



CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT
Corporate Assets and Strategic Planning

TO:	Mayor and Members General Issues Committee
COMMITTEE DATE:	December 2, 2015
SUBJECT/REPORT NO:	Identified Tobogganing Locations on City Property for Winter 2015-2016 Season (PW15086) - (City Wide) (Outstanding Business List)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Lugene Donelson (905) 546-2424, Extension 2199
SUBMITTED BY:	Gerry Davis, CPA, CMA General Manager Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the General Manager of Public Works or his designate be authorized and directed to implement a pilot program to identify tobogganing sites for the 2015-2016 season, whereas the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course, Hole #1) as further described will be the piloted sites;
- (b) That \$47,200 from the Tax Stabilization Reserve #110046 be utilized in preparing and inspecting the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course, Hole #1) as tobogganing sites for the pilot program within the 2015- 2016 winter season;
- (c) That the item pertaining to Tobogganing on City property be removed from the Outstanding Business List.

EXECUTIVE SUMMARY

The purpose of this report is to provide members of the General Issues Committee potential locations for their consideration to pilot as tobogganing sites for the 2015-2016 winter season. In determining the pilot locations, staff have assessed sites throughout the City that have traditionally been used for tobogganing activities. Risk factors associated with each site were considered, along with temporary safety measures that could be implemented for this season and reach across the City. The results of the assessment determined that the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course, Hole #1), as seen in Appendix A attached to Report PW15086, are the most viable options to be

implemented and evaluated through the tobogganing pilot program for this impending season.

These three (3) locations will be signed to advise they are permitted to access the site for tobogganing. Signs will also provide additional safety information on safe tobogganing practices in order to mitigate the inherent risks associated with tobogganing. Staff will take additional measures to mitigate safety concerns at these sites either by removing, flagging or padding potential safety hazards. The implementation and inspection of these locations throughout the winter season is estimated to cost \$12,000 per hill plus additional plowing and salting costs necessary to make the Chedoke (Martin Course, Hole #1) site accessible for vehicle traffic, estimated at \$11,200 for a 12 week season. Due to the inaugural nature of this designation, costs will be monitored throughout the winter season to assess if greater needs are required that may not have been identified through the pilot. Staff will report back after the 2015-2016 winter season with pilot results for Committee to determine feasibility and desire to continue to provide tobogganing sites.

Alternatives for Consideration – See Page 5

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: Initial estimates of \$47,200 will support the setup and ongoing site inspection requirements for the three (3) tobogganing hills as well as costs to make the sites accessible for vehicle parking. Assumptions are being made that the season will extend over a twelve (12) week period. If approved, this will be funded from the Tax Stabilization Reserve #110046.

Staffing: Staff will inspect the designated sites where tobogganing is permitted. Current staff levels are sufficient enough to monitor three (3) hills throughout the estimated twelve (12) week winter season. If additional sites are added to the pilot program, current staff levels will be exhausted and additional funding will be required for contracted services to maintain the inspection levels identified herein.

Legal: City owned or occupied lands are subject to the Occupier's Liability Act which requires levels of maintenance and safety. The recommended approach to designated hills, as well as the appropriate signing of other City lands where tobogganing is occurring, are steps designed to limit potential liability. The Parks By-law allows permissive signing for the purpose of allowing tobogganing, so no amendment is required for hills that may be designated under the recommendations.

HISTORICAL BACKGROUND

In February 2015, City Council gave staff the following direction:

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That the Manager of Risk Management coordinate, together with the City Solicitor, staff of the Public Works Department or other affected departments, a review of the options available to the City in respect of tobogganing on City property, including the feasibility of the City of Hamilton designating tobogganing areas within the community, and report back to the General Issues Committee.

Staff from the Finance & Corporate Services Department reported back to General Issues Committee on November 4th, 2015. Staff advised they are actively moving forward to sign hills or areas where tobogganing is, or may be occurring, with warning and/or prohibition notices as appropriate, advising that these areas are not prepared or maintained as permitted tobogganing areas for public use.

A motion was brought forward at the same meeting requesting staff to report back to General Issues Committee before the end of 2015 with identified tobogganing sites for the 2015-2016 winter season that can be deemed tobogganing sites and maintained specifically for tobogganing use.

Public Works staff requested Councillors provide staff a list of locations where residents in their wards traditionally toboggan. These locations, along with staff recommendations, are in Table 1 below:

Table 1- Proposed Locations

Garth St. Water Reservoir	Chedoke Golf Course
Princess Point Hill	Kings Forest Golf Course
Greenhill Water Reservoir	Little League Park (Spring Valley)
Ben Nevis Water Reservoir	Lake Ave Park
Waterdown Memorial Park	Across from Warden Park (Huckleberry Dr. cross street)
Dundas Driving Park	

Staff then evaluated these locations based upon whether the City owned the site, the current condition of the hill, assuming no changes were made to the physical landscape or layout; determined the fewest barriers currently in place; and the number of safety constraints that could be addressed using immediate and temporary measures. The geographic location of the hills was also assessed to determine the greatest distribution for residents to locate these hills throughout different regions of the City. After the evaluation the Garth Street Reservoir (excluding the North-East corner), Lake Avenue Park and the Chedoke Golf Course (Martin Course – Hole #1) were determined as the most viable locations to be included in the 2015-2016 tobogganing pilot program. The elements of the tobogganing pilot program are identified in Table 2 below:

