

## OPEN SPACES - BENEFITS, RISKS AND POTENTIAL IMPROVEMENTS

### RECOMMENDATION

That the January 19, 2022, Urban Planning and Economy report UPE00707, be received for information.

#### Report Purpose

##### Information only.

Executive Committee is being informed of the Administrative procedure related to the evaluation and purchase of open space, with a focus on surplus school sites.

### Previous Council/Committee Action

At the June 8, 2021, City Council Public Hearing, the following motion was passed:

That Administration provide a report to Committee, outlining the benefits and risks of the current process, and exploring potential process improvements for the opportunity purchases of open spaces, for example surplus school sites.

### Executive Summary

- This report provides information on the process used by Administration to prioritize the acquisition of open space in mature neighbourhoods.
- This process applies to private properties acquired through opportunity purchase, as well as under the Joint Use Agreement with school divisions for former school lands retained by the City for public use.
- Potential process improvements are detailed and illustrated through a representative example of a surplus school declaration. These improvements are being considered in order to meet the District Planning goals articulated in The City Plan.
- The development of an equitable open space system that meets the existing and emerging needs of Edmontonians is crucial to implement the Big City Moves identified in The City Plan including "Greener as We Grow" by seeking opportunities to expand the City's green network,

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“A Rebuildable City” by seeking opportunities to enhance existing open space to adapt to changing needs and “A Community of Communities” by seeking opportunities to achieve multiple outcomes in existing neighborhoods including housing, recreation and climate resilience as part of the City’s green network.

- Administration considers acquisition opportunities to develop all types of parks in mature neighborhoods and will involve Council as necessary.

### REPORT

There is parkland in some areas of the city that was acquired prior to the introduction of legislative standards found in the *Municipal Government Act* (MGA). As such, many older neighbourhoods do not have the same amount of open space as newer communities. This creates inequity in open space provision as older neighbourhoods undergo redevelopment and densification. In these mature neighbourhoods, the City of Edmonton typically acquires parkland through opportunity purchases of private land, or via the transfer of properties owned by the school divisions and governed under the Joint Use Agreement. Before a property is identified for purchase, Administration undertakes an open space assessment to ascertain the amount of parkland available to neighbourhood residents, evaluates its functions and uses, and determines if there is sufficient support for acquisition.

### Current Process

In mature neighbourhoods, parcels are considered for acquisition if the need for additional parkland is clearly established and supports future public open space uses. The first step undertaken when evaluating a property for parkland involves a detailed analysis to determine if the land represents a priority acquisition. In the case of opportunity purchases of private properties, the evaluation begins with a review of the relevant neighbourhood plan to determine whether previous planning initiatives identified the need for additional parkland.

The Urban Parks Management Plan (UPMP), approved by City Council in June 2006, provides guidelines that inform parkland assembly in newly developing neighbourhoods. In developed neighbourhoods, the UPMP standards primarily serve as a comparative benchmark to evaluate greenspace adequacy and must be considered along with other factors including the quality, functionality and accessibility of the existing open space network. The use of UPMP standards ensures that open space targets are consistent across Edmonton’s developing neighbourhoods. However, the UPMP does not adequately address gaps in the open space network in mature established neighbourhoods. Future work building off District Plans in the next budget cycle will seek to address the ability to acquire open space where large contiguous areas are not available and land is more expensive, by better understanding provision levels and gaps.

In addition to the UPMP standards, *Breathe: Edmonton’s Green Network Strategy* outlines an approach that ensures the open space analysis is holistic. *Breathe* provides a strategic framework for evidence-based decisions in regards to the City’s open space, recognizing that different areas of the City may have different open space provision levels. This framework is incorporated into a

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geospatial database that contains an inventory of all the open spaces in the city, with accompanying information about function and connectivity. The database supports data-driven decisions about the future of parkland that expand the open space analysis beyond strict minimum targets. The open space assessment also evaluates publicly accessible or publicly owned open space available to residents within a 400 metre catchment area, measured from the neighbourhood boundary. Any unique geographic features which may hinder access across the system are incorporated into the analysis. The report is then shared with other business areas to ensure that numerous perspectives and concerns are understood, and to determine whether there is interest in the land for other civic uses. The circulation includes discussions with other City departments and EPCOR to determine if land is required for specific infrastructure or other non-park uses including the development or expansion of recreation facilities, which are traditionally on parkland, or other needs like social housing or storm water ponds.

