

Conditions of Approval

The following Conditions of Approval shall apply:

Subdivision Services:

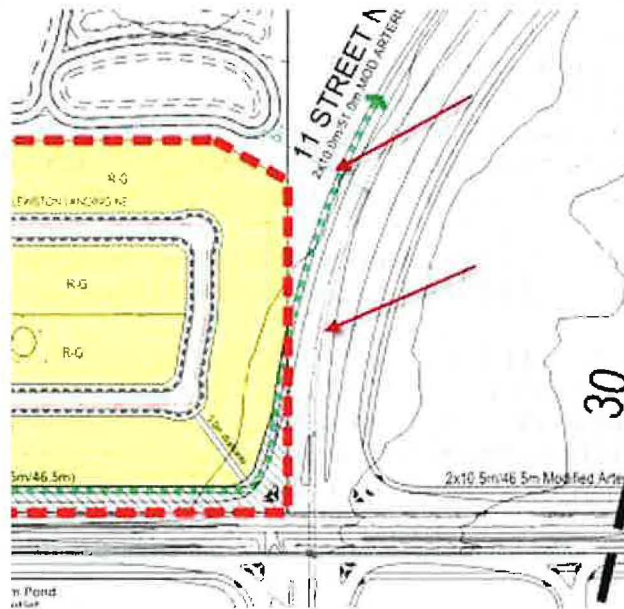
1. An approval of this application does not pre-suppose an acceptable design or approval decision on adjacent unapproved lands in either Growth Management Overlay removal or in community design.
2. A deferred reserve caveat in the amount of 2.733 ha shall be registered on the North Half of the South West ¼ Section 2-26-1-5 **concurrent with the final instrument**.
3. A legal agreement shall be entered into between the City and the developer, to the satisfaction of the City Solicitor, deferring the provision of an undetermined amount of Environmental Reserve which may be required upon further subdivision of the residual lands. Said agreement is to be registered against the residual lands within the North Half of the South West ¼ Section 2-26-1-5 by Caveat **concurrent with the final instrument**.
4. A deferred reserve caveat in the amount of 3.039 ha shall be registered on Legal Subdivisions 3 and 4, Section 2-26-1-5 **concurrent with the final instrument**.
5. A legal agreement shall be entered into between the City and the developer, to the satisfaction of the City Solicitor, deferring the provision of an undetermined amount of Environmental Reserve which may be required upon further subdivision of the residual lands. Said agreement is to be registered against the residual lands within Legal Subdivisions 3 and 4, Section 2-26-1-5 by Caveat **concurrent with the final instrument**.
6. Relocation of utilities shall be at the developer's expense and to the appropriate standards.

Development Engineering:

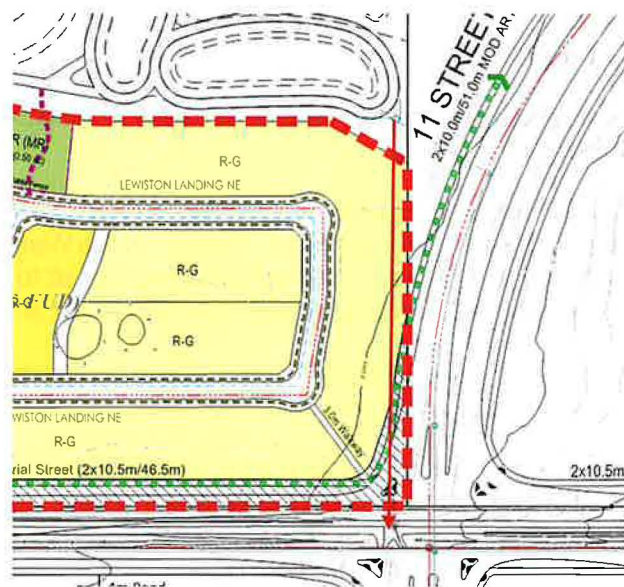
7. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
 - Slope Stability Report, prepared by McIntosh Lalani Engineering Ltd. (File No. ML 9135), dated January 28, 2020.
 - Geotechnical Evaluation, prepared by McIntosh Lalani Engineering Ltd. (File No ML 5480), dated January 2013.
8. This subject plan area is within the boundary of the Nose Creek drainage catchment and subject to stormwater volume control measures. Based on the Watershed Management Plan stormwater discharge and annual runoff volumes are limited to the values specified SMDP. Low Impact Development and stormwater source control is recommended.
9. The decommissioning of Temporary Pond E must occur in conjunction with the construction of the stormwater management facility.
10. **Concurrent with the registration of the final instrument**, execute and register on title an Access Agreement for the proposed interim maintenance access road. The agreement and right of way plan shall be approved by the Manager Infrastructure Planning and the City Solicitor **prior to endorsement of the final instrument**. A standard template for the agreement will be provided by the Development Engineering generalist.

