

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. Submit a complete digital set of the amended plans in PDF format and a separate PDF that provides a point-by-point explanation as to how each of the Prior to Release conditions were addressed and/or resolved. The submitted plans must comprehensively address the Prior to Release conditions as specified in this document. Ensure that all plans affected by the revisions are amended accordingly. To arrange the digital submission, please contact your File Manager directly.
2. Amend the plans to add a note on the elevations drawings stating “all illuminated signage to be indirect or backlit and consistent for all retail signage”.

Development Engineering:

3. 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 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/DSSP2015.pdf

Development Site Servicing Plans CARL (requirement list)

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

November 2020 Update: Submit DSSP to Water Resources – use developmentservicing2@calgary.ca for any inquiries. It is required that each individual site (DP2019-4785 and DP2019-4791) has a separate DSSP – for these two adjacent development permits **it is required that there are individual DSSPs** with their own unique services to the public main. Individual sites (DP2019-4785 and DP2019-4791) should have their own stormwater containment on site. Currently it is shown as joint traplows and the high point does not run along the proposed property line. Each site must manage their stormwater separately and a small portion of cross drainage (with a limited defined area such as a few parking stalls or a drive aisle) can be registered with an overland drainage easement for those affected areas as applicable.

4. Provide a completed copy of the “Retaining Wall Design Disclosure Statement”

AND

Submit an electronic version of Structural Design Drawings, for review and acceptance, for the retaining wall(s), prepared by a qualified Professional Engineer under seal and permit to practice stamp to the satisfaction of the Chief Structures Engineer, Roads. The intent of the drawings is to show the feasibility of the proposed retaining wall(s) at the location(s) indicated.

NOTE: Retaining wall designs should show Factor of Safety against failure (sliding, overturning, bearing and global stability).

5. Amend the plans to:

Water Resources – Water Servicing

- a. Indicate and dimension an adequate “water meter room”, which shall be located internal to the building (main floor/parkade/basement level 1) adjacent to an exterior wall where the services (100mm and larger) enter the building,
6. Execute and register on all affected titles a Geotechnical Covenant by way of Caveat prohibiting the development of the lands, except in strict accordance with the accepted Post Development Slope Stability Assessment (Updated), prepared by Geo-Slope Stability Services (File No.20-127) dated October 30, 2020.

Provide the following documentation to the Development Engineering Generalist to initiate work on the agreement:

- a. One (1) copy of the current Certificate of Title, and
- b. One (1) copy of a Corporate Search
- c. One (1) copy of a legal survey plan indicating the geotechnical stability setback line if required.

NOTE: Activities including modifying final grades, discharging surface runoff / drainage, surcharge loading is not permitted in the proximity of the retaining walls.

7. Execute and register, on all affected titles, a Private Utility Easement Agreement, which protects the proposed service connections. The proposed water and storm sewer service connections for the proposed Block ____, Lot ____ (DP2019-4785) encroach into the proposed Block ____, Lot ____ (DP2019-4791).

NOTE: A copy of the Private Utility Easement Agreement shall be reviewed for content to the satisfaction of the Manager of Infrastructure Planning. Contact the Development Engineering Generalist for details.

8. Follow the submission requirements outlined in Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control (Erosion and Sediment Control Reports and Drawings: Technical Requirements) and either submit the required (2) copies of an Erosion and Sediment Control (ESC) Report and Drawings or the required (2) copies of a Written Notice to Development Engineering, for review and acceptance by Stormwater Pollution Prevention (SPP), Water Resources. The City of Calgary Guidelines for

Erosion and Sediment Control can be accessed at: www.calgary.ca/esc (under Approvals).

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared, signed and stamped by a qualified consultant specializing in erosion and sediment control, and holding current professional accreditation as a Professional Engineer (P. Eng.), Professional Licensee (P.L. Eng), Professional Agrologist (P. Ag.) or Certified Professional in Erosion and Sediment Control (CPESC). For each stage of work where soil is disturbed or exposed, documents must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

If you have any questions, contact 3-1-1. A Service Request (SR) will be created for the Erosion Control Team in Water Resources.

