

**3. FORMALIZATION OF WARD 20 (OSGOODE) ALL-TERRAIN VEHICLE  
NETWORK AND ENACTING BY-LAW 2019-XX**

**OFFICIALISATION DU RÉSEAU DE SENTIERS POUR VÉHICULES TOUT-  
TERRAIN DU QUARTIER 20 (OSGOODE) ET ADOPTION DU  
RÈGLEMENT 2019-XX**

**COMMITTEE RECOMMENDATIONS**

That Council approve:

1. Permanently establishing the All-Terrain Vehicle Trail Network Pilot Project in Ward 20 (Osgoode) as outlined in this report;
2. A By-law to regulate the operation of All-Terrain Vehicles and Motorized Snow Vehicles on certain designated highways and unopened road allowances within rural Ottawa (Document 1); and
3. That each distinct user group (parent clubs) of the Osgoode Trail Network be required to obtain a License of Occupation from the City, in accordance with the terms set out in this report.

**RECOMMANDATIONS DU COMITÉ**

Que le Conseil municipal approuve :

1. la mise en œuvre permanente du projet pilote de réseau de sentiers pour véhicules tout-terrain du quartier 20 (Osgoode), comme il est expliqué dans le présent rapport;
2. l'adoption d'un règlement légiférant la conduite de véhicules tout-terrain motorisés et de motoneiges sur certaines routes désignées et emprises routières non ouvertes à la circulation des secteurs ruraux d'Ottawa (document 1);

3. **l'obligation pour chaque groupe d'utilisateurs (clubs de base) du réseau de sentiers pour véhicules tout-terrain d'Osgoode d'obtenir de la Ville un droit de passage, conformément aux modalités établies dans le présent rapport.**

Documentation/Documentation

1. Director's report, Economic Development and Long Range Planning, Planning, Infrastructure and Economic Development Department, dated November 25, 2019 (ACS2019-PIE-EDP-0047 )

Rapport du directeur, Développement économique et Planification à long terme, Direction générale de la planification, de l'infrastructure et du développement économique, daté le 25 novembre 2019 (ACS2019-PIE-EDP-0047 )

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, 6 December 2019

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 6 décembre 2019

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 9  
DECEMBER 11, 2019**

**17**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 9  
LE 11 DÉCEMBRE 2019**

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales  
5 December 2019 / 5 décembre 2019**

**and Council  
et au Conseil  
11 December 2019 / 11 décembre 2019**

**Submitted on November 25, 2019  
Soumis le 25 novembre 2019**

**Submitted by  
Soumis par:**

**Don Herweyer  
Director / Directeur Economic Development and Long Range Planning  
Développement économique et Planification à long terme Planning, Infrastructure  
and Economic Development Department / Direction générale de la planification,  
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**Ward: City Wide / À l'échelle de la ville (0)    File Number: ACS2019-PIE-EDP-0047**

**SUBJECT: Formalization of Ward 20 (Osgoode) All-Terrain Vehicle Network and  
Enacting By-law 2019-XX**

**OBJET:        Officialisation du réseau de sentiers pour véhicules tout-terrain du  
                 quartier 20 (Osgoode) et adoption du Règlement 2019-XX**

## **REPORT RECOMMENDATIONS**

**That the Agriculture and Rural Affairs Committee recommend Council approve:**

- 1.        Permanently establishing the All-Terrain Vehicle Trail Network Pilot Project in Ward 20 (Osgoode) as outlined in this report;**
- 2.        A By-law to regulate the operation of All-Terrain Vehicles and Motorized Snow Vehicles on certain designated highways and unopened road allowances within rural Ottawa (Document 1); and**
- 3.        That each distinct user group (parent clubs) of the Osgoode Trail Network be required to obtain a License of Occupation from the City, in accordance with the terms set out in this report.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil municipal :**

- 1.        la mise en œuvre permanente du projet pilote de réseau de sentiers pour véhicules tout-terrain du quartier 20 (Osgoode), comme il est expliqué dans le présent rapport;**
- 2.        l'adoption d'un règlement légiférant la conduite de véhicules tout-terrain motorisés et de motoneiges sur certaines routes désignées et emprises routières non ouvertes à la circulation des secteurs ruraux d'Ottawa (document 1);**
- 3.        l'obligation pour chaque groupe d'utilisateurs (clubs de base) du réseau de sentiers pour véhicules tout-terrain d'Osgoode d'obtenir de la Ville un droit de passage, conformément aux modalités établies dans le présent rapport.**

