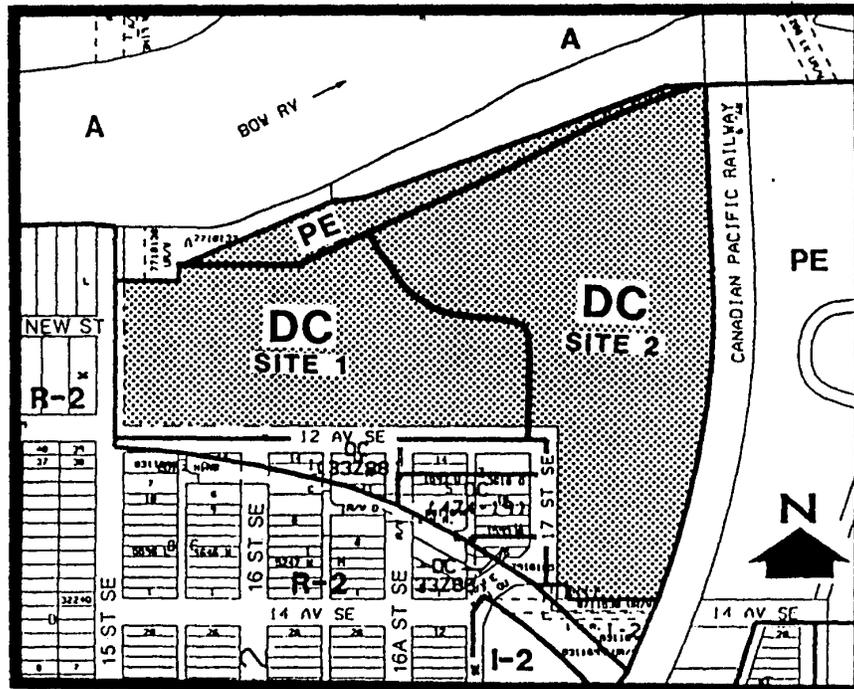


Amendment No. 89/132
Bylaw No. 76Z90
Council Approval: 04 September 1990

SCHEDULE B



1. Land Use **SITE 1**

The use shall be for comprehensively designed single-detached dwellings, semi-detached dwellings and townhouse dwellings.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of By-law 2P80 and the Permitted and Discretionary Use Rules of the R-2A Residential Low Density District shall apply unless otherwise noted below.

A. Density

Up to a maximum of 67 dwelling units.

B. Floodplain Guidelines

Any development on this site shall comply with Section 19 of the Land Use By-law (Floodplain Guidelines). All residential sites and roadways are to be filled to floodplain elevations, including 12 Avenue, 15 Street and 16A Street. Buildings shall be set back a minimum of 60 metres from the edge of the Bow River except for buildings located in the west 150 metres of the site which may be located a minimum of 40 metres from the edge of the Bow River to the satisfaction of the Development Officer.

C. Noise

Prior to the approval of a development permit for residential units or subdivision of the land, a caveat shall be registered on the title of each property, and notices displayed in a form and location satisfactory to the Director of Planning & Building, informing all interested parties (including renters and occupants) that this development lies within the 30-35 NEF Zone of Calgary International Airport and such is subject to aircraft movement noise. Such caveat and notices shall be maintained so long as there is residential development on this land.

No residential development shall be allowed in the 35-40 NEF Zone.

D. Landscaping

In addition to providing the landscaped areas required by the R-2A rules, all undeveloped parts of the site that are not being developed under a particular development permit shall be landscaped in a manner satisfactory to the Approving Authority.

E. Development Agreement

Prior to release of a development permit or subdivision of the land for any residential units on this site the landowner shall enter into a development agreement with the City that shall be registered on title of affected lands and shall include, but not be limited to, the following:

- i) The construction by the owner, at no cost to the City, of the required standard roadway on 12 Avenue S.E., adjacent to the site.
- ii) The provision by the owner, at no cost to the City of all required on-site and off-site roads and utilities to serve the proposed development as required by the City Engineer and the Director of Transportation.
- iii) The provision by the owner, at no cost to the City:
 - a) grade, loam and seed all the PE (MR) lands adjacent to Site 1 and Site 2;
 - b) construct public access pathways to the riverbank bicycle path;
 - c) relocate the existing bicycle path as required;

- d) realign the intersection of 15 Street and 12 Avenue S.E.;
- e) construct a turnaround on the lane east of 15 Street if required;
- f) construct chain link fence adjacent to PE (MR) abutting the site;
- g) rehabilitate portions of the riverbank area and Lot 2 MR disturbed by development;
- h) grade loam and seed parcel D and E;
- i) develop the site in accordance with the soils contamination report approved by Alberta Environment.

