

Proposed Outline Plan Conditions of Approval

These conditions relate to Recommendation 1 for the Outline Plan where Calgary Planning Commission is the Approving Authority. Attachment for Council's reference only.

The following Conditions of Approval shall apply:

Planning:

1. Compensation for dedication of reserves in excess of 10% is deemed to be \$1.00.
2. The existing buildings shall be removed prior to endorsement of the final instrument.
3. Prior to tentative plan approval (and submission of construction drawings), the proposed community name and street names shall be approved by City Council. An application, SN2020-0001, is currently under review.
4. 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.
5. With each Tentative Plan, the developer shall submit a density phasing plan indicating the intended phasing of Subdivision within the Outline Plan area and the projected number of dwelling units within each phase and demonstrating compliance with minimum required densities in accordance with the Area Structure Plan.
6. Vehicular driveway access will not be permitted from R-G and DC (R-G) lots along 101 Street SW. Development on all R-G and DC (R-G) corner lots adjacent to 101 Street SW must:
 - a. treat both façade frontages with similar articulation,
 - b. orient access doors to 101 Street SW, and
 - c. provide pedestrian access between the dwelling and 101 Street SW.
7. As part of the development permit for the sanitary lift station, the developer will be required to visually screen the lift station with trees and shrubs.
8. Parks has indicated that a portion of the reserve dedication will be provided by a payment in lieu of reserves. Upon submission of a subdivision application, an appraisal report performed by an independent appraiser, contracted by The City of Calgary, shall be prepared to determine the value of the payment in lieu of reserve. Refer to the Subdivision Fee Schedule for the Land Appraisal Surcharge fee.

Prior to endorsement of the final instrument, a cash payment, determined by the appraisal report, shall be paid to The City of Calgary. Payment must be in the form of a bank draft or certified cheque made payable to The City of Calgary, and shall be submitted directly to the File Manager.

9. In the event that an alternative storm pond infrastructure is identified and approved by the City, a land use amendment of the S-CRI/PUL parcel associated with the storm pond in this outline plan to a residential land use (M-1) is appropriate and will not require a new outline plan application.

Development Engineering:

10. **Prior to first tentative plan or development permit approval**, official Ministerial Consent is required from Alberta Transportation (AT) / Alberta Infrastructure (AI) for any work on AT/AI lands and/or use of any of AT/AIs infrastructure.
11. Subject lands to be constructed in accordance with “Staged Master Drainage Plan for Osprey Hill, City of Calgary LOC2019-0012, Re-Issued for Approval”, created by Westhoff Engineering Resources, Inc. (File No. WER119-20) on July 15, 2021 or a revised Staged Master Drainage Plan acceptable to the Manager of Infrastructure Planning, Water Resources.
12. Subject lands to be constructed in accordance with “Sanitary Servicing Study, Osprey Hill” (Revision 4) created by EXP Services Inc. (File No. CGY-00092022-03) on November 26, 2021.
13. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
 - a. Slope Stability Assessment, prepared by Tetra Tech EBA (File No. 704-ENW-CENW03405-01.004), dated May 2020. Geotechnical Evaluation, prepared by Tetra Tech EBA (File No. 704-ENW.CENW03405-01.004), dated May 2020.
 - b. Deep Fills Report, prepared by Tetra Tech EBA (File No. 704-ENW.CENW03405-01.004), dated May 2020.
 - c. Hydrogeological Report, prepared by Tetra Tech EBA (File No. C12103471-02), dated May 2015.
 - d. Hydrogeological Assessment, prepared by Tetra Tech EBA (File No. ENW. W03405-01.005), dated April 16, 2020.
 - e. Hydrogeological Assessment Addendum, prepared by Tetra Tech EBA (File No. 704-ENW.CENW03405-01), dated September 21, 2020.
 - f. Hydrogeological Assessment Third-Party Review for the Propose “Osprey Hill” Development LOC2019-0112, prepared by Stantec (File No. 123315190), dated November 2, 2020.
14. **Prior to first tentative plan approval or development permit approval**, perform a field verification survey on the potential water well users within 1 Km of the site boundaries and confirm the details of the Alberta Groundwater Wells Database. Based on the field verification survey, the applicant will determine if there is a potential for any of the water wells being affected by or affecting the development based on the depth of the nearest water wells and distance from the property boundary. The applicant will be required to confirm whether findings support development or require additional research or constraints.
15. Execute and register on all affected titles a geotechnical covenant by way of caveat prohibiting the development of the lands, except in strict accordance with the accepted Deep Fills Reports, prepared by prepared by Tetra Tech EBA (File No. 704-

ENW.CENW03405-01.004), dated May 2020. A copy of the above noted report should be attached to the covenant as Schedule A. **Prior to endorsement of the linen**, contact the Development Engineering Generalist to initiate work on the covenant.

