

TO: Mayor Savage and Members of Halifax Regional Council

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

DATE: July 14, 2021

SUBJECT: Dog Off-leash Area – Governor’s Brook Area

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.

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;

RECOMMENDATION ON PAGE 2

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

Section 13 Evaluation Criteria for Shared Off Leash Dog Areas
Items 13(a) through 13(o) as itemized in Attachment D

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Approve the area identified in Attachment A within Roaches Pond Ball Diamond Park, 610 Herring Cove Road, Spryfield for designation as a year-round shared off-leash dog area pursuant to Administrative Order 2017-013-OP with requirements for hours of operation and other regulations pursuant to the Parks By-law (P-600); and
2. Direct the Chief Administrative Officer (CAO) to undertake the actions outlined in this report to establish a dog off-leash area in Roaches Pond Ball Diamond Park.

BACKGROUND

Off-Leash Area Program History

HRM’s Off-Leash Dog Area (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, 2007. 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 OLA). To supplement the year-round locations, the municipality also developed an inventory of seasonal OLA sites, which were generally sports fields that could enhance the program by allowing use during an identified season and/or times of day.

A review of the off-leash pilot program undertaken between 2014 and 2015 indicated that the pilot project generally worked well, and on November 19, 2015 Regional Council approved the off-leash program as a permanent service. However, the need for a stronger policy framework, updated planning and site criteria, and clearer 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 a work program which outlined potential OLA locations based on service gaps. The gap areas were Dartmouth, Cole Harbour, Eastern Passage, and the Spryfield area.

Respecting Off-leash Dog Areas within Parks Administrative Order

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, including proximity to different land uses, size, compatibility with other recreation facilities, opportunities for active use by dog owners, and financial implications.

DISCUSSION

This staff report responds to a motion of Regional Council to identify potential additional dog Off-Leash Areas (OLA) in four gap areas, of which Spryfield is one, and a second motion for "...a staff report on the feasibility of a dog park on a portion of HRM-owned parkland in the Governors Brook subdivision." Based on site selection criteria set in the OLA Administrative Order, and in response to this motion, a staff report from September 22, 2020 outlined that the only park within the subdivision which had potential as an OLA was the community trail within McIntosh Run Regional Park. This was due to factors such as the limited size of other parks and their proximity to residences.

The September 2020 staff report recommended public consultation be undertaken to assess the suitability of a shared OLA along a section of the McIntosh Run Community Trail. However, given the proximity of Roaches Pond Ball Diamond Park to Governor’s Brook subdivision, its ability to be accessed along the community trail, and its underutilized status as a field that is no longer booked for use, it was also included as an OLA option in the public engagement (Attachment B).

Shared OLAs are designated areas within a park where off-leash dogs are permitted along with other park uses, while dedicated off-leash facilities exclude other park users. Dedicated OLAs can mitigate conflict with non-dog owners and reduce concerns for owners of dogs with poor recall skills. For these reasons dedicated OLAs 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 are more capital intensive than shared facilities. Shared OLAs are subsequently the prevalent model for the OLA program as they are more cost effective and as a result can be more broadly offered.

Site Selection/ Community Engagement

Community engagement was hosted on-line using the Shape Your City platform due to the COVID-19 pandemic, between February 5, 2021 and March 8, 2021. The engagement opportunities were advertised via:

- a public service announcement;
- mailouts to adjacent residents;
- alerting key stakeholders via e-mail; and
- digital promotion.

Participants were presented with a review of HRM’s approach to dog OLAs and the Administrative Order; links to relevant staff reports and OLA rules; an overview of the opportunities and constraints of the parks within the vicinity of Governor’s Brook subdivision; and a survey which included four OLA options.

More than 220 survey participants ranked the four OLA options as follows:

1. Roaches Pond Ball Diamond Park;
2. Roaches Pond & McIntosh Run Community Trail (trail hours limited to 5am-10am and 4pm-10pm);
3. McIntosh Run Community Trail (all times of day); and
4. McIntosh Run Community Trail (trail hours limited to 5am-10am and 4pm-10pm).

The margins between the first and second choices were very narrow, where 25% of respondents ranked Roaches Pond Ball Diamond Park as their first choice and 23% of respondents were in favour of the combined option of Roaches Pond Ball Diamond Park plus the McIntosh Run Community Trail during morning and evening hours. However, the second option is not being recommended because there was also considerable opposition to using the community trail for off-leash dogs — the most cited comment from the survey was in direct opposition to an OLA at that location. Full engagement results were posted on the Shape Your City webpage as the *What We Heard Report* (Attachment C).

Roaches Pond Ball Diamond Park as an OLA

On the basis of the survey results, Roaches Pond Ball Diamond Park was considered in greater detail. The park is approximately 6.5 hectares and is located in Spryfield off of Herring Cove Road (Attachments A and B). It is surrounded by undeveloped land except close to the road where it is flanked by single family dwellings. The park borders much of Roaches Pond and contains forested land on both sides of McIntosh Run. The park contains a partially-fenced ball diamond and grassy area, a section of the McIntosh Run Community Trail and a parking area.

Roaches Pond Ball Diamond Park assessed favourably as a shared off-leash area with site selection criteria set out by the Administrative Order (Attachment D). As the ball diamond is no longer programmed for scheduled-sport use, it is underutilized, and the risk of user conflict is low. The outfield grass area is still maintained for unprogrammed general park use but observations indicate that the space is not heavily used. As a shared OLA facility, general park use will still be accommodated. The site also provides some gravel parking and is over 100m away from residential areas giving a generous visual and acoustic buffer. The ball diamond area is slightly smaller than the preferred size of 1 hectare as set out in the Administrative Order, however it is a viable option.

Designating the site as a shared year-round OLA can be implemented this fiscal year with existing resources. The investment to prepare the site for a year-round OLA includes signage, dog waste bag dispensers, additional waste bins, and increased maintenance. If required, future investment may include a parking lot expansion and additional fencing, but these are not current considerations. While users of the OLA may come from across the region, this site is expected to be most used by local residents.

Conclusion

If the recommendation to establish the Roach’s Pond Ball Diamond as a shared OLA is approved, the improvements outlined in this report may be able to be undertaken shortly after Regional Council’s approval and subsequently opened to the public, subject to other operational priorities. The municipality’s off-leash area inventory would be updated and communicated to the public. Once opened, the site’s usage would be assessed to ensure that it is being used as envisioned.

