

# Report to Council



**Date:** May 8, 2017  
**File:** 0600-01  
**To:** City Manager  
**From:** Ian Wilson, Infrastructure Operations Manager  
**Subject:** Parks and Public Spaces Bylaw Update

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## **Recommendation:**

THAT Council receive for information the report from the Infrastructure Operations Manager, dated May 8, 2017 recommending changes to the Parks and Public Spaces Bylaw;

AND THAT Bylaw No. 11349 being Amendment No. 3 to Parks and Public Spaces Bylaw No.10680 be given reading consideration;

AND FURTHER THAT Bylaw No. 11350 being "Amendment No. 18 to Bylaw Notice Enforcement Bylaw No. 10475" be given reading consideration.

## **Purpose:**

To amend the Parks and Public Spaces Bylaw No. 10680 as well as the schedule of fines in Bylaw No. 10475.

## **Background:**

Updates are required to the Parks and Public Spaces Bylaw No. 10680 to take into account several Council resolutions in 2016 (new dog parks, changes to park names) as well as some housekeeping and regular updates. Staff recommend the following changes:

- Various housekeeping and language updates (e.g. incorrect page numbers in Bylaw);
- Section 3.37 was modified slightly to make it easier for family gatherings, neighbourhood groups, etc. to use portable barbecues in parks as long as they do so safely. The previous language only allowed barbecues on beaches.

- Section 3.39 was modified to clarify that “damage” to a park may also include illegal dumping or drainage of a substance into a park or a water body. A new section, 6.3, also allows the City to recover any costs associated with the repair of damage to a park.
- Schedule D: the dock at Manhattan point has been removed as a location where commercial operators may pick up and drop off passengers, since this is not an appropriate location for that use.
- Schedule E has been updated to include 11 additional areas where dogs are recommended to be allowed on-leash. Most of these locations were part of a public engagement process in late summer of 2016 (see Attachment A). Staff also recommend adding three large natural areas (Tower Ranch, University South and Mine Hill Park) and future on-leash areas at Rowcliffe park. The addition of these 11 locations would add almost 97 hectares of additional on-leash areas.
- Schedule F has been updated to reflect three new off-leash dog beaches approved by Council in 2016, and some minor updates to the sizes of dog parks in Schedule F. New off-leash beach locations include: Lake Avenue Dog Beach (temporary trial period), Downtown Sails – Cooling Off Beach, and Poplar Point Dog Beach. The size of the new Rowcliffe off-leash dog park (construction commencing in 2017/18) has been updated to 0.12 ha.
- Updates to the Parks inventory and dog on-leash areas (Schedules E and H) reflect that Tulameen and McCarren Park were consolidated with Providence Park under the name “Providence Park”, and Rockview Park was consolidated with Mountainside Park under the name “Mountainside Park” (as per Council resolution on February 15, 2016).
- Some minor errors in the fines schedule in Bylaw No. 10475 were corrected as well as the language for section 3.37 (barbecues in parks).

**Internal Circulation:**

Manager, Bylaw Services  
 Communications Advisor, Communications  
 Parks Planner, Infrastructure Planning  
 Project Manager, Infrastructure Delivery  
 Deputy Fire Chief, Fire Department  
 Property Management Manager, Real Estate Services  
 Manager, Community & Neighbourhood Services  
 Event Development Supervisor, Sport & Event Services  
 Deputy City Clerk, Office of the City Clerk  
 Risk Manager, Risk Management

**Legal/Statutory Authority:**

Community Charter

**External Agency/Public Comments:**

Regional District of the Central Okanagan (Dog control) were circulated on the changes. RDCO staff commented that signage should be consistent to ensure that it is clear to the public where dogs are allowed in these areas. Park Services staff will review this.

