

To: Toronto Parks, Forestry and Recreation, Toronto Water

From: Eric Code

Date: February 20, 2019

Re: Formal Complaint – Sir Winston Churchill Park DOLA

I am writing on behalf of the Toronto Dog Park Community, a grassroots organization with over 1,000 members across the city. We advocate for strategies and improvements that optimize park experiences for people with and without dogs.

We find ourselves in the unpleasant situation where it is necessary to register a formal complaint regarding the plans for the Sir Winston Churchill Park Dogs Off-Leash Area and the consultation process. We also wish to register a number of formal requests.

Background

As you know, the St. Clair Reservoir Rehabilitation project began in 2016. The plan was always to reinstate the DOLA in its original location. The May 2016 Pre-Construction Notice, July 2016 Construction Notice, November 2016 Dog Park Notice and April 2018 Phase 2 Construction Notice all confirm this.

From the very beginning, DOLA users were under the impression that the DOLA would be rebuilt in the original location, because the City said so, repeatedly.

Two years into the process, a notice was issued for a public drop-in event. It was dated November 20, 2018, giving recipients less than 30 days' notice for the December 11, 2018, drop-in event, scheduled during the busy holiday season.

At this time, for the very first time, it was announced that the DOLA would be relocated. This announcement was late in the process and there was no opportunity to impact the project in response to the needs of the community.

All decisions regarding the DOLA had already been made, without community consultation or feedback. This is particularly unacceptable since the new plan is a radical departure from the original plan and will have a significant negative effect on dog park users and the community as a whole.

Remember, every person who uses a DOLA is a park user. DOLAs are places for fun, recreation, socialization, exercise, connecting with nature and building community. The proposed DOLA is dramatically inferior to the previous DOLA as well as the DOLA that was originally planned. It will not meet the needs of existing park users, let alone support 75 years of population growth.

The proposed DOLA is:

- **Less than half the size of the original DOLA** – It would not be sufficient for previous usage rates, let alone the growing population. This is a safety issue, since crowding can make dogs feel cornered and lead to defensiveness.
- **Pea gravel** – There have been significant concerns expressed about this surface material for years, including injured paws and unstable footing.
- **Not accessible** – People who depended on this DOLA will be robbed of a safe, enjoyable space to spend quality time with their off-duty service dogs and four-legged friends.
- **Farther away** – People who require an accessible route will have to travel up to 500 meters through a wooded ravine on a sloped trail. This will not be possible for some park users. Plus, the tall, steep staircases and 500-meter-long trails are not cleared of ice and snow. This is a safety concern and a liability issue.
- **Beside an Environmentally Significant Area** – The two most direct routes to the proposed location involve a half-kilometer trek through Nordheimer Ravine. This will directly increase the number of off-leash dogs in this ESA, since people will be tempted to let their dogs off-leash before reaching to the DOLA.

Yet, the December 11, 2018, drop-in event did not allow any opportunity for changes or improvements. It was not even a consultation, per se, as the plans for the DOLA were final. **The only option the community was given was to not have a DOLA at all. This is unacceptable and reflects poorly on the City.**

Formal complaints

Our formal complaints are as follows:

1. The consultation process was flawed and insufficient. Making a wholesale change two years into the process with only one public meeting and no opportunity for change is unacceptable.
2. Sufficient background information was not provided regarding the need to move the DOLA. If pea gravel was the only surface material considered, other options should have been explored before making the decision to relocate.
3. The design of the proposed DOLA is poor and could have been improved. There is no reason it could not extend under the bridge, like The Bentway, and there is no reason why trees could not have been incorporated into the design. Making the DOLA half the original size is not acceptable. Usage, population growth and safety must be considered.
4. The public drop-in event was inappropriate and insufficient. First, drop-in events do not facilitate open communication as well as formal presentations with discussion periods. Second, attendees had no opportunity to affect the proposed DOLA. Third, one consultation is not sufficient for a project of this magnitude.
5. A number of attendees have reported that their feedback was interrupted and dismissed in a manner that was not professional. Conversations felt like debates. Concerns were shot down. I had the same experience.

