

## 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 7 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. 4 of the plan set(s) shall highlight all of the amendments.
- b. 4 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. Amend plans:
  - a) Correct discrepancy in Elevation, where the mesh touches down on the north side.
  - b) Extend the east and west elevations to show the edge of curb.
  - c) Provide a lighting plan as described in the response to the DTR.
    - *Luminaires within parkade areas shall be located over parking stalls (on columns) and shall refrain from being located directly over drive aisles. Lighting levels within parkade area shall meet a min 54 lux and a uniformity of 4:1, the lighting levels for any exterior parking or pedestrian areas on ground level/site shall meet a minimum of 10 lux with a uniformity of 4:1. The roof top parking shall meet a minimum of 20 lux with a uniformity of 4:1.*
    - *LED lighting will be employed in the exterior lighting design for the parkade to illuminate the mesh as suggested.*
    - *The design of the public spaces at grade along 9th Avenue is based upon providing a well illuminated space that is flexible and can support a range of programmed events.*

#### **Development Engineering:**

3. The applicant shall submit Letter of Commitment confirming that the impacted soil exceeding commercial criteria in the central part of the site (BH09-008 and BH009-009) as identified in "Phase III Environmental Site Assessment 363 – 9 Avenue SE, Calgary, Alberta" (Envirotech Engineering, August 2016) will be removed.

All documents submitted shall be prepared by a qualified professional and reviewed to the satisfaction of The City of Calgary (Environmental & Safety Management).

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4. Amend plans to clearly show foundation separation from 500 steel water feeder main and 300 YDI water main. Clearly show vertical separation as well. As per discussions with CMLC and Water Resources minimum vertical clearance for clear work area from surface to bottom of structure (bridge) is 5.6m and horizontal separation outside of UR/W (4.75m from center of main)

***Note: Provide additional information to show that the foundation separation from the existing water mains are sufficient. Plan A1.110 only shows the horizontal separation in one location from one unidentified main and the separation is only 4.58m from centre of pipe to centre of wall and it's supposed to be 4.75m from centre of pipe to outside of wall. Please also provide a drawing that clearly shows the vertical clearance overtop of the mains.***

5. Amend the plans to:

### Fire – Alarm Panel Location

Indicate the location of the fire alarm panel such that:

- a. There is direct access from the principal entrance.
- b. An exterior strobe light is shown at the exterior door to the fire alarm panel location as there is no defined principal entrance.
- c. It is located in a Central Alarm Control Facility (CACF) room for buildings covered under ABC Div B 3.2.6 “Additional Requirements for High Buildings”.

### Water Resources – Water Servicing

- a. Indicate and dimension an adequate “water meter room”, which shall be located internal to the building basement level 1 adjacent to an exterior wall where the services (100mm and larger) enter the building,

***Note: Plans show water meter room in a location that would require water service to run under building foundation or within 3m of column or pile. Location also does not match the servicing plan location. Revise to be on an exterior wall where water service will not run underneath building or with 3m of pile column.***

6. 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.

***NOTE: paper copy included with DP not acceptable, letter must be emailed to [WA-ResourcesDevelopmentApprovals@calgary.ca](mailto:WA-ResourcesDevelopmentApprovals@calgary.ca)***

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7. The available fire flow available in the adjacent City watermain is 20,000 LPM with 15m residual pressure under normal operating condition. 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.

**NOTE: Fire Flow letter must be emailed to**  
**[WA-ResourcesDevelopmentApprovals@Calgary.ca](mailto:WA-ResourcesDevelopmentApprovals@Calgary.ca)**

8. 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](mailto: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](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>

9. 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](http://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.

10. Remit payment (certified cheque) for the infrastructure upgrades for the Centre City communities, in the amount of **\$663,168.00**, 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** per meter of site frontage (on Avenues only) for the proposed development (9 AV SE - **140.80m**).

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11. **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.

As per the **current** application (Parkade with some commercial space) and based on **2018** rates, the **preliminary estimate** for this application is **\$350,410.43**.

**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](mailto:rob.hirber@shaw.ca) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

### Transportation:

12. Amend the Plan to incorporate the decision on the Public Realm cross section fronting the proposed development. This includes the following requirements:
- The ultimate location of the proposed access from 9 AV SE must have the center line of the access align with the center line of 3 Street SE. The intent is to ensure that the lane lines across the intersection are aligned. Amend the Plan to show the lanes are aligned in all directions.
  - Amend the Plan to provide a clear cross section of 9 Av SE. Cross section to show existing and proposed elevations, sloping, and dimensions at each of the following:
    - Property lines on each side
    - Lip of gutters on each side
    - Bike lanes
    - Lane lines
  - Amend the Plan to ensure an R=18.0m from the center line of the 9 AV SE to the center line of the new proposed access is shown.
  - Amend the Plan to clearly define the location of the wheel chair ramps and cross walks. Additional or relocated wheel chair ramps maybe required on the adjacent side of the street to accommodate the new proposed ones.
  - Amend the Plan to Indicate the lip gutter and the back of sidewalk dimensioned from the property line.
  - Amend the Plan to ensure the proposed access is shown with curb returns and wheel chair ramps. The design of the access is to be constructed like an intersection refer to specification number 454.1014.046 as per the DGSS. Revise the plans to provide a profile showing this information.
  - With the access constructed as an intersection, additional catch basins (CB) may be required at this location. Location of these CB may be difficult to install due to the C-Train structure. Amend the Plan to provide CBs as required.
  - Amend the Plan to ensure all Ramp cross sections meet City of Calgary standards as per specification 454.1010.003
  - Amend the Plan to indicate that all adjacent boulevards are graded at 2% from the top of curb to the existing or ultimate property line.
  - Amend the Plan to provide three (3) boulevard cross sections showing details for sidewalks, grading, etc. Indicate the existing and proposed elevations at the top of curb, property line and the main floor.