**Considerations not applicable to this report:**

**Legal/Statutory Procedural Requirements:**

**Existing Policy:**

**Financial/Budgetary Considerations:**

**Personnel Implications:**

**Communications Comments:**

**Alternate Recommendation:**

Submitted by:



Ian Wilson, Infrastructure Operations Manager

Approved for inclusion:



Joe Creron, Deputy City Manager Operations

## **Attachment A. On-Leash Parks Public Engagement Results**

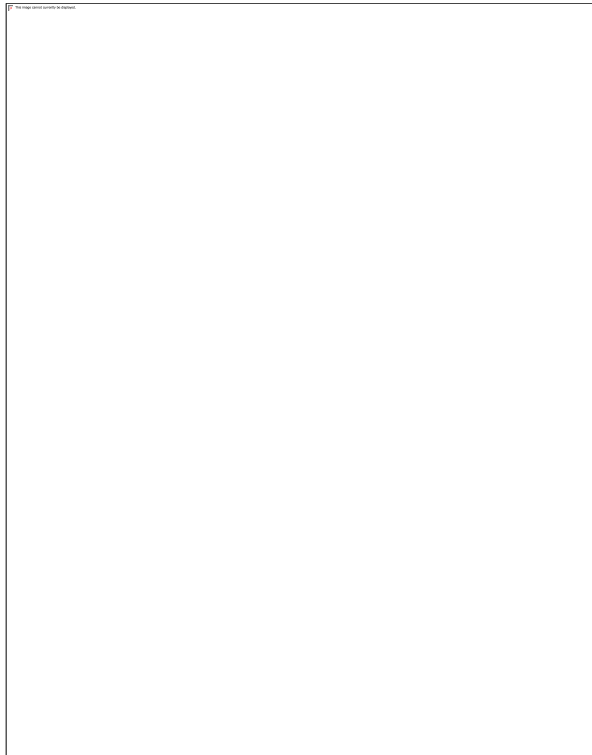
Signs were posted welcoming public feedback with respect to changing park status from NO DOGS permitted to ON-LEASH at the locations listed below. Signs were posted mid-July until late August, 2016.

In all, 38 comments were received. All but four were in favour of the change in status.

The majority of comments were specifically for Gyro Beach (23), some of which were tourists. In reviewing these comments there might have been some confusion from the public as to whether dogs would be allowed on the beach.

Redridge Park was not signed as part of this project as earlier in the spring, RDCO Dog Control brought to Parks attention that the park was signed incorrectly as an ON LEASH park. When it was corrected with NO DOG's signage, the residents banded together to reinstate ON LEASH status. E-mails were received by seven residents in support of allowing dogs on leash. The park was signed in mid-July as a 'temporary' ON LEASH park pending Bylaw update.

Below are the parks that were considered, signage posted and comments received.



### **Parks/Green Spaces signs were posted at:**

1. **Avonlea park:** neighbourhood park with pathways
2. **Redridge park:** had a sign allowing dogs on-leash that was put up by mistake years ago. Neighbours petitioned to have the park designated as on leash
3. **McKinley Mountain:** large natural area
4. **Skyland Open Space:** natural area in Wilden
5. **Upper canyon Open Space:** natural area in Wilden
6. **Watt park/green space:** green space near the creek
7. **Gyro Park:** Park area, does not include beach

Date	Comments
1. 2016-07-25	I'd like to voice my support for the transition of the status change for dogs to be allowed in <b>Gyro</b> park. It would be really nice to be able to spend time in the park with family, friends and our dog.
2. 2016-07-26	Hi! I'm writing to show my support for the possibility of a <b>Gyro Beach</b> dog park! We need more dog friendly areas that also allow us to be with other people. Having an area close to the downtown would be a huge convenience! It would also be great to have a small dog section of the park as other parks in Kelowna have done!
3. 2016-07-26	I wholeheartedly support the grass park being an on leash dog park at <b>Boyce Gyro</b> Park. It would be an appropriate location to allow families with dogs to enjoy a park in that neighbourhood.
4. 2016-07-29	Hello In response to the sign@ <b>GYRO</b> beach. I see no problem with people walking on the sidewalk with dogs on leashes. Thank you
5. 2016-07-29	On my morning dog walk, I saw your sign at <b>Gyro</b> . A big YES for this. When walking my dog, I like to be able to walk along the lake, see the mountains, the activities on the beach etc. Walking through Gyro would be so much more pleasant than walking along Lakeshore Rd. with the traffic. Also, with all the small beach parks on the Abbott/Walnut corridor, can we have 1 or 2 designated for dogs on a leash? This is my daily stroll and in this weather, dogs need a drink. We walk by all this water but nowhere are dogs allowed access to the lake - this policy does not serve the very large portion of Kelowna taxpayers who are dog owners!
6. 2016-08-02	Oh, and by the way, could you tell me the status of the proposed new dog beaches? I understood that they were expected to be made available this summer ? Subject: Proposed On-Leash Dog Park - <b>Wilden</b> I saw a sign by a greenspace area on <b>Skyland Drive</b> , that said it was being proposed as an on-leash dog park. We were directed to the website for further information, but I have been unable to find anything on the website. Can you direct me? I am a dog owner and in favour of more (good) dog parks and beaches. If this green space is being proposed as an on-leash dog park simply because, as your website says, most parks are on-leash dog parks unless they are environmentally sensitive etc., then it should be done - at the least. However, I cannot understand why it would not be designated an off-leash park. It is tiny. It is an odd shape, with steep slopes all around. It consists mainly of high grasses and it is not groomed by anyone. There is nothing much it could be used for in the way of a park, and I would suggest that it is currently not used for park purposes, and is unlikely to be used, other than by dogs and their owners. It is not conducive to use as a child's play area, or use by a non-dog owner. It is, to my observation, mainly used by dog owners to access the road and paths below for dog walking. It could be a small area for dogs to romp with a ball. It is partially

