



The City of Calgary

April 22, 2013

Trent Letwiniuk
INERTIA
B 1140 44 AV SE
CALGARY, AB T2G 4W6

Dear Sir/Madam:

RE: Notification of Decision DP2012-3695
Subject: New: Multi-Residential Development (2 buildings, 3 units)
Project:
Address: 78 34 AV SW

This is your notification of the decision by the Development Authority to approve the above noted application on April 18, 2013.

Read all of the Permanent Conditions of approval carefully as they form part of the approval decision. The Prior to Release Requirements must be met to the satisfaction of the Development Authority before your Development Permit will be released to you. The Permanent Conditions form part of the approval decision. Advisory Comments, if applicable, are also attached and are intended to be of assistance in obtaining additional permits and supplementary information for the successful completion of your development.

Development approved by this permit must commence by April 18, 2015 or the development permit shall cease to be valid.

The decision will be advertised once in the Calgary Herald on April 25, 2013, which is the start of the mandatory 14 day appeal period.

For this type of permit both the applicant and any other parties may appeal this decision. You may choose to appeal any of the Prior to Release Requirements and the Permanent Conditions of approval within 14 days of receipt of this letter. An appeal along with reasons must be submitted, together with payment of a \$25.00 fee, to the Subdivision and Development Appeal Board (4th floor, 1212 31 Ave N.E., Calgary T2E 7S8)). An appeal may also be filed online at www.calgary.ca/sdab/onlineappeal. To obtain an appeal form, for information on appeal submission options or the appeal process, please call 268-5312.

Please note that this letter is to advise you of the conditions of approval, the mandatory advertising appeal period and the timeframe in which you may appeal this decision. Once the appeal period has lapsed and no appeal has been filed you will be required to meet the Prior to Release Requirements after which you will be contacted by telephone to pick up your Development Permit. Should you require clarification of the above or further information, please contact me at (403) 268-8994 or by fax at (403) 268-1997 and assist me by quoting the Development Permit number.

Yours
truly,

Joshua Ross

Planning Implementation
Attachment(s)



The City of Calgary

DEVELOPMENT & BUILDING APPROVALS
CORPORATE PLANNING APPLICATIONS GROUP (CPAG)

Conditions of Approval – Development Permit

Application Number: DP2012-3695
Application Description: New: Multi-Residential Development (2 buildings, 3 units)
Land Use District: Multi-Residential - Contextual Grade-Oriented
Use Type: Discretionary
Site Address: 78 34 AV SW
Community: ERLTON
Applicant: INERTIA
Date of Approval: April 18, 2013

CPAG Team:

Planning

JOSHUA ROSS (403) 268-89948994 Joshua.Ross@calgary.ca

Urban Development

DAN DAVENPORT (403) 268-5083 dan.davenport@calgary.ca

Transportation

DALE LYNCH (403) 268-1613 Dale.Lynch@calgary.ca

Parks

SHIMIN WU (403) 268-5813 Shimin.Wu@calgary.ca

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. The maximum permitted hard surfaced landscape area for the site is 40.0% of the required landscaped area. The plans indicate 52.57% (+12.75%) or 117.44 sq. m (+28.08 sq. m) of the required landscaped area is hard surfaced. Amend the plans so that hard landscaping does not exceed 40.0% of the required landscaped area.
2. The minimum contextual south setback for the site is 4.6 m. The plans indicate that the south setback is 4.35 m. Amend the plans to meet the required minimum contextual setback.
3. Obscure the second floor windows on the east side of the rear building in order to mitigate overlooking issues into the neighbouring property.

Urban Development:

4. Submit one (1) copy of a Geotechnical Design Report, for review and acceptance, prepared by a qualified Geotechnical Engineer under seal and permit to practice stamp to the satisfaction of the Geotechnical Engineer, Roads.

