



Report to: General Committee

Meeting Date: April 1, 2025

SUBJECT: City Parks and Public Properties Bylaw
PREPARED BY: David Plant – Sr. Manager – Operations – Parks, Horticulture and Forestry, Ext 4893

RECOMMENDATION:

- 1) That the report entitled “City Parks and Public Properties Bylaw” be received:
and,
- 2) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

The purpose of this report is to obtain Council approval of a new City Parks and Public Properties Bylaw to replace the Parks By-Law #167-92 last revised on June 26, 2007 and the Town Owned Property By-Law #279-96 with one comprehensive By-Law.

BACKGROUND:

The current Parks By-Law #167-92 and Town Owned Property By-Law #279-96 are limited in scope and do not address current and emerging issues and concerns within City parks and public properties. Without an updated and current By-Law to reference, the City’s ability to properly and adequately address issues and when required, enforce penalties for those responsible, is limited.

OPTIONS/ DISCUSSION:

To ensure a fulsome review of current and emerging issues, an extensive benchmarking exercise was undertaken with relevant municipalities inclusive of discussion with staff of those municipalities to identify gaps in their current By-Law. Information was gathered from the Parks By-Laws of the Cities of Brampton, Mississauga, Toronto, Hamilton, Vaughan and Ottawa and then shared with the applicable departments within the City of Markham to seek feedback and any additionally required content to ensure that the new By-Law addressed our collective needs. Utilizing the feedback from departments within the City, a City Parks and Public Properties By-Law was drafted and circulated for final review. This robust process included the addition of updated language, definitions, and content applicable to current legislation as well as content and references to other applicable City of Markham By-laws.

Noting the similarities between the current Parks By-Law #167-92 and Town Owned Property By-Law #279-96, the exercise also combined the two bylaws into one.

The table below presents a high-level overview of the existing Parks By-Law and the proposed By-Law as it relates to content.

	EXISTING Parks By-Law #167-92 last updated July 5, 2007	(NEW)City Parks and Public Properties By-Law
Number of pages	8	33
Definitions	3	82
Table of contents	No	Yes
List of exemptions	No	Yes
Administration roles	No	Yes
General Conditions	Limited	Comprehensive
Damage to property	No	Comprehensive
Encroachments	Limited	Comprehensive
Fines and penalties	No	Comprehensive
AMPS	No	Comprehensive
Specified Park use	No	Yes
Commercial vehicles	No	Yes
Animals	No	Comprehensive
Vehicles	No	Yes
Enforcement	No	Yes
Permits	Limited	Yes
Events/Special Events	No	Yes

The Draft Bylaw is intended to address issues related to all City owned outdoor spaces of public parks, green spaces, and all public properties within the City inclusive of the Civic Centre. The facilities located on public property will continue to be the responsibility of the user department while the outdoor space and its use will be supported through this new By-Law.

The Proposed City Parks and Public Properties By-Law provides the following:

1. Clear direction on the respectful use of City parks and City owned/operated Public Properties inclusive of the Civic Centre;
2. Comprehensive and structured content easily referenced, understood, and applied by City staff and residents;
3. A practical balanced approach to protect City assets and members of our community as well as being enforceable when appropriate and necessary; and
4. Up-to-date terminology and legislative requirements addressing issues and technology for the current environment.

FINANCIAL CONSIDERATIONS

Parks signage requires updating, which involves partial refacing at an estimated cost of approximately \$3,300.00 for staff time and materials.

HUMAN RESOURCES CONSIDERATIONS

Not applicable.

ALIGNMENT WITH STRATEGIC PRIORITIES:

A new and updated City Parks and Public Properties Bylaw will provide the necessary tools to address issues related to parks growth, public safety and stewardship of City resources.

BUSINESS UNITS CONSULTED AND AFFECTED:

By-law and Enforcement Services, Animal Services, Legislative Services, Engineering Transportation, Fire and Emergency Services, Sustainability and Asset Management, Parks Urban Design, Legal Services, Recreation, Finance, Operations, Culture.

RECOMMENDED BY:

Alice Lam – Director of Operations

Morgan Jones – Commissioner
Community Services

ATTACHMENTS:

DRAFT City Parks and Public Properties Bylaw