

# 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 contribution to the Beltline Community Investment Fund, in the amount of \$351,513 for the bonus density of 2.0 FAR (from 5.0 to 7.0 FAR). Applicant to provide payment in the form of certified cheque.
3. Amend the plans to include the following notes stating:
  - a) 'An Urban Forestry Technician must be on-site during excavation of the proposed driveway in order to mitigate any damage to adjacent public trees. Contact Urban Forestry by phoning 311 at least three (3) business days in advance of excavation.'

Proposed driveway as indicated on the plans is within 3m of a public tree. If canopies or root systems are damaged to the point where the tree becomes unstable, then Urban Forestry will require their removal using an approved indemnified tree contractor at applicant's expense, plus compensation for the removed tree.

b) 'If clearance pruning of public trees is required, Urban Forestry must be notified (minimum two business days notice) and an indemnified contractor must be used at the applicants expense. Please contact Urban Forestry at 311 for more information'.

### Utility Engineering

4. Amend the plans to:

Waste & Recycling Services - General

  - a. Label where the waste will be staged on the development site.
  - b. Show grading information. The maximum grade permitted where containers are stored, maneuvered or collected is 2% throughout.
5. Amend the plans to:

Waste & Recycling Services - General

  - a. Provide protection details for all overhead door components, including the frame and tracks, from all directions of travel.
  - b. Provide protection to ensure all parts of the storage area / bike parking 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> .

Waste & Recycling Services - Collection Vehicle Access

- a. Indicate that all portions of the collection vehicle route / approach area are structurally capable of supporting a minimum weight of 25,000 kg.
6. Amend the plans to indicate and dimension an adequate "water meter room", which shall be located internal to the building (main floor/basement level 1) adjacent to an exterior wall where the services (100mm and larger) enter the building,

Note: The water meter room must be against the exterior wall. The water service cannot run underneath or through the building to the meter room. The stairwell or the water meter room must be relocated.

7. Amend the plans to:  
Fire - Lockbox Location  
Indicate a "Calgary Fire Department approved lockbox" on the access route/at or near the building's principal entrance
8. Submit a current Phase I Environmental Site Assessment report. The report will be used to determine if the site is suitable for the intended development, as related to environmental issues. The report is to be prepared in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the Canadian Standards Association "Phase I Environmental Site Assessment - Z768-01 (R2012)", or its successor.

All reports are to be prepared by a qualified professional and will be reviewed to the satisfaction of The City of Calgary (Environmental & Safety Management).

9. 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 [WA-ResourcesDevelopmentApprovals@calgary.ca](mailto:WA-ResourcesDevelopmentApprovals@calgary.ca) for additional details. For further information, refer to the following:

Development Site Servicing Plans Webpage  
Development Site Servicing Plans (DSSP) ([calgary.ca](http://www.calgary.ca))

Development Site Servicing Plans CARL (requirement list)  
<https://www.calgary.ca/content/dam/www/pda/pd/documents/development/development-site-servicing-plan.pdf>

Note: All drainage must be contained onsite.

10. 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: 1/New 5 Bed: 18) and based on 2022 rates, the preliminary estimate for this application is \$40,032.52 (a new 2023 estimate is required).

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, Michael Campese at (403) 312-8451 or email Michael.Campese@calgary.ca.

11. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of \$72,063.00, 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 (15.3m on 14 AV SE).

### **Mobility Engineering**

12. Prior to release, the developer must enter into a License of Occupation (LOO) with the City of Calgary through Real Estate & Development (RE&DS) for all nonstandard elements proposed with the City Road Right of Way (RROW); including Class 2 bike stalls.

Applicant shall contact 311 (or go online) and make a request (under Real Estate and Development Services Property Leasing and Sales Inquiry) for a License of Occupation (LOO). Please include a pdf Site Plan and/or Landscape Plan that shows the location of the bike stalls, to ensure the licensed area matches the area identified in the DP. Provide site pictures with the 311 of the area for the proposed bike racks.

NOTE: This item is still outstanding.

13. Regarding the proposed waste and recycling collection from public road right-of-way:
  - a. Applicant shall provide a waste and recycling collection protocol from a private collection company. All waste collection activities are to be as per the Waste Management Protocol provided with this Application. The protocol shall clearly indicate that during Waste Collection activities, a two-person crew shall be used to manage pedestrian traffic and vehicle reversing maneuvers and that the Waste Collection Company is to carry Liability Insurance of 2 Million and list the City of Calgary as Additionally Insured.
  - b. Contact Traffic Detours (online with calgary.ca or via 311) to obtain a perpetual Street Use permit for collection via 14 Ave SE.

