Approved 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.

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

- 1. If the total area for Roads & Public Utility Lot dedication is over 30%, note that compensation in the order of \$10.00 for over dedication is deemed to be provided.
- 2. 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 by Caveat concurrent with the final instrument.
- 3. Compensation for dedication of reserves in excess of 10% is deemed to be \$10.00.
- 4. Zero lot line is prohibited on parcels whose property line is adjacent to municipal reserve and public utility land.
- 5. A deferred reserve caveat shall be registered on titles of lands concurrent with the registration of the final instrument.
- 6. 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.
- 7. Prior to the approval of the affected tentative plan, the playfield and building envelope parcels within MSR lands on a joint-use site shall be consolidated. The playfield and building envelope parcels on a joint-joint-use school site should remain separated to facilitate proper ownerships over each parcel.



9. 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 by Caveat concurrent with the registration of the final instrument.

CPC2023-0579 Attachment 2 ISC:UNRESTRICTED

- 10. Prior to approval of any affected Tentative plan and / or submission of construction drawings, the proposed street names shall be submitted and approved, to the satisfaction of the Subdivision Authority. The new street name will need Council approval prior to endorsement of the legal plan.
- 11. 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 \$10.00 for over dedication is deemed to be provided.
- 12. The Developer shall provide the full 10% dedication of Municipal Reserve lands and/or Environmental Reserve lands as indicated on the approved outline plan.
- 13. All residential land use parcels abutting a lane shall only have direct vehicle access from the lane (no front drive garages) and a restrictive covenant be registered against the titles of those parcels to that effect.
- 14. The wetland(s) identified within the Outline Plan area are subject to The City of Calgary's Calgary Wetland Conservation Plan (the Plan) and its 'no net loss' policy. All Class III and above wetland(s) (as defined by the Stewart and Kantrud Wetland Classification System) identified within the Outline Plan area qualify as Environmental Reserve (ER) pursuant to the Municipal Government Act (Alberta)(MGA) and are to be dedicated to The City of Calgary as ER, pursuant to the MGA. Pursuant to the Plan, the Subdivision Authority may permit an applicant to damage or destroy Class III and above wetland(s) provided that prior to the approval of the affected Tentative Plan and/or Development Permit, the applicant shall provide the City of Calgary Parks department with a copy of the agreement entered into with the Province of Alberta or its agent that provides for compensation for the loss or alteration of the Class III and above wetland(s).
- 15. Pursuant to Part 4 of the Water Act (Alberta) and the Public Lands Act (Alberta), the applicant shall provide the City of Calgary Parks Department with a copy of the Water Act approval, issued by Alberta Environment and Parks, for the proposed wetland disturbance. If a wetland is crown-owned, both Public Lands Act approvals and Water Act Approval will be required prior to the disturbance of the wetland.
 - Until receipt of the Water Act approval by the applicant from Alberta Environment and Parks, the wetland(s) affected by the development boundaries shall not be developed or disturbed in anyway and shall be protected.
 - 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 grades of existing adjacent parks and open space Municipal Reserve and/or Environmental Reserve (MR and/or ER) or proposed ER, with all grading confined to the private property, unless otherwise approved by Parks Development Coordinator in Community Planning.

18. The developer shall submit detailed Engineering Construction Drawings and Landscape Construction Drawings for the proposed (re)constructed wetland/storm pond to both Development Engineering and Environmental Planning for review.

To achieve the Environmental Reserve designation, a reconstructed wetland must meet habitat function, depth, and water quality and quantity criteria as per the City's and Alberta Environment and Parks- requirements. Alternative water treatment options, such as Oil and Grit Separator (OGS), sediment traps, Low Impact Development (LID) buffering zones, berms, etc. shall be located outside of the ER extents.

