

Community and Operations Services Committee – January 11, 2023

Tobogganing on City owned lands (All Wards)

That the Community and Operations Services Committee recommend to City Council:

WHEREAS in response to an incident that occurred in another municipality, the Durham Municipal Insurance Pool (D.M.I.P.) undertook a risk assessment of sanctioned and unsanctioned toboggan hills located within municipalities across the Region of Durham;

AND WHEREAS tobogganing is a high-risk activity that rates in the Top 5 most dangerous winter activities in Canada;

AND WHEREAS the City is committed to providing a safe environment for the residents of Oshawa, realizing that this a healthy activity for all to enjoy;

AND WHEREAS the City participated in the survey which included an inspection and review of Knights of Columbus Park, Grandview Village Park, Woodview Park, Eastbourne Park, Hyde Park, McLaughlin Park, Chopin Park, Somerset Park, Mountjoy Park, and Coldstream Park, which Staff believe to contain hills that are used for tobogganing;

AND WHEREAS the City's [Parks and Facilities By-law 83-2000](#) ("Parks and Facilities By-law") indicates that tobogganing is allowed unless otherwise signed to prohibit the activity;

AND WHEREAS most hills within City parks are not signed to prohibit tobogganing;

AND WHEREAS D.M.I.P.'s Risk Assessment of Toboggan Hills Report included an assessment of risk for City park locations with hills which indicated a number of deficiencies and recommendations that must be addressed in order to mitigate risks where tobogganing is not prohibited, which includes the need for:

- a formal procedure for opening and closing hills at the beginning and end of the season;
- an inspection program during the winter season;
- proper signage and introduction of a condition warning system to communicate when conditions are suitable for tobogganing or when the hill is closed, such as a flagging system;
- formal procedures for incident and accident reporting;
- official operating hours of tobogganing hills that are consistent with park information on the City's website;
- reducing the potential for personal injury by implementing site specific measures to protect users from impact through the use of padding or removal of any

obstacles or hazards that could cause injury, such as trees, tree stumps, branches, rocks, debris and other infrastructure or park related amenities that might be located along the path of travel or run-off area;

AND WHEREAS the risk assessment also provided recommendations for hills where tobogganing is prohibited, including:

- the need for signage to indicate that tobogganing is not permitted;
- the development and implementation of a formal pre-season inspection program to demonstrate due diligence; and,
- the development of a formal incident/accident reporting procedure. This could be achieved by adding the City's contact information to signage.

AND WHEREAS the City does not have a formal toboggan hill policy or program that meets the recommendations outlined in the Risk Assessment of Toboggan Hills Report, and as such the City currently has an exposure to risk;

AND WHEREAS additional temporary staff and resources would be required to implement all the recommendations for the hills surveyed, estimated to be a minimum increase of \$30,000 to the annual operating budget to retain staff to undertake regular inspections and to address deficiencies noted in the Risk Assessment of Toboggan Hills Report which could include the installation of fencing, impact barriers, tree removal, grading and assuming no new outdoor ice rinks;

AND WHEREAS staff have reviewed the hills surveyed and the various site specific deficiencies and determined that it may be feasible to implement the recommendations for two of the more popular hills utilizing current staff resources and budget;

AND WHEREAS staff would recommend piloting designated tobogganing hills at Knights of Columbus Park and Grandview Village Park and to consider opportunities for future toboggan hills in the planning, design and operation of future parks and facilities where practical;

THEREFORE be it resolved that the Community and Operations Services Committee recommend to Council:

1. That section 7.09 of the Parks and Facilities By-law, as amended, be further amended to clearly prohibit activities like tobogganing outside of areas formally designated for tobogganing, as outlined in Attachment 1; and,
2. That the City designate the hills at Knights of Columbus Park and Grandview Village Park as Designated Areas for tobogganing and sledding pursuant to the Parks and Facilities By-law, and implement the various recommendations for designated hills as outlined in the Risk Assessment of Toboggan Hills Report prior to the start of the next winter season. Additionally, that a winter maintained

accessible path of travel be considered at Knights of Columbus at the time of redevelopment; and,

3. That staff report back any issues or challenges resulting from the designating of the hills noted under Item 2; and,
4. That the City implement the various recommendations for non-designated hills as outlined in Risk Assessment of Toboggan Hills Report including signage within 1 year, with the exception of those designated for tobogganing and sledding under Item 2; and,
5. That tobogganing be considered as part of the Parks, Recreation, Library and Culture Facility Needs Assessment; and,
6. That Facility Management Services consider opportunities for future designated hills in the planning, design and operation of future or redevelopment of parks if in future there is a desire to formally designate an area for tobogganing and sledding.



**By-law -2023
of The Corporation of the City of Oshawa**

Being a By-law to further amend the Parks and Facilities By-law 83-2000, as amended.

WHEREAS, pursuant to Motion CO-23-05, dated January 11, 2023, City Council directed that the Parks and Facilities By-law ("Parks and Facilities By-law") be further amended to prohibit tobogganing outside of areas designated for such an activity;

NOW THEREFORE the Corporation of the City of Oshawa by its Council enacts as follows:

1. The Parks and Facilities By-law 83-2000 shall be amended by deleting article 7.09 and replacing it with the following:

“7.09 Skiing, Tobogganing and Sledding: It shall constitute an offence for any Person, while in any Park, to ski, toboggan, snowboard, skibob, or sled except in Designated Areas permitting these activities.”

2. This by-law shall come into full force and effect on the date of passage.

By-law passed this day of , 2023.

Mayor

City Clerk