
Outdoor Skating Rinks in Parks

Recommendation

That the report of the General Manager, Community Services Department, dated October 1, 2018, be forwarded to City Council for information.

Topic and Purpose

The purpose of this report is to provide an overview of the supports the City currently provides to the community for outdoor community rinks, and to give consideration to a potential application process, similar to the current process for community gardens, to address the situation of residents establishing skating rinks in public parks without permission from the City.

Report Highlights

1. The City already has in place a well-established community outdoor rink program, with 52 outdoor rinks being operated annually in collaboration with the existing Community Associations.
2. The current City Bylaw regulating the use of City-owned parks outlines the terms and conditions under which the City would permit use of the park to ensure the safe and compatible activity.
3. There are number of risk assessment and safety considerations that have been raised as a result of residents establishing rinks in parks without permission.
4. Consideration could be given to developing a formal outdoor community rink program with an application process, similar to that of the current community garden program and processes.

Strategic Goals

Under the Strategic Goal of Quality of Life, this report supports the four-year priority to provide opportunities for activities in a winter city. Also within the Strategic Goal of Quality of Life, this report supports the long-term strategy to ensure existing and future leisure centres and other recreational facilities are accessible, both physically and financially, and meet community needs.

Background

At a meeting of City Council on February 26, 2018, Councillor Donauer provided the following Notice of Motion:

"Whereas the City of Saskatoon is pursuing a winter city strategy, and whereas skating rinks are sometimes established in public parks without permission, and the subsequent enforcement or closure can create significant tensions in the community:

Outdoor Skating Rinks in Parks

Would the Administration please report on an application process where skating rinks may be established in parks, subject to appropriate criteria, similar to the current process for community gardens, and that this report be received in time to potentially consider applications for the 2018/2019 winter season”.

Report

Community Outdoor Rink Program

Community Associations own and operate 52 outdoor rinks throughout the entire city (see Map in Attachment 1). To date, permission for either the establishment or operation of an outdoor rink has only been granted to a Community Association. Upon confirmation that a number of conditions are met annually, each Community Association has the opportunity to receive from the City an operating grant for the outdoor rink that will assist in defraying expenses.

Currently, the City permits these structures to be on City land, at sufferance. This means the City passively consents that this structure can be on City land and there is an implied license in effect. Administration is currently working with the City Solicitor's Office to formalize this implied license with a formal written agreement. The key point is that the arrangements are with an organized and registered non-profit organization that the City has had a long standing relationship with as it relates to the delivery of neighbourhood based sport, culture, and recreation programs and services.

Of the 52 outdoor rinks being operated, 14 are located entirely on City-owned park lands, and the remaining rinks are jointly occupying City-owned and School Board-owned property and/or are solely on School Board property and addressed through the Joint Use Agreement.

Terms Regulating the Use and Temporary Structures in City-Owned Parks

The current Bylaw No. 7767, The Recreation Facilities and Parks Usage Bylaw, 1998, outlines in section 5(3) the terms under which the City may allow use of the Park and includes such criteria as:

- a) the use must be compatible with the physical capabilities of the Park;
- b) the use does not cause permanent damage to the Park or extra expense for the City;
- c) the use is compatible with the other activities and events previously approved and can occur simultaneously in the Park; and
- d) that the use does not jeopardize public safety.

The Bylaw also indicates that no person shall erect a temporary structure in a Park without a permit from the City (Section 12).

Residents Establishing Rinks in Parks Without Permission

Over the past several years, Administration is aware of four instances where residents established a rink in a park without permission. One of these instances was in a newly developed neighbourhood where the Community Association rink had not yet been

Outdoor Skating Rinks in Parks

established. It is anticipated that the Community Association rink in this neighbourhood (Willowgrove) will be in operation by 2019, to help address the community's need for access to an outdoor rink.

Individual residents building rinks in a park for personal use without consent from the City is of concern to Administration in that it has the potential to establish a precedent of personal use on public property, and creates a potential risk to public safety.