- 19. 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 (403-804-9417) in Development Business and Building Services. The associated restoration plan shall conform to requirements detailed in the City of Calgary Habitat Restoration Project Framework and be approved by Environmental Planning in Climate and Environment.
- 20. Rehabilitate all portions of the MR/ER lands and/or along the boundaries of the plan area that are damaged as a result of this development, all to the satisfaction of the Park Development Inspector (403-804-9417) in Business and Building Services.
- 21. Prior to approval of the Tentative Plan, Landscape Concepts prepared at the Outline Plan stage shall be refined to add:
 - A site plan showing general conformance to Outline Plan landscape concepts, intended park program, site layout, and preliminary planting. Grading plans that are coordinated with engineering to show updated perimeter grades to confirm slope percentage and details of any other features, including (but not limited to) retaining structures, utility rights-of way, green infrastructure, trap lows, drainage from private lots, etc. Storm-related infrastructure details above and below ground, including (but not limited to) access roads with required vehicle turning radii, inlets, outlets, retaining walls, control structures, oil grit separators, etc.

Prior to Endorsement of the Tentative Plan Landscape Construction Drawings that are reflective of the subject Tentative Plan for the proposed MR lands are to be submitted to the Lanscape Architect Development Borslein, Daniel <u>Dan.Borslein@calgary.ca</u> in Parks and Open Spaces for review and approval prior to construction.

23. When a Regional Pathway is also to be used as a service vehicle access road, the pathway is to be constructed to a Residential Road standard so that the pathway can support the weight of maintenance vehicles.

- 24. Prior to the approval of the affected Tentative Plan, it shall be demonstrated through concepts and cross-sections that the local and regional pathways around the wetland complex are located outside of the high water line.
- 25. All proposed parks (MR/ER) and Regional/Local Pathways and Trails must comply with the Calgary Parks- Development Guidelines and Standard Specifications: Landscape Construction (current edition).
- 26. Construct all regional pathway routes within and along the boundaries of the plan area according to Calgary Parks- Development Guidelines and Standard Specifications Landscape Construction (current version), including setback requirements, to the satisfaction of the Pathways &Trails in Parks and Open Spaces.
- 27. Plant all public trees in compliance with the approved Landscape Construction Drawing for Boulevard and Median Tree Line Assignment.
- 28. Parks and Open Spaces does not support point source drainage directed towards MR/MSR or ER extents. All drainage and storm related infrastructure catering to private property shall be entirely clear of MR/ER/MSR areas.
- 29. All stormwater related infrastructure is to be located within Public Utility Lots (PUL) extents.
- 30. All shallow utility alignments, including street light cables, shall be set back 1.5 metres from the street tree alignment on all road cross sections in accordance with Section 4.1.3 of Calgary Parks' Development Guidelines and Standard Specifications: Landscape Construction (current edition).
- 31. All recommendations and mitigation measures outlined in the BIA (Biophysical Impact Assessment) must be followed through all planning and development stages. Any changes to the outline plan / land use amendment for which the BIA was prepared may trigger requirements to update the BIA and/or complete additional studies.

Utility Engineering

Prior to any Tentative Plan or Development Permit approvals, the temporary Belvedere Fire Station must be operational.

Note: The City of Calgary Fire Departments supports the future growth of the city with the New Community Growth Strategy. Longer emergency response times lead to negative citizen outcomes including larger fires and critical medical emergencies. The area as shown in the LOC does not currently have emergency response coverage. Once the temporary Belvedere Fire station is operational, the Plan Area may be within the New Community Growth Strategy Response Time.

- 33. The site is located entirely within the Glenmore Pressure Zone. Water main extensions and three tie-ins are at the expense of the developer. Prior to all three water tie-ins being completed, development will be reviewed on a phase by phase basis and will require Development Engineering permission to commence.
- 34. Prior to any Tentative Plans or Development Permits being approved, downstream storm and sanitary infrastructure will be required to Development Engineering's satisfaction at the developer's expense with easements and adjacent landowner permission where required.
- 35. Prior to approval of the first Tentative Plan, submit an updated Sanitary Servicing Study (SSS), prepared by a qualified Professional Engineer under seal and permit to practice stamp for review and acceptance to WA-ResourcesDevelopmentApprovals@calgary.ca. The study shall be updated to reflect the full required off-site catchment boundaries.
- 36. Prior to first tentative plan or Development Permit, a wetland management report for the on-site constructed wetland is required (after Staged Master Drainage Plan acceptance).
- 37. Prior to approval of the stripping and grading development permit, the applicant shall provide Alberta Energy Regulator documentation that confirm that the pipelines (#3113, #3114, #3034, #2926, #23839) have been removed in accordance to their requirements. All documentation shall be reviewed to the satisfaction of The City of Calgary.
- 38. 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 403-268-5706 or email galina.karadakova-mineva@calgary.ca.

