

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:

Planning

1. Existing buildings are to be removed prior to endorsement of the applicable Tentative Plan of subdivision.
2. 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 demonstrate compliance with minimum required densities.
3. 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 and Open Spaces. A copy of the bylaw can be found at www.calgary.ca.
4. At Engineering Construction Drawing (CD) phase:
 - a) For Section A-A - all shallow utility alignments, including the streetlight cable, shall be set back from the street tree alignment on all road cross sections by the distance required by the Parks Development Guidelines and Standard Specifications in effect at the date of the affected Tentative Plan approval; and
 - b) A 1.2 m chain-link fence will be installed (fully located within private property) by the developer at the interface with the Municipal Reserve (MR). Any gates within the fencing will be reviewed at CD.
5. 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 - MR), with all grading confined to the private property, unless otherwise approved by Calgary Parks and Open Spaces.
6. A License of Occupation will be required for any work on public land (i.e., 3.0 m Engineered walkway extension) to the existing Regional Pathway. Contact leasing@calgary.ca.
7. The developer shall include a detailed Restoration Plan including a maintenance schedule for Municipal Reserve proposed to be affected by any construction. The

Plan shall specify how the area will be rehabilitated and restored. The restored area(s) shall be maintained by the developer until it is established and approved by Calgary Parks and Open Spaces prior to Final Acceptance Certificate.

8. The developer shall minimize stripping and grading within the Municipal Reserve (MR). Any proposed disturbance within the MR, including that for roadways, utilities and storm water management infrastructure, shall be approved by Calgary Parks and Open Spaces prior to stripping and grading.
9. The developer shall install and maintain a temporary construction fence on the private property line with the adjacent Municipal Reserve (MR) 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 and Open Spaces, Development Inspector Jackie Swartz at jackie.swartz@calgary.ca or (403) 620-3216 to approve the location of the fencing prior to its installation.
10. No disturbance of Municipal Reserve (MR) lands is permitted without written permission from the Planning Parks Specialist for this area. The Planning Parks Specialist (Curesha Moodley) can be reached at curesha.moodley@calgary.ca or 403.669.7539.
11. Prior to the approval of a stripping and grading permit, a Development Agreement or a subject area Tentative Plan, Community Planning - Urban Design and Open Spaces requires details pertaining to the total limit of disturbance adjacent to existing MR resulting from the proposed development in its entirety.
12. All stormwater related infrastructure is to be located within Public Utility Lots (PUL) extents.
13. Stormwater or other drainage from privately-owned parcels onto adjacent MR is not permitted. Any unauthorized drainage from private parcels onto adjacent MR must be resolved to the satisfaction of the Director, Parks and Open Spaces. Any damage resulting from such drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks and Open Spaces Development Inspector. Contact the Development Inspector Jackie Swartz at jackie.swartz@calgary.ca or (403) 620-3216 for an inspection.

Utility Engineering

14. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following reports:

- Slope Stability Analysis, 949 77 Street SW, Calgary, AB, prepared by

E2K Engineering Ltd. (File No. 2022-6780), dated October 28, 2022; and
- Geotechnical Investigation, 949 77 Street SW, Calgary, Alberta, prepared
by E2K Engineering Ltd. (File No 2022-6780), dated May 30, 2022.