9. Amend the plans to:

Waste & Recycling Services - General

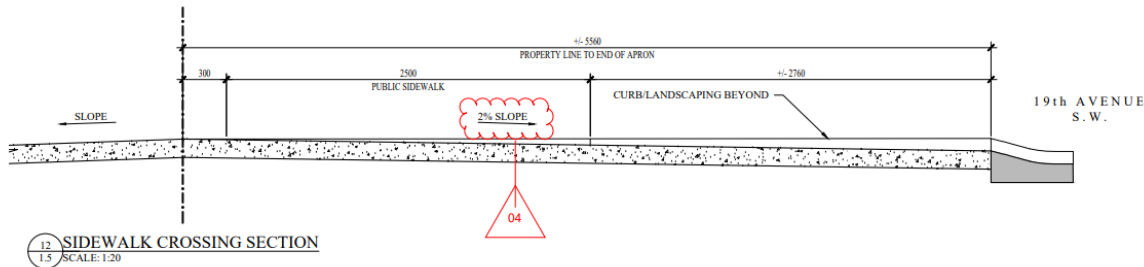
- a. Provide an overhead door (min. size of 3.0m wide X 2.1m high) for the waste facility(ies).
 - b. Provide protection details for all overhead door components, including the frame and tracks, from all directions of travel.
 - c. Provide protection to ensure all parts of the storage area do not come into contact by any part of a container. Refer to the "Development Reviews: Design Standards for the Storage and Collection of Waste"
 - d. Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx> .
10. After the Development Permit is approved but prior to its release, execute a Development Agreement. Contact the Infrastructure Strategist, Calgary Approvals Coordination for further information at 403-268-5138 or email <mailto:rob.hirber@calgary.ca>.
11. Provide a letter from the Springbank Hill Phase 1 Consulting Engineer of Record indicating that the utilities in 19 Avenue SW are installed and considered operational.
12. The Developer shall confirm, prior to release of any development and/or building permit(s), that the regional stormwater pond and downstream utilities are installed and considered operational in the opinion of the subdivision authority.

Transportation:

13. Applicant is to submit construction drawings for 85 Street and 19 Avenue S.W. Construction drawings are to be reviewed and approved prior to release of the Development Permit.

NOTE: Although the construction drawings have been submitted (CD2020-0073), there are still revisions required on them. Applicant is to ensure the design is confirmed, and show the design on the drawings, and include boulevard slopes in the plan set. City boulevards are to be graded at 2% from the back of curb to the Property line.

14. Amend plans to provide the actual slope of the driveway, not just having it marked as “slope” (see image below).



NOTE: Although the boulevard grade has been provided, applicant is to also include the slope of the driveway apron, which will be steeper than 2%. Amend plans accordingly.

15. 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 crossings on 19 Avenue S.W.,
 - b. Construction of East side of 85 Street, corner of 19 Avenue, and the South side 19 Avenue S.W. along site frontages.
 - c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
16. 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 site frontages (If required).

Parks:

17. Revise Plan A1.0:
- a. To identify/label - the adjacent proposed S-SPR (MR), the adjacent proposed S-UN (ER), and the proposed 3.0 metre Asphalt Regional Pathway all of which should follow the same property lines as per LOC2018-0085.

- b. Remove the east west pathway tie-in to the proposed Regional Pathway as this will be reviewed and discussed at the time of this Development Permit application.

November 2020 update: Not addressed on Amended Plans.

18. Revise Plan A1.1:
 - a. To identify/label - the adjacent proposed MR and the 3.0 metre Asphalt Regional Pathway (to be field fit).
 - b. To indicate the size of the new sidewalk proposed to 19 Avenue SW and indicate the interface at the P.L. with the adjacent MR. There will be a 1.2 metre chainlink fence on private property along the sidewalk. How will snow clearing, etc. take place with the sidewalk next to the P.L.? Some clearance between the sidewalk and the P.L. is recommended.
 - c. Clearly identify (in plan and section view) the location of the proposed Retaining Walls along 19 Avenue and indicate how it will terminate at the proposed MR property line.
 - d. Clearly Identify all proposed Retaining Walls along MR extents and indicate that they are fully on private property including footings.
19. Identify a permanent 1.2 m chain link fence (or equivalent to the satisfaction of Parks), within the private property at the property line with the MR on Plans A1.0, A1.1, L-1, L-2 and any other relevant plans. Clarify where a Chain Link fence along the MR will be located as the Amended Plan for DP2019-4785 indicate a continuous retaining wall along the MR. It is redundant to have the Chain Link fence in front of the retaining wall.
20. As per the applicant's DTR 3 Response, they have indicated that *"the runoff quantity has been submitted to Alberta Environment and Parks, a letter confirming that the runoff to the ER is acceptable will be provided."* *"Runoff has been accounted for in the approved SMDP"*. Provide AEP's letter of acceptance regarding the runoff.

