

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 
Jacques Dubé, Chief Administrative Officer

DATE: June 30, 2020

SUBJECT: **Potential dog off-leash area in Governors Brook Subdivision and work program update**

ORIGIN

1. January 16, 2018 Regional Council motion (Item 14.1.1): MOVED by Councillor Cleary, seconded by Councillor Nicoll THAT Halifax Regional Council:
 1. Adopt Administrative Order 2017-013-OP, *Off-Leash Dog Areas Administrative Order*, as set out in Attachment A of this report;
 2. Adopt By-law P-601, amending By-law P-600, the Municipal Parks By-law, as set out in Attachment C of this report;
 3. Approve the continuation of the existing Off-Leash Dog Areas approved pursuant to the 2007 Off-Leash Strategy within Point Pleasant Park, Fort Needham Park, Mainland Common, Hemlock Ravine, Shubie Park, Dartmouth Common, Sandy Lake, and Ardmore Park;
 4. Approve the continuation of the existing seasonal Off-leash Dog Areas as listed in Attachment E; and
 5. Direct the CAO to identify potential additional Off-leash Dog Areas, pursuant to Administrative Order 2017-013-OP, for the communities of Cole Harbour, Eastern Passage, Spryfield area, and Dartmouth. **MOTION PUT AND PASSED UNANIMOUSLY**
2. March 10, 2020 Halifax Regional Council Motion (Item 15.6.1): MOVED by Councillor Adams, seconded by Councillor Mancini THAT Halifax Regional Council request a staff report on the feasibility of a dog park on a portion of HRM owned parkland in the Governors Brook subdivision. **MOTION PUT AND PASSED UNANIMOUSLY.**

LEGISLATIVE AUTHORITY

- ***Halifax Regional Municipality Charter***

Section 61(3) The property vested in the Municipality, absolutely or in trust, is under the exclusive management and control of the Council, unless an Act of the Legislature provides otherwise.

RECOMMENDATIONS ON PAGE 2

Section 79A(1) Subject to subsections (2) to (4), the Municipality may only spend money for municipal purposes if (a) the expenditure is included in the Municipality's operating budget or capital budget or is otherwise authorized by the Municipality;...

- **HRM Administrative Order 2017-013-OP Respecting Off-leash Dog Areas Within Parks (Off-leash Dog Areas Administrative Order)**

RECOMMENDATION

It is recommended that Halifax Regional Council direct the Chief Administration Officer (CAO) to:

1. Assess the suitability of a shared dog off-leash area along a section of trail within McIntosh Run Regional Park, pursuant to Administrative Order 2017-13-OP including public consultation, and report back to Regional Council; and
2. Continue to implement the off-leash work program as outlined in this staff report.

BACKGROUND

This staff report responds to a motion of Regional Council for "...a staff report on the feasibility of a dog park on a portion of HRM owned parkland in the Governors Brook subdivision." There are five parks within or adjacent to this subdivision: Alabaster Way Community Park, Governors Brook District Park, McIntosh Run Regional Park (area with multi-use pathway), and Travertine Court and Titanium Crescent neighborhood parks (Attachment A). This report also provides an update of the established Off leash Area (OLA) work program which is focused on filling service gaps in Dartmouth, Cole Harbour, Eastern Passage and the Spryfield Area.

OLA Program History

HRM's OLA program dates to 1998 when Regional Council passed By-law D-100, *Respecting the Registration and Regulation of Dogs*, which contained provisions regarding the designation of OLAs within municipal parks.

On November 9, 2004 Regional Council requested that staff develop a master plan for off-leash dog areas within the municipality to respond to an increasing demand for formalized OLAs. The master plan took the form of the 2007 Off-Leash Dog Strategy that was adopted by Regional Council on June 26, 2007¹. The Strategy was a pilot program to create new off-leash areas and monitor their effectiveness. Numerous public consultation sessions were held and seven year-round OLAs were developed through the implementation of the Strategy: Dartmouth Common; Fort Needham Memorial Park; Hemlock Ravine; Point Pleasant Park; Sandy Lake; Shubie Park; and Mainland Common (a dedicated off-leash facility). To supplement the year-round locations, the municipality also developed an inventory of seasonal OLA sites, which were generally sports fields that could supplement the program by allowing use during an identified season and/or times of day².

