



STAFF REPORT ACTION REQUIRED

Commercial Dog Walker Permit Policy

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|--------------------------|--|
| Date: | June 19, 2007 |
| To: | Parks and Environment Committee |
| From: | Brenda Librecz, General Manager, Parks, Forestry and Recreation Division |
| Wards: | All |
| Reference Number: | |

SUMMARY

The proposed Commercial Dog Walker Permit Policy is linked to the Parks, Forestry and Recreation (PFR) Division's People, Dogs and Parks Strategy, which pertains to the provision of off-leash areas in City parks, greenspaces and waterfront areas. Managing the activities of commercial dog walkers will help ensure the safety and enjoyment of all park users and contribute to the overall success of the People, Dogs and Parks Strategy. The issues surrounding people, dogs, and parks have had a long history and need to be addressed through policy development and collaborative partnerships with all park users.

The objective of the proposed Commercial Dog Walker Permit Policy and the associated amendments to the Toronto Municipal Code Chapter 608, Parks, is to enable City staff to better manage and monitor the activities of commercial dog walkers to ensure that the number of dogs under their control at any one time is manageable and their activities do not interfere with the safety and enjoyment of other park users. Additionally, the Commercial Dog Walker Permit Policy and revised Municipal Code requirements include enforcement mechanisms to ensure that all dogs being walked by commercial dog walkers are licensed and that these individuals and or companies obtain and carry a visible Commercial Dog Walker Permit when utilizing City Parks, greenspaces and waterfront areas for their activities.

The Commercial Dog Walker Permit will require all individual dog walkers and companies who walk from four to six dogs at any one time to obtain a permit issued by Parks, Forestry and Recreation. An annual permit payment fee of \$200.00 is being recommended for individual commercial dog walkers and an incremental fee range for larger dog walking companies as outlined in Attachment 1. The permit revenue will be

allocated to Parks, Forestry and Recreation. The Commercial Dog Walker Permit Policy, fee and system will be evaluated by staff in one year's time to determine its effectiveness.

At a public consultation session held on June 13, 2007 the commercial dog walkers in attendance reinforced the value of their presence as the eyes and ears of Toronto parks, greenspaces and waterfront areas. This group of responsible commercial dog walkers contribute to the safety of our parks and provide public education by promoting responsible dog ownership and appropriate dog etiquette.

The report recommends adoption of the proposed Commercial Dog Walker Permit Policy, for commercial dog walkers using City of Toronto parks, greenspaces or waterfront areas, as outlined in Attachment 1.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation recommends that:

1. City Council adopt the Commercial Dog Walker Permit Policy, generally in accordance with the report recommendations and Attachment 1 of this report, subject to any necessary minor substantive or stylistic refinements as may be identified by the General Manager of Parks, Forestry and Recreation and the City Solicitor;
2. City Council approve the Commercial Dog Walker Permit annual fee schedule as outlined below, which pertains to individual dog walkers and larger dog walking businesses who employ numerous dog walkers:

| Number of Commercial Dog Walkers | | | | |
|----------------------------------|-------|-------|-------|--------|
| 1 | 2 | 3 | 4 | 5 + |
| \$200 | \$300 | \$400 | \$500 | \$1000 |

Such fee schedule to be reviewed in 2008 and reviewed annually thereafter;

3. City Council direct the City Solicitor to make the necessary amendments to Chapter 441 of the Toronto Municipal Code, Fees, to include the annual fee schedule, as outlined above, for the issuance of a Commercial Dog Walker Permit(s);
4. City Council direct the City Solicitor to make the necessary amendments to Chapter 608 of the Toronto Municipal Code, Parks, generally in accordance with Attachment 2 of this report, subject to any necessary minor substantive or stylistic refinements as may be identified by the General Manager of Parks, Forestry and Recreation and the City Solicitor;
5. The Commercial Dog Walker Permit Policy be implemented effective as of the later of September 4th, 2007 and the day after the set fine order is issued by the province;

6. Prior to the implementation of the Commercial Dog Walker Permit Policy, the General Manager of Parks, Forestry and Recreation be directed to develop a communication plan, in order to promote public education, awareness and compliance with the Policy;
7. The revenues generated from the Commercial Dog Walker Permit system be directed to Parks, Forestry and Recreation Division's operating budget to recover costs associated with administration of the system, as well as, for park maintenance costs of off leash areas; and
8. The General Manager of Parks, Forestry and Recreation be directed to conduct a review of the Commercial Dog Walker Permit Policy in one year's time and report back to the Parks and Environment Committee on its effectiveness.

Implementation Points

See Attachment 1 – Commercial Dog Walker Permit Policy

FINANCIAL IMPACT

Anticipated annual revenue from the sale of Commercial Dog Walker Permits is \$240,000.00. This is based on an annual fee of \$200.00 and a preliminary estimate of 1,200 Commercial Dog Walker Permits issued to individual commercial dog walkers. Currently Parks, Forestry and Recreation has no means of identifying company requests and will report back on this component in 2008 based on actual permits issued. These revenues would be used to partially offset anticipated annual divisional expenditures for administration of the permit system, new signage and park maintenance (e.g., maintenance of leash-free zones and turf repair). This program is intended to have no net impact on the Parks, Forestry and Recreation operating budget. There are no capital budget requirements arising from the implementation of the Commercial Dog Walker Permit Policy.