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11. The future 144th Avenue Storm Trunk will be required to connect the proposed stormwater facility. At the moment there are two potential alignments for the stormwater infrastructure that are under consideration:
- a) The future 144th Avenue Storm Trunk will connect to the stormwater facility via future 11 Street NE which is partially within the adjacent landowner's property (see figure below). This alignment would require consent from the adjacent landowner, registration of a utility right-of-way and/or road plan, as well as coordination with Parks to mitigate potential impacts on future Environmental Reserve lands.



- b) The future 144th Avenue Storm Trunk will connect to the stormwater facility via a future utility right-of-way through the R-G parcels and/or Lewiston Landing NE located south of the proposed stormwater facility (see figure above).



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Prior to endorsement of the tentative plan, a confirmed alignment of the storm infrastructure required to connect the stormwater facility to the future 144 Avenue Storm Trunk will be required. Note that a utility right-of-way will also be required to be shown on the Lewiston outline plan (currently under review) until such time that an alignment via 11 Street NE has been confirmed.

12. The required 144 Avenue Storm Trunk infrastructure must be constructed prior to, or in conjunction with, the construction of the Stormwater management facility. The facilities are to be constructed in accordance with City of Calgary policies. A continuous emergency overland escape route, to the satisfaction of Water Resources, is required. A design report is required for each facility. This report must be submitted and approved prior to acceptance of the construction drawings.

13. Compliance with the requirements of Alberta Environment's Code of Practice for Watercourse Crossings will be required **prior to construction permission**.

The Developer shall determine whether Water Act approval is required. Typically the watercourse crossing proposed in this plan will be required to satisfy the Code of Practice for Watercourse Crossings, Water Act – Water (Ministerial) Regulation if:

1. If the watercourse culvert alters the water body characteristics below the 1 in 25 year flood event.

Annual Operating Plan approval or other approval under the Public Lands Act, or Federal Fisheries Act or Navigable Waters Act may also be required regardless of Code of Practice applicability. Determining whether these approvals are required will also be the responsibility of the Developer. Restricted activity periods may apply to the watercourse crossing proposed in the plan area. Please consult Alberta Environment for the current restricted activity period dates.

14. With the lowering and reconstruction of the existing wetland, its existing outfall drainage course flowing from the existing wetland to Nose Creek will be cut off from predevelopment flows. As such the applicant will be responsible for capital cost and operation/maintenance costs for lifting pre-development flows to maintain this existing outfall drainage course until such time that a Water Act application granting its closure is approved or an alternate source of predevelopment flows is provided to the acceptance of Water Resources.
15. Servicing arrangements shall be to the satisfaction of the Manager of Infrastructure Planning, Water Resources.
16. **Prior to endorsement of any Tentative Plan** execute a Development Agreement. Contact the Subdivision Development Coordinator, Calgary Approvals Coordination for further information at 403-268-5782 or email jill.thomson@calgary.ca.
17. Off-site levies, charges and fees are applicable. Contact the Subdivision Development Coordinator, Calgary Approvals Coordination for further information at 403-268-5782 or email jill.thomson@calgary.ca.
18. 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:

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- a) Install any offsite sanitary sewers, storm sewers and water mains and construct any 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.
- b) Construct the onsite and offsite storm water management facilities (wet pond, wetlands, etc) to service the plan area according to the most current City of Calgary Standard Specifications Sewer Construction, Stormwater Management and Design Manual and Design Guidelines for Subdivision Servicing.
- c) Construct any multiuse pathway within and along the boundaries of the plan area, where required by Parks, to the satisfaction of the Director of Parks Development.

Transportation:

19. In conjunction with the Tentative Plan, the Developer shall submit detailed functional design drawings with cross-sections for 11 Street NE and the other future road(s) adjacent to the pond. The cross-sections shall provide the ultimate dimensions and grades for the future roads, demonstrating how they are to tie-into the proposed storm pond grades. **Prior to the approval of the affected tentative plan**, the design, grades and right-of-way for the adjacent roads, as well as the tie-into the proposed storm pond grades, will be determined to the satisfaction of Transportation.