Slope stability reports are required when:

- a. Any slope across the property line is fifteen (15%) percent or greater; and/or
- b. The development is to be located within a zone where an imaginary line, drawn from the toe to the top of an embankment, exceeds a slope of one to three, and/or
- c. Required by the Manager of Urban Development

Geotechnical Report requirements are outlined in both Section II: Roads, Part K.1 – Geotechnical Requirements in the *Guidelines for Subdivision Servicing* and in Section I: General Information, Part E – Geotechnical Report Requirements for Developments in the *Design Guidelines for Development Permits and Development Site Servicing Plans (current edition)*. Both publications are available from the Urban Development Division website at www.calgary.ca/ud under Publications. Contact the Geotechnical Engineer, Roads at 403-268-4568 for further details on the scope of the report.

A caveat or agreement may be required prior to release of the Development Permit, and a certification of foundation work by the Soils Consultant may be required prior to the completion of the Single Construction Permit.

5. 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 sidewalks, curb and gutter, etc., should it be deemed necessary through a site inspection by Roads personnel.

Transportation:

No comments.

Parks:

No comments

Permanent Conditions

The following permanent conditions shall apply:

Planning:

6. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
7. No changes to the approved plans shall take place unless authorized by the Development Authority.
8. 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 403-268-5491 to request a site inspection for the Development Completion Permit.
9. Upon completion of the main floor subfloor of each unit proof of the geodetic elevation of the constructed main floor subfloor must be submitted to and approved by the Development Authority prior to any further construction proceeding. Fax confirmation to 403-268-8178 to the attention of 'Bylaw Checker - Geodetics'.
10. 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.
11. All areas of soft landscaping shall be provided with an underground sprinkler irrigation system as identified on the approved plans.

Urban Development:

12. 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, 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).

If **prior to or during construction** of the development, the developer, the owner of the titled parcel, or any of their agents become aware of contamination on City of Calgary lands or utility corridors, the City's Environmental Assessment & Liabilities division shall be immediately notified (311).
13. 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, Urban Development. All work performed on public property shall be done in accordance with City standards.
14. 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

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

Manager of Urban Development, 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.

15. 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 was submitted to Water Resources for review and acceptance. Any amendments to the ESC documents must be reviewed and approved by Water Resources in advance by contacting the ESC inspector that reviewed the documents or by contacting the Water Resources Erosion Control Coordinator at 403-268-2655.

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 (www.calgary.ca/waterservices/esc). 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.

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.

16. 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.
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.

Transportation:

No comments.

Parks:

18. 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.

Advisory Comments

The following advisory comments are provided as a courtesy to the Applicant and registered property owner. The comments represent some, but not all of the requirements contained in the Land Use Bylaw that must be complied with as part of this approval.

Planning:

19. The Advisory Comments will be finalized at the time of decision.
20. Any of the conditions of the development permit approval may be appealed. If you decide to file an appeal, it must be submitted to the Subdivision and Development Appeal Board (4th Floor, 1212 31 Avenue NE, Calgary, AB T2E 7S8) [DJ3 Building] **within 14 days of receipt of the decision letter**. An appeal along with reasons must be submitted, together with payment of a \$25.00 fee, to the Subdivision and Development Appeal Board. An appeal may also be filed online at www.calgary.ca/sdab/onlineappeal or mailed to Subdivision and Development Appeals Board (#8110), P.O. Box 2100, Station M, Calgary AB T2P 2M5. To obtain an appeal form, for information on appeal submission options or the appeal process, please visit the website or call 403-268-5312.
21. The approval of this Development Permit does not limit in any way the application of the regulations in the Alberta Building Code, nor does it constitute any permit or permission under the Alberta Building Code.
22. In addition to your Development Permit, you should be aware that Building Permit(s) are required. Once your Development Permit application has been approved, you may apply for Building Permit(s). Please contact Building Regulations at 403-268-5311 for further information.
23. Any trees or shrubs indicated on the site plan which die after completion of the project shall be replaced on a continuing basis with trees and shrubs of a comparable species and size.
24. Building Regulations advises of the following. Please refer to the contact provided in the comments below if you have any questions prior to your building permit application.
 - Any comments received will be forwarded to the applicant upon receipt.
25. Please note that any comments received from circulation to Enmax will be weighted accordingly prior to a decision be rendered on the application. Information in this regard will be provided to the applicant upon receipt.

