

**ADMINISTRATIVE ORDER NUMBER 2017-013-OP
RESPECTING OFF-LEASH DOG AREAS WITHIN PARKS**

WHEREAS the Regional Council of the Municipality regulates activities in Parks through its By-law P-600, the Municipal Parks By-law, and also requires dogs to be effectively leashed when in Parks except within designated Off-Leash Areas within Parks, through By-law A-700, the Animal By-law;

AND WHEREAS the Regional Council of the Municipality recognizes the public health benefits and value of dog walking and exercising as a recreational activity for the citizens of the Municipality;

AND WHEREAS the Regional Council of the Municipality wishes to provide citizens with adequate, appropriate and safe areas for dogs to be off-leash within Parks;

AND WHEREAS the Regional Council of the Municipality wishes to provide a level of service within Parks that is economically and environmentally sustainable and in balance with the Municipality's broad objectives and priorities.

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Regional Council of the Municipality under the authority of the Halifax Regional Municipality Charter, as follows:

Short Title

1. This Administrative Order may be cited as the Off-Leash Dog Areas Administrative Order.

Purposes

2. The purposes of this Administrative Order are:
 - (a) to set out the process to permit off-leash dogs within designated Parks;
 - (b) to provide direction for the establishment, operation, and management of Off-Leash Dog Areas within Parks;
 - (c) to recognize the health and recreational benefits of off-leash dog activity for the public through the provision of Off-Leash Dog Areas within designated Parks;
 - (d) to establish a level of service for the provision of Off-Leash Dog Areas that adequately meets the needs of a growing and diversifying Municipality;
 - (e) to establish standardized procedures and criteria for receiving and evaluating Off-Leash Dog Area requests to guide consistent, fair, and rational decision-making;
 - (f) to support sustainable investment and delivery of accessible recreation programming by providing off-leash service opportunities in strategic locations within the Parks;

(g) to minimize the conflicts between potential park user and neighbouring land-uses through the careful siting, design and development of Off-Leash Dog Areas;

(h) to protect natural and cultural values of parks while providing opportunities for Off-Leash Dog Areas in appropriate designated areas in parks.

Interpretation

3. In this Administrative Order,

(a) “animal” means an animal as defined by the Animal By-law;

(b) “dog” means a dog, male or female, or an animal that is the result of the breeding of a dog and another animal;

(c) “Director” means the Director responsible for Parks and Recreation, or their designate;

(d) “leash” means a leash as defined by the Animal By-law;

(e) “Park” means any land owned, leased, or controlled by the Municipality, designated or used as parkland or as a trail, including gardens, playgrounds, sports fields and beach areas;

(f) “Municipality” means the Halifax Regional Municipality;

(g) “off-leash” means instances where, pursuant to this Administrative Order, a dog is not required to be on a leash while within a Park;

(h) “Off-Leash Dog Area” means a designated area of a Park pursuant to this Administrative Order where dogs are permitted to be off-leash; and

(i) “regulation” means activities that are permitted, prohibited or restricted.

Application

4. This Administrative Order shall apply to Parks where an Off-Leash Dog Area is permitted or proposed.

Designation

5. All or a portion of a Park may be designated as an Off-Leash Dog Area.

6. (1) Regulations related to the use of any Off-Leash Dog Area, including time-of-day and time-of-year use, may be included as part of an Off-Leash Dog Area designation and shall be posted by a sign or other device erected in accordance with the Municipal Parks By-law.

(2) The regulations stipulated by sign or other device may also be posted on HRM’s website.

Designation Process

7. The process to consider the establishment of an Off-Leash Dog Area shall be initiated in one of the following ways:

(a) by a motion of Regional Council, which may include directions for public consultation, to consider the establishment of an Off-Leash Dog Area within a specific park or community; or

(b) by the Director, where in the opinion of the Director, the potential impact of a proposed Off-Leash Dog Area upon a Park and surrounding land uses is minimal, and public consultation is unnecessary.

8. Once initiated, proposals to consider the establishment of an Off-Leash Dog Area shall be referred to staff for consideration and evaluation.

9. Staff shall review potential Off-Leash Dog Areas against the criteria set out in Section 14.

10. Staff may undertake community consultation to gather public input on the suitability of establishing an Off-Leash Dog Area.

11. Staff shall submit a staff report with recommendation regarding:

(a) the proposed Off-Leash Dog Area to either Regional Council or the Director, whichever initiated the process, and

(b) any proposed regulations to the Director,

along with a summary of comments received during the public consultations.

Off-Leash Dog Area Classification

12. There are two classifications of Off-Leash Dog Areas:

(a) shared Off-Leash Dog Areas, where dogs are permitted off-leash within areas of a Park that are not Dedicated Off-Leash Dog Areas; and

(b) dedicated Off-Leash Dog Areas, where an area of a Park is fully fenced for the purpose of providing a reserved area for off-leash dog use, including areas for service dogs.

