

**ATTACHMENT 'A': APPROVAL CONDITIONS**

- A. THAT the application to create 153 residential lots between  $\geq 0.045$  hectares ( $\geq 0.111$  acres) and  $\pm 0.129$  hectares ( $\pm 0.318$  acres) in size, one  $\pm 2.138$  hectare ( $\pm 5.283$  acre) mixed-use lot, Municipal Reserve lot(s), and Public Utility Lot(s) within a portion of NW-29-24-28-W04M, having been evaluated in terms of Section 654 of the *Municipal Government Act* and Sections 7, 14, and 15 of the 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 16 of the *Subdivision and Development Regulation*, the Subdivision Authority, with authorization from Alberta Transportation on behalf of the Minister of Transportation, varies the requirements of Sections 14 and 15 with regards to subdivision approvals within the prescribed distance from a highway right of way and the requirement for providing service roads.
- 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 (PL20220067) and Roll number (04329003) of the parcel;
  - b) A Surveyor's Affidavit; and
  - c) Landowner's Consent to Register Plan of Survey.

**Development Agreement**

- 2) The Owner is to enter into and comply with a Development Agreement (On-Site Improvements) pursuant to Section 655 of the *Municipal Government Act* in accordance respecting provision of the following:
  - a) Design and construction of a public road system with associated infrastructure which includes the following:
    - i. Internal road network;
    - ii. Intersection treatment in accordance with the approved TIA;



- iii. Approaches to each lot as required;
  - iv. Temporary Cul-de-sacs including access easement;
  - v. Sidewalks/Pathways;
  - vi. Offsite network improvements, if required, in accordance with the examined TIA.
- b) Design and construction of landscaping features for all Municipal Reserve lands, Public Utility Lots, public pathways, and public roadways, in accordance with the approved Landscaping Plan;
  - c) Design and construction of a piped wastewater system with connection to the East Rocky View Wastewater System, service to each lot and other related infrastructure;
  - d) A detailed sanitary servicing study is required in order to determine if upgrades or additional lift station capacity is required. All improvements shall be constructed as part of the Development Agreement;
  - e) Design and construction of a piped water distribution system, service to each lot and other related infrastructure;
  - f) A detailed hydraulic network analysis is required in order to determine if upgrades or additional infrastructure is required. All improvements shall be constructed as part of the Development Agreement;
  - g) Design and construction of a fire suppression system in accordance with Bylaw C-7259-2013, as amended;
  - h) Construction and implementation of stormwater management facilities and piped stormwater collection system 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 Storm Water Management Plan, all to the satisfaction of the County and the Alberta Ministry of Environment and Protected Areas (formally Alberta Environment and Parks);
  - i) Implementation of the recommendations of the Construction Management Plan, Erosion and Sediment Control Plan, and Weed Management Plan;
  - j) Dedication of necessary easements and rights of way for utility line assignments;
  - k) Implementation of the recommendations of the Geotechnical Report;
  - l) Implementation of the recommendations of the noise and vibration analysis;
  - m) Implementation of the recommendations of the Biophysical Impact Assessment and/or Wetland Impact Assessment;
  - n) Mailbox locations are to be located in consultation with Canada Post to the satisfaction of the County;
  - o) Installation of Street Lighting (Dark Sky);
  - p) Installation of power, natural gas, and communication utilities;
  - q) Obtain all necessary approvals from Alberta Ministry of Environment and Protected Areas (formally Alberta Environment and Parks) for the registration of the stormwater facilities, use of storm water for irrigation purposes and extension of water and wastewater services;
  - r) Obtain all necessary approvals from Alberta Culture & Tourism under the Historical Resources Act;



- s) Payment of any applicable off-site levies, at the then applicable rates, as of the date of the Development Agreement;
- t) Payment of applicable cost recovery contribution for the Conrich (West) Lateral Lift Station;
- u) Enter into a Terminating Agreement with the County for Development Agreement #5282 executed on July 29, 2021 associated with subdivision PL20190089;

