

**ATTACHMENT F: RECOMMENDED CONDITIONS OF APPROVAL**

- A. THAT the application to create eighty (80)  $\pm 0.07$  ha ( $\pm 0.18$  ac) to  $\pm 0.20$  ha ( $\pm 0.50$  ac) Residential, Small Parcel District (R-SML) parcels; two (2)  $\pm 0.09$  ha ( $\pm 0.21$  ac) to  $\pm 0.38$  ha ( $\pm 0.95$  acre) Commercial, Local Urban District (C-LUD) parcels; three (3) PUL parcels,  $\pm 0.06$  ha ( $\pm 0.14$  ac) and  $\pm 7.10$  ha ( $\pm 16.81$  ac); two (2) MR parcels; two (2) DC 174 parcels,  $\pm 1.05$  ha ( $\pm 2.60$  ac) and  $\pm 3.92$  ha ( $\pm 9.70$  ac); and, two (2) remainder parcels,  $\pm 15.33$  ha ( $\pm 37.89$  ac) and  $\pm 21.45$  hectare ( $\pm 53.00$  ac), from a portion of SE-5-25-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 9, 18, and 19 of the *Matters Related to Subdivision and Development Regulation* and having considered adjacent landowner submissions, is approved as per the Tentative Plan for the reasons listed below:
1. The application is consistent with the Statutory Policy;
  2. The subject lands hold the appropriate land use designation;
  3. The technical aspects of the subdivision proposal have been considered and are further addressed through the conditional approval requirements.
- B. The Applicant/Owner is required, at their expense, to complete all conditions attached to and forming part of this conditional subdivision approval prior to Rocky View County (the County) authorizing final subdivision endorsement. This requires submitting all documentation required to demonstrate each specific condition has been met, or agreements (and necessary securities) have been provided to ensure the conditions will be met, in accordance with all County Policies, Standards, and Procedures, to the satisfaction of the County, and any other additional party named within a specific condition. Technical reports required to be submitted as part of the conditions must be prepared by a qualified professional, licensed to practice in the province of Alberta within the appropriate field of practice. The conditions of this subdivision approval do not absolve an Applicant/Owner from ensuring all permits, licenses, or approvals required by Federal, Provincial, or other jurisdictions are obtained.
- C. In accordance with Section 654(2) the Subdivision Authority is of the opinion that the proposed subdivision would not unduly interfere with the amenities of the neighbourhood, or materially interfere with or affect the use, enjoyment, or value of neighbouring parcel of land; and the proposed subdivision conforms with the use prescribed for that land in the land use bylaw.
- D. Further, in accordance with Section 654 and 655 of the *Municipal Government Act*, the application shall be approved subject to the following conditions of approval:

**Survey Plans**

- 1) Subdivision is to be effected by a Plan of Survey, pursuant to Section 657 of the Municipal Government Act, or such other means satisfactory to the Registrar of the South Alberta Land Titles District.
  - a) A Plan of Survey, including the Application number (PL20230105) and Roll number (05305001) of the parcel;
  - b) Landowner's Consent to Register Plan of Survey;
  - c) The Owner is to dedicate, by Plan of Survey, the required portion of land for road widening along the eastern boundary of the quarter section;
- 2) Registration of Access Right of Way which ensures public and municipality access.
- 3) Registration of Access Rights of Way and Agreements which ensure municipality access to the utility rights of way.

**Development Agreement – On-Site**

- 4) The Owner is required to enter into a development agreement pursuant to Section 655 of the Municipal Government Act respecting provision of the following:
- a) Construction of a public internal road system in accordance with the County Servicing Standards complete with cul-de-sacs and any necessary easement agreements, including complete approaches to each lot, as generally shown on the Tentative Plan.
  - b) Adhere to the County managed realignment of Township Road 250 through the study area as shown on the Tentative Plan.
  - c) Construction of the necessary off-site improvements as identified in the final approved TIA to the satisfaction of the County.
  - d) Extending the County's sanitary and potable water services to the proposed development.
  - e) Construction of the pressurized central fire suppression system to the satisfaction of the County.
  - f) Construction of stormwater management facilities in accordance with the recommendations of the approved stormwater management plan and the registration of any overland drainage easements and/or restrictive covenants as determined by the stormwater management plan.
  - g) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County.
  - h) Construction of a piped potable water distribution system (including the registration of necessary easements)
  - i) Construction of a piped sanitary collection system (including the registration of necessary easements) with spray irrigation disposal
  - j) Installation of Street Lighting (Dark Sky).
  - k) Installation of power, natural gas, and communication utilities.
  - l) Obtain all necessary approvals from AEP for the loss of wetlands.
  - m) Obtain all necessary approvals from AEP for the use of stormwater for irrigation purposes.
  - n) Implementation of the recommendations of the approved construction management plan.
  - o) Implementation of the recommendations of the approved ESC plan.
  - p) Design and construction of landscaping features for all Public Utility Lots, public pathways and public roadways, in accordance with an approved Landscaping Plan;
  - q) Implementation of the recommendations of the Construction Management Plan and Weed Management Plan.