## **EXECUTIVE SUMMARY**

The 2013 All-Terrain Vehicle Trail Network Pilot Project has been a success in Ward 20 (Osgoode) but has not yet been formalized. This report recommends the formalization and approval of the All-Terrain Vehicle Trail Network Pilot Project in Ward 20 (Osgoode) and the adoption of an updated All-Terrain Vehicle and Motorized Snow Vehicle by-law for the rural areas of the City of Ottawa. The updates were prepared in consultation with the Osgoode Carleton Snowmobile Club, Nation Valley All-Terrain Vehicle Club, Ottawa Police, and Transportation Services, Legal Services, Right of Way Agreements Services, and Real Estate Services.

A discussion of the history of the pilot program, and the changes recommended to the by-law within this report. The report contains a description of the existing conditions of the All-Terrain Vehicle network and program. Included also is a map and description of the All-Terrain Vehicle Routes previously approved as part of the pilot project.

### **Public Consultation**

Letters were mailed out to all owners of properties adjacent to the All-Terrain Vehicle trail network. Additionally, staff surveyed complaints/comments through law enforcement and 311.

## **RÉSUMÉ**

Le projet pilote de réseau de sentiers pour véhicules tout-terrain de 2013, qui a été un succès dans le quartier 20 (Osgoode), n'a pas encore été officialisé. Le présent rapport recommande donc l'officialisation et l'approbation du projet pilote de réseau de sentiers pour véhicules tout-terrain du quartier 20 (Osgoode) et l'adoption d'un règlement actualisé sur les véhicules tout-terrain et les motoneiges dans les zones rurales d'Ottawa. Les mises à jour ont été préparées en consultation avec le Club de motoneige Osgoode Carleton, le Club de véhicules tout-terrain Nation Valley, le Service de police d'Ottawa, la Direction générale des transports, les Services juridiques, les Services des emprises et les Services immobiliers.

Le présent rapport expose l'historique du projet pilote et les modifications recommandées au règlement. Il donne aussi une description de l'état actuel du réseau et du programme des véhicules tout-terrain. Une carte et une description des sentiers

pour véhicules tout-terrain précédemment approuvées dans le cadre du projet pilote sont également incluses.

### **Consultation publique**

Des lettres ont été envoyées à tous les propriétaires de biens-fonds adjacents au réseau de sentiers pour véhicules tout-terrain. De plus, le personnel a examiné les plaintes et les commentaires formulés par le personnel des organismes d'application de la loi et du Centre d'appels 3-1-1.

### **BACKGROUND**

On September 29, 2011, the Nation Valley All-Terrain Vehicle Club made an 'Open Mic' presentation to the Agricultural and Rural Affairs Committee, the City enact a by-law to allow All-Terrain Vehicles on certain roadways in Osgoode Ward similar to other municipalities. Staff were directed by the Committee to investigate options and return with recommendations to support a pilot trail network in Osgoode Ward.

In 2013, Council approved the All-Terrain Vehicle Trail Network Pilot Project for Osgoode Ward and implementing by-law 2013-199: Temporary All-Terrain Vehicles and Other Vehicles. The pilot identified a trail network in Ward 20 which permitted All-Terrain Vehicles to use designated trails and allowances throughout the year, with the exception of spring thaw, to protect the trail. Additionally, trails could be closed at any time by the City, by erecting signage that state the trails were closed. All-Terrain Vehicles were also restricted to being used between sunrise and sunset.

### **DISCUSSION**

Due to the success of the pilot project, on July 4, 2019, the Agriculture and Rural Affairs Committee directed staff to investigate formalizing the trail network in Osgoode Ward. The committee also requested that staff create a broader by-law to permit the development of future all-terrain vehicle trails in the rural area.

### **Relevant provincial legislation**

The Province of Ontario regulates aspects of how all-terrain vehicles can access open municipal roadways. Relevant legislation includes the *Highway Traffic Act*, R.S.O. 1990, Chapter H.8, (HTA) *Off-Road Vehicles Act*, R.S.O. 1990, Chapter O.4 (ORVA) and

HTA, Ontario Regulation 316/03 OR 316/03). All-Terrain Vehicles are generally not permitted to travel on municipal roads unless a by-law has been passed to permit them to do so, with some exceptions (i.e. the ability to cross roads at 90 degrees), All. Sections 191.8 (3) and (4) of the HTA, enable municipalities to enact by-laws to permit All-Terrain Vehicles on municipal roadways. In addition, as road authority, Section 35 of the *Municipal Act*, 2001, S.O. 2001, Chapter 25, allows the City to further regulate the use of our highways and road allowances, including restriction of access.