	fenced, and practically speaking, "fenced" by the steep slopes all around it. The only residences adjacent are located far above the "park", and those owners themselves have dogs. I do not understand the apparent resistance to (good) off-leash park areas for dogs in Kelowna. I would be interested to hear your logic.
7.	2016-08-02 I would definitely be very happy if the change is implemented that dogs can attend the park on-leash. I have a large dog that requires a lot of exercise... I walk between 7 and 12 km every day... It would be nice to be able to take him to more of my favorite places in the city! At this point I take him to various off-leash parks ... Most of which are over 2 km from my home and all the paths are concrete which is difficult on both his feet as well as mine... Then I take him home and go to gyro on my own... I love being near the water.... It would be fantastic to share that with my "best friend". Thanks for considering the change. Respectfully [name removed] Sent from my iPhone
8.	2016-08-02 I hope everyone agrees, we have so many families with dogs it would be nice to all go to the park together ----- even if Mum or Dad has to sit on the walkway bench and watch.
9.	2016-08-02 Hello. I would like to add my voice and my husband's to the request to allow dogs on leash in Kelowna city parks. The majority of dog owners are very responsible, and we often "police" each other. I always have dog bags in my pockets & offer them to people who may have forgotten theirs. Dogs are ubiquitous and as long as they're well behaved they can be a pleasure for everyone. With respect, please seriously consider this request. We look forward to further discussion on this matter.
10.	2016-08-03 To whom it may concern I noticed the sign at <a href="#">gyro beach</a> about opening the park walkway to dogs and would like to support the idea as it would be a great place to walk my dog during the fall and winter. I live on Abbott St and know that it is not crowded during these times and it is a much quieter walk than along Pandosy street. You can also sit on a bench and enjoy the view. Thank you for this great idea
11.	2016-08-04 Dog - Control I would love to bring my dog to any of the parks that are listed for suggested dog status changes. I especially like the <a href="#">Gyro Breach</a> potential dog status change :-)
12.	2016-08-04 Park - Issue What type of park issue are you reporting? Other Re: Proposed on-leash dog park I am in support of the proposed on-leash dog park in the grassy area at <a href="#">Gyro Beach</a> . I would love for my entire family to visit the beach, with one adult on the grassed area with our dog & my spouse down at the lake with the kids. Similar to Naramata's Manitou Park.
13.	2016-08-04 Hi, Saw the sign at the park entrance and wanted to say that me and my family wholeheartedly support the proposition to allow dogs on the walkways at Gyro beach! I have a dream that one day the city will have a walkway from <a href="#">Gyro beach</a>

