

Community Amenity Contributions in Direct Control Provisions

Administrative Procedures for Policy C599

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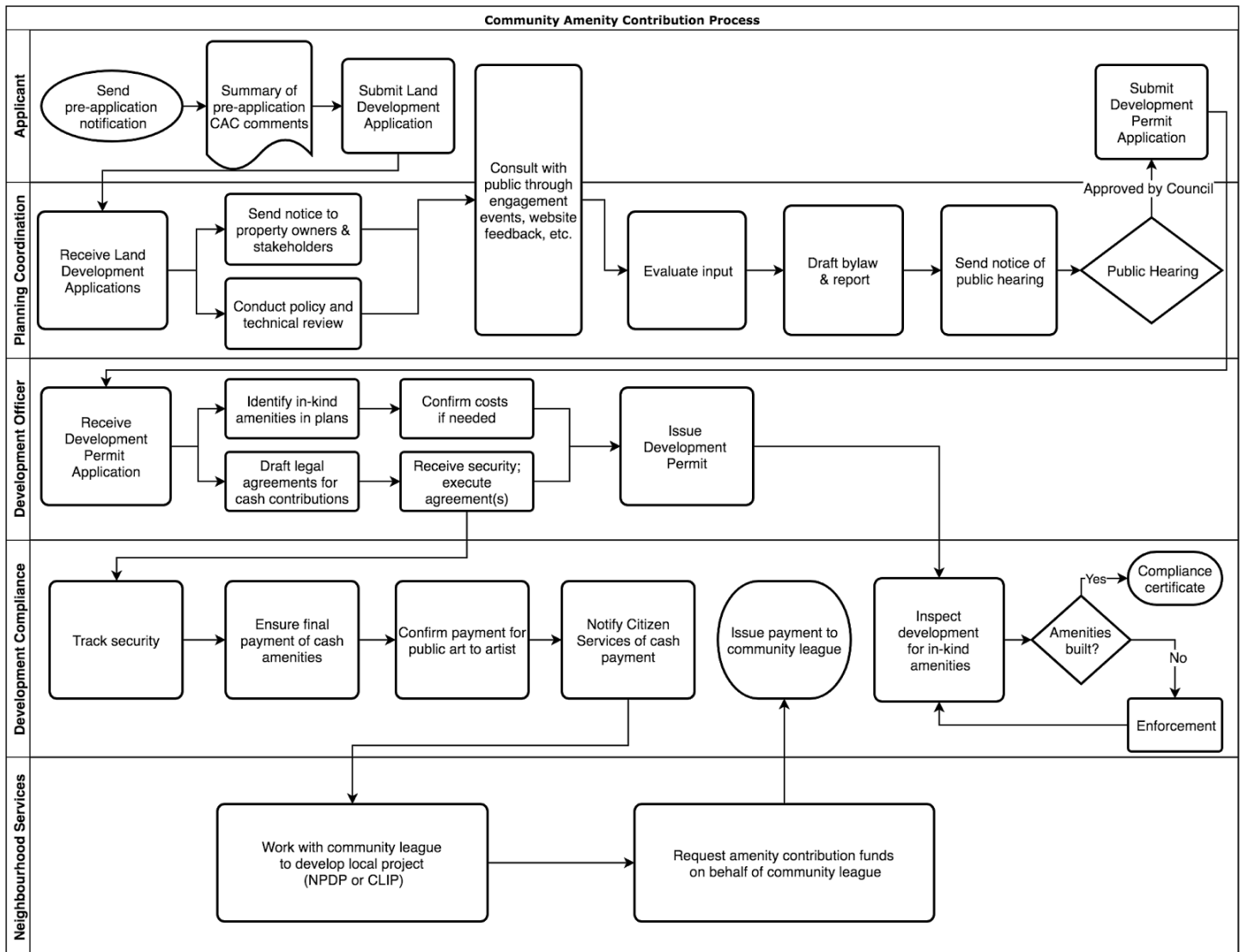
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High Level Process Map



Procedures and Website Maintenance

Contribution Rate Adjustment

3.4 The Contribution Rate will be adjusted to match changes to the consumer price index as published by Statistics Canada every two years (even years).