Assuming that City Council adopts the report recommendations for a Commercial Dog Walker Permit Policy, staff intends to begin implementation as soon as possible. In order to ensure that all of the necessary administrative systems are in place prior to implementation, the effective implementation date recommended is the later of September 4, 2007 and the day after the set fine order is issued by the province. Accordingly, adjustments to the Parks, Forestry and Recreation operating budget for implementation of this policy will be deferred until the 2008 operating budget cycle. Estimated revenues and expenditures will be reviewed annually, once the program is in operation.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agree with the financial impact information.

DECISION HISTORY

Toronto Municipal Code, Chapter 608, Parks, limits the number of dogs any one person can have under their control at any one time to a maximum of three in all City-owned or managed parks, greenspaces or waterfront areas. This number coincides with the Toronto Municipal Code Chapter 349, Animals, which limits the number of dogs in one dwelling to three.

During the spring of 2005, as enforcement of this Code provision increased, it became apparent that the limit of a maximum of three dogs under the control of a commercial dog walker would adversely impact their livelihoods. Recognizing the issue as one requiring further consideration, a motion was adopted by City Council at its meeting of June 14, 15, 16, 2005 that raised the limit of dogs under one person's control to five, until such time as a further report on the matter could be considered.

Reference - *Toronto Municipal Code*:

- Chapter 608, Parks – http://www.toronto.ca/legdocs/municode/1184_608.pdf
- Chapter 349, Animals - http://www.toronto.ca/legdocs/municode/1184_349.pdf

Subsequent to that decision, staff prepared a report entitled, Dogs in Parks Strategy Report, dated April 19, 2006, which was submitted. At its meeting of May 4, 2006, the Economic Development and Parks Committee referred the April 19, 2006, Dogs in Parks Strategy Report for further public consultation, and requested the General Manager of Parks, Forestry and Recreation to submit separate reports on the following:

- (a) People, Dogs and Parks Strategy
- (b) Commercial Dog Walker Permit Policy

In response to these requests, Parks, Forestry and Recreation staff in consultation with staff in Toronto Public Health - Animal Services, have prepared this report recommending approval of a new Commercial Dog Walker Permit Policy (See Attachment 1), together with a recommendation that the City Solicitor make the necessary changes to the Municipal Code to implement the policy.

Parks, Forestry and Recreation staff has prepared a separate staff report which pertains to the Division's overall People, Dogs and Parks Strategy and the provision of off-leash areas in city parks, greenspaces and waterfront areas. These reports are complimentary to one another and both are being submitted to the July 4th, 2007 meeting of the Parks and Environment Committee for its consideration.

ISSUE BACKGROUND

The trend towards busier lifestyles has resulted in a growing number of people and organizations who walk dogs for their livelihoods. It is estimated there are over 1,200

commercial dog walkers using City parks, greenspaces and waterfront areas. The majority of commercial dog walkers do manage their dogs quite well in City parks and several have indicated to staff that the current Municipal Code limit of three dogs under their control at one time is too restrictive and punitive to their livelihoods. There are, however, other commercial dog walkers who clearly do not manage their dogs appropriately. There have been many instances when City staff and the public have reported seeing commercial dog walkers in City parks with as many as ten to twelve dogs under their control at one time. As part of the development of the draft People, Dogs and Parks Strategy, staff reviewed the issues surrounding the activities of commercial dog walkers and endeavoured to find a solution that will balance the often competing interests of commercial dog walkers and other park users.

The proposed Commercial Dog Walker Permit Policy is put forward as per the previous direction from the Economic Development and Parks Committee. Parks, Forestry and Recreation staff has worked collaboratively with the commercial dog walker community over several years and their input has been incorporated into the Policy. In addition, the commercial dog walker community was updated on the status of the permit policy at a meeting held on June 13, 2007 and provided further input. A summary of the public consultation findings is included with this report as Attachment 3.

COMMENTS

Commercial Dog Walker Limits & Required Changes to the Toronto Municipal Code

Consultations with a wide variety of stakeholders, including commercial dog walkers, determined that the maximum number of dogs under the control of a commercial dog walker at any one time should be increased from the current five (as per City Council's 2005 motion) to six. This would require a change to the Municipal Code to reflect the increase. It is recommended that this amendment apply only to commercial dog walkers who have satisfied the conditions of the Commercial Dog Walker Permit Policy and have obtained a permit and provided payment of an annual fee (see Attachment 1). The proposed Dog Walker Permit Policy, and associated changes to the Municipal Code, would enable commercial dog walkers to have between four and six dogs within their control at one time while using City parks, greenspaces and waterfront areas. All other citizens would be required to comply with the existing by-law which indicates that the maximum number of dogs permitted to be within the care and control of one individual is three.

Permit Conditions and Fees

Parks, Forestry and Recreation staff, in consultation with Toronto Public Health staff (Animal Services), developed the proposed Commercial Dog Walker Permit Policy, which includes a set of conditions to better regulate the activities of commercial dog walkers (see Attachment 1).

Staff is recommending that an annual fee of \$200.00 be charged for an individual permit and an incremental range for companies purchasing permits as identified in Attachment 1. A permit would be issued to each individual commercial dog walker. Larger dog walking businesses which employ numerous walkers would be entitled to share permits within their specific company only. All walkers must have a permit on their person that is visibly displayed at all times while using City parks, greenspaces or waterfront areas.

