

TRAILS MASTER PLAN



TOWNSHIP OF SPRINGWATER TRAILS MASTER PLAN

Final Report – October 2008



Prepared by





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1.0 INTRODUCTION

1.1 Acknowledgements

We would like to thank the Springwater Trail Master Plan Steering Committee for their assistance and direction in preparing the Master Plan. The Steering Committee was comprised of:

- Mayor Tony Guergis, Township of Springwater
- Councillor Dan Clement, Township of Springwater
- Ross Money, Public Representative and former Township of Springwater Councillor
- Winnane Grant, Chief Administrative Officer, Township of Springwater
- Ron Belcourt, Manager of Recreation Services, Township of Springwater
- Andrew Fyfe, Director of Planning & Development, Township of Springwater
- Kayla Thibeault, Research and Policy Analyst, Township of Springwater

Also, we gratefully acknowledge the financial support of the Ontario Trillium Foundation, an agency of the Government of Ontario. The Foundation continues to strengthen the capacity of the volunteer sector through investments in community-based initiatives.



1.2 Overview and Background

The Township of Springwater Trails Master Plan ("TMP") is intended to guide the future planning and development of a comprehensive interconnected trail system for the Township. The trail system will contain opportunities for non-motorized and motorized uses. The trail system will contain opportunities for different types of recreational use, as well as providing means for alternate transportation to encourage use of a day-to-day basis. Links to National, Provincial and regional trail systems should be maintained or enhanced whenever possible.

The development of the TMP is rooted in the recently completed Parks and Recreation Master Plan for the Township of Springwater. The Master Plan was completed in 2005. The Master Plan discussed recreational trails and potential improvements to the trail system. The Master Plan contained two specific recommendations related to trails:

Recommendation 33: *The Township of Springwater should undertake a Recreational Trails Master Plan which examines opportunities for and feasibility of an inter-connected system of valley land, greenway walking, multi-use trails, road-based cycling routes, and neighbourhood walkways.*

Recommendation 34: *The Township of Springwater should establish a Trail Development Committee to assist in the development and implementation of the Recreational Trails Master Plan.*

The goals and objectives for the TMP were noted in the Request for Proposals for the TMP and were as follows:

Project Goals

To develop a Township-wide strategy based on a consultative process that considers the needs of all trail users to guide trails related decisions.

To overcome current challenges that are restricting use of existing trails and hindering community-driven efforts to take advantage of emerging trail opportunities.

Project Objectives

The Master Plan will support the achievement of the above goals by:

- assessing public interest in and concerns regarding the development of a trail system;*
- identifying the types of trails needed by local residents and specific user groups;*
- developing an inventory of existing trails, recommending use and identifying modifications required;*
- mapping ideal trail routes for future development and recommend use;*
- creating design standards and maintenance guidelines;*
- recommending enforcement strategies;*
- proposing a process for evaluating and approving future trail development proposals; and,*
- identifying potential partners and funding opportunities for trail development and maintenance.*

A growing emphasis on health and a trend toward obesity, have called for more emphasis on active living. The planning and development of integrated trail networks is a rapidly growing phenomenon that supports active living.

Trail activity in many municipalities is often the largest per capita use of public parks and open space infrastructure. No longer are trails looked at for just recreational use. Trails, in combination with designated bikeways/bikelanes, are being planned to carry commuters, students and others in an effort to reduce vehicles trips and the overall impact on our environment.

In summary, in reflection of the goals of the study, the TMP will provide guidance for decisions making related to trail planning and development. Emerging trends and future opportunities for trail development will need considered in order to promote and foster a comprehensive trail system.

1.3 Scope

The intent of the TMP is rationalize the current system and expand the existing network of trails within the Township over time. Effort has been made in the TMP to recognize and promote connection to surrounding trails and other adjacent municipalities. The protection of existing parks, open space and linear trails is an important public interest and wherever appropriate future planning should take place to expand these features in a rational manner as population increases.

The geographical size and natural environmental diversity of Springwater is exciting and challenging at the same time. Rural trails have a much different level of design and use, than trails in urban areas such as Elmvale and Midhurst. Trail design and trail use considerations are important factors which are highlighted in the TMP.

Specific trails and/or areas may need to be further refined, expanded or developed depending on need, funding and partnerships available for the specified trail or project. The Town will use the TMP to develop further land use planning policies/mapping, where appropriate, to ensure the appropriate and timely development of the trail system.

The TMP is intended to be a fluid document that should be updated regularly and used annually to prioritize trail development. It is anticipated that the Township will continue to act as a partner in the development of trails along with the County, other agencies and non-profit groups.

1.4 Study Process

The TMP study commenced in September 2007 and was a three-phased process.

Phase 1 of the study was the Background Analysis. Background research and stakeholder consultation took place in the Fall of 2007. Site inspections and review of the local area was conducted at that time. Provincial, County, Township and local agency staff were consulted. Stakeholder interviews were conducted in November 2007. This phase also included a public forum on January 29, 2008.

Phase 2 of the study was the completion of the Draft Trails Master Plan. This included a second Public Forum on June 3, 2008.

Phase 3 of the study was development of the Final Trails Master Plan.

2.0 TRAIL TRENDS, TRAIL PROVIDERS AND LOCAL TRAIL POLICY

2.1 Trail Trends

Over the last two decades trails have emerged as a primary recreational facility accompanied by an explosion of trail construction across North America¹. Trails are recognized as a relatively inexpensive opportunity to promote physical activity, contribute to a high quality of life, encourage social cohesion and increase environmental awareness and education.

Trails can take many forms and serve a wide range of motorized and non-motorized uses. In fact one of the greatest challenges in trail management is the conflicts that are arising from high user volumes and different, often conflicting, activities on the trails. Trail continues to rise, with large increases in use across the primary trail activities such as walking, running, cycling and hiking.

Trails have become increasingly important to planning safe and healthy environments for people in both urban and rural areas. Beyond the recreational uses of trails, urban trails are increasingly utilized by people to access public and private facilities and amenities for day-to-day living. Activities on trails in urban areas are primarily non-motorized and include walking, cycling and running. In rural areas; however, snowmobiling, motorcycles, ATV's and horseback riding remain a popular use of trails.

Given the increasing obesity rates in Canada, the construction and maintenance of trails is of the utmost importance. In 2004, 11.3 million adult Canadians were overweight or obese and obesity amongst children aged 7 to 13 has increased 200 to 300% over the past 20 years². A study in 2000 found that walking trails are essential in promoting physical activity, particularly for women and persons in lower income brackets³.

In addition to increasing obesity rates, municipalities across Canada are experiencing an aging of the population as the baby boomer generation reaches retirement. Recent statistics illustrate the enormity of the aging phenomenon, with the 55 plus age cohort doubling in size in many communities over the next 20 years. Coupled with the growing older adult population, this age segment is predicted to lead more active, independent lives after retirement and expect higher quality services and facilities.

Provincial policy in Ontario is putting increased emphasis on building neighbourhoods and communities where people can lead active and health lives. In fact, the Province of Ontario now has set up the Ministry of Health Promotion to support healthy eating and active living. Three plans have been developed to assist in this regard including Ontario's Action Plan for Healthy Eating and Active Living; Active 2010, Ontario's Sport and Physical Activity Strategy; and the Ontario Trails Strategy.

