



## STAFF REPORT INFORMATION ONLY

### Commercial Zip-Lining Attractions in City Parks

<b>Date:</b>	June 5, 2013
<b>To:</b>	Parks and Environment Committee
<b>From:</b>	Jim Hart, General Manager, Parks, Forestry and Recreation
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	P:\2013\Cluster A\PFR\PE21-062413-AFS#17666

#### **SUMMARY**

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This report responds to a Member Motion adopted as amended by City Council at its meeting of July 11, 12 and 13, 2012 entitled, "Assessing the viability of 'Zip-Lining' through Earl Bales Park" (Item MM25.26). In adopting the item, City Council requested the General Manager, Parks, Forestry and Recreation to work with others to develop a long-term, sustainable ravine management, education, and recreation program at Earl Bales Park; identify conflicts, and propose by-law amendments aimed at the adoption and development of a ravine education and protection program at the park; and report on a strategic path with recommendations to consider a "zip-lining" opportunity at Earl Bales Park.

This report outlines the existing long-term, sustainable ravine management and education program and summarizes the relevant policies and by-laws. The report also confirms that there are no conflicts or impediments to the development of a ravine education and protection program at the park, and that the current process for reviewing proposals, such as the zip-line activity proposal in Earl Bales Park, is appropriate.

#### **Financial Impact**

There are no financial implications resulting from the receipt of this report.

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#### **DECISION HISTORY**

City Council at its meeting of July 11, 12 and 13, 2012, adopted as amended Member Motion MM25.26, and in so doing:

1. Requested the General Manager, Parks, Forestry and Recreation to work with other City agencies and private partnerships to develop a long-term, sustainable ravine management, education, and recreation program at Earl Bales Park;
2. Directed the General Manager, Parks, Forestry and Recreation to review the Division's policies and other City policies, to identify conflicts, and propose by-law amendments aimed at the adoption and development of a ravine education and protection program at Earl Bales Park; and
3. Directed the General Manager, Parks, Forestry and Recreation to report to the Parks and Environment Committee on a strategic path with recommendations to consider a "zip lining" opportunity in Earl Bales Park.

City Council Decision Document – see MM25.26:

<http://app.toronto.ca/tmmis/viewPublishedReport.do?function=getCouncilDecisionDocumentReport&meetingId=5665>

## **ISSUE BACKGROUND**

In late fall of 2011, a private adventure company submitted an unsolicited proposal to the City of Toronto to develop and operate zip-line canopy tours, aerial trekking courses, zip rides, and adventure challenge activities in an exclusive area located in Earl Bales Park. The eco-adventure proposal was to secure a long-term lease or permit for a wooded ravine area in the park for the company who would bear all the capital and operating costs of the adventure themed facility. Toronto Office of Partnerships, aided by staff in the Parks, Forestry and Recreation Division, as well as the Toronto and Region Conservation Authority (TRCA), reviewed the proposal.

## **COMMENTS**

Earl Bales Park is a 72.3 hectare park located at the south east corner of Sheppard Avenue West and Bathurst Street. It currently contains a variety of facilities such as the Earl Bales Community Centre, the Barry Zukerman Amphitheatre and other amenities such as a water playground, the Sarah and Morris Feldman Sensory Garden, picnic areas, a dogs off-leash area, trails and paths. A main feature of the park is the Earl Bales Ski and Snowboard Centre, which is one of two such facilities in Toronto. This park also contains a large wooded natural area along a steep-sided ravine along its eastern edge. This wooded ravine area is a significant natural feature, and the TRCA has designated it an Environmentally Significant Area (ESA). In the Official Plan, this area's designated land use is "Natural Area," and is part of a "Natural Heritage System."

### **Ravine Management, Education and Recreation**

Parks, Forestry and Recreation leads ravine management, education, and recreation programs throughout Earl Bales Park. The Division also works with the local community that is also active in the park, including schools, community organizations and corporate

partners. There have been major park improvements in recent years, including upgrades to the ski lift, as well as the 2011 opening of the Sarah and Morris Feldman Sensory Garden and Accessible Water Playground, funded through a private partnership. A variety of summer camps, school groups and community organizations also use the park for track and field and community cultural events.

Urban Forestry has led several naturalization plantings in various areas of the park. Several tree plantings were conducted with Toronto Water funding and through the Parkland Naturalization Program since 2004. Urban Forestry continues to manage active planting and community stewardship work in the park with local schools, community organizations and corporate partners. Urban Forestry has also managed aspects of ravine stewardship since 2005, including monitoring and maintenance of Trees Across Toronto planting sites and invasive species management. In spring 2013, the Toronto Environment Office hosted the annual Mayor's Clean Up in Earl Bales Park, in which local volunteers picked up litter and spread mulch on past Trees Across Toronto planting sites. Urban Forestry has built and upgraded the natural surface trails for passive recreational use in 2004 and 2012 in the area of Earl Bales Forest, which is designated as an ESA.

Ravine education activities in Earl Bales have included guided walks in Earl Bales Forest. Most recently, Urban Forestry partnered with TRCA to host an urban "Hoot 'n Howl" program in the winter of 2013, which was open and free to the community. There are opportunities to design and install parkland naturalization signage throughout the Earl Bales Forest Trail. Community Recreation also programs The Barry Zuckerman Amphitheatre with a variety of educational and entertainment activities.

The *Parks Plan 2013-2017* contains several recommendations that will guide future work in Earl Bales Park. These include the development of a Natural Environment Trails Strategy, which will focus on protecting natural areas by constructing and improving some elements of the informal ravine trails in the park. The Parks Plan also included developing a program to strengthen the management of sensitive natural areas, including areas of Earl Bales Park.

