



STAFF REPORT ACTION REQUIRED

Park Permits Initiatives – including Review of Permitting Procedures for Park Events

Date:	September 28, 2015
To:	Parks and Environment Committee
From:	General Manager, Parks, Forestry and Recreation; and General Manager, Economic Development and Culture
Wards:	All
Reference Number:	P:\2015\Cluster A\PFR\PE06-101315-AFS#20811

SUMMARY

The purpose of this report is to update Council on a number of initiatives in parks, Forestry and Recreation ("PF&R") to enhance the public's overall experience in the City parks, including new initiatives to enhance arts and music performances in parks, confirming the Commercial and Private Special Events in parks as a permit category, and internal administrative initiatives to enhance the permitting process.

The first part of the report focuses on two initiatives that will enhance arts and music programming in parks. The report introduces the new "Arts in the Parks" program and seeks authority to enter into a license agreement with Toronto Arts Council ("TAC") to initiate a pilot program where TAC will provide grants to artists for various multimedia activations in approximately 22 parks in 22 Wards. As a part of the initiative to enhance arts in parks, the report also seeks a new permit category for both Music and Arts in Parks which will allow artists and musicians, to stage performances in selected locations.

The second part of the report reports back on the Commercial Special Events pilot program conducted in 2014 allowing PF&R to assess the viability of allowing commercial events in selected city parks, while ensuring impacts to other park users and local neighbourhoods were minimized. The report outlines the success of this program and seeks authority to continue commercial and private events in City parks.

The report also provides an update on various administrative initiatives to improve the permitting process, which includes hiring an external consultant to review the process and identify any opportunities to improve the process with a focus on simplifying the permit process and reducing the timelines for processing permit applications.

This report will be considered in conjunction with the deferred report from the August 15, 2014 meeting of the Parks and Environment Committee titled, "Update on Review of permitting Procedures for Park Events and Volunteer Activities".

RECOMMENDATIONS

The General Managers of Parks, Forestry and Recreation and Economic Development and Culture recommends that:

1. City Council authorize the General Manager of Parks, Forestry and Recreation (the "General Manager") to enter into a license agreement with the Toronto Arts Council ("TAC") for the use of parks by various artists to be selected by TAC for the "Arts in the Parks" pilot program from May 1st, 2016 until September 30th, 2016 with the option to extend the agreement for up to two years at the sole discretion of the General Manager, on terms and conditions satisfactory to the General Manager and in a form satisfactory to the City Solicitor.
2. City Council approve the introduction of an "Arts in Parks" permit category at no charge which will allow artists to permit locations authorized by Parks, Forestry and Recreation for arts programming or installations and allow for temporary signage during such events.
3. City Council approve the introduction of a "Music in Parks" permit category at no charge which will allow musicians to permit locations authorized by Parks, Forestry and Recreation for live performances and allow for temporary signage during such events.
4. City Council approve the temporary sign related amendment to Municipal Code Chapter 608, Parks contained in Attachment "C" to this report, subject to any necessary minor substantive or stylistic refinements as may be identified by the General Manager and the City Solicitor.
5. City Council authorize the General Manager, Parks, Forestry and Recreation to continue to allow Commercial/Private Special Events at ten (10) designated parks as per Attachment "B", on a permanent basis, and at other parks on a case-by-case basis, and to include Centennial Park – Etobicoke, Thomson Memorial Park- Scarborough and remove Guild Park and Gardens and Roundhouse Park from the location list.

FINANCIAL IMPACT

Current permit revenues for arts permits in Parks is \$16,000. If Council were to adopt the "Arts in Parks" permit category, this revenue would no longer be realized for 2016 and beyond.

There may be an additional expenditure to PF&R with respect to occasional cleanup and equipment rental costs in for both the "Arts in Parks" and "Music in the Parks" permit categories along with the licence agreement to the TAC. These additional costs are estimated to be approximately \$50,000 per annum and will be billed on a full cost recovery basis to the user.