FINANCIAL IMPLICATIONS

As outlined, some investment is needed to convert the ball diamond to a shared OLA. The work to convert the ball diamond includes the installation of garbage cans, dog waste dispensers and signage. The estimated cost for the improvements is \$2,000 and will be funded from Account W193 (Trails and Open Spaces account). The increased annual maintenance/operations costs, which would be drawn from the same account, are expected to be approximately \$40,000 and will be added to 2022/23 proposed budget.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this Report. Section 18 of the Administrative Order allows Regional Council, at any time, to modify or close an off-leash area.

COMMUNITY ENGAGEMENT

Virtual community engagement was held between February 5, 2021 and March 8, 2021 and found support for establishing an off-leash area at Roaches Pond Ball Diamond Park. Details are provided in the Discussion section above and in Attachment C.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendation in this report. When established, dog owners will be responsible for adhering to off-leash area regulations, including requirements regarding picking up their dog’s waste.

ALTERNATIVES

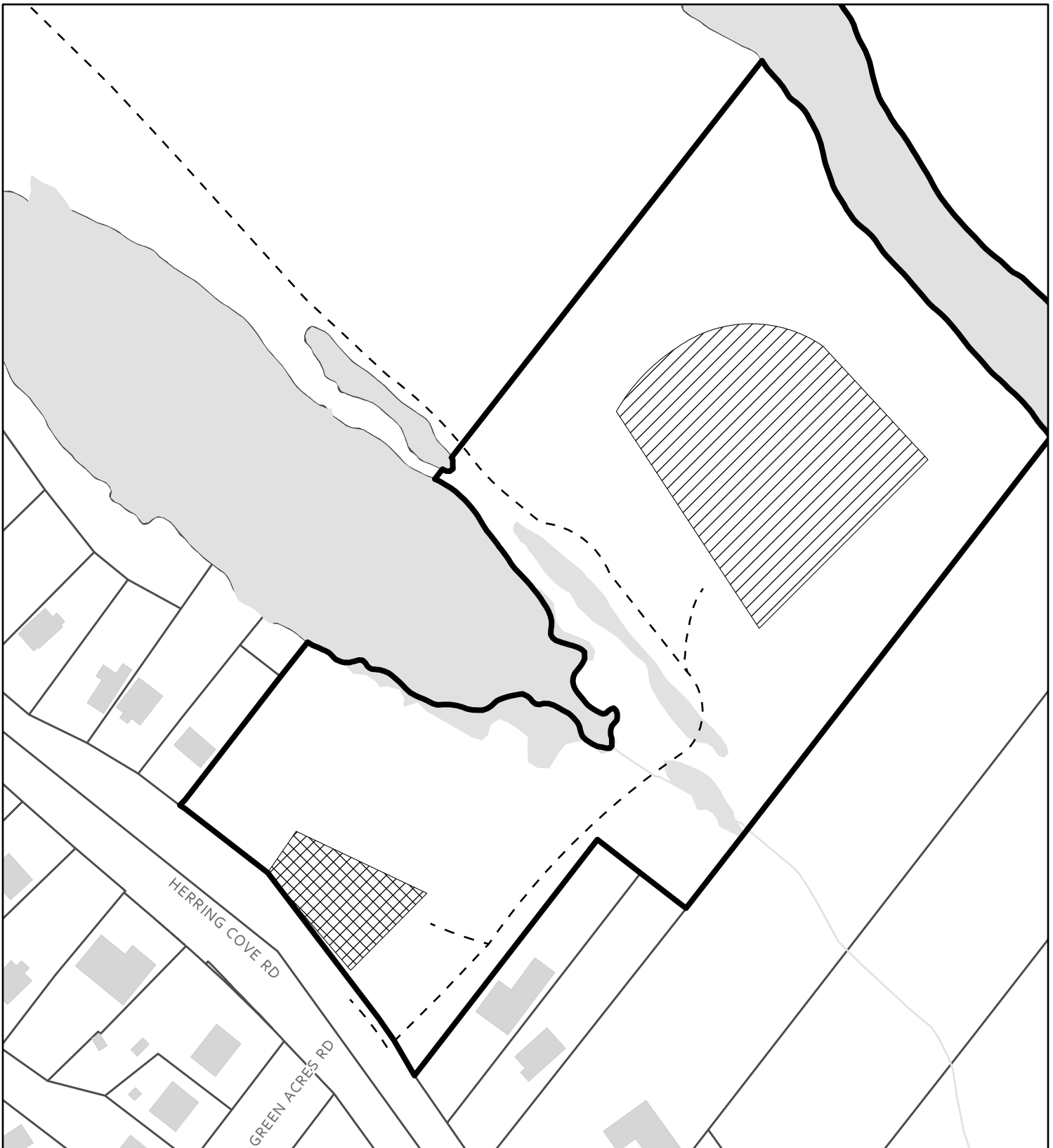
1. Regional Council could decide to designate Roaches Pond Ball Diamond Park as a year-round dedicated OLA, meaning that it would not be available for general park use.
2. Regional Council could decide to designate Roaches Pond Ball Diamond Park as a shared seasonal OLA, rather than a year-round facility, or specify time of day restrictions or other requirements respecting its use.
3. Regional Council could decide not to designate Roaches Pond Ball Diamond Park as a year-round shared OLA, meaning that it would only be available for on-leash activities.
4. Regional Council could decide to designate McIntosh Run Community Trail as a year-round shared OLA for all hours of operation or specify time of day restrictions or other requirements respecting its use. However, this was not favoured through the public consultation.

ATTACHMENTS

- Attachment A Roaches Pond Ball Diamond Park - Site Map
- Attachment B Roaches Pond Ball Diamond Park - Context Map
- Attachment C What We Heard Report
- Attachment D Administrative Order Selection Criteria

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.

