

Staff Report

To **Committee of the Whole**

Service Area Public Services

Date Monday, November 6, 2017

Subject **Bicycle Skills Facility**

Report Number PS-17-30

Recommendation

1. That staff be directed to engage the community, and plan and design a bicycle skills facility that will be owned and operated by the City of Guelph.
2. That Council endorse the staff recommendation that the Eastview Community Park be the location for the bicycle skills facility.
3. That Staff be directed to revise the Eastview Community Park Master Plan to accommodate a bicycle skills facility.

Executive Summary

Purpose of Report

This report is in response to a December 7, 2016 Council resolution directing staff to bring forward a report on a bicycle skills facility in 2017 and to seek Council approval for Eastview Community Park as the preferred location.

Key Findings

The need for an off-road bicycle skills facility is twofold: 1) to reduce the number of unauthorized facilities being created on city and private land, and 2) to provide recreational opportunities for youth and young adults.

There is strong evidence that a bicycle skills facility would be supported in the city of Guelph given the popularity of the newly constructed skateboard park by cyclists and trends in municipal recreation. Currently, there is no publicly supported bicycle skills facility in the city.

A bicycle skills facility is considered a high risk activity where user risk of injury is inherent. The City of Guelph, under the Occupier Liability Act and the Negligence Act, owes a duty of care to all users of City facilities to keep facilities and equipment in a safe and functional condition.

Four different operational models were evaluated and it was determined that a municipally owned and operated facility is the most feasible option for the City of

Guelph. This model would provide full control over risk and liability, does not require third party agreements, and can be owned and operated by the City.

Eastview Community Park is the most feasible location, as it can be built and operated by the City, does not require engaging a third party land owner, and can be built within the next five years. All other sites are identified as future parks and the land may not be available for a number of years.

Financial Implications

The 10-year capital program will identify funds for Council approval to build a bicycle skills facility, including the operational impact.

Report

Bicycle skills facilities are growing in popularity among children, youth and young adults. The popularity of these facilities is evident with their presence in a number of area municipalities such as Kitchener, Cambridge and Mississauga. Typically, bicycle skill facilities are built with different challenges to help users develop their mountain biking and off-road cycling skills. There is no set design or layout for a facility; generally it is determined by location, budget, public input and operational model.

According to the International Mountain Biking Association Canada (IMBA), the emergence of bicycle skills facilities is driven by both riders and land managers. Riders would like a place to practice and learn new skills, and land managers would like to manage unauthorized trail building and provide new recreational facilities in a central location. Currently, there is no publicly supported bicycle skills facility in the city of Guelph and there are a number of unauthorized dirt trails and jumps documented on both private and public land. The sections below evaluate the feasibility of a bicycle skills facility for the City of Guelph including next steps.

Background

At the December 7, 2016 Council meeting discussing 2017 Tax-Supported Operating and Capital Budgets, Council directed staff to reallocate \$50,000 from the West End Community Centre Capital Improvement Project to bring forward a bicycle skill facility in 2017.

Determining Community Support and Need

There is strong evidence that a bicycle skills facility would be supported in the City of Guelph. The popularity of the newly constructed skateboard park by BMX users and trends in municipal recreation indicate strong support for this type of facility.

Defining an Operational Model

The success of a bicycle skills facility is not only based on community engagement and design, but also on how it will be operated. There are several types of operational models that are being used for existing bicycle facilities in other municipalities. Each operational model has a different impact on the municipality's operating budget, maintenance requirements, and risk and liability assessment. When reviewing an operational model, these are the main considerations:

- What are the current best practices in Ontario for bicycle skills facilities?
- Does the City have the skills to operate and maintain the facility to the expected level; and if not, how will this be completed?
- What are the risks associated with this type of facility; and can the risks be mitigated appropriately?
- What are the financial impacts to the City's annual operating budget?

To review different types of operational models, staff contacted other municipalities with bicycle skills facilities to determine best practices. It was found that there are two models typically being used: a municipally maintained and operated facility, or a facility located on public lands and operated under agreement by a privately run service provider.

Municipally maintained and operated facilities occur in many municipalities such as Kitchener, Mississauga and Cambridge. Milton and Kingston both provide bicycle facilities that are located on municipal lands, but operate under an agreement by a privately run service provider. These facilities operate at a competitive level and are registered with BMX Canada. The organizations were started specifically to run these facilities and should the City want to pursue this model, it would require volunteers or an organization to come forward with a proposal. At this time, no group has approached the City to form an organization like this.

It was also found that municipalities use a combination of City-owned forces and third party maintenance companies to ensure proper maintenance of the site. Bicycle skills facilities are typically composed of dirt jumps or trails that require significant ongoing maintenance by skilled, experienced staff. Many municipalities lack the experience in operating these types of facilities; therefore a combination of staff training, maintenance and contracted service model is used. This would be the recommendation for a facility of this type.

Risk and Liability

Another important component in determining an operational model is to understand the associated risks and to outline what measures need to be put in place to mitigate.

A bicycle skills facility is considered a high risk activity where user injury is inherent. The City of Guelph, under the Occupier Liability Act and the negligence Act, owe a duty of care to all users of the facility to keep the premises and equipment in a safe and functional condition. Should an injury occur, there is a potential for financial consequences where the City is determined to be negligent. In this case, claims would be covered under the City's Umbrella Insurance Coverage. There is a recent Ontario Supreme Court ruling against Bruce County that operates a municipally-run bike park where a park user was critically injured. The judge found the municipality negligent and 100% liable, stating that injury could have been prevented.

