

**4. All-Terrain Vehicle, Off-Road Vehicle and Snowmobile By-law 2019-421
Amendment**

**Modification du Règlement no 2019-421 sur les véhicules tout terrain, les
véhicules hors route et les motoneiges**

COMMITTEE RECOMMENDATION

**That Council approve the amendment to the All-Terrain Vehicle, Off-Road
Vehicle and Snowmobile By law (By-law No. 2019-421) as detailed in
Document 1 and Document 2.**

RECOMMANDATION DU COMITÉ

**Que le Conseil approuve la modification apportée au Règlement sur les
véhicules tout terrain, les véhicules hors route et les motoneiges
(Règlement n° 2019-421), conformément aux modalités exposées en détail
dans les documents 1 et 2.**

Documentation/Documentation

Director's report, Economic Development and Long Range Planning, Planning,
Real Estate and Economic Development, dated April 21, 2022 (ACS2022-PIE-EDP-
0012)

Rapport du Directeur, Développement économique et planification à long terme,
Direction générale de la planification, des biens immobiliers et du développement
économique, daté le 21 avril 2022 (ACS2022-PIE-EDP-0012)

**Agriculture and Rural
Affairs Committee
Report 30
May 5, 2022**

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**Comité de l'agriculture et des
affaires rurales
Rapport 30
Le 5 mai 2022**

SUBJECT: All-Terrain Vehicle, Off-Road Vehicle and Snowmobile By-law 2019-421 Amendment

File Number ACS2022-PIE-EDP-0012

Report to Agriculture and Rural Affairs Committee on 5 May 2022

and Council 11 May 2022

Submitted on April 21, 2022 by Don Herweyer, Director, Economic Development & Long-Range Planning

Contact Person: Anne Wang, Planner, Natural Systems and Rural Affairs

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Ward: RIDEAU-GOULBOURN (21)

OBJET : Modification du Règlement n° 2019-421 sur les véhicules tout terrain, les véhicules hors route et les motoneiges

Dossier : ACS2022-PIE-EDP-0012

Rapport au Comité de l'agriculture et des affaires rurales

le 5 mai 2022

et au Conseil le 11 mai 2022

Soumis le 21 avril 2022 par r Don Herweyer, Directeur, Développement économique et Planification à long terme

Personne ressource: Anne Wang, Urbaniste, Systèmes naturels et Affaires rurales

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Quartier: Rideau-Goulbourn (21)

REPORT RECOMMENDATION

That the Agriculture and Rural Affairs Committee recommend Council approve the amendment to the All-Terrain Vehicle, Off-Road Vehicle and Snowmobile By-law (By-law No. 2019-421) as detailed in Document 1 and Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'agriculture et des affaires rurales recommande au Conseil d'approuver la modification apportée au Règlement sur les véhicules tout terrain, les véhicules hors route et les motoneiges (Règlement n° 2019-421), conformément aux modalités exposées en détail dans les documents 1 et 2.

BACKGROUND

By-law 2019-421, approved by Council in 2019, regulates the operation of All-Terrain Vehicles (ATVs), Off-Road Vehicles (ORVs), and Motorized Snow Vehicles on highways and unopened road allowances within the City of Ottawa.

The By-law references permission to use municipal natural areas, but the provisions for ATV use in these areas are unclear. Although not specified in the current By-law, the only municipal natural area in the City that permits recreational ATV use is Marlborough Forest in Ward 21 between September to December when the access gates are open. ATVs and other vehicles are required to stay on the forest access roads when they are in the Marlborough Forest to ensure the protection of this environmentally significant natural area, but the By-law does not include a map of these roads.

The recommendations in this report are intended to provide clarification to the relevant provisions in By-law 2019-421 that apply to the operation of ATVs in the municipal natural areas within the City.

DISCUSSION

Marlborough Forest is a diverse ecosystem of over 9300 hectares (ha) of wetlands, wildlife fields, natural forests and plantations. Of the 9300 ha, approximately 4300 ha of the forest consists of wetlands, most of which are designated as provincially significant, which the City is committed to maintaining and protecting. These wetlands serve as valuable water catchments and storage areas and provide unique habitats for a variety

of flora and fauna, including many species at risk. Due to its diversity and ecological functions, the Marlborough Forest is one of the most environmentally significant natural areas in the City of Ottawa.

