



Subdivision Authority

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

March 24, 2011

File No. LDA10-0182

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

ATTENTION: Peter Tsoukalas

Dear Mr. Tsoukalas:

RE: Tentative plan of subdivision to create one medium density residential lot from a portion of NW-8-52-23-4 located north of 38 Avenue NW and east of 17 Street NW; **TAMARACK**

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**I The Subdivision by Plan is APPROVED on March 24, 2011 subject to the following conditions:**

1. that the owner enter into a Servicing Agreement with the City of Edmonton pursuant to Section 655 of the Municipal Government Act;
2. 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, as required by the aforementioned agencies or shown on the engineering drawings that are deemed to be part of the Servicing Agreement;
3. that the subdivision boundary be amended to include 10.0 m road right-of-way dedication for a multi-use trail to the west, and to include lands to be gifted (after construction of the berm and fence) to the CN to the east, as shown on the "Conditions of Approval" map, Enclosure I;
4. that the owner prepare a restrictive covenant in favour of the City of Edmonton that will be registered against the proposed lot as shown on the "Conditions of Approval" map, Enclosure I, to protect the integrity of the noise attenuation facility that flanks 38 Avenue; and
5. 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 (1) contain, among other things, the following:**

1. 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;
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 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 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;
8. that the owner construct the 10.0 m road right of way for multi-use trail purposes (to a residential alley standard on the east/west leg), with a v-ditch, lighting, landscaping, bollards and/or t-bollards as shown on the "Conditions of Approval" map, Enclosure I;
9. that the owner construct a 3.0 m hard surface multi-use trail with a dividing yellow centerline and "Shared Use" signage in the location as shown on the "Conditions of Approval" map, Enclosure I;
10. that the owner construct a 1.2 m uniform open fence abutting the multi-use trail to the west and abutting the future public utility lot to the north, in the location as shown on the "Conditions of Approval" map, Enclosure I;
11. that the owner construct all fences positioned wholly on privately-owned lands to the satisfaction of the Asset Management and Public Works Department, in the location as shown on the "Conditions of Approval" map, Enclosure I; and
12. 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 Transportation and Asset Management and Public Works Departments.

Enclosure I is a map of the subdivision identifying major conditions of this approval. The Transportation Department and Asset Management and Public Works Department will review the details (i.e. location) of the requirements of the MUT (including pedestrian connectivity to the proposed MDR site) at the time of review of Engineering Drawings.

The owner is required to prepare a restrictive covenant in favour of the Canadian National Railway Company that will be registered against the proposed lot adjacent to the 4.5 m noise attenuation facility to protect the integrity of the berm and fence and to register a 30 m development setback from the current rail right of way to protect the integrity of the site with respect to noise, vibration and safety.

Upon construction of the berm and fence, ownership of the land on the east side of the fence as shown on the "Conditions of Approval" map, Enclosure I, will be transferred to the Canadian National Railway Company.

MR for NW-8-52-23-4 was previously addressed in SUB/06-005 where cash-in-place was provided.

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,



Scott Mackie  
Subdivision Authority

SM/cp/Posse # 99352093

Enclosure

## SUBDIVISION CONDITIONS OF APPROVAL MAP

March 24, 2011

LDA10-0182

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|--------|---|---------|--|
| ■■■■■■ | Limit of proposed subdivision   | ~~~~~   | 4.5m Noise attenuation facility (combination berm and fence) |
| ▨      | Area to be gifted to Canadian National Railway (after construction of berm and fence)         | .....   | 1.2m Uniform open fence                                      |
| .....  | Amend subdivision boundary to include road dedication for multi-use trail and gifted CN lands | - - - - | Multi-use corridor with 3.0m asphalt trail                   |
| *      | Restrictive Covenant re: Integrity of berm & fence adjacent to 38 Avenue                      |         |  |
| ■      | Built to residential alley standards  |         |  |