¹ Shared- Use Path Level of Service Calculator – A User's Guide, Office of Safety Research and Development, Federal Highway Administration, 2006

² The Obesity Epidemic in Canada – Parliamentary Information and Research Service, 2005

³ Brownson, R - Promoting Physical Activity in Rural Communities Walking Trail Access, Use, and Effects, 2000

Ontario's Action Plan for Healthy Eating and Active Living was released 2006⁴. The Plan states that:

According to more than 1,000 people who participated in the roundtables, the main challenges to good health are the broader factors that limit Ontarians' ability to make healthy choices, including:

- *Lack of recreation facilities, bike paths and sidewalks in many communities;*
- *Urban planning and land-use practices that create communities where people have to use their cars to get to stores, work and school;*
- *Lack of healthy public policy to support healthy eating and active living;*
- *Low incomes which affect people's ability to buy healthy food or pay to participate in recreation programs;*
- *The high cost of fresh fruits and vegetables – particularly in northern and remote communities – and the high cost of sport and recreation programs in some communities;*
- *Lack of awareness about facilities in the community that can be used for recreation.*

The second plan, Active 2010, Ontario's Sport and Physical Activity Strategy⁵ was released in 2005. The three objectives of Action 2010 are:

1. *By 2010, increase to 55 per cent the proportion of the Ontario population that is active. Active is defined as performing the equivalent of 30 minutes of walking daily.*
2. *Enhance sport development leading up to the 2010 Olympics.*
3. *Leverage government resources through partnerships to strengthen the physical activity and sport sector.*

The third plan, Ontario Trails Strategy⁶, was released in 2005. The purpose of the Strategy is to provide an overall strategy and framework for action for trail planning and development in Ontario. The Vision, Goals and Values of this Strategy are to provide direction in the following areas:

- *A world-class system - The trails community will work together effectively.*
- *Diversified trails across Ontario - Trails in all parts of Ontario will meet the needs of varied users.*
- *Environmentally responsible - Trails will be planned and used in a manner that preserves and appreciates the environment.*
- *Enhanced quality of life - Trail use will help improve the health and prosperity of all Ontarians.*

⁴ Ontario's Action Plan for Healthy Eating and Active Living –Ministry of Health Promotion, Province of Ontario, 2006

⁵ Active 2010, Ontario's Sport and Physical Activity Strategy – Ministry of Health Promotion, Province of Ontario, 2005

⁶ Ontario Trails Strategy – Ministry of Health Promotion, Province of Ontario, 2005

This means:

- *Ontario will have a sustainable network of urban, rural and wilderness trails that are safe and accessible.*
- *Trail planning and usage will support environmental protection and contribute to the responsible use and appreciation of natural and cultural heritage resources.*
- *Trail-based recreation will contribute to an active lifestyle for Ontarians.*
- *Trails tourism will boost the economic prosperity of communities.*
- *The Ontario government will be actively engaged with trail stakeholders, providing coordination and strategic leadership to ensure the vitality of trails in Ontario.*
- *Trail users will respect property owners and adjacent land uses including those of the agricultural sector, resources industries, remote tourism operators and Aboriginal communities.*

Many communities throughout Ontario are dealing with similar issues surrounding trail planning and development. Some of these issues are relevant to Springwater, while others relate to pressures being placed on trail resources throughout Ontario. The Strategy highlights the following challenges facing the trail community including:

- *Coordination of trail groups.*
- *Need for easily accessible information.*
- *Cost of liability insurance.*
- *Lack of funding and land resources.*
- *Inadequate trail access for off-road vehicles.*
- *Access to land.*
- *Need for education.*
- *Review of public policy.*
- *Increase trail use.*
- *Need for improved trail safety.*
- *Challenges for Northern Ontario.*
- *Abandoned rail corridors.*

All of these plans in combination stress the need for healthy eating, active living and building strong communities.

2.1.1 Off-Road Vehicle and ATV Trends

In Ontario, among the various ORV activities, recreational ATV use is the fastest growing sector. This growth appears to be a long-term trend, with current sales of ATVs growing by 6% per year.

The Clute Report⁷ identified several conflicts between the ORV community and other groups and organizations. They also identified additional underlying factors contributing to these conflicts, as follows:

- *Ontario's existing ORV trail system is quite limited compared to the existing system of snowmobile trails.*
- *Ontario's ORV clubs and associations have limited resources and capacity to organize in large numbers.*
- *ORV-related costs to society (e.g., health costs associated with ORV-related injuries) are already significant and growing.*
- *The government's role in ORV planning and trail management has been more limited than in other Canadian provinces that have similar terrain, climate conditions and user patterns.*
- *The number and popularity of motorized recreational vehicles in Ontario is increasing rapidly; which adds pressure and competition for access to public spaces.*
- *Outdoor recreation stakeholders hold widely divergent views on land use, conservation ethics, economic opportunities and recreational behaviour.*
- *Safety concerns related to ORV use, especially for young people, are increasing*

The Clute Report⁸ also found: "that ATV use in Ontario has significant indirect and induced economic benefits, and projects that these benefits will continue to grow." Furthermore, a general movement has developed that sees all trail uses, both motorized and non-motorized, as legitimate activities, and that all user groups must cooperate. This principle is a foundation of the Ontario Trails Strategy as well as underlying the function of the Ontario Trails Council.

There is a growing body of Thought that off-road riding increases physical fitness. A recent pilot study completed by the Ontario Federation of Trail Riders (OFRT) that provided evidence that off-road riding is a physically active sport that has the potential to result in improvements to physical fitness.⁹ To further understand this subject area the Canadian Off-Highway Vehicle Distributors Council and its funding partners are currently undertaking a national study on the health benefits of recreational off-road vehicle riding.

Many trail organizations believe that the provincial government should take a more active role in ORV policy and legislation. In response to this and to the principles set in the Ontario Trails Strategy, the Province is currently studying the off-road vehicle issue. The report Reducing Conflicts Associated with Recreational Use of Off-Road Vehicles was prepared in April 2007 for the Ontario Ministry of Health Promotion. The report made recommendations for government

⁷ Clute and Associates – Reducing Conflicts Associated with Recreational Use of Off-Road Vehicles, 2006

⁸ Ibid

⁹ Canadian off-Highway Vehicle Distributors Council – York University to Conduct First Ever National Study on the Health Benefits of Recreational Off-Road Vehicle Riding, Press Release, July 18, 2007.

action on policies and regulations. The government will complete its review of off-road vehicles and review of legislation affecting trails in May, 2008 and circulate these for public comment. Proposals for government consideration are expected in the Fall of 2008.

At this point no direction has been confirmed, but such proposals may consider legislation for ATVs similar to that already provided for Snowmobiles, and which include mandatory permits and uniform on-road access.

2.2 Trail Providers

2.2.1 National, Provincial and Local Trail Providers

The Trans Canada Trail is a national trail organization is promoting the development of a continuous trail system across Canada. The North Simcoe Rail Trail is part of the Trans Canada Trail System.

The Ontario Trails Council (OTC) is overall body representing a variety of non-motorized and motorized trail users in the Province of Ontario. This organization promotes the planning, development and management of trails throughout the Province. The Trillium Trail Network is promoted by the OTC and is designed to be a Province-wide network of trails. This trail network has affiliations with local trails.

Springwater Provincial Park, near Midhurst is operated by the Province of Ontario and provides day use trails.

The Huronia Trails and Greenways is a County trail organization HTG is an association of individuals and groups in Simcoe County. The organization promotes trails in general, and more specifically the conversion of abandoned railway lines to greenways. Trails in Simcoe County include the Uhthoff Trail, Tiny Trail, Georgian Trail, Lake Country Oro-Medonte Trail, North Simcoe Railtrail, Thornton-Cookstown Trans Canada Trail, the Waterfront Trails of Midland, Barrie, Orillia and Penetanguishene, the Ganaraska Trail, and various other trails.

