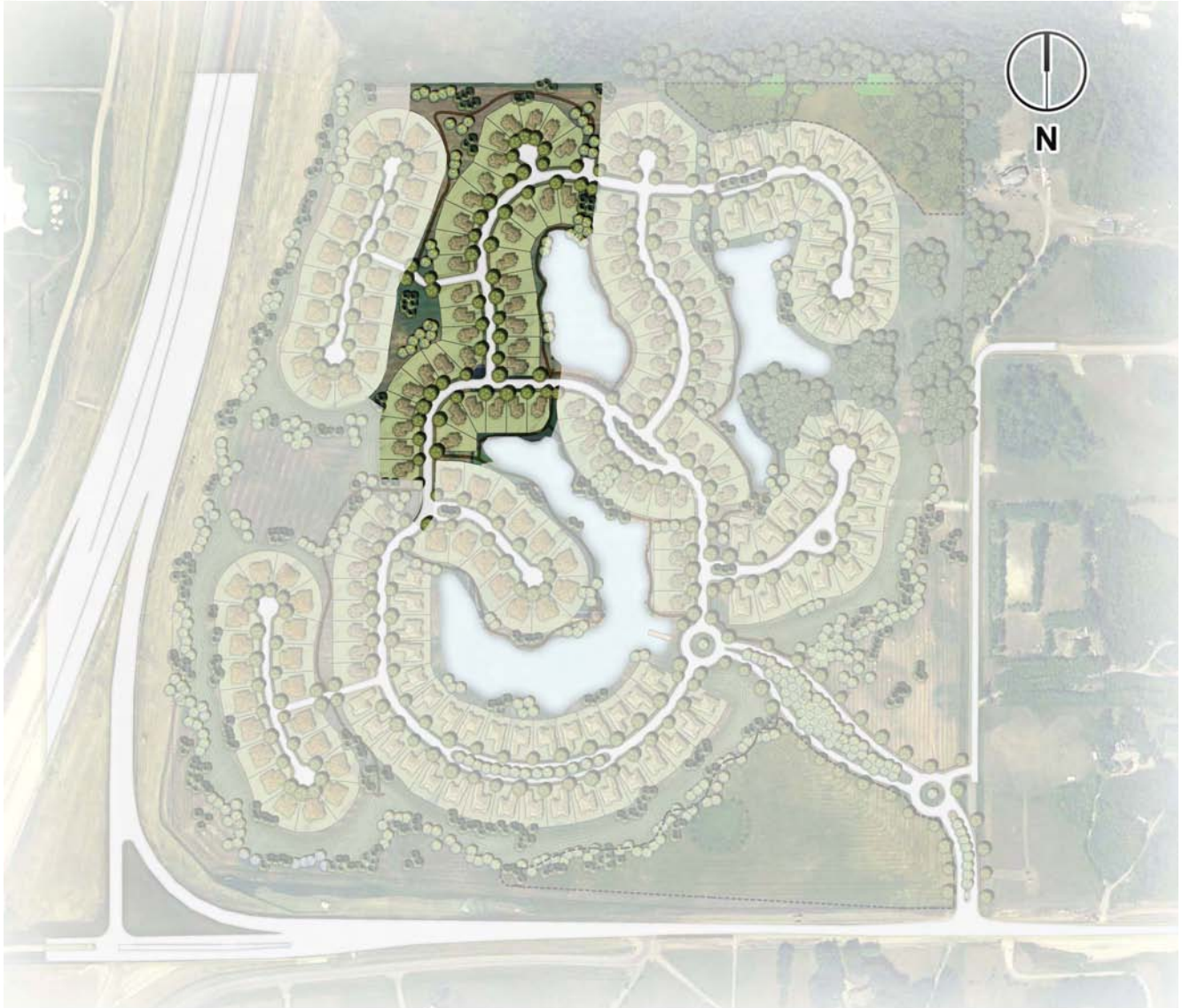
Phase 1 Development Summary

33 - 1/4 ac. LOTS
 9 - 65' LOTS
 40 - VILLAS
 82 Total Residential Units

LEGEND

-  1/4 ac. LOTS
-  65' LOTS
-  VILLAS
-  TRAIL NETWORK

Figure 5: Phase 1



Phase 2 Development Summary

38 - 65' LOTS

38 Total Residential Units

LEGEND



65' LOTS



TRAIL NETWORK

Figure 6: Phase 2



Phase 3 Development Summary

45 - 65' LOTS
42 - VILLAS
87 Total Residential Units

LEGEND

-  65' LOTS
-  VILLAS
-  TRAIL NETWORK

Figure 7: Phase 3



Phase 4 Development Summary

39 - 1/4 ac. LOTS

26 - VILLAS

65 Total Residential Units

LEGEND


-  1/4 ac. LOTS
-  VILLAS
-  TRAIL NETWORK

Figure 8: Phase 4

4.0 PLAN POLICIES

4.1 The Plan Concept

The Area Structure Plan, as a planning framework for the community of Heritage Pointe Stage 3, provides a guide for future development decisions by the Municipal District of Foothills No. 31.

The land use policies outlined herein will ensure the development of an attractive residential community which complements the existing character of the Hamlet of Heritage Pointe. While Plan policies provide for the continuous development of residential uses, a recreational open space network throughout is envisioned. The Plan protects the slopes along the north boundary of the site and a significant aspen stand on the property.

The Plan takes full advantage of the natural setting in terms of views over the Pine Creek valley towards the City of Calgary as well as views to the west towards the foothills and the Rocky Mountains and the south and east Foothills vistas.

To summarize, the overall community design objective for the Plan area is to establish a high quality of design that respects the integrity of the landscape and surrounding land uses, reflects the unique qualities of the area, and contributes in a positive manner to the identity of Heritage Pointe.

4.2 Land Use Components

The Area Structure Plan allocates specific lands for various uses. A residential land use designation is proposed for development of Stage 3, together with other land uses which include Municipal Reserve, Environmental Reserve and Recreation District designation.

See Figure 4 for the Land Use Strategy and Appendix A for a more detailed Conceptual Plan.

4.2.1 Residential

Three (3) different housing types have been incorporated into the plan. The Estate Single-Family housing type provides for larger lot low-density detached housing. Executive Single-Family housing type provides an alternative for low density detached housing. The "Villa" housing type provides for a semi-detached housing alternative at a slightly higher density.

