SCHEDULE "A"

First Reading DRAFT Report

NEZ PERCE

AREA STRUCTURE PLAN

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1.0 INTRODUCTION

1.1 Purpose of the Plan

The Nez Perce Area Structure Plan has been prepared pursuant to provincial legislation in order to provide for the orderly development of a country residential subdivision. An Area Structure Plan is more descriptive than the Crowsnest Municipal Development Plan (2001), and is intended to provide a policy framework for land use reclassification, subdivision and development within the Plan area.

The Area Structure Plan includes 437.5 acres held by the McGillivray Land Development Corporation. The site is located immediately north of Highway #3, and west of the built up area of Coleman.

1.2 The Approval Process

Crowsnest Municipal Council approval of an Area Structure Plan (ASP) bylaw is a prerequisite to country residential development. Following initial technical analysis and discussions with Alberta Infrastructure, Crowsnest Pass administration, and the staff of the Oldman River Intermunicipal Service Agency during 1998 - 2003, this ASP was submitted to the Municipality of Crowsnest Pass in Draft form in June 2003.

The Plan in its final statutory form is the result of technical analysis, public meetings, a statutory Public Hearing of Crowsnest Pass Council, and subsequent adoption by Council as the Nez Perce Area Structure Plan.

1.3 Plan Implementation

The Nez Perce Area Structure Plan, adopted by bylaw in accordance with Part 633 of the Municipal Government Act, will become a statutory document of the Municipality of Crowsnest Pass. The ASP does not supersede, or diminish the Crowsnest Pass Municipal Development Plan or other statutory plan in effect in the Plan area.

To be fully implemented, the Area Structure Plan may have to be incorporated into other municipal planning documents such as the Municipal Development Plan, and the Land Use Bylaw. In practice, this Plan will be implemented through commitments to public and private improvements that are embodied in the Area Structure Plan policies contained herein.

1.4 Plan Review and Amendment

Changing considerations 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 the Municipal Government Act. In addition, the landowner may request amendment of the ASP in accordance with application requirements and procedures of the same Act.

1.5 Legislative Framework

The Municipal Government Act

Pursuant to Part 633 of the Municipal Government Act (MGA), the Council of a municipality is permitted via by-law to adopt an ASP as a statutory document. Section 633 of the MGA states that:

(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) contain any other matters the Council considers necessary."

The Municipal Development Plan

Crowsnest Pass Municipal Council adopted a new Municipal Development Plan (MDP) in 2001 to guide future growth in the Municipality. The MDP establishes long range goals, objectives, and policies that summarize the Municipalities intentions respecting this growth and development. The Nez Perce Area Structure Plan adheres to the policy statements contained in the Municipal Development Plan.

Pursuant to Section 6.29 of the Municipal Development Plan:

"The municipality, at its sole discretion, may undertake any or all of the following municipal prerogatives:

(a) adopt a duly prepared area structure plan by municipal bylaw which will govern subsequent subdivision and development of the specific area;
(b) request that a design concept plan be prepared and submitted for review by the subdivision and Development Authority;
(c) may waive the requirements to provide any of the information requested to typically be provided;
(d) may waive lot sizes or the parcel densities proposed in the grouped country residential guidelines;
(e) may require the developer to provide any additional information not addressed or contemplated in this plan or other guidelines, at the time of application review."

1.6 Interpretation

In this Area Structure Plan, the following interpretations shall apply:

ASP or **Plan** means, the Nez Perce Area Structure Plan.

Council means, the Council of the Municipality of Crowsnest Pass.

Developer means, the registered landowner within the study area defined in this ASP.

Landowner means, the registered landowner within the study area defined in this ASP.

May is an operative word meaning a choice is available, with no particular direction or guidance intended.

MDP means, The Municipality of Crowsnest Pass Municipal Development Plan Bylaw No. 556, as amended.

MGA means the Municipal Government Act, Chapter M-26.1, 1994, as amended.

Municipality means the Municipality of Crowsnest Pass.

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

Subdivision and Development Authority means the Municipal Planning Commission.

Shall is an operative word which means the action is obligatory.

Should is an operative word which means that in order to achieve local goals and objectives it is strongly advised that the action be taken.

Land Use Reclassification, Tentative Plan, Subdivision Stage means that stage of the land development process, which follows Council approval of the ASP. This stage is followed by a "Development Agreement" between the developer and the Municipality of Crowsnest Pass.

2.0 THE PLAN AREA

2.1 The Plan Area

The Plan area includes approximately 437.5 acres owned by the McGillivray Land Development Corporation, and shown on Figure 1. The lands are undeveloped and partially impacted by coal mining activities in the past.

The lands are described as follows:

- 93 acres. Plan 981 3387, Block 1, Lot 1. Portion of the NW ¼ Section 8, Township 8, Range 4 West of the 5th Meridian
- 320 acres. The SW ¼ and NW ¼ Section 17, Township 8, Range 4 West of the 5th Meridian.
- 20.5 acres. Portion of SE ¼ Section 17, Township 8, Range 4 West of the 5th Meridian.

2.2 Topography

The plan area elevations are from 1345 metres at Highway #3 to 1520 metres at the north end adjacent to the power transmission line right-of-way. Steep slopes cover many area of the site and identify the Plan boundaries on the east, west and south. In order to determine development setbacks, areas with slopes steeper than 15% would be investigated to determine if the slopes are in soil or bedrock, as setback requirements for bedrock slopes may be smaller than those for soil slopes.

U M A Engineering Ltd. recommends that detailed site mapping for geotechnical features (i.e. bedrock slopes, soil slopes, shallow bedrock) be undertaken at the subdivision stage. Areas less than 15% slope are suitable for development subject to recommended geotechnical investigations at the subdivision stage.

2.3 Geology and Soils

The following is extracted from the "Chinook Project Hydrological Study" by Hardy BBT Limited Calgary, Alberta, December, 1989 file CG16234.005.

> *"The Project Area lies in the Cordilleran geologic region. Soils have developed on residual glacial deposits in the upland areas, and morainal deposits along the walls and bottoms of valleys. Solum thickness tends to be thin, generally averaging 20-35 cm. Coarse fragments are generally abundant and the soil is classified as predominantly well to moderately well drained. Eluviated and Orthic Eutric Brunisols are primary subgroups occurring in the area although Orthic Dark Brown Chernozems may occur under grassland vegetation on steep south facing slopes."*

U M A Engineering Ltd. has determined that shallow bedrock would impact the design, construction and costs of roads and utilities. However, shallow bedrock is not a constraint to development.

