

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. A Development Agreement shall be executed in conformity with all reports, plans and materials submitted to and approved by the Development Authority, including:
 - A Plus 15 Development Agreement with The City to the satisfaction of the City Solicitor,
 - The delineation of Plus 15 easement areas, schedules, maintenance obligations, and details regarding reimbursement of the required contribution to the Plus 15 Fund;
 - Details of responsibilities for and construction of all improvements within the adjacent public rights-of-way, and
 - Details with respect to contributions to off-site improvement funds in accordance with the Bonus standards of Part 10 of Land Use Bylaw 1P2007.
2. Submit contribution to the Plus 15 fund at the current rate at the time of payment. Please contact [Charmaine Buhler](#), Senior Engineer, 403-268-1771 for the current Plus 15 fund rate prior to payment.

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

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>

Note: Each proposed parcel requires a separate storm connection. Storm service must be to 4th AV to avoid connection to double duct. For more information contact water resources.

4. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of **\$203,608.59** 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 (43.229m on 4 AV SW).

OR

Apply for the Off-Site Levy Payment Relief Program and execute a Centre City Levy Agreement for the payment of Centre City levies pursuant to Bylaw 38M2009, delaying payment to Development Completion Permit. **This option is only applicable on Development Permits to be released by December 31, 2020.**

To obtain the application and the Centre City Levy Agreement, contact the Infrastructure Strategist, Calgary Approvals Coordination (DEBBIE MEILI at 4032688223 or deborah.meili@calgary.ca)

Note: Centre City Levy is being charged as per the Proposed Property Line. If site is not subdivided the centre city levy will be charged for the entire length of parcel along 4 AV SW

5. **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) |
|-------------|---|
| 526 4 AV SW | Existing Comm: 1115m2 - New Comm: 202m2/New 1 Bed: 148/New 2 Bed: 120 |
| | |

Based on the information above, the **preliminary estimate is \$160,130.10**. **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) or offsitelevy@calgary.ca.

Transportation:

6. Execute and register on title an Access Easement Agreement with the City of Calgary over Lot 33, Block 1, Plan 0914296 (Servient Lands) in favour of 4 Avenue & 5 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 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 areas.**

7. 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 sidewalks adjacent to site frontages (4 Avenue & 5 Street S.W.),
 - b. Construction of two new wheelchair ramps,
 - c. Construction of new City tree trenches along site frontages to City standards,
 - d. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
8. 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:

No comments.

Permanent Conditions

The following permanent conditions shall apply:

Planning:

9. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
10. No changes to the approved plans shall take place unless authorized by the Development Authority.
11. 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.

12. Upon completion of the main floor (storey) subfloor of the building proof of the geodetic elevation of the constructed main floor (storey) subfloor of the building must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to geodetic.review@calgary.ca.
13. All areas of soft landscaping must be watered as identified on the approved plans.
14. All parking and driving aisles shall be fully paved with a minimum of 50 mm asphaltic concrete or equivalent material to the satisfaction of the Development Authority.
15. All electrical servicing for freestanding light standards shall be provided from underground.
16. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
17. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
18. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
19. Handicapped parking stalls shall be located as shown on the approved plans released with this permit. Handicap parking stall(s) shall be clearly designated, signed and located close to the entrance of the building with barrier-free accessibility.
20. All roof top mechanical equipment shall be screened as shown on the approved plans.
21. 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.
22. Parking/Multi-purpose space (as identified on the approved plans) and landscaping must be separated by a 150mm (6 inch) continuous, poured in place, concrete curb or equivalent material to the satisfaction of the Development Authority, where the height of the curb is measured from the finished hard surface.
23. The waste and recycling 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.

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).

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 (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. **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 (DEBBIE MEILI at 4032688223 or deborah.meili@calgary.ca) or offsitelevy@calgary.ca.
29. **Prior to issuance of a Development Completion Permit or any occupancy of the building**, payment shall be made for Centre City levies pursuant to Bylaw 38M2009. To obtain an invoice, contact the Infrastructure Strategist, Calgary Approvals Coordination (DEBBIE MEILI at 4032688223 or deborah.meili@calgary.ca) or offsitelevy@calgary.ca.

Transportation:

30. For the life of the Development, the occupants of the building will be permitted to use the elevators to access the class #1 bike facilities.
31. The Access Easement Agreement for the purpose of pedestrian access shall remain over Lot 33, Block 1, Plan 0914296 (Servient Lands) in favour of 4 Avenue & 5 Street S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with DP2020-5899 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.
132. 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.
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 roadsia@calgary.ca**

Parks:

34. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry.
35. 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.
36. 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 311 or 403-804-9417 to arrange an inspection.