In total, the residential-designated lands provide the potential for up to 272 housing units in Heritage Pointe Stage 3 (see Section 5.0). Land use policies for the various residential housing forms proposed are summarized below.

General Residential Policies

- The maximum building height shall be 12 m (39.3 feet);
- Stage 3 is subject to architectural controls that reinforce the character of existing homes at Heritage Pointe;
- For all residential lots, front yard setback shall be a minimum of 4 m (13 feet);
- Setbacks on corner lots can be relaxed up to ninety (90) percent provided the front yard is designated by the Developer;
- In all other cases the "Residential District" of the Foothills Land Use bylaw applies;
- In conjunction with the Land Use Redesignation application, the Developer held stakeholder and neighbourhood workshops and open houses to allow public input and comment on the proposed land use plan;
- As a condition of Land Use approval (1st reading) the Developer shall undertake to provide the following, all to the satisfaction of Council and specifically to the satisfaction of Alberta Environment and Alberta Transportation, as required:
 1. draft architectural guidelines;
 2. a conceptual landscape plan which protects as many trees as possible, identifies the placement of new trees, and outlines recreation district area improvements;
 3. a grading plan;
 4. a report stating the methods by which the developer plans to mitigate traffic noise from Highway #2 and Dunbow Road;
 5. a Construction Management Plan that addresses development phasing and detailed mitigation strategies internal and external to the Heritage Pointe Stage 3 Plan area that will help reduce the impacts of construction and development;
 6. a Stormwater Management plan.
 7. any other information deemed necessary by Council

Estate Single-Family

The largest single family lots within the Plan area have been designated Estate Single-Family. These 1/4 acre lots will promote the design of high quality homes with wide side yards and lot coverage in the order of 25%. Substantial yards will be available to allow view lines between homes and well landscaped front and rear yards. The architectural and landscape design guidelines registered at time of subdivision will stipulate the detailed design regulations and method of enforcement which will be applied.

