

## 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 (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. Four (4) of the plan set(s) shall highlight all of the amendments.
- b. Four (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 A-001 to show the correct number of residential units (115) and revise the parking counts accordingly.
3. Amend A-100 and A-201 to show the exact bench locations and design (as shown on L1.0) as well as the design of the corner of 10 Street and Gladstone Road NW.
4. Amend A-401 and A-404 to show the exact bench locations and design (as shown on L1.0).
5. Amend L1.0 by labelling and including in the Legend the area to be sod along Gladstone Road NW. Add note to Legend to confirm "Plain Concrete with 1.0 X 1.0m Sawcut Joints" will match existing sidewalk treatment along 10 Street NW.
6. Amend L1.1 to indicate the caliper size of the proposed Clump Paper Birch.
7. Amend the plans to indicate the soil depth for trees and shrubs planted over the parkade to comply with the Land Use Bylaw requirements.
8. Amend the plans to reflect the changes to floors 2 to 10 required to meet the maximum 5.0 FAR.
9. Submit a letter from Enmax Corporation and indicate on the amended plans that the following issues have been addressed.
  - a. Existing transformer (21C-375) conflicts with the proposed building.
  - b. Space for new pad-mounted transformer may not be sufficient - must be approved by EPC
10. As per Part II, section 3.1.5 of the Hillhurst/Sunnyside Area Redevelopment Plan, provide a letter, to the satisfaction of the Development Authority, detailing how

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improvements to the urban realm at Gladstone Road NW and 10 Street NW will be undertaken. The letter must address: what urban realm improvements will be provided, coordination of the work and how any cost overages will be addressed based on discussions with City Staff. The contribution is based upon the contribution formula found in the Direct Control Bylaw for the subject site:

$\$18.14 \times 4934.95\text{m}^2$  (total floor area in  $\text{m}^2$  above base floor area ratio of 2.8) =  
**\$89,520.00**

or

Remit payment (certified cheque, bank draft) for contribution to the Hillhurst/Sunnyside Community Amenity Fund as per DC Direct Control District (152D2018).

a) Payment is based on the following:

$\$18.14$  per square metre  $\times$  4934.95 square metres = **\$89,520.00**

### Development Engineering:

#### 11. Waste & Recycling Services - General

- a. Indicate a location for the grease waste storage area with dimensions (1.5m x 2.0m minimum).
- b. Relocate the protection bollards placed 2.2 m in front of the two waste collection doors. - NEW

#### Waste & Recycling Services – Collection Vehicle Access

- a. Realign the vehicle sweep path as the proposed collection vehicle sweep path comes in contact with the building.
- b. Provide (include relevant grades) a level transition between the staging area and the adjacent alley.

#### Waste & Recycling Services – Industrial, Commercial and Institutional

- a. Ensure each waste stream can be maneuvered independently of the other two.

#### Waste & Recycling Services – Multi-Family

- a. Ensure each waste stream can be maneuvered independently of the other two.

12. 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>

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13. 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 (67 multi-residential (1 bedroom), 70 multi-residential (2 bedroom) and 8 commercial units) and based on 2018 rates, the preliminary estimate for this application is \$137,958.24.

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 David Boettcher, Infrastructure Strategist, City of Calgary Approvals Coordination at [David.Boettcher@Calgary.ca](mailto:David.Boettcher@Calgary.ca) or (403) 268-2720.

### Transportation:

14. Amend the parkade plans and sheet A-401 by providing a detailed cross-section of the proposed parkade ramp between levels P1 and P2 that indicates all grades, transitions, and elevations in accordance with current City of Calgary standards. For details, please refer to [Roads Construction 2015 Standard Specification](#) sheet 116. Note: ensure trench drain detail is included to City standards.
15. To the satisfaction of Transportation Planning, provide a Perpetual Maintenance Agreement to be registered on the development site's land title(s) for the applicant requested non-standard surface element(s) located in the road right-of-way concurrently with the execution of the Indemnification Agreement. Contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.
16. Submit Construction Drawings for review and approval of:
- The realignment of Gladstone Road at 10 Street NW.
  - The curb extension for the pedestrian crossing of Gladstone Road NW along 10 Street NW.
  - Associated utilities and subsurface drainage changes.
17. 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 of exiting private driveway on 10 Street NW;
- b. Closure of exiting private driveway on Gladstone Road NW;
- c. Construction of new concrete/asphalt lane paving and
- d. Improvements to Gladstone Road and 10 Street NW intersection should it be approved as the Developer's urban realm improvement per Condition (10).

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- e. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
- 18. 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.

### **Parks:**

No comments

## **Permanent Conditions**

The following permanent conditions shall apply:

### **Planning:**

- 19. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
- 20. No changes to the approved plans shall take place unless authorized by the Development Authority.
- 21. 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.
- 22. The maximum seating area of the outdoor café shall not exceed the area indicated on the plans.
- 23. Upon completion of the main floor of the building, proof of the geodetic elevation of the constructed main floor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Email confirmation to [geodetic.review@calgary.ca](mailto:geodetic.review@calgary.ca).
- 24. All electrical servicing for freestanding light standards shall be provided from underground.
- 25. A lighting system to meet a minimum of 54 LUX with a uniformity ratio of 4:1 on pavement shall be provided.
- 26. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.

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27. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
28. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
29. Fascia signage shall be placed only in the designated sign area as indicated on the approved plans. Any damage to the building face, as a result of the sign installation or removal, shall be repaired to the satisfaction of the Development Authority.

### Development Engineering:

30. 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*.
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](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.

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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.

### Transportation:

36. The developer is responsible for the cost of public work and any damage during construction in City of Calgary road rights-of-way, as required by the Manager of City of Calgary Transportation Planning. All work performed on public property shall be done in accordance with City of Calgary standards.
37. Indemnification Agreements are required for any work to be undertaken adjacent to or within City of Calgary 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 of Calgary rights-of-way, bylawed setbacks, and corner cut areas must be removed to the satisfaction of the Manager of City of Calgary Transportation Planning, at the developer's expense, upon completion of the foundation. Prior to permission to construct, contact Paul Cardiff, Indemnification Agreement Coordinator, City of Calgary Roads at [Paul.Cardiff@Calgary.ca](mailto:Paul.Cardiff@Calgary.ca) or (403) 268-3505.
38. Vehicular access to the site is only permitted via the adjacent lane.
39. A Perpetual Maintenance Agreement is to be registered on the development site's land title(s) for the applicant requested non-standard surface element(s) located in the road right-of-way concurrently with the execution of the Indemnification Agreement. Contact the Indemnification Agreement Coordinator, Roads at 403-268-3505.

### Parks:

40. 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 311 for an inspection.
41. Public trees located on the boulevard adjacent to the development site shall be retained and protected unless otherwise authorized by City of Calgary 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.

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42. Any tree planting in the City of Calgary boulevard shall be performed and inspected in accordance with Parks Development Guidelines and Standard Specifications – Landscape Construction (current edition). Applicant is to contact the City of Calgary Parks Development Inspector through 311 to arrange an inspection.
43. 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](http://www.calgary.ca) or call 311 for more information.
44. The submitted plans indicate that the removal of existing public trees along property frontage is necessary. 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 to make arrangements for the letter and compensation.