

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. A uniform screening fence (with gates where appropriate) of high quality material requiring minimum maintenance, be provided at the developers' expense where required along 144 Avenue NE from 15 Street NE to the Plan Boundary; the design of such fence shall be to the satisfaction of the Approving Authority
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. 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.
4. Prior to affected Tentative Plan approval the proposed community and street names shall be submitted.
5. On the map on the land use sign for the site, depict and label:
 - a. All highway rights-of-way within 500 metres of the site;
 - b. All floodway and flood fringe areas in the site;
 - c. All Airport Vicinity Protection Area Regulation noise exposure forecast bands on the site;
 - d. All Subdivision and Development Regulation setbacks from sour gas facilities, as per sections 10;
 - e. All Subdivision and Development Regulation setbacks from gas and oil wells, as per section 11;
 - f. All Subdivision and Development Regulation setbacks from waste management facilities, as per sections 12 and 13.
6. Upon registration of the first Tentative Plan a deferred reserve caveat shall be registered on 5;1;25;36;NW and 6268FT;OT concurrently with the final instrument. The amount shall reflect the balance of municipal reserves (MR) owing on 5;1;25;36;NW and 6268FT;OT less the amount of MR provided in the first tentative plan to fulfill the reserve requirement as per the Municipal Government Act. It is recognized that the balance of MR owing will be provided through land dedication of 0.92 ha and cash-in-lieu for 0.79 ha (to represent the reserve required for the industrial lands east of the outline plan area after any environmental reserve dedications).

7. 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.
8. 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.
9. Relocation of utilities shall be at the developer's expense and to the appropriate standards
10. The developer shall install and maintain a protective fencing on the private property line with the adjacent Municipal Reserve and 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 at 403-804-9397 or 311 to approve the location of the fencing prior to its installation.
11. Prior to approval of the first Tentative Plan or Stripping and Grading Permit (whichever comes first), an onsite meeting shall be arranged with Parks Development Inspector to confirm the location of Reserve protection fencing. The developer shall install and maintain a temporary construction fence within private property along the shared property line with the adjacent Reserve lands until all construction activity has been completed. Contact Parks: Development Inspector at 403-804-9397 for an inspection.
12. 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 Water Resources and the Director of Calgary Parks. Contact the Parks Development Inspector at 403-804-9397 or 311 to approve the location prior to commencement of Stripping and Grading activities.
13. No disturbance of Environmental reserve and Municipal reserve lands is permitted without written permission from Parks.
14. Rehabilitate all portions of the MR/ER/PUL/TUC 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.
15. 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. The associated restoration plan shall conform to requirements detailed in the City of Calgary Habitat Restoration Project Framework and be approved by Parks.
16. 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 adjacent to existing Municipal Reserve/Environmental Reserve extents or proposed Environmental Reserve extents resulting from the proposed development in its entirety.
17. 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 adjacent parks and open space (MR and/or ER), with all grading confined to the private property, unless otherwise approved by Parks.
 18. 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 east of the Plan and meet Parks approval. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting.
 19. Prior to Endorsement of the tentative plan Landscape Construction Drawings that are reflective of the subject Tentative Plan for the proposed Municipal Reserve lands are to be submitted to Coordinator - Landscape Construction Approvals, Michael Nelson (at 403-681-2718 or Michael.Nelson@calgary.ca for review and approval prior to construction.
 20. 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).
 21. Parks 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 municipal reserve (MR) and environmental reserve (ER) areas.
 22. When overland drainage is approved by Calgary Parks, concurrent with the final instrument a restrictive covenant shall be registered against the residential lot(s) backing onto Municipal Reserve or Environmental Reserve lands, prohibiting roof water drainage over the reserve lands by directing at least 80% of roof water to the front street(s).
 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. Construct all regional pathway routes within and along the boundaries of the plan area, including the regional pathway link within the TUC, according to Calgary Parks- Development Guidelines and Standard Specifications - Landscape Construction (current version), including setback requirements, to the satisfaction of the Director, Parks. Maintain a 1m setback from edge of pathway to vertical elements (e.g. private property fence).
 25. Plant all public trees in compliance with the approved Landscape Construction Drawing for Boulevard and Median Tree Line Assignment.
 26. Prior to approval of the Tentative Plan, Landscape Concepts prepared at the Outline Plan stage shall be refined to add:

