

**From:** J. Main

**Sent:** Monday, May 10, 2021 3:13 PM

**To:** Andy Letham <[aletham@kawarthalakes.ca](mailto:aletham@kawarthalakes.ca)>

**Subject:** COPY - CITY OF KAWARTHA LAKES - OFF ROAD VEHICLE TASK FORCE 2021

cc. Mayor Andy Letham

Dear Mayor Letham

## **RE: OFF ROAD**

### **VEHICLE TASK FORCE 2021**

I only recently became aware of the establishment of a Municipal Task Force; “to provide advice and recommendations to Council on the use of off road vehicles (ORVs) .....” Noting that the decision for the Task Force was made October 2020, during a time when the community is preoccupied with COVID restrictions, interruptions of social dialogue, it does not surprise me that I am not the only individual unaware of this activity. Since there appears to be potential for the results of this task force to impact on every citizen of the Municipality I believe it deserves a higher degree of consultation. This is not a matter of urgency, making it such smacks of ingenuity. I trust that you will include this in your recommendations. From my perspective I have concerns with what is being proposed here and the methodology being employed to address the issue.

## **General**

### **Observations**

On reading the terms and mandate of the Task Force I find:

Except for public consultation, it completely lacks terms requiring minimizing the impact on the community.

Although the word “consultation” is used, the objectives are already established i.e., to expand ORVs on as many municipal roads as possible.

There is no declaration of assurance that the Task Force members must undertake their work in an impartial and objective manner. Citizens need to be aware that the advice given to council may not be free of prejudice, indeed the interests of residents appear to be secondary to the ORV interest group(s). The following extract from the City website makes this clear “The goal is to provide Council with recommendations based on research and public consultation that will help expand and enhance ORV use activity across the municipality”. Bias is built in, the word “consultation” has limited significance.

There is no express or explicit request to consider economic or financial opportunities. The correspondence between Laurie McCarthy, Economic Development Officer –Tourism and, on invitation of, Councillor Kathleen Fagan-Seymour exceeds task force terms. Citizens of built up areas such as Bobcaygeon should read this correspondence as it uses economic arguments to justify ORVs in residential and down town areas. This changes the initial understanding of the initiative, to provide ORV trail linkages, significantly. Heads up Bobcaygeon Citizens.

It appears that primary objective of the initial terms of this Task Force, i.e., to seek linkages between ORV trails, have been revised to serve commercial interests thus creating a moving target citizens may not be aware of.

Despite the obvious, there is no consideration or assignment of a cost benefit analysis or management of change process.

Whilst the global community is finally coming to terms with the fact that environmental pollution is a real threat, it obviously has not resonated with Politicians and Council leadership and some segments of the population. Either way one cuts it, increasing ORVs over an above regular traffic is not stellar thinking. This is not a small matter, some are considering this as a significant financial market opportunity in a country that is considered one the worst polluters per capita. Surely our learned Council has greater priorities than finding more roads for ORVs over and above existing trails.

Excluding those in remote communities and farms, etc., I recognize that ORVs are primarily used for recreational activity. This is consistent with the Ontario Provincial Police (OPP) description e.g., “vehicles not designed or intended to be used on highways and vary in configuration”. I admit that this form of recreation is not a personal choice of mine as I strive to limit my recreational activities to those that have a lower environmental footprint. However, pending enlightenment or technical advances replacing IC engines I believe that it is possible to come to solutions that do not encroach on the broader community. There are lots of space outside the built up communities for ORV recreation.

One of the assets of the the Kawarthas and, Bobcaygeon in particular, is that it is an opportunity for city dwellers from Toronto and other high density populated areas to enjoy relatively pollution free air and quietness. Surely the smart move is to capitalize on this quality, not impair it. Allowing ORVs to routinely enter Bobcaygeon so that visitors and residents can enjoy more road congestion, exhaust fumes, dust and noise with their meals, barbecues and other activities is unlikely to enhance the reputation of the area. Do not confuse the foregoing with the ‘one-off’ events like Bike Fest.

