

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. If applicable, prior to approval of the initial tentative plan of subdivision, the special conditions addressing the formation and maintenance/financial responsibilities of the Residents Association shall be applied as a condition of subdivision approval, to the satisfaction of the Approving Authority.
3. 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.
4. 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.
5. Relocation of any utilities shall be at the developer's expense and to the appropriate standards.
6. Plant all public trees in compliance with the approved Landscape Construction Drawing for Boulevard and Median Tree Line Assignment.
7. Reserve dedication owed in this outline plan area has been dedicated in the LOC2022-0225 outline plan (Stage 3A).
8. All mitigations in the approved BIA for LOC2022-0225 (Stage 3A) and LOC2024-0248 (Stage 3B) shall be adhered to throughout the development process.
9. The developer shall install and maintain a temporary construction fence on the private property line with the adjacent reconstructed Environmental Reserve (ER) 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 to approve the location of the fencing prior to its installation.
10. The developer shall restore, to a natural state, any portions of the reconstructed Environmental Reserve (ER) 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.
11. Prior to the approval of a stripping and grading permit, a Development Agreement or a subject area tentative plan of subdivision, Calgary Parks and Open Spaces requires details pertaining to the total limit of disturbance resulting from the proposed development in its entirety.

12. 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 (reconstructed Environmental Reserve), with all grading confined to the private property, unless otherwise approved by Calgary Parks and Open Spaces.
13. 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 reconstructed Environmental Reserve (ER) area (if the reconstructed Environmental Reserve has been given Construction Completion Certificate) meet Calgary Parks and Open Spaces approval. A plan illustrating the surveyed reconstructed ER boundaries must be provided to Calgary Parks and Open Spaces in advance of the onsite meeting.
14. Calgary Parks and Open Spaces does not support point source drainage directed towards MR (Municipal Reserve)/MSR (Municipal School Reserve) or ER (Environmental Reserve) extents. All drainage and storm related infrastructure catering to private property shall be entirely clear of MR/ER/MSR areas.
15. Proposed trapped lows or catch basins for adjacent private residential lot drainage into MR (Municipal Reserve)/ER (Environmental Reserve) parcels is not permitted unless otherwise approved by the Director of Calgary Parks and Open Spaces.
16. Stormwater or other drainage from privately-owned parcels onto adjacent Environmental Reserve parcels is not permitted. Any unauthorized drainage from private parcels onto adjacent municipal reserve, environmental reserve or municipal school reserve parcels must be resolved to the satisfaction of the Director, Calgary Parks and Open Spaces and any damage resulting from such drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks Development Inspector.
17. Prior to the tentative plan of subdivision approval, provide a key plan and accompanying cross-sections to illustrate the interface between the residential lands and the proposed Municipal Reserve (MR), Environmental Reserve (ER) and Public Utility Lot storm pond areas. Water quality of storm runoff and nutrient loading into ER lands from private lots may compromise habitat and is therefore of concern to Calgary Parks and Open Spaces. Provide details on the mechanisms/design elements proposed to treat and/or contain storm runoff from residential lots (for example: naturalized swales) showing:
 - A) Existing and proposed grades
 - B) Concrete culverts within private property to capture drainage
18. There shall be no retaining walls placed within the Environmental Reserve (ER) lands. Grade matching and slope stability is to be contained within the confines of private property boundaries.
19. Backsloping of private lots into Environmental Reserve (ER) lands will not be permitted. Site grading on private lots shall match the grades of adjacent ER lands with all grading confined to private property, unless otherwise approved by the Director of Calgary Parks and Open Spaces.

20. 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.
21. At Engineering Construction Design, for the proposed modified road cross-sections, ensure all shallow utilities, including the street light cable are set back a minimum of 1.5 metres from the City boulevard tree alignment in accordance with Section 4.1.3 of the Calgary Parks Development Guidelines and Standard Specifications for Landscape Construction (current edition):<https://www.calgary.ca/csps/parks/construction/park-development-guidelines.html>
22. At Engineering Construction Drawings, Road Cross-sections are to comply as follows:
 - a) Have 2.0 metres for boulevard trees. Boulevard trees planted in boulevards less than 2.0 m (even if previously approved on prior Stages), may result in these trees not being replanted by the City of Calgary if they do not survive in the future.
 - b) Ensure a minimum of 1.0 m clearance is required between the trunk of boulevard trees and any element.
 - c) The streetlight cable requires a minimum of 1.5m of setback from public trees; and 0.25m from property line.
23. 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 legal plan of subdivision.
24. 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 and Open Spaces *Development Guidelines and Standard Specifications: Landscape Construction (current edition)*.
25. 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 prior to stripping and grading.
26. 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.
27. 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.
28. 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.

29. 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.
30. No stockpiling or dumping of construction materials is permitted on the adjacent environmental reserve lands.

Utility Engineering

31. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following reports:
 - Deep Fills Report, prepared by EXP Service Inc. (File No CGY-000258595-00), dated April 25, 2024.
 - Geotechnical Evaluation Report, prepared by EXP Service Inc. (File No CGY-000258595-00), dated March 31, 2020.
32. **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>.
33. Servicing arrangements shall be to the satisfaction of the Manager, Development Engineering.
34. Separate service connections to a public main shall be provided for each proposed lot (including strata lots).
35. Prior to approval of Development application for the proposed retaining walls, submit an electronic copy of Structural Design Drawings and cross-sections for the retaining wall(s) prepared by a qualified Structural Engineer under seal and permit to practice stamp to the satisfaction of the Manager Bridges and Structures, Public Spaces Delivery. The intent of the drawings is to show the feasibility of the proposed retaining wall(s) at the location(s) indicated.

