

## Conditions of Approval

### Prior to Release Requirements

The following requirements shall be met prior to the release of the permit. All requirements shall be resolved to the satisfaction of the Approving Authority:

#### Planning:

1. No comments.

#### Development Engineering:

2. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact [developmentservicing2@calgary.ca](mailto:developmentservicing2@calgary.ca) for additional details.

For further information, refer to the following:

#### Design Guidelines for Development Site Servicing Plans

[http://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSS\\_P2015.pdf](http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSS_P2015.pdf)

#### Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

#### Transportation:

3. Construction Drawings shall be submitted and circulated within Roads for the improvements along 9 Street. Surface approval by Roads is required for prior to release clearance. The Construction drawings will be under Roads Master Indemnification Agreement.
4. Remit a performance security deposit (certified cheque, bank draft, letter of credit) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Unit. The amount of the deposit is calculated by Roads and is based on 100% of the estimated cost of construction.

The developer is responsible to arrange for the construction of the infrastructure with their own forces and to enter into an Indemnification Agreement with Roads at the time of construction (the security deposit will be used to secure the work).

#### Roads

- a. Construction of new driveway crossing

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- c. Construction of new sidewalks
  - d. Construction of Two (2) new wheelchair ramps at each intersection
  - e. Construction of new curb and gutter/ angle parking along 9 Street
  - g. Construction of proposed parking lay-by to City standards
  - h. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel
5. Remit payment (certified cheque, bank draft) for the proposed infrastructure listed below within the public right-of-way to address the requirements of the Business Units. The amount is calculated by the respective Business Unit and is based on 100% of the estimated cost of construction.

The developer is responsible to coordinate the timing of the construction by City forces. The payment is non-refundable.

### Roads

- a. Street lighting upgrading adjacent to subject development.
6. As per DC bylaw required for parking reduction, a rectangular Rapid Flashing Beacon is required at McPherson Road / 9 Street. The property owner shall provide 100% of this beacon installation. Contact Canace Bain, Signals Construction Coordinator at 403.268.1578 to obtain an estimate. A letter of credit for the required amount shall be provided to the City of Calgary for the initial cost estimate to construct the traffic signals. Also, a letter from the property owner will be required, under Corporate Seal, indicating that they will be responsible for any costs of installing this signal that may be in excess of the amount estimated for the letter of credit. The letter of credit and letter under corporate seal shall be forwarded to the File Manager for distribution at CPAG.
7. To accommodate a 2 m width sidewalk along 9 Street an Access Easement Agreement is required on the subject parcel. As a result of the angled parking and landscaping along 9 Street the remaining ROW does not allow for 2m clear sidewalk.

Execute and register on title an Access Easement Agreement with the City of Calgary over 2m along 9 Street (Servient Lands) in favour of 9 Street (Dominant Lands) for the purpose of pedestrian access. The agreement and registerable access right of way plan shall be to the satisfaction of the Director, Transportation Planning and the City Solicitor. A standard template for the agreement and an Instruction Document will be provided by the Transportation CPAG Generalist. Submit an original copy of the executed agreement and the certificate of title(s), indicating the agreement is registered on title, for all affected parcels.

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8. Provide letter indicating that the applicant will contact the Traffic Engineer (403-268-4426) eight (8) weeks prior to occupancy to make road marking and signage arrangements. All costs will be at the applicant's expense. Contact 311 to remove existing signage prior to construction.
9. To support all non-standard applicant requested elements (benches and bike racks) the applicant will be required to execute and register a Perpetual Maintenance Agreement on the development sites land title(s) and agree to maintain the non-standard surface element(s) in perpetuity. Execution of the Agreement is required for prior to release clearance.

#### Parks:

No comments.

### Permanent Conditions

The following permanent conditions shall apply:

#### Planning:

10. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
11. No changes to the approved plans shall take place unless authorized by the Development Authority.
12. A Development Completion Permit shall be issued for the development **before the use is commenced or the development occupied**. A Development Completion Permit is independent from the requirements of Building Permit occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for the Development Completion Permit.
13. Upon completion of the main floor (storey) subfloor of the building, proof of the geodetic elevation of the constructed main floor (storey) subfloor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to [geodetic.review@calgary.ca](mailto:geodetic.review@calgary.ca).
14. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
15. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
16. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).

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17. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
18. Barrier free parking stalls shall be clearly designated, signed and located close to the entrance of the building with barrier-free accessibility.
19. All roof top mechanical equipment shall be screened as shown on the approved plans.
20. Loading and delivery shall take place in the designated loading stall as shown on the approved plans and shall, at no time, impede the safety of pedestrian movements and use of the parking lot.
21. The garbage facilities shall be kept in a good state of repair at all times and the doors shall be kept closed while the enclosures are not actively in use for delivery or removal of refuse.
22. The total number of bicycle lockers and stalls as indicated on the plan shall be maintained for the purpose of bicycle storage and operable for the life of the development (building and site).
23. Dedicated motor vehicle parking stalls for car-sharing services, in keeping with the DC Direct Control District 64D2019, shall be maintained and operable for the lifetime of the development (building and site).

