

# 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. Submit a letter from Enmax Corporation indicating that the following issues have been addressed. Please contact Arnel Soledad at [EPC\\_Permits@enmax.com](mailto:EPC_Permits@enmax.com) to resolve the issue(s). The proposed resolution may necessitate further CPAG review of amended plans.
  - The double doors for the EDD Room shown on drawings # DP10.05, DP10.06, DP20.06, C01 and EDP1.0 will need to be the same size and specification to those into the Transformer Vault for equipment access i.e. open to a full 180 degrees.
3. A Development Agreement shall be executed in conformity with all reports, plans and materials submitted to and approved by the Development Authority, to address:
  - a) Details of responsibilities for and construction of \$1,384,573.50 (based on 13.2 FAR) of improvements on the subject site within the proposed Publicly Accessible Private Open Space;
  - b) Registration of a public access easement over the Publicly Accessible Private Open Space;
  - c) Details of materials and public art within the Publicly Accessible Private Open Space; and
  - d) If applicable, any outstanding amount of bonused floor area not covered through improvements to the Publicly Accessible Private Open Space may be bonused for through a financial contribution to the Beltline Community Investment Fund at a rate of \$270 multiplied by the amount of outstanding bonused floor area, in accordance with the Bonus standards of Part 10 of Land Use Bylaw 1P2007.

### Development Engineering:

4. Amend the plans to:

#### Waste & Recycling Services - General

- a. Provide an overhead door (min. size of 3.0m wide X 2.1m high) and a separate man door with keypad access for the waste facilities.
- b. Provide metric dimensions and scale on all drawings for waste facilities.

- 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”  
Found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>
5. 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  
[https://www.calgary.ca/PDA/pd/Documents/urban\\_development/publications/DSSP-Design-Guidelines.pdf](https://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP-Design-Guidelines.pdf)

Development Site Servicing Plans CARL (requirement list)  
<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

6. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of **\$290,701.20** 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 \$4,710 per meter of site frontage (on avenues only) for the proposed development (*61.72m on 11 AV SW*)
7. 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. The off-site levy is based on a 2020 development approval date and was based on the following:

Description	Unit(s)
507 - 11 Avenue SW	New 1 Bed: 485/New 2 Bed: 71/New Comm: 2246m2

Based on the information above, the preliminary estimate is **\$176,759.00**.  
Should payment be made prior to release of the development permit, an Off-Site Levy Agreement will not be required.

- Include the completed Payment Submission Form, which was emailed to the applicant.
- Only certified cheques or bank drafts made payable to the City of Calgary are acceptable.

To obtain an off-site levy agreement or for further information, contact the Calgary Approvals Coordination, Infrastructure Strategist (DEBBIE MEILI at 4032688223 or [deborah.meili@calgary.ca](mailto:deborah.meili@calgary.ca)) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

### Transportation:

8. Amend plans to identify all visitor parking stalls.
9. Execute and register on title an Access Easement Agreement with the City of Calgary over Plan 1811169, Block 70, lot 48 (Servient Lands) in favour of 11 Avenue 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 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. **This is to be registered over the 2.134m Bylaw/ Public realm setback, and 3m x 3m corner cut.**
10. 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 11 Avenue S.W.,
  - b. Construction of new sidewalks adjacent to 11 Avenue and 4 Street S.W.,
  - c. Construction of new wheelchair ramps,
  - d. Construction of new tree trenches to City standards,
  - e. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
11. 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:

12. Amend L2.0 plan:
  - a) Indicate the setbacks between proposed boulevard trees and utilities, servicing connections, streetlights and fire hydrant. Provide the minimum setback requirements as required in Section 4.1.2 and Section 4.1.3 of Parks "Development Guidelines and Standard Specifications: Landscape Construction (current edition)":

<https://www.calgary.ca/csps/parks/construction/park-development-guidelines.html>

Adjust the tree spacing if needed and amend all relevant plans accordingly.

- b) Provide a note on the plan that **“An Urban Forestry Technician must be called to site through 311 during tree trench backfill to ensure root barrier/fabric, soil volume and soil compaction meet the City standards”**
- c) Provide a note on the plan that **“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 at 403-804-9417 or 403-268-5204 to arrange an inspection”**.

## Permanent Conditions

The following permanent conditions shall apply:

### Planning:

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

### Development Engineering:

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](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.

24. 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.
25. 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.
26. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
27. Pursuant to Bylaw 2M2016, off-site levies are applicable.

28. After approval of the Development Permit but 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 Calgary Approvals Coordination, Infrastructure Strategist (DEBBIE MEILI at 4032688223 or [deborah.meili@calgary.ca](mailto:deborah.meili@calgary.ca)) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

**Transportation:**

29. The Access Easement Agreement for the purpose of pedestrian access shall remain over Plan 1811169, Block 70, lot 48 (Servient Lands) in favour of 11 Avenue S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with Approval No. DP2020-4338 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.
30. 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.
31. 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](mailto:roadsia@calgary.ca)**

**Parks:**

32. 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 at 403-804-9417 or at 403-268-5204 to arrange an inspection.