A review of the off-leash pilot program was undertaken in 2014 and a report to Regional Council in 2015 indicated that the pilot project generally worked well, and an expansion of the program was recommended. However, the need for a stronger policy framework, updated planning and site criteria, and clearer

¹ Link to Staff Report and 2007 Off-Leash Parks Strategy:

<http://legacycontent.halifax.ca/council/agendasc/documents/070626cow4.pdf>

² Link to Halifax's OLA website:

<https://www.halifax.ca/recreation/parks-trails-gardens/parks-outdoor-spaces/leash-dog-parks>

procedures for receiving and approving requests for off-leash service were identified. Regional Council directed staff to prepare an administrative order to guide further expansion and management of the OLA program.

On January 16, 2018, Regional Council approved the continuation of the pilot OLA locations and Administrative Order 2017-013-OP, Respecting Off-leash Dog Areas in Municipal Parks (OLA Administrative Order) to guide the expansion of the program as well as work program which outlined the next phase of potential OLA locations based on service gaps³.

Administrative Order – Respecting Off-leash Dog Areas in Municipal Parks

The OLA Administrative Order recognizes the health benefits of dog walking and the need to provide appropriate and safe facilities which are economically and environmentally sustainable. It also formalizes:

- the process by which new off-leash areas are designated, modified, or closed;
- an off-leash classification system (shared vs. dedicated); and
- the criteria by which potential candidate off-leash areas are evaluated such as proximity to different land uses, size, compatibility with other recreation facilities, opportunities for active use by dog owners, and financial implications.

OLA Work Program

Shared vs. Dedicated OLAs

Shared off-leash facilities are designated areas within a park where off-leash dogs and other park users share the space (e.g. trails and sports fields). Dedicated off-leash areas are designed and developed primarily for off-leash dogs, including service dog areas, and normally include fencing to define the area and contain the activity. There are currently two such facilities in the municipality, a large-scale OLA at Mainland Common and a much smaller one in Ardmore Park that is exclusively for service dogs.

Dedicated OLAs offer increased socialization and exercise opportunities for dogs, mitigate conflict with non-dog owners and reduce concerns for owners of dogs with poor recall skills. For these reasons they tend to be regional facilities which draw residents from a wide area. These facility types therefore need to be of sufficient size and provide parking to accommodate large numbers of users. Dedicated OLAs can exclude other park users, don't promote dog-owner exercise and are more capital intensive than shared facilities. Shared OLAs are therefore the prevalent model for the OLA program.

Service Delivery Gaps

The OLA work program approved by Regional Council outlined four identified service gap areas in the municipality along with possible locations for dog off-leash facilities within those communities:

- Dartmouth – Parks in Burnside Business Park;
- Cole Harbour – Former Rehabilitation Lands;
- Eastern Passage – Eastern Passage Common and Shearwater Flyer Trail Park; and,
- Spryfield Area – Long Lake Provincial Park and Ragged Lake Business Park.

Filling the four service gaps is the focus of the work program and will be achieved primarily through shared OLAs.

³ Link to Staff Report and AO 2017-013-OP - Respecting Off-leash Dog Areas in Municipal Parks:
<https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/180116rc1411.pdf>

DISCUSSION

The municipality is following the OLA work program and making steady progress in the four identified communities. While an OLA in Governors Brook is not specifically in the work program, it does fall within the Spryfield Area so it would be considered as another possible location for that area under the work program.