While the UPMP and *Breathe* support open space acquisition decision making, the Joint Use Agreement (JUA) pertaining to land outlines the process by which surplus school sites are offered to the City. Under the JUA: When a school site is declared surplus by its respective school board, the other two school boards are provided the first right to purchase. If more than one school board indicates a desire to purchase, the Francophone school board has the first right to purchase the subject site. If the school boards decline their right to purchase, the City has the next opportunity to purchase. Upon notice of the opportunity to purchase, Administration has 180 days to advise the school board of its interest in the site. Administration may request an extension to the 180 day timeframe if the necessary budget and financial approvals to support a potential acquisition are not in place, so that approval may be sought. While this process applies to both reserve and non-reserve school sites, non-reserve school sites require funding based on fair market value, whereas reserve designated lands may be returned to the City for one dollar.

### Current Challenges and Potential Improvements

If an open space analysis provides a rationale for acquiring a specific parcel of land, Administration engages in an acquisition process that presents a series of recurring challenges. Similar challenges exist for both privately held parcels and for surplus school sites. These include:

- Market timelines associated with the acquisition of privately owned properties may not align with City process timelines when Council approval for funding is required, especially for occasions where the City would like to acquire lands above market value; this is not an issue with surplus school sites.
- Confirming public interest through formal engagement, or discussing the merits of specific sites in a public forum, may complicate negotiations or create a public expectation that favours acquisition. This may strain the budget profiles which were created to acquire parkland.
- Process requirements related to Council reports and budget adjustments that only arise in fall and spring may obstruct nimble negotiations and purchases; this issue arises when there is no available funding source for opportunity purchases.

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- Establishment of priority acquisitions as part of the four-year capital budget process does not account for opportunity purchases.

Some of these challenges were evident in the St. Andrew School site acquisition, which illustrates areas for potential improvement.

### Case Study - St. Andrew School Site

While most surplus school processes are smooth and a mutually agreeable result is achieved, in some cases the outcome does not meet the needs of all parties. In July 2015, the Edmonton Catholic School District (ECSD) declared the St. Andrew School site in the Inglewood neighborhood as surplus. Using the UPMP as a guide, Administration undertook an assessment of neighbourhood open space to determine the viability of retaining 0.5 hectare of open space associated with the school. Neighbourhood conditions were also incorporated into the analysis.

Evaluation determined that additional parkland at this location supported greater equity of parkland between the east and west portions of the Inglewood neighbourhood. Much of the open space in the neighbourhood consists of a large linear park on the east side of the neighbourhood, which accounts for the majority of open space available to residents. In addition, the Muslim Association of Canada was using the school building to deliver an elementary Islamic school program and land acquisition would allow students to continue using existing fields. Incorporating the property into City inventory would allow continuity of existing service levels, and thus provided a rationale for Administration to enter into discussions with the ECSD to acquire the site.

Council approved funding during the 2015-2018 budget cycle to support the acquisition. Discussions with the ECSD focused on the purchase price and were ultimately hindered when the ECSD received a competing proposal that assumed increased development rights, resulting in a price that exceeded Administration's offer and was considered to be above fair market value. As an agreement could not be reached with the ECSD, an administrative decision was made to discontinue negotiations. At the time, Administration did not pursue the land purchase with the perspective that the City would need to pay more than the value of the land. Subsequently, redevelopment proposals brought to public hearing by the eventual purchaser were declined on two occasions, and additional open space has now been added to the neighbourhood at the Charles Camshell Hospital site.

### Process Improvements

The St. Andrew file illustrates where process improvements can occur to streamline acquisition. These process improvements may also apply when an acquisition is not essential to meet open space standards, but is desirable to meet broader planning objectives. In response to the St. Andrew file, Administration has advanced a number of process improvements in the last several years including:

- Re-evaluation of the current standards in the Urban Parks Management Plan, which are weighted toward an evaluation of adequacy based on minimum targets in new

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neighbourhoods, to examine adequacy measures for developed areas. These new standards take into consideration the unique qualities, needs and changing demographics of mature neighbourhoods.