6. The timing of the drop-in event and feedback period was inappropriate, as it straddled Christmas and New Year's (December 11, 2018 – January 4, 2019). This scheduling would have significantly reduced attendance and participation, impeding the community's ability to take part in the process. It would be very easy for people to suspect that this timing was chosen intentionally in order to rush the plans through over the holidays. The optics are poor. This is not a good way to lay the foundation for changes that will affect this community for 75 years.
7. The feedback survey was flawed. One multiple choice question in particular only gave respondents the option to A) support the relocation of the DOLA to the new proposed area, B) support the removal of the DOLA, or C) indicate that they did not know or had no opinion. Of course DOLA users would not support the removal of the DOLA or indicate that they had no opinion. That only left option A. There was no opportunity to express disapproval or support the original plan of locating the DOLA on top of the reservoir. As such, the results are flawed and inconclusive. The survey was also short and insufficient. The opportunity to gather meaningful feedback that could improve the project was missed.

Formal requests

We also make the following formal requests:

1. Host a second public meeting. Make it a presentation, followed by a formal question period facilitated by a professional facilitator such as Liz McHardy of Lura Consulting. Present the designs and surface materials that were explored before the decision was made to relocate the DOLA. Ensure staff from all related departments are in attendance to answer any questions that may arise regarding location, design, surface materials, slopes, trees, the bridge and so on. Provide ample opportunity for feedback, suggestions and ideas. Create a more comprehensive survey with input from the community and make the results public, including comments.
2. Do not use pea gravel. It is unacceptable as a city standard. There have been far too many complaints regarding pea gravel, including injuries to people and pets, inaccessibility and reduced attendance. Vancouver cautions against pea gravel due to reports of injured paws. Serious concerns have been expressed citywide and echoed across North America. Continuing to use pea gravel despite this feedback would be highly inappropriate. In fact, it would be a liability issue.
3. Conduct a comprehensive analysis of off-leash strategies, guidelines, and master plans from other municipalities, including Vancouver, Surrey, Edmonton, Calgary, Winnipeg and South Australia. Their evidence-based approaches are considerably more comprehensive than Toronto's and would be helpful.
4. Ensure the Sir Winston Churchill Park DOLA is on par with international best practices. Toronto's current approach to DOLAs is not.
5. Meet with members of the Toronto Dog Park Community Steering Committee to discuss viable ways to optimize Sir Winston Churchill Park for all park users by harnessing proven strategies and practices from other municipalities.

Comments

Finally, we would like to address a number of claims that were made. This is important because allowing these claims to go unchallenged would have a negative effect on the DOLA and the community.

Claim	Comment
The DOLA must be relocated.	<p>The presentation boards did not say that locating the DOLA on top of the reservoir was impossible. They simply stated that periodic inspections would be required and that these inspections were not feasible because removing the surface materials would not be practical, likely due to cost. What if such inspections were not necessary? There are a number of surface materials that resist digging, including K9Grass, which is already used in Toronto.</p> <p>The DOLA was on top of the reservoir for years without issue. DOLAs are built on reservoirs elsewhere in Canada. Mississauga's Jack Darling Dog Park is built on a water treatment plant that provides drinking water to Mississauga and Brampton. It has won awards.</p> <p>Until all options for surface materials and designs have been explored, the decision to relocate the DOLA is premature. Making a premature decision would be unacceptable, given the negative effect it would have on an established community of park users. Due diligence is a reasonable expectation.</p>
Drainage would be a problem on top of the reservoir.	While puddles did form on the original DOLA, this is manageable. Grading can be adjusted. Many design approaches incorporate drains.
The DOLA must be pea gravel.	Only 13 of Toronto's 70+ DOLAs are pea gravel. A number of new DOLAs have used alternate surface materials, even after the pea gravel standard was introduced. Toronto's People, Dogs and Parks Policy does not specify anything regarding surface materials. There have been serious complaints regarding injured paws and accessibility for years. Consider liability. One councillor is calling for a review.
DOLAs can't be built on slopes.	Many dog parks across the GTA have slopes, including High Park, Trinity Bellwoods, Riverdale Park, Sherwood Park, Withrow Park, Monarch Park, Bickford Park, Etobicoke Valley Park, and Jack Darling Park. It would be wrong to reduce the size of the DOLA so significantly, leading to crowding and safety concerns, for this non issue. Besides, this slope has stood firm since 1930.