Marlborough Forest is also a popular destination for various recreational activities including hiking and hunting. As grandfathered from the previous agreement with the former Ministry of Natural Resources and to facilitate lawful hunting activities, vehicle access (including off-road vehicles such as ATVs) is permitted on the forest access roads, but only between September and December when the gates are open. Signs are posted at the entrances to the area specifying that vehicles must stay on the roads, and that no unauthorized vehicles are allowed when the gates are closed (snowmobiles are allowed during the winter months under an agreement with the local club).

Over recent years, despite the signage at the gates, staff have observed frequent off-road activities in the wetlands and other sensitive areas as well as the creation of illegal bypass entry points for ATVs to gain access when the gates are closed. These activities can be extremely damaging to the protected natural features, are disruptive and harmful to wildlife, and lead to conflicts with other trail users. Through communication with forestry and enforcement staff, improvements to the provisions in the By-law have been identified to better stipulate the restrictions and limitations regarding ATV usage in Marlborough Forest. The recommendations in this report are intended to provide clarity on where and when ATVs are permitted in Marlborough Forest, to reduce potential confusion among users, and to facilitate enforcement of the by-law.

Recommendations in this report do not impact or change the status of snowmobile trails maintained by the Rideau Snowmobile Association in the Marlborough Forest.

ASSET MANAGEMENT IMPLICATIONS

There are no asset management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

LEGAL IMPLICATIONS

There are no legal impediments to Committee and Council's approval of the recommendation of this report.

COMMENTS BY THE WARD COUNCILLOR

Councillor Moffatt has been notified of the proposed recommendations.

CONSULTATION

Given the minor nature of the recommendations, public consultation was not required for this report. Consultations were conducted with City staff.

ACCESSIBILITY IMPACTS

There are no accessibility impacts.

ENVIRONMENTAL IMPLICATIONS

The proposed recommendation will better define the restrictions on ATV usage in Marlborough Forest, which will help staff to enforce the By-law to better protect the ecologically significant natural features and wildlife.

RISK MANAGEMENT IMPLICATIONS

There are no risk implications.

RURAL IMPLICATIONS

The recommendations in this report will clarify the rules regarding ATV access to Marlborough Forest, reducing potential confusion among users (many of whom are rural residents). They will also strengthen staff's ability to enforce the by-law provisions and allow better protection of the environmentally significant natural areas.

TERM OF COUNCIL PRIORITIES

The recommendations contained herein aims to support the following priority and outcomes of the City's Strategic Plan 2019-2022:

- Environmental Stewardship

SUPPORTING DOCUMENTATION

Document 1 Details of the Recommended ATV, ORV, and Snowmobile By-law
Amendment

Document 2 Recommended Schedule D to the By-law

DISPOSITION

If the recommendations are approved, the Rural Affairs Office, in consultation with Legal Services, will prepare and submit the amending By-law to Council for approval and enactment.

**Document 1 – Details of the Recommended ATV, ORV, and Snowmobile By-law
Amendment**

The proposed changes to the ATV, ORV, and Snowmobile By-law 2019-421 are as follows:

