

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. Compensation for dedication of reserves in excess of 10% is deemed to be \$1.00.
2. 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 of subdivision.
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. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.
5. Plant all public trees in compliance with the approved Landscape Construction Drawing for Boulevard and Median Tree Line Assignment.
6. 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 Calgary Parks and Open Spaces *Development Guidelines and Standard Specifications: Landscape Construction (current edition)*.
7. 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.
8. 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 Coordinator, Landscape Construction Approvals Nathan Grimson at nathan.grimson@calgary.ca for review and approval prior to construction.

9. Municipal Reserve Park (North) is subject to further design and review at the landscape construction drawing phase to determine the appropriateness of pickleball courts in this location with the proximity to proposed residential lots.
10. The developer, at its sole cost and expense, shall be responsible for the construction of the Municipal Reserve (MR)/ Municipal School Reserve (MSR) parcels within the boundaries of the plan area according to the approved Landscape Construction Drawings and the Calgary Parks and Open Spaces Development Guidelines and Standard Specifications: Landscape Construction (current version).
11. No disturbance of environmental reserve (ER) lands is permitted without written permission from Calgary Parks. Any proposed disturbance within the ER, including that for roadways, utilities, and storm water management infrastructure, shall be approved by Calgary Parks and Open Spaces prior to stripping and grading.
12. Prior to endorsement of the affected tentative plan, the developer shall confirm fencing requirements adjacent to municipal reserve, municipal school reserve and environmental reserve parcels to the satisfaction of the Director, Calgary Parks and Open Spaces.
13. The developer shall install and maintain a temporary construction fence on the private property line with the adjacent Environmental Reserve to protect public lands prior to the commencement of any stripping and grading related to the subject site and during all phases of construction. Contact the Parks' Development Inspector Ania Verrey at ania.verrey@calgary.ca or (403) 804-9417 to approve the location of the fencing prior to its installation. If the fence is installed, provide evidence of its installation.
14. Prior to the commencement of any stripping and grading related to the subject site and during all phases of construction, the developer shall install Environmental Reserve (ER) protection measures around the natural areas/wetlands 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 Director of Water Services and the Director of Calgary Parks and Open Spaces. Contact the Parks Development Inspector Ania Verrey at ania.verrey@calgary.ca or (403) 804-9417 to approve the location prior to commencement of Stripping and Grading activities.
15. Pursuant to Part 4 of the Water Act (Alberta) and the Public Lands Act (Alberta), the applicant shall provide the City of Calgary Parks and Open Spaces Department with a copy of the Water Act approval, issued by Alberta Environment and Protected Areas, for the proposed wetland disturbance. If a wetland is crown-owned, both Public Lands Act approvals and Water Act Approval will be required prior to the disturbance of the wetland.
16. Until receipt of the Water Act approval by the applicant from Alberta Environment and Protected Areas, the wetland(s) affected by the development boundaries shall not be developed or disturbed in anyway and shall be protected in place.
17. Prior to the approval of the affected tentative plan, it shall be demonstrated through concepts and cross-sections that the local and regional pathways around the wetland complex are located outside of the high water line.

18. 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, Calgary Parks and Open Spaces.
19. With the submission of Landscape Construction Drawings, the developer shall include a detailed Habitat Restoration Plan including a maintenance schedule for each Environmental Reserve proposed to be affected by any construction. The Plan shall conform to requirements detailed in the City of Calgary Habitat Restoration Project Framework and 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.
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 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 Calgary Parks and Open Spaces.
21. Prior to the approval of a stripping and grading permit, a Development Agreement or a subject area tentative plan, details pertaining to the total limit of disturbance adjacent to existing municipal reserve/environmental reserve extents or proposed municipal reserve/environmental reserve extents resulting from the proposed development in its entirety shall be submitted to Calgary Parks and Open Spaces.
22. Prior to approval of the first tentative plan of subdivision or stripping and grading permit (whichever comes first), site grading on private lots and developed municipal reserve lands shall match the existing grades of adjacent environmental reserve, with all grading confined to the private property, to the satisfaction of Calgary Parks and Open Spaces, unless otherwise approved by Calgary Parks and Open Spaces.
23. There shall be no retaining walls placed within the municipal reserve and environmental reserve lands, unless otherwise approved by the Director of Parks. Where a retaining wall is proposed, detailed cross-section drawings illustrating area slope, building and retaining wall placement are to be submitted to Calgary Parks and Open Spaces for review and approval, prior to approval of the affected tentative plan.
24. Any development or grading related to permanent disturbance which results from stormwater infrastructure within lands designated as environmental reserve, requires approval from the Director of Calgary Parks and Open Spaces.
25. Calgary Parks and Open Spaces does not support point source drainage directed towards Municipal Reserve (MR)/Municipal School Reserve (MSR) or Environmental Reserve (ER) extents. All drainage and storm related infrastructure catering to private property shall be entirely clear of MR/ER/MSR areas.
26. No stockpiling or dumping of construction materials is permitted on environmental reserve lands adjacent to the outline plan area.

27. All mitigations from the approved Biophysical Impact Assessment for the Yorkville Development (April 2015) must be adhered to throughout the entirety of the development process.

