BRAMPTON

City of Brampton
Parks Plan 2041

October 2022

The Planning Partnership
NBLC
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APPENDICES

1.0 INTRODUCTION

1.1 Overview

The City of Brampton has seen dramatic growth over the past 40 years, and while the City continues to experience greenfield growth, there is a significant shift taking place away from traditional suburban development forms to higher density developments and infill projects. This shift in development is creating pressures on existing and proposed parkland, and levels of service.

In addition, the City is also facing increased pressure to accept alternative parkland spaces as land becomes more expensive and less readily available within the City; particularly within its Intensification Areas/ Strategic Growth Areas, as defined in the Brampton Official Plan. In order to ensure that the growing population is well-served by its public parkland system, and that the newly generated parkland reflects the evolving built form of the City, the City must develop and adopt a new parkland dedication regime. There are three key goals in the development of a Parks Plan and, ultimately, a Parkland Dedication By-Law:

- To ensure that the guidelines are responsive to the needs of existing communities and areas of growth;
- To provide direction to address long-term parkland needs allowing for flexibility in parks design and use; and,
- To provide a set of recommendations/considerations that incorporate best practices for parkland dedication, the payment of cash-in-lieu, and the use of cash-in-lieu.

This Parks Plan, prepared to fulfill the requirements of Bill 73, also includes a number of appendices including:

- **Appendix I: Examples of Urban Park Typologies**
- **Appendix II: Downtown Parks System Research**
- **Appendix III: Options for Ownership of the City's Parkland System**

Key City Objectives

Based on research and ongoing conversations with City staff there was tremendous general agreement on a number of key objectives for this Parks Plan, including:

- Parks are considered to be a lifeline for people in the community. It was noted, specifically, that parks have become an urban escape for people amid the ongoing COVID-19 pandemic. Parks are a crucial component contributing to the quality of life of residents. Parks are a necessary component of a complete and livable community;
- Public sector investment in parks can be leveraged into a private sector investment response. Park system investment is a key stimulus for change, establishing the appropriate environment for redevelopment and revitalization;
- The City's new approach to parkland dedication should be guided by principles of equity, consistency and transparency. It is also important to recognize that the new Parkland Dedication By-Law must be defensible and compliant to current provincial regulations; and,
- This Parks Plan needs to be:
    - Clear, and must find the right balance between achieving a great parkland system for the City, and the financial feasibility of new development; and,
    - Cognizant of the inherent differences between the established neighbourhood context, and the context of the City's planned Intensification Areas/Strategic Growth Areas.

2.0 CURRENT LEGISLATION/POLICY REVIEW

2.1 The Planning Act

It is a fundamental planning practice that an appropriate and equitable parkland system is planned and developed to provide for the recreational needs of the existing and future residents of the City of Brampton. In order to achieve this, the parks system must include the right amount of space, the right mixture of park types, the right level of quality and design, and the right programming.

Achieving this balance is a complex task given the numerous realities (social, political, economic) that influence the development of urban land and the provision of parks and open spaces within cities. Legislation within the *Ontario Planning Act* provides municipalities with some tools to acquire parkland through development, much in the same manner as development charges are collected through development to service growth. These tools were originally developed to address lower density subdivision style development, and where applied to higher density residential and mixed-use developments, those tools may have additional and consequential effects, and can broadly impact the financial viability of developing higher density residential structures. Generally, the negative financial implication is exacerbated as density is increased.

Parkland conveyance authority is established in the *Planning Act*. Section 42 pertains to parkland conveyances associated with Draft Plans of Subdivision, and sections 51.1 and 53 pertain to parkland requirements as a condition of Site Plan Approval and Consents to Sever.

Bill 73

In late 2016, a number of amendments to the *Planning Act* were implemented through Bill 73 that impact parkland conveyance policies. These updates are included in the description of the *Planning Ac*t policies below:

Land Conveyance - The *Planning Act* establishes parameters for conveyances for park or other recreational purposes, as follows:

- Not exceeding 2% of land area in the case of commercial or industrial development.
- Not exceeding 5% of land area in the case of all other types of development.
- For residential purposes, the Act permits municipalities to utilize 5% of land area OR an alternative requirement of conveyance based on a maximum rate of 1 hectare for every 300 dwelling units, subject to enabling policies within the approved local Official Plan.

These three conveyance rates are identified as the maximum rate for each scenario within the *Planning Act.*

Payment-in-Lieu and Land Valuation - Municipalities may also accept payment-in-lieu of parkland conveyance. This payment can be made in the form of cash or other reasonable alternatives, as deemed appropriate by the municipality. In either case the payment must represent the value of the land that would otherwise have been conveyed. The *Planning Act* policies that establish parameters for payment-in- lieu and land valuation are as follows:

- If the alternative requirement for residential development is used (1 ha/300 units), when the municipality accepts payment-in-lieu of land, a maximum rate of 1 hectare for each 500 units will instead be used;
- All cash accepted as payment-in-lieu must be deposited into a special account and used for the acquisition of land to be used for park or other recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes;
- Regarding land development and redevelopment, payment is to be determined based on the value of the land as of the day before the issuance of the first building permit; and,
- Regarding subdivision development and consents, respectively, payment is to be determined based on the value of the land as of the day before the approval of the draft plan of subdivision or provisional consent, as the case may be;

Reductions for Sustainability - As per section 42 (6.2 and 6.3), a municipality may establish policies to permit a reduction in payment-in-lieu where a redevelopment project meets certain sustainability criteria as set out in the Official Plan and where no land is available to be conveyed for park or other public recreational purposes.

Implementation of Conveyance Policy - Historically, the *Planning Act* provided some inherent flexibility in the way municipalities implement conveyance policies, primarily by what the Act remained silent on. With amendments enacted through Bill 73, however, municipalities are now required to justify conveyance policies if the alternative requirement for residential conveyance is implemented. The following are relevant policies and notes regarding implementation:

- The Act does not prescribe which method (or rate up to the maximum) is to be applied in any situation;
- The Act does not indicate if, where, or when the municipality may require less than the maximums identified in either approach;
- The Act now specifies that prior to a municipality implementing Official Plan policies to implement the alternative requirement of conveyance for park for residential development; the municipality must produce a “Parks Plan” that examines the need for parkland in the municipality; and,
- The Act now also specifies that municipalities must submit, yearly, a financial statement detailing

the deposits and expenditures of the special cash-in- lieu fund. This provides additional transparency that municipalities are accounting for and spending these monies appropriately.

Bill 197

In addition to the important changes to the *Planning Act* enacted through Bill 73, in 2020 the Province enacted Bill 197, which, among other matters, made further amendments to the *Planning Act* affecting parkland dedication. Bill 197 provides for additional checks and balances on the use of alternative parkland standards that the City can apply in response to judicial interpretations that previously prohibited parkland by-law appeals. More specifically, Bill 197 enacts the following:

- Parkland rates set out by By-law can be challenged by appeal to the Ontario Lands Tribunal (OLT); and,
- Municipalities must update their Parkland dedication By-laws by September 18, 2022.

Bill 197 also creates an entirely new regime for the use of Section 37 of the *Planning Act*, with the focus on achieving defined community benefits through a new Community Benefits Charge By-law which is linked to the value of the property, as well as a number of changes to Development Charges. All of these elements of change to the *Planning Act*, as well as Development Charges will need to be considered in the context of Brampton's approach to defining and achieving a robust and appropriate parkland system.

2.2 City of Brampton Official Plan

Current Official Plan (2006) – Parkland Policies

Official Plans are developed under a framework established by the Province of Ontario to ensure that short and long-term growth is coordinated in a manner to meet local social, economic, built and natural environment needs and aspirations. Among their many purposes, Official Plans establish the policy context for building and maintaining a robust parks system that is able to accommodate growth and develop healthy and sustainable communities.

The current City of Brampton Official Plan was adopted by Council in 2006 and approved by the Ontario Municipal Board in 2008. This Plan remains in effect until repealed and replaced by the new Brampton Plan.

Policies relating to parks are largely contained in Sections 4.7 ("Recreational Open Space") and 5.21 ("Parkland Dedication"). Selected policies from these sections are noted below; for more detail, specific reference should be made to the Official Plan.

- It is a goal of the City to maximize the service level for public parkland, guided by the Parks and Recreation Master Plan. Further, it is an objective to establish a system of parks and recreation

facilities that accommodates a wide array of recreation, leisure, cultural and environmentally-focused opportunities catering to persons of varying abilities and cultural backgrounds.

- A parkland hierarchy has been established that is characteristic of the distribution and demand needs of the community, which includes City, Community and Neighbourhood Parks. Policies, design considerations, and service radii are defined for each parkland type. Parkland elements are often defined and identified through Secondary Plans and Community Block Plans.
- The Plan also allows for semi public open spaces provided by private developments that allow reasonable use by the public. These spaces are not considered as contributing towards parkland dedications under the *Planning Act*.
- Park blocks less than 0.5 hectares will only be permitted in exceptional cases and in special situations, such as a shortage of open space alternatives or community building purposes.
- Pursuant to Sections 42, 51.1 and 53 of the *Planning Act*, the City requires 5% of the land being developed for residential purposes (or an alternative rate of 1 hectare per 300 dwelling units) or 2% of the land being developed for commercial or industrial purposes to be conveyed to the City. Off-site conveyance is permitted at the discretion of the City.
- Policies are in place to require cash-in-lieu of parkland, including at a rate of 1 hectare per 500 dwelling units when applying the alternative rate. Council may from time to time, offer reductions to these rates to encourage economic development within defined areas of the City or to meet other objectives. The Plan states that a Parkland Dedication By-law shall be prepared to administer these requirements.
- Environmentally sensitive/significant areas, valleylands and watercourse corridors (including associated environmental hazards and defined conservation buffers), vista blocks, and other lands unsuitable for development do not contribute towards the parkland dedication requirements under the *Planning Act,* though may be required to be gratuitously conveyed to the municipality.

Proposed Official Plan (Draft Brampton Plan, April 2022) – Parkland Policies

The City's new Official Plan – Brampton Plan – is currently in draft form. A second draft is being prepared for public review and comment prior to Council adoption in early 2023. The new Brampton Plan cannot come into full force and effect prior to Provincial approval of the Peel Region Official Plan; timing for this remains uncertain.

Brampton Plan builds on the work completed through Brampton's 2040 Vision and contains policies that will guide growth and development over the 2051 planning horizon, when Brampton's population base is forecast to reach approximately 1 million people. Specifically, the Plan focuses on improving livability,

quality of life and place-quality within the city, including creating opportunities to create compact and complete 15-minute neighbourhoods.

The Plan recognizes parks and open space as a key city-wide priority as part of the Health and Wellness City-Wide Building Block. Notably, the new Official Plan supports “rethinking” of the existing parks hierarchy including cash-in-lieu policies and consideration of smaller-scale non-traditional “green” spaces, including publicly accessible open spaces (POPS) and urban plazas, linear retrofits, and adaptive reuse of existing parks and open spaces.

Selected policies from these sections are noted below; for more detail, specific reference should be made to Brampton Plan, which is in draft form and subject to change.

- The Plan identifies parks and open spaces as necessary elements of city-building as the city grows and changes. Maintaining, enhancing and expanding the parks and open space are a key component of the City’s Health and Wellness Building Block. The Plan identifies a target of 1.6 hectares of active parkland per 1000 residents and seeks to achieve the addition of over 240 hectares of new parkland to the City’s inventory by 2051. This is the same target that was established in the 2017 Parks and Recreation Master Plan and supported within this Parkland Dedication Strategy.
- The parkland and open space classification system has been expanded from the current Official Plan to reflect different scales and levels of accessibility as planned throughout the City, particularly in Intensification Areas/Strategic Growth Areas prioritized for intensification and higher-density mixed-uses. The Brampton Plan provides definitions, locational considerations, uses and design considerations for each element of the hierarchy, including:
    - City Parks (policies are similar to the current Official Plan)
    - Community Parks (policies are similar to the current Official Plan)
    - Neighbourhood Parks (policies are similar to the current Official Plan)
    - Urban Parks
        - This is a new park type, recommended in the Parks and Recreation Master Plan
        - They are specialized parks that are located within Brampton’s Centres, Boulevards, and Corridors, intended to supplement the needs of high-density neighbourhoods
        - The category also includes Urban Squares (which may be as small as 0.1 hectares) and Privately Owned Publicly-Accessible Spaces (which do not replace the need for new public parks and open spaces)
    - Linear Connectors
        - This is a new park type, recommended in the Parks and Recreation Master Plan

        - They include lands that are oriented to off-road recreational trails and other connecting links between parkland or major community destinations
    - Brampton Eco-Park
        - This is a new open space type that combines a variety of other parks, open space, natural heritage and public lands to form a connected network of sustainable spaces
        - Brampton Eco Park will be a large and growing municipal park and nature reserve existing across the city and interwoven within the city landscape. It consists of Eco Spaces, including but not limited to the Natural Heritage System, parks, green spaces, green infrastructure streetscapes, utility corridors, and yards that strive for the Eco Park principles.

- The integration of private amenity spaces is a stronger theme in this new Official Plan, with the City requiring developers of multi-residential development to provide on-site private amenity spaces to supplement the public parkland system, promote active transportation, and facilitate connectivity between parkland and the public realm.
- Similar to the current policy, off-site parkland dedication may be acceptable to the City where it meets certain conditions outlined in the plan. Further, conveyance of Natural Heritage System or natural hazard lands will not be considered as contributing towards the parkland dedication requirements, though the City will explore opportunities to secure these lands in public ownership.
- The calculations for parkland dedication remain the same for residential (5% of developable land or one hectare for each 300 dwelling units) and non-residential uses (2% of developable land).
- The Plan allows for the acceptance of cash-in-lieu of parkland and identifies circumstances where it may be required. Cash-in-lieu may be used on a city-wide basis based on priorities determined by the City for any purpose permitted under the *Planning Act*. The Plan does not make explicit mention to the cash-in-lieu alternative rate (one hectare for each 500 dwelling units, or such lesser rate acceptable to Council); this item will be addressed through the updated Parkland Dedication By-law.
- In additional to traditional mechanisms for expanding the parks system, the Plan indicates that the City may choose use a land bank or land exchanges to address parkland needs.
- The Plan supports the use of Community Benefits Charges for, among other items, the conservation of existing parks and open space or the creation of new parks and open space. A Community Benefits Charges By-law is required in order to enact and further define this provision.

2.3 Brampton Parkland Dedication By-Law (2013)

The Brampton Parkland Dedication By-law, 2013 (By-law no. 283-2013) was passed in October 2013. In 2017, it was amended by By-law 220-2017. It applies to all lands within the geographic boundary of the City. The By-law pre-dates Bills 109 and 197, which amended relevant sections of the *Planning Act*, and must be updated if the City wishes to continue to apply the alternative parkland rate.

The By-law includes the same formulas as the current Official Plan for the conveyance of land for park purposes (e.g., for residential lands: 5% of the net area or 1 ha per 300 units; for commercial, industrial and institutional lands: 2% of the net area). Additional details are provided for mixed use developments or redevelopments. As per the Official Plan, the conveyance of any valleyland or watercourse corridors, woodlands, natural heritage system lands and associated buffers, easements, vista blocks and storm water management ponds shall not be considered a conveyance of land for park purposes.

Currently, the By-law states that City-wide average land values for a variety of land use categories will be used in calculating cash-in-lieu of parkland pursuant to sections 51.1 or 53 of the *Planning Act*. These land values will be reviewed annually by the City by way of appraisal and adjusted at the City's discretion. For row-house or apartment developments for which an approval pursuant to sections 41, 51.1 or 53 of the *Planning Act* is not required (e.g., the alternative rate under section 42), cash-in-lieu shall be calculated using the market value of the lands as of the day before the issuance of the first building permit, but not exceeding 10% of the value of the Net Area of the Lands or $3,500.00 per residential unit (indexed in accordance with the provisions of the By-law).

The By-law identifies various exemptions for parkland dedication, including:

- Land, buildings or structures owned by and used for the purposes of The Corporation of the City of Brampton or a Board of Education;
- The replacement of any building that is destroyed by accidental causes provided that no intensification or change of use is proposed;
- The enlargement of an existing dwelling unit provided that the enlargement does not result in additional dwelling units;
- The enlargement of an existing Commercial, Industrial, or Institutional building or structure if the total floor area is enlarged by 50% or less;
- A temporary building or structure;
- Cases where the total cash-in-lieu payable is less than $100; and
- The replacement of an existing dwelling unit as principal residence by the current owner provided that the replacement does not result in additional dwelling units.

2.4 The Growth Plan

One of the most significant influences on modern urban development patterns affecting Brampton is the Growth Plan for the Greater Golden Horseshoe (Growth Plan). The Growth Plan contributes to creating a more compact and urban built form, which protects existing natural resources and more efficiently utilizes space with a range of land uses. The key directives of the Growth Plan prescribe growth and density targets for each upper tier and single tier municipality. Upper-tier municipalities then prescribe growth and density targets for lower-tier municipalities. Municipalities are required to delineate built-up areas, or intensification areas, where growth is to be directed and forecasted targets are to be achieved.

The Growth Plan, implemented first through the Region of Peel Official Plan, requires that a minimum percentage of all residential development be accommodated through intensification opportunities. In effect, these policies dictate that urbanization and intensification trends will continue and occur at greater intensities throughout the Greater Golden Horseshoe (GGH). Brampton's urban structure of Centres and Corridors are the City's areas for intensification opportunity, with significant high-density, mixed use aspirations, in support of a growing transit system.

New greenfield development opportunities are still permitted and anticipated in Brampton. The Growth Plan also mandates a minimum density target for greenfield development that is substantially higher than was has been achieved over time in Brampton's traditional neighbourhoods.

Overall, the Growth Plan policies indicate that a much denser development form, for both infill and greenfield developments, is required in order to achieve the required forecasted targets. This directly impacts how the City of Brampton's plans for development and its ability to acquire land or cash for parks. This new reality impacts the remaining supply of land within the municipality for park development and influences the potential size, location and design of new parks.

Brampton is also experiencing substantial land value increases, much higher density development and subsequent new residential needs. All signs are pointing to an evolving parkland reality within Brampton, one that will require the City and its residents to continue to expand the definition of parkland to include a mixture of large and small spaces that are interconnected and locally unique. This evolving definition will contribute to a total parkland system that is situated in place (whether urban or suburban) and that offers a full range of experiences

3.0 BRAMPTON'S PARKLAND SYSTEM - TODAY AND TOMORROW

3.1 Overview

Brampton's parks engage residents and visitors from all walks of life, fostering healthy lifestyles and environments while connecting the community and embracing its diversity. Parks are critical pieces of the City's social and environmental infrastructure by supporting gatherings, leisure activities, sporting events, and the City's environmental objectives.

This section provides context and guidance to the establishment of parkland dedication policies through the examination of parkland supplies and future needs in Brampton. Specifically, this approach:

- Identifies current and future parkland supplies both city-wide and in specific areas of Brampton, including key growth areas such as the Urban Growth Centre, Queen Street Corridor, several Major Transit Station Areas (MTSAs) and greenfield areas;
- Illustrates areas of low and high parkland supply, including the identification of areas that will experience increasing pressure and demand for parkland; and,
- Illustrates how parkland supplies may change over time based on projected parkland supplies and population forecasts.

3.2 The Concept of a Parkland System

The City of Brampton has developed a parkland system, where the system includes a full range of park types, with a full range of specified recreational functions, but with recognition that not every park space is required to achieve every recreational function. The whole system is functionally greater than the sum of its individual components. Each of the identified components of the parkland plays a crucial role in creating and maintaining the City's high quality of life by providing:

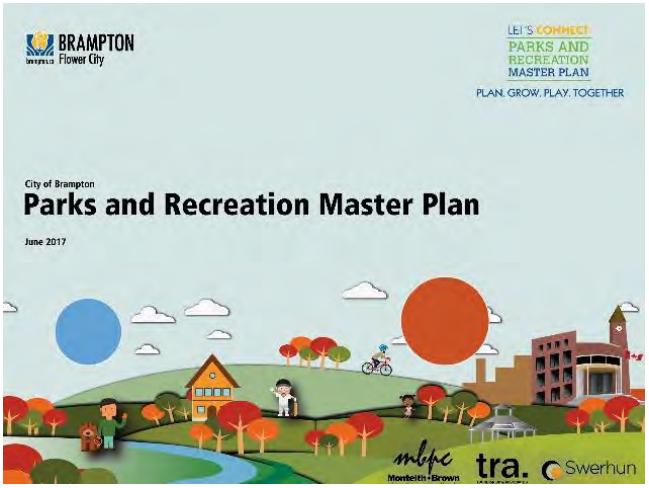
- Woodlots that contribute to the City's sustainability objectives;
- River valleys and other key landforms that are unique and sustain important natural heritage functions;
- Environmental education facilities that promote a broader understanding of key natural heritage features and their ecological functions;
- An interconnected active transportation/trails network that facilitates education, recreation and an active, healthy lifestyle; and,
- The City's parkland system, including:
    - Larger scale parks that provide opportunities for active recreation and sports activities; and,

- Smaller scale parks that add interest and opportunities for relaxation, contemplation and other more passive recreational pursuits.

It is the comprehensive parklands system, in its entirety, that creates an image of Brampton as a beautiful city that accommodates a full range of contextual and recreational experiences for residents of all ages and abilities to enjoy throughout their lifetime.

3.3 Parks and Recreation Master Plan (2017)

In 2017, the City prepared a Parks and Recreation Master Plan (PRMP) to guide the delivery of parks and recreation services to the year 2041. The PRMP established a vision – "Plan. Grow. Play. Together." – and five guiding principles that emphasize the importance of parks and recreation services in supporting individual and community health, accessibility, inclusivity, community development, and environmental and financial sustainability.



Building upon the City of Brampton's Official Plan, the PRMP introduced new classifications of parkland to better reflect evolving needs, including those in areas of residential intensification. These and other policy considerations have been examined through this Parkland Dedication Strategy.

Notably, the PRMP established a city-wide provision target of **1.6 hectares of "useable, tableland" parkland per 1,000 residents**; this generally includes lands classified as City, Community and Neighbourhood Parks. This target has been supported within this Parkland Dedication Strategy and is used as the basis for the identification of future parkland supplies, recognizing that there are many ways in which the City secures parkland.

The demand for parkland is influenced by several factors, such as distribution and proximity to residential areas, historical provision levels, non-municipal lands, urban density, population composition, amenity needs, community objectives, and public input. The public parks system is highly valued by Brampton residents and efforts should be made to ensure that provision levels respond to accepted service levels.

3.4 Current Parkland Supply

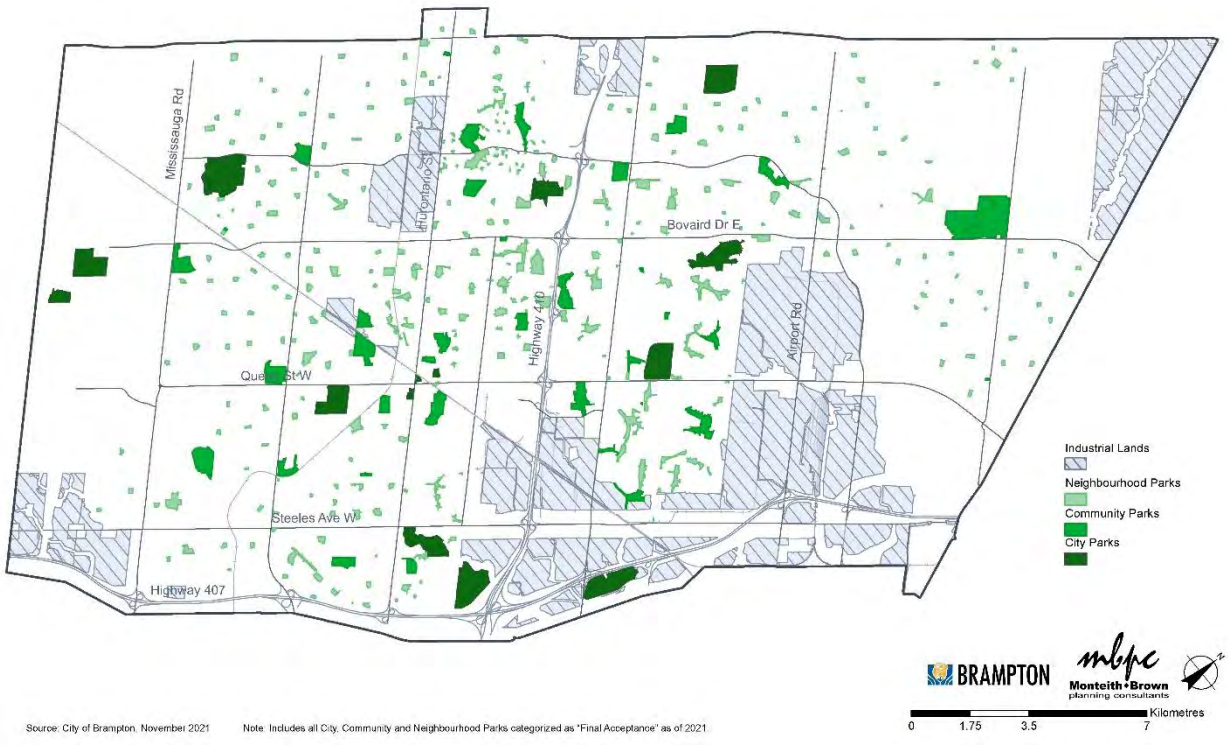
In 2021, the City of Brampton counted 1,173.5 hectares of active parkland within 407 parks, resulting in a ratio of 1.68 hectares per 1000 residents. The current parkland supply in Brampton is identified in **Table 1**, and shown on Map 1.

Table 1: City of Brampton "Active" Parkland, 2021

Parkland Supply	2021
Number of Parks (classified as Neighbourhood, Community or City)	407 parks
Active Parkland Supply *- Neighbourhood* *- Community* *- City*	1,173.5 ha *400.3 ha* *402.8 ha* *370.4 ha*
2021 Population	698,200
Active Parkland Service Level	**1.68 ha / 1,000**
PRMP Provision Standard	1.6 hectares of "active parkland" per 1,000 residents
Other Open Space Properties, such as Environmental Parks, Stormwater Management Ponds, and Conservation Authority lands (excluded from analysis)	2,557.3 hectares

Population source: Region of Peel (January 2021).
Parkland source: City of Brampton (November 2021).

Map 1: Existing Parkland by Type, 2021



While the City's current (2021) supply of active parkland is slightly above the provision target established in the PRMP, the growth of parkland supply in relation to population is declining. Between 2016 and 2021, Brampton's population grew by nearly 14% but the amount of active parkland increased by 7% (half of the population growth rate). The City's per capita parkland ratios are declining as higher density residential development forms emerge and land becomes costlier and scarcer. If the rate of parkland acquisition continues to lag behind the pace of population growth, this declining trend of parkland service level will continue and intensify.

Further, the PRMP target applies specifically to "active" classifications of parkland (Neighbourhood, Community and City Parks). Recent work completed by the City indicates that 25% of these lands consist of natural heritage features, storm water management and other non-programmable space that cannot be used to satisfy active recreational requirements. This underscores the importance of securing suitable, developable land in the future.

The PRMP provision target is intended to be applied city-wide; however, equity in distribution is one of the PRMP's guiding principles, and thus it is a goal of the City to ensure that all residents have equitable access to parkland and park services. To support a more detailed analysis, Brampton's parkland inventory was assessed at a local level using the City's 45 Secondary Plan Areas. Areas with no or low populations (fewer than 750 residents) have been excluded from the analysis.

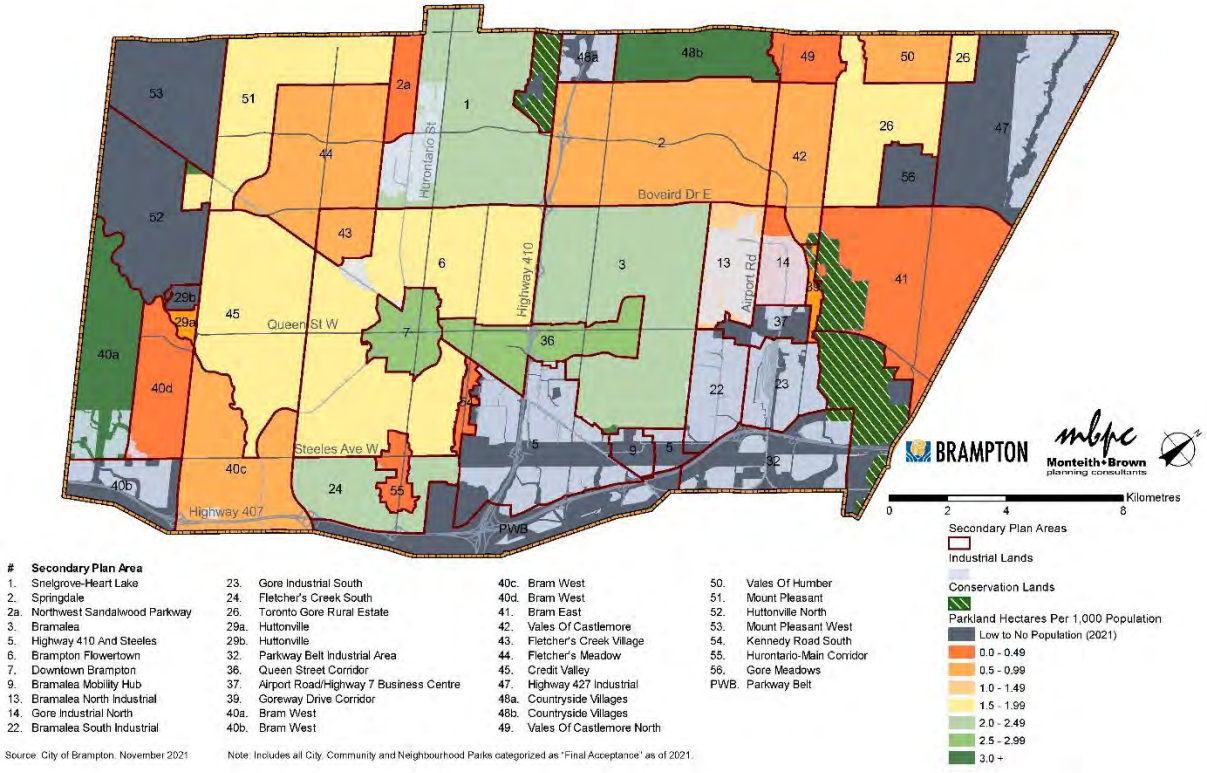
More than two out of three Brampton Secondary Plan areas fall below the city-wide average of 1.68 hectares of active parkland (Neighbourhood, Community and City Parks) per 1,000 persons. Parkland distribution relative to population is disproportionate with just five of the City's Secondary Plan areas (of which there are 43) accounting for 53% of active parkland supplies.

The areas with the largest populations and lowest per capita parkland ratios - listed below – **should be a priority for parkland acquisition and development**:

- Springdale (SP #2) with a population of 97,110 and a service level of 0.86 ha/1000;
- Bram East (SP #41) with a population of 62,200 and a service level of 0.27 ha/1000;
- Fletcher's Meadow (SP #44) with a population of 60,190 and a service level of 0.56 ha/1000;
- Bram West (SP #40d) with a population of 20,880 and a service level of 0.68 ha/1000; and,
- Vales of Castlemore (SP #42) with a population of 17,540 and a service level of 0.51 ha/1000,

The following **Map 2** and **Table 2** show 2021 per capita parkland supplies by secondary plan areas across the entire city.

Map 2: Parkland Per Capita, 2021 (by Secondary Plan Area)



#	Secondary Plan Area
1.	Snelgrove-Heart Lake
2.	Springdale
2a.	Northwest Sandalwood Parkway
3.	Bramalea
5.	Highway 410 And Steeles
6.	Brampton Flowertown
7.	Downtown Brampton
9.	Bramalea Mobility Hub
13.	Bramalea North Industrial
14.	Gore Industrial North
22.	Bramalea South Industrial
23.	Gore Industrial South
24.	Fletcher's Creek South
26.	Toronto Gore Rural Estate
29a.	Huttonville
29b.	Huttonville
32.	Parkway Belt Industrial Area
36.	Queen Street Corridor
37.	Airport Road/Highway 7 Business Centre
39.	Goreway Drive Corridor
40a.	Bram West
40b.	Bram West
40c.	Bram West
40d.	Bram West
41.	Bram East
42.	Vales Of Castlemore
43.	Fletcher's Creek Village
44.	Fletcher's Meadow
45.	Credit Valley
47.	Highway 427 Industrial
48a.	Countryside Villages
48b.	Countryside Villages
49.	Vales Of Castlemore North
50.	Vales Of Humber
51.	Mount Pleasant
52.	Huttonville North
53.	Mount Pleasant West
54.	Kennedy Road South
55.	Hurontario-Main Corridor
56.	Gore Meadows
PWB.	Parkway Belt

Source: City of Brampton, November 2021

Note: Includes all City, Community and Neighbourhood Parks categorized as "Final Acceptance" as of 2021.

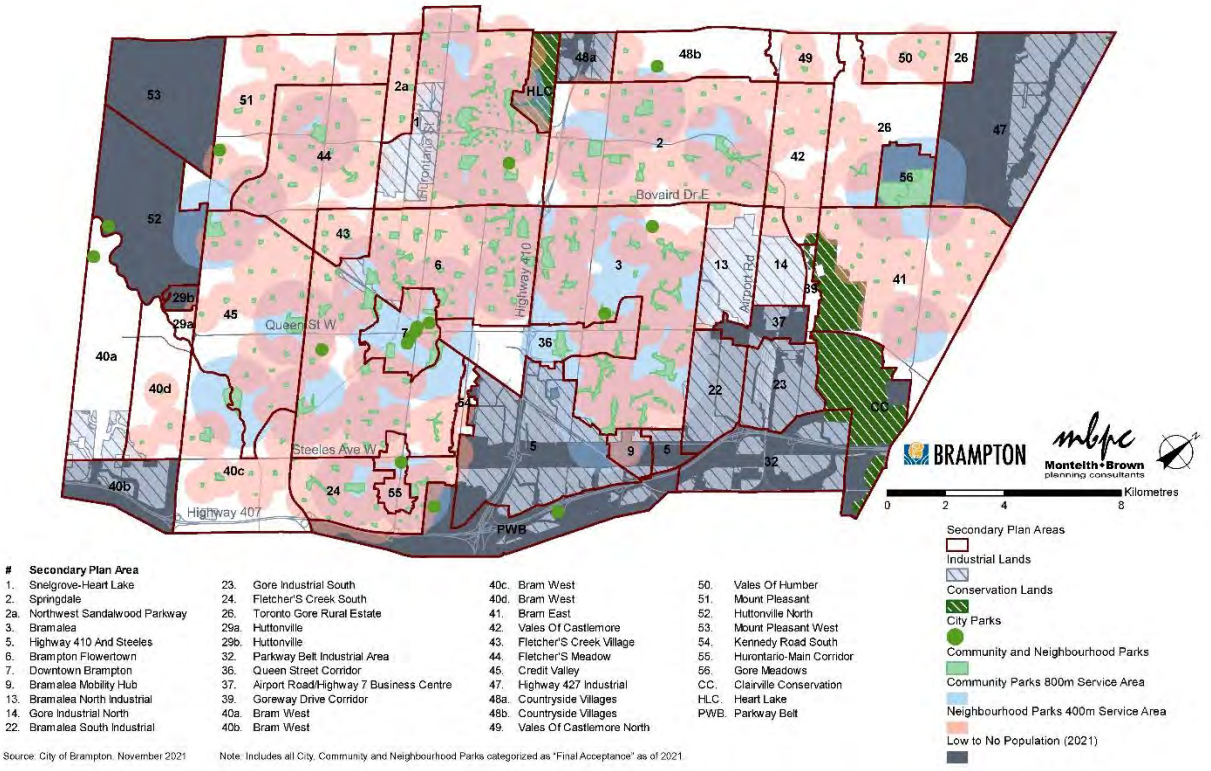
Table 2: Parkland Per Capita, 2021 (by Secondary Plan Area)

Secondary Plan Number and Name		Number of Active Parks (2021)	Active Parks Hectares (2021)	Population (2021)	Hectares/1000 (2021)
40 (a)	Bram West	1	10.82	1,880	5.76
48 (b)	Countryside Villages	3	40.45	7,370	5.49
7	Downtown Brampton	16	34.09	12,190	2.80
36	Queen Street Corridor	8	60.48	22,160	2.73
1	Snelgrove-Heart Lake	66	103.93	42,570	2.44
3	Bramalea	37	158.83	72,160	2.20
24	Fletcher's Creek South	19	64.26	30,100	2.13
26	Toronto Gore Rural Estate	3	4.86	2,480	1.96
51	Mount Pleasant	13	40.35	24,430	1.65
6	Brampton Flowertown	79	188.27	114,260	1.65
45	Credit Valley	23	69.25	43,300	1.60
13	Bramalea North Industrial	1	4.02	3,050	1.32
2	Springdale	37	83.32	97,110	0.86
40 (c)	Bram West	8	14.27	20,880	0.68
43	Fletcher's Creek Village	4	6.57	10,710	0.61
50	Vales of Humber	6	4.43	7,550	0.59
44	Fletcher's Meadow	26	33.66	60,190	0.56
42	Vales of Castlemore	10	8.91	17,540	0.51
2(a)	Northwest Sandalwood Parkway	4	5.17	11,780	0.44
55	Hurontario-Main Corridor	1	1.79	5,250	0.34
49	Vales of Castlemore North	2	2.02	6,850	0.29
14	Gore Industrial North	1	0.86	3,170	0.27
41	Bram East	26	16.61	62,200	0.27
40 (d)	Bram West	3	2.10	10,230	0.21
54	Kennedy Road South	4	0.73	4,260	0.17
39	Goreway Drive Corridor	0	0.00	1,740	0.00
29 (a)	Huttonville	0	0.00	1,240	0.00
5	Highway 410 and Steeles	1	44.34	660	n/a*
9	Bramalea Mobility Hub	1	0.17	0	n/a*
22	Bramalea South Industrial	0	0.00	0	n/a*
23	Gore Industrial South	0	0.00	10	n/a*
29 (b)	Huttonville	0	0.00	240	n/a*
32	Parkway Belt Industrial Area	0	0.00	10	n/a*
37	Airport Road/Highway 7 Bus. Centre	0	0.00	20	n/a*
40 (b)	Bram West	0	0.00	0	n/a*
47	Highway 427 Industrial	0	0.00	360	n/a*
48 (a)	Countryside Villages	0	0.00	30	n/a*
52	Huttonville North	1	35.85	130	n/a*
53	Mount Pleasant West	0	0.00	130	n/a*
56	Gore Meadows	2	93.00	40	n/a*
CC	Clairville Conservation	0	0.00	90	n/a*
HLC	Heart Lake	0	0.00	10	n/a*
PWB	Parkway Belt	1	40.04	10	n/a*
Total		**407**	**1,173.5**	**698,200**	**1.68**

*areas with low to no population; parkland provision has not been assessed

A distributional analysis of parks in Brampton's built-up residential areas finds physical access to generally be effective as most residents live near a park. As shown on the following **Map 3**, however, notable gaps in park availability exist at the City's northern and western edges along with several smaller gaps throughout the City.

