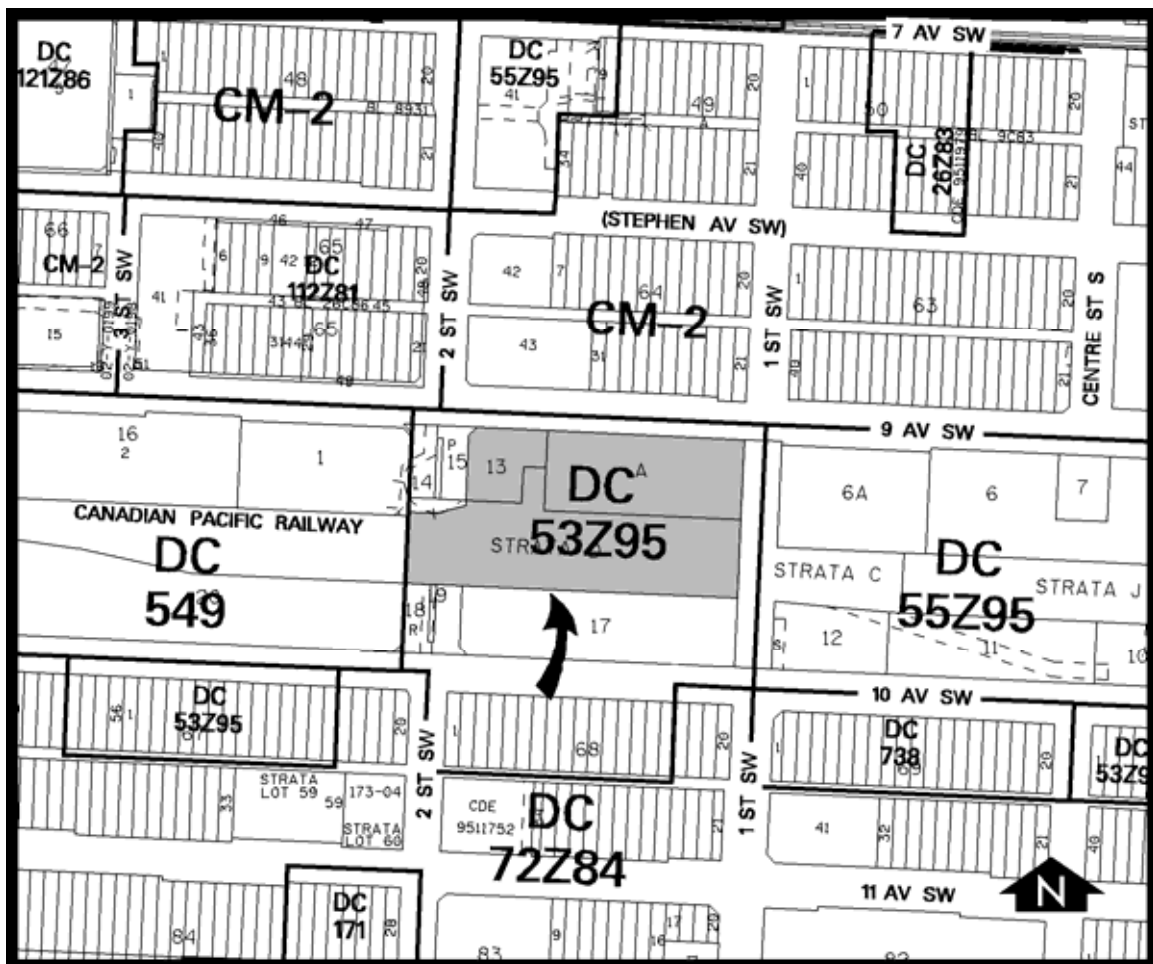


REPORT TO THE CALGARY PLANNING COMMISSION

DEVELOPMENT PERMIT	ITEM NO: 7
	CPC DATE: 2006 March 23
	DP NO: DP2005-3657

DOWNTOWN COMMERCIAL CORE (Ward 7- Alderman Farrell)



PROPOSAL: New office tower, addition to existing office tower, expansion of CPR pavilion

APPLICANT: Abugov Kaspar	OWNER: Canadian Pacific Limited; Homburg L.P. Management Incorporated
MUNICIPAL ADDRESS: 207 9 Avenue SW; 213 9 Avenue SW; 224R 10 Avenue SW	LEGAL DESCRIPTION: 6384HL;A 1423LK; 13 8110620; D & 8110620; D
EXISTING LAND USE DISTRICT(S): CM-2	
AREA OF SITE: 0.62799 ha \pm (1.55183 ac \pm)	
CURRENT DEVELOPMENT: 4 storey office development	

ADJACENT DEVELOPMENT:

NORTH: Grain Exchange Building, Surface Parking Lot and a Parkade

SOUTH: Canadian Pacific Railway Line and Facilities

EAST: Palliser Hotel

WEST: Gulf Canada Square, Parking structure

SITE CHARACTERISTICS:

Flat land, no significant site characteristics

DEVELOPMENT SUMMARY			
RULE	BYLAW STANDARD	PROPOSED	RELAXATION
DENSITY	In accordance with the bonus provisions of the CM-2 District	4.65 FAR	N/A
PARKING	1 stall per 140m ² (388 stalls)	342	46
Bonus Space A1: At-grade pedestrian space	1.5m along 1 Street SW and 2.2m along 9 Avenue SW (388.24m ²)	177.56	210.68m ²
Bonus Space A3: Open Space at Grade	5% net Site Area (298.24m ²)	151.6m ²	146.64m ²
EXTERIOR FINISH MATERIALS Walls: Curtain wall, aluminium panels, smooth and rough surfaced limestone Roof: Aluminium panels Windows: Blue, light blue and clear glazing			

SUMMARY OF CIRCULATION REFEREES	
CPTED ASSESSMENT Crime Prevention Through Environmental Design	No Comments Received
ENVIRONMENTAL MANAGEMENT	PTR Conditions
URBAN DESIGN REVIEW COMMITTEE	See Appendix II
COMMUNITY ASSOCIATION Calgary Downtown Association	See Appendix III

PLANNING EVALUATION

Introduction

This Development Permit is for the expansion of the CPR Pavilion (Phase 1), a six story addition and exterior renovation to the old Post Office building (Phase 2), and a new 20 storey west tower (Phase 3) at 207, 213, 224R 9 Avenue SW. These buildings constitute a three phase development on the site of the former Canada Post office building, located on the south side of 9 Avenue SW between 1 and 2 Streets SW. The area is a mix of existing office, hotel and commercial development.

Land Use District

The subject property is designated CM-2 Downtown Business District as per Land Use Bylaw 2P80. The CM-2 district is the standard land use district in the downtown commercial core, allowing for a variety of appropriate commercial, institutional and residential uses. Densities are determined by a bonus system which allows for additional floor areas through provision of public amenity features. As the development included substantial air rights over the CPR tracks the FAR for the development is 4.65 and Bonus Group B amenity features are not required for this development.