In accordance with policy C599 section 3.4, the contribution rate should be adjusted by the consumer price index every two years. To adjust the rate:

1. Determine the annual inflation for Alberta from November to November over two years (e.g. annual inflation rate from November 2017 to November 2019).
2. Multiply the current rate by (1 + 2 year rate) to determine the new rate.
3. Update these procedures and the web page https://www.edmonton.ca/city_government/urban_planning_and_design/community-amenity-contributions.aspx with the new rate.
4. Applications submitted after January 1 will be subject to the new rate.

Amenity Valuation Adjustment

The amenity values described in this document may be adjusted when data support a revised value. Confirm streetscape improvement and public park landscaping cost estimates with Integrated Infrastructure Services prior to amending this document or the website.

Adjustments to the value of three-bedroom units should happen with support from Real Estate - Appraisals unit to estimate the opportunity cost of selling space with three bedrooms over selling space with one or two bedrooms.

Website Maintenance

As per policy C599 section 6.0, www.edmonton.ca/communityamenitycontributions must be updated to contain current information on the following:

- current and past Contribution Rates,
- the value of Community Amenity types,
- a list of approved Community Amenity types,
- the schedule for Contribution Rate adjustment or review of the value of Community Amenities,
- information requirements and cost estimates for Alternative Contribution Requirement process, and
- this policy and any accompanying administrative procedures.

Contribution Requirement Calculation

The **file planner** will calculate the contribution requirement for a proposed direct control zone as follows:

Contribution Requirement = (Proposed Floor Area - Base Floor Area) x Contribution Rate

Determine if an exemption applies

As per the December 7, 2020 amendment to the policy, residential projects with fewer than 13 units are exempted from this policy.

Determine the Contribution Rate

The contribution rate for 2018-2019 was \$37.50 per additional square meter of gross floor area.

The contribution rate for 2020-2021 is \$38.95 per additional square meter of gross floor area.

Determine the Proposed Floor Area

Multiply the size of the site in square meters by the proposed FAR.

Example: 10,000 square meter site and FAR of 5 has a Proposed Floor Area of 50,000 m²

Determine the Base Floor Area

“Base Floor Area” means the maximum gross Floor Area (in square meters) permitted in the current zone or zones as determined by Floor Area Ratio and site size. Calculating the Base Floor Area depends on the zone(s) and plan for the site(s) in question, as demonstrated in the following scenarios.

Scenario 1 - Rezoning includes a single current zone.

- A. Use www.maps.edmonton.ca to determine the size of the site in square meters.
- B. Look up the FAR for the current zone in [Zoning Bylaw 12800](#).
Policy C599 1.2.ii “Where the existing zone does not provide a floor area ratio, it will be assumed to be 1.
- C. Multiply the site size in square meters by the FAR.

Example: St. Agnes Parish
Site size: 6,176 m²
Current Zone: US
Current FAR: Not listed = 1

Base Floor Area
1 x 6,176 = 6,176



Scenario 2 - Rezoning includes multiple current zones.

Policy C599 1.2.iii “Where multiple parcels with different zones are rezoned, the average Base Floor Area will be calculated by multiplying the Base Floor Area of each existing zone by the proportion it comprises of the total site.”

In this scenario, the file planner will calculate the average FAR over the entire site.

- A. Use slim maps to determine size of each site with a unique zone in square meters.
- B. Look up the FARs for the current zones in Zoning Bylaw 12800. Where the current zone does not regulate FAR, assume an FAR of 1.
- C. Multiply each site size by its respective FAR.
- D. Sum the values and divide by the total site size.