NOTE: Construction Drawings are required prior to Development Agreement execution.

39. Off-site levies, charges and fees are applicable.



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 the surface improvements within 8 Avenue NE, along the north boundary of the plan area.

c) Construct the underground utilities and the surface improvements within 84 Street NE, along the west boundary of the plan area.

d) Construct the underground utilities and the surface improvements within Memorial Drive NE, along the south boundary of the plan area.

e) Construct the underground utilities and surface improvements within and along the boundaries of the plan area.

f) 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.

g) Construct the MRs, ERs, MSRs within the plan area.

h) Construct the regional pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Calgary Parks.

- 41. Prior to Endorsement of the final instrument, discuss cost sharing arrangements with Opengate Properties Ltd. for part cost (costs not recovered by the developer from the City) of the existing underground utilities installed/constructed by Opengate Properties Ltd. under East Belvedere (Twinhills Cybercity) Water Feedermain and Sanitary Sewer Trunk at Memorial Dr and 100 St SE and 17 Av SE Along 100 St SE pursuant to a Construction Agreement dated Dec 17, 2020.
- 42. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following reports:

Geotechnical Commentary for DTR Response (LOC2021-0212), prepared by EXP (File No. CGY-21007853-00), dated August 25, 2022.
Preliminary Geotechnical Evaluation Report, prepared by EXP Services Inc. (File No. CGY-00262636-00), dated November 26, 2020.

43. Servicing arrangements shall be to the satisfaction of the Manager of Development Engineering.

43.

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 of Development Engineering and the City Solicitor prior to endorsement of the final instrument. A standard template for the agreement will be provided by the Utility Engineering Generalist. Prepare and submit three (3) copies of the agreement for the City-s signature. 44. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,

a. the person discovering such contamination must immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment and Parks, Alberta Health Services and The City of Calgary (311).

b. on City of Calgary lands or utility corridors, the City-s Environmental Risk & Liability group must be immediately notified (311).

- 45. 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.
- 46. This Outline Plan contains a pond(s)/wetland(s) to manage stormwater. The Staged Master Drainage Plan (SMDP) developed for this Outline Plan has an expiry date of 5 years from the date of the Outline Plan approval because guidelines, standards, and regulations may change from time to time. If subdivision and construction of any given pond/wetland and its associated catchment area does not commence within 5 years of approval, the Developer shall be required to update the SMDP as may be deemed appropriate, to the satisfaction of the Manger of Development Engineering. If such an update impacts the layout or size of the pond(s), 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.



municipal reserve (MR) site, the loss of MR shall be reallocated elsewhere within the plan.

- 48. Prior to approval of a Subdivision or Development Permit (including stripping and grading), the applicant shall provide documentation that the conditions on the pipeline right of way are suitable for the intended uses as related to environmental concerns. All documentation shall be prepared by a qualified professional and shall be reviewed to the satisfaction of The City of Calgary.
- 49. Prior to approval of a Subdivision or Development Permit (including stripping and grading), the applicant shall provide documentation that all abandoned pipelines on the subject lands have been removed and the environmental condition of the land is suitable for the intended uses. Supporting documents include, but are not limited to: Alberta Energy Regulator Pipeline Removal Licence Amendments, environmental investigation reports, etc. All documentation shall be prepared by a qualified professional and shall be reviewed to the satisfaction of The City of Calgary
- 50. Prior to approval of a Subdivision or Development Permit (including stripping and grading) that includes ground disturbance activities on the pipeline right of way, the applicant must provide documentation from the operator confirming that they do not object to the proposed work. All documentation shall be reviewed to the satisfaction of The City of Calgary.
- 51. Prior to Approval of first Tentative Plan, provide the existing water act approval and identify if current planned discharges for the west Huxley will align with what has already been approved. The following is also to be determined Prior to Approval of first Tentative Plan:

If the water act approval aligns with the overall area drainage concept then a wetland impact assessment specific to the potential impacts on the discharge of this wetland may not be required.