In addition, the *Off-Road Vehicle Act* and O. Reg. 316/03 provide further guidance on how an All-Terrain Vehicle is defined. In 2016, this definition was updated to include two-rider or “2-up” All-Terrain Vehicles. That same year, O. Reg. 316/03 was amended to include a second class of vehicles, “Off-Highway” vehicles, more commonly known as “Side-by-Side” and “Utility Terrain” vehicles.

Although off-highway vehicles are now permitted through Provincial law, municipalities are required to amend their by-laws to reflect this. Other types of off-road vehicle (e.g. dune buggy, dirt bike), are not permitted, even when a municipal by-law is in place; as they do not fit within the definition of an all-terrain or off-highway vehicle.

Ontario Regulation 316/03 also provides legislation for vehicle weight and dimensions, safety standards, equipment configuration, braking, lights, plates and permits, insurance requirements, driver licensing, helmet standards, speed limits, environmental protection and rules of the road.

Definitions in the proposed by-law have been updated to reflect the above changes (see Document 1).

### **Establishing a Permanent Trail Network in Ward 20 (Osgoode)**

Due to the success of the project, staff recommend that the Osgoode trail network pilot be made permanent. There are no changes proposed to the existing network. It is the same network that has been in existence since the last expansion in 2015 (Schedule C of Document 1).

### **All-Terrain Vehicle, Off-Highway Vehicle, and Motorized Snow Vehicle By-law**

Many municipalities in Ontario that have enacted All-Terrain Vehicle by-laws have implemented restrictions beyond those mandated by the provincial legislation. The proposed by-law will allow the City to permit controlled and responsible trail usage by clubs throughout the City's rural areas, should other legitimate clubs come forward with proposals. With the direction of the Province's recent changes to legislation, the potential for an amendment to the Highway Traffic Act that would permit All-Terrain Vehicles to use all municipal roads is high. Such an amendment would require the City to ban, rather than permit off-road vehicles on municipal roads, if a by-law is not in place.

To ensure safety of riders, responsible use of the trail and optimal trail conditions, several restrictions are recommended in the proposed by-law (Document 1). These include:

- **Time of Day:** It is proposed that All-Terrain Vehicles would have access to the trail network from 0700h (7:00AM) until 2300h (11:00PM). This is consistent with the Osgoode-Carleton Snowmobile Club, as well as the neighbouring Municipality of Russell Township, other municipalities such as Greater Sudbury, and is consistent with other municipal legislation in the province. After 2100h (9:00PM) both snowmobiles and All-Terrain Vehicles will need to reduce speed on roads and trails to 20 km/h.
- **Time of Year: End of All-Terrain Vehicle season** - For the first year of any club/area under the By-law, the end of the All-Terrain Vehicle season will be negotiated between the Osgoode-Carleton Snowmobile Club and the Nation Valley All-Terrain Vehicle Club as to when it is time to prepare for the snowmobiles. After the first year, and when the All-Terrain Vehicle Club can prove able to maintain shared trails, All-Terrain Vehicle Clubs, in areas negotiated, may share use. Snowmobile time of year restrictions were removed. It is proposed that the trail be closed during spring thaw. This is being identified as between March 15 – May 15 in the By-law. A clause has been included to allow the Nation Valley All-Terrain Vehicle Club, Snow Mobile Club, and Rural Affairs Office to discuss if this range needs to move earlier or later due to weather/climate changes. This will allow more precise protections if needed, and extended use where appropriate.



- Signs will be posted indicating when All-Terrain Vehicles and Snowmobiles are not permitted access to the network.
- Membership in a Club: Membership in Nation Valley All Terrain-Vehicle Club, or one of the other twelve partner All-Terrain Vehicle clubs recognized by the Ontario Federation of All Terrain Vehicle Clubs will continue to be a requirement for existing riders. Similar to the existing Osgoode Trail Network, club approval will be necessary to establish new trail networks in other parts of rural Ottawa.
- Noise: The proposal is to only permit All-Terrain Vehicles, which do not have modified exhausts and/or two-stroke engines to reduce / mitigate excessive noise that may disturb residents.
- Prohibited vehicles on unopened road allowances (23.1 km): For the portion of the trail network on unopened road allowances, the only motorized vehicles permitted would be All-Terrain Vehicles and Off-Highway Vehicles as defined by *OR 316/03*, snowmobiles, farm vehicles, or road maintenance machinery in addition to the above noted noise restrictive All-Terrain Vehicle specification.