Staff completed an initial risk management assessment that identifies potential risks and strategies to mitigate. A complete risk management plan will be fully

developed, vetted and legally approved when the design and type of facility is selected.

The feasibility of a bicycle skills facility was discussed with the City's insurer who provided guidelines that included: ensure adequate funding for construction and maintenance; partner with cycling associations for expertise; locate the park appropriately; and hire a professional bicycle skills facility designer to design and oversee construction of the facility. It was also noted that in cities where parks are not available, cyclists are creating their own homemade versions, often on City property, which can lead to increased risk and liability. Providing City-run or sponsored facilities helps to decrease unauthorized parks that pop-up and therefore decrease liability.

Finding a Location

The most successful facilities are designed to accommodate the needs of the greatest number of users. There are many types of bicycle skills facilities that can vary from rolling topography, dirt jumps and built obstacles. On average, a bicycle skills facility requires a land area of 0.5 – 5.0 acres. For the purposes of finding a suitable location, 2 acres (0.84 ha) was used as the average size of facility and a size that can accommodate a range of uses. For this study, staff reviewed the following types of sites:

- All sites reviewed as a part of the Deerpath Skateboard Park relocation;
- All P3, P4 and P5 zoned parks (as the zoning would allow for parking);
- Land identified as parkland in any approved or pending Secondary Plans;
- Any new parks approved as part of an existing Draft Plan of Subdivision; and
- Lands owned by third party agencies (Grand River Conservation Authority, Hydro One, Guelph Hydro, etc.).

Suitable sites were determined by using the site selection criteria from the Deerpath Skateboard Relocation Project. Lessons learned from the construction of the skateboard park were incorporated into the new list of site criteria. It should be noted that many of the city's parks are well used and that there were very few locations that have space for a new facility.

Shortlist of Potential Sites and Site Recommendation

Of the available City owned property that was reviewed for this purpose, only one site, Eastview Community Park, is the most feasible option. This location has adequate space beside the existing stormwater management (SWM) pond to accommodate a 1 hectare (2.5 acre) facility, and is in close proximity to the mountain bike trails operated by Guelph Off-Road Bicycling Association (GORBA) at Guelph Lakes, although no direct connection is available at this time. It has all the amenities and services including a washroom building (under construction) and adequate parking.

The Eastview Community Master Plan was approved in January 2008 and included soccer fields, football fields, natural ice rink, children's play area (water play and playground), volleyball courts, basketball courts, a washroom/concession building

and recreational trails. In 2009, Council approved the addition of a pollinator park and modifications to the park layout. A bicycle skills facility was not included in the original program for Eastview Community Park; therefore, community engagement would be needed to confirm the additional amenity in the park. This will be completed at the same time as the engagement determining facility type and design.

Project Timing and Next Steps

Based on the information presented, staff recommends that a bicycle skills facility be built as a City owned and operated facility. In order to move forward with designing and building a bicycle skill facility, the following is needed:

- Conduct community engagement to confirm the additional amenity to Eastview Community Park and revise Eastview Community Park Master Plan;
- Hire a qualified consultant to conduct community engagement and design of a bicycle skills facility;
- Prepare a Risk Management Plan to manage risk and liability;
- Prepare an operation plan and identify associated budget implications;
- Recommend a Capital and Operating budget for approval.

Staff will report back to Council on the completion of this process by the end of 2018 so that the capital cost can be considered as part of the 2019 budget deliberation process.

Financial Implications

The \$50,000 identified in the 2017 capital budget will be used to fund the community engagement and design of the facility. Once this work is completed, staff will report back, and the 10-year capital program will then be updated to identify funds for Council approval to build a bicycle skills facility, including the operational impact.

Consultations

Public consultation will take place to confirm site location, feasibility, type (i.e. pump track, skills course, dirt jump, etc.) and design. Council's decision and direction on this report will be communicated at that time.

Internal consultation occurred with Parks Operations, Community Development, Risk Management, Legal Services, Accessibility, Community Engagement and Parks Planning.

Corporate Administrative Plan

Overarching Goals

Service Excellence
Innovation

Service Area Operational Work Plans

Our Services - Municipal services that make lives better

Our People- Building a great community together

Our Resources - A solid foundation for a growing city

Attachments

N/A

Departmental Approval

Martin Neumann, Manager, Parks Operations and Forestry

Dave Beaton, Supervisor, Trails and Natural Area Stewardship

Nicole Good, Risk Management Specialist

Jeff Aitkens, Deputy City Solicitor

Leanne Warren, Accessibility Services Coordinator

Kate Bishop, Community Engagement

Lynne Briggs, Manager, Recreation Services

Wendy Kornelsen, Program Manager, Community Development

Adam Rutherford, Supervisor, Programming and Community Development

Brent Andreychuk, Financial Analyst

Greg Clark, Senior Corporate Analyst

Report Author

Luke Jefferson, Manager Open Space Planning

Tiffany Hanna, Park Planner



Approved By

Heather Flaherty

General Manager

Parks and Recreation

519-822-1260 x2664

heather.flaherty@guelph.ca



Recommended By

Colleen Clack

Deputy CAO

Public Services

519-822-1260 ext. 2588

colleen.clack@guelph.ca