

Conditions of Approval

The following conditions of approval shall apply:

Planning and Subdivision Services:

1. Street names shall be approved by Council prior to approval of the first subdivision application.
2. The existing buildings shall be removed prior to endorsement of the final instrument.
3. Relocation of any utilities shall be at the expense of the developer and to the appropriate standards.
4. If the total area for Municipal Reserve dedication is over 10%, note that this is considered a voluntary Municipal Reserve contribution, and compensation in the order of \$1 for over dedication is deemed to be provided.
5. If the total area for Roads & Public Utility Lot dedication is over 30%, note that compensation in the order of \$1 for over dedication is deemed to be provided;
6. The Standard City of Calgary Party Wall Agreement regarding the creation of separate parcels for semi-detached / townhouses / rowhouse units shall be executed and registered against the titles concurrently with the registration of the final instrument
7. The Developer shall submit a density phasing plan with each Tentative Plan submission, showing the proposed phasing within the Outline Plan area and the projected number of dwelling units within each phase to demonstrate compliance with the minimum required densities of the Area Structure/Community Plan and Municipal Development Plan.
8. This Outline Plan approval is based on the conditions of the site and the surrounding area, and guidelines and standards, as they exist at the time of approval. The Developer is responsible to ensure all infrastructure can be constructed and development can be undertaken in accordance with conditions, guidelines, and standards that exist at the time of development. If any changes to conditions or updates to guidelines or standards impact the layout of the approved outline plan, it is the Developer's responsibility to accommodate the required changes within their plan or apply for an amendment to the outline plan for the affected portions if a significant change is necessary.
9. The Provincial Bow Basin Water Management Project currently being undertaken by the provincial government may affect the developability of portions of the Outline Plan if it is determined by the Province that a dam is required on the Bow River at Haskayne Park. In the event such a determination is made, it is the Developer's responsibility to accommodate any necessary changes within their plan or apply for an amendment to the Outline Plan for the affected portions if significant changes are necessary.

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Development Engineering:

10. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
 - Slope Stability Report, prepared by Geo-Slope Stability Services (File No. 20-128), dated June 30, 2020.
 - Shallow Subsoil and Groundwater Site Investigation, prepared by Almor Testing Services Ltd. (File No 011-01-16), dated October 2016.
11. **Prior to Approval of the Applicable Construction Drawings**, submit a slope stability report for review and approval that demonstrates that a minimum factor of safety of 1.5 is maintained along the south side of Bearspaw Dam Road where proposed grades are in excess of 15%.
12. **Prior to Approval of a Development Permit (Stripping and Grading) or Tentative Plan, whichever comes first**, for the areas identified as APEC 1 and APEC 2; the Applicant shall satisfactorily address the issues identified in the following report: "2019 Remedial Excavations Update for the Morton Lands site, located at 6125 117 St NW, Calgary, Alberta" by Ecoventure, dated December 12, 2019. All reports submitted shall be signed by a qualified professional and completed to the satisfaction of The City of Calgary (Environmental & Safety Management).
13. The portion of the plan area, east of Morton Ridge Gate, consisting of R-1 and R-G parcels, is anticipated to have between 100 and 115 total units. Typically this would trigger the need for a secondary access as per Calgary Fire Department guidelines. Due to unique topographical challenges associated with the site, a looped access route, a divided road cross-section through the road segment with the highest risk, and relatively low anticipated traffic volumes however, the Calgary Fire Department will consider the portion of the plan, as currently shown and with the currently anticipated densities, a special development case and will not require a secondary access route. **Changes to the plan and/or to the proposed densities may trigger the need for a secondary/emergency access at the tentative plan/construction drawing stage.**
14. **Prior to approval of the applicable tentative plan**, a utility right-of-way will be required over the existing culvert that passes below the CPR tracks south of the plan area to ensure that flows are maintained and required infrastructure is protected.
15. The proposed 117th Street cross-section proposes utilities in City of Calgary property within an existing AltaLink right-of-way. **Prior to approval of the applicable tentative plan**, the following will be required to the satisfaction of Real Estate and Development Services:
 - An executed custom utility right-of-way agreement;
 - Compensation for City of Calgary land utilized by the utility right-of-way;
 - A crossing agreement with AltaLink.

For further information, please contact Kenneth Tran in Real Estate and Development Services (Kenneth.Tran@calgary.ca).

