

Conditions of Approval

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If this Application is approved, the following Conditions of Approval shall apply:

Planning:

1. Relocation of utilities shall be at the developer's expense and to the appropriate standards.

Development Engineering:

2. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
 - Geotechnical Report, prepared by McIntosh-Lalani Engineering Ltd. (File No ML6219), dated September 2013.
3. Until downstream storm infrastructure is approved and constructed, Livingston (including the plan area) is under interim development condition restrictions as described by the Livingston Phase 5 Interim Storm Pond E Report.

In order to develop the proposed southwest DC Site 1 and DC Site 2 parcels (west of Centre Street from 144th Ave NE to 148th Ave NE), a land swap was completed wherein development will be restricted within an equivalent portion of land in Livingston Phases 22, 26, 34, and 35 (equivalent land determined based on impervious area). Approval of Development Permits for parcels within the plan area other than the southwest DC Site 1 and DC Site 2 will not be permitted unless either zero discharge is proposed or downstream infrastructure is approved and constructed.

4. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
5. **Prior to endorsement of any Tentative Plan/prior to release of a Development Permit**, execute a Development Agreement. Contact the Public Infrastructure Coordinator, Calgary Approvals Coordination for further information at 403-268-2493 or email david.berge@calgary.ca.
6. Off-site levies, charges and fees are applicable. Contact the Public Infrastructure Coordinator, Calgary Approvals Coordination for further information at 403-268-2493 or email david.berge@calgary.ca.
7. The developer, at its expense, but subject to normal oversize, endeavours to assist and boundary cost recoveries shall be required to enter into an agreement to:
 - a) Install the offsite sanitary sewers, storm sewers and water mains and construct the offsite temporary and permanent roads required to service the plan area. The developer will be required to obtain all rights, permissions, easements or rights-of-way that may be required to facilitate these offsite improvements.

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- b) Construct the underground utilities and surface improvements in the full width of the four (4) lane divided major within Centre Street N, along the boundaries of the plan area.
- c) Construct the underground utilities and surface improvements in the north 3 lanes of the six (6) lane divided major within 144 Avenue N, along the south boundary of the plan area.
- d) Construct the underground utilities and surface improvements within the full width of 1 Street NW, along the west boundary of the plan area.
- f) Construct the underground utilities and surface improvements within the full width of Livingston Avenue NE, along the boundaries of the plan area.
- g) Construct the underground utilities and surface improvements within the full width of Livingston Parade NE, along the boundaries of the plan area.
- h) Construct the underground utilities and surface improvements within the full width of Livingston View NW, along the north boundary of the plan area.
- i) Construct the regional pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.

Transportation:

8. **Prior to endorsement of the initial Tentative Plan**, it must be demonstrated to the satisfaction of the Director, Transportation Planning that a regional transportation network is “available,” and connects the Outline Plan area with Stoney Trail, in accordance with the approved Calgary Transportation Plan (CTP) and Municipal Development Plan (MDP).

“Available” is defined as follows:

- A. The ability to construct or contribute towards construction of a regional road required to provide a connection to the Tentative Plan.
- B. The ability to construct or provide financial contribution for construction of a pedestrian / active modes system to service the Tentative Plan, or pedestrian / active to connect the pedestrian walkway system serving the Tentative Plan with a pedestrian network.

The Regional Transportation Network required to support this development within the Keystone ASP is defined as follows:

- 144 Avenue N – three (1-1 + left turn lane) paved lanes between 14 Street NW and Livingston Hill NE, inclusive.
- Center Street N – completion of 1 Street NE (four basic lanes) between Stoney Trail N and 144 Avenue N, inclusive of upgrades to Center Street N bridge to accommodate four (2-2) lanes.

