



muir ran *Ch Cayley*



OVERALL PLAN

Submitted To

Municipal District of Foothills No. 31



DRAFT



May 2008



LONGVIEW
Planning + Design

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1.0 INTRODUCTION

This Overall Plan was prepared to provide Municipal District of Foothills No. 31 (MD) Council with a development framework and guide for future land use and development within the Plan Area. The landowners, along with their planning and design team, have worked extensively with MD Staff and community stakeholders to prepare this Plan. The Plan is not intended to be a statutory policy document to be adopted by Bylaw, but rather a general information guide for a proposed land use and servicing strategy within the Plan Area.

1.1 PLAN AREA LOCATION & OWNERSHIP

The Plan Area is comprised of approximately 27.6 acres (11.17 hectares) located directly south of the boundaries of the Hamlet of Cayley, within the Municipal District of Foothills No. 31 (see **Figure 1 - General Location Map**). The Plan area is bounded to the east by Railway Avenue, west by Ross Avenue, and south by 674 Avenue (see **Figure 2 - Plan Area Location Map**).

The Plan Area consists of largely deforested pasture, is relatively flat, and gradually slopes to the southwest (see **Figure 3 - Photograph Context**). Minor mature tree stands exist within the northwest corner of the Plan Area. The lands contain remnant outbuildings associated with a homestead, the dwelling of which has been subsequently subdivided from the parent parcel.

The lands are legally described as Plan 0811492, Block 4, Lot 2, SW 19-17-28 W4M and registered ownership is equally divided between 961481 Alberta Ltd. and The Braeglen Corporation (see **Appendix 1 - Land Title Certificate**).

1.2 PLAN AREA POLICY

The Plan Area is identified within the *Hamlet of Cayley Area Structure Plan (ASP)* adopted by Council in August 2003. The ASP, Section 6.0 - Future Growth Area, states the following:

The area situated at the south end of the plan area on the north side of 674th Ave. is considered an area where predominately residential and country residential development is preferred. Some consideration may be given to other uses such as light industrial and commercial subject to applicable policies set forth in Section 4.5. Open Space, Recreation, and Public land such as Municipal Reserve lands will be negotiated upon development of these lands.

The ASP's land use strategy was derived from assessment and public consultation conducted during the completion of the ASP, as well as the previously adopted *Municipal District of Foothills Intermunicipal Development Plan*, in which the lands are specifically identified as "Mixed Uses". The land use concept established in the *MD Intermunicipal Development Plan* was carried forward for use in the ASP (see **Figure 4 - ASP Land Use Concept**).

1.3 STAKEHOLDER & PUBLIC CONSULTATION

The landowners and their planning and design team, Longview Planning + Design & Arling Consulting Ltd., worked with MD staff through the summer/fall '07 and winter/spring '08 to develop a preliminary land use and design concept. This process involved multiple meetings with MD Planning and Public Works Department Staff, as well as a meeting with MD Division 1 Councilor, Mr. Ralph Nelson.

A Public Open House was held on April 30, 2008 to introduce the development proposal to the public and obtain feedback. Approximately 30 area landowners attended the event to learn about the proposal and offer feedback. Several landowners submitted feedback through

feedback forms, which were provided through a mailed Open House invitation package and during the Open House event.

The documented Public Open House event (see **Appendix 1 - Muir Ranch Open House Report**) provided the landowners with valuable feedback, which they used to revise and finalize their land use and design concept. As outlined in the Report, the general public feedback can be characterized as favorable, where additional housing development in the Hamlet of Cayley is seen as opportunity to help sustain the community in the long-term and vitalize the existing school.

2.0 LAND USE STRATEGY

The land use strategy envisions the development of the Plan Area as a comprehensively planned MD Hamlet standard residential area to be wholly integrated with the established community of the Hamlet of Cayley (see **Figure 5 - Land Use Concept**). Given the general planning policy of the MD, a land use scheme has been provided for all lands, but only a portion of the Plan Area, Phase 1, is presently proposed for land use redesignation and subdivision based on available servicing, which is discussed in Section 3.0 of this Plan. The balance of the Plan Area, Future Phases, is proposed to be developed according the general land use and design concept outlined in this Plan, but will be the subject of future land use redesignation and subdivision application(s).

The entire Plan Area of +/- 27.6 acres (11.17 hectares) is currently designated as Agricultural (A) District, according to the *Municipal District of Foothills No. 31 Land Use Bylaw (Consolidated July 31, 2007)*. The Plan Area is outside of the existing boundaries of the Hamlet of Cayley and it is proposed that the boundaries be extended to include all of the Plan Area lands.

2.1 RESIDENTIAL LAND USES

The land use strategy proposes single-family residential lots in both Phase 1 and Future Phases area of the Plan Area - a detailed land use statistics table is provided in **Section 2.3** of this Plan. Two (2) lot types are proposed and are intended to provide a variety of housing choice and are mixed throughout the design to provide diversity in character. The two (2) lot types proposed throughout the Plan Area, are as follows:

Lot Type Table

LOT TYPE	LOT DIMENSIONS	LOT AREA
Lot Type 1	+/- (13.5 meters width x 35 meters depth)	+/- 481 square meters
	or +/- (45 foot width x 115 foot depth)	or +/- 5175 square feet
Lot Type 2	+/- (16.7 meters width x 35 meters depth)	+/- 588 square meters
	or +/- (55 foot width x 115 foot depth)	or +/- 6325 square feet

Phase 1 proposes twenty-six (26) single-family residential lots over +/- 3.7 acres (+/-1.5 hectares), to be a mix of Lot Type 1 & 2, to be designated as Residential Hamlet (R) District. The balance of the lands +/-22.3 acres (+/- 9.0 hectares), Future Phases area, is proposed to remain as Agricultural (A) District, until such time that land use redesignation application(s) are made. **Figure 5 - Land Use Concept** provides a conceptual design for the balance, which is a logical continuation of the proposed single-family Residential (R) District in Phase 1, also with a mix of Type 1 & 2 lots. The number of lots proposed within the balance, Future Phase area, has yet to be determined and will be the subject of future application(s).

All proposed lots in Phase 1 are directly and individually accessible to road right-of-ways that will be developed to a MD Hamlet standard. Some lots are accessible via laneways, which provides the opportunity for the development of rear access garages. This design feature should promote diversity in housing form and access, where some homes can be designed without front-entry garages creating more active and street-friendly front facades and yard areas (see **Figure 6 - Illustrated Land Use Concept**).

