



# The City of Calgary

PLANNING, DEVELOPMENT & ASSESSMENT

## Conditions of Approval – Development Permit

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**Application Number:** DP2014-4353  
**Application Description:** Temporary Use: Temporary Residential Sales Centre  
**Land Use District:** Direct Control (1P2007)  
**Use Type:** Discretionary  
**Site Address:** 2327 MACLEOD TR SW, 2328 ERLTON RD SW  
**Community:** ERLTON  
**Applicant:** IBI GROUP

### CPAG Team:

#### Planning

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#### Urban Development

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#### Transportation

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#### Parks

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## Prior to Release Requirements

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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:** No comments

### Urban Development:

1. Submit three (3) sets of the Development Site Servicing Plan details to Development Servicing, Urban Development, 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/DBA/Documents/urban\\_development/publications/DSSP2012.pdf](http://www.calgary.ca/PDA/DBA/Documents/urban_development/publications/DSSP2012.pdf)

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

**Development Site Servicing Plans CARL (requirement list)**

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

**Transportation & Parks:** No comments.

## Permanent Conditions

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The following permanent conditions shall apply:

### Planning:

2. The development shall be completed in its entirety, in accordance with the approved plans and conditions.
3. No changes to the approved plans shall take place unless authorized by the Development Authority.
4. This permit is valid for a period of **3 years** from the date of approval. On expiry of this period, the Temporary Use: Offices (Temporary Residential Sales Centre) shall be discontinued and the site restored to a condition acceptable to the Development Authority. A new development permit must be applied for prior to the expiry date of this temporary permit for the use to continue without interruption.
5. 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.
6. 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.
7. All electrical servicing for site signage shall be provided from underground.

### Urban Development:

8. 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).
9. 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.
10. Indemnification Agreements are required for any work to be undertaken adjacent to or within City rights-of-way areas for the purposes of crane operation, shoring, tie-backs, piles, surface improvements, utility work, etc. All temporary shoring, etc., installed in the City rights-of-way areas must be removed to the satisfaction of the 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.

11. 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](http://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.

12. 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.
13. 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.
14. The development site lies within the Flood Fringe and as such must conform to Land Use Bylaw 1P2007, Part 3, Division 3 (or 2P80 for areas downtown). The 1:100 year designated flood level elevation is 1049.30m.
15. The proposed development lies within the North Erlton area (22 AV to 27 AV SW). The main floor elevation must be raised to 1049.30 m or above and the building(s) must be constructed as to conform to items a, b, and c, below.
  - a. All electrical and mechanical equipment shall be located at or above this elevation.
  - b. The building is to be designed by a Professional Engineer, under both Seal and Permit to Practice Stamp, on the Building Permit drawings. The design and construction shall incorporate the following requirements:
    - The building is to be designed to prevent structural damage from flooding and raised groundwater table.

- The basement is to be undeveloped and/or storage space containing bare concrete walls, and any insulation must be attached to the exterior of the concrete foundation wall.
  - Construct floor slabs with pressure relief cut outs. Slab and foundation walls are to be reinforced concrete. The ends of the floor joists are to be embedded in the concrete foundation wall or mechanically fastened to the sill plate anchor bolts or some other equivalent system.
- c. Weeping tile is required and must drain to a sump and pump system discharging to a landscaped area. The pump control switch shall be on a separate circuit and be located above the design main floor level. Driveway drains and any depressed patio or entrance drains shall also drain to the sump and pump system.
16. The structure is to be designed by a Professional Engineer such that structural damage from flooding or raised groundwater table will be prevented.

**Prior to the issuance of the Development Completion Permit**, a letter from the developer/builder is required signed and stamped by a P. Eng. stating the structure is in compliance with the design plans and the Development Permit comments.

The developer shall inform prospective initial home buyers prior to finalization of any purchase by providing written information as follows:

- a. The structure is within the designated 1:100 year Elbow River Flood Fringe.
  - b. The main floor plus the furnace, hot water tank and electrical panel are located above the designed 1:100 year floor water level.
  - c. There would be flowing water on the streets and basements may flood if a major flood event occurs on the Elbow River. For this reason, the basement must be left undeveloped and used strictly for parking and/or storage.
  - d. Pressure relief cutouts in the basement floor slab and a weeping tile/sump and pump system have been provided to help reduce flood damage.
  - e. For further information regarding the Elbow River Flood Fringe and measures in place to help prevent flooding damage please contact Leader - Development Approvals, Water Resources at 403-268-4636.
17. 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:** No comments

**Parks:**

18. There shall be no construction access through the adjacent boulevard / park lands.
19. In order to ensure the integrity of existing public trees and roots, construction access is only permitted through the existing rear lane adjacent to the 22 Av SW cul-de-sac and outside the drip line of public tree(s), per the approved Tree Protection Plan.