U M A Engineering Ltd. recommends that detailed site mapping for geotechnical features (i.e. bedrock slopes, soil slopes, shallow bedrock) be undertaken at the subdivision stage. In addition, the use of septic fields may be limited in areas of shallow soil, and treatment mounds are typically used as an alternative to septic fields. However, the soils are typically coarse-grained suitable for septic fields. Standard percolation tests are required at the subdivision stage.

2.4 Drainage

The following is extracted from the "Chinook Project Hydrological Study" by Hardy BBT Limited Calgary, Alberta, December, 1989-=p file CG16234.005.

> *"Drainage within the Project Area is influenced significantly by topography, namely by parallel north-south trending mountain ridges bisected by the Crowsnest River Valley. The major drainage course is the Crowsnest River which runs from west to east through the Project Area. It is fed by tributaries from the north (Allison, McGillivray, Nez Perce, Pelletier, and Blairmore Creeks) and south (York and Lyons Creeks)."*

Drainage for the Plan area is into the McGillivray and Nez Perce Creek Valleys. The Plan area is well drained and there are no drainage related constraints to development.

2.5 Environmental Studies

The plan area is on south facing slopes within the Montane Ecoregion of the Rocky Mountain Natural Region and is forested with a mixture of open grassland, native shrubs, Spruce, Aspen and Douglas Fir trees common to the Crowsnest River Valley. The trees are considered to be a primary asset to the land base and every effort should be made to retain trees by minimizing site grading for homes and road construction to serve the subdivision only.

In 1988, Alberta Forestry Lands and Wildlife commissioned a study to identify the environmentally significant areas. The report "Environmentally Significant Areas in the Municipality of Crowsnest Pass", identified the lands north of Coleman above the 1425 metre contour between McGillivray Creek and Blairmore Creek as Regionally Significant for mule deer and elk habitat.

2.6 Fisheries

The following is extracted from "An Assessment of Fisheries Resources, Habitat, Invertebrate Populations and Water Chemistry in Streams in the Chinook Project Study Area" by J.H. Allan, Pisces Environmental Consulting Services Ltd., Red Deer Alberta, March 1990.

> *"The North Block is bounded on the north, east and west by high ridges and the valley thus formed is drained by Nez Perce Creek. Nez Perce Creek is an 11.6 km, high gradient (88m/km), partially ephemeral tributary of the Crowsnest River. At a point approximately 3 km upstream of the mouth, surface flow in Nez Perce Creek frequently disappears, particularly during low flow periods (July to March). An 8 km section of the main stream of Nez Perce Creek, extending upstream from the mouth, was examined during the fisheries resources assessment program. With the exception of a small portion within the bounds of the Town of Coleman, all of Nez Perce Creek lies within the project area boundary."*

> *"The results of the HEP/HIS analysis and habitat mapping revealed a number of factors which preclude the establishment of a fish population. The most obvious is the absence of surface discharge for varying periods, particularly in the lower 3 km of the creek, where surface flows are frequently absent for 8 months of the year."*

> *"No record of fish populations could be found for Nez Perce Creek, nor were any found during the investigations in 1988/89. Local hearsay evidence suggested that a water supply reservoir on Nez Perce Creek once contained fish (species unknown), however the reservoir is no longer used and is not capable of holding water."*

2.7 Former Mining Activities

The Plan area has been extensively undermined by operations of the International and McGillivray Mines between 1903 and 1958. Former mining activities were investigated by Norwest Resource Consultants Ltd. The extensive report entitled "Preliminary Evaluation of Mining Hazards on Development North of Coleman" provides details regarding the constraints to development of the land due to former mining activities. The following quotations are pertinent to this Area Structure Plan.

> *"During the conceptual planning stage, it will be preferable to locate development over those areas where we have a greater level of confidence, subject to sufficient site investigation and evaluation. In this regard, the avoidance of residential development within the High Hazard and Moderate to High Hazard zones is recommended. The concept of locating higher density residential development above areas that have Low Hazard potential, or over some of the Moderate Hazard areas is considered to have a reduced risk, is advisable."*

> *"Subject to qualifications noted below, the report concludes that the majority of the area **may** be amenable to a low density of development, where structures and infrastructures can be designed to accommodate any remaining residual subsidence. A higher density*

of structures and infrastructures may be located in areas that are expected to have a low hazard. There are high hazard areas, where shallow mining has occurred near the coal outcrop, that should not have structures, except for a minimum of infrastructure, located above them."

"In general it may be possible, subject to the qualifications expressed in Section 6.5.6 above, to locate residential areas, with a low density of housing, in Moderate Hazard zone. These areas should have local services where possible (water wells, septic systems, etc.) to avoid construction of infrastructure over long distances above mined land. Where infrastructure is built it should be designed to accommodate subsidence.

Where it can be shown by further investigations that residual subsidence is expected to be low, a higher density of development may be possible in the Moderate Hazard zone. This should also be the case for the Low Hazard zones, where subsidence effects are expected to be low. The siteing and type of structures should, however, still take residual subsidence into account."

Various types of mine refuse including sawdust, coal reject material and waste rock has been dumped on limited areas. The composition and original topography of the 'mine spoil pile' is unknown and these factors may have an effect on the stability of the slopes located above. U M A Engineering Ltd. recommends the developable areas situated above the 'mine spoil pile' be investigated at the subdivision stage.

2.8 Historic Sites

The former coal mining activities of the McGillivray Creek Coal and Coke Co. and the International Coal and Coke Co. from 1903 to 1958 have been documented. Several sites have been identified by Alberta Historic Sites Service Inventory in the Coleman area. The ASP area contains the remains of several mine entries. It is recommended that the developer retain these features in open space areas.

3.0 PLAN GOAL AND PRINCIPLES

3.1 Plan Goal

The goal of the Nez Perce Area Structure Plan is to provide a framework for orderly and efficient development of a country-residential subdivision that is compatible with adjacent roadways and complements the residential and commercial development of Coleman. This overall goal is supported by specific principles that guide the form and character of development in the area.

3.2 Principles of Development

Pattern of Development

- Development shall be in accordance with statutory policy and municipal standards in effect at the time of development approval.
- Patterns of development should reflect the natural form and character of the land, in particular the south facing slope and panoramic views of the Flathead Range.
- Land uses on the site should be configured to ensure compatibility with the adjacent highway.