The Sno-Voyager Snowmobile Club (part of the Ontario Federation of Snowmobile Clubs) is part of the management group for the North Simcoe Rail Trail. The Sno-Voyager Club operates an extensive network of trails on public and private land in the Township

The County of Simcoe is another provider of trail and recreation resources through their ownership and maintenance of the local County forests. Springwater has a significant number of County forests tracts within their boundaries. The County has created a "Communications Coordinator" position as part of a Tourism initiative. This position will assist with some aspects of trail development and promotion in the County.

The Nottawasaga Conservation Authority has informal trails within the Minesing Wetlands. A number of canoe routes are also available in the wetland complex.

The Ganaraska Hiking Trail winds through the southern part of the Township. The Ganaraska Trail runs between Port Hope and the Bruce Trail near Glen Huron. The trail is developed and administered by volunteers who are part of the Ganaraska Trail Association. The trail system is primarily on private land.

2.2.2 Off-Road Vehicle Users and Organizations

The term “off-road vehicle” refers to a variety of 2, 3 and 4 wheeled vehicles and it is helpful to identify the various types, which include:

- 4 wheel drive sports-utility trucks
- A variety of motorcycles which include:
 - o “dual sport” bikes; these are “blue-plated” bikes that can be used legally on roads in addition to recreational off-road use
 - o “off-road” or trail bikes which are green-plated and can only be used for off-road recreation
 - o “competition” or track bikes which can only be used off-road and should only be used on a dedicated track facility as their noise and power characteristics are inappropriate for a recreational and potentially multi-use trail environment
- All Terrain Vehicles (ATV) include 3 and 4 wheeled vehicles, however production of 3 wheeled ATV’s was phased out almost 2 decades ago due to safety issues. Today’s 4 wheeled ATV’s are generally divided into sport and utility models

The 4 wheel drive truck users are represented by The Ontario Federation of Four Wheel Drive Recreationists (OF4WD). There is a Barrie club called the Barrie Swampers and their activity in Springwater is unknown.

ATV recreation is fractured in terms of organization and activity. Provincially, there are two, separate organizations: the Ontario Federation of ATV Clubs (OFATV), which follows a provincial federation model, and ATV Ontario, which follows a club affiliation model based on tourism initiatives. Each has several member clubs and offers an inter-regional permit; however, as an active participant in the Ontario Trails Council, OFATV appears to be the model promoted by the Province and the only one allowing for full cooperation with other trail organizations. In fact, the OFATV appears to have a significant base of support in west-central Ontario and particularly in Simcoe County.

ATV user spectrum ranges from those that seek a quieter, family-oriented, trail and nature experience to those called “mudders” who seek the greatest challenge from difficult terrain. Of

the local ATV clubs in Springwater, the Central Ontario ATV (COATV) is of the former type, while the North Simcoe ATV (NSATV) includes both streams of users.

The off-road motorcycle user spectrum is similar, but at the extreme end includes “motocross” riders who use the very powerful, high revving, and noisy machines that are considered “track”, vs. trail motorcycles. This motocross activity is essentially a race activity, highly competitive, with their own sanctioning organization. This activity is only appropriate on private properties (where not a disruption to adjacent residents) or at specialized facilities (tracks) such as RJ Motosport on the Old Second Line South.

The Motorcycle Trail Riders appear well organized at the provincial level (Ontario Federation of Trail Riders - OFTR) including participation on the executive board of the Ontario Trails Council. The local club is the recently organized Simcoe County Off-Road Riders Association (SCORRA).

2.3 Local Trail Policy

2.3.1 County of Simcoe Official Plan

There are many County level policies that outline the need to develop recreational trails. Section 2.4, Resources and Economic Base¹⁰, notes that the recreation and tourism industry comprises a growing sector in the County, and includes both travel activities and those of its seasonal residents. It is also noted that:

Other service sector activities, including recreation, are growing in concert with population growth.

This statement makes clear the need for trail development. The County of Simcoe is expected to grow to have a population of 319,000 people by the year 2016, of which the Township of Springwater will comprise 22,000 people, and as such it is essential that the recreational needs of the residents are met.

Section 3.1, Strategy¹¹, identifies the four themes on which the Simcoe Official Plan is based. They are:

- 1. Direction of most non resource related growth and development to settlements.*
- 2. Enabling and managing resource based development including agriculture, forestry, aggregates, and tourism and recreation.*
- 3. Protection and enhancement of the County's natural and cultural heritage, including water resources.*

¹⁰ County of Simcoe Official Plan, 2007

¹¹ Ibid

4. *Development of communities with diversified economic functions and opportunities.*

Theme number 2 above relates directly to the development of a trails system as it is a resourced based use that involves both recreation and tourism.

In Section 4.3, General Development Policies and Guidelines, the County directs that consideration be given to integrating pathways and trails into the design of development proposals.

Section 4.5.12¹² of the County of Simcoe Official Plan gives direction regarding Corridors, Pathways and Trails. The policies read:

- 4.5.12.1 *When considering secondary plans and development applications, local municipalities shall have regard to connecting trails among local municipalities and beyond County boundaries.*
- 4.5.12.2 *Where an existing corridor such as a rail line corridor is abandoned, the County encourages initiatives to utilize it for utility or recreational purposes.*
- 4.5.12.3 *The County of Simcoe supports the establishment and maintenance of the Bruce Trail and the Trans Canada Trail as an important component of the open space system. The Bruce Trail is an integral part of the Niagara Escarpment Parks and Open Space System.*

These policies further stress the importance of the provision and accessibility of recreational activities, in particular trails, and gives guidance regarding their development.

2.3.2 County of Simcoe Forest Recreation Policy

In June 2006 the County of Simcoe developed a Recreation Policy for use of their forest tracts¹³. The objectives of the County Forests are to:

- *Restore waste lands and marginal farm lands to productive use*
- *Prevent soil erosion and restore and conserve water resources*
- *Manage forests in a scientific manner to produce high-value forests products*
- *Preserve, conserve and improve wildlife habitat*
- *Provide educational opportunities and encourage scientific research*
- *Provide opportunities for public recreation*
- *Encourage private landowners in their reforestation efforts*
- *Support the County's Natural Heritage and Greenlands policies*

¹² County of Simcoe Official Plan, 2007

¹³ County of Simcoe Forest Recreation Policy, June 2006

The Recreation Policy includes “Criteria for Analysis of Recreational Activities which include:

- Activity must have minimal environmental impact
- Activity must not have significant impact upon other forest users
- Activity must be compatible with forestry operations
- Activity must not pose significant liability concerns to the County
- Activity should not require significant staff intervention for administration or policing

Various recreational activities may be given consideration in County forests provided the “Code of Conduct” for users established in the Recreation Policy is followed. Types of recreational activities include low impact activities (walking, hiking, cross-country skiing, snowshoeing, orienteering, goecaching, nature appreciation, nature study, dogsledding and horseback riding); mountain biking; snowmobiling; off-road motorized vehicles (off-road motorcycles and ATVs); hunting/fishing; trapping; and harvesting of non-wood forest products.

Finally, as part of the evaluation of motorized activities, the County developed set of criteria that must be addressed to allow those types of uses.

2.3.3 Township of Springwater Official Plan

A number of policies in the Township of Springwater Official Plan support the development of a trails system.

Section 15.1 of the Township Official Plan outlines the objectives of the Open Space Policies. Objective 15.11.1¹⁴ in particular is relevant to the development of trails within the Township. It states:

To provide a range of leisure activities for all ages and interest groups.

