

# PROPOSED

CPC2025-0034  
ATTACHMENT 3

**BYLAW NUMBER 36D2025**

**BEING A BYLAW OF THE CITY OF CALGARY  
TO AMEND THE LAND USE BYLAW 1P2007  
(LAND USE AMENDMENT  
LOC2024-0192/CPC2025-0034)**

\*\*\*\*\*

**WHEREAS** it is desirable to amend the Land Use Bylaw Number 1P2007 to change the land use designation of certain lands within the City of Calgary;

**AND WHEREAS** Council has held a public hearing as required by Section 692 of the *Municipal Government Act*, R.S.A. 2000, c.M-26 as amended;

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:**

1. The Land Use Bylaw, being Bylaw 1P2007 of the City of Calgary, is hereby amended by deleting that portion of the Land Use District Map shown as shaded on Schedule "A" to this Bylaw and replacing it with that portion of the Land Use District Map shown as shaded on Schedule "B" to this Bylaw, including any land use designation, or specific land uses and development guidelines contained in the said Schedule "B".
2. This Bylaw comes into force on the date it is passed.

READ A FIRST TIME ON \_\_\_\_\_

READ A SECOND TIME ON \_\_\_\_\_

READ A THIRD TIME ON \_\_\_\_\_

\_\_\_\_\_  
MAYOR

SIGNED ON \_\_\_\_\_

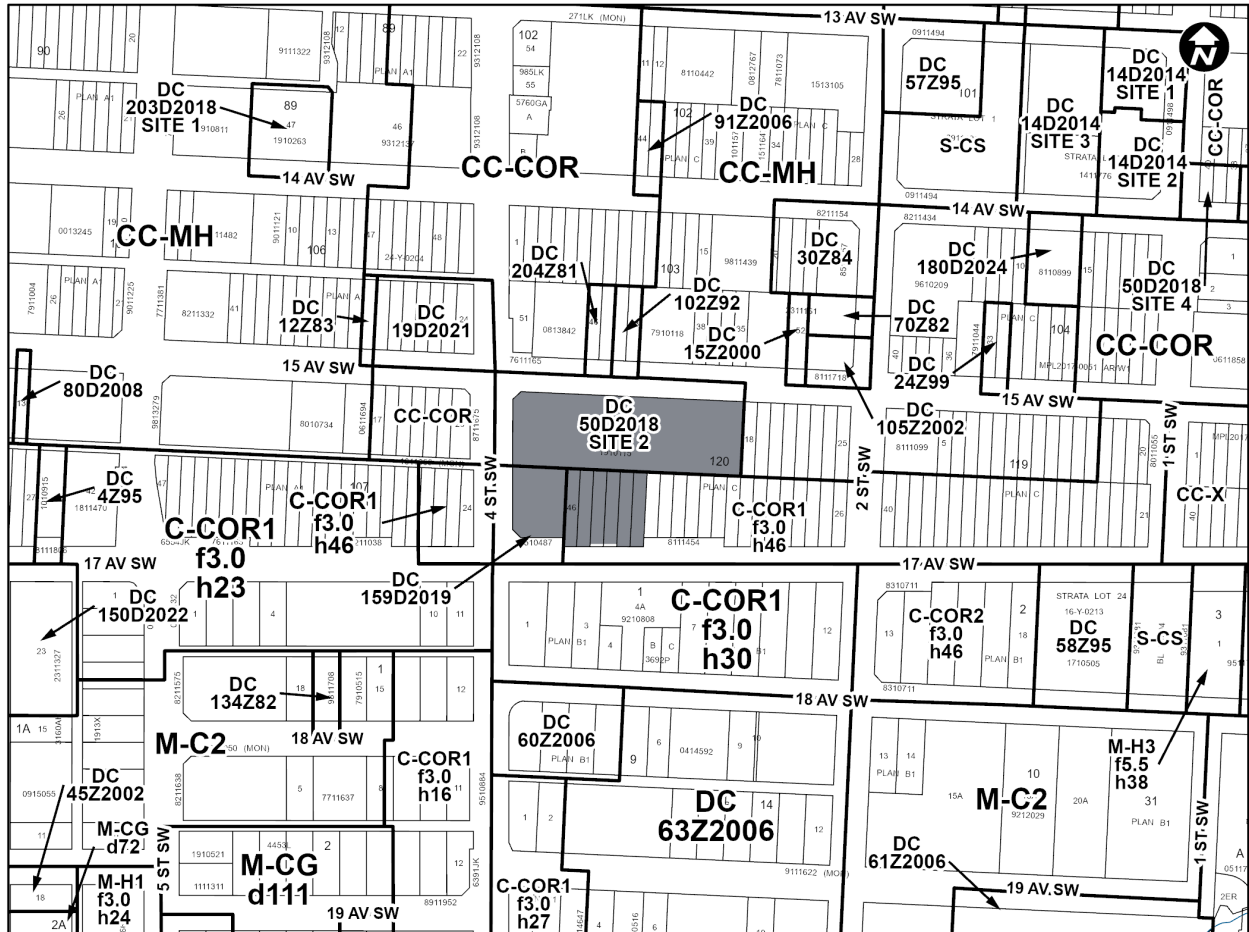
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CITY CLERK