Although not part of this Task Force work, citizens need to be alert to the possibility that acceptance of ORVs within the context of this recommendation could later be extrapolated to include snowmobiles within built up communities.

**AND IMPACTS**

**ISSUES**

## **1 - ORV Compatibility with highways, city roads, rural roads, trails.**

Is there a compelling reason to allow ORVs general access to all of the above. The answer should be no.

Trails excepted, The City of Kawartha Lakes has often stated that it must maintain more roadways than any other municipality. This is very evident by the sad state of some of our roads. Clearly there are proposals that have the potential to worsen this situation.

It has already been established by various bodies that ORVs are unsuitable for use on paved roadways. Main arterial roads should be beyond consideration. OPP, City of Kawartha Lakes Detachment, offer the following in their letter to the ORV Task Force, i.e., “... To encourage ORV operators towards permitted trails and away from using the roadways for general transportation”.

I encourage the Task Force to take the foregoing very seriously.

ORVs, where permitted, can travel on the road, and on the road shoulder. Obviously there are no road shoulders in most built up communities. It should also be obvious that, if permitted, traffic congestion and pedestrian interaction will increase in built up communities.

A few of our roads have bicycle lanes. Some of these are already fragmenting at the paved / gravel shoulder boundary. ORV use on these roads will accelerate degradation of bicycle lanes. A similar situation is predictable at the paved / gravel shoulder boundary on regular paved roads.

Many rural roads are unpaved, uneven, with blind rises and turns. ORVs can and do generate dust and mud in considerable amounts depending on weather conditions. Higher prevalence of ORVs will exacerbate this situation. Clearly this will create visibility issues and respiratory issues for people on or in proximity to roads. These roads are used by other vehicles creating interaction hazards. Selection of roads designated for ORV linkages should require careful consideration to minimize impacts on non ORV users and to reduce interactions with other vehicles, at minimum alert users that ORVs can be encountered.

Some trails are used by and suitable for pedestrians, bicycles and ORVs. Unfortunately it is not unusual to encounter misuse by ORVs. If more ORVs will become users of these trails this can not be anticipated without management issues, be it maintenance or supervision. It should not go unnoticed that the joy of ORV recreation for some comes from gouging and tearing up trails.

Broadly, it should follow that proliferation of ORVs will not come without impacts, safety, health, supervision, maintenance costs commensurate with the degree of unfettered control.

**Will the Task Force commit to restricting ORV traffic to limited linkages between trail routes?**

## 2 - Access to ORV Trails

According to the minutes of the third ORV Task Force Meeting Minutes, the considerations now being under review and promoted no longer relate to selectively identifying linkage ORV routes between established trail areas but a Municipality wide allowance for ORVs everywhere with some exceptions.

“1. Open up all rural roads, for use of ORVs excepting those deemed unsafe by the City Staff and Committee.

1. That the operation of ORV's be permitted on all roads within the Village of Bobcaygeon, save and except for Bolton Street between Canal Street to King Street.”

This effectively means that the intention is to allow ORVs on all residential streets as there is no provisions made to respect the rights, health and wellbeing of citizens. This would mean taking the shortest route between A and B, be along our streets or public pathways.

I strongly object to any such proposal. Furthermore, realizing that this now a Task Force, serving a specific interest group, that its work should only be considered in that light and that no decision should be made without consulting each citizen of the municipality with recognition of majority opinion in villages / residential communities.

The same minutes contain the following statement:

“ORV's are not for general transportation but are to encourage the use of permitted trails”.

This appears in conflict with the intent of the Task Force recommendations or lacks clarification of context.

**Will the Task Force commit to establishing ORV staging points on trail route linkages and eliminate ORV movements in all residential areas or other areas where deemed necessary?** (Staging Point - A location provided with temporary parking where ORVs can be unloaded / Loaded or temporarily parked.)

## 3 - Maintaining Public Order

In an April 9 letter from the Kawartha Lakes Police Service to the following was noted:

ORV speed conflict with motor vehicle traffic.