Please note that other activities that may impact the wetland could still trigger a wetland impact assessment.

Mobility Engineering



In conjunction with each tentative plan or Development Permit, a technical memorandum may be required that outlines the proposed phases' unit numbers, trip generation estimates, and required supporting roadway network to demonstrate, to the satisfaction of the Manager, Development Engineering, that a Regional Transportation Network Infrastructure is available, and connects the Outline Plan area, in accordance with the approved Calgary Transportation Plan (CTP) and Municipal Development Plan (MDP).

Available includes any or all of the following:

CPC2023-0579 Attachment 2 ISC:UNRESTRICTED - The ability to construct or contribute towards construction of a Regional Transportation Network infrastructure required to provide a connection to the Tentative Plan.

Required transportation Network Infrastructure and funding mechanism to support the development will be determined once the final Global TIA is submitted, reviewed, and accepted.

- 53. Prior to approval of the initial tentative plan, Stage 2 of the Belvedere Global TIA regarding Infrastructure Phasing is to be complete, to the satisfaction of Administration. Each subsequent tentative plan is to be evaluated against the findings of the Global TIA as it relates to the level of development that can be supported by available infrastructure at the time of tentative plan submission.
- 54. In conjunction with each Tentative Plan, each submission shall be subject to conditions based on findings from Stage 2 of the Belvedere Global TIA, related to Infrastructure Phasing. Conditions shall be provided on each application relating to the number of units that can be supported based on available transportation infrastructure at the time of submission. Available is defined as either constructed or funded with the ability to construct.
- 55. Memorial Drive The expectation for any developer driven project is that the developer secures the road right of way from the various parties (often called third parties offsites). In the Memorial Drive extension instance the applicant/ developer will have to work with the adjacent landowners (including the Province) to have the lands ready (36.0m + 4.0m) to be placed into road right of way. Once the lands are acquired and secured and ready to be placed into road right of way, The City through Planning reaches out to the RE&DS acquisitions team and they prepare the dedication agreements with each of the owners. If owners want to be compensated for the lands the expectation is the developer needs to shoulder that cost, The City expects to have the lands at nominal.
- 56. 8 Avenue NE The expectation for any developer driven project is that the developer secures the road right of way from the various parties (often called third parties offsites). In the case of 8 Avenue NE the applicant/ developer will have to work with the adjacent landowners (including the Province and Rocky View County) to have the lands ready to be placed into road right of way. Once the lands are acquired and secured and ready to be placed into road right of way, The City through Planning reaches out to the RE&DS acquisitions team and they prepare the dedication agreements with each of the owners. If owners want to be compensated for the lands the expectation is the developer needs to shoulder that cost, The City expects to have the lands at nominal.
- 57. The developer, at its expense, but subject to normal oversize, endeavors to assist and boundary cost recoveries shall be required to enter into an agreement with the City to:

- Construct the complete cross-section of the ultimate 8th Avenue NE between 84 Street and the easterly limit of the plan area. CPC2023-0579 Attachment 2 Pag ISC:UNRESTRICTED - Construct the east half of the complete cross-section of the ultimate 84th Street NE, including the intersections of 84th Street with Memorial Drive and 8th Ave SE.

- Construct the north half of the complete cross-section of the ultimate Memorial Drive NE between 84 Street and the easterly limit of the plan area.

- 58. 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 Transportation Planning and Roads, for the staged development arterial and collector standard roadways, inclusive of the staged development of the at-grade intersections, and to the satisfaction of the Director, Transportation Planning. Additional road Right-of-way may be required to accommodate transitions and local widenings at intersections.
- 59. Prior to approval of the applicable tentative plan, the applicant must dedicate the required road widening for the construction of the full cross-section of 100 Street NE, 8th Avenue NE, and Memorial Drive.
- 60. All crosswalks where Regional Pathways or Multi-use pathways intersect with the street shall be designed to the satisfaction of the Manager, Development Engineering. At the effected tentative plan, the installation of pedestrian-actuated crossing signals or other treatments such as a rapid flash beacon may be required if warranted, at the expense of the developer.

Locations where RRFB are required include:

- School crossings
- Pathways intersecting street

Prior to the Endorsement of the applicable Tentative Plan, the Developer shall provide a Letter of Credit for pedestrian-activated crossing signals (RRFB). 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.



