

# Proposed Outline Plan Conditions of Approval

***Calgary Planning Commission is the Approving Authority for the Outline Plan.  
Attachment for Council's reference only.***

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

## Planning

1. Should the applicant propose the construction of a Light Rail Transit Station (LRT) in order to develop to the additional building height and density provided in the Direct Control (DC) District, the applicant will be required to enter into a Special Development Agreement (SDA) with The City, to The City's satisfaction, for the construction of the proposed LRT station which will include supporting key transit amenities, including but not limited to transit platforms, plaza(s), on-street bus stops, bicycle parking, and a pedestrian and cycling bridge across the LRT right-of-way connecting to Flint Place SE prior to the approval of the initial tentative plan or initial development permit, whichever is earliest.
2. This approval expects sequential phasing of development as approved on the shown outline plan.
3. With each development permit, the developer shall submit a data sheet indicating the proposed number of affordable dwelling units to be constructed pursuant to that development permit to demonstrate compliance with the minimum affordable housing units required in the Direct Control District. For further details, contact the Affordable Housing Customer Coordinator, at [sara.alinaghypour@calgary.ca](mailto:sara.alinaghypour@calgary.ca)
4. The proposal as submitted has an over-dedication of roadways/public utilities. The developer has the option to either re-design the subdivision to eliminate the over-dedication of public roadways/public utilities, or proceed with the processing of this plan on the understanding that compensation for said over-dedication is deemed to be \$1.00.
5. Compensation for dedication of reserves in excess of 10% is deemed to be \$10.00.
6. Existing buildings that are to be removed are to be done so prior to endorsement of the instrument for where the building is located.
7. All existing utilities within the road closure area shall be protected by easement or relocated at the developer's expense.
8. 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](mailto: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](mailto: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.

9. 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 street names will need Council approval prior to endorsement of the legal plan.
10. Prior to the approval of the affected Tentative Plan or Stripping and Grading, whichever comes first, the developer shall provide a Comprehensive Detailed Tree Report outlining retention/removal recommendations on a tree by tree basis for any tree that is located on land that will become part of the City inventory. This report should be completed by a Registered Consulting Arborist who is familiar with both tree risk assessment and tree protection plans.
11. 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 Director, Parks.
12. Plant all public trees in compliance with the approved Landscape Construction Drawing for Boulevard and Median Tree Line Assignment.
13. A Mutual/Pathways/Emergency Access Easement/Public Access Easement Agreement and right of way plan shall be executed and registered on title concurrent with the registration of the final instrument for public pathways on private land.
14. 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.
15. Prior to Endorsement of the tentative plan of subdivision Landscape Construction Drawings that are reflective of the subject Tentative Plan for the proposed Municipal Reserve lands are to be submitted to the Parks Landscape Architect [michael.nelson@calgary.ca](mailto:michael.nelson@calgary.ca) for review and approval prior to construction.
16. 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)*.

17. The spray park and the other features above Parks' neighborhood standards are shown on the Municipal Reserve concept plan, which require optional amenities agreement or endowment funds. If through the business case review, the proposed features deem to be not sustainable for the city, when the concept plan is finalized at the tentative plan or landscape construction drawing stage, some of the features may be required to be removed from the plan. A "Needs & Preferences Report" is required through community engagement to support an enclosed Dog Park.

### Utility Engineering

18. Prior to approval of any/all Development Permits, provide a Sanitary Servicing Study (SSS) OR Sanitary Servicing Study update (to an existing approved study), which shall demonstrate, to the satisfaction of the City, that there is / will be sufficient downstream capacity with the public sanitary network, as to adequately service the intended development.

Note(s):

- There is currently downstream sanitary capacity constraints. Said constraints are not anticipated to begin to be relevant until approximately 2034, as per the phasing information provided by the consultant in the Sanitary Servicing Study.
- There are two (2) segments of capital sanitary sewer upgrades that will be required along the CP tracks, north of the development. First being in advance of 2034. The City does not have these capital sanitary upgrades (for both segments) currently planned within the current 4 year budget or 10 year capital plan. Until such time, as when the upgrades are completed, development may be restricted within / for the outline plan area, based on available capacity that may be relevant when applications may be submitted.
- The second segment of sanitary upgrades will be required in advance of full build out of/for the entire outline plan area.

19. Servicing arrangements shall be to the satisfaction of the Manager, Development Engineering.
20. Separate service connections to a public main (water, sanitary, and storm) shall be provided for each proposed lot (including strata lots), and all lots shall have direct access to public mains located within a public road. Underground services and surface drainage may not cross the property line or be shared between other private parcel(s).

A bare land condominium subdivision will be treated as one lot, and therefore can only have one set of services.