This objective demonstrates the Township’s commitment to the provision of a range of leisure activities to its residents. The use of trails as a leisure pursuit is especially relevant to this objective as trails can be used for both active and passive recreation, and in a number of different forms.

Section 15.2 outlines the Open Space policies for the Springwater Official Plan. Policy 15.2.1¹⁵ states:

The Open Space classification of land shall mean that the use of land in the areas so designated shall generally be for active and passive recreational and conservation uses. Uses may include public and private parks, fairgrounds, arenas, community centres, playing fields, beaches, nature trails, picnic areas, nursery gardens, forestry, agricultural, public and institutional uses and accessory buildings and structures.

¹⁴ Township of Springwater Official Plan, 1998

¹⁵ Township of Springwater Official Plan, 1998

Policy 15.2.4¹⁶ is also relevant to trails development. This particular policy is concerning the provision of access to recreational areas, and also includes direction regarding the need for sufficient parking areas and their design. It states:

Visual and physical means of access shall be provided, to the satisfaction of Council, to all recreational areas, open space, parks and public facilities. Where recreation or conservation projects are designed for public use, adequate automobile parking areas shall be established and access points to parking areas shall be designed in such a manner that they will minimize the danger of vehicular and pedestrian traffic.

Section 15.25¹⁷ outlines policies related to the importance of easements and agreement for pedestrian trails. It states:

"In addition to the acquisition of parkland, the Township may obtain easements and/or enter into agreements with private landowners or public and private agencies for the use of lands for park purposes. This type of arrangement may be particularly relevant to the location of pedestrian trails on lands designated open space or Environmental Protection."

Section 15.3 of the Springwater Official Plan outlines the Township's policies related to Greenways – Corridors and Pathways. In particular, the importance of the Township's existing pathways, greenways, travel corridors and trails is noted and their importance to the Springwater community, and the means with which the Town¹⁸, states:

The Township of Springwater contains significant existing natural greenways, historic paths, and trails situated along former rail line right-of-ways. These existing greenways and travel corridors include the Ganaraska Trail, Nine Mile Portage and the North Simcoe Rail Trail as well as numerous snowmobile trails.

Policy 15.3.2¹⁹ outlines the importance that the Township of Springwater places on greenways, paths and trails. It states:

Greenways are important because they promote active living and healthy lifestyles, allow access to open spaces for community residents living in settlement areas, encourage outdoor learning, preserve and protect natural features, and provide safe recreational transportation corridors. Greenways may be utilized for a variety of activities which could include walking/hiking, cycling, cross country skiing, nature studies and education, jogging, snowmobiling, and horseback riding.

¹⁶ Ibid

¹⁷ Ibid

¹⁸ Ibid

¹⁹ Ibid

Policy 15.3.3²⁰ outlines the means by which the Township will explore options for the provision of greenways, pathways and trails and how they will be developed, protected and maintained. It states:

It is the policy of this Plan to provide future generations with opportunities for linked outdoor recreation and to determine what greenways and other connections or corridors may be protected and maintained for future public use. In order to achieve this, the Township may cooperate with non-governmental organizations, interested local community and service groups, government bodies and/or agencies and determine their support, financial and otherwise, for the maintenance and continued development of a municipal wide greenway system. The Township may also participate in county and/or regional greenway initiatives and undertake corridor feasibility and/or opportunities for use studies.

The policies from Section 15.3 of the Township of Springwater Official Plan make clear the Township's commitment to providing its residents with continued opportunities for trails recreation, and in particular gives direction as to how this goal will be achieved.

Section 15.4²¹ of the Springwater Official Plan outlines the policies related to the Rails to Trails program, wherein lands no longer used for railway purposes are obtained by the County of Simcoe, the Township of Springwater or private groups or individuals for the purpose of recreational use. When such an acquisition occurs, the following policies apply:

- a) It is a policy of the Township that the acquisition of surplus rail lands or other similar surplus utility corridors is of general recreational benefit to the residents of the Township. The use of these lands is intended to include passive recreational trails for walking, hiking, bicycle paths and similar uses together with winter activities including snowmobile trails. As these lands become available the Township should investigate the need for the appropriateness of acquiring such lands. The Township, as may be deemed advisable, may partner in the purchase of these lands with other government agencies or private sector groups and avail itself of any appropriate government programs which may assist in such acquisition.*
- b) As may be required and deemed appropriate the Township may enter into or be party to right-of-way agreements, to facilitate any such trail system.*
- c) The general intent of acquiring these lands is to provide for a recreational trail system for public use. In the development of these lands consideration should be given to minimize the potential danger involving road crossings and similar situations and to provide for the personal safety of users.*

²⁰ Township of Springwater Official Plan, 1998

²¹ Ibid

- d) *Consideration should be given to the security of and protection of abutting properties and where deemed advisable, appropriate measures may be taken to protect these interests.*
- e) *It is recognized that such lands may pass through various land use designations. For the purpose of this Plan this land use is deemed to be a permitted use in any designation described in this Plan.*

Policy a) above establishes the need for the trails to be multi-use, including snowmobile use in the winter season. Policy b) indicates the Township's role in further facilitating trails development by entering into or being party to right-of-way easements. Policy c) addresses the potential danger presented by trails use, and the necessity of minimizing such dangers and considering the personal safety of trail users. Properties which abut trails are given consideration in Policy d), as it directs that the safety and security of such properties are taken into account.

2.3.4 Springwater Parks and Recreation Master Plan

Another rationale for the development of a comprehensive trails plan is the Springwater Parks and Recreation Master Plan. This Master Plan was developed by DMA Planning and Management Services as a tool to guide decision making concerning the provision of services and facilities for recreation, culture and parks. As the result of a thorough analysis of the recreational needs of the Township of Springwater, the Master Plan contains 49 recommendations.

The need for the Recreational Trails Master Plan, as identified in the Springwater Parks and Recreation Master Plan, is largely due to the number of benefits a community gains from having a comprehensive trails system in place. The benefits identified in the Master Plan include the potential for increased physical activity, the link to tourism and economic development, and the opportunity for alternate modes of transportation. The Master Plan²² notes that:

In recognition of these benefits, local organizations, the conservation authorities, residents and Township staff have indicated an interest in further developing recreational trails.

As mentioned previously, Recommendation 33²³ from the Master Plan addresses the need for a Recreational Trails Master Plan and states:

The Township of Springwater should undertake a Recreational Trails Master Plan which examines opportunities for and feasibility of an interconnected system of valley land, greenway walking, multi-use trails, road-based cycling routes, and neighbourhood walkways.

²² DmA Planning and Management - Springwater Parks and Recreation Master Plan, 2005

²³ Ibid

Also, Recommendation 34²⁴ from the Master Plan indicates the need for an overall trail body for the Township and states:

The Township should establish a Trail Development Committee to assist in the development and implementation of the Recreational Trails Master Plan.

This plan reinforces the need for the Township to develop a comprehensive trails system and interconnectivity among the various trails, paths and routes within Springwater.

²⁴ Ibid

3.0 EXISTING TRAIL SYSTEM

There are many existing public trails within Springwater as shown Figure 1. The following section describes the existing trail resources in the Township.

3.1 North Simcoe Rail Trail

In Springwater Township, the rail trail stretches northbound for 30 kilometers from just north of County Road 90 and links to the Tiny Trail system at the edge of Tiny Township.

Built in 1879, the North Simcoe Railway transported lumber people and supplies between Penetanguishene Harbour and Colwell, Ontario. In the 1970s, the rail was no longer being used and Tiny Township purchased their section of the rail right-of-way.

