

From: Bryan Robinson <brobinson@kawarthalakes.ca>
Sent: Friday, April 2, 2021 12:44 PM
To: ORVTaskForce <orvtaskforce@kawarthalakes.ca>
Cc: Tracy Richardson <trichardson@kawarthalakes.ca>; Kathleen Seymour-Fagan <kseymourfagan@kawarthalakes.ca>; Ron Taylor <rtaylor@kawarthalakes.ca>
Subject: RE: ORV letter

Thanks for reaching out to me Pat.

On October 6, 2020, Staff presented report RD2020-008 with the following proposed recommendations which remain our recommendations:

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

That ORV and ATV use on Municipal Highways in the City of Kawartha Lakes be reviewed in conjunction with the Trails Master Plan in 2021;

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 be approved;

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

That this recommendation be brought forward to Council for consideration at the next Regular Council Meeting.

As you are aware, Council chose to develop the current task force in lieu of review with the Trails Master Plan. As a general comment and in alignment with most municipalities, PW remains of the opinion that the matter should be deferred and reviewed in conjunction with the relating master plans (Trails Master Plan and the Transportation Master Plan). With that said, PW's operational comments specifically related to the recommendations presented are:

- 1) The Task Force has yet to review and distinguish between ORVs and ATVs and the types of vehicles within each category. Currently the recommendation is to open roads to both types of vehicles. I understand that some of our trails north of Northline Road currently permit the use of ORVs only as a pilot. All trails south of Northline Road do not permit ORV's, so opening roads to that vehicle type could cause confusion. By permitting ORV's on roads with intent of accessing trails, the pilot could become complicated and there would be increased pressure to keep those trails open to both types of vehicles and expand trail use north and south of Lindsay. This is a decision that should form part of the discussion in the Trails Master Plan and Transportation Master Plan update.
- 2) PW believes if the City moves forward with approval of road use, only MTO regulations for safe use should apply. There is no MTO requirement for holding a valid KATVA pass.
- 3) Within the two-year pilot recommended there is recommendation to review. What are the indicators or factors that are to be reviewed and who will be assigned to undertake the review? Consider items such as complaints, damage, cost impact, number of accidents? Review via task force, public consultation or Staff (PW, Engineering, Office of Strategy Management?)

- 4) Concerns have been raised from the public about safety of the Task Force's recommendations. Due to their shorter wheel base, effects of surface discontinuities (potholes) on ATV/ORVs is heightened and risk of accidents increase. As always, public safety should be considered paramount. Should Council adopt opening of roads, one would naturally expect that incidents on municipal roads would increase. To the best of CKL's Staff knowledge, there is no established criteria for review of safety. Staff are currently discussing how best to evaluate safety of roads should general ORV / ATV use be approved. Timing of this review is currently undetermined.
- 5) Enforcement is the responsibility of the respective police agency. Comments should be obtained on the capability for active enforcement and if there are any fiscal impacts for desired enhanced activity. Any additional costs and/or resources should be included in the recommendations to Council.
- 6) Recommend the task force request and consider an opinion from the City's Insurance and Risk Management Division and our insurance provider before any recommendation are brought to Council. Should Council endorse opening roads, PW would recommend direction for PW to document and record any damage or increased maintenance costs resulting from ATV/ORV activity and would amend the annual operational budget request accordingly.
- 7) The Task force needs to provide more specifics on increase Communication and Education (added after the public meeting). Again, what is expected and who is this expected from (KATVA, Police, CKL Staff, etc.) ?
- 8) General recommendations from experts recommend against use of ATV/ORVs on asphalt roads (<https://atvexpertwitness.com/dangers-of-asphalt-riding-or-driving/>). Manuals for ORVs and ATVs recommend against it. Has the task force considered this in their recommendations?

Ultimately PW is an operational department. If Council adopts the recommendations, we will continue to implement necessary measures to maintain the road network and request budgets accordingly. The greater question of infrastructure requirements and safety should form part of master plans.

Thanks for the opportunity to provide feedback into the Task Force recommendations. If you have any questions, please feel free to reach out to me.

Regards,
Bryan Robinson
Director of Public Works
City of Kawartha Lakes
www.kawarthalakes.ca

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