

Off Road Vehicle Task Force Update

Activity update

May 4, 2021

Off Road Vehicles (ORV)

The term Off Road Vehicle is a category of vehicle in which many vehicle types are included. Examples below include an ATV, Side by Side, Off Road Motorcycle, extreme terrain vehicle, dirt bike and 4x4 vehicle.

All Terrain Vehicle
(ATV)



Side by Side



Off Road Motorcycle
(ORM)



ORV Types

Extreme Terrain
Vehicle (XTV)



Dirt Bike



4x4 Vehicle



Highway Traffic Act Changes

- The Highway Traffic Act (HTA) includes control of Off Road Vehicles
- Bill 107 – Getting Ontario Moving Act, received Royal Assent June 6, 2019
- Ontario Regulation 316/03 came into effect January 1, 2021
- In general Bill 107 enables Municipalities to control and moderate roads within their jurisdiction as opposed to being governed by the Highway Traffic Act
- The regulation is intended to open the use of municipal roads to off road vehicles where supported by local Council.

CKL By-Law 2019-077

- Prior to Bill 107, the City of Kawartha Lakes adopted By-Law 2019-077
 - Slight amendment to 2009 By-Law (enforcement and helmet requirement)
 - Designates and identifies which types of ORVs are permitted
 - Permits use of specified ORVs on designated roads north of CKL Road 8 and through Fenelon Falls
 - Identifies specified times and periods of the year when use is permitted
 - Identifies driver requirements (must meet HTA requirements of driver and vehicle license and safety equipment)
 - Identifies speed limits
 - Clarifies Enforcement, offence and penalties
- The current By-Law is sufficient to address the legislative changes and maintains the existing, historical permissions.

Safety and Liability

During the October presentation from Public Works, Council was advised to consider undertaking a road review to determine suitability of roadway/shoulder for ORV use, including:

- Traffic volumes, haul routes, cycling routes, or pedestrian usage
- Adequate shoulder width to reduce need for ORV's to drive on paved portion of roadway
- Condition of pavement/shoulder, drop offs, or deteriorated edges
- Avoidance of areas prone to flooding, washouts
- Sight lines, hidden entrances, hazards, and general topography of the roadway
- Future construction, upgrades, or issues that may impact usage
- limit/identify specific roadways and segments to lessen impact on traffic

Staff Considerations

- Determine if roadway/shoulders are suitable for XTV and ORM use or if such use should be restricted on CKL roadways
- Restrict usage to spring/fall season (May to November) to avoid winter maintenance operations
- Media/Update City Website to educate public where ORV's are permitted, operational requirements, restrictions
- Appropriate signage for all users of the roadway including "Share the Road" as well as warning signs of any additional hazards
- Consult with KATVA and other stakeholders

Staff Recommendation

At the October 20, 2020 Council meeting:

- Staff presented some administrative updates to By-Law 2009-116 to recognize Bill 107
- Staff Recommended that a detailed review of the use of Off Road Vehicles including those considerations mentioned previously be conducted in conjunction with Master Plan exercises
 - Trails Master Plan
 - Transportation Master Plan
 - Active Transportation Master Plan

Resolved to Create a Task Force

- October 20, 2020 Council meeting - Council directed Staff to present draft Terms of Reference (TOR) for an Off Road Vehicle task Force
- Council adopted the TOR for a seven (7) member Task Force at the December 12, 2020 Council meeting and appointed Councillors Richardson, Dunn and Seymour-Fagan as Council representatives
- Public recruitment commenced immediately after with interviews conducted by the Council representatives
- Council appointed public members via resolution at the January 28, 2021 Council meeting
 - Carolyn Richards, Steve Lane, Jason Ramsay, Don Mitchell

Supports for Task Force

- Brianne Harrison - Admin
 - Ashley Locke – Communications
 - Sarah O’Connell – Clerks
 - Shelley Harrington - Admin
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- Jennifer Johnson – Community Services
 - Juan Rojas – Engineering and Corporate Assets
 - Bryan Robinson – Public Works

Terms of Reference

The activities of the Task Force include:

- Review and provide input on the use of municipal rights of way as trail linkages for off road vehicles to existing municipal infrastructure and/or established publically accessible trail networks. This includes but is not limited to the connection of the trail system across Lindsay;
- To review and provide recommendation(s) to Council under what circumstances and the appropriateness of enabling general access to municipal rights of ways to designated off road vehicles;

Terms of Reference Cont'd

- To review and provide recommendation(s) to Council on restrictions or prohibitions related to the use of off road vehicles;
- To facilitate public and stakeholder consultation through regular meetings, surveys and/or public meetings as deemed appropriate by the Task Force related to the activities;
- Provide an interim report in March, 2021; and
- Other – as recommended and approved by Council.

Task Force Meetings

- Public Task Force meetings were held on:
 - February 5, 2021
 - February 19, 2021
 - March 4, 2021
 - March 19, 2021 - Deputations
 - April 19, 2021
- All public meetings were recorded to the City's YouTube channel for public review
- The March 19, 2021 meeting was held to allow interested parties to provide presentations to the Task Force
- In addition to the public meetings, the Task Force also held several working meeting.

