



Staff Report for Council Meeting

Date of Meeting: June 8, 2022

Report Number: SRC.22.13 Park Use By-law Enactment

Department: Community Services
Division: Community Standards

Subject: SRC.22.13 Park Use By-law Enactment

Purpose:

To repeal the existing Park Use By-law and replace it with a new Park Use By-law and address all comments raised by Members of Council at its meeting of April 27, 2022.

Recommendations:

- a) That staff report SRCS.22.13 regarding the enactment of a new Park Use By-law be received;
- b) That the existing Park Use By-law No. 16-83, as amended, be repealed and Park Use By-Law No. 19-22, attached as Attachment 1 to SRCS.22.13, be enacted (and replace Chapter 942 of the City of Richmond Hill Municipal Code);
- c) That By-law No. 20-22 attached as Attachment 2 to SRCS.22.13 be enacted to amend Schedule 'A' of the Administrative Penalties By-law No. 69-16, as amended, to include designated Park Use By-law offences and,
- d) That Staff continue to investigate the possibility of reinstating the Park Ambassador Program and request necessary funds through the Operating Budget process if it is determined that such a program is recommended.

Contact Person:

Dolly Anand, Manager of Policy and Licensing, Extension 6572

Report Approval:

Submitted by: Tracey Steele, Acting Commissioner of Community Services

Approved by: Darlene Joslin, Interim City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

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Background:

On April 27, 2022, staff recommended a new Park Use By-law for enactment via SRCS.22.01 (Attachment 3). In discussing the report, Council Members expressed general support for the proposed new By-law, but referred the report and proposed by-laws (Attachments 1 and 2) back to staff with direction to provide a further report to address comments raised by Members of Council at the meeting. Such comments related to park opening hours, the Park Ambassador Program, park regulatory signage and the addition of multi-lingual public awareness actions to the Communications Plan.

Discussion:

Park Hours

The original public survey conducted for the Parks Use By-law review in August 2021 asked respondents whether they agreed with the City's current park hours of operation of 7:00 am to 11:30 pm. 529 people responded to this question with 62% indicating "the current hours are good" and only 6% indicating that parks should be open longer.

Following the April 27, 2022 Council meeting, a second survey was conducted in May to further consult with residents specifically with respect to the time that parks should open. This survey received 330 responses and 54% of respondents indicated parks should open at 7:00 am. Consistent with the results from the two surveys, the proposed Park Use By-law recommends maintaining park hours of operation from 7:00 am to 11:30 pm.

Identifying park closure times indicates the period that the City is not obliged to patrol or maintain parks, and provides an understanding that any individual entering the park during these times would do so at their own risk. This is consistent with other Ontario municipalities and supported by case law and the Occupiers Liability Act of Ontario. Individuals choosing to use the park during the closure period, would be in contravention of the by-law. In the event that after hours presence in a park is observed during patrols by security, by-law or police, visitors would be asked to exit the park. If after hours attendance in a park generates a complaint, the visitors may be issued a violation.

Park Ambassador Program

In 2008, Council endorsed implementation of a Park Ambassador Program recommended through Staff Report SRPRC.08.09. As indicated in SRPRC.08.09:

The program's main objective is to recruit, train and empower local residents 18 years of age and older, by allowing them to serve as Park Ambassadors for their local communities. These volunteers will be a visible presence in their respective neighbourhood parks by providing helpful information about the Town of Richmond Hill to their neighbours and friends and also relaying any concerns or problems in the parks to their Town. Hence, the Ambassadors act as the "eyes and ears" of their communities. The

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implementation of this program will empower residents, reduce graffiti vandalism, and cut down on damage to playgrounds and curtail suspicious criminal activity in community parks.

The program commenced with a pilot in the Westbrook Subdivision (Elgin West). In 2010, the Park Ambassador Program was expanded City-wide consistent with the recommendation of Staff Report SRPRC.10.17. It was noted that the Program was experiencing some issues with keeping participants motivated, but there was optimism that such issues could be resolved through increased promotion and communication. York Regional Police provided training for the Park Ambassadors to provide guidance on how to survey a park for safety and security concerns, as well as how to avoid confrontations and report incidents.

In 2013, the Core Services Review associated with the reorganization of the Public Works Operations (PWO) Division identified the Ambassador Program as discretionary and recommended that it be reviewed to assess its value and effectiveness. The later evaluation determined that the Ambassador Program was not meeting intended goals and there was a tendency for the volunteers to focus on, and report minor park maintenance concerns (e.g., garbage, cracks in sidewalks etc.) outside regular operational schedules, which was causing workload and scheduling issues for PWO.