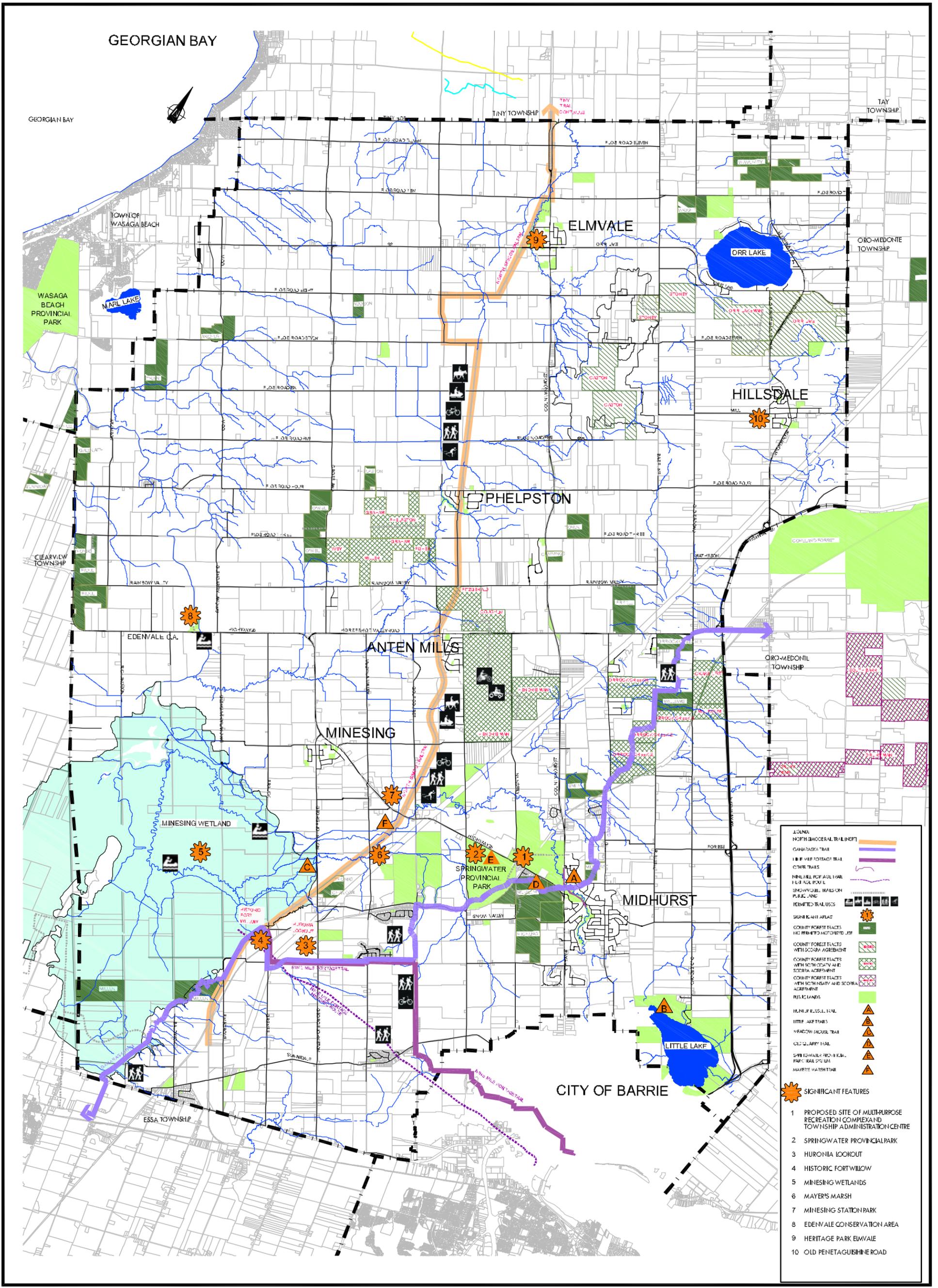
The former Township of Vespra (now amalgamated under Springwater Township) acquired the majority of the rail right-of-way within their municipality at that time. The former Township of Flos and former Village of Elmvale (now amalgamated under Springwater Township) did not exercise their right to purchase the rail right-of-way in their former municipalities. Some of the sections were sold to private landowners. The remaining sections were purchased by the Sno Voyagers Snowmobile Club and then transferred to the County of Simcoe. These sections were ultimately transferred to the Township of Springwater.

The OFSC snowmobile club has agreements in place with some of these land owners to use specific sections of the trail. In 1992, a group of trail users established North Simcoe Railtrail Inc. whose mandate was to maintain and operate a trail on the old rail line. The trail land is owned by Springwater Township and is leased to the North Simcoe Railtrail Inc. The trail is part of the Trans Canada Trail.

Activities allowed on the trail include hiking, cycling, cross-country skiing and seasonal horseback riding, in some sections, which is from May to November. Aside from some snowmobiling in the winter, motorized use is not allowed on the North Simcoe Rail Trail. It has been noted that there is considerable use of the trail by other motorized vehicles, especially in the more northerly section of the rail trail near Phelpston.

There are access points throughout the trail system, some of which include trailhead signage and eleven interpretive signs are located at various points of interest along the trail.

The trail passes through features of natural and historical importance, including the internationally significant Minesing Wetlands and Historic Fort Willow. It also links with the Nine Mile Portage Trail and the Ganaraska Trail system in the south. The rail trail crosses through various County Forests within Springwater Township and the villages of Phelpston and Elmvale. The rail trail is detoured at two locations due to private land ownership. Detours at the 7th and 8th concession and again at the 10th concession, lead the trail user to the road, around the private land holdings. The southern portion of the rail trail is composed of granular screenings and is fairly level and



- LEGEND**
- INDEPENDENT TRAIL (LEFT)
 - CANASAGA TRAIL
 - FIRE VIEW FOREST TRAIL
 - OTHER TRAILS
 - NINE MILE FOREST TRAIL
 - SNOWMOBILE TRAILS ON PUBLIC LAND
 - PERMITTED TRAIL USES
 - SIGNIFICANT AREAS
 - COUNTY FOREST TRACTS WITH PRIVATE AGREEMENT USE
 - COUNTY FOREST TRACTS WITH SCORRA AGREEMENT
 - COUNTY FOREST TRACTS WITH BOTH COUNTY AND SCORRA AGREEMENT
 - COUNTY FOREST TRACTS WITH BOTH INQUIRY AND SCORRA AGREEMENT
 - PUBLIC LANDS
 - HUNTER RESERVE TRAIL
 - LITTLE AKE TRAILS
 - MEADOW FACILITY TRAIL
 - CLUB QUARRY TRAIL
 - SPRINGWATER PROVINCIAL PARK TRAIL SYSTEM
 - MAYER'S MARSH TRAIL
- SIGNIFICANT FEATURES**
- 1 PROPOSED SITE OF MULTI-PURPOSE RECREATION COMPLEX AND TOWNSHIP ADMINISTRATION CENTRE
 - 2 SPRINGWATER PROVINCIAL PARK
 - 3 HURONIA LOOKOUT
 - 4 HISTORIC FORTWILLOW
 - 5 MINESING WETLANDS
 - 6 MAYER'S MARSH
 - 7 MINESING STATION PARK
 - 8 EDENVALE CONSERVATION AREA
 - 9 HERITAGE PARK ELMVALE
 - 10 OLD PENETAGUBISHNE ROAD

Fig. 1



TOWNSHIP OF SPRINGWATER
Trails Master Plan
Existing Trails and Features



Date: September 26, 2008
Scale: 1:100,000

smooth, while the northern section consists of a double dirt trail. Future plans include upgrading the northern section to the same level as the southern portion of the trail.