Map 3: Parkland Walkability Analysis, 2021



3.5 Looking Ahead to 2041

Between 2021 and 2041, Brampton's population is projected to grow by 33% – an increase of 232,530 persons. The greatest amount of growth is forecasted for the following communities, all of which are Greenfield areas located at the City's edges and will require additional parkland to meet community needs:

- Huttonville North (SP #52): 37,810 new residents;
- Mount Pleasant West (SP #53): 30,740 new residents; and,
- Highway 427 Industrial (SP #47): 30,760 new residents;

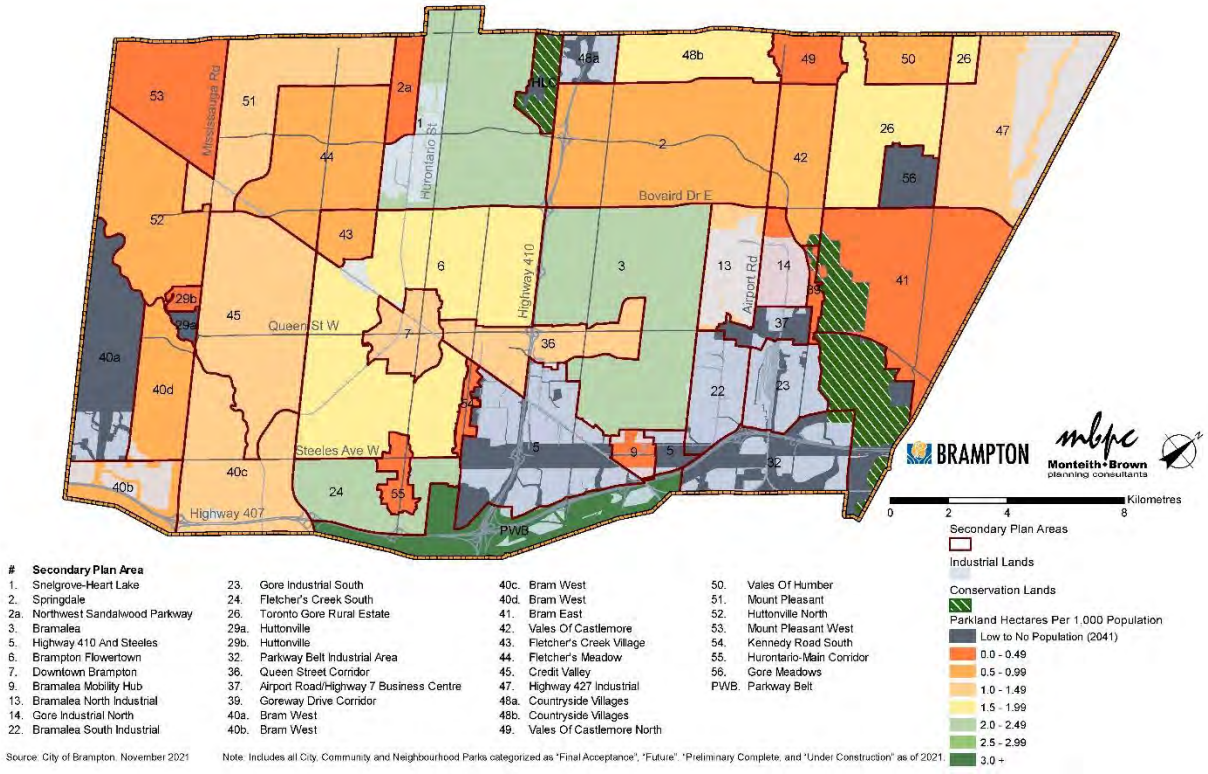
Growth areas within the central secondary plan areas – including Downtown Brampton (SP #7), Queen Street Corridor (SP #36), and Hurontario-Main Corridor (SP #55) – are projected to account for 22% of the City's overall population growth by 2041. These areas will accommodate much of the City's new high density residential development. Collectively, they have an above average per capita supply of active

parkland at present (2.4 ha/1000); however, by 2041 this ratio will be reduced as low as 1.1 ha/1,000, which is below the city-wide target of 1.6ha/1,000. The challenges in securing larger park parcels to address deficiencies was highlighted in a recent report[1] that finds that the number of planned large parks in the Greater Golden Horseshoe is not anticipated to keep pace with population growth.

By 2041, the City's parkland requirement will grow to 1,489.2 hectares (930,730 persons multiplied by 1.6ha/1,000). With a current supply of 1,173.5 hectares, this means that an additional 315.7 hectares will be required by 2041 – an average of 15.8 hectares per year. **The current ratio of 1.68 ha of active parkland per 1,000 persons is forecasted to decline to 1.34 ha of active parkland per 1,000 persons by 2041 if no new parks are secured beyond those in the development pipeline.** This projection underlines the importance of securing additional parkland (through land conveyance, purchase and acquisition and alternative tools and mechanisms) to address this shortfall.

The following **Map 4 and Table 3** illustrate how the City's projected population growth will impact parkland supplies (note: parkland acquisitions beyond those currently in the pipeline are not known at this time).

Map 4: Parkland Per Capita, 2041 (by Secondary Plan Area)



[1] Green Infrastructure Ontario Coalition & Re-Public Urbanism. 2022. Improving Access to Large Parks in Ontario's Golden Horseshoe: Policy, Planning and Funding Strategies. Prepared with support from the Greenbelt Foundation, Ontario Parks Association and Toronto Region Conservation Authority.

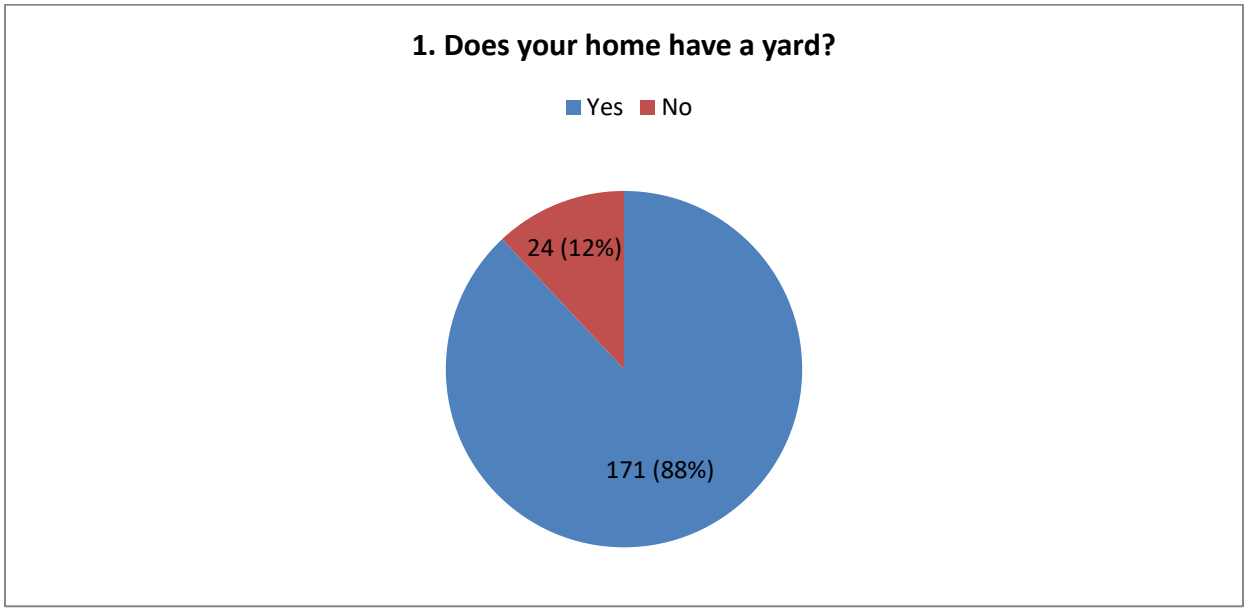
Table 3: Parkland Per Capita, 2041 (by Secondary Plan Area)

Secondary Plan Number and Name		Number of Active Parks (2021+pipeline)	Active Parks Hectares (2021+pipeline)	Population (2041)	Hectares/1000 (2041)
PWB	Parkway Belt	1	40.04	1,620	24.72
1	Snelgrove-Heart Lake	66	103.93	45,650	2.28
3	Bramalea	37	158.83	70,600	2.25
24	Fletcher's Creek South	19	64.26	31,590	2.03
26	Toronto Gore Rural Estate	3	4.86	2,600	1.87
48 (b)	Countryside Villages	13	48.34	28,200	1.71
6	Brampton Flowertown	79	188.27	116,040	1.62
13	Bramalea North Industrial	1	4.02	2,880	1.40
45	Credit Valley	23	69.25	51,120	1.35
7	Downtown Brampton	16	34.09	25,270	1.35
36	Queen Street Corridor	8	60.48	46,400	1.30
47	Highway 427 Industrial	17	34.20	31,120	1.10
51	Mount Pleasant	24	51.37	47,490	1.08
40 (a)	Bram West	1	10.82	10,550	1.03
40 (d)	Bram West	8	17.33	18,100	0.96
52	Huttonville North	1	35.85	37,940	0.95
2	Springdale	37	83.32	97,140	0.86
40 (c)	Bram West	8	14.27	21,800	0.65
50	Vales of Humber	8	5.53	9,170	0.60
43	Fletcher's Creek Village	4	6.57	11,340	0.58
44	Fletcher's Meadow	26	33.66	59,320	0.57
42	Vales of Castlemore	11	9.23	16,770	0.55
2(a)	Northwest Sandalwood Parkway	4	5.17	11,130	0.46
29 (b)	Huttonville	1	0.64	1,930	0.33
41	Bram East	29	18.70	62,210	0.30
49	Vales of Castlemore North	2	2.02	6,930	0.29
14	Gore Industrial North	1	0.86	3,600	0.24
54	Kennedy Road South	4	0.73	4,020	0.18
55	Hurontario-Main Corridor	2	2.32	20,050	0.12
9	Bramalea Mobility Hub	1	0.17	2,540	0.07
53	Mount Pleasant West	0	0.00	30,870	0.00
39	Goreway Drive Corridor	0	0.00	3,230	0.00
5	Highway 410 and Steeles	1	44.34	750	n/a*
56	Gore Meadows	2	93.00	530	n/a*
29 (a)	Huttonville	0	0.00	240	n/a*
CC	Clairville Conservation	0	0.00	80	n/a*
48 (a)	Countryside Villages	0	0.00	30	n/a*
37	Airport Road/Hwy7 Bus. Centre	0	0.00	20	n/a*
32	Parkway Belt Industrial Area	0	0.00	20	n/a*
40 (b)	Bram West	0	0.00	10	n/a*
23	Gore Industrial South	0	0.00	10	n/a*
HLC	Heart Lake	0	0.00	10	n/a*
22	Bramalea South Industrial	0	0.00	0	n/a*
Total		**458**	**1246.5**	**930,730**	**1.34**

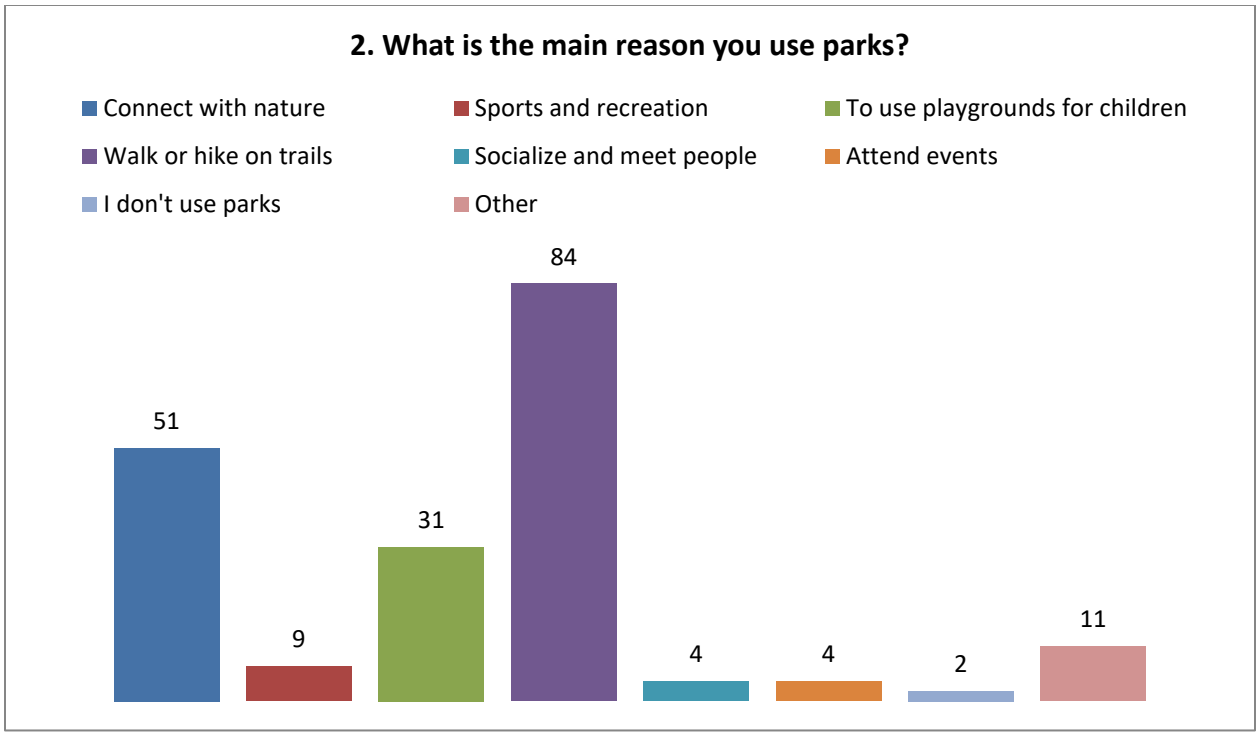
Note: Table includes 73ha of parkland that is in the development pipeline (but not yet open to the public)
* areas with low to no population; parkland provision has not been assessed

4.0 BRAMPTON PARKS SURVEY

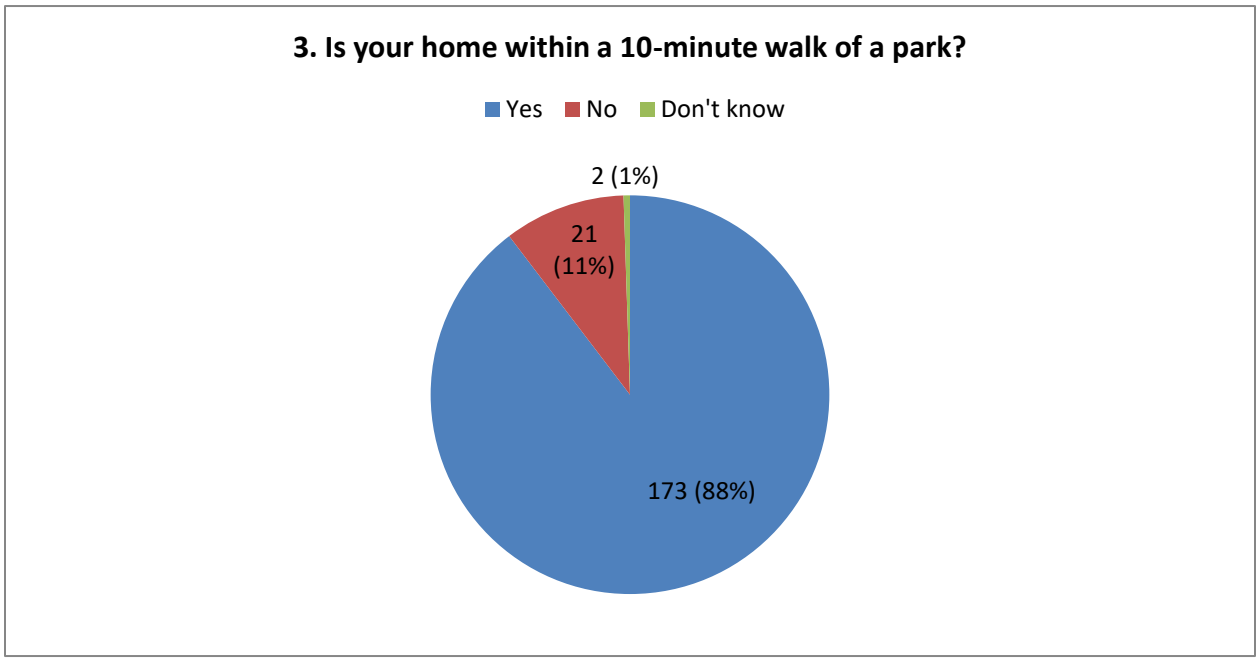
The following charts represent the results of *Brampton's Parks Survey*. The online survey was created as an opportunity for local residents to share their thoughts on Brampton's Parks System and to ensure the quality and quantity of parks meet the needs of the growing city. The survey covered topics such as proximity to parkland, main use of parks, facilities offered at local parks, park typology, and other related topics. The results below represent the 198 responses collected from March 7, 2022 to April 8, 2022.



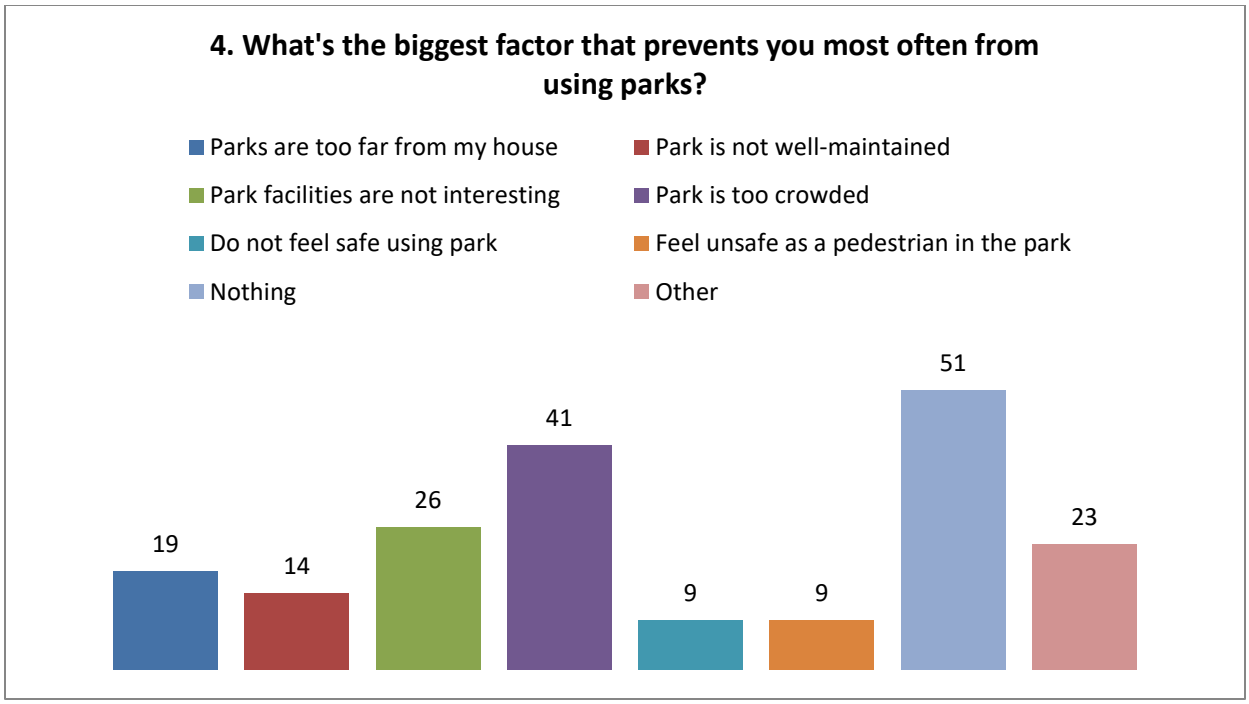
Majority (88%) of respondents have a yard. 12% of respondents do not have a yard.



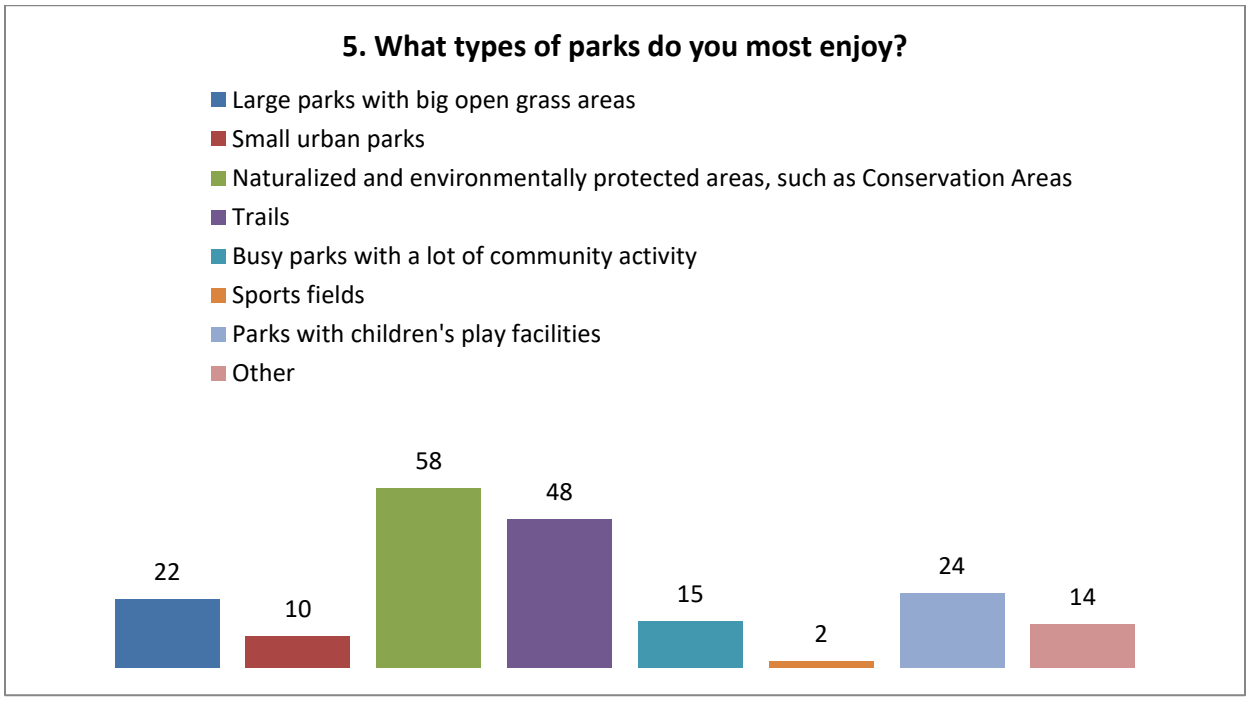
Most use parks to walk or hike on trails (43%). Other popular reasons for use include connecting with nature and playgrounds for children.



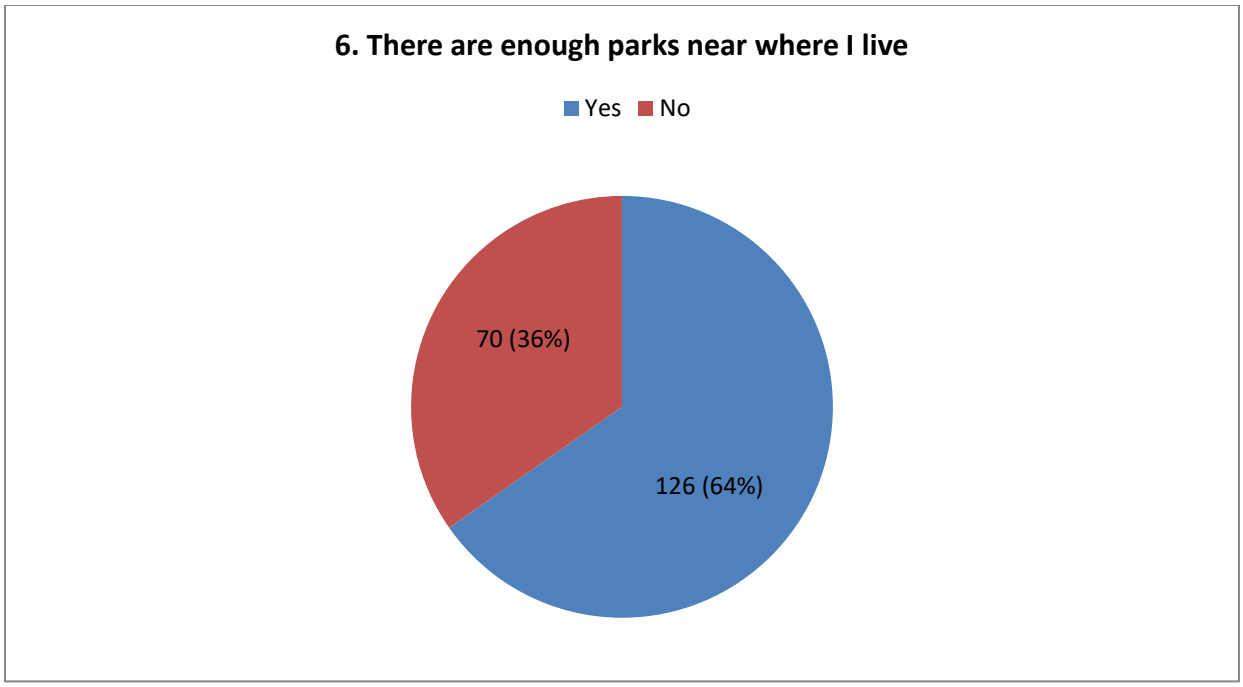
Most respondents (90%) live within a 10-minute walk of a park.



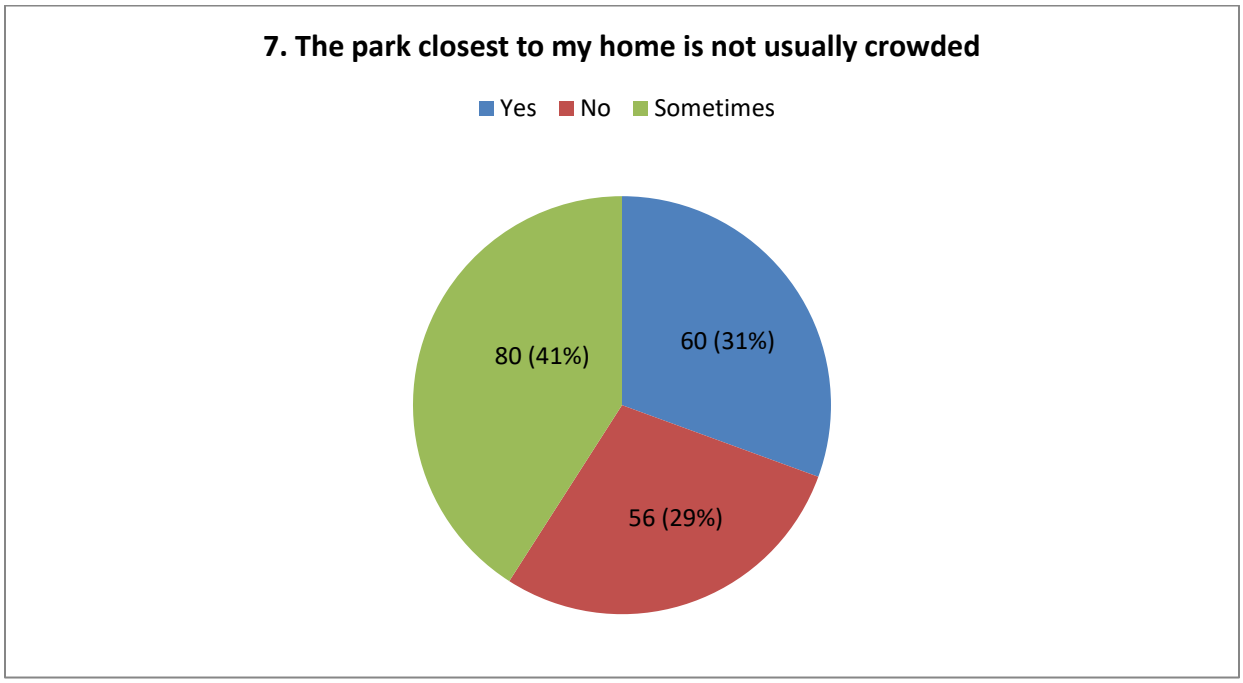
Most are not discouraged from using parks. Of those citing a reason, the largest response was that the park is too crowded, followed by uninteresting park facilities.



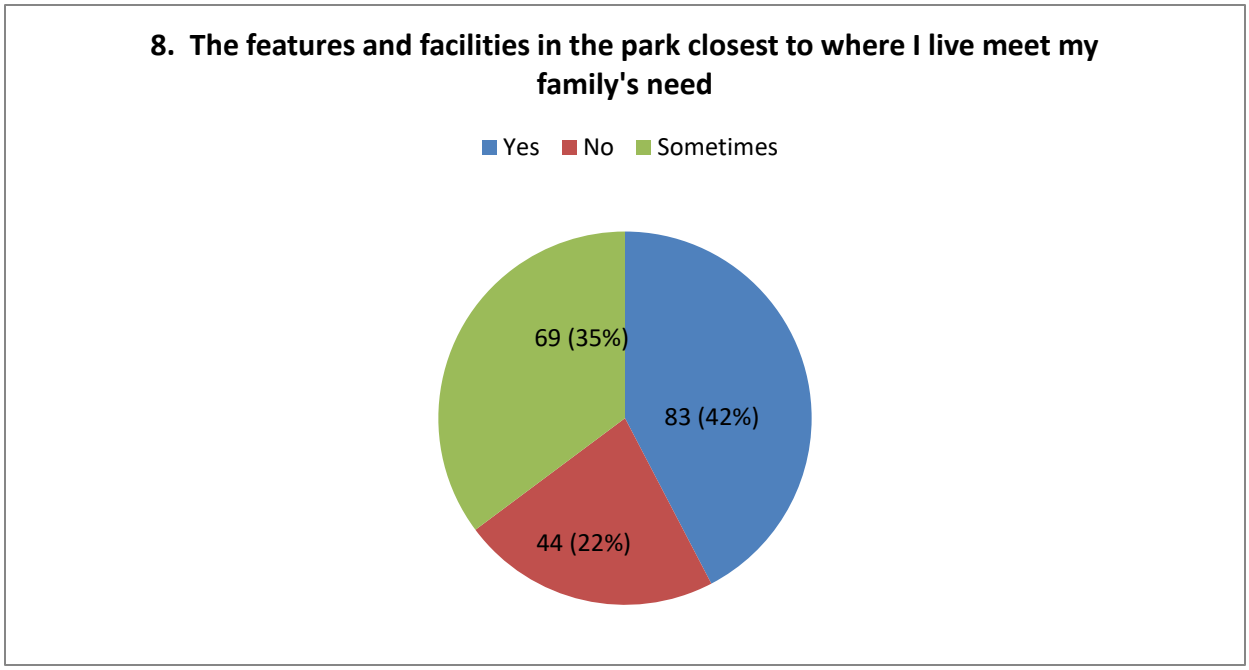
Most people enjoy naturalized and environmentally protected parks, such as Conservation Areas. People also highly enjoy trails and open green spaces.



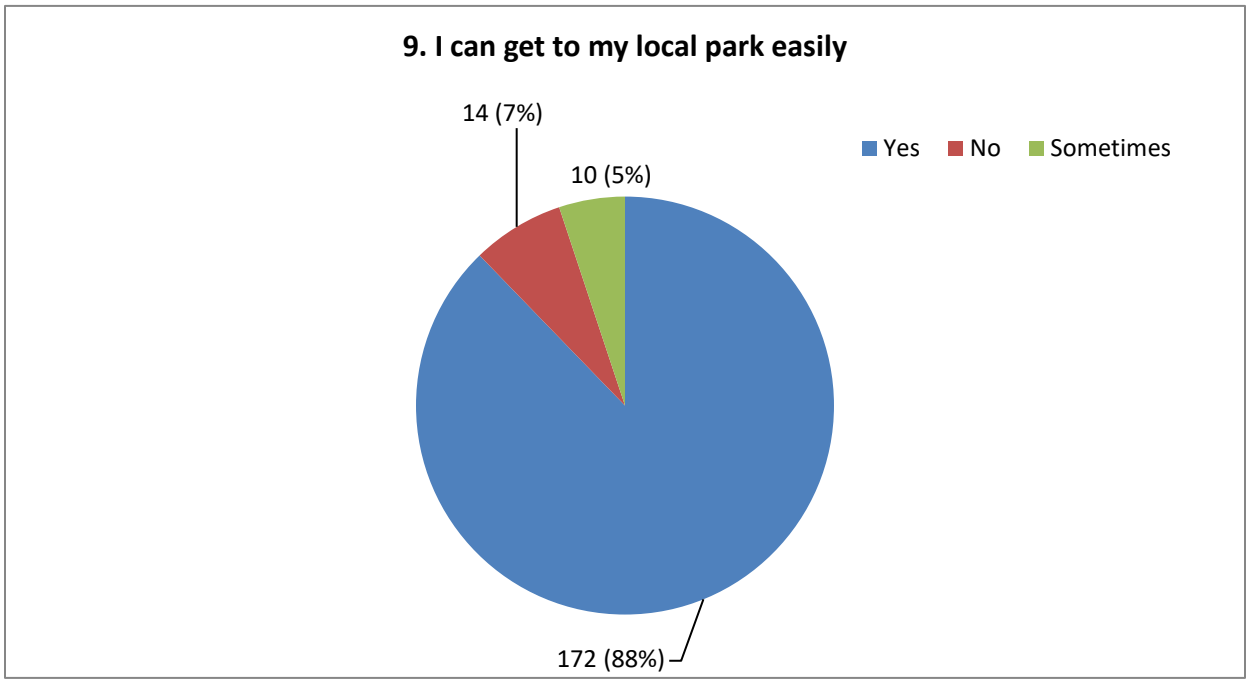
Most people (65%) believe there are enough parks where they live. A significant number of people (35%) believe there are not enough parks where they live.



