

Conditions of Approval

Prior to Release Conditions

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 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. Submit a cheque payable to the City of Calgary for a total of \$735.00 for the cost of 3 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 the plans to:

Utility Line Assignments

- a. Indicate and dimension the final endorsed utility right-of-ways (URW) and / or easements on **all relevant** plans and details, as per subdivision application SB2017-0412 and associated legal plan application LP2019-0073.
- b. Remove/relocate any proposed encroachments (including trees and shrubs) from within the proposed utility right-of-ways. Please note that there may be various conflicts with the proposed URW. If the proposed URW changes through the endorsement process, the Developer shall accommodate any URW requirements on the site.
- c. Show locations of all proposed shallow and deep utilities on the landscaping drawings and ensure there are no conflicts. Current plans are showing several possible conflict locations between the landscaping and proposed underground utilities.

4. Amend the plans to:

Waste & Recycling Services

- a. Provide details for the overhead door for the Building Q waste and recycling storage area. A minimum size of 3.0m wide X 2.1m high is required.
- b. Provide protection to ensure all parts of the storage area for Building Q do not come into contact by any part of a container (including any doorways). Refer to the "Development Reviews: Design Standards for the Storage and Collection of

Conditions of Approval

Waste” found at: <http://www.calgary.ca/UEP/WRS/Pages/Commercial-Services/Development-Permits-Waste-Recycling.aspx>.

5. Prior to the release of the Development Permit, the following items are required:
 - Approval of the subdivision construction drawings for the adjacent roads and utilities.
 - Approval of the subdivision application to create this proposed site and endorsement of the associated Legal Plan application by Development Engineering.
 - Confirmation from all shallow utility companies that the proposed servicing plan for the overall subdivision has been accepted and that no further utility right-of-ways area required.
 - Confirmation that the necessary public infrastructure required to service the development associated with the above noted subdivision application has been installed and tested to the satisfaction of the Manager of Infrastructure Planning in accordance with the associated Development Agreements.

6. Submit a Stormwater Management Report (SWMR), for review and acceptance by the Development Approvals Team Leader, Water Resources, prior to submitting a Development Site Servicing Plan. Stormwater Management Reports are to be submitted electronically directly to Water Resources via POSEIDONOnline which is accessed through The City of Calgary’s [VISTA website](#).

Please note: Prior to the review of the development site SWMR, an approved subdivision SWMR is required to demonstrate the overall stormwater management design for the entire subdivision area.

7. Submit a copy of the certificate of title and other documentation as needed to demonstrate that the existing utility right-of-way instrument 141110271 has been discharged and affected utilities have been removed and/or relocated. All submitted documentation shall be to the satisfaction of the Development Engineering Generalist.

8. Submit three (3) sets of the Development Site Servicing Plan (DSSP) 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 developmentsservicing2@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>

Please note: Prior to the review of the DSSP, the approved subdivision construction drawings and SWMR are required to confirm the final details of the public utilities this site will be connecting to.

Conditions of Approval

9. Amend the plans as may be required to match the final accepted Development Site Servicing Plan.
10. 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.

Transportation:

11. Amend the site plan to realign the pedestrian connection adjacent to building "N" and drive through entry to align with the north-south pedestrian crossing at the roundabout of 210 Avenue SE/ Legacy Village Link SE.
12. Execute and register on title a Mutual Access Easement Agreement between Lot 6 and Lot 7 for the purpose of parking access / vehicular access / pedestrian access / an access route for the waste & recycling collection vehicle(s) to the storage facilities. The agreement and registerable access right of way plan shall be to the satisfaction of the Director, Transportation Planning. 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.
13. 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.

