

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 6 complete sets of amended plans (file folded and collated) to the Planning Generalist that comprehensively address the prior to decision issues 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 plan set(s) shall highlight all of the amendments. Please ensure that all plans affected by the revisions are amended accordingly.
- b. 4 detailed written response(s) to the Detailed Team Review (DTR) that provides a point by point explanation as to how each of the Prior to Decision issues were addressed and/or resolved. If Prior to Release items have been addressed in the amended plans, include a point by point explanation for these items as well.

This information must be received, in its entirety, no later than 90 days from the date this DTR form was sent to the applicant and owner. If a complete submission is not received within the 90 day time frame, the development permit may be inactivated. Upon inactivation, the applicant and owner will receive written notice of the inactivation and of a further 30 day time frame within which the application may be reactivated subject to a reactivation fee. If the development permit application is not reactivated as per the written notification, it may be cancelled by Administration as per Land Use Bylaw 1P2007, Section 41.1.

In the event that the application needs to be recirculated, a recirculation fee may be applied.

2. Submit a cheque payable to the City of Calgary for a total of \$5635 for the cost of 23 additional Development Completion Inspections (\$245.00 per phase) that was not paid for at the time of the Development Permit submission.

Development Engineering:

3. Amend all relevant plans as to re-label what is currently referenced as "Prop U R/W" to be proposed public access right-of-way (or equivalent).

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Note:

Plans currently show the 6.0m wide zone to the south (near the regional pathway is proposed) as Prop U/RW (i.e. servicing plans, etc.), when that is likely the zone that is to be public access right-of-way. Just want to ensure that there isn't a URW planned for planned utilities that has proposed structures like stairs, etc. shown within (where typically structures are not permitted within URWs).

4. Amend the plans to:

Fire – Fire Department Connection (Siamese) Location

Revise the location(s) of the Siamese locations such that they are:

- a. No closer than 3m and not more than 15m from the principal entrance.
- b. Does not obstruct egress from the building.
- c. Provides 2m operational clearance left and right of each port.
- d. Facing the street or access route, not blocked by columns, planters, bike racks, railings, or landscaping etc.

Note:

There are Siamese location(s) shown on the plans that do not appear to meet the above requirements. For example, “building 2” and “building 3” appear to show Siamese locations that are tight beside entrance railing where it appears that less than 2m clearance offset is provided.

Transportation:

5. With respect to the 6m “development setback” including the 3m regional pathway, execute and register on title an Access Easement Agreement with the City of Calgary over Lot 28 Block 27 (Servient Lands) in favour of 128 AV NE (Dominant Lands) for the purpose of pedestrian and bicycle access. The agreement and registerable access right of way plan shall be to the satisfaction of the Director, Transportation Planning and the City Solicitor. The access right of way shall be 6m wide, spanning from Redstone St NE to Red Embers Gate NE. A standard template for the agreement and an Instruction Document can 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.
6. With respect to the internal roads providing access to the Kiss n Ride facility, execute and register on title a Public Access Easement Agreement with the City of Calgary over lot 28; Block 37 (Servient Lands) in favour of 128 AV NE (Dominant Lands) for the purpose of parking access / vehicular access / pedestrian access. Specifically, this easement(s) will cover:

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- the internal east west road connecting Redstone ST NE to Red Embers GA NE.
- the north south connection from the east west road through the kiss n ride turnaround.

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 can 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: we understand that blanket access easements may be on title. Blanket easements may be adequate for our needs. Note that the existing blanket easement covers pedestrian access only. This must be amended or replaced to include motor vehicle access.

7. 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. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel
8. 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 the site.
9. The Developer shall provide a Letter of Credit for the signalization of the intersection at Redstone Street and 128 Avenue NE. The Developer shall provide a letter, under Corporate Seal, indicating that they will be responsible for any additional costs for the signal installations that could be in excess of the amount that has been identified in the Letter of Credit and required to be submitted in support of the proposed applications.

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Update: the anticipated payment by Qualico through the related Tentative plan was not received.

Parks:

No comments.