In order to obtain a permit, commercial dog walkers would be required to provide liability insurance coverage and ensure that all dogs under their care and control are licensed, in accordance with Toronto Municipal Code, Chapter 349, Animals. They would also have to comply with the provisions of the Toronto Municipal Code, Chapter 608, Parks, as well as any other applicable by-laws or legislation. As outlined in Attachment 1, commercial dog walkers would also be required to:

- have a commercial dog walker permit visible on their person at all times while using City parks, greenspaces and waterfront areas;
- present their permit upon request of a Provincial Offences Officer or Parks, Forestry and Recreation staff;
- abide by the park's rules governing designated off-leash areas, area boundaries, hours of operation and other related regulations;
- ensure that the maximum number of dogs under their control at any one time within a park, greenspace and waterfront area is no greater than six (6);
- keep their dogs on-leash at all times, unless they are in a designated off-leash area;
- keep their dogs under their care and control at all times; and
- pick up and remove dog waste in accordance with the requirements of Toronto Municipal Code, Chapter 608-34 and as stipulated in the Commercial Dog Walker Permit Policy.

Notwithstanding the above, commercial dog walkers will be prohibited from using the following areas:

- Natural or environmentally sensitive areas including: designated ravines, wooded or savannah areas, sites of natural and/or scientific interest, areas which have undergone significant habitat restoration, wetlands or their buffer zones
- Playgrounds, splash pads and wading pools
- Horticultural display areas or ornamental gardens
- Skateboard bowls, tennis courts and other sports pads
- Sports fields and stadiums
- Artificial or natural ice rinks, toboggan hills
- Animal display areas
- Blue Flag designated beaches
- Campgrounds

Enforcement

City of Toronto Parks, Forestry and Recreation By-law Enforcement Officers are responsible for enforcement of City by-laws in all City-owned and operated parks,

greenspaces and waterfront areas. These By-law Officers will also be responsible for enforcement of the Commercial Dog Walker Permit Policy. They will monitor commercial dog walkers to ensure that they meet the requirements of the policy, including carrying a valid permit on their person and ensuring that they meet all of the by-law conditions stipulated in the Toronto Municipal Code (Chapters 349 and 608), as well as, the terms and conditions of the Commercial Dog Walker Permit Policy.

Commercial dog walkers who have not obtained a valid permit, those with unlicensed dogs, or those who fail to comply with any of the legislative requirements or conditions detailed in the Commercial Dog Walker Permit Policy (See Attachment 1) will be guilty of an offence and will be subject to fines imposed by the Parks, Forestry and Recreation By-law Enforcement Officers, in accordance with the applicable by-laws. Repeat offenders could have their permits revoked and those without a permit could have their application denied.

The set fines contained in Toronto Municipal Code Chapter, Parks 608 must be revised in order to include the offences of having 4 to 6 dogs in a park without a permit, and a commercial dog walker in prohibited areas of the park. The by-law amendments will come into effect on the later of September 4, 2007 and the day after the set fine order is issued by the province. The set fines are applied for by the City Solicitor in accordance with the authority delegated to her by the adoption by Council of Clause 9 of Report 5 of the Strategic Policies and Priorities Committee on March 2, 3 and 4, 1999 for such purpose, and will be determined by Parks, Forestry & Recreation staff in consultation with the City Solicitor.

Operational Implications

Staff estimates that approximately 1,200 permits would be issued annually; resulting in annual revenue of \$240,000.00, based on the fee set for individual commercial dog walkers. Currently Parks, Forestry and Recreation have no means of identifying company requests and will report back on this component in 2008 based on actual permits issued. The number and request for company permits issued could vary and increase over time as the policy becomes fully operational and as the City's population increases. Staff are recommending that the revenues obtained from the Commercial Dog Walker Permit fee be used to offset additional operating costs that would be incurred by the division, i.e., administration costs for the permit system, enforcement activities, new signage and park maintenance costs (e.g. for leash-free zones, turf repair, etc). It is anticipated that the additional expenditures incurred from the new permit system for commercial dog walkers would be partially offset by the revenues received. A detailed analysis, including a full cost impact assessment, will be undertaken by the General Manager of Parks, Forestry and Recreation in one year's time from the date of implementation of the proposed policy and permit system, to determine the operational effectiveness and financial impacts of the new system. Estimated revenues and expenditures will be reviewed annually thereafter, once the program is fully operational.

Parks, Forestry and Recreation By-law Enforcement staff will be responsible for enforcing the applicable by-laws and the new conditions of the Commercial Dog Walker Permit Policy. It is anticipated that increased resources will be required to manage this new system once it becomes fully operational.

Next Steps

Prior to consideration of the staff report by the Parks and Environment Committee, at its July 4th, 2007 meeting, public notice of the recommendation of a proposed annual fee of \$200.00 for individual commercial dog walkers and an incremental fee schedule for larger commercial dog walking companies for a Commercial Dog Walker Permit Policy is required, as prescribed in Toronto Municipal Code Chapter 162, Notice, Public. The proposed fees for the new permit system will be advertised on the City of Toronto web-site at least five working days prior to the Parks and Environment meeting, as prescribed.

Assuming the Commercial Dog Walker Permit Policy is adopted by Council in July of 2007, implementation of the permit system for commercial dog walkers is targeted for the later of September 4th 2007 and the day after the set fine order is issued by the province. Prior to implementing the new permit procedure in September, 2007, it will be necessary to create a new permit application and administration system. Once the system is in place, commercial dog walkers will be able to obtain permits, in person at the Parks, Forestry and Recreation Customer Service locations at each of the three Civic Centres - Scarborough, Etobicoke, North York and Toronto City Hall.