With the exception of two relaxations for the provision of Bonus Group A public realm features, and a 46 stall parking relaxation, the development respects the intent and spirit of the CM-2 land use district. As per Land Use Bylaw 2P80, the development requires 388.24m² of at grade pedestrian circulation space along 1 Street SW and 9 Avenue SW and 298.24 m² of at-grade open space. The request for a relaxation from the full requirements to provide these public amenity features is appropriate as there are legitimate site constraints preventing the standards from being achieved. The 1 Street SW underpass prevents any pedestrian circulation space from occurring within the 1 Street property line and the existing office building was constructed prior to adoption of Bylaw 2P80 and is setback 0.652m less than the 2.2m bylaw standard. There is an opportunity in Phase 3 of the development to reduce the relaxation by 119m² for pedestrian circulation space by widening the arcade on the new 20 storey tower to 3.5m of unobstructed width. By extending a 3.5m arcade the entire width of the 9 Avenue building façade the relaxation could be further reduced to approximately 8m².

With regard to pedestrian open space, the applicant has provided a third storey outdoor garden space and an indoor garden space within the +15 connection between the phase 2 and phase 3 office towers. Accordingly, CPAG is satisfied that the provision of these alternative opens spaces adequately compensates for the relaxation in at-grade open space. In addition, the small public plaza being provided at the corner of 1 Street SW and 9 Avenue SW is of high material quality and will help to improve the existing deficient pedestrian realm.

According to bylaw 2P80 388 stalls are required for this development. Due to site constraints with renovating an existing building, the development is only capable of reasonably providing 342 stalls. CPAG supports this relaxation as there is adequate short stay parking within the immediate area to compensate for the deficiency, the development is within 2 blocks of the LRT, and the proposed relaxation is also consistent with the proposed revisions to the Downtown Parking Strategy scheduled to be presented to Council shortly.

Legislation & Policy

The proposal is in accordance with the policies of the Core Area Policy Brief (1982). The Commercial Core Zone 1 (north of the railway tracks) is intended for a full range of commercial, institutional and residential development at high density. The proposed development is consistent with adjacent developments to the north of the site.

Site Context

The site is located between 9 Avenue SW and the railway tracks. Adjacent to the east, across 1 Street SW, is the historic Palliser Hotel. To the west is Gulf Canada Square, a comprehensive high density office development spanning the tracks. Uses north of 9 Avenue SW include the historic Grain Exchange Building at the corner of 1 Street SW, a surface parking area and a five storey parkade at the corner of 2 Street SW (recently approved for an office building development).

The adjacent roadway to the east (1 Street SW) is linked through an underpass with 10 Avenue SW, with existing retaining walls as the interface between the site and the public sidewalk. On top of the 1 Street SW bridge and along the south side of the site is the Canadian Pacific Railway pavilion.

The expansion of the CPR pavilion will result in the rebuilding of the 1 Street SW public right of way retaining walls. CPAG views this reconstruction as an important opportunity to create a more active, porous and attractive pedestrian street edge. The existing retaining wall along 1 Street SW is an inappropriate street treatment for a busy pedestrian corridor. Across 1 Street SW the Palliser Hotel provides windows and an entry onto 1 Street SW which help to provide activity, animation and visual interest along that street edge. With regard to the proposed development, the doors indicated on the building elevations are strictly for utility and fire code reasons and do not contribute to an active streetscape. While the applicant has made a substantial effort to upgrade the retaining wall by installing metal paneling, a display case, historic slogans and mural; CPAG feels this development represents an important opportunity to further animate the street edge through the placement of functional pedestrian doors or other supportive design elements along 1 Street SW.

Site Layout & Building Design

For purposes of this section the site layout and design review will be discussed as proposed for each of the three phases of this application.

Phase 1 – Expansion of the CPR Pavilion

The expansion of the CPR Pavilion constitutes Phase 1 of the development permit. The pavilion expansion is a two storey building approximately 875 m² in gross floor area. It is primarily office space, meeting space, and catering and storage facilities for the existing CPR pavilion. The main floor height is consistent with surrounding buildings, however due to the sloping nature of 9 Avenue SW toward 1 Street SW, six steps are required from corner of 9 Avenue SW and 1 Street SW to reach the main floor and small pedestrian plaza of the pavilion. The finishing materials are primarily smooth and rough face limestone and curtain wall with exposed steel cross bracing. The overall design concept which includes a visible trestled corridor, is very much in keeping with the existing pavilion and the railway heritage of the CPR.

As mention previously, the expansion of the pavilion will require the reconstruction of the retaining wall along 1 Street SW to approximately 2m in height. The retaining wall will be finished with painted steel panelling, a museum quality display case (show casing CPR artefacts) and attached metal lettered historic CPR slogans. 4 service doors will exit onto the 1 Street SW underpass though none of the doors will serve a pedestrian access point. However, there are a number of points of clarification pertaining to the east elevation of the pavilion which will be required prior to the release of the development. There is a disconnect between the site elevations and the themeworks packages provided by the applicant, which shall be clarified on the prior to release drawings. In particular the following issues require clarification:

- (a) Drawing A402 shows only one pedestrian access point onto 1 Street SW and the door is utilitarian in design. The doors on east elevation of the themeworks package show 4 upgraded doors exiting onto 1 Street SW which is consistent with basement plan A204. CPAG is of the opinion that the 4 door solution is more appropriate though a detail of the upgraded doors should be provided prior to release.
- (b) Drawing A402 shows a series of narrow air exhaust vents along the east elevation. In the themeworks package the exhaust vents are replaced by historic quotes affixed to the foundation façade. The cross section provided on the Historical Quotes page of submission does not indicate air exhaust vents.
- (c) The cross section provided on the historical quotes page of the themeworks package indicates lighting fixtures illuminating the historic quotes. CPAG supports the creative use of lighting and requires prior the release clarification which maintains the quotes and lighting features.

Phase 2 – Addition to Existing Building

Phase two of this development permit is for the 6 storey addition and external renovations to the existing 4 storey former Canada Post office building. The floor plate of the additional storeys is consistent with the existing floor plate of approximately 2300m². The building is primarily light and dark blue curtain wall and white and silver aluminium panelling. The exterior renovations are being done in such a way as to create a distinct 2 storey podium to accentuate the pedestrian level and pedestrian experience. The penthouse level of the addition is clad in silver and white aluminium and maintains the material quality of the building façade and is complimentary in design. The overall design is very light and contemporary with modernist undertones which pay homage to the existing 'post office' building.

As phase 2 is the exterior renovation and addition to an existing building, there is little opportunity to improve the existing 'tight' street edge condition. The sidewalk is 2.134m in width and the building is setback 1.548m from the property line. The net effect is a relative narrow pedestrian realm when compared to typical office development in the downtown. Accordingly CPAG required that finishing materials were chosen so that there would be no net loss of pedestrian space. The applicant has satisfied this request by eliminating substantial architectural columns from previous design concepts. In order to further improve the at grade pedestrian experience the ground floor of Phase 2 is comprised of three commercial retail units each with separate street entrances and signage. Clear glazing will be used at the podium level to ensure maximum visibility and transparency.

Phase 2 also includes the construction of the underground parkade which will service all three phases of this development permit. One level (35 stalls) of existing underground parking underneath the Phase 2 office development will be linked to the Basement level 1A of the new 4 level parkade. In total 342 stalls are provided for the entire development which is 56 less than the bylaw required 388. Access to the parkade will be on the east side of the Phase 3 new office building.