20. Public trees located on the boulevard / 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.
21. 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.

## Advisory Comments

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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:

22. 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 \$100.00 fee, to the Subdivision and Development Appeal Board. An appeal may also be filed online at [www.calgary.ca/sdab/onlineappeal](http://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.
23. 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.
24. 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.
25. A Development Permit will be required for any signage associated with the proposed Temporary Residential Sales Centre.

### Urban Development:

26. The developer is responsible for ensuring that:
  - a. 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.
  - b. 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.
  - c. The development conforms to any reviewed and accepted remedial action plan/risk management plans.
  - d. 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.
  - e. 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.

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 with and ensuring the property is developed in accordance to applicable environmental legislation.

27. 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.
28. Water connection is available from Erlton Rd SW.
29. 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.
30. Maintain a 3.0m separation between Enmax facilities (power poles, light standards, transformer pads, catch basins, etc.) with the proposed water service.
31. Review with Fire Prevention Bureau at 403-268-8742 for on-site hydrant coverage and Siamese connection location(s). A stamped site servicing (hydrant location plan) plan by the Fire Prevention Bureau is to be submitted at the Development Site Servicing Plan stage. (Principal entrance(s) are to be labelled on the plan.)
32. The watermains adjacent to the site are 90 years and older and although there has been minimum breaks during their life span, any disturbance during construction such as a new service connection or other alterations can cause breaks. Lead joints of old cast iron mains are very sensitive to ground movements.
33. The applicant must apply for water and sewer connections as per City Standards.
34. Sanitary sewer connection is available from Erlton Rd SW (200 VCT, 1960).
35. Storm sewer connection is available from 24<sup>th</sup> Av SW (450 Con, 1979).
36. Show all existing and proposed sewers on the Development Site Servicing Plan at the Building Permit stage. Contact the Development Servicing, Urban Development at [developmentservicing2@calgary.ca](mailto:developmentservicing2@calgary.ca) for details.

For further information, refer to the following:

### **Design Guidelines for Development Site Servicing Plans**



[http://www.calgary.ca/PDA/DBA/Documents/urban\\_development/publications/DSSP2012.pdf](http://www.calgary.ca/PDA/DBA/Documents/urban_development/publications/DSSP2012.pdf)

**Development Site Servicing Plans CARL (requirement list)**

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37. The post development stormwater release rate shall meet the pre-development storm water release rate and not exceed 69L/s/ha.
38. Surface ponding (trapped lows) should be designed to contain all the flow generated from the 100 year storm events.
39. Storm Redevelopment Fees (\$84 / m frontage) will be required at the service connection stage.
40. Controlled stormwater discharge is required for the subject site.
41. All on-site sewers are to be designed to City of Calgary specifications.
42. 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.
43. 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](http://www.calgary.ca/waterservices/esc) (Drainage and Dewatering Permit applications can be downloaded from this website).
44. Stormwater emergency escape routes must be to a public roadway.

**Transportation:** No comments

**Parks:**

45. 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 Director, Parks. A copy of the bylaw can be found at [www.calgary.ca](http://www.calgary.ca). Parks does not permit the removal of public trees to facilitate development unless all options to retain and protect are exhausted.
46. If clearance pruning of public trees is required, Urban Forestry must be given (minimum two business days notice) and an approved tree contractor, who has met the City's minimum qualifications, must be used at the applicant's expense. Please contact Urban Forestry at 311 for more information.

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

47. As part of the Tree Protection Bylaw, a Tree Protection Plan will be required when a development, construction activity, or a disturbance occurring on the City Boulevard is within 6 metres of a boulevard tree. For more information about submitting your tree protection plan visit [www.calgary.ca](http://www.calgary.ca) and search “protecting trees during construction and development;” alternatively, call 311.
48. 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 visit [www.calgary.ca/parks](http://www.calgary.ca/parks). 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’.
49. No stockpiling or dumping of construction materials is permitted on the adjacent boulevard / park.