### **Site Servicing**

- 3) The Applicant/Owner shall submit a Detailed Potable Water Servicing and Hydraulic Design Study to ensure the pipelines are sized adequately considering existing and future phases. The study shall confirm servicing requirements for this phase are in place and include provision for fire protection in accordance with County Servicing Standards.
  - a) If upgrades or improvements are identified in the potable water servicing and hydraulic design study, then the Applicant/Owner shall enter into a Development Agreement.
- 4) The Applicant/Owner shall submit a Detailed Sanitary Servicing Study to support this phase of the development. The study shall confirm the servicing capacity required for the development of the proposed parcel and determine if offsite upgrades to the regional system are required.
  - a) If offsite upgrades or additional lift station capacity are required, then all improvement shall be constructed under a Development Agreement.
  - b) Improvements that benefit other lands will qualify for cost recovery in accordance with Rocky View County Policy 406.
- 5) The Applicant/Owner shall enter into a Cost Contribution and Capacity Allocation Agreement for servicing allocation to the lot created in this Phase based upon the servicing need identified in the potable water servicing and sanitary servicing reports.
- 6) The Owner shall provide for Cost Recovery payment associated with the construction for the Conrich (West) Lateral Lift Station, for the development area, prior to entering the Development Agreement. The County shall calculate the total amount owing from the gross acreage as shown on the Plan of Survey submitted for endorsement.
- 7) The County will enter into an Infrastructure Cost Recovery Agreement with the Owner to determine the proportionate recovery of infrastructure money spent by the Owner to construct municipal infrastructure that will consequently provide benefit to other lands.
- 8) The Owner is to provide and implement a detailed Stormwater Management Plan, prepared by a qualified professional, providing the detailed designs of the stormwater management infrastructure necessary to support the additional residential lots. Implementation of the Stormwater Management Plan shall include:
  - a) All improvements shall be constructed under a Development Agreement.
  - b) Acquiring any related provincial licensing and registration requirements is the responsibility of the developer.
  - c) Registration of any required easements and/or utility rights-of-way.
- 9) The Owner is to provide a Construction Management Plan that is to include, but not be limited to, noise, sedimentation and erosion control, construction waste management, fire fighting procedures, evacuation plan, hazardous material containment, weed management and other construction best practices, and management details. The Owner shall submit an Erosion & Sediment Control Plan. The plan shall include, but not be limited to, cut/fill details, erosion and sediment control measures, detailed information as to how erosion and sediment will be controlled on-site (including Best



## ROCKY VIEW COUNTY

Management Practices), stockpile locations and dimensions, and any other pertinent information as outlined in the County Servicing Standards.

- 10) Utility Easements, Agreements, and Plans are to be provided prior to registration, to the satisfaction of Rocky View County, ENMAX Power Corporation, TELUS Communications, and ATCO Gas & Pipelines.
  - a) The Owner shall comply with ATCO Pipelines requirements, including requiring existing lands rights to be carried forward in kind on all newly created lots and pipeline alteration.

**Transportation**

- 11) The County shall discharge the caveat for the Road Acquisition Agreement, instrument number 171 069 611.
- 12) The County shall discharge the caveat for the Restrictive Covenant, instrument number 171 069 815, regarding 45m right-of-way setback from future road right-of-way.
- 13) The County shall discharge the Utility Right-of-Way Access, instrument number 171 068 613.
- 14) The Applicant/Owner shall obtain approval for road naming by way of application to, and consultation with, the County.