40% of people found that the park closest to their home is sometimes crowded.

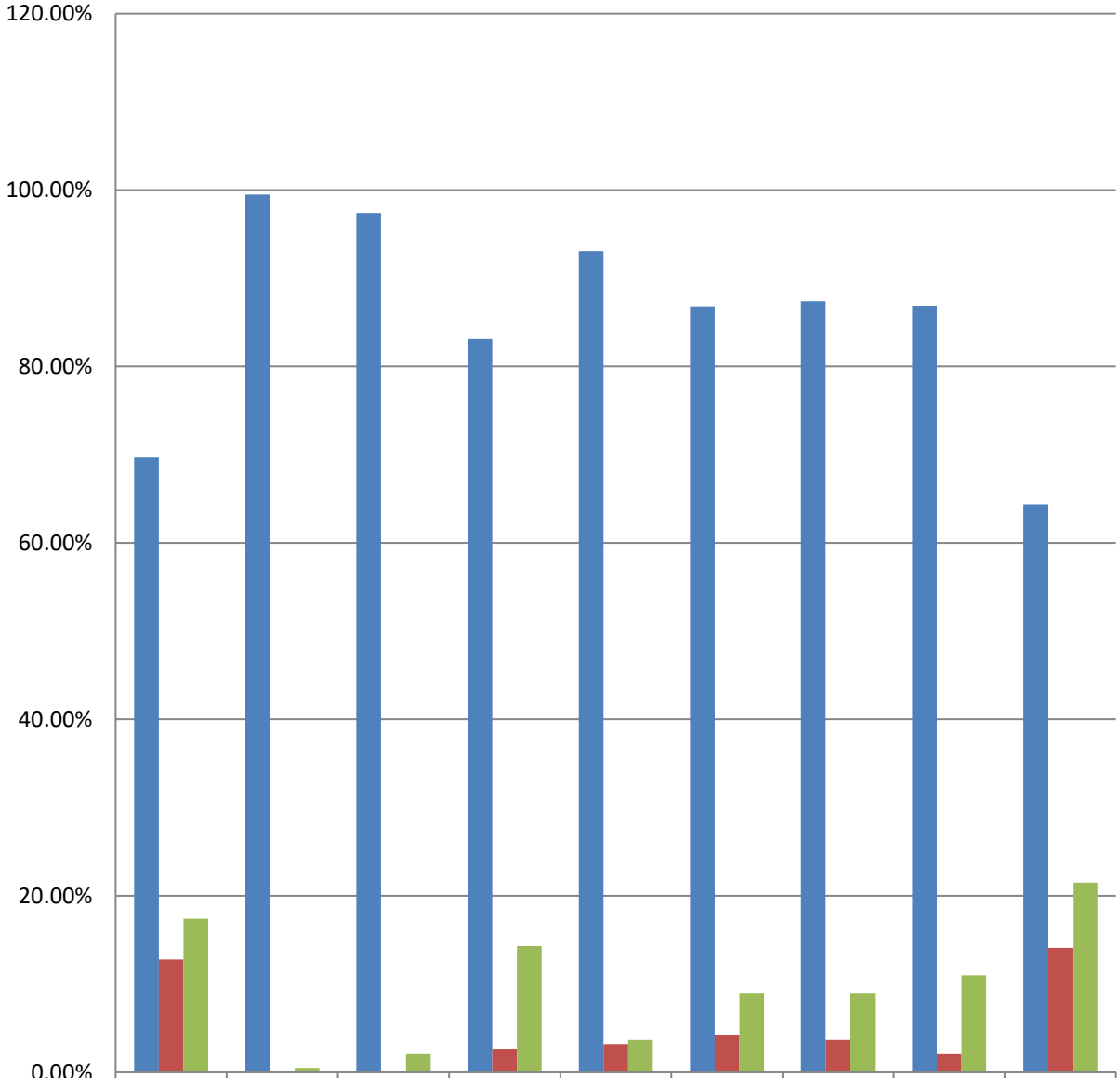


Majority of people (42%) found that the features and facilities in the park closest to where they live, meet their family's needs.



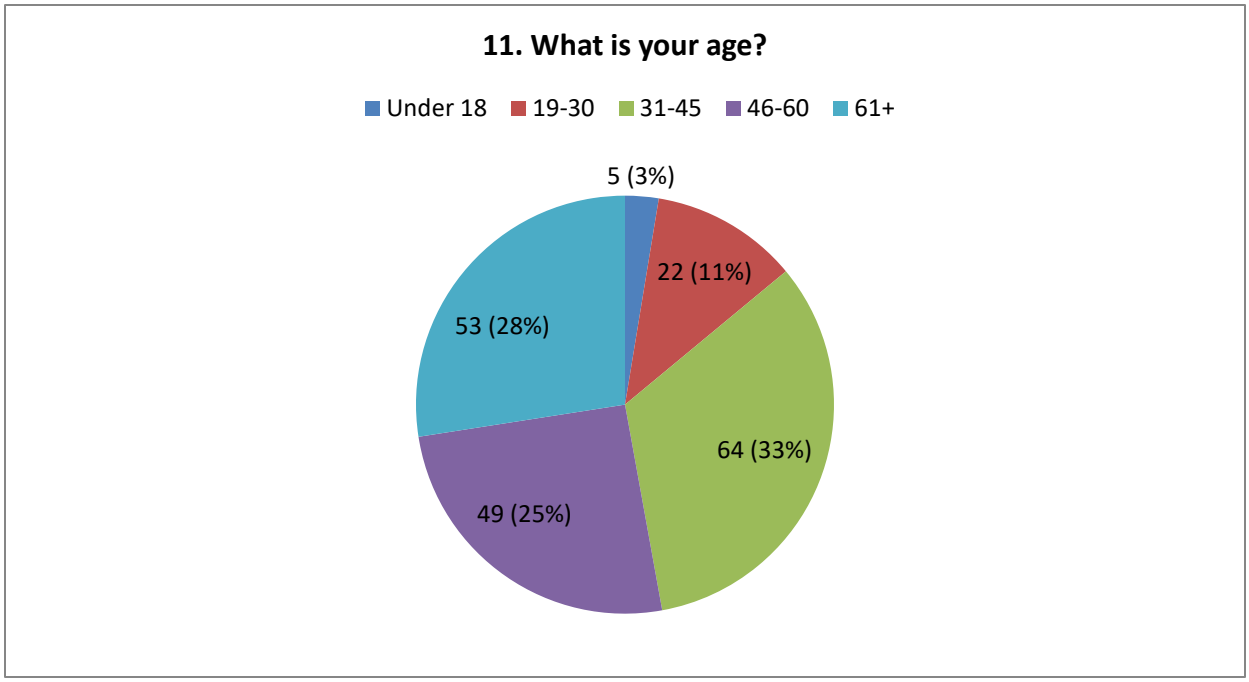
Majority of people (88%) found that they can get to their local park easily

10. Please rate whether you agree with the following statements:

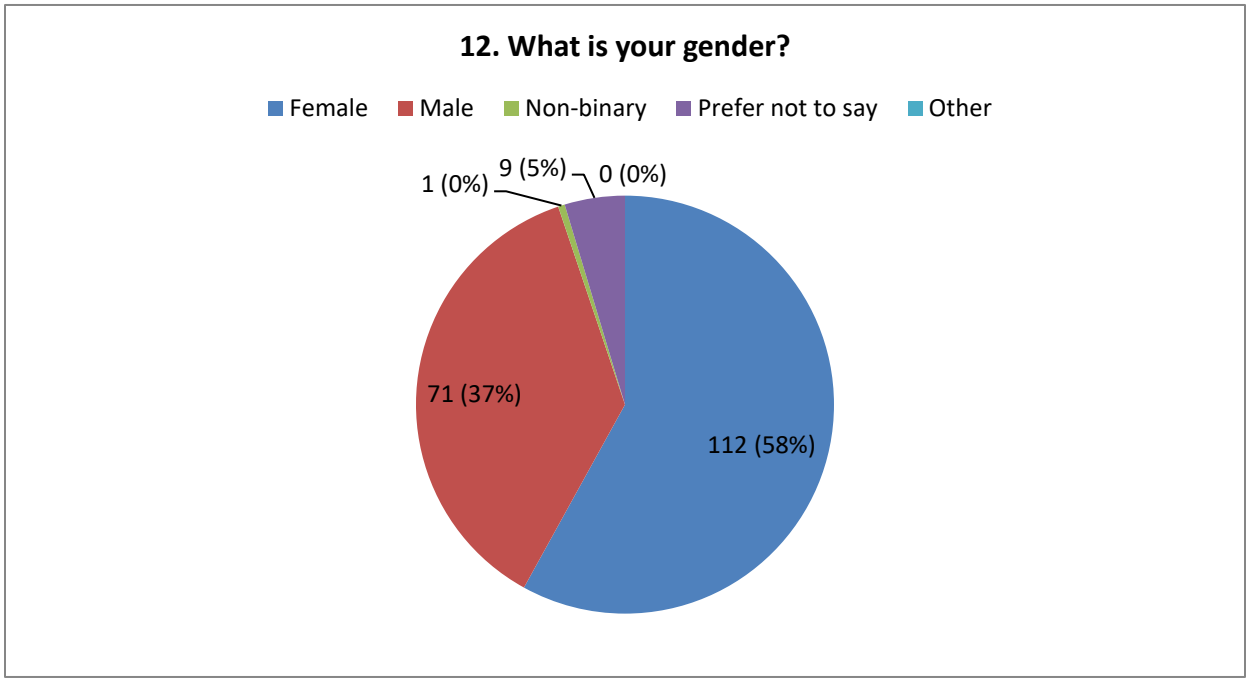


	The City should consider having more naturalized parkland without sports fields	Parks help create healthy and complete communities	Parks improve quality of life by providing spaces for recreation and social gatherings	Parks have economic benefits to residents and the City (e.g. increasing property values)	Neighbourhoods should have different types and sizes of parks	Parks in apartment neighbourhoods should be built to accommodate lots of people for different purposes	Parks in apartment neighbourhoods should have lots of trees	Parks in apartment neighbourhoods should connect to sidewalks and the City's trail system	I would be okay with some new parks that were on privately owned land but open to public use
Agree	69.70%	99.50%	97.40%	83.10%	93.10%	86.80%	87.40%	86.90%	64.40%
Disagree	12.80%	0%	0%	2.60%	3.20%	4.20%	3.70%	2%	14.10%
Not sure	17.40%	0.50%	2.10%	14.30%	3.70%	8.90%	8.90%	11%	21.50%

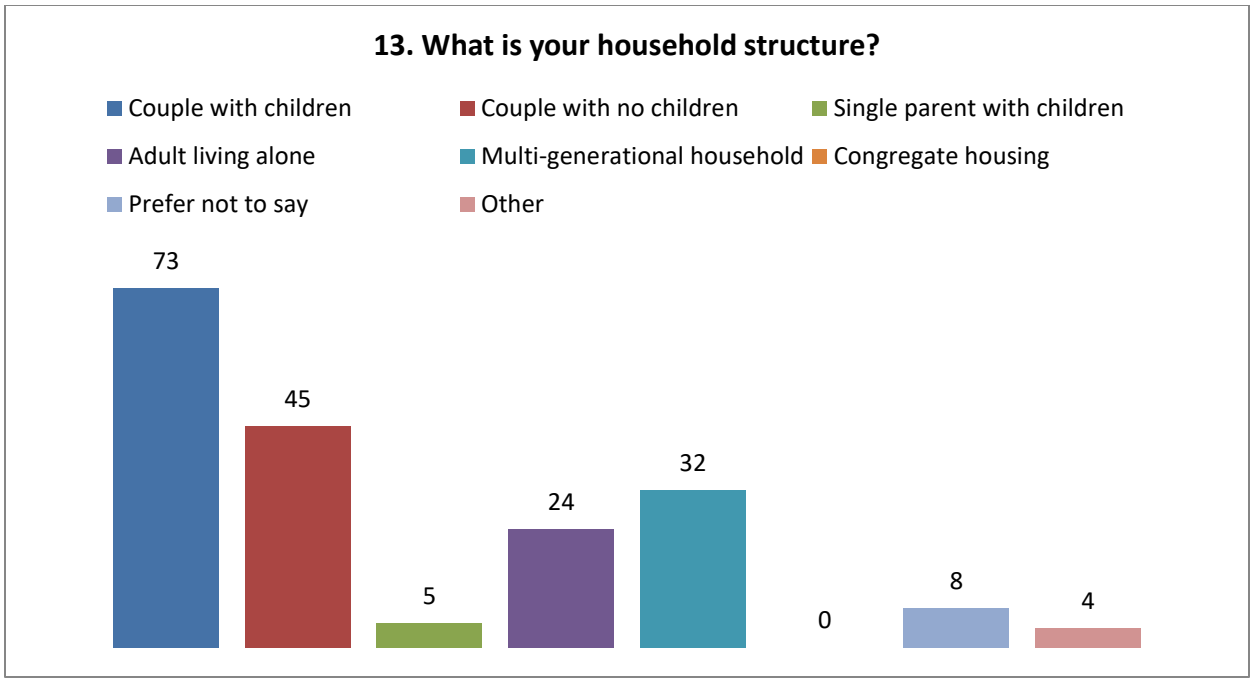
The following results convey the necessity for accessible, well-connected parkland of various types, to facilitate complete communities, improved quality of life, and economic benefits to residents.



Majority of respondets (33%) identified as being within the 31-45 year age range.



Majority of respondents (56%) identified as female, followed by those who identified as male (36%).



Majority of respondents identified as living in a household consisting of a couple with children. The second most common response was a household consisting of a couple with no children.

5.0 THE VALUE OF PARKS

5.1 Overview

Parks are a vital component of the City of Brampton. Parks contribute to healthy and complete communities, and offer an attractive quality of place for residents, businesses and visitors alike. Parks can improve the quality of life of residents by providing spaces for recreational activities and social gathering, as well as offering mental and physical health benefits. Proximity to parks is associated with higher levels of physical activity by nearby residents, which can reduce the incidence of certain chronic illnesses associated with a sedentary lifestyle. Beyond the physical health benefits, parks can also improve psychological health and development. In fact, the benefits of spending time in nature on physical and mental health is leading some doctors to prescribe spending time in nature and parks for children and teenagers who are experiencing obesity and mental health challenges. The value of parks has never been more apparent than during the recent pandemic which resulted in a tremendous increase in number of residents using the parks system on a year round basis.

Alongside the social and health-related benefits of parks, there are important environmental benefits for communities with green features, such as trees, integrated within the park system. Trees remove significant amounts of air pollution from our atmosphere each year, and sequester carbon, reducing greenhouse gas emissions. Further, parks and trees play an important role in combatting the urban heat island effect. A study in 2019 showed that on an extremely hot day in an urban setting, parks were substantially cooler than other parts of an urban environment that lacked trees and greenspace (National Recreation and Parks Association, 2019). As summer days get hotter and temperatures increase annually, parks and trees will play an increasingly important role in keeping residents cool.

In addition to the environmental and health related benefits of parks, parks also offer important economic benefits to residents and municipalities. These economic benefits include increased property values, increased tourism expenditures, decreased health care expenditures, reduced storm water management costs, and savings associated with reduced air pollution.

5.2 Quality of Place/Quality of Life

Parks of all types and scales are crucial to the functional attributes of a City. The following first explores how parks contribute to place making and quality of life, and then outlines the economic and environmental value of investing in the park system.

- **Healthy and Complete Communities** - Parks contribute to healthy and complete communities, and offer an attractive quality of place for residents, businesses and visitors alike. For residents in particular, the social and health benefits of parks have been well documented, and are associated

with the role parks play in community development, and in creating a sense of community, community belonging, reducing the incidence of crime, promoting physical activity, supporting psychological and social development and improving environmental indicators.

- **Community Development & A Sense of Community** - In his work on *Why America Needs More Town Parks and Open Space* (2003), Paul M. Sherer, found that parks play a role in community development by making cities more livable, offering recreational opportunities for diverse populations and providing places for people from all socio-economic strata to gather and create a sense of community. Sherer reports that "*research shows that residents of neighbourhoods with greenery in common spaces are more likely to enjoy stronger social ties than those who live surrounded by barren concrete.*"

Similar findings were reported in a 2008 report by The Trust for Public Land (TPL) Centre for Park Excellence on the value of Philadelphia's park space system, which found parks allow communities to build "social capital" through human relationships that promote neighbourhood strength and safety. Further, the TPL found that the act of improving or renewing a park space together as a community can strengthen "social capital"

Taking a more historical view, Sherer found that in the late 19th century investment in parks reflected a belief in the community and the related health benefits of parks in providing opportunities for recreation and social interaction. Parks were understood as "necessities" in urban settings, not "amenities" (Sherer, 2003).

- **Greater Opportunity for Physical Activity & Reduced Incidence of Chronic Illnesses & Associated Costs** - Proximity to parks associated with higher levels of physical activity by nearby residents, which can reduce the incidence of certain chronic illnesses associated with a sedentary lifestyle. With regard to increased levels of physical activity, Sherer (2003) found that those who have access to parks exercise more, and that "*access to places for physical activity combined with informational outreach produced a 48.4% increase in frequency of physical activity."* Similar findings have been reported by the Urban Land Institute (2013) and Harnik & Simms (2004).

  The correlation between physical activity and chronic illness has received a substantial amount of attention in recent years. Referencing a study from the Journal of Applied Psychology, the Urban Land Institute (2013) reported that *"communities designed for exercise can prevent 90.0% of type 2 diabetes, as well as 50 percent of heart disease, stroke, and site-specific cancers".*

  Community design features that contribute to active living were identified and included "public places such as greenways, multiuse trails, playgrounds, pools, athletic fields, and other recreation facilities that encourage physical exercise" (ULI, 2013). In terms of reduced health care costs, a 2008 study by the TPL found Philadelphia's park space system generates $70 million worth of savings in medical expenses annually. *"A recent study of major U.K cities showed that when*

communities are surrounded by more green space, life expectancy increases significantly" (Alan Logan, interview with Michelle Adelman, CBC News, February 22, 2014).

- **Psychological Health & Development** - Beyond the physical health benefits, parks can also improve psychological health and development. In particular, contact with the natural environment has been shown to improve both physical and psychological health (Sherer, 2003). Play is also central to learning and development in small children, connected to muscle strength, coordination, cognition, and reasoning. As put by Sherer (2003), "exercise has been shown to increase the brain's capacity for learning", so creating recreational opportunities for children contributes to both their physical and psychological development.
  "People moving to towns with more parks and gardens not only report greater well-being than those without access to amenities, but their improved mental health lasts for at least three years after their move", according to results of a study published in the journal of Environmental Science and Technology by Ian Adcock of the University of Exeter Medical School.

- **Crime Reduction** - The perceived and real sense of safety contributes to a community's attractiveness and positive functioning, which can be impacted by the incidence of crime. In this regard Sherer (2003) reports that *"access to public parks and recreational facilities has been strongly linked to reductions in crime and in particular to juvenile delinquency*" by giving youth a safe environment in which to recreate, interact, and spend time. As such, *"research supports the widely held belief that community involvement in neighbourhood parks is correlated with lower levels of crime"* (Sherer, 2003). Notably, poorly maintained public spaces are associated with the exact opposite effect – that being an increase in the perceived or real incidence of crime.

- **Environmental Indicators** - Alongside the social and health-related benefits of parks, there are important environmental benefits for communities with integrated green features, such as trees, integrated within the park system. For example, *"trees reduce air pollution and water pollution, they help keep cities cooler, and they are a more effective and less expensive way to manage storm water runoff than building systems of concrete sewers and drainage ditches"* (Sherer, 2003).

  In particular, trees and shrubs improve urban air quality by removing air pollutants including nitrogen dioxide, sulfur dioxide, carbon monoxide, ozone, and particulate matter (The Trust for Public Land Center for Park Excellence & Philadelphia Parks Alliance, 2008). Trees also remove polluted particulate matter in groundwater naturally before this water reaches storm sewers (Sherer, 2003).

5.3 Economic Value of Parks

Public sector investment in parks can be leveraged into a private sector investment response. Park system investment is a key stimulus for change, establishing the appropriate environment for redevelopment and revitalization.

Assigning economic value to parks has historically been anecdotal. More recently, the "multiple perspectives" approach, alongside other research and case studies confirm the important economic benefits of investing in parks, and begin the move to more quantitative economic evidence.

There has been considerable work done in the United States on measuring the economic value of parks. Much of this work has been spearheaded by the California-based Trust for Public Land (TPL). In the 2009, publication by Harnick and Welle, Measuring the Economic Value of a City Park System, an approach was developed that has since been used to assess the value of park space in several US cities, including Sacramento, Philadelphia, Boston, San Diego and Washington. The approach taken by TPL is to develop a methodology to quantify economic value according to seven distinct perspectives and discussed as follows:

- **Increased property values** – which looks at the extent to which proximity to a park space adds value to the market and assessed value of residential property;
- **Increased tourist expenditure** – which assesses the number of visitors to a community who spend more time and money in the community than they otherwise would have, because they are participating in activities in parks, or simply enjoying being outdoors;
- **Direct use value** – which measures the value that users place upon the availability of park spaces (i.e. how much they would be prepared to pay for the opportunity to enjoy parks if they were not freely available);
- **Health value** – which measures the value of the savings in medical costs to individuals and society-at-large, by virtue of the fact that people who use parks (and the broader public realm) are healthier and less likely to incur medical expenses;
- **Community cohesion value** – which measures the value to the community overall of participating in parks-related initiatives (i.e. individuals donating their time and/or money and working together on park-related projects), a concept very similar to what Jane Jacobs had identified as "social capital" in her 1961 work, The Life and Death of Great American Cities;
- **Reduced storm water management costs** – which examines the value of park spaces in helping reduce runoff during periods of heavy rainfall, and enabling precipitation to filter and recharge

groundwater – the savings to the municipality in terms of fewer gallons of storm water that require treatment can be directly measured; and,

- **Value of reduced air pollution –** which examines the effect of trees and vegetation acting as the "lungs" of the Town and removing various toxins from the air, including nitrogen dioxide, sulphur dioxide, carbon monoxide, ozone, and certain particulates. The objective is to assess the extent to which park spaces in a given community have this effect – based upon the ambient air quality of the Town – and then measures the value (cost) of removing these materials from the air through technological means, such as scrubbers.

While this approach does provide a tangible way to quantify economic value, it should be realized that the benefits accrue to different parties in different ways. Some benefits are realized directly by individuals and municipalities (e.g. increased property values that benefit individual households through enhanced market values of their properties, and to municipalities through higher taxes realized through increased assessment of the same properties) while others accrue to society generally (such as "community cohesion value"). **Table 4** identifies for each type of benefit, an indication of who exactly the beneficiaries are, and examples of the approach being used.

Table 4:

Aspect of Economic Value Measured	Beneficiaries	Some Metrics and Examples
Increase Property Values	• Individual property owners • Municipalities (increased taxes)	Evidence based upon a large sample of parks shows that location of a residence within 500 ft. of a park will increase market and assessed value by, on average, 5.0% - and for 'really excellent' parks this added value can be as high as 15.0%
Increased Tourist Expenditure	• Businesses in the community • Municipalities (thorough business taxes)	Parks in San Diego were found to increase expenditures on the part of out-of-town tourists by $114 million, which resulted in $8.7 million in tax revenue going straight to the Town (2007 study)
Direct Use Value	• Society generally: Households who do not need to pay directly to use parks	A 2006 study estimated the value of parks in Boston in this regard as being equivalent to $354 million
Health Value	• Individuals and higher levels of government, through reduced health costs	In Sacramento, in 2007, a study of the value of health benefits estimated that park participation saved the local health care system just under $20 million

Community Cohesion Value	• Society generally: Households who do not need to pay directly to use parks	A 206 study of the value of social capital attributable to participation in parks related initiatives and projects estimated an economic value of $8.6 million in contributions and volunteer time
Reduced Storm Water Management Costs	• Municipalities	Park runoff reduction savings in a 2007 study in Philadelphia estimated savings of $5.9 million to the Town
Value of Reduced Air Pollution	• Individuals and higher levels of government, through reduced environmental remediation costs and better health outcomes	A 2005 study in Washington estimated the costs of removing pollutants from the air (had not the park system done this 'for free') as %19.9 million

In addition to the economic benefits identified, numerous studies have shown that significant public investment in park space can generate other positive impacts, some of which are related to those already identified. For example, park space can:

- **Promote reinvestment by the private sector in old and new building stock** – Experience across North America indicates that public sector investment in park space stimulates private sector investment in new buildings. Creating a beautiful park is an investment in the future. Public dollars spent secure existing tax revenues and have the potential to generate tremendous additional financial returns to all levels of government.

- **Maintain existing retailers and attract new businesses** – Success breeds success, and an enhanced park space system through a shopping district ensures the retention of current tenants and attracts new retailers. Public investment sends a strong message to the private sector.

- **Enhance a Municipality's reputation** – Tourism increases with an array of park spaces, activities, and events that are supported by the public sector. By identifying an area as having the potential to become a key tourist destination, its transformation enhances the City's ability to attract tourists.

5.4 The Impact of Parks on Commercial & Residential Property Value

Real estate markets, especially residential markets, place a high value on proximity to parks and other key public realm network components as an advantage, primarily through the amenities they provide. In fact, a number of real estate studies suggest that a premium exists for residences located close to park spaces. Commercial markets also respond positively to investments in parks and the broader public realm network, which can stimulate revitalization, private-sector investment, and attract new visitors and customers to an area.

The following are some relevant and interesting points taken from studies exploring the relationship between property values and proximity to parks and other open space components.

The principle inherent to these case studies is that investment in parks is required as a key stimulus to enhance the demand for development which, in turn, will establish the appropriate environment for revitalization, redevelopment and economic prosperity.

1. **Times Square, New York**

   In the early 1980s, Times Square was filled with illegal or illicit businesses, and was shunned by residents and tourists alike. In 1984, there were only 3,000 people in the 13-acre Times Square area involved in legitimate businesses, generating a total of $6 million US in property taxes.

   In 1992, the 42nd Street Redevelopment Plan dramatically changed the face of Times Square. Financed with over $300 million US in public money, the redevelopment has been enormously successful with more than $2.5 billion US in new private sector development built since 1995.

   In 1992, when the Times Square Business Improvement District started, lease rates averaged $38.00 US/ft2, and vacancy rates were 20.0%. By 2001, lease rates had increased to $58.00 US/ft2 and vacancy rates have dropped to just fewer than 5.0%. Today, the area is home to 280 restaurants and 670 retail stores. Tourism has increased dramatically with over 12 million theatre patrons spending $590 million US annually on tickets alone.

2. **Dundas Square, Toronto**

   In 1998, as part of its Yonge Street Regeneration Project, the City of Toronto approved the expropriation and demolition of the buildings on site and the construction of Yonge-Dundas Square. The Square is managed as a commercial venture by a broad based stakeholder group including local businesses and Toronto Metropolitan University.

   The City's investment in the acquisition of the private landholdings and in the development of an urban park space has spawned extensive real estate investment along Dundas Street, has

attracted new, high value retail tenants and driven out much of the criminal element that had formerly populated the area.

3. Millennium Park, Chicago

Chicago's Millennium Park is an oft-cited example of the potential economic spin-offs associated with public investment in park space. Located on Chicago's waterfront, the Park has completely transformed what was formally a desolate stretch of rail yards, parking lots and remnant industrial uses. Since opening in 2004, Millennium Park has quickly become one of the City's primary landmarks and tourist draws, in large part because of its high quality design and impressive public art collection, including works by renowned artists Jaume Plensa and Anish Kapoor.

Not only does Millennium Park generate substantial revenues from tourists who come to Chicago to experience it, but within a year of its opening, residential real estate values in adjacent neighbourhoods saw a nearly $400 US per square foot increase in value. Within that same year, approximately $1.4 billion US in residential development was directly attributed to the Park's development (as reported in a 2006 New York Times article).

4. Post Office Square, Boston

For years, a two acre parcel of land in the midst of Boston's Financial District was occupied by an unsightly, 500,000 square foot concrete parking garage. But, in the early 1980s, at the urging of surrounding businesses, the City joined a unique public-private partnership to demolish the structure and create an underground garage covered by a gracefully designed park.

Most observers agree, Post Office Square has changed Boston forever. The Square has boosted the value of surrounding properties, while providing an elegant green focus to an otherwise crowded commercial area.

5. Waterfront Toronto, Toronto

Recognizing the importance of park spaces as a key component of the urban structure and as a way to demonstrate commitment to a development vision, Waterfront Toronto has been actively planning and developing parks and public spaces as part of its overall waterfront revitalization efforts. Dedicating approximately 25.0% of the waterfront area to parks and public spaces, the Waterfront Parks and Public Spaces Framework is planning an interconnected parks system with over 90 individual parks and public spaces.

To date, Waterfront Toronto has made considerable investments in park space development, with nearly 20 new or enhanced parks and public spaces opened since 2004. Three of its most recently completed park space projects, Sherbourne Common, Sugar Beach, and Underpass Park have

already reached near-iconic status, cited in various publications for their innovative designs and appearing in numerous City tourism promotional campaigns.

In addition to those specific examples, there are a range of general conclusions from the literature review that identify the economic benefits of a great public realm network, including an array of park spaces and streetscape elements:

- Sherer (2003) finds *that "quality of life is a determining factor in real estate values and economic vitality."* He quotes a 1998 real estate industry report, which calls *livability "a litmus test for determining the strength of the real estate investment market...if people want to live in a place, companies, stores, hotels, and apartments will follow"* (Sherer, 2003).

- In a study of residential units within 245 metres of parks in Portland, Oregon, it was estimated that a 1.0% to 3.0% property value premium could be attributed to the park space (Bolitzer & Netusil, 2000);

- In Dallas, Texas, homes facing one of 14 parks were found to be worth 22.0% more than homes more than 1.3 kilometres from such amenities (Miller, 2001);

- A study from Boulder, Colorado found that the average values of homes next to the greenbelt were 32.0% higher than those 975 metres away (Sherer, 2003).

- It has been suggested that a positive impact of about 20.0% on property values abutting or fronting a park is a reasonable point of departure, and that the impact is likely to be substantial, within roughly 150 metres;

- A study on the impacts of the Bryant Park revitalization in New York found *that "within two years of reopening, leasing activity on neighboring Sixth Avenue had increased 60.0% over the previous year"* (Sherer, 2003). As such, Sherer concluded *that "commercial asking rents, residential sale prices, and assessed values for properties near a well- improved park generally exceeded rents in surrounding submarkets"* (Sherer, 2003).

- A study by New Yorkers for Parks found that capital improvements to park spaces can increase nearby commercial and residential real estate values as well as commercial asking rents, residential sales prices, and assessed property values, as opposed to those in other submarkets (New Yorkers for Parks, Ernst & Young, 2002). Overall, the study found that "close proximity to a quality park is a positive site attribute that can enhance the curb appeal and value of adjacent real estate" The study also *found "park spaces to be community assets, with real impacts on the decision to purchase, invest, or finance a property in their neighbourhood*" (New Yorkers for Parks, Ernst & Young, 2002).

- A study by the Virginia Cooperative Extension showed that *"access to green space increased worker productivity and that greening business districts increased community pride and drew more customers"* (Kilbourne, 2009).
- Recreational opportunities and urban life can contribute to the selection of cities in which to locate corporate headquarters, as was the case in Boeing's decision to locate in Chicago (Sherer, 2003); and,
- A study by Credit Valley Conservation found *that "abutting a natural feature [which are often considered as natural parks] can increase property value from 1.0% to 5.0%, depending on the type of natural feature."* The same study also found that natural features in south Mississauga increase property values by an average of $8,010 per property, which is equal to over approximately 2.4% of the base property value. In north Mississauga, property values increase by approximately $10,273 or 3.6% of the base value (Credit Valley Conservation, 2009).

6.0 INNOVATIVE TOOLS & POLICIES

6.1 Urban & Suburban Context

Planning and developing parks within urban contexts (Brampton's Intensification Areas/Strategic Growth Areas) presents a number of new challenges and potential opportunities in comparison to a more traditional suburban context. Parkland policies, including park provision, within subdivision and greenfield developments are well established and generally much more straightforward to design and apply. In comparison, urban parks have higher daily use requiring more ongoing maintenance. They are typically more highly designed with unique plantings and materials requiring a higher quality of construction and in many cases more short and long-term upkeep. Land is more expensive and scarcer requiring innovative approaches to acquire suitable and adequate lands in areas of need, and the programmatic elements vary vastly from large open suburban parks. It should be noted that while urban parks are more expensive to design, construct and maintain than their suburban counterparts, their use is generally substantially higher and potentially more diverse. Cost per person/user for an urban park would typically be on par with that for a suburban park, if not lower. The expectations of public space vary based on the location of these amenities within the City. Residents, who choose to live in Downtown Brampton, or a higher density development area, are typically doing so for the exchange in amenity access compared to lower density areas further from urban cores. For example, it would be challenging to expect a majority of downtown residents in Brampton to have direct pedestrian access to major sports fields and large backyards, in addition to the commercial, transit and lifestyle amenities of the urban core. Similarly it would be impractical to suggest that a resident in the middle of a low density suburban subdivision receive the same level of transit service at their doorstep or have direct and pedestrian access to commercial and cultural experiences on par with what are offered in Downtown Brampton and other urban centres.

The decision to live in Downtown Brampton (and the denser Intensification Areas/Strategic Growth Areas) is a decision to balance urban amenities with urban impacts. The balance of priorities and realities of more urban living includes: increased transit service and active transportation options, increased commercial, institutional and cultural activity, but decreased housing size and private amenity space due to intensification.

The Suburban Parkland System

In a typical suburban neighbourhood there is a substantial private space element (backyard/ front yard), along with a park space hierarchy that includes large scale parks that are mostly green and include sports fields. In many cases, the suburban parkland system incorporates school sites, community recreation centres, and natural heritage system connections. For the most part, the suburban park space system is owned, designed and maintained by the public sector or associated agencies. The provision of suburban

parkland is relatively straightforward, as they are planned as part of a central feature in the overall subdivision design and land is readily available.

Suburban parkland is characterized as public, big, green, and programmed.

Urban Parkland Context

Parkland within a denser urban area, like Brampton's Intensification Areas/Strategic Growth Areas, includes an array of park spaces that can have both green and hard surface design components, and includes crucial connectivity components, including sidewalks, lanes, and mid-block connections. The park spaces and broader public realm networks in a denser urban area are more complex than the suburban parkland system and include primarily public spaces, but can also include semi-public spaces, located atop of other infrastructure or facilities (public or private), private lands (strata parks) and other private components that all work together to form a highly interconnected network. The broader public realm network can be comprised of a number of elements, including urban parks, urban squares, pocket parks, sliver (narrow) open spaces, courtyards and/or connecting links.

Park spaces and the broader public realm network in an urban context are:

- Highly animated by the people who walk from place to place and their interaction with the uses within the adjacent buildings;
- More heavily used and more diverse in their component parts and, as such require a higher cost of design and development, as well as an enhanced maintenance protocol;
- Integrated as part of the pedestrian circulation network within the area; and,
- Flexible to accommodate different users and events, and will respond to the use patterns that may be dramatically different throughout the day, week and/or year.

Urban parkland is characterized as diverse, flexible, small, and connected.

The acquisition of an urban park is very different from a suburban park. The likelihood of traditional parkland conveyance is reduced due to land scarcity in more highly developed areas, thus land is more expensive requiring additional public resources to compete with the market and purchase land for parks. The sum of these realities results in a new urban context requiring new tools and approaches to achieve parkland goals and a dynamic urban public realm.

6.2 An Innovative Policy Approach

Planning for an urban parkland system requires nuanced policies that support the development of a high quality and diverse parkland system. Parkland conveyance policies should enable a variety of solutions for different contexts and locations, with built in flexibility and quality control mechanisms. Beyond parkland conveyance policies, flexibility and quality control considerations are also needed within supporting municipal policies and practices that dictate how parkland is integrated as an element of community design, and how parkland can be used.

Flexibility

There should be enough flexibility in the policy to take into account and respond to context-specific priorities, such as the presence of natural features, built form and density of area developments, opportunities to provide community-specific facilities or to improve the connectivity of the parks and trails network beyond the specific development site. Policies should also respond to changes to real estate values over time.