The Commercial Special Events will generate approximately \$180,000.00 in 2015, which is included in 2015 Operating Budget.

The Commercial Special Event fees charged, which include cleanup costs and equipment requests, to the permit holder are based on market rates. The fees and number of permits will be adjusted as a part of annual Operating Budget submissions.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

City Council on October 8, 2013 adopted the recommendation of the Parks and Environment Committee to initiate a pilot for Commercial Special Events Permits and was directed to report back to Council in 2015 on the success of the 2014 Commercial Special Event Pilot.

(City Council, October 8, 2013, Item PE.22.4)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PE22.4>

City Council, on July 8, 2014, adopted the recommendation of the Planning and Growth Management Committee to introduce a monthly fee for the use of space for the display of a construction hoarding sign within the public right of way of \$5.60 per month per square metre effective January 1, 2015 and to dedicate the revenues to a reserve fund to support a number of arts initiatives. The decisions can be viewed at:

(City Council, July 8, 2014, Item PG34.6)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG34.6>

At its meeting of June 24, 2015, Community Development and Recreation Committee directed staff to report back on a potential partnership with Toronto Arts Council to develop summer arts programming with Toronto Arts Council sponsored artists in Toronto's parks, including staffing cost requirements and costs for waiving permit fees.

(Community Development and Recreation Committee, June 24, 2015, Item CD5.10)

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.CD5.10>

ISSUE BACKGROUND

Parks, Forestry and Recreation has been approached by the TAC to partner on a pilot program to help build and foster the arts in parks. The TAC has been allocated reserve funds through the construction hoarding permit fee to be used toward enhancing the public realm; part of this funding will be used to cover the costs associated with running this pilot and ensuring a high quality experience for the public. As a result, PF&R is seeking authority to enter into a license agreement with TAC for an "Arts in the Parks" pilot program.

The overall demand for music and art performances in parks has been growing with no existing permit category to meet the needs of performers who'd like to offer free public displays in parks. As a result, PF&R is seeking authority to develop two separate permit categories that will allow both musicians and artists the ability to permit space at no fee in select park locations.

In 2014 a commercial special events pilot program was introduced with ten (10) park locations selected based on their proximity to the downtown core and documented requests to stage commercial special events. Due to their proximity to hotels, convention centres, and relative isolation from established residential areas, certain parks were identified as ideal candidates as pilot sites for testing commercial events in parks. The pilot locations were: Guild Park and Gardens, Ashbridges Bay Park, Ferry Docks, HTO Park, Olympic Island, Olympic Park, Roundhouse Park, Sherbourne Common, Sugar Beach and Woodbine Park.

Commercial/private use of select city parks for special events would help the City to generate additional permit revenue, provide new cultural or entertainment experiences, and generate economic impact from tourism and support of local businesses.

In 2014, PF&R approved 24 Commercial Special Event permits and 1137 not-for-profit Special Event Permits. Depending on the permit type, requirements and processing times vary as approvals are required from other Divisions or Provincial corporations. The report outlines the activities being undertaken to improve the permitting process.

COMMENTS

Part I: Enhancing Arts and Music Programming in the Parks:

1. Arts in the Parks

The TAC continues to work to further its vision of connecting communities to the social and economic benefits of the arts. To support their vision, Toronto City Council approved the June 19, 2014 recommendation of the Planning and Growth Management Committee to introduce a monthly fee for the use of space for display of a construction hoarding signs within the public right of way at a rate of \$5.60 per month per square meter,

effective January 1, 2015, and to dedicate the revenues to a reserve fund to fund a number of arts initiatives.

This monthly fee will be adjusted annually as part of the operating budget process. The revenues from the monthly fee will be directed to a reserve fund that will be drawn upon by Arts and Culture Services, of the Economic Development and Culture Division in the year following collection of the fees, to develop a program in consultation with the TAC. This program will work to create new elements and features, as well as improve existing elements and features of the public right-of-way through the creation of temporary and permanent art, with a particular focus on community arts programs involving youth and newcomers. The TAC will operate the program and Arts and Culture Services will provide administration and operational oversight.