**Developability**

- 15) The Owner shall provide an updated Geotechnical Assessment in accordance with the County Servicing Standards (as amended), to the satisfaction of the County;
  - a) The update is to include evaluations of the soil characteristics, existing groundwater conditions and development constraints in relation to the subdivision design, to the satisfaction of Rocky View County.
  - b) Regrading and/or the constructed depth of fill exceeding 1.2 meters will require a Deep Fill report. The report shall be completed by a Geotechnical Engineer, shall include general recommendations for the construction or building of foundations, pavement structure, and shall include and summarize compaction testing of fill.
- 16) The Owner is to provide a Landscaping Plan for all Municipal Reserves, pathways, and road right of ways in accordance with the South Conrich Conceptual Scheme, Appendix D, and Direct Control District 175 (DC-175), Section 8.4.4.
  - a) Development of the approved landscaping plan shall be included within the requirements of the Development Agreement.
- 17) The Owner is to provide a Weed Management Plan in accordance with South Conrich Conceptual Scheme and Direct Control District 175 (DC-175).
- 18) The Owner is to prepare a Solid Waste Management Plan that will outline the responsibility of the Homeowners' Association for management of solid waste in accordance with Direct Control District 175 (DC-175).
- 19) The Owner is to provide a Noise Analysis, prepared by a qualified consultant, to include ground-borne vibration transmission through site testing to determine if dwellings within 75m of the railway rights-of-way will be impacted by vibration in accordance with Direct Control District 175 (DC-175);
  - a) The Owner shall prepare and register a Restrictive Covenant on the title of each lot within identified to be impacted by noise or vibration to the satisfaction of Rocky View County and CN Railway.



- 20) The Applicant/Owner shall provide confirmation of *Water Act* approval for wetland disturbance and compensation from Alberta Ministry of Environment and Protected Areas (formally Alberta Environment and Parks).

***Municipal Reserves***

- 21) The provision of Reserve is to be provided by the dedication of Block 9, Lots 1, 40, 83, 84, and 85 as well as Block 10, Lots 1, and 60, to be determined by a Plan of Survey, as indicated on the approved Tentative Plan.
- a) Deferred reserve caveat 171 069 816 shall be discharged, pursuant to Section 666 of the Municipal Government Act.

***Home Owner's Association***

- 22) The Owner shall legally amend the existing Homeowners' Association (HOA) 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' or Lot Owners' Association;
- a) The HOA agreement shall specify the future maintenance obligations of the Homeowners' Association for the pathway network, municipal reserve lands, weed management, community landscaping, residential solid waste collection, streetlighting, stormwater management and enforcement of architectural guidelines.
- b) The Owner shall consolidate the HOA established for the subject lands (Phase 4) with Cambridge Park Owners' Association Phase 3 to ensure maintenance of the shared infrastructure.
- 23) The Owner shall enter into an Operation and Maintenance Agreement with the County on behalf of the HOA for the operation of public infrastructure following the issuance of final acceptance certificates under the development agreement.

***Architectural Controls***

- 24) The Owner shall prepare and register a Restrictive Covenant on the title of each new lot created, requiring that each Lot Owner be subject to the development's Architectural Controls as detailed in the South Conrich Conceptual Scheme and Direct Control District 175 (DC-175).

***Payments and Levies***

- 25) The Owner shall pay the Transportation Off-Site Levy in accordance with Bylaw C-8007-2020 prior to entering into the Development Agreement. The County shall calculate the total amount owing;
- a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 26) The Owner shall pay the Stormwater Off-Site Levy in accordance with Bylaw C-8008- 2020. The County shall calculate the total amount owing;
- a) from the total gross acreage of the Lands to be subdivided as shown on the Plan of Survey.
- 27) The Owner shall pay the Water and Wastewater Off-Site Levy in accordance with Bylaw C-8009-2020 based on the submitted water and wastewater demand analysis.
- 28) The Owner shall pay the County Subdivision Endorsement fee, in accordance with the Master Rates Bylaw, for the creation of 153 new residential and mixed commercial/residential lots (Municipal Reserve lots and Public Utility Lots are not included).



ROCKY VIEW COUNTY

***Taxes***

- 29) 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.

**D. 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.