*Sustaining & Expanding the Urban Forest: Toronto's Strategic Forest Management Plan* identifies solutions to some of the recreation pressures facing the natural areas across the city, and in Earl Bales Park. These include restricting inappropriate land uses, and preventing further habitat fragmentation in significant natural areas. This work will involve collaborating with other City staff and the TRCA to create a natural environment framework. This plan also recommends continued and increased public stewardship and education programs in natural areas. These activities will focus on natural area management and appropriate trail user conduct to protect natural areas. The implementation of both the Parks Plan and the Strategic Forest Management Plan will support an effective long-term and sustainable ravine protection, education, and recreation program in Earl Bales Park.

## **Policy and By-Law Review**

Approximately 42 per cent of Toronto's natural heritage system is on City-owned or operated parkland. Most of the areas consist of forest and meadowlands that lie within the ravine systems and along the waterfront. These forested tracts are relatively small and generally in good state of health despite the many challenges presented by their urbanized setting. Parks, Forestry and Recreation has a mandate and statutory role in the protection of the natural heritage system from site disturbance, encroachment and inappropriate uses in the public park system. Parks, Forestry and Recreation, in consultation with the TRCA, has conducted a thorough review of City policies and by-laws to identify any conflicts with the implementation of a strong ravine management and education program in Earl Bales Park.

The City's Official Plan (OP) provides general policies intended to protect and enhance natural resources (features and functions) such as woodlots and ravines. Section 3.4: The Natural Environment of the Official Plan outlines specific policies in relation to the natural heritage system that are intended to protect and enhance significant species and communities. The policy restricts development from occurring on habitats for vulnerable or rare species. This is important because Earl Bales Park contains habitat for one significant animal species and four significant plants species, as well as 54 species of regional and local significance.

As the Earl Bales wooded ravine is one of the park's most significant assets and a valuable component of Toronto's limited natural system, this wooded ravine is protected under various by-laws, policies, and regulations. All of these designations are intended to ensure protection and enhancement of natural and significant features. As noted above, the area has been identified as an Environmentally Significant Area, having satisfied ESA criteria in the City's Official Plan. The area is also subject to regulation by the TRCA, which regulates development and any alterations to shorelines and watercourses. The TRCA's Valley and Stream Corridor Management Program has an overall objective to prevent new development from occurring within areas that may introduce risk associated with erosion and slope stability or that is not compatible with the protection of these areas in their natural state.

The park is also governed by Toronto Municipal Code, Chapter 658, Ravine and Natural Feature Protection and Toronto Municipal Code, Chapter 608, Parks. The Policy for Operating Commercial Recreation Activities in City of Toronto Open Greenspace Parkland was also reviewed to identify restrictions on commercial recreation activities. This policy includes a restriction on these activities occurring in natural or environmentally sensitive areas including designated ravines and wooded areas.

This thorough review supports the conclusion that there are no changes or amendments required to the existing ravine protection program at Earl Bales Park. The current by-law effectively supports a healthy ravine. There are also no restrictions for the adoption and development of a ravine education and protection program at Earl Bales Park. The existing policies and regulatory systems will be further supported through the

implementation of the directions contained in the *Parks Plan* and the *Strategic Forest Management Plan*, as outlined above.

### **"Zip-lining" in Earl Bales Park**

Zip-lining and canopy tours have been popular eco-tourist attractions for many years since their origins in the rain forests of South and Central America. In the last ten years, interest has expanded across the world. Numerous zip-line canopy tours and commercial aerial trekking courses are found across North America. For example, Whistler, B. C., Mont Tremblant, and closer to Toronto at Long Point, Blue Mountain, and Oshawa host zip-lining attractions. All zip-lines in Ontario are on privately-owned properties, and are integrated with other commercially based adventure sports and tourism operations.

The eco-adventure proposal submitted in 2011 is centred on the wooded ravine area of Earl Bales Park and requires physically supporting the zip-lines and canopy tour on trees and/or installing posts. It would require clearing trees for construction access, clearing canopy for views, and providing canopy clearance for riders. A zip-line operation would also require parking for over 100 cars, approximately 4,000 square feet of buildings, and exclusion of park visitors from the activity area due to liability concerns.

Parks, Forestry and Recreation applies due diligence to the review of proposals, and considers them within existing policy, operating and management contexts. Where natural heritage matters are concerned the process mandates collaboration with the TRCA both as a reviewing agency or land owner, the Ontario Ministry of Natural Resources (OMNR) and other City divisions, such as City Planning.

Based on the size and impact of the proposed operation on the park and environs, Parks, Forestry and Recreation determined that it would be impossible to sustain the mature and sensitive natural state of the ravine and the wooded areas, both in the short term and long term. The TRCA has also identified a concern that the site presents a significant natural hazard for a proposal of this type. The slopes are very susceptible to any disturbance of grades or removal of trees, and any intrusion into these vulnerable and steep sloped areas would cause significant damage and broader erosion and instability issues, in the short and long term, for these fragile valley walls.

The introduction of new uses such as the proposed zip-line activity challenges the natural environment in Toronto's parks. Protecting the city's natural heritage is vitally important for maintaining environmental sustainability. This protection includes preventing any disturbance, intrusion or natural hazards associated with fragile and steep sided ravine slopes, as is the case at Earl Bales Park. As such, an eco-adventure centred on a zip-lining attraction in a forested area of a park is deemed incompatible with existing policies. Development of even a modest zip-lining facility within forested parkland areas, especially where an ESA exists, cannot be supported. Accordingly, there is no need for a new strategic "path" to consider zip-lining proposals for Toronto parks. The existing protocol for unsolicited external based proposals, and the policy and regulatory

frameworks in place to review development proposals in or adjacent to natural heritage areas are adequate and appropriate instruments.

## **CONTACT**

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## **SIGNATURE**

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