The Toronto Arts Council approached PF&R to initiate a pilot, "Arts in the Parks" program that will bring arts programming to select parks in neighborhoods across Toronto funded by this new reserve. The program is aligned with both PF&R's strategic vision and its Parks Plan, and is a good opportunity to increase public use of parks, increase the vibrancy of communities in underserved neighbourhoods and create opportunities for residents and visitors to experience art and help support artists.

The program will be rolled out as a pilot in approximately 22 parks in approximately 22 wards across the City. The TAC will accept applications from artists on various programming annually and will provide a grant to approved art programs. These events will be open and free to residents and visitors. These events (including publicity and advertisements) will be funded by the grant. The artists will be selected by a panel and programming can vary from a one-day event to a longer term activation. The panel will include a PF&R representative to ensure the Division can accommodate the event in the proposed location.

There are a number of art themed events that are currently taking place in city parks and funded by various organizations. Dusk Dances at Withrow Park, Classical concerts in the Music Garden, Shakespeare in the Ruff are some of the examples. The new grant will enhance the existing activities and provide a more geographically diverse area for artists to perform and connect with the public. In order to promote the program, the Toronto Arts Foundation, through support raised from the private sector, will provide publicity and advertising and will maintain an event mapping website to highlight Arts in the Parks activities.

Parks, Forestry and Recreation will enter into a license agreement with the TAC for the events to ensure the pre-selected locations are reserved in advance. The agreement will have the following highlights:

1. The licence will be for a nominal fee.
2. TAC will provide City of Toronto with a General Liability policy for \$2 million where the City is named as additional insured.
3. Specific staff costs and other expenditures incurred for set up and dismantling of the exhibits will be charged to the artist and will be recovered by TAC.
4. PF&R will pre-select parks suitable for programming and approve other park locations that may arise in the proposals subject to specific criteria to be developed.

The success of the program will be reviewed after the first year with a view to extending the agreement for additional years and to additional locations if successful.

2. "Music in Parks" and "Arts in Parks"

Separate from but enhancing the "Arts in Parks" licence with the TAC, PF&R, in partnership with the Economic Development and Culture Division, has reviewed its existing permit types with the aim to allow permits to local grassroots musicians and artists to be more accessible.

Music concerts and art activations in parks currently fall under two categories: Special Events or Commercial Special Events.

A Special Event Permit is for events that are generally events organized and conducted by PF&R or events sponsored by community or not-for-profit groups. Additionally, meetings or gatherings respecting community issues are also included in this permit category.

A Commercial Special Event Permit is for Special Events that are operated by for-profit or for-promotion organizations and/or groups, any non-resident, non-recreational group, which does not exclusively provide a service to the citizens of the City of Toronto and commercial groups or commercial businesses using facilities for any purpose. This category is limited to a small number of parks and has a seasonal limitation on the maximum number of events that can be held in a park.

Grassroots musicians or music organizers along with local artists who want to host free activations in Parks but want to be able to sell their own music or art and get corporate sponsorships do not fall under either of the above two categories. Because these activations contemplate the sale of goods, either music or art, they are considered a Commercial for-profit event by default. However, these events are limited by location and the fees that are based on large ticketed concerts, which are a financial barrier to both the musicians and the artists. Therefore, PF&R is initiating two new permit categories for both music and art in parks provided that the following criteria are met:

1. The permit will be issued to a Musician or a Music Organizer or artist without any requirement to demonstrate not for profit or charitable status. The requester for the permit can be an individual, a band, a music organizer or a group of artists.
2. The permit will be limited for one performance in a pre- designated park area.
3. The permit holder will be able to obtain commercial sponsors for the event. Sponsors need to follow all City Policies with respect to display of logo, sample distribution, signs etc.
4. The permit holder will be able to sell their own music, art or promotional material only. Sale of any other items are not allowed.
5. Loudspeakers and other amplified sound projected onto streets is prohibited at all times. Sound amplification (speakers, mega phone) up to 85 decibels are allowed in locations pre designated by Parks as a musical permit location.
6. The permit holder would comply with all noise by-laws