NOTE: 3 months' time lag between completion of fill placement and the installation of underground utilities and 6 months' time lag between completion of fill placement and construction of homes / settlement sensitive structures.

16. **Prior to first tentative plan approval or development permit approval**, submit an electronic version of a Post-Development Slope Stability Report to the Development Engineering Generalist. The report must be prepared by a qualified Geotechnical Engineer under seal and permit to practice stamp to the satisfaction of the Geotechnical Engineer, Roads.

OR

If the proposed development does not have existing or proposed grades in excess of 15%, submit a letter to that effect signed and sealed by a professional Geotechnical Engineer.

If required, a Development and Geotechnical Covenant may be registered against the affected lot(s) concurrent with the registration of the final instrument/prior to release of the development permit, prohibiting the development of the lot(s), except in strict accordance with the development restriction recommendations in the Slope Stability Report.

17. **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.
18. **Concurrent with the registration of the final instrument**, execute and register on all affected parcels, an Access Easement Agreement with the City of Calgary for access to the Lift Station Site. 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.
19. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.

20. 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:

- a. The watercourse culvert is 1500mm or greater in diameter, or
- b. 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.

- 21. **Prior to endorsement of the final instrument/prior to release of the Development Permit**, execute a Development Agreement. Contact the Subdivision Development Coordinator, Calgary Approvals Coordination for further information at 403-268-6739 or email urban@calgary.ca.
- 22. Off-site levies, charges and fees are applicable upon any future development permit or subdivision application. Contact the Subdivision Development Coordinator, Calgary Approvals Coordination for further information at 403-268-6739 or email urban@calgary.ca.
- 23. 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:
 - i. 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.
 - ii. Construct the underground utilities and surface improvements within 1 Avenue SW along the north boundary of the plan area.
 - iii. Construct the underground utilities and surface improvements within 101 Street SW along the east boundary of the plan area.
 - iv. Construct the underground utilities and surface improvements within and along the boundaries of the plan area.
 - v. Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required along the boundaries of the plan area.

- vi. 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.
- vii. Construct the MR within the plan area.
- viii. Construct the regional pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.

Transportation:

24. **In conjunction with each Tentative Plan**, functional-level plans shall be submitted as a component of the Tentative Plan submission package to the satisfaction of the Director of Transportation Planning. The package shall include staged development of local arterial, neighbourhood boulevard and collector standard roadways, inclusive of the staged development of at-grade intersections, where applicable. Additional road Right-of-way may be required to accommodate transitions and local widenings at intersections.

The above improvements and ancillary works to support the roadway shall be designed and constructed at the Developer's expense, subject to normal oversize, endeavours to assist and boundary cost recoveries.

25. **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 the grades and site lines are compatible to install bus zones; and
 - b. Where pedestrian walkways, pathways, and roadway crossing opportunities are provided.
26. **In conjunction with the applicable Tentative Plan**, 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).
27. **In conjunction with the applicable Tentative Plan**, no direct vehicular access shall be permitted to 1 Avenue NW containing a multi-use pathway within the boulevard. Restrictive covenant shall be registered on all applicable titles concurrent with the registration of the final instrument to that effect at the Tentative Plan stage.
28. No direct vehicular access shall be permitted to crosswalk/wheelchair ramp locations for any proposed T intersections. Restrictive covenant shall be registered on all applicable titles **concurrent with the registration of the final instrument** to that effect at the Tentative Plan stage.

29. **In conjunction with the applicable tentative plans** and prior to construction permission, the Developer shall provide signage within the road right-of-way or on city public land at the terminus of roads that are intended to continue with future planning. Signage shall be designed and located to the satisfaction of the Director of Transportation Planning. All work associated with the supply and installation of the signage will be at the Developer's expense.
30. **In conjunction with the applicable Tentative Plan**, collector standard roads (and below) shall be built to their full width to the satisfaction of the Director, Transportation Planning.
31. **In conjunction with the applicable Tentative Plan**, detailed engineering drawings and 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. Construction drawing review may require changes to proposed right-of-way to meet the approved design. In particular, Osprey Hill Way acute corner turn with parking for Fire and Waste and Recycling operations.
32. **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.
33. **In conjunction with the applicable Tentative Plan or Development Permit**, access to multi-family and commercial sites shall be located and designed to the satisfaction of the Director, Transportation Planning.
34. **In conjunction with the applicable Tentative Plan or Development Permit**, 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.
35. **In conjunction with the applicable Tentative Plan or Development Permit**, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance
36. **In conjunction with the applicable Tentative Plan or Development Permit**, all community entrance features must be located outside the public right-of-way.
37. **In conjunction with the applicable Tentative Plan**, prior to approval of construction drawings and permission to construct surface improvements, the Developer shall provide signed copies of back sloping agreements (and Ministerial Consent, if applicable) for any back sloping that is to take place on adjacent lands.
38. **In conjunction with the applicable Tentative Plan**, provide turning templates for residential type road entrances from 1 AV SW.