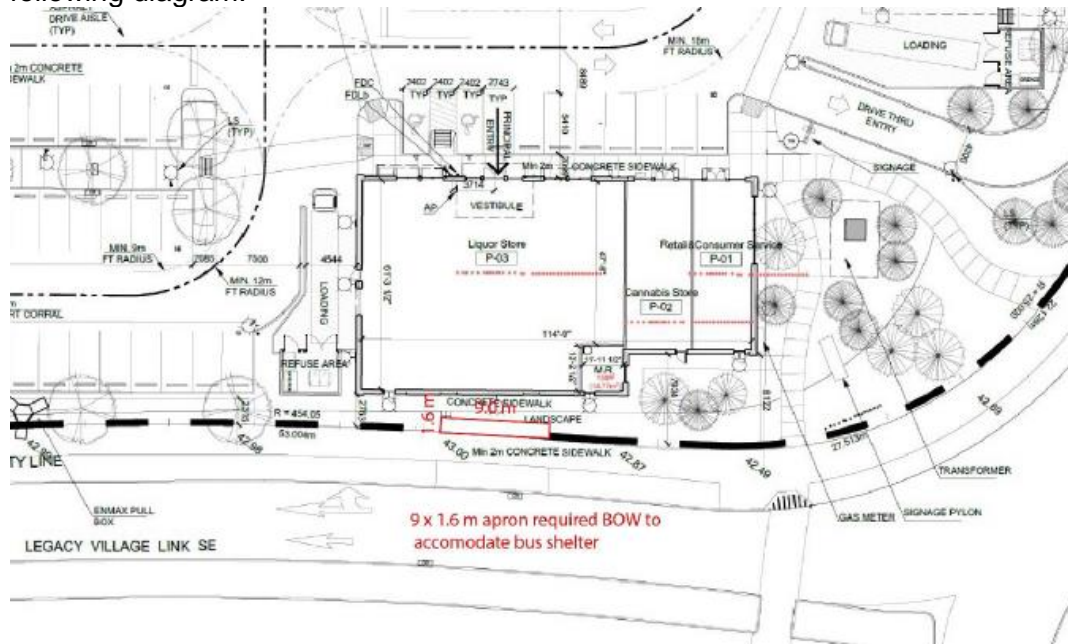
The developer is responsible to arrange for the construction of the infrastructure with their own forces and to enter into an Indemnification Agreement with Roads at the time of construction (the security deposit will be used to secure the work).

Roads

- a. Construction of 4 new driveway crossings
- b. Closure of one existing driveway