- i. A site plan showing general conformance to Outline Plan landscape concepts, intended park program, site layout, and preliminary planting.
 - ii. 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.
 - iii. 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., if applicable.
27. Compensation for dedication of reserves in excess of 10% is deemed to be \$1.00.
28. All stormwater related infrastructure is to be located within Public Utility Lots (PUL) extents.
29. All shallow utility alignments, including street light cables, shall be set back 1.5m 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)*.
30. Prior to the submitting Landscape Construction Drawings for the MR along the top of slope (East of this Outline Plan), set up a site visit with the Parks Ecologist and Co-ordinator - Landscape Construction Approval to field fit the pathway alignment. It appears the slope modifier line is located within the north portion of the proposed MR parcel.
31. Prior to Endorsement of the tentative plan, approval from Parks is required for all utility rights-of-ways proposed within existing or future Reserve (MR, MSR, ER) lands.
32. Prior to endorsement of the first tentative plan, prior to decision on stripping and grading or any ground disturbance activities (whichever occurs first), a Historical Resources Act approval must be obtained from Alberta Culture. Provide any approval/documentation relating to the Historical Resources Act Approval to Parks. Historical Resources Impact Assessment by Lifeways has not been submitted as per the supporting information booklet/applicant's responses.
33. Throughout the development process, the applicant shall adhere to all recommendations and mitigation measures outlined in the approved LOC2014-0107 Biophysical Impact Assessment.
34. A 1.2 m fence (or Parks approved alternative) shall be maintained along the boundary of reserve (ER/MR) lands for the duration of the development.
35. Retaining walls placed within Reserve (ER/MR) lands is not permitted, unless otherwise authorized by Parks.
36. Backsloping from the development site into adjacent reserve (ER/MR) lands is not permitted, unless otherwise authorized by Parks.

37. Prior to approval of the tentative plan, provide written permission for the province that proposed drainage from the proposed South MR site will be permitted to the Provincial Transportation and Utility Corridor land.

Utility Engineering

38. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
- iv. Slope Stability Assessment, prepared by McIntosh Lalani (File No. ML-4940), dated January 2011.
 - v. Geotechnical Report, prepared by McIntosh Lalani (File No ML-4940), dated February 2011.
39. 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.
40. Servicing arrangements shall be to the satisfaction of the Manager Infrastructure Planning, Water Resources.
41. Separate service connections to a public main shall be provided for each proposed lot (including strata lots).
42. Prior to endorsement of any Tentative Plan/prior to release of a Development Permit, execute a Development Agreement.
43. This subject plan area is within the boundary of the Nose Creek drainage catchment and subject to the Interim Runoff Volume Control Industry Bulletin April 2019. Private sites require 300mm topsoil and volume targets of 150mm for Multifamily and 250mm for ICI. Irrigation Reuse required for MR spaces greater than 0.7 ha. Based on the Watershed Management Plan stormwater discharge is limited to 1.257 L/s/ha. Low Impact Development and stormwater source control is required as per the approved Staged Master Drainage Plan. Stormwater targets cannot be confirmed until EPEA approval is received.
- As per Servicing Memo, discharge to existing Box Culverts under CP rail tracks to Nose Creek not to exceed predevelopment conditions
44. Pursuant to Bylaw 2M2016, off-site levies, fees and boundary charges are applicable.
45. 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 within and along the boundary of the plan area.
 - c) Construct the underground utilities and surface improvements within 144 Avenue NE and 15 Street NE along the boundaries of the plan area.
 - d) 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.
 - e) 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 MR within the plan area.
 - g) Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.
46. The M-2 development site as proposed in this outline plan is in proximity to the known hazards (heavy rail). As a result, an emergency response plan (ERP) should be prepared prior to occupancy of the development to support awareness of the known hazards, effective emergency response in the event of an incident, and preparedness for the applicant/landowner/operator of the development.
47. Prior to Approval of the Stripping and Grading Development Permit or relevant tentative plan, the Applicant should address the recommendations made in the following report: Phase I Environmental Site Assessment 13818 and 13920 15 St NE Calgary, AB by Trace Associates Inc., dated December 3, 2021.
- Note: Former and current pipeline owner reclamation information is recommended to be reviewed in the report.
48. Prior to approval of all tentative plans within the subject outline plan area, submit a slope stability report. 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) 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 Geotechnical Report.