Example: Yorkton Towers (DC2 871)

Site size 1: 32,760 m²
Initial zone 1: DC2.685
FAR 1: 5

Site size 2: 28,490 m²
Initial zone 2: CB2
FAR 2: 3.5

Average FAR

$$((5 \times 32,760) + (3.5 \times 28,490)) / 61,250 = 4.3$$

Base Floor Area

$$4.3 \times 61,250 = 263,375$$



Scenario 3 - Development concept in an approved statutory plan designates a site for higher density development than the current zone.

Policy C599 1.2.i “Where an approved statutory plan provides a development concept for an area, the floor area ratio of the equivalent standard zone identified in the development concept will be used to determine base floor area, regardless of the existing zone.”

Example: Belgravia along 114 Street

Current zone: RF3

Site Size: 2,464 m²

Development concept equivalent zone: RA7, as this is standard zone permitting 4 storey residential buildings.

Current equivalent FAR: 2.3

Base Floor Area
 $2.3 \times 2,464 = 5,667$



Alternative Contribution Requirement Calculation

Applicants may choose to request an alternative contribution requirement calculation as per Policy C599.

5.1 “[A]n applicant may substitute the standard Contribution Requirement with the Alternative Contribution Requirement.”

If an applicant requests this calculation, Planning Coordination will retain the services of an independent land economics firm to review information from the applicant and data obtained independent of the applicant to estimate the increase in land value resulting from the rezoning.

5.2: “The Alternative Contribution Requirement will be determined through analysis conducted by an independent land economist retained by the City of Edmonton.”

1. Obtain a quote, timeline, and applicant information requirements from the firm.

An [open order consulting services contract \(#932486\) that can be used for this process](#). Contact Lana.Brenneis@edmonton.ca for more information on this procurement.

2. Pass this information on to the applicant for their decision.

5.3 “The cost of the analysis for the Alternative Contribution Requirement will be borne by the applicant.”

5.4 “Initiating the process to determine the Alternative Contribution Requirement is at the sole discretion of the applicant...”

If applicant proceeds with review:

3. Charge the quoted costs to the applicant as fees and pay the firm.
4. Instruct the applicant to submit any required information directly to the firm.
5. Supply any required information to the firm upon request.

5.4 “... an applicant may withdraw from the process at any time and use the standard Contribution Rate to determine the Contribution Requirement.”

If an applicant withdraws from the process after paying for the cost of the review, no reimbursements will be given.

The process used by the firm to conduct the review may include contact with the applicant and Administration to obtain any data deemed necessary by the firm for the analysis.

At the conclusion of its review, the firm will provide a memo containing:

- The amount of the increase in value of the land being rezoned and the Alternative Contribution Requirement as described in C599 1.1,
- Summary calculations for this amount, and
- Explanatory text for the assumptions and data inputs used.

1.1 “Alternative Contribution Requirement” means 60 percent of the increase in value of the land being rezoned as determined through the process described in section 5.0 of this policy.

The Alternative Contribution Requirement determined through this process will be final. No additional review or appeal will be conducted.

Amenity Valuation

The Contribution Requirement sets the amount of community amenity that must be contributed to satisfy the policy. Each community amenity must therefore have a value that can be summed to determine if the proposed amenity package meets the requirement. This section describes community amenities and the methods whereby they are valued.

Cash Contributions

Cash contributions must be used as funding towards a capital project, and cannot be used towards operating costs.

The total amount of contribution and the general purpose of the funds will be listed in the regulations. The purpose of the funds must be specific enough to restrict it to a general geographic area, and general enough to be used for a variety of public improvements. For example, it is appropriate to indicate that the funds will be used by a specific community league for improvements to public park space in that community. For example, DC2.955 states:

... the developer shall enter into an agreement to contribute funds in the amount of \$75,000 to the North Millbourne Community League for an offsite amenity for enhancements to Michael’s Park, with specific details to be determined between the Owner and City Administration in consultation with the North Millbourne Community League...

... if at the time of the agreement execution, enhancements to Michael’s Park have already been completed or are funded, the funds shall be used for an alternative off site public amenity with specific details to be determined between the Owner and City administration in consultation with the North Millbourne Community.