Vehicular access to the site is limited to a single access point located off of 9th Avenue SW. Loading is at grade and adequately screened from the street and garbage and recycling facilities are contained within the buildings. Three loading stalls are provided for Phase 2 of the development.

Phase 3 – New 20 Storey West Tower

Phase three of this development permit is for the construction of a new 20 storey tower on the western portion of the subject properties. The building will have an average floor plate of approximately 2000m² and will have finishing and roof top materials consistent with Phase 2. A +15 connection to the Phase 2 building will be provided as will the structural supports to provide +15 connections to Banker's Court across 9 Avenue and west to Gulf Canada Square. The applicant has also indicated +30 supports and potential pedestrian routing to link across railway tracks to the south should the need arise.

Due to building height of the development the applicant opted to create a three storey podium in order to ensure a sense of proportion is maintained through out the design. The net result is a defined pedestrian scale accentuated by a 2.15m wide pedestrian arcade. The development will have three at grade commercial retail units all with separate at grade access and signage. While the pedestrian arcade helps to increase the amount of pedestrian circulation space in front of the office tower it does not qualify as A1 bonus space as it is not 3.5m in width. In addition the arcade does not run the length of the tower and the pedestrian space is reduced from 5.23m to 3.075m along the western 24m of the 9 Avenue frontage. The planning department does not feel this is an entirely appropriate public realm as it is even tighter than the 3.682m in front of the existing post office development and as discussed earlier, does feel there are design solutions which will help to increase the amount of pedestrian circulation space for the development.

As with phase 2, the loading docks are located toward the rear yard as is the parkade entrance which will be integrated into the design for the phase 3 tower. A shadow study was submitted for the development permit which indicated that the development will not impact the shadow protection area over Stephen Avenue mall. In addition, prior to the release of the development permit CPAG has requested the submission of a pedestrian level wind assessment in order to ensure that the development does not create a wind tunnel effect along 9th Avenue SW. Finally, while the applicant is not pursuing LEED certification for this project a list of sustainable design features has been included in Appendix IV.

Landscaping

The landscaping plan for the development includes a mix of hard and soft landscaping. The at-grade pedestrian landscaping is predominantly coloured patterned concrete with a substantial planter against the pavilion expansion and smaller planter at the rear of the office towers' loading area.

Along 9 Avenue SW the sidewalks will be a combination of coloured patterned concrete. Prior to the release of the development permit CPAG has requested that a line assignment be obtained to investigate the ability to plant trees along 9 Avenue SW. In response to the CDA comments as seen in Appendix II, the development permit currently shows lampposts in lieu of boulevard trees. However it is the opinion of CPAG that a combination of lamp posts and treched boulevard trees should be pursued for this development. The net effect will be opportunities for hanging baskets and pedestrian oriented lightning coupled with the visual and aesthetic benefits of trees.

Due to the underpass along 1 Street SW street trees cannot be planted. Instead, the applicant is proposing to imbed bronze flat cast objects (rail tie, rail section and berth control and switch lock) into the patterned concrete to create pedestrian interest and celebrate CPR heritage. In addition, a small plaza will be constructed at the corner of 9 Avenue and 1 Street SW and will include a CPR clock mounted on a black steel I beam.

On the third floor of Phase 3 the applicant is proposing to construct an open air garden space along the west edge of the building. The garden will consist of curved walkways and tree and shrub plantings and will serve as a private garden for building tenants. The overall design concept of the open air garden is echoed in enclosed formal garden space located along the +15 level between phase 2 and phase 3. However, the +15 garden space includes numerous benches and is open to the public.

Site Access & Traffic

Sufficient vehicular site access is available from 9 Avenue SW. A Traffic Impact Study was not required for this application.

Parking

A parking study was not required for this development permit. Bicycle storage facilities at-grade are located along 9 Avenue SW. Storage facilities inside have been provided to the satisfaction of Transportation Planning.

Site Servicing for Utilities

Services are available for the proposed development. The developer is responsible for any required upgrades to the existing services.

Environmental Site Assessment

Copies of the Phase 1 and Phase 2 studies provided at the time of land use amendment are required prior to the release of the permit.

Urban Design Review Committee

The Urban Design Review Committee (UDRC) Comments in Appendix 2 are in response to the original submission. Since that time and in response to the urban design panel comments and CPAG team review the applicant has undertaken a substantial design review and addressed many of the UDRC comments. The table below is a summary of the UDRC comments and how they were addressed in the current submission.

Urban Design Review Committee Comments	Design Response
Sidewalk adjacent to the existing building is narrow and should not be intruded into	No loss of pedestrian circulation space along existing building frontage
Street trees should remain and column faces returned closely back to their original position	Column faces returned back to original position. Street trees to be determined
The strongly articulated detailing on the building creates the appearance of a more massive building	Office towers substantially redesigned in a more contemporary 'high-tech' nomenclature
Phase 3 should be set back an additional 6 feet	Not addressed within submission
The use of tinted glass makes the entire building appear opaque and eliminates a strong connection with the street	Dark tinted glass removed replaced with blue and light blue glazing; podium level glass is transparent

Community Association Comments

The Calgary Downtown Association supports this application with the following considerations for improvements:

- The colonnade or arcade proposed for the west tower will not enhance the streetscape.
- Consideration should be given to replace the trees proposed for the sidewalk with lampposts that will provide additional lighting on the sidewalk in the winter and allow for hanging flower baskets in the summer.
- The CDA would like to see more attention given to the lighting of the penthouse element of the two office buildings
- The CDA also has some questions regarding the access and egress to the parkade and what impact it will have on the traffic on the street.
- The CDA also has concerns about parking in the area. The demand for parking will increase significant with the addition of 650,000sf from this project and the 250,000sf of the Bankers Court complex. While both projects will have some designated parking it will not be adequate for the demand of the workers in the area and their visitors.

CPAG agrees that while lampposts do provide opportunity for pedestrian oriented lighting and hanging baskets they should not be used to replace trees unless technical requirement preclude tree planting. Trees have an aesthetic value and are a significant contributor to a positive public realm.

With regard to the pedestrian arcade, the Planning Department engaged the applicant about the CDA concerns and the applicant made the decision to maintain the arcade within the building design. No consideration was given to lighting the penthouse level of the two office towers. However, the Planning Department does understand the aesthetic value of nighttime architectural illumination.

The Transportation Planning Department has reviewed the vehicular access to the site and deemed it appropriate. Downtown Parking policies have been developed to reduce the amount of long-stay parking stalls in the downtown as a method of increasing transit ridership and alternative means of transportation. After hours (evenings and weekends), there is adequate parking within the area, most of which is already included in the \$2 parking program (a discounted rate for evening and weekend parking in the downtown).

As the project is located outside the Cash-in-lieu area, 100% of the required parking can be provided on site. There is a surface parking lot maintained by the Calgary Parking Authority (CPA) directly across 9 Avenue SW, with a second CPA parkade adjacent to the development. This is seen as adequate short stay parking within the area for all users. The Cash in Lieu policy is currently under review, within which the Calgary Downtown Association is a stakeholder. Part of this strategy is to look at creating a short-stay capacity for office users as well as retail/restaurant patrons throughout the core.