39. **In conjunction with the applicable Tentative Plan**, the developer shall ensure that all pathways from MR lands have a direct pedestrian connection by sidewalk or pathway, to the desired crossing locations at intersections to the satisfaction of the Director, Transportation Planning.
40. 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 onto the road right-of-ways).
41. **In conjunction with the Initial Tentative Plan**, the Applicant to coordinate this design with AI and revise the vertical profile of 1 AV and 101 ST to suit the proposed Outline Plan and associated City road cross-sections and grades to ensure elevations match with future roundabout within the Transportation & Utility Corridor (TUC). Any additional Right-of-Way cross-section and its associated impacts above and beyond AI design, such as but not limited to, backsloping, pavement, tie-ins, underground infrastructure, curbs, curb bump outs, future north side access geometric needs and / or transit bus zones are to be borne at the sole risk and expense of the Developer.
42. **In conjunction with the Initial Tentative Plan**, the Developer shall to provide consent from Alberta Transportation (AT) for any works (including any proposed back sloping) within Alberta Transportation ROW.
43. **In conjunction with the Initial Tentative Plan or Development Permit application**, the Developer shall provide road, grade and safety crossing details in support of a mid-block crossing of Osprey Hill Rise SW to the satisfaction of the Director, Transportation Planning.
44. Applicant to ensure parcel in northeast corner, currently shown as S-CRI (PUL), does not encumber visibility sightlines for approaches to TUC roundabout. All crosswalks should be placed a safe distance further away from roundabout. Corner of parcel may require corner cut or any perimeter fence / building setbacks to the satisfaction of the Director of Transportation Planning.
45. In conjunction with the applicable Tentative Plan, the developer shall provide a Letter of Credit for pedestrian-actuated crossing signals that are agreed upon by the developer and the Director, Transportation Planning. Pedestrian-actuated crossing signals shall be considered to the satisfaction of the Director, Transportation Planning:
 - a. at key connections to transit infrastructure;
 - b. where regional pathways or multi-use pathways intersect with the street;
 - c. at mid-block crossings; and
 - d. at intersections or pedestrian crossings adjacent to Joint Use sites.

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.

Parks:

46. **Prior to endorsement of the Tentative Plan**, provide a cash in lieu payment to The City of Calgary for the existing 1.4 acre Altalink Transmission Line Right of Way (RW 394) area be provided as S-SPR, non-credit MR (cash in lieu).
47. In conjunction with the affected tentative plan, label the existing 1.4 acre/0.57 ha Altalink Transmission Line Right of Way (RW 394) as non-credit MR **and concurrent with registration**, dedicate the existing 1.4 acre Altalink Transmission Line Right of Way (RW 394) as non-credit MR.
48. **Prior to endorsement of the final Tentative Plan**, the developer shall provide a plan identifying the necessary improvements to the existing footbridges within the proposed Environmental Reserve parcels to ensure their safety to Calgary Parks satisfaction. The plan should identify the upgrades are being done and whether any equipment will enter ER extents; noting that the upgrades should not extend beyond the existing footprint (i.e. encroach into ER) of the existing bridges. If the upgrades are extensive, a Habitat Restoration Plan will be required.
49. MR – Municipal Reserve is to be dedicated dedication in the amount of 10% of the developable land as per Section 666 of the Municipal Government Act (MGA). ER is to be provided as per Section 664 of the MGA.
50. **Prior to approval of the first tentative plan or the Stripping and Grading Permit, whichever comes first**, provide confirmation of receipt of a *Water Act* approval from Alberta Environment for disturbance to any natural drainage course or wetland.
51. **Prior to approval of the related Stripping and Grading Permit or Tentative Plan**, the developer shall install and maintain a temporary construction fence on the private property line with the adjacent Environmental Reserve to protect public lands **prior to the commencement of any stripping and grading related to the site** and during all phases of construction. Contact the Parks Development Inspector Annie Rodrigues at (403) 804-9397 or Annie.Rodrigues@calgary.ca to approve the location approve the location of the fencing prior to its installation.
52. **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 wetlands/ravines/Environmentally Significant Areas to be retained 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 Parks Development Inspector Annie Rodrigues at (403) 804-9397 or Annie.Rodrigues@calgary.ca to approve the location prior to commencement of Stripping and Grading activities.
53. **Prior to the approval of the affected tentative plan**, the developer shall confirm fencing requirements adjacent to MR and ER parcels to the satisfaction of the Director, Calgary Parks.

