

CPR Irvine Municipal Reserve Removal

Recommendation

1. That the removal of the municipal reserve designation from the lands legally described as Lot 1MR, Block L, Plan 0521161, as shown in Attachment 1 of the June 23, 2021, Financial and Corporate Services report FCS00579, be approved.
2. That a designated officer within Administration notify the Registrar of the Northern Alberta Land Titles Office that the provisions of the *Municipal Government Act*, R.S.A. 2000, c. M-26 have been complied with and request the Registrar to remove the designation of municipal reserve from lands legally described as Lot 1MR, Block L, Plan 0521161, as shown in Attachment 1 of the June 23, 2021, Financial and Corporate Services report FCS00579.

Purpose

Removing the municipal reserve designation from a parcel of land, legally described as Lot 1MR, Block L, Plan 0521161 (Attachment 1) is required to permit the City to enter into a lease for a parcel of land within the plan Whyte land use study area.

The property will maintain the current Public Parks Zone (AP) for the duration of the lease and any use of the space must adhere to the uses outlined within this zone.

Advertising and Signage

As per requirements of the *Municipal Government Act*, Section 674, regarding the removal of reserve land designations, the reserve designation removal notice was advertised in the Edmonton Journal on June 4 and June 12, 2021, and a sign was posted on the site. All advertising identified the purpose of the reserve designation removal is to lease the site.

Position of Administration

Administration supports this resolution.

Report

The 0.0678 hectare Municipal Reserve site located at 10245 82 (Whyte) Avenue is part of the City's parkland inventory and is located in the CPR Irvine neighbourhood.

The site is included within the boundaries of the planWhyte land use study, which was approved in 2018, and is identified as part of the broader linear public space along the east side of Gateway Boulevard from 80 Avenue to 86 Avenue. Administration received interest from a local business about leasing the site for food and retail services in the park.

The park site currently provides passive open space and is used throughout the year in support of local festivals. City funding to redevelop this park is not identified within the current budget cycle. The Old Strathcona Public Places Plan will provide recommendations for this open space and other open spaces in the area in alignment with the recommendations of the planWhyte study. Since work on the Old Strathcona Public Places Plan has not commenced, and in absence of approved funding to lead park development, Administration released a call for Expressions of Interest to activate the park site on a short term basis and accommodate up to a five year lease. The Expression of Interest closed May 7, 2021; all applications were evaluated and a preferred party was selected.

Administration is moving forward with negotiating the lease with the selected party. The lease is for a maximum five year term for a portion of the site, and identifies the approved uses, public access and maintenance responsibilities. As the lease falls within Administration's delegated authority, it does not require City Council approval.

The lease will be conditional upon the removal of the Municipal Reserve designation from the site. The property will maintain the current Public Parks Zone (AP) and any use of the space must adhere to the uses outlined within this zone. Uses in this zoning include, but are not limited to:

Permitted

- Community Recreation Services
- Outdoor Participant Recreation Services
- Public Park
- Special Event
- Urban Garden

Discretionary

- Market;
- Restaurants, for less than 100 occupants and 120m² of Public Space
- Specialty Food Services, for less than 100 occupants and 120 m² of Public Space

Once the lease is concluded in 2026, Administration will review the uses outlined in the Old Strathcona Public Places Plan, evaluate the future possibilities for the park

and determine whether or not to continue to lease the site. The municipal reserve designation could then be reinstated if required.

Budget/Financial

The Municipal Government Act requires that leases with a commercial entity on City lands be at a market rate. The proceeds received through the lease will be directed to the Funds in Lieu Reserve to be used for park or school site purposes, as required by the Municipal Government Act.

Public Engagement

Public engagement on the proposed removal of Municipal Reserve to accommodate park redevelopment and a five year lease for the site included both online engagement through Engaged Edmonton and communication with identified stakeholders including:

- Ritchie Community League;
- Queen Alexandra Community League;
- Strathcona Community League;
- Southeast Council of Community Leagues; and
- Old Strathcona Business Association.

Overall public opinion on the proposed removal of municipal reserve designation was mixed. Some welcomed park development and additional commercial uses at this location. Others identified a few concerns including:

- loss of park space within the area;
- removal of municipal reserve designation prior to completion of the Old Strathcona Public Places Plan;
- impact to existing trees; and
- Losing green space to commercial development.

The Old Strathcona Business Association provided a letter of support for this project, including the removal of Municipal Reserve designation to accommodate a temporary lease agreement. Their support was conditional upon future redesignation of Municipal Reserve, informed through completion of the Old Strathcona Public Places Plan.

Attachments

1. 10245 82 Avenue NW Municipal Reserve Removal Map

Others Reviewing this Report

- S. McCabe, Deputy City Manager, Urban Planning and Economy
- K. Fallis-Howell, Acting City Solicitor