SIGNED ON \_\_\_\_\_

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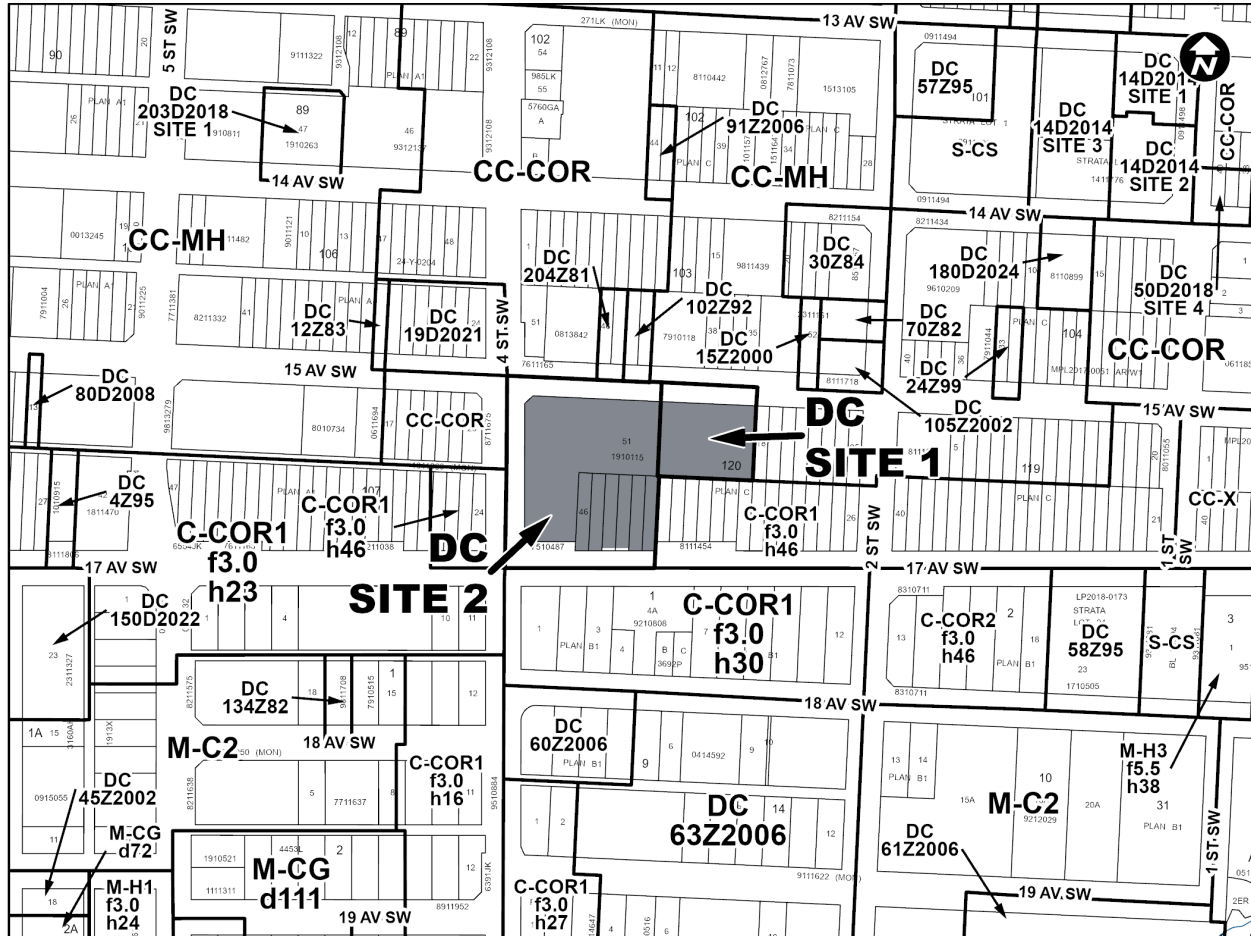
## SCHEDULE A



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## SCHEDULE B



### DIRECT CONTROL DISTRICT

#### Purpose

1 This Direct Control District Bylaw is intended to:

- (a) provide for high-density residential development with commercial uses at grade;
- (b) enable a pedestrian-oriented public realm; and
- (c) provide a maximum base density with the opportunity for a density bonus with the provision of public benefits and amenities within the Beltline community.