OLA in Governors Brook Subdivision

As indicated, the OLA Administrative Order criteria by which potential candidate off-leash areas are evaluated include factors such as proximity to different land uses, size, compatibility with other recreation facilities, opportunities for active use by dog owners, and financial implications. Using the evaluation criteria, an initial assessment of the five parks in the immediate vicinity of Governors Brook Subdivision was completed. Alabaster Way Community Park, Travertine Court Park and Titanium Crescent Park are considered unsuitable because of their proximity to residential areas (less than 20m). The latter two parks are also of insufficient size (0.2ha). For several reasons, Governors Brook District Park is also unsuitable:

- many trail sections are too close to residential areas (15m at closest) with little to no acoustic barrier due to the predominant granite barrens landscape;
- there is high likelihood of user conflict as the trail system is designed for single-track use with a focus on mountain biking; and,
- the MacIntosh Run Watershed Association is responsible for operating the site and they carry the liability insurance.

The fifth park, McIntosh Run Regional Park, has potential as a shared OLA in the section with the multi-use pathway (Attachment A) based on the following initial assessment:

- there is adequate separation from residential areas (over 80m);
- there is 1,300m of existing linear crusher dust trail (over 2m wide) with future expansion that is anticipated to the south; and,
- this facility promotes dog-owner exercise.

It is recommended that there be community consultation regarding the suitability of a shared OLA along the suggested portion of McIntosh Run Regional Park. Feedback from the engagement session would be included in a follow-up recommendation report discussing the suitability of the potential OLA. The report may also include recommendations on OLA usage rules regarding seasonality and time of day.

OLA Work Program Update

As noted, this report also provides an update on the other aspects of the work program. Details of the other areas are included below.

Dartmouth

On October 16, 2018, Regional Council approved the designation of Don Bayer Park in Dartmouth as a dedicated off-leash dog area⁴. The site was chosen to relieve pressure in busy OLA's such as Shubie Park and to offer a second dedicated public OLA in the municipality. The OLA will be located at the north end of the park and accessed by a looped walking trail that circles the playing fields. The facility will have two fully fenced areas, sun/weather shelters, and potentially, an agility training area. Detailed design of the new OLA is part of the 2020/21 Capital Budget and funds for construction will be included in future budgets.

⁴ Link to Staff Report on Don Bayer Park dedicated OLA:

<https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/181016rc1414.pdf>

Cole Harbour

The former Rehabilitation Centre lands between Bissett Road and Bissett Lake in Cole Harbour were identified for a comprehensive park planning exercise in the 2019/20 business plan. The Rehabilitation Centre lands are over 20 hectares in size, a portion of which has been identified in the work program as a potential dog OLA.

The initial community engagement session for the former Rehabilitation Lands park plan had been planned for late April 2020. However, given the provincial state of emergency and physical distancing regulations, this session was cancelled. Determinations are being made about how to proceed with public engagement for various projects, which for the Rehabilitation Land park plan will include discussions on a potential OLA.

Eastern Passage

Because the Eastern Passage Common is centrally located within the community, an area within the park could be designated as an OLA. This may involve shared use of a sports field with possible usage restrictions for time of day and season. Some initial consideration of the Eastern Passage Common as a potential OLA location occurred through the recent development of a plan for this park that was approved by Regional Council on February 25, 2020. The public planning process indicated there were both proponents and opponents to having a dog OLA site within the Eastern Passage Common. Accordingly, the park plan outlined that a separate process specifically related to a proposed OLA was required to understand the needs of the community and to establish the best location for an OLA in Eastern Passage. An engagement session had been planned for late April but was cancelled due to the COVID-19 pandemic. The meeting was to collect feedback for an OLA in the Eastern Passage Common and other potential OLAs identified in the broader community: Shearwater Flyer Park and Smelt Brook Park (Attachment B). As is the case for Cole Harbour, public engagement on potential OLAs within Eastern Passage will proceed as the municipality makes determinations about how to proceed with public engagement.

