



**Municipality of Brighton
PARKS
DEVELOPMENT
MANUAL - 2022**

Contents

INTRODUCTION 4

PURPOSE..... 4

FORMAT 4

 Official Plan Policy Amendments 6

SECTION THREE – Park Design Principles..... 14

 Sustainable Design..... 14

 Public Safety by Design (CPTED)..... 14

 Accessibility 14

 Age-Friendly 15

 Open Space Linkages 16

 Trail Connectivity..... 16

 Park/School Campus Development 16

 Shared Facilities..... 17

 Storm Water Management Ponds..... 17

 Storm Water and Overland Flow Facilities 18

 Ponds and Passive Recreation..... 18

 Ponds as Natural Systems 18

 Urban Area Pond Aesthetics..... 19

 Landscape Maintenance 19

 Entrance Features..... 19

SECTION FOUR - Tree Preservation Plan 21

 Compensation for Tree Removal and Loss 21

 Conveyance of Woodlots, Maintenance and Acceptance..... 22

SECTION FIVE - Parkland Dedication Standards..... 24

 I. Residential 24

 II. Slope 24

 III. Synergy 24

 IV. Eligibility 24

 V. Industrial/Commercial Development 24

 VI. Limitations 24

 VII. Cash-In-Lieu 24

 VIII. Undevelopable Lands..... 25

 IX. Shape and Size 25

 X. Consolidation..... 25

XI.	Timing of Conveyance	25
XII.	Acquisition Beyond Dedication	25
XIII.	Pre-Development Condition	26
XIV.	Soil Stripping and Grading.....	26
XV.	Grading Plan.....	26
XVI.	Coordination of Services	27
XVII.	Park Fencing.....	27
XVIII.	Securities.....	28
XIX.	Parks Construction by Developer.....	28
XX.	Park Construction Timing	28
XXI.	Concept Plan and Facility Fit	29
XXII.	Sales Representation.....	29
XXIII.	Construction Drawings	30
XXIV.	Format.....	32

INTRODUCTION

The Municipality of Brighton is experiencing growth, which brings with it both opportunities and challenges when providing adequate service levels within the community. Balancing expectations and ensuring both new and existing residents' needs are met, where feasible, will continue to be a challenge for the Municipality well into the future.

Historically, a slower and more balanced approach to growth allowed the Municipality to realize parkland acquisition using the various planning policy tools of the day. The resulting park and open space distribution has provided the municipality with a large central park (King Edward) that supports a variety of indoor and outdoor amenities, and several smaller parcels distributed in the older areas within the Brighton urban area. The Municipality also has a large park in the rural area of Codrington which also houses a Community Centre.

During recent sub-division development phasing, staff recognized that they did not have the necessary framework to deal effectively with parkland allocations and other green infrastructure requirements to plan for complete and inter-connected neighborhoods. Consequently, the Municipality now faces the combined challenge to improve some older parks, trails and open space properties while ensuring that new neighborhoods are appropriately served.

In March 2022, the Municipality of Brighton issued a Request for Proposal from qualified consultant firms to provide an update to the Municipalities Parks and Recreation Master Plan, as well as a Parks Development Manual (PDM).

PURPOSE

The purpose of this Parks Development Manual is to serve as a resource and guide to the development community who choose to develop within the Municipality of Brighton. It lays out the Municipality's expectation regarding parkland dedication and conditions for cash-in-lieu of parkland. For new proposed plans of sub-divisions, it establishes fundamental park design principles, tree preservation plan expectations, and specific municipal standards for the development of its new parks. These new standards reflect contemporary park development standards and will ensure a consistent approach to the provision of new parkland to meet new resident needs and expectations.

FORMAT

- **Official Plan Policy Amendments**
- **Parkland Classifications**
- **Park Design Principles**
- **Tree Preservation Plan**
- **Parkland Dedication & Parkland Standards**

OFFICIAL PLAN POLICY AMENDMENTS

Official Plan Policy Amendments

Pursuant to recommendations contained in the 2022 Parks and Recreation Master Plan, the Municipality will amend its current Official Plan as follows:

RECOMMENDATION – Official Plan Amendment #1

3.8.2 - Park Land Conveyances¹

*Council may by By-law, require as a condition of development or redevelopment the conveyance of land from the developer to the Municipality, in accordance with the provisions of Section 42 and 51.1 of the Planning Act. The amount of land to be conveyed **shall be 2%** of the lands proposed for commercial and industrial development, or 5% of the lands for any other proposed uses. The conveyed **developable** lands are intended to be used for park or other public recreational purposes. Lands that are environmentally sensitive areas or are **otherwise undevelopable** are **NOT** acceptable as parkland dedication.*

*Where the division of land is proposed, the Municipality shall request the approval authority establish a condition on the granting of a provisional consent or the approval of a draft plan of subdivision that the owner conveys land for park purposes to the Municipality. The amount of land to be conveyed **shall be 2%** of the lands proposed for commercial and industrial development or 5% of the lands for any other proposed uses. The conveyed lands are intended to be used for park or other public recreational purposes. Lands that are environmentally sensitive areas, **buffer lands, hazard lands, storm water management facilities, and open space lands** are **NOT** acceptable as parkland dedication.*

All lands conveyed for parks purposes shall be approved by the Municipality. Where a water body adjoins such lands, adequate space shall be provided for maintenance of the park and its operation.

While *environmentally sensitive areas, buffer lands, hazard lands, storm water management facilities, and open space lands* will not be accepted as part of the mandatory 5% land dedication for parks; the Municipality should encourage new development to locate park blocks adjacent to such areas to optimize the overall park experience for residents.