Once the Commercial Dog Walker Permit Policy is approved and in place, the City Solicitor will submit a draft by-law to Council in July, 2007 to amend the Toronto Municipal Code Chapter 608, Parks and Chapter 441, Fees, in order to include the \$200 individual and incremental company fees for their annual permit which is required in order to bring between four and six dogs into City owned or operated parks, greenspaces and waterfront areas. The effective date for the by-law would be the later of September 4, 2007 and the day after the set fine order is issued by the province, which is the same date that the new permit system would be implemented. The City Solicitor has advised that the amendments to the Municipal Code cannot come into effect until such time as all of the permit procedures are in place that would allow commercial dog walkers to comply with the new requirements, and the set fines have been approved by the province. A recommendation has been included in the report requesting that the City Solicitor submit the necessary Municipal Code amendments to the July, 2007 Council meeting.

Should Council approve the policy, the new policy and permit requirements will be publicized and available on the City's web-site, in order to promote public education, awareness, and compliance among commercial dog walkers. The education and promotion campaign is targeted for August, 2007, prior to the implementation date of the later of September 4th, 2007 and the day after the set fine order is issued by the province. Aside from the benefits of educating the public about this initiative, this campaign is intended to assist commercial dog walkers by advising them to apply for a Commercial

Dog Walker Permit, so they can comply with the new by-law requirements when they come into effect.

CONTACT

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SIGNATURE


Brenda Librecz
General Manager, Parks, Forestry and Recreation


ATTACHMENTS

Attachment 1 – Commercial Dog Walker Permit Policy
Attachment 2 – Amendments to Toronto Municipal Code Chapter 608, Parks
Attachment 3 – Public Consultation Report

Attachment 1

| | | |
|--|--|---|
| Commercial Dog Walker Permit Policy | Approved By: Approval Date: July 4, 2007 Revision Date: June 14, 2007 |  |
| Policy Statement | To help ensure accountability by limiting the number of dogs allowed under the control of a Commercial Dog Walker to between four (4) and six (6) at any one time, while using City parks, greenspaces or waterfront areas. | |
| Application of Commercial Dog Walker Permit | <p>All Commercial Dog Walkers who walk from four (4) to a maximum of six (6) dogs, at any one time in City parks, greenspaces or waterfront areas must obtain a Commercial Dog Walker Permit.</p> <p>To obtain a Commercial Dog Walker Permit, an individual Commercial Dog Walker or the owner of a larger dog walking business is required to:</p> <ol style="list-style-type: none"> 1) Apply for the permit in person at any one of the three (3) Civic Centres (Etobicoke, North York, Scarborough), and Toronto City Hall; 2) Provide: <ol style="list-style-type: none"> i) personal identification; ii) home address and phone number; iii) business name, name of business owner, address, phone number and names of employees (if applicable) 3) Provide evidence of Commercial General Liability insurance coverage in the amount of \$1,000,000 for bodily injury, property damage and personal injury liability, and including the City as an additional insured; and 4) Ensure that all dogs under their care and control are licensed in accordance with Toronto Municipal Code Chapter 349, Animals. 5) Pay the appropriate fee amount as per the following fee schedule: | |

| Commercial Dog Walker Permit Policy | Approved By: Approval Date: July 4, 2007 Revision Date: June 14, 2007 |  | | | | | | | | | | | | | | | |
|--|---|---|-------|--------|--|--|---|---|---|---|-----|-------|-------|-------|-------|--------|--|
| | <table><tr><th colspan="5">Number of Commercial Dog Walkers</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5 +</td></tr><tr><td>\$200</td><td>\$300</td><td>\$400</td><td>\$500</td><td>\$1000</td></tr></table> | Number of Commercial Dog Walkers | | | | | 1 | 2 | 3 | 4 | 5 + | \$200 | \$300 | \$400 | \$500 | \$1000 | |
| Number of Commercial Dog Walkers | | | | | | | | | | | | | | | | | |
| 1 | 2 | 3 | 4 | 5 + | | | | | | | | | | | | | |
| \$200 | \$300 | \$400 | \$500 | \$1000 | | | | | | | | | | | | | |
| Conditions for use of City parks, greenspaces, and waterfront areas | <p>While using City parks, greenspaces or waterfront areas the Commercial Dog Walker, or dog walking business agrees to the following conditions:</p> <ul style="list-style-type: none">• Compliance with <i>Toronto Municipal Code Chapter 608, Parks</i> (http://www.toronto.ca/legdocs/municode/1184_608.pdf)<ul style="list-style-type: none">○ to abide by existing designated off-leash areas, area boundaries, hours of operation and other related regulations;○ to keep their dogs on leash at all times, unless they are in a designated off-leash area;○ to keep their dogs under their care and control at all times;○ commercial dog walkers who frequent parks where a green bin pilot project exists, shall use the green bins to dispose of dog waste; and○ any other regulations as required by law.• Compliance with <i>Toronto Municipal Code Chapter 349, Animals</i> (http://www.toronto.ca/legdocs/municode/1184_349.pdf)<ul style="list-style-type: none">○ dogs must be licenced within the City of Toronto; and○ any other regulations as required by law.▪ Permit Requirements All Commercial Dog Walkers must:<ul style="list-style-type: none">○ display a Commercial Dog Walker Permit in a visible manner at all times while using City Parks, greenspaces or waterfront areas; and○ present their permit upon request to a Provincial Offences Officer or Parks, Forestry and Recreation Staff Member | | | | | | | | | | | | | | | | |