Spryfield Area

In response to a motion from August 14, 2018 to explore the potential of an OLA within Long Lake Provincial Park, an Information Report was brought forward to Halifax Regional Council on January 15, 2019⁵. The report outlined:

- that Long Lake Provincial Park is a longstanding popular area for off-leash dog walking and swimming, which is problematic because provincial park regulations prohibit off-leash activity;
- how Nova Scotia Department of Lands and Forestry (NSDLF) approached HRM in August 2016 with a potential proposal to create an off-leash area within the provincial park that would be managed by HRM; and,
- that while NSDLF approached HRM about a potential OLA, NSDLF has concerns over establishing a precedence given provincial park regulations and further suggested HRM assess other nearby sites for their off-leash potential.

Since the 2019 Information Report, a review of potential off-leash sites in the Spryfield Area has been undertaken which included Ragged Lake Business Park (inside the Western Common), Graves Oakley Memorial Park, Ravenscraig Drive Park, the Captain William Spry Centre trail and Roaches Pond Ball Diamond Park. Staff also met with NSDLF to further discuss the possibility of an OLA in Long Lake Provincial Park. In early March 2020, HRM staff proposed an OLA along an existing loop trail in the area originally suggested by the Department of Lands and Forestry in 2016 (Attachment C).

Although the proposed section of McIntosh Run Regional Park would provide some service if it becomes an OLA, the service gap in the broader community would be better addressed through an OLA in Long

⁵ Link to Staff Report on Off-leash Area in Long Lake Provincial Park:
<https://www.halifax.ca/sites/default/files/documents/city-hall/regional-council/190115rci03.pdf>

Lake Provincial Park. It would provide more benefit because of its large size which promotes dog-owner exercise, the presence of existing trails, and the established pattern of off-leash usage.

Next Steps

OLA in Governors Brook Subdivision

Given current public gathering restrictions for meetings, staff will be developing a format for engagement to gather public input regarding the suitability of a shared OLA within the suggested area of McIntosh Run Regional Park which will inform subsequent recommendations to Regional Council through a future report (Attachment A).

OLA Work Program

In Dartmouth, detailed design of the new dedicated OLA in Don Bayer Park has begun with funding from the 2020/21 capital budget.

Given current public gathering restrictions for meetings, staff will be developing a format to:

- incorporate OLA considerations during engagement sessions for the Rehabilitation Lands park plan; and,
- arrange an engagement session for public feedback on community needs and a potential OLA in the Eastern Passage Common and other sites in the broader community.

For Spryfield, staff will continue to engage the province on creating an OLA in Long Lake Provincial Park within the area delineated in Attachment C.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. Financial implications associated with new OLA sites will be included in relevant staff reports for each location as they are brought forward for Regional Council consideration.

RISK CONSIDERATION

The risks associated with this report rate low. To determine this level of risk, consideration was given to reputational, operational and financial considerations.

COMMUNITY ENGAGEMENT

No community engagement was conducted in conjunction with the preparation of this report. Community consultation was undertaken in the preparation of the OLA Administrative Order and will be completed as indicated for the proposed OLA areas.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendation of this report.

