

Conditions of Approval – Development Permit

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. Execute and register on title a Public Access Easement Agreement with the City of Calgary for the plaza portion of the site, to ensure that the plaza space remains accessible to the public in perpetuity. The agreement and registerable access right-of-way plan shall be to the satisfaction of the Director of Planning and Development Services and the City Solicitor.
3. Submit a conflict release letter from ENMAX Corporation indicating that the following issues are resolved:

The developer is required to acknowledge and pay for ENMAX PWO #21465630. The project corrects conflicts identified during the review of DP2020-6663 which is former DP number to DP2022-06965. ENMAX PWO#21465630 scope is limited to the relocation of existing poles and guy wires along its current alignment to address earlier design conflicts between the proposed building/underground parkade and ENMAX assets in the area along the North limit of PL. The current design in combination with ENMAX PWO#21465630 provide solution to the outstanding issues. Please note that upon receipt of the above noted acknowledgment and payment, a conflict release letter will follow.

4. Amend the plans to address bylaw discrepancy affecting 'Direct Control 121D2021' 10. Building Height.

Utility Engineering:

5. Consolidate the subject parcels. Submit a copy of the registered plan and certificate of title, confirming the consolidation of subject parcels onto a single titled parcel, to the Development Engineering Generalist.
6. Submit a Development Site Servicing Plan for review and acceptance from Water Resources, as required by Section 5 (2) of the Utility Site Servicing Bylaw 33M2005. Contact Water Resources for additional details. For further information, refer to the following:

Development Site Servicing Plan Webpage

<https://www.calgary.ca/uep/water/specifications/water-development-resources/development-site-servicing-plans.html>

Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/pd/Pages/Permits/carl-building-development-permit-search.aspx>

7. After the Development Permit is approved but prior to its release, the landowner shall make payment of off-site levies pursuant to Bylaw 2M2016.

As per the current application (Existing Single: 5/New 1 Bed: 66/New 2 Bed: 85) and based on 2022 rates, the preliminary estimate for this application is \$227,261.57.

A final estimate will be completed by the Infrastructure Strategist after approval of Development Permit as part of the estimate process.

Should the landowner wish to defer the payment of the offsite levies to Development Completion Permit (DCP), an Offsite Levy Agreement will be required.

To obtain the off-site levy agreement, contact the Infrastructure Strategist, Calgary Approvals Coordination, at 403-312-0751 or email Olive.Rutherford@calgary.ca.

Mobility Engineering:

8. The preliminary construction drawings for offsite infrastructure improvements have been reviewed. Prior to the release of the development permit, the designs of the offsite infrastructure improvement as indicated on the construction drawings will be to the satisfaction of Mobility Engineering.

The development drawings shall be amended to include the design of the offsite infrastructure improvements as per the approved construction drawings.

9. Provide written confirmation to commit to signage (all loading zone, no parking signs and etc.) upgrades required in the public right-of-way to support the proposed development. Traffic cannot accept deposits for this work and will invoice the developer upon installation. Contact the Traffic Engineer (trafficengineer@calgary.ca) eight (8) weeks prior to occupancy or construction completion to arrange for installation. A letter from the property owner is required, under Corporate Seal / on corporate letterhead, that states that the owner is responsible for 100% of the actual construction cost of installing the traffic controls.
10. Submit product sample(s), manufacturer's information and detailed drawings (stamped and signed by a qualified structural engineer) for the applicant requested non-standard surface element(s) located in the road right-of-way to the Materials and Research Engineer, Roads at 403-268-2846, for review and acceptance. Roads department will determine if the element(s) are suitable and safe for the intended usage. If accepted, the applicant will be required to execute and register a Perpetual Maintenance Agreement on the development sites land title(s) and agree to maintain the non-standard surface element(s) in perpetuity.

11. The applicant is to enter into a license of occupation (LOC) with Real Estate & Development Service for class II bike stalls located within the right-of-way.

The applicant can either contact 311 directly and make a request for a License of Occupation or they can go to the RE&DS website and make an application.