| | | |
|--|---|---|
| Commercial Dog Walker Permit Policy | Approved By: Approval Date: July 4, 2007 Revision Date: June 14, 2007 |  |
| Prohibitions for use of City parks, greenspaces, and waterfront areas | Commercial Dog Walkers are prohibited from bringing dogs into the following areas: <ul style="list-style-type: none"> ○ Natural or environmentally sensitive areas including: designated ravines, wooded or savannah areas, sites of natural and/or scientific interest, areas which have undergone significant habitat restoration, wetlands or their buffer zones ○ Playgrounds, splash pads and wading pools ○ Horticultural display areas or ornamental gardens ○ Skateboard bowls, tennis courts and other sports pads ○ Sports fields and stadiums ○ Artificial or natural ice rinks, toboggan hills ○ Animal display areas ○ Blue Flag designated beaches ○ Campgrounds | |
| Enforcement and Fines | Dog walkers with unlicensed dogs or an invalid licence or tag will be guilty of an offence and will be subject to a fine, as set out in Toronto Municipal Code Chapter 349-10. http://www.toronto.ca/legdocs/municode/1184_349.pdf Dogs walkers who fail to comply with any of the conditions stipulated within Toronto Municipal Code Chapter 608-34 and any of the conditions set out in this Policy will be guilty of an offence and will be subject to appropriate fines in accordance with Municipal Code Chapter 608-34. http://www.toronto.ca/legdocs/municode/1184_608.pdf | |
| Revoked Permit | Repeat offenders of any of the above offences will have their Commercial Dog Walkers permit (s) revoked. | |
| Appeal Process | Commercial Dog Walkers who wish to appeal the revoking of their permit may do so within 30 days, in writing to the General Manager of Parks, Forestry and Recreation. | |
| Indemnity | All Commercial Dog Walker Permit holders agree to indemnify and save harmless the City of Toronto from any and all loss, liability, damage or costs it may incur arising out of or related to the Commercial Dog Walker Permit holders' activities or the activities of dogs under their care. | |

ATTACHMENT 2

AMENDMENTS TO MUNICIPAL CODE CHAPTER 608, PARKS

Definitions: Amend “§ 608-1. Definitions” by adding following:

BLUE FLAG DESIGNATED BEACH – an internationally certified beach meeting water quality; environmental management; environmental education and information, safety and service standards.

COMMERCIAL DOG WALKER – A person in control of between four and six dogs while in a park.

COMMERCIAL DOG WALKER PERMIT – A permit authorizing a commercial dog walker to be in control of between four and six dogs while in a park.

PROHIBITED AREAS:

- A. Natural or environmentally sensitive areas (including designated ravines, wooded or savannah areas, sites of natural or scientific interest, areas which have undergone significant habitat restoration, wetlands or their buffer zones).
- B. Playgrounds, splash pads or wading pools.
- C. Horticultural display areas or ornamental gardens.
- D. Skateboard bowls, tennis courts and other sports pads.
- E. Sports fields and stadiums.
- F. Artificial or natural ice rinks or toboggan hills.
- G. Animal display areas.
- H. Campgrounds or blue flag designated beaches.
- I. Areas posted to prohibit dogs from entering.

Delete § 608-34 A(2) and replace it with the following:

(2) Excluding blind persons reliant upon a guide dog, allow the dog to enter a prohibited area.

Amend § 608-34 by deleting Section C and adding the following:

§ 608-34.1

A. While in a park:

- (1) No person shall have control of more than six dogs.
- (2) No person shall have control of more than three dogs unless authorized by a commercial dog walker permit.

B. While in a park, a commercial dog walker must:

- (1) Display the commercial dog walker permit in a visible manner;
- (2) Present the commercial dog walker permit to a provincial offences officer upon request; and
- (3) Ensure that any dog in his or her control has a valid dog licence tag securely fixed at all times on the dog for which the tag is issued.

**People, Dogs and Parks – Commercial Dog Walkers Permit Policy
Summary Consultation Report**

June 18, 2007

1. Background and Introduction

- The Parks, Forestry and Recreation Division, in conjunction with Councillor Paula Fletcher, Chair of the Parks and Environment Committee, hosted 4 public consultation sessions to receive feedback on the People, Dogs and Parks - Draft Off-Leash Policy entitled “People, Dogs and Parks – Balancing needs, finding common ground”. A fifth session was held for Commercial Dog Walkers to receive feedback on the Draft Commercial Dog Walkers Permit Policy.
- The 5 public consultations were hosted on the following days, at the following city-wide locations:
 - June 4, 2007 at Scarborough Civic Centre (Scarborough District).
 - June 5, 2007 at Humberwood Community Centre (Etobicoke/York District).
 - June 6, 2007 at Toronto City Hall (Toronto/East York District).
 - June 7, 2007 at North York Memorial Hall (North York District).
 - June 13, 2007 at Metro Hall (Commercial Dog Walkers).
- Participants were provided with an information package that describes the issue, the development process and the specifics of the draft policy. Based on this information facilitators led discussions on the specifics of the draft policy which will be used to further develop and/or amend the draft.
- Other mechanisms used to elicit feedback include written commentary sheets which were handed out to each participant, and an on-line survey containing the same discussion points that were used during the consultation process.
- A summary of the themes that emerged at the public consultations and the online survey are summarized in the report below as *Section 3 – Summary of Responses from Public Consultations (People, Dogs and Parks – Draft Off-Leash Policy) and Online Survey*.
- A summary of responses at the public consultation session that was held on June 13, 2007 at Metro Hall, where commercial dog walkers were consulted on the Draft Commercial Dog Walker Permit Policy is summarized in the report below as *Section 4 – Summary of Responses from Commercial Dog Walkers Public Consultation (People, Dogs and Parks – Draft Commercial Dog Walker Permit Policy)*.

