

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 total of seven complete sets of Amended Plans (file folded and collated) to the Planning Generalist that comprehensively address the Prior To Release conditions of all Departments as specified below.

In order to expedite the review of the Amended Plans, please include the following in your submission:

- a. Four of the plan set(s) shall highlight all of the amendments.
- b. Four detailed written response(s) to the Conditions of Approval document that provides a point by point explanation as to how each of the Prior to Release conditions were addressed and/or resolved.

Please ensure that all plans affected by the revisions are amended accordingly.

2. On all elevations and cross-sections, show the geodetic height of the top of the buildings.
3. Revise the drawings to:
 - a) convert the main north-south throughway on the site to pedestrian-only traffic (other than emergency vehicles); and
 - b) have hotel pick-up and drop-off on 2 Avenue SW.

to the satisfaction of the Development Authority.

The conversion shall, through the use of landscaping, street furniture, lighting, signage, travel widths, materials and other such mechanisms, ensure that the internal space creates visual interest, comfort and safety for pedestrian traffic.

Development Engineering:

4. Amend the plans to:

Waste & Recycling Services - General

- a. (new) 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 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>

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Waste & Recycling Services - Collection Vehicle Access

- a. Indicate that all portions of the collection vehicle route /parking structures are structurally capable of supporting a minimum weight of 25,000 kg.
- b. Provide a minimum 6.8m vertical clearance for collection.

NOTE: As 6.8m vertical clearance cannot be attained, please provide a note on the plans indicating that a Rear loading truck will be used for collection.

5. Amend the plans to indicate how many residential units are
 - 1 bedroom or less or
 - 2 bedrooms or more.
6. 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 Development Engineering Generalist.
7. Execute and register on all affected titles a Private Overland Drainage Easement Agreement for the flow of stormwater onto adjacent lands. Submit a copy of the executed Private Overland Drainage Easement and the certificate of title showing the registration of the agreement. Contact the Development Engineering Generalist for a copy of the agreement.

NOTE: This agreement is required to account for the trap low encroachment onto the subject site. The agreement for the overland flow of stormwater from public lands to private lands will be between the developer and City.

8. The available fire flow available in the adjacent City watermain is 20,000 LPM with 15m residual pressure. Submit a fire flow letter, prepared by a qualified professional engineer under seal and permit to practice stamp to the satisfaction of Development Approvals Team Leader, Water Resources. The fire flow letter shall identify the type of the development, address of the development, and the fire flow required for the developing property. If the City watermain does not have the flows available to meet the fire flow requirements of the developing property the City main must be upgraded at the cost of the developer. ***NOTE: letter must be submitted digitally to WA-ResourcesDevelopmentApprovals@calgary.ca***
9. Submit a Sanitary Servicing Letter, for review and acceptance, prepared by a qualified professional engineer under seal and permit to practice stamp to the satisfaction of Development Approvals Team Leader, Water Resources. The Sanitary Servicing Letter shall identify the type of the development, address of the development, existing and proposed peak sanitary flows.

For further information, refer to the following:

Sanitary Servicing Study Guidelines

<http://www.calgary.ca/PDA/pd/Documents/development/west-memorial-sanitary-servicing-study-guidelines.pdf>

NOTE: For further information and details, contact the Leader – Development Approvals in Water Resources at 403-268-2855.

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Note: letter included however must be submitted digitally to WA-ResourcesDevelopmentApprovals@calgary.ca

10. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Inspections and Permits, for review and acceptance from Water Resources, as required by Section 5 (2) of the *Utility Site Servicing Bylaw 33M2005*. Contact developmentservicing2@calgary.ca for additional details.

For further information, refer to the following:

Design Guidelines for Development Site Servicing Plans

http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/DSSP2015.pdf

Development Site Servicing Plans CARL (requirement list)

<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

11. Follow the submission requirements outlined in Section 3.0 of The City of Calgary Guidelines for Erosion and Sediment Control (Erosion and Sediment Control Reports and Drawings: Technical Requirements) and either submit the required (2) copies of an Erosion and Sediment Control (ESC) Report and Drawings or the required (2) copies of a Written Notice to Development Engineering, for review and acceptance by Water Resources. The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: www.calgary.ca/ud (under publications).

Documents submitted shall conform to the requirements detailed in the current edition of The City of Calgary *Guidelines for Erosion and Sediment Control* and shall be prepared, signed and stamped by a qualified consultant specializing in erosion and sediment control, and holding current professional accreditation as a Professional Engineer (P. Eng.), Professional Licensee (P.L. Eng), Professional Agrologist (P. Ag.) or Certified Professional in Erosion and Sediment Control (CPESC). For each stage of work where soil is disturbed or exposed, documents must clearly specify the location, installation, inspection and maintenance details and requirements for all temporary and permanent controls and practices.

If you have any questions, contact 3-1-1. A Service Request (SR) will be created for the Erosion Control Team in Water Resources.

12. **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.

Should payment be made prior to release of the development permit, an Off-Site Levy Agreement will not be required.

To obtain the off-site levy agreement, contact the Calgary Approvals Coordination, Infrastructure Strategist at 403-268-5138 or email rob.hirber@shaw.ca or offsitelevy@calgary.ca.