**Transportation and Access**

- 5) The Owner shall obtain approval for a road name by way of application to, and consultation with, the County;
- 6) The Owner/applicant shall prepare and submit a revised Traffic impact Assessment report that focuses on Phase 1 of the development, to the satisfaction of the County.

- 7) The Owner is to enter into a Road Acquisition Agreement with the County to serve as notice that those lands are intended for future development as a County road, as per the approved Tentative Plan. The Agreement shall include:
  - a) The dedication of required land by plan of survey for road acquisition as shown in the tentative plan
  - b) The purchase of land by the County for \$1;

### ***Site Servicing***

- 8) Utility Easements, Agreements, and Plans are to be provided and registered concurrent with a plan of survey to the satisfaction of utility providers, including Telus, and the County.
- 9) The Owner/applicant shall be required to prepare and submit a Water and Wastewater Analysis which only focuses on phase 1 and investigates the current capacity of the County Sanitary system.
- 10) The Owner/applicant will be required to enter into a capacity allocation agreement with the county and provide payment of the Water and Wastewater Offsite Levy in accordance with the applicable bylaw at time of approval.

### ***Developability***

- 11) The Owner/applicant will be required to submit a construction management plan addressing noise mitigation measure, traffic accommodation, sedimentation and dust control, management of stormwater during construction, erosion and weed control, construction practices, waste management, firefighting procedures, evacuation plan, hazardous material containment, and all other relevant construction management details.
  - a) Weed management during the construction phases of the project;
  - b) Management and mitigation of environmentally significant features as identified in the approved Biophysical Assessment;
  - c) Implementation of the Construction Management Plan recommendations, which will be ensured through the Development Agreement;
- 12) The Owner/applicant will be required to conduct an onsite geotechnical evaluation, conducted by a qualified geotechnical professional, to assess the onsite subsurface (soil and groundwater) conditions to develop appropriate geotechnical recommendations for the design and construction of the proposed development including the internal road structure and recommendations for the pond liner thickness.
- 13) The Owner/applicant shall submit finished grade plans and cut and fill plans.
- 14) The Owner/applicant will be required to submit a detailed stormwater management plan for this phase, prepared by a qualified professional, providing the detailed designs of the stormwater management infrastructure necessary to support the proposed development.
- 15) the Owner/applicant will be required to enter into a Development Agreement for the construction of the stormwater infrastructure required as a result of the development and outlined in the final stormwater management plan in accordance with the County Servicing Standards. The applicant will be responsible for the registration of any required easements, utility right of ways and/or public utility lots is required as a condition of subdivision.
- 16) The Owner/applicant will be required to provide an Erosion & Sedimentation (ESC) Plan, prepared by a qualified professional, providing the ESC measures to be implemented during the development of the subject lands.
- 17) The Owner shall submit a noise assessment for the properties backing on to the realigned Township Road 250. The study shall identify appropriate noise buffering, if required. The Owner shall:

- a) Install any required noise buffer infrastructure, and/or landscaping required, to the satisfaction of the County.

**Site Construction**

- 18) The Owner and the County shall determine the placement of the regional pathway, and the Owner shall be responsible for design and construction, to include required hardscape, amenity, landscaping and any other features, as required, to the satisfaction of the County.

**Landscaping**

- 19) The Owner/applicant shall prepare a Landscaping Plan, to be prepared by a qualified professional, to detail the proposed landscaping and configuration of recreation improvements, including a paved regional pathway, to be constructed in accordance with the County Servicing Standards.

