

Information Report

Title: Draft Parks By-law

Report Number: Parks & Facilities-2025-26

Director: Community Services

Manager: Legislative Services

Meeting Date:

Wednesday, May 28, 2025

Executive Summary:

Staff are presenting a Draft Parks By-law for Council's review. The proposed by-law establishes clear user guidelines and aligns with best practices across Ontario municipalities. Key themes arising from the Draft Parks By-law include permitted activities, hours of operation, and enforcement mechanisms. Council feedback is sought prior to finalization.

Context and Background Information:

Overview

Municipality of Kincardine parks attract diverse users and should accommodate activities ranging from passive enjoyment to organized events while ensuring public safety and sustainability. The Draft Parks By-law is designed to promote public safety, preserve municipal property and ensure that parks remain accessible and enjoyable for all residents and visitors.

The Draft Parks By-law establishes a comprehensive framework for the management, regulation, and use of municipal parks and recreational areas. Enacted under the authority of Municipal Act, the by-law outlines the responsibilities of the Director of Community Services, defines key terms such as "park," "permit," and "special event," and clarifies the scope of the by-law's application, including exemptions for municipal and emergency services.

The by-law also sets clear rules regarding parks operations, including hours of access, prohibited activities, and the need for permits for certain uses such as special events, commercial activities, and organized sports. It prohibits behaviours that could damage park property or disrupt enjoyment such as camping, littering, use of drones, and consumption of alcohol. Specific regulations are also provided for the use of sports fields, vehicles, watercraft, and barbecues, with designated areas and seasonal restrictions enforced by the Municipality. The Director is empowered to post signage, close parks when necessary, and issue permits with conditions tailored to each activity.

Enforcement mechanisms are robust, grant By-law Enforcement Officers the authority to issue fines, and order compliance. Non-compliance can result in penalties, removal of unauthorized property, and recovery of municipal costs through legal or tax means. The by-law also includes provisions for remedial action, legal enforceability, and conflict resolution with other municipal regulations.

Overall, the Draft Parks By-law reflects the Municipality's commitment to maintaining safe, clean, and welcoming public spaces through clear governance and community accountability.

Council Feedback

The Draft Parks By-law is presented in draft form to allow Council ample opportunity for thorough review and to seek clarification or additional information as required. The intention of this draft phase is to facilitate considered feedback, address any Council or community concerns, and ensure that all elements of the By-law align with Council's goals and Municipal values prior to finalization.

No decisions or approvals are sought at this stage. Council members are encouraged to examine the contents in detail and provide comments or requests for revision ahead of formal adoption at a future meeting.

Community Feedback

While the Draft Parks By-law reflects current operational practices, staff will still conduct public engagement to gather community input. Staff will also present to the Accessibility Advisory Committee and Heritage Kincardine for feedback.

Staff anticipate bringing back the report for Council's approval in Q3.

Consultation Overview:

Community Services staff have worked with Corporate Services, Emergency Services as well as Municipal Support Services in the development of this By-law. Staff will also share this with the Accessibility Advisory Committee and Heritage Kincardine for feedback prior to final approval.

The Draft Parks By-law is informed by:

- Provincial standards/trends and comparator municipal by-laws;
- Accessibility for Ontarians with Disabilities Act (AODA) compliance;
- Increased demand for multi-use spaces, including trails, waterfront, playgrounds and event venues;
- Growing community expectations regarding stewardship and inclusivity;
- Existing Municipal By-law including the Public Nuisance By-law.

Origin:

Parks and Recreation Strategic Plan 2024

Attachments: DRAFT Parks By-law

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