



**SUBJECT: Proposed changes to the leash-free area criteria**

**TO: Committee of the Whole**

**FROM: Parks & Recreation Department**

Report Number: PR-12-19

Wards Affected: all

File Numbers: 930-01

Date to Committee: December 2, 2019

Date to Council: December 16, 2019

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**Recommendation:**

Approve the updated leash-free area criteria and process as outlined in recreation services report PR-12-19.

Rescind Delegated Authority for the Director of Parks and Recreation to consider piloting alternative time Leash-Free areas as an alternative to fenced Leash-Free areas when requests come forward on a site by site basis utilizing the process outlined in Parks and Recreation department report PR-33-12.

**Purpose:**

A City that Grows

- Intensification
- Focused Population Growth

A Healthy and Greener City

- Healthy Lifestyles

An Engaging City

- Good Governance
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## **Background and Discussion:**

The City has long acknowledged the benefits of providing Leash-Free areas where people and dogs can enjoy the outdoors. Over the past number of years, several different reports have been presented and approved through council to accommodate Leash-Free areas:

### **September 25, 2006 – Leash-Free Park Criteria for Accommodation and Potential Locations**

At the meeting of Council September 25, 2006, Council approved the following resolution:

THAT the revised Criteria for Leash-Free Parks, the Process of Accommodation and list of Pre-Selected Leash-Free Locations as detailed in Parks & Recreation Report PR 30/06, be adopted for the implementation of Leash-Free parks.

PR 30/06 introduced amendments to the Leash-Free park criteria to create additional opportunities for incorporating Leash-Free areas into parks.

### **May 25, 2009 – Proposed House Keeping Amendments to the Leash-Free Process**

At the meeting of Council on May 25, 2009 Council approved the following resolution:

THAT the proposed housekeeping amendments to the Leash-Free Area approval process as outlined in Parks & Recreation Department Report PR-31-09 dated April 28, 2009, be approved.

PR-31-09 introduced housekeeping amendments, which improved administration of the Leash-Free process, and was more responsive to community needs by receiving and responding to requests at the time of the requests.

### **August 20, 2012 – Leash-Free Time Optional Opportunities**

At the meeting of Council on December 9, 2012 Council approved the following resolution:

Adopt the core principles, site criteria, and exclusion areas identified in parks and recreation department report PR-33-12 when considering alternative time Leash-Free areas in parks; and

Authorize the Director of Parks and Recreation to consider piloting alternative time Leash-Free areas as an alternative to fenced Leash-Free areas when requests come forward on a site by site basis utilizing the process outlined in Parks and Recreation department report PR-33-12.

It should be noted that to date there has not been a request or implementation of an alternative to fenced Leash-Free areas. Staff recommending rescinding this direction.

### **March 25, 2019 – Council Direction**

Direct the Director of Parks and Recreation and the Executive Director of Capital Works to report to council by Q4, 2019 with proposed changes to the Leash-Free implementation criteria through public engagement.

With this direction from council, staff developed a team to review scope of work and the engagement plan.

### **Strategy/process**

A staff team was created to review the current Leash-Free Area Criteria and develop an engagement strategy to collect feedback from the community. The team included representation from Recreation Services, Capital Works and Animal Control.

Staff reached out to the community, both non-dog owners and dog owners, to identify three items:

- Identify the community's awareness of the City's current Leash-Free areas:

Bayview Park	Built in 2000 Renewal in 2017	Total area is 15,00 m <sup>2</sup> with a designated small dog area of 2,300 m <sup>2</sup>
Roly Bird Park	Built in 2010	1,300 m <sup>2</sup>
Norton Park	Built in 2012	Total area is 4,200 m <sup>2</sup> with a designated small dog area of 200 m <sup>2</sup>

- Identify the community's awareness of the current council approved Leash-Free Criteria that sets out where the City may consider future areas.
- Solicit input on potential revisions to current criteria in order to meet evolving community interest.

### **Discussion**

Over the past number of years, there have been challenges in establishing new Leash-Free areas due to the requirements of the current Leash-Free Criteria. Some of the challenges include the minimum required size and the exclusion of parks that are adjacent to schools. To add to the complexity, most parks have competing interests. For example, sports fields, playgrounds, community gardens, splash pads and skateboard

parks are all other park uses that require broad planning when considering a new Leash-Free area to minimize conflict, congestion, and risk.

Feedback from the community was collected through a city-wide survey and through direct discussion with residents at the Food for Feedback event on September 14, 2019.

The survey resulted in over 500 responses, of these, 78% of respondents were dog owners and 22% non-dog owners.