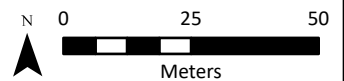
Report Prepared by: Penelope Kuhn, Real Property Policy Coordinator, Parks & Recreation, 902.240.2647

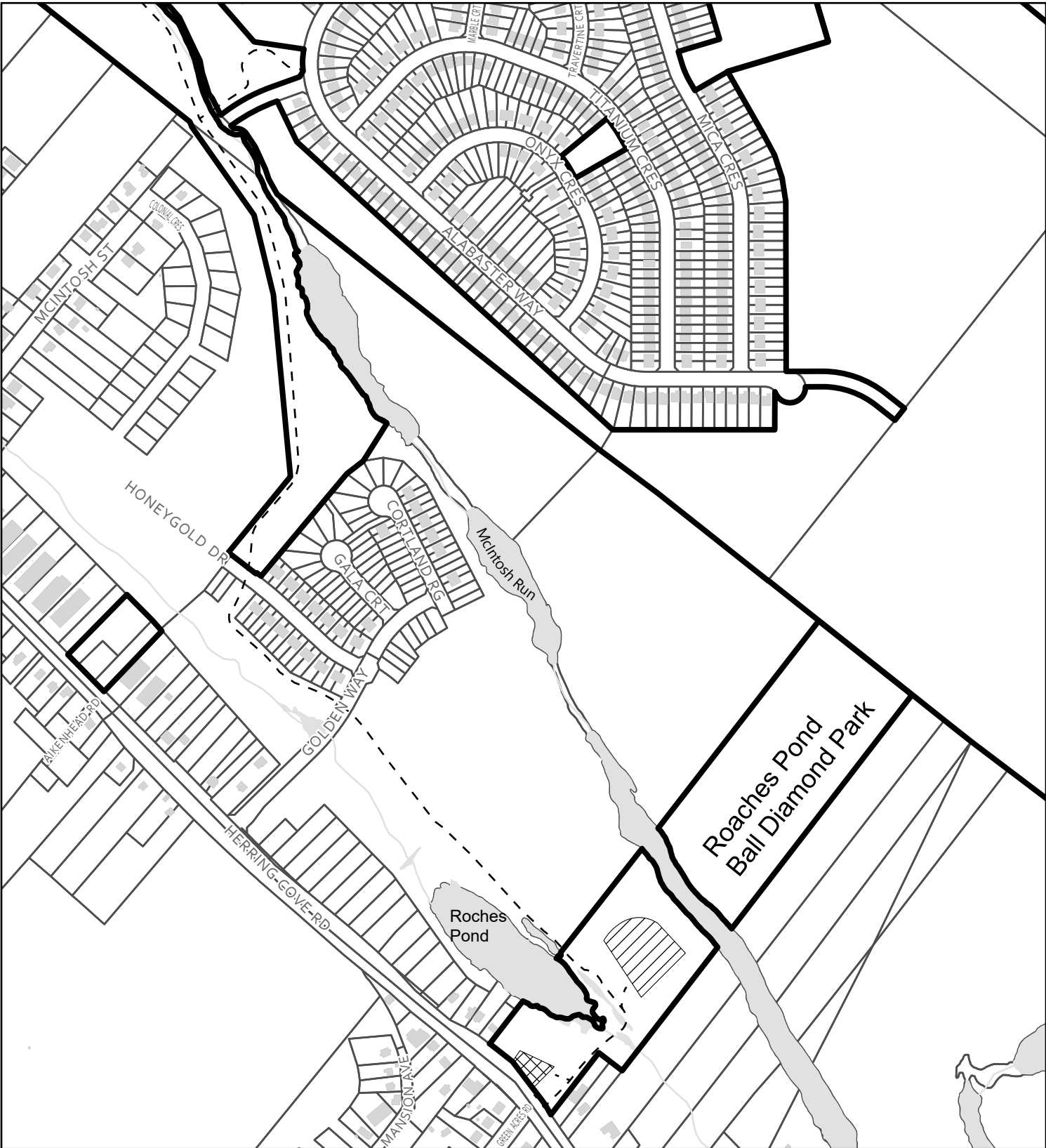


ROACHES POND BALL DIAMOND PARK - SITE MAP





- Roaches Pond Ball Diamond Park
- Proposed Dog Off-leash Area
- Existing Parking Lot
- McIntosh Run Community Trail
- Building (Residential or Accessory)

HALIFAX
Parks & Recreation
Policy & Planning

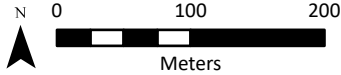




ROACHES POND BALL DIAMOND PARK - CONTEXT MAP

-  HRM Parkland
-  Proposed Dog Off-leash Area
-  Existing Parking Lot
-  McIntosh Run Community Trail

HALIFAX
 Parks & Recreation
 Policy & Planning



Off-Leash Dog Area in vicinity of Governor's Brook Subdivision, Spryfield

What We Heard Report



April 2021

HALIFAX

OVERVIEW

The community engagement exploring potential dog off-leash areas (OLA's) in the area of Governor's Brook, Spryfield, ran from February 5, 2021 to March 8, 2021. Information, a survey, and a Q&A platform were hosted on the Shape Your City portal.

Engagement opportunities were advertised via:

- A public service announcement
- Mailouts to adjacent residents
- Alerting key stakeholders via e-mail
- Digital promotion

Digital promotion included digital screens and paid Facebook and Instagram posts. Facebook reach was over 54,000, and over 3,400 people engaged, Instagram reach was over 2,200 with 10 engaging, and Twitter reached over 19,500 people with more than 190 engaging.

The Q&A platform was not utilized.

ENGAGEMENT SUMMARY

There were 222 survey respondents, 49% of who live in the Governor's Brook Subdivision and 60% within the B3P area code. An additional 25% of respondents are from adjacent postal code areas (B3N, B3R, B3V). The majority of respondents, 79%, are dog owners and the same percentage feel there is a need for a dog OLA in the Governor's Brook area.

Many respondents do not walk their dogs off-leash in Spryfield. Many travel to Point Pleasant Park and the Mainland Common, while others walk their dog off-leash in areas where off-leash activity is not permitted such as McIntosh Run Regional Park.