#### Compliance with Bylaw 1P2007

2 Unless otherwise specified, the rules and provisions of Parts 1, 2, 3 and 4 of Bylaw 1P2007 apply to this Direct Control District Bylaw.

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## Reference to Bylaw 1P2007

- 3 Within this Direct Control District Bylaw, a reference to a section of Bylaw 1P2007 is deemed to be a reference to the section as amended from time to time.

## General Definitions

- 4 In this Direct Control District:

- (a) “**bonus provisions**” means those items set out in Schedule C of this Direct Control District Bylaw which may be provided as part of a **development** in order to earn additional **floor area ratio**.

## Permitted Uses

- 5 The **permitted uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **permitted uses** in this Direct Control District.

## Discretionary Uses

- 6 The **discretionary uses** of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 are the **discretionary uses** in this Direct Control District.

## Bylaw 1P2007 District Rules

- 7 Unless otherwise specified, the rules of the Centre City Mixed Use District (CC-X) of Bylaw 1P2007 apply in this Direct Control District.

## Incentive Density Calculation Method

- 8 (1) The amount of additional **gross floor area** achieved by providing the requirements of the public amenity items in Schedule C are calculated as a **floor area ratio** or an Incentive Rate.
- (2) An Incentive Rate indicates that the amount of additional **gross floor area** will be calculated by dividing the cost of the provided public amenity item in Schedule C by the respective Incentive Rate as established by Council where the following Incentive Rates apply:
- (a) Incentive Rate 1 for 2024 is \$278.00 per square metre. The Incentive Rate will be adjusted annually on January 1 by the **Development Authority**, based on the Statistics Canada Consumer Price Index for Alberta.
- (3) The **Development Authority** must determine whether a proposed public amenity item is appropriate for the **development**.

## Building Setbacks

- 9 (1) For portions of a **building** below 36.0 metres, the minimum **building setback** from a **property line** shared with 15 Avenue SW is 3.0 metres.
- (2) For portions of a **building** below 36.0 metres, the minimum **building setback** from a **property line** shared with 4 Street SW or 17 Avenue SW is 1.5 metres.

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- (3) For portions of a **building** below 36.0 metres, the minimum **building setback** from a **property line** shared with another **parcel** is zero metres.
- (4) For portions of a **building** at or above 36.0 metres, the minimum **building setback** from a **property line** shared with another **parcel** is 4.0 metres.
- (5) For portions of a **building** at or above 36.0 metres, the minimum **building setback** from a **street** is 3.0 metres.
- (6) Sections 1169, 1170 and 1171 of Bylaw 1P2007 do not apply in this Direct Control District.

### Floor Plate Restrictions

- 10 (1) For a **building** located in the area that is both within 50.0 metres of 4 Street SW and 50.0 metres of 15 Avenue SW:
  - (a) each floor located partially or wholly above 36.0 metres from **grade** to 52.0 metres from **grade** has a maximum **floor plate area** of 950.0 square metres; and
  - (b) each floor located wholly above 52.0 metres from **grade** has a maximum **floor plate area** of 850.0 square metres.
- (2) For all other **buildings**, each floor located partially or wholly above 36.0 metres from **grade** has a maximum **floor plate area** of 800.0 square metres.