### **License of Occupation**

An agreement for a non-exclusive License of Occupation with the Nation Valley All-Terrain Vehicle Club will be required to document roles and responsibilities for each party with respect to the use of the City-owned highways and the unopened road allowance portion of the All-Terrain Vehicle trail network. Parameters of the agreement will include provisions such as:

- Granting use of the road allowances identified for use by the Club for the duration of the five years for a fee of \$1. This would be to support community groups and outdoor activity, and a nominal amount is required in order to make a binding agreement.
- The administrative fees charged to the individual clubs would be \$532.00 +HST (\$601.16) for 2020.
- After five years, all License of Occupation agreements would expire, and need to be re-negotiated. The administrative fee charged for the new agreement, would be set at the approved rate at that time.
- Documentation of the protocol for the Club to obtain permission from appropriate City staff and the Conservation Authority prior to any proposed alterations of the unopened road allowance along the trail network and any additional alterations beyond City standards for the City-owned highways.
- Requiring the club to prove appropriate comprehensive general liability insurance, with the City of Ottawa as a named insured, as required by the City.
- Requiring the Club to erect and maintain appropriate bilingual trail signage at their expense, as per the policies of the Ontario Federation of All-Terrain Vehicle Clubs and/or the direction of the City of Ottawa.
- Requiring the Nation Valley All-Terrain Vehicle Club to bind the other member/affiliate All-Terrain Vehicle Clubs referred to in this report to the same terms and conditions of the License of Occupation in respect of their members' use of the proposed network in Osgoode Ward.

- Other standard clauses included in City of Ottawa Licenses of Occupation.

Despite the License of Occupation for the Nation Valley All-Terrain Vehicle Club, non-motorized users such as hikers, cyclists and cross-country skiers would be able to use the trails and enjoy the improvements made by the Club.

### **Motorized Snow Vehicles (Snowmobiles)**

The local Osgoode-Carleton Snowmobile Club has historically used some of the unopened road allowances identified as part of the proposed All-Terrain Vehicle trail network, and snow vehicles would be the only other recreational motorized vehicle use permitted as per the by-law. As such, to recognize this use on the unopened road allowances owned by the municipality, the Osgoode-Carleton Snowmobile Club was required to conclude a separate License of Occupation with the City. This agreement is similar in nature to the License of Occupation for the Nation Valley All-Terrain Vehicle Club in respect to term (ending in five years) but tailored to the specific use of motorized snow vehicles for instance, seasonal, winter term only usage.

### **Osgoode Multi-Use Pathway crossings**

The City-owned Osgoode Multi-Use Pathway is not part of the All-Terrain Vehicle trail network. However, the network does cross the Osgoode Multi-Use Pathway in two locations. Appropriate signage, requiring All-Terrain Vehicles to stop before crossing the Pathway is in place, and the Transportation Services Department is satisfied with how this has been functioning so far.

### **Current Uses of Unopened Road Allowances by Adjacent Property Owners**

There remain some instances of private property owners encroaching on and/or using the City's unopened road allowances for their own purposes. Where this has not immediately impacted trails and access, the Rural Affairs Office has not taken any action. In the future, it may be necessary, in order to ensure the road allowance is used by All-Terrain Vehicles, snowmobiles, and other users in a safe and orderly fashion, for staff to follow up with these property owners. Where appropriate, it may be necessary to enter into agreements for shared use or, alternatively, to request the encroachment to be removed or use be ceased, depending on the interests of each party, the specific location, and history of each situation.

### **Expanding Existing Trails or Creating New Trails**

The proposed By-law permits recognized Clubs to create and to expand existing trail networks. New networks must be applied for by a club member, either of Nation Valley All-Terrain Vehicle Club, or an affiliated club. They must:

- Provide appropriate insurance, as required, if an affiliated club;
- Provide documented support of Nation Valley All-Terrain Vehicle Club;
- Be in communication and working in cooperation with the Osgoode-Carleton Snowmobile Club, and provide documented support of network system;
- Provide detailed descriptions of proposed network system, including maps
- Once these conditions are met, the Rural Affairs Office will review the proposed network system, and work with the applicant to complete the following:
  - Identify which parts of the proposed network system are:
    - City owned land;
    - City owned right-of-way;
    - Private land;
    - Shared use trails;
  - Rural Affairs Office will assist the applicant with public outreach to the community and adjacent landowners to determine support;
  - Rural Affairs Office will conduct internal stakeholder outreach to determine support.