Access to ORV from the City, (Lindsay.) A necessity to mitigate risks

Incapacity to provide oversight services

Difficulty in enforcing compliance where OVRs allowed to travel on roads between residences and trails. (Lindsay)

It is reasonable to presumed that the same issues would exist in other communities.

OPP concerns have already been noted.

The current position of policing services appears to be, at best, in limbo or, business as usual. It is highly probable that this situation will not be sustainable.

There will always be entitled people that believe that their recreation supersedes the rights of others to their enjoyment of their community. These people will have followers and before long, what was once considered 'recreational transport' mode could very quickly morph into general commuter transport.

Left unattended or, inadequately addressed, this could lead to undesirable outcomes, the most vulnerable being affected first e.g., the elderly, single occupants, socially challenged.

**Will the task force take this into consideration and recommend an impact study, action plan, cost implications and public report for resident consideration and input prior to any decision making?**

#### **4 - Establishment of a Pilot Program**

The following is noted in the third ORV Task Force Meeting Minutes:

“2. Establish a two-year Pilot Program regarding the use of ORVs, to be reviewed and amended after the first year.”

This recommendation might be acceptable if it was introduced in the form of linking trail routes. Without limitations and appropriate time and place boundaries it is premature,

In the context of the recommendation being considered here, I recognize it as a well worn strategy of furtively introducing questionable policy with an end agenda of compromising the ability to reverse such policy. Bad decisions are easy to make but difficult and costly to rectify.

**Will the Task Force commit to recommending introduction of Pilot Programs only after all inputs and studies are complete?**

#### **5 - Economic Financial Interest**

Whilst there is no express or explicit requirement for the Task Force Terms to consider business interests, economics, it appears to have been adopted by the Task Force as justification for opening up the entire Municipality to widespread ORV travel. This should not come at the expense of, or the the rights, safety and quality of life of residents at large.

The cautionary wisdom of economist Adam Smith should apply (gender expression comes from and earlier century):

“The interest of [businessmen] is always in some respects different from, and even opposite to, that of the public ... The proposal of any new law or regulation of commerce which comes from this order ... ought never to be adopted, till after having been long and carefully examined ... with the most suspicious attention. It comes from an order of men ... who have generally an interest to deceive and even oppress the public”

Tobacco industry, food industry health implications of sugar, salt, fossil fuel industry, asbestos industry.....often with complicity of governments in power in this country, be they of one political ideology or another. The scale might be different here, but the agendas are often the same.

**Will the Task Force be recommending a cost benefit analysis that confirms positive benefit for the communities affected?**

## **6 - Safety & Health**

Whilst there is no implicit or explicit requirement for the Task Force Terms to consider safety and it is recognized that some input has been sought. My only comment here is that this form of recreation has its problems, more users probably means more problems as I doubt that zero incidents is a discipline practiced among a portion of his group. Disregard for personal safety does not come without cost, not only to the person suffering casualty, but also the community at large.

Health issues associated with IC engines in congested environments is well documented and understood.

**Will the Task Force make every effort to evaluate and eliminate these concerns in built up communities?**

## **7 - Public Consultancy**

There is the possibility that the recommendations coming from the Task Force could be much broader than casually understood and impact across the entire community if accepted by Council without due regard for complete community awareness.

**Will the Task Force recommend that every household be given formal opportunity to provide input before any decision is made?**

As I am late in providing input and since this process appears to be nearing completion, please confirm receipt of this email correspondence.

Respectfully ,

John Main  
Citizen, City of Kawartha Lakes

May 10, 2021

When a little 15 year old Swedish girl stands before world leaders at COP24 (2018) and tells them that:

“.....we have not come here to tell world leaders to care, you have ignored us in the past, and you will ignore us again, we have run out of excuses and we are running out of time, we have come here to let you know that change is coming whether you like it or not, the real power belongs to the people”.

What are we to think about your vision, your leadership, with regard to respect for future generations?

FYI: No, I am not a Green Party hack or like lobbyist. I did however learn during my formative years about the work of scientists during the 1800s that were the first to warn that atmospheric pollution could have serious effects on climate and also experienced the end of the great smogs in Europe.

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