Urban Development:

26. The developer is responsible for ensuring that the environmental conditions of the subject property and associated utility corridors meet appropriate regulatory criteria and appropriate environmental assessment, remediation or risk management is undertaken.

The developer is responsible for ensuring that appropriate environmental assessment(s) of the property has been undertaken and, if required, a suitable remedial action plan and/or risk management plan has been prepared, reviewed and accepted by the appropriate regulatory agency(s) including but not limited to Alberta Environment and Alberta Health Services.

Track your application on-line with VISTA. Go to: www.calgary.ca/vista and enter your JOB ACCESS CODE (JAC) from the application form or call Customer Advisory Services at (403) 268-5311.

The developer is responsible for ensuring that the development conforms to any reviewed and accepted remedial action plan/risk management plans.

The developer is responsible for ensuring that all reports are prepared by a qualified professional in accordance with accepted guidelines, practices and procedures that include but are not limited to those in the most recent versions of the Canadian Standards Association and City of Calgary Phase I & II Environmental Site Assessment Terms of Reference.

If the potential for methane generation or vapours from natural or contaminated soils and groundwater has been identified on the property, the developer is responsible for ensuring appropriate environmental assessment(s) of the property has been undertaken and appropriate measures are in place to protect the building(s) and utilities from the entry of methane or other vapours.

Issuance of this permit does not absolve the developer from complying and ensuring the property is developed in accordance to applicable environmental legislation.

The developer is responsible for ensuring that the development is in compliance with applicable environmental approvals (e.g. Alberta Environment Approvals, Registrations, etc), Energy Resources Conservation Board approvals and related setback requirements, and landfill setback requirements as set out in the Subdivision and Development Regulation.

27. The locations and design of driveways must be approved by Transportation Planning. New driveways including driveway modifications, removal and rehabilitations of unused driveway crossings or relocations, sidewalks, wheelchair ramps, and lane paving must be constructed to City standards at the developer's expense. Obstructions such as storm catch basins, hydrants, power poles, etc., must be relocated to City standards at developer's expense.
28. Garage aprons at rear must tie to the existing lane grades. Grades are available from the Supervisor, Building Grades at 403-268-5072.
29. In accordance with the *Encroachment Policy* adopted by Council on June 24, 1996, and as amended on February 23, 1998, encroachments of retaining walls, planters, entry features, building projections, etc. are not permitted to extend into the City right-of-way. New encroachments that are a result of this development are to be removed at the developer's expense. Encroachments are subject to approval by the Encroachment Administrator, Corporate Properties.
30. Water connection is available from 34 Av SW.
31. Show details of servicing and metering on Development Site Servicing Plan. Provide adequate water meter locations (100mm or larger, room adjacent to an exterior wall, 50mm or less, label water meter location) where services enter building. If static pressure exceeds 550 kPa install pressure reducing device after meter.
32. Maintain a 3.0m separation between Enmax facilities (power poles, light standards, transformer pads, catch basins, etc.) with the proposed water service.

