

# Approved 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.*

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

## Planning

1. The green space located on South end of this Outline Plan will not be included in the municipal reserve allocation.
2. Reserves owing on future subdivision applications for this community.
3. All conditions of the Legacy Stage I Outline Plan remain applicable to this plan area.
4. The R-G parcel at the south-east corner of the plan area that is labelled as "neighborhood park" shall be private open space and not to be maintained by the City.

## Utility Engineering

5. All conditions of the Legacy Outline Plan (LOC2007-0126) remain applicable to this plan area.
6. All technical details and reports associated with this Outline Plan have been accepted on a conditional basis referencing the guidelines and standards of the day. The Developer is responsible to update all such details and reports as may be required at the time of development/construction to reflect the applicable requirements at that time. The Developer is responsible to ensure all infrastructure can be constructed in accordance with the applicable standards and regulations at the time of development. If such an update impacts the layout during the review of the detailed engineering construction drawings, 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 necessary.
7. Submit an electronic version of a Deep Fills Report to the Development Engineering Generalist for any proposed subdivision applications that have fills in excess of 2.0m, or if the proposed development will not have any fills in excess of 2.0m, submit a letter to that effect signed and sealed by a professional Geotechnical Engineer.

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. The report is to identify lots to be developed on fills in excess of 2.0m above original elevations within the Plan area. The report must also state whether the lots to be developed on these fills will require any specific development restrictions.

If required, a Development and Geotechnical Covenant may be registered against the affected lot(s), prohibiting the development of the lot(s), except in strict accordance with the development restriction recommendations in the Deep Fills Report.

8. Submit an electronic version of a Slope Stability Report to the Development Engineering Generalist for any proposed subdivision applications that have proposed grades in excess of 15% (or adjacent to existing grades in excess of 15%), or if the proposed development will not have any grades in excess of 15%, submit a letter to that effect signed and sealed by a professional Geotechnical Engineer. 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.

If required, a Development and Geotechnical Covenant may be registered against the affected lot(s) prohibiting the development of the lot(s), except in strict accordance with the development restriction recommendations in the Slope Stability Report.

9. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources. Separate service connections to a public main shall be provided for each proposed lot (including strata lots).
10. Prior to acceptance of any construction drawings in the plan area, a Stormwater Management Report is required. The Stormwater Management Report is to illustrate the overall stormwater management plan for the entire plan area and should include areas upstream that currently drain to the area. Refer to Water Services' currently applied Stormwater Management and Design Manual for details. Additionally, submit updates to any affected existing Stormwater Management Reports adjacent to the plan area.
11. Prior to the endorsement of any Tentative Plan and/or prior to release of a Development Permit, the developer is required to execute an Indemnification Agreement for the construction of the proposed public infrastructure. Contact the Infrastructure Strategist, Calgary Approvals Coordination, for further information at 587-216-3391 or email [urban@calgary.ca](mailto:urban@calgary.ca)

The developer, at its expense, shall be required 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 within and along the boundary of the plan area.
- c. Rehabilitate the portions of any existing public roads that are disturbed for main extensions or service connections as a result of this development, all to the satisfaction of the Director of Calgary Roads.
- d. Rehabilitate the portions of any public or private lands or infrastructure that are damaged as a result of this development, all to the satisfaction of The City of Calgary.

- e. Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, inside the property line of the residential lots within the boundary of the plan area as may be required at the Construction Drawing review stage.

To initiate circulation and approval of the Work that will form part of the Indemnification Agreement, submit construction drawings online using your existing VISTA account at [calgary.ca/vista](http://calgary.ca/vista). At the time of submission of the construction drawings, the following items shall also be submitted:

- i. An 8 1/2" x 11" site plan indicating the construction boundaries.
  - ii. Indicate who will be party to the agreement, provide contact information and a certificate of title for adjacent lands associated with the construction of the infrastructure.
  - iii. A detailed description of the Work that will form part of the Indemnification Agreement (cubic metres of asphalt and/or concrete, pipe diameters for sanitary, storm and watermains and their respective lengths in linear metres) within the City right of way.
  - iv. A detailed cost estimate for the scope of Work including GST prepared by the contractor.
- 12. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
  - 13. No encroachments are permitted above or below grade in City rights-of-way.
  - 14. Prior to issuance of any construction permissions, an Erosion and Sediment Control Report and Drawings for the development site shall be submitted to the satisfaction of the Manager of Infrastructure Planning. The report and drawings shall follow the latest version of The City of Calgary Guidelines for Erosion and Sediment Control.

### **Mobility Engineering**

- 15. Prior to the release of any permits or Permissions to Construct, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
- 16. In conjunction with the applicable Tentative Plan, no direct vehicular access shall be permitted to or from Legacy View SE and a restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect
- 17. In conjunction with the applicable Tentative Plan, no direct vehicular access shall be permitted to or from Legacy CI SE and a restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect
- 18. 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).

19. In conjunction with the applicable Tentative Plan or Development Permit, all community entrance features must be located outside the public right-of-way.
20. In conjunction with the applicable Tentative Plan, no direct vehicular access shall be permitted to or from Legacy Passage SE for the lots with 10m back lane and a restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect
21. All accesses shall be designed and located to the satisfaction of the Director, Transportation Planning.
22. Prior to Endorsement of the first tentative plan, the developer shall contribute to the costs to upgrade the intersections of Macleod Trail / 194 Avenue S and Macleod Trail / 210 Avenue S based on the Transportation Impact Assessment recommendations for the West and East Macleod area. The cost sharing contribution for the Macleod Trail intersections upgrades is based on residential units and is \$357/unit.

The details of this requirement are defined by the West Macleod Global Transportation Impact Assessment Stantec, June 25, 2015 and Authentication Page, August 28, 2015. The purpose is to facilitate interim improvements at Macleod Trail & 194th Avenue SW and Macleod Trail & 210 Avenue SW to support construction of the first 200,000 sq ft of commercial and 7,100 residential units, should their construction in advance of the interim improvements planned for 2022-2024 and the ultimate Macleod Trail interchanges that are currently unfunded. Contact the Senior Transportation Engineer [esther.escott@calgary.ca](mailto:esther.escott@calgary.ca) to arrange payment.