Quality Control

Quality control mechanisms should be built into parkland conveyance policies and practices. To ensure the maximum public amenity is achieved, parkland conveyance needs to be addressed early on in the development approval process, and the City needs to have significant influence on the shape and location of new urban parks. For example, it is essential that park spaces in major redevelopment areas are centrally located, and not relegated to less desirable, left over spaces. The use of cash-in-lieu funds is another opportunity to maximize the amenity provided by parkland, and it is important that the City combines its financial resources to create meaningful parks in targeted areas.

Community Design

Integrating adjacent land uses can contribute to the success of parks. Parkland use can be optimized by ensuring edges are animated with active urban uses (often commercial uses), by integrating public facilities (such as public buildings, schools, daycare, libraries, etc.) with parkland, and by promoting the joint use of outdoor spaces.

6.3 Strata Parks and Privately Owned Public Spaces (POPS)

Alternative park acquisition strategies have emerged in response to growing intensification pressures and high-density development activity and should be considered in any innovative policy approach to urban park system provision. Two such tools are strata parkland and Privately Owned Public Spaces (POPS). These two park models are typically urban parks located on the site of a development that serve both the tenants of the structure and the public at large.

Strata parkland is a public park developed above private infrastructure, typically parking garages or storm water infrastructure (public or private). The park space is deeded to the municipality by the property developer, and is thus publicly owned (and typically publicly operated), whereas the underlying infrastructure is maintained within private ownership. This is not a new innovation or phenomenon, however there is a rise in the frequency that this arrangement is being requested by developers and accepted by municipalities in the Greater Toronto Area, and reflects the need for land efficiencies in higher density urban contexts where land values are elevated and available land supplies are constrained.

POPS are privately owned spaces that are publicly accessible via legal agreements between the property owner and the municipality and are privately operated and maintained. Municipal programming and overall control of these spaces is more limited than traditional table land parks or strata parks.

These alternative parkland models have unique characteristics that can improve the park system and secure needed parkland on-site. However, they can also add complexity and financial risk compared to traditional parkland dedication and cash-in-lieu models. These park ownership models are tools that the City can add to their park system toolbox and employ when required to address a complex development or parkland dedication scenario. A number of high quality and high profile examples of these types of parks exist across North America, including Millennium Park in Chicago, the High Line in New York, Nathan Phillips Square and Yonge-Dundas Square in Toronto. Markham has a number of strata parks already developed, such those at World on Yonge and the Circa development in Markham Centre, among others.

Legal Overview of Strata Title

Stratified ownership of land, often simply called “strata title”, refers to fee simple ownership of land divided not just two dimensionally (parcels that are next to one another), but three dimensionally as well (parcels that are above and below one another). Normally, an owner of land conceptually owns all the land below the surface of the ground and all the air above it, often referred to as “heaven to the centre-of-the-Earth” ownership. Strata title allows one owner to own above a certain height, while another owner owns below that height. Strata title is most often used, for example, in the creation of condominiums where fee simple ownership of a parcel of land is essentially divided into boxes in the air, to secure “air rights” above a certain height for a different owner than the owner of the land at ground level, or to create underground structures owned by one owner while the surface and above is owned by someone else, often the case for a parking garage or subway.

“Air rights” are perhaps the best known application of strata title and the legal framework applicable to strata parks is identical. The only differences between strata parkland and “air rights” are practical ones: strata parkland is generally at or near grade level and “air rights” typically exist at some significant level above grade. Similar easements (in particular rights of support and servicing) are necessary to make effective use of any strata arrangement.

Strata parcels of land are created through the same *Planning Act* mechanisms (i.e. Plan of Subdivision, Consent) that implement any other subdivision of land, usually with the assistance of a strata reference plan that uses a two dimensional reference plan to depict three dimensional parcels.

Appurtenant easements are not automatically created when a strata parcel is created. Therefore, for example, there may be no realistic way to access or use a strata parcel for "air rights" if that parcel exists above a height of 50 metres without easements or the voluntary cooperation of the owner of the parcel below 50 metres. That is why it is common for easements to be created simultaneously with strata parcels (and for Committees of Adjustment and other Consent approval authorities to insist on it), to allow the strata parcel(s) to be effectively used in perpetuity, regardless of what happens with the parcels above or below it, as the case may be. The same logic applies to strata parkland. If for example, an above-grade strata parcel exists for parkland without rights of support from the below-grade strata parcel directly beneath, the parkland parcel might be susceptible to being unusable if, for example, the water holding tank below it wasn't being properly maintained. The park use might be interrupted every time the water tank requires servicing or replacement. Well written and thoughtful easements for rights of support ensure that the parkland use above-grade can continue even if major maintenance or reconstruction of the below-grade infrastructure is taking place every 20 years.

In particular, a support easement ensures that even if the owner of the parcel below intends to remove its improvements the land above can continue to function. A simple example of such an easement in the context of strata parkland owned by a municipality is as follows:

Easement in Gross (Support)

Support easements can be over certain parts of the parcels above and below, or "in gross" over the whole of the other parcel(s). Similar easements that provide for maintenance, access and other services are also common.

A typical example of a strata parkland arrangement is the creation of two strata parcels, one beginning 1.2 metres below ground level and extending "to heaven" (the "parkland parcel"), and the other beginning 1.2 metres below ground level and extending "to the centre-of-the-Earth" (the "parking garage parcel"). The parkland parcel would extend below the ground level far enough to allow for tree planting, soil, water lines, and other associated infrastructure to service the parkland. The parking garage parcel would be subject to a support easement, meaning that even if the garage were demolished, support for the park above would have to be maintained. The parkland parcel might also be subject to easements for services (i.e. utilities) to travel through the below-grade portion of the parkland parcel to reach the parking garage parcel and all infrastructures under laying the parkland parcel. A reciprocal agreement between the two parcel owners that sets out how and when work that intrudes on the other parcel can be done, including provisions for emergency repairs, cost- sharing, etc.

A reciprocal agreement may establish dispute resolution mechanisms, such as arbitration or mediation, but the enforcement of easement terms could also be pursued in the normal manner through the Superior Court of Justice. Unlike other real estate law concepts, the common law does not form the legal basis of strata title. A large volume of case law exists in Ontario concerning disputes that have arisen in the context of strata title between adjacent parcel owners, but most is very fact specific and typically relates to business disputes or oversights in the creation of the parcels or their appurtenant easements. The concept and application of strata title is well established and not by nature controversial.

Legal Issues Associated with Multiple Owners on the Land

There is no limitation on what other entity may own the strata parcel beneath a strata parkland parcel. The below-grade strata parcel may therefore include common elements of a condominium corporation, and often does.

Technically, land that forms part of the common elements is owned by the condominium owners, not the condominium corporation, who only manages the common elements. The condominium common elements can be subject to the same easements necessary to protect and make the strata parkland work operationally that any other land beneath strata parkland can be subject to:

- Maintenance and other reciprocal
- Rights of support
- Treating condominium as a neighbours

Use of Legal Instruments to Achieve POPS

Leases, licenses and easements are other options that many GTA municipalities have utilized to create parkland in a manner similar to strata where non-stratified fee simple ownership of new parkland is not desired or possible. These legal agreements are the basis for establishing POPS.

Leases and licenses are essentially time-limited permissions to use a portion of the subject lands (usually, in the case of parkland, the above-grade portion only) for certain specific parks purposes only. Licenses can typically be revoked at the will of the owner, whereas leases can provide a greater level of security for a specified time frame. When parks licenses or leases expire, there is generally no obligation for the owner to renew the lease or license. Even if expropriation is then considered, the costs to the municipality to do so can be prohibitive.

An easement is another mechanism that can be used to secure parkland in some circumstances, in particular if the parkland in question is a trail or path. An easement can be created in perpetuity but is limited to the uses described in the easement. In this context the terms of the easement would have to be worded in a careful and flexible manner to ensure that the fee simple owner could not object to increased or changing use of the parkland over time. **Table 5** provides a high-level comparison of the various alternatives to secure parkland.

Table 5: Comparison of Various Alternatives to Secure Parkland

	Length of Time	Flexibility of Permitted Uses	Park Use Subject to Interpretation	Termination	Costs
Non-Stratified Fee Simple Park (typical City Park)	Indefinite	No limitation	None (unless land is subject to easements by adjacent land owners)	N/A	City owned, maintenance of park only
Strata Parkland	Indefinite	No limitation	Yes (land is subject to easements and reciprocal agreements that may interfere with park use)	N/A	City owned, maintenance of park only
Park Lease (POPS)	Time limited – typically less than 99 years	Only uses specified in lease	Specified in lease (sometimes none, sometimes significant)	At the end of term or upon occurrence of certain events as specified in lease	Lease payments, typically maintained by land owner
Park License (POPS)	Time limited – typically less than 21 years	Only uses specified in license	Yes (at will of owner, or subject to terms of the license)	May be terminated at any time	License fees, typically maintained by land owner
Easements (POPS)	Time limited or indefinite	Only uses specified in easement	Yes (as set out in easement)	Possibly trigger event or time specified in easement, if any	City owned, typically maintained by land owner, or as specified in the easement

Use of Alternative Parkland Agreements

Non-legal and site-specific considerations will usually dictate which of the above alternatives the best approach is in any particular circumstance. Considerations may include: the City's desire to acquire parkland on-site or off-site, the City's interest in acquiring payment-in-lieu or parkland, whether the City desires full ownership of the parkland versus private ownership, maintenance considerations, the size of the parkland or public space, or the desired programming, among others. These scenarios are described below.

A strata parkland conveyance can be the best alternative to fee simple parkland for both the developer and the City when the City wants parkland, insists on owning that parkland, but the developer also needs the space to provide parking and can do so below-grade.

Easements are often appropriate when the proposed parkland area is for a specific purpose that is suitable for an easement, such as a pathway that connects two public spaces where the intended use is primarily pedestrian ingress and egress, and the area will still be considered to be and maintained as if it is part of the park. License's and leases can be the most appropriate if, for example, the proposed park includes special decorative elements, such as paving or a fountain, and the City wishes to ensure that the full obligation and costs to maintain those elements are with the developer, rather than the City who may not prefer to take on the additional cost or responsibility for maintenance.

Table 6: Comparison of Examples for Parkland Dedication Tools

	Size of Park Area (or equivalent Payment in Lieu	Maintenance of Park	Future Increase in Value of Land
Fee Simple Parkland Conveyance	500 m2 (5% of the developed land, "heaven to centre of the earth")	All city parks budget, to the extent new and ongoing capital and operating funds are available	Belongs entirely to the City, (however the *Planning Act* prevents the City from using the dedicated Parkland for any other purpose)
Above-grade Strata Parkland Conveyance Example 1	750m2 (greater than 5% of the development land, above-grade only, because the value of the above-grade only does not fully satisfy the 5% parkland dedication requirement)	All City parks budget, to the extent new and ongoing capital and operating funds are available	Above-grade parcel belongs to City, below-grade to other owner. However, market value depressed because practical usefulness of strata title is less than "heaven to center of the earth" ownership
Above-grade Strata Parkland Conveyance Example 2	500m2 (5% of the surface area, but not in full satisfaction of the parkland requirement because it does not include below-	All City parks budget, to the extent new and ongoing capital and operating funds are available	Above-grade parcel belongs to City, below-grade to other owner. However, market value depressed because

	grade. Additional payment provided by developer to make up the difference.)		practical usefulness of strata title is less than "heaven to center of the earth" ownership
POPS Lease or License	1000m2 (much greater than 5% of the development land because the value of a lease or license is much less than the fee simple value of the same area of land)	High end improvements installed and maintained by the owner entirely to specific City standards and at the owner's sole expense	Belongs entirely to private owner

The value of POPS can qualify as "payment in lieu" of fee simple parkland conveyance, as set out in s. 42(6) of the *Planning Act*. The value of these tools would be assessed on a case by case basis but would normally be a fraction of the fee simple value of the same area of land. A value of any obligations of the developer for ongoing maintenance to specified standards would also be quantified, if applicable.

Parkland Credits for Strata and POPS

The *Planning Act* permits the municipality to pass a By-law requiring the conveyance of parkland, or cash payment-in-lieu thereof, as a condition of development or redevelopment of land. There is no legal impediment to the City's implementing By-law allowing for the acceptance of strata parkland in satisfaction of that requirement.

The *Planning Act* parkland dedication rates refer to fee simple "heaven to centre-of-the-Earth" ownership. Therefore, if the parkland dedication requirement for a proposed development is 5%, strata parkland that covered 5% of the surface area of the development would not fully satisfy the parkland dedication requirement. In that case the applicant would either be required to provide additional cash-in-lieu equivalent to the value of the strata parcels below the strata parkland to make up the difference, or to convey additional above-grade strata parkland of that value to make up the difference. Two examples of municipalities who have negotiated strata agreements are Markham and Vaughan. Markham has negotiated strata agreements on a site-specific basis and has provided up to 100% credit for the land area of the strata park and required the remainder of the dedication as cash-in-lieu. Vaughan has negotiated a credit of 1/3 of the land area dedicated as strata parkland, using the rationale that air rights, surface area, and below grade rights should be considered as equal thirds of the total fee simple land dedication. It is important to note that both Markham and Vaughan have recently adopted new Parkland Dedication By-laws that have different approaches to strata park definition and acceptance.

If some form of POPS is the site-specific parkland preference, Section 42(6) of the *Planning Act* would allow the conveyance of the lease, easement or license that creates the POPS to be conveyed as "payment in lieu" of the conveyance of fee simple land. The appropriate value of the POPS (certainly considerably less than the fee simple value of the same amount of land) would have to be determined at that time. It

appears that only a small number of municipalities in southern Ontario provide parkland credits for POPS. In the case of the City of Kitchener, they would consider using cash-in-lieu of parkland to then pay the developer for the lease/license of the POPS as opposed to accepting it directly as the payment-in-lieu in order to maintain fiscal transparency.

Policy Framework

There is currently no provincial policy that precludes a municipality from accepting strata parkland or POPS as a form of parkland dedication or payment-in-lieu. As previously discussed, all stratified parcels, including strata parkland, are created through the same *Planning Act* mechanisms. The eventual park, whether fee simple non-stratified park, strata parkland, or POPS must meet the City's objectives for a public park (e.g. accessibility, design standards), and ultimately the power to determine whether or not to pursue acquisition of alternative parkland agreements rests with the City.

Strata Parkland and POPS Considerations

Quality of Engineering and Construction

Poor engineering and/or poor quality construction affect all aspects of a park's function and lifecycle, and they are both fundamental considerations in this discussion. For the most part, the lifecycle terms that are discussed in this report will be dramatically reduced where engineering and construction is of a sub-standard quality. There are best practices and higher quality materials available to ensure maximum longevity. The key is to find or develop appropriate standards from an engineering, design, construction and installation perspective, and require the use of high quality materials.

Waterproofing Membrane

Good quality membranes now claim a 30 to 40 year lifecycle. Experience has shown that membranes used in the past last approximately 20 years. The quality of the installation of the membrane, the quality of the membrane itself, the design of the park space, the maintenance protocols and the characteristics of the underlying infrastructure will all have an impact on how long a membrane will and should last. In a general sense, it is expected that a modern urban park built over structures/infrastructure will last as long as the membrane beneath it – about 30 years. At which point maintenance on specific sections of the membrane or complete replacement of the membrane will be required.

Cost of Park Development

A typical suburban park space, with landscape planting, trees, grass, sports fields and play structures cost between $25.00 and $95.00/square meter, with an average cost of about $55.00/square metre. In comparison, a typical urban park, although usually much smaller, that includes hard surfaces, trees, landscape plantings and seating cost between $90.00 and $1,500.00/square metre, with an average of approximately $545.00/square metre.

Urban parks built over structures/infrastructure tend to be very cost comparative to a typical urban park. The key additional cost element for an urban park built in a strata scenario is the cost of the roof structure and required membrane, not necessarily the park itself.

It is important to note that the costs for both suburban parks and urban parks vary widely due to the design details of the park.

Ongoing Maintenance Protocols

Park maintenance protocols that utilize salt or other corrosive chemicals will affect (shorten) the lifecycle of the waterproofing membrane. Further, and in a general sense, urban park spaces require a much more robust maintenance protocol than a typical suburban park space, regardless of whether or not it is built over top of a structure/ infrastructure.

Suburban parks need to be maintained between once or twice a week, depending on the level of use. Busy urban parks need to be maintained every day, and sometimes more than once per day, depending upon use.

With respect to ongoing maintenance there is a substantial difference between a typical suburban park and a typical urban park. The difference between a typical urban park and an urban park built over a structure/infrastructure is not significant, and varies depending upon the level of park use, although care must be taken to ensure the lifecycle of the membrane.

Lifecycle

A typical suburban park includes some components that have a long, indefinite lifecycle, and while it is recognized that some components of a suburban park may need to be “refreshed” from time to time, there really is not a definitive lifecycle that is identifiable.

A typical urban park has a defined lifecycle of about 30 years. That time frame is defined partly due to its expected usage levels, and partly by the lifespan of trees within the urban context. That lifecycle depends upon soil depth, soil volumes, soil quality and maintenance protocols, and what we have learned from a lack of species diversity in our urban forest.

Interestingly, the lifecycle of an urban park built over a structure/infrastructure is subject to the same tree-life constraint, and also the expected lifecycle of the membrane beneath it. This lifecycle is also similar for urban streetscape development.

Generally, an urban park, an urban park built over a structure/infrastructure and urban streetscapes need to be substantially rebuilt every 30 years or so. That lifecycle will be dramatically affected by the quality of the original engineering, construction and ongoing maintenance of the facilities. For urban and urban parks

built over structure/infrastructure, that lifecycle will also be affected by the quality of the membrane and the quality of its installation.

There is an inevitable trade-off in the provision of a strata park; the requirement to substantially replace portions of the park when underlying infrastructure requires replacement or heavy maintenance, requiring the loss of use of sections (or the entire park) for a season every 20 to 30 years. The expected lifecycle of the membrane and underlying infrastructure should be a driving force behind the design of a strata park (and urban parks more broadly). A number of design considerations for strata parks include, but are not limited to:

- **Paving/Base Structure**: the selection of soft and hardscape base structure is impacted by the need to lift and replace the base structure of the park to access the underlying infrastructure. In this regard, modular paving can provide the required flexibility in a hardscape material.

- **Vegetation:** the tree canopy in an urban park will be different to that in a suburban park; this is particularly true for strata parks. Specific tree species can be selected that fit the lifecycle of the strata park or designed to be located in areas that should not be required to be disturbed in the maintenance/reconstruction. Shrubbery, higher quality plantings and fast growing tree species should all be considered.

- **Programming:** the strata park will likely be designed to suit a more passive recreational program. The reality of the dense setting, cost of land, nature of associated development and demographics of people who typically choose to live in denser areas will drive the desired park uses, which will likely vary from typical suburban parkland uses.

Practical Insights on Strata Parks and POPS

Interviews with a number of urban engineering and landscape architectural practitioners were conducted in order to gain an understanding of how Strata Parks and POPS have been developed and the issues and opportunities they present from both the private and public sectors. These interviews illuminate the polarity of opinion around these alternative park spaces, typically with the private sector (developers and professional consultants (planning, engineering, and landscape architecture)) highly in favour and local governments more hesitant to adopt them as part the parkland system (and to credit them as such).

A number of pros and cons, risks and rewards are inherent to the use of non-fee simple parkland conveyance tools. A number of these attributes, both positive and negative, have been described throughout this section, and many more are identified by the interview participants. Ultimately, the goal is for the City of Brampton to enact parkland conveyance policies that are fair for the City and for the private sector, that provide high-quality park spaces in areas of need, and enable the City to flexibly plan for and

attain these parks. Inevitably this requires a balancing of risks and rewards in using alternative parkland acquisition tools and rates to the standard *Planning Act* provisions.

The interviews, which are summarized below, have informed large portions of the discussion throughout this section, and will potentially inform strategies and recommendations on alternative parkland conveyance tools in this Parks Plan, which in turn will help guide the City's new Parkland Dedication Bylaw.

Perspectives from the Urban Development Industry

Telephone and in-person interviews were conducted with 15 individuals from the private sector (developers and professional consultants (planning, engineering, and landscape architecture)) who are involved in urban development projects. Key topics that emerged through these conversations included:

1. **Benefits of Strata Parkland and POPS:**
    - They can be city-building tools;
    - Secures park space where it is needed (denser urban areas) and at the location where parkland dedication policies intended (on-site);
    - Efficient use of land, both on building sites and on surface water management areas;
    - Improves value of developed site and surrounding land;
    - Marketability of the project for developers; and,
    - Win-Win for all when negotiated fairly: City doesn't pay for park/land elsewhere, developers get a better project, and community gets public space.

2. **Parkland Dedication Credits:**
    - Developing publicly accessible space has a benefit to all parties – the process has to be fair;
    - Credits should be provided for strata and for POPS;
    - 100% credit for publicly accessible park land may be fair in certain circumstances;
    - Any dedication required above the strata parkland area is typically conveyed through cash; and,
    - Other municipalities have credited less than 100% of land area for strata (down to 1/3 of area in Vaughan).

3. **Operations and Maintenance Considerations:**
    - All urban parks require more nuanced and higher volume of maintenance than typical suburban parks
    - Private landscape/maintenance crews are likely more suited to maintain urban parks as they have more nuanced and specialized approaches/tools than typical city crews;
    - Desire for private maintenance options in strata agreement;

- Maintenance agreements should be clear at early stage so eventual owners know and can account for costs;
- Maintenance protocols affect life of park (use of salt or corrosive products);
- 30 years is typical lifespan for large scale maintenance on urban parks;
- 30+ years is typical lifespan for water-proofing layers (strata); and,
- 20+ year lifespan for concrete storm water management tanks.

4. Park Design and Appropriate Structures:

- Both strata parks and POPS have similar design considerations and costs to other urban-style parks;
- Key is to find and develop appropriate standards from engineering, design, construction and installation perspective and require high quality materials;
- Design considerations:
    - Installation: affects lifespan and quality of space;
    - Structural Adequacy: load capacity, material adequacy;
    - Soil Depth: limits planting types and impacts overall design (ideal 1.2 to 1.5 metres depth);
- Has to look and feel public;
- Design should be completed in association with engineers as strata creates more complex structural scenario;
- Most common strata structure is parking garage; and,
- Could see surface water strata/agreements, or raised structures being viable for strata/POPS.

5. Legal Considerations:

- Legal framework can be complex – but likely less so with further experience;
- Strata, POPS, easements are all fairly typical and simple legal considerations from developers perspective:
    - Warranty, conveying land, completeness; and,
- High quality and accurate design, materials, installation and survey reduce legal issues.

6. Financial Considerations:

- Urban parks cost 10x more to construct than suburban parks;
- Strata is similar cost to other urban parks;
- Developers: no disincentives if credits are provided;
- Owners establish reserve funds to cover the cost of capital/repair for underlying private infrastructure and for park if it needs to be rebuilt due to private property issues;

- Only municipal input should be maintenance and requisite capital improvements (~30 years); and,
- Developers do not bear the costs of strata or POPS development or maintenance; these costs will always be borne by the eventual residents.

7. **Recommendations and Next Steps:**
    - POPS and strata ought to be considered and serve different purposes in different scenarios (and should be credited), but are not always feasible or appropriate;
    - SWM strata – Where parks/open space is layered or combined with pond/park systems - municipalities may consider strata arrangements to efficiently use these lands in regards to Growth Plan requirements;
    - Likely only suited to denser, more urban settings;
    - DC reductions for strata parks ought to be considered when parkland is constructed by developers as opposed to City;
    - Good experiences negotiating strata with Markham;
    - Markham is moving in the right directions with strata;
    - Direct social (provision of parks on-site) and economic benefit (property tax uplift for both POPS and strata, and free maintenance regarding POPS) of these tools ought to offset additional costs of maintenance and institutional learning; and,
    - Consider a simpler permit system for property owner to host events/activities at the parks as these spaces have the potential to attract a large number of users for new and varied recreational activities (e.g. movies, markets).

Summary/Conclusions

The ultimate decision regarding which tools to include in a parkland acquisition toolbox lies with local governments, however the contemporary urban realities facing most of the GTA (i.e. Growth Plan targets driving intensification, increased land values, reduced land supply in areas of intensification) will continue to progress in Brampton and the City ought to consider all available tools in order to ensure that the park system continues to flourish and serve Brampton's existing and future residents. Future development in Brampton will require new approaches to providing a diverse and flexible parks system to accommodate the new densities of urban dwellers. Strata parks and POPS are examples of these tools.

It is the intention of this Parks Plan to ensure that the City is adapting to the evolving urban development realities with the full suite of available park provision options and with eyes wide open to the benefits and risks associated with alternative park conveyance tools in order to make the most informed decisions regarding what is best for Brampton today and into the future.

Part of this equation is the consideration of the value of attaining parkland in dense areas versus the cost of purchasing other land near to densifying areas that require parkland. Strata parks and POPS are two potential options to address this, and they carry additional benefits as well as risks and costs to the City. These two parks conveyance tools should be considered as alternatives to acquiring fee simple table land parks, not as a new baseline. Strata agreements and POPS will provide a different type of park, and contribute to a varied urban park system that ideally connects to Brampton's evolving Parkland System. In contrast, and as discussed throughout this section, there are a number of other considerations regarding strata parks and POPS. Strata parks require sound legal agreements that delineate ownership between to the two vertical parcels of land. These agreements need to balance the risks of City ownership of the park above private infrastructure and recognize that the park will require public investment to maintain. The City must also be prepared to enforce the contract should the eventual condo corporation be unwilling or unable to conduct repairs and maintenance on their infrastructure without ensuring the park is unaffected or compensating the City for disturbances and loss of service due to their infrastructure failures.

Strata parkland is inherently encumbered, thus an appropriate parkland conveyance credit that is less than 100% is required to be established. This extends to both strata parks located above private infrastructure (e.g. parking garage), and layered infrastructure that is assumed by the City as a utility (e.g. park above an underground storm water management). A fixed number for every scenario of a strata park may not be most appropriate, as the City may want flexibility to negotiate these agreements based on the value of the public space that is proposed and the balance of other City initiatives (e.g. brownfield development, affordable housing).

The adoption of design standards for strata parks and POPS would provide the City with minimum enforceable requirements for these park types ensuring high quality product, materials and construction that will serve to extend the life of the park and the waterproofing liner by reducing the opportunity for failures.

Strata parks ensure that the City is in full ownership of the park in perpetuity. This enables the City to design and program the park; however on-going maintenance and long-term large-scale maintenance are both the responsibility of the City. Strata parks often require a more sophisticated maintenance program than typical suburban parks and require a higher volume of maintenance. The park will also require substantial replanting and reconstruction once the waterproofing layer requires replacement (every 30 years or so). A large scale reconstruction will require the loss of service for approximately a season, however if the park is available for 30 years, then this trade off may seem reasonable.

POPS and strata will typically be located adjacent to private condos and in the long term, there is concern that the residents may consider the public park a nuisance. In this regard, the legal agreement may be required to be enforced to either ensure the park remains publicly accessible (or within public ownership in the case of strata) or that the owner be required to compensate the City for the loss of the park (potentially

through repayment of the parkland conveyance credit or other credit type provided by the City to the original developer).

A POPS removes public ownership from the equation, which is beneficial to the City as they do not have to assume legal risks or financial obligations of on-going and long-term maintenance of the park. The trade-off is that the park is not truly public. It is publicly accessible and the terms of public access will be established in the contract, however there is a limit to the power the City will have regarding design, maintenance standards, programming, long-term public access, and public expression within the park.

In order to ensure that the use of these alternative parkland acquisition tools are fair, transparent and appropriately contribute to the overall system, a number of considerations must be taken into account moving forward, including:

- Determination of which parkland acquisition tool is appropriate for specific scenarios;
- Assessment of risks and determination of mechanisms to mitigate risks;
- Responsibility for the cost and quality of initial engineering, park design and construction;
- Responsibility to ensure that the City has the necessary expertise to establish appropriate design and development standards and inspection requirements;
- Responsibility for ongoing maintenance of the park itself, to an appropriate urban standard, with a particular concern where the park is connected with a residential condominium;
- Ensuring ongoing and unencumbered public access to the space, particularly where the park is connected to a residential condominium;
- Recognition that the park space will need to be replaced about every 30 years;
- Determination if/when urban strata parkland and POPS will count toward parkland dedication requirements, and whether the value of the parkland is pro-rated versus a typical urban park space; and,
- Ensuring that a legal framework and reciprocal agreements are in place that satisfies all party's needs.

7.0 RECOMMENDATIONS / CONSIDERATIONS

The following are the recommendations of this Parks Plan for the City of Brampton to the year 2041. Some of the recommendations may be appropriate for inclusion into a new Parkland Dedication By-law, while others may be within an accompanying park planning and design guideline. The recommendations provided are based on research from other jurisdictions, as well as from discussions with City staff. In addition, the recommendations have been influenced by the related experience of the consulting team from planning, design and fiscal perspectives.

The recommendations are organized into the following Sub-Sections, and are supported by more detailed information provided in a number of Technical Appendices:

- Key Parkland System Objectives;
- Establishing a Context Appropriate Parkland Hierarchy;
- Achieving the City's Parkland System;
- Generating Land/Cash-in-Lieu of Land;
- Options for the Ownership of the City's Parkland System;
- Understanding Cash-In-Lieu of Parkland;
- Developers/Development Forms that may be Exempt from Parkland Dedication;
- Lands that should Count/Not Count for Parkland Dedication; and,
- Administration of the City's Parkland Dedication By-law.

7.1 Key Parkland System Objectives

The Official Plan provides a comprehensive overview that describes the City's objectives for the parkland system. In addition, and based on research and ongoing conversations with City staff, a number of additional key objectives for this Parks Plan should also be recognized and considered, including:

- Parks have become an urban escape for people amid the recent COVID-19 pandemic and ongoing endemic. Parks are a crucial component contributing to the quality of life of residents. Parks are a necessary component of a complete and livable community; and,
- Public-sector investment in parks can be leveraged into a private-sector investment response. Park system investment is a key stimulus for change, establishing the appropriate environment for redevelopment and revitalization.

Further, it is important to recognize that this Parks Plan needs to:

- Find the right balance between achieving a great parkland system for the City, and the financial considerations for new development; and,
- Be cognizant of the inherent differences between the established neighbourhood context, and the in the context of the City's identified Intensification Areas/Strategic Growth Areas.

Overall, the City's new approach to parkland dedication, as informed by this Parks Plan, should be guided by principles of fairness, equity, consistency and transparency. It is also important to recognize that the City's new Parkland Dedication By-Law must be defensible and compliant to current provincial regulations.

7.2 Establishing a Context Appropriate Parkland Hierarchy

The Concept of a "Parkland System"

The City of Brampton has developed a Parkland System that includes a full range of park types, with a full range of specified recreational functions, but with recognition that not every park space is required to achieve every recreational function. The whole system is functionally greater than the sum of its individual components. Each of the identified components of the Parkland System plays a crucial role in creating and maintaining the City's high quality of life by providing a range of park types, including:

- Larger scale parks that provide opportunities for active recreation and sports activities; and,
- Smaller scale parks that add interest and opportunities for relaxation, contemplation and other more passive recreational pursuits; and,
- An emerging and interconnected active transportation/trails network that facilitates education, recreation and an active, healthy lifestyle.

Park Hierarchy for Established Residential Communities and Designated Greenfield Areas

The parkland system in the City's established communities and within Designated Greenfield Areas is characterized as public, big, green and programmed. In many cases, the parkland system in the City's established communities and within delineated greenfield residential communities is owned, designed and maintained by the City.

As noted earlier in this Parks Plan, the City of Brampton has been extremely successful in achieving a diverse, well designed and well used parkland system throughout the City's established communities, and that has continued through the planning and development of northern and western Brampton. The Official Plan currently articulates a robust parkland system that is appropriate for the City's established communities and within delineated greenfield residential communities, with a number of refinements.

Recommendation 1: *It is recommended that the City retain its current park system hierarchy, as articulated in the Official Plan - for application everywhere within the municipality, except within the defined Intensification Areas/Strategic Growth Areas. The current park system hierarchy is included within the City's established Parkland System standard of 1.6 hectares/1000 people.*

The Urban Park Hierarchy for the Intensification Areas/Strategic Growth Areas

Urban park spaces are characterized as diverse, flexible, small and connected. Urban parks are expected to play a critical role in providing outdoor space in Brampton's evolving Downtown and other defined Intensification Areas/Strategic Growth Areas. Urban park spaces have both green and hardscape design components, and are inherently connected to the abutting public sidewalk system. The urban park system hierarchy includes primarily public spaces, but can include semi-public spaces and private components that work to form an interconnected network. The urban park system hierarchy is fundamentally different from its traditional suburban counterpart because it is:

- Animated by the people who walk from place to place and interact with the land uses in the adjacent buildings;
- More heavily used and more diverse in their component parts and, as such, require a higher cost of design and development, and an enhanced maintenance protocol;
- Integrated as part of the pedestrian circulation network within a Strategic Growth Area; and,
- Flexible to accommodate different users and events, and will respond to use patterns that may be dramatically different at different times of the day.

Recommendation 2: *It is recommended that the City identify a robust urban park system hierarchy, including urban squares and linear connections, for implementation through the planning and development of its Intensification Areas/Strategic Growth Areas. Examples of Urban Parks are provided in* ***Appendix I****. All spaces identified within the urban parkland hierarchy shall generally meet the following criteria:*

- *Have frontage on at least one, and preferably more than one, public streets;*
- *Serve park users within a 5 to 10 minute walk from 80% of the residents within the defined Strategic Growth Area; and,*
- *Not be encumbered by driveways, access lanes, garbage storage areas, utility vaults or other such uses that would take away from the enjoyment or use of the park.*

It is expected that the appropriate park system hierarchy within the Intensification Areas/Strategic Growth areas will be identified within the Official Plan, City-adopted Secondary Plans, Precinct Plans or Comprehensive Block Plans.

***Recommendation 3**: It is recommended that the City consider adding to the urban park system hierarchy a number of "Smaller Other Urban Park Spaces", examples of which are provided in **Appendix I**. It is expected that these elements of the urban park system hierarchy within the Intensification Areas/Strategic Growth Areas may either be identified within City-adopted Secondary Plans, Precinct Plans or Comprehensive Block Plans, OR may be identified as part of site specific development applications. All spaces identified within the urban park system hierarchy shall generally meet the following criteria:*

- *Have frontage on at least one or more public streets or publicly accessible private streets;*
- *Serve park users within a 2 to 5 minute walk from mixed-use neighbourhoods;*
- *Not be encumbered by driveways, access lanes, garbage storage areas, utility vaults or other such uses that would take away from the enjoyment or use of the park; and,*
- *Be recognizable by the park user as a public and publicly accessible park.*

7.3 Achieving the City's Parkland System

Meeting the City's Parkland Target of 1.6 ha/1000 people

The City's has been successful, over time in achieving its Parkland System Target of 1.6 hectares/1,000 people. Currently, the City is at approximately 1.68 hectares/1,000 people. By the year 2041, the City of Brampton is expected to grow by 232,530 people, which through application of the 1.6 hectares/1000 people standard, generates the need for 315.7 hectares of new park space within the City. To assist the City in achieving this target, there are a number of key recommendations that should be considered for implementation including:

***Recommendation 4:** It is recommended that, for the immediate future, the City continue to utilize the parkland system standard of 1.6 hectares/1,000 people. To achieve that standard, the City shall utilize the following acquisition tools:*

- *The parkland dedication/cash-in-lieu provisions of the Planning Act;*
- *The community benefits provisions of the Planning Act;*
- *Public acquisition;*
- *Land exchanges;*
- *Donations, gifts, bequests; and,*
- *Other methods deemed appropriate by the City.*

***Recommendation 5:** It is recommended that the City generate enough parkland/cash-in-lieu of parkland to ensure that the parkland system standard of 1.6 hectares/1000 people is achieved in 2041. It is understood that:*

- *Parkland within new greenfield residential communities will be comprehensively planned and achieved as those communities build out over time;*

- *Parkland within the identified Secondary Plan Areas that are under-served will be the focus for the City's Parkland Acquisition Strategy;*
- *Parkland within the Intensification Areas/Strategic Growth Areas will not achieve the parkland system standard, and will therefore, in addition to achieving the established Strategic Growth Area standard, need to generate cash-in-lieu and/or provide off-site land dedications elsewhere in the City to off-set identified parkland shortfalls.*

Further, the amount of parkland necessary to achieve the parkland target by 2041 is substantial. This reality may require that the City consider accepting as an off-site parkland dedication unconstrained lands within the Natural Heritage System:

Recommendation 6: *It is recommended that the City consider off-site parkland dedication opportunities in order to augment its supply of parkland as a way of achieving its parkland system standard of 1.6 hectares/1,000 people. Where an off-site land dedication is considered appropriate, the land area of the off-site parkland dedication shall be subject to the following criteria:*

- *The off-site land area is land that is acceptable as parkland dedication, in accordance with the requirements identified in this Parks Plan;*
- *The land value identified for the required parkland dedication from the proposed development site is approximately equal to the land value of the off-site land dedication site, either in absolute per hectare land cost, or the amount of land to be dedicated; and,*
- *An off-site parkland dedication shall be to the satisfaction of the City.*

Ensuring an Equitable Distribution of Park Spaces

The results of the analysis in section 3.0 of this Parks Plan have subdivided Brampton into its recognized Secondary Plan Areas in order to carry out an analysis of current park service levels throughout the City. That work has identified that while Brampton has done well in achieving its parkland system standard of 1.6 hectares/1000 people overall. However, when 2041 population estimates are established, there are various locations throughout the City that are considered to be underserved by parks.