It is not appropriate to connect the funds to a specific capital project (e.g. a spray park), as this is not flexible enough to accommodate change in the community, or a delayed development timeline.

The DC should contain regulations to adjust this value for inflation over time, as done in public art contributions (see below).

Public art

Public art is contributed as a monetary amount towards public art. Typically, it is written as an amount per square meter of development, up to a total amount. For example, DC2.889 states:

Prior to the issuance of a Development Permit, the owner shall enter into an agreement with the City of Edmonton whereby the owner shall provide a minimum contribution of \$X towards the acquisition of public art.

Such agreement shall require that:

Prior to the issuance of a Development Permit a public art plan shall be prepared and submitted to the City of Edmonton for review and approval by the Development Officer. The art will be acquired through an art procurement process administered by the owner/operator.

The art shall be located on-Site and the exact location must be to the satisfaction of the Development Officer in consultation with Subdivision and Development Coordination. Upon completion of the building, the Owner shall demonstrate, to the satisfaction of the Development Officer, that the public art described in the public art plan submitted at the time of Development Permit application is located as specified.

Public art contributions include a clause requiring totals to increase with inflation over time. For example:

If a development application has not been made within five (5) years of the date of passage of this Bylaw, the Public Art contribution shall be increased from that point forward according to the annual rate of national inflation as determined by Statistics Canada.

The maximum total will be used towards satisfying the Contribution Requirement.

Preservation of Historic Resources

Preservation of Historic Resources will only be considered an amenity contribution where the structure being preserved or restored is found on Edmonton's Inventory of Historic Resources and is being designated through the redevelopment project. Confirm this with a heritage planner.

Heritage preservation meeting these requirements will have eligible costs credited as a contribution. Heritage planners in City Planning will obtain an estimate of eligible costs. An amenity contribution credit will apply to costs not covered by [City grants](#).

Where a Historic Resource is already legally protected (designated) prior to rezoning, no preservation work will be considered an amenity contribution.

Public access to open space

Public access to open space will be considered a community amenity contribution where public access to the space is legally protected by easement. The area of the easement should be in the zone.

The value of the public access will be \$300 per square meter, which is an estimate of landscaping costs.

An applicant may demonstrate that their landscaping will cost more than \$300 per square meter by submitting an illustrative landscape plan and cost estimate prepared by a professional landscape architect. Circulate this cost estimate to a landscape technician in Development and Zoning Services (currently Kassandra Charuk) for confirmation. This amount may replace the \$300 per square meter estimate, to a maximum value of \$500 per square meter.

Therefore, if an applicant commits to providing a 500 m² pocket park, it would be valued at:

$$500 \times \$300 = \$150,000 \text{ or up to } 500 \times 500 = \$250,000 \text{ with evidence of costs}$$

Land granted for public use

In order to consider land granted to the City for public use an amenity contribution, a determination must first be made that the City is willing to receive the land. Contact the Systems Planning Unit and the Growth Coordination Unit in the Network Integration Section to determine if these lands should be received as park land.

To be accepted as park, the land must be unencumbered (i.e. no utilities, parkade underneath, etc.), be development ready (i.e. no contamination, zoned appropriately, serviced, etc.) and be functional according to our policy (e.g. Breathe).

Land provided as Municipal Reserve is not considered an amenity contribution, although the costs of developing the land would be. These costs will be assessed in the same way as public access to open space.

Land granted to the City for public use will be valued by the Appraisal Services in the Real Estate Branch.

The value of the land and the improvements to the land will be credited as amenity contribution.

