## SUBDIVISION AND DEVELOPMENT APPEAL BOARD APPEAL PACKAGE

## July 17, 2025 1:00 pm COUNCIL CHAMBERS 400 Main Street SE

1. Property: 196 Edwards Way NW (Lot 1, Block 1, Plan 15114409)

## 2. Appeal:

This is an adjourned appeal of the Development Authority's decision to issue a Stop Order for application PL2300906 for illegal development at 196 Edwards Way SW, Airdrie. The original hearing was set for June 5, 2025 at 1:00 pm.

Appellant: Strategic Group Property Owner: Creekside Corporation

## 3. Development/Subdivision Authority's submissions

3.1 Report to the Board - Tracey Tester, Development Authority (received July 11, 1 2025)

## 4. Appellants' submissions

5.	Wri	itten submissions	
4	4.2	Written submissions - Branden Kid, Strategic Group (received July 11, 2025)	46
4	4.1	Notice of Appeal - Received May 20, 2025	44

5.1 Written submissions - Bonnie J. Anderson of Rose LLP (received July 11, 2025) 172

Pages



## SUBDIVISION AND DEVELOPMENT APPEAL BOARD – AGENDA REPORT

Meeting Date:	17 July 2025		
Subject:	196 Edwards Way SW (PL2300906)		
<b>Boards Routed Through:</b>	N/A		
Date:	11 July 2025		

## Issue:

The Subdivision and Development Appeal Board (SDAB) is being asked to consider an appeal of a stop order issued on April 29, 2025 (the "Stop Order"), regarding violations of a development permit that resulted in damage to adjacent lands and municipal infrastructure.

• The Stop Order is provided as Attachment 1.

Directives 1 through 5 of the Stop Order have been complied with. As such, the focus of the appeal is on directives 6 through 9, including the use of mechanized equipment within the Nose Creek riparian area.

The Appellant, Strategic Group (the "Appellant"), is acting as the developer and as the agent of Creekside Corp., the owner of the Lands and one of the Stop Order recipients.

The City and the Appellant have reached an agreement on revised terms of the Stop Order and are seeking for the SDAB to endorse the revised terms.

## **Background:**

## **Issuance of Development Permit and Building Permit**

On August 7, 2024, Development Permit PL2300906 (the "Development Permit") was approved and issued for a Mixed Use Development, General, which is identified as a Permitted Use under the M3, Downtown Core Mixed Use District. The Development consists of a six-storey residential apartment building with ground-floor commercial units and an underground parkade. The property is owned by Creekside Corp., and is being developed by the Appellant, with UK One Construction Ltd. serving as the contractor.

• The Development Permit is provided as Attachment 2.

Following approval of the Development Permit, a building permit was issued and construction began on the site on December 6, 2024.

## **Prior Enforcement Actions**

Since the start of construction, the City has taken several enforcement actions to address non-compliance with the Development Permit. The stop order at issue in the appeal is the second stop order issued for this development. The first stop order, issued on January 27, 2025, outlined three directives to bring the site into compliance. It was resolved and the stop order was lifted on February 19, 2025, following submission of a survey plan, an application for "Work On or Within a City of Airdrie Street or Within a Road Right of Way", and acceptance of the Erosion and Sediment Control Plan (ESC Plan).

Further enforcement action was taken again on March 19, 2025, after both a verbal warning and an email notification to the developer were ignored. Engineering Services first issued an email on March 5, 2025 directing the developer to immediately clean the City road of gravel, mud, or other sediments. A follow-up email was sent on March 19, 2025 reinforcing the need to address the issue.

On March 20, 2025, representatives from Engineering Services, Public Works, and the developer met on site. During the meeting, city staff emphasized that the silt fence required immediate action and that any sediment or gravel tracked onto the roads must be cleaned up right after the occurrence, not at the end of day. At that time, staff also raised concerns that the construction activity may have extended beyond the property boundary, potentially impacting the riparian area adjacent to Nose Creek. As a result, the City requested a survey to confirm the location of excavated and construction fencing in relation to the property line.

Due to the continued non-compliance at the site located at 196 Edwards Way SW, the City issued a formal Warning Letter on March 21, 2025. The warning letter advised that if the issues were not resolved, the City may take further action, such as issuing a stop order and/or tickets. The warning letter included timelines to take immediate action.

• The March 21 Warning Letter is provided as Attachment 3.

## April Inspections and Issuance of Stop Order

City staff conducted follow-up inspections on April 22, 2025 and April 28, 2025 which identified the following issues:

- 1. The developer failed to implement the approved Erosion and Sediment Control (ESC) Plan, resulting in soil erosion on adjacent lands, contrary to Development Permit Condition 2.
- 2. The sediment holding pond was not constructed in the approved location and was at risk of breaching.
- 3. The development encroached on the adjacent lands, owned by The Canada Life Assurance Company of C/O GWL Realty Advisors Inc., including the Nose Creek riparian area, as well as onto Edwards Way and 1st Avenue - violating Conditions 2 and 3.

- 4. Soil and construction materials, debris, vehicles, and construction activities encroach on the Nose Creek riparian area in violation of Conditions 12, 15, 32, 34, and 40.
- 5. Physical barriers to prevent vehicle access to the Nose Creek riparian area were inadequate, violating Conditions 12 and 39.

As a result, a second Stop Order was issued on April 29, 2025. The Stop Order identified nine orders with compliance deadlines, which were established in consultation with City staff to ensure reasonable turnaround times.

- The April 22 inspection notes is provided as Attachment 4
- The April 28 inspection notes and photos is provided as Attachment 5.

## Requests for Extension of Timelines in the Stop Order

On May 14, 2025, the Appellant submitted a written request for an extension to the deadlines outlined in the Stop Order directives.

• The Appellant's May 14 written request is provided as Attachment 6.

On May 15, 2025, the City responded in writing, agreeing to defer enforcement action with new dates deemed reasonable and achievable; the City did not issue a new stop order.

• The City's May 15 response is provided as Attachment 7.

## Appeal of Stop Order and Subsequent Events

On May 20, 2025, the Appellant submitted the appeal of the Stop Order. The appeal was initially scheduled for June 5. However, the City and the Appellant agreed to an extension of time to negotiate revised timelines of the Stop Order.

## **Alternative Timelines and Proposed Terms**

The Appellant and the City have reached an agreement on revised terms for the Stop Order, specifically concerning timelines, the use of mechanized equipment, and the necessity of the Appellant to obtain consent from the neighbouring land owner to undertake certain actions required by the Stop Order.

The ongoing failure to comply with the Development Permit, consequential damage to City infrastructure and a riparian area, and trespass on a neighbouring property are unacceptable and have resulted in municipal resources being directed to enforcement actions and ongoing communications with the Appellant, to the detriment of other municipal priorities. The City expects the Appellant to strictly comply with any revised terms of the Stop Order in a timely manner and, once development is permitted, to ensure ongoing development occurs without again triggering the necessity of enforcement action by the City.

The revised terms for the consideration of the SDAB are as follows:

- 1. <u>IMMEDIATELY cease construction activity on the Lands until directives 2 6 of this Order</u> are completed to the City's satisfaction.
- 2. <u>By 1:00 pm on July 18, 2025</u>, remove all equipment, materials, debris, deposited soil, supplies, and other encumbrances (together, the "Materials") from within the road rights-of-way.
- IMMEDIATELY use all commercially reasonable efforts to enter an agreement with the owner of the neighbouring lands (Lot 1, Block 1, Plan 0922740 – the "Neighbouring Lands") to obtain consent to access the Neighbouring Lands for the purpose of removing the Materials that were wrongfully placed on the Neighbouring Lands.

You must provide the City with weekly updates on efforts to obtain consent to access the Neighbouring Lands until consent has been granted.

- 4. <u>Within 4 weeks of obtaining the consent noted in directive #3,</u> remove all Materials from the Neighbouring Lands. When removing the Materials, mechanized equipment may only be used within the existing construction fence. Use of mechanized equipment outside the fence is only permitted as outlined in the ESC Plan that was approved by the City on June 13, 2025 (the "ESC Plan").
- 5. <u>Within 5 weeks of obtaining the consent noted in directive #3,</u> fully implement all actions required in the ESC Plan to the satisfaction of the City's Engineering Services.
- 6. <u>Within 4 weeks of completing the work required under directives #2, #4, and #5 of this Stop</u> <u>Order</u>, provide the City with an environmental damage assessment and restoration plan prepared by a qualified environmental professional that:
  - (a) Details all impacts to the Nose Creek floodway area resulting from the Development and encroachment into this area; and
  - (b) Provides a plan to restore the Nose Creek floodway area to its pre-disturbed state (the "Restoration Plan").
- 7. <u>Within 2 weeks of the City approving the environmental damage assessment and restoration</u> <u>plan outlined in directive #6 of this Stop Order, begin undertaking the work required under the</u> Restoration Plan according to the timeline in the Plan to restore the Nose Creek floodway area to its pre-disturbed state.

In undertaking the work required under the Restoration Plan, you must provide the City with weekly updates on progress until all work required under the Plan is completed.

## Alignment with AirdrieONE:

N/A

**Boards Routed Through:** 

N/A

## **Alternatives/Implications:**

N/A

## **Recommendation:**

Administration recommends that the SDAB accept the revised terms to provide a practical path forward.

Tracey Tester

Tracey Tester, RPP, MCIP Senior Planner

	Presenter: Department: Reviewed by: Attachments:	Tracey Tester Current Planning Gail Gibeau, Team Lead Attachment: #1 Stop Order, dated April 29, 2025 Attachment: #2 Development Permit Attachment: #3 Warning Letter, dated March 21, 2025 Attachment: #4 Inspection Notes, April 22, 2025 Attachment: #5 Inspection Notes & Photos, April 28, 2025 Attachment: #6 Strategic Letter, May 14, 2025 Attachment: #7 Request for Extension, dated May 15, 2025
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Planning & Development 400 Main Street SE, Airdrie, AB T4B 3C3 Phone: 403.948.8848 Email: planning@airdrie.ca www.airdrie.ca/planning

Date Printed: August 07,2024

CASOLA KOPPE ARCHITECTS 300, 1410 1 STREET SW CALGARY, AB T2R 0V8

### Permit Number: PL2300906 Approved Use: Mixed Use Development with Major Variance (Parking)

Property Address 196 EDWARDS WAY SW, AIRDRIE, AB Legal Description Lot: 6, Block: 1, Plan: 1511409

### **DEVELOPMENT PERMIT**

Dear Applicant,

Your Development Permit application was reviewed by the Development Authority and **APPROVED** and is now Issued, subject to compliance with the conditions of approval attached.

Read the attached permanent conditions of approval as they form part of the approval decision. Advisory comments, if applicable, are also attached and are intended to help obtain additional permits and information for your development.

If the development approved by this permit does not *begin* within 12 months from the date of this letter, August 07, 2025 the Development Permit shall be deemed void unless the applicant applied for an extension within 40 days to this deadline.

Further, development approved by this permit shall be completed to the satisfaction of the Development Authority within 24 months of the date of the letter, August 07, 2026. You may apply for an extension within forty days of the expiration of this Development Permit.

Pursuant to provincial statues, there is a mandatory 21-day appeal period where the decision must be advertised. During this appeal period, the decision and/or the conditions of the decision may be appealed. The appeal period starts from first date of publication August 07, 2024 at www.airdrie.ca/developments and ends on August 28, 2024.

This permit may be reviewed at any time for non-compliance with the conditions of approval and the Land Use Bylaw.

If you have any questions regarding this matter please contact the file manager Tracey Tester at Tracey.Tester@airdrie.ca.

Yours truly,

Gail R. Gibeau RPP, MCIP Development Officer Planning & Development City of Airdrie

Phone: 403-948-8832 Email: planning@airdrie.ca

### **CONDITIONS OF APPROVAL & ADVISORY COMMENTS**

### Application Number: PL2300906 Approved Use: Mixed Use Development with Major Variance (Parking)

Property Address 196 EDWARDS WAY SW, AIRDRIE, AB Legal Description Lot: 6, Block: 1, Plan: 1511409

#### **Conditions of Approval**

- 1. This development is classified as Mixed Use Development, General and is a Permitted Use in the M3, Downtown Core Mixed Use District, on the lands legally described as Lot 6, Block 1, Plan 1511409.
- 2. All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
- 3. Any changes to the design, format, location, orientation, capacity, intensity or use of any part of the development requires approval by the Development Authority.
- 4. All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards.
- 5. A major variance of 28.0% is granted to Section 4.4, Table 5 of Land Use Bylaw No. B-01/2016, to allow for a parking reduction as shown on the approved drawings. The Land Use Bylaw requires 1.75 stalls per dwelling. This development is approved to be 0.89 parking stalls per dwelling as recommended in the Parking Review Study by Bunt & Associates Engineering Ltd., dated January 17, 2024.
- 6. The Developer shall provide minimum TWO HUNDRED AND FOURTEEN [214] on-site parking stalls as indicated on the Approved Plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material. SIX [6] of the required stalls shall be accessible parking stalls. These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
- 7. Of the required parking stalls, the Developer shall provide TWENTY-ONE [21] parking stalls to be designated as visitor stalls and identified with permanent signage.
- 8. Of the required parking stalls, the Developer shall provide ELEVEN [11] parking stalls to be designated as commercial stalls and identified with permanent signage.
- 9. SIXTY [60] bicycle stalls shall be provided in accordance with the approved plans.
- 10. Prior to commencing any activity on the lands, the Developer shall enter into and abide by a development agreement in accordance with section 650 of the Municipal Government Act, containing terms acceptable to the City, including, but not limited to street improvements on Edwards Way and the taking of security to secure the terms of the agreement.
- 11. Site lighting shall adhere to the site lighting plan and light fixture standards as depicted in the Approved Plan, to the satisfaction of the Development Authority.
- 12. This development shall be constructed in accordance with the recommendations and requirements of the Nose Creek Riparian Assessment, dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- 13. The Developer shall adhere to the recommendations of the Phase I Environmental Site Assessment, dated December 4, 2023, to the satisfaction of the Development Authority.
- 14. Prior to construction commencing, performance security, in a form deemed acceptable to the municipality shall be provided to the satisfaction of the Development Authority.
- 15. The Developer shall not dump grass clippings or other landscaping debris into the Nose Creek riparian corridor to prevent the spread of weeds.
- 16. The Developer shall educate dog-owning residents with signage about existing on and off-leash regulations, and the potential impacts dogs can have on sensitive riparian areas, fish habitat, and water quality. The Developer shall submit a letter outlining the education plan and communication plan with the residents prior to occupancy.

- 17. All signs identified in the Approved Plans may be constructed and installed without need of a new Development Permit. All other signage will require a separate Development Permit application and approval prior to placement.
- 18. This development shall adhere to the new municipal address and/or addressing plan as provided by the Development Authority.
- 19. The Developer shall submit a complete set of as-built drawings, to the Development Authority at the time of application for Development Completion Certificate.
- 20. A Development Completion Certificate is required when the approved development has been completed.
- 21. The Developer shall apply to Engineering Services Department for excavations within public right-of-ways and roads. Contact engineering.services@airdrie.ca.
- 22. Any excess fill must be deposited on a site approved by the City of Airdrie. Please contact the Engineering Services Department at engineering.services@airdrie.ca to discuss fill deposit locations.
- 23. The Developer shall submit a Fire Safety Plan to be approved by the Airdrie Fire Department and implemented by the Developer prior to construction commencing.
- 24. Airdrie Fire Dept. will require firefighting access during construction by means of an all-weather road that is maintained at all times. The road must be a minimum width of 6 metres wide. The access road must have access to a main arterial roadway unobstructed at all times. The roadway must be capable of supporting 37,000kgs. If the road is in excess of 90 metres long, a turnaround must be provided. Must be installed in the early stages of the development or in conjunction with the primary access. Requirements set out in ABC article 3.2.5.6. Please complete a Swept Path Analysis and return it to the Fire Department for review. Contact Russ McKeage with further questions at (403) 948-8800 ext 7896.
- 25. The Developer must provide unobstructed access to fire hydrants and a water supply suitable for firefighting. The Fire Department must have access to these fire hydrants at all times and they must be operational before and during all phases of construction.
- 26. Municipal street address shall be posted and clearly visible at all times (Standata FCI-09-03) Affixed in a visible location 2 metres from the ground or taped to the inside of the front-facing window. Street signs should be present. The unit or suite number is required to be visible on the primary entrance.
- 27. Prior to commencing construction activity, the Developer and the City of Airdrie shall enter into a utility rightof-way agreement, in keeping with the approved plan for the provision of private utilities.
- 28. Site lighting shall adhere to the site lighting plan and light fixture standards as depicted in the Approved Plan, to the satisfaction of the Development Authority.
- 29. The Developer shall abide by the approved landscaping plan.
- 30. Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to Development Completion Certificate.
- 31. The area around the construction site shall be kept clear of equipment and debris, and construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
- 32. There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development.
- 33. This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Riparian Assessment", dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- 34. This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Floodway and Setback Delineation", dated May 16, 2024 prepared by Matrix Solutions Inc. consulting services.
- 35. The Developer shall submit a landscape plan in accordance with the Deferred Servicing Agreement, dated April 22, 20215, to the satisfaction of the Parks Department.
- 36. Prior to the issuance of a Development Permit, the Detailed Site Servicing Plan (DSSP) shall be approved by the Development Authority.

Riparian Protection – During Construction:

- 37. The Developer shall install comprehensive sediment and erosion control practices during construction.
- 38. The Developer shall compensate or replace any impacts or disturbances to the riparian area with native plant species to maintain the natural riparian function.
- 39. The Developer shall implement physical barriers to prevent vehicles from entering the riparian setback area outside of the development footprint.
- 40. The Developer shall preserve natural vegetation outside of the development footprint. Limit construction activities, material laydown, construction equipment, or vehicles from disturbing or damaging lands within the riparian area.
- 41. The Developer shall ensure erosion and sediment control measures are in place according to the City of Calgary guidelines before any construction begins. The Developer is responsible for conducting weekly erosion and sediment control inspections in accordance with the City of Calgary guidelines and submit to Engineering Services at esc@airdrie.ca.
- 42. The Developer shall ensure any vegetation or landscaping that is removed, damaged or disturbed during construction shall be replaced at the Developer's sole cost.

### **Advisory Comments**

- a) All other necessary permits and inspections are the responsibility of the applicant including, but not limited to, Building Permits and Fire Approval and shall be submitted to the City as required. Please contact the Building Department at 403-948-8832 and/or the Fire Department at 403-948-8880.
- b) Environmental professionals must be consulted to provide guidance if any odor or stains are encountered during the future excavation or disturbance of the surface or subsurface soil.
- c) Administration is directed to collect relevant off-site levies, as well as voluntary recreation contributions in the amount of \$255,600.00 (calculated on the basis of \$1200 per residential unit), in accordance with Bylaw No. B-11/2019.
- d) Based on City of Airdrie Council Resolution 2022-C-046, City of Airdrie collaborates with Building Industry and Land Development Association (BILD) - Calgary Region and the local school boards to secure land assembly funding for future high school sites. According to the Memorandum of Understanding (MOU) between BILD and City of Airdrie dated January 31, 2022, the charge for the high school land assembly is \$608.56 per residential lot or dwelling unit, subject to annual inflation adjustment. The charge is \$129,623.28 for 213 units.
- e) Bottom joists of the first floor or the top surface of the slab on grade shall be located above 1:100-year water level: 1,082.74m. Any floor level below the 1:100-year flood level should be designed and constructed to withstand periodic floods by using appropriate design materials, sump pumps, and include flood proofed electrical outlets and easily moveable fixtures.
- f) All electrical, heating, air coditioning and mechanicial equipment shall be located above the 1:100-year water level and provide an additional 0.6m freeboard.
- g) Any storage facilities (ie. underground stormwater tanks or other vessels) or substructure situated below the 1:100-year flood level should be specifically designed to resist flotation.
- h) The ramp to the underground parkade should be graded to prevent the 1:100-year flood waters from entering the parkade.
- If building openings or parkade ramp elevations are below the estimated 1:100-year flood level plus 0.6m of freeboard, dry floodproofing measures should be implemented. These measures can include flood shields, gates, stop logs, or other components designed to withstand hydrostatic pressure and keep floodwaters out during events greater than the 1:100-year flood level.
- j) The Developer, not the City of Airdrie, shall responsible for the collection of garbage, waste, compost and recycling.
- k) The Developer shall contact utility providers (gas, electric, telecommunications) and arrange for utilities to be installed or relocated in accordance with the utility provider requirements, at the Developer's sole cost.
- Street Address: Occupancy municipal street address shall be posted and clearly visible at all times (Standata FCI-09-03). Affixed in a visible location 2 meters from the ground or taped to the inside of the front-facing

window. Street signs should be present. The unit or suite number is required to be visible at the primary entrance.

- m) The Development Authority may approve this permitted use under Land Use Bylaw Section 2.4.3 (1)(b) with or without conditions, even if the proposed development does not conform with this Bylaw, if, in the opinion of the Development Authority there would not be an undue impact on the use, enjoyment, amenity and value of the adjacent properties and/or neighbourhood, or if the impact on such properties could be mitigated through the adherence of specific conditions of approval.
- n) Council adopted on April 16, 2024, Land Use Bylaw Amendment (Bylaw B-17/2024) that the Development Officer shall decide on all development permit applications in the Community Revitalization Levy boundary area. This development permit approval is with Administration and does not require a meeting with the Community Infrastructure Strategic Growth (CISG) Committee, formerly the MPC.
- o) Engineering Services have advised following the requirements from the Fire Flow Letter to propose a 2-hour fire-rated firewall inside the building without unprotected openings.
- p) Engineering Services have advised following the requirements from the Fire Flow Letter to propose a complete automatic sprinkler system.

Development Authority V



Date Printed: March 21, 2025

UMBER KHAN, SITE SUPERVISOR UK ONE CONSTRUCTION LTD. 353 SANTANA BAY NW CALGARY, AB T3K 3N6

## WARNING LETTER

Subject: Contravention of Development Permit Approval Application Number: PL2300906 Approved Use: Mixed Use Development, General

Property Address 196 EDWARDS WAY SW, AIRDRIE, AB Legal Description Lot: 6, Block: 1, Plan: 1511409

Dear Mr. Khan,

In accordance with the provisions of the Municipal Government Act Part 17 and the Land Use Bylaw B-01/2016 Section 2.8.1, the City of Airdrie has the authority to enforce the conditions of the development permit issued for the construction at 196 Edwards Way SW.

Engineering Services emailed a warning on March 5, 2025, to take immediate action to keep the City road clean from gravel, mud, or other sediments. Engineering Services and the Development Compliance Officer emailed a second warning on Wednesday, March 19, 2025, to clean up the mud from the City road. Engineering Services, Public Works, and you met on site on March 20, 2025, and emphasized the silt fence requires immediate action and that the sediment and gravel tracked onto the roads need to be cleaned up right after the occurrence. It cannot wait until the end of the day.

The development at 196 Edwards Way SW has not complied with the development permit conditions, and the City is now serving this warning letter for your action.

The contraventions are as follows with steps to comply:

1. Condition #10: Prior to commencing any activity on the lands, the Developer shall enter into and abide by a development agreement in accordance with section 650 of the Municipal Government Act, containing terms acceptable to the City, including, but not limited to street improvements on Edwards Way and the taking of security to secure the terms of the agreement.

### Action Required:

• The Developer has entered into a development agreement dated September 12, 2024. Section 15.3 of the agreement requires the Developer to monitor the condition of Public Properties and take immediate action. The problem of mud, gravel, and other sediments tracked onto public streets shall be cleaned immediately and kept clean for the duration of construction. The tracking of mud and gravel onto city streets also violates the city's Streets Bylaw and is subject penalties by Municipal Enforcement.



2. Condition #41: The Developer shall ensure erosion and sediment control measures are in place according to the City of Calgary guidelines before any construction begins. The Developer is responsible for conducting weekly erosion and sediment control inspections in accordance with the City of Calgary guidelines and submit to Engineering Services at <u>esc@airdrie.ca</u>.

### **Action Required:**

• Most of the silt fence around the site was installed with the posts on the wrong side. The posts should have been installed as per the City of Calgary 2022 Standard Specifications Erosion and Sediment Control, with the posts on the downstream side. The ESC consultant shall submit pictures of the whole silt fence in the ESC Report going forward, effective Monday March 24, 2025. Furthermore, some sections of the silt fence are broken or buried in dirt and need to be corrected immediately. No vehicle access is permitted in the ER without the City's approved environmental protection plan, restoration plans, ESC Plan, and any applicable provincial approvals.

If these items are not remedied, the City may take further enforcement action such as issuing a Stop Order and/or tickets.

Please be advised that protecting the riparian area is vital for preserving biodiversity and natural habitats. The Erosion and Sediment Control (ESC) plan ensures this by preventing soil erosion and sediment runoff during construction. This development has failed to stay in compliance with the approved development permit and ESC plans. Any further infractions or violations for the remainder of the project will result in immediate enforcement, with no additional warning letters issued.

This letter is hand delivered on the date above, sent by registered mail, and emailed to you and others identified in this Warning Letter.

Sincerely,

Gail Gibeau, RPP, MCIP Development Officer/Team Leader Current Planning City of Airdrie

Tel: 403-948-8832 Email: Planning@airdrie.ca

cc. Brady Christensen, Development & Design Manager, Strategic Group (bchristensen@strategicgroup.ca) Tracey Tester, Senior Planner, City of Airdrie, (tracey.tester@airdrie.ca) Shannon McCarron, Development Compliance Officer, City of Airdrie (shannon.mcCarron@airdrie.ca) Municipal Enforcement, municipal.enforcement@airdrie.ca Engineering Services, esc@airdrie.ca



# **STOP ORDER**

Delivered by Hand/Registered Mail

## Issued: April 29, 2025

To: Umber Khan, UK One Construction Ltd. [CONTRACTOR] 353 Santana Bay NW, Calgary, AB, T3K 3N6

> **Braden Kidd, Strategic Group [LANDOWNER]** Suite 400, 630 – 8 Avenue SW Calgary, AB, T2P 1G6

**Casola Koppe Architects [DEVELOPMENT PERMIT HOLDER]** 300, 1410 1 Street SW Calgary, AB, T2R 0V8

## Re: Illegal Development on Lot 6; Block 1; Plan 1511409 (the "Lands")

In my capacity as Development Officer for the City of Airdrie, I am hereby issuing a Stop Order to the above-named recipients (together, the "Developer") pursuant to section 645 of the *Municipal Government Act*, with respect to the aforementioned Lands.

Part 17 of the *Municipal Government Act* and section 2.8.1 of the City of Airdrie's Land Use Bylaw authorizes a Development Officer to issue a Stop Order where a development or use of land or building does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

### CONTRAVENTIONS:

On August 7, 2024, the City issued Casola Koppe Architects a development permit for the Lands, permit number PL2300906 (the "DP"). The DP included the following conditions:

- 1. DP Condition #2: All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
- 2. DP Condition #3: Any changes to the design, format, location, orientation, capacity, intensity or use of any part of the development requires approval by the Development Authority.

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- 3. DP Condition #4: All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards
- 4. DP Condition #12: This development shall be constructed in accordance with the recommendations and requirements of the Nose Creek Riparian Assessment, dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- 5. DP Condition #15: The developer shall not dump grass clippings or other landscaping debris into the Nose Creek riparian corridor to prevent the spread of weeds.
- 6. DP Condition #32: There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development.
- 7. DP Condition #34: This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Floodway and Setback Delineation", dated May 16, 2024 prepared by Matrix Solutions Inc. consulting services.
- 8. DP Condition #39: The Developer shall implement physical barriers to prevent vehicles from entering the riparian setback area outside of the development footprint.
- 9. DP Condition #40: The Developer shall preserve natural vegetation outside of the development footprint. Limit construction activities, material laydown, construction equipment, or vehicles from disturbing or damaging lands within the riparian area.

An inspection of the Lands and the development on the Lands (the "Development") by City staff on April 22, 2025, and April 28, 2025, showed that:

- The Developer has failed to adhere to the approved Erosion and Sediment Control Plan (the "ESC Plan") by causing soil erosion on adjacent Lands, in contravention of DP condition 2. The approved ESC Plan from February 19, 2025 has not been implemented;
- 2. The sediment holding pond is not constructed in the approved location and at risk of breaching.
- 3. The Development encroaches on the adjacent lands, owned by The Canada Life Assurance Company of C/O GWL Realty Advisors Inc., legally known as Lot 1, Block 1, Plan 0912740, ("Canada Life Lands"), including the Nose Creek riparian area (the "Nose Creek riparian area"). The Development further encroaches on

Page 2 of 5



Edwards Way and 1st Avenue. These contraventions are in contravention of DP conditions 2 and 3;

4. Soil and construction materials and debris, vehicles and activities encroach on the Nose Creek riparian area in contravention of DP conditions 12, 15, 32, 34 and 40;

and

5. Inadequate physical barriers have been erected to prevent vehicles from entering the Nose Creek riparian area in contravention of DP conditions 12 and 39.

The above conventions are causing damage to adjacent lands and municipal infrastructure.

## ORDER

In accordance with section 645 of the *Municipal Government*, RSA 2000, c M-25 (the "Act") and section 2.8.8 of the City's *Land Use Bylaw*, **YOU ARE ORDERED TO:** 

## 1 <u>IMMEDIATELY cease construction activity on the Lands until contraventions</u> 2, 6, and 7 of this Order are completed to the City's satisfaction.

- 2 <u>Immediately</u>, the existing sediment holding pond needs to be emptied to prevent breaching and contamination of Nose Creek with each precipitation event.
- **3 By 4:00 pm on May 5, 2025,** provide the City a survey by a qualified surveyor (the "Survey") that shows:
  - (a) All boundaries of the Lands;
  - (b) The extent and area of any and all ground disturbance that encroaches from the Lands onto all adjacent properties, including but not limited to Edwards Way and the Nose Creek riparian area; and
  - (c) The extent and area of any and all ground disturbance in the Provincial Flood Way of Nose Creek that results from the Development.
- 4 If the Survey shows any ground disturbance within the Provincial Flood Way of Nose Creek, the Developer shall **immediately** notify the Ministry of Environment and Protected Areas.



- 5 <u>By 4:00 pm on May 5, 2025</u>, provide the City with an erosion and sediment control plan that addresses how the Developer will prevent any future erosion impacts on adjacent lands. Submit to: <u>esc@airdrie.ca</u>.
- 6 <u>By 1:00 pm on May 6, 2025</u>, remove all equipment, materials, debris, deposited soil, supplies, and other encumbrances (together, the "Materials") from Lands, described as Lot 1, Block 1, Plan 0922740 and within the road right-of-ways. Mechanized equipment, such as vehicles and bobcats, may not be used on or in the Nose Creek riparian area to remove the Materials.
- 7. <u>By 4:00 pm on May 15, 2025</u>, the Erosion and Sediment Control (ESC) Plan needs to be implemented and inspected by Engineering Services. The existing sediment holding pond does not meet Engineering Services design specifications and requires a statement from the engineer of record;
- 8 <u>By 1:00 pm on May 16, 2025</u>, provide the City with an environmental damage assessment and restoration plan prepared by a qualified environmental professional that:
  - (a) Details all impacts to the Nose Creek riparian area resulting from the Development and encroachment into this area; and
  - (b) Provides a plan to restore the Nose Creek riparian area to its pre-disturbed state (the "Restoration Plan").
- **9 By 1:00 pm on May 29, 2025**, undertake any and all work required within the Restoration Plan to restore the Nose Creek riparian area to its pre-disturbed state.

Nothing in this Order or any City plan reviews, inspections, or approvals grants development on a third-party's property without their consent. The Canadian Life Assurance Company must provide consent for access and development on their lands. This order does not disallow any obligations under any stop orders or enforcement.

The failure to meet any of the above dates is considered a breach of this Stop Order.

You are hereby advised that you have right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, written notice of an appeal, together with an applicable appeal fee of \$250 must be received by the Clerk of the Subdivision and Development Appeal Board within 21 days of the date this Order was made. The address for filing an appeal is:

By email: Appeals@airdrie.ca, or By mail or courier: 15 East Lake Hill NE, Airdrie, AB T4A 2K3 In person: City Hall, 400 Main Street SE, Airdrie, AB

Page 4 of 5



## CONSEQUENCES OF FAILURE TO COMPLY

Be advised that the City of Airdrie has the authority, in the event this Stop Order is not complied with within the time limits provided, to enter into the Lands in accordance with Section 542 of the *Municipal Government Act* to take whatever actions are determined by the City to be necessary to bring the Lands into compliance, and may seek an Injunction or other relief from the Court of King's Bench of Alberta pursuant to section 554 of the *Municipal Government Act*. Further, the City has the authority to ass the costs and expenses of carrying out this Stop Order to the tax roll for the Lands pursuant to Section 553(1)(h.1) of the *Municipal Government Act*. It is the City's practice to seek legal costs on a solicitor-client basis.

This Order may be registered as a caveat against the Certificate of Title for the Lands subject to this Order, until such time as the contraventions set out herein have been remedied, pursuant to section 646(2) of the *Municipal Government Act*.

