

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. A financial contribution to the + 15 fund will need to be submitted in accordance with the Plus 15 Policy and Land Use Bylaw. This value has been calculated as \$736,382.66.
3. 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:
 - The delineation of Plus 15 public access easement areas;
 - Details of responsibilities for the construction and maintenance of all wayfinding infrastructure;
 - Details of responsibilities for and construction of all improvements within the public rights-of-way;
 - Maintenance obligations, including but not limited to repairs, lifecycle replacements, and third party damage for any future Plus 15 bridge which shall be the responsibility of the building owner throughout the lifetime of the development; and
 - If applicable, details with respect to financial contributions to the Central Business District Improvement Fund in accordance with the Bonus provisions of Part 13 Division 3 of Land Use Bylaw 1P2007.
4. The City of Calgary is currently offering a reimbursement grant through the Plus 15 Fund Offset Program to provide a financial incentive to offset required Plus 15 Fund contributions to encourage new residential development in the downtown, specifically within the Plus 15 Boundary area. The applicant has submitted an application to the Plus 15 Program. Review of the applicant's Plus 15 Program application will occur concurrent with review of the subject Development Permit. For more information, please contact Adam Sheahan at adam.sheahan@calgary.ca or 403-369-9891.

5. Please ensure that the final set of plans that are submitted have all correct numbers included in the table as found on DP-A001 for both the vehicular parking stalls as well as the bicycle parking stalls provided. In addition, please ensure that all electric vehicle stalls provided have been correctly labelled on the plans - EV Stall for stalls with a fully functional charging station and EV Capable for stalls with conduit provided and reserved electrical capacity, but no energized outlet.

Utility Engineering

6. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of \$359,278.80, 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 (76.280m).
7. Submit a Development Site Servicing Plan for review and acceptance from Utility Specialists, 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>

Note: Ensure required separation is provided between service connections and existing/proposed power poles (3m) and trees (2.5m).

If a strata subdivision is proposed at this location service connections are required for each strata parcel.

8. After the Development Permit is approved but prior to its release, the landowner shall pay or execute an Off-Site Levy Agreement for the payment of off-site levies pursuant to Bylaw 1H2024. The off-site levy is based on a 2024 development approval date and was based on the following:

(Site Area: 3020.986 sqm) Existing Comm: 2585m² - New Comm:
1153.41m²/New 1 Bed: 228/New 2 Bed: 129

Based on the information above, the preliminary estimate is \$253,390.08. The 2025 rates are now applicable.

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 (YUNPENG QIN at 5872156253 or mailto:Yunpeng.qin@calgary.ca) or offsitelevy@calgary.ca.

Mobility Engineering

9. Execute and register on title an Access Easement Agreement with the City of Calgary over Lot 1 and 10, Plan A1, Block 17 (Servient Lands) in favour of 4 Avenue S.W., and 6 Street 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 Manager, Development Engineering 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 Bylaw/ Public realm setback and cornercut.
10. 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. Closure and removal of existing driveway crossings on 4 Ave S.W. and 6 Street S.W.,
 - b. Construction of new monolithic sidewalk adjacent to 6 Street S.W.,
 - c. Construction of new monolithic sidewalk adjacent to 4 Ave S.W.,
 - d. Construction of new wheelchair ramps,
 - e. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
11. 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 frontages (If required).

Permanent Conditions

The following permanent conditions shall apply:

Planning

12. All rules of Land Use Bylaw 1P2007 apply, subject to any relaxations approved by the Development Authority in this development permit.
13. 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.
14. 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.
15. 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.
16. The walls, pillars, and ceiling of the underground parkade must be painted white.
17. Light fixtures in the parkade must be positioned over the parking stalls.
18. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
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. The properly executed Development Agreement referenced in the Prior to Release conditions shall remain in force and on title throughout the lifetime of this development.
21. 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.

22. 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 403-620-3216 or 311 for an inspection.
23. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by Urban Forestry.
24. 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 (403-620-3216) to arrange an inspection.

Note: Tree Planting will be subject to Parks Construction Completion Certificate (CCC) and Final Acceptance Certificate (FAC) process before being taken over for maintenance by Calgary Parks.

25. 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.

Utility Engineering

26. 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 Protected Areas and The City of Calgary (311).
 - b. on City of Calgary lands or utility corridors, The City of Calgary, Climate and Environment (Contaminated Sites Section) must be immediately notified (311).
27. 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).

28. Stormwater runoff must be contained and managed in accordance with the Stormwater Management & Design Manual all to the satisfaction of the Coordinator, Utility Specialist.
29. 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.
30. Pursuant to Bylaw 1H2024, off-site levies are applicable.

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 1H2024. To obtain a final estimate contact the Calgary Approvals Coordination, Infrastructure Strategist (YUNPENG QIN at 5872156253 or <mailto:Yunpeng.qin@calgary.ca>) or offsitelevy@calgary.ca.

Mobility Engineering

31. 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.
32. 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

33. The Access Easement Agreement for the purpose of pedestrian access shall remain over Lots 1, 10 Plan A1, Block 17 (Servient Lands) in favour of 4 Avenue S.W., and 6 Street S.W. (Dominant Lands) until such time as required by the Development or Subdivision Authority in connection with Development Permit DP2024-05672 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.