

February 23, 2021

Attention: **Foothills County Council**

Sent via email to: PublicHearings@FoothillsCountyAB.ca for the Public Hearing on February 24, 2021, Agenda Item C

Re: **Oxtoby/Howland lands - SW 05-22-29 W4M**

Proposed amendment to the Heritage Pointe Area Structure Plan & concurrent land use redesignation

Calgary River Valleys or CRV (legally known as Calgary River Forum Society) is a not-for-profit environmental stewardship organization. Our working Board and its committees strive to maintain an informed advisory capacity in support of the stewardship of rivers, creeks, valleys, wetlands, and riparian areas in the Calgary region. CRV has members and partners in all areas of the Calgary region. Our society works on a collaborative basis with many individuals and organizations who live and work near and around river-edge and river-adjacent areas.

Members of the Ravine Drive Condominium Association consulted with us regarding the proposed Serenity Subdivision and Development regarding possible impacts and mitigations.

Rural areas around Calgary are comprised of land that is both formerly farmed areas and areas that are still relatively natural. These areas both have fairly natural drainage and absorption of rainwater and snowmelt, and have existing wildlife communities that live, breed, forage and hunt there. Urban and suburban developments in these areas usually have significant impacts and cause changes to the water regime of absorption and recharge of the groundwater flow, and water supply to seeps, wetlands, ponds and creeks and the vegetation that depends on this water supply. These changes can be significant locally and downstream, affecting land stability and water available for vegetation, leading to losses of springs and wetlands, decreasing water quality, and negative impacts on water flow downstream.

CRV's concerns about this proposed amendment to the Heritage Pointe Area Structure Plan and the land use redesignation are outlined below.

- 1. Wildlife Habitat and Corridors:** The proposed amendment to the Heritage Pointe Area Structure Plan (ASP), entitled "Serenity", includes a well-defined ravine and creek that has a Provincially licensed irrigation pond created within the creek valley, which flows to the Pine Creek valley, and on to the Bow River. The creek that runs in the ravine can be seen on historical air photos prior to development of the Hamlet of Heritage Pointe. See the 1955 aerial photo, from the University of Calgary digital library, on the next page.





The ravine creek valley provides habitat and transit corridor to both local and migratory wildlife species. With stewardship in and along the ravine corridor there could be habitat and conditions for a much greater wildlife community. We understand this is an important neighbourhood value, and which, if properly protected, could no doubt be a selling feature for the Serenity development.

For the greater region it appears that every river and creek valley represents the major opportunity to support biodiversity, as we see increased pressure from urban and suburban



development, infrastructure, and intensive agriculture that stretches from Fort McLeod to Athabaska, between the Foothills and the broader prairie.

As competition for space and resources has intensified and become more important to many jurisdictions, the pledge made by many municipalities, including the City of Calgary, in signing the Durban Commitment in 2016 becomes all the more crucial. The Durban Commitment states, in part, *“By signing this Commitment we commit to promoting, increasing and enhancing biodiversity within our administrative area and recognize that our ecological footprint extends beyond our administrative area; we will therefore integrate biodiversity considerations into all aspects of our governance and development planning.”* It goes on to state that the signers declare their intention to develop a long-term biodiversity strategy to address, *“The management of natural areas and green spaces, including the restoration and rehabilitation of degraded natural areas and the control of invasive species.”*

Below are pictures taken by CRV members on February 21, 2021, of this ravine creek valley, with water clearly flowing in the bottom of it, and a family of moose using this wildlife corridor.



- 2. Storm Water:** As indicated above, the proposed Serenity amendment to the Heritage Pointe ASP, includes a Provincially licensed pond that was created for irrigation purposes within



the ravine creek that flows to the Pine Creek valley, and on to the Bow River. The license, Water Registration, 00156887-00-00, was granted by the Province under the Water Act in 1982, to allow Larry Loomes to create the pond within the valley of the naturally occurring the ravine creek that runs generally north and west to Pine Creek. Even though the pond within the ravine creek valley is artificially created, the original natural creek remains, and the entire water course should be treated as a natural creek. As per the Provincial Public Lands Act Section 3, *“a river, stream or watercourse does not cease to be naturally occurring by reason only that its water is diverted by human act.”*

It is our understanding that the new Serenity development, and likely all similar future developments in this area in proximity to the ravine creek and its valley, is expecting to use the creek to receive its storm water. The roof areas, sidewalks, roadbeds, parking areas, and other impervious surfaces will greatly increase the amount of precipitation run-off during rain events and snow melt, beyond the pre-development equilibrium and will increase the flows in the ravine creek, increasing the impacts from the creek and higher water levels.