Natural Environment

- The natural landform of the site should be retained wherever possible and reasonable. Site grading should be limited to areas required for roadways, private driveways, septic disposal fields, home building sites, utility services and storm water management.
- Distinctive natural features on the site should be retained and incorporated into the land use plan where possible. Mature stands of Douglas Fir should be protected from development while balancing the placement of home sites, driveways and roadways. The development of shared driveways should be encouraged to minimize removal of mature canopy trees.
- Existing trails should be followed for the main roadway access while recognizing the need for fire truck and emergency vehicle access. The stripping of large areas or the removal of mature forest canopy for new roads and driveways should be avoided wherever possible.

Character of Development

- Site development should create a positive image and identity at this visually prominent location.
- Local roads and privately owned open space should provide a uniform high quality character that will give the Nez Perce subdivision a distinct identity.
- Country residential developments should include housing styles that reflect market demand and a variety of dwelling styles common to mountain home, recreation home, and mining heritage themes.

- Architectural site development guidelines are to be prepared for the initial land use reclassification.
- The primary market for new development is for "second homes or recreation homes" on large acreage lots.

Community Integration

- Site development should enhance the existing community by assisting the suppression of wildfire to the benefit existing residents of the surrounding areas and the more dense urban developments of Coleman.
- Large areas of open space are available within the development and should be accessible to residents of the broader community for passive day use and wildlife habitat appreciation.
- Distinctive historical features of former mining activities on the site should be retained and incorporated into the open space where possible. The initial subdivision application shall outline the initiatives of the developer to integrate historical features into the site plan. The "Miners Path" which is located in the Nez Perce Valley shall be retained.
- A network of pathways should be developed to provide public access between Coleman and the new subdivisions. Pathways are to be detailed with each subdivision application.

Infrastructure

- Infrastructure shall be provided in accordance with municipal standards to ensure adequate roadway capacity, water service and wildfire protection for the development.
- Infrastructure should be designed to minimize impacts to the environment, site grading and removal of mature tree canopy.

Phasing

- Development should be phased in a logical and efficient manner to minimize disruption to the land, provide for logical water service extensions, respond to market demand, and conform to the growth objectives of the Municipality.

Site Design and Architectural Controls

- Site design and architectural controls shall be provided to enhance the mountain environment theme and recognize the need for protecting buildings from wildfire as well as limiting the spread of wildfires.

4.0 PLAN POLICIES

4.1 The Land Use Concept

The land use concept is intended to support development of an attractive country-residential subdivision. Map 5 illustrates the Area Structure Plan land use concept. The concept identifies land for Country Residential, and open space. The plan also illustrates the planned access with Highway #3 and local roads to serve the subdivision.

Key considerations that have influenced the preparation of the land use concept include the following:

- A residential density level that is consistent with the capability of the land and the limited roadway access.
- A comprehensive design for internal roads and lots that takes full advantage of the exceptional long-range views of the mountains and Crowsnest River Valley.
- A clustered subdivision pattern that minimizes the forest to be cleared for homes and provides an extensive network of pathways and forested hill sides.
- Extension of municipal water supply and fire hydrants for most of the area.
- Limited access roadways with only one intersection with Highway 3.
- No direct connection to other roadways in Coleman.
- Steep valley slopes on the perimeter of the site and steep slopes within the site limit the physical connectivity with the residential areas of Coleman.

4.2 Country Residential

The Concept

Planned residential land use includes country residential lots with a lot area of 1.0 to 3.0 acres or larger. All lots would access the new internal roads. No lots would have direct access to Highway #3 or other roads in Coleman.

The subject site is large enough to allow for comprehensive layout while still accommodating large open spaces.

Based on 150 lots, the anticipated population within the plan area will be in the range of 450 to 600 people.

The design of roadways and lots will ensure that most dwellings on the site will be located on the south-facing slope to take advantage of the exceptional long-range views. The concept plan illustrates a road pattern where the majority of lots will back onto open space. Development on the open space will be prohibited through appropriate mechanisms such as an appropriate designation under the Land Use Bylaw, restrictive covenants, and/or incorporation in a bareland condominium plan.

Policies

4.2.1 The minimum lot size shall be as determined by the Municipal Planning Commission.

4.2.2 Lots layout shall accommodate efficient water servicing and the least amount of roadway construction.

4.2.3 Lots should be located on the south-facing slopes and hill tops to take advantage of long range views. Development on steep slopes shall be avoided.

4.2.4 Site grading should be minimized to retain the existing south-facing slope topography and minimize the removal of mature forest canopy. Wherever possible site grading should be limited to roadways, house envelopes, septic disposal fields, driveways, storm water retention and other grading required to meet municipal fire truck and emergency vehicle access standards.

4.2.5 The existing network of footpaths, the "miners path" provide access throughout the site. These features should be retained with only minimal improvement necessary to halt surface erosion.

4.3 Open Space Lands

Environmental Protection Concept

Portions of McGillivray and Nez Perce Creek valleys located within the plan area would be incorporated into a linked open space system. No developments are permitted on slopes of the adjacent creek valleys and slopes north of Highway #3. Building setbacks from the steep valley walls and other steep slopes and the "mine spoil pile' shall be determined at the subdivision stage.

Municipal Reserve Concept

Pursuant to Section 666 of the Municipal Government Act an area of land for Municipal Reserve may be chosen by the Municipality.

> *"the aggregate amount of land that may be required under subsection (1) may not exceed the percentage set out in the municipal development plan, which may not exceed 10% of the parcel of land less the land required to be provided as environmental reserve and the land made subject to an environmental reserve easement."*

The municipal reserve land may be dedicated as a condition of land use redesignation and subdivision at the discretion of Council. At a future date, an existing or proposed community association may enter an agreement with the Municipality for use of municipal reserve for a constructed recreational use such as sports fields. Alternately, Council may chose to accept the equivalent of money-in-lieu of land.

Environmental and Municipal Reserve Policies

4.3.1 A minimum of 10% of the developable country residential area of the site may be provided as Municipal Reserve land in a form and location suitable to Council. Alternately, Council may choose to accept money-in-lieu of land.

4.3.2 The McGillivray and Nez Perce Creek valleys should be retained in private ownership as a public access open space system, to the satisfaction of Council.

4.3.3 The landowner/developer will be responsible for natural landscaping within the open spaces, and the identification of pedestrian pathways throughout the plan area.