Actions

- Task force reviewed past information (existing By-Law, 2009 correspondence)
- Formulated recommendations and publicized them
- Solicited feedback from respective agencies
 - KLPS, OPP, HKPRDHC, Legal, Insurance and Risk Management, Economic Development, City Departments, By-Law, CKLEAC
- Established and issued a Public Survey
- Amended recommendations based on input and feedback

Task Force Recommendations

- **Definition:** For the purpose of this Task Force the term ORV applies solely to All Terrain Vehicles (ATVs) and Side by Sides (SxSs).
- Side by Sides to be permitted in conjunction with access to the VRTC, save and except east of Sturgeon Rd. and north of Pigeon Lake Rd., as well as south of Hwy 7A.
- For the purpose of this Task Force, we recognize that ATVs and SxSs are not for general transportation but to encourage people to enjoy the use of permitted trails.

Task Force Recommendations P2

General Recommendations:

- 1) Open up rural roads excepting those deemed unsafe by the City staff and committee
- 2) Establish a two-year pilot program to be reviewed and amended after the first year
- 3) Permit operation of ATVs and SxSs (as approved in the current bylaw) on permitted City Roads between 7:00am and 9:30pm
- 4) ATVs and SxSs Municipal Road access only permitted during the same time period as the trail system which runs from May 1st to December 1st.

Task Force Recommendations P3

- 5) Require all operators of ATVs and SxSs to possess a valid KATVA or Affiliate membership.
- 6) Must have a minimum of a valid G2 or M2 driver's license.
- 7) Must have valid vehicle license plate and valid insurance.
- 8) Must meet all requirements under HTA Reg. 316/03.
- 9) Increase communication and education to all ATV riders and non-riders about rules, regulations and safety.

Task Force Recommendations P4

Bobcaygeon

- 1) Permit operation of ATVs and SxSs on all roads within Village of Bobcaygeon save and except Bolton Street between Canal Street to King Street
- 2) Require all operators of ATVs and SxSs within the Village of Bobcaygeon to possess a valid KATVA or Affiliate membership

Task Force Recommendations P5

Lindsay:

1) Recommended travel routes from Southern trail head to Northern trail head and vice versa

- Logie St. to King St.
- King St to Lindsay St.
- Lindsay St. to Wellington St.
- Wellington St. to Victoria Ave.
- Victoria Ave. to Colborne St. W
- Colborne St. W. to Angeline St. N
- Angeline St. N to Thunder Bridge Rd.
- Thunder Bridge Rd. to Trail Head

Task Force Recommendations P6

Logie Street Trail Head Alternative:

- Logie St. to Lindsay St.
- North on Lindsay St. to Wellington St.
- Wellington St. to Victoria Ave.
- Victoria Ave. to Colborne St. W
- Colborne St. W. to Angeline St. N
- Angeline St. N to Thunder Bridge Rd.
- Thunder Bridge Rd. to Trail Head

Task Force Recommendations P7

Lindsay Recommendations

2) Ban operation of ATVs and SxSs on all City roads within the Town of Lindsay saved and except

- Approved ATVs and SxSs connections routes
- Russell St. from Lindsay St. to Victoria St.
- Victoria Ave. from Russell St. to Wellington St. except during the period of the Farmer's Market
- Cambridge St. from Russell St. to Wellington St.
- William St. from Russell St. to Wellington St.
- Peel St. from Victoria Ave. to William St.

Task Force Recommendations P8

Lindsay Recommendations:

3) Total prohibition on Kent St., and on Angeline St from Roosevelt St. to Colborne St. Operation of ATVs and SxSs on any street in Lindsay not approved be prohibited unless travelling directly to or returning from approved routes.

4) Require all operators of ATVs and SxSs within the Town of Lindsay to possess a valid KATVA or Affiliate membership

Fundamental themes

Those in support of the recommendation:

- Enhancement of tourism and local positive economic impacts
- Pandemic is driving growth is the use of recreational equipment

Those not in support of the recommendations:

- Public health and safety (traffic impact, manufacturer recommendations)
- Nuisance (noise, exhaust, property damage)
- Concerns over capability and responsibility of enforcement
- Environmental impact considerations.

Alternatives for Council

Alternative 1

Council could opt to adopt the Task Force recommendations as proposed. This would open the majority of roads to ATV and Side-by-side use. Staff would be tasked with determining which roads pose a safety concern where such use should not be permitted and assessing fiscal impacts of increased maintenance / repair costs (if any). In communication with the Director of Engineering and Corporate Assets, Staff are not aware of established criteria for evaluating safety of ORV use of roads and associated interaction with traditional traffic at this time.

Alternatives 2 and 3

Alternative 2

Council could opt to defer the review of the use of ORV and ATV vehicles to the Trails Master Plan and the Transportation Master Plan as originally recommended by Staff.

Alternative 3

Council could opt to refer the recommendations back to the Task Force for additional review and considerations.



Alternatives 4 and 5

Alternative 4

Phase in some or all for the recommendations from the Task Force. This could involve piloting rural road use only or authorizing the connection within Lindsay only.

Alternative 5

Council could opt to restrict ORV use on Arterial and Collector roads and/or all roads with hard surface (with the exception of designated routes) to align with manufacturer recommendation on vehicle use.

Next Steps

Council discussion and direction