21. Off-site levies, charges and fees are applicable (to a portion of the plan area).

Note:

For further details, contact the Infrastructure Strategist, Development Commitments, at [adam.macdonald@calgary.ca](mailto:adam.macdonald@calgary.ca) OR 587-216-3390 OR [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

22. In addition to the Special Development Agreement (SDA) that may be required, the developer is required to Execute a Development Agreement (DA), as to construct any / all on-site and off-site public infrastructure necessary to service the plan area, as required by The City.

The developer will be required to obtain all rights, permissions, easements or rights-of-way that may be required to facilitate these improvements.

Note:

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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:
- a. Install the offsite/onsite sanitary sewers, storm sewers and water mains and construct the offsite temporary and permanent roads required to service the plan area (as required). 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 the boundary of the plan area (as required).
  - c. 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 (if required).
  - d. Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, along the boundary of the plan area (if required).
  - e. Construct the MSR/MR/ER/PUL within the plan area (if required).
  - f. Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development (if required).

Note:

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24. The developer shall rehabilitate any public and/or private lands, or infrastructure damaged as a result of this development, all to the satisfaction of The City of Calgary.
25. Prior to the approval of future Development Permit(s) associated with the lands within the plan area, the Applicant(s) shall submit an Environmental Summary Report, which compares previous assessment results to the most current Alberta Environmental and Parks residential guidelines. If the results indicate that soil and/or groundwater impacts are present, the Applicant(s) shall submit a Soil Management Plan (SMP) and/or Remedial Action Plan (RAP); which shall satisfactorily address the concerns (then).

All report(s) submitted shall be prepared by a qualified professional; and will be reviewed to the satisfaction of the City of Calgary, Environmental and Safety Management.

For further details, contact Environmental Development Review at 403-268-1933 OR [tyson.allan@calgary.ca](mailto:tyson.allan@calgary.ca) OR 403-268-2385 OR [rob.shymanski@calgary.ca](mailto:rob.shymanski@calgary.ca).

26. Prior to issuance of any construction permissions, Erosion and Sediment Control Report and/or Drawings shall be submitted, for review and acceptance, to the satisfaction of the

Manager, Development Engineering. The report and drawings shall follow the latest version of The City of Calgary Guidelines for Erosion and Sediment Control.

Note:

For further details, contact [esc@calgary.ca](mailto:esc@calgary.ca) or contact 3-1-1.

27. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within utility rights-of-ways OR easements.

### **Mobility Engineering**

28. No direct vehicle access will be granted to Midtown Plaza, with the exception that a single access point on the east side of Midtown Plaza may be permitted on Direct Control Site 2 as generally shown on the approved Outline Plan.
29. A public access easement agreement shall be executed and registered on title for the 6.0 metres Active Mobility Connection, prior to endorsement of the applicable tentative plan of subdivision, or release of the applicable development permit to the satisfaction of the City of Calgary.
30. A public access easement agreement shall be executed and registered on title for the proposed LRT station and Active Mobility Connection adjacent to and between Direct Control Sites 2 & 3, prior to endorsement of the applicable tentative plan of subdivision, or release of the applicable development permit to the satisfaction of the City of Calgary.
31. Rolled curb and gutter shall be required at the south and north end of the Active Mobility Connection, where it intersects with Fisher Road and Midtown Road respectively. The boulevard shall be hardscaped. This is to facilitate the ability for vehicles such as food trucks to access the Active Mobility Connection and help activate the plaza area as desired. For clarity, additional permits and approvals will be required for any food trucks or other activity proposed to active the plaza area as may be desired.
32. Prior to approval of any applicable tentative plan of subdivision and/or multi-residential development permit applications a noise analysis is to be submitted to and approved by Development Engineering for the residential developments adjacent to the LRT corridor/CP Rail Line.
33. Each development permit shall consider transportation demand management measures, as per the policies in Section 2.6.4 in the Heritage Communities Local Area Plan.
34. Prior to endorsement of the applicable tentative plan of subdivision, or prior to release of the applicable development permit, public access easement agreement shall be executed and registered on title for the proposed portions of sidewalk that are located within private property, per the approved cross-sections, to the satisfaction of the City of Calgary.
35. With submission of the development permit for Direct Control Site 2, a pathway connection is to be included to connect the cycle track facility on Midtown Road with the LRT Station, and through to 73rd Avenue SE.
36. As part of a tentative plan of subdivision including Direct Control Site 1 or Direct Control Site 2, whichever is earliest, the developer shall be responsible for aligning 73rd Avenue

SE across Macleod Trail, and constructing the ultimate intersection of Macleod and 73rd Avenue SE, plus the extension of 73rd Avenue SE between Macleod Trail and Fischer Street SE, at the cost and expense of the developer.