

**Conditions of Approval**

ITEM: 7.1.2 CPC2018-1130
Distribution: Administration
CITY CLERK'S DEPARTMENT

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 cheque payable to the City of Calgary for a total of \$245.00 for the cost of one additional Development Completion Inspection that was not paid for at the time of the development permit submission.
2. Submit a letter from Enmax Corporation indicating that the following issues have been addressed. Please contact Rijad Tursunovic at rtursunovic@enmax.com or 403-514-1507 to resolve the issue.
 - Space for new transformer pad is insufficient.

Note: Enmax has been working with the applicant to resolve this conflict, as per correspondence provided by the application on 2018 October 1. A formal resolution letter is still required from Enmax

3. Submit a total of six (6) 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 (4) detailed written responses 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.

4. For the roof top garden, amend plans to provide details as per Section 1346 of the Land Use Bylaw. Planting areas must have the following minimum soil depth:
 - (a) 0.6 metres for shrubs; and
 - (b) 0.3 metres for all other planting areas.

The soil depths must cover an area equal to the mature spread of the planting material.

Minimum depths for at grade landscaped areas are indicated on drawing L12. Depth for tree berms on rooftop is indicated on sheet L11, all other areas are not indicated.

5. On drawing L2, plant schedule indicate shrubs are POT and not minimum height of spread of 0.60 metres.

Amend plant schedule on drawing L2 to add a note to indicate proposed shrubs will be a minimum height or spread of 0.6 metres.

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6. Amend drawing A2.02, P2 parkade plan to indicate stalls 1-7 to be Visitor/Commercial stalls.
7. Amend drawing A2.03, P3 parkade plan to indicate stall 21 to be Visitor/Commercial stalls.
8. Amend the total proposed parking stall count in the "Commercial Area Information" table on A2.09 to reflect the additional commercial/visitor stall count (44 stalls) and to break up the parking requirements for Dwelling Units vs Live Work Units.
9. Amend the "Zoning Compliance Table" on A1.01B to reflect the changes to commercial/visitor parking stalls and parking requirements for Dwelling Units vs Live Work Units.
10. Amend plans to extend the parkade entry door forward to allow for a more consistent street interface and minimize the impact of the consolidated servicing area.

Development Engineering:

11. 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>

12. The Applicant shall address the findings and recommendations in the following report: "Revised Final Report Phase II Environmental Site Assessment, 1018 McDougall Road NE, Calgary, Alberta" by Golder and Associates, dated March 22, 2016. All report(s) shall be prepared by a qualified professional and will be reviewed to the satisfaction of The City of Calgary (Environmental & Safety Management).

Transportation:

13. Amend the site plan to remove the north most bench in the triangular Right-of-way on St Matthew Square from landscape drawings.
14. All specialized boulevard treatments are to be submitted to materials and research for inspection and to meet safety requirements by that department for trips and falls and slip resistance. Provide details for review and approval.

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15. Provide Easements, Covenants and restrictions for the proposed shared residential visitor and commercial parking stalls.
16. 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 crossings on McDougall Road
 - b. Construction of new sidewalks adjacent to McDougall Road, 9A Street and St. Matthew Square
 - c. Construction of new wheelchair ramps
 - d. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
17. 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 McDougall Road, 9 Street, 9A Street and St. Matthew Square.
18. Provide letter of acknowledgement that the application will contact the Traffic Engineer (403-268-4426) eight (8) weeks prior to occupancy to arrange for signage adjacent to the site to compliment operations.

This includes relocation of the on-street parking sign on the west side of 9 Street next to the wheelchair ramp at the northwest corner of McDougall Rd and 9 Street intersection. The parking sign needs to be moved 4-5m north of the existing location to provide better pedestrian sight lines for pedestrians crossing east-west. Signage will be invoiced at time of installation.

Parks:

19. Amend the Proposed Site Plan (A1.01), Site Plan (L1), and Planting Plan (L2) to show a continuous tree trench for the proposed boulevard trees along 9 Street NE, ensuring the trench extends a minimum of 2 metres past the tree grate to allow root growth away from the tree trunk. The trench design is to be approved by Calgary Roads.

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Additionally, correct the annotation on Site Plan (L1) which refers to 'Sheet L-4' for the Tree Trench Detail; whereas, this detail is actually shown on Details (L11). Furthermore, ensure the Tree Trench Detail conforms to Roads' Standard (454.1001.039).

Permanent Conditions

The following permanent conditions shall apply:

Planning:

20. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
21. No changes to the approved plans shall take place unless authorized by the Development Authority.
22. A Development Completion Permit shall be issued for each phase of 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.
23. Upon completion of the main floor (storey) subfloor of the building proof of the geodetic elevation of the constructed main floor (storey) subfloor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to geodetic.review@calgary.ca.
24. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
25. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
26. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
27. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
28. Barrier free parking stalls shall be clearly designated, signed and located close to the elevators / exits with barrier-free accessibility.
29. All roof top mechanical equipment shall be screened as shown on the approved plans.
30. Loading and delivery shall take place in the designated loading stall as shown on the approved plans and shall, at no time, impede the safety of pedestrian movements and use of the parking lot.

Development Engineering:

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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 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 (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.

33. 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.
34. 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.
35. 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.

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36. The Fire Department connection (Siamese) location must face the street or access route, and not be blocked by columns, planters, bicycle racks, or landscaping etc.

Transportation:

37. The development site is located within a residential parking zone "AAA" as defined by the City of Calgary Traffic By-law and, as such, no long term non-residential parking is permitted on-street. No residential parking permits shall be supplied to this development.
38. 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.
39. 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.
40. 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.

Parks:

41. The submitted plans indicate that the removal of existing public trees along property frontage is necessary. As per the City of Calgary Tree Protection Bylaw, a letter of authorization to remove public trees is required from Parks Urban Forestry. The applicant is to contact Urban Forestry at 311 to make arrangements for the letter and compensation.
42. In order to ensure the integrity of existing public trees and roots, construction access is only permitted through the rear lane and outside the drip line of public trees, as per the approved Tree Protection Plan.
43. Public trees located on the boulevard adjacent to the development site shall be retained and protected during all phases of construction by installing a temporary fence around the extent of the branches ('drip line') and ensuring no construction materials are stored inside this fence unless otherwise authorised by Urban Forestry.
44. Install protective fence 3 metres from trunks of the existing public trees north of the subject site, along the south side of St. Matthew Square, and water once per week during construction. Contact Urban Forestry at 311 to arrange for Tree Protection Plan approval.

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45. In order to ensure the integrity of existing public trees and roots, no grade changes are permitted in the boulevard within drip lines.
46. 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).
47. 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 or call 311 for more information.
48. Applicant should indicate on the plans the location of new services in accordance with the Grade Slip or DSSP approved by the City. However, if the servicing trench will be located within the drip line of an existing adjacent public tree, the applicant should contact Urban Forestry through 311 or contact Development Site Servicing directly in attempt to avoid this conflict.
49. 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) 268-5325 to arrange an inspection.