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16. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
17. Prior to tentative plan approval, submit a water network plan showing watermain sizes and hydrant locations to Water Resources for review and approval.
18. **Prior to endorsement of any Tentative Plan/prior to release of a Development Permit**, execute a Development Agreement. Contact the Infrastructure Strategist, Calgary Approvals Coordination for further information at 403-268-3509 or email kyle.ross@calgary.ca.
19. **Prior to release of a Development Permit or Prior to Endorsement of the final instrument**, make satisfactory cost sharing arrangements with Brookfield Residential (Alberta) LP for part cost of the future underground utilities and surface improvements in Nose Hill Dr NW adjacent to the site, which is to be installed by Brookfield Residential (Alberta) LP through their Haskayne subdivision plan.
20. **Prior to release of a Development Permit or Prior to Endorsement of the final instrument**, make satisfactory cost sharing arrangements with Brookfield Residential (Alberta) LP for part cost of the future underground utilities and surface improvements in Bearspaw Dam Rd NW adjacent to the site, which is to be installed by Brookfield Residential (Alberta) LP through their Haskayne subdivision plan.
21. Off-site levies, charges and fees are applicable. Contact the Infrastructure Strategist, Calgary Approvals Coordination for further information at 403-268-3509 or email kyle.ross@calgary.ca.
22. 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.
 - b) Construct the underground utilities and surface improvements in 117 Street NW, along the boundaries of the plan area.
 - c) Construct the underground utilities and surface improvements in Nose Hill Dr NW, along the boundaries of the plan area, if not constructed by Brookfield Residential (Alberta) LP.
 - d) Construct the underground utilities and surface improvements in Bearspaw Dam Rd NW, along the south boundary of the plan area, if not constructed by Brookfield Residential (Alberta) LP.
 - e) 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.

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- f) Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, along the boundary of the plan area.
- g) Construct the MR within the plan area.
- h) Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.

Transportation:

- 23. Prior to endorsement of the initial tentative plan (unless provided through earlier road closure process), the Developer shall register or facilitate the registration of a road plan to the satisfaction of the Director, Transportation Planning, for Nose Hill Drive from the west boundary of the Outline Plan to the east boundary of the Outline Plan, inclusive.
- 24. In conjunction with the initial tentative plan, the Developer shall construct two lanes along Nose Hill Drive, plus an extension of the existing pathway in the north boulevard, from Tuscany Hill to the east boundary of the Outline Plan, inclusive. Alternately, a cost sharing agreement will be entered into between Brookfield and Morton Development Corp. to construct the ultimate cross section of Nose Hill Drive between the east boundary of the outline plan and Tuscany Hill NW.

Nose Hill Drive and ancillary works to support the roadway shall be designed and constructed at the Developer's sole expense, subject to normal oversize, and boundary cost recoveries.

- 25. In conjunction with the applicable tentative plan through which cumulative Development in the area (inclusive of Neighbourhoods 1, 2, 3, 4, as identified in Haskayne ASP) exceeds 600 units, the Developer shall construct the remaining two lanes along Nose Hill Drive, from Tuscany Hill to the east boundary of the Outline Plan, inclusive.

Nose Hill Drive and ancillary works to support the roadway shall be designed and constructed at the Developer's sole expense, subject to normal oversize, and boundary cost recoveries.

Note: the 600-unit threshold for roadway improvements corresponds with the established standard for provision of emergency access for the community.

- 26. In conjunction with the initial tentative plan, the Developer shall register or facilitate the registration of a road plan to the satisfaction of the Director, Transportation Planning, for Bearspaw Dam Road from west boundary of the Outline Plan to the east boundary of the Outline Plan, inclusive.
- 27. In conjunction with the applicable tentative plan through which cumulative Development in the area inclusive of Neighbourhoods 1, 2, 3, 4, as identified in Haskayne ASP) exceeds 600 units, the Developer shall upgrade Bearspaw Dam Road to its ultimate cross section as a modified collector street from 87 Street NW to the east boundary of the Outline Plan, inclusive.

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The offsite upgrades required include re-paving of the roadway to accommodate the required loading, and implementation of lighting and pedestrian facilities to the satisfaction of Transportation Planning.

Bearspaw Dam Road and ancillary works to support the roadway shall be designed and constructed at the Developer's sole expense, subject to applicable oversize, and boundary cost recoveries.

