

# Proposed Outline Plan Conditions of Approval

***Calgary Planning Commission is the Approving Authority for the Outline Plan. Attachment for Council's reference only.***

## **Planning:**

1. Compensation for over-dedication of reserves is deemed to be \$1.
2. Relocation of utilities shall be done at the developer's expense and to the appropriate standards.
3. The standard City of Calgary Party Wall Agreement regarding the creation of the separate parcels for semi-detached dwellings shall be executed and registered against the titles concurrently with the registration of the final instrument.
4. The landowner (Carma Ltd.) must work collaboratively with the adjacent landowner (Mattamy) to ensure that services and access are provided for the parcel generally located in the northwest portion of the Outline plan area so it is not rendered undevelopable.

## **Development Engineering:**

5. 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 02102031.000), dated February 26, 2021.
  - Geotechnical Evaluation, prepared by McIntosh Lalani Engineering Ltd. (File No ML 6219), dated September 2013.
  - Geotechnical Evaluation Report Reliance, prepared by McIntosh Lalani Engineering Ltd. (File No ML 02102031.000), dated March 8, 2021.
6. **Concurrent with the registration of the final instrument**, execute and register on all parcels with double frontage lots that are adjacent to a collector road, a neighbourhood boulevard, an urban boulevard, an arterial road, a skeletal road, or a Transportation Utility Corridor, a Screening Fence Access Easement Agreement with the City of Calgary. The agreement and registerable access 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. Prepare and submit three (3) copies of the agreement for the City's signature.
7. 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 and Livingston Stage 2 Keystone Hill, Community A SMDP stormwater discharge is limited to 1.257 L/s/ha and average annual runoff volume is limited to 16mm. Low Impact Development and stormwater source control is required. This development will trigger the irrigation requirement in Livingston Stage 2 Keystone Hill, Community A SMDP.

8. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
9. Prior to Endorsement of the final instrument, execute a Development Agreement / Indemnification Agreement. Contact the Infrastructure Strategist, Calgary Approvals Coordination for further information at 403-268-5782 or email [jill.thomson@calgary.ca](mailto:jill.thomson@calgary.ca).
10. Pursuant to Bylaw 2M2016, off-site levies are applicable.
11. 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 (sanitary sewer, storm sewer, water mains) and surface improvements along the boundary of the plan area.
  - c) 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.
  - d) Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, along the boundary of the plan area.
  - f) Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.

**Transportation:**

12. In conjunction with the applicable tentative plan, the Developer shall register a road plan to the satisfaction of the Director, Transportation Planning for the boundary half of 160 Avenue NW along the north boundary of the Outline Plan.
13. In conjunction with the applicable tentative plan, the Developer shall register a road plan to the satisfaction of the Director, Transportation Planning for the full width of 1 Street NW along the east boundary of the Outline Plan.
14. In conjunction with the applicable tentative plan, the Developer shall construct the boundary half of 160 Avenue NW along the north boundary of the Outline Plan. 160 Avenue NW and ancillary works (boulevard, noise attenuation, etc) necessary to support the plan shall be designed and constructed at the Developer's sole expense, subject to normal oversize, endeavours to assist, and boundary cost recoveries.
15. In conjunction with the applicable tentative plan, the Developer shall construct the boundary half of 1 Street NW along the east boundary of the Outline Plan. 1 Street NW and ancillary works (boulevard, noise attenuation, etc) necessary to support the plan

shall be designed and constructed at the Developer's sole expense, subject to normal oversize, endeavours to assist, and boundary cost recoveries.

16. In conjunction with the applicable Tentative Plan(s), the Applicant shall submit construction drawings with cross sections and grading profiles to verify the ultimate right-of-way for the roads and grading requirements for the lands adjacent to 1 Street and 160 Avenue NW. **Prior to Approval of the Tentative Plan(s)**, the grading and right-of-way requirements for 1 Street and 160 Avenue NW will be determined the Satisfaction of Transportation.
17. In conjunction with the applicable Tentative Plan(s), the Applicant shall submit construction drawings with turning templates for the applicable intersections to verify the ultimate intersection geometric design, bike lane treatments 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.
18. In conjunction with the applicable Tentative Plan, the developer shall provide a Letter of Credit for pedestrian rapid flashing beacons at Lucas Gate and Lucas Boulevard NW; and Livingston Boulevard and Lucas Boulevard NW. Note that 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, and is required to submit payment in support of the proposed Tentative Plan applications.
19. In conjunction with the applicable tentative plan, execute and register an access easement over the subject lands in favor of 5;1;26;4;NW (15000 14 St NW); clarification: execute an access easement via ARW plan to provide access from Lucas Gardens NW to the developable lands generally bound by Livingston Boulevard to the south, 160 Avenue to the north, the ER running through Carrington to the west, and the west boundary of this outline plan.
20. No direct vehicular access shall be permitted to or from 1 Street and 160 Avenue NW. A restrictive covenant shall be registered on all applicable titles **concurrent with the registration of the final instrument** to that effect at the applicable Tentative Plan stage.
21. For residential lots along collector roadways, access shall be only permitted to and from the adjacent residential lanes. A restrictive covenant shall be registered on all applicable titles **concurrent with the registration of the final instrument** to that effect at the applicable Tentative Plan stage.
22. 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).

23. **In conjunction with the applicable Tentative Plans and/or Development Permits,** noise attenuation studies are required for the residential developments adjacent to 160 Avenue NW. The noise attenuation studies are to be completed by a certified a Professional Engineer with expertise in the subject of acoustics related to land use planning, shall be submitted to Transportation Planning for approval.