Adjacent Neighbour Comments

No comments received

CONCLUSION:

The proposal is supported for the following reasons:

1. The proposed development meets the intent and design principles of the Core Area Policy Brief.
2. The proposed development is compatible with the surrounding land uses and developments.
3. The proposal provides for a use intensification of an underutilized site in an important Downtown location. The development is expected to positively contribute to the community by providing additional office space and ground floor retail opportunities.

CORPORATE PLANNING APPLICATIONS GROUP RECOMMENDATION: APPROVAL

The Corporate Planning Applications Group recommends APPROVAL with the following conditions:

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 Development Authority.

Engineering:

1. Applicant to provide a copy of the following reports (per DP2005-1441 and LOC2005-0067, still outstanding):

(1) Phase 1 Environmental Site Assessment, Calgary Central Post Office, 207 - 9 Avenue SW, Calgary, Alberta, RC# 584959, by AGRA Earth & Environmental Limited;

(2) Underground Storage Tank Removal, Calgary, LCD#1, 207 - 9 Avenue SW, Calgary, Alberta, RC# 584859 by AGRA Earth & Environmental Limited; and

(3) 2000 Monitoring and Sampling Program Parcel A, Plan 6384 HL Canada Post Corporation, 207 9th Avenue SW, Calgary, Alberta by Clifton Associates Ltd.
2. The Applicant is to execute and register on title a Public Access Easement Agreement of 2.134m for the sidewalk along 9 AV or dedicate the bylawed setback.
3. Submit one (1) revised set of plans to the File Manager to address the requirements of the Business Unit(s) as listed below:

Calgary Roads

- (a) Property lines dimensioned from the lip of gutter and the back of sidewalk.
- (b) Bylawed setback and/or corner cut dimensioned from the ultimate property lines.
- (c) All adjacent boulevards graded at 2% up from the top of curb to the existing or ultimate property line. This will allow for installation of future sidewalk. Any deviation resulting from excessive cuts or fills must be approved by Calgary Roads.
- (d) Removal of encroachments (steps) from within corner cut.
- (e) Revise both driveway flares to 3 meters @ 45 degrees.
- (f) Recess proposed doorway located on 1 Street to ensure that the door outswing will not encroach into public sidewalk (safety hazard).
- (g) Submit detailed plans of proposed wall adjacent to 1 Street to Roads (Structures Division) for review. Plans should be stamped and signed by a Professional Structural Engineer. Show how the existing sidewalk on 1 Street will be removed and replaced (cross sections?).
- (h) Provide details of sidewalk surface finish. A perpetual maintenance agreement may be required.
- (i) Structural elements on building (premanufactured mouldings) with flat horizontal surfaces will permit accumulation of snow that will melt and freeze into icicles along the overhanging edges that project over the City sidewalk. This will become a hazard if they break off and fall onto pedestrians below. The developer is to modify the moulding profile, backslope the horizontal shelf and manage runoff, or incorporate heat tracing wire into the design to eliminate possibility of ice formation.

- (j) Entire existing sidewalk on 9 Avenue is currently on private property. The high curb and gutter at this location is non-standard and must be replaced to City standards. The developer should be aware that this will change the elevation of the back of walk at the building, and some adjustments will be required at the front entrances to be compatible with the new sidewalk grades.
 - (k) The proposed sidewalk does not meet the typical minimum width of 3.5 meters to allow trees in this area. Confirmation of line assignment is will be required as will coordination with Urban Forestry to ensure location and species of trees is appropriate.
 - (l) Dimension "Canadian Pacific" sign to ultimate property line.
4. Request quotation and remit payment to address the requirements of the Business Units as listed below:
- Calgary Roads (CERTIFIED CHEQUE)
- (a) Approved driveway crossings.
 - (b) Rehabilitation of existing driveway crossings, sidewalks, curb and gutter, etc. should it be deemed necessary through a site inspection by Calgary Roads personnel.
 - (c) Replacement of high sidewalks and curb and gutter (existing sidewalk on 9 Avenue) located on private property and the curb and gutter at this location is non-standard.

Parks:

- 5. The applicant is to confirm that the proposed boulevard trees will be a minimum of 1.0 metres from the face of the curb to the trunk of the tree. Line assignment approval is required for all proposed tree plantings in the boulevard. Contact the Line Assignment Group.
- 6. Proposed boulevard trees are to be planted in trenches. Contact Urban Forestry (216-5252) for trench detail and coordinate planting with this group. Provide a detail of the trench on the landscape plan.

Planning:

- 7. Clearly identify all signage areas.
- 8. Submit a pedestrian level wind assessment. Assessment will be reviewed to the satisfaction of the Development Authority. Building and site design revisions maybe required based upon the conclusions and recommendations of the assessment.
- 9. A clearance letter from Enmax Corporation indicating that all of its outstanding concerns have been satisfied. Please contact David Hoeksema directly at 716-8312. (See Circulation Comments provided).

10. Confirm whether proposed boulevard trees have sufficient distance from existing building face to provide adequate room for canopy growth. A new tree species maybe required.
11. Confirm and show alignment of future +15 bridges to Banker's Court and Gulf Canada Square.
12. A Development Agreement shall be executed in conformity with all reports, plans and materials submitted to and approved by the Development Authority, including:
 - (a) a +15 Development Agreement with The City to the satisfaction of the City Solicitor;
 - (b) the delineation of +15 easement areas, schedules and maintenance obligations; and
 - (c) details of responsibilities for and construction of all improvements within the adjacent public right-of-way.
13. Payment of contribution to the +15 Fund at the rate current at the time of payment.
14. Provide plans which detail the structural supports for a +15 and +30 connection across the railroad tracks. The plans shall also show the proposed pedestrian routing within the building.
15. Provide plans detailing the structural supports for the +15 connections to Gulf Canada Square and Banker's Court.
16. Clarify the line assignment ability on 9th Avenue. If trees are problematic alternative streetscape details / fixtures such as lampposts will be required.
17. Provide detail of lamp posts.
18. Indicate glazing types for CPR Pavilion.
19. Service road should be fully constructed in phase 2. Please clarify phasing lines accordingly.
20. Clarify in which phase the +15 connection between phase 2 and 3 buildings will be constructed.
21. Add material colours to CPR pavilion drawings.
22. Revise Drawing A402 of the CPR Pavilion package to show 4 upgraded doors, provide a detail of the doors.
23. Drawing A402 shows a series of narrow air exhaust vents along the east elevation. In the themeworks package the exhaust vents are replaced by historic quotes affixed to the foundation façade. The cross section provided on the Historical Quotes page of submission does not indicate air exhaust vents.

24. Current plans have a conflict between the placement of the historic quotes, the air exhaust vents and the lighting scheme for the quotes. Please revise the plans so that the quotes remain illuminated and the impact of the air vents on the pedestrian realm is remains minimized.
25. Provide benches in the 3rd floor garden of the phase 3 tower to enhance the usability of the space.
26. Two different patterns are shown for patterned concrete; please update landscape legend to indicate the nature of the differentiation.
27. Provide detail of the upgraded door design for the 1 Street SW façade of the CPR Pavilion expansion.
28. Confirm that all +15 and +30 corridors are a minimum of 15 feet in width.
29. Provide 7 complete, folded and revised sets of plans which clearly highlight all changes in red.