Below is a summary of the community feedback on the current Leash-Free Criteria:

<b>Existing Criteria</b>	<b>Community Feedback</b>
<b>Parks must be in Burlington</b>	In addition to parks within Burlington boundaries, consider other possible City owned and leased areas like the hydro corridors.
<b>Size</b>	Be more flexible in design to allow for Leash-Free areas in various sizes, shapes, with additional amenities.
<b>Fencing</b>	Maintain the fencing component to manage dog behaviour and interactions with other park activities.
<b>Parking</b>	Parking was an important consideration because of the limited number of Leash-Free areas in our inventory. If there are more Leash-Free areas, including walkable neighbourhood Leash-Free areas, the need for parking could be reduced.
<b>Significant barrier</b> required between playgrounds, splash pads, sports fields, waterfront and residential housing	Many asked what the definition of a “significant barrier” was and felt that is was important to provide clarification of a “significant barrier.”
<b>Proximity to schools</b>	Ensure that Leash-Free areas are not directly beside a school or playground.
<b>Proximity to waterfront</b>	Some interest related to dogs being able to run off-leash in designated waterfront areas.
<b>Accessible year-round</b>	Some interest in exploring seasonal opportunities such as sports fields used as a Leash-Free area in the off-season.

In addition to the summary above, there were other notable suggestions from residents for consideration in the design and implementation of future Leash-Free areas. These include:

- seating
- walking trails
- shade
- potable water source
- disposable dog bags for waste

Based on the community feedback, the proposed updated criteria is intended to promote the comfort and safety of all park users, the flexibility to develop additional Leash-Free areas, the creativity to think of new design opportunities, and to help reduce off-leash activity outside of designated areas. Considering the community feedback along with the review of past Leash-Free reports, staff are recommending the following proposed updated Leash-Free Area Criteria:

Current Leash-Free Criteria	Proposed Updated Leash-Free Area Criteria	Rationale
Parks must be within City of Burlington boundaries	Leash-Free areas must be on City of Burlington property or land leased by the City of Burlington.	To allow for development on leased land, such as hydro corridors.
0.30 hectares (3,300 m <sup>2</sup> ) (minimum size) or larger. <i>(e.g. 0.30 hectares is approximately 1/3 the size of a large soccer field)</i>	Two size options to accommodate variety of needs: <ul style="list-style-type: none"> <li>• Destination Leash-Free Area – minimum 3,300m<sup>2</sup></li> <li>• Neighbourhood Leash-Free Area – minimum 500m<sup>2</sup></li> </ul> <i>(ex. 500m<sup>2</sup> is approximately half the size of Civic Square)</i>	To allow for variety of sizes to meet different needs and suit the character of the neighbourhood and park.
All Leash-Free areas must be enclosed with permanent fencing, which the City will provide as part of the budget process.	All Leash-Free areas must be enclosed with permanent fencing.	Based on the feedback received, having a designated fully fenced Leash-Free area is important for both the public and dogs' safety.

Current Leash-Free Criteria	Proposed Updated Leash-Free Area Criteria	Rationale
<p>An assessment will be made to whether parking will be required at a proposed Leash-Free site, based on the size of the Leash-Free site, location and any disruption to park function. No parking required for walk-to Leash-Free Parks.</p>	<p>Parking will be determined based on:</p> <ul style="list-style-type: none"> <li>• overall park usage</li> <li>• size of Leash-Free area</li> <li>• walkability considerations</li> </ul>	<p>It is anticipated that Neighbourhood Leash-Free Areas would service users within walking distance, therefore parking would not always be required.</p>
<p>A significant barrier must exist between Leash-Free parks and the following Facilities:</p> <ul style="list-style-type: none"> <li>• children's playgrounds</li> <li>• splash pads</li> <li>• sports fields</li> <li>• waterfront</li> <li>• cemeteries</li> <li>• residential housing</li> </ul>	<p>Leash-Free Areas will be setback a minimum of 15 metres from:</p> <ul style="list-style-type: none"> <li>• children's playgrounds</li> <li>• splash pads</li> <li>• sports fields</li> <li>• waterfront</li> <li>• cemeteries</li> <li>• residential housing</li> </ul> <p>Where possible, a buffer of trees, hedges, or landforms is preferable in addition to the minimum setback.</p>	<p>To clarify what is considered a significant barrier. A minimum setback of 15 metres will allow Leash-Free areas to be built for the enjoyment of the entire family, including children and dogs.</p>
<p>No Leash-Free Parks to be located beside schools.</p>	<p>Leash-Free areas will have a minimum setback of 15 metres from:</p> <ul style="list-style-type: none"> <li>• school property line</li> <li>• daycare property line</li> </ul>	<p>Provides a defined distance.</p>
<p>No Leash-Free Parks to be located at waterfront parks.</p>	<p>No Leash-Free Area to be located at waterfront parks.</p>	<p>Staff are recommending the continuation of this criteria at this time.</p>
<p>Area must be accessible to the public for year- round use.</p>	<p>Area must be accessible to the public for year- round use.</p>	<p>Staff are recommending continuation of this criteria.</p>