### Use Area

- 11 (1) Unless otherwise referenced in subsection (3), (4) or (5), the maximum **use area** for **uses** on the ground floor of **buildings** in this Direct Control District is 1200.0 square metres.
- (2) Unless otherwise referenced in subsection (3), (4) or (5), there is no maximum **use area** requirement for **uses** located on upper floors in this Direct Control District.
- (3) The maximum **use area** of:
  - (a) **Night Club** is 300.0 square metres; and
  - (b) **Supermarket** or a **Supermarket** combined with any other **use** is 5200.0 square metres.
- (4) There is no maximum **public area** for a **Restaurant: Food Service Only** or **Restaurant: Licensed**.
- (5) The following **uses** do not have a **use area** restriction:
  - (a) **Addiction Treatment**;
  - (b) **Assisted Living**;

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- (c) **Custodial Care;**
- (d) **Hotel;**
- (e) **Place of Worship – Medium;**
- (f) **Place of Worship – Small;**
- (g) **Protective and Emergency Service;**
- (h) **Residential Care;** and
- (i) **Utility Building.**

## Tower Separation

12 The minimum horizontal separation between floors of **buildings** located partially or wholly above 36.0 metres above **grade**, containing **Dwelling Units** or **Live Work Units**, is a minimum of 17.5 metres.

## Site 1 (± 0.23 ha)

### Application

13 The provisions in Section 14 apply only to Site 1.

### Floor Area Ratio

- 14 (1) The **floor area ratio** is 7.0.
- (2) The maximum **floor area ratio** as referenced in subsection (1) may be increased up to a maximum of 14.0 in accordance with the **bonus provisions** contained in Schedule C of this Direct Control District Bylaw.
- (3) Unless otherwise specified, if in the event a public amenity item for which additional **gross floor area** has been achieved is no longer maintained on the **parcel**, an equivalent contribution for that additional **gross floor area** must be made to the Beltline Community Investment Fund.
- (4) Unless otherwise referenced in subsections (1) to (3), where a **development** provides **units** with three or more bedrooms in the form of **Assisted Living**, **Dwelling Units**, **Live Work Units** or **Multi-Residential Development**, the **Development Authority** may exclude the three or more bedroom **units** from the **gross floor area ratio** calculation, up to a maximum of 15 per cent of the total **units** in the **development**.

## Site 2 (± 0.64 ha)

### Application

15 The provisions in Section 16 apply only to Site 2.

### Floor Area Ratio

- 16 (1) The maximum **floor area ratio** is 7.0.
- (2) The maximum **floor area ratio** as referenced in subsection (1) may be increased up to a maximum of 11.0 in accordance with the **bonus provisions** contained in Schedule C of this Direct Control District Bylaw.

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- (3) Unless otherwise specified, if in the event a public amenity item for which additional **gross floor area** has been achieved is no longer maintained on the **parcel**, an equivalent contribution for that additional **gross floor area** must be made to the Beltline Community Investment Fund.
- (4) Unless otherwise referenced in subsections (1) to (3), where a **development** provides **units** with three or more bedrooms in the form of **Assisted Living, Dwelling Units, Live Work Units** or **Multi-Residential Development**, the **Development Authority** may exclude the three or more bedroom **units** from the **gross floor area ratio** calculation, up to a maximum of 15 per cent of the total **units** in the **development**.

### Relaxations

- 17 The **Development Authority** may relax the rules contained in Section 7 and 9 through 12 of this Direct Control District Bylaw in accordance with Sections 31 and 36 of Bylaw 1P2007.

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## SCHEDULE C

Table 6.1 Beltline Density Bonus Items

Item No.	Public Amenity Items
1.0	<p><b>INDOOR COMMUNITY AMENITY SPACE</b></p> <p>Indoor community <b>amenity space</b> is defined as floor area provided for community purposes, including, but not limited to, offices, meeting rooms, assembly spaces, recreation facilities, educational facilities, cultural facilities, daycares, and other social services.</p>
1.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides an indoor community <b>amenity space</b>, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)</p>
1.2	<p><b>Requirements:</b></p> <p>Provision of indoor community <b>amenity space</b>, within the <b>development parcel</b>, in perpetuity to the <b>City</b>, and in a form acceptable to the Approving Authority.</p>
2.0	<p><b>PUBLICLY ACCESSIBLE PRIVATE OPEN SPACE</b></p> <p>Publicly accessible private open space is defined as outdoor open space located on the <b>development parcel</b> that is made available to the public through a registered public access easement agreement acceptable to the Approving Authority.</p>
2.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides a publicly accessible private open space, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75).</p>