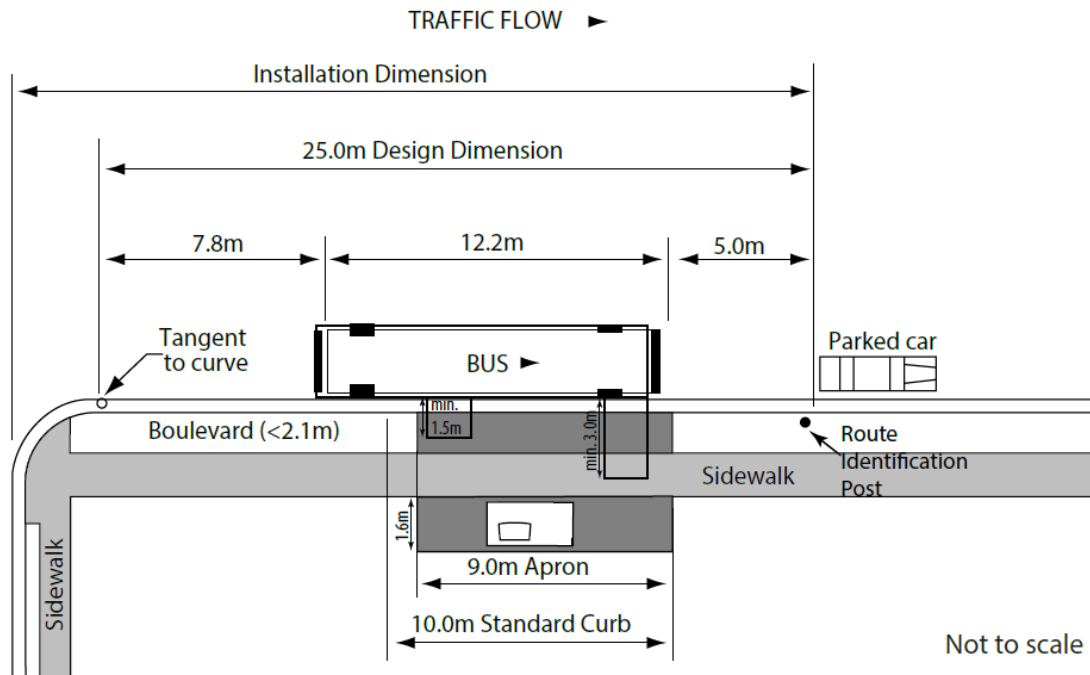
Conditions of Approval

- c. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.
- 14. The developer shall contribute to the cost of upgrading the intersections of Macleod Trail / 210 Avenue SE and Macleod Trail SE / 194 Avenue SE, based on the Transportation Impact Assessment recommendations for the East and West Macleod area. The cost sharing contribution is \$95,510 as per the approved Outline Plan LOC2016-0210. It should be noted, once conditions are satisfied for the related Subdivision, this condition will also be satisfied.
- 15. Roads Traffic will be required to enter the parcel and install road markings and signage for the Longview Common SE and Hartwell Way SE intersection. Provide a letter under corporate letter head confirming that all costs associated with these changes are to be the developer's sole expense. Contact the Traffic Engineer (403-268-3520) eight (8) weeks prior to occupancy to arrange for the necessary work. Please note: Stop bars are required no more than 1.0 m away from the crosswalk location.
- 16. Amend the plans to include a 1.6m x 9m bus apron back-of-walk on the site to accommodate the bus shelter. The existing bus apron on SB Legacy Village Link SE at 210 Avenue SE does not meet design standards and is too small to fit a shelter while allowing space for passengers to align the bus. A public access easement is required along this strip of bus pad to allow the public to use the facility. Please refer to the following diagram:



Conditions of Approval

STANDARD BUS ZONE DIMENSIONS (Type A)
(if sidewalk blvd <2.1m)



- Execute and register on title an Access Easement Agreement with the City of Calgary over Lot 7 (Servient Lands) in favour of Legacy Village Link SE (Dominant Lands) for the purpose of pedestrian access to access a bus shelter. 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.

Permanent Conditions

The following permanent conditions shall apply:

Planning:

- This approval recognizes 4 phases on the approved plans. A Development Completion Permit shall 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.
- In order to satisfy access and bylaw requirements, Phase S as identified on page A7-102 must be completed prior to occupancy of any other phases in this development.

Conditions of Approval

20. If construction of the subsequent phase(s) has not commenced within one year of the issuance of the most recent Development Completion Permit, the undeveloped portion of the site shall be hydro-seeded. This is to ensure an acceptable visual appearance and to eliminate problems such as dust, weeds and erosion.
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. This Development Permit approves the use of Cannabis Store where all cannabis that is offered for sale or sold must be from a federally approved and licensed facility.
24. Prior to commencing the use, the Cannabis Store must be licensed by the Alberta Government.
25. 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.
26. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
27. All trees located within the subject property and shown on the approved plans, which cannot be retained during development, must be replaced by a tree of a species and size which is acceptable to the Development Authority within twelve months of the issuance of the development completion permit.
28. 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.
29. Any noise or music from outdoor speakers shall be contained on the site in accordance with the Community Standards Bylaw.
30. All electrical servicing for freestanding light standards shall be provided from underground.
31. Barrier free parking stalls shall be clearly designated, signed and located close to the entrance of the building with barrier-free accessibility.
32. 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.
33. The garbage enclosures 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.

Conditions of Approval

Development Engineering:

34. 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).
35. 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.

36. Contact the Erosion Control Inspector, Water Resources, with at least two business days' 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.
37. 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.
38. 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.

Conditions of Approval

39. No trees, shrubs, buildings, permanent structures or unauthorized grade changes are permitted within the utility rights-of-way.
40. Access to fire department connections for sprinkler or standpipe systems by firefighters and their equipment shall be maintained free of obstructions (including snow and ice) at all times.

Transportation:

41. The developer shall be responsible for the cost of public work and any damage during construction in City road rights-of-way, as required by the Manager, 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 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.
43. 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.
44. The provided elevations along the property line must be compatible with road grades and elevations as per the approved construction drawing (CD2018-0066 and CD2019-0054). The developer/owner shall be responsible to verify that the elevations shown on the plans are correct.

Parks:

45. 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.
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. Applicant should indicate on the plans the location of new services in accordance with the 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.

Conditions of Approval

48. 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.