The overall character of the housing form shall be controlled through established architectural controls (see **Appendix 2 - Architectural Controls**). The controls are intended to promote high-quality design and consistency in form as the Plan Area is built-out over time. Single-family dwellings shall consist of either bungalow-style one-storey or two-storey buildings, with either attached or detached garages. The controls promote aspects of dwelling form, architectural

character, and building materials to ensure a contextually appropriate and high-quality development to be well-integrated with the community.

2.2 GREEN SPACE & PATHWAYS

A green space is proposed in Phase 1, as well as a conceptual green space in south end of the Future Phases area (see **Figure 5 - Land Use Concept**). The green space and pathways in Phase 1 is +/- 0.8 acres (+/- 0.3 hectares) in size or 21 % of the net developable area. The green space, as well as the green pathway connections proposed within Phase 1, is to be designated as Municipal Reserve (MR) District and be dedicated to the MD post-development. The total MR dedication in Phase 1 shall be credited toward the total Deferred Reserve Caveats contained on the Land Title Certificate (see **Appendix 1 - Land Title Certificate**).

The shape, size, and location of the green space in Phase 1 is proposed based on the location of the only existing mature tree stands within the Plan Area. These mature trees shall be retained and protected. Within the Phase 1 green space, it is proposed that a naturalize tot-lot be developed. The design also proposes soft and hard landscaping, lighting, and bench infrastructure, all of which shall be developed at the developer's expense. The green space is intended to be developed as an amenity for the entire community - its design shall be functional, accessible, and safe, and it shall be developed using high-quality low-maintenance materials.

A network of green pathway connections is proposed throughout the Plan Area. The green pathways proposed in Phase 1 are to be a 6 meter right-of-way and shall contain a pedestrian pathway connection to be developed using hard and soft landscaping. These pathways are intended to create a walkable and well-connected residential area, as well as provide good access to the proposed green space areas. To the immediate west of the Phase 1 green space is a proposed green pathway connection that facilitates a west connection. This particular connection is not contained within the Plan Area, and is instead proposed on a public utility lot owned by the MD. This additional pathway connection is proposed to enhance access to the

green space, and shall be developed to the same standard as the other green pathways found within the Plan area and at the developer's expense.

2.3 LAND USE STATISTICS

The following land use statistics table provides a detailed outline of the proposed land use strategy, on a phased basis. All land use districts are based on established districts contained within the *MD Land Use Bylaw*.

Land Use Statics Table

PHASE	LAND USE DISTRICT	LAND AREA	
		Acreage	Percentage ND Area
Phase 1	<i>Residential Hamlet (R) District (Lot Type 1 & 2)</i>	+/- 3.7 acres (1.5 hectares)	
	<i>Municipal Reserve (MR) District (Green Space/Pathways)</i>	+/- 0.8 acres (0.3 hectares)	21 %
	<i>MD Road Right-of-Way</i>	+/- 1.5 acres (0.6 hectares)	
	<i>Total Area</i>	+/- 5.3 acres (2.1 hectares)	
	<i>Total Net-Developable (ND) Area</i>	+/- 3.8 acres (1.5 hectares)	
Future Phases	<i>Agricultural (A) District</i>	+/- 22.3 acres (9.0 hectares)	
	<i>Total Area</i>	+/- 22.3 acres (9.0 hectares)	

3.0 SERVICING STRATEGY

A comprehensive servicing strategy is proposed to complement the comprehensive land use concept, and all infrastructure development is proposed to a MD Hamlet residential standard. The strategy respects the policy of the *Hamlet of Cayley ASP*, as well as the existing servicing capacity of the infrastructure servicing Cayley. The developer shall contribute \$3,600 per new lot proposed as an off-site levy contribution to future infrastructure upgrade costs, as determined by the ASP.

3.1 TRANSPORTATION NETWORK

A comprehensive road network is proposed throughout the Plan Area (see **Figure 5 - Land Use Concept**). The road network is proposed to connect to existing MD roads serving Cayley (Ross Avenue and Railway Avenue). No connection is proposed to 674 Avenue, however, a 5 meter wide road dedication north along 674 Avenue within the Plan Area is proposed to facilitate future upgrades to 674 Avenue.

All proposed roadways shall be developed to an MD Hamlet standard - 15 meter right-of-way with 9 meters paved surface, 0.3 meter curb & gutter, and 2.7 meter utility right-of-way on either side. Single-sided sidewalk infrastructure shall be developed within the 2.7 meter utility right-of-way throughout the roadway network. The location of the sidewalks shall be determined according to the MD Standard Development Agreement.

Two (2) cul-de-sac roadways proposed within Phase 1 provide direct individual access to the twenty-six (26) proposed lots. These cul-de-sacs shall be connected to Ross Avenue. The design of these cul-de-sacs respects and continues a similar road network pattern found directly north in the established residential area of Cayley. Laneways proposed within Phase 1 shall be developed to a 7 meter right-of-way standard.

The proposed roadways and laneways within Phase 1 shall be constructed to MD standard at the sole expense of the developer. Ownership and maintenance of this infrastructure shall be the responsibility of the MD upon issuance of a Final Acceptance Certificate to the developer. The developer shall also contribute \$3,500 per new lot proposed as a residential road levy contribution to future transportation network upgrade costs.

3.2 POTABLE WATER SERVICING

Potable water servicing is proposed via a piped connection to the MD owned water reservoir, treatment plant, and distribution system currently servicing the Hamlet of Cayley. An MD assessment (completed in 2008 by the Public Works Department) found available water capacity can support these additional twenty-six (26) households in Phase 1. Proposed piped infrastructure within Phase 1 of the Plan Area and connection to the existing distribution system shall be developed at the sole expense of the developer.

Potable water servicing for potential Future Phases area cannot not be achieved through connection to the existing water system. To develop the balance, Future Phases area, upgrade and expansion of the existing system servicing Cayley is required.

In accordance with the proposed architectural controls (**see Appendix 2 - Architectural Controls**), conservation of water resources must occur inside and outside of the building envelope. Low flow fixtures are required in new home construction and irrigation systems tied to the potable water supply source are prohibited. Low water landscaping on the lot is required and capture and reuse of rainwater in the build envelope is required. Summer irrigation can occur on the exterior, if the source is the non-potable and this is not over utilized. The developer shall provide a 1200 gallon rainwater harvesting cistern complete with pump and pressure tank for lot owner use and installation. The lot owner shall install and maintain this equipment in good working order. Potable domestic water shall not be introduced into this irrigation system.

