

Proposed 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. If the total area for Roads and Public Utility Lots is over 30 per cent, note that compensation in the order of \$1.00 for over dedication is deemed to be provided.
2. A **deferred reserve caveat** in the amount of ten percent of the area of the gross developable land shall be registered on title of the parcel, concurrent with registration of the first legal plan of subdivision.
3. Compensation for dedication of reserves in excess of 10 per cent is deemed to be \$1.00.
4. 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 legal plan of subdivision.
5. Existing buildings that are to be removed are to be done so prior to endorsement of the legal plan of subdivision for where the building is located.
6. With each tentative plan of subdivision, 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, demonstrating compliance with minimum required densities (as required by the *Belvedere Area Structure Plan and Municipal Development Plan*). The density phasing plan shall include a breakdown of the type of units anticipated within each land use district.
7. During the subdivision stage of development, ensure that the map on the land use sign for the site clearly depicts and labels the following:
 - a. All highway rights-of-way within 500 metres of the site.
 - b. All floodway and flood fringe areas in the site.
 - c. All Matters Related to Subdivision and Development Regulation from sour gas facilities, as per section 12.
 - d. All Matters Related to Subdivision and Development Regulation setbacks from gas and oil wells, as per section 13.
 - e. All Matters Related to Subdivision and Development Regulation setbacks from waste management facilities, as per section 17.
8. Upon submission of each tentative plan of subdivision, provide the location of the proposed attached housing products.

9. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.
10. If required on the submitted tentative plan of subdivision, a **private maintenance and access easement agreement** shall be registered concurrent with the registration of the final instrument. This agreement, amongst other things, shall make provisions for 1.5 meters in perpendicular width, parallel to the proposed new property line and extending 1.2 meters beyond the existing building's rear face, to occupants of dominant lots with zero lot line, unrestricted access by occupants of servient lots for maintenance purposes and, that no planting, fencing or other structures that may present an obstacle to access will be placed in the aforementioned space. Such agreement shall not be discharged without written consent of the City of Calgary.
11. At the affected legal plan of subdivision stage, all 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.
12. Prior to approval of the tentative plan, Landscape Concepts prepared at the outline plan stage shall be refined to add:
 - a. A site plan showing general conformance to outline plan landscape concepts, intended park program, site layout, and preliminary planting.
 - b. 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.
 - c. 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.
13. Prior to Endorsement of the legal 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 Coordinator of Landscape Construction Approvals (Michael Nelson at michael.nelson@calgary.ca) for review and approval prior to construction.
14. The developer, at its sole cost and expense, shall be responsible for the construction of the Municipal Reserve / Municipal School Reserve parcels within the boundaries of the plan area according to the approved Landscape Construction Drawings and the Parks' Development Guidelines and Standard Specifications: Landscape Construction (current version).
15. The developer shall minimize stripping and grading within the Environmental Reserve (ER). Any proposed disturbance within the ER, including that for roadways, utilities, and storm water management infrastructure, shall be approved by Calgary Parks prior to stripping and grading.

16. The developer shall minimize stripping and grading within the Environmental Reserve (ER). Any proposed disturbance within the ER, including that for roadways, utilities, and storm water management infrastructure, shall be approved by Calgary Parks prior to stripping and grading.
17. Pursuant to Part 4 of the Water Act (Alberta), the applicant shall promptly provide Parks with a copy of the Water Act approval, issued by Alberta Environment, for the proposed wetland disturbance.
18. Until receipt of the Water Act approval by the applicant from Alberta Environment, the wetland(s) affected by the development boundaries shall not be developed or disturbed in anyway and shall be protected in place.
19. No disturbance of retained Environmental Reserve lands is permitted without written permission from Parks.
20. 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 Parks Development Inspector.
21. Prior to approval of the first tentative plan of subdivision or stripping and grading permit (whichever comes first), it shall be confirmed that grading of the development site will match the existing grades of adjacent parks and open space (Municipal Reserve and/or Environmental Reserve), with all grading confined to the private property, unless otherwise approved by Parks.
22. Prior to approval of the tentative plan of subdivision or stripping and grading permit (whichever comes first), an onsite meeting shall be arranged to confirm that the surveyed boundaries of the Environmental Reserve (ER) area meet Parks' approval. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting.
23. All mitigations within the approved Biophysical Impact Assessment for LOC2024-0016 will be followed.