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9. In conjunction with the Initial Tentative Plan, the Developer shall register a road plan for the full width of Center Street N, from 144 Avenue N to 160 Avenue N, inclusive to the satisfaction of the Director, Transportation Planning.
10. In conjunction with the extension of LRT or BRT service into the subject lands, the Developer shall construct the required street and boulevard segments of Center Street N (exclusive of construction within the future Light Rail Transit right-of-way) to the Ultimate Stage Plan, from 144 Avenue N to Livingston View N, with the applicable Tentative Plan, to the satisfaction of the Director, Transportation Planning.
11. In conjunction with the Applicable Tentative Plan the Developer shall construct the street and boulevard segments of Center Street N (exclusive of construction within the future Light Rail Transit right-of-way) to the Ultimate Stage Plan, 144 Avenue NW to Livingston View N, inclusive to the satisfaction of the Director, Transportation Planning.
12. In conjunction with the Applicable Tentative Plan (prior to approval of a second Tentative Plan within the Center Street Corridor north of 144 Avenue N), the Developer and The City of Calgary shall come to an agreement to advance the development of the Center Street N corridor, including staging of elements within the corridor that facilitates activation of the corridor (may include design, construction, and implementation of elements to advance Bus Rapid Transit Service, corridor activation features and cost share obligations).
13. In conjunction with the Applicable Tentative Plan(s) and Development Permit(s), the Developer's site plan shall be designed and constructed such that the future Light Rail Transit and Bus Rapid Transit grade separation structure at the intersection of 144 Avenue N and Center Street N is not impeded or impacted by the adjacent development, to the satisfaction of the Director, Transportation Planning.
14. In conjunction with the applicable Tentative Plan (first Tentative Plan bounded by Livingston Avenue NE / 148 Avenue NW, Livingston View N, 1 Street NE, and 1 Street NW), the Developer shall construct the full width of 1 Street NW and Livingston View N to the satisfaction of the Director, Transportation Planning.
15. In conjunction with the applicable Tentative Plan(s), the Applicant shall submit construction drawings with cross sections and grading profiles to verify the ultimate road right-of-way (including the LRT right-of-way) requirements for Centre Street N. **Prior to Approval of the Tentative Plan(s)**, the design for Centre Street and its associated right-of-way requirements will be determined the Satisfaction of Transportation.
16. In conjunction with the applicable Tentative Plan(s), the Applicant shall submit construction drawings for adjacent intersections to verify the ultimate intersection geometric design and associated right-of-way requirements. **Prior to Approval of the Tentative Plan(s)**, the designs for the intersections and their associated right-of-way requirements will be determined the Satisfaction of Transportation.
17. In conjunction with each Tentative Plan or Development Permit, further traffic and transportation analysis (Transportation Impact Assessment) is required to demonstrate and confirm that capacity is available on the network to support the proposed application, that the application does not exceed the development cap in place at that time, and that all travel modes are accommodated in a contiguous, consistent manner.

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Any upgrades to the local and regional transportation network, including network connections outside of the plan boundary required to support the proposed application, shall be designed and constructed at the Developer's sole expense, to the satisfaction of the Director, Transportation Planning, subject to normal oversize, endeavours to assist, and boundary cost recoveries.

18. A restrictive covenant shall be registered against the specific lot(s) identified by the Director, Transportation Planning concurrent with the final instrument prohibiting the construction of front driveways over the bus loading area(s).
19. In conjunction with each Tentative Plan, Transit service shall be provided to the satisfaction of the Director, Transit and the Director, Transportation Planning.
20. **In conjunction with the applicable Development Permits**, a noise attenuation study is required for the development adjacent to 144 Avenue N, certified by a Professional Engineer with expertise in the subject of acoustics related to land use planning, shall be submitted to Transportation Planning for approval.
21. In conjunction with the applicable Tentative Plan or Development Permit, all noise attenuation features (noise walls, berms, etc) and ancillary facilities required in support of the development shall be constructed entirely within the development boundary (location of noise walls, berms, etc and associated ancillary works shall not infringe into the road right-of-way).
22. In conjunction with each Tentative Plan, collector standard streets (and below) shall be designed and constructed to their full width at the Developer's sole expense, subject to normal oversize, endeavours to assist, and boundary cost recoveries, to the satisfaction of the Director, Transportation Planning.
23. In conjunction with all Tentative Plan(s) and Development Permit(s), all roads, intersections, driveways, and intersection spacing shall be designed and constructed at the Developer's sole expense, subject to normal oversize, endeavours to assist, and boundary cost recoveries, to the satisfaction of the Director, Transportation Planning.
24. In conjunction with the applicable Tentative Plan or Development Permit, as well as in conjunction with any Land Use or Outline Plan amendments, further transportation analysis is required at the discretion and to the satisfaction of the Director, Transportation Planning.
25. In conjunction with the applicable Tentative Plan or Development Permit, the Developer shall provide a Letter of Credit or payment for pedestrian-actuated crossing signals that are agreed upon by the Developer and the Director, Transportation Planning.