Recommendation 7: *The following Secondary Plan Areas shall become the focus for parkland acquisition activity, utilizing all of the parkland securement tools identified:*

- *Springdale (SP #2);*
- *Bram East (SP #41);*
- *Fletcher's Meadow (SP #44);*
- *Bram West (SP #40d); and,*
- *Vales of Castlemore (SP #42).*

7.4 Generating Land/Cash-In-Lieu of Land

As previously identified, the City will need to utilize a full array of planning and financial tools to achieve their stated parkland system standard of 1.6 hectares/1000 people. The *Planning Act* is a critical tool which allows the City to require parkland, or cash-in-lieu of parkland through the development approval process.

The City of Brampton incorporates a full array of development types and community contexts, and it is appropriate to consider parkland dedication in a way that recognizes those differences. This section focuses on these differences and promotes an approach to calculating parkland dedication based on land use and density.

Commercial and Industrial Uses

For Commercial and Industrial land use categories, the *Planning Act* states that parkland dedication shall be up to a maximum of 2 percent of the Gross Land Area proposed for development. It is important to note that in the case of the parkland dedication requirement for commercial and/or industrial forms of development is based on the land area, and not the scale or intensity of development and, as a result, there should not be any additional parkland dedication requirement for new commercial and/or industrial development, or expansions to existing commercial and/or industrial development, assuming that the Gross Land Area of the Site does not change.

***Recommendation 8**: It is recommended that the City require parkland dedication for commercial and/or industrial development in the amount of 2 percent of the Gross Land Area, unless otherwise identified as exempt from parkland dedication. It is also recommended that for the replacement or expansion of existing commercial and industrial uses, that there is no additional parkland requirement.*

Notwithstanding that specific recommendation, where commercial and/or industrial development is proposed, and where no prior parkland dedication has been provided or cash-in-lieu paid, the City may require parkland dedication in the amount of 2 percent of the Gross Land Area, unless otherwise identified as exempt from parkland dedication.

Other Land Uses (Non-Residential, Non-Commercial, Non-Industrial)

For all other non-residential land uses, the *Planning Act* states that parkland dedication shall be up to a maximum of 5 percent of the Gross Land Area proposed for development or redevelopment. It is important to note that in the case of the parkland dedication requirement for all other forms of non-residential development is based on the land area, and not the scale or intensity of development. Therefore, there should not be an additional parkland dedication requirement for new non-residential development, or expansions to existing non-residential development assuming that the Gross Land Area of the Site does not change.

***Recommendation 9**: It is recommended that the City require parkland dedication for all other non-residential, non-commercial, and/or non-industrial development in the amount of 5 percent of the Gross Land Area, unless otherwise identified as exempt from parkland dedication. It is also recommended that for the replacement or expansion of existing non-residential, non-commercial, and/or non-industrial uses, that there is no additional parkland dedication requirement.*

Notwithstanding that specific recommendation, where new or expanded non-residential, non-commercial, and/or industrial development is proposed, and where no prior parkland dedication has been provided or cash-in-lieu paid the City may require parkland dedication in the amount of 5 percent of the Gross Land Area, unless otherwise identified as exempt from parkland dedication.

Residential Land Uses in Established Communities and Designated Greenfield Residential Neighbourhoods

Calculating residential parkland dedication that is applicable throughout Brampton is complex. The important question that needs to be addressed is what the appropriate approach is for established communities and designated greenfield residential neighbourhoods VERSUS an appropriate approach in an urban intensification context - the City's Intensification Areas/Strategic Growth Areas. The goal is to identify a fair and consistent approach that recognizes the diversity of development contexts within the City of Brampton.

In the most general sense, the Planning Act provides the following legislative authority for the City to achieve a parkland dedication through the residential development process:

- Up to a maximum of 5 percent of the Gross Land Area; or,
- An alternative rate of up to a maximum of 1 hectare per 300 dwelling units; or,
- Where the alternative rate for cash-in-lieu is utilized, up to a maximum of 1 hectare per 500 dwelling units.

It is, of course, important to note that the *Planning Act* now requires that this Parks Plan provide the justification for the use of the "alternative rate", or any other rate greater than the 5 percent provision. Further, the new Parkland Dedication By-law that establishes the City's ability to utilize an "alternative rate" is subject to appeal at the Ontario Land Tribunal.

Established Residential Neighbourhoods - The City of Brampton has historically done an excellent job in creating, building and maintaining a public parkland system that is appropriate within its primarily low to moderate density established residential neighbourhoods - where gross densities are less than 50 persons per hectare. These communities have incorporated a hierarchy of park spaces that are appropriate for their context, and are enshrined in the City's Official Plan and current Parkland Dedication By-law.

To achieve this success, the legislative tools provided by the *Planning Act* and the policy framework included in the City's Official Plan and Parkland Dedication By-law have worked very well. Established residential neighbourhoods have generally been developed on the basis of 5% of gross land area because that parkland dedication standard typically generated the greatest amount of parkland, in comparison to the alternative standard of 1 hectare per 300 dwelling units.

Table 7 identifies a number of parkland dedication scenarios for 350 gross hectares of residential development land within Brampton's existing residential neighbourhoods:

Table 7

Parkland Standard/Density	Density in Units	Units Generated	People Generated	Parkland Generated
5% of Gross Land Area				17.5 ha
1ha/300 dwelling units @ 30 persons/ha	9.2 units/ha	3,220 units		10.7 ha
1.6ha/1000 people @3ppu	13.8 units/ha		9,660 people	15.5 ha
1 ha/300 dwelling units @ 45 persons/ha		4,830 units		16.1 ha
1.6ha/1000 people @3ppu			14,490 people	23.2ha

In these examples it is clear that the 5 percent standard generates the greatest amount of parkland in lower density residential communities. Further, the parkland generation target of 1.6ha/1,000 people exceeds the maximum parkland dedication of the *Planning Act* in the higher density scenarios, and, in the lower density scenarios, is not as beneficial to the City as the application of the 5 percent metric of the *Planning Act*.

New Greenfield Residential Neighbourhoods - It is expected that the traditional hierarchy of parkland that has been implemented throughout Brampton's existing residential neighbourhoods, including within North Brampton, will continue to be successful within any other new greenfield residential neighbourhoods that are to be developed within Brampton. However, as density requirements increase within these neighbourhoods, as may be mandated by the Provincial Growth Plan, and/or the Region of Peel Official Plan, the use of the *Planning Act* alternative parkland dedication rate of 1 hectare per 300 dwelling units will begin to generate substantially more parkland that the 5 percent standard. The increase in parkland dedication generated by the alternative rate is further enhanced as household sizes decrease, affecting the number of dwelling units. **Table 8** identifies a number of parkland dedication scenarios for 350 gross hectares of residential development land within Brampton's new greenfield residential neighbourhoods:

Table 8

Parkland Standard/Density	Density in Units	Units Generated	People Generated	Parkland Generated
5% of Gross Land Area				17.5 ha
1ha/300 dwelling units @ 50 persons/ha	17.6 units/ha	6,160 units		20.5 ha
1.6ha/1000 people @2.5ppu			15,400 people	24.6 ha
1 ha/300 dwelling units @ 70 persons/ha	25.0 units/ha	8,750 units		29.2 ha
1.6ha/1000 people @2.5ppu			21,875 people	35.0 ha

In these examples it is clear that the alternative parkland dedication standard of the *Planning Act* at 1 hectare per 300 dwelling units generates the greatest amount of parkland in the City's lower density residential neighbourhoods (the designated greenfield residential communities), influenced by increasing densities and lowering average household sizes. The use of alternative parkland dedication standard has yielded a more-than-satisfactory results to satisfy the City's parkland provision target of 1.6ha/1000 people in this context.

Recommendation 10: *It is recommended that the City of Brampton, throughout its established communities, and within any new designated greenfield residential community, continue to apply a parkland dedication rate of 1 hectare/300 dwelling units, or 5 percent of the gross land area, whichever generates the greater parkland dedication to the City. Where cash-in-lieu of parkland is acceptable to the City, it shall not exceed a value based on 1 hectare/500 dwelling units.*

Residential Intensification within Existing Communities and New Greenfield Residential Communities - Intensification is expected within Brampton's existing communities, as well as, in the future, within any new greenfield residential communities. In these circumstances, the parkland dedication requirement is difficult to quantify. It is important to remember that most existing communities already have a parkland system within them, and many existing properties may have already contributed to parkland dedication requirements (to some degree) when they were originally developed to meet the parkland needs at that time.

Where intensification is proposed within an existing community or new greenfield residential community, additional parkland dedication may be difficult to achieve, but should be considered particularly where more dwelling units in a more intense built-form are being proposed, or there is a conversion from commercial or industrial land uses to any other land use, or where an additional use is introduced including residential. It is important to recognize that more dwelling units will have an incremental impact on existing parkland resources.

Recommendation 11: *It is recommended that the City identify that for Residential Intensification within an Existing Community or a New Greenfield Residential Community the City shall apply a parkland dedication rate of 5% of the land area, or 1 hectare per 300 dwelling units, whichever is greater. As an alternative, the City may require a payment-in-lieu of a land dedication at a rate of 5% of the land area (equivalent value), or on the basis of 1 hectare per 500 dwelling units, whichever is greater.*

Recommendation 12: *It is recommended that the City identify that Additional Residential Units permitted by the Official Plan and Implementing Zoning By-Law is exempt from any parkland dedication requirement.*

Significant Residential Intensification within Established Communities and New Greenfield Residential Communities - The City may get significant residential intensification proposals on lands that are not currently identified within any of the City's designated Intensification Areas/Strategic Growth Areas. In these instances, significant residential intensification within an established community, or within any new Greenfield residential community in the future, may be proposed, but may not necessarily be desired. As such, the City may wish to utilize parkland dedication as a way to mitigate the impacts of intensification in areas where it is not anticipated, and to ensure that adequate parkland is available within the surrounding lower intensity residential neighbourhood.

Recommendation 13: *It is recommended that the City, throughout its established communities and within its new Greenfield residential communities where significant intensification is proposed and not anticipated by the Official Plan (requiring an Official Plan Amendment), apply a parkland dedication rate that is the same as the one applied within the Intensification Areas/Strategic Growth Areas.*

Development in the Intensification Areas/Strategic Growth Areas

Residential Intensification within the defined Intensification Areas/Strategic Growth Areas - The City of Brampton's Official Plan identifies an urban structure that includes a number of Intensification Areas/Strategic Growth Areas. These Intensification Areas/Strategic Growth Areas are expected to accommodate higher density forms of development. In these identified locations, land areas and development sites are limited in size, and land, in general, is both at a premium and significantly more expensive than in any other locations throughout the City.

In considering the amount of parkland dedication achieved on an individual development site, the context of the objectives of the City, the Region and the Province need to be considered. For the very dense and highly urban development anticipated, the approach to parkland dedication needs to be clarified, based on an understanding of what can be considered to be fair and reasonable. Fundamentally, that means finding a balance between the incentive versus disincentive impacts of the cost of the provision of parkland, as well as the desire to promote good City-building principles.

The experience of the Study Team indicates that the 5 percent of land area for higher density forms of residential development is wholly inadequate for any high density, mixed-use community that is expected to be a desirable place to live. The Study Team also concludes that the alternative parkland dedication standard identified in the *Planning Act* of 1 hectare/300 dwelling units may negatively affect the financial considerations for development projects within the City's defined Intensification Areas/Strategic Growth Areas. The key is to identify a parkland dedication/cash-in-lieu requirement that is fair and consistent within the City's Intensification Areas/Strategic Growth Areas. A standard that is not a substantive barrier to ongoing investment and intensification initiatives, a standard that delivers an appropriate urban parkland system that meets the needs of current and future residents in these higher density areas, and a standard that:

- Generates the opportunity (either by providing off-site land dedication, or cash-in-lieu of land) to provide additional parkland elsewhere within the City in support of the City's parkland system standard of 1.6 hectares/1000 people; and,
- To generate cash-in-lieu of land for the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.

The following **Tables 9, 10 and 11** provide a methodology for establishing a per unit cost for parkland dedication within the Intensification Areas/Strategic Growth Areas in Brampton, as follows:

- To calculate the lands generated for parkland City-wide from growth and development within the Intensification Areas/Strategic Growth Area, the population growth estimates are multiplied by the City-wide parkland target of 1.6 hectares/1000 people, as shown on Table 9. It is important to note that it is not expected that all of the parkland need will necessarily be dedicated/acquired within the Intensification Areas/Strategic Growth Areas themselves - it is a parkland target expected to be accommodated on a City-wide basis.

Table 9:

Park Need in the Strategic Growth Areas/Intensification Areas

Secondary Plan Area*	2021 Pop.	2041 Pop.	Growth	Land Need @1.6ha/1000 people
7. Downtown Brampton	12,190	25,270	13,080	20.9 ha
55. Hurontario/Main Corridor	5,250	20,050	14,800	23.7 ha
36. Queen Street Corridor	22,160	46,400	24,240	38.8 ha
TOTALS			**52,120**	**83.4 ha**

- The following land value assumptions identified in Table 10, are based on an assessment of land sales data, and are modified based on a host of assumptions related to geographic location, and in some cases, assumptions about potential unit mix yield. The following land values are identified for use in this analysis:
    - ***Intensification Areas/Strategic Growth Areas*** *- $20,000,000/hectare based on a blended rate of land values ranging from $15,000,000 to $25,000,000/ha. Blending includes assumptions about geographic location as well as anticipated unit mix yield;*
    - ***Lands in proximity to Intensification Areas/Strategic Growth Areas*** *- $5,500,000/hectare based on a price range average of between $5,000,000 and $6,000,000/hectare. These lands are generally within existing, developed neighbourhoods, in proximity to the defined Intensification Areas/Strategic Growth Areas; and,*
    - ***Acquisition opportunities elsewhere*** *- $2,750,000/hectare based on the average of a range of land values for vacant lands within the Settlement Area, as well as lands within a rural context. The range is from $1,500,000 to $4,000,000/hectare.*

Table 10:

Estimate of Land Acquisition Cost in Strategic Growth Areas/Intensification Areas

Secondary Plan Area	% Apartments	% Multiples	High Density	Medium Density	Weighted Average
7. Downtown Brampton	90%	10%	$25,000,000	$18,750,000	$24,375,000
55. Hurontario/Main Corridor	70%	30%	$20,000,000	$15,000,000	$18,500,000
36. Queen Street Corridor	70%	30%	$20,000,000	$15,000,000	$18,500,000
OVERALL WEIGHTED AVG					**$20,000,000**

Table 11 identifies a methodology for calculating a per unit cost for parkland dedication for residential development within the Intensification Areas/Strategic Growth Areas. It is important to note, that while the per unit cost identified in **Table 11** is lower than the maximum parkland dedication rate of 1 hectare/300 dwelling units identified within the *Planning Act*, it is substantially higher than the City of Brampton's current practice.

Table 11:

Estimate Per Unit Parkland Cost - Strategic Growth Areas/Intensification Areas

	Total	Within SGA/IA	In Proximity to SGA/IA	Elsewhere in the City
Proportionate Share	100%	25%	37.5%	37.5%
Land Need	83 ha	21 ha	31 ha	31ha
Value/ha		$20,000,000	$5,500,000/ha	$2,750,000/ha
Cost of Parkland	$674,954,000	$416,960,000	$171,966,000	$85,998,000
LESS Cash-in-lieu Account*	$113,500,000			
Cost Assigned to other Tools (15%)	$84,218,100			
Cost Assigned to Parkland Dedication By-law (85%)	$477,235,900			
Anticipated Growth @ 2.3 ppu	22,492			
Per Unit Cost in SGA/IA	**$21,218.00**			

Recommendation 14: *It is recommended that the City identify a per unit parkland dedication cost of $21,218/unit within the Intensification Areas/Strategic Growth Areas, as identified in this Parks Plan. It is important to reiterate that the per unit parkland dedication cost is expected to provide land within the Intensification Area/Strategic Growth Area, or cash to acquire land within the Intensification Areas/Strategic Growth Areas, as well as cash to be utilized for parkland acquisition outside of the boundaries of the Intensification Areas/Strategic Growth Area. Further, given that this new per unit parkland fee is substantially greater than the current fee, it Is recommended that the fee structure be phased in over time, in order to ameliorate the financial impact of this change*

Mixed-Use Developments - It is anticipated that mixed-use development applications will be primarily located within the Intensification Areas/Strategic Growth Areas identified in the Official Plan. The calculation of parkland dedication requirements for mixed-use developments can vary, and can be calculated through a number of mathematical formulae.

It is generally desirable to include commercial and institutional elements to a development to create land use diversity, and to promote good live-work, live-shop relationships. Those uses are also important elements of a complete community at the neighbourhood scale. In addition, higher density, mixed-use contexts, where the primary land use is residential, it is the residential requirement for parkland that will far outweigh the contribution from the commercial or institutional components, particularly if the calculation is based on pro-rating GFA to establish a parkland dedication formula.

Recommendation 15: *It is recommended that the City consider provisions for mixed-use development that identifies that for all mixed-use developments the parkland dedication requirement shall be based on the following Mixed-Use Formula:*

Total Contribution = Residential Contribution + Pro-Rated Other Non-Residential Contribution + Pro-Rated Commercial/Industrial Contribution

Total Contribution = Residential Contribution (as defined in the By-law)
+ ((Other Non-Residential GFA/Total GFA)(Site Area *.05))*
+ ((Commercial/Industrial GFA/Total GFA)(Site Area *.02))*

The following is an example of how the mixed-use formula works:

Assumptions:	*Site Land Value:*	*$10,000,000.00*	
	Site Size:	*5,000 m^2*	
	Floor Space Index:	*6.0*	
	Total GFA:	*30,000 m^2*	
	- GFA for Residential Uses		*20,000 m^2/160 dwelling units*
	- GFA for Other Non-Residential Uses	*5,000 m^2*	
	- GFA for Commercial/Industrial Uses	*5,000 m^2*	

Total Contribution *= (160 dwelling units*$21,218) + (.167*5,000 m^2*.05) + (.167*5,000 m^2*.02)*
= $3,394,880.00 + 41.75 m^2 + 16.70 m^2
*= $3,394,880.00 + (41.75 m^2/5,000 m^2*Land Value) + (16.70 m^2/5,000 m^2*Land Value)*
*= $3,394,880.00 + (41.75 m^2/5,000 m^2*$10,000,000.00) + (16.70 m^2/5,000 m^2*$10,000,000.00)*
= $3,394,880.00 + $83,500.00 + $33,400.00
= $3,511780.00

Recommendation 16: *It is recommended that where cash-in-lieu is considered appropriate by the City, it shall be based on the cash equivalent of the application of the Mixed-Use Formula, or the alternative cash-in-lieu of land provisions of the Planning Act for residential development of 1 hectare/500 dwelling units, whichever is less.*

The primary objective of the City is to promote appropriate mixed-use development in the appropriate locations as part of achieving the principles of City-building, and as such the City should consider how mixed-use developments may be incentivized.

Recommendation 17: *It is recommended that where the City wishes to incentivize mixed-use development, that where the non-residential component represents less than 20% of the gross floor area, that the parkland dedication due from the non-residential component be reduced, or waived, to the satisfaction of the City.*

Achieving the Elements of the Urban Parkland System within the Intensification Areas/Strategic Growth Areas

In addition to establishing an appropriate parkland dedication/cash-in-lieu rate for application within the City's Intensification Areas/Strategic Growth Areas, it is crucial that actual parkland system elements be achieved to serve residents and businesses within the Intensification Areas/Strategic Growth Areas. There are a number of important city-building objectives at play. First, what is considered to be a robust, diverse and flexible urban parkland system; second, what is a fair and consistent methodology to calculate parkland dedication/cash-in-lieu contributions; and, third, how does the City leverage development within the Intensification Areas/Strategic Growth Areas to achieve its overall City-wide parkland targets and objectives. Research on achieved parkland in a number of urban centres in Canada and the United States is provided in **Appendix II.**

Recommendation 18*: It is recommended that when preparing comprehensive plans (City-adopted Secondary Plans, Precinct Plans or Comprehensive Block Plans) for identified Intensification Areas/Strategic Growth Areas, that the City identifies a minimum of 7.5 percent, and an objective of 12 percent of the Gross Land Area as parkland, and that the planned urban parkland system within a comprehensively planned Strategic Growth Area be:*

- *Comprised of dedicated land in the Public Common, Urban Square and Promenade categories; and,*
- *Be distributed throughout the Strategic Growth Area, such that 80 percent of the residents of the Strategic Growth Area are within a maximum of a 2 minute walk from a defined urban park space element and that 100 percent of the residents of the Strategic Growth Area are within a maximum of a 5 minute walk from a defined Public Common, Urban Square or Promenade urban park space element.*

It is also an important objective of the City that in addition to the overall, and comprehensively planned urban parkland system, that all significant developments (defined as developments on sites that are equal to or greater than 1500 square metres in size) within a Strategic Growth Area make a recognizable contribution to the urban parkland system by requiring an on-site urban park space element. Innovation and diversity of urban park spaces is to be encouraged, and alternative land ownership strategies may be considered by the City as the identified Intensification Areas/Strategic Growth Areas become more urban over time.

Recommendation 19: *It is recommended that, in addition to the 12 percent of Gross Land Area identified within a comprehensive plan (City-adopted Secondary Plans, Precinct Plans or Comprehensive Block Plans) for identified Intensification Areas/Strategic Growth Areas, the City require that all development on all sites within the Intensification Areas/Strategic Growth Areas that are greater than 1500 square metres in size, shall include, at a minimum, a land contribution to the City for urban park purposes, that meet the following criteria:*

- *An on-site urban parkland system contribution of not less than 5 percent of the net developable site area for any residential or mixed-use development that includes residential uses, or 5 percent of the net developable site area for any stand-alone institutional building that includes no residential dwellings, or 2 percent of the developable site area for any stand-alone office or retail commercial development that includes no residential dwellings;*
- *An urban parkland system element shall have a minimum frontage on a public street right-of-way that is not less than 7.5 metres, or 60 percent of the depth of the urban parkland element, whichever is greater; and,*
- *Larger sites shall include larger urban parkland system elements and/or multiple urban parkland system elements.*

Recommendation 20: *It is recommended that the City explicitly identify that for sites less than 1500 square metres in size, the City may accept an on-site land contribution, an off-site land contribution and/or cash-in-lieu of land.*

7.5 Options for the Ownership of the City's Parkland System

There are four primary approaches to the ownership/securement of the parkland system within the City of Brampton, as follows:

- ***Fee Simple Parkland*** - Fee simple parkland is land dedicated or otherwise acquired by the City without any form of legal or constraint. These lands are owned by the City. Throughout Brampton, it is the clear preference that all elements of the parkland system be owned by the City. Fee Simple ownership provides the City with the full responsibility and associated flexibility to ensure that parkland elements are appropriately designed, maintained and programed. Fee Simple parkland elements, where achieved through the development approval process, shall count toward the required parkland dedication;

- ***Strata Ownership*** - Strata ownership is a form of City ownership that is achieved through the Condominium Act. Typically, Strata Ownership identifies the horizontal layer of a multi-level development that is to be dedicated to the City, and in this application, for public parkland purposes. Strata Ownership is City ownership, including all of the responsibilities and associated flexibility to ensure that parkland elements are appropriately designed, maintained and programed. Usually, Strata Ownership is used where a parkland element is to be built over the top of some underground structure or facility (such as a parking garage, or a storm water management facility). Where a Strata Ownership arrangement is used, including the appropriate legal agreements, the land area of the strata park shall be counted toward the required parkland dedication, but the actual land area to be counted may be discounted by to reconcile issues related to lifecycle costs - parkland over structure has a defined life span, typically related to the waterproofing membrane that separates the parkland from any below grade structure. The actual amount of the discount shall be determined at the sole discretion of, and to the satisfaction of the City;

- ***Privately Owned Public Spaces (POPS)*** - POPS are not owned by the City. They are parkland elements that remain in private ownership yet, nonetheless, may form an important component of the overall parkland system. The City may consider counting POPS toward the parkland dedication requirement only where appropriate legal agreements that guarantee that the park space is designed, built and maintained to City standards, and that it is open and accessible to the public at all times (or otherwise to the satisfaction of the City). Where the City chooses to count a POPS as part of the parkland dedication requirement, the actual land area to be counted shall be discounted in recognition that, notwithstanding required legal agreements, the City does not own the land and therefore cannot exercise the full extent of control over the design, maintenance and programing of the space. Where appropriate, the actual amount of the discount shall be determined at the sole discretion of, and to the satisfaction of the City; and,

- **Use Agreements/Easements** - While not a form of City ownership, it is important for the City to consider constrained lands (utility rights-of-way, lands associated with highway development, or other lands owned by a utility, a school board or other government agency) as contributors to the overall parkland system of the City where those lands can perform a recreational function that benefits the City. These lands, while not owned by the City, may be designed and maintained by the City to achieve a community benefit. While there is no need to consider the issue of any contribution toward parkland dedication requirements, these lands may be appropriately secured for public use through a use agreement or public use easement.

It is understood that municipal fee simple parkland ownership is a desirable objective of the City. However, where the elements of a more urban parkland system are to be considered, the alternatives of Strata Ownership and/or POPS can become important opportunities. Please refer to **Appendix III** for a more

fulsome discussion of the opportunities and risks of these ownership alternatives. Key to the success of these alternatives to fee simple municipal ownership are the legal agreements that are established to ensure the City's design expectations and maintenance protocols are achieved and that public access is ensured. Please note that a more detailed discussion of these ownership options is provided in **Appendix III**.

Ownership Options for the Parkland System within the Established Communities and New Greenfield Residential Communities

***Recommendation 21**: Where land is to be considered as a parkland dedication contribution under the Planning Act, it is recommended that the City require, as a first priority, the Fee Simple dedication for all parkland system elements within the established communities and new greenfield residential communities.*

However, where there is an appropriate rationale, the City may consider a Strata Ownership arrangement, as permitted under the Ontario Condominiums Act, for parks within the established communities and new greenfield residential communities, subject to a land area discount, in recognition of life-cycle cost issues. The actual amount of the land area discount shall be determined at the sole discretion of, and to the satisfaction of the City.

Ownership Options for the Urban Parkland System within the Intensification Areas/Strategic Growth Areas

In recognition that land is both scarce and expensive within the City's define Intensification Areas/Strategic Growth Areas; it is important for the City to be able to consider alternative land ownership/securement options in order to maximize the efficient use of land, while still achieving the desired robust and flexible urban parkland system.

***Recommendation 22:** Where land is to be considered as a parkland dedication contribution under the Planning Act, it is recommended that the City, as a first priority, require fee simple parkland dedication for all Public Common, Urban Square and Promenade elements of the urban parkland system within the Intensification Areas/Strategic Growth Areas.*

However, where there is an appropriate rationale, it is recommended that the City consider a Strata Ownership arrangement for Public Common, Urban Square and Promenade elements of the urban parkland system within the Intensification Areas/Strategic Growth Areas, subject to a land area discount, in recognition of life-cycle cost issues, to the satisfaction of the City.

Recommendation 23: *It is recommended that the City continue to augment the urban parkland system within the Intensification Areas/Strategic Growth Areas with Privately Owned Public Spaces (POPS). To incentivize the provision of POPS, it is recommended that the City consider providing parkland dedication credit, where the following criteria are met, to the satisfaction of the City:*

- *It is an integral element, and is directly connected to the broader urban parkland system and the adjacent public sidewalk system;*
- *It can be defined only as an Other Urban Park element, and is not a Public Common, Urban Square, or Promenade;*
- *An appropriate legal agreement has been established between the owner and the City that guarantees that the space is designed, built and maintained to City standards, and is open and accessible to the public at all times (or as otherwise to the satisfaction of the City); and,*
- *The land area of the POPS is appropriately discounted, in recognition of the City's lack of programming control, to the satisfaction of the City.*

A key concern with POPS is that they may, over time, be converted to wholly private spaces, or may no longer be appropriately maintained to the satisfaction of the City. In these circumstances, the City may discontinue the POP agreement, and request compensation for the lost parkland dedication credit, based on appraised land value on the date of the discontinuance.

7.6 Understanding Cash-In-Lieu of Parkland

The *Planning Act* permits the City to require/accept cash-in-lieu of land dedication up to the value of the land otherwise to be conveyed. The cash-in-lieu requirement shall be based on:

- For commercial or industrial land uses - up to 2% of the value of the land area;
- For all other non-residential land uses - up to 5% of the value of the land area; and,
- For residential land uses - up to 5% of the value of the land area, OR, 1 hectare for each 500 dwelling units proposed, or such lesser rate as may be specified in the Parkland Dedication By-Law.

There are a number of other issues to be determined in the Parkland Dedication By-Law related to who should decide when cash-in-lieu is acceptable, how the cash payment is to be calculated, and how to deal with disputes, as they may arise from time to time.

Who decides when cash-in-lieu is acceptable?

In many jurisdictions, municipalities will respond to the developer's wishes regarding whether land or cash-in-lieu of land is provided, on a case-by-case basis. In Brampton, the City typically determines whether land, or cash-in-lieu of land or some combination thereof is appropriate based on the policies of the Official Plan, any applicable Secondary Plan and/or the identified needs of the community.

***Recommendation 24**: It is recommended that the City clearly empower itself to determine, in consultation with staff and proponents of development, when cash-in-lieu is an acceptable approach, and when a land contribution will be required.*

The *Planning Act* permits the acceptance of cash-in-lieu without limitation on the type of use, the location within the City, or any other contextual circumstance. In that regard, the City does not require any definition of when cash-in-lieu is used, or not. The City can identify the circumstances where cash-in-lieu of parkland dedication may be permitted or required. Important to the conversation about parkland dedication is a commitment by the City to, as a first priority, acquire parkland assets through the development approval process. The decision to require land, or cash, or some combination thereof, for any specific development proposal should be part of the public process for an Official Plan Amendment, and/or a Rezoning application.

***Recommendation 25:** It is recommended that the City state in the Parkland Dedication By-law, that land dedication always be the first priority, and that cash-in-lieu be acceptable where no reasonable alternative exists, including the opportunity for an off-site land dedication elsewhere within the City. Cash-in-lieu of land shall be considered under the following circumstances:*

- *Where the application of the parkland dedication requirements would render the remaining portion of the development site unsuitable or impractical for development;*
- *Where the amount of parkland dedication generated by the development proposal is insufficient to accommodate a reasonable park space;*
- *Where existing parkland is available and is deemed sufficient by the City in quantity and quality to accommodate further development in proximity to the proposed development; or,*
- *Where more suitable parcels of land are available for acquisition for public parkland purposes in other locations within the defined neighbourhood, or anywhere else within the City.*

How will land value be established?

The *Planning Act* provides specific direction to municipalities for "how" land value is to be established for the purposes of the payment of cash-in-lieu.

***Recommendation 26**: It is recommended that the City identify that where cash-in-lieu is considered appropriate by the City, it shall be based on the cash equivalent of the applicable parkland dedication requirement as established in the Parkland Dedication By-law. Notwithstanding that statement, for residential, or the residential component of a mixed-use development, under no circumstances will a cash-in-lieu equivalent exceed 1 hectare per 500 dwelling units.*

***Recommendation 27:** It is recommended that the City carry out land valuation in accordance with the Planning Act.*

How will cash-in-lieu be used by the City?

The *Planning Act* requires that the City establish a special bank account to hold funds generated through the cash-in-lieu provision. In all circumstances, it would be appropriate for the City to have a strategy for the disposition of those funds to acquire lands and carry out appropriate improvements to parklands throughout the City.

Recent legal opinions, based on a careful reading of the *Planning Act*, suggest that undefined capital improvements to parks (whether due to nearby population growth, or other reasons) are not a fundable item for cash-in-lieu of parkland under the *Planning Act*, and, where capital improvements to existing parks are necessary due to continuing population growth and changing use patterns, these capital improvements are more appropriately captured under the Development Charges By-law, or potentially, through the Community Benefits Charge.

***Recommendation 28:** The City has established a special bank account for the receipt of all cash-in-lieu of land contributions accrued through the parkland dedication/cash-in-lieu of parkland process. It is recommended that the City clearly articulate that the accumulated cash-in-lieu may be used for the following priorities:*

- *The first priority shall be to fund the acquisition of parkland in proximity (within 800 metres or less) to the development that generated the cash-in-lieu payment, where possible;*
- *The second priority shall be to fund the acquisition of parkland within identified Secondary Plan Areas Below Parkland System Standard – 2041; and,*
- *The third priority shall be to fund the following:*

- *The acquisition of lands for public parkland and public recreational purposes anywhere in the City; and,*
- *The acquisition of lands for pathways, trails and associated infrastructure throughout the City, with a focus on missing links.*

Recommendation 29: *The City shall prepare a priority land acquisition strategy and a budget for allocating funds, on an annual basis, to acquire parkland acquisition and fund appropriate improvement projects. The goal will be to ensure that all cash-in-lieu funds collected are spent on identified parkland system improvements in a timely fashion, and to avoid the land cost inflation issues that occur over time.*

Recommendation 30: *In administering the special bank account, it is recommended that the City identify the following provisions:*

- *Money in the special cash-in-lieu bank account may be invested in securities that the City is permitted to invest in under the Municipal Act; and,*
- *Any earnings derived from the investment shall be paid into the special cash-in-lieu bank account, and the Treasurer of the City shall report on the activities and status of the account in an Annual Financial Statement relating to the special cash-in-lieu bank account. The Annual Financial Statement shall include, for the preceding year, an accounting of the opening and closing balances of the special cash-in-lieu bank account and all of the transactions relating to the account, as well as statements identifying:*
  - *Any land or machinery acquired during the year with funds from the special cash-in-lieu bank account;*
  - *Any capital improvements carried out during the year with funds from the special cash-in-lieu bank account;*
  - *Any building erected, improved or repaired during the year with funds from the special cash-in-lieu bank account;*
  - *The details of the amounts spent; and,*
- *The Treasurer shall give a copy of the Annual Financial Statement to the Minister of Municipal Affairs (on request) and Council shall ensure that the Annual Financial Statement is made available to the public.*

Is a Land Bank Appropriate?

Overall, the City will receive cash-in-lieu of parkland, and may in some instances, receive land dedications that may not be immediately suitable for the development of a park. Land is a resource that over the past few years has been appreciating in value at a faster rate than many other forms of investment. This is a problem for the City because the time lags between when cash-in-lieu is collected, and when a corresponding land acquisition is implemented ensures that the cash has not appreciated at the same pace

as land. The result is the land area is smaller than anticipated or additional cash is required to acquire the same amount of land.

A land bank has the potential to be a tool of value to the City. The City could acquire land assets based on a "respond to opportunity" approach, and that land may, or may not ultimately be used for parkland but can be available to sell for other purposes to generate the cash, or trade for lands that are appropriate for parkland at the appropriate time. The City could also consider the acquisition of land for parks in strategic locations in advance, financing land acquisitions from a forecast of cash-in-lieu generated from future development. This might allow the City to get "out in front" of land value appreciation, acquiring land in today's dollars, and offsetting those costs with cash-in-lieu payments from lands that have appreciated in value later on. However, the obvious risk would be exposure to land market fluctuations.

The discussion about a land bank should be about the mechanics of how it could work, and what benefits it might provide to the City in making improvements to the overall parkland system over time.