Utility Engineering

24. Servicing arrangements shall be to the satisfaction of the Manager, Development Engineering.
25. 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.

26. Prior to approval of the applicable tentative plan(s) of subdivision or stripping and grading development permit, the applicant shall provide documentation that confirms that the oil and gas pipelines have been abandoned or removed in accordance to their requirements 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 License Amendments, environmental investigation reports, etc. All documentation shall be reviewed to the satisfaction of The City of Calgary.

The operator(s) of the abandoned pipelines must be notified of the subject application to address potential conflicts or concerns with the abandoned pipelines and future site development. Provide documentation confirming that the operator is aware of the development, that they do not object to the proposed work, and that the environmental condition of the land is suitable for the intended uses.

The operator(s) of the low-pressure operational pipeline(s) must be notified of the subject application to address potential conflicts or concerns with the pipeline(s) and future site development. Provide documentation confirming that the operator is aware of the development in proximity to their infrastructure, that they do not object to the proposed work, and that the environmental condition of the land is suitable for the intended uses.

Prior to approval of any construction work 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.

27. Throughout the phased construction of the development, each construction phase must meet the minimum fire access standards. Any group of dwelling units of 100 or more requires two accesses, and 600 or more units requires three accesses. If a temporary dead-end is proposed to exceed 120 metres in length, a temporary emergency access road is required.
28. At the time of construction drawing submission for all subdivision applications, all road cross sections shall be reviewed to confirm they meet the minimum Fire Access Standards (including but not limited to a minimum of 6.0 metres clear pavement width that is unencumbered by parking or other obstructions). Any roads found to be deficient shall be amended accordingly.
29. Submit an electronic version of a Deep Fills Report to the Utility Engineering Generalist for any proposed subdivision applications that have fills in excess of 2.0 metres, or if the proposed development will not have any fills in excess of 2.0 metres, submit a letter to that effect signed and sealed by a professional Geotechnical Engineer.

The report must be prepared by a qualified Geotechnical Engineer under seal and permit to practice stamp to the satisfaction of the City's Geotechnical Engineer. The report is to identify lots to be developed on fills in excess of 2.0 metres 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.

If required, a Development and Geotechnical Covenant may be registered against the affected lot(s), prohibiting the development of the lot(s), except in strict accordance with the development restriction recommendations in the Deep Fills Report.

30. Submit an electronic version of a Slope Stability Report to the Utility Engineering Generalist for any proposed subdivision applications that have proposed grades in excess of 15 per cent (or adjacent to existing grades in excess of 15 per cent), or if the proposed development will not have any grades in excess of 15, per cent submit a letter to that effect signed and sealed by a professional Geotechnical Engineer. The report must be prepared by a qualified Geotechnical Engineer under seal and permit to practice stamp to the satisfaction of the City's Geotechnical Engineer.

If required, a Development and Geotechnical Covenant may be registered against the affected lot(s) prohibiting the development of the lot(s), except in strict accordance with the development restriction recommendations in the Slope Stability Report.

31. Prior to endorsement of the affected legal plans of subdivision or issuance of affected construction permissions, submit evidence that Water Act approval has been obtained for any changes/disturbances of the existing natural wetlands (both on-site and off-site), including any proposed discharges into natural wetlands.
32. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
33. Prior to issuance of any construction permissions, an Erosion and Sediment Control Report and Drawings for the development site shall be submitted to the satisfaction of the Manager of Development Engineering. The report and drawings shall follow the latest version of The City of Calgary Guidelines for Erosion and Sediment Control.
34. This outline plan area is part of the approved "Liberty Belvedere Sanitary Servicing Study (Pasquini & Associates, 2022)". If this land use and outline plan has a significant increase in density from the anticipated density for this area in the report, update the report as needed.