33. Redundant services are to be disconnected at the source and new service installed at the owner's expense.
34. Each unit must be individually metered.
35. Ensure that the water service separation from the foundation wall or piles is:
 - a. 4.0m (100mm service or larger), or
 - b. 3.0m (50mm service or smaller), or
 - c. 2.0m when the foundation wall or piles extends vertically a minimum of 2.0m below the invert of the water pipe.
36. The applicant must apply for water and sewer connections as per City Standards.
37. Sanitary sewer connection is available from 34 Av SW.
38. Storm sewers are unavailable. Low impact development measures, a temporary drywell/catch basin system or a main extension may be designed for the site at the Development Site Servicing Plan stage.
39. A storm sewer extension is required to service the proposed development in the future. Where extensions of the City sewer mains form part of the development proposal, drawings shall be required on a standard block profile for approval by the City with the Development Site Servicing Plan circulation.
40. Show all existing and proposed sewers on the Development Site Servicing Plan at the Building Permit stage. Contact the Development Site Servicing Supervisor, Urban Development at 403-268-5072 for details.
41. The allowable stormwater run-off coefficient shall be 30%.
42. Surface ponding (trapped lows) should be designed to contain all the flow generated from the 100 year storm events.
43. Discharge of roof leaders should be onto grassed or pervious areas to help reduce the volume of runoff. Direct connection of roof leaders to weeping tile or storm sewers is prohibited. Roof leaders are to be directed to the ground that is graded away from the building and must not discharge within 2.0m of a road right-of-way.
44. Storm Redevelopment Fees (\$84 / m frontage) will be required at the service connection stage.
45. Controlled stormwater discharge is required for the subject site.
46. All on-site sewers are to be designed to City of Calgary specifications.
47. Ensure elevations of building slab and/or any building openings are 0.3m minimum above trap low spill elevations or the 100 year elevation, whichever is higher.
48. Weeping tile must be connected to a sump and pump that discharges the flow onto the lots such that it drains away from the house **unless** a qualified soils consultant has determined otherwise. The consultant shall use the criteria set out in Section 3.3.6.8 of the *Stormwater Management & Design Manual*. A letter with the appropriate elevations (in metric geodetic) and information will be required by Water Resources.

49. Fio drains are NOT permitted where a plumbing arrangement is such that it may introduce groundwater to a sanitary sewer system.
50. As per The City of Calgary Drainage Bylaw 37M2005, the developer, and those under their control, are responsible for ensuring that a Drainage or Dewatering Permit is obtained from Water Resources prior to discharging impounded runoff (caused by rainfall and/or snowmelt) seepage or groundwater from construction site excavations or other areas to a storm sewer. The developer, and those under their control, is responsible for adhering to all conditions and requirements stipulated in the Drainage or Dewatering Permit at all times. For further information, contact the Water Resources' Erosion Control Coordinator at 403-268-2655, the Corporate Call Centre at 311 or visit www.calgary.ca/waterservices/esc (Drainage and Dewatering Permit applications can be downloaded from this website).
51. Waste and recycling collection facilities are to be constructed in accordance with the current "Design Guidelines for Development Permits & Development Site Servicing Plans, Waste & Recycling Section". (Refer to <http://www.calgary.ca/UEP/WRS/Pages/Development-permit-review-and-requirements/Development-Permit-Review-and-Requirements.aspx> for further waste and recycling guidelines)

Contact Leanne Michie, Waste and Recycling Services Specialist at 403-268-8429 for further site specific details.

Transportation:

No comments.

Parks:

52. The Streets Bylaw (20M88) and the Tree Protection Bylaw (23M2002) contain clauses intended to protect trees growing on Public Land. No person shall remove, move, cut, or prune a Public Tree or cause a Public Tree to be removed, moved, cut or pruned without prior written authorization from the General Manager, Parks. A copy of the bylaw can be found at www.calgary.ca
53. The applicant will be required to provide compensation to the City of Calgary for any Public Trees that are removed or damaged. Individual Public Trees can have values ranging in the thousands of dollars depending on size and species. For example, a 50-cm diameter American Elm can have a value of \$8300.00. For further information on tree value and compensation please call 311 or www.calgary.ca/parks and follow the Urban Forestry links. You may wish to consider this cost during the design and development of your project. Applicants that are unfamiliar with tree protection or tree appraisal are advised to consult an arborist. Arborists are found in the telephone directory under 'Tree Service'.