1

Gail Gibeau, RPP, MCIP Development Officer

ENQUIRIES regarding this Stop Order and official letter may be made to the person who signed the Stop Order, during office hours only, at City Hall, 400 Main Street SE, Airdrie or by phone at 403.948.8800 ext. 8496.

cc. Tracey Tester, Senior Planner, City of Airdrie, <u>Tracey.Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie, Shannon.McCarron@airdrie.ca Stephanie Martin, Team Lead, Building Inspections, City of Airdrie, <u>Stephanie.Martin@airdrie.ca</u> Canada Life Assurance Company C/O GWL Realty Advisors Inc., Tyler Ellis, Senior Director of Investment. <u>tyler.ellis@gwlra.com</u> Richview Engineering, Robin Li, P.Eng., <u>Robin@richvieweng.com</u>

Page 5 of 5

Property Info	rmation	General Information	
Municipal Address		Inspector Name	Jeremiah Kevin
	196 Edwards Way	Date	April 22, 2025
		Time	09:00 AM
DP File #	PL2300906	Weather	Sunny
		Temperature	10C



## **OBSERVATION AND DESCRIPTION**

1. Jeremiah Kevin (Environmental Specialist) met with Umber Khan (UK ONE Construction) and Branden Kidd (Strategic Group) on site at 9am on Tuesday, April 22, 2025.

2. Site condition: snow covered, and muddy

2. The surveyor (Total Geomatics) was not on site today. The surveyor visited the site on Easter Monday April 21, 2025, without any City staff present. The surveyor went yesterday due to an overnight snow forecast.

3. Jeremiah Kevin walked the route indicated on the map above. Wooden survey stake has been installed when arrived (orange stake).

3. The surveyor could only complete 75% of the survey work because equipment obstructed the property line. No construction crew was on site on Monday, April 21, to move the equipment. 4. Couple of light duty truck observed entering the site

4. When asked, Mr. Khan was unable to provide the exact date and time for the surveyor's return to the site, likely when ground condition improves.

5. The conclusion is that the development has encroached on the City's riparian area.













General Information	
Employee Name Jeremiah Kevin & Tracey	
Tester	
Date April 28, 2025	
Time 09:00 AM – 10:00 AM	
Weather Sunny	
Temperature 10C	





## **OBSERVATION AND DESCRIPTION**

1. The City of Airdrie referred to the Enforcement Order posted on the fence gate last Friday and advised that a second order will be issued today regarding the development permit violations.

2. The City requested a timeline and a survey sketch outlining the extent of encroachment and disturbance in the riparian area. Total Geomatics will use the existing construction fencing and the correct property line to complete this plan, which will be submitted to the City of Airdrie on Tuesday, April 29, 2025.

3. The City requested that the plan include the Provincial floodway layer. Total Geomatics confirmed that they do not have the GIS capability to add the Provincial floodway layer. Upon submission, the City will add this layer if it has not been included.

4. Total Geomatics confirmed that all survey control points were located according to the approved survey plan; however, due to obstructions such as sea cans, construction materials, and soil stockpiles along the property line, they were unable to install the survey stakes in that area. The topographic survey cannot be completed until these obstructions are removed.

5. The City of Airdrie emphasized that due to potential encroachment into the Provincial floodway, UKOne is not permitted to work in the disturbed area. During the site meeting, UKOne indicated that equipment such as a Bobcat would be required to move sea cans, construction materials, and soil stockpiles. However, no further works on the disturbed area is permitted until communication with the province. UKOne indicated that the developer (Strategic Group) has been in communication with the province but they were unaware of the details of the communication and the reference number.

6. The City of Airdrie conducted a walk outside the fenced area and observed that the ESC storage ditch had not been constructed. Although UKOne had indicated its status in the weekly ESC submission report, the storage ditch was a requirement of the latest approved ESC plan. UKOne stated they were unable to construct the storage ditch due to the ongoing encroachment issues.

7. The City of Airdrie inspected the northwest area along the property line and observed the sediment pond. The water level had risen significantly compared to the previous site visit on April 22nd, with the pond now nearing its full capacity. No hydrovac truck was observed onsite.

8. The City of Airdrie observed that the first layer of the silt fence was damaged in multiple areas (refer to attached photos).

9. UKOne Construction reported that they are unable to move the soil stockpile until they are ready to begin backfilling. They have requested a building inspection of the foundation wall.

10. Jeremiah returned to the site at 3:30 p.m. to observe if there was any diversion of water from the sediment pond into Nose Creek. Upon arrival, Stephanie Barrie from Water Services was also present. We observed that no pumping of water into the creek was occurring. However, it appeared that the pond had been enlarged to help lower the water level.

































Suite 400, Strategic Centre 630 – 8 Avenue SW Calgary AB T2P 1G6 strategicgroup.ca

May 14, 2025

City of Airdrie City Hall, 400 Main Street SE, Airdrie, Aberta VIA EMAIL: Gail Gibeau, RPP, MCIP: <u>Gail.Gibeau@airdrie.ca</u> Tracey Tester, Senior Planner, City of Airdrie: <u>Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie: <u>Shannon.McCarron@airdrie.ca</u> Stephanie Martin, Team Lead, Building Inspections, City of Airdrie: <u>Stephanie.Martin@airdrie.ca</u>

Dear Sir/Madam,

## Re: Stop Order dated April 29, 2025, in respect of Lot 6; Block 1; Plan 1511409 (the "Lands")

I am writing in response to the Stop Order dated April 29, 2025, and the comments the City of Airdrie provided on the revised Erosion and Sediment Control (ESC) Plan submitted for the Lands. The purpose of this letter is to express Strategic Group's commitment to remedying the non-compliances identified in the Stop Order and find a way to promptly remedy those instances of non-compliance in cooperation with the City.

Strategic Group acknowledges that its contractor has inappropriately piled soil within the Nose Creek floodway and Nose Creek riparian area in contravention of the terms of the Development Permit. Strategic Group further acknowledges that while the soil remains piled in the floodway it is at risk of being washed into Nose Creek if a once in a generation storm occurs. For that reason, Strategic Group understands that the soil must be removed from the floodway as soon as reasonably possible and does not dispute the appropriateness of the Stop Order being issued. However, certain terms of the Stop Order are not reasonable, either because they work against the purpose of the Stop Order or because the deadlines for meeting them are not reasonable in the circumstances. Therefore, Strategic Group requests that the City amend the Stop Order to remove the absolute prohibition on using mechanical equipment within the Nose Creek riparian area and revise the deadlines for completing orders 6 through 9 in the Stop Order.

1

## Use of mechanized equipment

Order 6 of the Stop Order prohibits the use of mechanized equipment within the Nose Creek riparian area. While Strategic Group appreciates the sensitive nature of the Nose Creek riparian area, the absolute prohibition on any use of mechanized equipment in it is not reasonable. By prohibiting the use of mechanized equipment in the Nose Creek riparian area, the Stop Order has effectively made it impossible to remove piled soil from the riparian area in any reasonable amount of time, which is contrary to the intention of the Stop Order. In addition, the absolute prohibition on the use of mechanized equipment within the riparian area area contradicts the initial development permit, which permitted the construction of an underground parkade within the riparian area on the northwest corner of the Lands, which requires the use of mechanized equipment. Similarly, over the last week, Ellis Don has been safely using mechanized equipment within the riparian area.

Strategic Group believes that the purpose of the Stop Order and protection of the Nose Creek riparian area can be better served by permitting Strategic Group's contractors to use mechanized equipment within the riparian area, provided that proper precautions (e.g. pressure dispersion plates) are used to prevent equipment from damaging the surface. In addition, any impact the mechanized equipment may have on the riparian area will be remediated under orders 8 and 9 of the Stop Order. For these reasons, Strategic Group requests that the Stop Order be amended to permit the use of mechanized equipment within the riparian area, provided that proper measures are put in place to prevent that equipment from damaging the surface of the riparian area.

## Incorporating time for the City's approval of the revised ESC Plan

Even if Strategic Group is permitted to use mechanized equipment to relocate soils stored in the riparian area, the deadlines for the relocation of piled soil, implementation of a revised ESC Plan, and subsequent remediation of the riparian area are not reasonable in the circumstances. In particular, orders 6 through 9 of the Stop Order do not make accommodations for the time required for the City to review and approve the required revised ESC Plan. This is not reasonable because the work required to comply with orders 6 through 9 of the Stop Order is contingent on the City's approval of the revised ESC Plan.

Strategic Group's consultant delivered a revised ESC Plan to the City for approval on May 2, 2025, but only received comments on the revised ESC Plan on May 13, 2025. This intervening 11-day review period would have made it impossible to implement the revised ESC Plan before May 15, 2025, even if the revised ESC Plan had been approved. The time required to respond to the City's comments and then wait for final approval of the revised ESC Plan will further prevent Strategic Group's contractors from completing orders 6 through 9 by the deadlines set out in the Stop Order. For those reasons, Strategic Group requests that orders 6 through 9 of the Stop Order be amended to include reasonable timelines that begin to run when the City approves a revised ESC Plan for the Lands.

2
#### **Conclusion**

In summary, Strategic Group is committed to ensuring that the development on the Lands is brought into compliance and that the impacts of any prior instances of non-compliance are promptly remediated. The intention of this letter is not to be adversarial or criticize the City's approach to these issues, Strategic Group only asks that it be permitted to use the appropriate resources and given a reasonable amount of time to implement the required solutions in partnership with the City. I would welcome a discussion regarding the above requested amendments and the best approach to bringing the Lands into compliance at your earliest convenience.

Yours truly,

Strategic Group

Branden Kidd Development Manager

3

#### **Tracey Tester**

Subject:

FW: Stop Order - April 29, 2025 - Request to Amend

From: Branden Kidd <<u>BKidd@strategicgroup.ca</u>>
Sent: Wednesday, May 14, 2025 12:14 PM
To: Tracey Tester <<u>Tracey.Tester@airdrie.ca</u>>; Gail Gibeau <<u>Gail.Gibeau@airdrie.ca</u>>; Shannon McCarron
<<u>Shannon.McCarron@airdrie.ca</u>>; Stephanie Martin <<u>Stephanie.Martin@airdrie.ca</u>>;
Subject: Re: Stop Order - April 29, 2025 - Request to Amend

Tracey,

Thanks for your response.

We would like to propose items #6 to #9 be subject to the approval of the ESC plans.

Item #6 and #7 (removal of all soils and materials from the neighbor property, and implementation of the approved ESC plan) are the same. Critical to our proposed ESC plan is ensuring all the soils are removed from the neighbor's property. I would like to propose that our contractor have the vast majority of the earth moved from the neighbor's property in 2 weeks from ESC approval date and completely removed within 3 weeks of the ESC approval. Further, within 3 weeks of ESC approval, the full ESC plan will be implemented and ready for inspection.

For item #8, 2 weeks after the ESC plans are approved, (when the vast majority of soils are removed from site), we will have an environmental consultant on site to inspect the grounds. 1 week later (3 weeks from the approved ESC plans date), a report will be provided to the city specifying the required restoration plan (items 8a and 8b)

#9. Without knowing the extent of what is involved in the restoration plan, a timeline is impossible to forecast. I propose that within 1 week of the submission of the restoration plan to the city, a contractor will be retained, and restoration work shall commence.

With the commencing of restoration work, we would like to propose lifting of the stop order subject to the commencement of restoration work, with our assurance that the restoration work will continue uninterrupted until it is completed per the restoration plan.

If the City would like to discuss these timelines above, I can make myself available for a meeting to discuss this matter in detail at any time.

Warm Regards,

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:587.404.4166 Main:403.770.2300

bkidd@strategicgroup.ca strategicgroup.ca



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From: Tracey Tester Sent: Wednesday, May 14, 2025 11:09 AM To: Branden Kidd; Gail Gibeau; Shannon McCarron; Stephanie Martin Subject: RE: Stop Order - April 29, 2025 - Request to Amend

Hi Branden,

I acknowledge receiving your letter requesting an extension pertaining to orders 6 to 9 in the Stop Order.

Internal staff are meeting at 3 pm today to discuss this request. In preparation, does Strategic Group have a date in mind to complete the work? It would be helpful for the meeting this afternoon if staff had input on what Strategic Group considers a reasonable timeframe for completion.

Sincerely,

Tracey Tester, RPP, MCIP Senior Planner, Current Planning | City of Airdrie | P. 403.948.8800 ext 8205

MyAirdrie. Make it yours at airdrie.ca - sign up for your personalized account today.

From: Branden Kidd < BKidd@strategicgroup.ca> Sent: Wednesday, May 14, 2025 8:48 AM To: Gail Gibeau <<u>Gail.Gibeau@airdrie.ca</u>>; Tracey Tester <<u>Tracey.Tester@airdrie.ca</u>>; Shannon McCarron <<u>Shannon.McCarron@airdrie.ca</u>>; Stephanie Martin <<u>Stephanie.Martin@airdrie.ca</u>> Subject: [EXTERNAL] Stop Order - April 29, 2025 - Request to Amend

CAUTION: This email originated from outside the organization. Do NOT click on links or open attachments you do not trust.

City of Airdrie,

I am writing you today to reinforce Strategic Groups commitment to resolving all Stop Order requirements described within the April 29, 2025 Order as a result of our contractors' inappropriate actions. For reasons and rational specified within the attached letter, we are kindly asking the City of Airdrie to amend the Stop Order to allow for the appropriate time and methodology to remedy all items noted within the Stop Order.

I understand this situation has not been ideal for any party to date and want to ensure we are given the opportunity to be part of the solution and progress towards a far better overall site for both the City of Airdrie and Strategic Group as a whole.

Thank you, we look forward to your response on this time sensitive matter.

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:<u>587.404.4166</u> Main:<u>403.770.2300</u>

bkidd@strategicgroup.ca strategicgroup.ca



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#### May 15, 2025

To:	Strategic Group Suite 400, 630 – 8 Avenue SW, Calgary, AB T2P 1G6
	Creekside Corp. Suite 430, 2020 4 <sup>th</sup> Street SW, Calgary, AB T2S 1W3
	UK ONE Construction Ltd. 353 Santana Bay NW, Calgary, AB, T3K 3N6
Subject:	Response to Request for Extension – Stop Order Compliance on Lot 6, Block 1, Plan 1511409 (the "Lands")

Attention: Branden Kidd, Development Manager,

We write in response to correspondence received from Strategic Group on May 14, 2025, regarding the Stop Order issued on April 29, 2025, attached to this letter. We acknowledge the request for an extension to the deadlines with several of the directives in the Stop Order. The City is not granting an extension of the deadlines in the Stop Order. However, the City will refrain from taking enforcement action until the dates outlined below.

This agreement to delay enforcement **does not alter or extend any appeal timelines** with the Stop Order. Furthermore, the agreement to refrain from enforcement action is conditional on consistent demonstration of active and diligent efforts towards full compliance with the Stop Order. This includes timely submissions, responsiveness to City feedback, and visible progress on required actions. Based on the City's turnaround times to review reports and submissions, we believe the dates below are reasonable and achievable.

#### A. Stop Order Directives

#### Order #1

• Construction activities on the Lands continue to be barred because of failure to meet directives #6 and #7.



#### Order #2

• The City acknowledges the sediment holding pond has been emptied. <u>This</u> requires ongoing monitoring and emptying to prevent breaching and contamination of Nose Creek.

#### Orders #3 and #4

• The City acknowledges that directives #3 & #4 of the Stop Order have been met.

The City confirms the survey provided under directive #3 shows ground disturbance within the Provincial Flood Way of Nose Creek.

#### Order #5 – Provision of Erosion and Sediment Control Plan

• The City acknowledges the receipt of an erosion and sediment control plan ("ESC Plan") as required by directive #5 of the Stop Order and has provided a list of deficiencies to be remedied. Provide the City with a revised ESC Plan that addresses the deficiencies by **4:00 PM on Monday May 19, 2025.** 

#### Order #6 – Removal of Material

- No enforcement until May 29, 2025
- This work is not contingent on ESC approval or the restoration plan. As such, **removal must proceed immediately** using unmechanized equipment outside the construction fencing. Mechanized equipment may only be used within the existing construction fence. Use of mechanized equipment outside the fence is only permitted as outlined in an approved restoration plan (per Order #8).
- As stated in the Stop Order, consent is required from private landowners to access neighbouring properties.

#### Order #7 – Implementation of ESC Plan

- No enforcement until 10 business days following ESC plan approval
- Enforcement deferral is contingent upon **Strategic Group** or its agents actively addressing the City's comments and resubmitting a complete ESC plan that addresses the deficiencies and providing evidence of a contract with a qualified environmental professional no later than **4:00 PM on Monday, May 19, 2025**.



#### Order #8 – Environmental Assessment & Restoration Plan

- No enforcement until 1:00 PM on June 26, 2025
- Enforcement deferral is contingent on diligent progress, including timely communication with the City, and submission of required reports and resubmission within 36 hours of receiving City comments so a complete plan that meets the City's requirements are approved by June 26, 2025.
- Enforcement deferral is also contingent on providing evidence of a contract with a qualified environmental professional.

#### **Order #9 – Implementation of Restoration Plan**

- No enforcement until 2 weeks following restoration plan approval.
- As above, enforcement deferral is contingent on the demonstration of active compliance efforts, including the timely provision of required information.

#### B. Access to the Lands

Permission is not required to enter the Lands to conduct work required by the Stop Order. However, all persons entering the Lands must wear required personal protective equipment and comply with appropriate safety measures.

We trust that this approach provides a practical path forward while maintaining the integrity of the Stop Order. Should you have any questions or require clarification, please do not hesitate to contact our office.

Sincerely,

Gail Gibeau, RPP, MCIP Development Officer

- ATT. Stop Order, dated April 29, 2025 Timeline Extension Requested, email dated May 14, 2025
- CC. Tracey Tester, Senior Planner, City of Airdrie, <u>Tracey.Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie, <u>Shannon.McCarron@airdrie.ca</u>



Stephanie Martin, Team Lead, Building Inspections, City of Airdrie, <u>Stephanie.Martin@airdrie.ca</u>

Canada Life Assurance Company C/O GWL Realty Advisors Inc., Tyler Ellis, Senior Director of Investment, <u>tyler.ellis@gwlra.com</u> Richview Engineering, Robin Li, P.Eng., Robin@richvieweng.com

#### City of Airdrie Subdivision and Development Appeal Board

A notice of appeal for a development matter must be filed within 21 days of the development authority's written decision. A notice of appeal for a subdivision matter must be filed within 14 days after the receipt of the subdivision authority's written decision.

A fieldes et appear for a casarrent						
Appellant (Landowner, applicant, or affected	party filing	the appeal)				
Name of Appellant(s) Strategic Group				Teleph		404-4166
Mailing Address Suite 400, 640 8th Ave SW Municipality C			algary		Province AB	Postal Code T2P1G6
E-mail Address (By providing an e-mail address /	consent to re	ceive documents	<sup>by e-mail)</sup> bk	idd	@strate	gicgroup.ca
Property under appeal		a secondar				
Municipal Address 196 Edwards Way SW			Legal Land Description (Lot, Block, Plan) Lot 1, Block 1, PLan 1511409			
Development Permit #, Subdivision Application #, or Enforcement Order # PL2300906			Date of decision April 29, 2025			
Matter being appealed (check one box only)	6.00 M					
<b>Development authority decision</b> <ul> <li>Approval or the conditions of approval</li> <li>Refusal</li> </ul>	Subdivision authority decision  Approval or the conditions of approval Refusal			l	Enforcement of Stop Order	decision
Reasons for appeal (attach separate page if	required) - /	All appeals must	contain reaso	ons		
<b>Reasons for appeal</b> (attach separate page if required) - All appeals must contain reasons The Appellant's only objections to the terms of the Stop Order are the prohibition on using mechanical equipment to remove deposited soils from the Nose Creek riparian setback and the deadlines for completing orders 6 through 9 in the Stop Order. Order 6 of the Stop Order prohibits the use of mechanized equipment within the Nose Creek riparian area. The absolute prohibition on any use of mechanized equipment is not reasonable. By prohibiting the use of mechanized equipment in the Nose Creek riparian area, the City has effectively made it impossible to remove soils from the riparian area in any reasonable amount of time, which is contrary to the intention of the Stop Order. Strategic Group believes that the purpose of the Stop Order and protection of the Nose Creek riparian area can be better served by permitting Strategic Group and its contractors to use mechanized equipment within the riparian area, provided that proper precautions are used to prevent equipment from damaging the grass and soil. In addition, the deadlines for competing orders 6 through 9 in the Stop Order are not reasonable because they do not incorporate the time required for the City to approve work required by the Stop Order and the City has prohibited Strategic Group's contractors from entering the site to undertake the work required to comply with the Stop Order because of its own contractor being on site. Strategic Group requests that the Stop Order be varied to expressly permit the use of mechanized equipment with area currently enclosed by construction fencing and that the deadlines for completing orders 6 through 9 be revised to reasonable timelines that begin to run from the City's approval of the revised ESC Plan and are extended for any period the City does not permit Strategic Group's contractor's to access the site.						addines for ne use of on any use of ment in the Nose he riparian area in trategic Group area can be better it within the riparian the grass and soil. easonable because Stop Order and the he work required to up requests that rea currently gh 9 be revised to n and are extended
Signature of Appellant			Date May	20, 2	2025	

The personal information on this form is collected for the purpose of administering the Subdivision and Development Appeal Board appeal process and becomes a public document which may be provided to those who may be affected by your appeal. This personal information is collected under the authority of section 33(c) of the *Freedom of Information and Protection of Privacy Act*. Questions concerning the collection of this information can be directed to the FOIP Coordinator at (403) 948-8816 or by e-mail to foip@airdrie.ca. **City Of Airdrie** 400 Main ST SE Airdrie AB T4B 3C3



#### **RECEIPT OF PAYMENT**

#### SDAB APPEALS PETER SEREDYNSKI

Notes:

Receipt Number: 11860033 Tax Number: R106929961 Date: May 21, 2025 Initials: DK

Туре	Account / Ref. #	Description	Quantity	Discount	Amount Paid	Balance Remaining
General	132	SDAB APPEAL FEE	1	\$0.00	\$250.00	N/A
General	214	CREDIT CARD SURCHARGE FEE	1	\$0.00	\$4.02	N/A
				Subtotal:	\$254.02	
				Taxes:	\$0.00	
			Tota	I Receipt:	\$254.02	_
			Cr	edit Card:	\$254.02	-
Cash		\$0.00				
Cheque Cheque #		\$0.00				
Debit/Credit		\$254.02 To	otal Amount	Received:	\$254.02	_
		\$201.02		Rounding:	\$0.00	
			Amount	Returned:	\$0.00	=

CITY OF AIRDRIE 400 MAIN ST SE T4B3C3 AIRDRIE, AB

#### SALE PHONE ORDER

Batch #: 221	RRN: 0012210010
05/20/25	15:56:52
Invoice #: 1	CVD: Y
APPR CODE: 072082	REF#: 00000001
MASTERCARD	Manual CNP
**********6424	**/**

AMOUNT	\$250.00
SURCHARGE	\$4.02

TOTAL \$254.02

#### **001 APPROVED**

Retain this conv for your records

CUSTOMER COPY

May 30, 2025

City of Airdrie City Hall, 400 Main Street SE, Airdrie, Aberta VIA EMAIL: Appeals@airdrie.ca

Dear Sir/Madam,

Re: Appeal of Stop Order dated April 29, 2025 (the "Stop Order"), in respect of Lot 6; Block 1; Plan 1511409 (the "Lands")

#### Overview

The Lands are currently being developed under the terms of a development permit dated August 7, 2024 (the "**Development Permit**") (Schedule 1). Between April 22, 2025, and April 28, 2025, the City of Airdrie identified that the contractors working on the Lands had piled soil and stored equipment on the property to the west of the Lands (the "**Neighbouring Lands**") and that the soil and equipment were also within the Nose Creek Floodway (the "Floodway").

On April 29, 2025, the City issued the Stop Order, which identified the piling of soil and storage of equipment on the Neighbouring Lands and within the Floodway as a breach of the Development Permit. The Stop Order also prohibited any work being done on the Lands until Strategic Group and its contractors removed all soil and equipment from the Neighbouring Lands and Floodway and remediated them. The Stop Order also provided short deadlines for the completion of the work required by the Stop Order.

Strategic Group does not argue that the Stop Order should not have been issued, nor does Strategic Group argue that the work required by the Stop Order is inappropriate. To the contrary, Strategic Group is committed to completing the work required by the Stop Order in a reasonable time. Strategic Group's only three requests in this appeal are that: 1) directive 6 in the Stop Order be formally revised to permit the use of mechanized equipment within the existing construction fencing; 2) the deadlines in directives 6 through 9 be amended to give Strategic Group and its contractors a reasonable period of time to complete the work required by the Stop Order; and 3) Strategic Group be permitted to resume construction as soon as it begins remediating the Neighbouring Lands and Floodway.

#### Background

Between April 22, 2025, and April 28, 2025, City inspectors attended the Lands and identified that the construction fencing on site did not follow the property line of the Lands and that Strategic Group's contractors had stored soil and construction equipment within the Floodway on the Neighbouring Lands (Schedule 2). As a result, the City issued the Stop Order on April 29, 2025, which prohibited any further work on the Lands until the work described in the Stop Order was complete (Schedule 3). The requirements and deadlines in the Stop Order relevant to this appeal are summarized below:

Directive 1: No work may proceed on the Lands until all work mandated by the Stop Order is completed.

Directive 5: By May 5, 2025, deliver a revised Erosion Control Plan ("**ESC Plan**") to the City;

Directive 6: By May 6, 2025, remove all piled soil and equipment from the Neighbouring Lands and Floodway without using mechanized equipment in the Nose Creek Riparian Area (the "**Riparian Area**");

Directive 7: By May 15, 2025, fully implement the revised ESC Plan;

Directive 8: By May 16, 2025, provide the City with an environmental damage assessment detailing the impacts of the soil and equipment having been stored on the Floodway and the plan to remediate any such impacts (the "**Remediation Plan**"); and

Directive 9: By May 29, 2025, complete all work described in the Remediation Plan.

On May 2, 2025, Strategic Group delivered a revised ESC Plan to the City in advance of the deadline in directive 5 of the Stop Order (**Schedule 4**). Also on May 2, 2025, the City delivered a Notice (the "**Emergency Notice**") that it was invoking section 551 of the *Municipal Government Act* to complete what the City believed to be emergency work to stabilize the excavations along the north and the east boundaries of the Lands (**Schedule 5**). The Emergency Notice was not related to the issues identified on the west boundary of the Lands in the Stop Order or the work required by it. Shortly after delivering the Emergency Notice, the City's chosen contractor (Ellis Don) took control of the Lands and began using mechanized equipment to remove soil from the storage piles on the Neighbouring Lands and deposit and compact it along the north and east boundaries of the Lands.

On May 9, 2025, the owner's of the Neighbouring Lands ("**Canada Life**") wrote to Strategic Group to request certain information regarding the soil deposited on the Neighbouring Lands and demand that the soil and equipment be removed (**Schedule 6**). Strategic Group responded to Canada Life's letter on May 12, 2025, and immediately began the without prejudice negotiation of an agreement to formally grant Strategic Group and its contractors a temporary license to enter the Neighbouring Lands to complete the work required by the Stop Order. Because the communications with Canada Life were without prejudice and subject to settlement privilege, they are not attached.

On May 13, 2025, 11 days after it had been submitted to the City, the City responded to the revised ESC Plan with several requests for additional revisions to the revised ESC Plan (Schedule 7).

On May 14, 2025, Strategic Group wrote to the City to request that the City amend the Stop Order to permit the reasonable use of mechanized equipment and request that the deadlines in the Stop Order be revised (**Schedule 8**). In response to the May 14, 2025, letter, the City requested Strategic Group propose revised timelines and Strategic Group provided suggested revised timelines by email the same day (**Schedule 9**).

The City responded to Strategic Group's requests for amended timelines on May 15, 2025 (Schedule 10). In its response, the City acknowledged that directives 2, 3, and 4 had been satisfied and that a revised ESC Plan had been submitted in accordance with directive 5. The City also advised that, while it would not formally amend the Stop Order, Strategic Group's contractors would be permitted to use mechanized equipment within the portion of the Riparian Area enclosed by the construction fencing. Similarly, the City advised that it would not formally amend the Stop Order, but would not take enforcement action if directives 6 through 9 were completed within the revised deadlines in the May 15, 2025, letter. The revised deadlines in the May 15, 2025, letter acknowledged that at least some of the work required by the Stop Order was contingent on the City's approval of the revised ESC Plan for the Lands.

In response to the City's direction to immediately begin work removing piled soil from the Flood Way, Strategic Group directed its contractors to mobilize to site and begin removing piled soil and equipment from the Floodway. However, on May 16, 2025, the City emailed Strategic Group and advised that Strategic Group's contractors could not commence work on the site because that work conflicted with the work being done by Ellis Don on the Lands (**Schedule 11**). The May 16, 2025, email also stated that Strategic Group's contractors could not commence moving any soil on the Lands until Strategic Group provided a plan that indicated where the soil would be relocated and what ESC measures would be implemented on the Lands.

On May 23, 2025, Ellis Don contacted Strategic Group for the first time to discuss the safety and insurance protocols that Strategic Group and its contractors would have to follow if they were going to do any work on the Lands while Ellis Don was also on the Lands (**Schedule 12**). Ellis Don's email also noted that any time Strategic Group's contractors intended to do any work on the Lands, they would have to coordinate that work with Ellis Don and arrange for an Ellis Don representative to supervise that work.

On May 27, 2025, Ellis Don demobilized its equipment from the Lands but did not formally turn control over the work on the Lands to Strategic Group or its contractors. Also on May 27, 2025, Strategic Group requested that the City withdraw the Emergency Notice and direct Ellis Don to turn control of the work on the lands over to Strategic Group and its contractors because there was no emergency on or near the Lands (**Schedule 13**).

On May 28, 2025, Strategic Group re-submitted its revised ESC Plan with changes to respond to the City's May 13, 2023, comments on the revised ESC Plan submitted on May 2, 2024 **(Schedule 14)**.

As of the date of these submissions, there are multiple variables outside of Strategic Group's control that remain barrier to completing the directives in the Stop Order by the prescribed deadlines, including the City's approval of the revised ESC Plan, the impact of the logistics of coordinating work with Ellis Don, and the timing of Canada Life providing its formal consent.

#### First Ground of Appeal

The absolute prohibition on the use of mechanized equipment inside the Riparian Area is unreasonable because it prevents the work required by the Stop Order from being completed within a reasonable time.

#### First Requested Changes

Strategic Group requests that the Stop Order be amended to permit the use of mechanized equipment within the existing construction fencing to complete the work required by the Stop Order and any work necessarily incidental to that work.

#### **Reasons for First Requested Changes**

As the City informally approved the use of mechanized equipment in the part of the Riparian Area that is within the construction fencing on May 15, 2024, incorporating the prior informal approval with an amendment to directive 6 of the Stop Order should not be controversial.

Directive 6 of the Stop Order absolutely prohibits the use of mechanized equipment within the Riparian Area. While Strategic Group appreciates the sensitive nature of the Riparian Area, the absolute prohibition on any use of mechanized equipment in it is not reasonable. By prohibiting the use of mechanized equipment in the Riparian Area, directive 6 effectively made it impossible to remove piled soil from the Riparian Area in any reasonable amount of time, which is contrary to the intention of the Stop Order. In addition, the absolute prohibition on the use of mechanized equipment within the Riparian Area contradicts the initial development permit, which permitted the construction of an underground parkade within the Riparian Area on the northwest corner of the Lands, which requires the use of mechanized equipment. Similarly, since the City retained Ellis Don to do work under the Emergency Notice, it has been safely using mechanized equipment within the Riparian Area.

Strategic Group believes that the purpose of the Stop Order and protection of the Riparian Area can be better served by permitting Strategic Group's contractors to use mechanized equipment within the part of the Riparian Area that is inside the construction fencing on site. Further, any impact the mechanized equipment may have on the Riparian Area will be remediated under directives 8 and 9 of the Stop Order. For these reasons, Strategic Group requests that the Stop Order be amended to permit the use of mechanized equipment in the part of the Riparian Area that is inside the current construction fencing.

#### Second Ground of Appeal

The deadlines for the completion of the work required by the Stop Order are not reasonable because they do not take into account: 1) the time required for the City to approve the revised ESC Plan before it can be implemented; 2) delays caused by Strategic Group's contractors being unable to access the site while Ellis Don is undertaking work on the Lands; and 3) delays caused by the negotiation of the right to access the Neighbouring Lands.

#### Second Requested Change

Strategic Group requests that the deadlines in directives 6 through 9 of the Stop Order be amended to include the reasonable timelines below:

Directive 6: All soil and equipment to be removed from the Floodway within three weeks, or such longer time required to coordinate work with Ellis Don, of the City approving the revised ESC Plan and Canada Life providing written consent to complete that work on its lands.

Directive 7: All requirements of the revised ESC Plan to be implemented within two weeks, or such longer time required to coordinate work with Ellis Don, of all soil and equipment being removed from the Floodway.

Directive 8: Qualified environmental professional to provide a Remediation Plan within three weeks, or such longer time required to coordinate work with Ellis Don, of all soil and equipment being removed from the Floodway.

Directive 9: All requirements of the Remediation Plan to be complied with within a reasonable time to be determined based on the contents of the Remediation Plan.

#### **Reasons for Second Requested Change**

Even if Strategic Group's contractors had been immediately permitted to use mechanized equipment within the construction fencing to relocate soil piled in the Riparian Area, the deadlines for the relocation of piled soil, implementation of a revised ESC Plan, and subsequent remediation of the Floodway were not reasonable in the circumstances. Directives 6 through 9 of the Stop Order mandated all the work required by the Stop Order to be completed by May 29, 2025. However, it was not possible for Strategic Group and its contractors to meet the deadlines in directives 6 through 9 because the work needed to satisfy the directives required: 1) the City to approve the revised ESC Plan before it could be completed; 2) coordination with, and approval from Ellis Don; and 3) approval from Canada Life. As set out in more detail below, Strategic Group requests that the deadlines in directives 6 through 9 of the Stop Order be revised to accommodate these factors that are outside of Strategic Group's control.