F. Road Closures

Prior to approval of the development permit for residential development, the applicant shall:

- i) make application and obtain approval for the closure of portions of 12 Avenue from 15 Street to 17 Street; and 16 Street south of 12 Avenue and arrange for the purchase of the surplus portions if required;
- ii) pay all costs associated with the closure applications and the development of the closure areas and any City lands adjacent thereto;
- iii) enter into an agreement with the City accepting responsibility for all costs associated with the proposed closures and re-opening of roads, including any land requirements and any construction required in public rights-of-way on adjacent City-owned lands (including fencing). Such agreement shall make provisions to ensure the necessary works are completed prior to the issuance of building permits within the site.

G. Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans, including building design, site layout, exterior finishes and colour, landscaping, parking and accesses shall subsequently be submitted to the Approving Authorities as part of a development permit application.

Development design guidelines shall be provided for all dwellings and accessory buildings in a development area. Development design guidelines shall be to the satisfaction of the Development Officer and shall regulate the provision, co-ordination and integration of the following:

- a) streetscape;
- b) impact on adjacent sites;
- c) outdoor amenity space; and

- d) any other matters considered necessary by the Development Officer.

1. Land Use

SITE 2

The land use shall be for a comprehensively designed residential development in which the permitted and discretionary uses of the RM-4 Residential Medium Density Multi-Dwelling District shall be the permitted and discretionary uses respectively.

In addition, up to 10,000 square feet of commercial development may be allowed. Discretionary commercial uses shall be limited to a grocery store, personal service businesses, restaurant and a fitness club.

2. Development Guidelines

The General Rules for Residential Districts contained in Section 20 of By-law 2P80 and the Permitted and Discretionary Use Rules of the RM-4 Residential Medium Density Multi Dwelling District shall apply unless otherwise noted below.

A. Density

Up to a maximum of 365 dwelling units.

B. Height

The maximum height shall be 14 storeys except for structures located in the northernmost 167 metres of the site which may be up to 20 metres overall height.

C. Floodplain Guidelines

All residential sites and public roads (including 12 Avenue, 17 Street and 16A Street) are to be constructed to floodplain elevations. All electrical and mechanical equipment to be built to floodplain elevations. The City is to be indemnified and saved harmless for all non-residential land uses that are not brought up to floodplain elevations. Any development on this site shall comply with Section 19 of the Land Use By-law (Floodplain Guidelines) and in particular no building shall be located closer than 60 metres from the bank of the Bow River.

D. Noise

Prior to approval of a development permit for residential development or approval of subdivision of the lands, a caveat shall be registered on the title of each property, and notices displayed in a form and location satisfactory to the Director of Planning & Building, informing all interested parties (including renters and occupants) that this development lies within the 30-35 NEF Zone of Calgary International Airport and as such is subject to aircraft movement noise. Such caveat and notices shall be maintained so long as there is residential development on this land.

No residential development shall be allowed in the 35-40 NEF Zone.

E. Railway Noise

Prior to the approval of a development permit for residential development on this site, the applicant shall submit a noise analysis related to the adjacent railway line. Such analysis shall be in a form satisfactory to the Director of Transportation and any and all recommendations of such study shall be incorporated into the residential development as directed by the Approving Authority.

F. Landscaping

In addition to providing the landscaped areas required by the RM-4 rules, all undeveloped parts of the site that are not being developed under a particular development permit shall be landscaped in a manner satisfactory to the Approving Authority.

G. 17 Street Upgrading

Prior to the development of more than 145 multi-dwelling units or equivalent traffic generating commercial uses, the applicant, at its expense, shall upgrade 17 Street S.E., located north of 17 Avenue S.E. to a collector road standard, including provision of any required additional road right-of-way, (or an alternative access route to the site shall be provided) all to the satisfaction of the Director of Transportation.