15. 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, Development Engineering 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 copies of the agreement for the City's signature.
16. Servicing arrangements shall be to the satisfaction of the Manager, Development Engineering.
17. Separate service connections to a public main shall be provided for each proposed lot (including strata lots).
18. Prior to Endorsement of the final instrument, execute a Development Agreement. Contact the Infrastructure Strategist, Development Commitments (Jamie Greenshields - Jamie.Greenshields@calgary.ca) for further information.
19. Off-site levies, charges, fees and boundary obligations are applicable.
20. The developer shall make payment as per the requirements of East Springbank Servicing Study.
21. Make repayment arrangements with the City of Calgary for part cost of the surface improvements in 77 ST SW adjacent to the site, which was installed by Truman Homes Inc. through their West Spring, Phase 01 DA2001-0081 and financed by Calgary Roads.
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 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;
 - c) Construct the underground utilities and surface improvements within and along the boundaries of the plan area;
 - d) Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, along the boundary of the plan area;
 - e) Construct the MRs, Environmental Reserves and Municipal School Reserves within the plan area; and
 - f) Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks and Open Spaces.
23. Water servicing is to conform to the accepted "Revised Water Network, Plan Submitted November 15, 2022, LOC2022-0123, Pressure Zone - Broadcast Hill".

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner.

Planning

- 24. Cash in lieu of MR has previously been provided as evidenced on registered plan 8810945.
- 25. The future road closure along the west side of 77th Street SW will require a new Land use amendment and Road Closure (LOC) application, subject to applicable fees and review procedures.

Prior to Tentative Plan submission, the developer shall enter into negotiations with Real Estate and Development Services for the purchase of the closed road right-of-way. Please contact the Coordinator, Real Estate Sales at realestateinquiries@calgary.ca to commence negotiations. Provide documentation to show that negotiations have commenced.

Provide a PDF of the registered road plan from the Land Title Office, with a plan number. Contact landadmin@calgary.ca at the City of Calgary Real Estate and Development Services at to obtain authorization to register the road closure plan at the Land Titles Office.

The road closure is to be consolidated with the subject site prior to decision of the future subdivision application.

The developer will be responsible for all costs associated with the closure including all necessary physical construction, removal, rehabilitation, utility relocation, etc.

26. In Alberta, all ground disturbance activities are subject to Section 31 of the Historical Resources Act: "a person who discovers a historic resource in the course of making an excavation for a purpose other than for the purpose of seeking historic resources shall forthwith notify the Minister of the discovery." The chance discovery of historic resources is to be reported to the contacts identified within Standard Conditions under the Historical Resources Act: <https://open.alberta.ca/publications/standard-conditions-under-the-historical-resources-act>.
27. If disturbance or construction within the outline plan area is scheduled to occur during the nesting or denning of wildlife species (March 15 to August 31), a qualified biologist will be required to conduct surveys for wildlife species no more than seven days prior to site activity. If an active nest or den is found, the appropriate regulatory authority must be contacted and mitigation measures must be taken as per the Federal Migratory Birds Convention Act and/or the Provincial Wildlife Act. A follow up survey will be required if construction does not start one week after the survey, or if work is interrupted for four days during the breeding bird window.

Utility Engineering

28. Prior to approval of any affected Construction Drawings where retaining walls 1.2 m or more in height are proposed, an approved Development Permit for the retaining wall will be required. A Building and Development Restrictive Covenant and Maintenance and Access Agreement is also required to be registered by way of Caveat on all affected title(s), which will remain in full force and effect for the life of the retaining wall(s).

Prior to approval of any affected Construction Drawings where retaining walls 1.2 m or more in height are proposed, application for a Building Permit will be required. Design drawings and specifications, stamped and signed by a professional engineer registered to practice in the Province of Alberta, showing retaining wall location, structural details, sections, and all related construction and

geotechnical information shall be included in a Building Permit application to The City of Calgary - Building Regulations Division for review and approval.

Prior to any City issuance of Permission to Construct surface improvements, evidence must be submitted to Development Engineering that the Building Permit for the proposed retaining wall(s) has been approved and released, (i.e. provide copy of Building Permit Card).

Prior to issuance of a Construction Completion Certificate, the project engineer must submit written verification that the retaining wall has been built as shown on the approved Building Permit drawings and specifications and that the retaining wall construction has been inspected by the project engineer (or delegate) to the satisfaction of the Building Inspector (Safety Code Officer), (i.e., copy of the SCO's Inspection Notice).