#### Incorporating time for the City's approval of the revised ESC Plan

The overall purpose of the Stop Order is to ensure that Nose Creek is properly protected from sedimentary run off from the development work on the Lands. To accomplish that purpose, the soil stored on the Floodway must be removed and appropriate erosion and sediment control measures must be put in place on the Lands. The revised ESC Plan submitted by Strategic Group's consultant contemplates using the soil that needs to be removed to construct some of the new erosion and settlement control measures. Therefore, the removal of the soil from the Floodway and implementation of the revised ESC Plan are interdependent.

On May 14, 2025, Strategic Group asked the City to extend the deadline for moving the soil in the Floodway to a date after the approval of the revised ESC Plan because it was anticipated the soil would be used in the implementation of the revised ESC Plan. Therefore, it was not rational to begin moving the soil until the City approved the revised ESC Plan. While the City initially took the position that the work to move the soil could start without the approval of the revised ESC Plan, the City reversed its position on May 16, 2025, and directed that no work to move soil could be done until the City had approved a plan that identified the erosion and sediment control measures that would be implemented on the Lands. Therefore, not only is the approval of the revised ESC Plan a practical barrier to relocating the soil from the Floodway—the City's direction that no work could be done until the erosion control plan was done is also a legal barrier to relocating the soil.

Strategic Group's consultant delivered a revised ESC Plan to the City for approval on May 2, 2025, but only received comments on the revised ESC Plan on May 13, 2025. This intervening 11-day review period would have made it impossible to implement the revised ESC Plan before May 15, 2025, even if the revised ESC Plan had been approved. While Strategic Group immediately directed its consultant to amend the revised ESC Plan to address the City's comments, another 15 days passed while Strategic Group waited for its consultant to prepare the amended revised ESC Plan. Strategic Group must now wait for the City to complete its review and approve the amended revised ESC Plan. It is clear that the time that has passed while Strategic Group went through the process of having the City approve the revised ESC Plan prevented Strategic Group's contractors from completing directives 6 through 9 by the deadlines set out in the Stop Order. In addition, with the City's approval still outstanding, it is likely that the approval process will continue to prevent Strategic Group from starting the work required by the Stop Order.

Because Strategic Group's ability to complete the work required by directives 6 through 9 is dependent on the City's approval of the revised ESC Plan and the time to obtain that approval has already exceeded the deadlines in the Stop Order, Strategic Group requests that directives 6 through 9 of the Stop Order be amended to include reasonable timelines that begin to run when the City approves a revised ESC Plan for the Lands.

#### The delays arising from sharing the Lands with Ellis Don

In the City's May 16, 2025, email, the City advised that Strategic Group's contractors could not start any work to relocate the soil from the Floodway because that work was in direct conflict with the work being carried out by Ellis Don on the Lands. The City's direction that no work could be undertaken because it would conflict with the work of Ellis Don demonstrates that it may not be possible to do any of the work required by directives 6 through 9 of the Stop Order while Ellis Don is working on the Lands.

Even if it were possible for Strategic Group's contractors to do the work of relocating the soil and equipment off of the Floodway while Ellis Don was also working on the Lands, the need for coordination with Ellis Don takes control of the scheduling of the work out of the hands of Strategic Group and its contractors. For example, Strategic Group and its contractors were never provided any contact information for Ellis Don to coordinate any work until May 23, 2025. Ellis Don's May 23, 2025, email, was the first communication that Strategic Group received about the possible coordination of work on the Lands. In addition, that email required Strategic Group to make changes to its insurance coverage and ensure contractors learned and adhered to Ellis Don's in-house safety protocols before commencing work. That email also required that all work would have to be approved and supervised by Ellis Don.

Given that until at least May 16, 2025, it was the City's position that Strategic Group's contractors could not do any work on the Lands because it would conflict with the work of Ellis Don and Ellis Don only contacted Strategic Group to potentially coordinate work on May 23, 2025, the deadlines in the Stop Order are not reasonable. Therefore, Strategic Group asks that the timelines to complete the work required by the Stop Order be extended to provide additional time to address the delays that are likely to happen as a result of having to coordinate the work on the Lands with Ellis Don.

#### The delays arising from negotiating access to the Neighbouring Lands

Strategic Group acknowledges that its contractors have improperly entered the Neighbouring Lands and stored soil and equipment there. Part of this acknowledgment is not doing any additional work on the Neighbouring Lands without Canada Life's consent. While Strategic Group can ask for consent to complete the work required by the Stop Order, it cannot compel Canada Life to grant that consent. Therefore, the timeline for obtaining Canada Life's formal consent is not within Strategic Group's control and the Stop Order should provide for the time required to negotiate the terms of accessing the Neighbouring Lands with Canada Life.

Even though Canada Life has requested that Strategic Group have its contractors remove the soil and equipment from the Neighbouring Lands, Canada Life also wanted certain assurances from Strategic Group before it would formally grant Strategic Group's contractors permission to do work on the Neighbouring Lands. Strategic Group immediately engaged with Canada Life's legal counsel to negotiate the terms of a temporary license to access the Neighbouring Lands for the purpose of completing the work. Negotiating the terms of this type of license agreement can involve complex issues of liability indemnification, environmental indemnification, insurance, and security, which take time to be resolved between the parties' legal counsel. As of the date of these submissions, Strategic Group expects to have entered a formal license agreement with Canada Life and fulfilled the pre-conditions to entering the Neighbouring Lands by June 6, 2025

For the above reasons, Strategic Group requests that directives 6 through 9 of the Stop Order be amended to include reasonable timelines that begin to run when Canada Life provides formal consent to enter the Neighbouring Lands to remove the soil and equipment stored there.

#### Third Ground of Appeal

Requiring all work outlined in the Remediation Plan to be completed before any other work resumes is unreasonable, particularly without knowing the scope of the Remediation Plan.

#### Third Requested Change

Directive 1 should be amended to permit construction work that does not impact the environmental remediation of the Neighbouring Lands and Floodway to begin concurrently with the remediation work.

#### Reasons for Third Requested Change

A requirement to complete all remediation of the Floodway and Neighbouring Lands before doing any other work on the Lands is not reasonable. The scope of the Remediation Plan and the reasonable timelines for completing the work it prescribes will be unknown until it is prepared. Without knowing the requirements of the Remediation Plan, it is not reasonable to prohibit all work on the Lands until the entire Remediation Plan has been completed. Given that the remediation work will only take place on the Neighbouring Lands, it is likely that it will be possible to resume construction work on the Lands without delaying the remediation work. In addition, it is possible that the Remediation Plan will require some form of ongoing monitoring for a period after the initial remediation is complete. It is not reasonable to delay construction of the Lands for monitoring required by the Remediation Plan.

Amending directive 1 of the Stop Order to permit Strategic Group's contractors to resume construction, so long as that construction does not interfere with or delay the work required by the Remediation Plan, would achieve the purpose of the Stop Order without unreasonably delaying the progress of the project. Further, directive 9 of the Stop Order will require Strategic Group and its contractors to remediate the Floodway and the Neighbouring Lands within a reasonable time, which further ensures that the remediation will be carried out without delay. As a result, amending the Stop Order to permit construction to resume concurrently with the commencement of remediation, so long as that construction does not impact the remediation work, is reasonable.

#### Conclusion

As noted at the outset, Strategic Group does not dispute the City's authority to issue the Stop Order, nor does it dispute the substantive work required by the Stop Order. Strategic Group only seeks to vary the timelines and deadlines in the Stop Order to account for the factors outside of Strategic Group's control that may prevent it from meeting those deadlines. In making this appeal, Strategic Group also recognizes that the City has continued to communicate with Strategic Group and take enforcement positions that have informally addressed some amendments requested in this appeal. Strategic Group is hopeful that the City's flexible approach to the enforcement of the deadlines in the Stop Order can be carried forward into amendments to the Stop Order that take into account the matters outside of Strategic Group's control and the dynamic nature of a situation that involves multiple orders, parcels of land, landowners, and contractors.

Yours truly,

Strategic Group

вranden кıdd Development Manager

CC: Gail Gibeau, RPP, MCIP: <u>Gail.Gibeau@airdrie.ca</u> Tracey Tester, Senior Planner, City of Airdrie: <u>Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie: <u>Shannon.McCarron@airdrie.ca</u> Stephanie Martin, Team Lead, Building Inspections, City of Airdrie: <u>Stephanie.Martin@airdrie.ca</u>



Planning & Development 400 Main Street SE, Airdrie, AB T4B 3C3 Phone: 403.948.8848 Email: planning@airdrie.ca www.airdrie.ca/planning

Date Printed: August 07,2024

CASOLA KOPPE ARCHITECTS 300, 1410 1 STREET SW CALGARY, AB T2R 0V8

#### Permit Number: PL2300906 Approved Use: Mixed Use Development with Major Variance (Parking)

Property Address 196 EDWARDS WAY SW, AIRDRIE, AB Legal Description Lot: 6, Block: 1, Plan: 1511409

#### **DEVELOPMENT PERMIT**

Dear Applicant,

Your Development Permit application was reviewed by the Development Authority and **APPROVED** and is now Issued, subject to compliance with the conditions of approval attached.

Read the attached permanent conditions of approval as they form part of the approval decision. Advisory comments, if applicable, are also attached and are intended to help obtain additional permits and information for your development.

If the development approved by this permit does not *begin* within 12 months from the date of this letter, August 07, 2025 the Development Permit shall be deemed void unless the applicant applied for an extension within 40 days to this deadline.

Further, development approved by this permit shall be completed to the satisfaction of the Development Authority within 24 months of the date of the letter, August 07, 2026. You may apply for an extension within forty days of the expiration of this Development Permit.

Pursuant to provincial statues, there is a mandatory 21-day appeal period where the decision must be advertised. During this appeal period, the decision and/or the conditions of the decision may be appealed. The appeal period starts from first date of publication August 07, 2024 at www.airdrie.ca/developments and ends on August 28, 2024.

This permit may be reviewed at any time for non-compliance with the conditions of approval and the Land Use Bylaw.

If you have any questions regarding this matter please contact the file manager Tracey Tester at Tracey.Tester@airdrie.ca.

Yours truly,

Gail R. Gibeau RPP, MCIP Development Officer Planning & Development City of Airdrie

Phone: 403-948-8832 Email: planning@airdrie.ca

#### **CONDITIONS OF APPROVAL & ADVISORY COMMENTS**

#### Application Number: PL2300906 Approved Use: Mixed Use Development with Major Variance (Parking)

Property Address 196 EDWARDS WAY SW, AIRDRIE, AB Legal Description Lot: 6, Block: 1, Plan: 1511409

#### **Conditions of Approval**

- 1. This development is classified as Mixed Use Development, General and is a Permitted Use in the M3, Downtown Core Mixed Use District, on the lands legally described as Lot 6, Block 1, Plan 1511409.
- 2. All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
- 3. Any changes to the design, format, location, orientation, capacity, intensity or use of any part of the development requires approval by the Development Authority.
- 4. All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards.
- 5. A major variance of 28.0% is granted to Section 4.4, Table 5 of Land Use Bylaw No. B-01/2016, to allow for a parking reduction as shown on the approved drawings. The Land Use Bylaw requires 1.75 stalls per dwelling. This development is approved to be 0.89 parking stalls per dwelling as recommended in the Parking Review Study by Bunt & Associates Engineering Ltd., dated January 17, 2024.
- 6. The Developer shall provide minimum TWO HUNDRED AND FOURTEEN [214] on-site parking stalls as indicated on the Approved Plan. All parking stalls shall be hard surfaced with asphalt pavement, concrete or other similar paving material. SIX [6] of the required stalls shall be accessible parking stalls. These parking stalls shall be hard-surfaced, level, located close to an entrance, and shall be designated with the International Symbol of Access.
- 7. Of the required parking stalls, the Developer shall provide TWENTY-ONE [21] parking stalls to be designated as visitor stalls and identified with permanent signage.
- 8. Of the required parking stalls, the Developer shall provide ELEVEN [11] parking stalls to be designated as commercial stalls and identified with permanent signage.
- 9. SIXTY [60] bicycle stalls shall be provided in accordance with the approved plans.
- 10. Prior to commencing any activity on the lands, the Developer shall enter into and abide by a development agreement in accordance with section 650 of the Municipal Government Act, containing terms acceptable to the City, including, but not limited to street improvements on Edwards Way and the taking of security to secure the terms of the agreement.
- 11. Site lighting shall adhere to the site lighting plan and light fixture standards as depicted in the Approved Plan, to the satisfaction of the Development Authority.
- 12. This development shall be constructed in accordance with the recommendations and requirements of the Nose Creek Riparian Assessment, dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- 13. The Developer shall adhere to the recommendations of the Phase I Environmental Site Assessment, dated December 4, 2023, to the satisfaction of the Development Authority.
- 14. Prior to construction commencing, performance security, in a form deemed acceptable to the municipality shall be provided to the satisfaction of the Development Authority.
- 15. The Developer shall not dump grass clippings or other landscaping debris into the Nose Creek riparian corridor to prevent the spread of weeds.
- 16. The Developer shall educate dog-owning residents with signage about existing on and off-leash regulations, and the potential impacts dogs can have on sensitive riparian areas, fish habitat, and water quality. The Developer shall submit a letter outlining the education plan and communication plan with the residents prior to occupancy.

- 17. All signs identified in the Approved Plans may be constructed and installed without need of a new Development Permit. All other signage will require a separate Development Permit application and approval prior to placement.
- 18. This development shall adhere to the new municipal address and/or addressing plan as provided by the Development Authority.
- 19. The Developer shall submit a complete set of as-built drawings, to the Development Authority at the time of application for Development Completion Certificate.
- 20. A Development Completion Certificate is required when the approved development has been completed.
- 21. The Developer shall apply to Engineering Services Department for excavations within public right-of-ways and roads. Contact engineering.services@airdrie.ca.
- 22. Any excess fill must be deposited on a site approved by the City of Airdrie. Please contact the Engineering Services Department at engineering.services@airdrie.ca to discuss fill deposit locations.
- 23. The Developer shall submit a Fire Safety Plan to be approved by the Airdrie Fire Department and implemented by the Developer prior to construction commencing.
- 24. Airdrie Fire Dept. will require firefighting access during construction by means of an all-weather road that is maintained at all times. The road must be a minimum width of 6 metres wide. The access road must have access to a main arterial roadway unobstructed at all times. The roadway must be capable of supporting 37,000kgs. If the road is in excess of 90 metres long, a turnaround must be provided. Must be installed in the early stages of the development or in conjunction with the primary access. Requirements set out in ABC article 3.2.5.6. Please complete a Swept Path Analysis and return it to the Fire Department for review. Contact Russ McKeage with further questions at (403) 948-8800 ext 7896.
- 25. The Developer must provide unobstructed access to fire hydrants and a water supply suitable for firefighting. The Fire Department must have access to these fire hydrants at all times and they must be operational before and during all phases of construction.
- 26. Municipal street address shall be posted and clearly visible at all times (Standata FCI-09-03) Affixed in a visible location 2 metres from the ground or taped to the inside of the front-facing window. Street signs should be present. The unit or suite number is required to be visible on the primary entrance.
- 27. Prior to commencing construction activity, the Developer and the City of Airdrie shall enter into a utility rightof-way agreement, in keeping with the approved plan for the provision of private utilities.
- 28. Site lighting shall adhere to the site lighting plan and light fixture standards as depicted in the Approved Plan, to the satisfaction of the Development Authority.
- 29. The Developer shall abide by the approved landscaping plan.
- 30. Any temporary or auxiliary buildings/signs placed on site during construction shall be removed prior to Development Completion Certificate.
- 31. The area around the construction site shall be kept clear of equipment and debris, and construction materials, including garbage, shall be stored so as not to create a nuisance to neighbouring properties.
- 32. There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development.
- 33. This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Riparian Assessment", dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- 34. This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Floodway and Setback Delineation", dated May 16, 2024 prepared by Matrix Solutions Inc. consulting services.
- 35. The Developer shall submit a landscape plan in accordance with the Deferred Servicing Agreement, dated April 22, 20215, to the satisfaction of the Parks Department.
- 36. Prior to the issuance of a Development Permit, the Detailed Site Servicing Plan (DSSP) shall be approved by the Development Authority.

Riparian Protection – During Construction:

- 37. The Developer shall install comprehensive sediment and erosion control practices during construction.
- 38. The Developer shall compensate or replace any impacts or disturbances to the riparian area with native plant species to maintain the natural riparian function.
- 39. The Developer shall implement physical barriers to prevent vehicles from entering the riparian setback area outside of the development footprint.
- 40. The Developer shall preserve natural vegetation outside of the development footprint. Limit construction activities, material laydown, construction equipment, or vehicles from disturbing or damaging lands within the riparian area.
- 41. The Developer shall ensure erosion and sediment control measures are in place according to the City of Calgary guidelines before any construction begins. The Developer is responsible for conducting weekly erosion and sediment control inspections in accordance with the City of Calgary guidelines and submit to Engineering Services at esc@airdrie.ca.
- 42. The Developer shall ensure any vegetation or landscaping that is removed, damaged or disturbed during construction shall be replaced at the Developer's sole cost.

#### **Advisory Comments**

- a) All other necessary permits and inspections are the responsibility of the applicant including, but not limited to, Building Permits and Fire Approval and shall be submitted to the City as required. Please contact the Building Department at 403-948-8832 and/or the Fire Department at 403-948-8880.
- b) Environmental professionals must be consulted to provide guidance if any odor or stains are encountered during the future excavation or disturbance of the surface or subsurface soil.
- c) Administration is directed to collect relevant off-site levies, as well as voluntary recreation contributions in the amount of \$255,600.00 (calculated on the basis of \$1200 per residential unit), in accordance with Bylaw No. B-11/2019.
- d) Based on City of Airdrie Council Resolution 2022-C-046, City of Airdrie collaborates with Building Industry and Land Development Association (BILD) - Calgary Region and the local school boards to secure land assembly funding for future high school sites. According to the Memorandum of Understanding (MOU) between BILD and City of Airdrie dated January 31, 2022, the charge for the high school land assembly is \$608.56 per residential lot or dwelling unit, subject to annual inflation adjustment. The charge is \$129,623.28 for 213 units.
- e) Bottom joists of the first floor or the top surface of the slab on grade shall be located above 1:100-year water level: 1,082.74m. Any floor level below the 1:100-year flood level should be designed and constructed to withstand periodic floods by using appropriate design materials, sump pumps, and include flood proofed electrical outlets and easily moveable fixtures.
- f) All electrical, heating, air coditioning and mechanicial equipment shall be located above the 1:100-year water level and provide an additional 0.6m freeboard.
- g) Any storage facilities (ie. underground stormwater tanks or other vessels) or substructure situated below the 1:100-year flood level should be specifically designed to resist flotation.
- h) The ramp to the underground parkade should be graded to prevent the 1:100-year flood waters from entering the parkade.
- If building openings or parkade ramp elevations are below the estimated 1:100-year flood level plus 0.6m of freeboard, dry floodproofing measures should be implemented. These measures can include flood shields, gates, stop logs, or other components designed to withstand hydrostatic pressure and keep floodwaters out during events greater than the 1:100-year flood level.
- j) The Developer, not the City of Airdrie, shall responsible for the collection of garbage, waste, compost and recycling.
- k) The Developer shall contact utility providers (gas, electric, telecommunications) and arrange for utilities to be installed or relocated in accordance with the utility provider requirements, at the Developer's sole cost.
- Street Address: Occupancy municipal street address shall be posted and clearly visible at all times (Standata FCI-09-03). Affixed in a visible location 2 meters from the ground or taped to the inside of the front-facing

window. Street signs should be present. The unit or suite number is required to be visible at the primary entrance.

- m) The Development Authority may approve this permitted use under Land Use Bylaw Section 2.4.3 (1)(b) with or without conditions, even if the proposed development does not conform with this Bylaw, if, in the opinion of the Development Authority there would not be an undue impact on the use, enjoyment, amenity and value of the adjacent properties and/or neighbourhood, or if the impact on such properties could be mitigated through the adherence of specific conditions of approval.
- n) Council adopted on April 16, 2024, Land Use Bylaw Amendment (Bylaw B-17/2024) that the Development Officer shall decide on all development permit applications in the Community Revitalization Levy boundary area. This development permit approval is with Administration and does not require a meeting with the Community Infrastructure Strategic Growth (CISG) Committee, formerly the MPC.
- o) Engineering Services have advised following the requirements from the Fire Flow Letter to propose a 2-hour fire-rated firewall inside the building without unprotected openings.
- p) Engineering Services have advised following the requirements from the Fire Flow Letter to propose a complete automatic sprinkler system.



#### Written Submission from Appellant (Received July 11, 2025)

of 126



# **STOP ORDER**

#### Delivered by Hand/Registered Mail

Issued: April 29, 2025

To: Umber Khan, UK One Construction Ltd. [CONTRACTOR] 353 Santana Bay NW, Calgary, AB, T3K 3N6

> Braden Kidd, Strategic Group [LANDOWNER] Suite 400, 630 – 8 Avenue SW Calgary, AB, T2P 1G6

Casola Koppe Architects [DEVELOPMENT PERMIT HOLDER] 300, 1410 1 Street SW Calgary, AB, T2R 0V8

#### Re: Illegal Development on Lot 6; Block 1; Plan 1511409 (the "Lands")

In my capacity as Development Officer for the City of Airdrie, I am hereby issuing a Stop Order to the above-named recipients (together, the "Developer") pursuant to section 645 of the *Municipal Government Act*, with respect to the aforementioned Lands.

Part 17 of the *Municipal Government Act* and section 2.8.1 of the City of Airdrie's Land Use Bylaw authorizes a Development Officer to issue a Stop Order where a development or use of land or building does not comply with the *Municipal Government Act*, the Land Use Bylaw, or a development permit or subdivision approval.

#### CONTRAVENTIONS:

On August 7, 2024, the City issued Casola Koppe Architects a development permit for the Lands, permit number PL2300906 (the "DP"). The DP included the following conditions:

- DP Condition #2: All development, including the location, orientation, capacity, intensity, and use of buildings and any landscaping and site improvements, must be completed in accordance with Approved Plans.
- DP Condition #3: Any changes to the design, format, location, orientation, capacity, intensity or use of any part of the development requires approval by the Development Authority.

Page 1 of 5



- DP Condition #4: All development must be carried out in accordance with the Land Use Bylaw and the Engineering Standards
- DP Condition #12: This development shall be constructed in accordance with the recommendations and requirements of the Nose Creek Riparian Assessment, dated June 17, 2024 prepared by Matrix Solutions Inc. consulting services.
- DP Condition #15: The developer shall not dump grass clippings or other landscaping debris into the Nose Creek riparian corridor to prevent the spread of weeds.
- DP Condition #32: There shall be no unauthorized use of any adjoining Public Utility Lot or Reserve Land during the course of the approved development.
- DP Condition #34: This development shall be constructed in accordance with the recommendations and requirements of the "Nose Creek Floodway and Setback Delineation", dated May 16, 2024 prepared by Matrix Solutions Inc. consulting services.
- DP Condition #39: The Developer shall implement physical barriers to prevent vehicles from entering the riparian setback area outside of the development footprint.
- DP Condition #40: The Developer shall preserve natural vegetation outside of the development footprint. Limit construction activities, material laydown, construction equipment, or vehicles from disturbing or damaging lands within the riparian area.

An inspection of the Lands and the development on the Lands (the "Development") by City staff on April 22, 2025, and April 28, 2025, showed that:

- The Developer has failed to adhere to the approved Erosion and Sediment Control Plan (the "ESC Plan") by causing soil erosion on adjacent Lands, in contravention of DP condition 2. The approved ESC Plan from February 19, 2025 has not been implemented;
- The sediment holding pond is not constructed in the approved location and at risk of breaching.
- The Development encroaches on the adjacent lands, owned by The Canada Life Assurance Company of C/O GWL Realty Advisors Inc., legally known as Lot 1, Block 1, Plan 0912740, ("Canada Life Lands"), including the Nose Creek riparian area (the "Nose Creek riparian area"). The Development further encroaches on

Page 2 of 5



Edwards Way and 1st Avenue. These contraventions are in contravention of DP conditions 2 and 3;

 Soil and construction materials and debris, vehicles and activities encroach on the Nose Creek riparian area in contravention of DP conditions 12, 15, 32, 34 and 40;

and

 Inadequate physical barriers have been erected to prevent vehicles from entering the Nose Creek riparian area in contravention of DP conditions 12 and 39.

The above conventions are causing damage to adjacent lands and municipal infrastructure.

#### ORDER

In accordance with section 645 of the *Municipal Government*, RSA 2000, c M-25 (the "Act") and section 2.8.8 of the City's *Land Use Bylaw*, **YOU ARE ORDERED TO:** 

- 1 IMMEDIATELY cease construction activity on the Lands until contraventions 2. 6. and 7 of this Order are completed to the City's satisfaction.
- 2 Immediately, the existing sediment holding pond needs to be emptied to prevent breaching and contamination of Nose Creek with each precipitation event.
- 3 <u>By 4:00 pm on May 5, 2025</u>, provide the City a survey by a qualified surveyor (the "Survey") that shows:
  - (a) All boundaries of the Lands;
  - (b) The extent and area of any and all ground disturbance that encroaches from the Lands onto all adjacent properties, including but not limited to Edwards Way and the Nose Creek riparian area; and
  - (c) The extent and area of any and all ground disturbance in the Provincial Flood Way of Nose Creek that results from the Development.
- 4 If the Survey shows any ground disturbance within the Provincial Flood Way of Nose Creek, the Developer shall immediately notify the Ministry of Environment and Protected Areas.

Page 3 of 5



- 5 By 4:00 pm on May 5, 2025, provide the City with an erosion and sediment control plan that addresses how the Developer will prevent any future erosion impacts on adjacent lands. Submit to: esc@airdrie.ca.
- 6 By 1:00 pm on May 6, 2025, remove all equipment, materials, debris, deposited soil, supplies, and other encumbrances (together, the "Materials") from Lands, described as Lot 1, Block 1, Plan 0922740 and within the road right-of-ways. Mechanized equipment, such as vehicles and bobcats, may not be used on or in the Nose Creek riparian area to remove the Materials.
- By 4:00 pm on May 15, 2025, the Erosion and Sediment Control (ESC) Plan needs to be implemented and inspected by Engineering Services. The existing sediment holding pond does not meet Engineering Services design specifications and requires a statement from the engineer of record;
- 8 By 1:00 pm on May 16, 2025, provide the City with an environmental damage assessment and restoration plan prepared by a qualified environmental professional that:
  - (a) Details all impacts to the Nose Creek riparian area resulting from the Development and encroachment into this area; and
  - (b) Provides a plan to restore the Nose Creek riparian area to its pre-disturbed state (the "Restoration Plan").
- 9 By 1:00 pm on May 29, 2025, undertake any and all work required within the Restoration Plan to restore the Nose Creek riparian area to its pre-disturbed state.

Nothing in this Order or any City plan reviews, inspections, or approvals grants development on a third-party's property without their consent. The Canadian Life Assurance Company must provide consent for access and development on their lands. This order does not disallow any obligations under any stop orders or enforcement.

The failure to meet any of the above dates is considered a breach of this Stop Order.

You are hereby advised that you have right to appeal this Order to the Subdivision and Development Appeal Board. If you wish to exercise this right, written notice of an appeal, together with an applicable appeal fee of \$250 must be received by the Clerk of the Subdivision and Development Appeal Board within 21 days of the date this Order was made. The address for filing an appeal is:

> By email: Appeals@airdrie.ca, or By mail or courier: 15 East Lake Hill NE, Airdrie, AB T4A 2K3 In person: City Hall, 400 Main Street SE, Airdrie, AB

> > Page 4 of 5



#### CONSEQUENCES OF FAILURE TO COMPLY

Be advised that the City of Airdrie has the authority, in the event this Stop Order is not complied with within the time limits provided, to enter into the Lands in accordance with Section 542 of the *Municipal Government Act* to take whatever actions are determined by the City to be necessary to bring the Lands into compliance, and may seek an Injunction or other relief from the Court of King's Bench of Alberta pursuant to section 554 of the *Municipal Government Act*. Further, the City has the authority to ass the costs and expenses of carrying out this Stop Order to the tax roll for the Lands pursuant to Section 553(1)(h.1) of the *Municipal Government Act*. It is the City's practice to seek legal costs on a solicitor-client basis.

This Order may be registered as a caveat against the Certificate of Title for the Lands subject to this Order, until such time as the contraventions set out herein have been remedied, pursuant to section 646(2) of the *Municipal Government Act*.

1

Gail Gibeau, RPP, MCIP Development Officer

ENQUIRIES regarding this Stop Order and official letter may be made to the person who signed the Stop Order, during office hours only, at City Hall, 400 Main Street SE, Airdrie or by phone at 403.948.8800 ext. 8496.

cc. Tracey Tester, Senior Planner, City of Airdrie, <u>Tracey.Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie, Shannon.McCarron@airdrie.ca Stephanie Martin, Team Lead, Building Inspections, City of Airdrie, <u>Stephanie.Martin@airdrie.ca</u> Canada Life Assurance Company C/O GWL Realty Advisors Inc., Tyler Ellis, Senior Director of Investment. <u>tyler.ellis@gwlra.com</u> Richview Engineering, Robin Li, P.Eng., <u>Robin@richvieweng.com</u>

Page 5 of 5

From:	Branden Kidd
То:	Tracey Tester
Cc:	khan@ukone.ca; Robin Li; Brady Christensen
Subject:	STOP ORDER - Order 5 - Revised ESC Plan
Date:	Friday, May 2, 2025 3:11:55 PM
Attachments:	image940803.png image906860.png PL2300906 ESC - ATTACHMENTS.pdf PL2300906 ESC - APPLICATION.pdf PL2300906 ESC - DRAWINGS.pdf PL2300906 ESC - WRITTEN NOTE.pdf

Tracey,

Per order 5 of the Stop Order dated April 29, 2025, our consultant Richview Engineering Inc has provided us with the attached revised ESC Plan.

We requested Richview provide an ESC plan that included the removal of soils from beyond the property line to assist in the overall issues highlighted in the Stop Order, as such, Richview provided a solutions that pull soils from beyond the PL, and ultimately uses them as backfill along the west foundation walls to form the required containment for the site.

Please advise at your earliest.

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:587.404.4166 Main:403.770.2300

bkidd@strategicgroup.ca strategicgroup.ca



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### NOTICE

#### of Action under Section 551 Municipal Government Act

May 2, 2025

#### VIA REGISTERED MAIL / HAND DELIVERY

Attention: Umber Khan	Attention: Branden Kidd	Attention: Management	
UK One Construction Ltd. 353 Santana Bay NW Calgary, AB, T3K 3N6	Strategic Group Suite 400, 630 – 8 Avenue SW Calgary, AB T2P 1G6	Casola Koppe Architects 300, 1410 1 Street SW Calgary, AB T2R 0V8	

Dear Sir/ Madam:

## Re: Illegal Development on and adjacent to Lot 6; Block 1; Plan 1511409 (the "Lands")

The City is issuing you notice that the City has determined it necessary to act under its emergency authority as set out at section 551 of the *Municipal Government Act* (the "*MGA*"). The purpose of this notice is to advise you of the actions the City will take to manage and resolve the emergency resulting from your unauthorized excavation and development work on the Lands, impacting the adjacent property and City infrastructure.

On the afternoon of April 30, 2025, the City provided this notice verbally to Brady Christensen, Development & Design Manager, and Branden Kidd, Development Manager, of Strategic Group.

Section 541(1) of the *MGA* defines an emergency as a situation in which there is imminent danger to public safety or of serious harm to property. The unauthorized development work has caused, and is continuing to cause, serious and ongoing damage to:

- a. Edwards Way Southwest and 1 Avenue Northwest; and
- b. The sidewalks and boulevard adjacent to these streets.

The City has determined that, if timely actions are not taken, additional municipal infrastructure is at risk of serious harm, including the bridge crossing 1 Avenue Northwest and Nose Creek. The City has been unable to determine whether the

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underground infrastructure, namely the City water main line located beneath Edwards Way Southwest has been damaged but the City has determined that it is also at risk of serious harm without timely action.

Additionally, the unauthorized excavation work has put Nose Creek at risk, had directly impacted sensitive riparian areas, and poses a potential risk to the bridge on 1 Avenue Northwest should further erosion or undermining occur.

As persons responsible for the development work on the Lands, you have failed to take necessary actions to prevent and respond to this harm to municipal property. As such, it is the City's opinion that this situation constitutes an emergency under section 551 of the *MGA* that requires immediate action by the City.

To address this emergency, the City is retaining a geotechnical engineer to further assess the stability of the Lands and adjacent properties and to provide the City with a design for the stabilization and remediation of the impacted areas and infrastructure (the "Design").

Once the design and recommendations are received, the City will be undertaking the proposed work, which will involve entry onto the Lands and potential interference with or removal of structures placed on the Lands at locations which may interfere with the proper remedying of this emergency situation (the "Remedial Work").

To prepare the Design and for the Remedial Work, which started May 1, 2025, the City will access the Lands using its own resources or contractors retained by it and will:

 Except for existing construction fencing, remove or relocate all materials, equipment and vehicles from the area shown on Appendix "A" to this notice to allow for the placement of City materials, equipment and vehicles necessary for the Remedial Work and any preparatory work. This includes removal of any materials that obscure or cover any portion of the excavation or embankments adjacent to the impacted portions of the City streets, sidewalks and water main.

While the City will proceed with removal of these items from the identified area as required, pursuant to the City's authority under section 551, **you are ordered** to take proactive steps to remove or relocate these items, or as many of them as possible, immediately.

**You are also ordered** to take all steps necessary to accommodate access to the Lands by the City and its contractors, and to ensure that the City and its contractors are not impeded or interfered with in any manner by any equipment, material, vehicles or persons present on the Lands while preparing the Design or undertaking the Remedial Work.