Of the four options presented the preferred location is Roaches Pond Ball Diamond Park.* The rank order was:

1. Roaches Pond Ball Diamond Park
2. Roaches Pond & McIntosh Run Community Trail (with select hours)
3. McIntosh Run Community Trail (all times of day)
4. McIntosh Run Community Trail (with select hours)

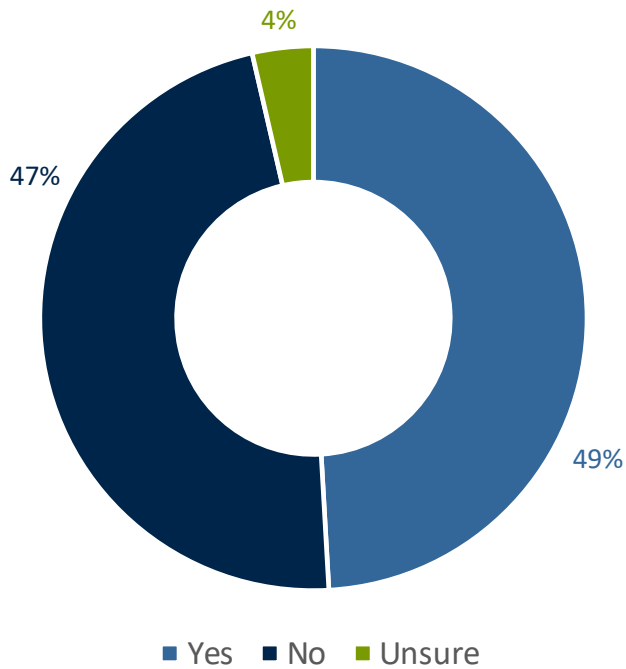
**The top two options were tied therefore the 1st and 2nd choices were combined to break the tie*

The most frequently written comments (question 9) were related to:

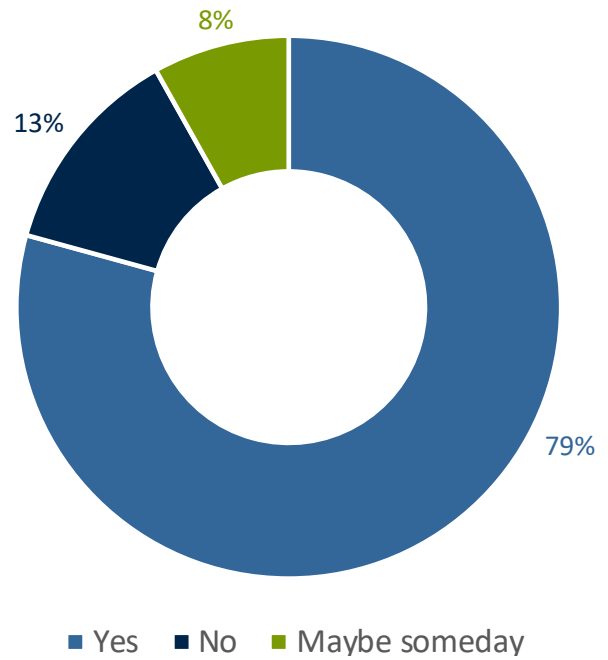
1. Opposition to an OLA on the Community Trail
2. General positivity about an OLA in the area
3. Preference for fenced-in OLA's
4. Need for off-leash rules to be followed and enforced
5. Request for adequate garbage cans and dog waste bags

SURVEY RESULTS

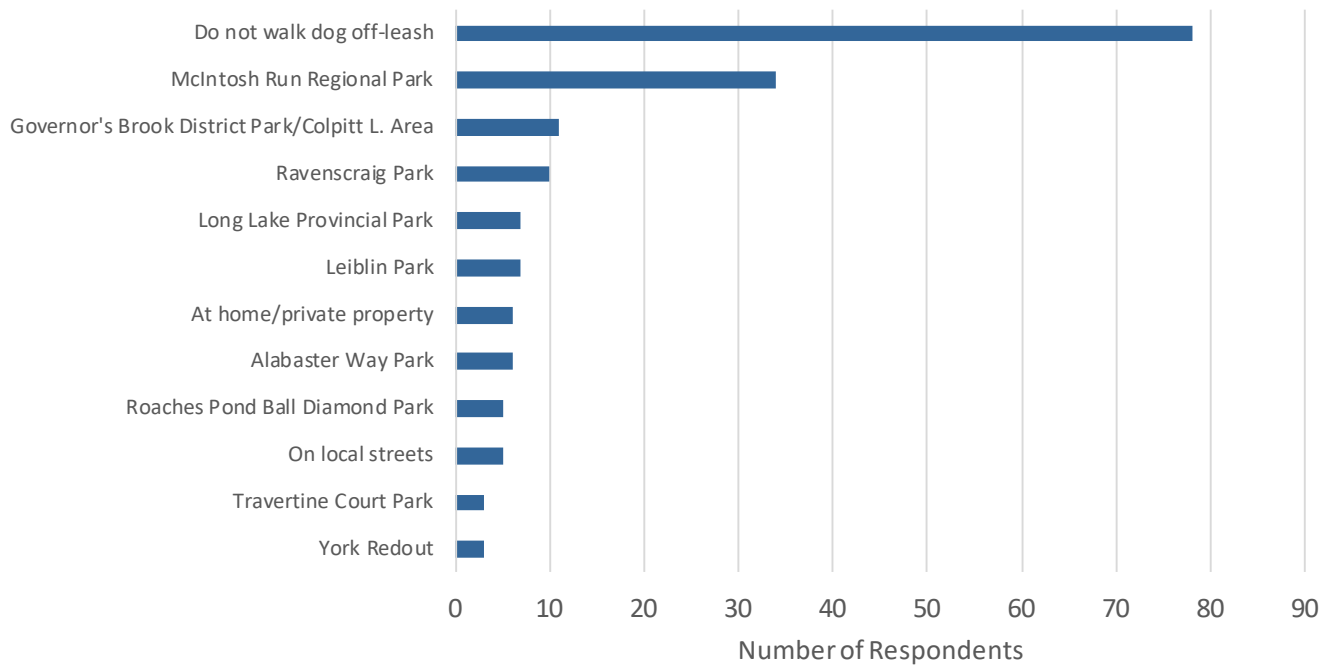
Q1. Do you live in the Governor’s Brook Subdivision?



Q2. Are you a dog owner?