The process of collecting and piping rain water and snow melt, both categorized as “storm water”, and thereby preventing it from infiltrating into the ground where it falls, will also reduce the sub-surface groundwater that has provided some moisture balance to the surface strata, and supported vegetation “downstream” on lower surfaces, in an otherwise semi-arid environment. It is also likely that stripping off the surface “storm water” will reduce recharge / refilling of the deeper aquifers.

Some of the stripped-off storm water will likely drain from the back of the lots abutting the pond, and will bring a different type of change, including the possibility of the valley / ravine slope destabilization.

Drainage changes can also bring opportunities but should be handled carefully. For example, preferable native species could be placed on the lots and reserve lands to use run-off rather than require irrigation.

Regarding the planned oil and grit separator that is designed to remove some of the sediment and contaminants from the storm water before it is piped into the pond, we have questions as to whether it will be adequate. Will it be functional at higher than normal water flows? What provisions will be in place to ensure it will be serviced adequately? What



protections will be put into place to intercept any contaminant spill into the storm water system and subsequently into the natural creek and Pine Creek?

3. **Setback of Development From In-Stream Pond:** We understand that the Serenity amendment to the Heritage Pointe ASP will require lots that back onto the the ravine creek pond to have a 30 metre setback from the bed and shore of the pond to the lot property lines. We further understand this creek-adjacent strip of land will be zoned as Municipal Reserve (MR) land, and the ravine creek valley pond will be zoned as Environmental Reserve (ER). While not optimal, the proposed 30 metre setback to the property lines with reasonable development standards and responsible use, can provide a reasonable section of the corridor that ideally would continue to Pine Creek. We ask that the setback be defined as from the top of bank rather than from the bed and shore, in order to ensure better preservation of the wildlife corridor. We support the plan for maintaining the pathway well set back from the ravine creek valley and the in-stream pond.
4. **Setback from the Ravine Creek:** Members who reviewed this application expressed great concern about the proposed five HR-A lots adjacent to the ravine creek valley, which is labelled on the developer's documents merely as a "drainage course." The ravine creek flows from the ponded area toward Pine Creek with little if any noted setback from the planned lots. The naturally formed ravine becomes steep and well-wooded on the northeast facing (Serenity) slopes. It is our position that these slopes should not be developed, and that the property line of any lots created in this area should be set well back from the ravine creek valley in order to protect the watercourse and the wildlife corridor.

We strongly suggest that these lands become Reserve lands of some type. The information we have suggests that reconfiguration could be done that would ensure that this rich "pinch point" is left as protective setback and habitat for wildlife, and would protect the ravine creek watercourse. We have travelled through several of the Hamlet of Heritage Pointe neighbourhoods and have not found any with lots that encroached into ravines or onto natural water course to the extent suggested by this plan.

5. **Cumulative Impacts:** If urban and suburban development is to continue to spread out from Calgary, we will require careful and better planning and design to manage the cumulative impacts on the natural functions of our water courses. New development planning should also include plans to mitigate and / or correct past mistakes that have compromised the positive contributions our creeks and their valleys make that are so highly prized by local



residents and needed by our neighbours downstream. This proposed development is one of those locations where a better balance should be required. We are confident development can occur with better setbacks from the watercourse and the requirement to meet environmentally-sensitive standards, including minimizing impacts on the slope of the ravine creek valley.

For this Serenity amendment, we request that a storm water assessment and plan be required for this project prior to approval, and that it include a professional review of the potential cumulative impacts on the ravine creek and Pine Creek.

Our organization would be pleased to provide additional input or guidance to the planning and development of this parcel going forward.

You can reach me at the mailing address on this letterhead, or by email to my attention at CalgaryRiverValleys2@outlook.com.

Sincerely,

Bill Morrison, President
Calgary River Valleys (Calgary River Forum Society)

Cc: CRV Board & circulation
Ravine Drive Condo Association