In addition to the above actions, the City may undertake further work on the Lands that the City deems necessary to address the ongoing emergency and limit further damage to City streets, sidewalks and underground infrastructure.

The City will communicate ongoing updates regarding work carried out under this Notice as circumstances progress, including approximate dates when the City will be accessing the Lands to undertake the Remedial Work.

Please note that you may be subjected to additional Orders under section 551 should the City determine it necessary to facilitate the implementation of the Remedial Work.

Further, please note that sections 557(c) and 566 of the MGA states that a person who contravenes or does not comply with an order under section 551 is guilty of an offence and is liable on conviction to a fine not exceeding \$10,000 or to imprisonment for not more than one year, or both.

We trust the purpose, intention and requirements of this Notice are clear. However, please contact the undersigned should you have questions.

Yours truly,

CITY OF AIRDRIE PER:

#### Horacio Galanti, P.ENG, ICD.D City Manager

cc. Gail Gibeau, Team Leader, Current Planning, <u>Gail.Gibeau@airdrie.ca</u> Tracey Tester, Senior Planner, City of Airdrie, <u>Tracey.Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie, Shannon.McCarron@airdrie.ca Stephanie Martin, Team Lead, Building Inspections, City of Airdrie, <u>Stephanie.Martin@airdrie.ca</u>

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#### Appendix "A"

Area where materials shall be removed





Blake, Cassels & Graydon LLP Barristers & Solicitors Patent & Trade-mark Agents 855 - 2nd Street S.W. Suite 3500, Bankers Hall East Tower Calgary AB T2P 4J8 Canada Tel: 403-260-9600 Fax: 403-260-9700

> **Michael O'Brien** Partner Dir: 403-260-9753 mio@blakes.com Reference: 50376/793

May 9, 2025

VIA E-MAIL

Strategic Group Suite 400, 630 - 8 Avenue SW Calgary, AB T2P 1G6

Creekside Corp. Suite 430, 2020 4th Street SW Calgary, AB T2S 1W3

#### Attention: Branden Kidd

#### Re: Unauthorized Encroachment and Illegal Dumping at Property Legally Described as Lot 1, Block 1, Plan 0912740 (the "Canada Life Land")

We have been retained by The Canada Life Assurance Company ("Canada Life"), c/o GWL Realty Advisors Inc., the owners of the Canada Life Land. We understand that Creekside Corp. is the registered owner of those lands legally described as Lot 6, Block 1, Plan1511409 (the "Strategic Land"), which lands are currently being developed and managed by Strategic Group Development Corp. ("Strategic"). The Strategic Land is located adjacent to the Canada Life Land.

We are in receipt of your e-mail correspondence dated between April 29 and May 6, 2025. We are also in receipt of a stop order issued to you by the City of Airdrie (the "City") on April 29, 2025 in respect of development in contravention of the conditions of the development permit for the Strategic Land (the "Stop Order") and the Notice of Action under Section 551 of the Municipal Government Act (Alberta) (the "MGA") issued to you by the City on May 2, 2025 advising that the City would be exercising its emergency authority in respect of the unauthorized excavation and development work on the Strategic Land, impacting the Canada Life Land and City infrastructure (the "Emergency Notice" and collectively with the Stop Order, the "City's Demands").

It has become apparent that during the course of development of the Strategic Land, Strategic has unlawfully and without Canada Life's permission, entered upon the Canada Life Land and deposited a large amount of construction related materials and debris on the Canada Life Land, including large volumes of soil, construction equipment, vehicles, storage containers in addition to the construction of a sediment holding pond located partially on the Canada Life Land (the "Pond"). To be clear, at no time did Canada Life ever approve, authorize or permit Strategic, or anyone on its behalf, to enter upon the Canada Life Land, much less dispose of a significant amount of construction related material on the Canada Life Land or to construct the Pond (the "Unauthorized Encroachment and Dumping"). The Unauthorized Encroachment and Dumping constitutes a trespass and the continued presence of construction related materials and equipment on the Canada Life Land constitutes a continuing trespass.

1384-0559-6950.1

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Blakes

As indicated in the City Demands, the Unauthorized Encroachment and Dumping has put Nose Creek at risk and has directly impacted sensitive riparian areas located on Canada Life Lands. The City advised Canada Life that Alberta Environment and Protected Area ("**AEPA**") and Occupational Health and Safety ("**OHS**") have opened investigations on the Strategic Lands and other impacted areas.

In the circumstances, Canada Life hereby demands that Strategic immediately cease and desist the Unauthorized Encroachment and Dumping. Canada Life hereby further demands that Strategic forthwith:

- (a) remove all materials deposited, located or constructed on the Canada Life Land by Strategic or parties operating on its behalf, in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands, any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (b) empty the Pond and relocate the Pond to an area approved by the City wholly within the Strategic Lands and in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands, any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (c) take all steps necessary to stabilize and restore the Canada Life Land to the condition that it was in prior to the Unauthorized Encroachment and Dumping, including any environmental remediation, in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (d) provide confirmation, through third party testing, of the environmental quality of the soil illegally dumped on the Canada Life Lands and subsequent documentation that it has been fully removed off of the Canada Life Lands to avoid any cross contamination; and
- (e) obtain all permits and authorizations from the City, AEPA, and OHS required to complete the work described in (a), (b) and (c) above, and ensure such work is completed in accordance with all conditions and requirements thereof, including, without limitation, any special requirements pertaining to the riparian areas and the Provincial floodway of Nose Creek,

#### (collectively, the "Canada Life Demands").

In order to facilitate Strategic's efforts to comply with the Canada Life Demands, Canada Life is prepared to provide Strategic (and those on its behalf) with access to the Canada Life Land for the sole purpose of remediation and restoration of the Canada Life Land, in accordance with terms of a temporary license agreement (the "**Access Agreement**") in Canada Life's form which will be provided to you promptly following receipt of the confirmation from you contemplated at the end of this letter. To be clear, Canada Life does not permit nor grant Strategic, or anyone on its behalf, from having any access to nor occupancy

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Page 3

Blakes

of the Canada Life Land other than pursuant to and in strict compliance with the terms of the Access Agreement. Furthermore, under no circumstances shall the granting of the Access Agreement by Canada Life be interpreted as Canada Life authorizing or consenting to the Unauthorized Encroachment and Dumping or any other any actions taken by Strategic in connection with the development of the Strategic Lands, or a direction by Canada Life to Strategic to take any action in contravention of the City Demands or any orders issued by AEPA, OHS or any other governmental authority, all of which shall take precedence over the Canada Life Demands in the event of a conflict.

As noted above, as part of the Unauthorized Encroachment and Dumping, large volumes of soil have been deposited on the Canada Life Land. As this time, Canada Life does not know the source of such material, the composition of such material or whether such material is contaminated. Please immediately provide all environmental information relating to the soil and other material that was deposited on the Canada Life Land, including any and all Phase I, II or III Environmental Site Assessment reports, soil chemistry reports or related environmental information or reports. We also note that in the City's Demands, there is reference to the Pond not being constructed in the approved location and a risk that the Pond may be breached and poses a risk to Nose Creek and the riparian areas, including contamination and soil erosion. Please provide all environmental information related to the status and composition of the Pond.

To more fully understand the extent of the encroachments and ground disturbance on the Canada Lands, we also request that you provide us with a copy of the Survey (as defined in the Stop Order), in the event one was obtained.

For clarity, Strategic shall be liable for any and all costs, damages and expenses associated with the Unauthorized Encroachment and Dumping and for complying with the City's Demands and the Canada Life Demands, including all environmental, legal, consulting and compliance costs.

Given the urgency of these matters, please confirm by no later than the close of business on **Wednesday, May 14, 2025** that Strategic will comply with the Canada Life Demands and will provide Canada Life with the environmental information requested above. We further expect that Strategic will comply with all of the City's Demands, including as they may relate to the Canada Life Land.

In the event that you fail to comply with the Canada Life Demands, we will be forced to take all necessary steps, including commencing legal proceedings in respect of, among other things, the Unauthorized Encroachment and Dumping.

Canada Life reserves any and all rights, benefits or privileges available to it at law, in statute or in equity.

Your truly,

Michael O'Brien

OTTAMA

cc: UK One Construction Ltd. Casola Koppe Architects City of Airdrie

1384-0559-69!

From:	Gail Gibeau
To:	Branden Kidd; khan@ukone.ca; Brady Christensen; Robin@richvieweng.com bchristensen@strategicgroup.ca
Cc:	Tracey Tester; Erosion Sediment Control; Andrew Dormer; Tyler Waycott; Sonya Hope
Subject:	FW: [EXTERNAL] STOP ORDER - Order 5 - Revised ESC Plan
Date:	Tuesday, May 13, 2025 1:12:35 PM
Attachments:	image001.png
	image002.png
	PL2300906 ESC Drawings Engineering Services comments Rev 20250512.pdf
	PL2300906 ESC Attachments Engineering Services comments 20250512.pdf
	PL2300906 ESC Application Engineering Services comments 20250512 pdf

Good Afternoon, Branden,

Please see attached comments from Engineering Services on the ESC Plan submitted on May 2, 2025 at 3:12pm.

As a reminder, Order #7 of the Stop Order issued on April 29<sup>th</sup>, requires implementation of the ESC plan **by 4pm on May 15, 2025**.

Regards,

Gail R. Gibeau RPP, MCIP (She/Her)

Team Leader, Current Planning | City of Airdrie | P. 403.948.8800 ext 8496

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From: Le Ma <Le.Ma@airdrie.ca>

Sent: Tuesday, May 13, 2025 12:20 PM

To: Tracey Tester <Tracey.Tester@airdrie.ca>; Gail Gibeau <Gail.Gibeau@airdrie.ca>

**Cc:** Andrew Dormer <Andrew.Dormer@airdrie.ca>; Moises de la Rosa <Moises.delaRosa@airdrie.ca>; Tyler Waycott <Tyler.Waycott@airdrie.ca>; Tehreem Hassan <Tehreem.Hassan@airdrie.ca>; Erosion Sediment Control <esc@airdrie.ca> **Subject:** RE: [EXTERNAL] STOP ORDER - Order 5 - Revised ESC Plan

Hi Tracey and Gail,

There have been some minor changes to the ESC drawing comments. Please find attached the most current comments for the revised ESC plan for 196 Edwards Way. I've also updated the drawing on CV.

Kindly share the comments with the applicant.

Thanks,

Le Ma, P.L.(Eng.), CPESC Municipal Engineer | City of Airdrie | P. 403.948.8800 ext 8946 | C. 403.690.0564

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#### From: Le Ma

Sent: Monday, May 12, 2025 4:25 PM

 To: Tracey Tester <</td>
 Tracey.Tester@airdrie.ca>; Gail Gibeau <</td>

 Gail.Gibeau@airdrie.ca>
 Cc: Andrew Dormer 

 Andrew Dormer 
 Andrew.Dormer@airdrie.ca>; Moises de la Rosa 

 Moises.delaRosa@airdrie.ca>; Tyler Waycott

 <Tyler.Waycott@airdrie.ca>; Tehreem Hassan 

 Tehreem.Hassan@airdrie.ca>; Erosion Sediment Control <</td>

 Subject: RE: [EXTERNAL] STOP ORDER - Order 5 - Revised ESC Plan

Hello Tracey and Gail,

Please find the attached revised ESC comments from Engineering Services. I have also uploaded the files to CV.

Thanks,

Le Ma, P.L.(Eng.), CPESC Municipal Engineer | City of Airdrie | P. 403.948.8800 ext 8946 | C. 403.690.0564

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From: Branden Kidd <<u>BKidd@strategicgroup.ca</u>>

Sent: Friday, May 2, 2025 3:12 PM

**To:** Tracey Tester <<u>Tracey.Tester@airdrie.ca</u>>

Cc: <a href="https://www.caitage.com">khan@ukone.caitage.com</a>; Brady Christensen <a href="https://www.caitage.com">bchristensen@strategicgroup.ca</a> Subject: [EXTERNAL] STOP ORDER - Order 5 - Revised ESC Plan

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Tracey,

Per order 5 of the Stop Order dated April 29, 2025, our consultant Richview Engineering Inc has provided us with the attached revised ESC Plan.

We requested Richview provide an ESC plan that included the removal of soils from beyond the property line to assist in the overall issues highlighted in the Stop Order, as such, Richview provided a solutions that pull soils from beyond the PL, and ultimately uses them as backfill along the west foundation walls to form the required containment for the site.

Please advise at your earliest.

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:<u>587.404.4166</u> Main:<u>403.770.2300</u>

bkidd@strategicgroup.ca strategicgroup.ca



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## **EROSION AND SEDIMENT CONTROL PLAN APPLICATION 2022**

Water Quality Services – Monitoring & Compliance ISC: Unrestricted

## GENERAL PROJECT INFORMATION

1.0 Project Information	2.0 Application Type (select one)
1.1. Project Name AIRDRIE CREEKSIDE RESIDENTIAL	2.1 Stripping and Grading
1.2 Estimated Start-up Date May 30, 2025	Development Permit # Development Agreement #
1.3 Legal Land Location L6 B1 P1511409 SW1/4,12-27-01-W5M	Subdivision #
1.4 Address 196 EDWARDS WAY SW AIRDRIE AB	2.2 Industrial, Commercial, Institutional, Multifamily
1.5 Community DOWNTOWN	Development Permit # PL2300906
1.6 Overall Site Size (ha) 0.8001	Parent Stripping and Grading # DP or DA N/A
1.7 Stormwater movement	2.3 Subdivision Development including Offsites and Bareland Condos Construction Drawing #
Storm Pond N/A	Development Agreement #
Receiving Water Body NOSE CREEK	Parent Stripping and Grading # DP or DA
Outfall N/A	Subdivision #
In the event of a release from the site, use the information above to locate where mitigation is required. Ensure sediment releases are properly reported. Specification # 100.2	2.4 City of Calgary Projects
1.8 Consultant File #	Development Permit or Liaison #
(optional)	Construction Drawing #
	City of Calgary ESC Project Number #

## **3.0 Contact Information**

		Company Name	Contact Name		Office Phone#	Cell Phone#	Email	
3.1	Owner's Rep.	STRATEGIC GROUP	TBD		TBD	TBD	TBD	
3.2	Parcel Owner							
3.3	ESC Consulta	<sup>nt</sup> Richview Engineering Inc	Robin Li		4032303218	4039693218	robin@richvieweng.com	
		<sup>ector</sup> Richview Engineering I			4032303218	4039693218	robin@richvieweng.com	
3.5	Site Contact	UK One Construction LTD	Umber Khan	76	4039530931	5872231214	Khan@ukone.ca	Page 31 of 126

## CONSTRUCTION SITE INFORMATION

 $\leftarrow$ 

## Show sandbag and other additional ESC measures in this section.

4.0 Unit Product Supply List Either populate below or add a screenshot of the supply list document e.g. Excel spreadsheet. If using Adobe and form fields are above photo, Print to PDF upon application completion to resolve.

Required ESC Products	Quantity (e.g. meters, kg)
SILT FENCE	330meters
SOD	1017 m^2
Gravel Access	1
Inlet protection	9
Pit Run Gravel Cover	50mm-200mm, 0.15m Depth, 302640 kg/ha,90640KG
WATER BARRIER SANDBAGS	165meters
ECO ANCHOR	567L/ACRE, USAGE=95.41L

Earth Moving Controls	Units (e.g. volume, lengths, area)
Sediment Pond	AREA=169m2, DEPTH=0.5m, VOLUME=85m <sup>3</sup> , LENGTH=85m±,

## 5.0 Construction Drawings and Documents Relevant to Project Implementation

All checked dra	wings/documents that apply to this project.	This section will align with Section	12.0 in the design part of the app	olication.	Large Site Safety Plan
ESC1	ESC3	ESC5	ESC7	<b>~</b>	ESC9 Landscape Plan
ESC2	ESC4	ESC6	ESC8		ESC10 Phasing Plan and/or Limited Exposure Plan

## 6.0 Erosion and Sediment Controls

Below are the Specifications for the most popular erosion and sediment controls and support practices used in The City of Calgary. Fill out the table for all the products used on the project. These specifications are by no means all-inclusive and we encourage the continued exploration of new management practices for use in our Calgary climate. If you do not see the control you wish to use, populate the blank <u>Non-Standard Specification</u> sheet.

Some Controls and Practices can be replaced with alternates which can be found in The City of Calgary's <u>Approved Products List – Erosion and Sediment</u> (APLES). For each control and practices, see the alternates opportunities (APLES Alternates). Some opportunities do not require assistance from the Qualified Designer while others will require input to ensure design variables are incorporated.

## 200.1 Erosion Controls

## Seeding Specification #200.1.1

C-value	Type and Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
1.0	Check if seed mix is a Calgary Parks Approved Seed Mix			
APLES Alternates None				

## **Sodding** Specification #200.1.2

C-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
0.01 APLES Alternates None	Fescue Sod	ESC 6B,7,8	South & West of the site	Touchdown Kentucky Bluegrass 40% Kentucky Bluegrass 30% Creeping

## Existing Cover Specification #200.1.2.a

C-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
0.01 APLES Alternates None	Attach top down photos to show % ground cover and vegetation type EX SOD	ESC 5	ALL OVER THE SITE	100% GROUNG COVER GRASS/WEED

See Standard Specification 200.1.2.a for C-value

## **RECP** Specification #200.1.3

C-value	Blanket Type	Drawing(s) When Used	Description Where Used	Additional Information
APLES Alternates				
RECP in the APLES				
with a C-value equal				
to or lower than				
above				

Attach: manufacturer's installation information and supporting data for the C-value

## Hydromulch and/or Tackifiers Specification #200.1.4

C-value	Product Type, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
0.002	Seed added Seed <b>not</b> added	ESC 6A	AREA 3	567L/ACRE(1401.09L/HA) WILL BE PROVIDED FOR
APLES Alternates	ECO ANCHOR			AREA 3. USAGE=95.41L
Hydromulch and/or				
Tackifier in the				
APLES with a C-				
value equal to or				
lower than above				

Attach: manufacturer's installation information and supporting data for the C-value

## **Compost Blankets** Specification #200.1.5

C-value	Product Type, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
APLES Alternates				
None				

Attach: manufacturer's installation information and supporting data for the C-value

## Aggregate Cover Specification #200.1.6

C-value	Aggregate Size, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
1.0	50mm-200mm, 0.15m Depth,	ESC 6B,7,8	All Over the Site Except the Building	
APLES Alternates	302640 kg/ha,90640KG		Area and Landscaping Area	
None				
		79		Page 34 of 126

## 200.2 Sediment Controls

## Wattles/Logs/Barriers Specification #200.2.1

P-value	Product Type and Size	Drawing(s) When Used	Description Where Used	Additional Information
0.1	WATER BARRIER SANDBAGS	ESC 6.1	South of the Site	H=0.5m
APLES Alternates				
Qualified Designer				
Support Required				

Attach: manufacturer's installation information and supporting data for the P-value

## **Buffer Strips** Specification #200.2.1.a

P-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
Slopes 0-10% (0.6)				
Slopes 11-24%(0.8)				
APLES Alternates None				

## Sediment Containment Systems Specification #200.2.2

P-value	Containment System Type	Drawing(s) When Used	Description Where Used	Additional Information
Attach: <u>Sediment</u> <u>Containment System</u> <u>Data</u> APLES Alternates None	SEDIMENT POND	ESC 5B, 6A	ESC 5B: AREA 2 ESC 6A: AREA 2+3	For Area 2 in both ESC5B and ESC6A, the parkade is used as the sediment pond, with a P value of 0.1.

## **Diversion Channels** Specification #200.2.3

P-value	Max and Min % Slope, Cover Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
1.0				
APLES Alternates None				

## **Diversion Berms** Specification #200.2.4

P-value	Height and Composition, Cover Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
1.0				
APLES Alternates None	-			

## Surface Texturing Specification #200.2.5

P-value	Texturing Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
0.9	Surface Roughing	ESC 6.1	South of the site	
APLES Alternates				
APLES with a P-				
value equal to or				
lower than above				

## **Silt Fence** Specification #200.2.6

P-value	Configuration	Drawing(s) When Used	Description Where Used	Additional Information
1.0 APLES Alternates None	Silt Fence	ESC 5B, 6A, 6B, 7	All sides of the site.	smile face. spacing is determined by serving area not by 30m intervals

## 200.3 Support Practices

## **Stabilized Access** Specification #200.3.1

P-value	Number Present	Drawing(s) When Used	Description Where Used	Additional Information
1.0	1	ESC 6A, 6B ,7	EAST Entrance of the site	
APLES Alternates				
APLES listed the stabilized access				
section				

## **Storm Inlet Controls** Specification #200.3.2

P-value	Number Present	Drawing(s) When Used	Description Where Used	Additional Information
1.0	9	ESC 6,7,8	Multiple location on the site, see plan	Inlet Protection complies
APLES Alternates			ESC Plans for details	with the Standard Specification ESC.
APLES listed the				Specification 200.
inlet control section				

## Supplemental Control and Practice Information

N/A

## Y

## Non-Standard Control (Only if Required)

## Include the Sandbag and other non-standard control ESC measures in this section.

A non-standard control is a control or practice that is not found in the present version of the Standard Specifications – ESC such as rip rap and cable concrete. To use a non-standard control, populate this section of the application. <u>Click here</u> if an additional copy of a Non-Standard Control is required or if more space is needed.

Name and Type of	Control		Description of Control or Practice				
WATER BARRIER SANDBAGS		Acts as a barrier to form a 0.5 m deep sediment pond.					
P-value	Number Present		Drawing(s) Wh	en Used	Description Where Used		Additional Information
0.1	L=165m		ESC 6A		AREA 3		
Design Limitations	and Requirements		Installation Met	thod			
	ould be filled with u se environmental p		The sandbag	s are stacke	d to a height of 0.5 mete	ers.	
Inspection Requirer	ments	Maintenance R	Requirements	Wir	nter Operations	Remov	al Requirements
Each sandbag mu without openings otherwise, it shou promptly.	or collapse;						bags should be transported to gnated sand disposal area.

7.0 Stockpile Stabilization Requirements	3	Written stockpile, identify the controls, also show on the plan.	Submission from Appellant (Received July 11, 2025)
Duration of stockpile placement	Identify controls t	o be put in place when there is inactivity on any	faces
Short term (less than 30 days) sediment control	N/A		
Long term (30 days or more) erosion control	Existing Silt Fe	nce	
Material Stockpiled (topsoil, subsoil)	Volume	Es	timated Length of time in place
suboil	7709± CUM	Fol	lowing ESC approval, continuous constructio

When soil is being added to or removed from a stockpile, any face that has been undisturbed for more than 30 days must be stabilized.

## 8.0 Idle Site Management Specification #100.18.1

Idle site management is required for any idle exposed areas in accordance with the requirements listed below. These requirements may apply to the entire site, if the entire site is idle, or parts of the site if only parts are the site are idle.

Overall Site Size in Ha	Short Term Inactive for 30-365 days	Long Term Cover – Install when exposed areas(s) will be inactive for 365+ days
Check relevant box Small Site (0-2ha)	Mandatory Short-Term Cover not required	Product Details: Include relevant application rates, product type, seed type etc.
Medium Site (2 <sup>+</sup> - 10ha)	<ol> <li>Install Short Term Cover Type and Application Rate:</li> <li>or</li> </ol>	SOD Touchdown Kentucky Bluegrass 40% Kentucky Bluegrass 30% Creeping Red Fescue
Large Sites	<ul><li>2) Comply with the attached Water Retention Plan (ESC2 or ESC6)</li><li>1) Short Term Cover Type and Application Rate:</li></ul>	
(10⁺ha)	<ul> <li>or</li> <li>2) Comply with the Water Retention Plan (ESC2 or ESC6) and the Limited Exposure Plan (ESC10)</li> </ul>	If vegetation grown from seed is being used as the long-term cover, the vegetation must be established at 365 days, not installed at 365 days.

These cover requirements are for areas that are idle, and which do not have a cover already installed on them in the approved ESC Plan for the drawing being followed. Designers must populate both short-term and long-term cover in the table above. It is up to site staff to choose which option they will follow for short term inactive sites.

	•	e to the current notos is required.	
9.0 Attachments/Supporting Documents			
Mandatory Attachments 9.1 Site Photos and Map	Cheo	<b>ck to Confirm the Following Documents</b> a Attached (In Appendix)	are Provided
9.2 RUSLE Calculations	~	Attached (In Appendix)	Sandbag in ESC 6.1 is not from the
9.3 Inspection Sheet	✓	Attached	standard specifications. Provide the product data sheet in ESC attachment.
Site Specific Attachments	Chec	ck to Clarify which of the Following Docu	ments are Provided
9.4 Sediment Containment System Information	<ul><li>✓</li></ul>	Attached (In Appendix) No sediment containment systems are pre	oposed for the site
9.5 Manufacturers Information (Manufactures erosion and sediment control information includes data on how P-value or C-value was derived)	<ul> <li>✓</li> </ul>	Attached (some values used may also come from the Sta All C and P-values come from the Standa	
<b>9.6 Geotechnical Data</b> (Data on soil structure and texture, sieve analysis, % organic matter, and nomograph)	<ul> <li>✓</li> </ul>	Attached (In Appendix) Site K-value is: or Default use of 0.079 K-value	
9.7 Permission Letters Relevant to ESC (Right of way permissions, authorization to discharge water onto adjacent property during construction)	<ul> <li>✓</li> </ul>	Attached (In Appendix) Not Applicable	
9.8 Large Site Safety Plan (For sites > 65ha)	<ul> <li>✓</li> </ul>	Attached (In Appendix) Not Applicable	

Supplemental Information e.g. Support why attachments weren't supplied or what other attachments (not noted above) were supplied

N/A

## **10.0 Research for Drawing Development**



## **11.0 Drawing Requirements**

The goal of the ESC Plan is to keep soil on the construction site where it will not impact human health, safety, the environment, infrastructure, or adjacent properties. Follow the Drawing Requirement Section in the 2022 Instruction Manual for Erosion and Sediment Control Plan Applications.

		Requirements or	unchecked the b cut&fill exceed 2 meters.			
Check Relevant Drawings	Drawing Code	re relevant to this application Drawing Title	Stripping and Grading	Subdivision, Off-sites, Bareland Condos	Multifamily, Industrial, Commercial, Institutional	Linear Projects
	ESC1	Before Stripping and Grading Commences	Mandatory		* Site Dependent	* Site Dependent
	ESC2	Water Management Plan and Rough Grading	Mandatory		* Site Dependent	* Site Dependent
	ESC3	Post Stripping and Grading	Mandatory		* Site Dependent	* Site Dependent
	ESC4	Cut and Fill or Cut and fill Doesn't Exceed 2 Meters	Likely Mandatory	Site Dependent	Site Dependent	Site Dependent
<b>~</b>	ESC5	Before Development Commences		Mandatory	Mandatory	Mandatory
<b>~</b>	ESC6	Water Management Plan and Underground Work		Mandatory	Mandatory	Mandatory
<b>~</b>	ESC7	Above Ground Work		Mandatory	Mandatory	Mandatory
<b>~</b>	ESC8	Development Completion		Mandatory unless Subdivision	Mandatory	Mandatory
<b>~</b>	ESC9	Landscaping Plan		Site Dependent	Mandatory	Mandatory
	ESC10	Limited Exposure Plan	Site Dependent	Site Dependent	Site Dependent	Site Dependent

\*Site Dependent – Striping and Grading information is only required if not previously approved and if the site requires stripping and grading activities. Call 311 to discuss with an Environmental Compliance Specialist.

Other drawings and/or information on why drawings were not supplied (e.g. additional water management plans)

Include the ESC plan 6.1 in this section.

If the construction site is large and more than one drawing is required to show a stage of construction, label multiple drawings with capital letter codes (e.g. ESC5A, ESC5B). If the drawings codes have intermediate stabilization stages, such as a secondary Water Management Plan associated with above ground work, label multiple drawings with lowercase letter codes (e.g. ESC7A, ESC7B). If there are multiple drawings and multiple stages label drawings with the relevant capital and lowercase letter codes (e.g. ESC7A, ESC7Bb).

## **13.0 ESC Authentication**

13.1 Project Name AIRDRIE CREEKSIDE RESIDENTIAL

- 13.2 Development Number PL2300906
- 13.3 Municipal Site Address 196 EDWARDS WAY SW AIRDRIE AB

The undersigned agrees and certifies that all requirements in this application have been reviewed and properly identifies as part of this submission. The undersigned confirms the application complies with the *Standard Specifications – ESC* and that the creation of the erosion and sediment control plan has been undertaken by a professional with experience in the design and implementation of erosion and sediment controls who holds a designation as a Certified Professional in Erosion and Sediment Control (CPESC) or is a Professional Engineer (P. Eng.), Professional Licensee (P.L.(Eng.)), or a Professional Agrologist (P. Ag.).



PERMIT TO PRACTICE RICHVIEW ENGINEERING INC. 2025-05-0 Geologists and Geophysicists of Alberta

Signature

Date Authenticated

26-May-2025

Permit to Practice/Professional Stamp or Number

City of Calgary Authorization

14.0 City of Calgary Office Use

## **Richview** *Engineering Inc.*

Unti 130, 201-38 Avenue NE Calgary AB T2E 2M3 Tel: (403)230-3218 website: <u>www.RichviewEng.com</u>

May 02, 2025

City of Airdrie

Attn To Who May Concern

Re: Erosion & Sedimentation Control Application Submission for PL2300906

As per the City requirement we are submitting the ESC Application for this project.

Below are our responses to your comments

Please find attached, for your review and comment, two (2) copies of binder as listed below:

(1) ESC 4: Cut and Fill

Show the current condition for ESC5.

- (3) ESC6.1: During Grading Plan
- (4) ESC 6.2: Post-Underground Plan

(2) ESC 5: Before Development Plan

- (5) ESC 7: Above Ground Plan
- (6) ESC 8: Development Completion Plan
- (7) ESC 9: Landscaping Plan

Based on the attached stormwater model, the site runoff volume was calculated using the existing site condition with a runoff coefficient (C) of 0.3. The results for different return periods are as follows:

For a 1:2 year return period, the site runoff volume (measured in depth, mm) is 4.803 mm. Given the total site area of 8,001 square meters, the total runoff volume is:

4.803 \* 8,001/ 1,000 = 38.43 (CUM).

For a 1:200 year return period, the site runoff volume (measured in depth, mm) is 23.319 mm. Given the total site area of 8,001 square meters, the total runoff volume is:

23.319 \* 8,001 / 1,000 = 186.58 (CUM).

From the calculations above, even under a 1:200 year return period, the site runoff volume (186.58 CUM) remains below the storage ditch capacity (868 CUM), providing a surplus capacity of 681.42 CUM.

SWMHYMO models only a single storm event, making it unsuitable for sediment pond design or runoff volume prediction.

Should you have any concern or question, please feel free to contact myself @ 403-230-3218

Yours truly,

Robin Li P.Eng

Engineer in Training

Project # 1335

	Sediment Containment Systems										
Α	В	С	D	E	F	G	Н				
Drawing	Location (referenced on Drawing)	Sediment Containment System Identifier	Total Volume in Cubic Metres	Area Served in Hectares	Sediment Containment System (SCS) Type	Design Volume per ha	P-value				
ESC 6.1	WEST SIDE	POND 1	868	0.40	Simple SCS	2162	0.1				

1	Drawing Ende	CIRCS .		1		7			38	13	17	11	14	15
· ·													and the second second second second	on Potential
Drainage Area Identifier	13 Identifier	LS Area Sibe (In Ha)	Slope (%)	tiope Length (m)	Orscription of Controls and Practices	8 Value	K Value	US-Value	C-Value(s)	P-Value(s)	Slope Alone With No Controls	A-Value Tonnes/Na*yr	Soli Loss With Costrols and Practices Tonnes/yr	Soll Loss Withe Controls and Practices Tonnes/yr
CHART.	1321		- 22:	1.00	Andrews ( Print - 8, 5).		0.044	1.1.21			71.02		4.000	1.000
Ares 1	151-3	0.00	2.5	128.99	CRISTING GRASS/WEED	100	0.079	0.60	0.01	1	15.234	6.152	8.122	12.2
							Add Rew							
	Overall Site Size	0.80	$\sim$									Total Soil Loss Estimates	6.122	12.2

This calculater uses the US table from Apriculture and Apri-Pood Canada's NASENAC Revised inversal Soci 2000 for determine and Livelan from a given slope grade (N) and length Imsters). The US table was used as it is the Topographic Factor table from a given slope grade (N) and length Imsters). The US table was used as it is the Topographic Factor table from a given slope grade (N) and length Imsters). The US table was used as

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		3	4	- 5		1	- 1		30	13	12	- 11	14	n Potential
Drainage Aces Identifier	(3 Identifier	LS Area Sipe (he Ha)	Slope (%)	Slope Length (m)	Onscription of Controls and Practices	a vale	R Value	US-Value	C-Value(1)	P-Value(s)	Slope Alone With No Controls	A-Value Tonnes/Na*yr	Soli Loss With Costrols and Practices Tonnes/yr	Soll Loss Withou Controls and Practices Tonnes/yr
A	1321			10	Industry Print State	100	0.040	1.0	ALC: NOT				1.045	
Ares 1	A/A	0.48	54/4	14/06	8.05	100	0.079		-1	- 1				
Area 2	1374	0.40	1.30	12.97	SUMPACE ROUGHING - 6.9 SEDMENT POND - 0.1	129	0.079	0.14	1	0.09	3.455	0.129	9.152	13
-						-	AMRIN	-		-				
	Overall Site Size	0.00										Total Soll Loss Estimates	6.132	15

This calculate uses the US table from Agriculture and Agri-Pood Canada's RUREPAC Assisted investorial Sol 2000 table from Agriculture in Canada (2002) to determine and Used from Agriculture and Agri-Pood Canada for use used as to be flooring patient factor table that is summended by Agriculture and Agri-Pood Canada for use on construction projects that have a high ratio of rick interval arcsion.

