

# 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.*

**The following Conditions of Approval shall apply:**

## **Planning**

1. 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.
2. The landowner/developer shall enter into an Agreement of Purchase and Sale with The City for the acquisition of the surplus city-owned lands required for the proposed development.
3. Prior to the approval of the applicable development permit a new maintenance agreement for the S-CS lands located adjacent to the southeast corner of the subject site will be required.
4. Prior to the approval of the applicable tentative plan of subdivision or stripping and grading permit (whichever comes first), a full Biophysical Impact Assessment (BIA) will be required for development activities on the existing C-C2 site of the outline plan area. This BIA will determine impacts on the natural area located to the north and west of the C-C2 site and propose mitigation methods to address any impacts. The BIA will also be consistent with the requirements listed in Biophysical Assessment Framework and Appendix D of Open Space Plan:  
<https://www.calgary.ca/content/dam/www/csps/parks/documents/construction/biophysical-impact-assessment-framework.pdf>  
<https://www.calgary.ca/content/dam/www/csps/parks/documents/planning-and-operations/open-space-plan.pdf>
5. No disturbance of the adjacent park and Reserve lands is permitted without written permission from Calgary Parks and Open Spaces.
6. No encumbrances on the adjacent park and Reserve lands are permitted. Utility alignments are not permitted within Reserve lands unless otherwise approved by Calgary Parks and Open Spaces, as per section 2.1 of Calgary Parks' 'Development Guidelines and Standard Specifications - Landscape Construction (current edition)'. All stormwater related infrastructure and rights-of-way designed with the purpose of accommodating the overland drainage from private property shall be located within Public Utility Lots or road right-of-ways and must be outside of Reserve Lands.
7. The developer shall restore, to a natural state, any portions of park lands along the boundaries of the plan area that are damaged in any way as a result of this development, to the satisfaction of the Director, Calgary Parks and Open Spaces. The restored area is to be maintained until established and approved by the Park Development Inspector (403-804-9417 or 311).

8. At the time of the applicable tentative plan of subdivision, stripping and grading permit or development permit (whichever comes first), submit Landscape Construction Drawings separately to parksapprovals@calgary.ca to capture the landscape work that is within City owned parcels and public boulevards, specifically to capture pathway interface connection.
9. With the submission of Landscape Construction Drawings, the developer shall include a detailed Restoration Plan including a maintenance schedule for each park/open space, Municipal Reserve (MR) or Environmental Reserve (ER)/ retained natural area proposed to be affected by any construction. The Plan shall specify how it 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.
10. The developer shall install and maintain a temporary construction fence on the private property line with the adjacent park and natural area 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 (403-804-9417 or 311) to approve the location of the fencing prior to its installation.
11. Stormwater or other drainage from the subject site onto the adjacent park, natural area, Environmental Reserve, and Municipal Reserve parcels is not permitted unless otherwise approved by Calgary Parks and Open Spaces.
12. Calgary Parks and Open Spaces does not support point source drainage directed towards adjacent park, natural area, and Municipal Reserve (MR) or Environmental Reserve (ER) extents. All drainage and storm related infrastructure catering to private property shall be entirely clear of park, natural area, MR or ER areas.
13. When a Multi-Use, Regional or Local 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.
14. Prior to the approval of a stripping and grading permit, a Development Agreement or a subject area tentative plan, Calgary Parks and Open Spaces require details pertaining to the total limit of disturbance adjacent to existing park/open space, natural area, Municipal Reserve, and proposed Municipal Reserve extents resulting from the proposed development in its entirety.
15. 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, natural areas, Municipal Reserve and/or Environmental Reserve with all grading confined to the private property, unless otherwise approved by Calgary Parks and Open Spaces.
16. Prior to approval of the affected tentative plan the developer shall confirm fencing requirements adjacent to the public park, Municipal Reserve and natural area/Environmental Reserve lands to the satisfaction of Calgary Parks and Open Spaces.

17. Any upgrades to existing pathways shall adhere to Calgary Parks and Open Spaces 'Development Guidelines and Standard Specifications: Landscape Construction (current edition)'.

### **Mobility Engineering**

18. In conjunction with the applicable tentative plan or development permit application, the developer will be required to update the Transportation Impact Assessment (TIA) submission, as more detailed development information is available. Revised TIA's shall include a Parking Study and Transportation Demand Management (TDM) component. Future revisions, addendums, proposals or submissions within the subject area are subject to further mobility review and analysis, at the discretion and satisfaction of the Manager, Development Engineering.

TIA analysis was completed using an anticipated density. Any additional density proposed beyond 10 per cent of the anticipated density is subject to approval by the Manager, Development Engineering and the Development Authority. If proposed densities exceed 10 per cent of the anticipated density, additional improvements to the surrounding mobility network may be required at the sole expense of the developer, and will be evaluated and conditioned at the applicable tentative plan or development permit stage.

