



Subdivision Authority

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

April 7, 2011

File No. LDA10-0115

Stantec Consulting Ltd.
10160 – 112 Street
Edmonton AB T5K 2L6

ATTENTION: Peter Tsoukalas

Dear Mr. Tsoukalas:

RE: Tentative plan of subdivision to create 112 single detached residential lots, 36 semi-detached residential lots and 1 Environmental Reserve parcels from SW 8-52-23-4 and from portions of Lot 2, Plan 8121577, SE 8-52-23-4, and NW 8-52-23-4 located east of 17 Street SW and the CN rail line, and south of 38 Avenue SW; **MAPLE**

I The Subdivision by Plan is APPROVED on April 7, 2011 subject to the following conditions:

1. that the owner dedicate Environmental Reserve as a 1.26 ha parcel pursuant to Section 664 of the Municipal Government Act as shown on the "Conditions of Approval" map, Enclosure I;
2. that the owner provide Municipal Reserve in the amount of 2.51 ha by agreement and caveat to the remainder of SE 8-52-23-4, pursuant to Section 669 of the Municipal Government Act;
3. that the owner provide Municipal Reserve in the amount of 1.91 ha by agreement and caveat to the remainder of NW 8-52-23-4, pursuant to Section 669 of the Municipal Government Act;
4. that the owner enter into a Servicing Agreement with the City of Edmonton pursuant to Section 655 of the Municipal Government Act;
5. 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 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;
6. that the lands to be gifted to CN along the western boundary of the subdivision, as shown on the "Conditions of Approval" map, Enclosure I, be done after construction of the berm and fence;
7. that the owner prepare a restrictive covenant in favour of the City of Edmonton that will be registered against the proposed lot flanking 38 Avenue as shown on the "Conditions of Approval" map, Enclosure I, to protect the integrity of the noise attenuation facility (berm and fence);
8. that the owner dedicate road right-of-way to conform to an approved Concept Plan or to the satisfaction of the Transportation Department for 38 Avenue from the CN Rail line to the east subdivision boundary as shown on Enclosure I;

9. that subject to Clause I.8 above, the owner clear and level 38 Avenue as required for road right-of-way dedication to the satisfaction of the Transportation Department;
10. that a whistle cessation study for the 38 Avenue rail crossing be completed by the owner and submitted to CN prior to public usage of the new rail crossing, or be completed to the satisfaction of the Transportation Department;
11. that the owner register a temporary emergency access easement, located such that the emergency access does not conflict with any area identified for future Park and/or Natural/Drainage area purposes in the Maple Neighbourhood Structure Plan, as generally shown on the "Conditions of Approval" maps, Enclosures I and II;
12. that the owner register a public access easement for a temporary gravel connection to the temporary emergency access easement, as shown on the "Conditions of Approval" map, Enclosure I; and
13. that the owner pay all outstanding property taxes prior to the endorsement of the plan of subdivision.

II That the Servicing Agreement required in Clause I (4) contain, among other things, the following:

1. that the owner pay all costs specified in the Servicing Agreement prior to the endorsement of the plan of subdivision;
2. that the owner pay all servicing costs, assessments and roadway modification costs (including but not limited to sidewalk, shared use path and/or transit infrastructure), construction costs and inspection costs occasioned by this subdivision;
3. that the owner pay the proportionate share of the Permanent Area Contributions for the construction of permanent storm and sanitary drainage facilities in the basin;
4. that the owner pay the proportionate share of the Arterial Roadway Assessment for the construction of arterial roadways in the catchment area;
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 submit 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 half (north side) of 38 Avenue, (a four lane divided urban arterial), with the crossing over Fulton Creek designed in accordance with the recommendations outlined in the Environmental Impact Screening Assessment, as shown on the "Conditions of Approval" map, Enclosure I;
8. that the arterial construction required under Clause II.7 include a 2.5 m multi-use trail and lighting on the south side of 38 Avenue, east of 8 Street, and a 2.5 m multi-use trail and lighting on the north side of 38 Avenue, west of 8 Street that ties into the pedestrian rail crossing being constructed under the Tamarack CNR Crossing-38 Avenue Servicing Agreement DS-1452, and that the engineering drawings include construction of the 2.5 m multi-use trail and lighting west of the rail line to the 12 Street intersection, as shown on the "Conditions of Approval" map, Enclosure I;
9. that a Construction Completion Certificate will not be issued until the watermain required under the Tamarack CNR Crossing/38 Avenue Servicing Agreement (DS-1452) are constructed;

10. that the Engineering Drawings include the construction of a 4.0 m wide temporary emergency access with T-bollards, constructed to a paved residential alley standard, located such that the emergency access does not conflict with any area identified for future Park and/or Natural/Drainage area purposes in the Maple Neighbourhood Structure Plan, in the location as generally shown on the "Conditions of Approval" maps, Enclosures I and II;
11. that the Engineering Drawings include the construction of a temporary gravel connection to the 4.0 m wide temporary emergency access in the location as shown on the "Conditions of Approval" map, Enclosure I;
12. that the owner construct a noise attenuation facility (combination berm and fence) to a minimum height of 4.5 m in the locations as shown on the "Conditions of Approval" map, Enclosure I;
13. that the owner construct a 2.5 and 3.0 m top-of-bank asphalt multi-use trail with a dividing yellow centerline and "Shared Use" signage, bollards, lighting and landscaping as shown on the "Conditions of Approval" map, Enclosure I;
14. that the owner construct a 1.5 m concrete sidewalk with lighting, landscaping, 1.8 m uniform fencing and bollards in the locations as shown on the "Conditions of Approval" map, Enclosure I;
15. that the owner construct the public and emergency access with a 3.0 m concrete sidewalk, with a dividing yellow centerline and "Shared Use" signage, fire hydrant, bollards, lighting and landscaping connecting to the top-of-bank asphalt multi-use trail in the location as shown on the "Conditions of Approval" map, Enclosure I;
16. that the owner construct a 1.2 m uniform fence for residential lots backing on to environmental reserve and the top-of-bank multi-use trail in the locations as shown on the "Conditions of Approval" map, Enclosure I;
17. that the owner construct a 1.8 m double board/no gap solid uniform screen fence in the location as shown on the "Conditions of Approval" map, Enclosure I;
18. that the owner construct all fences positioned wholly on privately-owned lands to the satisfaction of the Transportation and Asset Management and Public Works Departments, in the location as shown on the "Conditions of Approval" map, Enclosure I; and
19. that the owner is responsible for the design, landscaping and construction within the public utility lots, utility rights-of-way, road islands, boulevards, medians, walkways, and Municipal Reserve parcels, to the satisfaction of the Transportation and Asset Management and Public Works Departments.

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

Municipal Reserve (MR) requirements for Lot 2, Plan 8121577 were previously addressed with a DRC to be carried forward on title. MR requirements for SW 8-52-23-4 were previously addressed with SUB/06-0005 (Tamarack). MR requirements for SE 8-52-23-4 are being requested with this subdivision as a DRC of 2.51 ha to be registered on title. MR requirements for NW 8-52-23-4 are being requested with this subdivision as a DRC of 1.91 ha to be registered on title.

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. Cyndie Prpich at 780-944-0115 or write to:

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

Yours truly,



For Scott Mackie
Subdivision Authority

SM/cp/Posse # 94598142

Enclosure