	extended either towards the Eldorado hotel or downtown, so we can enjoy the lake and walk with our four legged friends while enjoying the lake views!
14. 2016-08-05	I would like to add my voice to input regarding adding more areas for dogs. I would like to see less not more areas that permit dogs. There are people who have allergies to dogs as well as those who are very afraid of dogs. While some owners keep their dogs close to them on a leash and away from others, most believe you live their dog (s). I have been at beaches where although signage indicates no dogs there are several, swimming and off leash on the beach. Also have observed dogs defecating in the water and on the beach. Owners did not clean up and became angry when asked to do so. I have also seen people let their dogs chase birds. If you choose to own a dog that your prerogative, please don't bring you dog to public spaces that were created for people's relaxation and enjoyment. Some cites even have sidewalk signs that have a picture of a dog with a line through it, especially in downtown and high traffic areas. Please take your dog to a dog park and leave people parks to people. Thank you.
15. 2016-08-05	I am in favour of allowing dogs on leash along the paved path in <b>Gyro Beach</b> . During hot summer weather dog owners exercise their dogs early morning or late afternoon/evening when fewer beach users would be in the park. Also dog walkers would appreciate having a bench to sit on to enjoy a view of the lake. This park should always have been open to dogs on leash after the swimming season is done. I keep hearing that parks are for all people and would like to believe that includes the people who have companion dogs on leash. Thank you.
16. 2016-08-05	To whom it may concern: I strongly support the change to the status of the park at <b>Gyro beach</b> to allow on-leash dogs. Kelowna needs more dog friendly areas! Thank you,
17. 2016-08-05	Dear parks, Our family is all for the city initiative to allow dogs on leash in green spaces. It's time to get with the program! Thank you,
18. 2016-08-08	Hello. I saw your signage at <b>Gyro</b> Park today. We've just arrived in Kelowna for our annual vacation and will be thrilled if this goes through. We bring the family dog with us. I notice it just says "on the walkway". While that will be nice I'd love to see you take it one step farther and allow them on the grass at the very far end of the park. So I'm giving it a big thumbs up ????? Thanks for allowing our input. [name removed] Burnaby, BC
19. 2016-08-08	As a person who walks her dog between 8 - 12 km per day, I would be very happy to be able to spend more time near the beach. I have spent the past two years walking him at Munson Pond in the mornings, after dinner and before bed. However, since the City of Kelowna decided to upgrade the area and make it a bird sanctuary... the old people who live in the area have been rude and over bearing when I walk my dog on-leash as required in the adjoining area. I used to run into

	anywhere from 75 to a hundred dogs a day, more on weekends and with the changes there and the grumpy old people, I'm lucky to see 3 or 4. With so few dogs and owners the trails have become overgrown and are almost impassable now. Too bad the old folks and the birds can't share an area that was well looked after by the dog owners. With the coyotes having free reign I have noticed a lot less birds are attending the area. Irony of Ironies... dogs aren't chasing the coyotes so they have a better chance at disturbing the environment. Anyway, as a dog walker ... the views along the lake are breathtaking and in this type of weather, cooling. The more places we can walk, the better! Thanks for asking for our input Oh and I have noticed that there are more visitors from out of province attending off-leash dog parks more than the previous years... Respectfully, [name removed] -- Live, Love, Laugh... giggle as often as you can for as long as you can! It helps to keep mind, body, spirit and emotions healthy and of course keeps you HAPPY!
20. 2016-08-08	Hi there, My family would be very excited to have dogs allowed on leash in <a href="#">Gyro Beach</a> Park! It is the closest city park to our home and we often don't get to enjoy it's beauty up close because we have our dog with us. We would likely walk through the park daily if dogs were allowed on the pathway. We would also appreciate a park in the area that allows dogs to swim as our dog thinks he is part fish and the closest beach that allows this is a 15 min drive away. We would love it if there was one a 5-10 min drive away or even one we could walk to. Thanks for all your work on this!
21. 2016-08-08	Caller would like to see dogs allowed at <a href="#">Gyro Beach</a> .
22. 2016-08-09	I vote yes and would like to see the ruling extended to allow dogs on leash on the grass at the south end of the park.
23. 2016-08-09	Please be aware that while the Kelowna Dog Association puts lots of effort into getting dogs into a certain park, they do not keep up that effort when it comes to maintaining the canisters that contain the free pick up bags. And yes people still go there to get a bag. In city park in particular, many dog owners go to the canisters and shrug. I have seen people use large plastic shopping bags. And some just not pick up. Yes, many people carry their own these days but, dogs often have their own schedules--especially when travelling. n The Kelowna Dog Association's responsibility does not end when the council says yes. Please take this into consideration before allowing any more dog parks. Thank you for your consideration.
24. 2016-08-09	Caller is in favour of making <a href="#">Gyro Park</a> a dog friendly park. He would like to see a beach that dogs can go into the water in Kelowna.
25. 2016-08-10	To whom it may concern, I would like to support those in favor of having dogs on leash allowed on the hard surfaces in <a href="#">Gyro beach park</a> . Yours truly,