DOLAs can't have trees.	Almost all of Toronto's DOLAs have trees. The vast majority of them are not protected and still thrive. DOLAs with trees include Cherry Beach, High Park, Humber Bay Park West, Trinity Bellwoods and more. In fact, virtually ALL dog parks in Toronto and around the world have trees. The move towards having no trees is recent, extreme and without basis. Toronto's People, Dogs and Parks Policy permits trees. Dog urine only harms trees in high concentration and this can be managed many ways.
It isn't possible to extend the DOLA beneath the bridge.	The Bentway is under the Gardiner Expressway and there are numerous dog parks beneath bridges and freeways in the USA. The bridge would provide shade and shelter while also making the DOLA larger and safer. Missing the opportunity to use this underutilized land would not be acceptable.

Please bear in mind that I have been in communication with Parks Standards and Innovation for years. I have met with them numerous times and discussed issues such as pea gravel with constructive diplomacy, hoping to establish a collaborative partnership. That is why we find this situation so difficult and unpleasant.

Also, please consider that this is not just about dogs. Dog parks are much more than utilitarian places for dogs to exercise and relieve themselves. **Dog parks are for people.** Some people like dogs, other people like tennis, baseball and so on. Whatever the case, it's all recreation. It's important to balance the needs of all park users, especially when you consider that dog parks are used 365 days a year.

And of course, it's in everyone's best interest for Toronto to build appealing, accessible dog parks that encourage voluntary bylaw compliance.

The Toronto Dog Park Community remains committed to working collaboratively and constructively with the City of Toronto, using proven international best practices that benefit all park users, the environment and our city as a whole.

Please advise when we should anticipate a response.

Thanks in advance,



Eric Code
 Founder and Chair
 Toronto Dog Park Community

Please see the following pages for supporting information.

City of Toronto notices

Pre Construction Notice PDF (May 2016)

https://www.toronto.ca/wp-content/uploads/2017/11/99c6-PreConstruction-Notice-_FINAL.pdf

Construction Notice PDF (July 16)

https://www.toronto.ca/wp-content/uploads/2017/11/9181-Construction-Notice-St-Clair-Res_FINAL.pdf

Dog Park Notice PDF (November 2016)

<https://www.toronto.ca/wp-content/uploads/2017/11/91ca-Dog-Park-Notice-St-Clair-Res-Nov-4-2016.pdf>

Phase 2 Construction Notice PDF (April 2017)

https://www.toronto.ca/wp-content/uploads/2017/11/99ab-Phase-2-Construction-Notice_St-Clair-Reservoir_April-18-2017_Final.pdf

Public Drop-in Event PDF (November 2018) – **first mention of relocation**

<https://www.toronto.ca/wp-content/uploads/2018/11/9011-St-Clair-Reservoir-Notice-of-Public-Drop-in-Event-FINAL.pdf>

Pea gravel in the media

Accessibility concerns in Greenwood Park (video)

<http://toronto.ctvnews.ca/video?clipId=855473>

New pea gravel surface at Greenwood Dog Park drawing mixed reviews

<https://www.insidetoronto.com/news-story/7018257-new-pea-gravel-surface-at-greenwood-dog-park-drawing-mixed-reviews/>

Newly renovated dog park in Toronto's east end proving unpopular

<https://globalnews.ca/news/3580396/greenwood-dog-park/>

Pooches, owners turn up noses at newly renovated Leslieville dog park

<http://www.cbc.ca/news/canada/toronto/pooches-owners-turn-up-noses-at-newly-renovated-leslieville-dog-park-1.3886273>

North York dog owners upset with pea gravel surface at off-leash park

<https://www.toronto.com/news-story/8298564-north-york-dog-owners-upset-with-pea-gravel-surface-at-off-leash-park/>

Visually impaired Leslieville dog owner plans to fight off-leash fine

<https://www.thestar.com/news/gta/2018/02/07/visually-impaired-leslieville-dog-owner-plans-to-fight-off-leash-fine.html>

Toronto lawyer helps visually impaired woman fight off-leash dog fine

<https://www.toronto.com/news-story/8124890-toronto-lawyer-helps-visually-impaired-woman-fight-off-leash-dog-fine/>

Hopefully, city gets Greenwood Dog Park right this time

<https://www.toronto.com/opinion-story/8135267-hopefully-city-gets-greenwood-dog-park-right-this-time/>

Pea gravel causing problems for pooches, owners at Greenwood dog park

<https://www.cbc.ca/news/canada/toronto/city-councillor-wants-changes-to-greenwood-dog-park-1.4959269>