Sh	eet							latio						
	<b>Drawing Code</b>		- 199 - I					p		1 100			in and	
1	2	8	4	5	4	1			38	13	1/	- 11	14	15
Drainage Area Identifier	13 Identifier	LS Arna Size (hii Ha)	Slope (%)	Slope Longth (m)	Oescription of Controls and Practices	# Value	E Value	LS-Value	C-Value(s)	P-Value(s)	Silope Alane Wilth No Controls	A-Value Tonnes/Ita'yı	Stell Loss With Controls and Practices Tonnes/yr	on Polantial Soil Loss Withou Controls and Practices Tonnes/yr
					Indonesed Paral 3.3.1									
4143.43	-0.21	6.2	78	1.10	Markly, Nathland, send 14.3	129	0.046	3.0	6.42	- 11	PLAD.	0.040	5.240	. 35.5
Ares 1	N/A	0.48	14/A	AL/A	0106	100	0.079		1	1				10000
A182 3	153-1	0.25	1.80	35.77	GRAVE,	130	0.005	8.57	1	.1	6.904	0.904	0.311	6.3
ANA S	(53-1	t0.0	4.40	22.79	GAAVES	100	0.005	0.54	1	1	0.823	0.821	0.054	6.1
AREA 4	1541	0.04	3.40	40.86	500	199	0.079	0.54	0.01	1	13.632	6.136	0.006	6.6
AREA.5	1551	0.03	3,10	9.45	500	100	0.079	0.34	0.00	1	6.322	0.061	0.001	0.1
Alwall Area 7	(3.7-1	0.02	2	15.57	100	100	0.079	0.32	0.01	1	26,784	0.055-0.267	0.001	8.1 E.8
							Add Row							
	Overall Site Size	0.80										Total Soll Loss Estimates	0.379	1.4
and justifical	idums 13 that	Area 1 ft Bui Area 2 10 3 - Gravel Cove Area 4 10 7 -	to be suppl	ied to use th	e K value adjusted factor 6.0	14, therefor	the Evolue	+0.079 x 8.0	74 = 0.005					

This calculates uses the CB table from Agriculture and Agri-Pood Canada's NOUTAL Revised inversal Soft cost Baueton for Application in Canada (2000) to determine and a value from a given slope grade (N) and length (meters). The CB table uses used as it is the Topographic Factor table that is recommended by Agriculture and Agri-Pood Canada for use on construction projects that have a high ratio of VIII. Intervill accesses.

Add New	I
Sheet	

## **RUSLE Calculations**

1	2		. 4	5		1			38	13	12	11	14	
	1.1.2	1. 7				1.1.1				1.1			Site trusk	on Polential
Dealmage Acea Identifier	(5 identifier	LS Area Size (In Hu)	Slope (%)	Slope Length (m)	Oescription of Controls and Practices	# Value	E Value	U-Value	C-Value(s)	P-Value(s)	Silope Alane Wills No Controls	A-Value Tonnes/ha*yr	Soli Less With Controls and Practices Tonnes/yr	Soll Loss Without Controls and Practices Tonnes/yr
ALCONT.	1321	1100	70	1.00	Multi- And Territory,		0.045	1.0.0	COMP.		10.00		1.040	
Ares 1	N/A .	0.48	AL/A	AL/A	6100	100	0.079		1	1		1.5.1.1.1.1.1		
Area 2	152-1	0.35	1.90	35.77	PAVIMENT	130	0.079	8.53	0.03	1	14.289	0.343	6.001	3.3
AREA 5	(53-1	0.01	4.40	22.79	AVENENT	100	0.079	0.54	0.00	1	12.968	0.130	0.009	6.5
AREA 4	1541	0.04	3.40	40.86	500	120	0.079	0.54	0.01	1	13.652	0.136	0.006	6.6
AREA 5	155-1	0.02	3,10	9.45	500	100	0.079	0.34	0.01	1	6.322	0.061	0.001	6.1
Alva 8	156-1	0.02	2	16.17	100	100	0.079	0.32	0.01	1	5.498	0.055	0.001	8.3
Area 7.	674	0.02	10.4	17.41	100	100	0.079	1.06	0.01	-	26.364	0.367	0.006	£3
							Add Row							
	Overall Site Size	0.80										Total Soli Loss Estimates	0.056	5.6
nd justificat	al toformation	Area 210 Su Area 210 Su Area 210 Su Area 6 AND :	will be PAVE will be cover	ed by Paven	ent and the C value will be 0.	01.								

This calculates uses the CB table from a pixel share and April Pood Canada's RAUPAC Revised inversal Soft cost Baueton for Application in Canada (2002) to determine and Lowler from a pixel shop pade (N) and length (meters). The CB table uses used as it to the Topographic Factor table that is recommended by Apriculture and April Food Canada for use on construction projects that have a high ratio of rEC interview.

1 Dealmage	2													
			4	5	4	1			38	13	12	11	14	bi
Acea 1318 dentifier	dentifier	LS Area Size (In Ha)	Slope (%)	Slope Longth (m)	1777-00-0	n Value	E Value	US-Viabue	C Value(s)	P-Value(s)	Silope Aluse With No Controls	A-Value Tonnes/ha*yr	Soli Loss With Controls and Practices Tonnes/yr	In Potential Soll Lons Withou Controls and Practices Tonnes/yr
					Multimer Print, 3(3). Multiply, Satisfies, send 4(3).									
	021 ····	0.48	A/A	ALCA	8.06	330	0.010	3.0	1	1.1	19.40	0.000	1.040	. 35.5
and the second se	152-1	0.25	1.80	35.37	PAVIMENT	130	0.079	8.57	0.03	1	14,289	0.348	6.031	1.1
and the second	384	10.0	4.40	22.79	PAVIMENT	100	0.079	0.54	0.00		12.968	0.130	0.009	2.5
and the state of the	541	0.04	3.40	40.86	500	130	8.079	0.54	0.01	I	13.632	0.136	0.006	6.6
	15-1	0.03	3.10	9.45	500	130	0.079	0.34	0.00	1	6.322	0.061	0.001	6.1
and the second se	561	0.02	2	15.17	500	100	0.079	0.32	0.03	1	3.490	0.055	0.001	0.1
Ansa 7. ()	(17-1		10.4	17.41	100	100	0.079	1.06	0.01	1	26.784	0.367	0.006	43
-	_			-		_	Add Row	6	-	_	-		÷	-
Overal	8 Site Size	0.80					il mutsesif					Total Soli Loss Estimates	0.056	5.4

This calculates uses the US table from a pixel state and April Pool Canada's RUG/PAC Revised inversal Soft cost Equation for Application in Canada (2002) to determine and Used from a given stope grade (N) and length (meters). The US table sees used as it to the Topographic factor table that is recommended by Apriculture and April Pool Canada for use on construction projects that have a high ratio of rUC interviti erosion.



**PRODUCT SPECIFICATIONS** 

## **Sediment Control Donut**

Properties	Low	Medium	High
Color	Gray	Orange	Yollow
Apparent Opening Size	0.180 mm	0.382 mm	0.672 mm
Flow Rate	114 LPM/m <sup>2</sup>	17,440 LPM/m <sup>2</sup>	17,790 LPM/m <sup>2</sup>
Permeability	0.001 cm/s	0.38 cm/s	0.40 cm/s
Grab Tensile Strength (MD)	803 N	1497 N	513 N
Grab Tensile Strength (TD)	527 N	549 N	1502 N
Grab Elongation (Max %)	27%	40%	40%
Mullen Burst	1,641 kPa	2,123 kPa	1,992 kPa
Recommended Applications	Low Traffic Flat Grade Clay/Silts	Low/Med Traffic Fine Sediments Coarse Silts	Med/High Traffic Low/Mid Point of Slope Coarse Sediments

Disclaimer: The information provided by Nilex is believed to be correct and is generally based on information supplied by the manufacturers of the product offered. Any recommendations made by Nilex concerning uses or applications of our products are also believed to be reliable; however, as Nilex has no control over design execution, and field conditions of the project which incorporate the product. Nilex disclaims all warranties, expressed or implied, including, without limitation, the warranties of merchantability and/or fitness for a particular purpose.



# **ESC Inspection Sheet**

NOTES

ISC: Unrestricted 2021

#### A. INSPECTION COMPANY INFORMATION

Richview Engineering Inc	Robin Li

#### **B. PROJECT INFORMATION**

Project Name	AIRDRIE CREEKSIDE RESIDENTIAL	Owner Name	STRATEGIC GROUP
Municipal Site Address	196 EDWARDS WAY SW AIRDRIE AB	ESC Consultant Name	Richview Engineering Inc
Urban File #	PL2300906	ESC Inspector Name	Robin Li

#### **C. INSPECTION CHECKLIST**

If the answer is **NO** to any of the questions below, please provide a comment in the Notes section.

🗖 Yes	🗖 No	1. Are the approved ESC documents and inspection sheets available on-site?	
T Yes	🖾 No	2. Does the site match the approved drawing(s)?	show the person or organization who is
T Yes	🖾 No	3. Are all inlet protection devices approved on the drawing?	conduct the weekly ESC inspections.
T Yes	🖾 No	4. Are all stockpiles properly located and stabilized?	
T Yes	🖾 No	5. Are construction exists properly installed and maintained?	
T Yes	🖾 No	6. Does the site appear adequately protected with existing controls?	
T Yes	🗖 No	<ol> <li>If required, has mandatory cover been installed on inactive areas after 30 days of them being idle?</li> <li>94</li> </ol>	Page 49 of 126

ESC Inspection

🗖 Yes	🗖 No	8. If after	lov 15. ha	as proper winter shut down occ		
T Yes	🗆 No		-	sediment to any of the followin erty, environmental reserve, or	_	
🗖 Yes	🗖 No	10. Have al	other en	vironmental concerns been miti	gated?	_
D. INSPEC	TION DET	AILS				
Inspection	n Date		Date		Project Start Date	Date
Weather (including past 48 hours)				Estimated Project End Date		
Inspection	n Attendee	es			ESC Drawing(s) Being Followed	
Date of Pr	revious			List of Deficiencies Noted at		
Inspection	ı			Previous Inspection: Questions 1-10 marked – <i>No</i> any control or practice without <i>Good</i> as a Performance Assessment		

## E. CONTROL AND PRACTICE ASSESSMENT

Populate the following section with all the control and practice that <u>should</u> be present on the site in accordance with the **ESC Drawing(s)** Being Followed from the approved drawing set.

Control or Practice	Location of Control	Photo	<b>Observations</b> (include deficiencies and concerns noted):	<b>Requirements</b> (what must be done to ensure alignment with the ESC Plan):
Sodding				

Written Submission from Appellant (Received July 11, 2025)

ESC Inspection

<u></u>		
Storm Inlet Controls		
Gravel Cover		
GRAVEL ENTRANCE		
SEDIMENT POND		
WATER BARRIER SANDBAGS		
SILT FENCE	-	

Written Submission from Appellant (Received July 11, 2025)

ESC Inspection

## Add Row

This Inspection was completed by:	Title and Credentials:

```
2
*FILENAME:1335.dat
*100 YEAR CHICAGO DESIGN STORM(1 HOUR DURATION-5 MINUTE TIME STEP)
*ANALYSIS TO DETERMINE THE MAJOR SYSTEM REQUIREMENTS BASE ON THE MINOR
*SYSTEM FLOW OUT OF THE AREA
*FORMAT SWMHYMO
*
*
START
                  RAINFALL BEGINS AT =0.0 hr
*DRAINAGE AREA FROM DRAINAGE PLAN NUMBER 1335
*100 YEAR STORM
CHICAGO STORM
                MET= 2 DUR= 1 hr R=.300 (decimal) DT=5 min
                ICASE=1 A=243 B=2.71 C=0.695
*
*****
*TOTAL AREA
*****
                ID=1 NHYD="A1" DT=1 AREA=0.8001 ha
DESIGN STANDHYD
                XIMP=0.3000 TIMP=0.3000 DWF=0 cms LOSS=2 CN=72
                SLOPE=1 % END=-1
*
FINISH
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\_\_\_\_\_ SSSSS W W м М Н Н Υ Υ м М 000 999 999 \_\_\_\_\_ WWW MM MM н Н ΥY MM MM 0 0 9 9 9 9 S SSSSS WWW ННННН ммм 0 9 9 ммм Υ 0 ## 9 9 Ver 4.05 9999 S WW Μ Μ Н Н Υ Μ М 0 0 9999 Sept 2011 SSSSS WW \_\_\_\_\_ М М Н Н Y М м 000 9 9 9 9 9 9 # 3716655 StormWater Management HYdrologic Model 999 999 ========= \* SWMHYMO Ver/4.05 \* \*\*\*\*\*\*\* A single event and continuous hydrologic simulation model \*\*\*\*\*\*\* \*\*\*\*\*\*\* based on the principles of HYMO and its successors \*\*\*\*\*\*\* OTTHYMO-83 and OTTHYMO-89. \*\*\*\*\*\*\* \*\*\*\*\*\*\* \*\*\*\*\*\*\*\* Distributed by: J.F. Sabourin and Associates Inc. \*\*\*\*\*\*\* \*\*\*\*\*\*\* Ottawa, Ontario: (613) 836-3884 \*\*\*\*\*\*\* \*\*\*\*\*\*\* \*\*\*\*\*\*\* Gatineau, Quebec: (819) 243-6858 \*\*\*\*\*\*\* E-Mail: swmhymo@jfsa.Com \*\*\*\*\*\*\* +++++++ Licensed user: Richview Engineering Inc. +++++++++ Calgary SERIAL#:3716655 +++++++++ \*\*\*\*\*\*\* +++++ PROGRAM ARRAY DIMENSIONS ++++++ \*\*\*\*\*\*\* Maximum value for ID numbers : \*\*\*\*\*\*\* 10 \*\*\*\*\*\*\* Max. number of rainfall points: 105408 \*\*\*\*\*\* \*\*\*\*\*\*\* Max. number of flow points : 105408 \*\*\*\*\*\*\* \*\*\*\*\*\* DETAILED OUTPUT \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \* \* TIME: 11:56:08 RUN COUNTER: 000712 DATE: 2025-02-10 \* Input filename: C:\MOEDLING\13352Y~1.DAT \* \* Output filename: C:\MOEDLING\13352Y~1.out \* \* Summary filename: C:\MOEDLING\13352Y~1.sum \* \* User comments: \* \* 1: \* \* 2: \* 3: 

001:0001------ -\*FILENAME:1335.dat \*100 YEAR CHICAGO DESIGN STORM(1 HOUR DURATION-5 MINUTE TIME STEP) \*ANALYSIS TO DETERMINE THE MAJOR SYSTEM REQUIREMENTS BASE ON THE MINOR \*SYSTEM FLOW OUT OF THE AREA \*FORMAT SWMHYMO \* \* | START Project dir.: C:\MOEDLING\ ----- Rainfall dir.: C:\MOEDLING\ TZERO = .00 hrs on 0 METOUT= 2 (output = METRIC) NRUN = 001NSTORM= 0 \_\_\_\_\_ 001:0002------\*DRAINAGE AREA FROM DRAINAGE PLAN NUMBER 1335 \*100 YEAR STORM ------CHICAGO STORM IDF curve parameters: A= 243.000 | Ptotal= 13.69 mm | B= 2.710 C= .695 INTENSITY =  $A / (t + B)^{C}$ used in: Duration of storm = 1.00 hrs Storm time step = 5.00 min Time to peak ratio = .30 TIME RAIN | TIME RAIN | TIME RAIN | TIME RAIN hrs mm/hr hrs mm/hr | hrs mm/hr hrs mm/hr .08 5.589 .33 58.763 | .58 9.731 | .83 5.782 .67 .17 7.955 .42 22.201 7.831 .92 5.158 .75 6.624 .25 16.695 .50 13.232 1.00 4.675 \_\_\_\_\_ 001:0003------ -\* \*\*\*\*\*\* **\*TOTAL AREA** \*\*\*\*\* 

DESIGN STANDHYD	Area	(ha)=	.80			
01:A1 DT= 1.00	Total	Imp(%)= 30	0.00 Dir.C	onn.(%)= 3	30.00	
	-					
		IMPERVIOUS	•	)		
Surface Area						
Dep. Storage	· ·					
Average Slope	(%)=	1.00	1.00			
Length Mannings n	(m)=	/3.03	40.00			
Mannings n	=	.013	.250			
Max.eff.Inten.(mr	n/hr)=	58.76	5,46			
		3.00				
Storage Coeff.				)		
Unit Hyd. Tpeak				,		
Unit Hyd. peak						
2				*TOTALS*	k	
PEAK FLOW	(cms)=	.03	.00	.032	(iii)	
TIME TO PEAK	(hrs)=	.35	1.02	.350		
RUNOFF VOLUME	(mm)=	12.89	1.34	4.803		
TOTAL RAINFALL				13.686	1	
RUNOFF COEFFICIE	T =	.94	.10	.351		
CN* = 72.0 (ii) TIME STEP THAN THE S	<ul> <li>(i) CN PROCEDURE SELECTED FOR PERVIOUS LOSSES: CN* = 72.0 Ia = Dep. Storage (Above)         (ii) TIME STEP (DT) SHOULD BE SMALLER OR EQUAL THAN THE STORAGE COEFFICIENT.         (iii) PEAK FLOW DOES NOT INCLUDE BASEFLOW IF ANY.</li> </ul>					
001:0004						
*						
FINISH						
***************************************						
WARNINGS / ERRORS	WARNINGS / ERRORS / NOTES					
Simulation ended or	 n 2025-02	-10 at 11	L:56:08			
				===========		

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2
*FILENAME:1335.dat
*100 YEAR CHICAGO DESIGN STORM(1 HOUR DURATION-5 MINUTE TIME STEP)
*ANALYSIS TO DETERMINE THE MAJOR SYSTEM REQUIREMENTS BASE ON THE MINOR
*SYSTEM FLOW OUT OF THE AREA
*FORMAT SWMHYMO
*
*
START
                  RAINFALL BEGINS AT =0.0 hr
*DRAINAGE AREA FROM DRAINAGE PLAN NUMBER 1335
*100 YEAR STORM
CHICAGO STORM
                MET= 2 DUR= 1 hr R=.300 (decimal) DT=5 min
                ICASE=1 A=1220.4 B=5.90 C=0.782
*
*****
*TOTAL AREA
*****
                ID=1 NHYD="A1" DT=1 AREA=0.8001 ha
DESIGN STANDHYD
                XIMP=0.3000 TIMP=0.3000 DWF=0 cms LOSS=2 CN=72
                SLOPE=1 % END=-1
*
FINISH
```

\_\_\_\_\_ SSSSS W W м М Н Н Υ Υ М М 000 999 999 \_\_\_\_\_ WWW MM MM Н Н ΥY MM MM 0 0 9 9 9 9 S SSSSS WWW ННННН ммм 0 9 9 ммм Υ 0 ## 9 9 Ver 4.05 9999 S WW Μ Μ Н Н Υ Μ М 0 0 9999 Sept 2011 SSSSS WW \_\_\_\_\_ М М Н Н Y М м 000 9 9 9 9 9 9 # 3716655 StormWater Management HYdrologic Model 999 999 ========= \* SWMHYMO Ver/4.05 \* \*\*\*\*\*\*\* A single event and continuous hydrologic simulation model \*\*\*\*\*\*\* \*\*\*\*\*\*\* based on the principles of HYMO and its successors \*\*\*\*\*\*\* \*\*\*\*\*\*\* \*\*\*\*\*\*\* OTTHYMO-83 and OTTHYMO-89. \*\*\*\*\*\*\*\* Distributed by: J.F. Sabourin and Associates Inc. \*\*\*\*\*\*\* \*\*\*\*\*\*\* Ottawa, Ontario: (613) 836-3884 \*\*\*\*\*\*\* \*\*\*\*\*\*\* \*\*\*\*\*\*\* Gatineau, Quebec: (819) 243-6858 \*\*\*\*\*\*\* E-Mail: swmhymo@jfsa.Com \*\*\*\*\*\*\* +++++++ Licensed user: Richview Engineering Inc. +++++++++ Calgary SERIAL#:3716655 +++++++++ \*\*\*\*\*\*\* +++++ PROGRAM ARRAY DIMENSIONS ++++++ \*\*\*\*\*\*\* Maximum value for ID numbers : \*\*\*\*\*\*\* 10 \*\*\*\*\*\*\* Max. number of rainfall points: 105408 \*\*\*\*\*\* \*\*\*\*\*\*\* Max. number of flow points : 105408 \*\*\*\*\*\* \*\*\*\*\*\* DETAILED OUTPUT \*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\* \* TIME: 11:59:04 RUN COUNTER: 000713 \* DATE: 2025-02-10 \* Input filename: C:\MOEDLING\133520~1.DAT \* \* Output filename: C:\MOEDLING\133520~1.out \* \* Summary filename: C:\MOEDLING\133520~1.sum \* \* User comments: \* \* 1: \* \* 2: 3: \* 

001:0001------ -\*FILENAME:1335.dat \*100 YEAR CHICAGO DESIGN STORM(1 HOUR DURATION-5 MINUTE TIME STEP) \*ANALYSIS TO DETERMINE THE MAJOR SYSTEM REQUIREMENTS BASE ON THE MINOR \*SYSTEM FLOW OUT OF THE AREA \*FORMAT SWMHYMO \* \* | START Project dir.: C:\MOEDLING\ ----- Rainfall dir.: C:\MOEDLING\ TZERO = .00 hrs on 0 METOUT= 2 (output = METRIC) NRUN = 001NSTORM= 0 \_\_\_\_\_ 001:0002------\*DRAINAGE AREA FROM DRAINAGE PLAN NUMBER 1335 \*100 YEAR STORM ------CHICAGO STORM IDF curve parameters: A=1220.400 | Ptotal= 46.13 mm | B= 5.900 C= .782 INTENSITY =  $A / (t + B)^{C}$ used in: Duration of storm = 1.00 hrs = 5.00 min Storm time step Time to peak ratio = .30 TIME RAIN TIME RAIN | TIME RAIN TIME RAIN hrs mm/hr | hrs mm/hr hrs mm/hr hrs mm/hr .08 17.012 .33 188.467 | .58 33.654 | .83 17.735 .67 25.829 .42 84.106 | .17 26.367 .92 15.383 .75 21.000 | .25 62.055 .50 48.307 1.00 13.609 \_\_\_\_\_ 001:0003------ -\* \*\*\*\*\*\* **\*TOTAL AREA** \*\*\*\*\* 

DESIGN STANDHYD   01:A1 DT= 1.00	Area   Total	(ha)= Imp(%)= 30	.80 0.00 Dir.C	onn.(%)=	30.00
	-				
		[MPERVIOUS	· · ·	)	
Surface Area					
Dep. Storage					
Average Slope	(%)=	1.00	1.00		
Length	(m)=	73.03	40.00		
Length Mannings n	=	.013	.250		
Max.eff.Inten.(m	m/hr)=	188.47	32.87		
over	(min)	2.00	15.00		
Storage Coeff.	(min)=	1.64 (ii	) 15.20 (ii	)	
Unit Hyd. Tpeak					
Unit Hyd. peak	(cms)=	.63	.07		
				*TOTAL	.S*
PEAK FLOW	(cms)=	.12	.03	.12	3 (iii)
ΤΙΜΕ ΤΟ ΡΕΑΚ	(hrs)=	.33	.63	.33	
RUNOFF VOLUME				23.31	
TOTAL RAINFALL	• •			46.12	
RUNOFF COEFFICIE	NT =	.98	.30	.50	6
<ul> <li>(i) CN PROCEDURE SELECTED FOR PERVIOUS LOSSES: CN* = 72.0 Ia = Dep. Storage (Above)</li> <li>(ii) TIME STEP (DT) SHOULD BE SMALLER OR EQUAL THAN THE STORAGE COEFFICIENT.</li> <li>(iii) PEAK FLOW DOES NOT INCLUDE BASEFLOW IF ANY.</li> </ul>					
001:0004					
*					
FINISH					
 ***********************************					
WARNINGS / ERROR	WARNINGS / ERRORS / NOTES				
Simulation ended o			1:59:04		
			===		

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	4748.699	OCU.M.
•	4544.272	CU.M.
•	204.427	CU.M.

ASSUME STRUCTURE THICKNESS UNDER BUILDING SLAB = 300MM

ASSUME CONCRETE, LANDSCAPING, AND GRAVEL AREA PAVEMENT STRUCTURE THICKNESS=300MM






	CITY OF AIRDRIE OFFICE USE SPACE	
	A RICHVIEW ENGINEERING INC.	
	CONSULTING ENGINEERS	
	Unit 130, 201 38th AVE NE. CALGARY, ALBERTA T2E 2M PHONE: (403) 230–3218 FAX: (403) 230–3208	13
	THIS DRAWING MAY NOT BE REPRODUCED OR COPIED WITHOUT THE EXPRESS WRITTEN CONSENT	
	OF RICHVIEW ENGINEERING INC.	
	NOTES: 1. ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF.	
	<ol> <li>ALL ELEVATIONS REFERENCED TO 1000 GEODETIC DATUM.</li> <li>ALL WORK TO BE DONE TO CITY OF AIRDRIE AND CITY OF CALC</li> </ol>	ARY
Show the silt fence 'J-hooks'	SPECIFICATIONS.	
configuration as per CoC ESC — spec detail sheets.	DRAINAGE AREAS	
spec detail sheets.	CONSTRUCTION BOUNDARY	-
	SILT FENCE	
	BUILDING PAD	
	SURFACE ROUGHING	
	WATER BARRIER SANDBAGS	
	FLOW DIRECTION	
	EMERGENCY SPILL	
	RUN ON / RUN OFF	
	CONSTRUCTION	
	ENTRANCE	
	POST	
	STAKE WITH MARK	
	STORM DRAIN INLET FILTER	
	MUNICIPAL ADDRESS	
	196 EDWARDS WAY SW AIRDRIE AB LEGAL ADDRESS	
	LOT 6 BLOCK 1 Plan 151 1409	
	SW 1/4 SEC 12 TWP 27 RGE 1 W5th M TOTAL SITE AREA=0.8001ha, TOTAL UNITS=213	
	TOTAL SHE AREA=0.000Hd, TOTAL UNITS=215	
	REVISIONS	
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS	CL RL CL RL
	REVISIONS       8     25     05     02     AS PER CITY OF AIRDRIE COMMENTS	
	REVISIONS8250502AS PER CITY OF AIRDRIE COMMENTS7250218AS PER CITY OF AIRDRIE COMMENTS6250210AS PER CITY OF AIRDRIE COMMENTS5250108AS PER CITY OF AIRDRIE COMMENTS424053130% PROGRESS PACKAGE	CL RL CL RL CL RL CL RL CL RL
	REVISIONS8250502AS PER CITY OF AIRDRIE COMMENTS7250218AS PER CITY OF AIRDRIE COMMENTS6250210AS PER CITY OF AIRDRIE COMMENTS5250108AS PER CITY OF AIRDRIE COMMENTS424053130% PROGRESS PACKAGE3240502AS PER CITY OF AIRDRIE COMMENTS2240319FOR APPROVAL	CL RL CL RL CL RL CL RL CL RL CL RL CL RL
	REVISIONS8250502AS PER CITY OF AIRDRIE COMMENTS7250218AS PER CITY OF AIRDRIE COMMENTS6250210AS PER CITY OF AIRDRIE COMMENTS5250108AS PER CITY OF AIRDRIE COMMENTS424053130% PROGRESS PACKAGE3240502AS PER CITY OF AIRDRIE COMMENTS2240319FOR APPROVAL1231031FOR APPROVALREV.YMDISSUE/REVISION DESCRIPTION	CL RL CL RL CL RL CL RL CL RL CL RL
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV.       Y       M       D       ISSUE/REVISION DESCRIPTION	CL RL CL RL CL RL CL RL CL RL CL RL CL RL CL RL
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV. Y       M       D         SEAL	CL RL CL RL CL RL CL RL CL RL CL RL CL RL CL RL
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV. Y       M         D         SEAL	CL RL CL RL CL RL CL RL CL RL CL RL CL RL DRN CHK
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV.       Y       M       D       ISSUE/REVISION DESCRIPTION         PERMIT       TO PRACTICE       SEAL         ISIGN CULL	CL RL CL RL CL RL CL RL CL RL CL RL CL RL CL RL DRN CHK
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV. Y       M       D       ISSUE/REVISION DESCRIPTION         PERMIT       TO PRACTICE       RIC HVIEW ENGINE FERING INC.         Signature	CL RL CL RL CL RL CL RL CL RL CL RL CL RL DRN CHK
	REVISIONS         8       25       05       02       AS PER CITY OF AIRDRIE COMMENTS         7       25       02       18       AS PER CITY OF AIRDRIE COMMENTS         6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         1       23       10       31       FOR APPROVAL         REV.       Y       M       D       ISSUE/REVISION DESCRIPTION         PERMIT       TO PRACTICE       RIC HVIEW ENGINEFERING INC.       Signature         Date       2       May 25       PERMIT NUMBER: PO9809         The Association of Professional Engineers, Geologists and Geophysicists of Alberta       Alberta	CL RL CL RL CL RL CL RL CL RL CL RL CL RL DRN CHK
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## notes

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- 2. Do not scale drawings.
- 3. Refer to Civil drawings for all grading information. 4. All walkways are plain concrete unless noted otherwise.
- 5. All landscape areas to be watered with an automatic underground irrigation system. Contractor to ensure irrigation meter is installed and properly operating prior to charging and running the irrigation system.
- All planting beds and tree wells to be mulched with bark chip mulch, to 100 mm depth. Contractor to ensure planting beds extend to drip line of outermost plant materials in planting bed.

land use bylaw landscape requirements		
City Of Airdrie Zoning	M3	
landscape area	required	provided
total parcel area	8,000.86 m2	
landscape area required for M3 zoning (10% of parcel area) parking lot island area provided	800.09 m2	1399.4m2 95m2
total number of trees	required	provided
1/30 m2 of required landscape area (10% of Site Area)	27	28
1/10m2 of landscape parking island area	0	10
number of exsiting trees on site:	0	0
number of new trees required:	37	38
deciduous trees	required	provided
large trees (50% min 70mm cal)	11	12
medium trees (50% min 50mm cal)	11	12
total deciduous trees	22	24
coniferous trees	required	provided
trees (2.5m ht min)	14	14
total coniferous trees	14	14
shrubs	required	provided
2/30 m2 of required landscape area (10% of Site Area) (min 600mm hight and spread)	53	276

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## plant schedule - overall

	quantity	botanical name	common name	size	comments	spacing
	12	Malus x 'pink spire'	pink spire flowering crab	50mm minimum calliper	balled + burlapped	\$ <b>3</b>
	6	Picea pungens	colorado blue spruce	2.5m minimum height	balled + burlapped	<b>S</b> .
	8	Pinus banksiana	jack pine	2.5m minimum height	balled + burlapped	5 <b>.</b>
er.	8	Populus tremuloides	trembling aspen	70mm minimum calliper	balled + burlapped	<b>S</b> J
A Sand	4	Prunus maackii	amur cherry	70mm minimum calliper	balled + burlapped	5

quantity	botanical name	common name	size	comments	spacing
5	Cornus serica	red osier dogwood	#5 container	600mm min height + spread	+/-0
15	Cornus sericea	red osier dogwood	#5 container	600mm min height + spread	+/-0
49	Juniperus horizontalis 'Blue Prince'	Blue Prince Juniper	#2 container	600mm min. spread, on City of Calgary low water shrub list	+/-0
26	Juniperus Sabina	savin juniper	#5 container	600mm min height + spread	+/-0
10	Juniperus sabina 'Scandia'	scandia juniper	#5 container	600mm min height + spread	+/-0
21	Prunus cistena	purple leaf sandcherry	#5 container	600mm min height + spread	+/-0
38	Ribes alpinum	alpine current	#5 container	600mm min height + spread	+/-0
13	Rosa woodsii	woods rose	#5 container	600mm min height + spread	+/-0
24	Sorbaria sorbifolia	ural false spirea	#5 container	600mm min height + spread	+/-0
20	Spirea x bumalda 'Goldflame'	goldflame spirea	#5 container	600mm min height + spread	+/-0
quantity	botanical name	common name	size	comments	spacing
277	Calamagrostis acutiflora	karl foerester grass	#2 container		+/-0
10	Calamagrostis acutiflora	karl foerester grass	#2 container		+/-700
54	native perennial	native perennial	15 cm		+/-0



## EIGHT ONE EIGHT STUDIO PLANNING + DESIGN COLLABORATIVE

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number	revision	date	by	
		<u>uare</u>	by	approved
3	DTR #1 resubmission			2023-11-02
2	development permit			2023-05-17
1	review			2023-05-11
issued f	or			date (y.m.d)

# creekside multi-family 196 Edwards Way SW Airidrie, Alberta

project

drawing

## development permit

drawn		approved	
	hwl		aa
checked		project number	
	aag		0457.1
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	2023/05/16		1
scale			
	as noted		





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## tree protection notes

1. All maintenance required for the existing trees is to be performed by a certified horticultural technician or landscape journeyman. 2. All pruning work to be done by a certified arborist.

3. All remaining trees to be regularly maintained for a minimum of two growing seasons after construction

4. Any branches broken or significantly damaged as a result of construction shall be pruned. 5. Contractor to arrange for minimum weekly watering during contstruction period. Trees to be watered manually

from a water truck, contractor to submit water log for review. 6. Contractor to prune canopies of existing trees to ensure there are no conflicts with adjacent construction work. 7. Contractor to root prune any trees to remain whose roots will be disturbed by construction.

