

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:

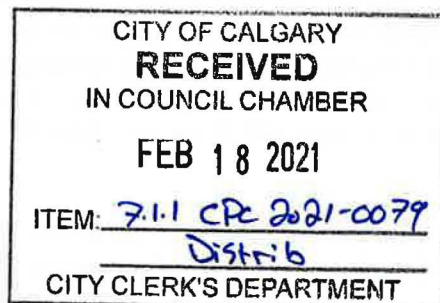
Planning:

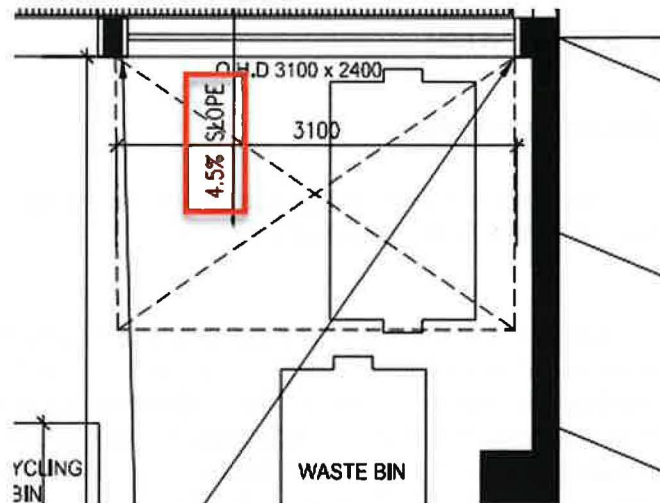
1. Submit a complete digital set of the amended plans in PDF format and a separate PDF that provides a point-by-point explanation as to how each of the Prior to Release conditions were addressed and/or resolved. The submitted plans must comprehensively address the Prior to Release conditions as specified 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. Payment in the amount of **\$2,041,140.60** to the Beltline Community Investment Fund in the form of a certified cheque payable to the City of Calgary in lieu of 4.0 FAR.
3. Provide a completed and signed copy of the Beltline Community Investment Fund refund policy. See Section 2.11.6 of the Beltline Community Investment Fund Terms of Reference.

Development Engineering:

4. Amend the plans to:
Waste & Recycling Services – General
 - a. Revise grading information. The maximum grade permitted where containers are stored, maneuvered or collected is 2% throughout.
 - b. Provide (include relevant grades) a level transition between the collection / staging area and the adjacent alley.

***Note: Ensure transition from room to lane is level and no more than 2%.
This has not been addressed on the amended plans (see below). Clearly indicate that the slope from the storage area to the staging area in the lane is no greater than 2%.***





5. The applicant must provide copies of the Environmental Assessment reports completed by SLR and referenced in Site Contamination Statement. If the assessment reports indicate that there is actual or potential site contamination, the applicant shall submit a current Remedial Action Plan (RAP) or Soil Management Plan. The report(s) shall document how the site will be remediated to such an extent that the site will be suitable for the intended use.

All information submitted will be reviewed to the satisfaction of The City of Calgary (Environmental and Safety Management).

6. After the Development Permit is approved but prior to its release, the landowner shall execute an Off-Site Levy Agreement for the payment of off-site levies pursuant to Bylaw 2M2016.

Should payment be made prior to release of the development permit, an Off-Site Levy Agreement will not be required.

To obtain the off-site levy agreement, contact the Infrastructure Strategist, Calgary Approvals Coordination, at 403-268- 5138 or email rob.hirber@calgary.ca.

7. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of **\$205,685.70** to Development Engineering. This levy includes both the Centre City Utility Levy approved under the Centre City Utility Levy Bylaw 38M2009 and an amount approved by Council for community recreation, transportation, parks upgrading, and greenways. The amount identified above is determined by using \$4710.00 per meter of site frontage (on avenues only) for the proposed development (43.67m on 13 AV SW).

Transportation:

8. Applicant is to provide confirmation that the Perpetual Maintenance Agreement for the non-standard surface elements (Pavers) on 8 Street S.W. has been completed.

9. Amend plans to have 50% of the Class #1 bike racking to be floor mounted so it is accessible for people unable to lift a bicycle into the vertical position (elderly or handicapped) and to facilitate non-standard bicycle types such as cargo bikes or bikes with trailers. Also, the proposed 2 tier bike racks (detail 1a) will require at least 2m of isle space to load and unload bikes from the top rack, and they do not allow locking of the frame using most types of bike lock types, so another type of rack should be considered.

NOTE: A detail of the Class #1 floor mounted racks has not been provided. Amend plans accordingly. This is still outstanding, as only a view from above is supplied, but not a detail of the rack being used.

10. Amend plans to note that the existing curb cut on 13 Avenue S.W. is to be "closed and rehabilitated at the Developers expense", not just that it is to be closed.

NOTE: This item is still outstanding, as the wording is to be exactly as noted above.

11. Execute and register on title an Access Agreement over Plan A1, Block 85, Lots 35-40 (Servient Lands) in favour of 8 Street S.W. (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. 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. **This is to be registered over the 2.134m Bylaw setback and corner cut area.**

12. 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. Closure and removal of existing driveway crossings on 13 Avenue S.W.,
 - b. Construction of new sidewalks adjacent to site frontages,
 - c. Construction of 2 new wheelchair ramps,
 - d. Reconstruction of lane apron,
 - e. Construction of tree trenches to City standards,
 - f. Removal or replacement of existing power poles in the lane behind the development, and burial of the lines behind the development (as applicable),
 - g. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
13. 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 frontage (If required).

Parks:

No comments

Permanent Conditions

The following permanent conditions apply:

Planning:

14. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
15. No changes to the approved plans shall take place unless authorized by the Development Authority.
16. 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.
17. All roof top mechanical equipment shall be screened as shown on the approved plans.
18. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
19. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
20. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.

Development Engineering:

21. The subject parcels must remain on a single certificate of title for the duration of the development unless subdivision is approved by the subdivision authority.
22. 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).
23. 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.
24. 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.
25. 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.
26. 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.
27. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
28. Pursuant to Bylaw 2M2016, off-site levies are applicable.

29. Prior to issuance of a Development Completion Permit or any occupancy of the building, payment shall be made for off-site levies pursuant to Bylaw 2M2016. To obtain a final estimate, contact the Infrastructure Strategist, Calgary Approvals Coordination, at 403-268-5138 or email rob.hirber@calgary.ca.

Transportation:

30. A Perpetual Maintenance Agreement is to be registered on the development site's land title(s) for the applicant requested non-standard surface element(s) located in the road right-of-way concurrently with the execution of the Indemnification Agreement. Contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.
31. 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.
32. The Access Easement Agreement for the purpose of pedestrian access shall remain over Plan A1, Block 85, Lots 35-40 (Servient Lands) in favour of 8 Street S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with DP2019-3135, or extinguished with the consent of the Development or Subdivision Authority obtained through an application in writing to the Development or Subdivision Authority which shall be accompanied by a registerable discharge of easement and a copy of the certificate of title downloaded or obtained within one week of submission of the application.
33. 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 roadasia@calgary.ca**

Parks:

34. The submitted plans indicate that the removal of existing public trees along property frontage. As per the City of Calgary Tree Protection By-law, a letter of authorization to remove public trees is required from Parks Urban Forestry. The applicant is to contact Urban Forestry at 311 or email tree.protection@calgary.ca 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 (403-620-3216 or at 403-268-5204) to arrange an inspection.