3.2 Ganaraska Hiking Trail

In 1968, following the successful establishment of the Bruce Trail, the Ganaraska Trail Association created a trail system that linked into the Bruce Trail at Glen Huron and stretched east to Port Hope on Lake Ontario. The intent was to provide access for naturalists to the countryside. The trail crosses both municipal and privately owned lands.

Local hiking clubs are responsible for maintaining sections of the Ganaraska Trail and currently those clubs are located in Angus, Barrie, Kawartha, Port Hope, Wasaga Beach, Oro Township and Wyevalle. Sections of the Ganaraska Trail are designated as part of the National Hiking Trail Association of Canada.

The section of the trail that stretches through Springwater Township enters from Oro-Medonte Township continues through the Horseshoe Valley Ski area, crosses Highway 400 west of Craighurst and Highway 26 west of Midhurst. The Ganaraska Trail connects with the Nine Mile Portage Trail and continues on to the Willow Creek Historical site and the Minesing Wetland. It terminates the Springwater portion at Highway 90. The terrain on the trail through Springwater Township is variable and winds through rolling sand hills, farmlands, the Willow Creek Valley and some forest tracts. In Springwater Township, the trail is fairly easy by foot, although sections through the Minesing swamp can be wet in the spring. Although mainly a hiking trail, other uses such as biking, cross country skiing, snowshoeing may be permitted by the landowners (eg: Simcoe County Forests). In addition to hiking, there is some cycling and ATV activity on the trail.

3.3 Minesing Wetlands

On the western edge of Springwater Township, Minesing Swamp has been allocated a Ramsar Wetland of International Significance. The primary trail activity is a canoe route along the Nottawasaga River, Willow Creek and their associated tributaries. Although there are no formal hiking trails within the swamp, the Ganaraska Trail stretches along the south east corner of the wetlands. There is a short interpretive trail called the Meadow Mouse Trail along the levees of Willow Creek at the George Johnson Road. Future walking trails may be incorporated within the wetland, but currently no proposals are in place. Water access points are located at the Edenvale Conservation Area on Highway 26 as well as at Minesing Station, Mayers Marsh, Fort Willow, McKinnon Road and the Mad River.

No motorized activity is allowed within the Minesing Wetlands aside from snowmobile routes that skirt the perimeter of the wetland in the winter. There are enforcement issues with all terrain vehicles going around traffic gates causing damage to the integrity of the wetlands. Limiting access to the wetlands for 4 wheel drive vehicles has been attempted by installing barrier gates on seven unopened road allowances leading into the Minesing Wetlands. Request has also been

made by the Friends of Minesing Wetlands through the Master Plan process to close the unopened road allowances in and around the wetland. This group has requested that the ownership of these road allowances would be transferred to the Nottawasaga Valley Conservation Authority.

3.4 Nine Mile Portage Heritage Trail

The original route was part of the historical Nottawasaga route used by aboriginals, explorers, traders and missionaries for trade and transportation. Also used during the War of 1812, the route provided a link between Georgian Bay and Lake Ontario. The Nine Mile Portage Historical Trail was constructed in an attempt to preserve the integrity of the original trail.

The Nine Mile Portage Trail runs from Memorial Square in Barrie to the Fort Willow Historical Site and Conservation Area in Springwater Township. The trail is suitable for walking and cycling only and follows as closely as possible to the historic route, consisting of a varied terrain from dirt paths in the more natural areas to sidewalks and roadways in the urban areas. It meets the Ganaraska Hiking Trail at Seadon Road and both trails take the same route to Fort Willow. At Fort Willow, the trails link with the North Simcoe Rail Trail.

The Nine Mile Portage Heritage Committee intends to link the trail to other established trail systems. Seeking landowner permission, the committee hopes to reconstruct a walking only route with minimal impact that will follow the exact location of the Historic Nine Mile Portage.

3.5 Old Penetanguishene Road Trail

This portion of unopened road allowance runs on the west side of the Hillsdale Settlement area between a deviation in Highway 93. Historically, the Old Penetanguishene Road was developed as a military road and supply route between Barrie and Penetang. This road was used during the War of 1812. Following the war, this road was used for settlement purposes.

Today this road allowance is used for hiking and cycling during the summer months and cross-country skiing and snowmobiling in the winter months. Considerable use by off-road vehicles and conflicts with adjacent properties led to the removal of the off-road vehicle uses in 2006.

Given the historical significance of the road, in October 2007 the Springwater Heritage Committee received a request to designate a portion of the Old Penetanguishene Road as a Heritage Site. In particular the request for designation was for the unassumed road allowance joining Robert Boulevard, in Hillsdale with Highway 93 situated behind the Forests of Hillsdale subdivision. This request is still pending.

3.6 The Hunter Russell Nature Trail

Located in Midhurst, on municipally owned land, the Hunter Russell Nature Trail follows alongside the Willow Creek Valley corridor. This trail system could eventually link into the Little Lake Trail system.

3.7 The Little Lakes Trail

The Little Lakes Trail is an initiative of the City of Barrie based upon its program of acquisition of lakefront properties. The City of Barrie has developed a Little Lake Master Plan that envisions a continuous trail system around the lake.

3.8 Simcoe County Forests Trails

Many of the County Forests in Springwater have informal mixed use trail networks. As well, access agreements have been put in place with the Ontario Federation of Trail Riders and the Central Ontario All Terrain Vehicle Club with respect to certain County Forest Tracts in Springwater Township. The tracts with agreements are illustrated on Figure 1.

4.0 IDENTIFIED ISSUES AND OPPORTUNITIES

A number of issues and opportunities were identified during the background research and analysis stage of the TMP study. These issues and opportunities were derived from background research and site inspections; discussions with staff the Province, County, Township and local agencies; stakeholder interviews; and the first public forum held in January 2008.

A copy of the “Briefing Report” provided to the Trail Master Plan Steering Committee is contained in Appendix A. The Briefing Report provides a summary of the findings from the background analysis.

4.1 Local Off-Road Vehicle Activity and Issues

SCORRA, an OFTR member club, was organized recently in response to the County’s initiation of forest policy and the possibility of closure to motorized uses. It appears to be well-organized and has entered into agreements with the County for the use of 27 tracts, including the Orr Lake, Easton, Phelpston, Hendrie and Orrock complexes. The challenge for the Trail Riders is that green-plated motorcycles are not permitted on roads even if those roads receive municipal designation for ORV use. Therefore such bikes require exclusively off-road trails and linkages.

The two local OFATV member clubs are NSATV and COATV. NSATV appears to be a larger organization with 3 chapters covering a very large area and, while there may be some differences between these clubs due to jurisdictional issues, they remain full participants in OFATV and are cooperating on forest tract agreements.

In Springwater, the County has entered into agreements for several tracts, including the Easton, Phelpston, Hendrie and Orrock complexes. The off-road vehicle clubs interviewed all stressed the need for good land stewardship, rider education and etiquette, and responsible trail behavior. They see a big part of their trail activity as “wardening” or “ambassadorship”—where club members encourage these activities to other riders on the trails. They recognize that there are “rogue” riders of whom they only have persuasion as a tool. Part of the problem has been the lack of incentive for club membership (and club trail permits) due to lack of Provincial mandate and “easy” access to various areas/lands. The clubs recognize that they need to be accommodating to residents and other users: they support and encourage maximum noise reduction standards and do not seek trail development near homes, sensitive areas, etc. They encourage charity activity and local economic development. Many users in both motorized groups are not part of a club, as the lack of provincially mandated legislation (permits) and, to date, informally available or un-enforced access has not encouraged club membership.