- lot size shall be approximately 1,000 square metres; (10,764 sq. ft.)
- effective lot frontage (measured parallel to the front lot line, at a distance into the lot of approximately 15 metres) shall be approximately 23.7 metres; (78 feet)
- development should encourage lot frontages and building guidelines which exceed conventional city type neighbourhoods;
- development should allow for a defined building envelope to encourage a regular distribution of housing sites in keeping with a more structured neighbourhood character;
- the natural landscape should be maintained where possible, and housing structures should be sympathetic to the natural landscape;
- a building form should be promoted which, when viewed from the street, emphasizes the residential nature of the building and reduces the visual impact of garages on the streetscape;

Executive Single-Family

The Executive Single-Family neighbourhoods are similar to the character established within the Estate Single-Family areas but will have slightly smaller lots. A similar development pattern employed for the Estate Single-Family areas will be extended to these neighbourhoods and will be reinforced through architecture that is complementary in character. The architectural and landscape design guidelines registered at time of subdivision will stipulate the detailed design regulations and method of enforcement which will be applied.

- lot size shall be approximately 780 square metres (8400 sq. ft.);
- effective lot frontage (measured parallel to the front lot line, at a distance into the lot of 15 metres) shall be approximately 19.8 metres; (65 feet)
- lot coverage should be in the order of 30 - 35%;
- development should encourage lot frontages and building guidelines which exceed conventional city type neighbourhoods;
- development should allow for a defined building envelope to encourage a regular distribution of housing sites in keeping with a more structured neighbourhood character;
- the natural landscape should be maintained where possible, and housing structures should be sympathetic to the natural landscape;
- a building form should be promoted which, when viewed from the street, emphasizes the residential nature of the building and reduces the visual impact of garages on the streetscape;

Semi-Detached (Villas)

Villas are semi-detached homes which are typically provided within a condominium corporation ownership structure, and offer a maintenance free

lifestyle. Identifiable neighbourhood patterns are to be achieved through the use of architecture having a complementary character to the Estate and

Executive Single Family residences yet well integrated into the surrounding development. The architectural and landscape design guidelines registered at time of subdivision will stipulate the detailed design regulations and method of enforcement which will be applied.

- lot size shall be approximately 543 square metres (5,845 sq. ft.) per unit for a combined lot width of 27.4 metres; (90 feet)
- building complexes shall be comprised of no more than two housing units; architectural detailing will be to a very high level;
- Architectural design shall allow for some variation between different enclaves while reinforcing an overall common theme and character.
- clear development patterns composed of buildings with complementary architectural character should be created that are sensitive to the surrounding single-family developments;
- a continuity of landscape treatment within each Semi-detached neighbourhood should be encouraged; and
- clear circulation patterns which relate in a positive manner to the internal collector road should be created.

4.2.2 Environmental Reserve

In response to the objectives of Part 17, Section 664 of the MGA of Alberta, the Plan designates lands that are considered to be environmentally sensitive. These lands, within Heritage Pointe Stage 3 are designated as Environmental Reserve Lands. These areas include the sloped area above the top-of-bank of the Pine Creek valley contained within the plan area (**Figure 4**). The intention of the Environmental Reserve area is to preserve the natural integrity of drainage courses, to provide public access and to protect lands which are environmentally sensitive.

- Development except for walking trails shall be prohibited ;
- All areas designated as Environmental Reserve are identified on Figure 4;
- Setback criteria from the top-of-bank shall be in accordance with M. D. policy at the land use approval stage; setbacks shall reflect specific biologic, hydrologic, and geologic conditions along escarpments and requirements of the MD Land Use Bylaw;

4.2.3 Municipal Reserves

Pursuant to Part 17, Section 665 of the MGA of Alberta, the Plan designates an area of land as future Municipal Reserve. The future Municipal Reserve parcel consists of a consolidated land area located in the southeast corner of the Plan area bordering Dunbow Road to the south and the realigned 24th street to the east. A total of 4.0 ha (9.90 acres) (8.5%) has been designated as municipal reserve out of a required 10% or 4.72 ha (11.68 acres), based on the referenced legislation. This location helps to establish a transition area between Dunbow Road and adjacent country residential uses. (See Figure 4) The balance of possible MR area could be dedicated or provided as cash in lieu at Council's discretion. The developer prefers to pay cash in lieu for the remaining 0.72 ha (1.78 acres) of MR.

