

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:

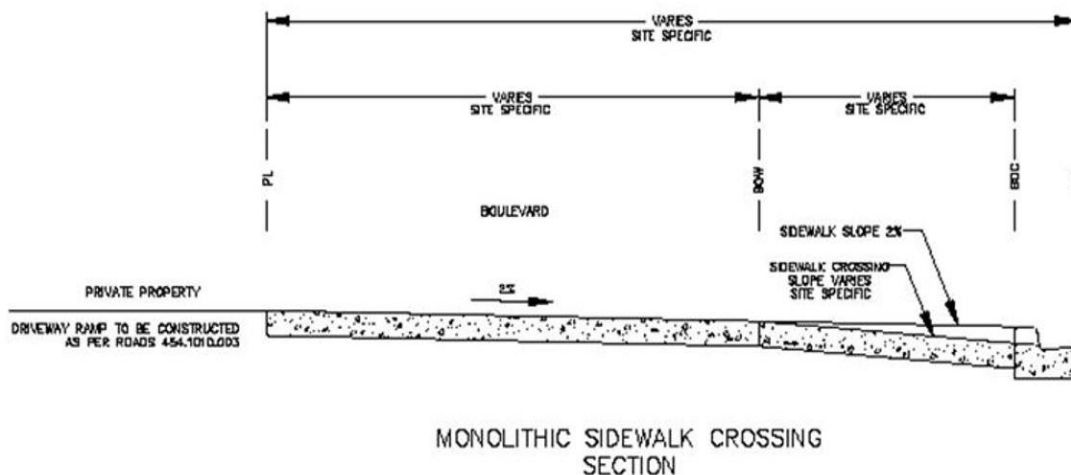
Planning

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 Payment for contribution to the Eau Claire Improvement Fund of \$384 075.00 accounting for the additional 0.6 FAR bonus density being achieved.
3. A Development Agreement to the satisfaction of the City Solicitor shall be executed in conformity with all reports, plans and materials submitted to and approved by the Development Authority, including:
 - Details of responsibilities for and construction of the publicly accessible private open space provided in accordance with Section 12 of Direct Control District Bylaw 49D2018, including the provision of a public access easement over the publicly accessible private open space.

This Development Agreement shall be executed and registered on title to the parcel.

Transportation

4. Amend plans to dimension the driveway flares (3m is typical), and provide a cross section for each driveway in the plan set.



Note: Applicant is to provide clear cross sections of each driveway, as the ones provided are still not acceptable. See the attached image as an example of what is required, and amend accordingly.

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.

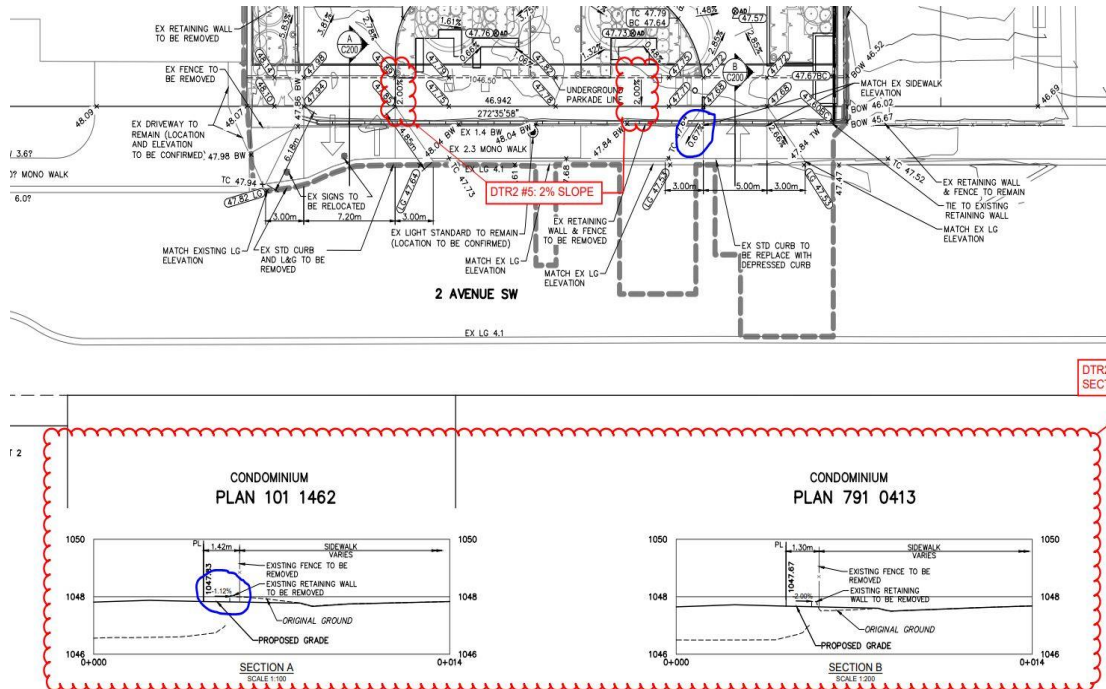
The developer is responsible to coordinate the timing of the construction by City forces. The payment is non-refundable.