The Developer shall also provide a letter, under Corporate Seal, indicating that they are responsible for any additional costs of signalization that could be in excess of the amount identified in the Letter of Credit or payment, and is required to submit payment in support of the Tentative Plan or Development Permit.

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26. In conjunction with the applicable Tentative Plan or Development Permit, shared access is required for multi-family, mixed-use, and commercial sites to the satisfaction of the Director, Transportation Planning along 1 Street NW and 1 Street NE. For these sites, a Mutual Access Easement Agreement for parcels that use the same access shall be executed and registered on title concurrent with the registration of the final instrument.
27. No direct vehicular access is permitted along 144 Avenue N from the subject lands with the exception of one right-in/right-out to the DC(C-C2) site located approximately mid-block. A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
28. Vehicular access for DC(MU-1) Site 1 parcels will be restricted to one (1) access only on the adjacent east-west roads (Avenue). Access to be located mid-block and aligning centreline-to-centreline. A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
29. Vehicular access for DC(MU-1) Site 2 parcels will be restricted to one (1) access only Lucas Parade/Livingston Parade. Access to be located mid-block and aligning centreline-to-centreline. A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
30. Vehicular access for DC(MU-1) Sites 1 and 2 parcels will be restricted to one (1) access only on the adjacent north-south roads (Streets). A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
31. In conjunction with the applicable Tentative Plan or Development Permit for the staged construction of the road network, transit stops shall be provided to the satisfaction of the Director, Transportation Planning. All bus zones shall be located:
 - a) Where commercial areas are concentrated;
 - b) Where the grades and site lines are compatible to install bus zones; and
 - c) Where pedestrian walkways, pathways, and roadway crossing opportunities are provided.
32. In conjunction with the applicable Tentative Plan or Development Permit, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
33. In conjunction with the applicable Tentative Plan, the Developer shall enter into a Development Agreement for offsite improvements necessary to service the proposed development to the satisfaction of the Approving Authority.
34. In conjunction with the applicable Tentative Plan, and prior to approval of construction drawings and permission to construct surface improvements, the Developer shall provide signed copies of backsloping agreements (and Ministerial consent, if applicable) where private lands (including City of Calgary lands) are impacted by the proposed development.

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Parks:

35. Any damage to reserve lands (MR/ER/MSR), boulevards, or public trees as a result of development activity will require restoration at the developer's expense to the satisfaction of Parks. All landscape rehabilitation on Parks assets shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications: Landscape Construction (current edition). The disturbed area shall be maintained until establishment and approved by the Parks Development Inspector.
36. Construct all Regional Pathway routes within and along the boundaries of the plan area according to Parks' Development Guidelines and Standard Specifications: Landscape Construction (current version), including applicable setback requirements, to the satisfaction of Parks.
37. Any damage to existing Regional Pathways along and within the boundaries of the plan area must be repaired at the developer's expense, to the satisfaction of Parks.
38. All impacts to pathways, including Regional Pathways, required for project execution shall adhere to the Pathway Closure and Detour Guidelines. Coordinate with Parks Pathways Lead, Ian Tucker at ian.tucker@calgary.ca or 403-573-7504, prior to the start of construction that impacts to the existing pathway system.
39. Tree plantings within City of Calgary boulevards and/or right of ways are subject to approval from Utility Line Assignment and Parks. The developer shall submit Utility Line Assignment Construction Drawings for review.
40. Plant all public trees in compliance with the approved Public Landscaping Plan.
41. Drainage from the development site onto reserve lands is not permitted, unless otherwise authorized by Parks.
42. Backsloping from the development site into reserve lands is not permitted, unless otherwise authorized by Parks.
43. Retaining walls placed within reserve lands is not permitted, unless otherwise authorized by Parks.
44. All mitigation measures and recommendations from the approved Preliminary Natural Site Assessment (PNSA) must be adhered to throughout the development process.
45. All landscape construction shall be in accordance with Parks' Development Guidelines and Standards Specifications: Landscape Construction (current version).