Once this process is done, staff will decide based on the full application and make a recommendation to the Agriculture and Rural Affairs Committee, who will make the final decision on whether to expand the network

## **Maintenance and Operation of Trail Network**

Nation Valley All-Terrain Vehicle Club, and the Osgoode Carleton Snow-mobile Club both perform maintenance on their respective trail networks, and jointly on their shared networks. The groups are responsible for the education, and monitoring of their membership, and trail networks using trail marshals. They carry insurance policies, as well as perform the trail maintenance and upgrades, sign installation, and with local law enforcement. The trails are not maintained by the City.

## **Enforcement**

The Nation Valley All-Terrain Vehicle Club and the Osgoode Carleton Snowmobile Club will continue to perform a significant amount of day to day policing. The clubs carry on the Ontario practice of self-regulation for these activities, cooperating with Law Enforcement for citations and assistance as needed.

The Ottawa Police Marine, Dive, and Trails Unit work closely with both the Nation Valley All-Terrain Vehicle Club and the Osgoode-Carleton Snowmobile Club to enforce and patrol the trails. The Unit is dedicated to running these areas and is appreciative of the support from the clubs. The officers from the Marine, Dive, and Trails Unit mentioned that there were few problems that the unit could recall at all, and that overall, they have a great working relationship with both of the clubs. Several of the citations they referenced were provided to them by the clubs through their own self-policing. The Marine, Dive and Trails unit will continue to provide law enforcement, under the By-law.

Staff have consulted with Ottawa 311 and the Ottawa Police Marine, Dive and Trails Unit to confirm that there have been very few law enforcement issues with the All-Terrain Vehicle riders in Ward 20 (Osgoode) since 2014.

## **RURAL IMPLICATIONS**

Ending the Pilot Program and making the by-law permanent will make it possible to establish additional All-Terrain Vehicle trails in rural Ottawa, beyond the borders of Osgoode Ward. Local All-Terrain Vehicle tourism can help drive local business in the rural areas; the local restaurant and gas station in Osgoode Village have seen the economic impact of increased All-Terrain Vehicle use. As the trail networks expand, this impact will grow, across the rural area.

Formalizing the trail will encourage greater use of the City's underutilized rights of way, encouraging residents to take advantage of outdoor opportunities. This aligns with the City's priorities and is part of living in rural Ottawa.

## **CONSULTATION**

On January 29, 2019, the Nation Valley All-Terrain Vehicle Club met with the Osgoode Carleton Snowmobile Trail Club and Councillor Darouze to discuss the future of the Pilot project.

On July 29, 2019, the Osgoode Snowmobile Trail Club held a meeting in Osgoode at the Red Dot restaurant to discuss their thoughts on the Pilot Program and on what Nation Valley All-Terrain Vehicle Club. Councillor Darouze, Councillor El-Chantiry, and the Rural Affairs Office were in attendance.

Internal consultation was undertaken by the Rural Affairs Office with stakeholders at the City including, Right of Way Agreements, Corporate Real Estate Office, By-law Agreements, Planning Infrastructure and Economic Development, Legal Services and the Ottawa Police Service. The comments and directions of these groups have been incorporated throughout this report.

Staff also wanted to ensure property owners abutting the trail network were advised of the intent to formalize the pilot program and bring forward a by-law. Letters were mailed to each abutting owner with details of the By-law, a map of the network, staff contact coordinates, and information about the relevant Agriculture and Rural Affairs Committee meeting. At the time of the report, there were a total of four respondents.

Two respondents had no issue with the formalization and new by-law but did raise one concern each: One believed there might be an issue with a trail on their property (an older trail), the other was a concern about existing noise and speed problems at night by snowmobiles.

Two respondents were against the formalization and the by-law. One raised concern that the routes in the All-Terrain Vehicle trail network would eliminate access to their property. The other was concerned about the noise and mess along Main Street that would arise and felt that All-Terrain Vehicles should only be on private property.

