

PLANNING REPORT
#S.R.PL.26.04



TO: Mayor and Members of Council

FROM: Development Services

DATE: August 16, 2004

RE: **ATV Road Use**

RECOMMENDATION:

THAT Council authorize the formation of an ad hoc committee composed of such public and private representation as is appropriate to review the issue of permitting ATV use on municipal roadways and that such committee finalize a position by January of 2005; and

THAT Council provide for special ATV use of roadways in 2004 for fund raising events already scheduled for August 15, 2004 and September 12, 2004, and that these events be utilized to monitor for noise, road damage and private property trespass.

BACKGROUND:

In order that there could be a better understanding of the potential impacts of ATV use on local roads, Council instructed staff to undertake such research as was determined necessary, including the holding of a public meeting to elicit public responses to a draft by-law.

Staff undertook a variety of research on the topic and held a public consultation on the morning of Saturday July 24th, 2004.

PUBLIC MEETING:

In response to the Notice of Consultation, staff has received a number of written responses, primarily objecting to providing for ATV use on public roads.

The response of the public at the consultation meeting was also primarily negative, indicating issues with noise, trespass, potential environmental damage that could be caused by ATV's and general negative reaction to the introduction of additional traffic elements to existing quiet roadways.

Research information, as well as presentations at the meeting on behalf of the Central Ontario ATV Club indicates that the sale and use of ATV's in Ontario is growing at a significant rate. The economics of the use indicates that the growth, sale and use will continue. The pressures to provide for ATV use in all parts of Ontario will continue to grow.

In an effort to deal with the pressures in the most appropriate manner, given the concerns of residents, it is imperative that the Municipality understand the impacts created by ATV's in a variety of circumstances, including on road, off road, legal and illegal usage. In attempting to arrive at a better understanding, staff would draw Council's attention to a suggestion made by a public consultation, Mr. Alex Murray indicated that, in order to provide a fully balanced direction for Council, a Committee should be formed, containing representatives from the public and the ATV club as well as other organizations that would have an interest such as the OPP, MNR, County of Grey, and the Conservation Authorities. This special purpose Committee would, upon researching and discussing the issue, provide direction to Council with respect to ATV use in the Municipality.

ATV CLUB REQUEST

The consideration of a draft ATV by-law was initiated in response to requests by the local ATV club to operate on road routes, for recreation and special charitable functions. One such charitable function has previously been sanctioned by this Municipality.

Although the opinions were divided, a portion of the public in attendance at the consultation meeting appeared willing to accept the premise of limited ATV usage for special fund raising events as a preliminary means of monitoring effects.

The Central Ontario ATV Club executive has indicated that they would like to proceed with the special events already scheduled. Staff have requested and received the "ride routes" which start and end at J & R Cycle located between Stayner and Wasaga Beach on Highway 26. The portion of the route in the Town of The Blue Mountains is provided on the attached sketch.

Staff would recommend that a By-law be passed to permit the ATV use on these selected roads for the event dates. This will provide for further monitoring of impact on the roads as well as provide an ability to determine other impact issues such as noise levels. The ATV Club has also indicated a wish to monitor methods of staging the runs to reduced perceived impacts.

CONCLUSION:

Staff would agree with the suggestion put forward by Mr. Alex Murray. The impacts of ATV use on our local roads, on the environment and on the reasonable enjoyment of property, needs to be better understood.

If is therefore recommended that Council authorize the establishment of an ad hoc committee, with participation from Council, staff, the public, the ATV club, OPP, MNR, N.E.C., County of Grey, Conservation Authority and other interested parties to determine an appropriate course of action with respect to ATV's within the municipality.

It is also recommended that Council consider passing a By-law to permit the use of the selected roadways noted in this report for special fund raising functions ATV use on August 15th and September 12th of this year.