3.3 WASTEWATER SERVICING

Wastewater servicing is proposed via piped connection to the MD owned wastewater collection system and lagoon currently servicing the Hamlet of Cayley. An MD assessment (completed in 2008 by the Public Works Department) found available wastewater capacity can support these additional twenty-six (26) households in Phase 1. Proposed piped infrastructure within Phase 1 of the Plan Area, and connection to the existing collection system shall be developed at the sole expense of the developer.

Wastewater servicing for potential Future Phases area can be achieved through connection to the existing collection system and lagoon. To develop the balance, Future Phases area, upgrade and expansion of the existing system servicing Cayley is required.

3.4 STORM WATER SERVICING

Storm water shall be managed within a relief area located within the green space proposed in Phase 1. A green space conceptually proposed within the Future Phases area shall function in the same capacity. The remainder of the runoff (1:100 year storm event) shall be conveyed through overland drainage to a natural coulee located southeast of the Plan Area. A detailed storm water management plan shall be prepared at the land use redesignation approval stage

3.5 SHALLOW UTILITY SERVICING

Shallow utility services shall include natural gas, telecommunications, and electricity. ATCO provides natural gas service to the area. Electricity service is provided by Fortis. Telecommunications is provided by Telus, among other providers. The provision of shallow utility servicing within the Plan Area shall be at the sole expense of the developer to the extent required in the MD Standard Development Agreement.

3.6 PROTECTIVE, FIRE, & EMERGENCY SERVICES

Protective services to the Plan Area shall be provided by the Royal Canadian Mounted Police and MD of Foothills Special Constables. The Plan Area is serviced by 911 emergency services, with an emergency locator system set up for each individual property. The new subdivision shall meet criteria for on-site fire fighting measures as determined by the MD.

4.0 PLAN REVIEW

The Muir Ranch Overall Plan was prepared to provide Municipal District of Foothills No. 31 (MD) Council with a development framework and guide for future land use and development within the Plan Area. The Plan is not intended to be a statutory policy document to be adopted by Bylaw, but rather a general information guide for a proposed land use and servicing strategy within the Plan Area. The intent is for the Plan to be used while considering applications for land use redesignation, subdivision, and develop permit within the Plan Area.

FIGURES

FIGURE 1 - GENERAL LOCATION MAP

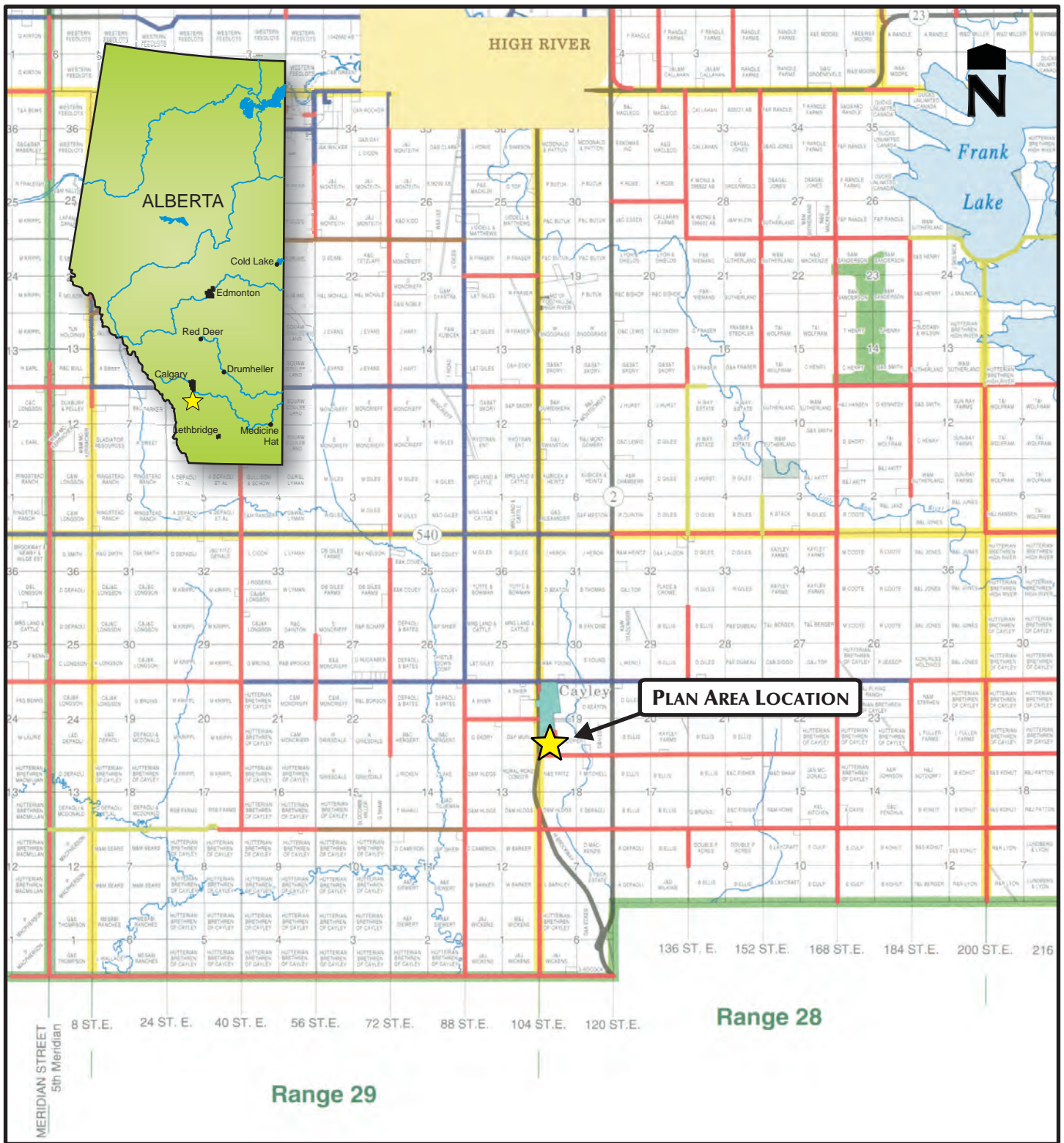


FIGURE 1 - GENERAL LOCATION MAP

OVERALL PLAN
MAY 2008

muir ranch
Cayley



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FIGURE 2 - PLAN AREA LOCATION MAP