Permanent Conditions

Engineering:

1. If during construction of the development, the applicant, the owner of the development, or any of their agents or contractors becomes aware of any contamination:
 - (a) The person discovering such contamination shall forthwith report the contamination to Alberta Environment, the Calgary Health Region and The City of Calgary;
 - (b) The applicant shall submit a current Phase II Environmental Site Assessment report to The City of Calgary; and
 - (c) If required, the applicant shall submit a Remedial Action Plan and/or a Risk Management Plan to The City of Calgary.

Prior to issuance of a Development Completion Permit, a letter from the qualified professional who prepared the Remedial Action Plan and/or a Risk Management Plan is to be issued to The City of Calgary in which the qualified professional certifies that the Remedial Action Plan and/or Risk Management Plan has been implemented.

All reports are to be prepared by a qualified professional and shall be to the satisfaction of The City of Calgary (Environmental Management).

2. Applicant shall be responsible for the cost of public work adjacent to the site in City rights-of-way, as required by the Manager of Urban Development, including but not being limited to:
 - Removal of any existing facilities not required for the new development (old driveways and redundant services, etc.)
 - Relocation of works (survey monuments and underground/overhead utilities, etc.)
 - Upgrading of works (road widening and watermain upgrading, etc.)
 - Construction of new works (lane paving, sidewalks, curbs, etc.)
 - Reconstruction of City facilities damaged during construction
3. Public work to be City standard and include, but not necessarily be limited to driveways, walks, curbs, gutters, paving, retaining walls, stairs, guard rails, streetlighting, traffic signs and control devices, power and utility poles, electrical vaults, transformers, power lines, gas lines, communication lines, water lines, hydrants, sanitary lines, storm sewer lines, catch basins, manholes, valves, chambers, service connections, berms, swales, fencing, and landscaping.
4. Every effort will be made to identify the cost of public works associated with this development in advance of work proceeding; however, in some cases, this will be impossible to predict. Where the actual cost exceeds the estimate, the applicant shall pay the difference, upon receipt of notice, to The City.
5. Indemnity Agreements are required for any work to be undertaken adjacent to or within the City right-of-way or setback areas for purposes of shoring, tie-backs, piles, sidewalks, lane paving, lay-bys, utility work, +15 bridges, culverts, etc. All temporary shoring, etc., installed in City rights-of-way and setback areas must be removed to the satisfaction of the Manager of Urban Development, at the applicant's expense, upon completion of foundation work.
6. The applicant is to submit an "As Constricted Grade Certificate" signed and sealed by a Professional Engineer, Registered Architect, or a Professional Land Surveyor confirming that the development has been constructed in functional compliance with the Development Site Serving Plan. Certification is to be completed within the timeline specified in the Lot Grading Bylaw 32M2004. Functional compliance is solely determined by the City to mean compliance with all City Bylaws, Standards, Specification and Guidelines.

Parks:

7. No comments.

Planning:

8. No changes to the approved plans shall take place unless authorized by the Development Authority.
9. The development shall be completed in its entirety, in accordance with the approved plans and conditions; any changes to the approved plans (including non completion of the development) shall be submitted for approval to the Development Authority.

10. A Development Completion Permit shall be applied for, and approval obtained, prior to any occupancy. Call the Development Field Inspection Group at 268-5491 to request that a Field Inspector conduct a site inspection and sign the Development Completion Permit.
11. This approval recognizes 3 phases on the approved plans. A Development Completion Permit may 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.
12. All roof top equipment shall be painted and/or screened to the satisfaction of the Development Authority.
13. Any fascia or canopy signage shall be designed in a manner that is visually compatible with the architecture of the building.
14. All enclosed parking areas shall have walls and ceilings painted a white or light colour and have a lighting system to meet the average minimum lighting illumination of 54 LUX.
15. Parking areas shall be for the sole use of tenants and their guests. Parking stalls shall not be sold or leased to the general public for the purpose of long stay parking in the downtown core.
16. The properly executed Development Agreement referenced in the Planning Prior to Release conditions shall remain in force and on title throughout the life of this development.

Transportation:

17. No direct vehicular access will be permitted to/from 1 Street SW.
18. A 2.134 metre bylawed setback is required on 9 Avenue SW. No permanent building or construction shall take place within this setback.
19. Loading shall only take place in designated loading stalls on the site.
20. The Calgary Plan, a statutory document, sets a direction which dictates that efforts be made to increase the use of transit for downtown travel. One of the primary tools to accomplish this goal is to limit the supply of parking in the C.B.A. (Central Business Area). Transportation Planning, therefore, recommends that only temporary permits be issued for existing or improved parking lots and that no permit, temporary or otherwise, be issued for proposed new or expansions to existing parking lots in the C.B.A. not directly associated with new development. Therefore, Transportation Planning will not support the provision of any parking stalls in excess of the bylaw requirement for the site.

Advisory Comments

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

Engineering:

Calgary Roads

1. Property line is 0.3m from lip of gutter, 0.0m from back of sidewalk on 9 Avenue.
2. Property line is 3.4m from lip of gutter, 0.0m from back of sidewalk on 1 Street.
3. A bylawed setback of 2.134m is required adjacent to 9 Avenue as per the Land Use Bylaw.
4. A corner cut of 3.0m x 3.0m is required adjacent to 9 Avenue and 1 Street in addition to the bylawed setback.
5. Locations and dimensions of driveways must be approved by Transportation Planning. New driveways including driveway modifications or relocation must be constructed to City standards at the owner's expense. Obstructions such as storm catch basins, hydrants, power poles, etc. must be relocated to City standards at owner's expense. Wheelchair ramps are required where proposed driveway grades do not match intersecting sidewalk.
6. Calgary Roads is to determine if the existing driveway crossings, existing sidewalks, streetlighting, curb and gutter, etc. are to City standards. Replacement and/or rehabilitation is to be at the owner's expense.

Waterworks

7. Water connection available from 9 Avenue (300mm C1, 1911).
8. Show details of servicing and metering on Development Site Servicing Plan. Provide adequate water meter room where services enter building. If static pressure exceeds 550 kpa install pressure reducing device after meter.
9. Review with Fire Prevention Bureau for on-site hydrant coverage. A stamped approved plan by Fire Prevention Bureau to be submitted with the Development Site Servicing Plans for Building Permit approval.
10. Contribution required for upgrading hydrant coverage to Development standards.
11. Applicant must apply for water and sewer connections as per City Standards.
12. If further subdivision occurs in the future (including strata subdivision), each titled parcel MUST have separate service connections to the public mains (water and sanitary).
13. It will be the responsibility of the developer to repair, at their expense, any damage to the adjacent public mains or mains in which they connect during the construction of the site as per the current Waterworks Specifications. The watermains 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.

Wastewater & Drainage

14. Sanitary connection exists to site.
15. Storm sewer connection available from 9 Avenue.
16. Show all existing and proposed sewers on the Development Site Servicing Plans at the Building Permit stage.
17. Drainage from all underground or covered parking areas is to be directed towards the sanitary sewer system, as per Sewer Service Bylaw 24M96.
18. All open ramp run-off shall drain to on-site storm sewer and covered ramp shall drain to sanitary sewer.
19. Allowable stormwater run-off co-efficient shall be 30%.
20. Ponding required for 1:100 year storm event.
21. Storm Redevelopment Fees will be required.
22. Contain storm runoff on site.
23. Controlled stormwater discharge required.
24. All on-site sewers are to be designed to City of Calgary specifications.
25. Prior to the reuse of existing sewer(s), contact Mike MacIsaac, Wastewater & Drainage Operations Manager, at 268-1233, to arrange for an inspection by city personnel. If existing services are found to be unsuitable for reuse, new services shall be installed at the developer's expense.
26. If water service is replaced, then a new sanitary service is required.