26.	2016-08-10	Dear Sirs, I am in favour of allowing dogs on the walkway through <b>Gyro Park</b> , on and off leash. Allowing pets to accompany their owners and families would make Kelowna a much more user friendly place.
27.	2016-08-10	Hello, Thank you for your consideration in making Kelowna more dog friendly. I am in favour of the potential changes. To be able to enjoy the beautiful outdoors and know that your dog is welcome to enjoy it with you is a wonderful thing. We live in a community with so many well behaved dogs and it's really a shame that we are forced to leave them at home or forgo the beach altogether. I hope that you are receiving positive feedback and that the outcome is one that the community of dog lovers will greatly appreciate. Sincerely,
28.	2016-08-11	This is a great idea. I live in the area and find it frustrating that you can't take your dog for a walk and enjoy a park or the view from a beach but instead have to walk along a busy road. More dog access in this city would be great. I am surprised at how inaccessible for dogs the city is considering over 30% of the population own a dog. If it is unacceptable for this to go ahead in July/August, off season or winter should be considered. Nobody uses that park in the winter or fall.
29.	2016-08-11	yes to all Parks
30.	2016-08-11	I want to see dogs on leash allowed in <b>Gyro beach park</b> . I want to see dogs allowed in the lake between 6am and 8am at several dog beaches. Many people have no computer or are computer challenged and need to be able to convey their wishes by telephone. Otherwise they have no voice in city politics! This means Not A True Survey.
31.	2016-08-12	Yes for dogs at <b>Gyro</b>
32.	2016-08-12	called regarding Dog Park Status - absolutely no; it is not enforced enough now. Dogs should not be on leash or off least at the Parks where people are in the sand or playground. Another Dog Beach would be a better idea.
33.	2016-08-15	Dear Parks personnel, I am not in favor of the proposed change to allow dogs at <b>Gyro Beach</b> - even if it's only on the walkway. I have seen in many places that dog owners are not responsible enough to clean up after their dogs, despite 'bylaws' which mandate this. Allowing dogs at this park will detract from the family-friendly atmosphere this park is known for because it will become a place where your toddler has an equal chance of playing in dog poop as the sand. Besides, many small children (and even some not so small ones) are afraid of strange dogs. Please do not make the change to allow dogs. Sincerely,
34.	2016-08-15	Hi there, I saw a sign at <b>Gyro</b> yesterday and I do believe this was the email for feedback on allowing dogs on leash at public beaches. I am a dog owner of a loving fur baby who loves to swim! We used to live in the Shuswap and Kamloops, where there were lots of beaches off the beaten path you could bring your dog to swim freely without issues. We moved to Kelowna this year, and one of my concerns is

	<p>the lack of beaches you are able to bring your dog to in this city. I fully support allowing dogs on leash at some of the public beaches in the city. Whenever I have brought my dog to the beach in Salmon Arm and Kamloops I always had her on leash anyways, as I am a responsible dog owner. I would bring her to the water first, throw sticks, and let her swim her heart out. She has a bad knee so swimming is very good exercise for her. After swimming for a bit, she's so tired she'll just lay and sunbathe with her mama. It brings both of us so much joy to see her in her favorite place.... the beach! Having so few places here in town makes it difficult as they are a far drive, and always overcrowded. It's not relaxing for either of us with that many dogs running around. We would both be ever so grateful to see this bylaw changed, at least at a few of the beaches in the city. That way, if someone is not a fan of dogs, they can choose to go to one of the beaches that do not allow dogs. It's a win win for both sides. My dog Nikita would thank you dearly! Kind regards,</p>
35.	<p>2016-08-15 I am in favour of having this park an on leash dog park. I would love to be walk my dog by the lake.</p>
36.	<p>2016-09-14 Caller is in favor of dogs being allowed at <a href="#">Gyro Beach Park</a>. Just wanted to be sure her vote was registered.</p>
37.	<p>2016-08-08 In favour of On Leash in <a href="#">Skyland/Wilden Open Space</a> providing:</p> <ul style="list-style-type: none"> <li>• Bag dispenser &amp; waste bins installed at each access point to avoid waste bags being left behind</li> <li>• Stairs be installed and maintained along a small, steep section of the trail</li> </ul> <p>Would like On Leash status on the <a href="#">Lochview Trail</a> with the same improvements noted above</p>
38.	<p>June-July Redridge Park</p> <ul style="list-style-type: none"> <li>• 7 responses by e-mail received from Crawford residents in support to maintain the ON-Leash status even though the park was not designated as one</li> </ul>