8. All trees to be staked or guyed as appropriate to ensure stability during construction. Staking of established public trees is not required, unless adjacent construction will affect the stability of the existing tree in any way. 9. Any damage ocurring to the landscape or trees on public lands as a result of the construction activities will be repaired by the Contractor at no cost to the Owner.

10.Contractor shall notify Urban Forestry (311) within two (2) working days of any suspected damage to trees resulting from the construction activities. 11. Contact information for Urban Forestry is 3-1-1. When speaking with 3-1-1 service representative reference public trees and development and include the Development Permit number.

12.Contractor to provide protection signs at each east and west face of snow fence, minimum of 450mm x 450mm size. Sign shall read "Warning - Tree Protection Zone", and list Contractor's contact information. Coordinate signage with City of Airdrie.

13.Contractor will be required to compensate Urban Forestry for each tree on public lands which is destroyed through construction activities, outside of trees identified as to be removed. 14. Public trees located on the city boulevard adjacent to site shall be retained and protected during all phases of construction, by installing a temporary fence 4 metres from the trunk or beyond the extent of the branches ("drip line") and ensuring no construction materials are stored inside this fence.

15. Snow fence surrounding tree protection zone shall be a minimum of 1.2 meters high and orange in colour. Contractor to ensure fencing remains in a taught, upright condition throughout construction period, cross brace as required to support fencing. 16.Stakes to be removed two growing seasons after construction completion or when root system has sufficiently

17.Use metal construction fence or a wooden framed structure skirted with orange safety fence as a tree protection

18. Tree protection is limited to those existing trees within the proposed limits of construction. Existing plant materials

#### existing tree to be retained and protected throughout construction

protected tree signage as per municipal requirements, sign to note: "Warning - Tree Protection Zone", and list Contractor's contact information, signage to be laminated in plastic and placed on two of the longest sides of protection zone

barrier fencing: high density orange polyethylene construction fence securely fastened to posts and rails top and bottom rails: 38mm x 89mm minimum

wooden post 76mm x 76mm minimum or approved alternative (brace as required)

wood post securely driven into subgrade, do not install on or through tree roots





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- irrigation system. 6. All planting beds and tree wells to be mulched with bark chip mulch, to 100 mm depth. Contractor to ensure planting beds extend to drip line of outermost plant materials in planting bed.



- prune all dead, broken & diseased tree limbs in accordance with proper horticultural practices - do not prune leader - 12mm rubber hose - position at approx. 3/5 height of tree and

above first strong branches - fluorescent orange flagging on all guy wires

- 2 or 3 - vertical tree stakes: 2000mm long t-posts c/w 7 punched holes (1 1/2" x 1 3/8" x 7") or teeth/notches, sink 400mm below compacted subgrade, top 300mm of all stakes painted to match municipal annual colour codes - stakes are to be removed after one full growing season

> galvanized guy wire 11 gauge tree trunk protection

- set top of root ball & flare 40mm above finish grade - 100 mm depth bark mulch - tapered at trunk, pull mulch away from base of all plants a min 100mm - spade edge

shape soil surface to provide a min. 1000mm dia. watering ring

- remove burlap & wire basket from top 1/3 of rootball. remove all wire, strapping, and string

amended topsoil as per specifications, do not allow air pockets to form when back filling

- scarify planting tree well, bottom & sides

- compacted subgrade - ensure firm base so that rootball will not sink, place compacted clay below rootball as required based on site soil conditions

## Ζ 0 $\mathbf{O}$ TB **SNO** C ſ 0 0 Ζ

## EIGHT ONE EIGHT STUDIO



project creekside multi-family 196 Edwards Way SW Airidrie, Alberta

## details

drawing



# STRATEGIC

Suite 400, Strategic Centre 630 – 8 Avenue SW Calgary AB T2P 1G6 strategicgroup.ca

May 14, 2025

City of Airdrie City Hall, 400 Main Street SE, Airdrie, Aberta VIA EMAIL: Gail Gibeau, RPP, MCIP: <u>Gail.Gibeau@airdrie.ca</u> Tracey Tester, Senior Planner, City of Airdrie: <u>Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie: <u>Shannon.McCarron@airdrie.ca</u> Stephanie Martin, Team Lead, Building Inspections, City of Airdrie: <u>Stephanie.Martin@airdrie.ca</u>

Dear Sir/Madam,

# Re: Stop Order dated April 29, 2025, in respect of Lot 6; Block 1; Plan 1511409 (the "Lands")

I am writing in response to the Stop Order dated April 29, 2025, and the comments the City of Airdrie provided on the revised Erosion and Sediment Control (ESC) Plan submitted for the Lands. The purpose of this letter is to express Strategic Group's commitment to remedying the non-compliances identified in the Stop Order and find a way to promptly remedy those instances of non-compliance in cooperation with the City.

Strategic Group acknowledges that its contractor has inappropriately piled soil within the Nose Creek floodway and Nose Creek riparian area in contravention of the terms of the Development Permit. Strategic Group further acknowledges that while the soil remains piled in the floodway it is at risk of being washed into Nose Creek if a once in a generation storm occurs. For that reason, Strategic Group understands that the soil must be removed from the floodway as soon as reasonably possible and does not dispute the appropriateness of the Stop Order being issued. However, certain terms of the Stop Order are not reasonable, either because they work against the purpose of the Stop Order or because the deadlines for meeting them are not reasonable in the circumstances. Therefore, Strategic Group requests that the City amend the Stop Order to remove the absolute prohibition on using mechanical equipment within the Nose Creek riparian area and revise the deadlines for completing orders 6 through 9 in the Stop Order.

### Use of mechanized equipment

Order 6 of the Stop Order prohibits the use of mechanized equipment within the Nose Creek riparian area. While Strategic Group appreciates the sensitive nature of the Nose Creek riparian area, the absolute prohibition on any use of mechanized equipment in it is not reasonable. By prohibiting the use of mechanized equipment in the Nose Creek riparian area, the Stop Order has effectively made it impossible to remove piled soil from the riparian area in any reasonable amount of time, which is contrary to the intention of the Stop Order. In addition, the absolute prohibition on the use of mechanized equipment within the riparian area area contradicts the initial development permit, which permitted the construction of an underground parkade within the riparian area on the northwest corner of the Lands, which requires the use of mechanized equipment. Similarly, over the last week, Ellis Don has been safely using mechanized equipment within the riparian area.

Strategic Group believes that the purpose of the Stop Order and protection of the Nose Creek riparian area can be better served by permitting Strategic Group's contractors to use mechanized equipment within the riparian area, provided that proper precautions (e.g. pressure dispersion plates) are used to prevent equipment from damaging the surface. In addition, any impact the mechanized equipment may have on the riparian area will be remediated under orders 8 and 9 of the Stop Order. For these reasons, Strategic Group requests that the Stop Order be amended to permit the use of mechanized equipment within the riparian area, provided that proper measures are put in place to prevent that equipment from damaging the surface of the riparian area.

## Incorporating time for the City's approval of the revised ESC Plan

Even if Strategic Group is permitted to use mechanized equipment to relocate soils stored in the riparian area, the deadlines for the relocation of piled soil, implementation of a revised ESC Plan, and subsequent remediation of the riparian area are not reasonable in the circumstances. In particular, orders 6 through 9 of the Stop Order do not make accommodations for the time required for the City to review and approve the required revised ESC Plan. This is not reasonable because the work required to comply with orders 6 through 9 of the Stop Order is contingent on the City's approval of the revised ESC Plan.

Strategic Group's consultant delivered a revised ESC Plan to the City for approval on May 2, 2025, but only received comments on the revised ESC Plan on May 13, 2025. This intervening 11-day review period would have made it impossible to implement the revised ESC Plan before May 15, 2025, even if the revised ESC Plan had been approved. The time required to respond to the City's comments and then wait for final approval of the revised ESC Plan will further prevent Strategic Group's contractors from completing orders 6 through 9 by the deadlines set out in the Stop Order. For those reasons, Strategic Group requests that orders 6 through 9 of the Stop Order be amended to include reasonable timelines that begin to run when the City approves a revised ESC Plan for the Lands.

#### Conclusion

In summary, Strategic Group is committed to ensuring that the development on the Lands is brought into compliance and that the impacts of any prior instances of non-compliance are promptly remediated. The intention of this letter is not to be adversarial or criticize the City's approach to these issues, Strategic Group only asks that it be permitted to use the appropriate resources and given a reasonable amount of time to implement the required solutions in partnership with the City. I would welcome a discussion regarding the above requested amendments and the best approach to bringing the Lands into compliance at your earliest convenience.

Yours truly,

Strategic Group

Branden Kidd Development Manager

 
 From:
 Branden Kidd

 To:
 Tracey Tester; Gail Gibeau; Shannon McCarron; Stephanie Martin

 Subject:
 Re: Stop Order - April 29, 2025 - Request to Amend

 Date:
 Wednesday, May 14, 2025 12:14:25 PM

 Attachments:
 image002.png image869348.png image853153.png

Tracey,

Thanks for your response.

We would like to propose items #6 to #9 be subject to the approval of the ESC plans.

Item #6 and #7 (removal of all soils and materials from the neighbor property, and implementation of the approved ESC plan) are the same. Critical to our proposed ESC plan is ensuring all the soils are removed from the neighbor's property. I would like to propose that our contractor have the vast majority of the earth moved from the neighbor's property in 2 weeks from ESC approval date and completely removed within 3 weeks of the ESC approval. Further, within 3 weeks of ESC approval, the full ESC plan will be implemented and ready for inspection.

For item #8, 2 weeks after the ESC plans are approved, (when the vast majority of soils are removed from site), we will have an environmental consultant on site to inspect the grounds. 1 week later (3 weeks from the approved ESC plans date), a report will be provided to the city specifying the required restoration plan (items 8a and 8b)

#9. Without knowing the extent of what is involved in the restoration plan, a timeline is impossible to forecast. I propose that within 1 week of the submission of the restoration plan to the city, a contractor will be retained, and restoration work shall commence.

With the commencing of restoration work, we would like to propose lifting of the stop order subject to the commencement of restoration work, with our assurance that the restoration work will continue uninterrupted until it is completed per the restoration plan.

If the City would like to discuss these timelines above, I can make myself available for a meeting to discuss this matter in detail at any time.

Warm Regards,

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:587.404.4166 Main:403.770.2300

bkidd@strategicgroup.ca strategicgroup.ca



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sender and delete the material.

From: Tracey Tester
Sent: Wednesday, May 14, 2025 11:09 AM
To: Branden Kidd; Gail Gibeau; Shannon McCarron; Stephanie Martin
Subject: RE: Stop Order - April 29, 2025 - Request to Amend

Hi Branden,

I acknowledge receiving your letter requesting an extension pertaining to orders 6 to 9 in the Stop Order.

Internal staff are meeting at 3 pm today to discuss this request. In preparation, does Strategic Group have a date in mind to complete the work? It would be helpful for the meeting this afternoon if staff had input on what Strategic Group considers a reasonable timeframe for completion. Sincerely.

Tracey Tester, RPP, MCIP Senior Planner, Current Planning | City of Airdrie | P. 403.948.8800 ext 8205

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From: Branden Kidd <BKidd@strategicgroup.ca>
Sent: Wednesday, May 14, 2025 8:48 AM
To: Gail Gibeau <Gail.Gibeau@airdrie.ca>; Tracey Tester <Tracey.Tester@airdrie.ca>; Shannon McCarron
<Shannon.McCarron@airdrie.ca>; Stephanie Martin <Stephanie.Martin@airdrie.ca>
Subject: [EXTERNAL] Stop Order - April 29, 2025 - Request to Amend

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City of Airdrie,

I am writing you today to reinforce Strategic Groups commitment to resolving all Stop Order requirements described within the April 29, 2025 Order as a result of our contractors' inappropriate actions. For reasons and rational specified within the attached letter, we are kindly asking the City of Airdrie to amend the Stop Order to allow for the appropriate time and methodology to remedy all items noted within the Stop Order.

I understand this situation has not been ideal for any party to date and want to ensure we are given the opportunity to be part of the solution and progress towards a far better overall site for both the City of Airdrie and Strategic Group as a whole.

Thank you, we look forward to your response on this time sensitive matter.

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:<u>587.404.4166</u> Main:<u>403.770.2300</u>

bkidd@strategicgroup.ca strategicgroup.ca



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## May 15, 2025

To:	Strategic Group Suite 400, 630 – 8 Avenue SW, Calgary, AB T2P 1G6
	Creekside Corp. Suite 430, 2020 4 <sup>th</sup> Street SW, Calgary, AB T2S 1W3
	UK ONE Construction Ltd. 353 Santana Bay NW, Calgary, AB, T3K 3N6
Subject:	Response to Request for Extension – Stop Order Compliance on Lot 6, Block 1, Plan 1511409 (the "Lands")

Attention: Branden Kidd, Development Manager,

We write in response to correspondence received from Strategic Group on May 14, 2025, regarding the Stop Order issued on April 29, 2025, attached to this letter. We acknowledge the request for an extension to the deadlines with several of the directives in the Stop Order. The City is not granting an extension of the deadlines in the Stop Order. However, the City will refrain from taking enforcement action until the dates outlined below.

This agreement to delay enforcement **does not alter or extend any appeal timelines** with the Stop Order. Furthermore, the agreement to refrain from enforcement action is conditional on consistent demonstration of active and diligent efforts towards full compliance with the Stop Order. This includes timely submissions, responsiveness to City feedback, and visible progress on required actions. Based on the City's turnaround times to review reports and submissions, we believe the dates below are reasonable and achievable.

## A. Stop Order Directives

## Order #1

• Construction activities on the Lands continue to be barred because of failure to meet directives #6 and #7.



## Order #2

• The City acknowledges the sediment holding pond has been emptied. <u>This</u> requires ongoing monitoring and emptying to prevent breaching and contamination of Nose Creek.

## Orders #3 and #4

• The City acknowledges that directives #3 & #4 of the Stop Order have been met.

The City confirms the survey provided under directive #3 shows ground disturbance within the Provincial Flood Way of Nose Creek.

## Order #5 – Provision of Erosion and Sediment Control Plan

• The City acknowledges the receipt of an erosion and sediment control plan ("ESC Plan") as required by directive #5 of the Stop Order and has provided a list of deficiencies to be remedied. Provide the City with a revised ESC Plan that addresses the deficiencies by **4:00 PM on Monday May 19, 2025.** 

## Order #6 – Removal of Material

- No enforcement until May 29, 2025
- This work is not contingent on ESC approval or the restoration plan. As such, **removal must proceed immediately** using unmechanized equipment outside the construction fencing. Mechanized equipment may only be used within the existing construction fence. Use of mechanized equipment outside the fence is only permitted as outlined in an approved restoration plan (per Order #8).
- As stated in the Stop Order, consent is required from private landowners to access neighbouring properties.

## Order #7 – Implementation of ESC Plan

- No enforcement until 10 business days following ESC plan approval
- Enforcement deferral is contingent upon **Strategic Group** or its agents actively addressing the City's comments and resubmitting a complete ESC plan that addresses the deficiencies and providing evidence of a contract with a qualified environmental professional no later than **4:00 PM on Monday, May 19, 2025**.



## Order #8 – Environmental Assessment & Restoration Plan

- No enforcement until 1:00 PM on June 26, 2025
- Enforcement deferral is contingent on diligent progress, including timely communication with the City, and submission of required reports and resubmission within 36 hours of receiving City comments so a complete plan that meets the City's requirements are approved by June 26, 2025.
- Enforcement deferral is also contingent on providing evidence of a contract with a qualified environmental professional.

## Order #9 – Implementation of Restoration Plan

- No enforcement until 2 weeks following restoration plan approval.
- As above, enforcement deferral is contingent on the demonstration of active compliance efforts, including the timely provision of required information.

## B. Access to the Lands

Permission is not required to enter the Lands to conduct work required by the Stop Order. However, all persons entering the Lands must wear required personal protective equipment and comply with appropriate safety measures.

We trust that this approach provides a practical path forward while maintaining the integrity of the Stop Order. Should you have any questions or require clarification, please do not hesitate to contact our office.

Sincerely,

Gail Gibeau, RPP, MCIP Development Officer

- ATT. Stop Order, dated April 29, 2025 Timeline Extension Requested, email dated May 14, 2025
- CC. Tracey Tester, Senior Planner, City of Airdrie, <u>Tracey.Tester@airdrie.ca</u> Shannon McCarron, Development Compliance Officer, City of Airdrie, <u>Shannon.McCarron@airdrie.ca</u>



Stephanie Martin, Team Lead, Building Inspections, City of Airdrie, <u>Stephanie.Martin@airdrie.ca</u>

Canada Life Assurance Company C/O GWL Realty Advisors Inc., Tyler Ellis, Senior Director of Investment, <u>tyler.ellis@gwlra.com</u> Richview Engineering, Robin Li, P.Eng., Robin@richvieweng.com

From:	Tracey Tester
To:	Branden Kidd; Khan Umber; Kyle Wilkin
Cc:	Shannon McCarron; Stephanie Martin; Robin Li; Gail Gibeau; Chios, Mel; Andrew Dormer
Subject:	RE: [EXTERNAL] Re: Response Letter to Timeline Extension Request - 196 Edwards Way SW (PL2300906)
Date:	Friday, May 16, 2025 4:50:12 PM
Attachments:	image001.png
	image002.png
	image003.png
	image004.ppg

#### Hi Branden,

In response to our phone call today at 2:30 pm and your email below, I want to clarify that your request to proceed with removing the stockpiled dirt using an excavator over the weekend is **not permitted.** 

This activity directly conflicts with the work being carried out by EllisDon, who is acting as the prime contractor on-site. To move forward, you will need to submit a plan as part of your ESC submission. This plan must clearly indicate:

- The proposed relocation area for the dirt.
- The ESC measures you intend to implement.

Once your plan is submitted, the City will coordinate a <u>site meeting</u> with EllisDon and City representatives to ensure the work plan is communicated effectively and all safety protocols are followed. I am prepared to organize this meeting early next week to facilitate coordination.

Sincerely,

**Tracey Tester, RPP, MCIP** Senior Planner, Current Planning | City of Airdrie | P. 403.948.8800 ext 8205 <u>MyAirdrie.</u> Make it yours at airdrie.ca - sign up for your personalized account today.

From: Branden Kidd <BKidd@strategicgroup.ca>

Sent: Friday, May 16, 2025 3:40 PM

To: Tracey Tester <Tracey.Tester@airdrie.ca>; Khan Umber <Khan@ukone.ca>; Kyle Wilkin <Kyle.Wilkin@airdrie.ca>
 Cc: Shannon McCarron <Shannon.McCarron@airdrie.ca>; Stephanie Martin <Stephanie.Martin@airdrie.ca>; tyler.ellis@gwlra.com; Robin Li <robin@richvieweng.com>; Gail Gibeau <Gail.Gibeau@airdrie.ca>
 Subject: [EXTERNAL] Re: Response Letter to Timeline Extension Request - 196 Edwards Way SW (PL2300906)

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Received, thank you Tracey. We appreciate the city reviewing the timelines and adjusting the enforcement dates accordingly.

For Order #7, the revised timeline for Monday May 19<sup>th</sup> lands on Victoria day. We had the surveyor on site today and will have the data points sent to Robin's (Richviews) team this evening. Robin, if you are able to get the revised ESC plan to the City for 4pm Monday, please do. I understand your office is closed for the long weekend, I will let your office speak to that potential.

For Order #6, I attended a meeting on site to expedite immediate movement of materials. Our contractor confirmed that an excavator is being mobilized to site for tomorrow morning, and work will proceed through the weekend. Tracey, per my phone call, Ellis Don was concerned that they had not heard of this plan and were cautioning us about working on site. My hope is that Ellis Don will not restrict us from proceeding as we have made extra efforts to ensure our crew works through the weekend to meet this 14 day soil removal timeline.

During our onsite meeting, we identified 2 ways that we can help move earth faster from the floodway, and are hoping to get the City's approval on these items:

1. With the City's approval, we would like to ask permission to add the rigid insulation to the west wall of the building only (shown in red below). This will allow for earth hauling trucks to back fill the west wall, and allow for very quick loads of earth to be moved immediately from the floodway to the wall trench. This also makes the space safer to work adjacent to. Please let us know.



2. Currently Ellis Don is importing materials for the 1<sup>st</sup> Ave wall. Our team is planning to move soils from out the floodway, and a small stockpile is planned for the area below in RED. If Ellis done can use the material within this stockpile for the 1st Ave wall backfill this will further enhance how fast we can move soils from the floodway. I am available at any time to have a coordination meeting with any party to help with the logistics behind this as well.



Thanks again,

Branden Kidd Development Manager



Strategic Group | Suite 400, Strategic Centre 630 - 8 Avenue SW | Calgary AB T2P 1G6

Direct:<u>587.404.4166</u> Main:<u>403.770.2300</u>

bkidd@strategicgroup.ca strategicgroup.ca



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From: Tracey Tester

Sent: Thursday, May 15, 2025 4:51 PM

**To:** Branden Kidd; <u>khan@ukone.ca</u>

**Cc:** Tracey Tester; Shannon McCarron; Stephanie Martin; <u>tyler.ellis@gwlra.com</u>; Robin Li; Gail Gibeau **Subject:** Response Letter to Timeline Extension Request - 196 Edwards Way SW (PL2300906)

Good afternoon Branden,

Please refer to the attached letter for our response to your timeline request regarding the Stop Order.

Sincerely,

Tracey Tester, RPP, MCIP Senior Planner, Current Planning | City of Airdrie | P. 403.948.8800 ext 8205

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From:	Tyler Friesen
То:	bkidd@strategicgroup.ca
Cc:	Jason Lyons; Ryan Couillard; Matthew Barnett; Kevin McHugh
Subject:	196 Edwards - Prime Contractor Status Documents Required
Date:	Friday, May 23, 2025 10:53:46 AM
Attachments:	Subcontractor Safety Acknowledgement - Form B (EDC-HSE-FRM-074).pdf
	Subcontractor HSE Pre-Qualification Summary - Form A - EDC-HSE-FRM-070.pdf
	EDC-HSE-GDL-001 - Subcontractor Safety Guidelines.pdf

You don't often get email from tfriesen@ellisdon.com. Learn why this is important

#### Good morning Branden,

I am a Project Manager for EllisDon working at 196 Edwards on behalf of the City of Airdrie.

I appreciate this is a bit of an awkward scenario. We are currently Prime Contractor of the site, meaning we have the legislative responsibilities for the site. We have had multiple occasions now of members coming on site on behalf of Strategic without PPE, without signing in, etc.

With this currently being our site, if Strategic will be accessing the site we do need all personnel to abide by our safety program. All members need to be orientated and we do need to have supervision on site at all times when Strategic team members are on site. Attached is our safety guidelines and acknowledgement forms. In order to be on site we do require this information be sent to us. We also require a WCB and COI with EllisDon Construction Services Inc. listed as additionally insured.

Can the above / attached information be provided? Unless Strategic team members have a wrap up policy related to this, we require the same abovementioned info from each Subcontractor Strategic will have on site as well. Can you communicate this to all parties and ensure this is sent our way?

Matt Barnett can be contacted regarding orientations: 403-870-0555. Our HSE representative for the Project is Jason Lyons: 403-605-0291.

We also do need a heads up when Strategic team members (or subcontractors) are coming to site. Please ensure Matt is provided appropriate notice for this so we can organize coverage.

Without this information, we cannot have team members on the site going forward. So please consider this request urgent and get it over to us as soon as you can.

### Thanks for your help,

Tyler



Tyler Friesen, EIT Project Manager EllisDon Construction Services Inc. c:780 -863-5504 310, 140 Quarry Park Boulevard SE Calgary, AB T2C 3G3 tfriesen@ellisdon.com

The content of this email is considered privileged. If you are not its intended recipient, please notify the sender and delete all copies immediately.



Suite 400, Strategic Centre 630 – 8 Avenue SW Calgary AB T2P 1G6 strategicgroup.ca

May 27, 2025

City of AirdrieVIA EMAIL:City Hall,Horacio Galanti, P.ENG, ICED.D, City Manager, City of Airdrie:400 Main Street SE,Horacio.Galanti@airdrie.caAirdrie, AbertaGail Gibeau, RPP, MCIP: Gail.Gibeau@airdrie.caTracey Tester, Senior Planner, City of Airdrie:Tracey.Tester@airdrie.caShannon McCarron, Development Compliance Officer, City ofAirdrie: Shannon.McCarron@airdrie.caStephanie Martin, Team Lead, Building Inspections, City ofAirdrie: Stephanie.Martin@airdrie.ca

Dear Sir/Madam,

## Re: Notice dated May 2, 2025 in respect of Lot 6; Block 1; Plan 1511409 (the "Lands")

I am writing to you in respect of a notice dated May 2, 2025 (the "**Emergency Notice**"). The purpose of this letter is to request that the City of Airdrie withdraw the Emergency Notice, discontinue Ellis Don's work on the Lands, and return control of all work on the Lands to Strategic Group and its contractors.

To qualify as an "emergency" under section 541(1) of the *Municipal Government* Act, the situation must involve an "<u>imminent</u> danger to public safety or of serious harm to property". The phrase "imminent danger" requires the high probability that a risk will materialize almost immediately and without warning. While Strategic Group agrees that the issues identified in the Emergency Notice needed to be addressed promptly, Strategic Group does not agree that the issues identified rose to the level of an "imminent danger" that constituted an "emergency" as defined by the *Municipal Government* Act. Even where a true "emergency" exist, section 551(1) of the *Municipal Government* Act only empowers the City to unilaterally retain a contractor to complete the work necessary to "eliminate the emergency".

Even if the issues in the Emergency Notice did amount to an "emergency" in the form of a risk of an "imminent danger" of collapse at the time the Emergency Notice was issued, that Emergency has been eliminated by the work that Ellis Don has already completed. The soil backfilled against the north and east boundaries of the Lands is now providing support to 1<sup>st</sup> Ave NW and Edwards Way respectively. Therefore, section 551 of the *Municipal Government* Act would no longer empower the City to direct any work on site. If any further work is

required to reinforce the shotcrete wall on the north or east boundaries of the Lands before work resumes, that work is non-emergency work that should be undertaken by Strategic Group's contractors.

While Strategic Group disputes the City's authority to unilaterally retain a contractor to complete remedial work on the Lands, Strategic Group remains committed to working collaboratively with the City to ensure that the appropriate remedial work is undertaken. For that reason, Strategic Group will direct its contractors to install the temporary shoring system for the north boundary of the Lands that has been recommended by the City's consultants to ensure there are no stability issues going forward. To facilitate Strategic Group's contractors installing the City-approved temporary shoring solution on the north boundary of the Lands, Strategic Group requests that the City withdraw the Emergency Notice, share the results of all investigative work undertaken by the City's contractors and consultants, and direct Ellis Don to work collaboratively with Strategic Group and its contractors to transition control of the work on the Lands.

In summary, Strategic Group is committed to ensuring that the development on the Lands is brought into, and kept in, compliance. Strategic Group only asks that it be permitted to complete the remaining work necessary to permanently resolve the issues identified in the Emergency Notice.

Yours truly,

Strategic Group

Branden Kidd Development Manager

From:	Cheney Li
То:	esc@airdrie.ca; Moises.delaRosa@airdrie.ca; Le Ma
Cc:	Robin Li; Branden Kidd
Subject:	Re: Resubmission of ESC for Review – PL2300906, 196 Edwards Way NW, Airdrie
Date:	Wednesday, May 28, 2025 10:00:04 AM
Attachments:	PL2300906 196 EDWARDS WAY NW AIRDRIE.zip

Please see attached.

Best Regards Cheney Li

#### **Richview Engineering Inc.**

Unit 130, 201 38th Ave NE Calgary, AB T2E 2M3

On Wed, May 28, 2025 at 9:55 AM Cheney Li <<u>cheney@richvieweng.com</u>> wrote: Good morning,

We are resubmitting the ESC package for the project at 196 Edwards Way NW, Airdrie (File No. PL2300906) for your review.

Kindly review and let us know if any further information is required.

Thank you for your attention.

Best Regards Cheney Li

**Richview Engineering Inc.** Unit 130, 201 38th Ave NE Calgary, AB T2E 2M3



## **EROSION AND SEDIMENT CONTROL PLAN APPLICATION 2022**

Water Quality Services – Monitoring & Compliance ISC: Unrestricted

## GENERAL PROJECT INFORMATION

1.0 Project Information	2.0 Application Type (select one)
1.1. Project Name AIRDRIE CREEKSIDE RESIDENTIAL	2.1 Stripping and Grading
1.2 Estimated Start-up Date May 10, 2025	Development Permit # Development Agreement #
1.3 Legal Land Location L6 B1 P1511409 SW1/4,12-27-01-W5M	Subdivision #
1.4 Address 196 EDWARDS WAY SW AIRDRIE AB	2.2 Industrial, Commercial, Institutional, Multifamily
1.5 Community DOWNTOWN	Development Permit # PL2300906
1.6 Overall Site Size (ha) 0.8001	Parent Stripping and Grading # DP or DA N/A
1.7 Stormwater movement Storm Pond N/A	2.3 Subdivision Development including Offsites and Bareland Condos Construction Drawing #
	Development Agreement #
Receiving Water Body NOSE CREEK	Parent Stripping and Grading # DP or DA
Outfall N/A	Subdivision #
In the event of a release from the site, use the information above to locate where mitigation is required. Ensure sediment releases are properly reported. Specification # 100.2	2.4 City of Calgary Projects
1.8 Consultant File #	Development Permit or Liaison #
(optional)	Construction Drawing #
	City of Calgary ESC Project Number #

## **3.0 Contact Information**

	Company Name	Contact Name		Office Phone#	Cell Phone#	Email	
3.1	Owner's Rep. STRATEGIC GROUP	TBD		TBD	TBD	TBD	
3.2	Parcel Owner						
3.3	ESC Consultant Richview Engineering I	nc Robin Li		4032303218	4039693218	robin@richvieweng.com	
	Site ESC Inspector Richview Engineerin			4032303218	4039693218	pamelaehret@live.com	
3.5	Site Contact UK One Construction LT	D Umber Khan	132	4039530931	5872231214	Khan@ukone.ca	Page 87 of 126

## CONSTRUCTION SITE INFORMATION

4.0 Unit Product Supply List Either populate below or add a screenshot of the supply list document e.g. Excel spreadsheet. If using Adobe and form fields are above photo, Print to PDF upon application completion to resolve.

Required ESC Products	Quantity (e.g. meters, kg)
SILT FENCE	330meters
SOD	1017 m^2
Gravel Access	1
Inlet protection	9
Pit Run Gravel Cover	50mm-200mm, 0.15m Depth, 302640 kg/ha,90640KG
WATER BARRIER SANDBAGS	165meters
ECO ANCHOR	567L/ACRE, USAGE=95.41L

Earth Moving Controls	Units (e.g. volume, lengths, area)
Sediment Pond	AREA=2757m, DEPTH=0.5m, VOLUME=868m <sup>3</sup> , LENGTH=107m±,

## 5.0 Construction Drawings and Documents Relevant to Project Implementation

All checked drawings/doc	cuments that apply to this project.	This section will align with Section 7	12.0 in the design part of the applicat	ion.	Large Site Safety Plan
ESC1	ESC3	ESC5	ESC7	~	ESC9 Landscape Plan
ESC2	ESC4	ESC6	ESC8		ESC10 Phasing Plan and/or Limited Exposure Plan

## 6.0 Erosion and Sediment Controls

Below are the Specifications for the most popular erosion and sediment controls and support practices used in The City of Calgary. Fill out the table for all the products used on the project. These specifications are by no means all-inclusive and we encourage the continued exploration of new management practices for use in our Calgary climate. If you do not see the control you wish to use, populate the blank <u>Non-Standard Specification</u> sheet.

Some Controls and Practices can be replaced with alternates which can be found in The City of Calgary's <u>Approved Products List – Erosion and Sediment</u> (APLES). For each control and practices, see the alternates opportunities (APLES Alternates). Some opportunities do not require assistance from the Qualified Designer while others will require input to ensure design variables are incorporated.