Waste & Recycling Services

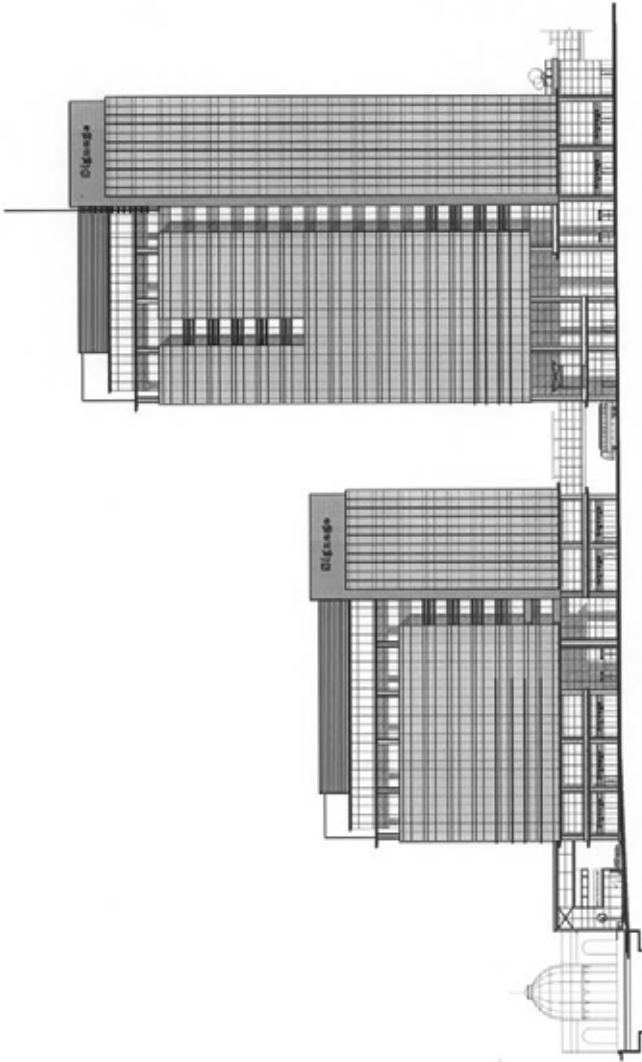
27. Construct garbage collection facilities in accordance with the current Waste and Recycling Guidelines

Planning:

28. The development must commence before March 23, 2008 or this permit will no longer be valid.
29. 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 Manager, Subdivision and Development Appeal Board (Plaza Level, Municipal Building, #8110) within 14 days of receipt of this letter.
30. Any trees and shrubs indicated on the site plan which die after completion of the project must be replaced on a continuing basis with trees or shrubs of a comparable species and size.

31. In addition to your Development Permit, you should be aware that a Building Permit is also required. Now that your Development Permit application has been approved, you may apply for a Building Permit. Please contact Building Regulations at 268 5311 for further information.
32. In addition, an application to subdivide the subject lot has also been submitted. Decisions on subdivisions are made by the Subdivision Approving Authority and in accordance with the Municipal Government Act. If you require further information on the subdivision, please call general inquiries at 268 5351.
33. Please be aware that the Enmax service concerns may require a subdivision application to resolve. This is consistent with City policy which limits a development to one service connection per titled parcel.