29. The decommissioning and abandonment of all water wells located on the subject property is the responsibility of the developer according to the current edition of the Water Act - Water Regulation. The City of Calgary does not inspect, approve, manage or regulate the decommissioning and abandonment of water wells.
30. The decommissioning and abandonment of all private sewage systems located on the subject property is the responsibility of the developer. The City of Calgary does not inspect, approve, manage or regulate the decommissioning and abandonment of private sewage systems.
31. 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); and
 - b) on City of Calgary lands or utility corridors, the City-s Environmental Risk & Liability group must be immediately notified (311).
32. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed

and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and Parks, and Alberta Health Services.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

If the potential for methane generation or vapours from natural or contaminated soils and groundwater has been identified on the property, the developer is responsible for ensuring appropriate environmental assessment(s) of the property has been undertaken and appropriate measures are in place to protect the building(s) and utilities from the entry of methane or other vapours.

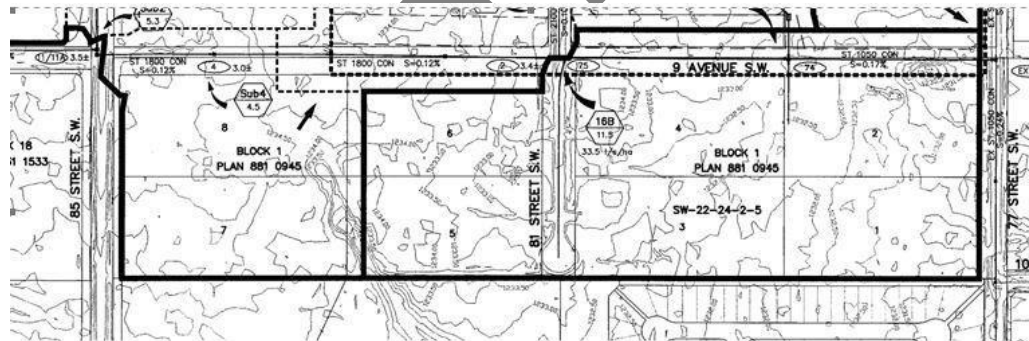
Issuance of this permit does not absolve the developer from complying and ensuring the property is developed in accordance to applicable environmental legislation.

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g., Alberta Environment and Parks Development Approvals, Registrations, etc.), Alberta Energy Regulator approvals and related setback requirements and landfill setback requirements as set out in the Subdivision and Development Regulation.

33. The developer shall not alter, redirect, block or otherwise affect the natural drainage pattern on or adjacent to the development site and shall not fill or alter the existing grades of the site, without the approval of the Manager of Development Engineering prior to commencing the development.
34. No overland drainage will be permitted to leave the plan area, except in conformance with the approved Stormwater Management Report. Overland drainage is to conform to the current edition of Alberta Environment-s Stormwater Management Guidelines and The City of Calgary's Design Guidelines for Subdivision Servicing and Stormwater Management and Design Manual. The developer should evaluate the impact of the 1:100 year event on all major storm routes. Storage and/or acceptable conveyance for up to and including the 1:100 year event will be required.

Drainage control features are required at the back of laneless lots and where lots are adjacent to reserves and rights-of-way, unless otherwise permitted by Calgary Parks. Overland drainage easements and separate CCCs are required for all drainage features.

35. 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.
36. The site is within Broadcast Hill pressure zone and the existing water network can support the proposed development.
37. Sanitary, Storm and Water are available on 77 ST SW. Extensions to service the site are at the expense of the developer.
38. The site is part of "West Spring-Stage 7 SMDP(2005, Progressive)". The allowable release rate is 33.5L/s/ha as screenshot below:



39. For questions and concerns regarding waste storage facilities, refer to the "Development Reviews: Design Standards for the Storage and Collection of Waste"

Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>

OR

Contact the Waste & Recycling Services Specialist at 403-268-8445 for further site-specific details.