



## **Council Report**

**Report Number RD2020-012**

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**Meeting Date:** December 15, 2020

**Title:** Task Force - Off Road Vehicle Use of Municipal Roads

**Description:** Proposed terms of reference for a task force related to review of off road vehicle use of municipal roads.

**Author and Title:** Bryan Robinson, Director of Public Works

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### **Recommendation(s):**

**That** Report RD2020-012, Task Force – Off Road Vehicle Use of Municipal Roads, be received;

That the Terms of Reference in Appendix A to Report RD2020-012 be approved by Council;

That Councillors \_\_\_\_\_, \_\_\_\_\_ and \_\_\_\_\_ be appointed to the Task Force; and

That Staff be authorized to proceed with recruitment of task force members.

**Department Head:** \_\_\_\_\_

**Financial/Legal/HR/Other:** \_\_\_\_\_

**Chief Administrative Officer:** \_\_\_\_\_

## **Background:**

Historically, legislation prevented off road vehicles from using municipal roads unless the municipality grants specific permission. The City of Kawartha Lakes passed By-Law 2009-116, as amended to address this need and designate roads appropriate for use of off road vehicles.

The recently passed Bill 107 – Getting Ontario Moving Act makes changes to the Highway Traffic Act transitioning the authority to address local use of municipal roads to the Municipality. It will be up to municipalities to impose restrictions via By-Law where deemed necessary instead of granting permission were deemed appropriate.

The province in Ontario Regulation 316/03: Operation of Off Road Vehicles on Highways has expanded the type of Off-road vehicles (ORV) permitted on the roads, allowing Extreme Terrain Vehicles (XTV) as well as Off-Road Motorcycles (ORM) on the shoulder of public roads, where permitted. Vehicle plating, driver licensing and insurance requirements remain in place.

The legislative changes only affect roads under the jurisdiction of the Municipality, and does not affect roads and Highways under the jurisdiction of the Province of Ontario. The use of ORVs is still expressly prohibited within Provincial highway road allowances.

At the October 20, 2020 Council meeting Staff presented report RD2020-008 with information on the legislative changes and recommendations to address those changes as part of the City's Trails Master Plan due to be updated in 2021. After discussion, Council passed the following resolutions:

### **CR2020-320**

**Moved By** Councillor Seymour-Fagan

**Seconded By** Councillor Ashmore

**That** Report RD2020-008, **Off Road Vehicle Use of Municipal Roads**, be received.

**Carried**

### **CR2020-321**

**Moved By** Councillor Richardson

**Seconded By** Councillor Seymour-Fagan

**That** the amendments to Section 2.07 and Section 4.01 of By-Law 2019-077, being a By-Law to Regulate the Operation of ATV's and ORV's on Municipal Highways, outlined in Appendix A to Report RD2020-008, be approved;

**That** the necessary By-Law to amend By-Law 2019-077 be forwarded to Council for approval; and

**That** Staff present Terms of Reference for a Task Force dedicated to the review of off road vehicle use of municipal road to Council for consideration by the end of Q4, 2020; and

**That** the Task Force dedicated to the review of off road vehicle use of municipal roads report back to Council on or before the March, 2021 Committee of the Whole Meeting with a list of potential roads, streets and trails to be used by off road vehicles.

**Carried**

This report addresses that direction.

### **Rationale:**

As clarified in the back ground section, Council has asked Staff to prepare a Terms of Reference for a task force to review off road vehicle use of municipal roads by Q4, 2020.

The proposed terms of reference for the task force with details on size, scope of work and specific tasks is attached as Appendix A to this report.

Upon approval, Staff will commence recruitment of the task force members and commence activities as prescribed in the Terms of Reference.

### **Other Alternatives Considered:**

There are no alternatives provided as this is being presented resulting from resolution of Council.

### **Alignment to Strategic Priorities**

The recommendations set out in this Report would support the following priorities in the Strategic Plan, being:

#### **A Vibrant and Growing Economy**

- By creating trail link(s), it would enhance tourism and increase the visitor spend in Kawartha Lakes.
- Link(s) would also allow Kawartha Lakes to show case features that can only be found here.

#### **An Exceptional Quality of Life**

- An increase to the trail system would promote personal wellness of the residents of Kawartha Lakes.

- Link(s) would promote access to additional transportation networks.
- Ensures recreation and leisure programs are available to all residents.

#### A Healthy Environment

- Creation of trail link(s), would allow users to travel on an approved road surface. In turn, this will help to protect and preserve our natural areas and prime agricultural lands which are currently used now.
- Approved route(s) could aid in the protection of our native flora and fauna, which otherwise may accidentally be damaged unknowingly by the user in an attempt to find unapproved link(s).

### **Financial/Operation Impacts:**

The Terms of Reference clarifies that Task Force membership is a strictly voluntary position. There are no financial impacts resulting from this report other than Staff allocation of time.

### **Consultations:**

Director of Community Services  
Director of Engineering and Corporate Assets

### **Attachments:**

Appendix A – Draft Terms of Reference for ORV Review Task Force



Terms of Reference  
Task Force - Off Roa

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