Utility Engineering

28. **Concurrent with the registration of the legal plan of subdivision**, 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 Coordinator, Utility Generalists and the City Solicitor **prior to endorsement of the legal plan**. A standard template for the agreement can be found at <https://www.calgary.ca/planning/publications>
29. Servicing arrangements shall be to the satisfaction of the Manager, Development Engineering.
30. Prior to the approval of the first tentative plan, submit a Sanitary Servicing Study (SSS), prepared by a qualified Professional Engineer under seal and permit to practice stamp for review and acceptance via POSEIDONOnline (see www.calgary.ca/development/home-building/sanitary-servicing-studies.html). The study shall determine pre-development sanitary pipe flow and available downstream pipe capacity to the nearest 375mm pipe. The study shall also verify that post development sanitary flow is within available downstream pipe capacity. Costs associated with any upgrades will be at the expense of the developer. For further information, contact Development Engineering Utility Specialists.
31. This subject plan area is within the boundary of the Pine Creek drainage catchment and subject to stormwater volume control measures. Minimum 300mm topsoil is required in all pervious areas. Average annual runoff volume on all future multifamily sites is 150mm as per Interim Runoff Volume Control Bulletin (2019).
32. This subject plan area is within the boundary of the Yorkville Staged Master Drainage Plan (dated September 2015) and split into 2 different Pond catchment areas. For the minor system design the Unit Area Release Rate shall be 70 L/s/ha.
33. Separate service connections to a public main shall be provided for each proposed lot (including strata lots).
34. At the subdivision stage of development, Execute a Development Agreement. Contact the Infrastructure Strategist, Development Commitments for further information at 587-229-7368 or email Joseph.Ma@calgary.ca. Off-site levies, charges and fees are applicable.

35. 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 Yorkville Dr SW, 210 Av SW, Sheriff King St SW, Yorklyn Garden SW, Yorklyn Passage, Yorklyn Crescent SW, Yorkville BV SW along the 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 within the plan area.
 - f) Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.
36. a) Make satisfactory cost sharing arrangements with United Acquisition II Corp. for part cost of the existing underground utilities, surface improvement installed/constructed in 210 Av SW and storm pond in Lot 2PUL in Block 1 that was paid for and/or constructed by United Acquisition II Corp. under Pine Creek, Phase 01 DA2018-0047.
- b) Make satisfactory cost sharing arrangements with United Acquisition II Corp. for part cost of the existing underground utilities, surface improvement installed/constructed in Sheriff King St SW that was paid for and/or constructed by United Acquisition II Corp. under Belmont, Phase 02 DA2018-0052.
- c) Make satisfactory cost sharing arrangements with United Acquisition II Corp. for part cost of the existing storm sewer installed/constructed in Sheriff King St SW that was paid for and/or constructed by United Acquisition II Corp. under Belmont, Phase 08 DA2023-0008.
- d) Make satisfactory cost sharing arrangements with Mattamy Homes Calgary Limited for part cost of the existing storm Pond Lot 2PUL, Block 1 that was paid for and/or constructed by Mattamy Homes Calgary Limited under Yorkville, Phase 01 DA2017-0036.
37. The Developer shall make payment to Mattamy (Burgess) Limited, United West Macleod I Lands Limited Partnership, and United Acquisition II Corp. for their share of the West Pine Creek Phase II Sanitary Trunk Construction Agreement.

38. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
- Geotechnical Report, prepared by McIntosh Lalani Engineering Ltd. (File No 4158), dated April 2009. (Reliance Letter on Geotechnical Report for LOC2024-0104, prepared by Clifton Engineering Group Inc., File CG2899, dated July 11,2024.)

Mobility Engineering

39. In conjunction with the applicable tentative plan, a Mutual/Pathways/Emergency Access Easement Agreement and right of way plan shall be executed and registered on title concurrent with the registration of the final instrument.
40. In conjunction with the applicable tentative plan, no direct vehicular access shall be permitted to or from Sheriff King Street SW., and / or 210 Avenue SW., unless under approval from the Manager, Development Engineering. Where required, a restrictive covenant will be registered concurrent with the registration of the final instrument to that effect.
41. In conjunction with the applicable tentative plan of subdivision, no direct vehicular access shall be permitted to or from Yorkville Boulevard SW., unless under approval from the Manager of Development Engineering, and a restrictive covenant shall be registered concurrent with the registration of the legal plan of subdivision to that effect.
42. In conjunction with the applicable tentative plan, access to 210 Avenue SW, will be restricted to right turns in and out only and a restrictive covenant shall be registered concurrent with the registration of the final instrument to that effect.
43. In conjunction with the applicable tentative plan, a restrictive covenant shall 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).
44. In conjunction with the applicable tentative plan or development permit, a noise attenuation study for the residential parcels adjacent to an arterial road will be submitted to Development Engineering for approval by a certified Professional Engineer with expertise in the subject of acoustics related to land use planning.

Note that where sound attenuation is not required adjacent to Arterial roadways, a uniform screening fence will be provided, in accordance with the 2020 Design Guidelines for Subdivision Servicing.

All noise attenuation features (noise walls, berms, etc.), screening fence, and ancillary facilities required in support of the development shall 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 shall be at the Developer's sole expense.

45. In conjunction with the applicable tentative plan or development permit, transit shelter(s) may be required as stipulated by the Manager, Development Engineering and will be supplied and installed at the Developer's sole expense. The shelter(s) will be installed by Transit upon receipt of satisfactory payment.
46. In conjunction with the applicable tentative plan that propose mid-block crossings, the Developer shall design and construct infrastructure at its sole expense, as follows:
 - a) Curb bump outs shall be built, at a minimum, at all proposed mid-block crossing locations to the satisfaction of the Manager, Development Engineering.
 - b) Approach grades for all proposed mid-block crossing locations shall be no more than 4%.
47. Prior to approval of Construction Drawings and Permissions to Construct Surface improvements, the developer shall provide signed copies of back sloping agreements for any back sloping that is to take place on adjacent lands (owned privately or owned by the City).
48. Prior to the release of any permits or Permissions to Construct, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.