

# Retention of Municipal Parkland Policy

Approved By:

Approval Date:

Effective Date:

Revision Approved By:

## Policy Statement

The City of Ottawa shall retain ownership of all municipal parkland for recreation as its primary function. Municipal parkland shall not be sold or repurposed and shall not be built upon - with the exception of built facilities that serve a park, recreation and / or cultural function – unless prior approval of the General Manager of Recreation, Cultural and Facility (RCFS) is obtained.

## Purpose

The purpose of this policy is to ensure that, given the need for future parkland and recreational facilities as established in the Parks and Recreation Master Plan (2021), the City protects the investments made into existing parkland and enhances parkland recreational use to meet the provision level targets established in the Parks and Recreation Facilities Master Plan (2021).

## Application

This policy applies to all municipally owned lands designated for parkland and recreational use per the *Zoning By-law*, as amended from time to time, and currently zoned O1, L1 and L2, as well as all lands identified as parks in the City of Ottawa's geoOttawa information system.

This policy also applies to all future lands acquired and zoned by the City for parkland and recreational uses, as per the *Zoning By-law*, as amended from time to time.

The policy applies to all departments seeking any proposed new permanent or temporary use of parkland.

## Policy Requirements

The City shall retain all municipally owned lands currently zoned O1, L1 and L2 for municipal parks and recreation purposes, except where otherwise noted in this policy or as authorized by Council.

The Planning, Real Estate and Economic Development Department (PRED) will zone all lands acquired through the *Parkland Dedication By-law* or *Planning Act*, or acquired for the RCFS portfolio through other means, as O1, L1 or L2 (or as amended) for active or passive parks, recreation or cultural uses as per the RCFS mandate.

All departments will obtain the explicit written approval of the General Manager of RCFS when municipal parkland (currently zoned O1, L1 or L2) is proposed to be used for municipal purposes outside of the RCFS mandate, such as for stormwater management, utility easements or commuter parking.

The Corporate Real Estate Office (CREO) shall ensure that where municipal parkland is sold, or where land rights are provided for uses other than parkland, the Parks and Recreation Facilities Reserve Fund will be compensated at the fair market value of the affected property. This most often occurs in the case of easements over parkland. For additional clarity, when RCFS's right to provide recreation facilities is encumbered by easements or other requests for land rights, compensation will be provided.

CREO will obtain the explicit approval of the General Manager of RCFS and approval by Council when municipal parkland currently zoned O1, L1 or L2 is considered for possible sale. Parkland in Transects and City Traffic Zones with less than 2.0 ha of parkland per 1,000 residents should be considered of highest priority for retention as municipal parkland.

Unless otherwise directed by Council, 100% of the net proceeds generated under this policy shall be used to fund the development of new municipal parks and recreation facilities. The funding may be used for developing new parks and recreation facilities, upgrading existing parks or facilities, capital grants, studies, purchasing land, or other appropriate uses as directed by Council. The reserve funds cannot be used for funding ongoing operating costs.

## Responsibilities

City departments shall work in a coordinated manner to ensure the retention of City municipal parkland for recreational uses and to achieve the targets and recommendations established in the Parks and Recreation Facilities Master Plan

(2021), as approved by Council. All parties are subject to the requirements of the Municipal Act as it pertains to the sale of City land.

RCFS shall work in collaboration with all affected departments to ensure that the requirements of this policy are met.

- Any department or entity proposing a new permanent or temporary use of parkland, including use of parkland for easements, that is not initiated within RCFS, must be approved by the General Manager of RCFS. RCFS will review the proposed use to ensure that it does not present any new or undue risks or impediments for park users and sanctioned activities of the site.

PRED shall ensure that:

- Existing municipal parkland remains distinctly zoned for parks and recreation purposes and that the zoning only permits uses that are consistent with a recreation and culture mandate.
- All newly acquired municipal parkland is zoned O1, L1 or L2 (or as amended).

When CREO receives unsolicited requests to purchase municipal parkland, CREO shall contact the General Manager of RCFS, to determine whether a disposal, as per the Disposal of Real Property Policy, can be considered and whether an internal circulation should be undertaken.

In the case of disagreement between General Managers, the City Manager is delegated to arbitrate a solution.

The General Manager of RCFS may designate roles and responsibilities under this policy to the Manager of Parks and Facilities Planning.

The value of any lands that have been determined to be appropriate for sale shall be calculated at market value by the CREO valuation team or by a CREO designated third party.

Finance will track and monitor the reserve designated for municipal parks and recreation, as a result of this policy, and ensure those funds are made available through the annual capital budget process.

## Monitoring

RCFS and CREO are responsible for monitoring the application of this Policy and, ensuring that the requirements of this policy are met and are in conjunction with the Disposal of Real Property Policy.

# Legislative and Administrative Authorities

City of Ottawa Official Plan (2021)

City of Ottawa Parks and Recreation Facilities Master Plan (2021)

[Disposal of Real Property Policy](#)

## Definitions

O1 – Parks and Open Space Zone as defined by the *City of Ottawa Zoning By-law*

L1 – Community Leisure Facility Zone as defined by the *City of Ottawa Zoning By-law*

L2 – Major Leisure Facility Zone as defined by the *City of Ottawa Zoning By-law*

City Traffic Zone – A geographic sub-area of the City of Ottawa used primarily for transportation planning purposes.

Parkland – A City-owned property that includes land acquired through the development review process under the provisions set out in the *Parkland Dedication By-law*, and lands that are expropriated or purchased by the City for park or recreation purposes. Parkland may be developed to include community buildings, soft and hard surfaces, and active recreational facilities such as play structures, water play and sports fields.

Recreation Facility – An indoor or outdoor public place designed and equipped with facilities such as a swimming pool, squash or tennis courts, sports arena and fields, gymnasias, weightlifting and exercise rooms, and used for recreational, fitness or athletic pastimes and / or to provide instruction in such pastimes. It may include an ancillary sports field.

Transect - A term used in the Official Plan (OP) 2021 to refer to a geographic area of the city. The OP divides the city into six concentric geographic policy areas (Transects) and established land use planning policies for each.

## Enquiries

For more information on this policy, contact:

Manager, Parks and Facilities Planning

Recreation and Cultural Facilities Services

City of Ottawa