4.3.4 At a future date, following registration of the lots contained in the plan area, an existing or proposed community association may enter an agreement with the Municipality for use of the municipal reserve for a constructed recreational use such as sports fields.

4.3.5 Maintenance of the municipal reserve will be the responsibility of the proponent for an initial maintenance period. Thereafter, maintenance will be the responsibility of residents of the development.

4.3.6 A Residents' Association shall be established and registered against the title of all lots to ensure shared maintenance of open space. Proposals for sports field or other recreational activities or facilities that would benefit the broader population shall be subject to a separate construction and maintenance agreement to the satisfaction of Council.

4.3.7 The Municipality will not be financially responsible for the development, maintenance, or operation of the open space.

4.4 Roadways

External Roadways

The development will be accessed to/from Highway #3 at one intersection designed to the satisfaction of Alberta Transportation. The Nez Perce Area Structure Plan Traffic Study by Swanson Transportation Consultants Ltd. is available under separate cover. There is no private lot access to Highway #3.

Internal Roadways

Internal roadways for will be constructed by the developer to Municipal standards and dedicated as public roadways. As illustrated in Map 5 the ultimate subdivision will be served by an internal road connecting to Highway #3.

The roadways within the development will meet the design criteria for Local roadways defined in the MCNP Engineering and Development Standards. A maximum gradient of 12% will be

used as will the other design criteria defined in Table 2.2.2 of the MCNP Engineering and Development Standards.

The roadway right of ways will vary in some areas where cut and fill slopes for the roadway construction extend outside the minimum right-of-way width (20m) defined in the engineering standards. All roadways within this development will be classified as local or collector roadways.

Adequately sized bulbing will be provided at the end of each cul-de-sac to accommodate safe fire truck turning movements. Fire access conditions are shown on the attached site plan.

Roadway Policies

4.4.1 All internal subdivision roadways and turn-around will be built by the landowner/developer to Municipal standards.

4.4.2 All access to/from country residential lots will be to/from internal roadways.

4.4.3 No direct residential driveway access shall be allowed onto Highway #3.

4.4.4 The intersection of the main access road and Highway #3 shall be constructed to the satisfaction of Alberta Transportation.

4.5 Servicing

Water Supply

The potable water supply will be a municipal piped water system. Alternately, wells may be necessary on certain areas where municipal piped water is deemed impractical. Should well water be necessary, U M A Engineering Ltd recommends that a hydrogeological investigation be carried out at the subdivision stage.

The water supply will be provided from the existing 250 mm diameter water line on 17th Avenue at 71st Street. A new 200 mm diameter water line will be constructed on 71st Street between 17th Avenue and 19th Avenue. A water booster station will be constructed north of 19th Avenue to boost the water pressure for the feed to the Nez Perce country residential development. From the booster pump house, a new pipeline will be bored or directional drilled across 20th Avenue (Hwy 3) and routed along the development roadways to service the proposed lots. The Municipality of Crowsnest Pass fire flow requirements at the hydrant will be met (2000 l/m) as will the hydrant spacing requirements.

Sewage Disposal

The municipal sanitary sewer system will be extended to a portion of the ASP area. Other residential lots will be serviced by a private sewage septic tank and drainage field system constructed to provincial requirements. UMA Engineering Ltd. has identified that the gently sloping site and soil conditions are well suited to the requirements of private drainage fields.

Appropriate percolation tests carried out by a Qualified Professional will be required at the land use redesignation and subdivision stage to verify the suitability of the subdivision.

Storm Water Management

Storm water within the development area will be surface drained to roadside ditches and the creeks adjacent to the development on both the east and west sides. If Alberta Environment has a concern with sediments in the storm water, sedimentation basins/ponds will be constructed to collect the surface runoff before discharging to the creek(s). The ponds/basins would be sized for the 1 in 5 year rainfall event. An over land drainage course would be provided for the 1 in 100 year rainfall event. Culverts crossing roadways will be sized for the 1 in 5 year rainfall event. The minimum culvert size will be 450 mm (including driveway culverts).

Shallow Utilities

Natural Gas

This utility will run underground along the proposed roadways to each lot and will be tentatively tied in to an existing gas main south of 20th Avenue (Hwy 3).

Power

Aquila will route electrical service to each lot via the roadway network.

Telus / Shaw Cable

These utilities will be run underground along the proposed roadways to each lot. Telus and Shaw cable are typically run together in the same trench.

Protective Services

New developments in the area will make efficient use of existing fire and emergency protective services and/or help to support the cost of improved services for the area.

Fire protection services shall be provided as required by the Municipality. Fire protection and prevention should follow the guidelines as set out in "Fire Smart: Protecting Your Community From Wildfire" by Partners in Protection May 1999.

Servicing Policies

4.5.1 Development of country residential lots will generally require suitable piped water supply. Alternately individual water wells may be necessary where piped water is deemed impractical. All necessary Alberta Environment permits, approvals and licenses will be obtained for the water system as a condition of subdivision approvals.

4.5.2 The design of a piped community water system, including any off-site rights-of-way and distribution facilities will be subject to approval of the Municipality.

4.5.3 Prior to Tentative Plan approval for country residential lots a storm water management plan based on "Best Management Practices" acceptable to the Municipality will be prepared by a Qualified Professional.

4.5.4 Prior to Tentative Plan approval for country residential lots a geotechnical analysis acceptable to the Municipality will be prepared by a Qualified Professional.

4.5.5 An Engineered Tank and Field system will be the minimum requirement for septic treatment.

4.5.6 Representative percolations test shall be provided by the developer prior to tentative plan approval.

4.5.7 For lots that depend on well water sources, water well tests shall be provided by the developer prior to tentative plan approval.

4.5.8 The developer shall enter into a "development agreement" with the Municipality prior to registration of the first plan of subdivision.

4.5.9 Details of the fire protection and prevention methods as well as emergency access/egress plans shall be included in the development agreement.

5.0 IMPLEMENTATION

5.1 Approval Process

Area Structure Plan

Adoption of the Nez Perce Area Structure Plan as a Council approved bylaw is the first step toward implementation of development on the subject site. The ASP provides a framework of land use policies that must be met prior to approval of subsequent land use redesignation bylaws and subdivision plans. The ASP is adopted only after a statutory Public Hearing of Council, and consultation with key stakeholders including area landowners and municipal staff.

Construction of Highway #3 Intersection

Alberta Transportation anticipates construction of the intersection will occur during the next few years. All costs of construction shall be borne by the landowner/developer. The intersection shall be completed to the satisfaction of Alberta Transportation.