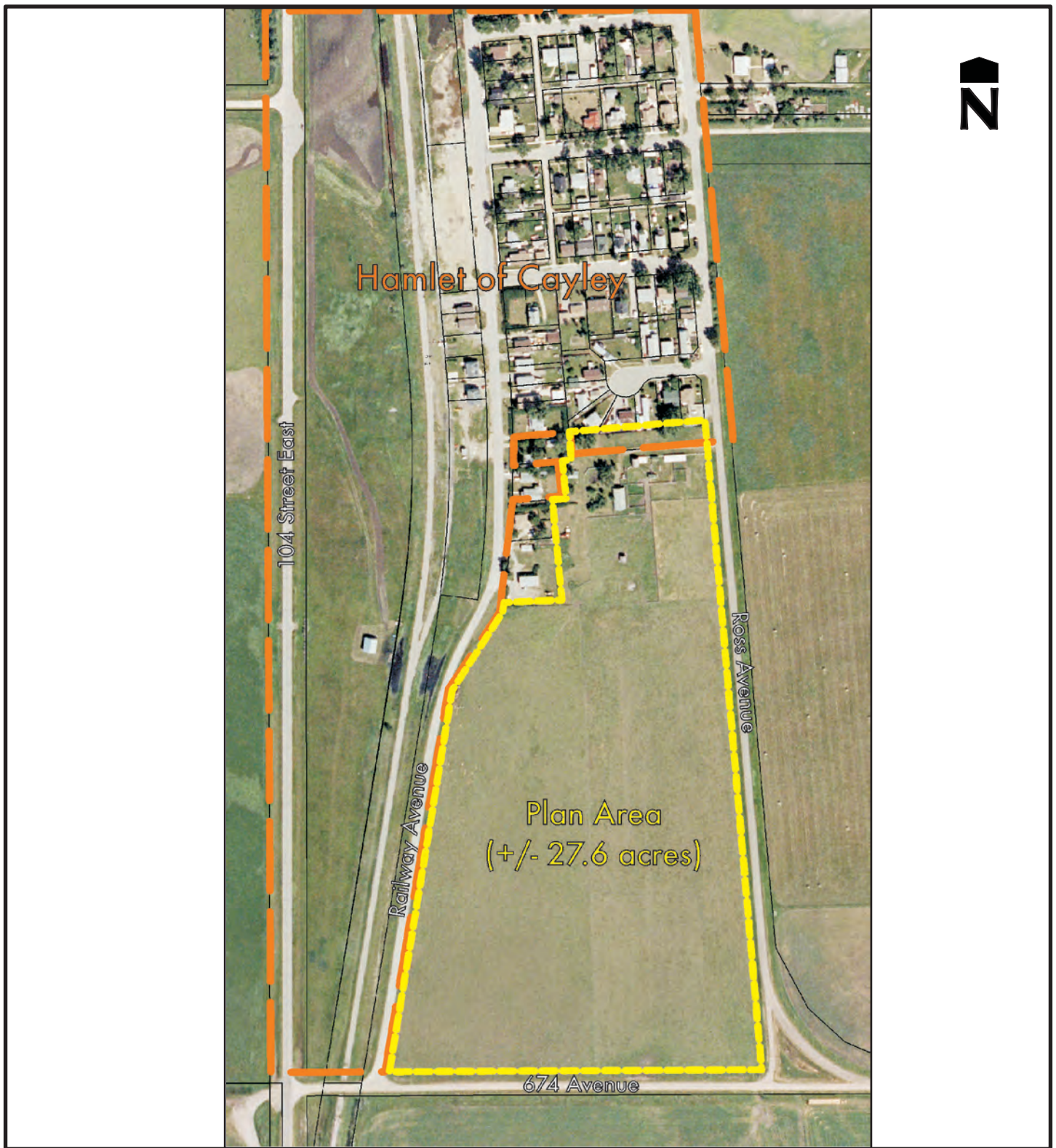


FIGURE 2 - PLAN AREA LOCATION MAP

muir ranch *Cayley*

OVERALL PLAN
MAY 2008

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FIGURE 3 - PHOTOGRAPH CONTEXT