Staff has spoken with both clubs and with law enforcement. The clubs are having words with their memberships and are reminding them that they are all ambassadors. Concerning the trail, as brought up by the resident, All-Terrain Vehicles users have been advised of the area of concern, and we are working to find a resolution for the trail issues.

Staff has responded to the residents, to inform them that their comments have been included, and that all reasonable efforts will be made to address them.

Staff also reviewed the 311 records from 2014-2018. There were no complaints concerning All-Terrain Vehicles in use in Ward 20 (Osgoode), or the All-Terrain Vehicle Trail Network Pilot Project.

## **LEGAL IMPLICATIONS**

The City has the requisite legal authority to render permanent this pilot program.

## **RISK MANAGEMENT IMPLICATIONS**

Nation Valley All-Terrain Vehicle Club helps to offset potential risks by carrying commercial general liability coverage, with the City of Ottawa as a named insured, and are required to provide evidence of their coverage annually. Membership in the club is a requirement to access the trail network. In addition, each All-Terrain Vehicle operator is required to have motor vehicle insurance as per the *Off-Road Vehicles Act* which states in Section 15 (2) that, "No owner of an off-road vehicle shall permit it to be driven unless it is insured under a motor vehicle liability policy in accordance with the *Insurance Act*."

## **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with the recommendations of this report.

## **FINANCIAL IMPLICATIONS**

The License of Occupation revenues would be \$1.00 plus the associated administrative fee revenues of \$532.00 (2019 rate).

## **ACCESSIBILITY IMPACTS**

There are no impacts to accessibility associated with this report.

## **ENVIRONMENTAL IMPLICATIONS**

The trail network predominantly follows existing City road allowances, the majority of which already have trails built on them. Environmental impacts will be limited through the avoidance of tree removal, of wet areas, and of wetlands where possible, and the use of proper water-crossings, as approved by the Rideau Valley Conservation Authority and/or South Nation Conservation Authority, as applicable. The Nation Valley All-Terrain Vehicle Club will be responsible for obtaining the necessary environmental approvals from the Province, Conservation Authorities and City. Sections passing through significant wetlands will only be built after alternative options are considered and ruled out and all necessary approvals are granted from the Conservation Authority.

## **TERM OF COUNCIL PRIORITIES**

This project addresses the following terms of Council:

### **Economic Growth and Diversification**

Encourage economic growth and diversification by supporting business investment and expansion, talent attraction and retention, and branding Ottawa as a place to be.

Outcomes for this priority during the Term of Council

- Robust rural economic development that supports Ottawa's overall economic growth and diversification

The by-law will continue to promote local rural businesses with having All-Terrain Vehicle and Snowmobile riders frequent the restaurants and gas stations and stores of the local rural villages. As the trail network expands through the City, a greater connection between the rural villages will enhance this economic benefit.

- Tourism, sporting and cultural events are major drivers of economic activity



Additionally, this robust trail network draws and encourages visitors, through reciprocal recognition of other club memberships, to use the City's All-Terrain Vehicle network and, in turn, supports local businesses.

### **Proposed Priority – Thriving Communities**

Promote safety, culture, social and physical well-being for our residents.

All-Terrain Vehicles and Snowmobile continue to grow in popularity. They help connect users with the outdoors and are considered a form of physical activity.

### **SUPPORTING DOCUMENTATION**

#### **Document 1 By-law 2019-XX**

A by-law of the City of Ottawa to regulate the operation of All-Terrain Vehicles, Multi-Purpose Off-Highway Utility Vehicles, Recreational Off-Highway Vehicles, and Motorized Snow Vehicles on certain designated highways and unopened road allowances within the City of Ottawa.

### **DISPOSITION**

If the by-law is approved, the Rural Affairs Office, in consultation with Legal Services, will process the by-law to Council for enactment.

In addition, the General Manager of Planning, Infrastructure and Economic Development will enter into a new License of Occupation agreement with the Nation Valley All-Terrain Vehicle Club for a five-year term. As well, a License of Occupation will be entered with the local Osgoode-Carleton Snowmobile Club for their shared use of their trail network when their five-year term is due.

Where existing uses by adjacent private property owners have been identified to potentially conflict with the proposed use of all-terrain vehicles and snowmobiles on the unopened road allowance along the trail network, the Rural Affairs Office, Right of Way Information and Approvals Unit and Legal Services will further investigate these third-party uses. Through that determination, staff will require the adjacent property owners to either enter into an Encroachment Agreement or License of Occupation as appropriate or have the adjacent property owner remove the encroachment or cease the use.