All components of the retaining wall including foundation and any tie back or other forms of stabilization must be outside of the URW and outside of the ROW.
36. This subject plan area is within the boundary of the Fish Creek drainage catchment and subject to stormwater volume control measures. Based on the Providence MDP stormwater discharge is limited to specific release rates for return periods from 1:2-1:100 year. Low Impact Development including min 300mm topsoil and disconnection of hardscape is required as per the approved Staged Master Drainage Plan and Pond Report.
37. Prior to approval of the first tentative plan, Starlight Permanent Pump Station STN052, located at the Starlight Dual Zone Pump Station, needs to be operational. The PS is expected to be commissioned in Q1 2025.

38. Prior to the approval of the first tentative plan, a finalized Sanitary Servicing Study must be approved by Development Engineering to confirm the details of the utility servicing. The study must consider two different scenarios for the 162 AV Trunk catchment area. One scenario showing the anticipated densities for the low density residential and the maximum density for the multifamily districts. The second scenario would consider the anticipated densities for both land use types. This would need to be done for the Stage 3 plan area as well as the other contributing areas towards the 162 AV trunk. Regular updates to confirm the anticipated densities remain in line with the proposed development will be required as development proceeds and confirmation that the total actual peak flow doesn't exceed 196 L/s will be required.
39. The applicant should follow the recommendations outlined in the Phase I Environmental Site Assessment, prepared by Trace Associates Inc. (File No. 100-1577-03), dated October 12, 2022.
40. Prior to the approval of the first tentative plan the applicant shall enter into an agreement with Utility Infrastructure Planning for sanitary flow monitoring to track the overall flow in the sanitary system and to quantify the flow assumptions for the Sanitary Servicing Study.
41. 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:
- 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.
 - Construct the underground utilities and surface improvements within 162 AV SW along the SOUTH boundary of the plan area.
 - Construct the underground utilities and surface improvements within 37 ST SW along the middle boundary of the plan area.
 - 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.
 - Construct a wood screening fence, chain link fence, sound attenuation fence, whichever may be required, along the boundary of the plan area.
 - Construct the PUL within the plan area.
 - Construct the multiuse pathway within and along the boundaries of the plan area, to the satisfaction of the Director of Parks Development.
42. Prior to endorsement of any Tentative Plan or prior to release of a Development Permit, execute a Development or Indemnification Agreement. Contact the Infrastructure Strategist, Development Commitments for further information at 587-229-7368 or email Joseph.Ma@calgary.ca
43. Off-site levies, charges and fees are applicable.
Prior to approval of the first tentative, submit an updated overall water network design for review including pressure zone boundary.

44. Prior to the approval of the land use application for the lands west of 37th Street SW, the lands must have an approved Growth Application and funding for the necessary capital infrastructure for the plan area, to the satisfaction of the Manager, Growth Infrastructure Planning. Note that Outline plan amendments and updated studies may be required to align to the final infrastructure servicing strategies to be approved and funded.
45. Provide an updated Slope Stability Report with the retaining wall Development Permit Application to reflect the latest wall height and stability check.
46. The alignment of the future sanitary trunk is not yet approved with preliminary design work is set to commence in Q1 2025.

Prior to endorsement of each tentative plan and approval of the construction drawing sets, update all future capital infrastructure alignments with latest information. Ensure separation distances are shown for all utilities. See 2020 Design Guidelines for Subdivision Servicing minimum separation for typical pipes, and <https://www.calgary.ca/development/street-lights-specifications.html>.

47. At each tentative plan, ensure the cross sections meets the latest DGSS standard. This may include a 3.0m UR/W, Alt. Shallow Utility alignment at 0.5m from LG, St.Lt Cable alignments to provide 1.50m minimum separation from Tree alignment.

Mobility Engineering

48. Future revisions, addendums, proposals or submissions within the subject area are subject to further Transportation review and analysis, at the discretion and satisfaction of the Manager, Development Engineering.
49. In conjunction with the applicable tentative plan or development permit for the staged construction of the road network, transit stops shall be provided to the satisfaction of the Manager, Development Engineering. All bus zones shall be located:
 - a) Where the grades and site lines are compatible to install bus zones; and
 - b) Where pedestrian walkways, pathways, and roadway crossing opportunities are provided.
50. 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 driveways over the bus loading area(s). Where a bus zone is shown adjacent to single family homes, the covenant shall encompass the 9m bus zone apron; for all other cases (eg multi-family, commercial, etc.) the covenant shall encompass the entire bus zone length (25m).
51. In conjunction with the applicable tentative plan or development permit, access to multi-family and commercial sites shall be located and designed to the satisfaction of the Manager, Development Engineering.
52. In conjunction with the applicable tentative plan, 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, if applicable) for any back sloping that is to take place on adjacent lands.

53. In conjunction with the applicable tentative plan or development permit, the Developer shall enter into a Construction Access Roads Agreement with Roads Maintenance.
54. Parking shall be removed from the 12.8m modified residential street (Elevation Place). The turning templates show the waste and recycling vehicle will need the full width of the roadway, so parking cannot be permitted.