Permanent Conditions

The following permanent conditions shall apply:

Planning:

10. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
11. No changes to the approved plans shall take place unless authorized by the Development Authority.
12. 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.
13. A Development Completion Permit shall be applied for and approval obtained for each phase, prior to the use occurring. Call Development Inspection Services at 403-268-5311 to request site inspections for the Development Completion Permits.
14. All roof top mechanical equipment shall be screened by the building parapet as shown on the approved plans released with this permit and shall not be visible from thoroughfares or sidewalks.
15. All roof top mechanical equipment shall be contained within the roof pitch and shall not be visible from thoroughfares or sidewalks.
16. All roof top mechanical equipment shall be screened as shown on the approved plans.
17. The grades indicated on the approved Development Permit plans must match the grades on the Development Site Servicing Plan for the subject site as per the Lot Grading Bylaw.
18. Retaining wall(s) that are 1.0m or greater in height shall be located and constructed as shown on the approved plans released with this permit.

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19. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
20. Parking and landscaping areas shall be separated by a 150mm (6 inch) continuous, poured in place, concrete curb or equivalent material to the satisfaction of the Development Authority, where the height of the curb is measured from the finished hard surface.
21. Any noise or music shall be contained on the site in accordance with the Community Standards Bylaw.
22. A lighting system to meet a minimum of 10 LUX for uncovered parking areas with limited public access and 22 LUX for shopping areas with uncovered parking areas and 54 LUX for parkades with a uniformity ratio of 4:1 on pavement shall be provided.
23. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
24. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
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).
27. Handicapped parking stalls shall be located as shown on the approved plans released with this permit. Handicap parking stall(s) shall be clearly designated, signed and located close to the entrance of the building with barrier-free accessibility.
28. This approval recognizes A to R and 1 to 6 (24 total) phases on the approved plans. A Development Completion Permit may be issued for each phase. All the road works, landscaping and provisions for garbage collection shown within each phase shall be completed prior to the issuance of a Development Completion Permit for that phase. Call Development Inspection Services at 403-268-5311 to request site inspections for the Development Completion Permits.
29. 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.

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30. The waste enclosure(s) shall be kept in a good state of repair at all times and the doors shall be kept closed while the enclosures are not actively in use for delivery or removal of refuse.

Development Engineering:

31. Approval of this application does not include approvals of the “future site plan” proposal on DP11.01 and DP11.02. Additional studies and review will be required to ensure capacity for the proposed build out.
32. Single retaining walls 1.2m in height or greater or terraced retaining walls 1.2m in height or greater with a horizontal separation between walls of less than 3.6m (3x height) require the approval of a Building Permit prior to construction.

For retaining wall(s) that meet these criteria, the developer may either:

- a. Include the retaining walls with the Building Permit for the building, or
- b. Apply for a separate Building Permit for the retaining walls.

It should be noted that the Building Permit for the building on site will not be released until the separate Building Permit for site retaining walls is approved.

33. 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).
34. 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

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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.

35. 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.
36. 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.
37. 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.
38. The proposed development is within the Nose Creek catchment boundary and is subject stormwater volume control measures. Based on the Watershed Management Plan the average annual run-off volume shall be limited to 90mm.
39. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
40. 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.

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Transportation:

41. The signalization of the following intersections must be in place prior to occupancy of the site:
- 128 AV NE / Redstone ST NE
 - 128 AV NE / Red Embers GA NE

Note that these signals are largely commercial in nature. As such, money will be collected through this development permit for the costs of signalization. The cost obligations to the DP developer have not been finalized.

42. 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.
43. 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:

44. Drainage from the development site onto the adjacent future MR lands is not permitted.
45. Site grading of the development site shall match the grades of adjacent future MR lands with all grading confined to private property.
46. Backsloping from the development site into adjacent future MR lands is not permitted, unless otherwise approved by Parks.
47. Retaining walls placed within the adjacent future MR lands is not permitted, unless otherwise approved by Parks.
48. Plant all public trees in compliance with the approved Public Landscaping Plan.

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49. Construct all regional pathway routes within and along the boundaries of the plan area according to Parks' Development Guidelines and Standard Specifications: Landscape Construction (current version), including applicable setback requirements, to the satisfaction of Parks.
50. 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 403-268-1358 or 403-804-9397 for an inspection.
51. Any damage to the existing regional pathway along and within the boundaries of the plan area must be repaired at the developer's expense, to the satisfaction of the Director, Parks.
52. Any landscape rehabilitation on public parks shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications: Landscape Construction (current version).
53. 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.
54. 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.