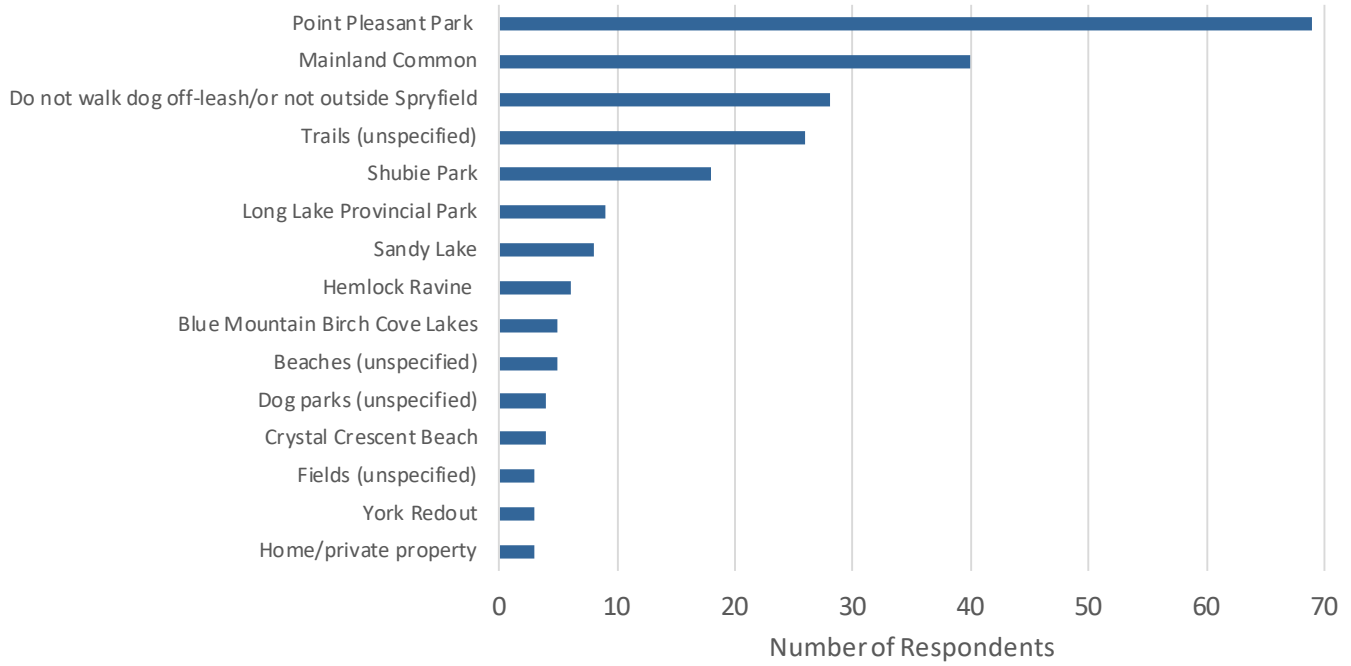


Q3. If you are a dog owner where do you walk your dog off-leash in Spryfield?*

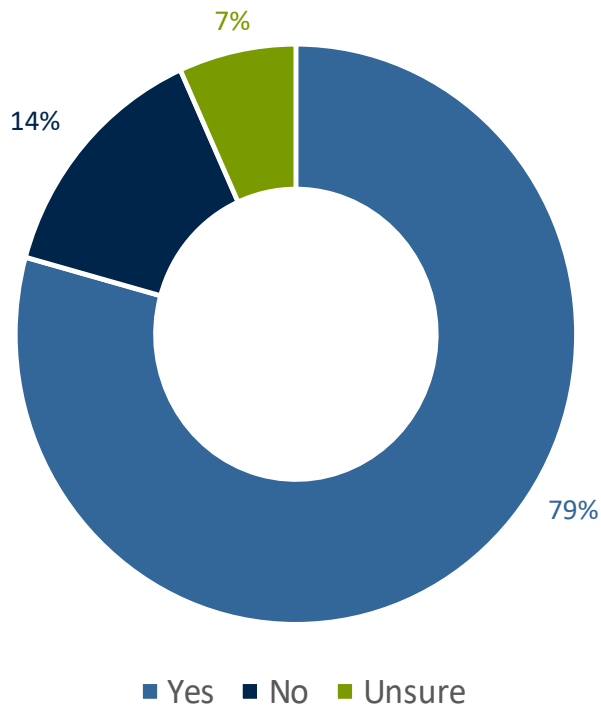


*11 other locations with one or two respondents are not shown. Respondents often cited more than one location.

Q4. If you are a dog owner where do you walk your dog off-leash outside of Spryfield?

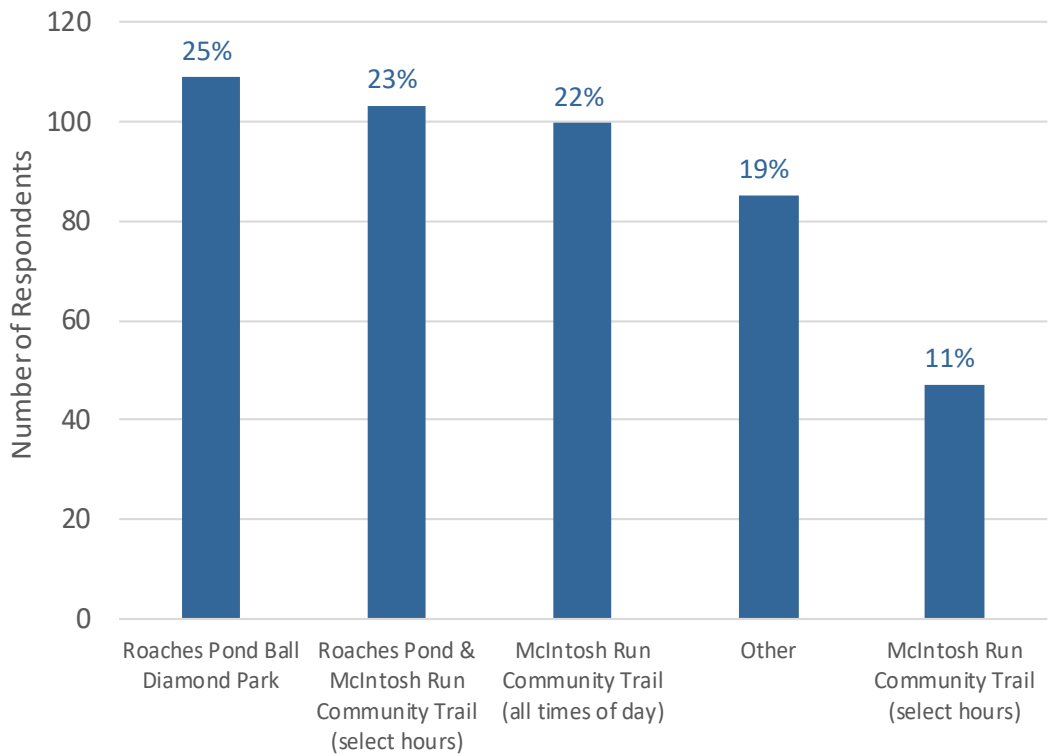


Q5. Do you feel there is a need for a dog off-leash area within the vicinity of Governor's Brook Subdivision?