4.2.4 Recreation District

Protected Open Space

Under ownership and control of the Owner's Association, the intention of the protected open space is to protect and enhance the existing characteristics of the land and establish a buffer area between existing and proposed land uses.

- The developer shall grade and landscape the protected open space and be entitled to construct walking trails throughout the designated protected open space. When completed the developer shall register an encumbrance against the protected open space restricting any further development on the land and obligates the Owner's Association to maintain the land in perpetuity at no cost to the M.D.
- All areas designated as protected open space fall within the broader Recreation District designation and are illustrated on Figure 4
- Landscape buffer planting and related landscape treatments shall comprise low maintenance considerations and shall consist of native materials to the greatest extent possible.

Private Park Areas

Because of the intended development of some of the residential areas on a condominium ownership basis and because of the difficulty and cost to the MD of maintaining smaller local parks in scattered residential areas, the Heritage Pointe Stage 3 Area Structure Plan provides for the establishment and maintenance of private parks within the site specific Recreation District designation (See Figure 4) without obligation to the MD, as follows:

- private park spaces shall be constructed by the developer, and shall be maintained in perpetuity by community-based Owners' Associations and / or Condominium Corporations;
- private park areas are in addition to the lands provided as Municipal Reserve.
- Private park areas will be developed with active recreational facilities which may include pathways, tennis courts, playground structures and other recreation amenities for the use and enjoyment of the Owners Association

4.2.5 Historic and Cultural Resources

The intent of the ASP with respect to historic and cultural resources is to ensure that development does not negatively impact such resources which may exist within the plan area. In response to this objective, the developer has conducted a detailed on site investigation and study.

- All historic and cultural investigative reports have been prepared in accordance with MD and Provincial requirements;
- All historic and cultural resources have been successfully removed and stored in an approved off-site location.

4.3 Transportation

4.3.1 Internal Roadways

The internal roads will be constructed at the sole expense of the developer. The construction standards of the internal roads will be assessed in detail after 1st reading on a bylaw for redesignation of the subject plan area, in accordance with MD standards in place at the time of 1st reading on a bylaw for redesignation of the subject plan area. Construction of the internal roads will be in accordance with the Development Agreement executed with the MD to the satisfaction of Council. Maintenance of the public roadways will be the responsibility of the developer in accordance with the Developers Agreement until such time as the MD has accepted the roads as public roads.

- Roads contained within the condominium plans shall be constructed to the satisfaction of Council, in accordance with executed Development Agreement and shall be maintained by the developer or the condominium association in perpetuity.
- A road right of way to provide access to the parcel owned by LaFarge will be made available to the satisfaction of Council, to be determined as a condition of subdivision.

4.3.2 External Roadways

Two external roadways exist adjacent to the Heritage Pointe Stage 3 Area Structure Plan area (see **Figure 5**). Deerfoot Trail is under the jurisdiction of Alberta Transportation. Dunbow Road is under the jurisdiction of the Municipal District of Foothills No. 31.

External Road Improvements will be required as a result of the development within the subject plan area. All requirements for improvements to the external roads will be constructed at the sole expense of the developer. The improvements will be assessed in detail after 1st reading on a bylaw for redesignation of the subject plan area, in accordance with MD standards in place at the time of 1st reading on a bylaw for redesignation of the subject plan area. All improvements to external roads will be completed in accordance with Development Agreement executed to the satisfaction of Council and to the satisfaction of Alberta Transportation. Required improvements will be based on sound engineering and transportation planning practices.

- The developer will provide a financial contribution towards the maintenance of the external roads in the vicinity of the subject plan area in accordance with MD policy established at the time of 1st reading on a bylaw for redesignation of the subject plan area. All contributions towards maintenance of the external roads will be completed in accordance with the Development Agreement executed to the satisfaction of Council.
- The Development Agreement will contain the Construction Management Plan which will set forth the standards of construction, the phasing strategy for the development, the schedule of construction and the mitigation strategies to be implemented by the Developer to reduce as much as is reasonably possible the effects of construction on the neighbouring landowners. The Construction Management Plan will be completed by the developer to the satisfaction of the Department of Public Works and Council.