- Using *Breathe* to inform open space decisions and expand analysis to consider quantity (supply), distribution (access), diversity and quality (functionality) of existing open space to inform potential acquisition decisions. This analysis considers a green network approach looking beyond a neighbourhood's boundaries to better identify gaps and needs at a District level in alignment with The City Plan and *Breathe*. A service package to build an open space network analysis onto the forthcoming District plans will be brought forward for the 2023-26 budget cycle.
- Early and coordinated exploration of partnership opportunities to support multiple objectives within a single site including community-led initiatives, provision of affordable housing and flood mitigation (dry ponds). Proactive identification of partnership opportunities is being sought where appropriate to lower the financial burden of acquisition.
- Applying a growth management lens to provide a platform for moving municipal funding to better prioritize open space acquisition in developed areas. Where open space acquisition may be difficult, strategic investments in existing open space infrastructure may increase the functionality of the available parks (particularly in our priority growth areas as outlined in The City Plan).

In addition to the process improvements listed above there are opportunities to better respond to acquisition requests which may require further direction through Council including:

- Discussions with school divisions to reconsider timelines in the Joint Use Agreement related to the transfer of lands, providing a broader window of opportunity for Administration to liaise with Council and seek direction, particularly when a property is not required to meet minimum open space targets but may be desirable to meet broader planning objectives.
- A periodic increase in funding to support the acquisition of open space in mature neighbourhoods, including acquisition of non-reserve surplus school sites, requiring a re-evaluation of the existing Mature Area Acquisition fund capital profile (CM-17-1020).
- Establishment of an opportunistic land purchase composite profile to provide Administration with the appropriate authority to move forward and take advantage of purchase opportunities as they arise.

### Budget/Financial Implications

Parkland acquisitions not assembled through land dedication are funded through Municipal Reserves (namely the Parkland Purchase Reserve and the Funds in Lieu - Residential Reserve). Properties are identified as part of the four year capital budget cycle with adjustments being made during the Supplemental Capital Budget Adjustment process. The balance of the Parkland Purchase Reserve is projected to be \$7.6 million by the end of 2021 and the balance of the Funds-in-Lieu Residential Reserve is projected to be \$14.7 million by the end of 2021. Projections

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include estimated land acquisition commitments to be completed during 2021-2022, which may change as opportunity purchases arise. Additional capital and operating funds would be required to build and maintain the park following acquisition.

### COMMUNITY INSIGHT

City-wide, public engagement efforts consistently demonstrate community interest in preserving and enhancing neighbourhood open space. As such, Administration's default position when evaluating a property used for open space is potential acquisition. Since Administration is frequently bound by acquisition timelines, a community's commitment to a particular property cannot always be evaluated with formal public engagement as an input for decision making.

### GBA+

A comprehensive GBA+ evaluation was not undertaken for this report. The current process focuses on quantitative analysis that relies on minimum standards. However, the proposed approach detailed above would include GBA+ considerations including:

- Further elaboration of the themes in *Breathe: Edmonton's Green Network Strategy* include GBA+ elements, enhancing the current analysis, and a more holistic approach would be introduced that considers how different elements in the green network contribute to wellness, ecology, and celebration in a neighbourhood.
- The integration of social equity as a guiding principle into network analysis would lead to establishing new goals that extend beyond the traditional "parkland adequacy" approach.
- The GBA+ Process of Inclusion tool can evaluate how the current processes may reinforce inequalities and marginalization of diverse individuals. The findings of this analysis will be used to identify relevant equity measures that will further integrate GBA+ into the updated open spaces acquisition process.

The inclusion of a GBA+ lens into process improvements will enhance Administration's understanding of wellness and celebration functions in open spaces, provide a broader perspective on how the needs of specific communities are or are not being addressed, and align decision-making with the City's diversity and inclusion goals to ensure equality of outcomes for all Edmontonians.