Along with above proposed updated Leash-Free Area Criteria, the following previously approved exclusion areas identified in report PR-33-12 will remain in effect:

### **Leash-Free Exclusion Areas**

- Playgrounds, splash pads and wading pools
- On school grounds
- Horticultural display areas, community gardens
- Skateboard bowls, tennis courts and other sport pads
- Sport fields and stadiums
- Artificial or natural ice rinks, toboggan hills
- Designated memorial, heritage, commemorative and ceremonial areas
- Swimming beaches
- Municipal golf course
- Natural Environmental Areas
- ESAs, ravines and natural features protected by provincial regional regulations
- Natural shorelines with native vegetation
- Areas containing species of concern, locally or regionally rare, threatened, or endangered
- Fragmentation of natural areas

### **Process**

In addition to the proposed updated Leash-Free Area Criteria, staff are recommending an update to the current Leash-Free request process including a new Leash-Free Area request application, see Appendix B for process map.

### **Process to Consider Leash-Free Areas:**

- Requests will be received through a new Leash-Free Area application process that will streamline requests that meet the criteria and have documented community support
- Leash-Free areas may also be considered as part of a park renewal project
- Staff will review each application in relation to the Council approved Leash-Free Area Criteria and documented community support, applications may be submitted at any time.

- Applications that do not meet the criteria and/or do not have community support, will be communicated back to the applicant and ward councillor
- Applications that meet the criteria, have community support and are received by March 31 will be included in an annual staff report to Council in Q2 each year
- Upon council approval of the recommended Leash-Free areas, staff will conduct site specific community engagement
- If the site-specific engagement does not support the request, staff will inform the applicant and the ward councillor of the rationale for not moving forward
- If the site-specific engagement supports the request, the Leash-Free area(s) will be considered as part of the budget process
- Staff will design and manage construction of the Leash-Free area following capital budget approval

### **Financial Matters:**

This report does not entail any specific financial information or recommendations as part of the process.

The high-level estimated construction cost of the proposed Neighbourhood and Destination Leash-Free Areas are:

	<b>Size</b>	<b>Basic Amenities</b>	<b>Construction Estimate</b>
Neighbourhood Leash-Free Area	500m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Chain link fence</li> <li>• Accessible path and seating</li> <li>• Double gate</li> <li>• Maintenance gate</li> </ul>	\$26,000
Destination Leash-Free Area	3,300m <sup>2</sup>	<ul style="list-style-type: none"> <li>• Chain link fence</li> <li>• Accessible path and seating</li> <li>• Double gates</li> <li>• Maintenance gate</li> </ul>	\$103,000

Final costs would be determined on a site by site basis. Additional costs for items such as shelter, additional paving and potable water have not been included in these estimates. Staff will bring forward approved Leash-Free sites as part of the capital budget process.



## **Public Engagement Matters:**

The Leash-Free Area Criteria survey was available on Get Involved Burlington from August 1, 2019 to September 30, 2019. During this time, information flyers directing people to the survey were handed out to park users by Animal Control and Recreation Services staff. The survey was also promoted on the City's webpage and social media platforms. Residents were able to submit paper copies of the survey at the Food for Feedback event on September 14, 2019. Paper responses were manually entered into Get Involved Burlington by Clerks staff. For complete Survey Results, see Appendix A.

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## **Climate Change:**

Allowing for Neighborhood Leash-Free Areas will encourage residents to walk to their local Leash-Free Area therefore reducing greenhouse gasses created by longer car trips to access Leash-Free Areas.

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## **Conclusion:**

The proposed changes to the Leash-Free Area Criteria and consideration process, will provide greater opportunities to establish Leash-Free Areas. The criteria and consideration process continue to deliver Leash-Free areas in a thoughtfully planned and designed manner to accommodate all park users. Once approved by Council, staff will follow up with the community to outline the revised criteria for future implementation, through an updated webpage and a conclusion on the Get Involved Burlington portal.

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Respectfully submitted,

Rebecca Holmes  
Planner – Recreation  
905-335-7600 ext. 7351

Becky Ellis  
Landscape Architect  
905-335-7600 ext. 7363

**Appendices:**

- A. Complete Survey Results
- B. Leash Free Process Map

**Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.