



## Committee of the Whole Report

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| <b>Report Number:</b>    | <b>RD2024-001</b>  |
| <b>Meeting Date:</b>     | March 5, 2024  |
| <b>Title:</b>            | <b>ATV Pilot Program Summary</b>   |
| <b>Description:</b>      | Providing Committee of the Whole with a final summary of the ATV pilot program |
| <b>Author and Title:</b> | Bryan Robinson, Director of Public Works                                       |

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**Recommendation(s):**

**That** Report RD2024-001, ATV Pilot Program Summary, 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 30<sup>th</sup>, 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.

|                          | <b>For</b> | <b>Against</b> | <b>Absent</b> |
|--------------------------|------------|----------------|---------------|
| 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          |                |               |
| <b>Results</b>           | <b>5</b>   | <b>4</b>       | <b>0</b>      |

**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 twoyear 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**

Report ML2023-002 was presented to Council at the May 9, 2023 Committee of the Whole meeting. At the May 23, 2023 Council meeting it was resolved:

**CR2023-265**

**Moved By** Councillor Perry

**Seconded By** Councillor Warren

**That** Report ML2023-002, **Off Road Vehicle Traffic Monitoring Program**, be received.

**Carried**

### **Rationale:**

Based on direction as outlined within the Background section, By-law 2019-077 was amended on March 22, 2022 to enable the designated routes to be used by ATVs. Over the past two (2) seasons, the Council directed pilot to enable defined use of designated roadways by All Terrain Vehicles in the City has been under way.

Staff within Municipal Law Enforcement and Engineering and Corporate Assets provided Council a summary of the enforcement and monitoring respectively via report ML2023-002, Appendix B to this report.

### **Enforcement – Municipal Law Enforcement and Licensing (MLEL)**

MLEL staff have been monitoring road use and general complaints for the duration of the Off Road Vehicle pilot project. Reflecting on the past direction of Council, complaints are managed in a complaint management system called CityWorks by Municipal Law Enforcement staff. The following information is collected if a complaint is received:

- Date and time
- Issue type and subtype
- Location, if specific to an address or other details for mapping
- Complaint details, which will also be used to gather history such as name, address, contact number, email address and other complaint details
- Pictures or video

### **Complaints (MLEL)**

Considering the duration of the pilot project MLE staff have received:

- Twelve (12) complaints - May 22-April 2023 (previously reported in ML2023-002)
- One (1) complaint – May 2023-Jan 2024

At the conclusion of the pilot project, MLE staff contacted both the **Kawartha Lakes Police Service** and the **Kawartha Lakes Ontario Provincial Police**. Staff requested an update regarding the pilot project and a summary of reported issues or concerns brought to their services.

The Kawartha Lakes Police Service staff reported that they had no additional concerns during the later part of the pilot project (other issues reported in ML2023-002).

The Kawartha Lakes Ontario Provincial Police report that they separate out ATV complaints using a specific reporting category, however during the later part of the pilot project, they received no additional complaints related to the roads designated in the Off Road Vehicle pilot project.

Staff previously provided in report ML2023-002 that the police services had a combined total of 2<sup>1</sup> issues related to the Off Road Vehicle pilot project.

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<sup>1</sup> This footnote provides all road related aggregate data. **KLPS**, their area received 9 assorted ATV complaints total, with only 2 related directly to the roads within the pilot project (Lindsay St. and Angeline St. N.) **OPP**, citywide received 27 assorted ATV complaints, none of the issues appear to have occurred on roads within the scope of the pilot project.

### **General concerns reported during the pilot project**

MLE staff note that the issues that have been reported and or discussed during the pilot project include:

- Travel in the ditch area of the road allowance
- Traveling wrong direction against traffic
- ATV un-plated with two people (two up not permitted)
- Speeding
- Un-plated
- No helmet
- No insurance

### **Automated Traffic Recorder (ATR) Monitoring**

Engineering staff performed ATR monitoring on key roads on the ATV route in Lindsay in 2022 and 2023. Monitoring times were consistent in representing typical seasonal traffic including a long weekend (May long weekend to mid June).

Data analysis confirmed:

- No capacity constraints
  - ATV utilization represents an average increase in traffic volume of under 1%
- Weekend/ holiday ATV usage slightly higher than weekday
- Slight overall increase in ATV usage year over year
- Very low compliance with the 20 km/hr speed limit as set out in the By-law
  - 85<sup>th</sup> percentile ATV speeds are approximately 10km below the speeds of other vehicles at all count locations. Speeds are above the posted speed limit and well above the ATV limit as set out in the By-law
  - ATV drivers are either unaware of the ATV speed limit or have difficulty travelling at that speed.
    - Drivers may feel safer travelling with the flow of traffic for fear of the perceived danger of being overtaken. Larger variations in speeds increase conflict potential between vehicles.

Staff memos summarizing the count results can be seen in Appendix D and E.

## **Summary**

As the pilot has come to an end, Council must decide the future of the program. Staff have prepared two alternatives for Council's consideration. Those are presented in the "Other Alternatives Considered" section of this report. Note that the structure of By-law 2019-077 is that the Pilot Program was implemented as Appendix B to the By-law with an expiry date. The Pilot expired on December 31, 2023. In order for the roads permitted under the Pilot to continue to be permitted, direction is required from Council.

Based on the limited concerns raised, support from the local community groups that benefited from the program and perceived overall positive economic impacts, Staff have no objection to making the Pilot routes permanent.

## **Other Alternatives Considered:**

### **Terminate the Pilot**

Council could opt to revert back to the original By-law which would remove permission for the routes that were permitted during the pilot. If this is Council's direction, there is no action required other than to receive this report. As Schedule B has already expired, this would be the net effect. Staff would notify the Kawartha All Terrain Vehicle Association (KATVA) and work with them to remove all the signage currently in place.

### **Make the Pilot Permanent**

Council could opt to make to Pilot program road routes permanent. This would involve making permanent amendments to By-law 2019-077 to include the pilot roads into the body of the By-law. The resolution would be:

**"That** Staff be directed to amend By-law 2019-077 to include the road routes from the Pilot Program identified in Appendix B resulting from By-law 2022-032 on a permanent basis."

Staff would notify KATVA and the use of roads would continue seamlessly.

## **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:**

This report has negligible financial implications for the City.

### **Consultations:**

Manager, Municipal Law Enforcement

Director of Engineering and Corporate Assets

Manager, Economic Development

### **Attachments:**

Appendix A – Report RD2022-001 Update to the ATV Pilot Program Specific to Monitoring and Enforcement



RD2022-001 Update  
to the ATV Pilot Proc

Appendix B – ML2023-002 Off Road Vehicle Traffic Monitoring Program



ML2023-002 Off  
Road Vehicle Traffic

Appendix C – By-law 2019-077 A By-law to Repeal and Replace By-law 2009-116 as amended, Being a By-law to Regulate the Operation of ATVs and ORVs on Municipal Highways in the City of Kawartha Lakes



2019-077  
Consolidated To Reg

Appendix D – Staff Memo Regarding 2022 ATV Counts



Adobe Acrobat  
Document

Appendix E – Staff Memo Regarding 2023 ATV Counts



Adobe Acrobat  
Document

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