2. Participant Demographics

| Demographic | June 4, 2007 Scarborough Civic Centre | June 5, 2007 Humberwood Community Centre | June 6, 2007 Toronto City Hall | June 7, 2007 North York Memorial Hall | June 13, 2007 Metro Hall | Online Survey Ended June 15, 2007 | TOTALS |
|-------------------|---|---|--------------------------------------|---|-----------------------------------|--|------------|
| Dog Owners | 53 | 11 | 151 | 28 | 36 | 275 | 554 |
| Not Dog Owners | 11 | 0 | 28 | 3 | 3 | 97 | 142 |
| Unknown | 4 | 2 | 7 | 2 | 6 | 18 | 39 |
| TOTALS | 68 | 13 | 186 | 33 | 45 | 390 | 725 |

- Based on postal code information provided by participants, all but 22 participants are residents of the City of Toronto.
- A total of 23 professional dog walkers attended the public consultations and 16 responded to the on-line survey. They are represented in the above chart within the demographic of “dog owners”.
- Demographics information shown above reflects those who voluntarily signed-in and provided their information at a consultation session or on the on-line survey. There may have been additional participants that did not choose to sign-in. All on-line surveys are accounted for in the above numbers, regardless if demographics information was provided.

3. Summary of Responses from Public Consultations (People, Dogs and Parks – Draft Off-Leash Policy) and Online Survey

- A total of 4 questions (each question comprised of 2 parts, ‘a’ and ‘b’) were used as discussion points during the public consultation sessions and for the online survey.
- In sorting through the responses, defined themes emerged for each discussion point. The following is a summary of responses sorted by discussion point and provided for by theme (identified in *italics*).
- Note “participants” refers to those who participated in the public consultations and those who participated in the online survey.
- Also note, that participants in the on-line survey may have answered all questions, or only some questions. Regardless of how much of the survey was filled in, all were included in the summary below.

Discussion Point 1:

- 1(a). What aspects of the “location and criteria” section of the draft policy for off-leash areas and times, do you think will work?
- 1(b). What needs improvement in the “location and criteria” section of the draft policy for off-leash areas and times?

Designated Locations

- Many participants expressed that the policy must recognize the diversity and density of the City (small downtown parks versus large regional parks) and not use a standardized approach when establishing location criteria for these areas.
- A large number of participants cited that poor criteria were used to establish suitable locations to be used for potential off-leash areas.
- In reviewing the list of areas that are not suitable for off-leash areas that was provided in the information package, many participants felt that these locations would indeed be suitable. A sample of areas that were frequently identified in responses as suitable include:
 - Naturalized areas
 - Hydro corridors
 - Large regional parks (or designates areas within these parks)
 - Near playgrounds
 - Close to sport fields or actual sport fields
 - Tennis courts that are not used by the public
 - Treed areas
 - Campgrounds
 - Near wading pools
- It is also important to note, that there were also many respondents that disagreed with some of the above locations, most notably with the following:
 - Near playgrounds
 - Campgrounds
 - Near wading pools
- Although there was not a clear list of suitable or not suitable locations that emerged, there was a consensus that many of these areas may not be suitable during certain seasons, but would be in others.
- There also was a strong consensus on the designation of off-leash areas to be incorporated within large regional parks. The size of a park should reflect the size of a leash free area.
- When establishing appropriate criteria for locations of off-leash areas, many participants stressed the importance of having appropriate “walk” areas for dogs, as well as appropriate “play” areas for dogs, which may not necessarily be based on the same criteria.

Designated Hours of Operation

- Designating hours of operation for off-leash areas has emerged as a prevalent theme, however, there were many opinions expressed on how those hours should be defined. A sample of the varying hours proposed are as follows:
 - 24 hours (expressed often)
 - 6 am to 8 pm (expressed often)
 - 10 pm to 6 am
 - 7 am to 10 pm

- Hours designated based on season
- Although there were many variations of operating hours provided, most agreed that the hours of operation should be seasonally consistent and flexible in order to accommodate society's changing work hours (to accommodate night schedules).
- The hours provided that were most contentious are the overnight operating hours, as many felt barking dogs in neighbourhood parks overnight would not be welcomed.

Discussion Point 2:

- 2(a).** What aspects of the “application for off-leash area permits” section of the draft policy for off-leash areas and times do you think will work?
- 2(b).** What needs improvement in the “application for off-leash area permits” section of the draft policy for off-leash areas and times?