RECOMMENDATION – Official Plan Amendment #2

3.8.2.2 - Park Land Standards

The Municipality should introduce a new section and associated content that references the Municipality's Parks Development Manual and related sections of the Manual including the requirement of a Tree Preservation Plan, as an amendment to their Official Plan.

¹ (Official Plan – 3.8.2- Page 63)

RECOMMENDATION – Official Plan Amendment #3

3.8.1 - Municipal Parks and Recreation Facilities²

*All municipal parks and recreation facilities in the Municipality shall be developed in accordance with a parks plan and the policies contained in this Plan. An Official Plan amendment shall not be required to recognize changes to municipal parks and recreation facilities which are introduced in the **prevailing Parks and Recreation Master Plan**. The plan serves to guide future planning for indoor and outdoor recreation facilities and programs, and the development and management of parks, trails, and other green space that is owned or managed by the Municipality.*

² (Official Plan – 3.8.1 - Page 62)

Parkland Classifications

SECTION TWO - Parkland Classifications

The Municipality of Brighton has established the following classifications of parks in keeping with existing and contemporary standards of parkland provision among municipalities. It includes the purpose, function, and associated size range for each park type. In addition, it offers potential facility amenities that could be in respective parks as well as key characteristics that each park should reflect.

Park Type	Size	Facility Considerations	Other Characteristics
<p>Community Park</p> <p>Community Parks are intended to serve a greater community or series of neighborhoods.</p>	<p>6 – 12 Hectares.</p>	<p>Adequate size to facilitate efficient complexes of at least 2 athletic facilities.</p> <p>May contain illuminated major sports fields, field houses, indoor recreation facilities and parking.</p> <p>Where possible include clearly defined entrances to the local trail system integrating trail head locations into the designs of the park.</p> <p>May also serve as neighbourhood parks for the adjoining neighbourhood(s) and offer facilities such as playgrounds and multi-use courts.</p>	<p>To be provided at a rate of 1.2 hectares per 1000 population.</p> <p>To be situated with appropriate geographic distribution to other Community Parks.</p> <p>To have frontage on an arterial road with minimum 100 metres of continuous frontage.</p> <p>Shall generally be integrated with one secondary school or up to 2 elementary school where possible.</p> <p>Where possible will be integrated with natural features and will assist in the conservation and protection of those features through the design of park program and landscape.</p>

Park Type	Size	Facility Considerations	Other Characteristics
<p>Neighbourhood Park</p> <p>Neighbourhood Parks are intended to serve the local neighborhood with walk-to playground facilities.</p>	<p>1 – 4 Hectares</p>	<p>Optimum size 2.0 hectares for provision of 1 unlighted athletic facility will be encouraged</p> <p>Include a clearly defined destination for resident/pedestrian trail linkages to and through the park.</p> <p>Accessible Playground – Junior and Senior Playground facility.</p> <p>Sport court / multi-use court with potential use for outdoor rink in winter.</p> <p>Pavilion or other shade structures where natural shade from mature trees is provided.</p> <p>Community garden.</p>	<p>To be provided at the rate of 1.0 hectare per 1000 population.</p> <p>To be located within an 800-metre walking distance for the majority of residents within the local neighborhood, without crossing any arterial roads or natural barriers.</p> <p>To be located centrally within the neighborhood they are intended to serve.</p> <p>Shall not normally be less than 1.0 hectare in size except where smaller parks and local greens are Municipally approved within a development.</p> <p>To have frontage on a local or collector road, minimum 60 metres continuous frontage.</p> <p>Will generally be integrated, where deemed appropriate, with one elementary school, except local greens or smaller parks as may be approved in the community design of a plan area, and where possible with natural features to assist in the conservation and protection of those features through the design of park program and landscape.</p>

Park Type	Size	Facility Considerations	Other Characteristics
<p>Parkettes & Village Greens</p> <p>Small parks and parkettes that were part of historical development.</p> <p>Village Greens such as memorial parks/greens, dog parks, and green areas associated with marinas</p>	<p>.13 to 1.5 Hectares</p>	<p>Insufficient space to accommodate playfields.</p> <p>Accessible playgrounds.</p> <p>Memorial gardens</p> <p>Performance Bandshell & washrooms facilities.</p> <p>Site furnishings associated with passive use and reflection.</p>	<p>The municipality has a sufficient supply of smaller parkettes and theme-based parks which offer passive recreation experiences.</p> <p>New small parks shall be deemed undesirable in future developments.</p> <p>The municipality is deficient in neighbourhood parks and will encourage the development of neighborhood parks as defined above.</p>

PARK DESIGN PRINCIPLES

SECTION THREE – Park Design Principles

The purpose of this section is to outline the current contemporary park design principles that shall be incorporated as fundamental design principles in determining the location and design of parks in Brighton. The Municipality recognizes that such design principles may evolve over time and new design principles may be introduced. As such, these design principles may be revised and/or expanded over time.

Sustainable Design

The Municipality of Brighton encourages the inclusion of sustainable and “green” design strategies wherever possible. Park designs are to have regard for contemporary approaches to sustainable design wherever possible. Designs shall promote the use of native plant materials; the reduction of maintenance loads and machine use; the conservation of storm water and its quality treatment in on site devices such as bio-swales and infiltration galleries; the re-use of potable water through grey-water and other water re-use systems; the use of durable recycled products for site furniture and park features; and the use of locally produced products for energy conservation and support of the local economy.

Public Safety by Design (CPTED)

Design of park features, and recreational facilities shall conform to local, provincial, and national regulations and recommendations for the health and safety of park users and those who maintain park systems. Contemporary standards for playground safety as well as current accepted standards for setbacks and run-out areas for active sports facilities are to be applied to the design of parks. Park design shall have regard for the inclusion of the recognized approaches and principles of Crime Prevention Through Environmental Design (CPTED).