FIGURE 3 - PHOTOGRAPH CONTEXT

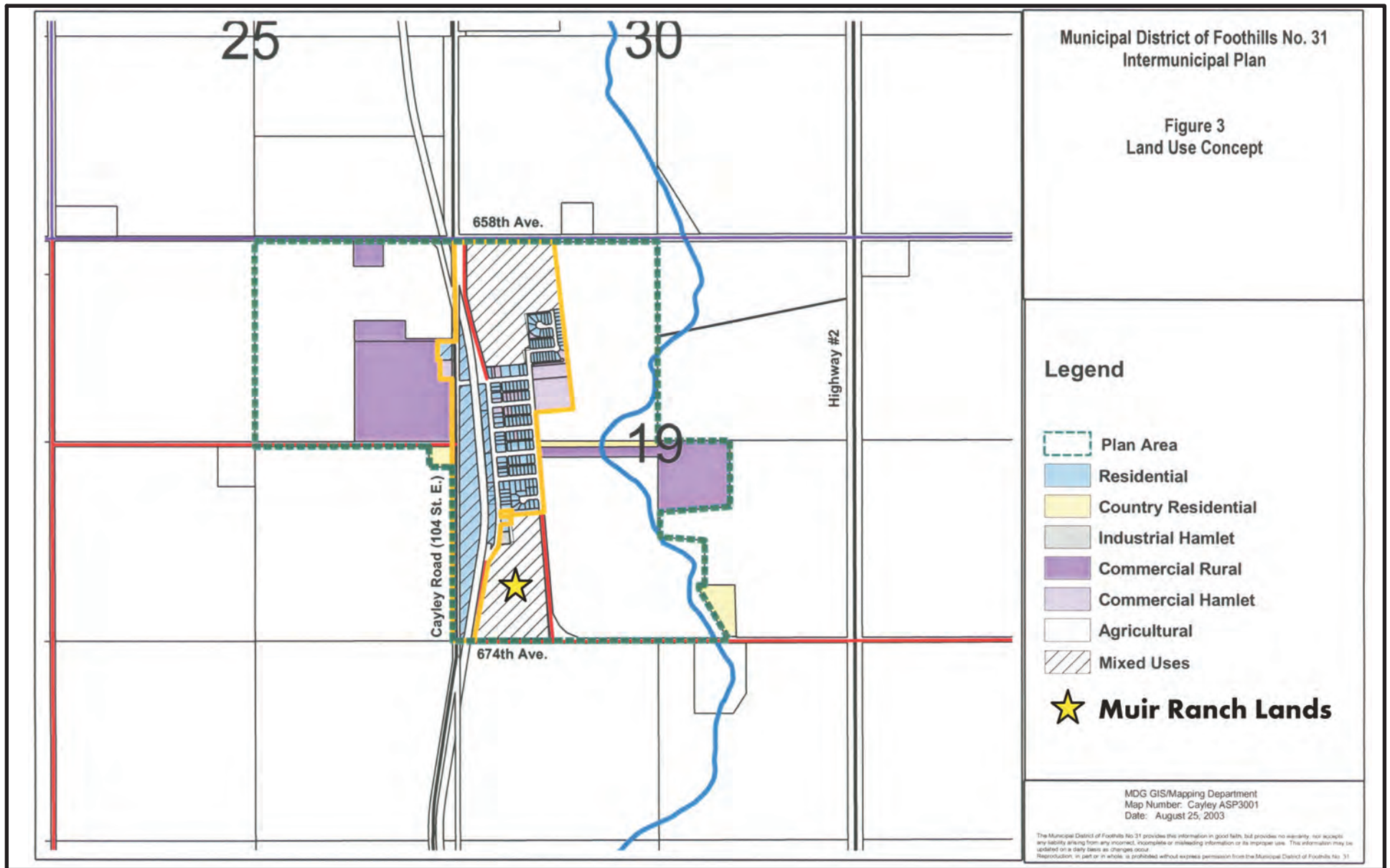
muir ranch *Cayley*

**OVERALL PLAN
MAY 2008**



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FIGURE 4 - ASP LAND USE CONCEPT



muir ranch
Cayley



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FIGURE 4 - ASP LAND USE MAP

OVERALL PLAN
MAY 2008

FIGURE 5 - LAND USE CONCEPT



FIGURE 5 - LAND USE CONCEPT

muir ranch *Cayley*

OVERALL PLAN
May 2008

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FIGURE 6 - ILLUSTRATED LAND USE CONCEPT

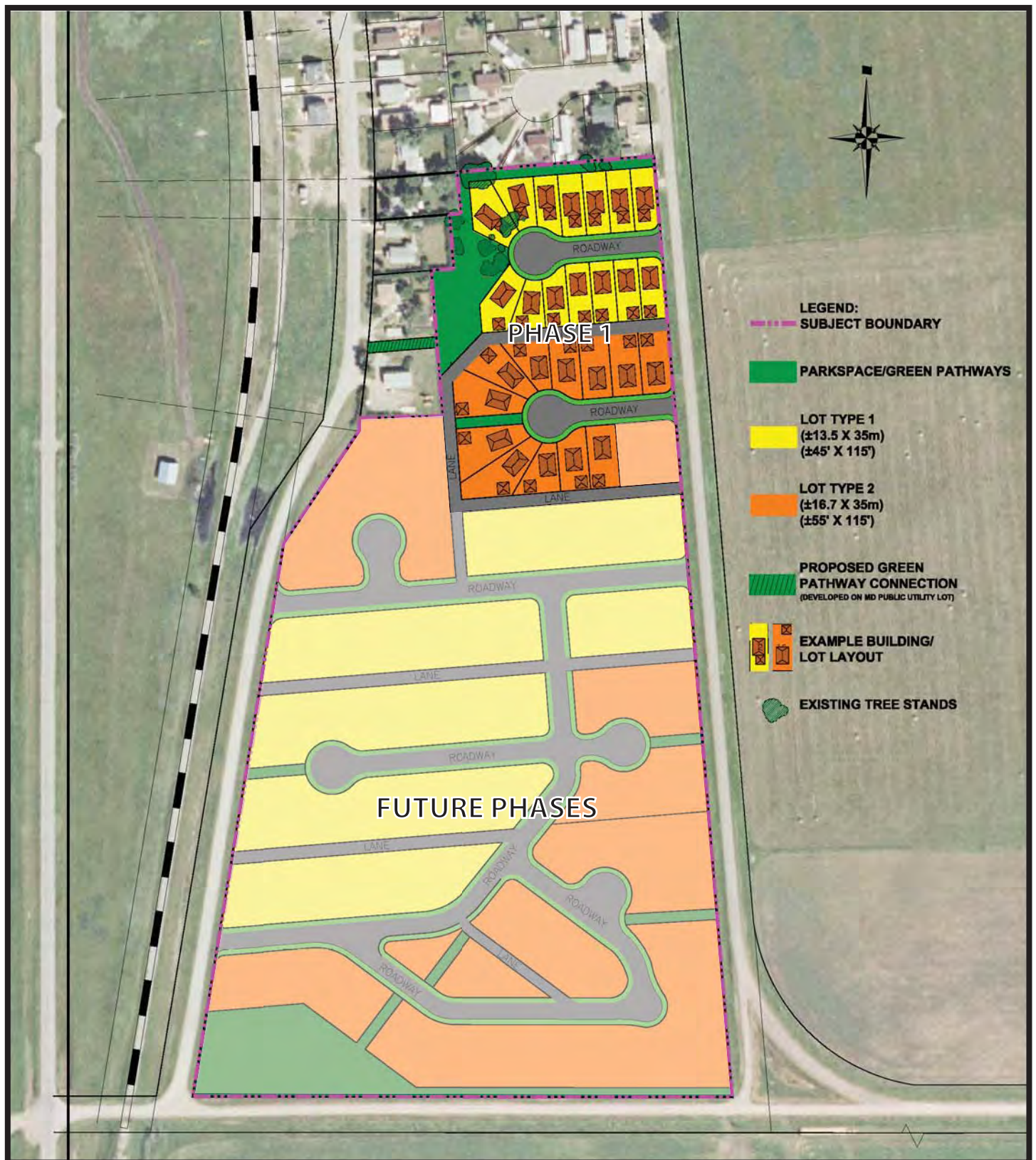


FIGURE 6 - ILLUSTRATED LAND USE CONCEPT

muir ranch *Ch Cayley*

OVERALL PLAN
May 2008

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APPENDICIES

APPENDIX 1 - LAND TITLE CERTIFICATE



LAND TITLE CERTIFICATE

S
LINC SHORT LEGAL TITLE NUMBER
0033 158 510 0811492;4;2 081 125 233 +1

LEGAL DESCRIPTION
PLAN 0811492
BLOCK 4
LOT 2
EXCEPTING THEREOUT ALL MINES AND MINERALS
AREA: 11.17 HECTARES (27.6 ACRES) MORE OR LESS