19. In conjunction with the applicable tentative plan or development permit application, the 5A Network surrounding the subject parcel shall be designed and constructed, at the sole expense of the developer. Improvements to the 5A network include:

- a. The existing pathway along 90 Avenue SW is approximately 2.5 metres in width. With the first development permit application, this pathway shall be re-constructed to current best practice standards. Based on the current and future active modes volumes, a separate east-west sidewalk/pathway facility to separate pedestrians from wheeling users is recommended and will be confirmed at development permit stage. At a minimum, a shadow plan indicating this separated sidewalk/pathway shall be clearly shown to ensure the separated facility can be constructed in the future.

Reconfiguring and providing enhanced intersection crossings at the 14 Street SW, emergency access, right-in/right-out access and 16 Street SW will also be required as part of the pathway widening. This will include upgrades to pathway alignment, connections to transit, wheelchair ramps (WCRs) and removal of channelization's at 16 Street SW and right-in/right-out to enable a multi-use crossing (i.e. elephant feet to accommodate cyclists). Construction drawings (CDs) may be required and will be confirmed at development permit stage.

- b. As per the 5A network map, a north-south active modes connection shall be provided on the east side of the development (west of the Transitway on 14 Street SW). Connections should be made with the 90 Avenue SW pathway, active modes overpass across 14 Street SW, BRT station and future connection north of the subject parcel. The applicant is only responsible for design and construction directly adjacent to the parcel. Refer to alignment shown on 5A network map and outline plan; final alignment to be determined at development permit stage. The applicant is only responsible for design and construction directly adjacent to the parcel.

- c. East-west 5A connections shall be provided through the site. The High Street shall be available for all active mode users; pedestrians and wheeling. An east-west active modes pathway connection shall be considered on the north edge of the parcel in conjunction with redevelopment of the existing Glenmore Landing Shopping Centre site. This pathway connection shall be fully contained on the private site, with no encroachment into adjacent park space. Mobility notes that the primary east-west active mode connections are on 90 Avenue SW and through the High Street alignment.
  - d. Minor improvements (to a maximum of \$20,000) to the existing active modes network on the east side of 14 Street SW (active modes bridge) into Haysboro (Hallbrook Drive SW, 89 Avenue SW) may be required at the sole expense of the developer (short segments of sidewalk rehabilitation, bicycle ramp connectivity, enhanced wayfinding signage, etc.), to the satisfaction of the Manager, Development Engineering.
20. In conjunction with the applicable tentative plan or development permit application, the developer shall provide a Type C bus pad for the westbound 90 Avenue SW @ 16 Street SW zone, with pathway connections to public pathway, at the expense of the developer.
  21. In conjunction with the applicable tentative plan or development permit, a **restrictive covenant** will 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).
  22. With the applicable tentative plan or development permit application, the developer will provide a layby stop and connection on southbound 14 Street SW to serve the transit zone. A functional design has been provided by BUNT as part of the land use application. The creation of this stop and connection will provide access and integration to the transitway and site, while serving as a detour stop in the event the transitway is closed. With the applicable tentative plan or development permit application, include a sidewalk connection from future layby stop to the existing MAX station platform. Further review in conjunction with network upgrades to serve the development are encouraged. Additionally, the southbound stop may provide the ability to consolidate stops on 90 Avenue SW adjacent to the site and limit conflict with the right-in / right-out access. The applicant is advised that construction drawings will be required for this design.
  23. In conjunction with the applicable tentative plan or development permit application, the developer shall construct mobility upgrades to 14 Street SW and 90 Avenue SW to support the proposed development. This includes upgrades to alternative modes network surrounding the intersection, including pathway widening as required, crossing treatments, wheelchair ramps, transit amenities, etc. Scope of work and detailed design to be finalized with the applicable tentative plan or development permit via construction drawings (CDs), and shall include:
    - a. Upgrade southbound to westbound right turn from single lane to dual lanes with signalization. These upgrades shall also include bus layby on 14 Street SW with sidewalk connection to MAX station platform;
    - b. Upgrade northbound to westbound left turn from single lane to dual lanes; and

- c. Extend cyclist accommodation across 90 Avenue SW and 14 Street SW via multi-use crossings (i.e. elephant feet), providing a complete pathway-to-pathway connection.

The constructability of signal changes at 90 Avenue SW /14 Street SW must be investigated and confirmed with Signals Construction. Specifically, the positioning of signal displays for the dual southbound right turn (SBRT) and how conduit and cabling will be connected across the 90 Avenue SW bridge over the Bus Rapid Transit (BRT). Please contact Janet Ho (Janet.Ho@calgary.ca) for traffic signal construction work (traffic signal poles, pedestals, cabinets, signal heads, detection, rectangular rapid flashing beacons (RRFBs), overhead flashers and poles for ITS equipment). Relocation of poles and cabinets will be required. Signals Construction requires a minimum 6 month notice for any work to proceed, this time includes City of Calgary design work and power feed design as well as Utility Line Assignment for underground work and any coordination required for conduit and cabling where traffic signal structures will be installed on the 90 Avenue SW bridge over the BRT.