NOTE: Although a protocol letter has been provided, the other items noted have not been completed (Waste Collection Company is to carry Liability Insurance of 2 Million and list the City of Calgary as Additionally Insured, confirmation of a street use permit). Please provide.

14. 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 crossing on 14 Av SE;
- b. Closure and removal of existing driveway crossings on 14 Av SE; and,
- c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel,

15. 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. Possible street lighting upgrading adjacent to site frontage (If required).

### **Permanent Conditions**

The following permanent conditions shall apply:

#### **Planning**

16. All rules of Land Use Bylaw 1P2007 apply, subject to any relaxations approved by the Development Authority in this development permit.
17. 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.
18. 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.
19. All areas of soft landscaping must be irrigated with an underground sprinkler irrigation system, as identified on the approved plans.

20. 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.
21. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry. Prior to construction, install a temporary fence around the extent of the branches ("drip line") and ensure no construction materials are stored inside this fence.
22. In order to ensure the integrity of existing public trees and roots, construction access is only permitted outside the drip lines of public trees.
23. In order to ensure the integrity of existing public trees and roots, no grade changes are permitted in the boulevard within the drip lines of the trees.
24. Tree protection information given as per the approved development permit does not constitute Tree Protection Plan approval. Prior to any construction activities, Tree Protection Plan approval must be obtained separately through Urban Forestry. Visit [www.calgary.ca](http://www.calgary.ca), call 311, or email [tree.protection@calgary.ca](mailto:tree.protection@calgary.ca) for more information.
25. No stockpiling or dumping of construction materials is permitted on the adjacent boulevard.
26. 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 403-804-9417 or 311 for an inspection.
27. 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](mailto:tree.protection@calgary.ca) to make arrangements for the letter and compensation.

### Utility Engineering

28. 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).
29. The proposed development location is within the 1:100 "Overland Flow Area" as per Council approved regulatory flood maps located at: <https://www.calgary.ca/pda/pd/calgary-land-use-bylaw-1p2007/land-use-bylaw-1p2007-maps.html>. As such, the proposed development is subject to the Land Use Bylaw (LUB), Part 3, Division 3, Clauses 55, 59 and 61.

**FLOOD ELEVATIONS AT 106 14 AV SE**

Street elevation adjacent to parcel: 1046.04 m (geodetic)

Official designated flood level (1:100 flood elevation): 1046.34 m (geodetic)

**Updated Flood Elevation Information**

Draft 2020 AEP model 1:100 flood elevation: 1046.9 m (geodetic)

Draft 2020 AEP model 1:20 flood elevation: 1046.2 m (geodetic)

The development must be designed to the official designated flood level, but building to a higher elevation will increase future flood resilience.

Note: Densification as a result of this development increases the risks associated with life safety, property damage and losses, as well as resident displacement during a flood. It is recommended that an emergency plan for egress is put in place in the event of a flood.

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](http://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. Pursuant to Bylaw 2M2016, off-site levies are applicable.
34. 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 (MICHAEL CAMPESE at 4033128451 or <mailto:Michael.Campese@calgary.ca>) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).
35. 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 Calgary Approvals Coordination, Infrastructure Strategist (Michael Campese at 403-312-8451 or <mailto:michael.campese@calgary.ca>) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).
36. Prior to issuance of a Development Completion Permit or any occupancy of the building, the applicant shall provide updated contact details and a finalized site map in regard to the Emergency Response Plan, once BP is signed off for final inspection, to the satisfaction of the Calgary Emergency Management Agency (CEMA).

### **Mobility Engineering**

37. An annual Street Use Permit is to be obtained by Waste Collection Company for collection impacting the public right-of-way. Contact Traffic Detours (online with [calgary.ca](http://calgary.ca) or via 311) to obtain a perpetual Street Use permit for collection via 14 AV.
38. All waste collection activities are to be as per the Waste Management Protocol provided with this Application. During Waste Collection activities, a two person crew shall be used to manage pedestrian traffic and vehicle reversing maneuvers.
39. Waste Collection Company is to carry Liability Insurance of 2 Million and list the City of Calgary as Additionally Insured.
40. The applicant shall ensure that no damage shall occur to City roads, rights-of-way, lanes, and sidewalks, during time of any associated construction, from vehicles or equipment. Any damage incurred by the contractor shall be at the owner's expense.
41. Contact the Traffic Engineer ([trafficengineer@calgary.ca](mailto:trafficengineer@calgary.ca)) ten (10) weeks prior to occupancy to arrange for signage to support the subject development. This may include revised location of on-street loading zones on 14 Av SE and No-Parking signage in conjunction with the revised driveway crossing. All costs will be at the applicant's sole expense and invoiced at time of installation.
42. 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.

43. 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 403-268-3505.