Note: the 600-unit threshold for roadway improvements corresponds with the established standard for provision of emergency access for the community.

28. **Prior to approval of Construction Drawings and Permissions to Construct Surface improvements:** The developer shall provide signed copies of backsloping agreements for any backsloping that is to take place on adjacent lands (owned privately or owned by the City).
29. In conjunction with the applicable tentative plan or development permit: the design of Bearspaw Dam Road along the southern boundary of the plan area (inclusive of the full intersection with 117 Street including the tapers, median, and turn geometry required on the east leg of the intersection) must be designed and approved to the satisfaction of Transportation Planning.

Adjustments to the road dedication relative to what's reflected on the Outline Plan, and/or relocation of additional existing overhead power poles (beyond the two (2) identified during the preliminary planning of the Outline Plan), if required, are to be confirmed **prior to approval** of the applicable tentative plan or development permit. The following design considerations must be achieved to the satisfaction of Transportation Planning:

- Sufficient buffer between the regional pathway and any street trees, power poles, street light poles, or other obstructions must be provided to ensure safe mobility for wheeled users and active users of the regional pathway;
- Sufficient line assignments for all street trees, street light infrastructure, and utilities must be provided;
- Backsloping must not extend into the private lands located south of the existing Bearspaw Dam Road ROW unless written approval from the adjacent landowner is obtained;
- Any backsloping exceeding 3:1 will require adequate reinforcement to the satisfaction of Transportation Planning
- Any backsloping exceeding 3:1 will require adequate guardrail or alternate roadside safety measures to the satisfaction of Transportation Planning
- Any guardrail, safety infrastructure, reinforcement, or other infrastructure will need to be accessible via the road ROW and not require access from the private lands south of the existing Bearspaw Dam Road ROW

If modifications to the ROW dedication requirement or if relocation(s) of more than two (2) power poles are necessitated in order to achieve the above design considerations, the resulting modifications and/or relocation(s) will be reflected as a condition of the applicable tentative.

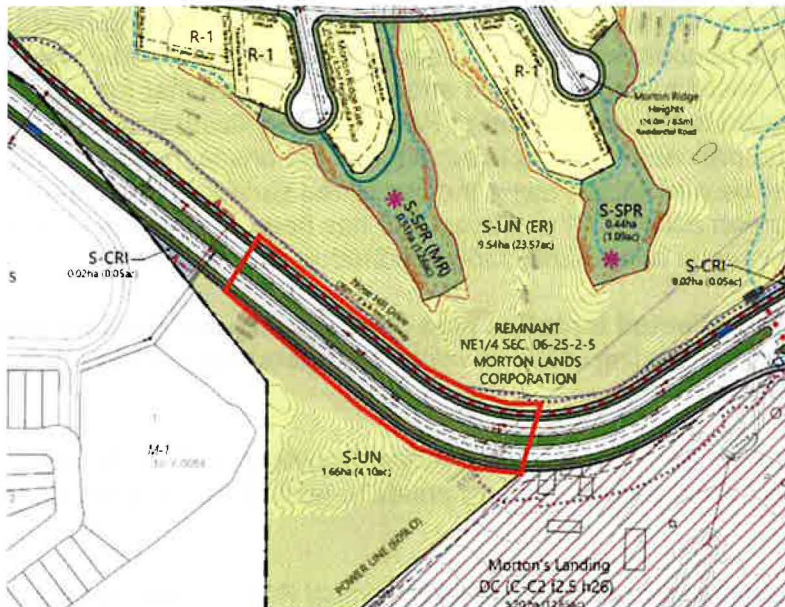
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30. In conjunction with the applicable tentative plan or development permit for the staged construction of the road network, transit stops shall be provided to the satisfaction of the Director, Transportation Planning. All bus zones shall be located:
 - Where commercial areas are concentrated;
 - Where the grades and site lines are compatible to install bus zones; and
 - Where pedestrian walkways, pathways, and roadway crossing opportunities are provided.
31. Due to the anticipated road grades, no direct vehicular access shall be permitted to or from Morton Ridge Gate NW and a restrictive covenant shall be registered **concurrent with the registration of the final instrument** to that effect at the Tentative Plan stage.
32. No direct vehicular access shall be permitted to or from Nose Hill Drive NW and a restrictive covenant shall be registered **concurrent with the registration of the final instrument** to that effect at the Tentative Plan stage
33. In conjunction with the applicable tentative plan construction drawings with cross sections, grading profiles and intersection turning templates shall be submitted and approved to the satisfaction of the Director, Transportation Planning for all roadways within the plan area, as well as boundary roads. Back-sloping (cut/fill) disturbances to the S-UN(ER) lands will be minimized. Construction drawing review may require changes to proposed right-of-way to meet the approved design.
34. In conjunction with the applicable tentative plan, all roads and intersections within the plan area shall be located, designed, and constructed at the Developer's sole expense to the satisfaction of the Director, Transportation Planning.
35. In conjunction with the applicable Tentative plan or Development Permit, access to multi-residential and commercial sites shall be located and designed to the satisfaction of the Director, Transportation Planning.
36. For the 2.5m local pedestrian pathway connection through the R-1 parcel connecting between the bend in Morton Ridge Way and Morton Ridge Gate NW, a 3.0m Public Access Easement Agreement and right of way plan shall be executed and registered on title **concurrent with the registration of the final instrument** at the Tentative Plan stage.
37. Temporary oil and gravel bus turnaround / cul-de-sac with a minimum radius of 15.25 meters is required at the terminus of each construction phase. Where the developer intends to fence the turnaround, the minimum radius shall be increased to 16.25 meters. If road construction and/or construction phasing affects the operations of transit service, the Developer is required to provide an interim transit route replacement, to the satisfaction of the Director, Transit and the Director, Transportation Planning.
38. In conjunction with the applicable tentative plan or development permit, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
39. In conjunction with the applicable Tentative plan or Development Permit, all community entrance features must be located outside the public right-of-way.