Andrew Palmiere
2006 March 23

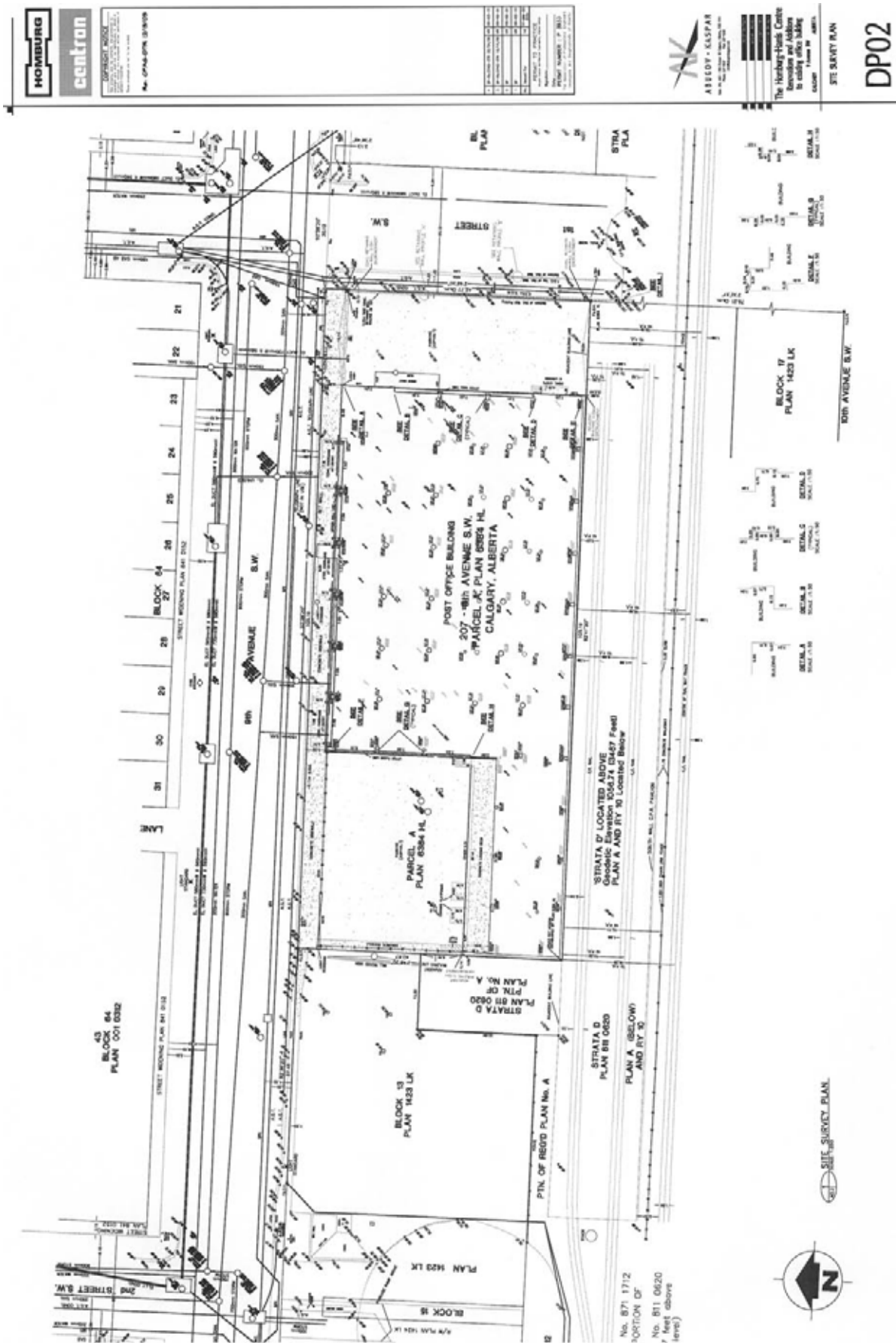


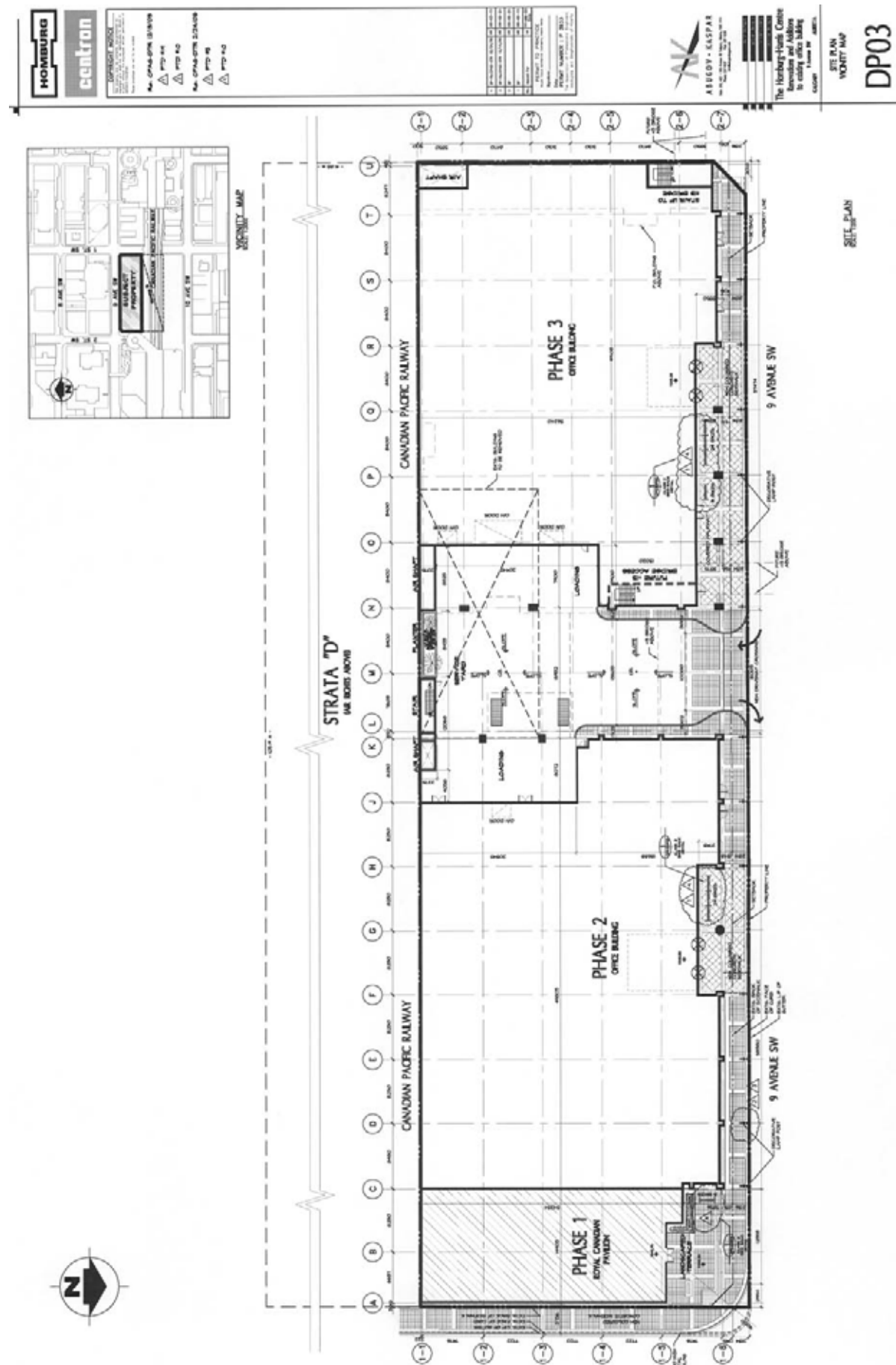
The Homburg-Harris Centre

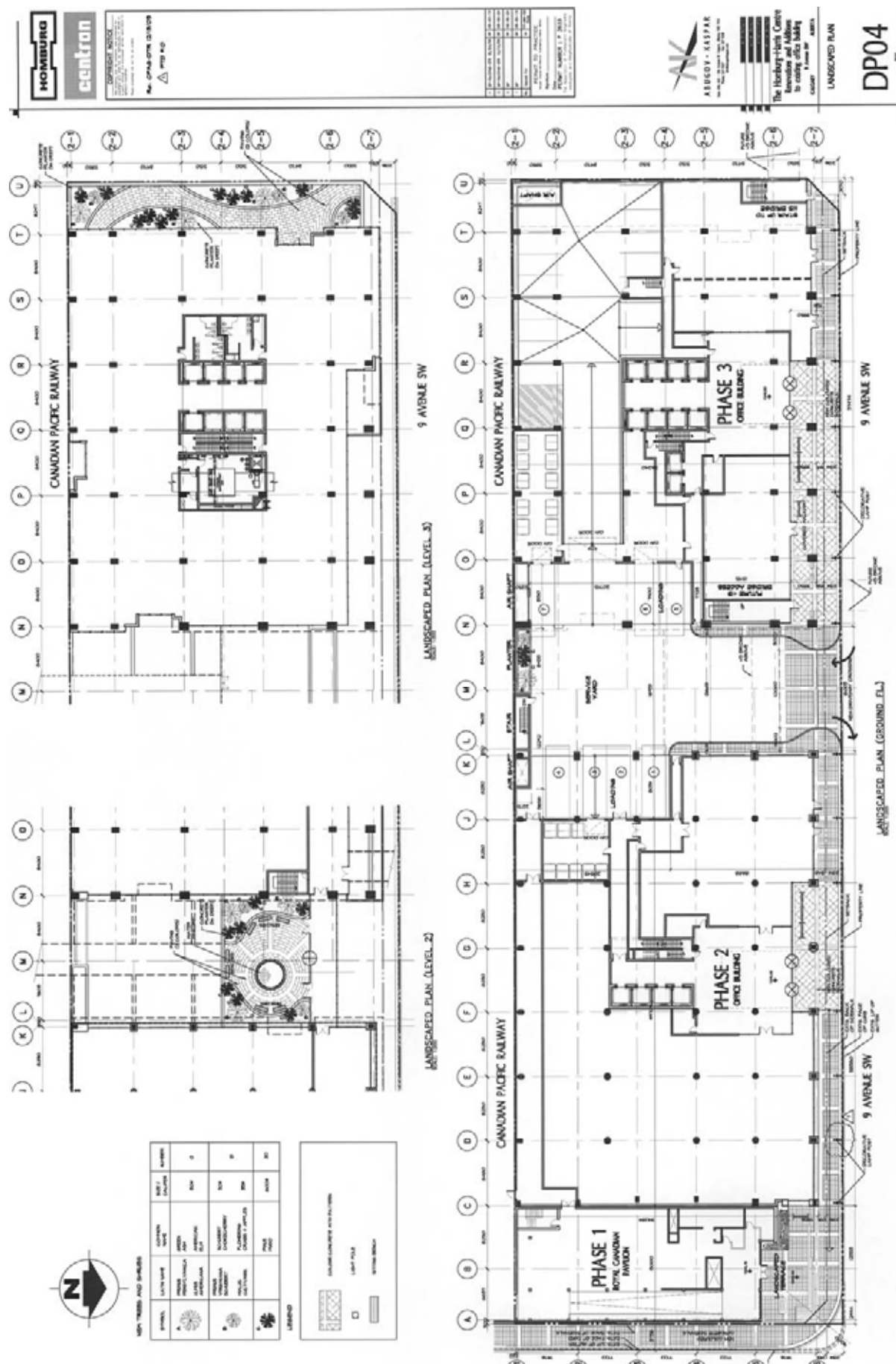
Renovations and Additions
to existing office building
9 Avenue SW
CALGARY Alberta

