



Committee of the Whole Report

Report Number: RD2022-001
Meeting Date: March 8, 2022
Title: Update to the ATV Pilot Program
Description: Providing Council an update on the approved ATV Pilot Program and monitoring information
Author and Title: Bryan Robinson, Director of Public Works

Recommendation(s):

That Report RD2022-001, **Update to the ATV Pilot Program**, be received; and

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

Department Head: _____

Financial/Legal/HR/Other: _____

Chief Administrative Officer: _____

Background:

At the Council Meeting of May 18, 2021, Council adopted the following two (2) resolutions:

CW2021-123

That any Pilot Program that is initiated on the use of off road vehicles on City roads will have a two-year term with a review after one year.

Carried

CW2021-124

That if off road vehicles are permitted on City Roads that access will be permitted between 7:00 a.m. to 9:30 p.m. from May 1st to November 30th, pursuant to By-Law 2007-107, being the By-Law to Regulate and Govern Trail Uses Along the Victoria Rail Trail Corridor in the City of Kawartha Lakes.

Carried

At the Council Meeting of October 19, 2021, Council adopted the following resolution:

CR2021-487

Moved By Councillor Dunn

Seconded By Councillor Seymour-Fagan

That the proposed route for the Off Road Vehicle Pilot Project to provide access through Lindsay for all terrain vehicles, being the Victoria Rail Trail (VRT) trailhead at Logie Street to King Street, King Street to Lindsay Street, Lindsay Street to Wellington Street, Wellington Street to Victoria Avenue, Victoria Avenue to Elgin Street, Elgin Street to Angeline Street, Angeline Street to Thunderbridge Road, Thunderbridge Road to the VRT trailhead, be approved, to be implemented in the Spring of 2022.

A Recorded Vote was requested by Mayor Letham.

	For	Against	Absent
Mayor Letham		X	
Deputy Mayor O'Reilly		X	
Councillor Ashmore	X		
Councillor Dunn	X		
Councillor Elmslie		X	
Councillor Richardson	X		
Councillor Seymour-Fagan	X		
Councillor Veale		X	
Councillor Yeo	X		
Results	5	4	0

Carried

In addition, at the Council meeting of December 14, 2021, Council passed several resolutions as follows:

CW2021-301

That the proposed All Terrain Vehicle (ATV) Route in the Pontypool area, being

- Telecom Road from John Street to Porter Road
- Porter Road from Telecom Road to the Victoria Rail Trail Corridor

be approved for a two year pilot project, to commence in May of 2022; and

That the necessary amending By-Law, for By-law 2019-077, being the By-law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha, be brought forward for adoption.

Carried

CW2021-302

That the proposed All Terrain Vehicle (ATV) Route for the Omemee area, being:

- Sturgeon Road South to Highway 7
- Sturgeon Road North from Highway 7 to Beaver Road
- Beaver Road from Sturgeon Road North to Heights Road
- Heights Road from Beaver Road to Mount Horeb Road
- Mount Horeb Road from 100m East of Highway 35 to 100m West of Highway 7
- Crosswind Road
- Hogsback Road from Mount Horeb Road to Ski Hill Road

be approved for a two year pilot project, to commence in May of 2022; and

That the necessary amending By-Law, for By-law 2019-077, being the By-law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha, be brought forward for adoption.

Carried

CW2021-303

That the proposed All Terrain Vehicle (ATV) Route for the Cameron area, being:

- Ranchers Road from County Road 121 to Long Beach Road
- Long Beach Road from Highway 35 to County Road 121, save and except for the section of Long Beach Road between Ranchers Road and the waterfront

be approved for a two year pilot project, to commence in May of 2022; and

That the necessary amending By-Law, for By-law 2019-077, being the By-law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha, be brought forward for adoption.

Carried

CW2021-304

That the proposed All Terrain Vehicle (ATV) Route in the Janetville area, being:

- Golf Course Road from View Lake to St. Mary's Road
- Mary's Road from Golf Course Road to Mount Horeb Road
- Mount Horeb Road from 100m East of Highway 35 to 100m West of Highway 7
- Janetville Road from Janetville to Golf Course Road

be approved for a two year pilot project, to commence in May of 2022; and

That the necessary amending By-Law, for By-law 2019-077, being the By-law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha, be brought forward for adoption.

Carried

CW2021-305

That the proposed All Terrain Vehicle (ATV) Route in the Lindsay area, being:

- Thunder Bridge Road
- Kenrei Road

be approved for a two year pilot project, to commence in May of 2022; and

That the necessary amending By-Law, for By-law 2019-077, being the By-law to Regulate the Operation of ATV's and ORV's on Municipal Highways in the City of Kawartha, be brought forward for adoption.

Carried

In addition, at the December 14, 2021 meeting, Council resolved:

CR201-671

Moved By Councillor Dunn

Seconded By Councillor Richardson

That Staff establish a monitoring program for Off Road Vehicle traffic on City roads, to track and record time, date and location of complaints, caller information, complaint details, and frequency;

That Staff determine what can be feasibly monitored and reported on, and bring back a report to Council in Q1, 2022 with an update;

That the Off Road Vehicle traffic monitoring program include traffic counts two or three times minimum throughout the pilot, ideally on weekends and long weekends;

That Staff report back on the Off Road Vehicle Traffic Monitoring Program in Q1, 2023, after the first year of the pilot program(s); and

That the Off Road Vehicle Use of City Roads Task Force be dissolved and that the members be thanked for their contribution.