35. Prior to approval of the first tentative plan of subdivision, a water/hydrant plan with water main sizing and hydrant locations must be submitted to Utility Specialists, Development Engineering at "WA-ResourcesDevelopmentApprovals@calgary.ca" for review.
36. The developer is required to enter into a Standard Development Agreement at the time of development. Contact the Infrastructure Strategist, Development Commitments for further information at 587-224-0054 or email mathew.lanz@calgary.ca.
37. 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. 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 Memorial Drive SE and Belvedere Boulevard SE along the north and west boundaries of the plan area.
 - 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.
 - 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 Municipal School Reserve/Municipal Reserve/Environmental Reserve/Public Utility Lot(s) within the plan area (as required).
 - f. Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.
38. Make satisfactory cost sharing arrangements with Tristar Communities Inc. for part cost of the existing underground utilities installed in Belvedere Boulevard SE that was paid for and/or constructed by Tristar Communities Inc. under Belvedere, Phase 4 (DA2023-0041).
39. Prior to Endorsement of the legal plan of subdivision, 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 Drive NE and 100 Street SE and 17 Avenue SE Along 100 Street SE pursuant to a Construction Agreement dated December 17, 2020.

40. The parcels shall be developed in accordance with the development restriction recommendations outlined in the Zahmol Belvedere Geotechnical Report, prepared by Clifton Engineering Group Inc. (File No CG3575), dated December 10, 2021 (and any subsequent updates).

Mobility Engineering

41. In conjunction with each tentative plan of subdivision, each submission shall be subject to conditions based on findings from Stage 2 of the Belvedere Global Transportation Impact Assessment (TIA), related to Infrastructure Phasing. The findings of the TIA flagged significant infrastructure constraints, that would limit the level of development that can be supported in advance of Infrastructure Investment in the area, which include the lands under which this application is being proposed.

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.

42. The Regional Transportation Network infrastructure required to support the full development throughout the Belvedere Area is defined as follows:
 - a. 8 Avenue NE - Collector Road - Two (2) paved lanes from 84 Street SE to 116 Street SE.
 - b. Memorial Drive NE - Urban Boulevard - Four (2-2) paved lanes from 68 Street SE to 116 Street SE
 - c. 17 Avenue SE - Six (3-3) paved lanes from Stoney Trail to 116 Street SE
 - d. Peigan Trail SE - Four (2-2) paved lanes from Stoney Trail to 116 Street SE.
 - e. 84 Street SE - Four (2-2) paved lanes from Peigan Trail SE to Memorial Drive NE.
 - f. 100 Street SE- four (2-2) paved lanes from Peigan Trail SE to 8 Avenue NE.
 - g. 116 Street SE- four (2-2) paved lanes from Peigan Trail SE to Highway 1 (16 Avenue NE).

In conjunction with each tentative plan of subdivision or development permit, a technical memorandum will be required that outlines the proposed phases' unit numbers, trip generation estimates, and required supporting roadway network, to demonstrate and confirm that capacity is available on the regional road network and that all travel modes are accommodated in a contiguous, consistent manner, to the satisfaction of the Manager, Development Engineering.

43. 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 south half of the ultimate Memorial Drive NE cross-section from the west and east boundaries of the outline plan.