With outdoor rinks, individuals who have, in the past, established rinks without permission of the City, have not been put through the same rigor and planning as occurs when working with the Community Associations. The main factors that Administration takes into account when working with Community Associations to establish a new rink, and have been the primary areas of concern with rinks that have been established without permission, include the following:

- a) Access to water: and ensuring the flooding of the rink is localized, so as to not unduly create slippery conditions with frozen water outside the rink area;
- b) Noise and litter: other than the usual sounds and noises incidental to the use of park and the rink activities. Ensuring the noise level and/or time of the noises will not unreasonably disturb the peace and comfort of adjacent residences. Litter management is also an area of concern;
- c) Risk management and insurance: related to the design, maintenance and activities permitted on the rink (i.e. not permitting hockey on the outdoor rinks without boards, so as to minimize safety risks of other users in the park pedestrians slipping on ice, etc;
- d) Turf and park infrastructure damage; and
- e) Spring melt leading to water runoff and potential flood damage to the park or adjacent properties.

The City already has a well-established community outdoor rink program that goes a long way in meeting the needs of residents in 52 locations around Saskatoon, in addition to the City-supported Meewasin outdoor rink and the Clarence Downey Speed Skating Oval. Given this, and in light of the areas of consideration and planning identified above that would require Administrative support, at this time, the Administration does not recommend expanding the program to allow residents permission to establish their own rinks in parks.

An Application Process for Outdoor Rinks in Public Parks

If directed to do so, Administration could develop an application process similar to that of community gardens in time for the 2018-2019 skating season.

Outdoor Skating Rinks in Parks

The City's community garden program defines a community garden as a plot of land where community volunteers form a non-profit collective to produce food, flowers, native and ornamental plants, edible berries and food perennials on public or private lands. Guidelines for creation of a garden site is included in Attachment 2.

The key principles established at the outset of the development of a community garden program and that would be applicable to an outdoor rink program are:

- a) Community Collaboration – in the establishment of the community garden;
- b) Inclusiveness – for any community members that want to participate;
- c) Community Spirit – working together for the healthy development of a garden and getting to know your neighbours; and
- d) No transfer of private rights on public lands.

Using the Community Garden process as a model, applications for approval to construct an outdoor rink on park space would be subject to appropriate criteria, such as:

- a) community support including that of the residents backing onto the park where the rink is being proposed;
- b) an agreement from a group of residents to:
 - i) make a refundable deposit for park remediation;
 - ii) acquire insurance;
 - iii) establish and maintain the ice, including all costs;
 - iv) restore any turf damage in the spring;
 - v) not install lights or any buildings; and
- c) approval of the location from Administration taking into consideration impact on park infrastructure.

Public and/or Stakeholder Involvement

No stakeholder consultation was undertaken.

Communication Plan

Should City Council direct that there be an application process for outdoor skating rinks in parks, Administration would have an application available on the City's website in time for winter 2018-2019.

Policy Implications

Establishing rinks in public parks has implications for Administrative Policy No. A10-017 Park Development Guidelines; Bylaw No. 7767, The Recreation Facilities and Parks Usage Bylaw, 1998, and Bylaw No. 8244, The Noise Bylaw.

Financial Implications

Specific financial implications have not yet been identified but could include support resources for receiving and processing applications.

Other Considerations/Implications

There are no environmental, privacy or safety/CPTED implications; the establishment of any outdoor community rink does require a CPTED review prior to determining final location and design.

Due Date for Follow-up and/or Project Completion

Should City Council direct that there be an application for outdoor skating rinks in parks, Administration would have an application process developed and available in time for winter 2018-2019.

Public Notice

Public Notice pursuant to Section 3 of Policy No. C01-021, Public Notice Policy, is not required.

Attachments

1. Map of Winter 2017-2018 Outdoor Rinks
2. Community Garden Application

Report Approval

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Approved by: Randy Grauer, General Manager, Community Services Department