Step 1: Go to Real Estate and Development Services website - Calgary Real Estate & Development Services (<https://www.calgary.ca/content/www/en/home/realestate.html>)

Step 2: Scroll down to bottom of webpage to "Don't see what you want" and hit enter. This will take you to the 311 submission form.

Step 3: Fill out all the relevant areas and then hit "Submit" (Service Request). Request will then be submitted to 311 which will eventually be sent back to RE&DS Circulations area for processing. Make sure to include a pdf of the Site Plan, and circle the areas of interest.

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).

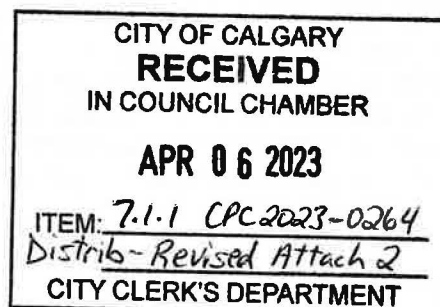
Roads

- a. Construction of new concrete/asphalt lane paving; including any required infrastructure for proper drainage;
 - b. Construction of the curb extensions and gutter adjacent to Gladstone Road at 10 Street;
 - c. Construction of new sidewalks adjacent to the subject site along the lane and the new sidewalks between the proposed development and the existing church;
 - d. Construction of new driveway crossings on the lane; and
 - e. 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 any required street light upgrades within the public right-of-way to address the requirements of the Roads Business Unit. The amount is calculated by Roads 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.

Permanent Conditions

Planning:



14. 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.
15. 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.
16. 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.
17. Upon completion of the main floor of the apartment building proof of the geodetic elevation of the constructed main floor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to geodetic.review@calgary.ca.
18. The walls, pillars, and ceiling of the underground parkade must be painted white.
19. Light fixtures in the parkade must 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.
21. 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.
22. The Hillhurst Baptist Church is to be upgraded as per the respective Municipal Historic Resource Designation, Rehabilitation and Compensation Agreement. Upgrades to the Church are to be completed prior to issuance of the Development Completion Permit for the development.
23. All roof top mechanical equipment shall be screened as shown on the approved plans.
24. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
25. The development is to include 100 motor vehicle stalls that are capable of conversion to electric vehicle stalls in the future, on top of the 20 electric vehicle stalls provided with the development.

A letter of confirmation from a certified electrical engineer shall be provided to the Development Authority, prior to the issuance of the Development Completion Permit, certifying that all Electric Vehicle Parking Stall - Capable stalls identified on the approved plans have been completed and are capable of supporting a minimum of 40 Amps at 208 Volts or 240 Volts for electrical vehicle charging which also includes the necessary distribution panels, electrical capacity, and wall and floor penetrations to accommodate future charging cabling, (and may include electric vehicle energy management system) and electrical power for electric vehicle charging purposes installed and fully operational.

26. A letter of confirmation from a certified electrical engineer shall be provided to the Development Authority, prior to the issuance of the Development Completion Permit, certifying that all 20 Electric Vehicle Parking Stalls identified on the approved plans have been completed, are fully operational in order to transfer a minimum of 40 Amps at 208 Volts or 240 Volts electrical power for electric vehicle charging purposes. The equipment may serve one or more motor vehicle parking stalls provided that each electric vehicle is able to access the charging infrastructure independently and all motor vehicle parking stalls can charge simultaneously.
27. 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 the Development Inspector at 403-804-9397 for an inspection.
28. There shall be no construction access through the adjacent boulevard.

Utility Engineering:

29. 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).
30. 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.

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. The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: www.calgary.ca/ud (under publications).

31. 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.
32. The grades indicated on the approved Development Site Servicing Plan 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.
33. 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.
34. Pursuant to Bylaw 2M2016, off-site levies are applicable.

Mobility Engineering:

35. No direct vehicular access is permitted to or from Gladstone Road NW.
36. 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 Director, Transportation Planning. All work performed on public property shall be done in accordance with City standards.
37. 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
38. Bike stalls located within the right-of-way are to be registered as a License of Occupation.
39. Should the City of Calgary require it, the proposed bike stalls located within the right-of-way will be removed at the owner's expense within 30 days of The City of Calgary giving notice.