Permanent Conditions

The following permanent conditions shall apply:

Planning:

21. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
22. No changes to the approved plans shall take place unless authorized by the Development Authority.
23. 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.

24. All roof top mechanical equipment shall be screened as shown on the approved plans.
25. The grades indicated on the approved Development Permit plans must match the grades on the Development Site Servicing Plan for the subject site as per the Lot Grading Bylaw.
26. Upon completion of the main floor elevation of the building, proof of the geodetic elevation of the constructed main floor elevation must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to geodetic.review@calgary.ca.
27. Retaining wall(s) that are 1.0m or greater in height shall be located and constructed as shown on the approved plans released with this permit.
28. Each parking stall, where located next to a sidewalk, shall have a properly anchored concrete wheel stop or equivalent material to the satisfaction of the Development Authority (100mm in height and 600mm from the front of the parking stall).
29. 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.

Development Engineering:

30. The parcels shall be developed in accordance with the development restriction recommendations outlined in the following report(s):
 - Updated Slope Stability Assessment, prepared by Geo-Slope Stability Services (file No. 19-103), dated February 5, 2019.
 - Geotechnical Report, prepared by Almor Testing Services Ltd. (File No. 030-01-17), dated May 2017.
 - Slope Stability Considerations, 19th Avenue SW Road Embankment, Aspen Woods Springbank Subdivision, prepared by Almor Testing Services Ltd (File No.030-01-17.19), dated June 5, 2019.
 - Aspen Springs Development, SW, Cut & Fill (Grading) Plan, Slope Stability Assessment, prepared by geo-Slope Stability Services (File No. 20-123), dated April 30, 2020.
 - Rough Grading Backfill – City of Calgary Deep Fill Requirement – Aspen Springs – Phase 1, Calgary Alberta, prepared by Almor Testing Services Ltd. (File No. 030-01-17.20), dated May 7, 2020.
 - Aspen Springs Project, SW Calgary, Parcels MU1/M1, Post-Development Slope Stability Assessment, prepared by Geo-Slope Stability Services (File No. 20-127), dated June 17, 2020.
31. Single retaining walls 1.2m in height or greater or terraced retaining walls 1.2m in height or greater with a horizontal separation between walls of less than 3.6m (3x height) require the approval of a Building Permit prior to construction.

For retaining wall(s) that meet these criteria, the developer may either:

- a. Include the retaining walls with the Building Permit for the building, or
- b. Apply for a separate Building Permit for the retaining walls.

It should be noted that the Building Permit for the building on site will not be released until the separate Building Permit for site retaining walls is approved.

32. **Prior to the issuance of the Development Completion Permit**, the developer/builder is required to provide the form, *Assurance of Engineering Field Review and Compliance*, (final page of the Retaining Wall Design Disclosure Statement) under seal and permit to practice stamp by the Engineer of Record to the Development Authority for the field review of the retaining wall(s).
33. 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).
34. 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 (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.

35. Contact the Erosion Control Inspector, Water Resources, with at least two business day's notice, to set up a pre-construction meeting prior to commencement of stripping and grading. Locations north of 17 Avenue S should contact 403-268-5271. Sites south of 17 Avenue S should contact 403-268-1847.
36. 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.

37. 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.
38. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.

Transportation:

39. 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.
40. 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 roadsia@calgary.ca**

Parks:

41. Prior to construction, confirm that there will be no disturbance within MR/ER extents. If constructions limits extend into public lands contact the Parks CPAG Generalist to enter into a LOC (License of Occupation) or LCD (Landscape Construction Drawing/Habitat Restoration Plan).
42. Landscape Construction Drawings are required for the Landscape Design approval of all MR – Municipal Reserve spaces. The approval of this DP does not constitute approval of the MR - including design of the MR, proposed swales or weeping tiles within MR, private lot drainage to MR or grades adjacent to MR. Contact the Parks Coordinator – Development, Nathan Grimson, at 403.681.2718 or nathan.grimson@calgary.ca to submit these plans for review/approval.
43. The applicant will be responsible for all costs associated with private and public pathways.
44. No surface or sub-surface encroachments (including retaining walls and/or their footings), gates from private pathway tie-ins to the proposed Regional Pathway and stairs are permitted into within (MR/ER) park parcels and are to be fully contained within private property unless agreed to by Calgary Parks.
45. The applicant is responsible for ensuring that the installed ER protection fencing is maintained and the ER protected during all phases of construction.