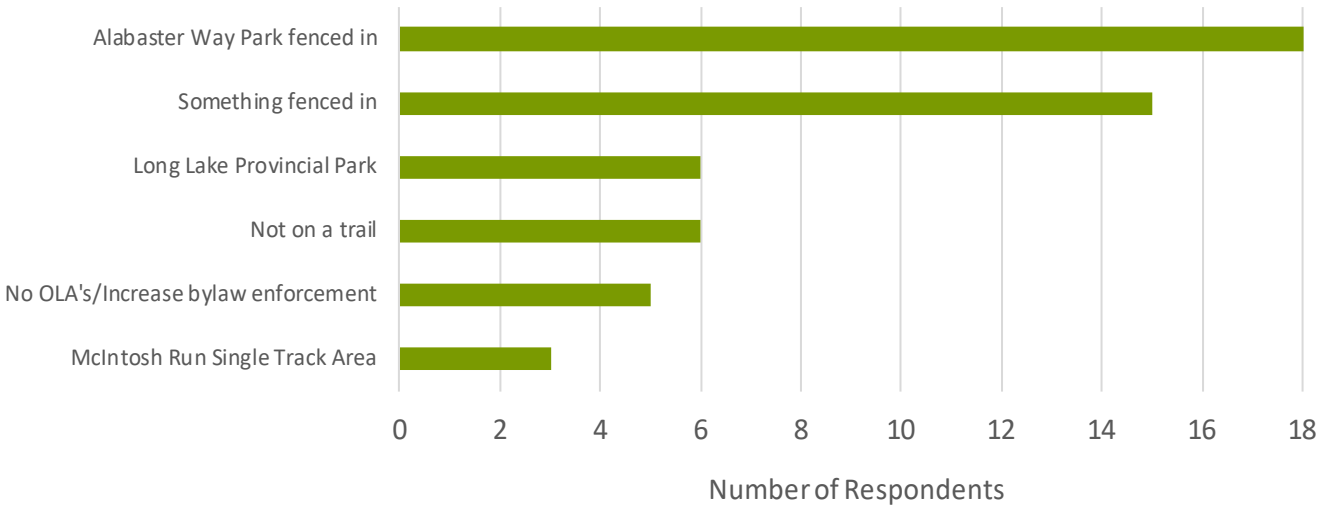


Q6. Please rank the following potential dog off-leash site options in the Governor’s Brook area based on your preferences.

First and Second Choice Selections Combined

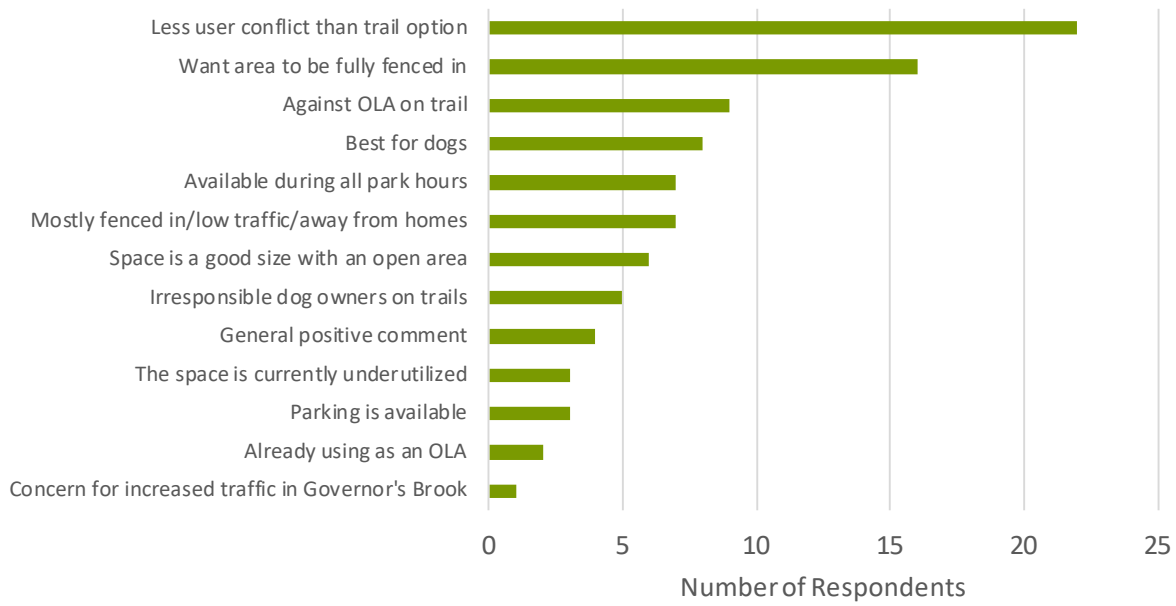


Q7. If you chose ‘Other’ for your first choice please name or describe the area.

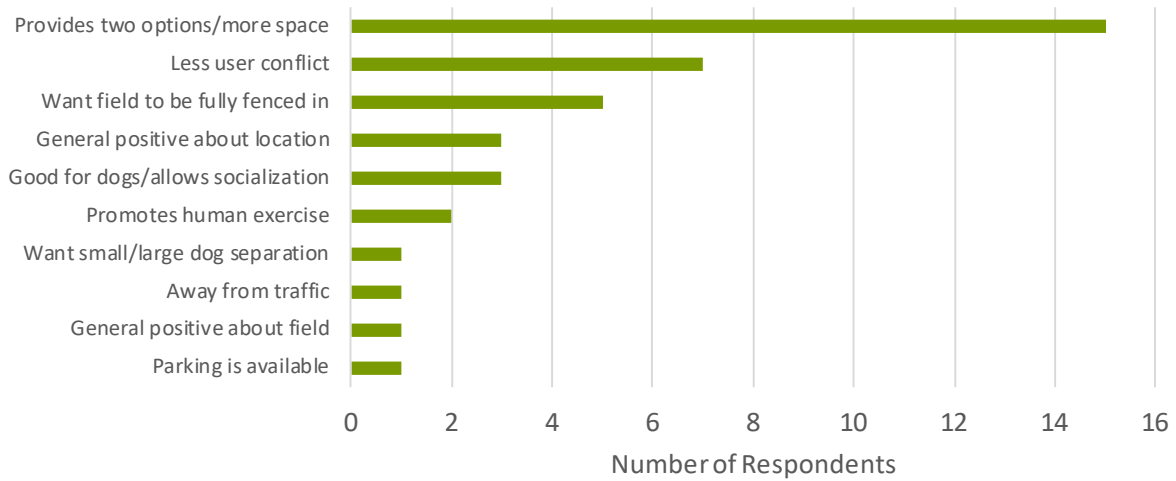


Q8. What is it about your first choice that makes it the preferred option from your perspective? (This question was optional to answer and respondents could provide more than one reason.)