44. Memorial Drive - The expectation for any developer-driven project is that the developer secures the road right of way (R.O.W) 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 to be placed into road right of way. Once they have that confirmation that the other owners are ready to have the lands secured and 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. Note that if landowners (i.e. the Province) expect compensation for their land, the developer is responsible for covering those costs.
45. Prior to approval of the first applicable tentative plan of subdivision, the applicant must dedicate the required road widening for the construction of half of the ultimate cross-section of Memorial Drive NE.
46. 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 of subdivision, 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:

- a. Crossings at Liberty Link SE and Belvedere Boulevard SE
 - b. Crossing where pathways meet collector roads or higher classification roads.
47. No direct vehicular access from R-G zoned parcels shall be permitted to or from Memorial Drive NE and/or Belvedere Boulevard SE; 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. Exceptions to this covenant are subject to the approval of the Manager of Development Engineering.
 48. A **restrictive covenant** shall be registered against the specific lot(s) identified by the Manager, Development Engineering, concurrent with the legal plan of subdivision prohibiting the construction of front driveway access to Belvedere Boulevard SE. Access to these properties will be permitted from the adjacent lanes only.
 49. A **restrictive covenant** shall be registered against the specific lot(s) identified by the Manager, Development Engineering, concurrent with the legal plan of subdivision prohibiting the construction of front driveway access to Liberty Drive SE. Access to these properties will be permitted from the adjacent lanes only.
 50. A **restrictive covenant** shall be registered against the specific lot(s) identified by the Manager, Development Engineering, concurrent with the legal plan of subdivision prohibiting the construction of front driveways over the bus loading area(s).

51. At the applicable tentative plan of subdivision, the applicant will be required to register a 5.0 metre wide **public access easement** on the M-1 parcel for access to the "Green Corridor" from Belvedere Boulevard SE.
52. At the applicable tentative plan of subdivision the applicant will be required to register a 5.5 metre wide **public access easement** along the east limit of the M-1 parcel for the "Green Corridor".
53. All accesses shall be designed and located to the satisfaction of the Manager, Development Engineering.
54. All pedestrian walkways identified for achieving Transit walking distances shall be 3.0 meters wide and be paved and lighted.
55. Any proposed community entrance features shall be located on private sites, not within public land or rights-of-way.
56. Curb Extensions (bump outs) are required on all midblock pedestrian crossings.
57. In conjunction with the applicable tentative plan of subdivision, sidewalks along the school site frontages shall be designed and constructed as mono-walks, with a minimum width of 2.0 meters.
58. In conjunction with the applicable tentative plan of subdivision, the developer shall provide a 4.5 metre by 4.5 metre corner cuts at any road intersection, as directed by the Manager, Development Engineering, for road widening purposes.
59. In conjunction with each tentative plan of subdivision, functional-level plans shall be submitted as a component of the tentative plan submission package to the satisfaction of Development Engineering and Roads, for the staged development of major and collector standard roadways, inclusive of the staged development of the at-grade intersections, and to the satisfaction of the Manager, Development Engineering. Additional road right-of-way may be required to accommodate transitions and local widenings at intersections.
60. In conjunction with each tentative plan of subdivision, 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.
61. In conjunction with the applicable tentative plan of subdivision or development permit, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
62. In conjunction with the applicable tentative plan of subdivision, 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.

63. In conjunction with the applicable tentative plan of subdivision, collector standard roads (and below) shall be built to their full width to the satisfaction of the Manager, Development Engineering.
64. In conjunction with the applicable tentative plan of subdivision, 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.
65. In conjunction with the applicable tentative plan of subdivision, the Developer is responsible to ensure all infrastructure can be constructed in accordance with the applicable standards and regulations at the time of development.
66. 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 Calgary Roads Maintenance Section. 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 Planning and Infrastructure Engineer, Roads at 403-268-1033.
67. Prior to approval of construction drawings and permission to construct surface improvements, the Developer shall provide signed copies of back sloping agreements (and Ministerial Consent) for any back sloping that is to take place on adjacent lands.
68. 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.
69. Prior to approval of Construction Drawings and Permissions to Construct Surface improvements: The developer shall provide signed copies of backsloping agreements for any backsloping that is to take place on adjacent lands (owned privately or owned by the City).