Land Use Reclassification, Tentative Plan and Subdivision Approvals

The ASP land uses will require land use reclassification approval from Council.

At the time of land use redesignation, additional technical information may be required in order to confirm the technical feasibility and design of the proposed land uses. Details of water servicing would be provided in accordance with Municipal policies. Following a statutory Public Hearing of Council, the Crowsnest Pass Land Use Bylaw would be amended to reflect the land uses as described in this Area Structure Plan.

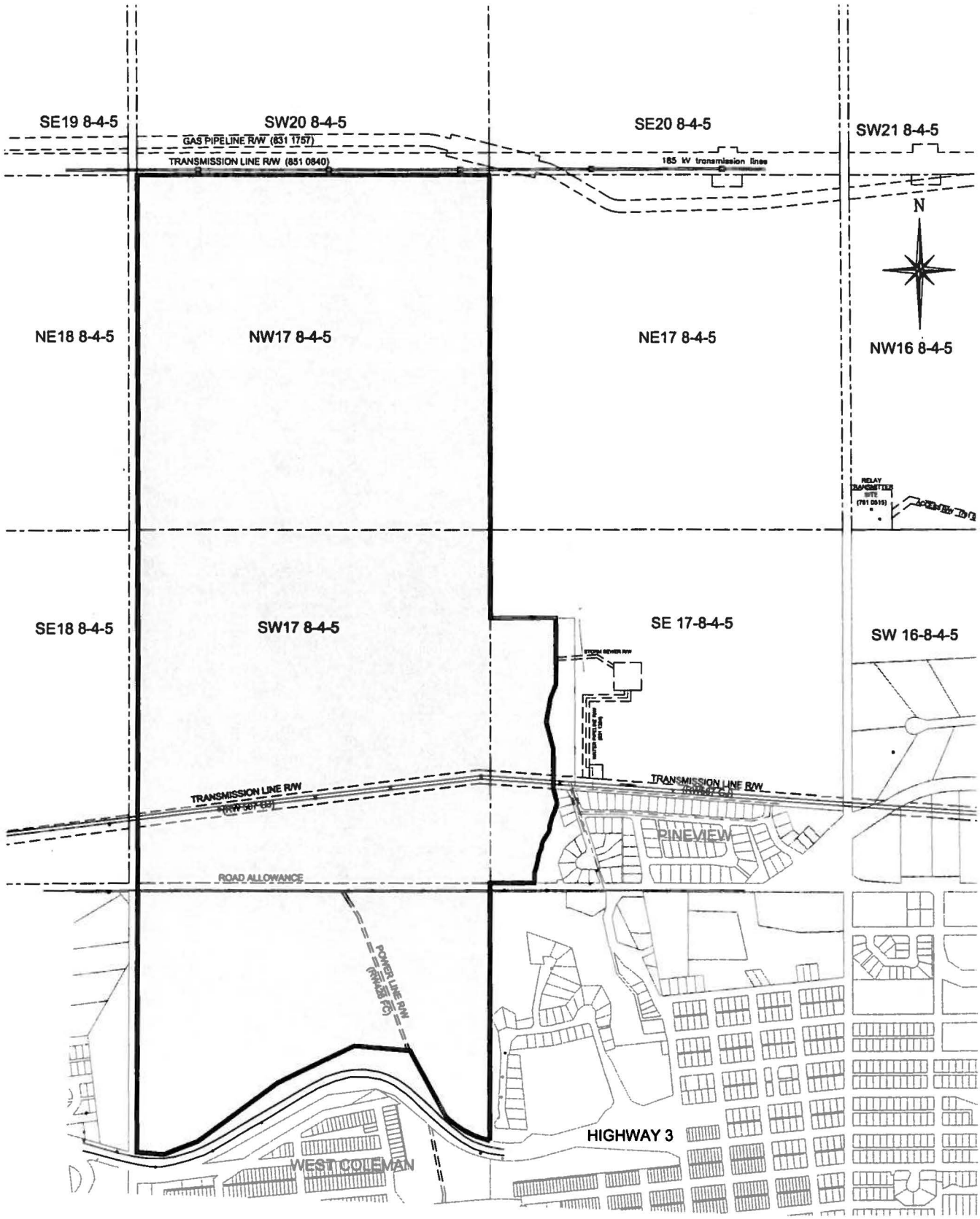
A subdivision application (tentative plan) will be submitted in parallel with the land use bylaw amendment application to accommodate the planned land uses. Subdivision approval may be staged over time to correspond with a logical sequencing and lot absorption. A development agreement between the Municipality and the landowner/developer will be a condition of subdivision approval to ensure the provision of roadway and utility infrastructure to municipal standards.

5.2 Phasing of Development

Generally, development phasing will be in response to market demands. As the south end of the plan area is to be serviced with water and sewer extensions, the first phase of development will occur at the south end of the Plan area.

Land use reclassifications and subdivisions would occur incrementally in response to market demands.

In response to market demands, Phase 2 and 3 areas which are allocated for larger lots, and limited servicing may be available for development prior to completion of Phase 1.



SUBJECT PROPERTY

Figure 1:

PLAN LOCATION

Nez Perce Area Stucture Plan

SCALE 1:12500

July 2003

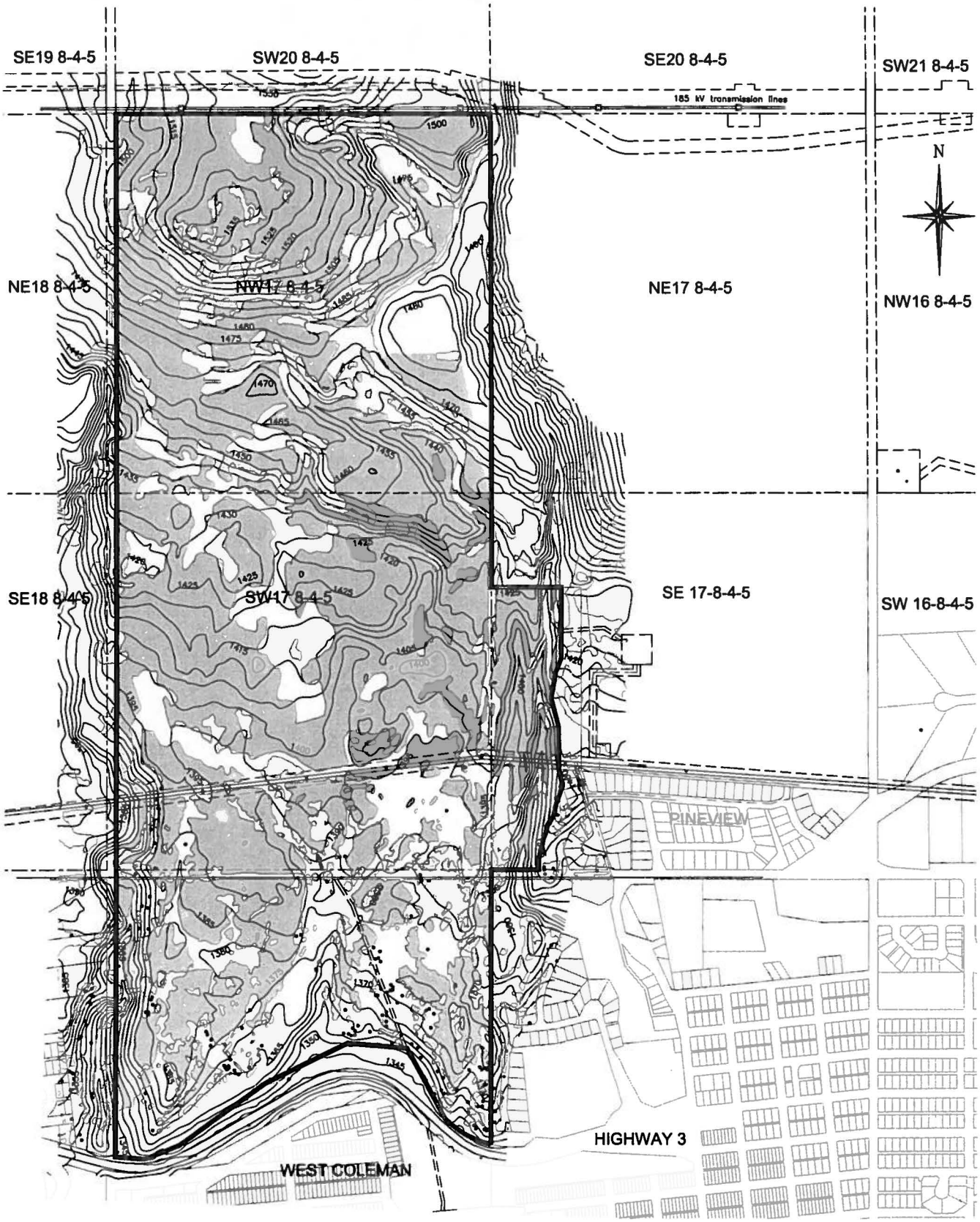
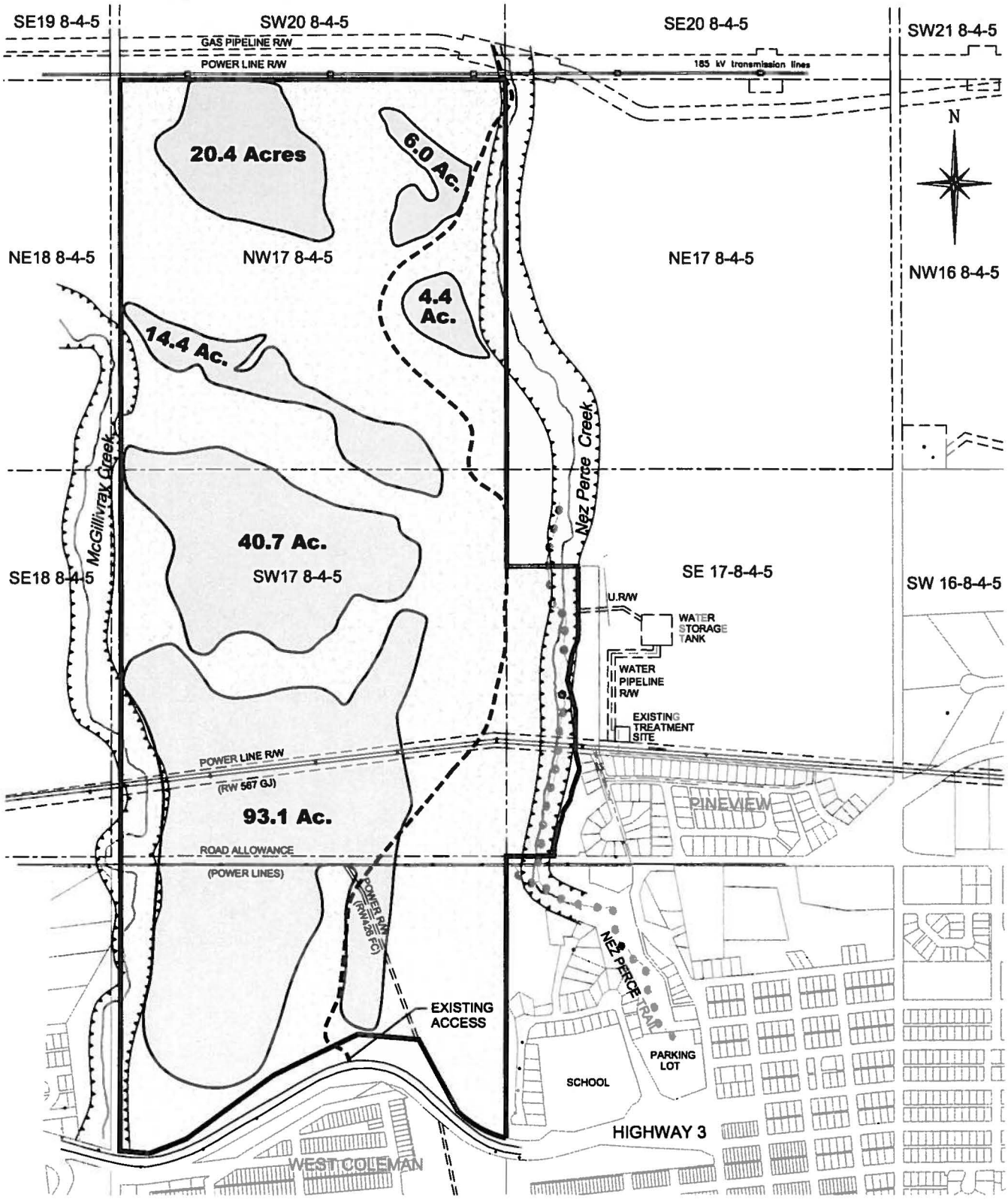