Recommendation 31: *It is recommended that the City explore the potential to establish a Land Bank for public parkland purposes, either as a mechanism to counter-act the inflationary effects of the cost of land or to ensure that land is available for public park purposes as the City continues to urbanize and intensify over time.*

7.7 Developers/Development Forms that may be Exempt from Parkland Dedication

The City may exempt certain categories of land use, or specific forms of development from the requirement to provide a parkland dedication and/or cash-in-lieu of land. In addition, some institutional developers, like school boards, hospitals and universities are also exempt. The City may also consider other institutional uses as exempt, or provide a reduced parkland dedication requirement for: special needs housing, affordable housing or any category of land use that is defined as providing a public benefit.

In addition, the City may consider eliminating or reducing the parkland dedication requirements as an incentive used to stimulate appropriate development. This could be applied site specifically, or based on achieving a number of defined public benefits, or generally within a geographic area or category of development. There is a concern that broadening the list of types of development types exempt from parkland dedication, or exempting whole land use categories will unduly compromise the City's ability to achieve the desired parkland system target.

Recommendation 32: *It is recommended that the City consider the following developers or development categories as exempt, or subject to a reduction from any parkland dedication/cash-in-lieu requirement:*

- *Development or redevelopment undertaken by the Province of Ontario, a municipality including any corporation owned, controlled and operated by the City of Brampton or the Regional Municipality of Peel or a Board of Education, as defined in the Education Act;*
- *Replacement of an existing Dwelling Unit on an existing lot;*
- *Development or redevelopment of a building or structure intended for use as a long-term care home within the meaning of the Fixing Long-Term Care Act;*
- *A college or university in Ontario that receives direct, regular and ongoing operating funding from the Government of Ontario;*
- *An Indigenous Institute prescribed for the purposes of the Indigenous Institutes Act;*
- *Public hospitals;*
- *Additional Residential Units; and,*
- *Temporary Sales Structures.*

Recommendation 33: *It is recommended that the City, notwithstanding the list of exemptions and/or reductions identified in this Parks Plan, reserve the right to exempt, or reduce the parkland dedication/cash-in-lieu requirement for any land use, development project, or specific development site, at the discretion of Council.*

7.8 Lands that Should Count/Not Count for Parkland Dedication

In a general sense, the City looks for lands to be dedicated for parkland that are otherwise considered developable. In some instances, however, it is important to remember that a diverse parkland system includes a range of public parkland, including public parks that may not be intended to accommodate sports fields or other active recreational activities. There is more flexibility with more passive park types to accommodate slopes, woodlots, natural heritage and cultural heritage features. Lands identified as within the Natural Heritage System are not typically acceptable for parkland dedication, with the notable exception of the City of London that does accept those lands with a significant reduction in value.

In the City of Brampton, there are also significant land areas that are identified as within the Greenbelt - lands with physical/natural constraints, as well as lands that are only constrained from development by the applicable Provincial and Regional policy frameworks. In some instances, these lands may be appropriate candidates to accommodate either active or passive recreational opportunities and as such, may be appropriate for consideration as parkland dedication.

Recommendation 34: *It is recommended that the City of Brampton identify the following as fully acceptable lands for parkland dedication:*

- *Lands in a condition satisfactory to the City and in accordance with the requirements of the City's Official Plan Policies and/or Parkland Dedication By-law respecting the acquisition of land, including a Record of Site Condition pursuant to the Environmental Protection Act; and,*
- *Lands that are generally free of any/all legal and other encumbrances.*

Recommendation 35: *It is recommended that the City of Brampton identify the following as potentially being acceptable lands for parkland dedication, but at a reduced rate:*

- *Lands that are within the designated Natural Heritage System, but are not specifically identified as a core natural feature;*
- *Lands that include slopes between 5 percent and 15 percent, that are not included within the Natural Heritage System and/or,*
- *Lands that include designated cultural heritage resources or cultural heritage landscapes.*

Recommendation 36: *It is recommended that the City identify that it may accept, at a reduced rate, Strata Ownership, and, only within Intensification Areas/Strategic Growth Areas, may accept POPS, subject to required legal agreements, to the satisfaction of the City.*

Recommendation 37: *It is recommended that the City of Brampton identify the following as not acceptable lands for parkland dedication:*

- *Land that has been or will be conveyed to the City for stormwater management facilities, highways, roadways, walkways, or any other non-parkland purpose;*
- *Natural Hazard Lands;*
- *Lands that are constrained or otherwise deemed undesirable by the City due to, among other things, their size, location, grade, drainage, flooding, or configuration;*
- *Lands which have unsuitable or unstable soil conditions, including lands which are contaminated; and,*
- *Utility rights of way or easements, including but not limited to hydro, gas, cable and telecommunications.*

7.9 Administration of the City's New Parkland Dedication By-law

What is the overall applicability of the New By-Law?

In general, the Parkland Dedication By-Law should be applicable throughout the City, and for all categories and types of development, and in all geographic locations.

***Recommendation 38**: It is recommended that the City, in its Parkland Dedication By-law, state that the By-law applies to all lands within the corporate limits of the City of Brampton, and that the Parkland Dedication By-law applies to all development applications pursuant to the Planning Act, which are submitted and deemed complete by the City. In addition:*

- *As a condition of development of land, the City shall require that parkland be conveyed to the City for park or other public recreational purposes; and,*
- *The required conveyance shall be in the form of land, or a cash-in-lieu equivalent to the value of the land required, or a combination of cash and land, at the discretion of the City.*

It is also important to recognize previous conveyances/payments for development, ensuring that the City does not inadvertently extra-charge a development for parkland dedication.

***Recommendation 39:** It is recommended that the City, it its Parkland Dedication By-Law identify that where land has been previously been conveyed, or a payment of cash-in-lieu of such conveyance has been previously received by the City, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by the City in respect of subsequent development or redevelopment applications, unless:*

- *There is a change in the proposed development which would increase the residential density (expressed as number of units) of the current use or currently approved use; or,*
- *Lands originally identified for development or redevelopment for commercial or industrial purposes are instead proposed for development or redevelopment for other purposes that generate a higher parkland dedication.*

Further, where such increase in density and/or dwelling units is proposed, or where a land use conversion is proposed, from a non-residential land use to a residential land use, or from a commercial or industrial land use to any other land use, the conveyance will be subject to the increase in density/dwelling units/land use proposed and the value determined at the time of the application.

Recommendation 40: *It is recommended that the City, in its Parkland Dedication By-law, indicate that nothing in the By-law shall be interpreted so as to frustrate, invalidate or supersede any existing agreements that have been previously executed between the land owners and the City with respect to area specific parkland dedication, delivery and funding arrangements, provided that the proposed development proceeds in a manner set out under such agreements.*

Recommendation 41: *It is recommended that the City, in its Parkland Dedication By-law, identify that parkland dedication credits may be considered by the City where a specified developer has over-provided a parkland dedication on one site, and then, subject to approval by the City, may reduce the required parkland dedication on another site being developed by the same developer. Legal agreements between the developer and the City may be required to facilitate the intent of this recommendation.*

By whom, and how should the New By-law be administered?

Recommendation 42: *It is recommended that the City delegate to the Commissioner of Community Services, or their designate, the administration of the Parkland Dedication By-Law, including authorization to:*

- *Negotiate parkland dedication and/or cash-in-lieu for each development application, in accordance with the provisions of the City's Parkland Dedication By-Law and the policies of the Official Plan;*
- *Establish the location and configuration of the land required to be conveyed;*
- *Establish the value of land for the purposes of calculating any required payment; and,*
- *Maintain records of all lands and cash-in-lieu received and including all expenditures from the cash-in-lieu parkland reserve fund. The cash-in-lieu parkland dedication record and associated financial statements shall be reported to the Treasurer of the City of Brampton.*

Notwithstanding the foregoing, Council retains the authority to make or reconsider, at any time and without notice, revoke or restrict any delegated power that has been established.

When should the New By-law be reviewed?

Recommendation 43: *It is recommended that the City review the Parkland Dedication By-Law, at a minimum, in response to changes in Provincial planning policies and/or whenever the City reviews its applicable Official Plan policies. The By-Law should also indicate that it should be reviewed at a minimum of every 5 years, or at an earlier time as prescribed by Council.*

When should the New By-law begin to apply?

It is anticipated that the new Parkland Dedication By-Law will be substantially different than the existing practices of the City of Brampton, and as such, the issue of when the new By-Law shall apply, and if there needs to be a transition period between when the new By-Law will take effect. Typically, the provisions of the new By-Law will apply to all development applications pursuant to the *Planning Act* which are submitted and deemed complete on or after the Effective Date of this By-Law, as determined by the approval of Council.

Recommendation 44: *It is recommended that the City apply the Parkland Dedication By-law to all development applications pursuant to the Planning Act, which are submitted and deemed complete, as well as all developments that have been issued building permits following the Effective Date of the approval of the By-Law.*

Further, it is recommended that the City consider the implications if any Section of the By-Law is determined by a Court or Tribunal, to be invalid, that specific portion of the By-law shall be considered to be severed from the balance of the By-law, which will continue to operate in full force and effect.

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City of Brampton

Parks Plan 2041

October 2022

Appendix I

Parkland Design Guidelines +

Examples of Urban Park Typologies

The Planning Partnership
NBLC
Monteith Brown

DESIGN GUIDELINES FOR THE PARKLAND SYSTEM

TABLE OF CONTENTS

1.0 Key Principles + General Design Considerations

1.1 Convenience and Coherence

Each park space should be considered as a component and expansion of the larger, City-wide and regional parkland network. New parks can provide an amenity and destination in an area of the City where it is presently lacking, introduce links and connections to improve accessibility through a neighbourhood, and improve visual connectivity between parks. With this larger scale in mind, the design of new parks should consider two key principles for situating the site within the overall parkland network – convenience and coherence.

Convenience refers to the level of effort and time required to complete a trip by foot. A key indicator for convenience is trip distance and proximity to amenities. In particular, people are most likely to choose to walk if their destination is within a 2.5 - to 5 - to 10-minute, or 200 to 400 to 800 metres (10-Minute Walk, 2021). For parks within a larger parkland network, the preferred distance is typically no more than a five-minute walk, and for the smaller elements of the network, a 2 minute walk. Furthermore, pairing parks with other public uses, amenities or destinations, such as recreation centres and schools, will improve the convenience of the park space and its resultant volume of visitors.

Trip length is influenced by the street pattern. A fine-grained and gridded street pattern provides a greater level of connectivity or permeability, which can be measured by the intersection density and block size. Greater street connectivity allows for more direct and shorter walking routes. Intersection conditions can also greatly impact the convenience of walking, particularly with regard to signal timing and the physical condition and directness of the crossing.

Coherence refers to how easy it is to understand the layout of the parkland network, and to intuitively navigate from point A to point B. Coherence is influenced by the hierarchy and provision of routes between points of interest and activity, sight lines/view corridors, and wayfinding signage. Major barriers and breaks in the continuity of the pedestrian network (sidewalks and trails) negatively impact coherence, for example, if there is no clear path, then walking becomes a less feasible and attractive option.

1.2 Context, Heritage and Placemaking

The detailed design of parks contributes to the character and attractiveness of the neighbourhood in which they are situated. Attractiveness refers to how inviting and interesting the surroundings are for pedestrians. In particular, well-maintained and well-lit parks are most attractive, as are those that are animated with street-level activity, such as from commercial, civic, or recreational uses.

Placemaking refers to community-based efforts and activities to physically reflect an area’s unique character, assets, and history, and to make it livelier and more of a destination. Placemaking should be considered as a site-specific and context-specific pursuit. The park should have an identity of its own, while also respecting, or enhancing, the neighbourhood character, including patterns, materials, and architectural style.

Indigenous and non-indigenous cultural heritage and historical values can be reflected, protected, or enhanced in the park. Where possible, incorporate public art and local artifacts into the space, including opportunities for education and interpretation (San Francisco Planning Department, 2011). Effort should be made to understand and communicate the unique culture, history, or qualities of the community in the design of the park.

1.3 Accessibility

Accessibility refers to the usability of parks for all people, regardless of their age, ability, status in life, or mode of travel. In terms of age and ability, accessibility means planning parks for the young and old, and people with mobility impairments, in recognition that sight lines, walking speed, clearing space, endurance, and agility may vary.

Accessibility also means ensuring that the parkland network can be used by people of all incomes, and all abilities by keeping park spaces free of charge and by ensuring they are equally distributed throughout the City. Parks should avoid designs that appear to privatize the space, or elements within it.

As a reference for detailed design, parks should meet the requirements outlined in the policies of the Accessibilities for Ontarians with Disabilities Act (AODA). Accessible parks should be designed such that they:

- Accommodate a variety of activities within the space;
- Minimize changes in grade between the open space and surrounding public space, including public sidewalks;
- Where changes in grade are not avoidable, provide an accessible route that complies with AODA standards;
- Minimise protrusions into the main path of travel, including vents or grates; and,
- Visually signal the edge of the vehicular zone, or other conflicts or hazards, through pavement treatments, tactile warning indicators, and signage.

1.4 Safety

Safety refers to the risk of harassment, injury or death, and the primary risks for pedestrians are associated with motor vehicle traffic and crime. Key considerations include separation from motor vehicle traffic - taking into consideration the speed and volume of traffic, and the treatment of intersections where pedestrian and motor vehicle traffic must cross. With regard to the design of parks, Crime Prevention Through Environmental Design (CPTED), a pro-activation crime prevention strategy, provides direction for improving the safety of a space through thoughtful design. As a starting point, parks should:

- Be located abutting and visible from public streets;
- Provide clear sightlines through the park space to adjacent streets and buildings to promote informal neighbourhood surveillance;

- Include adequate, consistent, pedestrian-scaled lighting;
- Avoid the creation of entrapment spots, blind corners, or areas that are not easily visible, including through planting design;
- Be bordered by active frontages, with windows and doors that open onto the park; and,
- Be regularly maintained at a high standard, and have considered the long-term maintenance of materials and furnishings.

1.5 Comfort

Pedestrian comfort is critical for the success of parks, and should be considered early in the design of the site. Surrounding building massing and the location of the park in relation to them will have implications on wind, solar exposure, and visual access.

Comfort refers to how pleasant, easy, and free from challenges a pedestrian visit can be. Pedestrian comfort depends on the convenience, coherence, safety, and accessibility of the entire parkland network, and it can be enhanced through construction materials and the provision of pedestrian amenities that serve the unique needs of those travelling by foot. Perceptions of space should also be considered, including providing more intimately scaled “rooms” in larger open spaces. In general, the following practices will contribute to the comfort of the open space:

- Locate the open space such that it maximizes sunlight and views to the sky;
- Provide ample seating throughout the site;
- Provide a range of exposures, including areas with shading, such as through the planting of canopy trees or other structures;
- Consider wind and noise levels throughout the site. Where necessary, use plantings and structures to lower wind and noise levels and create comfortable microclimates, without compromising safety or visibility through the space;
- Consider four-season use when selecting materials and finishes (e.g. – consider materials that retain heat, such as wood, in seating intended for use in cooler seasons); and,
- Provide site amenities that support programming in the space, including drinking fountains, bottle fill stations, washrooms, and waste receptacles.

1.6 Sustainability & Resilience

Sustainability in park design refers to a space’s impact on the environment, including the interest in minimizing negative influences which may compromise the future health of the environment, and putting in place measures which may improve the health of the local ecosystem. Resilience goes further to consider the ever changing effects of climate change, and the ability of a space to persist in good health and quality over time, while also mitigating the contributing factors to climate change. When planning and designing a new parks, the needs and challenges facing the broader context, including neighbourhood and City-wide problems, should be assessed and considered. Parks can play a role in solving larger urban and suburban problems outside of the boundary of the park. As a starting point, sustainability and resilience can be addressed in parks in the following ways:

- Encourage active transportation through circulation design and the provision of supportive facilities (e.g. – provide ample bike racks, connect with public sidewalks, locate a park near a transit stop, etc.);
- Encourage mature tree growth to increase canopy cover, which combats urban heat island effect, improves air quality, and increases stormwater uptake;
- Increase species diversity in planting, and support local pollinator and faunal species;
- Use native and drought-tolerant plant species;
- Use permeable paving and below-grade infrastructure to harvest stormwater for reuse; and,
- Use recycled materials, or materials with sustainable lifecycles.

2.0 Urban Parks

The City of Brampton has a successful and highly regarded parkland system comprised primarily of suburban park typologies. This Part of the Appendix is focused on a more urban context, expected to be useful as the City evolves with more urban land uses and development patterns.

2.1 The Urban Park Hierarchy

Public Commons

Public Commons	*.75 to 2 ha*	*Public Common spaces are the social and recreational focal points of a neighbourhood. They typically meet the needs of the local community, and in some instances, accommodate City-wide facilities. Public Common spaces support a balance of active and passive uses. Public Common spaces should be coordinated with school sites, where possible.* *Public Common spaces should accommodate special features that add visual interest and contribute to placemaking, including locations for public art. Public Common spaces are intended to serve community users who are generally within a 10-minute walking distance (approximately 800 metres).*

Capital Cost Estimate - $500.00 to $1,000.00 per square metre*
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*

Public Commons are the largest urban park typology, and are intended to be social and recreational focal points of an urban neighbourhood. They typically meet the needs of the local community, and in some instances, accommodate City-wide 'destination' facilities. Public Commons support a balance of active and passive uses and should also accommodate special features that add visual interest and contribute to placemaking, including locations for public art. Public Commons may be coordinated with school sites, where possible. Public Commons are to be developed with the following criteria in mind:

- Be .75 to 2 ha, and support the needs of the community located within a 10-minute walk of the park space;

- Have frontage on at least 2 public streets, but may be surrounded by public streets where the scale of the park is appropriate;
- Be designed such that they provide a minimum of 40.0% of the area of the park in tree canopy cover by the end of the 10th year after its opening;
- Be primarily soft surfaced and green, but may include hardscape elements;
- Include substantial programmable spaces such as small sports fields, games courts, and performance venues, as well as play elements for children;
- Include seating and a full furniture program, such as lighting, facilities for dogs, facilities for seniors, children and youth, water features and public art; and,
- Provide sheltered areas/microclimate for comfortable spaces within larger site.

Urban Squares

Urban Squares	*.25 to 1 ha*	*Urban Square spaces support neighbourhood-oriented social opportunities, as well as City-wide entertainment and cultural events depending on their size and location. Urban Square spaces may include public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space. Urban Square spaces are intended to serve community users who are generally within a 5-minute walking distance (approximately 400 metres).*

Capital Cost Estimate - $1,000.00 to $1,500.00 per square metre*
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*

Urban Squares are moderately scaled typology of the urban public park hierarchy commonly associated with commercial and residential land use. Urban Squares support neighbourhood-oriented social opportunities, as well as City-wide entertainment and cultural events depending on their size and location. Urban Squares may include public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space. Urban Squares are expected to develop with the following criteria in mind:

- Be between .25 to 1 ha in size, and support the needs of the community located within a 5-minute walk of the park space;
- Have frontage on at least 2 public streets, but may be surrounded by public streets where the scale of the square is appropriate;
- Generally follow a 1:1 proportion of length to width;
- Require that adjacent built form have primary and active frontages facing the Square;
- Be designed such that they provide between 25 and 40% of the area of the open space in tree canopy cover by the end of the 10th year after its opening;
- Be primarily hard surfaced, but may include soft surface elements;
- Include community and civic event spaces as well as performance venues and playful elements for children; and,

- Include ample seating and a full furniture program, such as lighting, opportunities for outdoor cafés and restaurants, facilities for seniors, children and youth, water features and public art.

Promenades

Promenade	*Promenades are substantial linear spaces that are located between adjacent building facades and the adjacent road right-of-way. Promenades are between 5 and 25 metres in width, with an average width along it length of 15 metres.* *Promenades are typically used to enhance the pedestrian experience along with highly activated at-grade retail spaces. Promenades are typically only located along one side of the street, and are continuous along the length of the block Promenades may include public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space.*

Capital Cost Estimate - $500.00 per square metre*
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*

Promenades are substantial linear open spaces that are located between adjacent building facades and the adjacent road right-of-way. They are typically only located along one side of the street, and are continuous along the length of the block. Promenades are typically used to enhance the pedestrian experience along with highly activated at-grade retail spaces. Promenades should be developed with the following criteria in mind:

- Are between 6 and 20 metres in width, abutting, and parallel with a public road right-of-way;
- Provide a clear, continuous pedestrian path of travel through the space;
- Include a repetition of elements, such as pavers, lights, seating, planters and trees; and,
- Incorporate public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space.

Connecting Links

Connecting Link	*A Connecting link is an outdoor or indoor walkway that may be lined with small stores, restaurants and cafés. A Connecting Link is a minimum of 4 metres in width, and may be substantially wider. When enclosed, the floor to ceiling height should be a minimum of 7 metres. Although a Connecting Link is intended to enable pedestrians to travel through the community quickly and easily, many are destinations unto themselves with seating, restaurant and retail frontages.*

Capital Cost Estimate - $500.00 per square metre*
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*

Connecting Links enable pedestrians in high pedestrian volume areas to travel through the community quickly and easily. Connecting Links are outdoor or indoor walkways through a development site, connecting two streets together. Many are destinations unto themselves with seating, restaurant and retail frontages. Connecting Links should contribute to the logical wayfinding system and help to establish a well-connected parkland network within a highly urban environment. Connecting Links are expected to develop with the following criteria in mind:

- Be a minimum of 4 metres in width, and may be substantially wider, taking into account scale of adjacent buildings;
- When enclosed, the floor to ceiling height shall be a minimum of 7 metres;
- Be primarily hardscaped, with softscape and seating elements to provide amenity and visual interest;
- Be well lit, promoting pedestrian comfort and safety; and,
- Include signage to identify adjacent buildings.

Pocket Parks

Pocket Parks	*.075 to .25 ha*	*Pocket Park spaces support the social and cultural fabric of Brampton's Strategic Growth Areas. They are destinations for day-to-day use and are animated by their adjacent uses, such as cafés and shops. They are intended to serve a local community that is generally within a 2.5 to 5-minute walk (approximately 200 to 400 metres) of residents, visitors and businesses.* *Pocket Park spaces include primarily hard surface elements, but can also accommodate softer elements. Pocket Park spaces are a maximum of .25 of a hectare, and must be a minimum of 75 square metres in size. Pocket Park spaces must be connected to, and have at least 7.5 metres of direct frontage along the public sidewalk system. Pocket Park spaces are designed to a very high standard to support more intensified use.*

Capital Cost Estimate - $1,000.00 per square metre*
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*

Pocket Parks are small, pedestrian friendly spaces that accommodate socializing in dense urban areas that are designed to a very high standard to support more intensified use. Pocket Parks are destinations unto themselves that are animated with outdoor seating, restaurant and retail frontages. They include primarily hard surface elements, but can also accommodate softer elements. Pocket Parks are expected to develop with the following criteria in mind:

- Be a minimum of 75 square metres in size, and must, and intended to serve a local community that is generally within a 2.5 to 5-minute walk of residents, visitors and businesses;
- Be connected to, and have at least 7.5 metres of direct frontage along the public sidewalk system;
- Require that adjacent built form have primary and active frontages facing the park;
- Be designed such that they provide up to 50% of the area of the park in tree canopy cover by the end of the 10th year after its opening;
- Be primarily hard surfaced, with limited soft surface elements; and,
- Include seating and a full furniture program, such as lighting, opportunities for outdoor cafés and restaurants, facilities that promote a passive, relaxing atmosphere, water features and public art.

Sliver Parks

Sliver Parks	*Sliver Park spaces are narrow linear spaces that often front restaurants, cafés and retail spaces. They create plazas or forecourts between the face of the adjacent building and the street right-of-way. They are effectively small scale extensions of the public sidewalk system. Sliver Park spaces are small and compact spaces that are designed to a very high standard to support more intensified use.*
Capital Cost Estimate - $500.00 per square metre*	
**Capital cost estimates are based on a host of assumptions related to the design treatments, level of amenity and the facilities provided within an individual park space.*	

Sliver Parks are small scale, linear components of the parkland network that add to the width of the public sidewalk system, and create plazas or forecourts between the face of the adjacent building and the street. Sliver Parks are appropriate adjacent to active building frontages, with transparent and accessible at-grade uses that animate the space, improve safety and encourage use. Sliver Parks are expected to develop with the following criteria in mind:

- Be primarily hard surfaced, with limited planting and soft surface elements; and,
- Be flexible to accommodate spill out retail space, and/or outdoor cafés and restaurants.

2.2 Urban Park Design Considerations

Site Design

The introduction of new urban parks should be considered in relation to the adjacent land uses and architecture. Where a development is proposed, the relationship between the building massing and articulation, particularly at-grade, should be designed concurrently with the preliminary design of the adjacent park, to the mutual benefit of both. Urban parks should be designed to be flush with the building facades and at-grade uses so that the parks benefit from activation along their edges. Urban parks should all have physical and visual access. Active building frontages, with accessible at-grade uses, such as cafes and shops, are the ideal companion to an urban park. Active building frontages are transparent and incorporate windows, balconies, and entrances adjacent to parks to provide more opportunity for interaction between inside and outside uses. Active edges help to animate the park, improve safety, and encourage use.

Urban parks should be designed to be flush with the building facades and at-grade uses. Urban parks should all have physical and visual access to the larger pedestrian circulation system, and have significant frontage onto the public sidewalk system. It is crucial that all of the urban park typologies exist and work together to create a robust and comprehensive urban parkland network.

Programming

Great urban open spaces have strong functional assets. With respect to programming urban space, the key is flexibility to recognize the needs of residential users, as well as office users and retail/commercial users. Flexibility and variety is also required to allow the open space to adapt to changing needs over time. Programming opportunities are directly related to the scale, purpose and

design of the space. Because they are larger, Public Commons and Urban Squares provide opportunities to accommodate green space, tree cover and softscape areas that may include unprogrammed recreational space and other larger scale park features. In some instances, these spaces may also accommodate small sports fields, courts, and performance venues, as well as playful elements for children. Smaller open space typologies will not be able to accommodate the same diversity in programming, but still may include children's play areas, seating areas, public art, and planting elements. In general, urban open spaces should:

- Support active transportation;
- Support adjacent interior uses (e.g. – retail, office, residential, dining);
- Promote passive recreation, including sitting, walking, and socializing;
- Provide opportunities for individual and modestly scale group recreational activities; and,
- Be flexible to support temporary programming, including events, festivals and markets.

2.3 Urban Park Landscape Elements

Hardscaping

Hardscaping plays a significant role in the design of urban parks. Given the space constraints that many urban park typologies are subject to, hardscape may make up the majority, if not all, of the ground level surface. The selection and design of the paving material will affect the usability and comfort of the space, as well as its aesthetics and character. Furthermore, the selection of hardscape materials should take into consideration issues of climate change, in particular urban heat island mitigation and stormwater management. The selection and design of hardscaping should:

- Provide a safe walking surface for all users, with special implementation of universal accessibility. Walking surfaces should specify a non-skid material;
- Design hardscaping for passive cooling. Light coloured or high albedo materials, and open grid or porous surfaces help to mitigate urban heat island effect;
- Select high quality materials that contribute to the character of the space and the surrounding area;
- Where unit paving is used, ensure that differential settlement and heaving is mitigated long term. Consider incorporating a concrete base below the unit pavers;
- Select paving materials that have a long lifespan. Prepare a maintenance and repair manual as part of the design deliverables;
- Where built over structure, ensure high quality membrane materials that have a long lifespan. Prepare a maintenance and repair manual as part of the design deliverables;
- Employ wayfinding techniques, including emphasizing entrances, patios, edges, and pedestrian pathways; and,
- Provide unobstructed circulation routes through or around the space. Provided a minimum 2.1 metre wide pedestrian clearways.

Softscaping

Softscaping, including planting beds and areas of sod, help to establish the identity of the park, support passive and active recreation, and provide a range of ecological benefits. Plant material helps to lower the ambient air temperature, absorb excess stormwater, improve air quality, and support local fauna and pollinators. Perennials and shrubs provide an excellent opportunity to inject vibrant colour and texture into a space, a quality typically lacking in urbanized areas. When designing softscape areas, consider the following:

- Use planting to provide visual interest. Consider incorporating a variety of colours, textures, heights, and forms throughout the open space;
- Ensure that planting material does not obstruct visibility through the site. Utilize CPTED principles while developing the planting strategy;
- Use planting material to establish a comfortable microclimate (e.g. – provide wind and noise reduction);
- Plantings, should be low maintenance, drought tolerant, and pest and disease resistant;
- Provide planting beds that are a minimum of 600mm in width; and,
- Where non-drought tolerant species are used, provide automatic irrigation.

Urban Trees

Central to the softscape design in urban parks, and a persistent challenge, is the incorporation of trees. Trees are an invaluable piece of green infrastructure, they are the lungs of the City. The proper selection and detailing of tree plantings will contribute to their long term health and success. Providing for increased soil areas, native and drought tolerant species, and ample space between trees will increase their chances of reaching maturity, and increase their lifespan. Mature trees provide a range of benefits, including providing shade, reducing ambient temperatures, mitigating the urban heat island effect, and contributing to the character of the space and surrounding neighbourhood. To increase the likelihood of success:

- Preserve and incorporate existing trees where possible. Ensure existing trees are of a high quality and healthy;
- Where space is limited, place trees in a hardscape condition to maximize at grade pedestrian space. Provide a flush walking surfaced by employing tree grates or concealed paver grates and soil trenches;
- Maximize the rooting zone. Provide a minimum of 30 cubic metres of soil volume per tree. Tree planting areas should provide a minimum of 1 metre depth. The maximum planting area depth to be considered in the soil volume calculation is 2 metres;
- Where minimum soil volumes cannot be achieved in a planting area, use soil cells or structural soil to increase access to soil;
- Provide species diversity. Do not exceed 10% of the same species, 20% of the same genera, or 30% of the same family;

- Plant large caliper trees to achieve immediate visual impact, and improve the likelihood of success. New trees to have a minimum caliper of 70mm at the time of planting;
- Ensure the tree planting areas have adequate drainage, such as through the provision of sub-drains;
- Implement a watering program during the establishment period of the tree (approximately 5 years). Provide watering in times of drought;
- Avoid conflicts with underground and above grade infrastructure and utilities;
- Understand and identify capital costs to provide appropriate growing conditions;
- Understand and identify operating/maintenance costs, including a tree placement program (City of Mississauga, 2015); and,
- Use trees to establish a comfortable microclimate (e.g. – provide wind and noise reduction).

Seating

Seating is a critical amenity in all urban park typologies. Seating should be designed to be accessible, inviting, and comfortable. A variety of seating types can be introduced into urban parks, including:

- Benches;
- Seat walls;
- Fixed chair, including with a table;
- Movable chairs, including with table; and,
- Informal (e.g. – lawn, platforms, steps, etc.).

In general, seating design should consider the following:

- Provide a variety of seating types. In larger typologies, including Public Commons, Urban Squares, and Promenades, provide at least two seating types. In smaller typologies, including Connecting Links, Pocket Parks, and Sliver Parks, provide at least one type of seating;
- Provide options in both the sun and the shade;
- Provide a variety of configurations to accommodate individual users and groups;
- Where flexibility is required, consider movable chairs and tables;
- Optimize four-season comfort when selecting seating materials and finishes (e.g. – wood is more comfortable during cooler seasons);
- Orient seating to provide engaging views, encourage informal surveillance, and increase comfort;
- Provide a range of backed and backless options to accommodate a variety of users. Backed benches should be considered as a preferred accessible option; and,
- Provide spaces in seating areas to accommodate walkers or wheelchairs.

Lighting

Lighting plays a key role in the design, comfort, usability, and safety of an urban park. Lighting can be used to enhance design elements, articulate adjacent facades, facilitate wayfinding, and animate the site. Light also extends the usable hours of the park into the evening and at night. Where designing lighting for urban parks, considering the following:

- Provide adequate lighting to improve safety in the space. Consult CPTED for additional direction;
- Use fixtures that are dark sky compliant, which reduce glare, light trespass, and light pollution;
- Use fixtures that are energy efficient, with automated timers;
- Use a variety of lighting scales and types, including lighting bollard, pedestrian lights, and catenary lighting;
- Where events are anticipated, incorporate electrical hookups and event signage into the light posts; and,
- Use lighting to clearly identify the path of travel through the site.

Public Art

Public art can be used as a placemaking and programming element within an urban park. Public art presents an opportunity to integrate cultural heritage into the fabric of the park, or to establish a new narrative for the community. Well designed, engaging, and thought provoking public art has the potential to be a draw to visitors, and can contribute to the success and vitality of the space. When incorporating public art into an urban park, consider:

- The scale and location of the art. A single public art piece can serve as an organizing element for the open space or identify significant gateways or points of arrival, whereas a series of art pieces can act as wayfinding elements located throughout the site;
- Incorporate cultural heritage elements into the piece; and
- Incorporate public art into a space in the form of paving, seating, lighting, or other functional elements.

Other Features

Urban parks should also consider including a number of other facilities that support a variety of active and passive programming amenities, including:

- Playgrounds, play equipment, outdoor workout equipment
- Drinking fountains, bottle stations;
- Dog run areas;

- Waste receptacles;
- Water feature; and,
- Amphitheatre/performance stage.

3.0 Park Maintenance

3.1 Good Maintenance is Crucial

A great parkland network is diverse, well-designed and, importantly, well maintained. A commitment to the highest levels of park maintenance is crucial to the success of the network and to the individual park spaces that comprise it. The City of Brampton has an excellent track record in maintaining its more traditional suburban parkland network to a very high quality. The results of the public survey clearly show that the public, the users of the existing parkland network, a very satisfied with the design, and maintenance of the parks throughout the City.

As the City intensifies over time it is important to note that urban parks and the broader parkland network within a highly urban context, due to their design complexity and use patterns, are much more expensive to maintain than suburban parks - a typical rule-of-thumb is to assume that urban parks require about 10 times the attention and cost to maintain over a suburban park space. Typically, urban parks include more varied types of park spaces, more structured planting beds (rather than just lawn/fields) and a greater diversity of plant materials to achieve visual and seasonal interest. A diverse range of paving materials and associated park furniture elements are also more complex and require ongoing maintenance.

The importance of both funding and coordinating maintenance efforts of the entire parkland network over time cannot be understated. In addition, there are opportunities to include other partners who can assist the City with both establishing and performing enhanced maintenance protocols. Further, there are opportunities to design for lower maintenance as a sustainable approach to cost savings over time

3.2 Funding + Coordinating Ongoing Maintenance

Property taxes, which are applied City-wide, will be required to ensure the long-term and ongoing maintenance of the City's parkland network. Property taxes will also be utilized to ensure the safety and security of the City's parkland network as it evolves and intensifies. There are a variety of issues that will need to be specifically considered as the City's parkland network is enhanced over time, with particular attention to the more urban park components:

- With increased growth will come increased taxation potential, but also a requirement that parkland maintenance protocols will need to recognize the demands of the public park spaces based on increased usage, and incremental land additions to the network;
- With the addition of new scales, types and functions of park spaces, maintenance protocols will need to be more diverse and type specific. Different demands for equipment, different planting programs, different programming objectives will make ongoing maintenance far more complex than for a typical suburban parks system; and,

- A more complex and more expensive maintenance protocol will require enhanced coordination among the various City departments involved and, of course, the exploration of new partnership opportunities, that may include BIA's, Neighbourhood Associations, Volunteers and/or Trust Funds.

Ongoing and enhanced maintenance protocols are essential to the long-term quality of the City's parkland network. Field maintenance, snow removal, garbage pick-up, urban planting, plant/tree watering and maintenance, sidewalk cleaning and street furniture/play structure replacement and maintenance are some of the duties required to ensure a clean and well-functioning parkland network. Without a commitment to ongoing maintenance, there is no point in creating a beautiful parkland network.

In the evolving urban context, there is, in some instances, an information gap between those who are responsible for park design and development and those who will be responsible to maintain those parks once completed. It is understood that the City of Bis primarily responsible for the ongoing maintenance of the existing parkland network, but also in collaboration with other public/non-profit organizations and some of the major landowners, who look after their own properties. Ongoing maintenance will have a tremendous impact on the appearance, and ultimately the property values in proximity.

It is recommended that the City consider clarifying roles, responsibilities and protocols for ongoing maintenance of the City parkland network. Some of the key elements of a memorandum of understanding may include:

- Parks maintenance staff in the review of the parks design and development process to ensure that there is a full understanding and, ultimately,
- A clear commitment to establishing the required maintenance protocols. The intent of a park design, program and facilities need to be clearly identified early in the process by staff to ensure consideration of issues related to their ability to maintain the plant materials, landscape surfaces and features over the long-term. Any special equipment or maintenance expertise should be identified before the park design is built;
- A decision to proceed with a complex (enhanced) design - particularly in an urban context - requiring enhanced maintenance, must include agreement among the design group, the development group and the parks maintenance group that the park and all its component parts can, and will be maintained in accordance with required best practices; and,
- The increase in maintenance budget needs to be understood and agreed to by the City staff and disseminated to the front line staff as an agreed upon direction.