As a Park Ambassador Program is not directly related to the enactment of a new Park Use By-law, it is recommended that PWO re-evaluate the potential to reinstate this program and request necessary budget through the Operating Budget process if it is determined that such a program is recommended in the future.

Park Signage

Park signs provide information and directions for people to find their way around the park, encourage learning experiences, help maintain the image of the park and communicate park rules. A Park Signage Strategy was completed in 2020 and is being implemented on an ongoing basis as new park signs are erected or old signs are replaced. The Strategy promotes the use of pictograms for conveying regulatory messages. The pictogram system includes a variety of graphic symbols, shapes, and sizes contained within standardized bounding boxes of squares, circles, and triangles. These common shapes anchor the different pictograms together to create a structured, orderly appearance that makes reading signs easier and conveys messages in an accessible manner, which overcomes language barriers so that the message is understood by visitors with a broad range of reading levels.

Communication Plan

In order to build public awareness regarding the rules and regulations set out in the Parks Use By-law, a Communication Plan was established to focus on educating residents and visitors about the rules that keep City parks fun and safe for everyone to enjoy. Park rules will be promoted at various times throughout the year through

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communication approaches such as public service announcements shared with a variety of local and multilingual media outlets, website updates (automated translation available), use of social media, and articles in City publications such as the e-newsletter (automated translation available).

Following Council's comments at the April 27 meeting, the City will be expanding this plan to include multilingual paid advertisements and has included a story on Parks Use By-law in the spring edition of the City's print newsletter that's been delivered to all households in Richmond Hill (available in five languages).

Financial/Staffing/Other Implications

The proposed new Parks Use By-law is expected to have a positive impact on staff workloads through clarification of the rules applicable to park use and providing an additional enforcement tool through AMPS. Incorporation of park use offences into AMPS is expected to generate approximately \$500 - \$1,000 annually in AMPS fines and administrative fees. Further, there will be a one-time cost associated with changing all the posted signs.

Relationship to Council's Strategic Priorities 2020-2022:

Sense of Belonging

Setting easy to understand standards that address contemporary park uses and activities and make parks are safe and enjoyable for visitors while protecting adjacent properties.

Getting Around the City

Establishing appropriate trail etiquette so that the City's off-road trail system is both a viable recreational amenity and a means transportation.

Balancing Growth and Green

Establishing regulations that provide harmony between human use of parks and environmental protection.

Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

Conclusion:

On April 27, 2022, staff recommended a new Park Use By-law for enactment via SRCS.22.01 (Attachment 3). In discussing the report, Council Members expressed general support for the proposed new By-law, but referred the report and proposed by-laws (Attachments 1 and 2) back to staff with direction to provide a further report to address comments raised by Members of Council at the meeting.

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After conducting additional review with respect to park hours, the Park Ambassador Program, park signage, and communications for the new Park Use By-law, Staff continues to recommend the proposed new Park Use By-law No 19-22 unrevised from April 27, 2022. The proposed new by-law includes modern definitions and regulations, updated delegated authority and permit provisions, improved consistency with other City by-laws, and an improved framework for enforcement through AMPS.

Following enactment of the new By-law a Communication Plan will be implemented to promote public awareness of park rules and regulations using a multi-channelled and multi-lingual approach.

Attachments:

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment 1 – Proposed new Park Use By-law No. 19-22
- Attachment 2 – Proposed By-law No. 20-22 to amend Schedule ‘A’ of the Administrative Penalties By-law No. 69-16 to include designated Parks Use By-law offences
- Attachment 3 – SRCS.22.01 Park Use By-law Enactment

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Report Approval Details

Document Title:	SRCS.22.13 Park Use By-law Review.docx
Attachments:	- Att 1 - Proposed new Park Use By-law No. 19-22.docx - Att 2 - Proposed By-law No. 20-22 to amend Schedule ‘A’ of the Administrative Penalties By-law.docx - Att 3 - SRC.22.01 Park Use By-law Enactment.docx - Att 4 - SRCS.21.18 Park Use By-law Review – Key Findings and Directions.docx
Final Approval Date:	May 30, 2022

This report and all of its attachments were approved and signed as outlined below:

Tracey Steele - May 27, 2022 - 3:46 PM

Darlene Joslin - May 30, 2022 - 8:28 AM