ALTERNATIVES

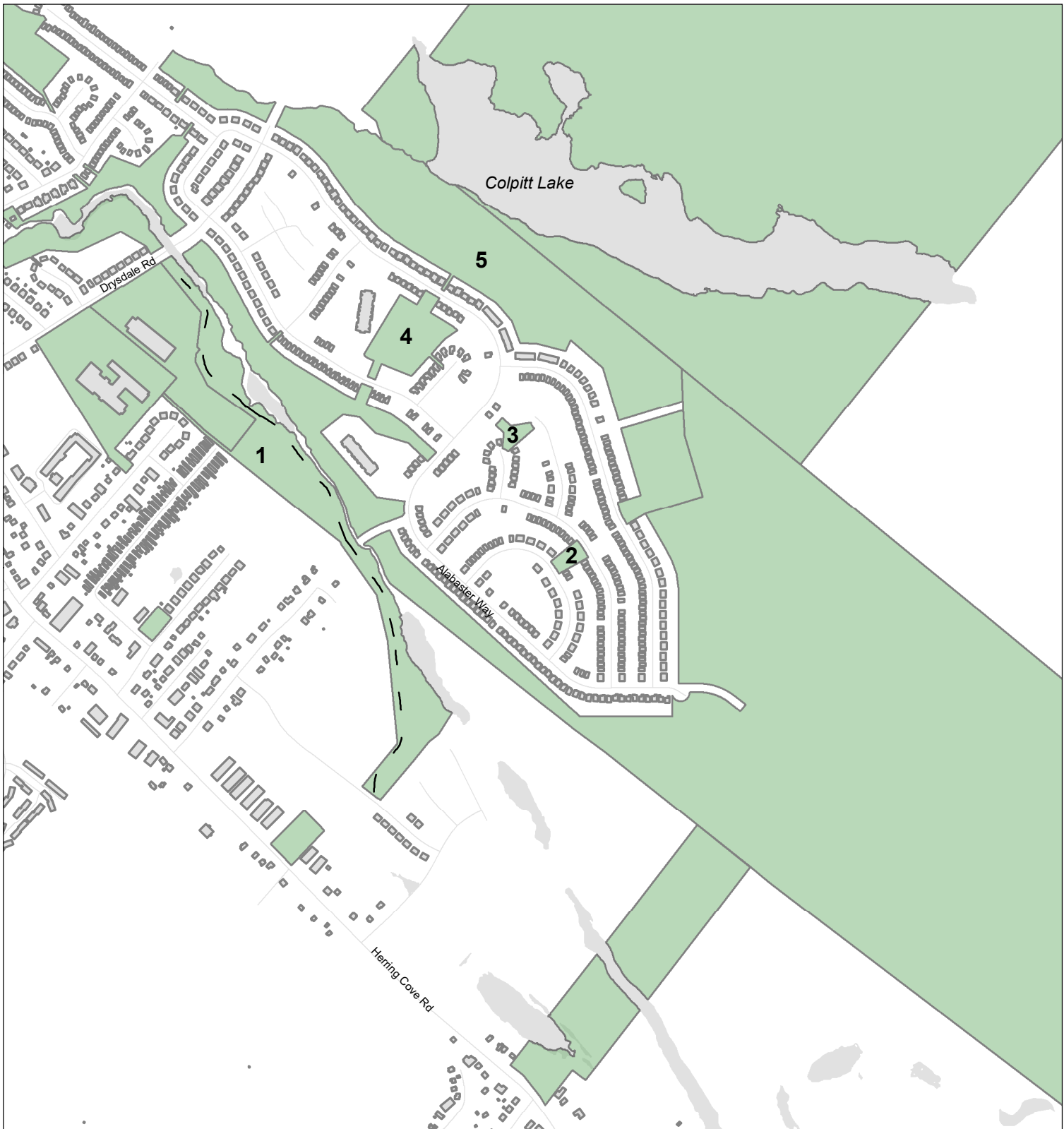
1. Regional Council could decide not to proceed with further consideration of an OLA within McIntosh Run Regional Park.
2. Regional Council could decide to alter the OLA work program as identified within this report.

ATTACHMENTS

Attachment A	HRM-owned Parks near Governors Brook Subdivision
Attachment B	Potential OLAs in Eastern Passage
Attachment C	Proposed OLA in Long Lake Provincial Park

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

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HRM-owned parks near Governors Brook Subdivision

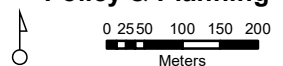
- 1. McIntosh Run Regional Park (multi-use pathway)
- 2. Titanium Crescent Park
- 3. Traverstine Court Park
- 4. Alabaster Way Park
- 5. Governors Brook District Park