3.3 Working with Long-Term Benefitting Partners

Business Improvement Areas

Local BIA's have a secure funding source through a levy on property taxes that is to be used for marketing, events, enhanced maintenance and capital projects.

They have a mandate to assist in the maintenance of commercial business areas. Certainly, BIA's can work with the City's parks maintenance staff to augment the maintenance protocols of the City.

At the very least, BIA's and business owners should be asked to assist in maintaining adjacent urban park components, as part of their overall property maintenance procedures.

The BIA members will be a direct benefactor of an enhanced park network. As benefactors of the anticipated investment in the park spaces and the broader public realm, it is important that the BIA play a partnership role in providing capital funds for physical improvements, as well as providing support for an enhanced maintenance protocol.

Planting programs, streetscape enhancements, including area specific street furniture programs should be at least partially the responsibility of the BIA. Cost sharing programs between the BIA's and the City need to be fully explored.

Neighbourhood Associations

While Neighbourhood Associations are not provided with a stable funding source through municipal taxation, there are jurisdictions in Canada that rely on direct local neighbourhood involvement in the design, development and maintenance of adjacent park spaces and the broader parkland network. The City should consider pursuing a direct form of relationship with Neighbourhood Associations to assist with ongoing maintenance, in collaboration with City maintenance protocols.

Building Owners/Condo Corporations

Where an urban park has been developed as part of a large scale development, and the space remains in private ownership, it shall be a requirement of any legal agreement that ensures public access and assigns maintenance responsibility that the park be maintained to City standards. City standards are likely to be considered the minimum standard. For this approach to park maintenance to be successful there will need to be a very clear definition of just what "maintained to City standards" means.

For each park space developed in as part of a higher density, mixed-use building or condo corporation context, the City will need to establish a park maintenance protocol that can be measured, and ultimately enforced. The park maintenance protocol may include the following requirements:

- Maintain, in accordance with approved protocols, all plant materials, paving materials, furniture, structures and art installations;
- Expeditiously (within 30 days) replace any dead, dying or damaged plant materials;
- Expeditiously (within 30 days) replace or repair any damaged or uneven paving materials, park furniture and/or art installations;
- Remove graffiti, scratchiti, debris, animal waste and empty garbage containers as necessary, but at least on a daily basis; and,
- Remove snow and properly salt (or other appropriate material) all paved areas as required.

3.4 Other Opportunities

Trust Funds

In the United States, many jurisdictions have required that urban parks be maintained by a Trust Fund. Typically, the Trust Fund is established while the park is in the design and development stages. Trust Funds can be funded by the private sector (a tax deduction in the US), by the public sector, or through some combination of both. The Trust Fund Board retains maintenance contractors and takes on the responsibility to maintain the public park to a prescribed level of quality, and the City absolves themselves of further maintenance responsibilities.

Adopt-a-Park Program

It is important to note that an adopt- a-park program is not a replacement for the City's ongoing maintenance of public parks or the public realm network, but an opportunity to augment existing responsibilities.

Local service clubs, school groups, horticultural societies or interested citizens/citizen groups may wish to become involved in specific park maintenance events, and/or for ongoing maintenance responsibilities.

The City should consider expanding the existing adopt-a-park program where individuals or groups can become the guardian of a specific park or some component part thereof.

The City would need to establish an individual protocol, and prepare agreements to facilitate this type of intervention. The program could simply be to raise funds to retain a maintenance team, or there could be a strategy to utilize the sweat equity of these groups. Nonetheless, the City would need to retain management control, while harnessing the tremendous enthusiasm and potential of service clubs, school groups, horticultural societies or interested citizens/citizen groups.

Design for Lower Maintenance - A Philosophy of Sustainability

Landscape Architects can design with relatively low maintenance paving materials, furniture and plant material. Plant material in an urban setting is crucial and requires special attention for maintenance, for example:

- Selection of plant species that are drought tolerant once their root systems are established is one example of reducing the maintenance requirements for water;
- Understanding the role of soil chemistry, soil volumes and soil types is also important to support lower maintenance plant material and must be specified in tandem with plant material; and,
- Pruning requirements of plant material can also be taken into consideration in the design process, to reduce maintenance.

The maintenance requirement for watering of plant material is important to consider early in the design process. Landscape Architects can work together with Architects and Engineers to identify opportunities for water sources from adjacent buildings, for example, such as recycled rain water from roof tops (which provide the cleanest source of rainwater) that can be stored in cisterns, filtered

and reused for irrigation. It is important to note, however, even drought tolerant plant material needs irrigation to become established (the first year or two) and maintenance plans also need to prepare for extended drought periods to keep planted areas healthy and attractive.

The City should promote a more sustainable park space development approach that requires less maintenance over time.

4.0 Examples of Urban Park Typologies

4.1 Public Commons

Public Common spaces are the social and recreational focal points of a neighbourhood. They typically meet the needs of the local community, and in some instances, accommodate City-wide facilities. Public Common spaces support a balance of active and passive uses. Public Common spaces should be coordinated with school sites, where possible.

Public Common spaces should accommodate special features that add visual interest and contribute to placemaking, including locations for public art. Public Common spaces are intended to serve community users who are generally within a 10-minute walking distance (approximately 800 metres).

Union Square North

New York City, NY

Location: Broadway to 4th Avenue,
East 14th Street to East 17th Street.

Size: 6.50 acres (26,345m²)

Cost: NA

Ownership: Public

Designed By: Frederick Law Olmsted & Calvert Vaux

Description

For nearly 170 years Union Square has been a gathering place—for commerce, for entertainment, for labor and political events, and for recreation.

Its paths, situated among lushly planted grounds, were inspired by the fashionable residential squares of London. The design emphasized the park's oval shape (enclosed by an iron picket fence) and focused on a large central fountain, which was installed for the opening of the Croton Aqueduct in 1842. As New York City's downtown expanded northward, Union Square became an important commercial and residential center. Around its borders sprang up houses, hotels, stores, banks, offices, manufacturing establishments, Tammany Hall, and a variety of cultural facilities, including music auditoria, theatres, and lecture halls. The grounds of Union Square have frequently served as a choice location for public meetings, including parades, labor protests, political rallies, and official celebrations such as the Great Metropolitan Fair of the U.S. Sanitary Commission in 1864.

In 1985 major renovations under Mayor Edward I. Koch included creating a new plaza at the south end of the park, relocating paths to make the park more accessible, planting a central lawn, and installing new lighting and two subway kiosks. In 1986 a monument to Indian political leader and social reformer Mohandas Gandhi (1986, by Kantilal B. Patel) was dedicated on a traffic island southwest of the main park. Two new playgrounds were constructed in 1993- 94, and a restaurant opened in the sunken courtyard outside the pavilion in 1994.

In 1997 the United States Department of the Interior designated Union Square Park as a National Historic Landmark because of its significance in American labor history. Plans are underway to extend the park line south 14th Street, and to incorporate in the park the traffic island on which the Gandhi statue now stands.

HtO

Toronto, ON

Location: South of the Queens Quay West on the waterfront.

Size: 5.51 acres (22,300m²)

Cost: N/A

Ownership: Public

Designed By: Janet Rosenberg Associates and Claude Cormier Architectes Paysagistes

Description

HtO is a popular urban beach along Toronto's waterfront inspired Georges Seurat's painting, "A Sunday Afternoon on the Island of La Grande Jatte." It was designed with the intention of attracting people to the water's edge and animating Toronto's shoreline with activity. Multiple yellow umbrellas enclosed in sand and green dunes make the space very iconic from street level and from up above while the name, which is a play on the formula for water, H2O, is a way of branding the park.

A series of connected water elements accentuate the theme of water returning to its source. Each element is programmed to celebrate the intrinsic qualities of water. These include motion activated sprays, steam and fog, variations in colour and coloured ice.

The overlay of green islands provide gently sloping lawns for repose. Islands that meet residential buildings become horticultural to mediate between the public and private. The islands in the slips mediate storm water overflow. Native water's edge species act as an urban estuary to provide a living filter for micro-organisms.

The planting strategy involves three basic treatments: sloping lawns, horticultural and bio-remediation islands. Tree planting expresses a north-south gradient from a grove of multi-stem ash at the north, to wind-catching willows towards the water's edge. Planting of horticultural islands provide interest through the year, and buffer the residential or more private areas of the park.

Selected species with winter berries contribute to the idea of the site as a bird and wildlife habitat.

Plants: Multi-Stem Ash, Willows

Features: Urban beach sandpit, beach chairs, umbrellas, boardwalk.

Underpass Park

Toronto, ON

Location: Under and around Eastern Avenue, Richmond and Adelaide overpass. Between Cherry Street and Bayview Avenue.

Size: 2.50 acres (10,117m²)

Cost: Approx.$6 Million

Ownership: Public

Designed By: The Planning Partnership and Phillips Farevaag Smallenberg

Description

Underpass Park is the most extensive park ever built under an overpass in Canada, and the first ever in Toronto. Designed to transform derelict and underused space, the park takes full advantage of the concrete beams and columns of the overpasses to create a unique and inviting community asset and provide year round weather protection.

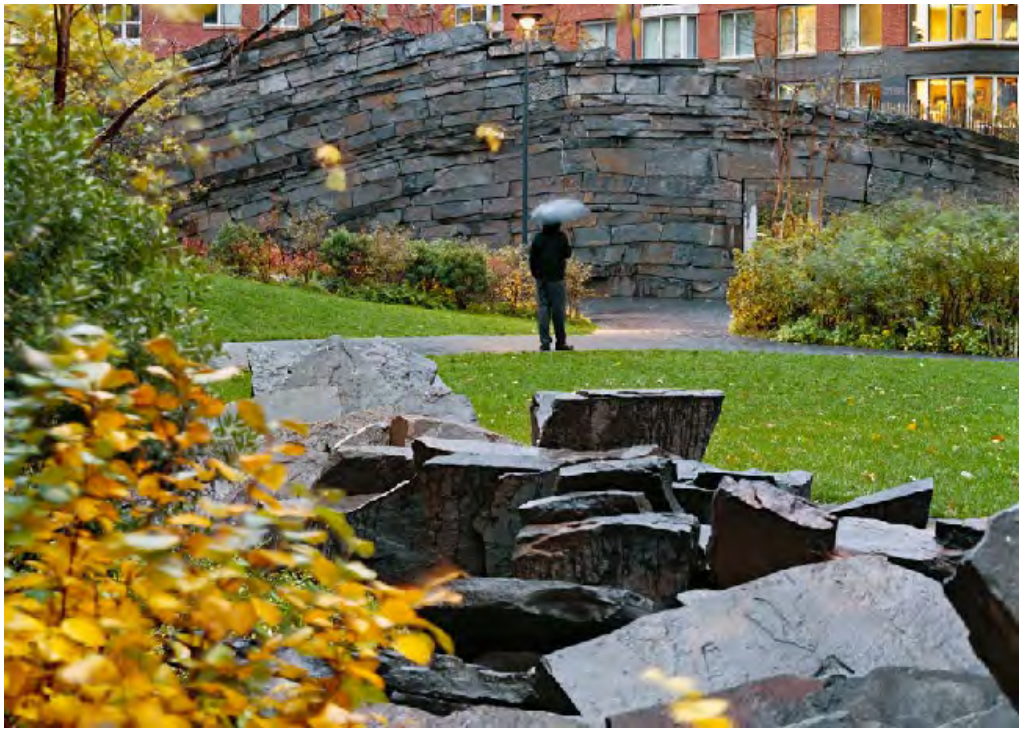
This bright new urban park will give residents of the West Don Lands and adjacent communities safe and beautiful ways to connect between the north and south sections of the neighbourhood.

A sizeable playground is located in the middle section of the park, between St. Lawrence St. and River Street. With a teeter-totter, hopscotch, 4-square, swings and playful climbing structures, the playground offers something for all ages. The area also includes a series of park benches and flexible community space that can be used for markets, festivals and seasonal public events.

The eastern-most section of the park, east of River Street, includes two basketball half-courts, and an extensive skatepark featuring a series of obstacles, rails and ledges. There is also a flexible open space that can be used for community events.

4.2 Urban Squares

Urban Square spaces support neighbourhood-oriented social opportunities, as well as city-wide entertainment and cultural events depending on their size and location. Urban Square spaces may include public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space. Urban Square spaces are intended to serve community users who are generally within a 5-minute walking distance (approximately 400 metres).



Tear Drop Park

New York City, NY

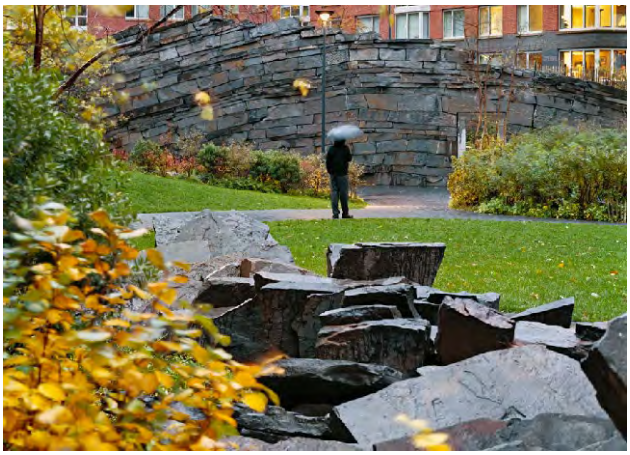
Location: Lower Manhattan, in Battery Park

Size: 1.80 acres (7,284m^2)

Cost: $17 Million

Ownership: Public

Designed By: Michael Van Valkenburg Associates



Description

Teardrop Park is a 1.8-acre public park in lower Manhattan that transcends its small size, shady environment, and mid-block location through bold topography, complex irregular space, and robust plantings. Teardrop's design and construction were coordinated with the development of four surrounding apartment buildings, each ranging from 210 feet to 235 feet in height.

In the development of Teardrop Park, sustainability was not merely a goal, but rather an organizing principle that influenced everything from material selection to contractor practices. Based on decades-long research into urban soils and non- toxic plant maintenance, environmental aspects of the park's design include fully organic soils and maintenance regimes that don't rely on pesticides, herbicides, or fungicides. Treated and recycled graywater from the adjacent LEED Gold-rated Solaire Building and stormwater runoff from the site are captured in an underground storage pipe, supplying all of the park's irrigation needs.

As children are considered Teardrop's most important users, the park is designed to address the urban child's lack of natural experience, offering adventure and sanctuary while also engaging mind and body. Site topography, water features, natural stone, and lush plantings contribute to an exciting world of natural textures, dramatic changes in scale, and intricately choreographed views.

Tanner Springs Park

Portland, OR

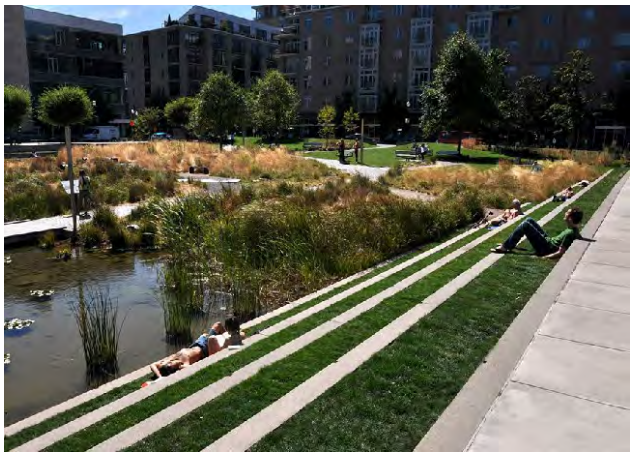
Location: North West 10th Avenue and Marshall Street

Size: 1.0 acre (4,046m^2)

Cost: N/A

Ownership: Public

Designed By: Atelier Dreiseitl



Description

North Park Square was the working name given the second block to be developed in the Pearl District. Planning for this park began in early 2003. Atelier Dreiseitl, a renowned German design firm, and GreenWorks, P.C., an award-winning, local landscape architecture firm, were selected to design the park. A series of community workshops were held between January and June 2003, allowing the public to participate in the design process. After committee review, the name Tanner Springs was adopted in April 2005. The springs connect the park to Tanner Creek that at one time flowed openly through this area; today it flows through large pipes beneath the city streets. Since the design of the park attempts to recapture the area's past with its native wetlands and flowing runnels, the name is fitting.

The Artwall runs along the east edge of the park. It is composed of 368 railroad tracks set on end and integrates 99 pieces of fused glass inset with images of dragonflies, spiders, amphibians, and insects. The images were hand-painted by Herbert Dreiseitl directly onto Portland glass, which was then fused and melted to achieve the final effect.

Place d'Armes

Montreal, QC

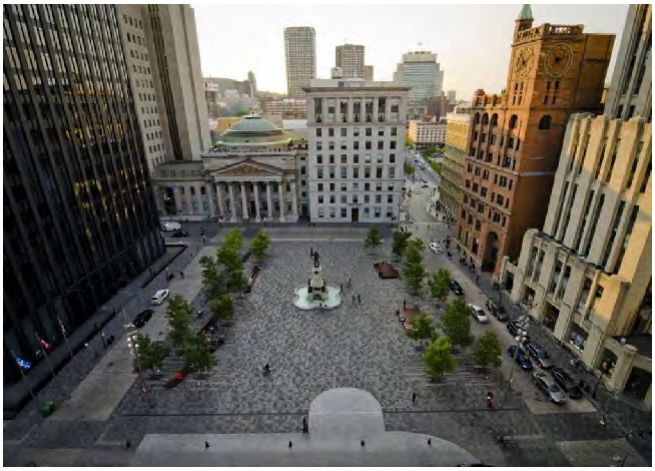
Location: In front of the Notre-Dame Basilica, between Rue Saint-Jaques and Rue Notre-Dame.

Size: 0.68 acre (2,778m^2)

Cost: $15.5 Million

Ownership: Public

Designed By: Cardinal Hardy/Teknika - HBA



Description

Place d'Armes, considered as a single heritage feature–the square itself, its central monument and the surrounding built environment–resonates with multiple historical meanings. It is, if you will, the heart of the city's historic centre, summing up its diverse heritage. The square is bordered by the Séminaire de Saint-Sulpice (whose earliest construction dates back to 1684), the great Notre-Dame Basilica (which, when completed in the 1820s, replaced the 17th-century church), the Bank of Montreal head office, two early 20th-century skyscrapers, and a modernist office tower built in the 1960s. In the centre of Place d'Armes is a monument to Montréal's founder, Paul de Chomedey de Maisonneuve. The work of sculptor Louis-Philippe Hébert, it portrays Maisonneuve surrounded by Charles Lemoyne, Lambert Closse, Jeanne Mance and an Iroquois brave. In the evening, Place d'Armes and the surrounding buildings are superbly enhanced by architectural lighting installed as part of the Old Montréal Lighting plan. Horse-drawn carriage tours leave from different points around the square.

4.3 Promenades

Promenades are substantial linear spaces that are located between adjacent building facades and the adjacent road right- of-way. Promenades are between 6 and 20 metres in width, with an average width along it length of 15 metres. Promenades are typically used to enhance the pedestrian experience along with highly activated at-grade retail spaces. Promenades are typically only located along one side of the street, and are continuous along the length of the block Promenades may include public art, small outdoor game areas, seating areas and places to eat, as well as street- related activities such as vendor and exhibit space.

Edge Park

New York City, NY

Location: On the Brooklyn Waterfront (North of 6th Street on Bedford Avenue.)

Size: 1.15 acres (4,665m^2)

Cost: N/A

Ownership: Public

Designed By: W-Architecture

Description

The Williamsburg waterfront has been dominated by industry and its relics for over a century–making it largely off limits to the public. New zoning is changing the public interface with the water's edge by increasing density and emphasizing waterfront access. The "Edge" park seeks to bring people to the river and link the ecosystem with the fabric of the community. As landscape architect for both the new residential towers and the public waterfront park, we have the challenge of ensuring that the towers act not as symbolic fences blocking public access and views of the East River and Manhattan but as gateways to the river with corridors providing visual connection to the iconic skyline.

Our plan unites both sides of the river by using the piers to re-orient views across – especially directed toward the Empire State Building. The design emphasizes the confrontation of forces at the water edge and encourages public use. Here, the city grid and the river's ecosystem converge, mingle, and clash: the road turns into a pedestrian greenway, a garage is surmounted with a sloping lawn, piers reach gently into the water from deep within the park and stone riverbank contrasts with concrete bulkhead. This blurring of the boundaries between land and water extends the waterfront benefits inland to the community.

The synthesis and separation of private and public space, and architecture and ecology required a complex series of collaborations with community groups, the developer, the city government, and engineers. This former industrial site is now 50% permeable, planted with many native species and part of the LEED Silver rating for the project. The park was a critical part of the approvals for the project, and maintenance agreements were negotiated with the City Parks Department. The new piers underwent extensive reviews by the Corps of Engineers and the Department of Environmental Protection.

The Boston Children's Museum Plaza

Boston, MA

Location: Between the Boston Children's Museum and the Waterfront.

Size: 0.75 acre (3,046m^2)

Cost: N/A

Ownership: Public

Designed By: Michael Van Valkenburgh Associates

Description

In a world where almost everything within a city is designed for adults, the Boston Children's Museum Plaza is designed for children. Perceptions of difference, distance, size, and scale are playfully manipulated in different ways within the new plaza. Inspired by the forty-foot-tall Hood Milk Bottle, all elements of the design, from the seating and paving to the unique environments like the marble boulders or the native plant garden, are slightly oversized, undersized, overstated and boldly patterned.

With respect to its urban setting, the plaza establishes a clear outdoor area for the museum that is distinct from but fundamentally connected to the pre-existing Harborwalk and attracts attention within the seemingly boundless waterfront setting. In recognition of its significance, the Hood Milk Bottle was rebuilt in a new location in order to announce the presence of the museum from a distance and enhance its visibility from all directions. In conjunction with architectural improvements, the design of the plaza also serves to clarify the museum's entry sequence.

The combination of wood, brick, and stone present a tableau of construction materials that create associations with the natural world (trees, clay, mountains). The marble boulders were discovered in a quarry and already deemed unusable for more rationalized construction purposes. Their inclusion in this landscape alongside marble pavers and slabs references raw natural materials as well as the processes by which these materials are transformed.

Front Street Promenade

Toronto, ON

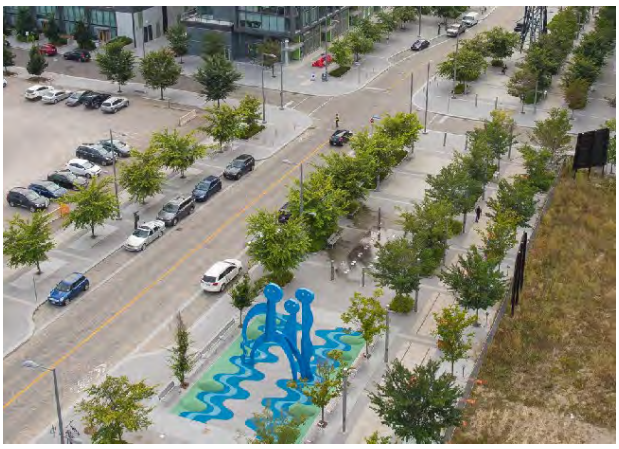
Location: Front Street east of Cherry Street

Size: 0.25 acre (approx. 1,031m^2)

Cost: N/A

Ownership: Public, Managed by Canary District, a partnership of anchor institutions, small businesses and residents that creates opportunity, improves economic vitality and quality of life in the Canary District of Toronto with the primary mission of community revitalization.

Designed By: The Planning Partnership and PFS Studio



Description

The Front Street East Promenade + Park, the open space heart of the West Don Lands, is both a street and a park. It extends Corktown Common westward towards the city as a bold new green street. The Planning Partnership and PFS Studio redesigned a previously wide, axial alignment of Front Street East to an asymmetrical one to offer more pedestrian space along its northern, sunny side. As a result, there is ample room for sidewalk cafes, children's play, impromptu performance and a series of public art installations. The street and park were home to the 2015 Pan American Athlete's Village proving itself a successful venue for future civic and neighbourhoods gatherings and events.

The City of Toronto was named the 2014 Intelligent Community of the Year, which featured The Planning Partnership's and PFS Studio's public realm contributions to Waterfront Toronto on the West Don Lands and the East Bayfront.

4.4 Connecting Link

A Connecting link is an outdoor or indoor walkway that may be lined with small stores, restaurants and cafés. A Connecting Link is a minimum of 4 metres in width, and may be substantially wider. When enclosed, the floor to ceiling height should be a minimum of 7 metres. Although a Connecting Link is intended to enable pedestrians to travel through the community quickly and easily, many are destinations unto themselves with seating, restaurant and retail frontages

Mint Plaza

San Francisco, CA

Location: Jessie Street, stretching between Fifth and Mint Streets.

Size: 0.38 acre (1,564m^2)

Cost: Approx. $3.5 Million

Ownership: Maintained and managed by Friends of Mint Plaza (FoMP), a non-profit organization. Open for the public.

Designed By: CMG Landscape Architecture

Description

In April 2007 the San Francisco Board of Supervisors and the Mayor approved legislation to transform a 290'-long portion of Jessie Street stretching between Fifth and Mint Streets into San Francisco's newest public open space, aptly named Mint Plaza. The entire process, from concept, to financing to implementation, took just under two years to complete—quite an accomplishment for San Francisco.

Existing streets and sidewalks were demolished and replaced with a new pedestrian surface composed of composite stone pavers, a steel arbor with climbing vines, trees and several rain gardens. The Plaza was consciously designed to accommodate a wide range of uses, including art exhibitions, live music, cafés, and small festivals, while also providing a quiet, green and clean refuge for neighboring residents, downtown employees and visitors from everywhere to pause, and relax.

Mint Plaza is a special kind of public open space, designed to serve a variety of users. First and foremost, it's a community gathering spot – a green space to take a break, sit outdoors, enjoy lunch, or chat with friends.

It's also uniquely urban: a plaza framed on three sides by historic architecture and lined with cafés and restaurants, providing a great opportunity for al fresco dining. The Plaza also features a daily gourmet food truck and flower cart.

Mint Plaza is also an exciting cultural venue: a place to experience a diversity of art and music, free to the public. FoMP sponsors a variety of live-music events, art and dance festivals, and public art installations, and hopes to expand its programming to include film and food festivals in the upcoming year.

Market Lane

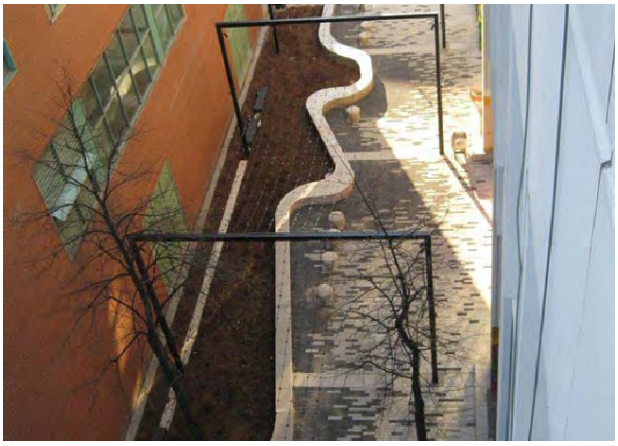
London, ON

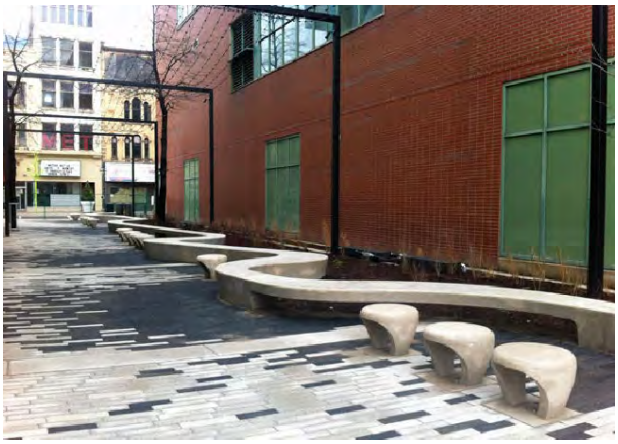
Location: A laneway connecting Dundas Street to Covent Garden Market.

Size: 0.16 acre (679m^2) **Cost:** $600,000

Ownership: Public

Designed By: Hapa Collaborative





Description

In February 2012, Hapa Collaborative won the Market Lane Design Competition. The fully realized project is set to revitalize a narrow but critical linkage in the urban fabric of downtown London.

Hapa's proposal (entitled Figure Ground) utilized a simple concept and austere palette of materials to animate the Lane, and provide a venue for the upcoming World Figure Skating Championships and the imminent arrival of Fanshawe College's Digital Media Arts program on the west edge of the Lane.

The landscape design concept drew inspiration from the local landscape of southwestern Ontario, including the Thames River valley that weaves through the city and the Carolinian forest that the site lies within, as well as the aspirations of the larger London community including its reputation for higher learning, medicine and technological innovation. The concept also engages the design for building edges to provide a stronger indoor outdoor relationship between interior performance space and potential programming in the Lane.

102 Bloor St W Lane

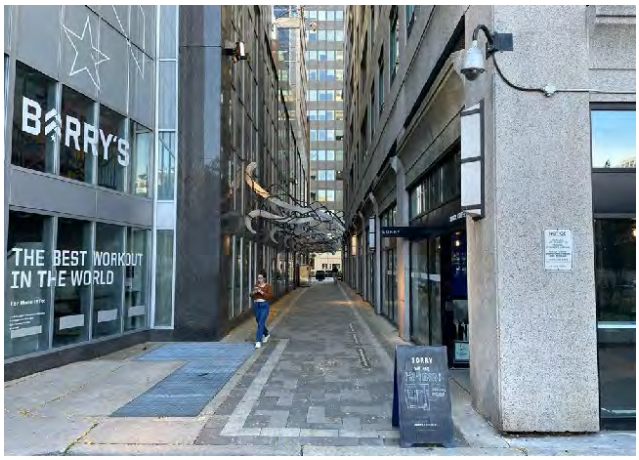
Toronto, ON

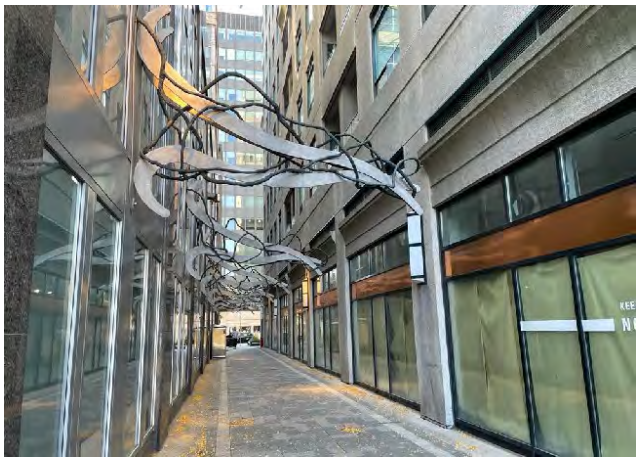
Location: A laneway connecting Critchley Lane to Bloor Street West

Size: 0.05 acre (200m^2)

Cost: N/A

Ownership: Public





Description

Located between 102 & 100 Bloor Street West, this connecting link is a walkway between Critchley Lane and Bloor Street lined with restaurants and retail stores for pedestrians to travel the area quickly with a logical wayfinding system for people to establish a well-connected Yorkville community within the highly urban environment.

The walkway is primarily hardscaped with an art installation for the aesthetic while promoting pedestrian comfort and safety between the two adjacent buildings.

4.5 Pocket Parks

Pocket Park spaces support the social and cultural fabric of Vaughan's Strategic Growth Areas. They are destinations for day- to-day use and are animated by their adjacent uses, such as cafés and shops. They are intended to serve a local community that is generally within a 2.5 to 5-minute walk (approximately 200 to 400 metres) of residents, visitors and businesses.

Pocket Park spaces include primarily hard surface elements, but can also accommodate softer elements. Pocket Park spaces are a maximum of .25 of a hectare, and must be a minimum of 75 square metres in size. Pocket Park spaces must be connected to, and have at least 7.5 metres of direct frontage along the public sidewalk system. Pocket Park spaces are designed to a very high standard to support more intensified use

Mid Main Park

Vancouver, BC

Location: Corner of Main Street and 18th Avenue

Size: 0.22 acre (900m^2)

Cost: $450,000

Ownership: Vancouver Park Board/
City of Vancouver, Public.

Designed By: Hapa Collaborative

Description

Previously an underused slip lane within the Main Street right-of-way, HAPA produced a scheme that sits comfortably between a new six-story commercial and residential building and busy Main Street. The composition of paving, curvaceous seating walls, mounded earth, layered planting and lighting shortens the awkward long and triangular site, and encourages slower, circuitous passage with places to linger adjacent to the action of the street.

The concrete paving is patterned to the grid of the adjacent city sidewalk, but is overlaid with large, random “milk bubbles” rendered in stained concrete, that blur the edge between street, development site and park. Plaza and planting are separated by a series of curving cast concrete seatwalls that feature a custom bullnose to deter skateboarders, and continuous LED lighting at night. The seatwalls along Main Street include long, continuous yellow cedar bench backs. Bands of permeable cast concrete paving convey stormwater to a detention gallery buried in the central mound behind the main seatwall, reducing runoff rate and quantity discharged into the city’s storm sewer.

Plantings buffer the interior of the park from the busy street. Within these areas, over 90% of the existing street trees were retained, with further soil and irrigation improvements to bolster their health. In addition to the Chinese elms and littleleaf linden trees retained along Main Street, snowbell trees were installed for spring colour and eventual succession. The ground plane is richly planted with a mix of grasses and perennials.

The signature of the park is the “bendy-straw” trellis, a whimsical reference to the former Palm Dairy and Milk Bar that occupied the site from 1952 to 1989. Kiwi vines at each end will eventually drape the trellis with lush green foliage, and provide a free lunch to passers-by. North of the trellis, matching barstools recall the interior of a mid-20th-century dairy bar (complete with spinning seats).

49th Street Park

Los Angeles, CA

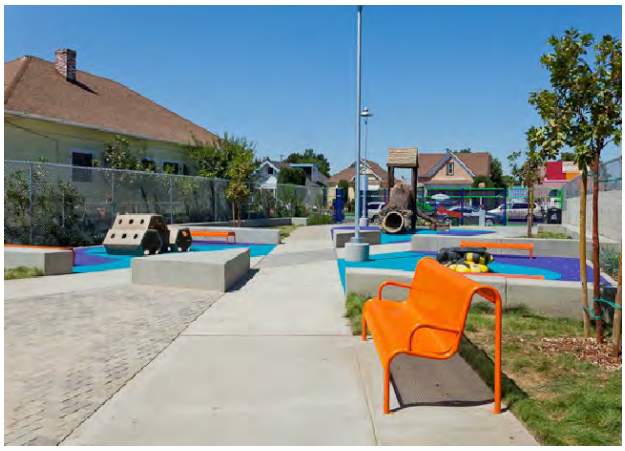
Location: 49th Street, South Los Angeles

Size: 0.17 acre (700m^2)

Cost: N/A

Ownership: Public park

Designed By: Los Angeles Department of Recreation and Parks



Description

Part of Los Angeles' 50 Parks Initiative, a public-private program designed to help revitalize some of the city's neediest, most densely populated communities the parks are designed to serve people within walking distance to offer a hyper-local community hubs. Many parks are located on foreclosed properties that cannot be rehabilitated or vacant parking lots.

The 49th Street Park was the first 50 Parks Initiative parks to open. It is the size of one lot adjacent to a surface carpark.

It has been designed into distinct sections with play equipment in one area and treed seating areas.

Bright materials have been used for the play equipment area.

Plants: Trees, no-mow grass, shrubs.

Features: Seating, grass area, play equipment, solar powered lighting, smart irrigation and to keep intruders out after hours, automatic time- lock gates and solar motion-activated cameras.

Waterfall Garden Park

Seattle, WA

Location: Main and Second Streets, Seattle

Size: 0.10 acre (445m^2)

Cost: N/A

Ownership: Open to public during business hours but privately owned

Designed By: Masao Kinoshita within the firm of Sasaki Associates

Description

Created to commemorate the birthplace of the United Parcel Service (UPS), Waterfall Garden Park is a private pocket park is almost hidden away.