The clubs face additional challenges. Generally, any motorized trail rider is seeking a trail which allows a half or full day experience, and which requires distances of 25 to 100 kms. This is rarely satisfied by multiple laps of a trail in a single forest tract or even of a tract complex. Therefore, while many hectares of County forest tract has become accessible, these tracts offer a

fragmented and discontinuous trail opportunity. Thus, the significant issue is the availability of linkages between designated tracts.

Off-road vehicle activity is a convoluted and contentious issue in Springwater Township and appears to be a result of several factors:

- rural character and resources, particularly the occurrence of significant, large, public forest tracts, utility corridors and unopened road allowances.
- urban fringe density, particularly numerous hamlets and estate development.
- diverse perspectives on the part of residents of off-road vehicle use: some located here to be in a quiet countryside setting; some located here to permit a more unfettered enjoyment of their off-road vehicle recreation. This appears to be the primary factor in the debate in Hillsdale, related to non-motorized vs. motorized use of a portion of the Old Penetang Road.
- close proximity to large urban areas including Barrie and the Greater Toronto Area (GTA).
- a perspective on the part of users from outside the community that, “north of Barrie, one can ride anywhere”.
- Off-road use in Springwater consists primarily of ATV’s along with off-road motorcycles (trail riders). There are wide variations in opinions of the proportion of local versus out-of-county riders: the clubs think a majority of the riders are local; the police representative thought that the majority of riders were from out-of-county.
- Off-road complaints have included: unauthorized use of roads and highways (roadways and shoulders), undesirable or unauthorized use of road allowances; undesirable or unauthorized use of forest tracts, utility corridors and trails; unauthorized use of private property; excessive noise; environmental degradation of ditches, low lying and wet areas or erodible areas; and increasing accident and injury rates.

Under Ontario Regulation 316/03, municipal jurisdictions have the option to authorize ATV use of their road system. Many have complained that this downloads the decision onto local levels and will result in fragmented responses (as opposed to snowmobilers who benefit from provincially-mandated road accessibility). In Simcoe County some townships have decided to permit road access (Ramara; Innisfil), while others have decided to not permit (Oro-Medonte). The municipality can allow unconditional access or institute any number of restrictions on what roads can be used, at what times, etc. The ATV clubs have only requested permission for designated roads that would provide critical linkages. For local riders, designated road permits may mean trailering their vehicle even a short distance, if they live on a non-permit road. For the motorcyclist there is no municipal option for on-road use of green-plated motorcycles; they require a continual off-road linkages (roadside trails or unopened road allowances).

Regarding safety and enforcement, the police are not able to enforce current prohibitions of ATV’s on-road with their current resources. They also note that the permission of ATV’s to use municipal

roads in Innisfil has not been a problem. The police note that of the 22 provincial ATV fatalities most recently reported, 19 of these occurred on-road. These are a result of excessive speed, alcohol and the inherent instability of these vehicles and are not related to whether there is an on-road bylaw or not. The ATV clubs note that not one of these fatalities was an OFATV club member.

Police would prefer to see provincially mandated registration and insurance along with provincial on-road legislation (like snowmobiles). They see an increasing problem with young riders (not trained; parents take them to public places) and uninsured riders.

4.2 SORV Working Group

In 2005, the Springwater Off-Road Vehicle (SORV) Working Group was formed to consider off-road vehicle issues in the Township. Subsequently, a subcommittee was struck to consider issues specific to Hillsdale. Throughout most of 2006 several meetings were held and these deliberations resulted in a number of recommendations made between June and November 2006.

The Group developed a set of eleven criteria that would be used to assess the appropriateness of proposals to utilize unopened road allowances (URA's) for off-road vehicle use. The Group also recommended a selective approach to the closure of URA's, suggesting a baseline of three years of consistent complaints to trigger a consideration of closure. On this basis, closure was recommended for the URA's of Old Penetang Road, Baseline Road and Matheson Road.

In response to the proposed Old Penetang Rd. URA closure, the Township received an overwhelming response (and petition) favouring that this URA remain open to off-road vehicles, subject to speed and noise restrictions. A Hillsdale subcommittee of the SORV Working Group was created to look specifically at the Old Penetang Rd. URA. Their initial recommendation was for the installation of regulation and speed limit signage as interim measures. The subcommittee did agree that, in general:

on-road access should form part of the solution for Hillsdale. All sides concurred that a by-law could be passed under Ontario Regulation 316/03 to allow ATVs on portions of the rural roads...

Implied, but not explicitly identified by the SORV Working Group and Subcommittee, is the fact that there are no legal off-road vehicle connections from the Old Penetang Rd. URA to any desired destinations. In response to this fact, the Subcommittee proposed conditionally designating key roads to provide linkages to the Orr Lake Forest tracts and the Hydro corridor. These included rural roads subject to certain conditions, as well as local Hillsdale roads subject not only to conditions, but also requiring a pass that would be issued only to Hillsdale residents. Given the status of provincial legislation, only ATV riders would benefit from such road designation.

The Subcommittee's detailed recommendations met the requirement for a "made in Hillsdale solution", but without a basis of consensus (which the Subcommittee had foreseen). With the focus on Hillsdale, albeit required under the circumstances, the recommendations had the potential to create two classes of ATV rider in the Township: a "Hillsdale" rider, who would be able to access destinations, in a fully legal manner, right from their driveway; and other riders who would have to trailer their vehicle to such destinations, or risk the repercussions of illegal on-road or unopened road allowance use.

Further deliberations of the subcommittee recommendations were deferred with the intention of the Trails Master Plan providing direction and recommendations on the subject.

4.3 Summary of Issues and Opportunities

4.3.1 Issues

- Development and management of local trails – who should be responsible for it?
- Who will be the primary party encouraging new trail and linkage development in the Township?
- Potential Township trail committee to monitor and deal with trail issues
- Use/user conflicts in the Hillsdale area along portion of Old Penetang Road
- Pending Provincial direction/legislation related to off-road vehicle use
- Maintaining private agreements and primary (Provincial) trails for snowmobiling
- Off-road vehicle use of road allowances - Do nothing; designate certain roads; or allow on all local roads
- Off-road vehicle issues:
 - sustained and rapid growth of ATV's
 - unauthorized use of roads and highways (roadways and shoulders)
 - undesirable or unauthorized use of road allowances
 - undesirable or unauthorized use of forest tracts, utility corridors and trails
 - unauthorized use of and to private property
 - disruption of quiet enjoyment of private property
 - environmental degradation of ditches, low lying and wet areas or erodible areas
 - increasing accident and injury rate
 - different regulations for on-road use for municipalities within Simcoe County

4.3.2 Opportunities

- Significant open space, natural and heritage resources
- Significant local and regional trail infrastructure (e.g. part of Trans Canada Trail system)
- Expansion of the local trail system to build on the North Simcoe Rail Trail "spine"

-
- Expansion of local secondary trail loops in the Hillsdale, Midhurst and Elmvale area
 - Possibility for better trail connections to the City of Barrie and in the Little Lake area
 - Build on the environmental and heritage aspects in the local area through development of destination points or trails
 - Potential expansion of water trail routes (e.g. Minesing Wetland)
 - Potential heritage designation of portions of the Old Penetang Road
 - Provincial momentum to increase/improve trail systems and related funding
 - County potentially taking a more active role in trail planning, development and management
 - Linking of trail system to proposed Multi-Purpose Recreation Centre and the new Township Civic Administration Centre.