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13. Execute and register on title a Maintenance Access Easement Agreement with the City of Calgary over Plan 1010371, Lot 3, Block 3 and Plan 9410096, Lot 1, Block 3 (Servient Lands) in favour of 9 Avenue SE (Dominant Lands) for the purpose of vehicular, cyclist and pedestrian controls (i.e. traffic signals or other required control measures) and associated infrastructure installation and maintenance. The agreement and registerable maintenance access right of way plan shall be to the satisfaction of the Director, Transportation Planning and the City Solicitor. A 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:** As an option to avoid the maintenance access easement, the applicant may choose to register a surveyed Road Plan for the intersection stub (the agreed upon plan would become Road right of way).

14. 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 driveway crossing
  - b. Closure and removal of existing driveway crossing
  - d. Construction of new wheelchair ramps
  - e. Construction of Tree Trench to City standards
  - g. Construction of new curb and gutter alignment, bike system and sidewalks along 9 Av SE to City standards
  - h. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel
  - i. Off-site requirements to tie-in the approved Public Realm design.
15. Amend the landscaping plan (DP-L1.0) to indicate a “stop here” condition, 1.0m behind the public sidewalk crossing or 0.3m inside the PL (whichever is furthest) for the exiting traffic.
16. Prior to release of this DP, the Restrictive Covenant currently being negotiated between the applicant and Calgary Transit (via CT-Infrastructure) has been agreed to and finalized. The applicant is encouraged to contact Chris Knobel with Calgary Transit Infrastructure with any questions:  
*Chris Knobel, Senior Project Engineer, 403.268.2342, Chris.Knobel@calgary.ca*
17. The proposed future changes in 9th Ave lane configuration to accommodate bike lanes and a left turn, will result in relocation of road infrastructure including signal post location adjacent to the site. The amended plan shall indicate the existing signal bases locations as well as proposed location. Ensure that the relocation of signal base does not interfere with public realm i.e pedestrian facilities.

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18. Provide satisfactory response to following questions:
- a. How does the signal on the south side of 9 AV relate to the "Platform" signage shown on the north elevation of DP-A3.001.
  - b. Drawing DP-A4.100 (section 3) does not show relation to 9 AV signal heads and trunk locations.
    - i. What is visibility to the signal on north leg of intersection for exiting traffic, or how does the signal on the south side relate to the building façade, for example?)
  - c. What is the trigger for the revised curb alignment on the NE corner of the intersection?
    - i. This changes more (road marking, cycle track bollards, signal phasing and signage) on 9 AV east and west of 3 ST than shown on Drawing B-1.
19. Prior to release of this DP the access easement agreement registered on the parcel's title (ARW 17101112) to allow access to CP rail for maintenance purpose shall be discharged with the consent from effected parties.

#### Parks:

20. Please provide a letter to confirm the maintenance of the proposed sport court will fall under Calgary Parking Authority and not Calgary Recreation.

### Permanent Conditions

The following permanent conditions shall apply:

#### Planning:

21. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
22. No changes to the approved plans shall take place unless authorized by the Development Authority.
23. A Development Completion Permit shall be issued for the development; **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.
24. Lighting plan as shown is to be maintained at all times at its prescribed level of operation. The Lighting plan shall be kept in a good state of repair to maintain the safe use of the facility.
25. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
26. Each parking stall, where located next to a sidewalk, shall have a properly anchored concrete wheel stop or equivalent material to the satisfaction of the Development Authority (100mm in height and 600mm from the front of the parking stall).

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27. The waste and recycling room shall be kept in a good state of repair and the doors shall be kept closed while the enclosure is not actively in use for delivery or removal of refuse.

### Development Engineering:

28. 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,
- 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).
  - on City of Calgary lands or utility corridors, The City of Calgary, Environmental and Safety Management division shall be immediately notified (311).
29. 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.

The City of Calgary Guidelines for Erosion and Sediment Control can be accessed at: [www.calgary.ca/ud](http://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.

30. 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.
31. 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.
32. 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

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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.

33. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
34. 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.
35. Pursuant to Bylaw 2M2016, off-site levies are applicable.
36. **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](mailto:rob.hirber@shaw.ca) or [offsitelevy@calgary.ca](mailto:offsitelevy@calgary.ca).

### Transportation:

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 403-268-3505.
39. The approved driveway(s) required for this development must be constructed to the ramp grades as shown on the approved Development Permit plans. Negative sloping of the driveway within the City boulevard is not acceptable. If actual grades do not match the approved grades, the developer/owner shall be responsible for all costs to remove and reconstruct the entire driveway ramp in accordance with approved grades.

### Parks:

40. The submitted plans indicate that the removal of existing public trees along property frontage. 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](mailto:tree.protection@calgary.ca) to make arrangements for the letter and compensation.