In Toronto, depressing dog parks are a matter of policy

<https://www.toronto.com/opinion-story/9094695-in-toronto-depressing-dog-parks-are-a-matter-of-policy/>

Raymore Park Dog Zone official opening

<https://www.westonweb.ca/tag/raymore-park/>

Pea gravel an issue for Leslieville dog owner

<https://raymorepark.wordpress.com/2018/02/07/pea-gravel-an-issue-for-leslieville-dog-owner/>

Dog owners want special turf at park so their pets don't get hurt

<https://nypost.com/2016/10/22/dog-owners-want-special-turf-at-park-so-their-pets-dont-get-hurt/>

Pea-Sized Gravel Getting Stuck To Dogs' Paws At Brooklyn Park (video)

<https://newyork.cbslocal.com/2016/10/12/brooklyn-dog-park-gravel/>

Grassy goal: Locals demand Bridge Park replace dog run's stony surface with turf

<https://www.brooklynpaper.com/stories/39/42/dtg-bridge-park-dog-run-grass-2016-10-14-bk.html>

Dog owners concerned about gravel in parks (video)

<https://www.youtube.com/watch?v=1oKmB-M3G6E>

Dog park resurfaced in New York due to hurt paws (video)

<https://youtu.be/NmbbU4icHNY?t=55s>

Corktown Common in the media

Corktown residents create poster campaign (video)

<https://toronto.ctvnews.ca/corktown-residents-create-poster-campaign-with-pets-want-city-to-make-more-dog-friendly-spaces-1.2955732>

Benefits of dog parks

With cities becoming more and more crowded and leash laws becoming more restrictive, many concerned dog owners are looking to the creation of dog parks as a solution to their need for a place to spend quality time with their pets. But just what is a “dog park,” and what benefits can one bring to your city or town?

A dog park is a public park, typically fenced, where people and their dogs can play together. Similarly, a dog run is a smaller fenced area, created for the same use, that is often located within an existing park. As the names imply, these places offer dogs off-leash play areas where their owners can enjoy a park-like setting and the chance to socialize with other canines and their owners. Dog parks, which are sometimes managed by park users in conjunction with city or town officials, are being established all over the country and offer a wealth of benefits to dogs, dog owners and the community as a whole.

More than just “room to roam,” the creation of a dog park...

Allows dogs to exercise and socialize safely – Puppies and adult dogs need room to run, and enclosed play areas permit them to do so while preventing them from endangering themselves and others (for example, by running into the path of an oncoming vehicle). In addition, dogs who are accustomed to playing with animals and people other than their owners are more likely to be well-socialized and react well toward strangers.

Promotes responsible dog ownership – Dog parks prevent off-leash animals from infringing on the rights of other community residents and park users such as joggers, small children, and those who may be fearful of dogs. Parks also make it easier for a city to enforce its leash laws, as resident dog owners with park access have no reason to allow their canine companions off-leash when outside of the park.

Provides an outlet for dog owners to socialize – Dog parks are a great place for owners to meet other people with common interests. The love people share for their dogs reaches beyond economic and social barriers and helps foster a sense of community. Park users also benefit from the opportunity to ask questions of other owners and find solutions to problems they might be having with their pet.

Makes for a better community by promoting public health and safety – Well-exercised dogs are better neighbors who are less likely to create a nuisance, bark excessively, and destroy property. Their presence in the park, along with their owners, also may help deter crime.

Source: American Kennel Club

<https://images.akc.org/pdf/GLEG01.pdf>



Injuries sustained from running on pea gravel at Greenwood Park DOLA. January 8, 2019.



Injuries sustained from running on pea gravel at Greenwood Park DOLA. August 6, 2017.



Dog playing fetch at Greenwood Park DOLA. Notice how the dog's paws sink into and slide through the pea gravel, sending it flying. It's easy to see how injuries happen.



Off-leash dog park on top of a water reservoir, beside tennis courts, New Westminster, BC.



Stable slope at Etobicoke Valley Dog Park, Mississauga.



Stable slopes at Mississauga's Jack Darling Park Dog Park, built around and on top of a water treatment plant. Note the lush vegetation and thriving, unprotected trees.



Stable slopes and thriving, unprotected trees within the Trinity Bellwoods Park DOLA. The DOLA extends to the top of the slope.

DOGS OFF-LEASH AREA - GARDINER EXPRESSWAY UNDERPASS



DOLA already planned under the Gardiner Expressway. Note the K9Grass and water feature.