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2.2	<p><b>Requirements:</b></p> <p>Provision of publicly accessible private open space on the <b>development parcel</b> in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.</p>
3.0	<p><b>AFFORDABLE HOUSING UNITS</b></p> <p>Affordable housing <b>units</b> are defined as non-market housing <b>units</b> provided within the <b>development</b>, owned and operated by the <b>City</b> or a bona fide non-market housing provided recognized by the <b>General Manager</b>.</p>
3.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides affordable housing <b>units</b>, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = total construction (\$) cost divided by (Incentive Rate 1 (\$) multiplied by 0.75) + <b>gross floor area</b> (square metres) of affordable housing <b>units</b>.</p>
3.2	<p><b>Requirements:</b></p> <p>Provision of affordable housing <b>units</b> within the <b>development parcel</b>, in perpetuity, in a number, location and design acceptable to the <b>City</b> or other bona fide non-market housing provided recognized by the <b>City</b>.</p>
4.0	<p><b>MUNICIPAL HISTORIC RESOURCE DESIGNATION</b></p> <p>Municipal Historic Resources are <b>buildings</b> or portions of a <b>building</b>, a <b>site</b> or portions of a <b>site</b> that are designated under the Historic Resources Act.</p>
4.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> designates a <b>building</b>, portions of a <b>building</b>, a <b>site</b> or portions of a <b>site</b>, as a Municipal Historic Resource, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = total construction or restoration costs (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75)</p>

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4.2	<p><b>Requirements:</b></p> <p>Historic resource designation includes:</p> <ul style="list-style-type: none"><li>(a) where the <b>building</b> is listed on the Inventory of Evaluated Historic Resources;</li><li>(b) maintain the historic resource or <b>building</b> feature in its approved location on the <b>parcel</b> or within the <b>building</b> where it is incorporated into a new <b>building</b>;</li><li>(c) an agreement between the <b>Development Authority</b> and the developer establishing the total cost of retention of the heritage resource prior to approval; and</li><li>(d) designation of the historic resource as a Municipal Historic Resource pursuant to the Historical Resources Act by a Bylaw approved by <b>Council</b>.</li></ul>
5.0	<p><b>HERITAGE DENSITY TRANSFER</b></p> <p>Heritage density transfer is the transfer of unconstructed <b>gross floor area</b> from a <b>parcel</b> designated by bylaw as a Municipal Historic Resource pursuant to the provisions set out in the Historical Resources Act (the source <b>parcel</b>) to a <b>parcel</b> other than the <b>development parcel</b> (the receiving <b>parcel</b>).</p>
5.1	<p><b>Incentive Calculation:</b></p> <p>The heritage density transfer floor area in square metres is equal to the unconstructed <b>gross floor area</b> of a <b>parcel</b> as a result of designation of a <b>parcel</b> by Bylaw as a Municipal Historic Resource. Unconstructed <b>gross floor area</b> is equal to the maximum allowable <b>floor area ratio</b> for that <b>parcel</b> and district, including applicable bonuses, multiplied by the <b>parcel</b> size and, subtracting the <b>gross floor area</b> of the Municipal Historic Resource.</p> <p><b>Method:</b></p> <p>Transferable incentive <b>gross floor area</b> (square metres) = maximum allowable <b>gross floor area</b> (square metres) minus Municipal Historic Resource <b>gross floor area</b> (square metres).</p>
5.2	<p><b>Requirements:</b></p> <p>A heritage density transfer must include:</p> <ul style="list-style-type: none"><li>(a) a transfer agreement that is registered on the Certificate of Title of the <b>parcel(s)</b> from which the density has been transferred.</li><li>(b) a land use redesignation of the <b>parcel</b> from which the <b>density</b> has been transferred to a Direct Control District in which the allowable maximum <b>floor area ratio</b> remaining after the transfer is regulated;</li></ul>

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	<p>(c) a land use redesignation of the <b>receiving parcel</b> to a Direct Control in which the allowable maximum <b>floor area ratio</b> achieved through the transfer is regulated;</p> <p>(d) transfers only to <b>receiving parcels</b> located within the bonus area boundaries indicated on Map 9 of Bylaw 1P2007;</p> <p>(e) transfers only from <b>parcels</b> where legal protection through designation as a Municipal Historic Resources has been completed; and</p> <p>(f) only a one-time transfer from the <b>parcel</b> from which the <b>density</b> has been transferred to the <b>receiving parcel</b> with no further transfer possibility.</p>
6.0	<p><b>CONTRIBUTION TO THE BELTLINE COMMUNITY INVESTMENT FUND</b></p> <p>The Beltline Community Investment Fund (BCIF) will be used for projects within the Beltline related to public realm improvements, including but not limited to: park acquisition, park design, redevelopment or enhancement, streetscape design and improvements within rights-of-way, implementation of urban design strategies and public art on public land.</p>
6.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides a contribution to the Beltline Community Investment Fund, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = contribution (\$) divided by Incentive Rate 1 (\$).</p>
6.2	<p><b>Requirements:</b></p> <p>A contribution must be made to the Beltline Community Investment fund for the <b>development</b>.</p>
7.0	<p><b>PARKS DENSITY TRANSFER</b></p> <p>Private land is dedicated to the <b>City</b> as a public open space. The unused <b>density</b> from the lands to be dedicated may be transferred to another site within the bonus area boundaries indicated on Map 9 of Bylaw 1P2007.</p>
7.1	<p><b>Incentive Calculation</b></p> <p>The transferable bonus <b>gross floor area</b> in square metres for land transferred to the <b>City</b> for park purposes is equal to the maximum <b>floor area ratio</b> of the district, not including bonus provisions, multiplied by 2.5.</p> <p><b>Method:</b></p>