Accessibility

It is the vision of the Municipality to provide barrier free access in all municipal parks and facilities wherever it is practicable and wherever possible to design parks for the universal use and appreciation of all residents. Pursuant to Part IV.1 of the Integrated Accessibility Standards Regulation, Ontario Regulation 191/11, Park design will address barrier free access by eliminating or providing alternatives to stairs, curbs, and other obstructions. Such alternatives shall be in conjunction with the primary circulation route wherever possible rather than separated by significant distances. The experience of the park is to be similar for all users regardless of ability. Park design will also consider the inclusion of features, activities, and facilities to engage the full range of users. Considerations of sensory gardens and other similar integrated design elements are encouraged to provide a complete and inclusive park experience for all potential visitors.

- All park facilities including athletic fields will be accessible.

- Playground structures in neighborhood parks will be wheelchair accessible and should present opportunities for universal play in their ground accessible elements. Full accessibility is encouraged for these facilities if it can be accomplished within the budgetary constraints of the individual project.
- True universality of play areas is intended for the higher classifications of Community Parks. These parks may offer associations with a Community Centre or other public building offering support for special needs requirements and may be sites for organized, inclusive, programming.
- Pavements within parks are to be barrier free. Trails are to utilize barrier free pavement surfaces to the extent possible for the type/class of trail being constructed.
- Maximum slope for ramps and walkways will conform to the Ontario Building Code and the Municipality's Accessibility Standards.

Parks and Recreation Ontario has developed a guideline for interpreting Part IV.1 of the Integrated Accessibility Standards Regulation, Ontario Regulation 191/11.

[Pathways to Recreation: Learning about Ontario's Accessibility Standard for the Design of Public Spaces \(prontario.org\)](https://www.prontario.org/pathways-to-recreation-learning-about-ontario-s-accessibility-standard-for-the-design-of-public-spaces)

Age-Friendly

There is an ever-increasing body of knowledge with regard to age-friendly design in municipal parks influenced by increasing number of older adults who remain active and/or taking an active role with recreation activities with grand-children. The Municipality of Brighton mean age according to 2016 .Census data is 48.2 years of age which is higher than the provincial average. The Municipalities largest age cohort are residents between 65 – 69 years of age.

Play Power Canada offers the following general considerations regarding age friendly park experiences.

■ **Appreciate that seniors are a very diverse group:** *When designing a space, make sure you appeal to all seniors by providing choices for everyone. This strategy may mean adding exercise circuits as well as quiet benches under shade.*

■ **Consider age-related mobility concerns:** *Walkways should be wide, smooth and even, with no spaces where canes or wheelchairs can get stuck. Try to keep grades at no more than two percent, and make sure there are [plenty of benches](#) along the walking areas so that people can stop to rest when they need to.*

■ **Make the space feel safe:** *Seniors want to take part in their community and have a place to socialize, but in some cases, they may feel unsafe as their communities change. Create a welcoming and safe space by cleaning, [offering litter receptacles](#) and keeping areas well-lit. Promote good visibility with few or no isolated spots. Use plants or fences to buffer the noise and distraction of streets.*

■ **Offer lots of choices:** *Having [fitness circuits](#), walking paths, benches, chess tables, [areas for picnics](#) and other activity ideas helps seniors with different needs enjoy your outdoor space equally.*

Keep in mind, too, that seniors may come to a park with grandchildren or younger family members. Make sure your space is inclusive and allows different generations to come together.

[Designing a Senior Park | Tips & Design Considerations \(playpowercanada.ca\)](#)

Open Space Linkages

Parkland, as described above in all three categories is primarily intended to ensure sufficient tableland park for active recreational pursuits. Hand in hand with this dedication of parkland, are the goals of environmental stewardship and conservation. Dedicated parkland is to provide valuable physical and visual linkages to the open spaces of the community-wide natural heritage systems. Parkland shall be linked directly with open space (including storm water management facilities) and preserved environmental areas wherever appropriate, and the design of such parkland is to be environmentally responsible and is to reflect the context of the surrounding natural landscape.

Trail Connectivity

A clear distinction is to be made between what is preserved natural tableland by policy; and the legislated and regulated areas of lowland open space and other hazard lands intended for conservation and protection purposes. In addition to connectivity of parkland, it is the objective of the Municipality to provide walkway linkages and trail systems for pedestrian and bicycle use connecting parkland with valley-lands and other open space greenways wherever practicable and compatible with environmental conditions. Trail linkages may also extend to the street system for access and continuity of the trail system as an active transportation system were deemed appropriate by the Municipality.

Park/School Campus Development

Where deemed advantageous and appropriate in community planning, the Municipality will endeavor to site parks and schools together in a campus layout for the benefit of continuity of public land uses, efficiency in layout of structured recreational facilities, and for the purposes of integrating or sharing facilities wherever practicable. The Municipality will consider the size of applicable parkland in the potential relationship with adjoining school facilities. In accordance with the recommendations in the prevailing Parks and Recreation Master Plan, Neighborhood Parks larger than 2 hectares may generally be located adjacent to one elementary school, and Community Parks greater than 5 hectares may be located adjacent to one secondary school or a maximum of two elementary schools. Smaller Neighborhood Parks will not be considered for a campus with adjacent schools as they are intended for local, low intensity use and will be of insufficient size and function to withstand the impacts of over-use typically generated by school populations.