Streetscape improvements

The actual cost of streetscape improvements vary significantly, and information on streetscape design and materials is limited at the rezoning stage. The following cost estimate has been provided by Integrated Infrastructure Services as a rough guide to estimate the value of streetscape improvements at the rezoning stage:

	Cost per unit or m ²	Assumed Spacing	Cost per m frontage
Tree	\$2,000/unit	10 m	\$200
Soil Cell	\$10,000/unit	10 m	\$1,000
Lamp	\$6,000/unit	10 m	\$600
Brick/pavers	\$305/m ²	N/A	\$1,070 (3.5m sidewalk)

Total value of streetscape improvements per meter of frontage, assuming a 3.5 meter sidewalk.	\$2,860
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If an applicant will upgrade their streetscape along a 50 meter frontage, with standard sidewalk width, street trees in soil cells, new street furniture (including lamps), and brick pavers, the value would be:

$$50 \times \$2,860 = \$143,000$$

Adjust this value where sidewalk width, spacing of trees and lamps, and the use of soil cells vary.

As with public access to open space, applicants may have proposed improvements valued beyond this estimate by providing an illustrative plan and cost estimate for the streetscape from a professional landscape architect.

Public park improvements and off site Community League facility improvements

Improvements to parks and to community league facilities must be made through cash contributions. The total value of contribution will be described in the DC regulations.

On site Community League improvements

If the development includes the provision of a new community league facility on the development site, the size of the facility will be provided in the DC regulations. The value of this space will be agreed to between the community league and the applicant. The applicant and community league will provide a terms of reference for the facility, including the agreed-to value of the space.

Three Bedroom Family Oriented Units

Three bedroom units will be suitable for families with children and will be located so they have direct access to the street, or are on a lower storey of the building. These units will demonstrate family oriented design by incorporating features such as:

- access to larger private amenity areas (which is designed in a way which can be reasonably used by children);
- access to common amenity area that is specifically designed for children;
- adequate bulk storage; and
- enhanced bicycle storage.

These location and design considerations are in addition to the requirement for each unit to include a minimum of three bedrooms.

The value of these units is the estimated opportunity cost of selling larger units instead of smaller ones. Based on current data, the value of a three bedroom unit is \$35,000.

Other capital improvements to the public realm or for public use

These are non-standard items and will be valued based on evidence of costs.

One common improvement is to upgrade or repave the lane behind the development. This is not considered an amenity where only the lane adjacent to the development is improved, but is an amenity where non-adjacent lanes are improved. For example, if a development is adjacent to 80 meters of lane, but the entire 150 meters lane is upgraded, 70 meters of upgrades would be considered an amenity contribution.

Summary of Amenity Values

Cash contributions	Dollar amount written in regulations
Public art	Dollar amount written in regulations
Preservation of Historic Resources	Eligible costs not covered by City grant , as determined by the Senior Heritage Planner
Public access to open space	\$300/m ² or up to \$500/m ² with evidence of costs
Land granted for public use	Market value as determined by Real Estate Branch - Appraisal Services
On site Community League improvements	Value of space as determined by agreement between applicant and community league
Three Bedroom Family Oriented Units	\$35,000 per unit
Other capital improvements to the public realm or for public use	Non-standard. To be determined at time of application
Streetscape improvements	\$2,860 per metre of frontage* or dollar value in zone
Lane upgrades to commercial standard	\$919 per linear meter. Repaving only is valued at the current City rate .

* Value of streetscape improvements vary based on the following assumptions. Adjust for specific applications as needed.

Streetscape improvements	Cost per unit or m ²	Spacing	Cost per m frontage
Tree	\$2,000/unit	10 m	\$200
Soil Cell	\$10,000/unit	10 m	\$1,000
Lamp	\$6,000/unit	10 m	\$600
Brick/pavers	\$305/m ²	N/A	\$1,070 (3.5m sidewalk)
Total value of streetscape improvements per meter of frontage, assuming a 3.5 meter sidewalk.			\$2,870

Council Reports

Council reports for applications with a contribution requirement will indicate what contributions are offered, and if these amenities satisfy the contribution requirement established by the policy. The council report will not report the contribution value or the contribution requirement value unless the senior planner deems it necessary information.