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	Transferable incentive <b>gross floor area</b> (square metres) = maximum <b>gross floor area</b> multiplied by 2.5.
8.0	<b>PUBLIC ART ON-SITE</b>  Public art is publicly accessible art of any kind that is permanently suspended, attached to a wall or other surface, or otherwise integrated into a <b>development</b> . It is privately owned and must be an original piece of art in any style, expression, genre or media, created by a recognized artist.
8.1	The maximum incentive <b>floor area ratio</b> for this item is 1.0.
8.2	<b>Incentive calculation:</b>  Where a <b>development</b> provides public art – on site the Incentive Rate is Incentive Rate 1.  <b>Method:</b>  Incentive <b>gross floor area</b> (square metres) = value of the artwork (\$) divided by Incentive Rate 1 (\$).
8.3	<b>Requirements:</b>  Public art – on site includes the following:  (a) artwork, the minimum value of which must be: (i) \$200,000.00 for sites equal to or greater than 1812.0 square metres in area; or (ii) \$5000.00 for sites of less than 1812.0 square metres in area; (b) the work of a recognized artist i.e. created by a practitioner in the visual arts; (c) a location in a publicly accessible area; and (d) a minimum of 75.0 per cent of the artwork located either: (i) outdoors, at <b>grade</b> and visible from the public sidewalk; or (ii) on the <b>building's</b> exterior and visible from a public sidewalk.
9.0	<b>ACTIVE ARTS SPACE</b>  Active arts space is publicly accessible, internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Active arts space is intended for activities that require public accessibility, e.g. performances, exhibitions.
9.1	The maximum incentive <b>floor area ratio</b> for this item is 4.0.

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9.2	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides active arts space the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive gross floor area (square metres) = cost of active arts space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 by the amount of active arts space provided in square metres (this is the net present value of operating costs based on \$20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</p>
9.3	<p><b>Requirements:</b></p> <p>Active arts space includes the following:</p> <ul style="list-style-type: none"><li>(a) a location:<ul style="list-style-type: none"><li>(i) at <b>grade</b> or;</li><li>(ii) fronting on to, with direct access to and visible from the public sidewalk, <b>grade</b> level open space, or on-site pedestrian areas.</li></ul></li><li>(b) entranceways and lobbies that are clear glazed where they abut a public sidewalk at <b>grade</b>;</li><li>(c) an agreement establishing the conditions for a long-term lease for the active arts space to be entered into by the <b>City</b> or its designated representative (“the tenant”) and the <b>building</b> owner, such lease to contain the following terms:<ul style="list-style-type: none"><li>(i) a minimum term of 25.0 years;</li><li>(ii) a total rent of \$11.0 per square metre per year, subject to (c) (iv);</li><li>(iii) subject to (c)(iv) and (v) the <b>building</b> owner will pay the normal <b>building</b> operating and capital costs attributable to the active arts space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the <b>building</b>;</li><li>(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the active arts space, such as additional security costs associated with the use of the space or special events, additional cleaning necessitated by events in the space, and maintenance and repair of the tenant’s fixtures and equipment. The <b>City</b> will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;</li><li>(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease in which case the tenant will vacate the space upon lease expiry;</li><li>(vi) if at any time during the term of the lease the space remains</li></ul></li></ul>