Roads

Street lighting upgrading adjacent to site frontage (If required).

6. Execute and register on title an Access Easement Agreement with the City of Calgary over Lots 22, Block 2, Plan 001 1110 (Servient Lands) in favour of 1 Avenue and 2 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 Bylaw/ Public realm setback.
7. Amend the plans to have the slope within the City right-of-way, and 2.134m Bylaw/ Public realm setbacks to 2%. Some variance is acceptable, but the proposed 10% is too steep.

Note: There are still areas in the boulevard that are sloped less than the City standard of 2%, which is required for drainage (See attached image). Amend plans accordingly.



8. 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 2 new sidewalks on 2 Avenue S.W.,
- b. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

Development Engineering

9. 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 WA-ResourcesDevelopmentApprovals@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

Development Site Servicing Plans CARL (requirement list)

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

10. 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 2021 development approval date and was based on the following:

Phase: 1

Description: 727 1 AV SW

Unit(s): Existing 1 Bed: 72 - New 1 Bed: 141/New 2 Bed: 70

Based on the information above, the preliminary estimate is \$163,209.53.

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 Debbie.Meili@calgary.ca) or offsitelevy@calgary.ca.

11. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of \$470,529.00, 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 \$4,710.00 per meter of site frontage (on avenues only) for the proposed development on 1 AV SW (53.0m) and 2 AV SW (46.9m).

Parks

No conditions

Permanent Conditions

The following permanent conditions shall apply:

Planning

12. All rules of Land Use Bylaw 1P2007 apply, subject to any relaxations approved by the Development Authority in this development permit.
13. The development shall be completed in its entirety, in accordance with the approved plans and conditions. The stamped and signed plans are a legal document.

14. No changes to the approved plans shall take place unless authorized by the Development Authority. If changes to the development occur or are proposed, a new development permit or revised plan application may be required.
15. A development completion permit must be issued for the development before the use is commenced or the development occupied. A development completion permit is independent from the requirements of City of Calgary Building Regulations inspections and permission for occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for a development completion permit.
16. All roof top mechanical equipment shall be screened as shown on the approved plans.
17. All areas of soft landscaping must be irrigated with an underground sprinkler irrigation system, as identified on the approved plans.
18. All electrical servicing for freestanding light standards must be provided from underground.
19. Barrier free parking stall(s) shall be clearly designated, signed and located near to or adjoining a barrier-free path of travel leading to the nearest barrier-free entrance.
20. The walls, pillars, and ceiling of the underground parkade must be painted white.
21. Light fixtures in the parkade must be positioned over the parking stalls.
22. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.

Transportation

23. 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.
24. 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
25. The Access Easement Agreement for the purpose of pedestrian access shall remain over Lot 22, Block 2, Plan 001 1110 (Servient Lands) in favour of 1 Avenue and 2 Avenue S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with Development Permit DP2021-3142 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.

Development Engineering

26. 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 and Parks, Alberta Health Services and The City of Calgary (311).
 - b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental Risk and Liability group shall be immediately notified (311).
27. 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.

28. 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.

29. 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).
30. 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.
31. 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.
32. Pursuant to Bylaw 2M2016, off-site levies are applicable.
33. 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 Debbie.Meili@calgary.ca) or offsitelevy@calgary.ca.
 - 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.

Parks

34. Prior to the start of construction, contact and coordinate with Calgary Parks, Pathways at pathways@calgary.ca to evaluate any impacts to the existing pathway system in the area. All impacts to pathways including the regional and local pathways required for project execution shall adhere to the Pathway Closure and Detour Guidelines. A permit is required for all activities within 5m of a pathway.