In conjunction with the applicable Tentative Plan, sidewalks along the school site frontages shall be designed and constructed as mono-walks or mono-pathways, with a minimum width of 2.0 meters.

63. In conjunction with the applicable Tentative Plan, collector standard roads (and below) shall be built to their full width to the satisfaction of the Manager, Development Engineering.

CPC2023-0579 Attachment 2 ISC:UNRESTRICTED

62.

64. In conjunction with each Tentative Plan, the Developer shall register road plans for Collector standard roadways within the subject lands to the satisfaction of the Manager, Development Engineering, that provides continuous active modes and vehicle routing through the community with at least two points of public access around the Tentative Plan boundary to the major road network.

The continuous collector road network is required to ensure that efficient Transit routing through the plan area can be accommodated, while the two points of access to the plan area ensures residents will have two routes into and out of the area, in the event of emergency or road closures, and the ensure availability of capacity at the plan area access points.

- 65. In conjunction with the applicable Tentative Plan, detailed engineering drawings and turning templates shall be submitted and approved to the satisfaction of the Manager, Development Engineering, 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.
- 66. 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 Manager, Development Engineering.
- 67. Any proposed community entrance features shall be located on private sites, not within public land or rights-of-way.
- 68. A restrictive covenant shall be registered against the specific lot(s) identified by the Manager, Development Engineering, concurrent with the final instrument prohibiting the construction of front driveways over the bus loading area(s).
- 69. No direct vehicular access shall be permitted to or from Memorial Drive, 8th Avenue NE, and/or 84 Street SE; Huxglen Boulevard, and Huxbury Drive and a 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.
- 70. 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 Manager, Development Engineering.
- 71. In conjunction with the applicable Tentative Plan or Development Permit, the Developer shall enter into a Construction Access Roads Agreement with Manager, Mobility Maitenence.
- 72. Prior to approval of construction drawings and permission to construct surface improvements, the Developer shall provide signed copies of back sloping CPC2023-0579 Attachment 2 Page **11** of **13** ISC:UNRESTRICTED

agreements (and Ministerial Consent) for any back sloping that is to take place on adjacent lands.

- 73. In conjunction with the applicable tentative plan, the Developer is responsible to ensure all infrastructure can be constructed in accordance with the applicable standards and regulations at the time of development.
- 74. In conjunction with the applicable Tentative Plan, the developer shall provide a 4.5m by 4.5 m corner cuts at any road intersection, as directed by the Manager, Development Engineering, for road widening purposes.
- 75. At the applicable Tentative Plan / construction drawing, the mid-block crossing shown below may require additional treatment such as a raised cross walk and / or sight line calculation, no parking signs, etc, due to the proximity to the curve.



- 76. Curb Extensions (bump outs) are required on all midblock pedestrian crossings.
- 77. All pedestrian walkways identified for achieving Transit walking distances shall be 3 meters wide and be paved and lighted.

All accesses shall be designed and located to the satisfaction of the Manager, Development Engineering.

Memorial Drive intersection treatments are to be determined via the Memorial Drive Functional Study. The developer will be required to construct the Memorial Drive intersections, as per the recommendations of the functional study. Intersection treatments may include:

-curb extensions -raised cycle track crossings -pedestrian crossing treatments, raised crosswalks, etc.

CPC2023-0579 Attachment 2 ISC:UNRESTRICTED

78.

- 80. Prior to the affected tentative plan, the developer shall submit scale (1:500) drawings showing the geometry of and vehicle templating of proposed roundabout.
- 81. Prior to approval of any development, the developer shall provide a statement on the condition of those roads and their ability to handle the construction and development traffic that will be generated by the development. Confirm maintenance requirements with the Mobility Maitenence. Where development will cause excess wear and tear on adjacent rural or existing roads directly attributable from the subject site for construction traffic, the developer will be responsible for the additional maintenance and/or upgrade of the roads, or pay to the City the costs caused by excess wear and tear. The developer shall enter into a Construction Access Roads Agreement with Roads Maintenance provided that the proposed access roads are either unimproved or subject to a load ban. Contact the Senior Paving Engineer at 403-268-4935.