Note that where sound attenuation is not required adjacent to Arterial or Skeletal roadways, a uniform screening fence shall be provided, in accordance with the City of Calgary 2014 Design Guidelines for Subdivision Servicing.

24. All noise attenuation features (noise walls, berms, etc.), screening fence, and ancillary facilities required in support of the development shall be constructed entirely within the development boundary (location of noise walls, berms, screening fence, etc) and associated ancillary works shall not infringe onto the road right-of-ways. Noise attenuation features and screening fences shall be at the Developer's sole expense.
25. In conjunction with each Tentative Plan, Transit service shall be provided to the satisfaction of the Director, Transit and the Director, Transportation Planning.
26. 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.
27. Sidewalks along the school site frontages shall be designed and constructed as monowalks.
28. Regional and/or multi-use pathways along the school site frontages shall be designed and constructed as mono-pathways, 3.5m wide.
29. For intersections adjacent to school sites and high-volume pedestrian crossing locations, curb extensions shall be provided to the satisfaction of the Director, Transportation Planning.

**Parks:**

30. In to order buffer, enhance and protect the ER, the adjacent MR is to retain existing native vegetation where feasible and be supplemented with plantings of native plant species where disturbance is to occur. Landscape Construction Drawings are to show undisturbed locations as well as where native plantings will occur. Appropriate native seed mixes can be selected from the City of Calgary [Seed Mixes](#) (2018) document.
31. A Biophysical Impact Assessment (BIA) update for Livingston Stage 2B was received and was approved by Parks Ecologist Dave Hayman, 403-899-6521. All mitigation measures of the approved BIA are to be adhered to throughout the development process.

32. The developer is responsible for constructing all MR parcels within the boundaries of the plan area with relative compliance with the approved concept plans and built in accordance with the Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current version).
33. 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.
34. **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), Section 2.1 Concept plan Requirements.
35. **Prior to endorsement of the affected tentative plan**, under separate cover, the developer shall submit Landscape Construction drawings, for all reserve lands (ER and MR) 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 Final Acceptance Certificate. See the City's [Habitat Restoration Project Framework](#) for guidance.

36. 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.

37. Site grading on private lots shall match the existing grades of adjacent MR and ER lands with all grading confined to private property, unless otherwise approved by the Director, Parks. **Prior to approval of the affected first tentative plan OR stripping and grading permit** (whichever occurs first), it shall be confirmed that grading of the development site will match the grades of adjacent open space (MR and/or ER) established by Parks and the Applicant, with all grading confined to the private property, unless otherwise approved by Parks.
38. The developer shall minimize stripping and grading within the adjacent Environmental Reserve. Any proposed disturbance within the ER, including that for roadways, utilities, and storm water management infrastructure, shall be approved by Calgary Parks prior to stripping and grading.

39. **Prior to approval of the related Stripping and Grading Permit or Engineering Construction Drawings**, whichever submitted first, the developer shall install Environmental Reserve (ER) protection measures around the natural areas to be retained (including bordering ER parcels) in order to prevent excessive overland drainage and siltation onto 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.
40. No disturbance of Environmental Reserve on the subject site is permitted without written permission from the Parks Generalist (Evan Goldstrom) for this area. The existing tree stand located within the Environmental Reserve is not to be disturbed.
41. The developer shall restore, to a natural state, any portions of the Environmental Reserve lands along the boundaries of the plan area that are damaged in any way as a result of this development. The restored area is to be maintained until established and approved by the Park Development Inspector.
42. 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.
43. **Prior to approval of the tentative plan or stripping and grading permit** (whichever comes first), an onsite meeting shall be arranged to confirm that the surveyed boundaries of the environmental reserve area meet Parks approval. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting.
44. 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.
45. 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.
46. Construction access through Environmental Reserve lands is not permitted, unless otherwise authorized by Parks in writing.
47. Stockpiling or dumping of construction materials on Municipal or Environmental Reserve lands is not permitted, unless otherwise authorized by Parks in writing.
48. Retaining walls within Environmental Reserve lands are not permitted, unless otherwise authorized by Parks in writing.
49. Any tree planting in the City boulevard shall be performed and inspected in accordance with Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current edition).

50. Plant all public trees in compliance with the approved Public Landscaping Plan.
51. All proposed site fencing required adjacent to Municipal Reserve and Environmental Reserve lands, including footings, shall be installed completely within private property, unless otherwise approved by Parks.
52. Backsloping from the development site into adjacent reserve lands is not permitted.
53. Acceptance of concept plans provided through the Outline Plan is an agreement to the overall landscape concept with the understanding by the Developer and Calgary Parks that construction details including – but not limited to – irrigation, plantings, and structures are not known at the time of concept submission, but that best efforts will be made to represent the future intended use of the MR/ER and other Open Spaces. Construction details are addressed through the Landscape Construction Drawing (LCD) submission process with submitted LCD showing general conformance to Outline Plan landscape concepts.
54. Compensation for dedication of reserves in excess of 10% is deemed to be \$1.00.
55. 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.
56. Upon review of construction drawings for public roads, a 1.5m clearance between trunks of trees and utilities should be achieved. For ATCO gas lines, a 2.0m clearance is to be achieved. See Parks' *Development Guidelines and Standard Specifications: Landscape Construction* (current edition) for further direction.
57. Provide detail design drawings of the ER bridge crossing in conjunction with the adjacent developer (Mattamy).