Parks:

20. All mitigation measures and recommendations from the approved BIA must be adhered to throughout the development process.
21. The final design of the constructed wetland shall demonstrate compliance with the Alberta Guide to Wetland Construction in Stormwater Management Facilities (2018).
22. Until receipt of the Water Act approval by the applicant from Alberta Environment, the wetland shall not be developed or disturbed in anyway and shall be protected in place.
23. Pursuant to Part 4 of the Water Act (Alberta), the applicant shall promptly provide a copy of the Water Act approval from Alberta Environment to The City of Calgary Parks department.
24. At the time of subdivision, the developer shall register a Deferred Reserve Caveat in-lieu of the 10% Municipal Reserve dedication required for the subject site. The Caveat shall be registered prior to endorsement of the affected tentative plan.
25. Prior to approval of the related Stripping and Grading Permit or Engineering Construction Drawings, whichever is submitted first, the developer shall install wetland protection measures around the adjacent wetland to be retained to prevent excessive overland drainage and siltation onto or from said areas during all phases of construction, in accordance with The City's "Guidelines for Erosion and Sediment Control", to the satisfaction of the Manager of Urban Development and the Director of Calgary Parks. Contact the Parks Development Inspector (Annie Rodrigues - 403-804-9397) to approve the location prior to commencement of Stripping and Grading activities.
26. Prior to approval of the related Stripping and Grading Permit or affected tentative plan, whichever is submitted first, a Table of Contents and/or outline of both the Pond Report and Wetland Management Plan shall be submitted to Parks for review and approval.

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27. Once land use boundaries are finalized, the developer shall ensure the boundaries of the Environmental Reserve are surveyed. An onsite meeting shall be arranged to ensure the boundaries are approved by Parks. This meeting should be coordinated through the Parks Planning Generalist, Evan Goldstrom (403-268-2573).
28. Prior to endorsement of the affected tentative plan, under separate cover, the developer shall submit Landscape Construction drawings for all reserve lands (ER) within the Outline Plan area to Parks for review and approval. Landscape Construction Drawings shall follow the submission requirements outlined in the Parks' Development Standard Specifications: Landscape Construction (current version).

With the submission of Landscape Construction Drawings, the developer shall include a detailed Habitat Restoration Plan, including a maintenance schedule for all Environmental Reserve lands proposed to be affected by construction activity. The plan should indicate how it will be rehabilitated and restored. The restored area(s) shall be maintained by the developer until it is established and approved by Parks prior to issue of the Final Acceptance Certificate.
29. Prior to commencement of construction of the constructed wetland/stormpond, the developer shall submit a Pond Report and a Wetland Management Plan for review and approval by Parks and Water Resources. Work with Parks to develop and receive approval for each plan. Details of the ER pond are to adhere to the requirements outlined in the City of Calgary Habitat Restoration Project Framework.
30. Any damage to Environmental Reserve lands beyond the scope of this development shall be restored to natural state at the developer's expense, to the satisfaction of Parks.

If disturbance occurs to Environmental Reserve, a Restoration Plan shall be submitted to Parks to the satisfaction of the Urban Conservation Lead.
31. Development adjacent to the outline plan boundary shall implement absorbent landscaping, native planting, and direct stormwater runoff away from Environmental Reserve lands.

Storm water or other drainage from privately-owned parcels onto adjacent Environmental Reserve parcels is not permitted. Any unauthorized drainage from private parcels onto environmental reserve must be resolved to the satisfaction of the Director, Parks and any damage resulting from such drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks Development Inspector.
32. Development activities must ensure that suitable erosion and sedimentation controls are being implemented to protect our environment and drainage systems. Please refer to The City of Calgary's Guidelines for Erosion and Sediment Control for more information.
33. Any damage to Environmental Reserve lands as a result of drainage or storm water infrastructure outside of the scope of this development shall be restored to natural state at the developer's expense, to the satisfaction of Parks.
34. Retaining walls within reserve lands (ER) are not permitted, unless otherwise authorized by Parks in writing.

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35. All landscape rehabilitation on Parks land and 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. Contact the Parks Development Inspector (403-804-9397) to arrange an inspection.
36. All landscape construction shall be in accordance with Parks' *Development Guidelines and Standards Specifications: Landscape Construction* (current version).
37. 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.
38. Any public trees shall be planted in compliance with the approved Public Landscaping Plan.
39. Prior to any disturbance or construction activity within the Outline Plan area, a nesting and breeding bird survey may be required, should the removal of trees or other vegetation take place during the nesting period of migratory bird species (April 15 to August 20). Sweeps for active nests or other sensitive wildlife features should be conducted at least 6 days prior to start of construction, and appropriate mitigation measures taken as per direction from Alberta Environment wildlife division, where applicable, to be in compliance with the Wildlife Act and the Migratory Birds Convention Act.

