



DEVELOPMENT AND INFRASTRUCTURE SERVICES – ENGINEERING SERVICES  
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July 21, 2014

**JOINT DEVELOPMENT AND INFRASTRUCTURE SERVICES AND  
COMMUNITY SERVICES REPORT ES 2014-49**

TO: Committee of the Whole  
SUBJECT: Leash-free Dog Park  
ORIGIN: Commissioner, Development Infrastructure Services

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**RECOMMENDATIONS**

THAT Joint Development and Infrastructure Services and Community Services Report ES 2014-49 dated July 21, 2014, entitled "Leash Free Dog Park" be received and the following recommendations be adopted:

1. THAT Staff be authorized to proceed with the construction of the proposed Leash-free Dog Park on the west side of Bayview Parkway south of the entrance to the Tom Taylor Trail in accordance with the design reviewed at the Public Information Centre conducted on June 26, 2014;
2. AND THAT the 2014 Capital Budget be increased from \$100,000 to \$170,000;
3. AND THAT that financing of \$70,000 be from Development Charges;
4. AND THAT that, pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves;
5. AND THAT the proposed sponsorship funding in the amount of \$100,000 as outlined in this report be accepted subject to the execution of the appropriate sponsorship agreements;
6. AND THAT staff be directed to provide a follow-up Information Report with respect to the proposed operating procedures which would be based on best practices from existing facilities in other jurisdictions, including a delineation of the responsibilities of the Town and the volunteer organizing Committee;
7. AND THAT staff be directed to report back to Council on revisions necessary to applicable by-laws, if any;
8. AND THAT Staff be directed to review the warrants for pedestrian crossing of Bayview Parkway at this location and report back to Council.

## **PURPOSE/BACKGROUND**

This report is being provided to address the following recommendations, which were adopted from Development and Infrastructure Services Report 2013-47, dated November 12, 2013:

- a) THAT the Town of Newmarket support in principle the proposal to establish a leash-free dog park in George Richardson Park adjacent to the Tom Taylor Trail in the vicinity of Lock 3;
- b) AND THAT staff be directed to hold a Public Information Centre to gather community input on the proposal;
- c) AND THAT staff provide a report to Council outlining the community input received and making recommendations regarding the proposed location and final design of park improvements required and cost estimates for consideration by Council;
- d) AND THAT staff be directed to report back to Council on revisions necessary to the Parks Use By-law;
- e) AND THAT the Capital Budget include provisional funding of \$50,000 for this purpose with the final allocation to be considered by Council following the public consultation process and direction to staff with respect to community based fundraising;
- f) AND THAT the Operating Budget include an amount of \$10,000 for maintenance of the Leash-free Dog Park;
- g) AND THAT the project commence only after the Committee organization raises 80 percent of their \$50,000 target or half of the required capital.

Staff has been working with a group called "Newmarket Dogs" which includes a number of community volunteers, some of whom have strong landscape design experience and have actually designed leash-free dog parks for other municipalities. The group has completed the preliminary design of Newmarket's proposed leash-free dog park. The design has been reviewed by Town Staff and has been found to meet Newmarket's design and technical specifications.

Originally, the capital budget needed to construct the park was estimated at \$100,000. This amount was based on a preliminary rough design and on a \$50,000 contribution from the community. Since then, the volunteer group has been working with Staff in Community Services to reach their original fundraising target of \$50,000. However, commitments towards that target have exceeded by double the amount and Staff in Community Services has confirmed that sponsorship commitments have reached \$100,000.

Based on the success of the fundraising efforts, the design was enhanced to incorporate additional highly desirable elements, such as site furnishings for residents to enjoy while using the park and concreted areas where crushed limestone had previously been proposed. The concrete enhancement will have the added bonus of reducing the extent of maintenance required at the park.

The engineering estimate for the project has been re-calculated based on the more detailed design that incorporates the enhancements described above. The revised budget is now \$170,000, of which \$100,000 will be contributed by the community.

Staff presented the preliminary design on June 26, 2014 at a Public Information Centre (PIC) Open House held in the Council Chambers. The PIC was advertised Town-wide through the media and the Town's website.

Twenty-six (26) residents attended the PIC. In addition, Staff received comments from 2 residents who were not able to attend, but wanted to voice their opinion. In total, 18 recommendations/comments were provided through the PIC. In summary, 16 commenters were IN FAVOUR of the Leash-free Dog Park and its location and 2 were AGAINST the Dog Park.

The following provides details of the recommendations received:

- Wrong location- park is very populated with children, bikes, rollerbladers, skateboarders- safety risk – 2 comments received
- Too Small – 5 comments received
- Inadequate fencing proposed- 2 comments received
- Supervision should be required – 2 comments received
- Minimal parking- 2 comments received
- Include mesh in fencing along trail to reduce distractions by people on the trail – 2 comments received
- Solid fence should be installed that does not allow dogs to see people on the trail- 2 comments received
- Would a Pedestrian crosswalk on Bayview Parkway be warranted?- 1 comment received

Here are the actions that Staff can take to address some of the concerns expressed through the PIC:

**Location:** Staff will work with the consultant to include some material in the fence to create a visual barrier along the trail; this should limit outside distractions and also assist with the concerns regarding the location.

