



City of
Peterborough

To: **Members of the General Committee**

From: **Sandra Clancy, Acting Commissioner of Community Services
Cynthia Fletcher, Commissioner of Infrastructure & Planning**

Meeting Date: **September 9, 2019**

Subject: **Report CSRS19-005
Off Leash Dog Park – Operator and Policy Changes**

Purpose

A report to amend the corporate Off-Leash Dog Park Policy and to accept the requested early termination of the agreement with the Peterborough Dog Club as the Operator of the off-leash dog park, located within Farmcrest Park.

Recommendations

That Council approve the recommendations outlined in Report CSRS19-005 dated September 9, 2019, of the Commissioner of Community Services and the Commissioner of Infrastructure & Planning, as follows:

- a) That the Agreement between the City and the Peterborough Dog Club for the operation of the Off-Leash Dog Park in Farmcrest Park be terminated, as requested by the Peterborough Dog Club, as of December 31, 2019, and that the City assume direct operation of the Dog Park, effective January 1, 2020;
- b) That a reserve account be established to deposit the approximate \$6,000 to be turned over to the City from the Peterborough Dog Club, to support future maintenance of the existing dog park infrastructure;
- c) That the requirement for municipal off-leash dog parks to be operated by a third party Operator be discontinued effective January 1, 2020;
- d) That the Corporate Off-Leash Dog Park Policy (# 0027 attached as Appendix A) be amended by removing any references to activities that an Operator would

undertake, removing reference to a Use Agreement and any other wording that is no longer applicable, as per the amended version which is attached as Appendix B, with the amendments coming into effect January 1, 2020.

Budget and Financial Implications

There are no immediate budget or financial implication resulting from the approval of the recommendations of this report. The Public Works Division currently provides grass cutting services, litter picking, garbage collection, woodchip supply and delivery services, and minor fencing and gate repairs at the dog park as part of the existing operations budget.

There will be additional medium term costs such as regular maintenance of the turf, trees and site amenities such as signs and fencing. All infrastructure at the dog park, including signage and fencing is the property of the Peterborough Dog Club. The Peterborough Dog Club has approximately \$6,000 in their bank account for operating expenses, which will be turned over to the City upon termination of the operating agreement. Those funds can be held by the City in a reserve account to assist in addressing the infrastructure maintenance costs over the next several years. Additional funds will be requested as part of the annual budget process.

Background

On July 30, 2012, Council approved the Corporate Off-Leash Dog Park Policy, as per the recommendation of Report CSRS12-008. The Policy is attached as Appendix “A”. No changes have been made to the Policy content since that time. The Policy was created with the intent of supporting off-leash dog parks on City owned land, under the condition they would be operated by a third-party Operator through an agreement with the City, and that the Operator assume full responsibility for the funding of start up costs and ongoing operating expenses.

On November 12, 2013, Council approved the Peterborough Dog Club (PDC) as the Operator of the off-leash dog park within Farmcrest Park, as per the recommendation of report CSRS13-007. A twenty-year operating agreement between the City and the PDC was signed January 17, 2014. The dog park was made available for public use in March of 2014.

The off-leash dog park has been well received by the public and is considered a good news story. While the PDC has successfully operated the dog park since 2014, it has experienced some administrative challenges, impacting the PDC’s long term viability as an Operator of the dog park. At the request of the PDC, Staff met with the President of the PDC on March 27, 2018, May 6, 2018, August 9, 2018 and March 13, 2019 to discuss the current state of the PDC and its ability to continue operating the dog park.

The PDC's financial viability is dependent on membership fees, which has proven to be an unsustainable business model. Given the dog park is available to the general public at no cost, there is little incentive for dog owners to become members. Over time, the membership has become non-existent.

Following the March 27, 2018 meeting between the City and the PDC, the Humane Society was engaged, with a request that they consider assuming the operation of the dog park. The Humane Society's Board considered the opportunity and confirmed in July 2018 that they were not in a position to assume the management of the dog park. While the PDC has made its best efforts to continue operating the dog park, it is apparent the PDC cannot sustain itself beyond 2019. At the meeting between City Staff and the PDC President on March 19, 2019, early termination of the PDC dog park operating agreement was discussed.

Section 17(a) of the PDC Operating Agreement provides opportunity for the PDC to give three months notice of its intention to terminate the Agreement on or before December 31st in any year. Section 1 requires the PDC to release any and all claims to ownership of the fence which forms the boundary of the dog park, if the PDC is wound up, ceases to exist or ceases to operate.

Since the dog park opened in 2014, the City's Public Works Division has provided grass cutting services, litter picking, garbage and recycling collection services, woodchip supply and delivery services, and minor fencing and gate repairs.

If the City were to assume full operation of the dog park, additional ongoing costs would include regular maintenance of the turf, trees, and site amenities, such as signs and fencing.

The dog park has been in operation for five years, is well received and heavily used by City residents. Staff believes that the dog park should remain in operation, and that the most efficient and sustainable operational model is for the dog park to be directly operated by the City.

Summary

The off-leash dog park in Farmcrest Park is the only dog park situated on City-owned property. It opened in 2014, operated by the Peterborough Dog Club. The PDC is unable to continue operating the dog park beyond 2019 and is exercising its rights for early termination of the operating agreement. Staff is recommending the dog park remain in place, as a directly operated service beginning January 1, 2020.

Submitted by,

Sandra Clancy
Acting Commissioner of Community
Services

Cynthia Fletcher
Commissioner of Infrastructure & Planning

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Attachments:

Appendix A – Corporate off-Leash Dog Park Policy

Appendix B – Proposed Amended Off-Leash Dog Park Policy