Concept of a Dog Association

- When discussing the concept of a Dog Association, a clear approach did not surface. Many respondents expressed the need and desire for establishing Dog Associations, while many expressed it is an unnecessary measure that would prove cumbersome.
- Those in favour thought it would act as a good communication tool between the community, by-law enforcement and parks staff. Those against thought it would be too difficult to organize and unfair to have operational responsibilities placed on residents. A clear view did not surface for or against the concept of a Dog Association.
- Other suggestions included having a City-wide Advisory Committee for dog owners or a dog Ombudsman. Both could govern off-leash areas, liaise with staff on issues and even be a forum for the administration of permits for these areas including the resolution process.
- A shared concern from many on both sides of the issue was the accessibility of off-leash areas. The question of “would members of one Dog Association be able to travel to and use an off-leash area where they are not a member” arose during many discussions.
- Another shared concern from most on both sides of the issue was the liability associated with being a member of a Dog Association. Similar to the liability linked to the permit holder, residents were concerned that they could not be responsible for the actions of other dog owners or dogs. Many wondered about insurance to cover liability concerns and whose responsibility it would be to purchase the insurance.
- Many participants were unclear on how many members were required to form a Dog Association and if multiple Dog Associations could share one off-leash area.

Concept of Permit

- The proposed permit process for establishing an off-leash area was a contentious discussion point. Some felt the proposal is needed and doable, but most felt the concept is too bureaucratic and will be problematic.

- Those in favour of a permit process expressed that this would formalize an off-leash area and would expedite the implementation of these areas across the City.
- Those against the permit process expressed concern that too much responsibility is being placed on the permit holder. It was unclear how long a permit is valid, if the permit is transferable, if there can be multiple permit holders for one area and what would be the consequence if a permit holder moved out of the neighbourhood. Again, the issue of liability associated with permit holder was an issue, particularly that a permit holder cannot be held responsible for the actions of dogs owned by others.
- Recommendations that were well received included the public consultation process. Most agreed that this is a good measure that would ensure communication and compromise.
- Other comments related to a permit included the need to have the permit on-line for application and that timelines should be shortened to ensure expediency.
- Some felt that the decision making authority of the Parks Supervisor is too great in denying a permit application without due process.

Clear and Concise Signage

- Many of the participants expressed the need for clear and concise signage that includes information such as hours of operation, rules and regulations of the off-leash area, a contact number to reach staff and a website address that will allow residents to read the policy.
- Clear and concise signage could be used to aid park users in self policing off-leash areas and aid in settling disputes. Self policing was a term used often during discussions, but would require tools such as signage to allow a reference point for self policing.

Varying Costs and Potential Fees

- Another popular discussion point was the amenities that should be provided for in off-leash areas and costs associated with these amenities. A variety of amenities were identified including fencing, green bins, biodegradable disposal bags, turf in good condition, waste disposal services, water and play components.
- When reviewing all of the amenities cited, the most controversial was that of a fence. Some participants felt that off-leash areas should be defined with a fence, while others stated fences are not required, only hours of operation should be used. A fence was seen as beneficial particularly when off-leash areas are close to playgrounds or sport fields or more specifically, are located in large parks that have multiple uses.
- Although not all could agree on the types of amenities, there was a shared concern of who would be responsible to pay for these amenities, as well as pay for their ongoing maintenance. Most felt it was the responsibility of the City to provide for and maintain the amenities and off-leash areas, as opposed to placing the responsibility on the Dog Association.

- There were some suggestions made regarding potential cost recovery which include tapping into Corporate Sponsorship opportunities for off-leash areas, charging a fee for a permit for an off-leash area, charging a fee to enter and use an off-leash area, charging a license fee for dog walkers and/or charging a dog licensing fee for dog owners with a portion being designated to support off-leash areas. A concern did arise in that any potential fees or sponsorships should be directed solely to the benefit of off-leash areas.
- 3(a). What aspects of the “monitoring and dispute resolution” section of the draft policy for off-leash areas and times will work?
- 3(b). What needs improvement in the “monitoring and dispute resolution” section of the draft policy for off-leash areas and times?

Appeals Process

- The most noted comment made during this discussion point is that the General Manager of Parks, Forestry and Recreation should not have the sole right to revoke a permit at any time.
- Most felt that an appeals process is fair and needed, as long as there is a timely process in place that includes community consultation and an impartial review of issues.
- There is a concern that the individual that revokes a permit should not be the same person who is a part of the appeals process.
- Another issue stated was the tracking of issues, how they would be handled and with whom they would reside.

Increased Enforcement Needed

- A prevalent theme that surfaced throughout many of the discussion points was that increased enforcement is required. Many spoke to the lack of current enforcement through the Parks By-law Unit, and strongly suggested that there exists a need for more By-law Enforcement Officers or a partnership with Animal Control.
- Many shared stories of irresponsible dog owners, unauthorized activities, disputes between dog owners and non dog owners. The main concern is that an increased need for enforcement would arise from the implementation of this draft policy.
- Some cited that self policing could successfully govern these areas, but the majority felt By-law Enforcement is a better measure.
- Although many enforcement issues were voiced the main concerns were owners who do not pick up after their pet, banning unruly dogs and dealing with irresponsible dog owners.
- Another enforcement issue arose from discussions about the permit process and the creation of Dog Associations. It is unclear if permit holders and/or the Dog Association would be expected to enforce rules and regulations. It is seen as unfair to put this responsibility on these parties when they do not have a means by which to enforce, nor do they want that responsibility.

