



Subdivision Authority

5th Floor,
10250 - 101 Street NW
Edmonton, Alberta T5J 3P4

October 8, 2009

File No. LDA08-0250

IBI Group
Suite 1050, Standard Life Building
10405 Jasper Avenue
Edmonton AB T5J 3N4

ATTENTION: Blaydon Dibben

Dear Mr. Dibben:

RE: Tentative plan of subdivision to create one (1) medium density residential parcel from a portion of Lot 1, Block 1, Plan 092 7530, located west of James Mowatt Trail SW and north of 30 Avenue SW; **RUTHERFORD**

I The Subdivision by Plan is APPROVED on October 8, 2009 subject to the following conditions:

1. that the owner enter into a deferred Servicing Agreement with the City of Edmonton pursuant to Section 655 of the Municipal Government Act;
2. that concurrent with registration of the plan, the City of Edmonton shall register against the proposed parcel a claim of interest by caveat of the Deferred Servicing Agreement;
3. that the owner prepare the necessary plans and documentation to grant new or carry forward existing easements and restrictive covenants in favour of the City of Edmonton, EPCOR Distribution and Transmission Inc., EPCOR Water and Services Inc., and ATCO Gas Ltd., as required by the aforementioned agencies or shown on the engineering drawings that are deemed to be part of the Servicing Agreement;
4. that Bylaw 15297 to amend the Zoning Bylaw from AG to RA7 (LDA09-0112) be approved prior to registration of this subdivision;
5. that the owner dedicate road rights-of-way as shown on the "Conditions of Approval" map, Enclosure I, to the satisfaction of the Asset Management and Public Works Department;
6. that the property line and road right-of-way dedication conform to an approved Concept Plan or to the satisfaction of the City of Edmonton for James Mowatt Trail SW (111 Street SW) as shown on the "Conditions of Approval" map, Enclosure I;
7. that the owner clear and level James Mowatt Trail SW (111 Street SW), subject to condition 6, as required for road right of way dedication to the satisfaction of the Transportation Department; and
8. that the owner pay all outstanding property taxes prior to the endorsement of the plan of subdivision.

II that the deferred Servicing Agreement required in Clause I (1) require that upon the further subdivision or upon the issuance of a development permit, which ever occurs first, that the owner, or its successor in title, will be required to enter into another agreement to, amongst other things, do the following:

1. that the owner pay all servicing costs, assessments and roadway modification costs, construction costs and inspection costs occasioned by this subdivision;
2. that the owner pay all costs specified in the Servicing Agreement prior to the endorsement of the plan of subdivision;
3. that the owner pay the proportionate share of the Arterial Roadway Assessment for the construction of arterial roadways in the catchment area;
4. that the owner pay the proportionate share of the Permanent Area Contributions and/or lateral Sewer Oversizing Charges for the construction of permanent storm and sanitary drainage facilities in the basin;
5. that the owner submit detailed engineering drawings and technical studies in accordance with the City of Edmonton Design and Construction Standards and to the satisfaction of the City Departments and affected utility agencies;
6. that the owner submits an Erosion and Sediment Control (ESC) Plan specific for this development and for implementation during and after construction in accordance with the City of Edmonton ESC Guidelines and Field Manual;
7. that the owner construct the first 2 lanes of James Mowatt Trail SW (111 Street SW) from Callaghan Drive SW to the intersection of James Mowatt Trail SW as shown on the "Conditions of Approval" map, Enclosure II;
8. that the owner construct the collector roadway (22 Avenue SW) as shown on the "Conditions of Approval" map, Enclosure I; and
9. that the owner construct a 1 m berm and 1.8 m double board/no gap solid uniform screen fence in the location as shown on the "Conditions of Approval" map, Enclosure I, to the satisfaction of the Transportation Department.

Enclosure I and II are maps of the subdivision identifying major conditions of this approval.

Municipal Reserves have been previously addressed with LDA06-0156 through the registration of a Deferred Reserve Caveat (DRC). The DRC shall be carried forward to the remainder of the title area.

Please be advised that an appeal may be lodged in accordance to Section 678 of the Municipal Government Act with the Subdivision and Development Appeal Board, Office of the City Clerk, 3rd Floor, City Hall, 1 Sir Winston Churchill Square, Edmonton, Alberta, T5J 2R7 within 14 days from the date of the receipt of this decision. The date of receipt of the decision is deemed to be 5 days from the date the decision is mailed.

If you have further questions, please call Ms. Tammy Niina at 780-496-1650 or write to:

**Ms. Tammy Niina, Planner
Current Planning Branch
Planning and Development Department
5th Floor, 10250 - 101 Street
Edmonton AB T5J 3P4**

Yours truly,



Scott Mackie
Subdivision Authority

SM/tn/Posse # 070662517

Enclosure

October 8, 2009

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- The map shows the proposed alignment of James Mowatt Trail S.W. (11th St. S.W.) running diagonally from the top right towards the bottom left. The trail is indicated by a dashed line, and the proposed alignment is shown with a dotted line. The map includes the following street names:
- 21 AVE. S.W.
 - 22 AVE. S.W.
 - JAMES MOWATT TRAIL S.W. (11th St. S.W.)
- A north arrow is located in the top right corner of the map.

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SUBDIVISION CONDITIONS OF APPROVAL MAP

October 8, 2009

LDA08-0250

- Limit of proposed subdivision
- ▬ Include in Engineering Drawings
- > Construct the first two lanes of JAMES MOWATT TRAIL S.W. (111 ST. S.W.)