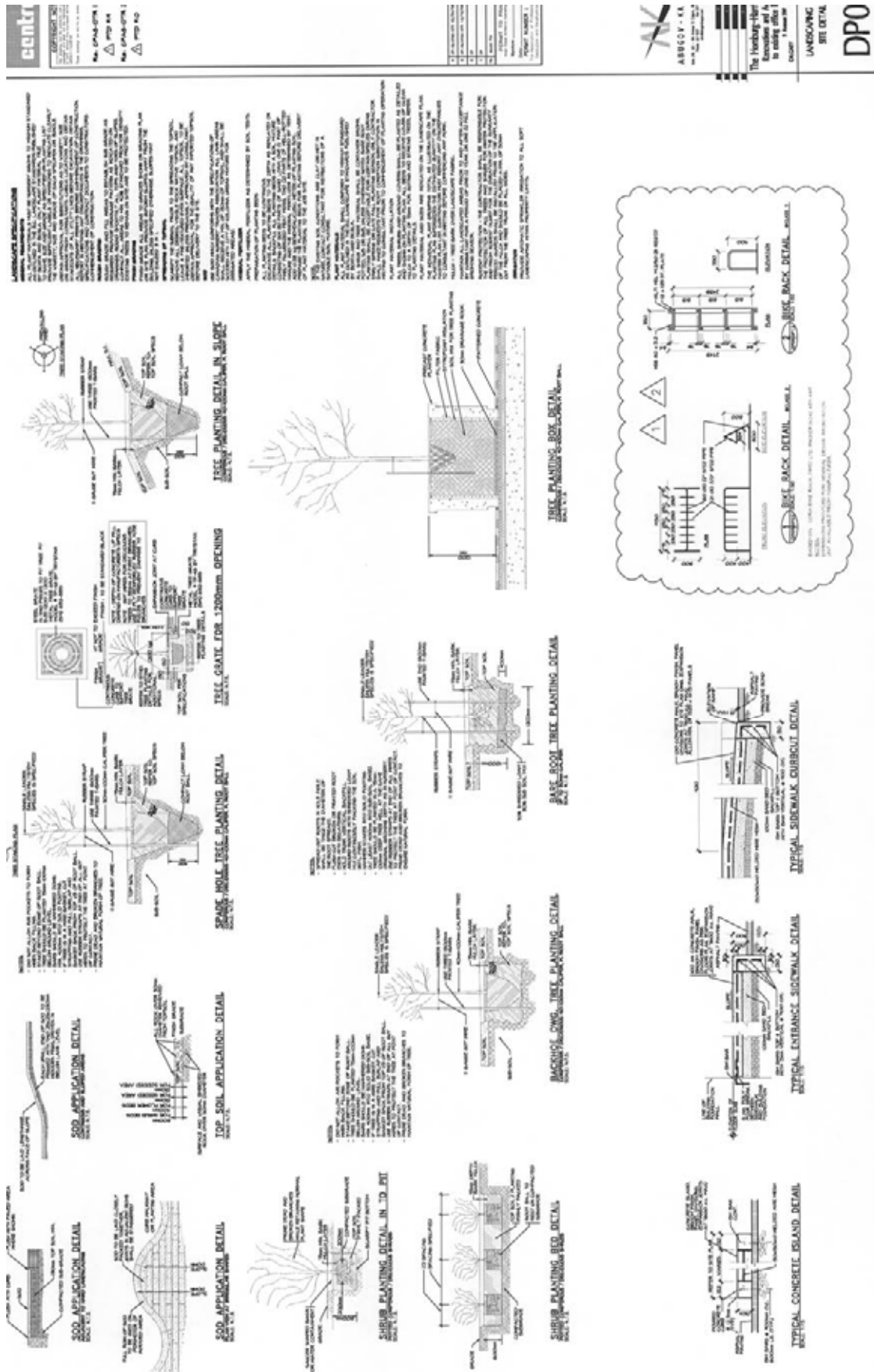
ISSUED FOR DP
Re: CPAG-DTR 12/15/05
Re: CPAG-DTR 02/24/06
Note: Building exterior has been changed
with the same interior layout
March 10, 2006

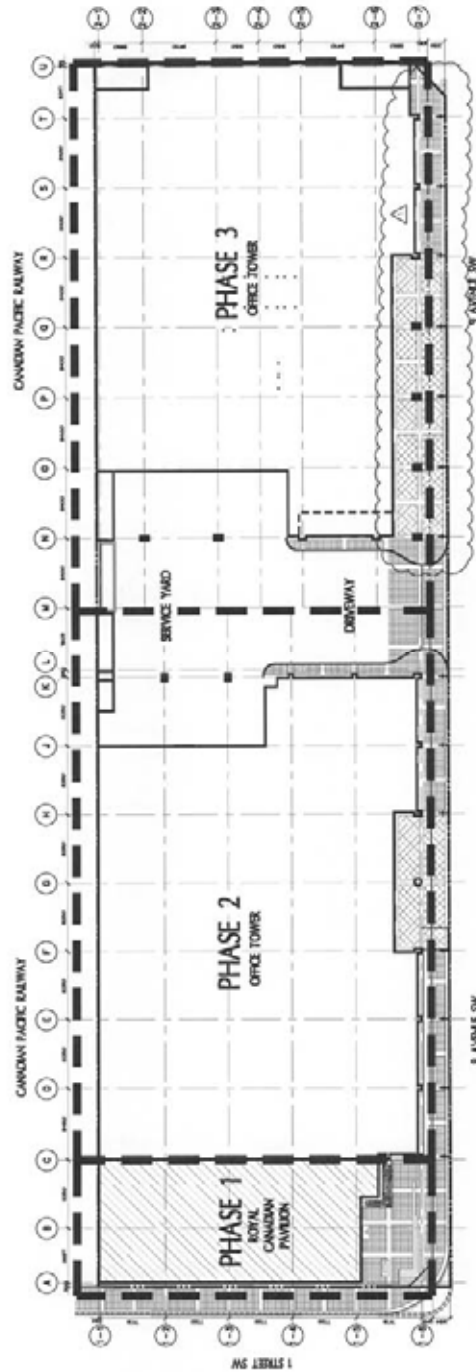












1. PROJECT NO.	DP2005-3657
2. PREPARED BY	CENTRA
3. DATE	2005-03-23
4. SCALE	1:1000
5. SHEET NO.	1 OF 1