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Table 2- Tobogganing Pilot Program for Sites Identified for Tobogganing

Temporary hazard mitigation: <ul style="list-style-type: none">• Hay Bales – to be secured in front of permanent obstructions (i.e. trees, tree stumps)• Snow Fences – to be erected to deter tobogganers from using unsafe tobogganing runs or to identify a hazard (i.e. where there is not adequate run-off area at the bottom of a hill or to identify where a ditch may be present)• Removal of Hazards – where possible, staff will remove non-permanent fixtures that cause a hazard to tobogganers (i.e. picnic tables, benches, etc.)
Signage: <ul style="list-style-type: none">• Signage will be created and installed with information to advise users of the inherent risk involved with tobogganing activities and measures that can be taken to lessen the risk• Hours of Operation will be identified so to discourage activities on the site after dark• Signage will be installed at all other sites currently signed “No Tobogganing” to advise users the hills are not inspected or maintained in the winter.
Inspections: <ul style="list-style-type: none">• Parks staff will complete inspections of the tobogganing sites three times a week (once during weekdays, once on Saturday and once on Sundays). Action will be taken to remediate manageable dangers and to maintain features such as snow fencing and hay bales. Grooming of the sites will not be provided.• The inspections will not be a ‘policing’ of activities on the site, but an assessment of the hill condition itself.
Public Education: <ul style="list-style-type: none">• Staff will undertake a program of public education to inform the public about the status of the City’s outdoor sites, as well as the inherent risks associated with tobogganing activities and best practices to mitigate those risks.

If recommendations are approved, the pilot program can commence by Friday, December 18th, 2015 in alignment with school holiday closures.

These measures are assumed to be in place for a twelve (12) week tobogganing period where the possibility of sufficient snow fall will allow for tobogganing activities. The implementation of this initiative will be fully dependent on the lifespan of the 2015-2016 winter season.

As this is the initial attempt to make these public spaces available for the specific use of tobogganing, the costs assumed currently are strictly estimates. Factors such as an extended season, weather conditions, hazard mitigation, or site conditions may alter cost requirements.

Staff will monitor the expenditures of this winter season closely and report back with more exact costs, highlighting areas that may have not been originally identified. Should the pilot program be successful and it is determined a standard tobogganing service should be provided by the City of Hamilton, funding resources will need to be evaluated and referred to the budget process for following years.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

City of Hamilton By-Law 01-219 – To Manage and Regulate Municipal Parks

City of Hamilton Parks By-Law 01-219, states: “*No person shall downhill ski, toboggan, snowboard, ski bob or sled in any area park unless otherwise posted to allow same.*” If recommendation (a) of this report is accepted, the implementation of signage at these sites will be critical to ensuring users are not in violation of this By-Law. Tobogganing activity that contravenes the By-Law at other, City of Hamilton parks, may be subject to enforcement.

RELEVANT CONSULTATION

The following City Departments / Divisions have been consulted regarding the hill assessment and location selections:

- City Manager’s Office: Legal Services
- Public Works Department: Hamilton Water, Environmental Services, Operations, Corporate Assets and Strategic Planning
- Corporate Services Department: Risk Management

Comparisons were made with the following municipalities and their tobogganing programs:

- City of Calgary
- City of Ottawa
- City of Greater Sudbury
- City of Kitchener

All Ward Councillors were requested to identify potential locations within their ward that residents have traditionally used for tobogganing activities. These suggestions were evaluated to determine the most viable locations to be included in the 2015-2016 tobogganing pilot program.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

In review of other municipalities and consultation with Risk Management, Environmental Services, Hamilton Water, Legal Services and Corporate Assets & Strategic Planning staff, each of the suggested sites were evaluated based on whether the City owned the site, around its basic landscape, the inherent or potential hazards, existing services being provided to the area and reach to residents. The results of the evaluation determined the Garth Street Reservoir (excluding the North-East corner), Lake Avenue

Park and the Chedoke Golf Course (Martin Course – Hole #1) were the most feasible locations for this year's pilot tobogganing program.

ALTERNATIVES FOR CONSIDERATION

Should Committee not approve the recommendations set forth herein, then tobogganing at City Parks would continue to be governed by the Parks By-Law which indicates tobogganing is prohibited and enforcement measures can be taken. Staff do not recommend this alternative.

Committee can decide to add additional sites to the pilot program. The threshold for staff time to provide the inspection service levels as identified herein is three (3) locations. Additional hills will require contracted staff to be hired to provide inspection services on any other hills designated for tobogganing within this winter season at an additional cost over and above the \$36,000 identified earlier. The increase of hills beyond the three (3) identified is not recommended for this season, until staff determine the actual cost factors post-pilot.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

Strategic Priority #2

Valued & Sustainable Services

WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.

Strategic Objective

- 2.3 Enhance customer service satisfaction.

APPENDICES AND SCHEDULES ATTACHED

Appendix A – Map of Pilot Tobogganing Locations