

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. Remit payment (certified cheque, bank draft) for contribution to the Hillhurst /Sunnyside Community Amenity Fund as per DC Direct Control District (196D2017). Payment is based on the following: \$20.76 per square metre x 2,435.04 square metres = \$50,551.43
3. Amend the landscape plans to:
 - a) Indicate the limit of construction disturbance boundary and construction site access to be consistent with DP1.12.
 - b) Indicate the garbage receptacle located north of 4 Av NW and clarify if it is to be removed and reinstalled.
 - c) Indicate all existing light poles within the limit of construction disturbance boundary.
 - d) Indicate all existing benches within the limit of construction disturbance boundary.
 - e) Revise the drawings to indicate sod between the east property line and the public concrete walkway.
4. Submit detailed landscape construction drawings for the proposed restoration of the public green space (Bow to Bluff) to parksapprovals@calgary.ca for the Coordinator of Landscape Construction Approvals to review and approval prior to construction.

Please contact Nathan Grimson at 403-268-2367 or nathan.grimson@calgary.ca for further information.

5. Enter into a License of Occupation (LOC) for the proposed temporary construction encroachment located on City-owned land/public green space. Please contact the Coordinator of Real Estate Leasing and Property Management at 403-305-7726 or Rhonda.Dupuis@calgary.ca. Alternatively, email leasing@calgary.ca to arrange for the preparation of the License.

Please provide the following information:

- a) When the license is required and for how long,
- b) Name and address for the licensee,

- c) A site plan that clearly identify the area of the proposed temporary construction encroachment (in square metres and square feet), property lines and address,
 - d) A restoration plan to be included in the LOC agreement. Guidelines for preparing a Restoration plan can be found in Parks' "Development Guidelines and Standard Specifications for Landscape Construction" (current version).
6. Amend cross-section 1/DP1.8 to indicate the missing east property line. This is to confirm no encroachments to the adjacent city owned lands.

Utility Engineering

7. 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 Utility Engineering Generalist.
8. 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:
- a) Development Site Servicing Plan
www.calgary.ca/uep/water/specifications/water-development-resources/development-site-servicing-plans.html
 - b) Development Site Servicing Plans CARL (requirement list)
www.calgary.ca/PDA/pd/Pages/Permits/carl-building-development-permit-search.aspx
9. Amend the plans to comply with the Primary Fire Access Route Design:
- a) Indicate a minimum overhead clearance of not less than 5.0 m on the primary fire access route.
 - b) Provide a lane marking plan which is to be implemented to maximize the effective width of the lane. This will provide a visual indication of where waste and recycling bins and parked cars should and should not be located.
 - c) Indicate no parking signs on both sides of the fire access route as the road width is less than 7.49m.
 - d) Indicate the fire access route is designed to support a 38,556kg/85,000 lbs load.
- The above refers to the entire lane length from 4 Av NW to 5 Av NW, as it is a Fire Access Route. Plan should show “no parking” signs on both sides of the lane for the entire length. Lane marking plan should also be for the entire length of the lane.
10. 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 2022 development approval date and was based on:
- a) Unit(s): Existing Single: 4/New 1 Bed: 44/New 2 Bed: 28
 - b) Based on the information above, the preliminary estimate is \$85,608.02.
 - c) A final estimate will be completed by the Infrastructure Strategist after approval of Development Permit as part of the estimate process.

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

11. The proposal to construct public infrastructure (watermains, hydrants and service connections) within City rights-of-way requires the developer to execute an Indemnification Agreement to the satisfaction of the Coordinator, Public Infrastructure.

To initiate circulation and approval of the Work that will form part of the Indemnification Agreement, submit construction drawings online using your existing VISTA account at calgary.ca/vista. At the time of submission of the construction drawings, the following items shall also be submitted:

- a) An 8 1/2 x 11 site plan indicating the construction boundaries.
- b) Indicate who will be party to the agreement, provide contact information and a certificate of title for adjacent lands associated with the construction of the infrastructure.
- c) A detailed description of the Work that will form part of the Indemnification Agreement (cubic metres of asphalt and/or concrete, pipe diameters for sanitary, storm and watermains and their respective lengths in linear metres) within the City right of way.
- d) A detailed cost estimate for the scope of Work including GST prepared by the contractor or opinion of probable cost from a qualified engineering consultant.