## 200.1 Erosion Controls

### Seeding Specification #200.1.1

C-value	Type and Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
1.0	Check if seed mix is a Calgary Parks Approved Seed Mix			
APLES Alternates None				

## **Sodding** Specification #200.1.2

C-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
0.01 APLES Alternates None	Fescue Sod	ESC 6,7,8	South & West of the site	Touchdown Kentucky Bluegrass 40% Kentucky Bluegrass 30% Creeping

## Existing Cover Specification #200.1.2.a

C-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
0.01 APLES Alternates None	Attach top down photos to show % ground cover and vegetation type EX SOD	ESC 5	ALL OVER THE SITE	100% GROUNG COVER GRASS/WEED

See Standard Specification 200.1.2.a for C-value

## **RECP** Specification #200.1.3

C-value	Blanket Type	Drawing(s) When Used	Description Where Used	Additional Information
	-			
APLES Alternates	-			
RECP in the APLES				
with a C-value equal				
to or lower than				
above				

Attach: manufacturer's installation information and supporting data for the C-value

## Hydromulch and/or Tackifiers Specification #200.1.4

C-value	Product Type, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
	Seed added Seed <b>not</b> added			567L/ACRE(1401.09L/HA) WILL BE PROVIDED FOR
APLES Alternates				AREA 3. USAGE=95.41L
Hydromulch and/or				
Tackifier in the				
APLES with a C-				
value equal to or				
lower than above				

Attach: manufacturer's installation information and supporting data for the C-value

## **Compost Blankets** Specification #200.1.5

C-value	Product Type, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
APLES Alternates				
None				

Attach: manufacturer's installation information and supporting data for the C-value

## Aggregate Cover Specification #200.1.6

C-value	Aggregate Size, Application Rate	Drawing(s) When Used	Description Where Used	Additional Information
1.0	50mm-200mm, 0.15m Depth,	ESC 6,7,8	All Over the Site Except the Building	
APLES Alternates	302640 kg/ha,90640KG		Area and Landscaping Area	
None				
		135		Page 90 of 126

## 200.2 Sediment Controls

## Wattles/Logs/Barriers Specification #200.2.1

P-value	Product Type and Size	Drawing(s) When Used	Description Where Used	Additional Information
0.1	WATER BARRIER SANDBAGS	ESC 6.1	South of the Site	H=0.5m
APLES Alternates				
Qualified Designer				
Support Required				

Attach: manufacturer's installation information and supporting data for the P-value

## **Buffer Strips** Specification #200.2.1.a

P-value	Туре	Drawing(s) When Used	Description Where Used	Additional Information
Slopes 0-10% (0.6)				
Slopes 11-24%(0.8)				
APLES Alternates None				

## Sediment Containment Systems Specification #200.2.2

P-value	Containment System Type	Drawing(s) When Used	Description Where Used	Additional Information
Attach: <u>Sediment</u> <u>Containment System</u> <u>Data</u> APLES Alternates None	SEDIMENT POND	ESC 5B, 6A	ESC 5B: AREA 2 ESC 6A: AREA 2+3	For Area 2 in both ESC5B and ESC6A, the parkade is used as the sediment pond, with a P value of 0.1.

## **Diversion Channels** Specification #200.2.3

P-value	Max and Min % Slope, Cover Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
1.0				
APLES Alternates None				

## **Diversion Berms** Specification #200.2.4

P-value	Height and Composition, Cover Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
1.0				
APLES Alternates None	-			

## Surface Texturing Specification #200.2.5

P-value	Texturing Type(s)	Drawing(s) When Used	Description Where Used	Additional Information
0.9	Surface Roughing	ESC 6.1	South of the site	
APLES Alternates				
APLES with a P-				
value equal to or				
lower than above				

## Silt Fence Specification #200.2.6

P-value	Configuration	Drawing(s) When Used	Description Where Used	Additional Information
1.0 APLES Alternates None	Silt Fence with J-hooks	ESC 6.1, 6.2, 7	All sides of the site.	J-hook or smile face. spacing is determined by serving area not by 30m intervals

## 200.3 Support Practices

## **Stabilized Access** Specification #200.3.1

P-value	Number Present	Drawing(s) When Used	Description Where Used	Additional Information
1.0	1	ESC 5,6,7	EAST Entrance of the site	
APLES Alternates APLES listed the				
stabilized access section				

## **Storm Inlet Controls** Specification #200.3.2

P-value	Number Present	Drawing(s) When Used	Description Where Used	Additional Information
1.0	9	ESC 6,7,8	Multiple location on the site, see plan	Inlet Protection complies
APLES Alternates			ESC Plans for details	with the Standard Specification ESC.
APLES listed the				Specification 200.
inlet control section				

## Supplemental Control and Practice Information

N/A

## Non-Standard Control (Only if Required)

A non-standard control is a control or practice that is not found in the present version of the Standard Specifications – ESC such as rip rap and cable concrete. To use a non-standard control, populate this section of the application. <u>Click here</u> if an additional copy of a Non-Standard Control is required or if more space is needed.

Name and Type of	of Control		Description of Control or Practice				
WATER BARRIER SANDBAGS		Acts as a barrier to form a 0.5 m deep sediment pond.					
P-value	Number Present		Drawing(s) When l	lsed	Description Where Used		Additional Information
0.1	L=165m		ESC 6A		AREA 3		
Design Limitation	s and Requirements		Installation Method				
	hould be filled with t		The sanobays at		d to a height of 0.5 meters.		
Inspection Requir	rements	Maintenance F	Requirements	Wir	ter Operations	Remov	val Requirements
Each sandbag r without opening	nust be intact						bags should be transported to gnated sand disposal area.

## 7.0 Stockpile Stabilization Requirements

Duration of stockpile placement	Identify controls to be put in place when there is inactivity of	on any faces
Short term (less than 30 days) sediment control	N/A	
Long term (30 days or more) erosion control	N/A	
Material Stockpiled (topsoil, subsoil)	Volume	Estimated Length of time in place
N/A	7709± CUM	

When soil is being added to or removed from a stockpile, any face that has been undisturbed for more than 30 days must be stabilized.

## 8.0 Idle Site Management Specification #100.18.1

Idle site management is required for any idle exposed areas in accordance with the requirements listed below. These requirements may apply to the entire site, if the entire site is idle, or parts of the site if only parts are the site are idle.

Overall Site Size	-	Short Term Inactive for 30-365 days	Long Term Cover – Install when exposed areas(s) will be inactive for 365+ days
Check relevant box Small Site (0-2ha)	~	Mandatory Short-Term Cover not required	Product Details: Include relevant application rates, product type, seed type etc.
Medium Site (2⁺ - 10ha)		<ol> <li>Install Short Term Cover Type and Application Rate:</li> <li>or</li> <li>Comply with the attached Water Retention Plan (ESC2 or ESC6)</li> </ol>	SOD Touchdown Kentucky Bluegrass 40% Kentucky Bluegrass 30% Creeping Red Fescue
Large Sites (10⁺ha)		<ul> <li>1) Short Term Cover Type and Application Rate:</li> <li>or</li> <li>2) Comply with the Water Retention Plan (ESC2 or ESC6) and the Limited Exposure Plan (ESC10)</li> </ul>	If vegetation grown from seed is being used as the long-term cover, the vegetation must be established at 365 days, not installed at 365 days.

These cover requirements are for areas that are idle, and which do not have a cover already installed on them in the approved ESC Plan for the drawing being followed. Designers must populate both short-term and long-term cover in the table above. It is up to site staff to choose which option they will follow for short term inactive sites.

## DESIGN REVIEW INFORMATION

## 9.0 Attachments/Supporting Documents

Mandatory Attachments	Check to Confirm the Following Documents are Provided		
9.1 Site Photos and Map	✓	Attached (In Appendix)	
9.2 RUSLE Calculations	~	Attached (In Appendix)	
9.3 Inspection Sheet	~	Attached	
Site Specific Attachments	Check to Clarify which of the Following Documents are Provided		
9.4 Sediment Containment System Information		Attached (In Appendix)	
		No sediment containment systems are proposed for the site	
9.5 Manufacturers Information		Attached (some values used may also come from the Standard Specifications – ESC) (In Appendix)	
(Manufactures erosion and sediment control information includes data on how P-value or C-value was derived)	~	All C and P-values come from the Standard Specifications – ESC	
9.6 Geotechnical Data		Attached (In Appendix) Site K-value is:	
(Data on soil structure and texture, sieve analysis, % organic matter, and nomograph)	✓	or Default use of 0.079 K-value	
9.7 Permission Letters Relevant to ESC		Attached (In Appendix)	
(Right of way permissions, authorization to discharge water onto adjacent property during construction)	~	Not Applicable	
9.8 Large Site Safety Plan		Attached (In Appendix)	
(For sites > 65ha)	✓	Not Applicable	

Supplemental Information e.g. Support why attachments weren't supplied or what other attachments (not noted above) were supplied

N/A

## **10.0 Research for Drawing Development**

10.1 Project Description What will be present on the site at completion of the project						
We are proposing 1 residential building of 6 storeys with parkade, parking lots and driveway around the building, and landscaping are on the west and south of the site.	эа					
10.2 Site Visit 10.2.1 Site Visit Date (recent) 29-Apr-2024						
10.2.2 Visit Limitations Site is accessable						
10.2.3 Present Cover and Practices EXISTING LANDSCAPING						
10.3 Protected Areas 10.3.1 Adjacent Properties Undeveloped Site and public road						
10.3.2 Critical Areas N/A						
10.3.3 Low Impact Developments N/A Specification #100.15						
10.4 Reference Documents						
Instruction Manual for Erosion and Sediment Control Plan Applications 2022.						

Instruction Manual for Erosion and Sediment Control Plan Applications 2022. ESC 2022 GUIDELINES

10.5 Project Specific Information None

## **11.0 Drawing Requirements**

The goal of the ESC Plan is to keep soil on the construction site where it will not impact human health, safety, the environment, infrastructure, or adjacent properties. Follow the Drawing Requirement Section in the 2022 Instruction Manual for Erosion and Sediment Control Plan Applications.

## **12.0 Construction Drawing Requirements**

Check the drawings that are relevant to this application

Check Relevant Drawings	Drawing Code	Drawing Title	Stripping and Grading	Subdivision, Off-sites, Bareland Condos	Multifamily, Industrial, Commercial, Institutional	Linear Projects
	ESC1	Before Stripping and Grading Commences	Mandatory		* Site Dependent	* Site Dependent
	ESC2	Water Management Plan and Rough Grading	Mandatory		* Site Dependent	* Site Dependent
	ESC3	Post Stripping and Grading	Mandatory		* Site Dependent	* Site Dependent
~	ESC4	Cut and Fill <b>or</b> Cut and fill Doesn't Exceed 2 Meters	Likely Mandatory	Site Dependent	Site Dependent	Site Dependent
✓	ESC5	Before Development Commences		Mandatory	Mandatory	Mandatory
<b>~</b>	ESC6	Water Management Plan and Underground Work		Mandatory	Mandatory	Mandatory
✓	ESC7	Above Ground Work		Mandatory	Mandatory	Mandatory
<ul> <li>✓</li> </ul>	ESC8	Development Completion		Mandatory unless Subdivision	Mandatory	Mandatory
<b>~</b>	ESC9	Landscaping Plan		Site Dependent	Mandatory	Mandatory
	ESC10	Limited Exposure Plan	Site Dependent	Site Dependent	Site Dependent	Site Dependent

\*Site Dependent – Striping and Grading information is only required if not previously approved and if the site requires stripping and grading activities. Call 311 to discuss with an Environmental Compliance Specialist.

Other drawings and/or information on why drawings were not supplied (e.g. additional water management plans)

If the construction site is large and more than one drawing is required to show a stage of construction, label multiple drawings with capital letter codes (e.g. ESC5A, ESC5B). If the drawings codes have intermediate stabilization stages, such as a secondary Water Management Plan associated with above ground work, label multiple drawings with lowercase letter codes (e.g. ESC7A, ESC7B). If there are multiple drawings and multiple stages label drawings with the relevant capital and lowercase letter codes (e.g. ESC7Aa, ESC7Bb).
### **13.0 ESC Authentication**

13.1 Project Name AIRDRIE CREEKSIDE RESIDENTIAL

- 13.2 Development Number PL2300906
- 13.3 Municipal Site Address 196 EDWARDS WAY SW AIRDRIE AB

The undersigned agrees and certifies that all requirements in this application have been reviewed and properly identifies as part of this submission. The undersigned confirms the application complies with the *Standard Specifications – ESC* and that the creation of the erosion and sediment control plan has been undertaken by a professional with experience in the design and implementation of erosion and sediment controls who holds a designation as a Certified Professional in Erosion and Sediment Control (CPESC) or is a Professional Engineer (P. Eng.), Professional Licensee (P.L.(Eng.)), or a Professional Agrologist (P. Ag.).



02-May-2025

Signature

Date Authenticated

PERMIT TO PRACTICE RICHVIEW ENGINEERING INC. Signature. Date . PERM VUMBER: P 9809 ation of Professional Engineers, Geologicia and Geophysicists of Alberta

Permit to Practice/Professional Stamp or Number

City of Calgary Authorization

14.0 City of Calgary Office Use

Date Approved

Written Submission from Appellant (Received July 11, 2025)



### Code of Practice for Erosion and Sediment Control WRITTEN NOTICE

Water Quality and Regulatory Assurance – Community Compliance ISC: Unrestricted

This Written Notification is for the purpose of submitting the information required in Schedule B of the *Code of Practice for Erosion and Sediment Control* when a construction activity allows for the submission of an ESC Plan notification under Section 2(2). Submit this form along with the ESC Plan to <u>ESC@calgary.ca</u> with *Written Notification (File number and name)* in the subject line.

### A. Project Information

1.1 Project Name AIRDRIE CREEKSIDE RESIDENTIAL

1.2 Estimated Start Date May 10, 2025

1.3 Legal Land Location L6 B1 P1511409 SW1/4,12-27-01-W5M

1.4 Project Address 196 EDWARDS WAY SW AIRDRIE AB

1.5 Community Name DOWNTOWN

1.6 Site Size (ha) 0.8001

1.7 Stormwater Movement RECEIVING BODY:NOSE CREEK

10.1 Project Description We are proposing 1 residential building of 6 storeys with parkade, parking lots and driveway around the building,

**Supplemental Information:** 

### **B. Application Type**

2.0 Land Use Authorization File # (DP, DA, CD, AD, DL) PL2300906

Parent Stripping & Grading # N/A

Development Agreement (DA) # N/A

Subdivision (SB) # N/A

### ESC Drawings (check all that apply)



### **C. Contact Information**

Contact Name TBD	Phone # TBD	<sup>Email</sup> TBD
Robin Li	4032303218	robin@richvieweng.com
Robin Li	4032303218	robin@richvieweng.com
Umber Khan	587-2231214	Khan@ukone.ca
	TBD Robin Li Robin Li	TBDTBDRobin Li4032303218Robin Li4032303218

### D. Erosion Controls, Sediment Controls, and Supporting Practices

ESC 5A: EX SOD

ESC 5B: BLDG pad, Silt fence

ESC 6A: BLDG pad, Silt fence, ECO ANCHOR, Construction Entrance, Sediment pond, Water berrier ESC 6B: BLDG pad, sod, gravel, Silt fence, stormwater inlet filter, Construction Entrance

ESC 7: BLDG pad, sod, pavement, Construction Entrance, stormwater inlet filter, Silt fence

### E. Authentication by Qualified Designer

The undersigned agrees and certifies that:

1) The ESC Plan for the construction activity referenced in this Written Notification has been completed and a copy has been provided to the Owner and any other required parties;

2) The ESC Plan complies with the *Standard Specifications – ESC;* 

3) The creation of the ESC plan has been undertaken by a professional with experience in the design and implementation of erosion and sediment control who holds a designation as a Certified Professional in Erosion and Sediment Control (CPESC) or is a Professional Engineer (P.Eng.), Professional Licensee (P.L.(Eng.)), or a Professional Agrologist (P.Ag.); and

4) The information provided in the Written Notices is true to the best of their knowledge.



Signature

2025-05-27

**Date Authenticated** 

Permit to Practice/Professional Stamp or Number

Note: You must submit a PRE-CONSTRUCTION MEETING FORM to ESC@calgary.ca with PRE-CONSTRUCTION MEETING REQUEST in the subject line for any sites 0.4ha or larger. Provide at least five business days notices when setting up or rescheduling preconstruction meetings. Prior to the commencement of construction, the site must have written permission from an Environmental Compliance Specialist.

The personal information on this form is being collected under the authority of The City of Calgary Stormwater Bylaw Section 15(3) and amendments thereto. It will be used for review, approval, and inspection purposes and may be communicated to relevant City Business Units. The name of the applicant and nature of the information will be available to the public. Please send inquiries by mail to the FOIP Program Administrator, Water Services #413, PO Box 2100, Station M, Calgary, Alberta, T2P 2M5 or contact us by phone at 311.



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ASSUME CONCRETE, LANDSCAPING, AND GRAVEL AREA PAVEMENT STRUCTURE THICKNESS=300MM

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	RAWING MAY NOT BE REPRODUCED OR
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CITY OF AIRDRIE OFFICE USE SPACE	
<u>A RICHVIEW</u>	
<b>ENGINEERING INC.</b> CONSULTING ENGINEERS	
Unit 130, 201 38th AVE NE. CALGARY, ALBERTA T2E 2M3	
PHONE: (403) 230–3218 FAX: (403) 230–3208	
THIS DRAWING MAY NOT BE REPRODUCED OR COPIED WITHOUT THE EXPRESS WRITTEN CONSENT	
OF RICHVIEW ENGINEERING INC.	
NOTES:	
<ol> <li>ALL DIMENSIONS ARE IN METRES AND DECIMALS THEREOF.</li> <li>ALL ELEVATIONS REFERENCED TO 1000 GEODETIC DATUM.</li> </ol>	
3. ALL WORK TO BE DONE TO CITY OF AIRDRIE AND CITY OF CALGARY	r
SPECIFICATIONS.	
LEGEND:	
SITE PROPERTY LINE	
DRAINAGE AREAS	
RET. WALL	
STORM SEWERST 250 PVC	
CATCHBASIN	
SOLID TOP MANHOLE	
OPEN GRATED MANHOLE	
SOD	
BUILDING PAD	
PAVEMENT	
FLOW DIRECTION	
EMERGENCY SPILL	
RUN ON / RUN OFF	
STORM DRAIN INLET FILTER	
LEGAL ADDRESS LOT 6 BLOCK 1 PLAN 151 1409 SW 1/4 SEC 12 TWP 27 RGE 1 W5th M TOTAL SITE AREA=0.8001ha, TOTAL UNITS=213	
REVISIONS	
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6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         REV. Y       M       D       ISSUE/REVISION DESCRIPTION         PERMIT       TO PRACTICE       RICHVEW ENGING PENNG INC.         Signature	С. RL С. RL С. RL С. RL С. RL DRN СНК
6       25       02       10       AS PER CITY OF AIRDRIE COMMENTS         5       25       01       08       AS PER CITY OF AIRDRIE COMMENTS         4       24       05       31       30% PROGRESS PACKAGE         3       24       05       02       AS PER CITY OF AIRDRIE COMMENTS         2       24       03       19       FOR APPROVAL         REV.       Y       M       D       ISSUE/REVISION DESORIPTION         PERMIT       TO PRACTICE       RIC HVIEW ENGINCEERING INC.       Signature         Date       27 May 25       PERMIT NUMBER: P09809       The Association of Professional Engineers, Geologists and Geophysicists of Alberto       27 May 25         STRATEGIC GROUP    PROJECT         AIRDRIE CREEKSIDE RESIDENT    PROJECT      Design:    CL    Development Permit No.    Development Permit No.    Development Permit No.    PROJECT No.    PROJECT No.    PROJECT No. PROJECT No. PROJECT No. PROJECT No.	С. RL С. RL С. RL С. RL С. RL ОРN СНК



### notes

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- 2. Do not scale drawings.
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- 5. All landscape areas to be watered with an automatic underground irrigation system. Contractor to ensure irrigation meter is installed and properly operating prior to charging and running the irrigation system.
- All planting beds and tree wells to be mulched with bark chip mulch, to 100 mm depth. Contractor to ensure planting beds extend to drip line of outermost plant materials in planting bed.

land use bylaw landscape requirements		
City Of Airdrie Zoning	M3	
landscape area	required	provided
total parcel area	8,000.86 m2	
landscape area required for M3 zoning (10% of parcel area) parking lot island area provided	800.09 m2	1399.4m2 95m2
total number of trees	required	provided
1/30 m2 of required landscape area (10% of Site Area)	27	28
1/10m2 of landscape parking island area	0	10
number of exsiting trees on site:	0	0
number of new trees required:	37	38
deciduous trees	required	provided
large trees (50% min 70mm cal)	11	12
medium trees (50% min 50mm cal)	11	12
total deciduous trees	22	24
coniferous trees	required	provided
trees (2.5m ht min)	14	14
total coniferous trees	14	14
shrubs	required	provided
2/30 m2 of required landscape area (10% of Site Area) (min 600mm hight and spread)	53	276

\_\_\_\_\_

### plant schedule - overall

	quantity	botanical name	common name	size	comments	spacing
	12	Malus x 'pink spire'	pink spire flowering crab	50mm minimum calliper	balled + burlapped	s".
	6	Picea pungens	colorado blue spruce	2.5m minimum height	balled + burlapped	\$3
	8	Pinus banksiana	jack pine	2.5m minimum height	balled + burlapped	s".
er.	8	Populus tremuloides	trembling aspen	70mm minimum calliper	balled + burlapped	\$ <b>3</b>
A S S	4	Prunus maackii	amur cherry	70mm minimum calliper	balled + burlapped	\$3

quantity	botanical name	common name	size	comments	spacing
5	Cornus serica	red osier dogwood	#5 container	600mm min height + spread	+/-0
15	Cornus sericea	red osier dogwood	#5 container	600mm min height + spread	+/-0
49	Juniperus horizontalis 'Blue Prince'	Blue Prince Juniper	#2 container	600mm min. spread, on City of Calgary low water shrub list	+/-0
26	Juniperus Sabina	savin juniper	#5 container	600mm min height + spread	+/-0
10	Juniperus sabina 'Scandia'	scandia juniper	. #5 container 600mm min heigt spread		+/-0
21	Prunus cistena	purple leaf sandcherry	purple leaf sandcherry #5 container 600mm min spread		+/-0
38	Ribes alpinum	alpine current	#5 container	600mm min height + spread	+/-0
13	Rosa woodsii	woods rose	#5 container	600mm min height + spread	+/-0
24	Sorbaria sorbifolia	a ural false spirea #5 container 600mm min height + spread		+/-0	
20	Spirea x bumalda 'Goldflame'	goldflame spirea	#5 container	600mm min height + spread	+/-0
quantity	botanical name	common name	size	comments	spacing
277	Calamagrostis acutiflora	karl foerester grass	#2 container		+/-0
10	Calamagrostis acutiflora	karl foerester grass	#2 container		+/-700
54	native perennial	native perennial	15 cm		+/-0



### EIGHT ONE EIGHT STUDIO PLANNING + DESIGN COLLABORATIVE

	NNING + DESIG NO=NQ~ë(ëÉÉi=ëï šÖ~éól⇒Ä≕fCi₽ř S			ORATIVI NUU šíìÇáçkÅ~
number	revision	date	by	approved
0				0000 44 00
3	DTR #1 resubmission			2023-11-02
2	development permit			2023-05-17
1	review			2023-05-11
issued f	or			date (y.m.d)

# creekside multi-family 196 Edwards Way SW Airidrie, Alberta

project

drawing

### development permit

	approved
hwl	aa
	project number
aag	0457.1
	sheet
2023/05/16	
as noted	UPLI
	aag 2023/05/16





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### tree protection notes

1. All maintenance required for the existing trees is to be performed by a certified horticultural technician or landscape journeyman. 2. All pruning work to be done by a certified arborist.

3. All remaining trees to be regularly maintained for a minimum of two growing seasons after construction

4. Any branches broken or significantly damaged as a result of construction shall be pruned. 5. Contractor to arrange for minimum weekly watering during contstruction period. Trees to be watered manually

from a water truck, contractor to submit water log for review. 6. Contractor to prune canopies of existing trees to ensure there are no conflicts with adjacent construction work. 7. Contractor to root prune any trees to remain whose roots will be disturbed by construction.

8. All trees to be staked or guyed as appropriate to ensure stability during construction. Staking of established public trees is not required, unless adjacent construction will affect the stability of the existing tree in any way. 9. Any damage ocurring to the landscape or trees on public lands as a result of the construction activities will be repaired by the Contractor at no cost to the Owner.

10.Contractor shall notify Urban Forestry (311) within two (2) working days of any suspected damage to trees resulting from the construction activities. 11. Contact information for Urban Forestry is 3-1-1. When speaking with 3-1-1 service representative reference public trees and development and include the Development Permit number.

12.Contractor to provide protection signs at each east and west face of snow fence, minimum of 450mm x 450mm size. Sign shall read "Warning - Tree Protection Zone", and list Contractor's contact information. Coordinate signage with City of Airdrie.

13.Contractor will be required to compensate Urban Forestry for each tree on public lands which is destroyed through construction activities, outside of trees identified as to be removed. 14. Public trees located on the city boulevard adjacent to site shall be retained and protected during all phases of construction, by installing a temporary fence 4 metres from the trunk or beyond the extent of the branches ("drip line") and ensuring no construction materials are stored inside this fence.

15. Snow fence surrounding tree protection zone shall be a minimum of 1.2 meters high and orange in colour. Contractor to ensure fencing remains in a taught, upright condition throughout construction period, cross brace as required to support fencing. 16.Stakes to be removed two growing seasons after construction completion or when root system has sufficiently

17.Use metal construction fence or a wooden framed structure skirted with orange safety fence as a tree protection

18. Tree protection is limited to those existing trees within the proposed limits of construction. Existing plant materials

#### existing tree to be retained and protected throughout construction

protected tree signage as per municipal requirements, sign to note: "Warning - Tree Protection Zone", and list Contractor's contact information, signage to be laminated in plastic and placed on two of the longest sides of protection zone

barrier fencing: high density orange polyethylene construction fence securely fastened to posts and rails top and bottom rails: 38mm x 89mm minimum

wooden post 76mm x 76mm minimum or approved alternative (brace as required)

wood post securely driven into subgrade, do not install on or through tree roots





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- irrigation system. 6. All planting beds and tree wells to be mulched with bark chip mulch, to 100 mm depth. Contractor to ensure planting beds extend to drip line of outermost plant materials in planting bed.



- prune all dead, broken & diseased tree limbs in accordance with proper horticultural practices - do not prune leader - 12mm rubber hose - position at approx. 3/5 height of tree and

above first strong branches - fluorescent orange flagging on all guy wires

- 2 or 3 - vertical tree stakes: 2000mm long t-posts c/w 7 punched holes (1 1/2" x 1 3/8" x 7") or teeth/notches, sink 400mm below compacted subgrade, top 300mm of all stakes painted to match municipal annual colour codes - stakes are to be removed after one full growing season

> galvanized guy wire 11 gauge tree trunk protection

- set top of root ball & flare 40mm above finish grade - 100 mm depth bark mulch - tapered at trunk, pull mulch away from base of all plants a min 100mm - spade edge

shape soil surface to provide a min. 1000mm dia. watering ring

- remove burlap & wire basket from top 1/3 of rootball. remove all wire, strapping, and string

amended topsoil as per specifications, do not allow air pockets to form when back filling

- scarify planting tree well, bottom & sides

- compacted subgrade - ensure firm base so that rootball will not sink, place compacted clay below rootball as required based on site soil conditions

# 0 $\mathbf{O}$ TB **SNO** C ſ 0 0 Ζ

Ζ

### EIGHT ONE EIGHT STUDIO



project creekside multi-family 196 Edwards Way SW Airidrie, Alberta

### details

drawing



### **Richview** Engineering Inc.

Unit 130, 201 38Ave NE Calgary AB T2E 2M3 Tel: (403)230-3218

May 27, 2025

City of Airdrie

Attn: Whom it may concern

Re: Resubmission of ESC Plan for PL2300906 - 196 Edwards Way NW Airdrie.

We are resubmitting the ESC plan for PL2300906 – 196 Edwards Way NW Airdrie for review. The drawings have been revised based on the comments received from the Engineering Services team. The followings are explanations of the drawings:

Present the current site conditions, including catchments, RUSLE calculations, and onsite stockpiles. If soil loss exceeds 2.0 tonnes/ha/year, provide updated ESC measures and RUSLE calculations in ESC stage 6.1, 6.2, 7.0 & 8.0 that meet the minimum soil loss requirement. Update the ESC application and ESC attachment accordingly.

--- The current site conditions, including catchments, RUSLE calculations, and onsite stockpiles, have been provided. Based on the calculations, the estimated soil loss under existing conditions exceeds 2.0 tonnes per hectare per year.

The ESC designer needs to conduct a site visit to assess the current site conditions and identify existing ESC challenges. An update with current site photos is also required.

--- The ESC5B drawing has been added to show the current site conditions, including the latest site photos.

Show the security fence location on the drawing. --- The metal fence is shown.

Any runoff from the sediment pond to the adjacent site is not permitted. The sandbag barrier is between silt fences. What sand will be used for filling the bags? Is the material being imported? If the bags break, how do we know there will be no pollutants getting in the creek?

The Water Barrier Sandbag is not included in the CoC ESC standard specifications. Please provide the product data sheet in the ESC attachment, provide information to Non-standard Control section in ESC application, and ensure that the contractor installs it correctly.

--- The sandbags are filled with utility sand, which is non-polluting. The Non-standard Control section in the ESC application has been updated accordingly.

In order to follow this plan, they need to get rid of all the existing dirt piles beyond PL on the south side. They are saying that the dirt will be used for backfill against the west building foundation walls. This means that the plan will not be implemented until the walls are completed and the backfill has been done. What happens then in the meantime? They need to implement the plan before lifting the stop work order. **--- The new ESC plan will remove all stockpiles outside the property line and restore the area to its original grade.** 

Is the post ESC measure? if so, please include the data sheet in the ESC attachment.e CoC ESC standard specifications. Please provide the product data sheet in the ESC attachment, provide information to Non-standard Control section in ESC application, and ensure that the contractor installs it correctly. --- The Posts are removed.

How is the contractor planning on working on site through the sediment pond? How will the pond be drained when it fills up with water? There is a discharge point for manual de-watered near a CB on Edwards Way. How will this point be reached from the sediment pond?

File# 1335

The sediment pond is grater than 250 cu.m, constructed the sediment pond with an auxiliary spillway is required. refer to CoC ESC spec. 200.2.2.2 for detail.

--- In the revised drawing for the ESC6A phase, stormwater will be collected at the parkade and pumped out (including runoff from the parkade itself, if it rains). Requirements for pumping are detailed in the notes on the drawing. For Area 2, a P value is 0.1.

Most surface roughening has been proposed within the sediment pond; therefore, the P value in the RUSLE calculation cannot be applied.

--- The surface roughening has been removed.

Show the silt fence 'J-hooks' configuration as per CoC ESC spec detail sheets. --- It's been updated to "smile fence" in the application. The sharp corners are where the triangles are shown in the legend.

What happens with the spill getting out of the site? Is it going to reach the creek with no control? --- That spill point has been removed.

It appears that sod has been placed on the south side along the silt fence, even though the site is still under construction?

--- The landscaping area is quite small, so once the retaining wall is done, they can quickly shape the design slope and lay down the sod.

How will delivery trucks turn after reaching the gravel pad at the access point? The turning space seems too tight.

--- Change the gravel pad to a curved shape.

SWMHYMO models only a single storm event, making it unsuitable for sediment pond design or runoff volume prediction.

--- The model has been removed.

update the RUSLE with the current site condition. --- The current site condition has been added.

remove the surface roughing from the RUSLE, since majority of the surface roughing within the sediment pond.

--- Removed.

show the person or organization who is conduct the weekly ESC inspections. --- Following discussion, our company will temporarily serve as the inspector.

Show sandbag and other additional ESC measures in this section. --- Please refer to the item: WATER BARRIER SANDBAGS

Include the Sandbag and other non-standard control ESC measures in this section. --- **Revised.** 

Indicate the current on-site stockpile, identify the controls, also show on the plan. --- **Revised.** 

Update to the current site photos is required. --- Please refer to ESC 5B.

Sandbag in ESC 6.1 is not from the standard specifications. Provide the product data sheet in ESC attachment --- Provided.

Comments on 10.0 Research for Drawing Development. --- **Revised.** 

Please see below the timeline for ESC implementation as provided by the owner: The timeline for ESC implementation (from the time that contractor is fully allowed to begin work on site) is 3 weeks to remove soils from the neighbor's property, and 2 weeks to install the ESC system.

Yours truly,

Robin Li P.Eng Richview Engineering Inc. Tel: (403) 230-3218 Email: Robin@Richvieweng.com

	Sediment Containment Systems										
Α	В	С	D	E	F	G	Н				
Drawing	Location (referenced on Drawing)	Sediment Containment System Identifier	Total Volume in Cubic Metres	Area Served in Hectares	Sediment Containment System (SCS) Type	Design Volume per ha	P-value				
ESC 5B	AREA 2	PARKADE	3987	0.40	Simple SCS	10091	0.1				
ESC 6A	AREA 2	PARKADE	3987	0.33	Simple SCS	11973	0.1				
ESC 6A	AREA 3	POND 1	85	0.07	Simple SCS	1248	0.1				

Brawing Code: USC 54															
1	2	3	4	5	. 4	7			30	13	12	13	14	15	
			- 10-C			1.105	10. A - A	1 . I C			10.00	12	and the second se	osion Potential	
Drainage Area Identifier	15 Identifier	(S Arma Silar (Im Ha)	Slope (%)	Siope Length (m)	Orscription of Controls and Practices	8 Value	8 Value	US-Value	C-Value(s)	P-Value(s)	Niope Alona With No Controls	A-Value Tonnes/ha*yr	Soll Loss With Controls and Practices Tormes/ye	Soll Loss Withow Controls and Practices Tonnes/yr	
ALCO N.	1001		- 22	1.00	Andrews ( Print - 8, 5).		0.040	1.1.21	WART -		71.02		4.040		
Ares 1	151-3	0.00	2.5	128.99	CRISTING GRASS/WEED	120	0.079	0.60	0.01	1	15.214	6.152	8.122	12.2	
							Add Rew								
	Overall Site Size	0.80										Total Soil Loss Estimates	6.122	12.2	

This calculator uses the US table from Apriculture and Apri-Pood Canada's NASEPAC Revised inversal Sof Joos Baueton for Application in Canada (2002) to determine an UL value from a given slope grade (N) and length Inversal. The USI table uses used as it is the Topographic Factor table that is recommended to Apriculture and Apri-Pood Canada for use on construction projects that have a high ratio of rick inter rill around.