**Municipal Reserves**

- 20) The provision of Reserve within the Subdivision Area is to be provided as follows:
  - a) Dedication of Lots 1MR and 2MR, as illustrated on the approved Tentative Plan, with the specific sizes of each MR parcel to be confirmed via Plan of Survey.
  - b) Payment of Cash-in-Lieu of Land in accordance with the per acre value listed in the land appraisal, pursuant to Section 663(3) of the Municipal Government Act, with the specific calculation of the amount owing to be determined by the Plan of Survey.
- 21) The provision of Reserve for the Remainder SE 05-25-28-W4M is to be deferred via caveat, pursuant to Section 669(2) of the Municipal Government Act.

**Association Information**

- 22) The Owner shall establish Architectural Controls to coordinate building design criteria within each business area in accordance with the Commercial, Office and Industrial Design Guidelines and the Conrich ASP's Non-Residential/Residential Interface requirements, which require: building form and character, landscaping design on both public and private lands, community entrance signage and local wayfinding signage, Township Road 250 design aesthetics along public road frontage to include building articulation, building exterior material, finishing, and colour, glazing and fenestration, exterior signage coordination, dark sky lighting, outside storage limitation; consistency with public realm design elements, and potable water conservation methods.
- 23) The Owner shall establish Architectural Controls to coordinate residential building design criteria in consideration of the requirements of the Conrich Crossing Conceptual Scheme.
- 24) The Owner shall legally establish a Homeowners' Association (HOA) for the residential lots, and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Home Owners' Association;
  - a) The HOA agreement shall specify the future maintenance obligations of the Homeowners' Association for solid waste management, recycling, maintenance of private infrastructure, community landscaping, stormwater facilities on private lands, maintenance of any noise buffer infrastructure/landscaping;
- 25) The Owner shall legally establish a Lot Owners' Association (LOA) for the commercial lots, and an encumbrance or instrument shall be concurrently registered against the title of each new lot created, requiring that each individual Lot Owner is a member of the Lot Owners' Association;
  - a) The LOA agreement shall specify the future maintenance obligations of the Homeowners' Association for solid waste management, recycling, maintenance of

private infrastructure, community landscaping, stormwater facilities on private lands, maintenance of any noise buffer infrastructure/landscaping, maintenance of signage on MR lands;

- 26) The Owner shall prepare and register a Restrictive Covenant on the title of each new residential lot created, requiring that each Lot Owner be subject to the development's Architectural Controls.
- 27) The Owner shall prepare and register a Restrictive Covenant on the title of each new commercial lot created, requiring that each Lot Owner be subject to the development's Architectural Controls,.
- 28) The Owner is to provide and implement a Waste Management Strategy that will outline the responsibility of the Developer and/or Lot Owner's Association for management of solid waste.

### **Payments**

- 29) The Applicant/Owner shall pay the County subdivision endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 91 new Lots.
- 30) The Owner shall pay the Transportation Off-Site Levy in accordance with the current Transportation off-site levy bylaw prior to endorsement of the subdivision. The County shall calculate the total amount owing:
  - a) from the total gross acreage of all lots, excepting out the two remainder parcels, as show on the Plan of Survey;
- 31) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with the current Water and Wastewater Off-site Levy Bylaw.
- 32) The Owner shall pay the Stormwater Off-Site Levy in accordance with the current Stormwater Levy Bylaw, for the gross area of lands to be subdivided, prior to subdivision endorsement.
- 33) The Owner/applicant will be required to provide a cost recovery payment for the upgrade of Township Road 250m from a two lane to four lane divided road in accordance with the active Cost Recovery Agreement with Canadian National Railway Company, to the satisfaction of the County.

### **Taxes**

- 34) All taxes owing up to and including the year in which subdivision is to be registered are to be paid to Rocky View County prior to signing the final documents pursuant to Section 654(1) of the Municipal Government Act.

### **E. SUBDIVISION AUTHORITY DIRECTION:**

- 1) Prior to final endorsement of the subdivision, the Planning Department is directed to present the Applicant/Owners with a Voluntary Recreation Contribution Form and ask them if they will contribute to the Fund in accordance with the contributions prescribed in the Master Rates Bylaw.