ESTATE: FEE SIMPLE
ATS REFERENCE: 4;28;17;19;SW

MUNICIPALITY: MUNICIPAL DISTRICT OF FOOTHILLS NO. 31

REFERENCE NUMBER: 071 348 773
 071 348 772

REGISTERED OWNER(S)				
REGISTRATION	DATE(DMY)	DOCUMENT TYPE	VALUE	CONSIDERATION
081 125 233	07/04/2008	SUBDIVISION PLAN		

OWNERS

961481 ALBERTA LTD..
OF PO BOX 390
TURNER VALLEY
ALBERTA T0L 2A0
AS TO AN UNDIVIDED 1/2 INTEREST

THE BRAEGLIN CORPORATION.
OF PO BOX 390
TURNER VALLEY
ALBERTA T0L 2A0
AS TO AN UNDIVIDED 1/2 INTEREST

ENCUMBRANCES, LIENS & INTERESTS

PAGE 2
081 125 233 +1

REGISTRATION

NUMBER DATE (D/M/Y) PARTICULARS

214KO . 07/10/1969 AGREEMENT
"DEFERRED RESERVE COVENANT"
" AFFECTS PART OF THIS TITLE "

081 125 234 07/04/2008 CAVEAT
RE : DEFERRED RESERVE
CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.
BOX 5605
HIGH RIVER
ALBERTA T1V1M7

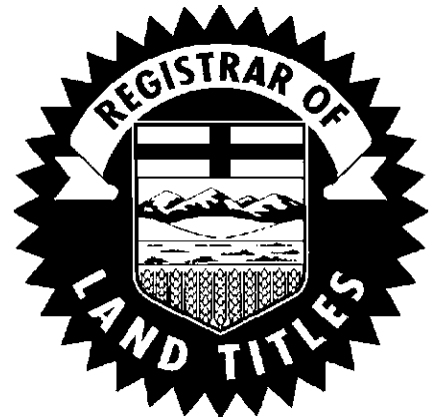
081 125 235 07/04/2008 CAVEAT
RE : ACQUISITION OF LAND
CAVEATOR - THE MUNICIPAL DISTRICT OF FOOTHILLS NO.
31.
BOX 5605
HIGH RIVER
ALBERTA T1V1M7

TOTAL INSTRUMENTS: 003

THE REGISTRAR OF TITLES CERTIFIES THIS TO BE AN ACCURATE
REPRODUCTION OF THE CERTIFICATE OF TITLE REPRESENTED
HEREIN THIS 26 DAY OF MAY, 2008 AT 12:25 P.M.

ORDER NUMBER:11369960

CUSTOMER FILE NUMBER:



END OF CERTIFICATE

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(CONTINUED)

THE BENEFIT OF CLIENT(S).

APPENDIX 2 - MUIR RANCH OPEN HOUSE REPORT

Arling Consulting Ltd.

Arling Consulting Ltd.
910 – 2 Ave NE
Calgary AB T2E 0G4

Phone: 403 667 9766
Email: jarling@shaw.ca

Muir Ranch Open House Report

30 April, 2008
Cayley School

Introduction

Attendees:

- 1) Approximately 29 members of general public (on-site general advertising & 177 invited adjacent landowners)
- 2) Developer/Landowners:

Mr. Garth Corsar, Mr. Dave Brown, & Mr. Quentin Brown

- 3) Planning & Design Team:

Ms. Kristi Beunder & Mr. David White of Longview Planning + Design

Ms. Jacqueline Arling of Arling Consulting Ltd.

What is Muir Ranch?

Muir Ranch is located in the MD of Foothills No. 31, south of the boundaries of the Village of Cayley. The subject lands are comprised of +/- 27.6 acres and bounded on the South by 674 Avenue, West by Railway Avenue, and East by Ross Avenue. The land has been identified in the Hamlet of Cayley Area Structure Plan (ASP) as a "future growth area" of the Hamlet. It describes the lands as suitable for future "mixed uses" and states the lands are predominately suitable for residential purposes. Cayley has an approximate population of 350 people, and includes an elementary school, retail store and a public works yard.

The proposed land use redesignation application is for 26 new residential lots, which is based on available piped servicing capacity. However, a comprehensive land use plan for the entire land area has been prepared at the request of the MD to facilitate future development, should new servicing infrastructure and capacity increase at a future date.

Objectives of the Open House

The objectives of the 30 April 2008 Open House were to:

- 1) Introduce the project to the public;
- 2) Obtain valuable insight from the public on their needs for open space, their preferences in design, and any concerns about the proposal.

It was the team's hope that the anticipated results would include:

- 1) Building an open relationship with the community;
- 2) Gain valuable insight into the design of the development; and
- 3) Document the comments of the open house for the MD of Foothills Council.

To ensure that the team received valuable information from those that attended the open house, a variety of techniques were utilized. These included:

- 1) A presentation followed by a question and answer period;
- 2) Boards that identified specific themes to solicit feedback;
- 3) Feedback forms & email contact available at open house; and
- 4) One-on-one discussions with the Muir Ranch Team.

Stakeholder Consultation

To date, the Team has spoken to adjacent landowners, community leaders, Division 1 Councilor Mr. Ralph Nelson, and MD of Foothills Municipal Staff. The Open House was held at the Cayley School on April 30th, 2008 from 6:30 – 8:30 pm, with a presentation at 7 pm followed by a question and answer period. There were 29+ participants that attended the open house.

Open House Summary Report

This report summarizes comments provided to the Team in one-on-one discussions, the question and answer period following the presentation, and feedback forms received from the public. The comments have been sorted by topic presented at the Open House and on the feedback forms. Please note that there is no ranking of issues as feedback was sought in an open forum and participants were not asked to rank issues.

Comments and Considerations

General Comments

General comments, both directly and indirectly, related to the proposed development pertained to the following:

- 1) A high water table within the general area causing basement flooding and the need for sump pumps, as well as periodic problematic stormwater flows;
- 2) Limited additional capacity of the wastewater lagoon as there has been decreased maintenance resulting in periodic overflow; and,
- 3) Overall poor power transmission infrastructure and periodic weather induced surges resulting in blackouts.