### **Development Engineering:**

24. If during construction of the development, the developer, the owner of the titled parcel, or any of their agents or contractors becomes aware of any contamination,
  - a. the person discovering such contamination shall immediately report the contamination to the appropriate regulatory agency including, but not limited to, Alberta Environment, Alberta Health Services and The City of Calgary (311).
  - b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental and Safety Management division shall be immediately notified (311).

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25. The developer / project manager, and their site designates, shall ensure a timely and complete implementation, inspection and maintenance of all practices specified in erosion and sediment control report and/or drawing(s) which comply with Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control. Any amendments to the ESC documents must comply with the requirements outlined in Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control.

For other projects where an erosion and sediment control report and/or drawings have not been required at the Prior to Release stage, the developer, or their designates, shall, as a minimum, develop an erosion and sediment control drawing and implement good housekeeping practices to protect onsite and offsite storm drains, and to prevent or mitigate the offsite transport of sediment by the forces of water, wind and construction traffic (mud-tracking) in accordance with the current edition of The City of Calgary Guidelines for Erosion and Sediment Control. Some examples of good housekeeping include stabilization of stockpiles, stabilized and designated construction entrances and exits, lot logs and perimeter controls, suitable storm inlet protection and dust control.

The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: [www.calgary.ca/ud](http://www.calgary.ca/ud) (under publications).

For **all soil disturbing projects**, the developer, or their representative, shall designate a person to inspect all erosion and sediment control practices a minimum of every seven (7) days and during, or within 24 hours of, the onset of significant precipitation (> 12 mm of rain in 24 hours, or rain on wet or thawing soils) or snowmelt events. Note that some practices may require daily or more frequent inspection. Erosion and sediment control practices shall be adjusted to meet changing site and winter conditions.

26. Stormwater runoff must be contained and managed in accordance with the "Stormwater Management & Design Manual" all to the satisfaction of the Director of Water Resources.
27. The grades indicated on the approved Development Site Servicing Plan(s) must match the grades on the approved Development Permit plans. Upon a request from the Development Authority, the developer or owner of the titled parcel must confirm under seal from a Consulting Engineer or Alberta Land Surveyor, that the development was constructed in accordance with the grades submitted on the Development Permit and Development Site Servicing Plan.
28. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.

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### Transportation:

29. The developer shall be responsible for the cost of public work and any damage during construction in City road right-of-ways, as required by the Manager, Transportation Planning. All work performed on public property shall be done in accordance with City standards.
30. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way, bylawed setbacks and corner cut areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, lay-bys, utility work, +15 bridges, culverts, etc. All temporary shoring, etc., installed in the City rights-of-way, bylawed setbacks and corner cut areas must be removed to the satisfaction of the Manager of Transportation Planning, at the applicant's expense, upon completion of the foundation. Prior to permission to construct, contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.
31. The approved driveway(s) required for this development must be constructed to the ramp grades as shown on the approved Development Permit plans. Negative sloping of the driveway within the City boulevard is not acceptable. If actual grades do not match the approved grades, the developer/owner shall be responsible for all costs to remove and reconstruct the entire driveway ramp in accordance with approved grades.
32. The development site is located within a residential parking zone "AAA" as defined by the City of Calgary Traffic By-law and, as such, no long term non-residential parking is permitted on-street. No residential or visitor parking permits shall be supplied to this development.
33. The development approval was based on the turning template of a SU-9. If larger trucks are required to be accommodated a new Development Permit may be required.

### Parks:

34. The submitted plans indicate that the removal of existing public trees along property frontage may be necessary. As per the City of Calgary Tree Protection Bylaw, a letter of authorization to remove public trees is required from Parks Urban Forestry. The applicant is to contact Urban Forestry at 311 to make arrangements for the letter and compensation.
35. Any tree planting in the City boulevard shall be performed and inspected in accordance with Parks' *Development Guidelines and Standard Specifications – Landscape Construction (current edition)*. Applicant is to contact the Parks Development Inspector (403) 268-5325 to arrange an inspection.

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36. In order to ensure the integrity of existing public trees and roots, construction access is only permitted outside the drip line of public trees, as per the approved Tree Protection Plan.
37. Public trees located on the boulevard adjacent to the development site shall be retained and protected during all phases of construction by installing a temporary fence around the extent of the branches ('drip line') and ensuring no construction materials are stored inside this fence unless otherwise authorized by Urban Forestry.
38. Install protective fence 3.0 metres from trunks of the existing public trees and water once per week during construction. Contact Urban Forestry at 311 to arrange for Tree Protection Plan approval.
39. In order to ensure the integrity of existing public trees and roots, no grade changes are permitted in the boulevard within drip lines.
40. In order to ensure the integrity of existing public trees and roots, there shall be a minimum 3.0 metres separation, ideally the full length of the canopy, between the trunk and any new/proposed structures, (i.e. driveways and walkways).
41. Tree protection information given as per the approved development permit does not constitute Tree Protection Plan approval. Tree Protection Plan approval must be obtained separately through Urban Forestry. Visit [www.calgary.ca](http://www.calgary.ca) or call 311 for more information.
42. Applicant should indicate on the plans the location of new services in accordance with the Grade Slip or DSSP approved by the City. However, if the servicing trench will be located within the drip line of an existing adjacent public tree, the applicant should contact Urban Forestry through 311 or contact Development Site Servicing directly in attempt to avoid this conflict.