Figure 2:
TOPOGRAPHY

Nez Perce Area Stucture Plan

July 2003

NOT TO SCALE



SUBJECT PROPERTY

EXISTING ACCESS ROAD

NEZ PERCE TRAIL

APPROXIMATE TOP OF CREEK VALLEY

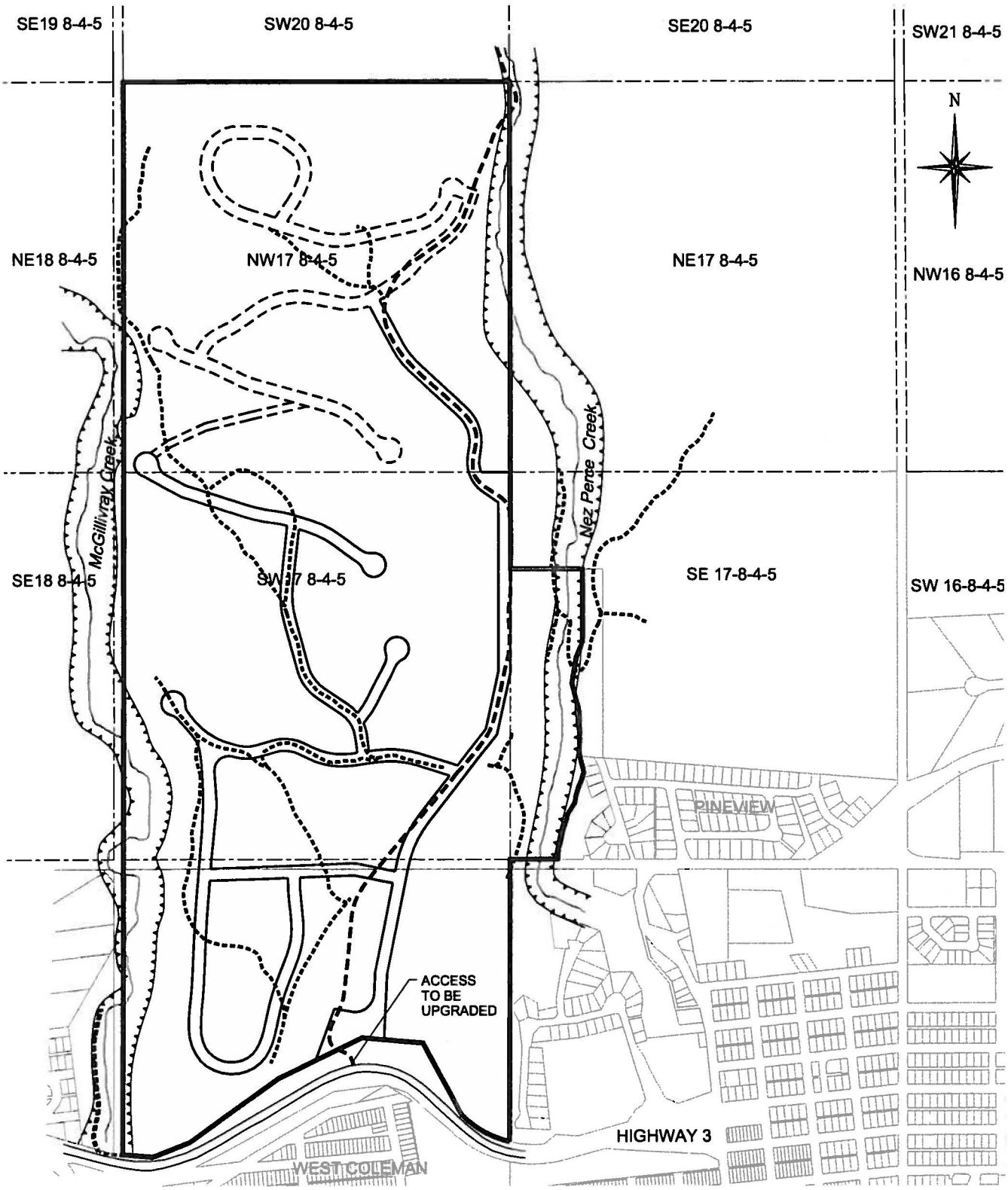
20 Ac. — CONTIGUOUS DEVELOPABLE PARCEL WITH SLOPES LESS THAN 15%

PRIMARILY OPEN SPACE (±250 Acres)