46. All maintenance of retaining walls should be done within private property limits.
47. Roof leaders shall be directed towards the internal private landscape, not the adjacent (MR/ER) park parcels.
- 48.. There shall be no backsloping within MR/ER extents except what is currently shown on LOC2018-0085.
49. All drainage shall be contained within the private parcel, as required through the drainage bylaw unless approved by Calgary Parks. No point source drainage is directed to (MR/ER) park parcels unless approved by Calgary Parks.
50. No disturbance of Environmental Reserve lands is permitted without written permission from the Parks Generalist for this area. The Parks Generalist (listed above) can be reached at 403-268-5635.
51. The developer shall minimize stripping and grading within the Environmental Reserve. Any proposed disturbance within the ER, including that for roadways, utilities, and storm water management infrastructure, shall be approved by Calgary Parks.
52. With the submission of Landscape Construction Drawings, the developer shall include a detailed Habitat Restoration Plan including a maintenance schedule for each Environmental Reserve proposed to be affected by any construction. The Plan should indicate how it will be rehabilitated and restored. The restored area(s) shall be maintained by the developer until it is established and approved by Parks prior to Final Acceptance Certificate.
53. The developer shall restore, to a natural state, any portions of the environmental reserve lands along the boundaries of the plan area that are damaged in any way as a result of this development. The restored area is to be maintained until established and approved by the Parks Development Inspector Rob May at (403) 804-9417 or robert.may@calgary.ca for an inspection.
54. Construct all regional/local pathway routes within and along the boundaries of the plan area according to Parks' ***Development Guidelines and Standard Specifications – Landscape Construction*** (current version), including setback requirements, to the satisfaction of the Director, Parks.
55. **Prior to approval of the first tentative plan, stripping and grading permit or development permit** (whichever comes first), it shall be confirmed that grading of the development site will match the existing grades of adjacent parks and open space (MR and/or ER), with all grading confined to the private property, unless otherwise approved by Parks.
56. **Prior to approval of the tentative plan, stripping and grading permit or development permit** (whichever comes first), an onsite meeting shall be arranged to confirm that the surveyed boundaries of the environmental reserve area meet Parks' approval. A plan illustrating the surveyed ER boundaries must be provided to Parks in advance of the onsite meeting.

57. Pursuant to Part 4 of the *Water Act* (Alberta), the applicant shall promptly provide Parks with a copy of the *Water Act* approval, issued by Alberta Environment, for the proposed drainage disturbance and proposed stormwater outfall/discharge into the ravine.
58. Until receipt of the *Water Act* approval by the applicant from Alberta Environment, the drainage/ravine affected by the development boundaries shall not be developed or disturbed in anyway and shall be protected in place.
59. Any damage to public parks, boulevards or trees resulting from development activity, construction staging or materials storage, or construction access will require restoration at the developer's expense. The disturbed area shall be maintained until planting is established and approved by the Parks Development Inspector. Contact 311 for an inspection.

Any surface or subterranean damage to public parks resulting from the installation of building construction tie-backs or other construction practices requires remediation at the developer's expense, to the satisfaction of the Director, Parks. All materials associated with the encroachments must be removed and any subterranean and surface disturbances to the parcel must be remediated. All site remediations must be approved by the Parks Development Inspector. Contact 311 for an inspection.

60. Any landscape rehabilitation on public parks shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications – Landscape Construction (current edition). Applicant is to contact the Contact the Parks Development Inspector Rob May at (403) 804-9417 or robert.may@calgary.ca for an inspection.
61. A 1.2 m chain link high fence shall remain on the property line along all shared boundaries with adjacent municipal reserve.
62. There shall be no construction access through the municipal reserve / environmental reserve lands.
63. Stormwater or other drainage from the development site onto the adjacent municipal reserve/environmental reserve parcel is not permitted. Any drainage from private lots onto the adjacent municipal reserve/environmental reserve upon development completion of the subject site must be resolved to the satisfaction of the Director, Parks and any damage resulting from unauthorized drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks Development Inspector. Contact the Parks Development Inspector Rob May at (403) 804-9417 or robert.may@calgary.ca for an inspection.