	Drawing Code:	ESC 58	1. 22					n	a	A				
1	2	8	4	5	. 4	7			30	13	12	13	14	. 15
		1.				1.10		1		1	1.	AN		n Potential
Orainage Area Identifier	(Sidentifier	LS Arma Silan (Im Hai)	Slope (%)	tilope Longth (m)	Orscription of Controls and Practices	8 Value	E-Value	US-Vielue	C-Value(s)	P-Vahar(s)	Niope Alona With No Controls	A-Value Tonnes/Na*yr	Soli Loss With Castrols and Practices Tonnes/yr	Soll Loss Withou Controls and Practices Tennes/yr
					Andrews (Period - 4.5.)									
4244.43	1,321	1.6.5	111	10	Walds, factories, mod8.1	100	0.048	3.01	1.0.02	0.1	75.423	5.540	3.040	31.5
Area1	N/A	0.48	A/A	N/A	90.96	100	0.079	1.116	1	1.				10.00
Area 3	152-5	0.48	12.4	47.11 11.23	SEDMENT POND-0.1	100	0.079	2.68	1	0.1	67.791 84.204	6.776 M-276	2.877	26.8
1							Add Rew	ũ.						
3	Overall Site Size	1.62										Total Soil Loss Estimates	21.952	46.0
end justifical	al Information Son for any olumn 11 that nees/ba/yr	Area 1 ti PA/ Area 2 TO 3 I The parkade	6 SCROOPLE		ment pond for Area 2.									

This calculater uses the US table from Apriculture and Apri-Pood Canada's NAUTAC Revised inversal Sori Loss Baueton for Application in Canada (2000) to determine an U value from a given slope grade (N) and length. Insters). The USI table uses used as it is the Tapographic Factor table that is recommended to Apriculture and Apri-Pood Canada for use on construction projects that have a high ratio of rick inter-rill arounds.

	eet													
1	Drawing Loder	11	4	1		+			10	15	12	11	18	11
			- 12					-					and the second sec	on Potential
Drainage Area Identifier	15 Identifier	15 Area Size (2n Ha)	Slope (%)	Silope Length (m)	Orscription of Controls and Practices	R Value	K Value	US-Value	C-Value(1)	P-Value(s)	Slope Alona With No Controls	A-Value Tonnes/Na*yr	Soli Loss With Costrols and Practices Tormes/yr	Soll Loss Witho Controls and Practices Tonnes/yr
				10	Andrews ( Firing - 0, 2), Mathies, Andrews, manuf 0, 2		0.040	1.00	ALC: NOT				1.045	11.1
Ares 1	N/A	0.48	N/A	AL/A	8.06	100	0.079	2.40	1	1			1	
Area 2	1121	0.33	11.40	41.94	LEDIMENT POAD - 0.1	100	0.079	2.39	1	0.1	35.472	3.547	1.847	18.5
Area 3	03-1	0.07	195.90	1.50	SEDIMENT POND - 0.1 SCD ANCHOR - 6.002	100	0.079	2.17	6.003	0.1	39.856	6.612	6.001	4.5
							ANIRoy							
		-					-							4
	Overall Site Size	0.00										Total Soll Loss Extinates	LH	22.6
od justificat value in C	al Information tion for any olumn 11 that news/ba/pr		s schooleus will functio	t as the sedie	nent pond for Area 2. Kwj. WILL BE PROVIDED FOR A	REA 3. USAC								

This safuration uses the US table from a given stope grade PG and length (instance). The US table uses used as it is the Topographic factor table that is recommended by Agriculture and Agri-Food Canada for use or construction projects that have a high ratio of PC. Internet Arcoin.

Add New	1
Sheet	

### **RUSLE Calculations**

1			. 4	5		3			38	13	17	11	14	15
		1.				1.1.1			1.	- 18		122	Site truste	n Potential
Dealmage Acea Identifier	13 Identifier	LS Area Size (In:Ha)	Slope (%)	Slope Longth (m)	Oescription of Controls and Practices	# Value	E Value	U-Value	C-Value(s)	P-Value(s)	Slope Alone With No Controls	A-Value Tonnes/ha*yr	Soli Loss With Controls and Practices Tonnes/yr	Soll Loss Withou Controls and Practices Townes/yr
NAMES OF	0.21			1.00	Multimered Frond R.B.; Multiple, backlifter, manif. 4, 3		0.045	1.1.1	1.000				1.040	
Ares 1	76/A	0.48	AL/A	ALCA.	0.06	100	0.079		1	1		1.		
Area 2	152-1	0.35	1.80	35.77	SAAVE.	130	0.005	8.57	1	1	0.904	0.904	0.311	6.2
AREA 1	(33-1	0.01	4.40	22.79	GAAVE.	100	0.005	0.51	1	1	0.823	0.821	0.054	6.5
AREA 4	1541	0.04	3.40	40.86	500	100	0.079	0.54	8.61	I	13.632	6.136	0.006	0.6
AREA 5	155-1	0.00	3.10	9.45	500	100	0.079	0.34	0.01	T	6.322	0.061	0.001	6.1
Alva 8	156-1	0.02	2	16.17	100	100	0.079	0.32	0.01	1	5.498	0.055	0.001	8.3
Area 7.	0.74	0.02	10.4	17.41	300	100	0.079	1.06	0.01	1	25.764	0.267	0.006	6.8
				-				-						
	-													
							Add Row							
1	Overall Site Size	0.80										Total Soll Loss Estimates	0.379	1.6
nd justificat	al Information tion for any olumn 13 that news/ha/pr	Area 1 ft Bui Area 2 10 3 Gravel Cove Area 4 10 7	vill be cover to be suppl	ied to use th	e K value adjusted factor 0.0	4, therefore	the Evolue	+0.079×0.0	74 = 0.005					

This calculates uses the CB table from Agriculture and Agri-Pood Canada's NOUTAC Annual inversal Soil cost Equation for Application in Canada (2002) to determine an LB value from a given slope grade (NL and length (meters)). The CB table uses used as it to the Topographic Factor table that is recommended by Agriculture and Agri-Pood Canada to use or construction projects that have a high ratio of rick intermit Arcelant.

1 2	8				-			al contract in	1. 1964 - 19				
		4	5	4	1			38	13	17	10	14	on Potential
Area US Identifier lentifier	LS Area Size (In Ha)	Slope (%)	Slope Length (m)		# Value	8 Value	U-Value	C Value(s)	P-Value(s)	Silope Alone With No Controls	A Value Tonnes/ha*yr	Soli Loss With Controls and Practices Tonnes/yr	Soll Loss Withou Controls and Practices Tonnes/yr
			Same 1	Multiused Final 3(3); Multip, Sathlifus, small -0.3			1.1.0	1.000					
Area 2 8/A	0.48	44/A	ALCA.	8.06	100	0.010	3.01	1		19.40	0.040	5.240	. 35.5
Area 2 152-1	0.48	1.80	35.37	PAVIMENT	100	0.079	8.57	0.03	1	14.289	0.161	6.001	1.1
AREAS USE-1	10.0	4.40	22.79	PAVIMENT	100	0.079	0.54	0.00		12.968	0.130	0.009	2.5
AREA ISAT	0.04	3.40	40.86	500	100	8.079	0.54	15.0	1	13.632	0.136	0.006	6.6
AREAS LSS-L	0.02	3.10	9.45	500	100	0.079	0.34	0.00	1	6.322	0.061	0.001	6.1
Alwall LSG-1	0.02	2	16.17	500	100	0.079	0.32	0.01	1	3.410	0.055	0.001	0.1
Anna 7. (3.7-3	0.02	10.4	17.41		100	0.079	1.06	0.01	1	26.314	0.367	0.006	£4
	-		-			- worst							1
						Add Rove	1						
Overall Site Siz	0.85 Area 1 IS Bui										Total Soli Loss Estimates	0.056	5.6

This calculates uses the CB table from a pixel share and April Pood Canada's RAUPAC Revised inversal Soft cost Baueton for Application in Canada (2002) to determine and Lowler from a pixel shop pade (N) and length (meters). The CB table uses used as it to the Topographic Factor table that is recommended by Apriculture and April Food Canada for use on construction projects that have a high ratio of rEC interview.

	Crawing Code	EV A												
1	2	3	4	5		7			38	13	12	11	14	15
	1 22											10	Site trush	in Polential
Drainage Area Identifier	13 Identifier	LS Arna Size (In Ha)	Slope (%)	Slope Length (m)		# Value	8 Value	LS-Value	C Value(1)	P-Value(s)	Silope Alose With No Controls	A-Value Tonnes/ha*yr	Soli Loss With Controls and Practices Tonnes/yr	Soll Loss Withe Controls and Practices Tonnes/yr
-	0.21		- 11/	1.000	Madenard Faral 3(3); Models, Sachillar, annul 4(3)		0.040		diam'r		-		1.040	
	76/A	0.48	A/A	ALCA.	8.06	100	0.079	2.01	1	1	10.00	1.110	1.1993	
Area1 Area1	152-1	0.48	1.80	35.77	PAVIMENT	130	0.079	8.57	0.03	-	14.389	0.341	6.633	11
LEFAS	133-1	0.01	4.40	22.79	PAVIMENT	100	0.079	0.50	0.00		12.968	0.190	0.009	2.5
AREA 4	1541	0.04	3.40	40.86	500	100	8.079	0.54	10.0		13.652	0.136	0.006	6.6
AREA 5	1351	0.00	3.10	9.45	500	100	0.079	0.34	0.00		6.122	0.061	0.001	6.1
Aluan	156-1	0.02	2	16.17	100	100	0.079	0.32	0.01	1	1.410	0.055	0.001	8.1
Area 7.	18741	0.02	10.4	17.61	100	100	0.079	1.06	0.01	1	26,784	0.367	0.006	2.8
							Add Row							
	Overall Site Size	0.80										Total Soll Loss Estimates	0.056	5.4
and justifica	idums 13 that	Area 1 ft Bui Area 2 10 3 v Area 2 10 3 v Area 4 AND 3	will be PAVE will be cover	ed by Paven	ent and the C value will be 0	AL.								

This calculates uses the CS table from Agriculture and Agri-Food Canada's RADARA' Revised inversal Sof loss Equation for Application in Canada (2002) to determine an (3) value from a given slope prode (N) and length (meters). The LSI table uses used as in to the Topographic Factor table that is recommended by Agriculture and Agri-Food Canada for use on construction projects that have a high ratio of rill, intervill ensuine.



### **PRODUCT SPECIFICATIONS**

### **Sediment Control Donut**

Properties	Low	Medium	High
Color	Gray	Orange	Yellow
Apparent Opening Size	0.180 mm	0.382 mm	0.672 mm
Flow Rate	114 LPM/m <sup>2</sup>	17,440 LPM/m <sup>2</sup>	17,790 LPM/m <sup>2</sup>
Permeability	0.001 cm/s	0.38 cm/s	0.40 cm/s
Grab Tensile Strength (MD)	803 N	1497 N	513 N
Grab Tensile Strength (TD)	527 N	549 N	1502 N
Grab Elongation (Max %)	27%	40%	40%
Mullen Burst	1,641 kPa	2,123 kPa	1,992 kPa
Recommended Applications	Low Traffic Flat Grade Clay/Silts	Low/Med Traffic Fine Sediments Coarse Silts	Med/High Traffic Low/Mid Point of Slope Coarse Sediments

Disclaimer: The information provided by Nilex is believed to be correct and is generally based on information supplied by the manufacturers of the product offered. Any recommendations made by Nilex concerning uses or applications of our products are also believed to be reliable; however, as Nilex has no control over design execution, and field conditions of the project which incorporate the product. Nilex disclaims all warranties, expressed or implied, including, without limitation, the warranties of merchantability and/or fitness for a particular purpose.



### **ECO**>anchor

#### Product Specifications

Property	Unit	Value
Appearance	52.9 F	Liquid
Colour		Milky White, Clear once cured
Bulk Density	g/cm <sup>3</sup>	1.06-1.1
рН	рН	4-9
Flash Point	-	Non-flammable

#### Technical Info:

**EcoAnchor** – is a hydraulically applied copolymer designed for erosion control and dust suppression. This premiere product creates a three-dimensional (3D) structure in the upper 1-2 cm of soil to strengthen the soil and reduces the turbidity of soil run-off by keeping all soil particles in place. EcoAnchor outperforms traditional methods, including erosion blankets—and it does so at a fraction of the cost. Unlike mulch applications, EcoAnchor will not sheet off, but instead adheres to the soil.

#### Application Rates: .

Endurance	Litres/Acre	C-Value
3 Months	284	0.08
6 Months	378	0.08
12 Months	473	0.08
18 Months	567	0.002
36 Months	1,041	0.001

#### Intended Uses:

Erosion Control, Dust Control, Sediment Control, Soil Tackifier, Soil Stabilizer

#### **Dilution Rates:**

EcoAnchor is to be diluted with water prior to the application. Add water to the application equipment prior to adding EcoAnchor concentrate, this will avoid foam from forming in the application equipment. Rinse application equipment with water following application to clean out pumps and remaining product.

EcoAnchor Dilution Rate: 8 parts : 1 part (Water:EcoAnchor)



## **ESC Inspection Sheet**

ISC: Unrestricted 2021

### A. INSPECTION COMPANY INFORMATION

F	Richview Engineering Inc	Robin Li

### **B. PROJECT INFORMATION**

Project Name	AIRDRIE CREEKSIDE RESIDENTIAL	Owner Name	STRATEGIC GROUP
Municipal Site Address	196 EDWARDS WAY SW AIRDRIE AB	ESC Consultant Name	Richview Engineering Inc
Urban File #	PL2300906	ESC Inspector Name	Robin Li

### **C. INSPECTION CHECKLIST**

If the answer is **NO** to any of the questions below, please provide a comment in the Notes section.

NOTES

🖾 Yes	🖾 No	1. Are the approved ESC documents and inspection sheets available on-site?	
T Yes	🖾 No	2. Does the site match the approved drawing(s)?	
T Yes	🖾 No	3. Are all inlet protection devices approved on the drawing?	
T Yes	🖾 No	4. Are all stockpiles properly located and stabilized?	
T Yes	🖾 No	5. Are construction exists properly installed and maintained?	
T Yes	🖾 No	6. Does the site appear adequately protected with existing controls?	
T Yes	🖾 No	<ol> <li>If required, has mandatory cover been installed on inactive areas after 30 days of them being idle?</li> <li>165</li> </ol>	Page 120 of 12

ESC Inspection

🗖 Yes	🗖 No	8. If after Nov 15. has proper winter shut down occurred?				
T Yes	🗆 No	9. Have discharge of sediment to any of the following neighboring property, environmental reserve, or w				_
🗖 Yes	🗖 No	10. Have all other environmental concerns been mitigated?				_
D. INSPEC	TION DET	AILS				
Inspection Date		Date		Project Start Date	Date	
Weather (including past 48 hours)				Estimated Project End Date		
Inspection Attendees				ESC Drawing(s) Being Followed		
Date of Pr	revious			List of Deficiencies Noted at		
Inspection	ı			Previous Inspection: Questions 1-10 marked – <i>No</i> any control or practice without <i>Good</i> as a Performance Assessment		

### E. CONTROL AND PRACTICE ASSESSMENT

Populate the following section with all the control and practice that <u>should</u> be present on the site in accordance with the **ESC Drawing(s)** Being Followed from the approved drawing set.

Control or Practice	Location of Control	Photo	<b>Observations</b> (include deficiencies and concerns noted):	<b>Requirements</b> (what must be done to ensure alignment with the ESC Plan):
Sodding				

Written Submission from Appellant (Received July 11, 2025)

ESC Inspection

Storm Inlet Controls	
Gravel Cover	
GRAVEL ENTRANCE	
SEDIMENT POND	
WATER BARRIER SANDBAGS	
SILT FENCE	

ECO ANCHOR

Written Submission from Appellant (Received July 11, 2025)

ESC Inspection

### Add Row

This Inspection was completed by:	Title and Credentials:

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Suite 2100, 440 - 2<sup>nd</sup> Avenue S.W. Calgary, Alberta T2P 5E9 MAIN 403 776 0500 FAX 403 776 0501 **www.RoseLLP.com** 

Bonnie J. Anderson

Senior Legal Counsel Cell: (403) 229-9445 Email: <u>Bonnie.Anderson@RoseLLP.com</u>

File No.: 11204.001 BJA

July 11, 2025

VIA EMAIL: <u>APPEALS@AIRDRIE.CA</u>

Subdivision and Development Appeal Board City of Airdrie 400 Main Street SE Airdrie, Alberta

Dear Sirs/Mesdames:

### Re: Strategic Group Appeal of Stop Order dated April 29, 2025 Contraventions of Development Permit (PL2300906) and Unauthorized Activities on Adjacent Lands owned by The Canada Life Assurance Company SDAB Appeal Hearing: July 17, 2025

We are co-counsel for The Canada Life Assurance Company ("Canada Life") who owns the parcel immediately adjacent to Strategic's development, and legally described as Lot 1 Block 1 Plan 0912740 ("Canada Life Lands").

The purpose of our submission is to ensure the Board has an accurate record before it and express concerns about any further delays of work to be completed by Strategic to rectify unauthorized activities or works on Canada Life Lands, as set out in more detail below.

1. <u>Update Board Record</u>. Canada Life is mentioned in Strategic's submissions dated May 30, 2025, and below are their additional comments.

On May 9, 2025, shortly after becoming aware of the unauthorized activities by Strategic on Canada Life Lands and existence of the Stop Order, Canada Life sent a letter to Strategic (attached). Canada Life also provided a temporary license agreement to Strategic granting access to Canada Life Lands on May 20, 2025, the same date that Strategic requested confirmation that they be provided access. To facilitate Strategic's timely compliance with various enforcement requests by the City of Airdrie, changes to the agreement were negotiated in a prompt manner. A final execution copy of the agreement was provided to Strategic on June 6, 2025. Thereafter, Strategic failed, refused or neglected to obtain adequate insurance and sign the agreement.

On June 20, 2025, Canada Life sent a further letter (attached) requesting Strategic obtain the required insurance, execute the agreement and comply with the City's directives to take immediate and proactive measures to protect the Canada Life Lands given the urgency and heavy rain forecasted, which could exacerbate existing damage Strategic caused to Canada Life Lands.

The temporary license agreement was executed on June 26, 2025. In order to enter upon Canada Life Lands to complete any work, the agreement requires, among other things, Strategic's

compliance with all applicable laws, approvals, and requirements of the various enforcement orders issued in respect of its development and unauthorized work on Canada Life Lands.

2. <u>Request for Extensions and Recommence the Subject Development</u>. Canada Life encourages this Board impose the earliest deadlines possible, and require Strategic's compliance by specific dates as opposed to words such as: "...or such longer time as required...". Canada Life opposes Strategic's proposal that it be allowed to resume work on its own development once Strategic has *commenced* work on Canada Life Lands, and that soil dumped on Canada Life Lands be used to construct new erosion measures for Strategic's development. Reasons are set out below.

Strategic is an experienced land developer and at all times would have been aware of:

- the location of the property line it shares with Canada Life Lands;
- the location of the riparian areas and other environmentally protected areas on the immediately adjacent Canada Life Lands;
- the environmentally sensitive nature of, and prohibited and/or restricted activities involving, Nose Creek, riparian areas and environmentally protected areas;
- relevant environmental regulations, and planning instruments, rules and regulations, bylaws, codes, and the MGA as to municipal requirements;
- conditions in its own development permits, building permits and other approvals; and
- the fact that it is not permitted to enter Canada Life Lands without authorization and was therefore trespassing.

Strategic knowingly and unlawfully: (a) entered Canada Life Lands and dumped a significant volume of soil, construction materials, and debris, and leave construction equipment, vehicles, and shipping containers in the riparian area and other areas on Canada Life Lands; (b) failed to construct an adequate sediment control system to protect Canada Life Lands, Nose Creek and the riparian area; (c) constructed, and then failed to empty, a sediment holding pond partly on Canada Life Lands; and (d) failed to comply with the Stop Order, and various other enforcement actions taken by the City of Airdrie in a timely fashion, or at all.

We have been made aware that in connection with this development, Strategic has repeatedly failed to comply with the conditions of approval, been subject to previous stop orders, and frequently ignored directives from the City of Airdrie. This history of non-compliance and disregard for property rights of others, supports Canada Life's request that firm deadlines for compliance with the Stop Order are implemented and adhered to. Until it can be assessed whether Strategic has any intention of complying with the Stop Order, or other requests to rectify Canada Life Lands or municipal lands, Strategic ought to be prevented from redirecting efforts back to complete its own development.

Finally, Canada Life opposes Strategic's request that timelines be adjusted so that the soil dumped on Canada Life Lands may be used to construct new erosion soil control measures for Strategic's development. Allowing such request undermines the immediacy of addressing the contraventions and directives in the Stop Order, and disregards the environmentally sensitive nature of Canada Life Lands, which Strategic trespassed and illegally dumped materials upon, and which continues to pose risks. It is essential that Strategic be required to promptly and diligently remedy the situation caused by its acts. July 11, 2025 Page 3 of 3

In closing, Canada Life's involvement in this appeal is to complete the record and encourage this Board to set clear deadlines and mechanisms whereby the City of Airdrie can ensure that Strategic rectifies contraventions in a timely manner. Canada Life has no involvement with Strategic, and by participating in these proceedings it is not authorizing, approving, overseeing, reviewing, instructing or supervising what Strategic is required to do to rectify contraventions and otherwise bring itself into compliance as directed by the City of Airdrie or other regulatory authority.

We appreciate the Board's consideration of Canada Life's concerns regarding contraventions by Strategic on Canada Life Lands that remain outstanding.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

BJ Anderson

ROSE LLP Bonnie J. Anderson

/bja

Enc. May 9 and June 20, 2025 Letters from Canada Life to Strategic

Blakes

Blake, Cassels & Graydon LLP Barristers & Solicitors Patent & Trade-mark Agents 855 - 2nd Street S.W. Suite 3500, Bankers Hall East Tower Calgary AB T2P 4J8 Canada Tel: 403-260-9600 Fax: 403-260-9700

> Michael O'Brien Partner Dir: 403-260-9753 mio@blakes.com Reference: 50376/793

May 9, 2025

VIA E-MAIL

Strategic Group Suite 400, 630 – 8 Avenue SW Calgary, AB T2P 1G6 Creekside Corp. Suite 430, 2020 4<sup>th</sup> Street SW Calgary, AB T2S 1W3

### Attention: Branden Kidd

### Re: Unauthorized Encroachment and Illegal Dumping at Property Legally Described as Lot 1, Block 1, Plan 0912740 (the "Canada Life Land")

We have been retained by The Canada Life Assurance Company ("**Canada Life**"), c/o GWL Realty Advisors Inc., the owners of the Canada Life Land. We understand that Creekside Corp. is the registered owner of those lands legally described as Lot 6, Block 1, Plan1511409 (the "**Strategic Land**"), which lands are currently being developed and managed by Strategic Group Development Corp. ("**Strategic**"). The Strategic Land is located adjacent to the Canada Life Land.

We are in receipt of your e-mail correspondence dated between April 29 and May 6, 2025. We are also in receipt of a stop order issued to you by the City of Airdrie (the "**City**") on April 29, 2025 in respect of development in contravention of the conditions of the development permit for the Strategic Land (the "**Stop Order**") and the Notice of Action under Section 551 of the *Municipal Government Act* (Alberta) (the "**MGA**") issued to you by the City on May 2, 2025 advising that the City would be exercising its emergency authority in respect of the unauthorized excavation and development work on the Strategic Land, impacting the Canada Life Land and City infrastructure (the "**Emergency Notice**" and collectively with the Stop Order, the "**City's Demands**").

It has become apparent that during the course of development of the Strategic Land, Strategic has unlawfully and without Canada Life's permission, entered upon the Canada Life Land and deposited a large amount of construction related materials and debris on the Canada Life Land, including large volumes of soil, construction equipment, vehicles, storage containers in addition to the construction of a sediment holding pond located partially on the Canada Life Land (the "**Pond**"). To be clear, at no time did Canada Life ever approve, authorize or permit Strategic, or anyone on its behalf, to enter upon the Canada Life Land or to construct the Pond (the "**Unauthorized Encroachment and Dumping**"). The Unauthorized Encroachment and Dumping constitutes a trespass and the continued presence of construction related materials and equipment on the Canada Life Land constitutes a continuing trespass.

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As indicated in the City Demands, the Unauthorized Encroachment and Dumping has put Nose Creek at risk and has directly impacted sensitive riparian areas located on Canada Life Lands. The City advised Canada Life that Alberta Environment and Protected Area ("**AEPA**") and Occupational Health and Safety ("**OHS**") have opened investigations on the Strategic Lands and other impacted areas.

In the circumstances, Canada Life hereby demands that Strategic immediately cease and desist the Unauthorized Encroachment and Dumping. Canada Life hereby further demands that Strategic forthwith:

- (a) remove all materials deposited, located or constructed on the Canada Life Land by Strategic or parties operating on its behalf, in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands, any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (b) empty the Pond and relocate the Pond to an area approved by the City wholly within the Strategic Lands and in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands, any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (c) take all steps necessary to stabilize and restore the Canada Life Land to the condition that it was in prior to the Unauthorized Encroachment and Dumping, including any environmental remediation, in accordance with all municipal, provincial and other applicable laws, bylaws, guidelines, regulations and orders, including the City's Demands any orders issued by AEPA or OHS, and any recommendations of the geotechnical engineer retained by the City;
- (d) provide confirmation, through third party testing, of the environmental quality of the soil illegally dumped on the Canada Life Lands and subsequent documentation that it has been fully removed off of the Canada Life Lands to avoid any cross contamination; and
- (e) obtain all permits and authorizations from the City, AEPA, and OHS required to complete the work described in (a), (b) and (c) above, and ensure such work is completed in accordance with all conditions and requirements thereof, including, without limitation, any special requirements pertaining to the riparian areas and the Provincial floodway of Nose Creek,

### (collectively, the "Canada Life Demands").

In order to facilitate Strategic's efforts to comply with the Canada Life Demands, Canada Life is prepared to provide Strategic (and those on its behalf) with access to the Canada Life Land for the sole purpose of remediation and restoration of the Canada Life Land, in accordance with terms of a temporary license agreement (the "**Access Agreement**") in Canada Life's form which will be provided to you promptly following receipt of the confirmation from you contemplated at the end of this letter. To be clear, Canada Life does not permit nor grant Strategic, or anyone on its behalf, from having any access to nor occupancy

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Page 2

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of the Canada Life Land other than pursuant to and in strict compliance with the terms of the Access Agreement. Furthermore, under no circumstances shall the granting of the Access Agreement by Canada Life be interpreted as Canada Life authorizing or consenting to the Unauthorized Encroachment and Dumping or any other any actions taken by Strategic in connection with the development of the Strategic Lands, or a direction by Canada Life to Strategic to take any action in contravention of the City Demands or any orders issued by AEPA, OHS or any other governmental authority, all of which shall take precedence over the Canada Life Demands in the event of a conflict.

As noted above, as part of the Unauthorized Encroachment and Dumping, large volumes of soil have been deposited on the Canada Life Land. As this time, Canada Life does not know the source of such material, the composition of such material or whether such material is contaminated. Please immediately provide all environmental information relating to the soil and other material that was deposited on the Canada Life Land, including any and all Phase I, II or III Environmental Site Assessment reports, soil chemistry reports or related environmental information or reports. We also note that in the City's Demands, there is reference to the Pond not being constructed in the approved location and a risk that the Pond may be breached and poses a risk to Nose Creek and the riparian areas, including contamination and soil erosion. Please provide all environmental information related to the status and composition of the Pond.

To more fully understand the extent of the encroachments and ground disturbance on the Canada Lands, we also request that you provide us with a copy of the Survey (as defined in the Stop Order), in the event one was obtained.

For clarity, Strategic shall be liable for any and all costs, damages and expenses associated with the Unauthorized Encroachment and Dumping and for complying with the City's Demands and the Canada Life Demands, including all environmental, legal, consulting and compliance costs.

Given the urgency of these matters, please confirm by no later than the close of business on **Wednesday, May 14, 2025** that Strategic will comply with the Canada Life Demands and will provide Canada Life with the environmental information requested above. We further expect that Strategic will comply with all of the City's Demands, including as they may relate to the Canada Life Land.

In the event that you fail to comply with the Canada Life Demands, we will be forced to take all necessary steps, including commencing legal proceedings in respect of, among other things, the Unauthorized Encroachment and Dumping.

Canada Life reserves any and all rights, benefits or privileges available to it at law, in statute or in equity.

Your truly,

Michael O'Brien

cc: UK One Construction Ltd. Casola Koppe Architects City of Airdrie

TORONTO 1384-0559-69



Page 3

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Blake, Cassels & Graydon LLP Barristers & Solicitors Patent & Trade-mark Agents 855 - 2nd Street S.W. Suite 3500, Bankers Hall East Tower Calgary AB T2P 4J8 Canada Tel: 403-260-9600 Fax: 403-260-9700

> **Michael O'Brien** Partner Dir: 403-260-9753 mio@blakes.com

Reference: 50376/793

June 20, 2025

VIA E-MAIL

Strategic Group Suite 400, 630 – 8 Avenue SW Calgary, AB T2P 1G6

Creekside Corp. Suite 430, 2020 4th Street SW Calgary, AB T2S 1W3

**Attention: Beamer Comfort, General** Counsel

#### Unauthorized Encroachment and Illegal Dumping at Property Legally Described as Lot 1, Re: Block 1, Plan 0912740 (the "Canada Life Land")

Dear Beamer.

As you know, we are counsel for Canada Life Assurance Company ("Canada Life"), c/o GWL Realty Advisors Inc. Unless otherwise stated, all capitalized terms used herein shall have the same meaning given to them in our letter dated May 9, 2025.

As noted in our May 9, 2025 letter. Strategic has unlawfully and without Canada Life's permission. entered upon the Canada Life Land and deposited a large amount of construction related materials and debris on the Canada Life Land, including large volumes of soil, construction equipment, vehicles, storage containers in addition to the construction of a sediment holding pond located partially on the Canada Life Land. As stated in our May 9, 2025 correspondence, the Unauthorized Encroachment and Dumping has and continues to constitute a trespass to the Canada Life Land.

In our May 9, 2025 letter, we advised that Canada Life is prepared to provide Strategic (and those on its behalf) with access to the Canada Life Land for the sole purpose of remediation and restoration of the Canada Life Land, in accordance with the terms of a temporary license agreement (the "Access Agreement"). On May 20, 2025 Strategic requested email confirmation that they could access the Canada Life Land and on that same day Canada Life's form of Access Agreement was provided to Strategic. Following negotiations with Strategic, a final execution version of the Access Agreement was provided to Strategic two weeks ago, on June 6, 2025.

The only outstanding issue to executing the Access Agreement is the requirement for adequate insurance coverage, which Canada Life's insurance advisors have identified as a necessary requirement, and which Strategic has failed or refused to provide to date. The insurance requirements are reasonable, and we would have expected Strategic to have acted with more urgency in addressing that issue and

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entering into the Access Agreement. To be clear, once the insurance issue is resolved, the Access Agreement can be executed and Strategic can access the Canada Life Land in compliance with the Access Agreement.

At 5:10 p.m. on June 18, 2025 the City wrote to Strategic urging them to take immediate steps to implement the approved Erosion and Sediment Control (ESC) Plan in light of the heavy precipitation forecasted for the weekend and notifying Strategic of the City's concerns about the potential for material from the stockpile to be mobilized into Nose Creek, particularly due to the current condition of the site and the environmental impacts that could result if the site were to deposit sediment into Nose Creek. The City further indicated to Strategic that it is the City's belief that implementation of the ESC Plan is critical to protect the surrounding environment from sediment release from the site.

At 7:30 a.m. on June 20, 2025, our client wrote to Strategic advising of the urgency in finalizing the Access Agreement. In particular, Canada Life identified the upcoming forecasted heavy rains, which are forecast to start today and continue over the weekend. The potential for significant amounts of rain will impact, among other things, the large amount of soil that was illegally dumped on the Canada Life Land by Strategic. In addition, Canada Life required that Strategic immediately take and maintain all proactive measures on the Strategic Land in accordance with good environmental stewardship and the City's recommendations to protect the Canada Life Land.

Given the urgency of this matter and the environmentally sensitive nature of the riparian areas on the Canada Life Land, we are surprised that Strategic has still not executed a copy of the Access Agreement (despite being provided a copy nearly one month ago) in order to gain access to the Canada Life Land and remediate the issues associated with the Unauthorized Encroachment and Dumping and to implement measures to protect Nose Creek, the adjacent riparian areas and the Canada Life Land from sedimentation and other storm-related effects.

Further, we do not accept that Strategic has taken all steps necessary to prevent any damage associated with the forecast heavy rainfall in respect of Nose Creek. For example, it is our understanding that the silt walls installed by Strategic are deficient and are failing in some areas and that in certain areas the fence was not anchored. As such, Strategic has not taken sufficient steps to mitigate the risks to Nose Creek, the adjacent riparian areas and the Canada Life Land caused by the Unauthorized Encroachment and Dumping which likely will be exacerbated by the heavy rainfall.

Overall, the Unauthorized Encroachment and Dumping by Strategic on the Canada Life Land and Strategic's failure to promptly and diligently remediate the issues associated therewith has and continues to cause irreparable harm to Canada Life. In the circumstances, Canada Life will take all necessary steps to preserve, protect and enforce its property interests in the Canada Life Land.

Given the above, please confirm, on or before noon (MST) tomorrow, **June 21, 2025**, whether in light of the current situation, Strategic is prepared to provide the necessary insurance documentation and that it will execute the Access Agreement by 5:00 p.m. on Monday, June 23, 2025. In the event that Strategic does not provide such confirmation, Canada Life will seek all necessary relief, including injunctive relief, as against Strategic.

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Canada Life reserves all rights, remedies and privileges available to it in law, under the Access Agreement, under statute and in equity.

Your truly,

MO

Michael O'Brien

cc: City of Airdrie Blakes Client

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