

## Addendum to Report PDR-PCD-21-16

**To:** Chair McQueen and Members of the Planning and Community Development Committee  
**From:** Sarah Morrison, Intermediate Planner  
**Meeting Date:** October 13, 2016  
**Subject:** **ATV Requests for the CP Rail Trail**  
**Status:** Recommendation adopted by Committee as amended per Resolution PCD117-16; Endorsed by County Council November 1, 2016 per Resolution CC138-16;

### Recommendation(s)

1. **THAT the Addendum to Report PDR-PCD-21-16 be received, and;**
2. **THAT the request from the Dufferin Grey ATV Club for the extension of the CP Rail Trail from Sunny Valley Road to 20<sup>th</sup> Street East (Owen Sound) and for the use of side-by-sides on the CP Rail Trail be refused.**

### Background

A report was presented to Planning and Community Development Committee, as well as to the Transportation and Public Safety Committee at their respective June meetings (June 21 and 23, 2016). Specifically related to the CP Rail Trail, staff were directed to investigate issues surrounding risk and liability and any upgrades required to the CP Rail Trail for ATV use.

The two main areas that staff were to research are the implications of opening the section of trail from Sunny Valley Road to 20<sup>th</sup> Street in Owen Sound and the allowance for larger side-by-side vehicles on the entire trail, including the proposed extension.

The travelled portion of the trail does vary in width along the 77 km from Owen Sound to Dundalk, but it averages approximately 80" (2.03 m) in width. There is a known inventory of 83 bridges and culverts, bridges having an average width of 80" (2.03 m). The trail gates that currently are on the trail where ATV's are permitted have an opening of 52" (1.32 m). Gates would be obsolete after 60" because a vehicle could pass through.

Allowing ATV's/ORV's over the width of 52" access to the CP Rail Trail will create a safety risk. When 2 or more ATV's/ORV's pass or meet each other travelling in opposite directions, riders will be forced to the untraveled edge of the trail where steep slopes

may exist. The majority of the trail bed slopes along the trail are 1:1 (straight up and down) or 1:15 (the standard for road construction is 2:1 for fills over 1 m).

Planning staff met with Transportation Services staff to discuss what would be required to upgrade the trail to accommodate side-by-side ATV's/ORV's. Staff concluded, that to accommodate the larger vehicles would essentially be the equivalent of a gravel road as the width of the travelled portion of the trail would need to be doubled in most locations. The project would be substantial in what would be required to upgrade the trail including,

- Engineering and construction to widen the travelled portion
- Importing large quantities of material and potentially including a granular base to support the increased traffic. Currently there is just an earth base.
- Replacing culverts and bridges to accommodate the widened trail
- Increased maintenance costs based on larger trail width
- Considerable time to complete the job (could be tackled in stages)

In some locations where the slopes are 1:1 beside the trail, the County lands are of insufficient width to widen the trail, and the only option for widening would be to purchase or expropriate neighbouring land. In addition, there are portions of the trail that run through sensitive environmental areas (i.e. wetlands, lakes, escarpment, etc.) and therefore widening will not be permitted within those areas. There are also large sections of the trail that have utilities running along them as well as many property owners that have utilities that cross the trail. The easement agreements that are in place could restrict the widening of the trail in those locations.

It is necessary to keep in mind the original purpose of the CP Rail Trail was for rail use, a use that was secured in place with a track system that couldn't wander off the edge. Slopes would not have been a significant consideration because of this fact. When assuming this as a trail this now needs to be considered as roads for example require that anything over 3m in height have a rail guide. The introduction of a wider vehicle on the trails can result in higher incidences of accidents where users fall from the travelled portion of the trail.

Given that the trail is for recreational use and it is not an essential infrastructure type of development (i.e. road), it is conceivable to conclude that widening the trail for larger vehicles is not within the scope of its purpose as a recreational trail. Staff recommend that the request for side-by-sides be denied, as the trail cannot be widened consistently to accommodate the larger vehicle and the costs would be quite considerable.

With regard to the extension of the trail from Sunny Valley Road to 20<sup>th</sup> Street in Owen Sound, given the recent decision by the Transportation and Public Safety Committee regarding access to County roads, the Club now has access to the County roads within the area and would therefore be able to access all areas that they require for gas, food,

lodging, etc. without the need to use the CP Rail Trail. In addition to the availability of alternative routes, there are considerably higher volumes of non-motorized use on this portion of the trail. This could result in increased liability if ATV's/ORV's were permitted.

Niagara Escarpment Commission (NEC) Staff have indicated that the request to allow ATV's/ORV's on the section of trail through the Niagara Escarpment Plan Area could be considered through a development permit application. However, they indicated that this could also require a Niagara Escarpment Plan Amendment. NEC would not support widening of the trail and would recommend installation measures to ensure that ATV's aren't able to stray from the CP Rail Trail.

County Staff recommend that the extension of the trail be refused since the ATV's now have access to most roads within the County and can access all the amenities requested. If Committee determines that an extension is warranted, approximately 17 new gates would be required at a cost of \$800 per gate (\$13,600 total). The agreement with the Club would need to be revised.

## Financial / Staffing / Legal / Information Technology Considerations

Without requesting quotes there is no definitive number that we can assign to widening the trail and gate removal, as the price will vary with location along the trail, but staff would estimate conservatively that the job would be in the millions of dollars.

## Link to Strategic Goals / Priorities

3.5 Protect and conserve natural and cultural heritage resources and landscapes, including those that offer scenic value and habitat preservation.

3.7 Continue to implement the Grey County Recreational Trails Strategy and seek opportunities to work with others to expand the County-wide trails network.

Respectfully submitted by,

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Intermediate Planner

Director Sign Off: *Randy Scherzer*