



**Downtown Secondary Plan - OPA 43
Proposed Public Parkland
(South Side of Wellington Street East
between Gordon Street and Wyndham Street South)**

April 13, 2012

Introduction

The following is a staff response to the issues and concerns raised by property owners and tenants regarding the proposed designation of these lands as Future Park Policy Area C. Staff intend to bring forward recommendations, as summarized in this document, for consideration by City Council at its meeting on April 30, 2012.

- The November 7, 2011 staff report and draft Downtown Secondary Plan Official Plan Amendment showed the lands designated in this area as Future Park Policy Area C
- A number of objections and concerns were raised by property owners and tenants regarding:
 - Impact of the proposed designation on potential improvements/investments planned to existing commercial buildings.
 - Impact on existing businesses and their ability to continue.
 - Impact of the proposed designation on the ability to secure tenants in the existing commercial buildings.
 - Concern that the proposed designation would devalue the property.
- Staff has reviewed concerns, conducted further analysis of options
- The Downtown Secondary Plan will be further presented to Council, with staff recommendations, for decision at the Council meeting on April 30, 2012
- With respect to Future Park Policy Area C, staff will be recommending the long-term acquisition of these lands for purposes of creating a public park
- In addition, staff will recommend policy language to:
 - Provide further clarity and certainty around timing;
 - Provide more certainty regarding the status of existing uses and their ability to continue to function productively; and
 - Ensure that the long-term acquisition process is fair and equitable and minimizes effects on landowners and tenants.

1. The need for additional parkland in the downtown:

The creation of parkland in the downtown generally satisfies a number of objectives including providing health, environmental, aesthetic and economic benefits that are important elements for a good quality of life. Downtown's public realm is fundamental to the attractiveness and livability of the core and indeed the entire city. Downtown's many beautiful buildings should be matched by beautiful public spaces. Trees, landscaping and green space generally are essential beautifying elements that contribute to a high quality of life by creating settings for recreation, culture, gatherings and passive enjoyment. Downtown needs additional urban parkland and better access to the river. A diverse network of existing and new open spaces linked by enhanced streetscapes will create a more cohesive and attractive Downtown, providing new opportunities to experience the river, dine outdoors and enjoy special events and Downtown activity.

The objective of the plan is to provide one Hectare of public parkland per 1000 residents of the downtown which is lower than the City-wide target and reflective of a more urban, downtown standard. Based on a proposed minimum residential population of 8,500 residents this means achieving a total of 8.5 ha within the Downtown Secondary Plan Area. The proposed acquisition of the commercial properties for parkland creation is a key component in meeting Downtown's long-term parkland needs as well as providing significant City-wide benefit.

2. Why staff selected this location for parkland?:

The reasons include the following:

- Linking Royal City Park (a city-wide asset) and John Galt Park.
- Marking and enhancing a major gateway to the downtown. In combination with views to Church of Our Lady, this park would announce arrival to Downtown Guelph and improve its sense of place.
- Providing a 'front yard' and additional public amenity space for the high-density residential development planned on the north side of Wellington Street and elsewhere Downtown. This is an urban solution to providing green space in a high-density environment.
- Allowing for the high quality Primary trail connection identified in the Trail Master Plan.
- Providing an essential active transportation connection since bike lanes are not planned for Wellington Street.
- Improving visual and physical public access to the river, which was a key goal of Guelph planning for years as reflected in the River System Management Study, Guelph Trail Master Plan, Parks, Recreation and Culture Master Plan and the Official Plan.
- Provide an opportunity for a living community centre with outdoor uses such as sculpture gardens, grassed areas, basketball courts or a splash pad.

3. What is the timing of the proposed park?:

The planning horizon of the Downtown Secondary Plan is 2031, by which time the park is planned to be functional.

4. What is the timing of land acquisition for the proposed park?:

- With the recommendation to City Council on April 30, 2012 to approve the Downtown Secondary Plan, staff will also be recommending that funding for land acquisition for the park be identified in the Ten Year Capital Forecast in the year 2022.
- Staff will recommend policy language to indicate that land acquisition would start when funding is planned to be available in 2022, if property owners approach the City on a willing seller basis.
- The City will monitor acquisition of land under this policy to determine if the objectives of the Plan are being met.
- This park development schedule will be monitored through the 5-year Official Plan review based on the population growth assumptions underpinning the Downtown Secondary Plan and the recommended parkland ratio.
- It is the City's intent to keep these properties in productive commercial use until park development occurs

5. What is the impact on the existing commercial uses of the affected properties?:

- Commercial land uses will be allowed to continue until the City proceeds with park development
- It is the City's intent to keep these properties in productive commercial use after they are acquired by the City, until park development occurs
- Physical aesthetic improvements, minor expansions and additional compatible commercial uses shall be permitted
- Major expansions and significant new uses shall not be permitted
- As part of the long-term redevelopment some small-scale commercial uses may be established at the intersection of Gordon Street and Wellington Street East. Therefore some commercial-use is envisioned in the long-term near the intersection. Only commercial that compliments the future park space is anticipated
- Additional commercial space throughout the Secondary Plan area is anticipated—overall a net loss of commercial space is not being planned for

6. What does this mean for property owners (landlords)?:

- After funding is available in 2022, property owners interested in selling their properties may approach the City to sell their properties to the City
- There shall be no restrictions on continuing to lease the properties for similar commercial purposes until parkland development occurs. The City is prepared to take ownership of the properties with commercial leases in place (i.e. the

City will become landlord to existing tenants). The City will likely re-tenant any vacant space until park development occurs.

- Compensation for land acquisition shall be as set out in Section 8 of this handout.

7. What does this mean for tenants?:

- Tenants can continue to lease space at the properties until park development occurs
- If landlords sell the property to the City, the City will honour existing leases and tenants will be able to stay on under existing or negotiated agreements until park development occurs

8. How will compensation be determined for land acquisition?:

- To create the public park, it shall be the intent of the City to negotiate mutually satisfactory agreements to acquire the properties from willing sellers. Negotiations will include considerations based on the framework provided in the Expropriations Act.
- Market value for the properties shall be based on their uses disregarding the parkland use proposed in the Downtown Secondary Plan. Compensation will be based on commercial uses that were possible at the time of approval of the Downtown Secondary Plan.

Further Questions:

Please feel free to direct further questions to:

David de Groot, Urban Designer, 519-822-1260 Ext. 2358, david.degroot@guelph.ca
or

Jim Stokes, Manager of Realty Services, 519-822-1260 Ext. 2279, jim.stokes@guelph.ca

Summary of staff recommended changes to the November 7, 2011 policies

- Staff will recommend changes to the policies to state that:
 - the City will acquire the lands for purposes of creating a public park;
 - land acquisition could start when funding is planned to be available in 2022, if property owners approach the City on a willing seller basis;
 - Recognize that this timeframe could be extended based on monitoring (i.e. growth targets being met)
 - Compensation will be based established through the negotiation of mutually satisfactory agreements, based on the framework provided in the Expropriations Act
 - The need for land acquisition by other means shall be monitored through the planning period.
- The policies will permit similar commercial uses to those to those that exist at the time of Secondary Plan adoption
- Major expansions and the addition of significant new uses are not permitted
- Clarify name and purpose of the parkland acquisition strategy