Roaches Pond Ball Diamond Park

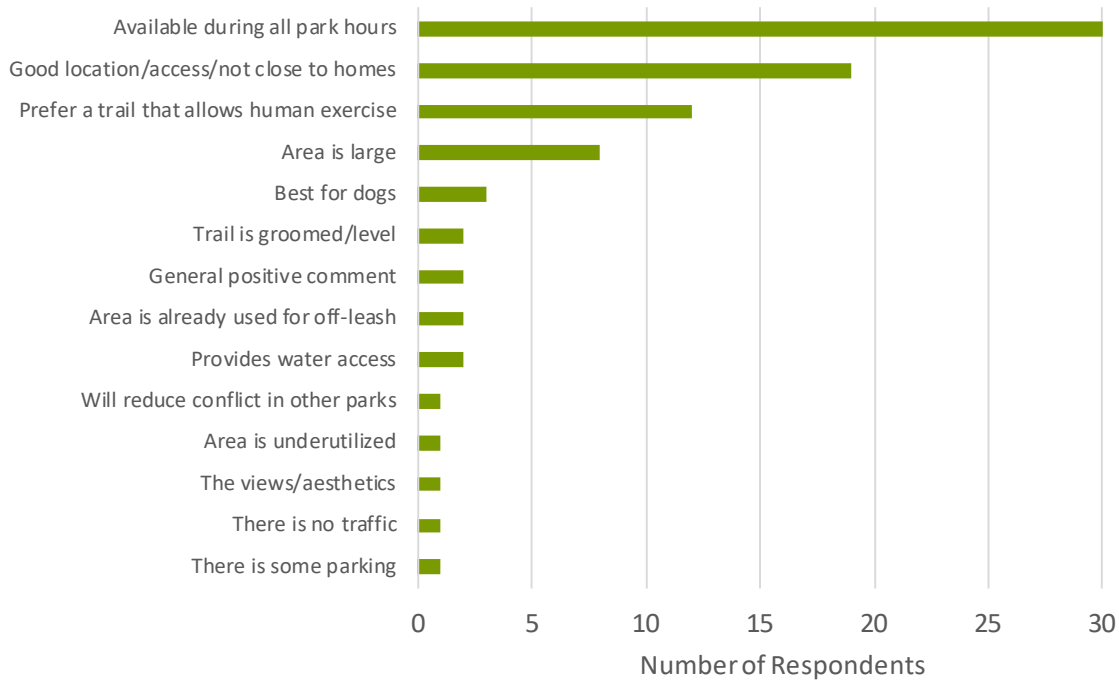


Roaches Pond Ball Diamond Park & McIntosh Run Community Trail (select hours)

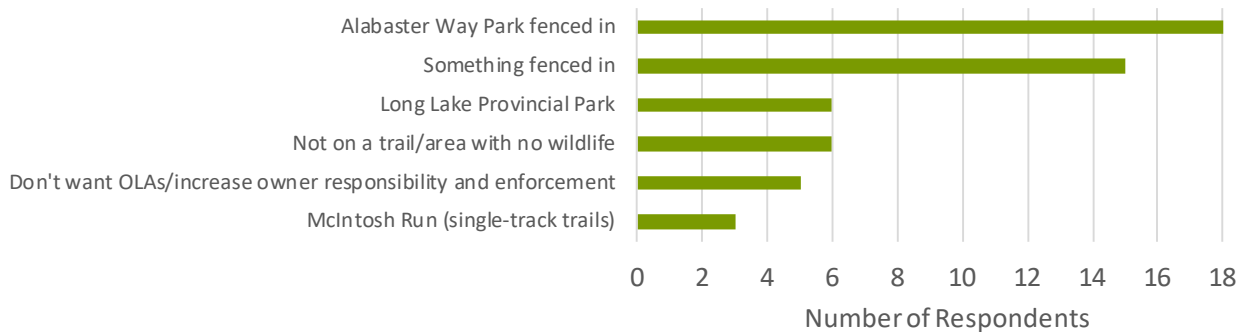


Q8. Continued

McIntosh Run Community Trail (all times of day)