According to the October 2006 Traffic Impact Study conducted by Dillon Consulting for the Heritage Pointe Stage 3 Plan Area, the proposed development can easily be accommodated on the area road network with minimal impact and / or modifications required.

4.3.3 Noise

A Noise Control Study has been completed for the Heritage Pointe Stage 3 Area Structure Plan.



Legend




-  External Roads
-  Internal Public Roads
-  Internal Private Roads

Figure 9: Internal & External Roads

4.4 Utilities and Servicing

4.4.1 Sanitary Sewer

Sanitary sewer service for the Hamlet of Heritage Pointe is provided by Corix Utilities (Corix). The system consists of a network of gravity sewer pipes, lift stations, forcemains and mechanical treatment facilities. The developer will be responsible for construction of the sanitary sewer infrastructure to the satisfaction of the MD and in accordance with the Development Agreement executed to the satisfaction of Council.

The existing sewage lagoon located in the SW $\frac{1}{4}$ of Section 4 was designed to treat the sewage for the first stage of development which incorporated the homes built adjacent to the golf course. This lagoon is currently being decommissioned and reclaimed. All sewage from Stage 1 is now piped to the mechanical treatment plant.

The mechanical treatment plant is located in the NW $\frac{1}{4}$ of Section 5. This plant is designed to provide service to Heritage Pointe and will be expanded to handle the sewage from the Stage 3 Plan Area. Treated effluent from the plant is continuously discharged to the Bow River in accordance with Provincial approvals and licences.

An application to Alberta Environment for approval to expand the plant will be made. A new sewage lift station and forcemain will be required to pump the sewage from the Stage 3 Plan Area to the treatment plant.

Design and construction of all sewage treatment facilities to service the Plan area will be the responsibility of the developer and transferred to Corix upon expiry of a warranty period. All facilities will be designed in accordance with Provincial approvals & licences and will be constructed to the satisfaction of Alberta Environment and the Municipal District of Foothills No. 31.

The Sanitary Sewer System is illustrated in Appendix C.

4.4.2 Water Supply

Water service for the Hamlet of Heritage Pointe and adjacent communities / developments is currently supplied by Corix Utilities (Corix). Corix diverts and transports water from the Bow River to their treatment facilities to supply the Hamlet with potable water. Corix will supply water to the Stage 3 ASP area.

Corix's licences to divert water from the Bow River include sufficient water to service the Hamlet of Heritage Pointe which includes Stage 3, Pinehurst and the Heaver Property.

The existing water treatment plant is designed to supply potable water for the entire Hamlet and Pinehurst.

There are two existing water storage reservoirs and pumphouses in the Hamlet.

- The main water storage reservoir and pumphouse is located in NW quarter of Section 5 and services the Golf Course Stage. It in turn feeds water to the second storage reservoir.
- The second water storage reservoir and pumphouse is located in the south half of Section 6 and services the Lake at Heritage Pointe and Pinehurst.

Additional distribution pumps and a reservoir will be required to service the domestic needs of the Stage 3 Plan Area. The existing fire pump at the main pumphouse has sufficient capacity to provide adequate fire protection to Stage 3. The developer will be responsible to construct pumping facilities and a reservoir within the Stage 3 ASP area.

A looped water main distribution system has been designed for the Hamlet of Heritage Pointe to ensure continuous water supply to customers in the event of a water main break. This looped system will be extended to service Stage 3.

The Water Supply System is illustrated in Appendix D.

4.4.3 Storm Water Management

The roads in Stage 3 contain an underground piped storm water system that intercepts stormwater through a series of catch basins. Surface drainage from lots and open spaces will reach the piped storm system by overland flow. Stormwater will be directed to three detention ponds located in the Stage 3 plan area. Oil-grit separators will be used to remove sediments and other pollutants prior to the water entering the detention ponds. The ponds will also allow sediment to settle out of the water.

The detained stormwater will continue to be treated on site. The water will be aerated using fountains, and re-circulated by pumping. Water from the ponds will be used for irrigation on-site eliminating the use of potable water for irrigation.

