

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. The applicant has indicated that a cash contribution will be used for bonusing. The cash contribution rate for 2019 is \$18.14 per square meter over an FAR of 2.0.

Remit payment (certified cheque, bank draft) to The City of Calgary for contribution to the Hillhurst / Sunnyside Community Amenity Fund as per DC Direct Control District (Bylaw 34D2016).

Payment is based on the following:

\$18.14 per square metre x 2328.83 square metres = **\$42,244.98**

Development Engineering:

3. Consolidate the subject parcels. Submit a copy of the registered plan and certificate of title, confirming the consolidation of subject parcels onto a single titled parcel, to the Development Engineering Generalist.
4. 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)

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<http://www.calgary.ca/PDA/pd/Documents/development/development-site-servicing-plan.pdf>

5. The proposal to construct public infrastructure **storm sewers, watermains, and service connections** within City rights-of-way requires the **developer** to execute an Indemnification Agreement to the satisfaction of the Manager, Urban Development.

To initiate circulation and approval of the Work that will form part of the Indemnification Agreement, submit construction drawings online using your existing VISTA account at calgary.ca/vista. At the time of submission of the construction drawings, the following items shall also be submitted:

- a. An 8 1/2" x 11" site plan indicating the construction boundaries.
 - b. Indicate who will be party to the agreement, provide contact information and a certificate of title for adjacent lands associated with the construction of the infrastructure.
 - c. A detailed description of the Work that will form part of the Indemnification Agreement (cubic metres of asphalt and / or concrete, pipe diameters for sanitary, storm and watermains and their respective lengths in linear metres) within the City right-of-way.
 - d. A detailed cost estimate for the scope of Work including GST prepared by the contractor.
6. **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.

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- 3509 or email kyle.ross@calgary.ca or offsitelevy@calgary.ca.

Transportation:

7. Submit Construction Drawings for review and approval of the lane pavement requirement:
- The grading plan along the lane must follow the profile of the lane. The current development plans indicate elevations at the same measurement along the entire lane property line.
 - The lane may need to be paved in concrete.
8. Amend the plans to provide a parkade ramp cross section to the satisfaction of Transportation:
- Amend the cross section to indicate elevations, transition lengths, and resulting grades per specification 454.1010.003
 - Ensure the cross section illustrates all transitions including the trench drain and the parkade floor.

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9. Amend the plans to ensure that all cross sections include transition lengths for each segment of the section (distances between grade changes).
10. 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 concrete or asphalt lane paving, per Construction Drawings approval.
 - b. Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel,
11. 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:

12. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
13. No changes to the approved plans shall take place unless authorized by the Development Authority.
14. 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.

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15. 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.
16. The walls, pillars and ceiling of the underground parkade shall be painted white or a comparable light colour.
17. The light fixtures in the parkade shall be positioned over the parking stalls (not the drive aisles).
18. All stairwell doors and elevator access areas shall be installed with a transparent panel for visibility.
19. All roof top mechanical equipment shall be screened as shown on the approved plans.
20. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.
21. Retaining wall(s) that are 1.2m or greater in height shall be located and constructed as shown on the approved plans released with this permit.
22. Barrier-free parking stall(s) shall be clearly designated, signed and located close to the entrance of the building with barrier-free accessibility.
23. 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.
24. The waste and recycling area 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:

25. 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).
26. 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.

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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.

27. 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.
28. 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.
29. 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.
30. Pursuant to Bylaw 2M2016, off-site levies are applicable.
31. **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.

Transportation:

32. All residential and commercial loading shall take place from the rear lane only. No loading, unloading or related activity shall take place on 5 AV NW.
33. 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.

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34. 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:

35. 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.
36. Public trees located on the park 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.
37. 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.
38. There shall be no construction access through the adjacent park lands.
39. Stormwater or other drainage from the development site onto the adjacent municipal reserve parcel is not permitted. Any drainage from private lots onto the adjacent municipal reserve upon development completion of the subject site must be resolved to the satisfaction of the Director, Parks and any damage resulting from unauthorized drainage will require restoration at the developer's expense. Resolution of drainage issues must be approved by the Parks Development Inspector. Contact the Development Inspector at 403-268-5325 for an inspection.