54. **Prior to approval of the first tentative plan or stripping and grading permit** (whichever comes first), it shall be confirmed that grading of the development site will match the existing grades of adjacent parks and open space (MR and/or ER), with all grading confined to the private property, unless otherwise approved by Parks.
55. **Prior to release of the Stripping and Grading permit**, 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. Provide a preliminary plan illustrating the surveyed ER boundaries in advance of the onsite meeting. This meeting should be coordinated through the CPAG Parks Generalist at 403-268-5635.
56. **Prior to the approval of a stripping and grading permit, a Development Agreement or a subject area Tentative Plan**, Parks requires details pertaining to the total limit of disturbance resulting from the proposed development in its entirety.
57. **Prior to the approval of the affected tentative plan**, finalized landscape concept plans for all MR sites shall be submitted for Parks' review and approval including details identifying that there is no private lot drainage into ER/MR areas. Cross-sections will be required to illustrate the interface between residential lands and proposed ER/MR with details on the mechanisms/design elements proposed to treat and/or contain storm runoff from residential lots (for example: naturalized swales).
58. **Prior to endorsement of the tentative plan**, submit detailed Landscape Construction Drawings (LCD's) for the proposed development on MR and ER (if applicable) Parks parcels to the Parks Coordinator – Development, Nathan Grimson, at 403.681.2718 or nathan.grimson@calgary.ca. The LCD's should show/include:
 - a. Naturalized MR/ER spaces – where applicable using/noting native plant materials.
 - b. Backsloping extents of all ER areas and provide Habitat Restoration Plan (s) if needed.
 - c. Where lots back onto ER, clarify and label that grades will match or indicate backsloping extents.
 - d. Provide notes that all concrete gutters and fences shall be located on private property, and that there are no utilities within the MR.
 - e. Where Local Asphalt Pathways intersect with trails, provide an asphalt extension paved into the trail, to prevent any materials from the trail tracking onto the pathway and creating a tripping/slipping hazard for users.
 - f. SW MR – provide details and identify where the water will flow. Will the stream channel be re-established? If yes, provide details as to the proposed design. How much additional volume of water will be added and what will be the downstream effects of this? Identify foot bridges and/or culverts and what existing trees are to remain.
 - g. An LCD for the Altalink Right of Way which is to be constructed by the Developer as non-credit MR.
 - h. MR6/Conceptual Plan 2 – work with Calgary Parks/Urban Conservation to determine:
 - i. Proposed trail/pathway connections (ensuring minimal disturbance to existing trees).

- ii. Whether an informal seating area and Native Shrub Groupings are appropriate in this area as this was to remain as a Naturalized MR with no changes to existing vegetation.
59. **Prior to construction**, confirm that there will be no disturbance within MR/ER extents. If constructions limits extend into public lands contact the Parks CPAG Generalist to enter into a LOC (License of Occupation) or LCD (Landscape Construction Drawing/Habitat Restoration Plan).
60. Until receipt of the *Water Act* approval by the applicant from Alberta Environment, the wetland(s) affected by the development boundaries shall not be developed or disturbed in anyway and shall be protected in place.
61. If MR/ER is disturbed, rrehabilitate all portions of the MR/ER lands along the boundaries of the plan area that are damaged as a result of this development, all to the satisfaction of the Director, Parks.
62. No disturbance of Environmental reserve lands is permitted without written permission from the Parks Generalist for this area. The Parks Generalist (listed above) can be reached at 403- 268-5635.
63. **Prior to the approval of Landscape Construction Drawings**, the developer shall submit a detailed Restoration Plan including a maintenance schedule for each Environmental Reserve proposed to be impacted by any construction. 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. The restored areas shall be maintained by the developer until it is established and approved by Parks.
64. The developer shall submit detailed Engineering Construction Drawings and Landscape Construction Drawings for the proposed storm pond to both Water Resources and Parks for review.
65. The developer shall show parks and pathways to be constructed by the developer according to approved drawings and Calgary Parks' Development Guidelines and Standard Specifications for Landscape Construction:
<https://www.calgary.ca/csps/parks/construction/park-development-guidelines.html>
66. No surface or sub-surface encroachments are permitted into within (MR/ER) park parcels.
67. No backsloping is permitted within MR/ER extents.
68. All drainage shall be contained within the private parcel, as required through the drainage bylaw. No point source drainage is to be directed to (MR/ER) park parcels unless reviewed and approved by Calgary Parks.
69. During Engineering Construction Design, ensure that the street light cable has a 1.0 metre minimum offset from the proposed boulevard trees.

70. The developer shall minimize stripping and grading within the 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**.
71. Plant all trees as per the approved Public Landscaping Plan.