In the 1:100 year storm event storm water will be released to a piped system at the north east corner of the plan area. The piped system will contain an energy dissipating device to slow the flow of water prior to

reaching the outfall. Stormwater will be released at the predevelopment rate to Pine Creek upstream of its confluence with the Bow River.

The developer will be responsible for the design and construction of the storm water management system to the satisfaction of the MD and AT and in accordance with the development agreement executed to the satisfaction of MD Council.

Approvals from Alberta Environment for the overall storm water management system will be required.

The Storm Water System is illustrated in Appendix E.

4.4.4 Shallow Utilities

Natural gas, power, cable television and telephone will be available from Atco Gas (Atco), FortisAlberta, Shaw Cable (Shaw) and Telus Communications Inc. (Telus) respectively. These utilities will be provided by extensions of the existing systems servicing this area.

Shallow utilities within the Stage 3 Plan Area will be installed in conventional 3.5 metre wide easements along the front of the lots.

Atco has presented two options for servicing of Stage 3. These options involve connecting to either the existing Atco Pipelines high pressure or Atco Gas low pressure line that run along the south boundary of the development. In both options Atco will require an easement or utility right-of-way for construction of a pressure regulator station.

FortisAlberta proposes to service Stage 3 from their existing three phase line running along 24th Street

Shaw's existing cable television infrastructure currently stops on the west side of Deerfoot Trail. Shaw proposes to extend their infrastructure across Deerfoot Trail to service Stage 3. Shaw's infrastructure will also provide high speed internet service.

Telus will be providing both telephone and high speed internet service to the development.

4.5 Escarpments and Sloped Areas

It should be noted that an escarpment exists outside the northern boundary of the ASP area. In accordance with the Municipal District of Foothills No. 31 development guidelines, the location of escarpments is established as the line where the slope is steeper than 15% (8.5 degrees). In this regard the following guidelines apply:

- Development shall be permitted on or adjacent to slopes less than 15% (8.5 degrees).
- Development shall not be permitted within 30 metres of the toe or crest of any escarpment or slope.
- Development may be permitted within areas not meeting the above requirements providing a geotechnical investigation by a qualified engineer is prepared stating the proposed development is stable and development will not affect the stability of the slope.

A slope stability analysis was performed by McIntosh Lalani Engineering Ltd., "Geotechnical Evaluation, Heritage Pointe Stage 3, DeWinton, Alberta", dated June 2005, ML file # 2520. The building setback requirements for the Bow River Valley escarpment vary from 30 metres at the west end to 40 metres at the east end from the geotechnical top of slope, depending upon the height and steepness of the slope. The building setback requirement for the Deerfoot Trail escarpment is 7 metres from the geotechnical top of slope. These setback requirements will provide a minimum factor of safety of 1.5.

The geotechnical "Top of Slope" for the Bow River Valley escarpment is shown on the drawing in Appendix F.

The Stage 3 ASP concept plan meets the Municipal District of Foothills No. 31 Land Use Bylaw for setback requirements.

5.0 IMPLEMENTATION

The phasing of Heritage Pointe Stage 3 shall occur in an efficient, logical and orderly manner. The phasing strategy which has been developed for the Plan area takes into consideration such factors as current planning policy, market conditions, utilities design, road capacity and vehicular access.

The development of the Heritage Pointe Stage 3 Plan Area is divided into four phases. The phasing strategy is illustrated in **Figures 5,6,7 & 8** and as summarized previously in section 3.2 Table 1 Development Phasing. All MR lands will be dedicated and remaining required MR will be provided as cash in lieu as part of Phase 1 subdivision.

Also please note that ER lands will be dedicated in the fourth phase and associated Recreational District Land in the phase it is adjacent to.