H. Transit Loop

Prior to approval of a development permit for residential development, the applicant shall, at his own cost, provide a transit loop facility in a location and to a standard required by the Director of Transportation.

I. Road Closures

Prior to the approval of a development permit for residential development on this site the applicant shall:

- i) make application and obtain approval for closures of all required portions of 12 Avenue from 15 Street to 17 Street; 16 Street south of 12 Avenue; and 17 Street at 12 Avenue all as shown on the plans and arrange for purchase of surplus portions if required.
- ii) enter into an agreement with the City accepting responsibility for all costs associated with the proposed closures and reopening of roads, including any land requirements and any work required in the public right-of-way and adjacent City lands including fencing. Such agreement shall make provisions to ensure the necessary works are completed prior to the occupancy of any residential unit.

J. Comprehensive Development Plans

This land use designation is based on a comprehensive multi-dwelling development. Prior to the release of a development permit for residential development on the site, Calgary Planning Commission shall approve a plan showing the distribution of the 365 units over the site and such plan shall be incorporated into a Development Agreement that will be registered on the titles of all affected land.

K. Development Agreement

Prior to release of a development permit for any residential units on this site, the landowner shall enter into a development agreement with the City that shall be registered on the title of affected lands and shall include, but not be limited to, the following:

- i) the construction by the owner, at no cost to the City, of the required standard of roadways on 12 Avenue S.E., adjacent to the site, 17 Street S.E. from 12 Avenue S.E. south to existing paved carriageway;
- ii) the provision by the owner at no cost to the City of all required on-site and off-site roads and utilities to serve the proposed development as required by the City Engineer and the Director of Transportation;
- iii) the developer, at no cost to the City, shall:
 - a) grade loam and seed all the PE lands adjacent to the site as per the existing Memorandum of Agreement;
 - b) grade, loam and seed the PUL;
 - c) construct the public walkway to the riverbank bicycle path;
 - d) construct the emergency vehicle access as shown on the plan;
 - e) construct a chain link fence adjacent to PE lands abutting the private lake, park and PUL;
 - f) construct sound attenuation fencing if required along the east boundary;
 - g) rehabilitate the portions of the riverbank areas and Lot 2 MR disturbed as a result of the development;
 - h) acquire the necessary land and construct the collector road on 17 Street from 17 Avenue or alternate access as required under Guideline G above;
 - i) develop the site in accordance with the soils contamination report approved by Alberta Environment;

- j) provision of landscaped improvements to the riverbank park system throughout the length of the project, of a quality of scale as illustrated in the drawings shown to Council by the representatives of the applicant at today's meeting.

L. Private Lake and Park

The private lake and park shall be developed in conjunction with Site 2. The private lake shall be owned, operated and maintained by the owners of Site 2.

M. Water Servicing Agreement

Execute a water servicing agreement if City water is to be used for the private lake. Use of City water may be restricted during peak demand periods.

N. Private Sanitary Lift Station

The private sanitary lift station and forcemains shall be designed and constructed to the satisfaction of the City Engineer. The private sanitary lift station and forcemains shall be owned, operated and maintained by the owners of Site 2. The private sanitary lift station shall be located on private property.

O. Timing of Commercial Development

No development permit for the commercial development shall be approved prior to the developer entering into an agreement to provide the upgrading of 17 Street S.E. north of 17 Avenue and south of the subject site to a collector roadway standard or alternate access as contemplated under Guideline G.

P. Commercial Development

If the commercial development is provided as a freestanding development it shall comply with Section 33 (General Rules for Commercial Districts) and Section 35 (C-1A Local Commercial Districts) of the Land Use By-law. If it is provided as part of a residential structure it shall be restricted to the ground floor of such structure and shall provide parking in accordance with the applicable parking standards of the Land Use By-law.

Q. Parking

Parking for commercial uses and residential uses shall conform to the requirements of Bylaw 2P80.

R. Development Plans

Approval of this application does not constitute approval of a development permit. Comprehensive plans, including building design, site layout, exterior finishes and colour, landscaping, parking and accesses shall subsequently be submitted to the Approving Authorities as part of a development permit application.