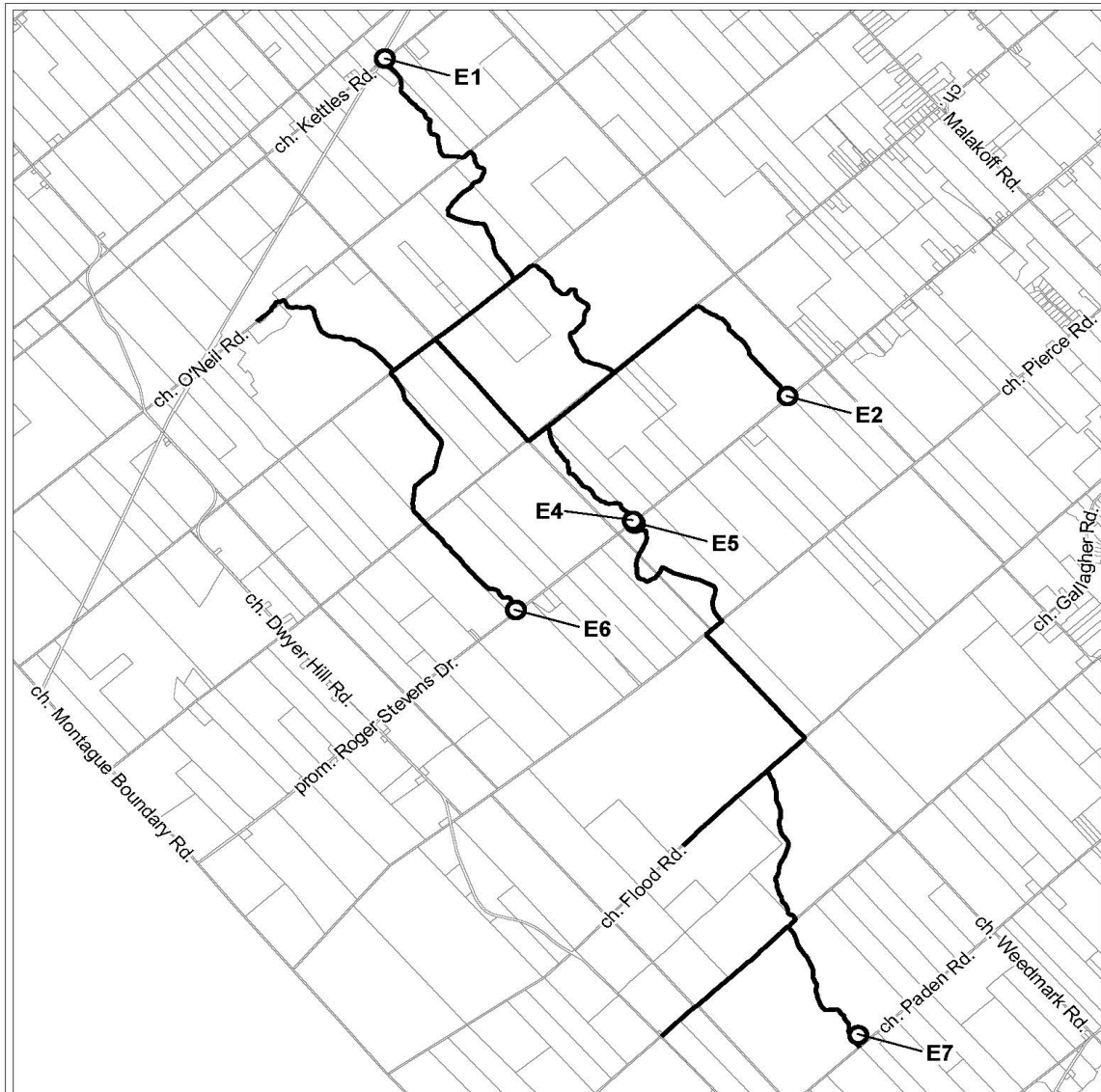
1. Under Section 14 of the ATV, ORV, and Snowmobile By-law 2019-421


Remove subsection 1 and replace it with the following:

1. No person shall, without permission, in a municipal natural area:
 - (a) operate an ATV, Multi-Purpose Off-Highway Utility Vehicle, or Recreational Off-Highway Vehicle anywhere within a municipal natural area, with the exception of forest access roads within the Marlborough Forest as shown in Schedule D between the months of September to December;

2. Add Schedule D as shown in Document 2.

Document 2 - Recommended Schedule D



		SCHEDULE XX - FOREST ACCESS ROADS FOR VEHICLE USE IN THE MARLBOROUGH FOREST / ANNEXE XX - CHEMINS D'ACCÈS FORESTIERS POUR L'UTILISATION DE VÉHICULES DANS LA FORÊT DE MARLBOROUGH	
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