7. The permit holder would provide the City of Toronto with a Commercial General Liability insurance policy for \$2 million coverage. The policy can be obtained through the permit office during the application for the permit.
8. In order to enhance turnaround times, permits for pre-approved locations will be issued with a one week turnaround subject to availability and meeting other permit conditions. A designated permit officer will be assigned for these permits.
9. If the event includes one or more of the following conditions, it will require a Special Event or a Commercial Special Event Permit at the Council approved rates:
 - a. Sale or service of food to the public;
 - b. Construction /installation of large tents, or stages;
 - c. Serving or selling alcohol;
 - d. Use of a hot air balloon;
 - e. Amusement type rides and games i.e. Bouncing castle;
 - f. Entrance fees, donations in lieu of entrance fees, running a lottery, draw or raffle;
 - g. Fireworks;
 - h. The use of generator(s) in the park for reasons other than operating the sound amplification equipment.

Currently, the City of Toronto Municipal Code, Chapter 693, Signs does not allow for any temporary signage in parks. Amending Toronto Municipal Code 608 to exempt it from Article III, Temporary Signs, Chapter 693, allows PF&R to authorize temporary signage and advertising devices for the many events held in parks every year, including those associated with both "Arts in Parks" and the "Music in Parks". The City Clerk has been requested to give public notice of this proposed change as required under Municipal Code Chapter 162, Notice, Public.

Part II: Commercial Special Events:

Parks, Forestry and Recreation was directed by City Council to analyze the revenues generated by the Commercial Special Events pilot project and report back in early 2015 on ways to reinvest these funds in park maintenance and on the impact of the Reduction in Permit Fees Policy for not for profit and community events held in 2014. (See Attachment A)

Commercial Special Events were well received in the designated park locations. During 2014 PF&R administrated a total of 24 Commercial Special Events. These events created additional revenues through permit fees of \$166,935.

There has been no demand for the Guild Park and Gardens and due to the redevelopment of the park Guild Park and Gardens will not be available until the redevelopment is complete. This site is no longer listed as a designated site. PF&R is recommending that Centennial Park in Etobicoke and Thomson Park in Scarborough be added to the list moving forward.

Locations of Commercial Special Events in 2014

Location	Type of Event	Number of Events	Revenue Generated
Cherry Beach Sport Field*	Corporate	1	\$1,785.00
HTO Park	Corporate	2	\$7,140.00
Neilson Park*	Festival	1	\$1,785.00
Roundhouse Park	Festival	2	\$21,420.00
Roundhouse Park	Corporate	1	\$21,420.00
Sherbourne Common Park	Festival	1	\$3,570.00
Sugar Beach	Festival	2	\$7,140.00
Sugar Beach	Sampling	1	\$1,000.00
Sugar Beach	Corporate	1	\$1,785.00
Olympic Park	Corporate	0	n/a
Toronto Island Park	Festival	6	\$71,400.00
Trinity Square*	Corporate	1	\$1,785.00
Woodbine Park	Corporate	2	\$21,350.00
Wychwood Barns Park*	Corporate	3	\$5,355.00
TOTAL		24 Events	\$166,935.00

*These events were approved at park locations in addition to the 10 approved sites.

Following the 2014 Commercial Special Event Pilot, PF&R staff met with local Councillors, additional City Divisions and members of the local communities to evaluate the pilot project. PF&R received exceptionally positive feedback from event organizers, the local community and interdivisional staff.

Parks, Forestry and Recreation allowed up to only six (6) Commercial Special Events to take place in each of the designated Park locations. Following review of the 2014 Pilot, PF&R recommends that an additional six (6) events be allowed in locations such as Toronto Islands, Woodbine Park, and Centennial Etobicoke Park. Therefore, a limit of 12 Commercial Special Events per park per calendar year.