Appendix A
Master Plan Concept



Stage 3
Area Structure Plan
**HERITAGE
POINTE**

LEGEND

-  Estate Single Family
1/4 Ac. Lots - 78' x 140'
-  Executive Single Family
65' x 130' Lots
-  Villa Units
-  Trail Network

Development Summary

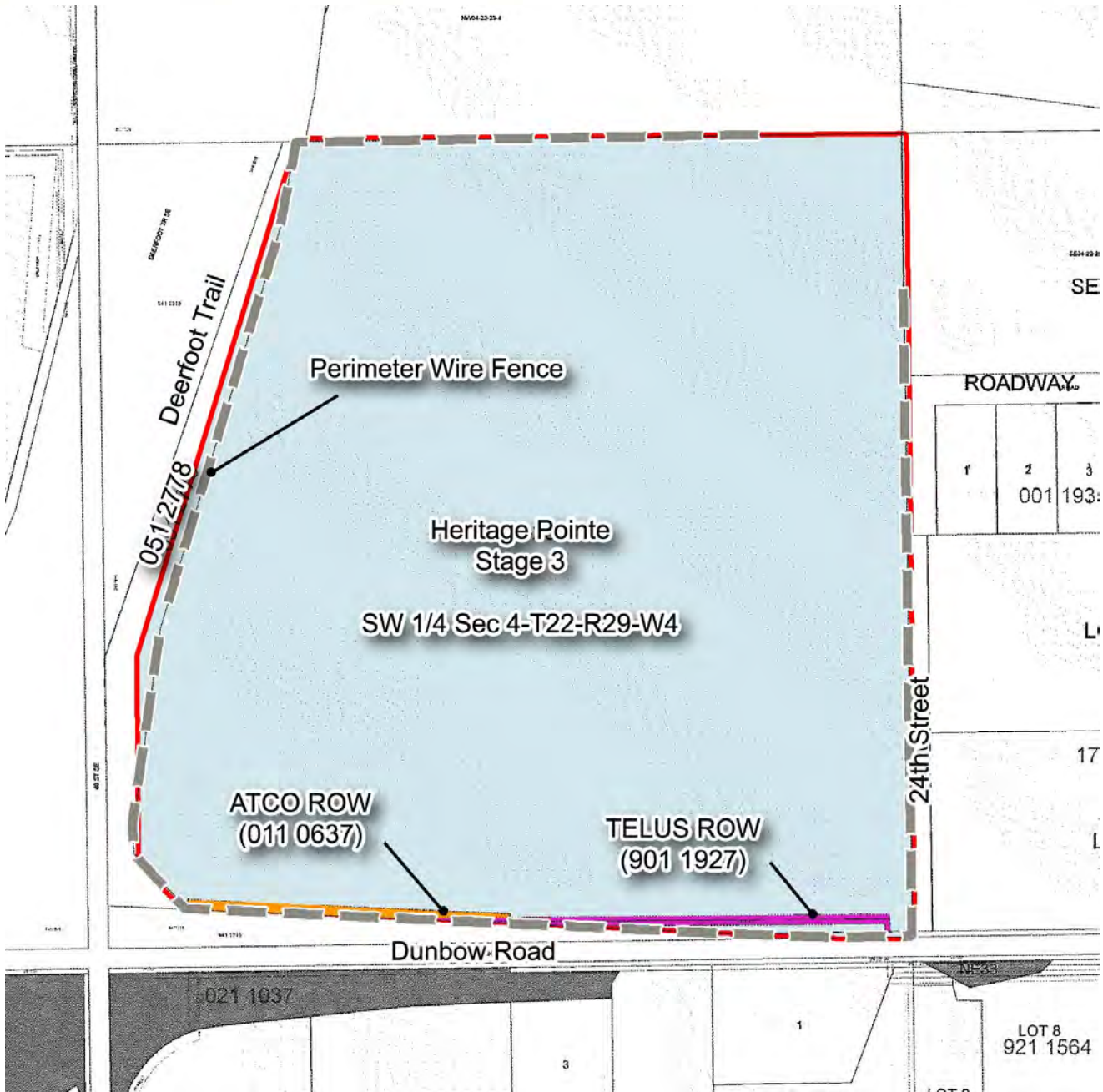
- 164 Single Family Lots
- 108 Villa Units
- 272 Total Residential Units



Appendix A: Master Plan Concept

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**Appendix B
Easements and Rights of Way in the Plan Area**



Appendix B: Easements and Rights of Way in the Plan Area

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**Appendix C
Sanitary Sewer System**

**Appendix D
Water Supply System**



Appendix D: Water Supply System

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Appendix E
Storm Water System

**Appendix F
Top of Slope**



Appendix F: Top of Slope

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