- Increased education and awareness of dogs and parks was mentioned throughout many discussion points, particularly with enforcement, as it is seen as a way to deter irresponsible behaviour.
- 4(a). Other suggestions/ideas/comments about how to improve the draft policy for off-leash areas and times?
- 4(b). Do you have any other suggestions and/or comments to add?
- Most took this opportunity to reinforce comments made that are identified in the themes above. Some comments include:
 - “Seems that the City – Parks, Forestry and Recreation want minimal responsibility and are instead pushing it to the public.”
 - “Education and awareness about dogs and dogs in the City is needed.”
 - “One size of a policy does not fit all – there are different areas in the city that have different needs and amenities.”
 - “Dog Associations are good but there is too much work involved.”
 - “A compromise is needed for all park users.”
 - “No park should be off limits when deciding where to put off-leash areas.”
 - “Grandparenting of existing off-leash areas and not requiring a permit is a good idea.”
 - “Off-leash areas are not well maintained – grass is poor and no bins.”
 - “Size of a fenced in off-leash area should include density because many become overcrowded.”
 - “How are you going to address irresponsible dog owners.”
 - “This process is too bureaucratic.”
 - “Dog walkers are making money off of the public and they abuse off-leash areas.”
 - “No off-leash areas in public parks. The public shouldn’t have to pay for dog owners pets.”
 - “It’s not just the dog owner, it’s also the parents. There need to be rules to keep kids out of the dog areas, penalties for kids who misbehave.”
 - As a dog owner, I’m thrilled that the city is addressing the need for more off-leash areas, especially given the increase in residents and dogs in the City.”
 - “The section on disposing of pet waste needs to be improved, need special bins for pet waste only.”
 - “There need to be clear penalties laid out for individual dog owners. The majority of dog owners are responsible, but a minority ignore the rules.”
 - “I like the community involvement aspect, but wonder how practical it will be to create local dog owners associations. Perhaps some guidelines on how to set-up such an association would be helpful.”
 - “Enforcement presently is a farce. The policy needs to commit to improved enforcement and the funds to implement it.”
 - “The application process is inherently unfair. Other regular park users do not have to apply to use public space and are not held responsible for its maintenance.”

- “I fear the proliferation of off-leash areas for dogs in the City will limit park area available for children and adult recreational activities.”
- “I am utterly disappointed in the direction of this document. There are enough places already for dog owners to leave their dogs off-leash.”

4. Summary of Responses from Commercial Dog Walkers Public Consultation (Dog Walker Permit Policy)

1(a). My suggestions for monitoring and evaluating the implementation of the Commercial Dog Walker Permit Policy are:

- There was not a focused discussion on this discussion point. Most of the participants were not in agreement with the concept of a permit and concentrated their feedback on this point. The following summarized the general sentiments of this discussion point:
 - These commercial dog walkers felt like they were being singled out and that undue liability was being placed on them, more so than individual dog owners.
 - Most felt that having to wear a visible permit was not safe and they were not in favour.
 - Enforcement is a key issue they felt needed to be increased and expanded across the City for compliance to this policy.
 - Dog walkers should not be responsible for dog owners who do not obtain dog license tags.

1(b). I would like to be involved in monitoring and evaluation the Commercial Dog Walker Permit by:

- There was not a tremendous amount of discussion on this discussion point. Most felt they were not prepared to be fully engaged in the monitoring and evaluation process. Some suggestions made included:
 - Become involved in the education component through schools.
 - An annual review consultation / meeting with dog walkers over 3 different meeting times (days, evenings, weekends).
 - Regular contact and open dialogue with park supervisors.
 - Participate in local community events.

2(a). My suggestions for park improvements I think the Commercial Dog Walker Permit fees should contribute to are:

- Many suggestions were provided for the different types of improvements that permit fees should contribute toward. These suggestions included:
 - Green bins
 - Public education tools (video, print material)
 - Signage
 - Maintenance of off-leash areas

- Dog fountains
- Fencing
- Tree protection
- Irrigation
- City-wide Committee to monitor policy
- Community events
- Obedience training
- Dog Info stations
- Trail protection
- Staff to monitor off-leash areas
- Biodegradable bags
- Off-leash park maps
- 'Doggy Doolies Digesters'

2(b). Partnership opportunities/alternative sources of funding for park improvements that I would recommend are:

- Many participants cited the potential for sponsorship or partnership opportunities with corporations such as coffee companies, fencing companies and dog food companies.
- Alternative sources of funding identified centred on donations from foundations, individuals and community event fundraising events. It was suggested that these donations be designated as tax deductible for incentive.
- Although not all were in favour of permit fees, they did agree that any fees associated to off-leash areas should be directed to the upkeep and amenity improvement of that area.

3. Other suggestions, ideas and comments regarding the Commercial Dog Walker Permit Policy are:

- Most took this opportunity to reinforce comments made during earlier discussion points. Some comments include:
 - "Work as partners, don't make us responsible to enforce an owner getting a license."
 - "Permit should have to be on person, but not displayed."
 - "Six dogs maximum to each dog walker."
 - "Signage needed in off-leash areas in multiple languages."
 - "Walkers should not be responsible for dogs not licensed by their owners."
 - "Concerned that dog walkers would be targeted by enforcement."
 - "Happy to pay for permit, but don't need liability insurance."
 - "Will my permit ensure, a safe and clean environment? Free of garbage, broken glass?"
 - "Do not have other activities occurring during off-leash hours."
 - "Need a media blitz stating rules of off-leash areas with a link to a web-site that provided information on off-leash conduct."

5. Conclusion

- A large number of residents (both dog owners and non dog owners, as well as commercial dog walkers) participated in the consultation process by either attending a public meeting or responding to the on-line survey.
- Many views were shared and advice provided regarding the improvement and enforcement of the draft policies.
- This information will be used to amend the People, Dogs and Parks – Draft Off-Leash Policy and Draft Commercial Dog Walker Permit Policy for consideration by the Parks and Environment Committee and Toronto City Council.