Types of Housing Style

The majority of Cayley has rear lane access with modest, bungalow style homes. There was concern that a new development, if proposing larger two storey houses, may not integrate well with the existing community.

It was expressed by participants that Muir Ranch should be sensitive to the character of the existing Village. This should include modest, bungalow style homes, with rear lane access. This is of particular concern in the transition area (north edge of subject lands) where the existing community abuts the proposed development.

Architectural Controls

In asking participants the types of architectural details that they would like to see in place for the proposed development, the response was based around their experience with the new subdivision on the north side of the Hamlet.

There were notable grade differences between homes which created inconsistency in the lot grades and main floor elevations. As well, the dwelling height variety on the street appeared out of place and created undesirable street character.

What participants did like about the new development to the north was the street lights, sidewalks, and rear lanes. They felt that these features were in keeping with Cayley and anticipated in all new development.

Team Comment/Rationale: Muir Ranch intends to incorporate architectural controls which would likely include parameters on height, square footage, and materials.

Concept Plan Design

In review of Phase One (26 lots), there was a concern about the interface between the first set of houses and the existing houses to the north. Affected residents expressed a desire to have a *buffer* between the properties. A lane would provide emergency vehicular access, garbage access, and rear garage condition for these houses. A pathway or lane would provide an additional access to the proposed green space.

Some comments received asked about the possibility of introducing other land uses, like retail/convenience and other business type uses into Cayley.

Team Comment/Rationale: In order to preserve mature tree stands on the north edge of the subject property, no lane has been proposed. To create a buffer, and preserve existing mature trees, a green pathway may be another option. The introduction of other land uses, outside of residential, were considered at early design stages but assessment and consultation indicated that such uses are being concentrated/clustered and developed in larger centers (i.e. High River).

Green Space

A green space is proposed in the concept plan in a location that has the only mature stand of trees. It is at the end of the first proposed cul-de-sac, and backs onto existing homes to the west.

The participants were asked about the **types of green or open space** that they would like to see in the community. There appeared to be a general consensus that the school grounds provided enough structured play such as a playground and sports fields. An area for unstructured, low maintenance open space would be better.

Maintenance was the main concern for the open space. The residents of Cayley volunteer group maintain the current open spaces. There are not enough volunteers to maintain the parks that they have now so the group was hesitant about adding additional green space.

Another concern was that there was limited **access to the green space** through the cul-de sac. It appeared that this would segregate the park from existing residents and its usage would be by residents within the new development. Creating multiple and larger access points to the green space would ensure better linkages with the existing community and higher usage of the space.

Safety of the park was another concern. As it is designed at the end of a cul-de sac, it appears to be isolated from natural surveillance. Suggestions such as lighting and multiple access points was a suggestion to mitigate this issue. To minimize maintenance concerns certain hard surface and low maintenance landscaping can be considered.

Construction Practices

There was a question about noise, hours of operation, and general construction practices during build out.

Team Comment/Rationale: A Construction Services Management Plan can potentially be put in place as a restrictive covenant on titles of the properties. However, there is a challenge with enforcement.

Servicing Strategy

There was a general discussion about the servicing strategy for the 26 lots and future phases. No significant concerns were raised, outside of those noted as "General Comments" above.

Sustainable Design Measures

Participants were interested in the idea of underground stormwater cisterns installed on each lot to capture rain water. Comments were also received about the possibility of introducing xeroscaping (native low-maintenance drought-resistant landscaping).

Feedback Summary

Overall, the participants seemed pleased with the concept of future residential growth and the development form that was being proposed. They expressed the need to ensure that the new development was sensitive to the existing community and respected the scale of the existing lots and size of the houses. Care needed to be taken in respect to the final design of the green space and edge interface conditions.

Feedback Response

Following the Open House the landowners and their planning & design team reviewed all feedback. Design revisions focused on the interface condition between existing residents and the proposed development at the north end of the subject lands. A green pathway buffer was introduced. As well, design and function of the green space was revisited. The green space was opened up and new access to the south, north, and west were introduced. Other detailed design measures including landscaping, lighting, and programming are being considered to ensure the space is well integrated with the entire community, safe, and promotes opportunity to be well maintained.

APPENDIX 3 - ARCHITECTURAL CONTROLS

ARCHITECTURAL CONTROLS AND RESTRICTIVE COVENANTS

The Brae Glen Corporation and 961481 Alberta Ltd., of Turner Valley, Alberta (hereinafter referred to as the “Developer”), are the registered owners of certain lands situated within Cayley, in the Province of Alberta, and more particularly described in **Schedule “A”** attached hereto and by this reference made a part hereof (hereinafter collectively called “the lots” or individually referred to as a “lot” as the context hereof requires);

AND WHEREAS the Developer is developing a planned quality housing subdivision on the lots and considers it is desirable for the greater employment of the lots and that it will increase the value of the lots and it is for the benefit of all of the future owners of the individual lots and that it will protect the owner of each lot against the improper development and use of surrounding lots as will depreciate the value of his lot and that it will prevent haphazard or inharmonious improvements or improper designs or materials, to impose and annex certain restrictions and covenants to the lots and that in making sales of the lots that the lots shall be conveyed subject to the restrictions, covenants and limitations hereinafter set forth;

AND WHEREAS the following covenants and conditions are to be administered and some discretion will be allowed where specifics of an application warrant and there is no substantial departure from the intent and substance of this Restrictive Covenant.