**Parking:** As indicated in Report 2013-47, dated October 22, 2013 and entitled "Leash-free Dog Park", there is a possibility that the amount of parking may not be sufficient to accommodate all of the users of the various amenities at this location, including the playing fields for soccer and baseball. In planning for this possibility, staff is exploring signage to encourage users to park at other locations along the Tom Taylor trail and walk to the leash-free dog park.

**Site Supervision:** Most leash-free dog parks do not have on-site supervisors. If Council wishes to pursue this, a request for additional funding would have to be made. It should be noted that under the Dog Owners Liability Act, all dogs in the park are still the responsibility of their owner. The owner of a dog is liable for damages resulting from a bite or attack by the dog on another person or domestic animal (R.S.O. 1990, c. D.16, s. 2 (1)), whether in a dog park or not. Many leash-free dog parks are managed by a user group that assists with maintenance and helps enforce user rules. In our current Animal Control provider's contract, there is no provision for monitoring in leash-free dog parks. However, the leash-free dog park could be identified as a patrol area for the animal control provider. Such issues will be further addressed in the follow-up Information Report by Staff.

**Pedestrian Crossing:** Staff will review the requirements for a Pedestrian Crossing and report back if a pedestrian crossing is warranted in this area.

Staff will complete an Information Report to Council recommending "Best Practice Operating Procedures" for the dog park. Staff will contact other municipalities who operate leash-free dog parks to tap into their experience and obtain their feedback and recommendations. Newmarket's operating procedures will be based on the best practices and feedback obtained.

## **CONSULTATION**

The design of the dog park involved a great deal of consultation with internal departments, including Legislative Services, Legal Services, Public Works and Operations, as well as the general public through the PIC held on June 26, 2014.

Community Services and Recreation & Culture have provided information regarding the results of the community fundraising for the project.

Engineering has worked closely with the volunteer consultant (at no charge to the Town) to obtain the preliminary design. Staff has ensured that all design components meet the technical specifications of the Town. Staff will continue to work with the volunteer consultant to complete the detailed design and the tender documents. It is hoped that a contractor can be selected and construction can commence before the Fall to complete the park before year-end if Council recommends that we proceed with the project.

Public Works Services has reviewed the design and provided their comments, which were incorporated into the current design.

Legal Services was consulted in respect to the legal responsibilities and has recommended that the best practices of other municipalities be reviewed for the operation of the dog park.

By-Laws has been consulted regarding By-Law requirements.

Finance was also consulted for sources of funding.

## **HUMAN RESOURCE CONSIDERATIONS**

Staffing levels are not impacted as a result of the recommendations in this report.

## **BUDGET IMPACT**

### **Capital Budget**

In order to complete the construction of the Leash-Free Dog Park, \$170,000 will be required. Staff is recommending that \$70,000 be financed from Development Charges (per the 2014 update), and pending the collection of sponsorship funds, interim financing of \$100,000 be advanced from reserves.

### **Operating Budget (Current and Future)**

At the Special Committee of the Whole of June 24, 2013, Staff was asked to prepare a report to Council outlining the financial implications of operating an average sized leash-free dog park.

Assuming a grass-surfaced area of approximately half of an acre, Public Works had originally estimated operating costs to be approximately \$20,000 to \$25,000 per year. Services provided would include daily waste collection, grass maintenance (in line with the current service level), wood chip maintenance, inspections, fence repairs, general park maintenance (graffiti, furniture, etc.), snow removal and parking lot maintenance.

However, the maintenance budget approved by Council at its November 12, 2013 meeting was \$10,000 per year (Development and Infrastructure Services Report 2013-47, dated November 12, 2013). The true expected maintenance costs will become more evident when the detailed design is completed and best practices in other municipalities will be reviewed. The operating costs and services provided will be outlined in the follow-up "Best Practice Operating Procedures" Information Report.

## **BUSINESS PLAN AND STRATEGIC PLAN LINKAGES**

### **Living Well**

- Emphasis on active lifestyles and recreation opportunities
- Environmental protection and natural heritage preservation

### **Well Balanced**

- Recreation facilities and services
- Green and open spaces, parks and playing fields

## **CONTACT**

For more information on this report, please contact Rachel Prudhomme at 905-953-5300 extension 2501, or [rprudhomme@newmarket.ca](mailto:rprudhomme@newmarket.ca).



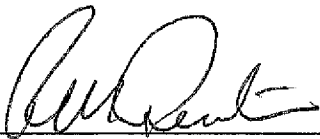
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Meredith Goodwin, Manager,  
Special Projects



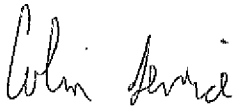
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Rachel Prudhomme, M.Sc., P.Eng.  
Director, Engineering Services



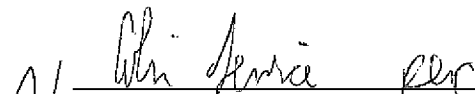
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Robert Prentice, Commissioner,  
Development and Infrastructure Services



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Colin Service Director,  
Recreation and Culture



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A/ Ian McDougall, Commissioner,  
Community Services