

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 to the satisfaction of the City Solicitor shall be executed in conformity with all reports, plans and materials submitted to and approved by the Development Authority, including:
 - Details of responsibilities for and construction of all improvements within the subject site including a registered public access easement over the publicly accessible private open space, being the bonus earning area;
2. Under the Historical Resources Act, lands within Alberta that have been assigned a Historic Resource Value (HRV) may trigger a Historic Resource Application to the provincial authority at Alberta Culture, Multiculturalism, and the Status of Women. The lands in the area of the proposed development are listed as having HRV 1h, 4a, and 5a in the Listing of Historic Resources. 1h means the lands contain a designated Provincial Historic Resource, 4a means the lands contain a historic resource (archaeological) that will likely require avoidance, and 5a means there is potential to impact historic resources (archaeological). Please contact Alberta Culture, Multiculturalism, and the Status of Women for clarification and determine if an application is necessary for the development. More information can be found at: [Historical Resources Act Approval Development](#).

Provide any approval/documentation relating to the Historical Resources Act Approval to Park's Planner curesha.moodley@calgary.ca and Parks Cultural Landscape Planner, for record. Contact Parks Cultural Landscape Planner at 403-537-7563 or email Laureen.Bryant@calgary.ca.

DTR 2 Update: Comment outstanding and moved from PTD to PTR.

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)

<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)

<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 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 2023 development approval date and was based on the following:

| Phase Description | Unit(s) |
|-------------------|---|
| 1 615 17 AV SW | Existing 1 Bed: 18 - New 1 Bed: 113/Existing Comm: 701.32m ² - New Comm: 687.11m ² /Existing Semi: 4/New 2 Bed: 100 |

Based on the information above, the preliminary estimate is \$164,441.30. An update to the 2024 rates will be provided at the final request of the offsite levy agreement.

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 (MATHEW LANZ at 587-224-0054 or Mathew.Lanz@calgary.ca) or offsitelevy@calgary.ca.

Mobility Engineering

5. Prior to release of the development permit, execute and register on title an Access Easement Agreement with the City of Calgary over the setback area adjacent to 17th Avenue SW and the Publicly Accessible Private Open Space (Servient Lands) in favour of 17th Avenue SW (Dominant Lands) for the purpose of pedestrian access. The agreement and access right of way plan shall be approved by the Manager, Development Engineering and the City Solicitor. A standard template for the agreement and an Instruction Document will be provided by the Mobility 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.
6. 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. Re-construction of one driveway crossings on 17 Av SW (access to the lane),
- b. Closure and removal of existing driveway crossings on 17 AV SW and 5A ST SW,

- c. Construction of new monolithic sidewalks adjacent to 17 AV SW and 5A ST SW,
 - d. Construction of new wheelchair ramps,
 - h. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
7. 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).

Permanent Conditions

The following permanent conditions shall apply:

Planning

- 8. All rules of Land Use Bylaw 1P2007 apply, subject to any relaxations approved by the Development Authority in this development permit.
- 9. 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.
- 10. 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.
- 11. 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. Request a development completion permit inspection by visiting inspections.calgary.ca or call 403-268-5311.
- 12. All roof top mechanical equipment shall be screened as shown on the approved plans.
- 13. All electrical servicing for freestanding light standards must be provided from underground.

14. Barrier free parking stalls shall be clearly designated, signed and located near to or adjoining a barrier-free path of travel leading to the nearest barrier-free entrance.
15. The walls, pillars, and ceiling of the underground parkade must be painted white.
16. Light fixtures in the parkade must be positioned over the parking stalls.
17. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
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, 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.
19. 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.
20. No grade changes are permitted within the dripline of the heritage trees on 5A St. There is a negative grade from BoW (Back of Walk) towards the proposed building - a French drain or swale should be considered. Urban Forestry would support the installation of mulch.
21. A minimum of 4.139 metres of undisturbed soil wall from the centre of public tree/city boulevard tree #5 to proposed parkade shoring is to be maintained.
22. The heritage street trees adjacent to this development must be treated with serious care and concern. Tree Protection must be installed to the Property Line and secured to prevent movement or adjustment.

If large structural roots are damaged or removed, causing any tree to exceed its limits of stability, Urban Forestry will require its removal plus compensation. 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(s).
23. The proposed plans request the removal of the 2 existing Elm trees (Ulmas Americana - 32252910 and 51093793) on 17 AV SW. Plans indicate a tree

trench with 4 new trees in that location. Urban Forestry (UF) will approve the removal of these assets with the condition that the tree trench meets or exceeds the City of Calgary roads specifications for the trench, that compensation for the removals per the schedule provided is paid and that a City of Calgary approved arborist completes the work.

24. 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 Parks Development Inspector Jackie Swartz at jackie.swartz@calgary.ca or (403) 971-5082 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 developer's 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 Parks Development Inspector Jackie Swartz at jackie.swartz@calgary.ca or (403) 971-5082 for an inspection.
25. Any landscape rehabilitation on public parks/boulevards 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 Jackie Swartz at jackie.swartz@calgary.ca or (403) 971-5082.
26. 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.
27. 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.
28. 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 Jackie Swartz at jackie.swartz@calgary.ca or (403) 971-5082 to arrange an inspection.
29. 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).
30. 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.

31. 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.
32. 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.
33. 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.
34. All city boulevard trees to remain/be protected require tree protection. Urban Forestry requests a continuous fence along all trees to prevent any movement of the fence. TPP also protects roots from construction damage. No machine or worker access is permitted between the public trees.
35. If city boulevard tree #5 is pruned and over 25% of canopy is lost the tree/stump will be required to be removed at the developer's/owner's expense and compensation paid per the schedule provided. A revised plan application may be required to facilitate this change - if the DP is approved and this becomes an issue.
36. Client is to contact Urban Forestry at 311 to arrange for Tree Protection Plan approval.
37. City set back should remain free of excavated material and construction material. No access within dripline (outer branches) of public tree.
38. A completed Tree Protection Plan must be submitted/approved/implemented prior to ground disturbance within 6m. If clearance pruning is necessary, UF requires minimum two days' notice through 311, and the use of an approved tree contractor at applicant's expense. Shrubs have no appraised value.

Utility Engineering

39. 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).
40. 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).

41. 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.
42. 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.
43. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
44. Pursuant to Bylaw 2M2016, off-site levies are applicable.
45. 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 (MATHEW LANZ at 587-224-0054 or Mathew.Lanz@calgary.ca) or offsitel Levy@calgary.ca.

- 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.

Mobility Engineering

46. 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.
47. 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.