The Municipality of Brighton promotes the efficient utilization of publicly controlled parks and open spaces. In recognition of the efficiencies of joint use and campus design, the municipality encourages avoiding the installation of boundary fencing or other physical barriers at park/school boundaries; except trees and/or other naturally occurring features. Design of such campuses through site plan

control and park design shall be developed to avoid unnecessary duplication of drainage and grading features between adjoining sites, creating an integration of design for structured recreational facilities and site features and amenities. In such planned campuses, consideration shall be given to allow the park to be developed independently should the applicable school board decide not to develop a school at its option. Such parks may be reconsidered by the municipality as to their role and function within the community area upon clear notice that a school shall not be developed. Planning for parks is to anticipate this eventuality and the disposition of school sites within a plan of subdivision may include options for full or partial acquisition by the Municipality contingent upon conditions and terms of the subdivision agreement.

Shared Facilities

To further the objectives for efficient utilization of publicly controlled land and open spaces, the Municipality of Brighton encourages its agency partners to consider joint use of public lands and assets as illustrated within and adjacent to King Edward Park and the Northumberland County Secondary School. Where deemed to be in the best interest of the parties, the Municipality and School Boards may choose to share facilities across a common boundary within a park/school campus to provide operational and program advantages to each agency. In such instances, the Municipality and applicable Board may establish a mutual agreement for the purposes of negotiating the costs of capital development and future maintenance of such shared facilities. Such agreements shall ensure clarity for the parties regarding land dedication and capital investments as they may pertain to Development Charge funding and park development (as attributable to service level calculations of future Development Charge By-laws). The Municipality will encourage joint use of park/school facilities where there is no obvious interference with normal site function for either party.

Joint use is considered as an advantage to the community as a whole, increasing useable green space for residents while limiting the need for repetitive facilities, particularly in paved areas for parking and recreational play-court facilities. In principle, no permit cost will be charged between the parties for shared facility usage except if the costs of grounds maintenance and repair are unduly affected for one of the agencies. Such mutual agreements shall consider insurances and liabilities and the maintenance implications of the campus. It is suggested that such agreements be reviewed and modified from time to time as may be required to ensure fairness for the parties and the reasonable management of operating costs.

Storm Water Management Ponds

Storm water management facilities required for new developments shall not be acceptable as parkland dedication under the Planning Act and Official Plan. As such, storm water ponds or extended detention facilities shall not be located within the boundaries of lands conveyed as tableland parks, and must clearly delineated from an adjacent park block. Storm water facilities are considered as hazard lands and shall occur on lands intended specifically for such purposes. Engineering requirements of the Municipality and Conservation Authority shall define the land requirements and location for such facilities. Ponds are commonly located near other hazard lands and as such may

form part of a continuous open space system adjoining park facilities. In such instances, care shall be taken in the design and sizing of pond blocks to assure that any required grade transition areas do not offer undue risk to park users. Signage of storm water management facilities shall be undertaken by the developer, including function of the facility and restrictions for public use (no skating, swimming).

Storm Water and Overland Flow Facilities

If no other storm water management alternatives are available, and at the developer's expense, storm water controls such as overland flow routes may be accommodated within parks with the approval of the Municipality. Such requirements will be accommodated where they will not compromise the full use of the park program as planned by the Municipality and offer no risks to park users in the routine use of the park and its facilities. All recreational facilities must be uninterrupted and above top-of-bank and/or the 100 year storm event. If overland flow routes cannot be accommodated without compromising the use of the park, the developer will be required to red line the plan of subdivision to consolidate additional lands with the park to satisfy both requirements. Should there be no other engineering design solutions; and underground sewer systems or other utilities be required to pass through the vicinity of the parkland, alignments will be reviewed and approved by the Municipality for conformity with the park design program. Where red-line adjustment to the plan of subdivision proves unworkable, such lands encumbered by the presence of the utility or easement shall be deducted from the calculation of dedicated parkland and compensation provided to the municipality based upon the market value of serviced land.

Ponds and Passive Recreation

The municipality encourages the use of storm water ponds for additional purposes of continuity of green space and to potentially provide pedestrian linkages to adjoining open space systems, provided such use can be accommodated with appropriate public safety. Storm water management facilities are viewed as open space assets to the community and are to be designed as an integral part of the public land system of open spaces. Their design will consider opportunity for passive recreational uses such as pedestrian trails or linkages to larger trail networks within the open space system and shall also provide opportunities for interpretation and public education regarding the purposes and roles of storm water facilities. (subject to clear signage indicating restricted usage).

Ponds as Natural Systems

Ponds are to be designed as naturalistic landscapes utilizing native plant materials and planting designs that emulate the natural environment of local plant communities. Where ponds are a continuation of adjacent natural landscapes they shall be designed to extend any readily apparent natural system of forest or meadow community. Where the edges of an existing habitat are dominated with invasive or exotic species of plant the development of the pond shall ensure the removal of such species and the replacement of foreign vegetation communities with native planting design for the purpose of rehabilitation of the land.

Urban Area Pond Aesthetics

When storm water ponds are situated within an urban area of high visibility within the streetscape, their design will provide a complementary design with high quality of aesthetics and present a visual benefit to the community. The shared boundary of the pond and street shall feature a continuous maintenance strip of sod at least 2.4 metres in width and safe and manageable grading with slopes with a steepness of 5:1 or less. Designs of this type of pond shall still be dominated by native selections of plants and will provide the opportunity for the integration of streetscape features, community theme elements and trail connections where appropriate.

Landscape Maintenance

All pond designs are to be developed with an emphasis on sustainable design utilizing locally available and recycled materials wherever possible. In general terms ponds are intended to appear to be natural landscapes and are to be designed to minimize maintenance requirements for the municipality. The hierarchy of maintenance is to be clearly understood by the public and designs are to provide a clear maintainable interface (mowing strip) with any adjoining fence-lines of residential properties. While the passive use of the land surrounding the ponds is considered a public resource, recreational use of the ponds themselves will be discouraged for public safety reasons. Municipal standard restrictive warning signage will be supplied by the developer and posted for warning purposes upon the initial excavation of the pond and prior to occupancies for the subdivision or site plan development.