Of the 10 designated locations, there were 3 locations that did receive applications for Commercial Special Events, however, the events did not take place for various reasons. PF&R recommends continuing to include these locations in the policy as there continues to be interest in these locations.

Going forward, PF&R does not recommend continuing to include Roundhouse Park as one of the designated parks for Commercial Special Events. Roundhouse Park is built over the existing south parking garage of the Metro Toronto Convention Centre, there are very specific requirements of use that need to be maintained for this park, specifically with respect to weight loading, noise, vibrations and ventilation. Going forward PF&R will review requests for events in this park on a case-by-case basis.

Commercial Special Event fees are based on market rates for similar facilities such as Yonge-Dundas Square and Downsview Park as well as similar locations in other large cities. The fees are reviewed annually to ensure market rates can be recovered. The market rates constitute approximately 90% of the full cost.

Parks, Forestry and Recreation continues to receive Commercial Special Event requests for other Parks not included in the pilot project. As in the past, these applications are reviewed and approved on a case by case basis.

Parks, Forestry and Recreation will ensure that post-event evaluations are conducted after each event. Event organizers will be required to meet with the Parks Supervisor within two weeks after the event, and staff will ensure that residents, event organizers and Councillor's offices are included in event evaluations to determine if the criteria still continues to meet the needs of all stakeholders.

The locations and maximum number of events per park are subject to review annually based on feedback and can be changed by the General Manager.

Part III – Permit Process Review

Currently, PF&R issues Special Event and Commercial Special Event permits through a permit process that takes 6-8 weeks to complete. This is due to the required approvals from other City Divisions, which is currently the responsibility of the permit requester to obtain. These approvals result in a minimum processing timeline of 6-8 weeks and are mostly required by the Municipal Code or Provincial Legislation.

The approval(s) a permit holder is required to obtain for a Commercial or Not-for-Profit Special Event from various Divisions/Organizations are:

1. Public Health: for serving food
2. Toronto Fire Services for a Fire Plan
3. Municipal Licensing and Standards for noise exemption
4. Alcohol and Gaming Commission of Ontario for a Liquor License
5. Toronto Police Services for paid duty officers for areas serving alcohol
6. Toronto Buildings for building permit for structures above a height limit
7. Toronto Hydro for stakes on the ground
8. Parks Supervisor for placement of event facilities such as concert stage, amusement rides etc., additional amenities such as seats, fencing and for an estimate of any costs to be incurred by staff for set up and clean up.

These approvals are the responsibility of the event organizer, a permit is not issued by until all approvals are in place and fees and evidence of insurance coverage are received.

Parks, Forestry and Recreation is currently reviewing the process to identify opportunities to automate the approval process and increase the turnaround time. The process for other single use permits will also be reviewed to ensure efficiencies in process can be realized.

The division is also in the process of acquiring a new registration and permitting system. CLASS, System used by PF&R for registrations and permits is at end of life and will be phased out by its vendor by 2017. A Project to procure and implement a new system is in progress. The Request for Proposals for the new system will include improvements to both registrations and permitting that are currently being identified through a review of other municipalities, community and staff consultations. The permit review process

improvements and associated funding for implementation will be incorporated into the system requirements.

Parks, Forestry and Recreation will be able to use the existing system to add on-line permits for arenas, stadiums, and both premier and sports field bookings.

CONCLUSION

The Parks Plan includes principles of equitable access for all residents, supporting a diversity of uses and community engagement and partnerships. These principles have helped shape the policy framework, and activities that meets the needs of local park users.

By approving the recommendations of this report, PF&R will be able to provide additional opportunities for arts, music and commercial, private and corporate special events to take place in specific park locations. These events will provide additional opportunities for engagement in our city parks, international exposure, and positive media exposure, enhance Toronto's local, national and global reputation, strengthen city park profiles and additional permit revenues will be generated. As well, new cultural and entertainment experiences will be available while balancing the needs of the local parks users and residents.