Other

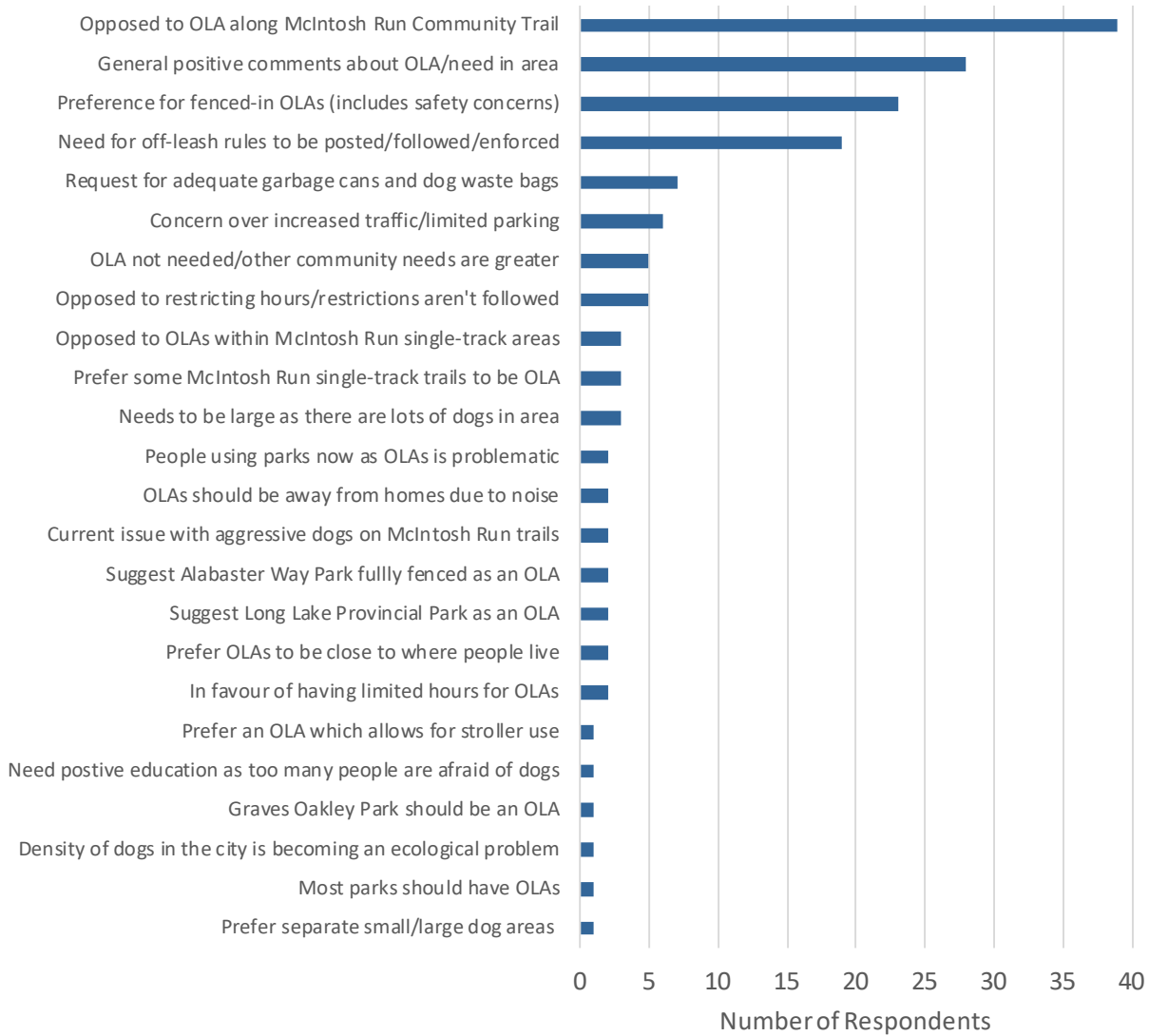


McIntosh Run Community Trail (select hours)

Three respondents chose this option as their first choice, reasons cited are:

- location
- already used for off-leash activity
- better for shared use

Q9. Please add any other comments directly related to this project.



Administrative Order 2017-013-OP

Evaluation Criteria for Shared Off-leash Dog Areas

13. The following shall be considered in determining whether any Park is appropriate for the establishment of a shared Off-Leash Dog Area:

Administrative order dog off-leash area criteria for Roaches Pond Ball Diamond Park.

Administrative Order OLA Selection Criteria	Review Comments
13a-i: Distance to existing designated OLA and service gaps	The nearest OLA to the site, approximately 3.5km away, is Ravenscraig Drive Park. This is a winter-only OLA. On this basis, the municipality's OLA work program as identified a service gap in the Spryfield area.
13a-ii: Extent of conflicts within existing OLAs	Currently there are no OLAs within the vicinity of Governor's Brook Subdivision. However, some owners are using existing park spaces for off-leash activity which may be causing conflicts within the subdivision.
13b: Population distribution	There are previously identified service gaps for Spryfield and the vicinity of Governor's Brook. The potential OLA is located near the south edge of the community. While this is not a central location, it was identified as the most favourable site within community.
13c: Park size (min 2.5 acres / 1 ha)	The park parcel is approximately 6.5 hectares (ha), and the ball diamond area proposed for the OLA is approximately 0.6 ha. Although the ball diamond area is smaller than the recommended minimum size of 1 ha it is the best option in this area of Spryfield.
13d: Existing classification & park function	Roaches Pond Ball Diamond Park is a community park. The park is used as passive greenspace as the ball diamond is no longer booked for use.
13e: Compatibility of an off leash dog area with recreational activities and events that occur in the Park:	Please see specific compatibilities detailed below in 13(f)
Play structures	There are no existing play structures, nor plans for the development of such facilities.
Community gardens	There are no existing community gardens, nor plans for the development any.
Sports fields	The partially fenced ball diamond is no longer booked for scheduled-sport use. The outfield grass area is still maintained for unprogrammed general park use but observations indicate that the space is not heavily used.
Courts (tennis / basketball)	There are no existing sports courts, nor plans for the development of such facilities.
Environmentally sensitive features	There are no environmentally sensitive features within the proposed OLA.
Monuments / public art / cultural	There are no monuments, public art, or cultural structures on site, nor plans for the development of such facilities.
Memorial parks	Roaches Pond Ball Diamond Park is not a memorial park.
Other: – e.x. splash pads, supervised beaches	There are no other existing park features on site, nor plans for the development of other facilities.

Administrative Order OLA Selection Criteria	Review Comments
13g: Site's physical capabilities - topography hydrology vegetation property configuration	The site is level, containing turf and crusher dust (infield area), with no apparent drainage issues.
13h: Jeopardize public safety	The site is over 100m to the nearest road and there is a treed buffer between the McIntosh Run Community Trail and the site.
13i: Proximity of other land uses, to include adequate separation distances, possibility of mitigation measures, and visual / acoustic buffers	The site is over 100m to the closest residential area providing adequate separation from residential land uses. There are some trees between the site and residential areas which will act as an acoustic barrier.
13j: Sufficient / appropriate parking	There is an existing parking lot at the entrance off Herring Cove Road which can accommodate approximately 15 vehicles. If required, future expansion could be accommodated, although this is not foreseen as a regional facility and users can access the site on foot via the McIntosh Community Trail.
13l: Site specific restrictions	The park will be open during regular park hours as per the Parks Bylaw (P-600).
13k: Intended level of service and the park infrastructure requirements	The site is anticipated to be a year-round shared OLA with partial fencing, with possible future upgrade to full fencing.
13m: Opportunities for active use by dog owners.	There is minimal opportunity for dog owners to be active within this OLA. There is synergy, however, with the adjacent McIntosh Run Community Trail which can be used by owners with their dogs on-leash.
13o: Financial implications	There are minimal capital financial implications, approximately \$2,000 is needed for signage, bag dispensers and waste infrastructure. Capital costs would increase if additional fencing is added or the parking lot were to be expanded. The increased annual maintenance costs are approximately \$40,000.
13n: Community engagement	The site was the first ranked choice in the community engagement (Attachment C).