Entrance Features

Should the Developer want to erect entrance features or ornamental street furnishings (i.e., fencing), there should be a contribution made to the Municipality to ensure perpetual maintenance costs are covered after assumption of the plan of subdivision. (Maintenance of neighborhood entry signs, gardens, manicured features etc.)

TREE PRESERVATION PLAN

SECTION FOUR - Tree Preservation Plan

Owners of lands subject to development shall be required to submit a Tree Preservation Plan and Arborist's Report for tableland forest units or individual trees within or adjoining the lands, to the approval of the Municipality. Tree Preservation Plans and Arborist's reports shall clearly indicate the specific measures and practices required from the owner and its agents for the effective preservation of trees and forest units identified for practical preservation in the post development scenario.

Tree Preservation Plans are to be produced in a timely way in step with engineering design for the lands in order that engineering for the lands not unduly prejudice the ability to effectively preserve trees and woodland units of significant value to the community. Tree Preservation Plans shall be produced in accordance with applicable Municipal policy documents and the requirements and conditions of the Draft Plan of Subdivision or Site Plan Approval processes and any applicable policies of the County and Conservation Authority. Pre-servicing or construction activity within a development plan may proceed only with approved Tree Preservation Plans in place and shall be conducted with regard to and in conformity with the approved Tree Preservation Plans.

Draft Approved Plans of Subdivision may contain tree preservation in conjunction with a Park Block or Open Space. Prior to the start of any type of construction activity for the development of the lands, tree preservation measures as described by the approved Tree Preservation Plan shall be installed and inspected and approved by the municipality. Preservation measures and fencing are to be routinely inspected and repaired/replaced as required for the duration of the construction process.

Compensation for Tree Removal and Loss

The Municipality will require financial compensation for the removal or damage to trees identified for preservation or in compensation for development where clear cutting of tableland forest units is required. In cases of unauthorized tree removal, the amount of financial penalty will be based on the valuation methodology outlined in the "Guide For Plant Appraisal - Current Edition" authored by the Ontario Chapter of the International Society of Arboriculture but shall not exceed the maximum penalties as may be identified by Municipal Policy or By-law.

Compensation for tree removal enabling development of a property will be evaluated on a case-by-case basis, acting reasonably considering variables of density, species, area in question and quality of trees affected. The preference of the municipality is to maintain the overall tree canopy within the municipality. As such the preferred compensation would be in the form of replacement or planting of smaller caliber trees either within the plan of sub-division and/or in other areas of the municipality within public initiatives for re-forestation and rehabilitation of natural landscape areas within the municipality that are deemed desirable. The formula would be calculated as the total diameter of the trees removed (DBH) = the aggregate of replacement trees.

Conveyance of Woodlots, Maintenance and Acceptance

Prior to acceptance of a tree preservation area by the Municipality, the developer will convene site inspections with municipal staff (or representing consultant) to ascertain the extent of required arboriculture work, hazard tree removals and what general maintenance work is required for acceptance. This may include hiring the professional services of a Certified Arborist for pruning of dead branches, removal of hazard trees identified as risks to people or property, site clean-up of all debris and garbage, and removal of any other hazards identified. Completion of such works shall be considered in the release of letters-of-credit for the subdivision. The tree preservation area will be conveyed and assumed by the Municipality only after inspections and acceptance for compliance with municipal standards. These arboriculture standards are to also be applied to preserved vegetation that will be retained in private ownership through site plan or subdivision plan development. The continued maintenance and monitoring of such private preservation areas shall not be the responsibility of the municipality at any time before, during or after the development process.

PARKLAND DEDICATION & PARKLAND DEVELOPMENT STANDARDS

SECTION FIVE - Parkland Dedication Standards

- I. **Residential** - That five percent of the land within a residential plan of subdivision or other residential development shall be dedicated as parkland.
- II. **Slope** - The entirety of the lands dedicated shall be developable tablelands with a slope no greater than 3 degrees.
- III. **Synergy** - Wherever possible the parkland shall be located adjacent to one or more of the following;
 - a. Storm Water Management Ponds
 - b. School blocks
 - c. Open Spaces (non-developable)
 - d. Natural Heritage System
 - e. Woodlots
 - f. Ponds and Wetlands
- IV. **Eligibility** - None of the areas in Section (III.a) through (III.f) shall be considered as part of the 5% parkland dedication.
- V. **Industrial/Commercial Development** - That two percent of the land within industrial/commercial development shall be dedicate as parkland.
- VI. **Limitations** - To provide meaningful park experiences and functions, acceptance of parkland less than 1 Hectare or 2.5 acres in size should be avoided.
- VII. **Cash-In-Lieu** - That, notwithstanding Sections 1 through 6, cash-in-lieu of parkland may be considered by the Municipality under the following circumstances:
 - a. The size of the dedication is insufficient to address the Municipality’s parkland standards; and/or
 - b. The application of the rate of parkland dedication would render the remaining portion of the site unsuitable or impractical for development; and/or
 - c. The lands that may be available for parkland dedication do not add to the network of parks in an area; and/or
 - d. More suitable parcels of land are available for municipal park purposes in other nearby locations; and/or

The Planning Act (R.S.O., 1990) establishes a framework for the dedication of parkland and possible alternatives to the dedication of land for park and recreation purposes. Parkland policies contained in the Official Plan – approved pursuant to the Planning Act – enable the Municipality to require parkland dedication and identify criteria by which this land is assessed, including factors to be considered when seeking cash-in-lieu of parkland. The Planning Act requires that lands dedicated to the Municipality as park, or purchased by the Municipality using cash-in-lieu of parkland, must be used for “park or other public recreational purposes”, which not only includes land acquisition, but also the erection or repair of buildings and the acquisition of machinery. The Provincial Policy Statement (2020) issued under the Planning Act also provides direction on matters of provincial interest related to land use planning and development, including guidance on public spaces, parks and open spaces.