Carried

This report addresses that direction. The required By-law amendments to implement pilot project routes will be brought to Council for their consideration at the March 22, 2022 Council meeting.

Rationale:

Council has resolved to implement a 2-year pilot program to permit the use of All Terrain Vehicles (ATVs) on designated municipal road allowances. It should be noted that Council was specific in their decision that the pilot program only pertains to ATV's as defined in By-law 2019-077. Other types of off road vehicles as defined in the By-law such as multi-purpose utility vehicles (UTVs), side-by-sides, recreational off-highway vehicles and off road motorcycles are not permitted within the pilot.

Council should be aware that in recent discussions with the Ministry of Transportation (MTO), they have recently clarified intent to undertake improvement to Highway 35 south of Lindsay (Highway 7 to Highway 115). The MTO has clarified "To support this work, MTO is in the process of updating the regulation for Hwy 35 south of Lindsay, which may come into effect as early as next year. Once the regulation is in effect, no ATV crossings will be permitted on Highway 35, which would restrict the proposed crossing at Hwy 35 and Golf Course Road." Pending timing of the regulation, this could impact pilot activity.

Enforcement

In CR2021-671 referenced above, Council has resolved that staff establish a monitoring program. Considering By-law 2019-077, Being a By-law to Regulate the Operation of ATVs and ORVs on Municipal Highways in the City of Kawartha Lakes and the former By-Law 2009-116, Municipal Law Enforcement (MLE) has established a complaint management system in CityWorks. The current by-law establishes ATV road use routes across the Northern portion of the Municipality. The By-Law amendments will increase these routes as detailed in the resolutions, CityWorks has been altered to flag occurrences during this pilot project.

MLE staff receive Council, public, staff, external agencies and police initiated complaints regarding non-compliant activities regulated by the road use by-law. Complaints can be received by phone, email, letter or online complaint form. Some complaints may arrive without complainant information and are considered anonymous. While anonymous complaints are discouraged and not typically processed, staff do consider/assess the details, risk to the community and may attend to observe the issue or engage additional resources, such as the Police Services to assist when escalation is needed. Complaints when processed into CityWorks become occurrences.

MLE have received 10 road use occurrences since 2018. Currently, CityWorks tracks reported activities related to these complaints/occurrences and tracks the following information:

- Date and Time
- Type of occurrence
- Sub-type of occurrence
- Location – if detailed, it may provide X and Y, which can be used for mapping data
- Location – history is also gathered, repeat occurrence is determined
- Workflow, officer notes and attachments (attachments may include pictures, video, letters etc.)
- Complainant details, such as name, address, contact number, email and details of the issue being reported.

MLE staff will also engage the police services to assist with response to occurrences of ATV or ORV users violating the regulations. MLE staff are not authorized or equipped to conduct vehicle stops on municipal roadways, nonetheless MLE will respond to any address of origin as a specific location or make vehicle stops of ATVs/ORVs entering into or exiting the VRTC trail system.

MLE staff will also communicate with the OPP and KLPS to request information/stats related to their response to ATV/ORV road use, speeding and accidents during the pilot project.

Occurrence information, traffic count information and any related complaints contained within the City's Case tracking system will be summarized and provided in the annual summary report as requested by Council, subject to confidentiality requirements.

Other Alternatives Considered:

This report is presented to Council in response to their direction. No other alternatives are being considered at this time.

Alignment to Strategic Priorities

The topic for consideration in this report touches all four strategic priorities within the 2020-2023 Kawartha Lakes Strategic Plan as follows:

1. A Healthy Environment
 - a. The City has an obligation to implement change in an environmentally responsible way. Concerns over impacts have been raised (noise, emissions, chasing away animals) have been raised.
2. An Exceptional Quality of Life
 - a. Careful and strategic permission of use of roads can have positive impact on the quality of life. It can expand tourism and promote enhanced quality of life for those that take part in the activity. However, concern has been raised that this initiative could also negatively impact the quality of life due to noise.
3. A Vibrant and Growing Economy
 - a. There is potential for increased tourism from expanding the capability for the public to access local restaurants and accommodation.
4. Good Government
 - a. It is the responsibility of municipal government to ensure all criteria and input when making policy decision.

Financial/Operation Impacts:

Monitoring of the pilot program will cause minor costs for completion of traffic counts and potentially for response to complaints by Municipal Law Enforcement and/or police services.

Implementing the pilot program will come with some additional operating costs. The primary cost will be installation and maintenance of signage to guide users. The Kawartha ATV Association (KATVA) has agreed to cover the cost of supply of the signage. The City will coordinate locates and install the signage at our cost. These costs will be applied to the Roads Operating budget as there is no specific 2022 budget available for this expense. There may also be incremental costs for operational maintenance which are unknown at this time, but we will monitor and track costs for inclusion when reporting back to Council.

Consultations:

Director of Engineering and Corporate Assets

Manager of Parks, Recreation and Culture

Manager of Municipal Law Enforcement

Deputy Clerk

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Department Head: Bryan Robinson

Department File: C06-21