NOW THEREFORE KNOW ALL PERSON BY THESE PRESENTS that the developer does for himself, his transferees and assigns, covenants and agrees and does hereby annex the following covenants and conditions to the aforesaid lots:

1. All of the lots shall be subject to the restrictions and conditions herein set forth which shall be deemed to be covenants running with the land and annexed to the land and shall be binding upon and inured to the benefit of each lot and the registered owners of each lot, while they are such registered owners from time to time.
2. No attached or semi-attached house, duplex or apartment shall be constructed or erected, nor shall any house designated for more than one family be built. There shall not be constructed more than one detached single family dwelling on any one lot.
3. No mobile home shall be parked or placed on any lot. The phrase “mobile home” shall herein include a house or trailer or other similar portable accommodation for one or more persons that may be moved by being towed, pulled or carried.
4. The buildings erected on any lot shall include, only, a private single dwelling house with a double or triple garage. The garage shall not exceed 50% of the square footage required for dwelling space. There shall not be constructed on any

- lot any structures to conceal heavy equipment, gasoline tanks and other fuel tanks and stands thereof. Garden sheds and greenhouses may be constructed provided they conform to the architectural style and exterior finish of the dwelling house and do not exceed one hundred square feet.
5. The Brae Glen Corporation and 961481 Alberta Ltd., or an assigned designate qualified to ensure architectural integrity, must approve all drawings for Building permits prior to their submission to the Municipal District of Foothills No. 31.
 6. Outbuildings / Accessory buildings are not permitted.
 7. No outdoor ATV, Boat, ski-doo or RV storage is permitted. Indoor storage can be possible within the designed garage space. Single garage doors are encouraged wherever possible.
 8. No fuel, gasoline, oil, chemicals of any nature or biological waste shall be stored on any lots in an amount excess of 10 liters.
 9. A diversity of architectural design is encouraged. Architecture of a particular historic period or trend is not encouraged as it may clash with the architectural harmony of the community. "A" framed structures will not be permitted. The minimum habitable floor area, excluding basement, of any single family dwelling upon any lot shall be:
 - a) 1,200 square feet for a bungalow or bi-level dwelling;
 - b) 1,800 square feet for a split level or two storey dwelling;
- In calculating the ground area of a dwelling house, the measurements for the above calculations shall be taken as the outside measurements of the main walls of the building and ground level and shall not include any garage which does not have habitable rooms above it and shall not include any porch, veranda or unheated sunroom.
10. Roof pitch shall have a minimum 6/12 pitch with a recommended minimum 16" overhang. The roof finish must be cedar shakes, clay or ceramic tiles, top of the line shingles heritage style or architectural asphalt shingles.
 11. Construction must start no less than 24 months after purchase of lot.
 12. Resale of lots without a home is prohibited unless permission by The Brae Glen Corporation and 961481 Alberta Ltd. is given.
 13. All driveways must be hard surfaced within 12 months of move in to the primary residence. All front or side driveways shall be constructed of adequately

reinforced concrete, pavement or interlocking paving stones. Shale or gravel will not be permitted as a permanent surface material.

14. The exterior finish, roof, windows, vinyl siding or stucco of any single family dwelling must be completed within 12 months of the initial excavation of the foundation of the said dwelling. No bright colors (i.e. pink, orange) on the exterior of the home shall be permitted and the building façade is required to have a minimum 10% rock or brick. Earth tone colours are recommended.
15. Exterior lighting should be architecturally integrated with the home style and designed such that light is not directed off the site and directed downwards at low intensity to encourage dark skies.
16. Any garden shed or greenhouse erected on the property shall be architecturally compatible with the said dwelling house, utilizing the same roofing materials as the dwelling house.
17. Grass shall be maintained by the lot owner and shall not exceed 3" in height. All properties will be landscaped, grassed or other landscape material. Weeds are not permitted to grow and must be maintained.
18. Any garden shed or greenhouse erected on the property must be sided and completed within 12 months of the commencement of construction of building.
19. The interior of the dwelling and final building inspection shall be fully completed (excluding any basement development) within 18 months of commencement of the initial excavation of the foundation thereof.
20. No heavy equipment or tractor trailers shall be stored or operated on the property other than for the purpose of construction of the dwelling or improvement of the property. In the event that a lot owner is an owner or operator of such equipment for commercial purposes, such equipment shall not be stored or operated within the subdivision.
21. The owner, his family, and guests shall not operate or permit the operation of motorized vehicles on public areas, such as riding trails, Environmental Reserve, Municipal Reserve, or ditches.
22. If a lot owner is to keep dogs on their lot, suitable fences or electric restraint systems are to be installed to ensure that any such dogs do not leave the lot owner's property. No lot owner shall have any more than two (2) dogs on the property and the dog(s) must be confined indoors between the hours of 10:00 p.m. and 6:00 a.m. Excessive barking shall not be tolerated. If Bylaw Enforcement has been called and if three (3) or more valid complaints are received the owner shall remove the dogs from their property.

23. No livestock or animals of any nature shall be raised on the lot for commercial purposes.
24. Conservation of water resources must occur inside and outside of the building envelope. Low flow fixtures are required in new home construction and irrigation systems tied to the potable water supply source are prohibited. Low water landscaping on the lot is required and capture and reuse of rainwater in the building envelope is required. Summer irrigation can occur on the exterior if the source is the non-potable and this is not over utilized. The Developer shall provide a 1200 gallon rainwater harvesting cistern complete with pump and pressure tank for lot owner use and installation. The lot owner shall install and maintain this equipment in good working order. Potable domestic water shall not be introduced into this irrigation system.
25. Preservation and incorporation of significant site features such as natural ground contours and trees within the building envelope is encouraged to retain the site character integrity of erosion control. Houses should be designed to work with the natural grade of the lot abrupt or unnaturally appearing grading design is not allowed.
26. All onsite surface drainage must be coordinated with the Master Drainage Plan. Allowing drainage into neighbouring lots shall not be permitted.
27. If any of the preceding covenants is determined to be void or unenforceable, in whole or in part, such invalidity or unenforceability of that covenant(s) shall not affect any other covenant and the remaining covenant(s) shall be deemed to be separate and distinct covenants.
28. No covenants herein shall be deemed to restrict any provision of any development control bylaw, development control resolutions, zoning regulation or land use regulation, or any other similar bylaw, resolution or regulation, passed or imposed by any governmental authority but the covenants herein are to be considered as additional restrictions.
29. These covenants shall be and are deemed to be covenants running with the land and shall be personally binding upon the successors and assigns of the property herein referred to.
30. This Agreement shall not merge upon the delivery or registration of a Transfer of any lot but shall survive same.
31. If any of the preceding covenants is determined to be void or unenforceable, in whole or in part, such invalidity or unenforceability shall affect the validity or

enforceability of any other covenant, and the covenant herein shall be deemed to be separate and distinct covenants.

32. If any debate or difference arises over the interpretation of the restrictions and conditions herein contained or as to the stage of construction or location of any buildings, such as a dispute or difference shall be determined by The Brae Glen Corporation and 961481 Alberta Ltd. whose decision shall be final and binding.

IN WITNESS WHEREOF the Developer have hereunto set there hands and corporate seals, this ____ day of _____ 2008.

SIGNED IN PRECENSE OF:

The Brae Glen Corporation

961481 Alberta Ltd.