- e. Existing municipal parkland is available in sufficient quantity and quality to accommodate further development in a particular area.
- VIII. **Undevelopable Lands** - Those lands designated in the Municipality’s Natural Heritage System and lands in any required minimum vegetation protection zone, hazard lands such as floodplains, setbacks, or buffer lands required for transportation corridors, waterways, utilities, and other un-developable lands shall not be considered as any part of the required parkland calculation.
- IX. **Shape and Size** – Parkland shall possess sufficient shape, configuration, size, and topography to accommodate the intent of the use for the parkland. Parkland shall be of sufficient size and configuration to satisfy the standards for grading, drainage, facility setback, fencing and other requirements needed to supply the recreational facilities required by the Municipality within the development area as articulated through the Official Plan and the Park and Recreation Master Plan.
- X. **Consolidation** - Parkland will be consolidated in a location deemed most appropriate by the municipality for the population it is intended to serve, in the interest of good community planning and the preservation and integration of the natural environment regardless of the disposition of land ownership. The parkland dedication will be assessed as 5% of the entire consolidated lands, and as a result may become a joint conveyance from two or more ownerships. In such instances where multiple landowners are involved in the conveyance of a park, the owners are to attempt to reach agreement as to their cost-sharing and performance obligations under the subdivision agreements or other planning requirements of the Municipality with regard to the conveyance; thereby avoiding the need for mediation from the Municipality in this regard.
- XI. **Timing of Conveyance** - The timing of conveyance of parkland in accordance with the Planning Act will be stipulated in the Subdivision Agreement. The Municipality will typically require conveyance be made to the municipality during registration of the first phase of a subdivision. Condition of the land to be conveyed shall be as described herein or as stipulated in the Subdivision Agreement. If as a matter of necessity, and with the agreement of the Municipality, conveyance is to occur later in the development process, the Municipality will secure a letter-of-credit for the value of lands to be conveyed. The Subdivision Agreement where possible is to identify development sequencing and the developer shall to the best of their ability supply the Municipality with an approximate schedule of timing for the development to allow the Municipality to forecast capital investments and manage expenditures and updating of financial planning under the Development Charges By-law.
- XII. **Acquisition Beyond Dedication** - If land required for a park and its anticipated program exceeds the available parkland dedication from development under policy, the Municipality may choose to acquire the balance needed, ensuring that the park location and configuration satisfies the Municipality’s standards for facility layout, setbacks, and

orientation. Such land will be subject to the same performance standards as the surrounding conveyance and developers shall be responsible to ensure the lands are free of encumbrances, fully prepared as described herein and in a condition acceptable to the Municipality. The Municipality will acquire such lands in fair and reasonable manner in consideration of policy, market value for un-serviced developable land and open negotiations with ownerships.

- XIII. **Pre-Development Condition** - Municipal property preserved as open space or intended for parkland development will not be used for the purposes of temporary stockpiling or storage of earth, construction supplies, debris, or any other materials without express permission of the Municipality. Upon the initiation of development activity, designated parks and open spaces will be routinely monitored by Municipal inspectors for activities of dumping or burying of any sort of garbage or waste and should such materials be discovered in the construction of the future park, the developer will be required to remove such materials at no cost to the Municipality. Designated parkland and open space will not be used for the erection of advertising signage or for the storage construction trailers or construction equipment. The developer will always maintain pre-serviced parkland in a clean condition until the park is accepted by the municipality for the purposes of park construction. Once designated lands have been pre-graded and pre-serviced they shall be defined and protected at their boundary with fencing to the satisfaction of the Municipality.
- XIV. **Soil Stripping and Grading** - Prior to grading of the park by the developer, the full depth of existing topsoil will be stripped. Topsoil stripping is to occur in logical sequence with the balance of the subdivision or phase. Topsoil, in quantities necessary for the park development shall be conserved and made available for the final grading of the park block with depths of not less than 150 mm and up to 300mm. Topsoil conserved for the park is to be tested by the Developer to ensure the fertility and composition is suitable for use in park construction and free of contaminants. Such test results are to be submitted to the Municipality for approval prior to the development of the park block. The developer will be responsible to ensure that sufficient quantities of approved topsoil are available for the construction of the park.
- XV. **Grading Plan** - Utilizing the approved Park Concept Plan or subsequent Grading Plan, the developer is to provide suitable structural fill below all hard-surface areas including pathways, paved recreation facilities and parking areas within the park. Areas of structural fill are to be tested by a Geotechnical Consultant and the results of such testing submitted to the Municipality for information. The Developer will be required to establish sub-grade elevations as described by the Grading Plans for the park. Where park blocks are stripped and pre-graded in accordance with subdivision engineering plans at the early stages of the subdivision development, the Developer shall be responsible to execute additional grading to the park to bring the lands into conformance with the specific plans developed for the park by his landscape architectural consultant.