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Parks:

40. The developer shall include wildlife mitigation measures in order to reduce the risk of vehicle/wildlife strikes along Nose Hill Dr NW in the location identified on the below image. Mitigation measures shall include: adequate roadside lighting and minimized roadside and median vegetation that would create blindspots/reduce sightlines for drivers. Additionally, the area is to be included in wildlife management plans.



41. **Prior to decision of the affected tentative plan application**, the developer shall submit finalized concept plans for all Municipal Reserve lands within the Outline Plan area to Parks review and approval. Concept Plans shall follow the submission requirements outlined in Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current version), Chapter 2: General Guidelines, Section 2.1 Concept plan Requirements.
42. **Prior to endorsement of the affected tentative plan**, under separate cover, the developer shall submit Landscape Construction drawings, for all Municipal Reserve and Environmental Reserve lands within the Outline Plan area to Parks for review and approval. Irrigation drawings, if required, are to be submitted as part of the same Landscape Construction Drawing package. Landscape Construction Drawings shall follow the submission requirements outlined in the Parks' *Development Standard Specifications: Landscape Construction* (current version).
43. **Prior to endorsement of the affected tentative plan OR prior to release of the stripping and grading permit** (whichever occurs first), the developer shall submit a detailed Restoration Plan including a maintenance schedule for each Environmental Reserve proposed to be impacted as a result of this development. The Plan should indicate how it will be rehabilitated and restored and will adhere to the requirements outlined in the City of Calgary Habitat Restoration Project Framework. The restored area(s) shall be maintained by the developer until it is established and approved by Parks prior to Final Acceptance Certificate (FAC). See the City's [Habitat Restoration Project Framework](#) for guidance.

