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## MEMORANDUM

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To: Mayor and Council

From: Morgan Jones – Director, Operations  
Mary Creighton – Director, Recreational Services  
David Plant – Senior Manager, Operations Parks, Horticulture & Forestry Division

Date: December 9, 2020

Subject: **Seasonal Park Amenities**

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The purpose of this Memorandum to Mayor and Council is to provide information requested at the General Committee meeting of November 30, 2020 in which Mayor Scarpitti, Councilor Keith Irish and Councillor Alan Ho requested staff investigate the extension of seasonal parks services through the winter months.

### BACKGROUND

In response to the lack of indoor facilities being open during the pandemic the City of Toronto recently announced that it would be opening its parks washrooms and additional seasonal amenities such as tennis courts for use during the winter months. The City of Markham has operated seasonal amenities such as washrooms, splash pads, decorative fountains and tennis courts in a similar operating protocol as the City of Toronto.

### RECOMMENDATIONS

While the City of Toronto has announced COVID-19 related extended use of some of their parks amenities into the winter months Markham staff are not able to comment on the materiality or build form of their assets or their assumption of risk in deciding to open and maintain. From the City of Markham's operating lens staff make the following recommendations.

1. Parks washrooms are not equipped with suitable heating for winter service and as such should remain closed.
2. Port-O-Lets have no hand washing per COVID19 precautions and do not include sanitizing and as such should not be deployed.
3. Approximately 60% of City tennis court locations are constructed with acrylic surfacing over fiberglass cloth which can be easily damaged in cold weather. City courts which are hot rolled asphalt present less risk for damage and could be considered for winter use. The risk of slip and fall on smooth surfacing on all courts is high however staff recommend

leaving 9 asphalt courts open this winter season inclusive of nets. Staff will not provide any winter maintenance to the courts other than monitoring net conditions.

4. Parks pathways total over 192km Citywide and are not included in current service level allocations for personnel or associated resources. The pathway and trail network varies in materiality from asphalt to limestone and presents great challenges to service along with estimated damages for repairs and should remain signed and closed. NOTE: The Operations Department is piloting a pathway maintenance program in each of the 8 wards this winter season. One groomed trail is included in this pilot and is located in Milne Conservation Park
5. The volunteer community ice rink program is moving forward in approved (winter water service installed) locations with approved signage and adherence to Provincial guidelines.
6. The City does not own or permit any flat running tracks and as such clearing these facilities of snow for winter use would fall to the appropriate public or separate school board. Staff will contact the local school boards asking them to consider opening running tracks.
7. Recreation is offering new outdoor programming during the winter months in outdoor park locations to encourage physical activity.

#### Markham Civic Centre Outdoor Rink

The Markham Civic Centre Outdoor Rink will open on Monday, December 21<sup>st</sup>. Pre-booking of time slots will be required to ensure adherence to public health capacity requirements. In addition, this year Recreation services will be offering skating lessons for children, teens and families at the rink.

#### Outdoor Park Programming

Camp Chimo will host several different outdoor activities including campfires, snowshoeing, archery, and nature walks.

Geocaching programs are also available at select locations throughout the City.

All programs are pre-booked and follow all health department requirements.

## **ASSET SUITABILITY**

Markham designs and constructs City park amenities for seasonal use (May until October annually) both from a safety and total cost of ownership perspective. Water services which are energized in May and decommissioned in October do not require a heat source to prevent pipes, fixtures and valves from freezing. Facilities such as public courts are closed with the removal of posts and nets to preserve the quality playing surfaces for their intended use with the likelihood of off season damage being historically low. Year round operation of amenities requires more than

simply opening them but rather providing a standard of care which will ensure user satisfaction and safety. Our seasonal amenities provide more challenges than opportunities in this area.

## **BUDGET IMPACTS**

Operations maintenance activities year round (and the associated budgets) are driven by Council approved service levels. Personnel and resource allocation are aligned with approved service level delivery of the current maintainable assets. Budget allocations reflect current seasonal scheduling of parks amenities. Changes or enhancements in service level delivery or changes in seasonal maintenance responsibilities would require additional resource allocation in operating budgets and could impact capital costs involved with repairing damages realized during off season use. While costs for contracted services are easily identified the costs and impacts of services such as snow and ice management are weather based and may be subject to cost including overtime in order to adhere to service delivery timelines.

## **RISK EXPOSURE**

The standard of care in Ontario is governed by the *Occupiers' Liability Act, RSO 1990* which requires the City, in this case, to see that a person will be reasonably safe in using the premises. Section 3(1) states that: "An occupier of premises owes a duty to take such care as in all the circumstances of the case is reasonable to see that persons entering on the premises, and the property brought on the premises by those persons are reasonably safe while on the premises." The City has both a legislative and common law obligation to ensure public safety in its facilities. A failure to meet those obligations will attract legal liability for resultant bodily injury and property damage to the public. In addition to broad based liability the City also has to adhere to current Provincial legislation as it relates to COVID19 and the protocols for public safety.

## **PARK AMENITY DETAILS**

<b>Park Amenity</b>	<b># of Locations</b>	<b>Cost to Open</b>	<b>Risk Exposure</b>	<b>Recommendation</b>
Parks Washrooms	Of 10 locations only 1 meets criteria with limitations	\$1,070.59/month for the 1 location.	High if water service freezes	Not recommended. Toogood Pond only location that could be considered. Has not been operated in winter months
Port-O-Lets	41 typically deployed, none deployed in 2020	\$173.98/month per unit	High	Do not deploy – no handwashing or sanitizing

Tennis Courts	16 public court locations city-wide	Surfacing repair costs unknown, net damage unknown	Medium	Nine locations Citywide constructed of hot asphalt to be left open with repair costs tracked for spring of 2021. Courts open but no snow clearing of courts or pathways.
Pathway/Trails	192km Citywide	\$854,222.00* to maintain one winter season	High – increased exposure to slip and falls on previously unmaintained locations	Keep closed and monitor pilot locations
Parking Lots	23 locations Citywide	Offset by current parking lot closures, Civic Centre, Cornell CC and portions of reduced lots	Medium	All parks are closed for winter and associated lots are historically closed. Staff recommend opening 23 parking lots this winter. Lots will be monitored for use.

\*Unit costs from June 13, 2016 Council report titled Winter Maintenance Windrow and Pathway Winter Maintenance Review