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Note: Public Infrastructure cannot provide an Off-site Levy estimate as there is no information regarding the residential units

13. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of \$717,615.60, 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 \$4710 per meter of site frontage (along 3 AV and 2 AV SW) for the proposed development (3 AV SW 99.02m and 2 AV SW 53.34m).

Transportation:

14. Execute and register on the consolidated title a Public Access Easement Agreement for the internal pedestrian and vehicular accesses through the site.
15. Amend plans to provide direction arrows (up/ down) on the parkade ramps, to make things more clear.
16. Please ensure adequate lighting in woonerf /pedestrian lane to ensure feeling of safety at night. Please use dark-sky standard lighting. Amend plans accordingly.
17. Amend plans to clarify the location of wheelchair ramps in the underground parking. Wheelchair ramps should be located adjacent to the disabled parking spaces.
18. Provide signage saying “no vehicular access” to the pedestrian only lane. Recommend object marker signage on the building column(s) adjacent to the pedestrian only lane. (Drawing A01-05, viewport #2)
19. On drawing A02-02: Amend the sign area in front of storage (East of stall 130) as ‘no parking’.
20. Execute and register on title an Access Easement Agreement with the City of Calgary over Lots 6-12 & 28-40, Block 8, Plan C (Servient Lands) in favour of 2nd Avenue S.W., 3RD Avenue S.W. & 1st Street S.W. (Dominant Lands) for the purpose of pedestrian access over bylaw setback areas. 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.

NOTE: This is for pedestrian access over bylaw setback areas.

21. The developer shall provide a Letter of Credit for the signalization at the intersection of 2 Avenue S.W. & 1 Street S.W. The Developer shall provide a letter, under Corporate Seal, indicating that they are responsible for any additional costs of signalization that could be in excess of the amount identified in the Letter of Credit, and required to submit payment in support of the proposed Development Permit application.

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22. 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 4 new driveway crossings on 2nd Avenue S.W. (2) & 3rd Avenue S.W. (2),
 - b. Closure and removal of 5 existing driveway crossings. 4 on 3 Avenue S.W., and one on 1 Street S.W.
 - c. Construction of new sidewalks adjacent to site frontages,
 - d. Construction of new wheelchair ramps,
 - e. Construction of new curb and gutter adjacent to site frontages,
 - f. Construction of tree trenches to City standards,
 - g. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
23. 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. Street lighting upgrading adjacent to site frontages (If required).

Parks:

24. Amend drawing LS-100:
- a) Indicate the setbacks between the existing and/or proposed boulevard trees and the existing or proposed utilities/servicing connections.
25. Amend LS-100 to indicate the setbacks between the existing and/or proposed boulevard trees and the existing or proposed utilities/servicing connections. It appears an existing electrical duct is close to the proposed boulevard trees along 3 Avenue SW.

Provide the minimum setback requirements as identified in Section 4.1.2 and Section 4.1.3 of Parks "Development Guidelines and Standard Specifications: Landscape Construction (current edition)":

http://www.calgary.ca/PDA/pd/Documents/urban_development/publications/Landscape2018.pdf

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Permanent Conditions

The following permanent conditions shall apply:

Planning:

26. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
27. No changes to the approved plans shall take place unless authorized by the Development Authority.
28. A Development Completion Permit shall be issued for the development / addition; **before the use is commenced or the development occupied**. A Development Completion Permit is independent from the requirements of Building Permit occupancy. Call Development Inspection Services at 403-268-5311 to request a site inspection for the Development Completion Permit.
29. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
30. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.

Development 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, Alberta Health Services and The City of Calgary (311).
 - b. on City of Calgary lands or utility corridors, The City of Calgary, Environmental and Safety Management division shall be immediately notified (311).
32. The development site lies within the Flood Fringe and as such must conform to Land Use Bylaw 1P2007, Part 3, Division 3. The 1:100 year designated flood level elevation is **1046.1m**.
33. 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

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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.

The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: www.calgary.ca/ud (under publications).

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.

34. Contact the Erosion Control Inspector, Water Resources, with at least two business day's notice, to set up a pre-construction meeting prior to commencement of stripping and grading. Locations north of 17 Avenue S should contact 403-268-5271. Sites south of 17 Avenue S should contact 403-268-1847.
35. 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.
36. The grades indicated on the approved Development Site Servicing Plan(s) 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.
37. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
38. As the development application has not met the standards in either the current City of Calgary standards – "Development Reviews: Design Standards for the Storage and Collection Waste" or the current Waste and Recycling Bylaw, the development may not be eligible to receive collection service from The City of Calgary.
39. Pursuant to Bylaw 2M2016, off-site levies are applicable.
40. **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 at 403-268-5138 or email rob.hirber@shaw.ca or offsitelevy@calgary.ca.

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Transportation:

41. 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.
42. 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 Director 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.**

Parks:

43. 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.
44. 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 or more information.
45. In order to ensure the integrity of existing public trees and roots, construction access is only permitted outside the drip line of public trees to retain.
46. In order to ensure the integrity of existing public trees and roots, no grade changes are permitted in the boulevard within drip lines.
47. 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.
48. 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 or at 403-268-5204) to arrange an inspection.