

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 payment to Heritage Incentive Reserve Fund in the amount of \$228,000.00.

As the proposed development is over the maximum 3.0 FAR, the following section in Bylaw DC102D2019 applies.

Additional Floor Area Ratio

12 The following item must be provided as part of the relevant development permit to earn the increased floor area ratio as set out in subsection 8(2) of this Direct Control District:

(a) monetary contribution to the Heritage Incentive Reserve Fund in the amount of \$228,000.00.

2. Consult with Urban Forestry - Patrick Arbuthnott at patrick.arbuthnott@calgary.ca or (403) 312-7576 regarding proposed boulevard tree planting to ensure all aspects of the tree selection and planting meet specifications as Urban Forestry is liable once the ownership is taken on by the city.

Provide evidence of communication/decision with Urban Forestry regarding the above comment to the DART Park's Specialist, Curesha Moodley at curesha.moodley@calgary.ca or (403) 669-7539.

Update (March 2023): Email communication between Urban Forestry and Navagraph identified that Urban Forestry would prefer a different tree species for this location (the city boulevard). Urban Forestry suggested using Prairie Horizon Manchurian Alder.

Utility Engineering

3. 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>

4. 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 Comm: 829.44m² - New Comm: 1013.1m²/New 1 Bed: 50/New 2 Bed: 20) and based on 2022 rates, the preliminary estimate for this application is \$85,608.02.

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.

NOTE: This estimate was completed with 2022 rates. For an updated 2023 estimate contact the specialist below:

To obtain an off-site levy agreement or for further information, contact the Calgary Approvals Coordination, Infrastructure Strategist - MICHAEL CAMPESE at 403-312-8451 or email: Michael.Campese@calgary.ca.

Mobility Engineering

5. 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 frontage,
- b. Construction of standard tree trenches to City standards,
- c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

6. 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).

7. Execute and register on title a Public Access Easement Agreement with the City of Calgary over the Easterly 7.62m of Lot3, lot 4, and lot 5, Block 11, Plan 4453L (Servient Lands) in favour of 17 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 area between the Property Line and the face of the building.

Permanent Conditions

The following permanent conditions shall apply:

Planning

8. 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.
9. 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.
10. All roof top mechanical equipment shall be screened as shown on the approved plans.
11. All areas of soft landscaping must be irrigated with an underground sprinkler irrigation system, as identified on the approved plans.
12. 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.
13. When the main floor of the building is constructed, submit the geodetic elevation to Geodetic.Review@Calgary.ca
14. The walls, pillars, and ceiling of the underground parkade must be painted white.
15. Light fixtures in the parkade must be positioned over the parking stalls.
16. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
17. 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.)

18. 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, that the (building or unit) has been constructed to be 'solar ready' and able to accommodate solar photovoltaic (PV) panels for the purpose of electricity generation. For solar PV, at least 2.5 cm (1") nominal diameter constructed of rigid or flexible metal conduit, rigid PVC conduit, liquid tight flexible conduit or electrical metallic tubing (as per Section 12 of the Canadian Electrical Code Part 1 concerning "raceways") should be installed.
19. No outdoor speaker sound system is allowed in the rooftop patios.
20. 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 developers expense. The disturbed area shall be maintained until planting is established and approved by the Parks Development Inspector. Contact the Park's Development Inspector Annie Rodrigues at annie.rodrigues@calgary.ca or (403) 804-9397 for an inspection.
21. Any tree planting and landscape rehabilitation on public parks shall be performed and inspected in accordance with Parks' *Development Guidelines and Standard Specifications - Landscape Construction (current edition)*). Applicant is to contact the Park's Development Inspector Annie Rodrigues at annie.rodrigues@calgary.ca or (403) 804-9397.
22. There shall be no construction access through the adjacent city boulevard.
23. In order to ensure the integrity of existing public trees and roots, construction access is only permitted through the rear lane and outside the dripline of public tree(s), per the approved Tree Protection Plan.
24. Public trees located on the city 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.
25. 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 Park's Development Inspector Annie Rodrigues at annie.rodrigues@calgary.ca or (403) 804-9397 for an inspection.
26. 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.

27. In order to ensure the integrity of existing public trees and roots, there shall be a minimum 3 metre separation, ideally the full length of the canopy, between the trunk and any new/proposed structures, (i.e. driveways and walkways).
28. Tree protection information given as per the approved development permit does not constitute Tree Protection Plan approval. Tree Protection Plan approval must be obtained separately through Urban Forestry. Visit www.calgary.ca, call 311, or email tree.protection@calgary.ca for more information.
29. If development causes the public tree(s) to become unable to be retained as determined by Urban Forestry. The owner will be required to compensate the value of the trees to urban forestry and remove the trees using a contractor that meets Urban Forestry's minimum requirements. Urban Forestry will only authorize tree removals once all other reasonable options have been exhausted.

If public trees have to be removed, 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. A completed tree and stump removal request form will be required prior to authorization for the removal of the public tree by Urban Forestry.
30. Existing water and sanitary services marked on the ground should be able to be killed at the main and the existing curb stop valve removed without impacting the public trees.

Utility Engineering

31. 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).
32. 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).

33. 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.
34. 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.
35. Pursuant to Bylaw 2M2016, off-site levies are applicable.
36. 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 Development Commitments, Infrastructure Strategist (MICHAEL CAMPESE at 4033128451 or <mailto:Michael.Campese@calgary.ca>) or offsitelevy@calgary.ca.

Mobility Engineering

37. 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.
38. 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

39. The Access Easement Agreement for the purpose of pedestrian access shall remain over the Easterly 7.62m portion of Lot 3, Lot 4, and Lot 5, Block 11, Plan 4453L (Servient Lands) in favour of 17 Avenue S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with Development Permit DP2022-06848 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.