CONTACT

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SIGNATURE

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Parks, Forestry and Recreation

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ATTACHMENTS

Attachment A – Reduction in Permit Fees Policy

Attachment B – List of Designated Parks for Commercial / Private Special Events

Attachment C – Chapter 608, S. 48, Parks

ATTACHMENT 'A'

Reduction in Permit Fees Policy

Version Number: 1.0

Approved by: City Council

Date Approved: February 14, 2006

Policy Statement: Toronto has an equitable approach to allocation of permitted space and facilities and associated user fees. The goal of this approach is to ensure that all residents of the City of Toronto have access to high quality community recreation facilities and permitted space while providing fairness to taxpayers, contributing to the long-term viability of public recreation and quality of life in our City.

Fees are developed in accordance with Council policy and also in consultation with the public, user groups and staff. Council reviews and adopts all fees set by Parks, Forestry and Recreation in accordance with Part XII of the Municipal Act, 2001.

Guiding Principles:

- Only Toronto City Council has authority to waive fees or delegate authority to waive fees.
- Fees are determined by the Division and approved by Council with the intent that fees are reasonable for individuals and groups to offset the costs of specific services that the general tax levy supports.
- Fees are not to be waived unless it is deemed appropriate by the designated authority to waive fees within the parameters of this policy.

Authority: The General Manager, Parks, Forestry and Recreation or designate has the authority to reduce permit fees.

Conditions: Only not-for-profit community groups/agencies may be considered for reduced or waived fees if the following conditions are met:

- Demonstrate non-profit status
- Demonstrate financial need with appropriate documentation (letter from senior administrator of organization, audit report, financial records, etc.)
- Demonstrate fundraising efforts
- Illustrate the benefits that the permitted activity will have on the community
- Must meet City of Toronto residency requirements as outlined in Harmonized Permit Allocation Policy
- Groups/agencies receiving funding from other City of Toronto sources i.e. grants, other divisions, etc. are not eligible
- Non-resident, private and commercial groups or individuals are not eligible

Eligible Fees

- Permit fees for recreational activities and/or non-alcoholic special events
- A portion of fees up to a maximum of \$1,000.00 per group/event can be reduced or waived

Non-eligible Fees

- Permit fees for use of premier sports facilities

- Ongoing, seasonal permits, e.g. baseball league, basketball league
- Groups/agencies with outstanding accounts receivables
- Fees for 3rd party liability insurance
- Municipal Alcohol Policy related fees
- Society of Composers, Authors and Music Publishers of Canada (SOCAN) and similar fees that are approved by a tariff.
- Facility specific extra fees including staffing costs, barricades, fencing and utilities
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Requests: Requests for reduced or waived fees must be submitted in writing to the General Manager, Parks, Forestry and Recreation no later than one month prior to permitted activity/event.

Requests for fees to be reduced or waived after activities/events have taken place will not be considered.

Reporting: Parks, Forestry and Recreation staff will track and record all reduced and waived fees. Parks, Forestry and Recreation will report annually on reduced and waived fees.

ATTACHMENT 'B'

List of Parks – Commercial Special Events

Location	Ward
Cherry Beach Sport Field	30
HTO Park	20
Neilson Park	42
Sherbourne Common Park	28
Sugar Beach	28
Olympic Park	28
Toronto Island Park	28
Trinity Square	27
Woodbine Park	32
Wychwood Barns Park	21

ATTACHMENT ‘C’
Amendments to Chapter 608, Parks, of the Toronto Municipal Code

The following amendment to Chapter 608, Parks, of the Municipal Code is recommended:

Section 48 be amended by adding the following as a new subsection E:

- E. Notwithstanding Article III, Temporary Signs, Chapter 693, Signs, the General Manager may authorize the erection and display of temporary signs pursuant to a parks permit.