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44. **Prior to approval of the affected tentative plan OR stripping and grading permit** (whichever occurs first), an onsite meeting shall be arranged with Parks to confirm the surveyed boundaries of all Environmental Reserve lands within the subject. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting. Please contact Parks Natural Area Specialist, Dave Hayman at 403-268-1588 or Dave.Hayman@Calgary.ca to schedule this site meeting.
45. **Prior to endorsement of the affected tentative plan or prior to release of the stripping and grading permit** (whichever occurs first), protection fencing must be installed along surveyed boundaries of Environmental Reserve (ER) lands within the Outline Plan area. An onsite meeting shall be arranged to confirm that the protection fencing has been installed to the satisfaction of Parks. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting. The protection fencing shall be maintained along the confirmed surveyed boundaries of the ER lands until construction activity of the subject site has been completed. Contact the Parks Development Inspector at 403-268-1358 to schedule this site meeting.
46. **Prior to approval of the affected tentative plan OR stripping and grading permit** (whichever occurs first), the grading of the development site(s) adjacent to reserve lands shall be confirmed by Parks.
47. The developer shall submit Engineering Construction Drawings and Landscape Construction Drawings for the proposed storm ponds to both Water Resources and Parks for review.
48. The developer is responsible for constructing all Municipal Reserve and Environmental Reserve parcels within the boundaries of the plan area according to the approved concept plans and built in accordance with the Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current version).
49. Any damage to Municipal Reserve lands as a result of this development shall be restored at the developer's expense, to the satisfaction of Parks.
50. Any damage to Environmental Reserve lands as a result of this development shall be restored to natural state at the developer's expense, to the satisfaction of Parks.
51. Any damage to Environmental Reserve lands as a result of drainage or storm water infrastructure shall be restored to natural state at the developer's expense, to the satisfaction of Parks.
52. If unauthorized disturbance occurs to Environmental Reserve lands, a Restoration Plan shall be submitted to Parks to the satisfaction of the Urban Conservation Lead.
53. All mitigation measures and recommendations from the approved Biophysical Inventory Assessment (BIA) shall be adhered to throughout the development process.
54. Any damage to boulevards or public trees as a result of this development shall be restored at the developer's expense, to the satisfaction of Parks.

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55. Any damage to existing Regional Pathways as a result of this development shall be repaired at the developer's expense, to the satisfaction of Parks.
56. Construct all Regional Pathway and trail 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.
57. The Streets Bylaw (20M88) and the Tree Protection Bylaw (23M2002) contain clauses intended to protect trees growing on Public Land. No person shall remove, move, cut, or prune a Public Tree or cause a Public Tree to be removed, moved, cut or pruned without prior written authorization from the Director, Parks.
58. The applicant shall provide compensation to the City of Calgary for any Public Trees that are removed or damaged as a result of development activity.
59. Plant all public trees in compliance with the approved Public Landscaping Plan.
60. The developer shall submit under separate cover, Utility Line Assignment Construction Drawings for trees installed within City of Calgary boulevards and/or right of ways to Utility Line Assignment and Parks for review and approval. No person shall plant trees or shrubbery on City Lands without prior written authorization from the Director, Calgary Parks and in the case of walkways, medians, boulevards, and road rights of way, without additional prior written authorization from the Director, Development Engineering.
61. Any tree planting in the City boulevard shall be performed and inspected in accordance with Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current version).
62. Only native planting species shall be used within this outline plan area, unless otherwise authorized by Parks in writing.
63. All proposed site fencing adjacent to or abutting reserve lands, including footings and other components, shall be installed completely within private property.
64. A 1.2m chain link fence (or Parks approved alternative) shall be maintained along the boundary of the adjacent reserve lands for the duration of the development, unless otherwise authorized by Parks in writing.
65. Drainage from the development site into adjacent reserve (MR/ER) lands is not permitted, unless otherwise authorized by Parks in writing. Where drainage from development sites toward reserve lands cannot be avoided, mitigation measures shall be implemented to reduce potential impacts to reserve lands. Mitigation measures are to include: grass swales at back of lot; increased topsoil depth at back of lot (300-600mm); directing of roof leaders away from reserve lands; and incorporate native planting at back of lot. Cross sections for applicable parcels may be required at subdivision.
66. Construction access through Environmental Reserve lands is not permitted, unless otherwise authorized by Parks in writing.

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67. Stockpiling or dumping of construction materials on Environmental Reserve lands is not permitted, unless otherwise authorized by Parks in writing.
68. Retaining walls within reserve (MR/ER) lands are not permitted, unless otherwise authorized by Parks in writing.
69. Site grading of the development site shall match the grades of adjacent Environmental Reserve lands with all grading and slope stability confined to private property, unless otherwise authorized by Parks in writing.
70. Backsloping from the development site into adjacent Environmental Reserve lands is not permitted unless otherwise approved by Parks.
71. The developer shall, in accordance with The City's *Guidelines for Erosion and Sediment Control* to the satisfaction of Parks, install appropriate protection measures around the Environmental Reserves lands to prevent excessive overland drainage and siltation during all phases of construction.
72. Compensation for dedication of reserves in excess of 10% is deemed to be \$1.00.
73. All landscape construction and landscape rehabilitation shall be in accordance with the City of Calgary Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current version). The disturbed area shall be maintained until establishment and approved by the Parks Development Inspector.