For example,

Public Amenity Contributions

The DC2 Provision proposes to provide the following Public Amenity Contributions:

1. 12 Family Oriented Housing Dwellings:
 - Average of 2.25 bedrooms (therefore requiring at least 3 three bedroom dwellings)
 - Located no higher than the 4th storey of a building (helps ensure affordability)
 - Must be within 150 metre walking distance of an on site outdoor play area designed for children

2. Publicly Accessible Park:
 - 1,000 square metres
 - Actively interfaces with the adjacent buildings
 - Promotes the creation of a well-connected pedestrian network

These community amenities [satisfy/do not satisfy] the contribution requirement established by policy C599 - Community Amenity Contributions in Direct Control Provisions.

Compliance

The provision of amenities as described in the direct control zone is ensured through two steps:

1. The review of a development permit application by a **development officer**, and
2. The inspection of the completed development by a **development compliance officer**.

Development Permit Review

During the development permit process, a **development officer** will ensure that the proposed development meets all of the requirements of the direct control zone, including community amenity contributions. Compliance with these requirements depends on the type of amenity provided, whether in-kind or cash.

In-Kind Contribution	Cash Contribution
Streetscape improvements	Public art
Pocket parks & public access easements	Public park improvements
Three bedroom units	Community League facility improvements
Heritage preservation	
On-site dedicated space for public use	

In-kind contributions are integrated into the design of the project. A **development officer** will ensure that these amenities are included in development plans by reviewing drawings and documents submitted. Legal instruments, such as public access easements for pocket parks and servicing agreements for sidewalks, are required as a condition of development permit.

Cash contributions require the applicant to enter into a legally binding agreement prior to the issuance of a development permit. A **development officer** will not issue a development permit without a signed cash contribution agreement.

Cash Contribution Agreements

A cash contribution agreement will identify, among other things:

1. the amenities that may be constructed using the cash contribution,
2. the requirement to pay security upon execution, and
3. the triggers for full payment of the cash contribution.

1. The list of amenities can be general, providing little additional direction than described in the zone. One example agreement simply states:

“Amenity” means offsite park enhancement amenities, located at [neighbourhood], Edmonton to be constructed by the use of the Funds provided by the Developer;

The list of amenities can also be more specific, providing a list of possible projects and their locations. These lists are not required, but may be provided by the **file planner** based on discussions between them, community league representatives, and the developer.

2. The agreement will require security in the form of a letter of credit valued at 100% of the total contribution amount. This security will be due upon execution of the agreement, and held by the City until the terms of the agreement have been satisfied.
3. The agreement will indicate by what triggers the full amount must be paid. Typically, this will be before the final occupancy permit.

Inspection

When the developer applies for final development permit inspection, a **development compliance officer** will inspect the development to confirm that it has been built in accordance with its permit. The **development compliance officer** will ensure that all the requirements of the development permit have been met, including the payment of cash contributions to the City.

If an in-kind contribution has not been made, enforcement will occur as it would for any other non-compliance with conditions of development permit. If a cash contribution is not made, the **development compliance officer** will inform **Law Branch**, who will authorize the use of the security and enforce any other conditions of the agreement.

Securities and cash contributions are received by the **accounting assistant** for Development and Zoning Services - Development Compliance, Inspections and Business Licensing - Development Permit & Landscaping Inspections. When security is received, the **accounting assistant** will notify the Neighbourhood Services section of Citizen Services.

Using Park and Community League contributions

Where a community amenity contribution includes a cash payment to improve park space, a neighbourhood amenity or a community league facility, the neighbourhood by way of the local community league will be involved in determining the exact project(s) to fund based on a needs assessment. This requires planning and engagement with the neighbourhood community league, supported by a staff liaison in the **Citizen Services** department - typically from **Neighbourhood Services**.

Community leagues representing the neighbourhood will work with their liaison to define a capital improvement project using the Neighbourhood Park Development Program or the Community League Infrastructure Program. When the project is ready to receive community amenity contribution funds, the city liaison will request that the funds be released by the Development Compliance team.