Note: Reports will be required to analyze the post-development grades and should be completed in conjunction with the subdivision construction drawings and storm pond reports. Any geotechnical setbacks identified at the subdivision stage must be located outside of the residential property lines.

49. Prior to approval of all tentative plans or development permits within the subject outline plan area, Submit an electronic version of a Deep Fills Report to the Utility 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. 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.

Mobility Engineering

50. In conjunction with the initial Tentative Plan, the Developer shall dedicate or register a road plan to the satisfaction of the Director, Transportation Planning for the boundary half of 144 Avenue east of 15 Street NE.
51. In conjunction with the initial Tentative Plan, the Developer shall dedicate register a road plan to the satisfaction of the Director, Transportation Planning for the boundary half of 15 Street NE.
52. In conjunction with the initial Tentative Plan, the Developer shall submit detailed construction drawings with cross-sections, for the interim and ultimate geometry and grades for 144 Avenue adjacent to and/or required to service the subject lands. Cross-sections shall indicate and provide dimensions for any proposed road widening to accommodate grades. Adjustments to the tentative plan boundary may be required to accommodate all necessary right-of-way requirements. Prior to the approval of the affected tentative plan, the design and right-of-way for the subject roads will be determined to the satisfaction of Transportation.
53. In conjunction with the applicable Tentative Plan, the Developer shall construct the boundary half of 144 Avenue NE. 144 Avenue NE 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.
54. In conjunction with each Tentative Plan, the Developer shall register road plans for collector standard streets within the subject lands to the satisfaction of the Director, Transportation Planning that provides continuous active modes and vehicle routing through the community with at least two points of public access around the Tentative Plan boundary connecting to the arterial street network.

The continuous collector street 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 resident will have two routes into and out of the plan area.

55. In conjunction with the applicable Tentative Plan, and prior to approval of construction drawings and permission to construct surface improvements, the Developer shall provide signed copies of backsloping agreements (and Ministerial consent, if applicable) where private lands (including City of Calgary lands) are impacted by the proposed development.
56. In conjunction with the applicable Tentative Plan or Development Permit, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
57. In conjunction with the applicable Tentative Plan or Development Permit, all community entrance features must be located outside the public right-of-way.
58. 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).
59. In conjunction with the applicable Tentative Plan, no direct vehicle access is permitted to collector standard roadways, or along regional and multi-use pathways for all R-G residential lots to the satisfaction of the Director, Transportation Planning. Vehicular access shall be provided by rear lanes. Restrictive covenants shall be registered on all applicable titles concurrent with the registration of the final instrument to that effect at the Tentative Plan stage.
60. No direct vehicular access is permitted along 144 Avenue, 15 Street (between 144 Avenue and Keystone Avenue) NE, or Stoney Trail from the residential lots. A restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect at the tentative plan stage.
61. In conjunction with the applicable Tentative Plan, the Developer shall ensure that all pathways from MR lands have direct pedestrian connection by sidewalk or pathway to crossing locations at intersections to the satisfaction of the Director, Transportation Planning.
62. In conjunction with the applicable Tentative Plan or Development Permit, a noise attenuation study is required for residential development adjacent to all Arterial streets, Provincial highways, and rail corridors. The report must be certified by a Professional Engineer with expertise in the subject of acoustics related to land use planning, and shall be submitted to Transportation Development Services for approval. Note that where sound attenuation is not required adjacent to the subject facilities, a uniform screening fence shall be provided to the satisfaction of the Director, Transportation Planning.
63. In conjunction with the applicable Tentative Plan or Development Permit, 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 into the road right-of-way).
64. 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 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, Transportation Planning. Post and cable fence is required where the temporary turnaround is anticipated to be required for a period greater than one year.

65. No front driveway access (or backing) is permitted into T intersections. In conjunction with the applicable Tentative Plan vehicular access for residential lots adjacent to T intersections shall be provided by rear lanes. Restrictive covenants shall be registered on all applicable titles concurrent with the registration of the final instrument to that effect at the Tentative Plan stage.

APPROVED BY CPC