— — Recommended Shared OLA

Municipal Parkland

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





Potential OLAs in Eastern Passage

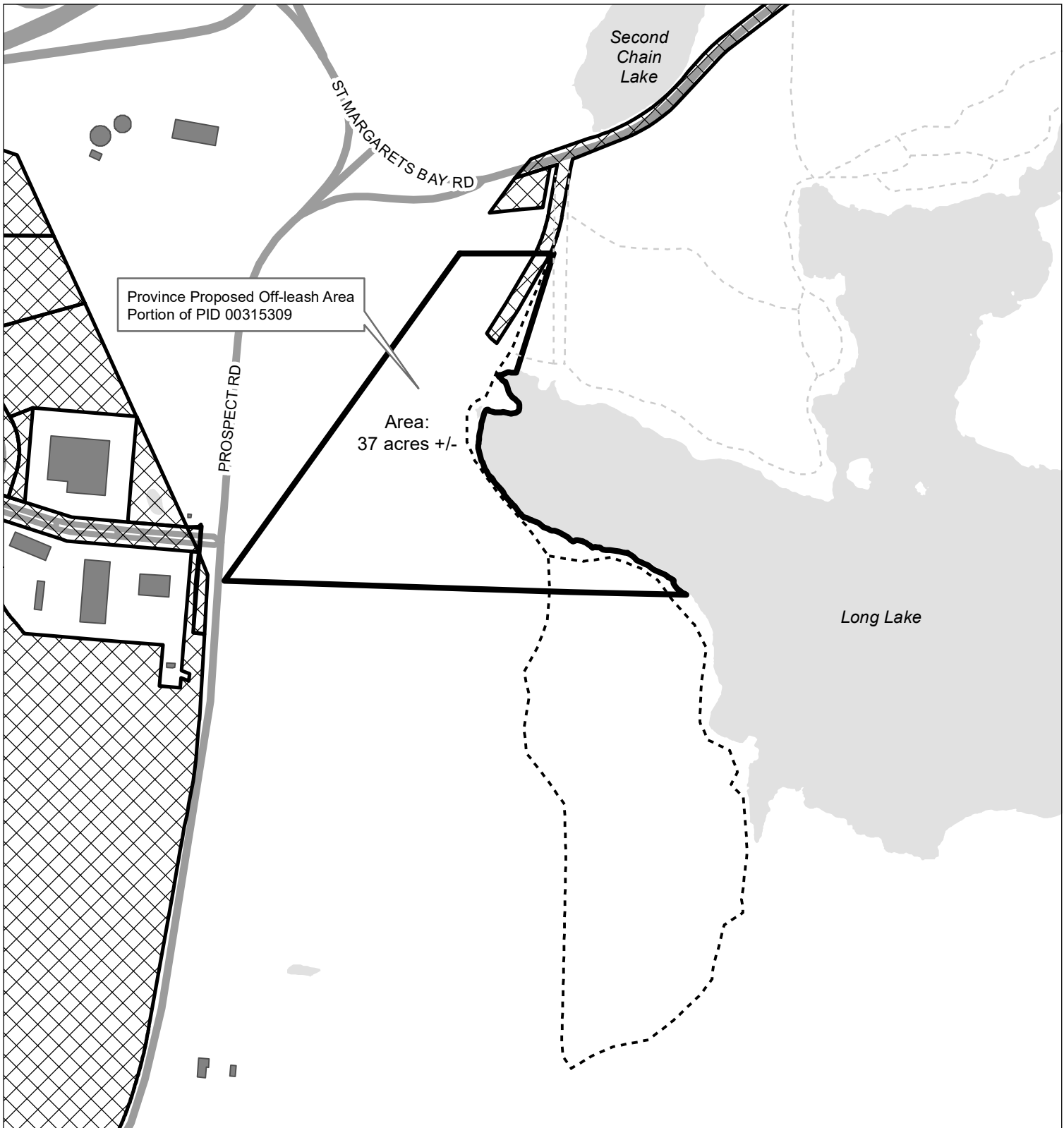
Potential OLAs

- 1. Eastern Passage Common
- 2. Shearwater Flyer Park
- 3. Smelt Brook Park

	Municipal Parkland
	Provincial Parkland

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0 0.1 0.2 0.4 0.6 0.8 1
 Kilometers



Potential Dog Off-leash Area in Long Lake Provincial Park

- Other Existing Trails
- - - - Identified Potential Off-leash Trail Section under Discussion
- Buildings
- ▣ HRM Parcel
- ▭ Province Proposed Off-leash Area

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