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:

(a) the existing Off Leash Dog Area system with respect to:

(i) the relationship and distances of candidate sites to existing designated Off-Leash Dog Areas and service gaps; and

- (ii) extent of conflicts in existing parks where there are existing Off-Leash Dog Areas;
- (b) population distribution and dog licensing and ownership data;
- (c) whether the proposed Off-Leash Dog Area is of sufficient size to accommodate the expected level of usage, with a minimum Park size of 2.5 acres generally being required to accommodate an Off-Leash Dog Area;
- (d) the existing function and classification of the Park;
- (e) the compatibility of an Off-Leash Dog Area with recreational activities and events that occur in the Park;
- (f) whether an Off-Leash Dog Area will negatively impact any other uses of the Park such as:
 - (i) play structures;
 - (ii) wading pools or splash pads;
 - (iii) beaches that are supervised;
 - (iv) sports fields during active seasons;
 - (v) sports courts including tennis courts and basketball courts;
 - (vi) environmentally sensitive features;
 - (vii) cultural features;
 - (viii) monuments and public art;
 - (ix) gardens including community gardens;
 - (x) memorial parks; or
 - (xi) other similar facilities or features.
- (g) whether the use is compatible with the physical and environmental capabilities of the Park and is designed to take into account topography, hydrology, vegetation and property configuration;
- (h) whether the use as an Off-Leash Dog Area would jeopardize public safety;
- (i) the type and proximity of nearby land uses outside of the Park, and whether there are adequate separation distances or mitigation measures available to provide a sufficient visual and acoustic buffer from such uses;
- (j) the availability of sufficient and appropriate parking;
- (k) the intended level of service to be provided, the park infrastructure required for the Off-Leash use, and the design of the Off Leash Dog Area;
- (l) any appropriate site-specific restrictions on use, including hours of operation and seasons of use;

- (m) the opportunities for active use by dog owners, such as the provision of off-leash trails that encourage greater physical activity by dog owners;
- (n) the results of community engagement, if applicable; and
- (o) the financial implications of establishing the Off-Leash Dog Area.

Dedicated Off-leash Dog Area

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

- (a) the criteria in section 13;
- (b) the Park's ability to accommodate regional users; and
- (c) the long-term impact of the dedicated Off-Leash Dog Area on the Park.

Regional Council and Director Approval

15. (1) If the process was initiated by Regional Council, Regional Council shall consider staff's recommendation respecting the proposed Off-Leash Dog Area and may approve, modify or refuse the designation of the proposed Off-Leash Dog Area.

(2) If the process was initiated by the Director, the Director shall consider staff's recommendation respecting the proposed Off-Leash Dog Area and may approve, modify or refuse the designation of the proposed Off-Leash Dog Area.

- (3) If a proposed Off-Leash Dog Area is approved, the Director may:
 - (a) consider staff's recommendation respecting any proposed regulations; and
 - (b) in accordance with the Municipal Parks By-Law, cause to be erected a sign or other device specifying in the Off-Leash Dog Area activities that are permitted, prohibited or restricted.

Closures and Modifications to Off-Leash Dog Areas and Regulations

16. If the use of a designated Off-Leash Dog Area is causing or has the potential to cause conflict, nuisance, or safety issues, the Director, with or without the advice of staff or public consultation, may modify the Off-Leash Dog Area, close the Off-Leash Dog Area, or change the regulations related to the Off-Leash Dog Area.

17. (1) If the Director has modified or closed an Off-Leash Dog Area, Regional Council may request a report advising of the reason, which shall indicate the conflict, nuisance or safety issue identified.

(2) On receiving the report from the Director, Regional Council may consider the matter and may modify or re-open the Off-Leash Dog Area.

(3) In accordance with the Municipal Parks By-Law, if Regional Council has modified or re-opened an Off-Leash Dog Area, the Director may cause to be erected a sign or other device specifying the regulations relating to the Off-Leash Dog Area

18. Regional Council, with or without the advice of the Director or staff or community consultation, may, at any time, modify or close an Off-Leash Dog Area.

Transition and Repeal

19. The Off-Leash Dog Areas existing in the Municipality immediately prior to the coming into force of this Administrative Order continue until modified or closed pursuant to this Administrative Order.

20. The Off-leash Parks Strategy adopted by Regional Council on June 26, 2007 is repealed.

Done and passed in Council this 16th day of January A.D. 2018.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of the Halifax Regional Council held on January 16, 2018.

Kevin Arjoon, Municipal Clerk

Notice of Motion:
Approval:
Effective Date:

December 5, 2017
January 16, 2018
February 3, 2018