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	<p>unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the <b>City</b> 30 days written notice, provided that the conditions of (c)(vii) are met;</p> <p>(vii) that in the event of termination prior to the end of the 25-year term of the lease, the <b>City</b> will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the <b>gross floor area</b> of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive <b>gross floor area</b> calculation; and</p> <p>(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include artist studios, exhibition space, performing arts space and rehearsal spaces.</p>
10.0	<p><b>CULTURAL SUPPORT SPACE</b></p> <p>Cultural support space is an internal space that provides accommodation for one of the various branches of creative activity concerned with the production of imaginative designs, sounds or ideas. Cultural support space is intended for activities that do not require public accessibility, e.g. administration, rehearsal space, storage.</p>
10.1	<p>The maximum incentive <b>floor area ratio</b> for this item is 4.0.</p>
10.2	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides cultural support space the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = cost of cultural support space (\$) plus the capitalized, future operating costs* (not including taxes) divided by Incentive Rate 1 (\$).</p> <p>* Future operating costs are calculated by multiplying \$3,324.68 by the amount of cultural support space provided in square metres (this is the net present value of operating costs based on \$20 per square foot, a 2 per cent cost escalation, a 6 per cent discount rate, and a 25 year period).</p>
10.3	<p><b>Requirements:</b></p> <p>A cultural support space includes the following:</p> <p>(a) access to the tenant during the <b>building's</b> normal office hours unless otherwise agreed upon in the lease agreement;</p>

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	<p>(b) a location above <b>grade</b> where the space is used for administration;</p> <p>(c) an agreement establishing the conditions for a long-term lease for the cultural support space to be entered into by the <b>City</b> or its designated representative (“the tenant”) and the <b>building</b> owner, such lease to contain the following terms:</p> <ul style="list-style-type: none"> <li>(i) a minimum term of 25.0 years;</li> <li>(ii) a total rent of \$11 per square metre per year, subject to (c) (iv);</li> <li>(iii) subject to (c)(iv) and (v) the <b>building</b> owner will pay the normal <b>building</b> operating and capital costs attributable to the cultural support space including without limitation property taxes if applicable, security, maintenance, repair, cleaning, property management fees and related costs up to the amount per square metre that would normally be charged to office tenants in the <b>building</b>;</li> <li>(iv) the tenant will be responsible for all extraordinary operating and capital costs that are attributable to the cultural support space, such as additional security costs associated with the use of the space, additional cleaning necessitated by use of the space, and maintenance and repair of the tenant’s fixtures and equipment. the <b>City</b> will provide appropriate security to ensure that the tenant pays its costs and does not permit any liens to be placed on the property;</li> <li>(v) upon expiry of the lease, the owner may elect, at the owner’s sole and absolute discretion, to renew the lease on the same terms and conditions or to not renew the lease, in which case the tenant will vacate the space upon lease expiry;</li> <li>(vi) if at any time during the term of the lease the space remains unoccupied or unused for 12 consecutive months the owner has the option of terminating the lease upon giving the <b>City</b> 30 days written notice, provided that the conditions of (c)(vii) are met;</li> <li>(vii) that in the event of termination prior to the end of the 25-year term of the lease, the <b>City</b> will receive financial compensation for the space as calculated as the lesser of Incentive Rate 1 or the fair market value based on the <b>gross floor area</b> of the amenity space as estimated by an independent appraiser and, in addition, any portion of the unused, capitalized operating costs which were included in the original incentive <b>gross floor area</b> calculation; and</li> <li>(viii) the lease will define the nature of the uses or tenants that are deemed eligible to occupy the space. Eligible activities will include administration and storage.</li> </ul>
11.0	<p><b>INNOVATIVE PUBLIC AMENITY</b></p> <p>An innovative public amenity is a <b>building</b> feature that has not been considered under any of the other incentive items in this table, but which is determined by the <b>Development Authority</b> to provide a benefit to the public.</p>
11.1	<p>The maximum incentive <b>floor area ratio</b> for this item is 1.0.</p>