Figure 3:
EXISTING FEATURES

Nez Perce Area Stucture Plan

July 2003



NOTE. ROADS AS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE

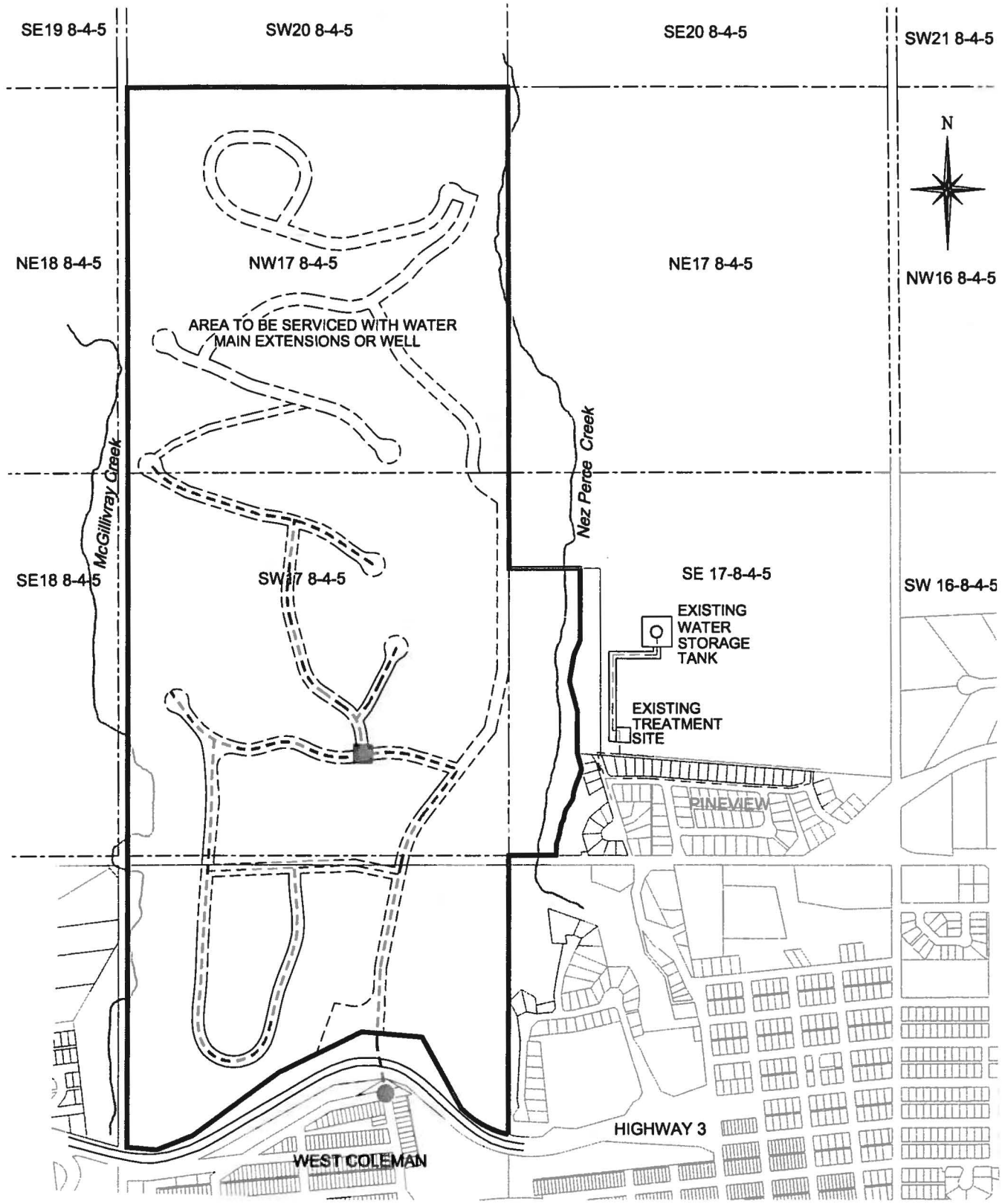
NOT TO SCALE

Figure 4:

FUTURE ROADWAYS

Nez Perce Area Stucture Plan

July 2003



SUBJECT PROPERTY

PROPOSED WATER LINE

PROPOSED ROADWAYS
(CONCEPTUAL AND SUBJECT TO CHANGE)

EXISTING WATER LINE

CONNECTION POINT

BOOSTER STATION

NOT TO SCALE

Figure 5:

WATER SERVICING

Nez Perce Area Stucture Plan

July 2003

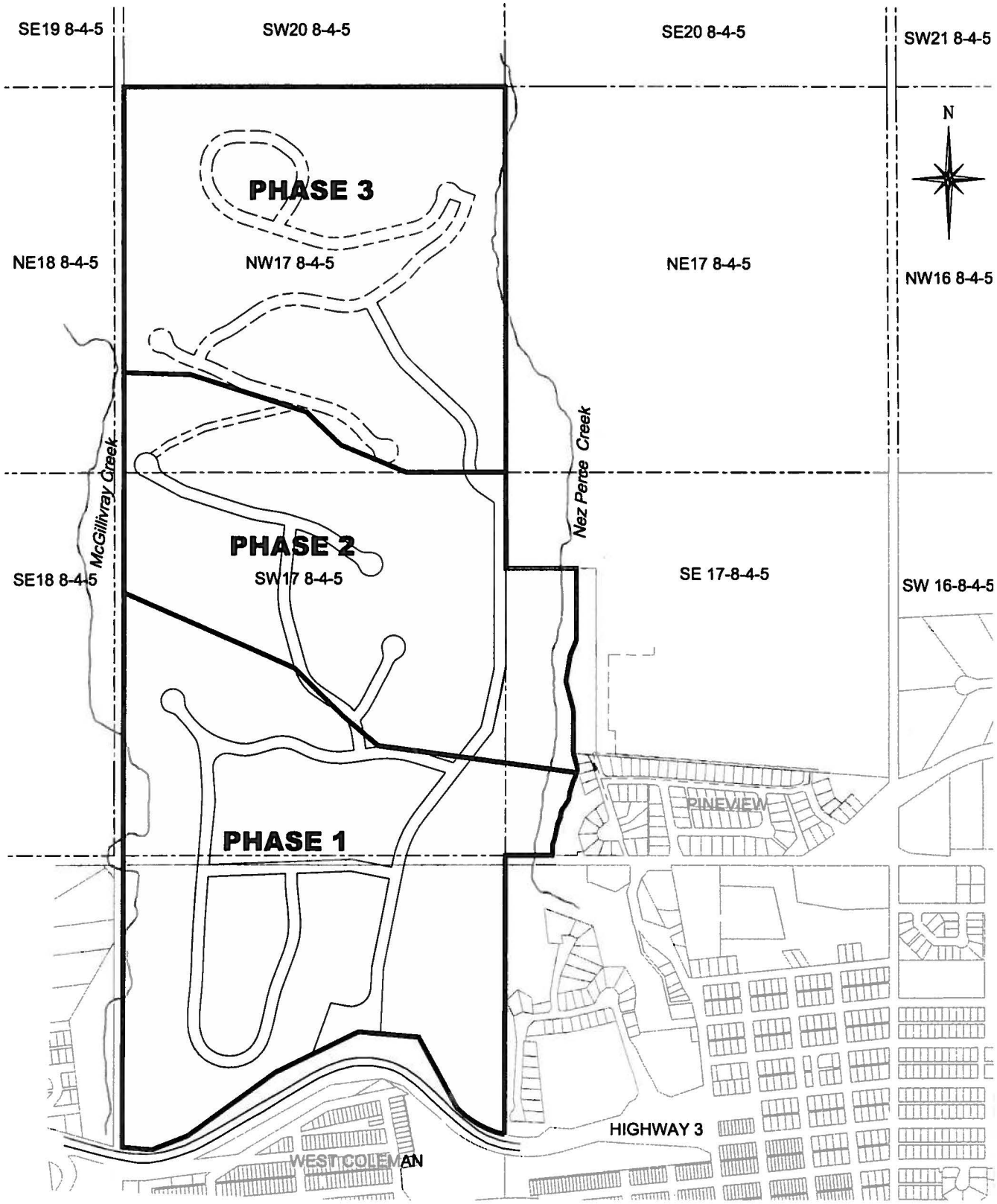


Figure 6:

DEVELOPMENT STAGING

Nez Perce Area Stucture Plan

July 2003

NOT TO SCALE