Designed by Sasaki, Dawson and DeMay and constructed in 1978, the Park may be small but the space imparts a strong, lasting impression.

A modern interpretation of a Japanese garden, the central feature of the park is the dramatic 22-foot high waterfall constructed of natural granite borders. Five thousand gallons of continuously filtered and re-circulated water per minute cascade down the falls.

The park is privately managed by the Annie E. Casey Foundation, a security guard is present during the park's open hours, after which, the park is securely gated off by an iron fence.

Plants: Shrubs and Japanese Maples.

Features: Seating, planting, water feature, weather shelter.

4.6 Sliver Parks

Sliver Park spaces are narrow linear spaces that often front restaurants, cafés and retail spaces. They create plazas or forecourts between the face of the adjacent building and the street right-of-way. They are effectively small scale extensions of the public sidewalk system. Sliver Park spaces are small and compact spaces that are designed to a very high standard to support more intensified use.

767 Third Avenue

New York City, NY

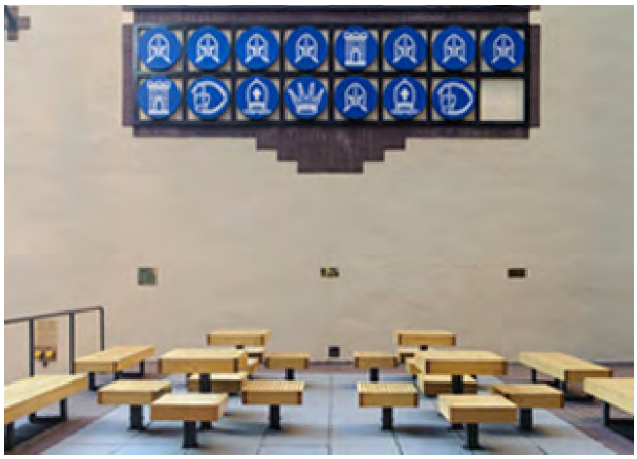
Location: Southeast corner of Third Avenue and East 48th Street

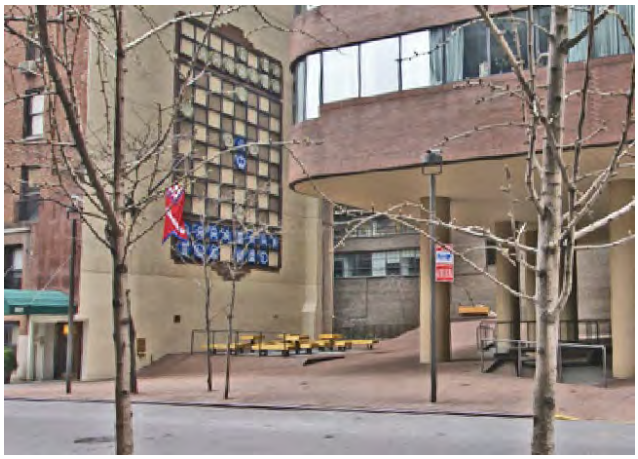
Size: 0.07 acre (approx. 284m^2)

Cost: N/A

Ownership: Privately owned public space. Public access 24 hours.

Designed By: Mevlyn Kaufman





Description

The signature element of this plaza is a gigantic chessboard adorning the wall of an abutting building at the eastern edge of the space.

Oversized whimsical metal footprints track east or west on top of metal grates in the East 48th Street sidewalk.

Below the chessboard are four fixed wooden tables, each surrounded by four fixed backless wooden seats. Four additional benches flank north and south sides. To the south is an elevated platform whose approach up an overly steep ramp is rewarded by the best seat in the house.

With more than 500 privately owned public spaces, it is desirable that the public be able to distinguish one space from another. Spaces like this one developed by the Kaufman organization with its gigantic chessboard, become points of orientation and association that connect people to their physical environments.

Plants: Four trees.

Features: Seating, public art.

Edible Bus Stop Pocket Park

London, UK

Location: Lambeth Hospital Bus Stop, Route 322, Landor Road, Lambeth

Size: 0.05 acre (approx. 208m^2)

Cost: N/A

Ownership: City owned

Designed By: Local Volunteers

Description

The vacant open space running along Landor Road was created as a result of a bomb in WW2. Members of the local community came together to object to a proposal to build new houses on the site. The community took responsibility for the land (with the support of Lambeth Council) and tidied the space, transforming it into a verdant community garden.

The new design and formalization of the space into a pocket park has seen the planting beds themselves reconfigured to fit with the new pathways and elevated for ease of gardening and to keep dogs off. The raised planting beds utilize reclaimed granite curbstones as the retaining walls that have been salvaged from other redevelopment work across the Borough of Lambeth, keeping a sense of the heritage of the area and providing a narrative to the design. Along the back wall of the garden, a uniform screen has been erected to provide vertical growing space, but also a boundary between the garden and the neighbouring properties. New seating has been introduced at key points around the garden, to enable people to stop and enjoy the space.

The re-design of the garden has been supported jointly by the London Borough of Lambeth's Neighbourhood Enhancement Program and the Mayor of London's Pocket Park scheme, of which it was the first Pocket Park to be completed, opening on May 18th, 2013.

Plants: Edible plants, 7 fruit trees and flowers.

Features: Seating, community workshop and garden space.

22nd Street Parklet

San Francisco, CA

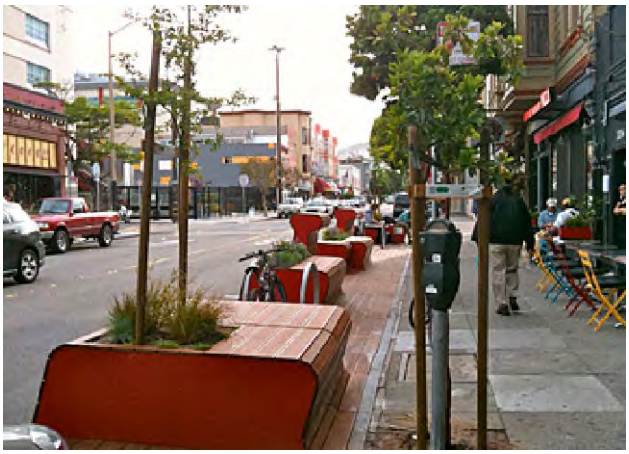
Location: 22nd Street between Bartlett and Mission

Size: 0.007 acre (approx. 30m^2)

Cost: N/A

Ownership: City owned, maintained by local businesses

Designed By: Rebar Group



Description

Parklets repurpose two to three parking stalls along a block as a space for people to relax, drink a cup of coffee, and enjoy the city around them. Parklets do this by building out a platform into the parking lane so that the grade of the sidewalk gets carried out into the parking lane.

The 22nd Street Parklet has benches, an integrated resting table, bike parking and landscaping.

Bamboo used for the surface decking is an environmentally friendly renewable resource and all landscaping used are low-water species.

The three businesses fronting the Parklet have agreed to provide daily maintenance, although all seating and bike parking is free and open to the public.

The cost of the 22nd Street Parklet was paid for entirely through donations by a local resident and the three businesses fronting this Parklet. In addition, a variety of partners have provided their products for free or at reduced cost, including a design company that designed and built this Parklet free of charge to the City with the help of many volunteers. Plants: Low-water species.

Features: Benches, bike parking, landscaping.

BRAMPTON

City of Brampton
Parks Plan 2041

October 2022

Appendix II
Downtown Parks System Research

The Planning Partnership
NBLC
Monteith Brown

Study Methodology

The research conducted for this project was completed in three phases:

1. Phase one was comprised of identifying the cities that would be surveyed.
2. Phase two involved defining the urban area boundaries for the purpose of the study.
3. Phase three consisted of data collection and analysis.

Identifying the Subject Cities

Specific cities were identified in order to present a broad array of parkland distribution within highly developed urban cores. Emphasis was placed on urban areas without the presence of a single large park but with a varied distribution of parkland through different sized parks and open space.

Cities were also chosen amongst those that ranked well in terms of city-wide parklands percentage in the 2010 City Park Facts prepared by the Trust for Public Land. Selection included major Canadian Urban Centres and two European examples of recently developed/ redeveloped Central Business Districts.

Proposed and Planned Urban Areas were selected from the most significant/highly publicized in recent Greater Toronto Area development plans in various municipalities.

Defining the Study Area

Within each of the selected cities, the study area was further refined as “Existing Urban Core Areas”. These study areas are typically Downtown Cores of the selected cities as well as some other highly developed business and commercial districts. The common traits that these areas share are the intensity of development and mix of uses contained within their boundaries, expected to be similar, in time, to the Mississauga Growth Area.

Data Collection

For the “Existing Urban Core Areas” data collection was conducted through the use of Google Earth Pro in order to calculate the General Area of the urban core that was under analysis, as well as identify and calculate the parklands contained within the defined boundaries. Parks included in these calculations were those identified through data available in Google Earth Pro as well as through an analysis of the areas via satellite images and Google Streetview. The numbers collected through this methodology were then used to derive a percentage of the study area that was occupied by parklands.

It is important to note that the park spaces identified do not represent the entire range of pedestrian realm components, but rather, just park spaces. The same approach was used in reviewing the park supply of the Town of Oakville, and as such the data is considered reasonably comparable.

Urban Parkland Statistics

	General Area (ha)	Parklands (ha)	Parkland %
Downtown Minneapolis, MN	703	34.66	4.93
Downtown Montreal, QC	269	9.57	3.6
Lower Manhattan, NY	351	40.61	11.56
Downtown Ottawa, ON	79	8.19	10.36
Downtown Philadelphia, PA	549	45.1	8.2
Downtown Portland, OR	164	16.83	10.26
Downtown San Francisco, CA	88	5.83	6.63
Downtown Savannah, GA	267	29.08	10.8
Downtown Vancouver, BC	349	33.3	9.6
Downtown Washington, DC	217	6.26	2.88

Downtown Minneapolis, MN

Downtown Montreal, QC

Lower Manhattan, New York, NY

Downtown Ottawa, ON

Downtown Philadelphia, PA

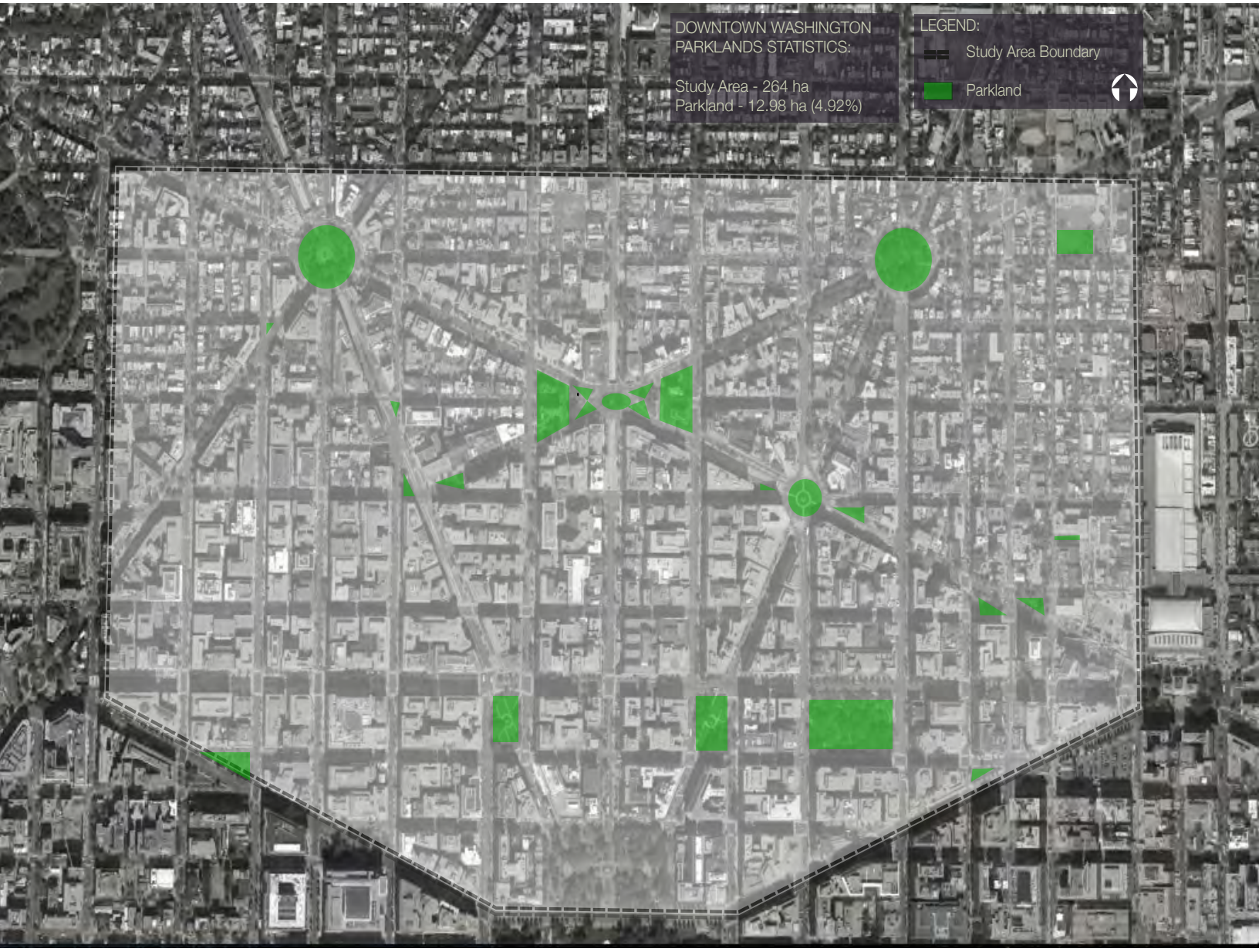
Downtown Portland, OR

Downtown San Francisco, CA

Downtown Savannah, GA

Downtown Vancouver, BC

Downtown Washington, DC



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City of Brampton

Parks Plan 2041

October 2022

Appendix III

Options for Ownership of the City's Parkland System

The Planning Partnership
NBLC
Monteith Brown

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1.0 Introduction

Strata parks and Privately Owned Public Spaces (POPS) are part of an evolving conversation about the provision of public space in rapidly urbanizing environments. Strata Parks and POPS are site and scenario specific, likely only to be considered appropriate when land for parks is needed and, where available land is scarce or unaffordable for municipalities to purchase. In no circumstance would these spaces become the standard for all types of parkland within the City's parkland hierarchy, however the City may consider these ownership alternatives to assist in achieving smaller and diverse urban spaces.

Strata Parks and POPS have unique characteristics and have the potential to play a unique role in achieving a diverse and robust urban parkland system. However, they can also add complexity and financial risk compared to traditional fee simple parkland dedication and cash-in-lieu models. These park ownership models are tools that the City can add to their park system toolbox to employ when required to address a complex development scenario.

It is the intention of this paper to ensure that the City is adapting to the evolving urban development realities with the full suite of available park provision options and with eyes wide open to the benefits and risks associated with alternative park conveyance tools in order to make the most informed decisions regarding what is best for the City today and into the future.

2.0 Strata Parks

What is a Strata Park?

A Strata Park is a public park developed above infrastructure, typically subways, parking garages, or storm water management facilities (public or private). The park space is deeded to the municipality by the property developer, and is thus publicly owned (and typically publicly operated), whereas the underlying infrastructure may be maintained within private ownership. This is not a new innovation or phenomenon, however there is a rise in the frequency that this arrangement is being requested by developers and accepted by municipalities in the Greater Golden Horseshoe (GGH), reflecting the need for land efficiencies in higher density urban contexts, where land values are elevated and available land supplies are constrained.

Strata parks are only being discussed and planned in municipalities that are experiencing a particular type of development scenario - high density development that requires underground parking, where development sites are not large enough to dedicate a portion of land for an unencumbered tableland park. Strata parks can be useful tools in this scenario, particularly where a municipality has determined that obtaining publicly owned urban park space on-site is a high priority.

What is Strata Title?

Stratified ownership of land, often simply called "strata title", refers to fee simple ownership of land divided not just two dimensionally (parcels that are next to one another), but three dimensionally as well (parcels that are above and below one another).

Normally, an owner of land conceptually owns all the land below the surface of the ground and all the air above it, often referred to as "heaven to the centre- of-the-earth" ownership. Strata title

allows one owner to own above a certain height, while another owner owns below that height. Strata title is most often used, for example, in the creation of condominiums where fee simple ownership of a parcel of land is essentially divided into boxes in the air, to secure “air rights” above a certain height for a different owner than the owner of the land at ground level, or to create underground structures owned by one owner while the surface and above is owned by someone else, often the case for a parking garage or subway.

“Air rights” are perhaps the best known application of strata title and the legal framework applicable to strata parks is identical. The only differences between strata parkland and “air rights” are practical ones: strata parkland is generally at or near grade level and “air rights” typically exist at some significant level above grade. Similar easements (in particular rights of support and servicing) are necessary to make effective use of any strata arrangement.

Strata parcels of land are created through the same *Planning Act* mechanisms (i.e. Plan of Subdivision, Consent) that implement any other subdivision of land, usually with the assistance of a strata reference plan that uses a two dimensional reference plan to depict three dimensional parcels.

Appurtenant easements are not automatically created when a strata parcel is created. Therefore, for example, there may be no realistic way to access or use a strata parcel for “air rights” if that parcel exists above a height of 50 metres without easements or the voluntary cooperation of the owner of the parcel below 50 metres. That is why it is common for easements to be created simultaneously with strata parcels (and for Committees of Adjustment and other Consent approval authorities to insist on it), to allow the strata parcel(s) to be effectively used in perpetuity, regardless of what happens with the parcels above or below it, as the case may be. The same logic applies to strata parkland. If for example, an above- grade strata parcel exists for parkland without rights of support from the below-grade strata parcel directly beneath, the parkland parcel might be susceptible to being unusable if, for instance, the water holding tank below it wasn’t being properly maintained. The park use might be interrupted every time the water tank requires servicing or replacement. Well written and thoughtful easements for rights of support ensure that the parkland use above-grade can continue even if major maintenance or reconstruction of the below- grade infrastructure is taking place every 20 years.

A typical example of a strata park arrangement is the creation of two strata parcels, one beginning 1.5 metres below ground level and extending “to heaven” (the “parkland parcel”), and the other beginning 1.5 metres below ground level and extending “to the centre-of-the-Earth” (the “parking garage parcel”). The parkland parcel would extend below the ground level far enough to allow for tree planting, soil, water lines, and other associated infrastructure to service the parkland. The parking garage parcel would be subject to a support easement, meaning that even if the garage were demolished, support for the park above would have to be maintained. The parkland parcel might also be subject to easements for services (i.e. utilities) to travel through the below-grade portion of the parkland parcel to reach the parking garage parcel and all infrastructure underlaying the parkland parcel. A reciprocal agreement between the two parcel owners that sets out how and when work that intrudes on the other parcel can be done, including provisions for emergency repairs, cost sharing, etc.

A reciprocal agreement may establish dispute resolution mechanisms, such as arbitration or mediation, but the enforcement of easement terms could also be pursued in the normal manner through the Superior Court of Justice. Unlike other real estate law concepts, the common law does

not form the legal basis of strata title. A large volume of case law does exist in Ontario concerning strata title disputes between adjacent parcel owners, but most is very site specific and typically relates to business disputes, or oversights in the creation of the parcels, or their appurtenant easements. The concept and application of strata title is well established and is generally not controversial.

There is no limitation on what other entity may own the strata parcel beneath a strata park parcel. The below grade strata parcel may therefore include common elements of a condominium corporation, and often does. Technically, land that forms part of the common elements is owned by the condominium owners, not the condominium corporation, who typically only manage the common elements. The condominium common elements can be subject to the same easements necessary to protect and make the strata park work operationally that any other land beneath a strata park can be subject to:

- Maintenance and other reciprocal agreements entered into between the City and developer should always include clear clauses that will bind subsequent owners, including any future condominium owners. The City may insist on easements that make disturbance of the above- grade strata park unlawful;

- Rights of support are commonly written in a manner that does not make exception for reconstruction or renovation of the below-grade parcel. In those circumstances the above-grade strata park would not need to be disturbed even if the below-grade portion were renovated. Whether the below-grade owner wishes to absorb that additional cost and inconvenience would be part of the discussion as to whether a strata park is an appropriate option on a specific site; and,

- The City would deal with the condominium as a neighbour, as it does elsewhere where the City owns land adjacent to a condominium corporation – in this case they would just be a neighbour vertically. As with any other strata ownership relationship, if the appropriate easements were not in place, it would be problematic. As with any easement or agreement, they will only be as effective as the City's willingness to enforce their legal rights pursuant to them.

Many other GGH municipalities request and accept strata parks. The methods by which it is secured varies. Many have used Site Plan Agreements to secure strata parks, while other municipalities rely on Section 37 Agreements (pre-Bill 197), even if only as a legal convenience. Most agreements appear to be generally well done. However, additional useful provisions are sometimes negotiated with developers and incorporated into implementing agreements that would be useful, for example: the strategic use of restrictions pursuant to Section 118 of the Land Titles Act, additional certifications from structural engineers, and better protection for the City in circumstances in which the use of the strata park may be interfered with.

Can Strata Parks be eligible for a Parkland Dedication Credit?

Section 42 of the *Planning Act* permits the municipality to pass a bylaw requiring the conveyance of parkland, or cash payment-in-lieu thereof, as a condition of development or redevelopment of land. There is no legal impediment to the City's implementing a parkland by-law allowing for the acceptance of strata parkland in satisfaction of that requirement.

The *Planning Act* parkland dedication rates refer to fee simple "heaven to centre-of-the-Earth" ownership. Therefore, if the parkland dedication requirement for a proposed development is 5%, strata parkland that covered 5% of the surface area of the development would not fully satisfy the parkland dedication requirement. In that case the applicant would either be required to provide additional cash-in-lieu equivalent to the value of the strata parcels below the strata parkland to make up the difference, or to convey additional above-grade strata parkland of that value to make up the difference (as described in Figure 2).

Some municipalities have, to-date, provided parkland dedication credits to developers for strata parks, however they have done so on an ad hoc basis and typically do not have specific policies in place to determine appropriate credits. Both Richmond Hill and Mississauga all recognize that strata parks are a new urban reality where parkland is required in high density developments. Mississauga and Guelph are actively studying how to respond to strata park requests.

3.0 Privately Owned Public Space

What is a Privately Owned Public Space (POPS)?

POPS are privately owned spaces that are publicly accessible via legal agreements between the property owner and the municipality, and are privately operated and maintained. Municipal programming and overall control of these spaces is more limited than traditional fee-simple parks or strata parks. In essence a POPS is an extended component of the City's open space network, but is not a public park space.

POPS are more common than strata parks across the GGH. They are generally seen as a good deal for municipalities as the park augments the existing park system at no cost to the municipality. The land is held in private ownership The park is held within private ownership, is maintained privately, and all risk and liability lie with the property owner.

It is the City's lack of ownership and control of the POPS that are the primary reasons for POPS to not be counted as equal to fee simple parkland, or even to Strata Ownership arrangements. Fully public parkland elements are under the complete control of the City - they are able to be retrofitted through time to accommodate park facilities that are in line with trends of active and passive recreation as needed. Further, fully public parkland elements are open to hold civic and public programs and events that are meaningful to a larger population.

It is also important to identify that while POPS are considered an important part of a diverse and robust urban parkland system, The City has no legislative authority to compel a developer to provide them within any development project. One way to incentivize their provision is to provide some level of parkland dedication credit, albeit potentially at a discounted rate.

What are some of the legal instruments to achieve POPS?

Leases, licenses and easements are other options that many GGH municipalities have utilized to create parks where fee simple ownership of new parkland is not desired or possible. These legal agreements are the basis for establishing POPS, and include:

- Leases and licenses are essentially time-limited permissions to use a portion of the subject lands (usually, in the case of parkland, the above-grade portion only) for certain specific

parks purposes only. Licenses can typically be revoked at the will of the owner, whereas leases can provide a greater level of security for a specified time frame. When parks licenses or leases expire, there is generally no obligation for the owner to renew the lease or license. Even if expropriation is then considered, the costs to the municipality to do so can be prohibitive; and/or,

- An easement is another mechanism that can be used to secure parkland in some circumstances, in particular if the parkland in question is a trail or path. An easement can be created in perpetuity but is limited to the uses described in the easement. In this context the terms of the easement would have to be worded in a careful and flexible manner to ensure that the fee simple owner could not object to increased or changing use of the parkland over time.

Can POPS be eligible for a parkland dedication credit?

Until recently, POPS had been typically secured through Section 37 bonusing agreements (pre Bill 197), or informally by agreement between the municipality and the developer. In addition to Oakville, only Kitchener and Guelph have provided parkland dedication credit for the development of a POPS, however no one municipality has a standard policy to credit POPS. Richmond Hill noted that, although they have not provided dedication credits for POPS to-date, some credit may be appropriate. Kitchener noted that fiscal transparency with parkland funds is important, and that they would prefer to pursue a normal parkland dedication and then pay the developer to construct a POPS or for a lease/easement for public access through cash-in-lieu funds.

If some form of POPS is the site-specific parkland preference, Section 42 of the *Planning Act* would allow the conveyance of the lease, easement or license that creates the POPS to be conveyed as "payment in lieu" of the conveyance of fee simple land. The appropriate value of the POPS (likely considerably less than the fee simple value of the same amount of land) would have to be determined at that time. It appears that only a small number of municipalities in Southern Ontario provide parkland credits for POPS and often purchase or acquire public access to the space through Section 37 (pre Bill 197). In the case of Kitchener, they would consider using cash-in-lieu of parkland to then pay the developer for the lease/license of the POPS as opposed to accepting it directly as the payment- in-lieu in order to maintain fiscal transparency.

It is important to note that recent changes to the *Planning Act* have changed the Section 37 provisions to a Community Benefit Charge. POPS are specifically identified as being something that may be included in a municipal Community Benefit By-law.

4.0 Key Considerations for Privately Owned Public Spaces and Strata Parks

Quality of Engineering and Construction

Poor engineering and/or poor quality construction affect all aspects of a park's function and lifecycle, and they are both fundamental considerations in this discussion. For the most part, the lifecycle terms that are discussed in this report will be dramatically reduced where engineering and construction is of a sub-standard quality. There are best practices and higher quality materials available to ensure maximum longevity. The key is to find or develop appropriate municipal standards from an engineering, design, construction and installation perspective, and require the use of high quality materials.

Waterproofing Membrane

Good quality membranes now claim a 30 to 40 year lifecycle. Experience has shown that membranes used in the past last approximately 20 years. The quality of the installation of the membrane, the quality of the membrane itself, the design of the park space, the maintenance protocols and the characteristics of the underlying infrastructure will all have an impact on how long a membrane will and should last. In a general sense, it is expected that a modern urban park built over structures/infrastructure will last as long as the membrane beneath it – about 30 years. At which point maintenance on specific sections of the membrane or complete replacement of the membrane will be required.

Cost of Park Development

A typical suburban park space, with landscape planting, trees, grass, sports fields and play structures can cost up to $95.00/per square metre, with an average cost of about $55.00/ square metre. In comparison, a typical urban park, although usually much smaller, that includes hard surfaces, trees, landscape plantings and seating can cost up to $1,500.00/square metre, with an average of approximately $545.00/square metre.

Urban parks built over structures/infrastructure tend to be very cost comparative to a typical urban park. The key additional cost element for an urban park built in a strata scenario is the cost of the roof structure and required membrane, not necessarily the park itself. It is important to note that the costs for both suburban parks and urban parks vary widely due to the design details of the park.

Maintenance Protocols

Park maintenance protocols that utilize salt, or other corrosive chemicals will affect (shorten) the lifecycle of the waterproofing membrane. Further, and in a general sense, urban park spaces require a much more robust maintenance protocol than a typical suburban park space, regardless of whether or not it is built over top of a structure/infrastructure.

Suburban parks need to be maintained between once or twice a week, depending on the level of use. Busy urban parks need to be maintained every day, and sometimes more than once per day, depending upon use. With respect to ongoing maintenance, there is a substantial difference between a typical suburban park and a typical urban park. The difference between a typical urban park and an urban park built over a structure/ infrastructure is not significant, and varies depending

upon the level of park use, although care must be taken to ensure the lifecycle of the membrane.

Non-legal and site-specific considerations will usually dictate which of the above alternatives is the best approach in any particular circumstance. Considerations may include: the City's desire to acquire parkland onsite or offsite, the City's interest in acquiring payment in- lieu or parkland, whether the City desires full ownership of the parkland versus private ownership, maintenance considerations, the size of the parkland or public space, or the desired programming, among others. These scenarios are described in Figures 1 and 2.

	Length of Time	Flexibility of Permitted Uses	Park Use Subject to Interruption	Termination	Costs
Non-stratified Fee- Simple Park (typical City Park)	Indefinite	No limitation	None (unless land is subject to easements by adjacent land owners)	N/A	City owned, maintenance of park only
Strata Park	Indefinite	No Limitation	Yes (land is subject to easements and Reciprocal agreement that may interfere with park use)	N/A	City owned, maintenance of park only
POPS - Lease	Time limited – typically less than 99 years.	Only uses specified in lease	Specified in lease (sometimes none, sometimes significant)	At end of term or upon occurrence of certain events as specified in lease	Lease payments, typically maintained by owner
POPS-License	Time limited – typically less than 99 years.	Only uses specified in license	Yes (at will of owner, or subject to terms of the license)	May be terminated at any time	License fees, typically maintained by land owner
POPS-Easement	Time limited or indefinite	Only uses specified in easement	Yes (as set out in Easement)	Possibly trigger event or time specified in easement, if any	Public access secured through easement, maintained by land owner, or as specified in the easement

Figure 1: Comparison of Various Alternatives to Secure Parkland

	Size of Park Area (or equivalent Payment in Lieu)	Maintenance of Park	Future Increase in Value of the Land
Fee Simple Parkland Conveyance	500 m2 (5% of the development land, "heaven to centre of the earth")	All City parks budget, to the extent new and ongoing capital and operating funds are available.	Belongs entirely to the City, (however the *Planning Act* prevents the City from using the dedicated Parkland for any other purpose).
Above-grade Strata Parkland Conveyance Example 1	750 m2 (greater than 5% if the development land, above grade only, because the value of the above-grade only does not fully satisfy the 5% parkland dedication requirement)	All City parks budget, to the extent new and ongoing capital and operating funds are available.	Above-grade parcel belongs to City, below-grade to other owner. However, market value depressed because practical usefulness of strata title is less than "heaven to centre of the earth" ownership.
Above-grade Strata Parkland Conveyance Example 2	500 m2 (5% of the surface area, but not in full satisfaction of the parkland requirement because it does not include below grade. Additional payment provided by developer to make up the difference.)	All City parks budget, to the extent new and ongoing capital and operating funds are available.	Above-grade parcel belongs to City, below-grade to other owner. However, market value depressed because practical usefulness of strata title is less than "heaven to centre of the earth" ownership.
POPS Lease or License	1000 m2 (much greater than 5% of the development land because the value of a lease or license is much less than the fee simple value of the same area of land)	High end improvements installed and maintained by the owner entirely to specified City standards and at the owner's sole expense.	Belongs entirely to private owner.

Figure 2: Comparison of Examples for Parkland Dedication Tools

Overall, the following conclusions are drawn:

- A strata parkland conveyance can be the best alternative to fee simple parkland for both the developer and the City when the City insists on owning that parkland, but the developer also needs the space to provide parking and can do so below-grade.

- Easements are often appropriate when the proposed parkland area is for a specific purpose that is suitable for an easement, such as a pathway that connects two public spaces where the intended use is primarily pedestrian ingress and egress, and the area will still be considered to be and maintained as if it is part of the park.

- Licenses and leases can be the most appropriate if, for example, the proposed park includes special decorative elements, such as paving or a fountain, and the City wishes to ensure that the full obligation and costs to maintain those elements are with the developer, rather than the City who may not prefer to take on the additional cost or responsibility for maintenance.

- The value of POPS can qualify as "payment in lieu" of fee simple parkland conveyance, as set out in Section 42 of the *Planning Act*. The value of these tools would be assessed on a case by case basis, but would normally be a fraction of the fee simple value of the same area of land. A value of any obligations of the developer for ongoing maintenance to specified standards would also be quantified, if applicable.

5.0 Conclusions

The ultimate decision regarding which tools to include in a parkland acquisition toolbox lies with the City, however the contemporary urban realities facing most of the GGH (Growth Plan targets driving intensification, increased land values, reduced land supply in areas of intensification) will continue to progress in Oakville and ought to consider all available tools in order to ensure that the park system continues to flourish and serve the City's existing and future residents. Future development in the City will require new approaches to providing a diverse and flexible parks system to accommodate the new densities of urban dwellers.

Part of this equation is the consideration of the value of attaining parkland in dense areas versus the cost of purchasing other land near to densifying areas that require parkland. Strata parks and POPS are two potential options to address this, and they carry additional benefits as well as risks and costs to the City. These two parks securement tools should be considered as alternatives to acquiring fee simple table land parks, not as a new baseline. Strata parks and POPS will provide a different type of urban park, and contribute to a varied urban park system. In contrast, and as discussed throughout this memorandum, there are a number of other considerations regarding strata parks and POPS, including:

- Strata parks require sound legal agreements that delineate ownership between to the two vertical parcels of land. These agreements need to balance the risks of City ownership of the park above private infrastructure and recognize that the park will require public investment to maintain. The City must also be prepared to enforce the contract should the eventual condo corporation be unwilling or unable to conduct repairs and maintenance on their infrastructure without ensuring the park is unaffected or compensating the City for disturbances and loss of service due to their infrastructure failures. Strata parkland is inherently encumbered, thus an appropriate parkland conveyance credit that is less than 100% is required to be established. This extends to both strata parks located above private infrastructure (e.g., parking garage), and layered infrastructure that is assumed by the City as a utility (e.g., park above an underground storm water management facility). A fixed number for every scenario of a strata park may not be most appropriate, as the City may want flexibility to negotiate these agreements based on the value of the public space that is proposed and the balance of other City initiatives.

- The adoption of design standards for strata parks and POPS would provide the City with minimum enforceable requirements for these park types ensuring high quality product, materials and construction that will serve to extend the life of the park and the waterproofing liner by reducing the opportunity for failures.

- Strata parks ensure that the City is in full ownership of the park in perpetuity. This enables the City to design and program the park, however on-going maintenance and long-term large- scale maintenance are both the responsibility of the City. Strata parks often require a more sophisticated maintenance program than typical terra ferma parks and require higher frequency and types of maintenance. The park will also require substantial replanting and reconstruction once the waterproofing layer requires replacement (every 30 years or so). A large scale reconstruction will require the loss of service for approximately a season, however if the park is available for 30 years, then this trade off may seem reasonable.

- POPS and strata will sometimes be located adjacent to private residential condos and in the long term, there is concern that the residents may consider the public park a nuisance. In this regard, the legal agreement may be required to be enforced to either ensure the park remains publicly accessible (or within public ownership in the case of strata) or that the owner be required to compensate the City for the loss of the park (potentially through repayment of the parkland conveyance credit or other credit type provided by the City to the original developer).

- A POPS removes public ownership from the equation, which is beneficial to the City as they do not have to assume legal risks or financial obligations of on-going and long-term maintenance of the park. The trade-off is that the park is not truly public. It is publicly accessible and the terms of public access will be established in the contract, however there is a limit to the power the City will have regarding design, maintenance standards, programming, long-term public access, and public expression within the park.

- In order to ensure that the use of these alternative parkland acquisition tools is fair, consistent and appropriately contribute to the overall system, a number of considerations must be taken into account moving forward, including:

    - Determination of which parkland acquisition tool is appropriate for specific scenarios;

    - Assessment of risks and determination of mechanisms to mitigate risks;

    - Responsibility for the cost and quality of initial engineering, park design and construction;

    - Responsibility to ensure that the City has the necessary expertise to establish appropriate design and development standards and inspection requirements;

    - Responsibility for ongoing maintenance of the park itself, to an appropriate urban standard, with a particular concern where the park is connected with a residential condominium;

    - Ensuring ongoing and unencumbered public access to the space, particularly where the park is connected to a residential condominium;

    - Recognition that the park space will need to be replaced about every 30 years;

    - Determination if/when urban strata parkland and POPS will count toward parkland dedication requirements, and whether the value of the parkland is pro-rated versus a typical urban park space; and,

    - Ensuring that a legal framework and reciprocal agreements and liabilities are in place that satisfy all party's needs.