The developer is advised that any construction or expansion of the bridge deck above the transitway will require approval and coordination with City of Calgary ROW project team. Developer is advised that conditions may apply both during construction or permanently as a result of proximity to adjacent transitway infrastructure. The developer should review the applicable third-party development conditions (can be obtained through Mobility Generalist or Transit Planner). Any questions should be directed to Transit Planner Shannon Gardiner (Shannon.gardiner@calgary.ca).

All costs solely at the expense of the developer, subject to endeavours to assist if applicable. Mobility notes that these construction costs assume no major structural/bridge reconstruction efforts are required, as per development of conceptual geometric designs completed by BUNT & Associates as part of this application. The design for the intersection of 14 Street SW / 90 Avenue SW was reviewed and found to be capable of accommodating a larger WB-21 vehicle without the need for lane straddling.

If structural/bridge reconstruction is required, a cost-sharing model will need to be discussed.

The developer is advised that the construction drawing submission is a separate process that involves review from multiple City interested parties. Additional information regarding construction drawing submission can be found at the following location: <https://www.calgary.ca/pda/pd/urban-development/construction-drawings-for-public-infrastructure.html>

24. Prior to the endorsement/release of the applicable tentative plan or development permit, the developer will be required to provide a Letter of Credit, or the approved alternative to a Letter of credit, for mobility improvements as required. The developer shall be responsible for any additional related costs in excess of amount provided by the Letter of Credit, or an approved alternative security to the Letter of Credit. Note that the developer shall also provide a letter, under Corporate Seal, indicating that they are responsible for any additional related costs that could be in excess of the amount identified in the Letter of Credit. Specific improvements to be finalized with review and approval of the

applicable tentative plan or development permits. All mobility upgrades have been identified within the conditions of approval for this application.

25. At the applicable tentative plan or development permit stage, to serve the proposed development, the developer shall provide upgrades to the intersection of 90 Avenue SW and 16 Street SW at their sole expense.

Using analysis with the anticipated density, improvements at 90 Avenue SW and 16 Street SW include an added southbound lane approaching the intersection from Glenmore Landing. If additional land requirements for the added lane are required at detailed design stage, all costs to be at the sole expense of the developer and should be coordinated with and to the satisfaction of Development Engineering. All through travel lanes shall not exceed lateral offset(s) of 0.5 metres. Any reconstruction required for traffic signals shall also be at the sole expense of the developer.

Any additional density proposed beyond 10 per cent of the anticipated density is subject to approval by the Manager, Development Engineering and the Development Authority. If proposed densities exceed 10 per cent of the anticipated density, Administration reserves the right to further consider a two-lane roundabout at the intersection of 90 Avenue SW and 16 Street SW. All planning, design, construction and land acquisition for the roundabout shall be at the developer's expense.

26. In conjunction with the applicable tentative plan or development permit application, no direct vehicular access shall be permitted to or from 14 Street SW. A **restrictive covenant** may be required for registration on the applicable titles at the appropriate tentative plan or development stage.
27. In conjunction with the applicable tentative plan or development permit application, a noise attenuation study for the residential properties adjacent to 14 Street SW and/or 90 Avenue SW, certified by a Professional Engineer with expertise in the subject of acoustics related to land use planning, shall be submitted to Development Engineering for approval.

Note that where sound attenuation is not required adjacent to Arterial roadways, a uniform screening fence may be required, in accordance with the Design Guidelines for Subdivision Servicing.

All noise attenuation features (noise walls, berms, etc.), screening fence, and ancillary facilities required in support of the development will be constructed entirely within the development boundary (location of noise walls, berms, screening fence, etc.) and associated ancillary works shall not infringe onto the road right-of-ways. Noise attenuation features and screening fences, including the cost of maintenance and repair over time, shall be at the developer's sole expense. Contact the Senior Specialist at [vedran.vavan@calgary.ca](mailto:vedran.vavan@calgary.ca) to confirm details of the analysis.

28. Public Access Easement Agreement(s) shall be executed and registered on title, concurrent with the applicable development permit or tentative plan, to the satisfaction of the Manager, Development Engineering. This shall include all applicable active modes connectivity through private land, and may include the High Street, Public Amenity Space and connections to the BRT station and pedestrian overpass. A standard

template for the agreement and an instruction document will be provided by the DART Mobility Generalist.

29. With the applicable tentative plan or development permit application, public access easements may be required on the internal road network. Mobility notes the internal road network is private ownership. Public utilities servicing the future fee simple parcel(s) will be located in private land within public utility easements. Further coordination will be required to confirm ultimate public utility easement(s), mutual access easement(s) and public access easement(s) as part of Engineering Construction Drawing submissions.
30. In conjunction with the applicable tentative plan or development permit application, 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 the proposed right-of-way to meet the approved design. Approval of this application does not constitute approval of the internal road network.
31. Prior to the release of any permits or Permissions to Construct, the developer will enter into a Construction Access Roads Agreement with Roads Maintenance.
32. All roads, intersections, driveways and spacing shall be designed to The City of Calgary's 2020 Design Guide for Subdivision Servicing Standards (DGSS) and constructed at the expense of the developer, and to the satisfaction of the Manager, Development Engineering. All roadway improvements to support the increase in density to be finalized via construction drawing submission(s).