XVI. **Coordination of Services** - The developer shall at a minimum provide inlet drop structures at each frontage of the park block. These structures shall be in conformance to Provincial standards (O.P.S.D.) for the construction of manholes or manhole/catch basins. Connections from these structures to the surrounding storm sewer system shall be of an invert elevation set low enough to efficiently drain the entire block of land below frost penetration levels. The park block shall be effectively drained in its interim pre-grade condition with inlet structures as needed for each sub-drainage/catchment area within the park block. Should the structures provided be shown to be insufficient to outlet the future internal drainage system of the park as designed, additional drop structures and road crossing connections shall be the responsibility and cost of the developer. In addition to storm sewer servicing and as a part of the servicing requirements for sanitary, electrical and water supply throughout the subdivision, the developer will be responsible to construct services 1.5 metres into the park property as follows:

- a. Community Park: a sanitary sewer manhole chamber and stub; a 150mm diameter water supply line with curb-stop and 3-phase electrical power. Where the Community Park has two or more street frontages, all or some of these services are to be provided at each frontage to the park as confirmed with the Municipality.
- b. Neighbourhood Park: At the discretion of Municipal staff, a sanitary sewer manhole chamber and stub; a 50mm diameter water supply line with curb-stop and 3-phase electrical power. Where the Community Park has two or more street frontages, all or some of these services are to be provided at each frontage to the park as confirmed with the Municipality.

The above requirements for drainage and servicing are considered as a component part of the general development of the subdivision but in detail are to be separate from the developer's responsibility for any storm water management mechanisms that may be permitted within or be associated with the park. Costs for such subdivision storm water engineering works are to be entirely attributable to the developer in the development of the lands. Drainage requirements for the ultimate development of the park block will be determined in the detail design processes described herein.

XVII. **Park Fencing** - Notwithstanding the installation of temporary protective fencing of park and open space blocks, the developer is to provide a 1.5 metre (6 ft) high black vinyl coated chain-link fence, to the Municipality's standard detail, around the perimeter of the park along shared property lines with adjoining residential or commercial developments or other private property. The mesh fabric of the fence shall have 38mm diamond-shaped openings made from 9 gauge wire before vinyl coating. Terminal posts shall be a minimum of 88.9 mm (3 1/2") OD pipe, line posts of 60 mm (2 3/8") OD pipe and rails of 43mm (1 7/8") OD pipe. All piping shall be schedule 40, galvanized steel,

treated with etching primer and factory painted black. Concrete footings are to create a minimum of 150mm of cover to the edges of posts and shall be generally poured against smooth native ground and formed at the top of foundation. Where ground conditions prevent the creation of smooth sided augured post holes, footings shall be poured into sono-tube for the full depth of footing to 1.2 metres below grade with voids around the outside of the form filled with compacted limestone screening. Alternatives may be considered at the discretion of the Municipality of Brighton, at detailed design stage.

- XVIII. **Securities** - Performance of the above-referenced requirements shall be guaranteed through the provisions of the subdivision agreement and the value of the works described for the preparation of the applicable schedule/section of that agreement. The Municipality shall secure from the developer a letter-of-credit for the value of all work described above in this section and for any additional requirements as may be stipulated in the subdivision agreement at the discretion of the Municipality. The letter- of-credit will be based on a cost estimate prepared by the developer’s consultants and reviewed and approved by the Municipality. The Municipality will assume responsibility for the park only at such time as the property is substantially completed under the Development Agreement.
- XIX. **Parks Construction by Developer** - Development and/or Subdivision Agreements will require the developer to construct parks in response to timing or permissions about construction of phases within a development. Performance of park construction will be treated as any other municipally approved subdivision construction. The developer is expected to develop a park to the approval of the Municipality, completing the construction to a set of Municipally approved technical drawings, specifications, and standards. The construction tender and contract process shall be open and the Municipality reserves the right to review and approve the award of the park construction tender. An agreement will be executed, and a letter-of-credit will be secured from the developer to ensure timely completion to a level of quality and workmanship acceptable to the Municipality. Joint Municipal/Developer tenders may also be approved to take advantage of cost and time efficiency. The Municipality will reimburse to the developer the portion of costs the Municipality is responsible for under the Development Charges By-law within a time frame and re-payment structure agreeable to both parties in the construction agreement.
- XX. **Park Construction Timing** - Parks will generally be constructed within one year following completion of a residential subdivision, depended on the availability of project funding and other municipal resources, the developer’s phasing of a subdivision, servicing availability or other factors which may delay the park construction timing relative to the overall subdivision development. The Municipality will maintain capital construction forecasts for parks to the best of its ability based upon growth forecast information provided by developers and the five-year trend evidenced by building permit issuance activity.

XXI. **Concept Plan and Facility Fit** - Working with the recommendations of the Master Plan, staff consultation and the relevant planning documents, the developer shall engage the professional services of a qualified, O.A.L.A. registered Landscape Architect to prepare a Park Concept/ Facility Fit Plan during the preliminary stages of engineering design and master servicing for the subdivision and the preparation of the Draft Plan of Subdivision. The Concept Plan shall demonstrate, at a minimum, that:

- a. Park configuration and size is suitable to accommodate the park design program identified by the Master Plan as modified by the Municipality from time to time,
- b. Sufficient setbacks as depicted and described in the Municipality's Standard Details (Section 3.0 of this manual) are possible to buffer residents from active recreational uses.
- c. Setbacks for active facilities shall generally be a minimum of 20 metres from residential property to the edge of the recreational use and 15 metres from the street line of neighbouring roads.
- d. General setbacks shall not limit the flexibility of the Municipality in determining larger or smaller setbacks as may be deemed reasonable for the design of individual park programs and circumstances.
- e. Orientation of facilities and layout meets with Municipal standards.
- f. Tree preservation requirements will be addressed in accordance with the approved Tree Preservation Plans and related documents as submitted for the subdivision.
- g. The general relationship of park grading and drainage to the surrounding subdivision conforms to Municipal requirements and general approval.
- h. Display any encumbrance made necessary by the development engineering of the subdivision.
- i. Required services for the future construction of the park are verified and generally located on the Concept Plan.
- j. Surface and sub-surface stormwater and sanitary drainage systems are available and can accommodate the predicted needs of the park development.
- k. Access to and through park block by emergency services
- l. The Developer is responsible to secure any relevant approvals from all agencies (Hydro, Pipelines etc.) that may be affected by the plan.