To enter into an indemnification agreement, contact the Infrastructure Strategist, Calgary Approvals Coordination, at 403-312-0751 or email Olive.Rutherford@calgary.ca.

Mobility Engineering

12. Applicant must obtain a Calgary Transit (CT) Work Permit prior to working within or adjacent to Calgary Transit (CT) Right of Way (ROW).
13. 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 9A Street NW,
- b) Construction of lane re-paving to full depth asphalt,
- c) Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

14. Remit payment (certified cheque, bank draft) for any required street light upgrades adjacent to the lane 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.

15. Remit payment for the required no parking signage and markings within the lane. Any markings and signage must be to the satisfaction of Mobility Engineering. An estimate for the required amount for materials and installation will be provided by the Mobility Generalist. Prior to release of the Development Permit, a certified cheque for the required amount will be forwarded to the Mobility Generalist for distribution to the applicable department.

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. 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.
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. When the main floor of the building is constructed, submit the geodetic elevation to Geodetic.Review@Calgary.ca
22. The walls, pillars, and ceiling of the underground parkade must be painted white.
23. Light fixtures in the parkade must be positioned over the parking stalls.
24. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.

25. 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 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.
26. No stockpiling or dumping of construction materials is permitted on the adjacent public park/green space outside the proposed limit of construction disturbance boundary.
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 Annie Rodrigues at 403-620-3216 for an inspection.

Any surface or subterranean damage to public parks resulting from the installation of building construction tie-backs or other construction practices requires remediation at the developers expense, to the satisfaction of the Director, Parks. All materials associated with the encroachments must be removed and any subterranean and surface disturbances to the parcel must be remediated. All site remediations must be approved by the Parks Development Inspector. Contact the Development Inspector Annie Rodrigues at 403-620-3216 for an inspection.

28. Any landscape rehabilitation on public parks or open spaces 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 403-620-3216.
29. The applicant is responsible for maintaining the integrity of the park irrigation system during all required work to the system and must employ the services of a certified commercial irrigation consultant listed on the City of Calgary pre-qualified contractor directory. This includes, but is not limited to, preventative protection, restoration, deactivation and reactivation, installation of a new system, and installation and repair of parts of the current irrigation system. Please contact Parks Water Management Mohamad (Mike) Hamound at 403-312-7605 or mohamed.hamoud@calgary.ca and Misty Black at Misty.Black@calgary.ca prior to construction.
30. A decorative and visually permeable fence shall be built and remain on the property line along all shared boundaries with adjacent park/open space.
31. Public trees located on the park adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry. Prior to construction, install a temporary fence to the satisfaction of Urban Forestry and water once per week during construction and ensure no construction materials are stored inside this fence.
32. In order to ensure the integrity of existing public trees and roots that are to remain, no grade changes are permitted within the tree protection zones.

33. 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).
34. 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, call 311, or email tree.protection@calgary.ca for more information.
35. The submitted plans indicate that the removal of existing public trees is necessary. 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. Point source drainage from the development site onto the adjacent park/open space is not permitted, as such drainage will compromise the integrity of the site.
37. Stormwater or other drainage from the development site onto the adjacent park/open space is not permitted. Any drainage from private lots onto the adjacent park must be resolved to the satisfaction of the Director, Parks upon development completion of the subject site. Any damage resulting from unauthorized drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks Development Inspector. Contact the Development Inspector Annie Rodrigues at 403-620-3216 for an inspection.

Utility Engineering

38. 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).
39. 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.
 - a) 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.

- b) 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).
40. 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.
41. 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.
42. Pursuant to Bylaw 2M2016, off-site levies are applicable.
43. Private hydrants, fire department connections and private valves controlling water supplies to fire protection systems shall be maintained in conformance with Part 6 NFC-AE (2019) and 3.3.2.7., All kept accessible to firefighters and their equipment at all times.

Mobility Engineering

44. The developer shall be responsible for the cost of public work and any damage during construction in City road rights-of-way, as required by the Director, Transportation Planning. All work performed on public property shall be done in accordance with City standards.
45. 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