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11.2	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides an innovative amenity the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = cost of amenity (\$) divided by Incentive Rate 1 (\$).</p>
11.3	<p><b>Requirements:</b></p> <p>An innovative public amenity includes the following:</p> <ul style="list-style-type: none"> <li>(a) a benefit to the community in which the <b>density</b> is being accommodated;</li> <li>(b) no items or amenities that are achievable or required through other means, including the other incentive amenity items in this table;</li> <li>(c) no standard features of a <b>building</b>;</li> <li>(d) an amount of additional <b>floor area ratio</b> commensurate with the cost of the amenity item provided; and</li> <li>(e) the sole discretion of the <b>Development Authority</b> to determine whether the proposed amenity feature is considered an innovative public amenity.</li> </ul>
12.0	<p><b>INDOOR PUBLIC HOTEL SPACE</b></p> <p>Indoor public hotel space is publicly accessible indoor space that can be used by <b>Hotel</b> guests, conference attendees and the general public without having to be guests of the <b>Hotel</b> or customers of a <b>use</b> within the <b>building</b>. Restaurant, lounge, café, retail and conference <b>use</b> areas, when located at <b>grade</b> and one <b>storey</b> above for conference facilities – and open to the public are considered to be indoor public space.</p>
12.1	<p>The maximum incentive <b>floor area ratio</b> for this item is 2.0.</p>
12.2	<p><b>Incentive Calculation:</b></p> <p>Where a <b>Hotel development</b> provides:</p> <ul style="list-style-type: none"> <li>(a) indoor public hotel space that is conference facility space, the Incentive Ratio is 1:18; and</li> <li>(b) for all other indoor hotel public spaces, the Incentive Ratio is 1:10.</li> </ul> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = <b>gross floor area</b> of the amenity space provided (square metres) multiplied by 10.0 or 18.0 for conference facilities.</p>



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12.3	<p><b>Requirements:</b></p> <p>An indoor public hotel space includes the following:</p> <ul style="list-style-type: none"><li>(a) a design as a distinct space within the <b>building</b> that does not contain a guest reception area or administration offices; and</li><li>(b) where the space is not a conference facility, public accessibility through a public access agreement during normal operating hours.</li></ul>
13.0	<p><b>DISTRICT ENERGY CONNECTION ABILITY</b></p> <p>District energy connection ability is the preservation of site areas from physical obstructions that would preclude or make unviable a connection to <b>district energy</b> infrastructure in the future.</p>
13.1	<p>The maximum incentive <b>floor area ratio</b> for this item is 1.0.</p>
13.2	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides district energy connection ability the additional <b>floor area ratio</b> is 1.0.</p>
13.3	<p><b>Requirements:</b></p> <p>A <b>district energy</b> connection ability includes the following:</p> <ul style="list-style-type: none"><li>(a) maintenance on the <b>parcel</b> until the <b>development</b> has been connected to and utilizes energy from <b>district energy</b> infrastructure;</li><li>(b) demonstration of the ability of a <b>building</b> to connect to existing or proposed <b>district energy</b> infrastructure by providing:<ul style="list-style-type: none"><li>(i) space allocated for an energy transfer station at ground level or below (energy transfer station is defined as the mechanical interface between the <b>district energy</b> system and the <b>building</b> heating system located in the <b>building</b> - commonly known as a plate and frame heat exchanger and includes all heat transfer equipment, measurement equipment and control systems);</li><li>(ii) a heat distribution system that can accommodate the primary heat source at ground level or below; and</li><li>(iii) an easement with a minimum width of 4.0 metres registered on the certificate of title for the <b>parcel</b> for a thermal pipe from the <b>property line</b> to the <b>building</b> and through the <b>building</b> to the allocated energy transfer station location.</li></ul></li></ul>
14.0	<p><b>CASH IN LIEU CONTRIBUTION OF AFFORDABLE HOUSING UNITS</b></p> <p><b>Density</b> may be granted for cash in lieu contributions towards affordable housing <b>units</b>. The funds may be used for the purchase of land, construction of or rentals of affordable <b>units</b> in Beltline.</p>

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14.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides a cash in lieu contribution to the Affordable Housing Fund, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = contribution (\$) divided by Incentive Rate 1 (\$)</p>
15.0	<p><b>PUBLIC REALM IMPROVEMENTS</b></p> <p>Public realm improvements are defined as improvements to the public right-of-way that contribute to the overall enhancement of the public realm. These improvements are upgrades to the public right-of-way that would not be achievable or required through other means, including the other incentive amenity items in this table. Provision of these improvements, and their location, form and configuration must be acceptable to the Approving Authority in their sole discretion.</p>
15.1	<p><b>Incentive Calculation:</b></p> <p>Where a <b>development</b> provides public realm improvements, the Incentive Rate is Incentive Rate 1.</p> <p><b>Method:</b></p> <p>Incentive <b>gross floor area</b> (square metres) = total construction cost (\$) divided by (Incentive Rate 1 (\$) multiplied by 0.75).</p>
15.2	<p><b>Requirements:</b></p> <p>Provision of public realm improvements adjacent to the <b>development parcel</b> in a location, form, configuration and constructed in a manner acceptable to the Approving Authority.</p>