XXII. **Sales Representation** - The developer/builder shall be required to display the approved Park Concept Plan in project sales offices. Any misrepresentation of the park design, or misleading portrayal of park amenities displayed in sales pavilions or advertising media shall be the sole responsibility of the developer/builder. Prospective purchasers are to be encouraged to approach the Municipality directly for information on the timing and program of the park development.

XXIII. **Construction Drawings** - At the municipality's option, the developer shall engage the professional services of an O.A.L.A. registered Landscape Architect to prepare Detail Design/ Technical Drawings to fully describe the construction of all park features. The costs of such professional services when requested are attributable to the legitimate park development costs assigned to the park project through Development Charges. The developer shall file a copy of a proposal for professional services with the Municipality for reference in the accounting of the project. These fees shall be distinct from those fees which may have been incurred as a developer cost in the processing of the subdivision and the production of the Park Concept/ Facility Fit Plan and subdivision engineering and servicing designs for park blocks. Proposals for professional park design fees shall anticipate up to three detailed reviews by municipal staff of complete drawing packages submitted for a park development. Proposals are to receive Municipal agreement prior to detail design works being submitted for review. The following drawings shall be included at a minimum for all parks to be constructed, whether by the municipality or by the developer on behalf of the municipality:

- a. Existing Conditions Plan: Plans and construction drawings are to be prepared utilizing current engineering base information completed for the subdivision design along with current OLS survey information for existing legal boundaries and survey monuments and topographic features, spot elevations and contours. Such information shall include all features unique to the block of land including existing vegetation and geodetic elevations at the base of individual specimen trees.
- b. Layout Plan: the plan shall present an accurate representation of all works to be constructed for the park complete with dimensions and offsets tied to known legal lines for the block. Park facilities are to be shown in conformance with the minimum standards developed by the Municipality for facility layout. All materials and finishes for the park development are to be labelled and construction details cross referenced to Municipal standards or other technical details as may be suitable and required.
- c. Grading Plan: the plan shall show current geodetic information of the existing grades and conditions at 0.5 metre interval contour lines. Grading plans shall show the ultimate finished grades for all facilities and components of the proposed park. Grades shall be shown for all sports-fields and shall illustrate current standards for field grading and drainage in accordance with Municipal Standards. Grading design shall be done in recognition of the pre-grade conditions and structural fill preparation established for the park. The grading plan shall show all areas requiring additional engineered fill for construction of the park facilities. Spot elevations shall be shown to adequately describe all

pathway construction, curbs, walls and edges and drainage swales through soft landscape areas. The grades to be achieved at drainage inlets are to be clearly shown on the plans.

- d. Servicing Plan: the plan shall show all necessary underground servicing to allow for the function of park facilities in accordance with current codes and best industry practices. The Servicing plan shall show all services, connections, and crossings within the park block in context to each other and the development of the park and its features. Sewer systems shall be illustrated complete with descriptions of pipe materials and dimensions as well as all pipe crossing and inlet invert elevations. Local sub-drains required for park facilities are to be illustrated as to their location and connection to the main system of drainage. Water supply systems shall be illustrated with all necessary pipe dimensions, backflow prevention devices, chambers, meters, pipe reducers and appurtenances. All cross references for details and OPSD are to be clearly understood from the plans.
- e. Planting Plan: Plans will be prepared illustrating all tree, shrub and groundcover plantings proposed for the park. Plantings shall be accurately represented as to the extent of planting beds and the location of specimen trees relative to park features, servicing, and paving. The planting plan shall include the contour grades of the proposed park development to ensure accuracy of context for planting.
- f. Care is to be taken in the selection of plant species and emphasis is to be placed upon the inclusion of native and indigenous species in park designs and to limit the extent of maintenance required to manage the park effectively. All areas of seeding and sodding shall be illustrated clearly by the plan.
- g. Irrigation Plans and Details: Irrigation Plans are to be produced by a Certified Irrigation Designer in general conformance to the standards of the Municipality. The irrigation plan is to be specifically reviewed with Municipal operations staff to ensure the proposed equipment and controllers are complementary to existing systems currently maintained by the Municipality and that systems represent current technology for water conservation. The Municipality encourages the design of irrigation systems supported or entirely operated through the conservation of rainwater or water generated by other park facilities.
- h. Electrical Plan: Plans are to be prepared by an independent electrical consultant with established municipal experience in the design of lighting systems for parks. The plan shall be prepared detailing the location and type of all walkways,

parking area and sport lighting poles and fixtures. Plans and details shall be in conformance with the standards of the Municipality and shall reflect current rules and regulations with respect to electrical design. Electrical designs are to promote energy efficient and increased sustainability systems such as solar powered systems or LED lighting systems.

- i. Construction Details: Detail drawings are to be provided to fully explain the methods of construction for all elements of the park. Other details as may be necessary to explain the full extent and implications of the park construction shall be included for the review of the municipality and its departments. Any overhead structures and load-bearing foundations are to be reviewed and certified by a Structural Engineer.

XXIV. **Format** - Drawings shall be prepared in a format compatible to the Municipality's GIS mapping systems wherever possible. Such drawings are to be submitted at the time of issuance for tender and at the completion of construction as "As-Built" records, to be retained as a permanent record for the project. The developer will retain the services of a professional engineer to perform storm sewer design for the park including sizing of pipe, catch basin elevations and inverts, to be co-ordinated with the grading plans of the subdivision.