5.0 TRAIL BENEFITS, PRINCIPLE AND GOALS AND OBJECTIVES

The development of a trail system for the Township of Springwater requires a general conceptual framework that contains the vision, ideas and values associated with proposed physical system. This lays the foundation upon which the trail infrastructure is developed. This conceptual framework includes the anticipated benefits of trails, the principles, goals and objectives to achieve the trail system system, as well as the categories of trails in the system based on uses.

5.1 Benefits

A comprehensive trail system can provide many benefits to the Township including:

- Improve the range of recreational opportunities for non-motorized and motorized users.
- Encourage active living and improve physical health for Township residents and visitors.
- Enhance the appreciation of open space, heritage features and the natural environment, therefore encouraging their preservation.
- Provide for alternate (active) transportation corridors and linkages, reducing transportation costs and environmental impact.
- Contribute to local economic development through increased local tourism and enhanced visitor experiences.
- Promote community pride, participation and interaction.

5.2 Principle

A Trail Principle forms the essential vision of the Township's trail system and its core values, as follows:

Provide a sustainable, environmentally responsible trail system, achieved through vision and partnership, which supports the greatest opportunity for residents and their visitors, within the unique community setting of Springwater.

5.3 Goals

Goals build upon the Principle to lay the foundation for implementing the trail system:

- Provide the greatest public benefit, without fee or charge whenever possible.

- Accommodate the greatest number of uses and experiences, with multiple use trails preferred over single use trails.
- Accommodate the greatest number of participants, with the needs of Township residents to take precedence over visitors.
- Encourage the greatest access and exposure to the Townships natural, social and heritage features and resources.
- Maximize the opportunity for connections to regional trails and resources.
- Consider other trail priorities such as the promotion of health and fitness, environmental education, sustainable transportation, and user accessibility.
- Provide for the safest user experience that can be reasonably achieved.
- Subject to the needs of residents, local tourism and participation from visitors shall be encouraged.
- Provide a stable funding and resource contribution for trails, with preference to budget increases commensurate with increases of the population and tax-base.

5.4 Objectives

Objectives are more discreet, somewhat measurable statements that build upon the Goals to provide an outline for implementation:

- Maintain and improve the North Simcoe Rail Trail as the most significant, regional trail, particularly to the north, and one that serves as the central organizing lineal trail for the system.
- Maintain and improve the Nine Mile Portage Route as a significant heritage trail and current trail link to the City of Barrie.
- Support the Ganaraska trail as a significant regional connection.
- Encourage additional regional connection opportunities.
- Promote the development of rural, non-motorized, multi-use trails that offer loop opportunities, connect with the NSRT, connect to settlement areas, connect to County forests, and connect to significant Township features.

- Promote the development of non-motorized, urban trails that offer perimeter or corridor loops, meet current accessibility standards, connect to rural or regional trails, and connect to significant Township features.
- Co-ordinate with the County to ensure appropriate use of the County forest tracts within the Township.
- Co-ordinate with provincial affiliated ORV organizations to mediate conflicts and provide linkage resources on a trial basis.
- Coordinate trail planning on a Township-wide basis and cooperate with other municipalities, agencies and groups/organizations to develop and link new or existing trails.
- Use partnerships to fund, develop and maintain new trail systems. Non-profit groups/organizations will play the lead role in developing, maintaining and funding future trails in rural areas of the Township. The Township will generally be responsible for the ongoing maintenance and improvements to trails within defined urban areas.
- Complete missing trail linkages or develop additional trail linkages to complete the overall trail system, with a particular focus on the NSRT. As new development is proposed additional trails and linkages will be acquired.
- Encourage public education and involvement in the trail system. Prepare trail maps, guides and other promotional materials to support overall knowledge and use of the trail system.
- Develop an overall set of standards and specifications for trails in order to provide consistency for the user and identity for the overall trail system.
- Provide an annual Township budget for trail maintenance, improvements and new development.
- Develop a standard set of criteria for evaluating new trail proposals for non-motorized and motorized uses.
- Provide for annual reports on the status of the Trails Master Plan and five year reviews of the TMP.
- The existing and proposed trail system will be incorporated as a schedule(s) in the Township Official Plan.

- A Trails Development Committee (TDC) will be established under the direction of the Recreation Advisory Committee to advise Township Council on trail matters. Changes and improvements to the trail system will be considered by the TDC, including new partnerships and funding.

6.0 PROPOSED TRAIL NETWORK AND PLAN

6.1 Trail Categories

Trail Categories are provided based on ensuring compatibility of uses and mode of funding and maintenance: non-motorized and motorized.

- ***Non-motorized Trails*** – are intended for uses as walking, running, cycling, cross-country skiing, snow-shovelling, nature and heritage appreciation. Such activities as equestrian, in-line skating and snowmobiling may be accommodated where appropriate. Access to these trails is generally provided free of charge and therefore are dependant on municipal funding, provincial grants or private donations and volunteers for their development and maintenance. These trails should be the priority for Township funding and resources.
- ***Motorized Trails*** – motorized trails may be permitted within travelled portions of the road allowance or motorized trails may be developed in the non-travelled portions of road allowances, as well as utilizing unopened road allowances. Other public lands and trails may also be considered. Motorized uses include snowmobiling, all-terrain vehicles, motorcycles (green and blue plated), and 4WD trucks. Not all motorized uses may be permitted. These trails are generally fee-based and are developed by ORV organizations who receive funding through memberships and permits. Usage of Township lands and resources will be subject to a thorough evaluation process to ensure minimal impacts to the community.

6.2 Trail Safety

Trails, whether they are for a single-use or multi-use, seek to provide a high quality recreational experience to participants in a safe and predictable manner. Trail safety is a primary concern for trail managers and must be balanced with the desires for aesthetic or athletic experiences of trail users, as well as environmental and other constraints. Some activities entail an element of risk (ie: element of danger) versus hazards which are unknown dangers. All reasonable effort should be made to eliminate hazards in the trail system. If a trail involves some risk, provide such elements at the beginning of a trail (steep grades, natural surface, narrow width, etc). Some activities may provide a hazard when combined on a trail, therefore single use or separated trails may be required.

Trail safety includes the following general factors:

- providing universal accessibility with the proper precautions;
- reducing the risk of conflict or collision among different types of trail users;
- reducing the opportunity for inappropriate behavior (vandalism, etc)
- identifying environmental hazards (fallen trees, winter maintenance, mud slides, etc.).

One of the predominant factors in trail safety, particularly related to conflict and collisions on multi-use trails, is the trail width.

Design manual guidance on trail widths is lacking²⁵. Anecdotal evidence suggests that the 2.4 metre (8 feet) path has been the basic standard of municipal trail systems, but that this standard is increasingly found to be inadequate. Several trail design sources suggested that 3.0 metre (10 feet) is a suitable standard for a multi-use path and that greater widths of 3.4 metre, 3.6 metre, 4.2 metre, and 4.5 metre may be required or preferred due to higher use, greater wheeled activities, maintenance access, or substandard radius or slope conditions^{26,27,28}.

The Guide for the Development of Bicycle Facilities suggests that, in “rare” instances, a width of 2.4 metre can be adequate if peak bicycle use is low, pedestrian use is occasional, there is good horizontal and vertical alignment, and that maintenance vehicle use will not cause edge degradation. The Waterfront Trail Design Guidelines suggests that, based on ergonomic and psychological factors, a minimum multi-use trail width for cyclists and pedestrians can be 2.7 metre, while adding in-line skaters in the user groups would require a minimum width of 3.0 metre.

6.3 Trail Hierarchy

Trail standards obviously vary depending on the unique circumstances or requirements of the application. The preceding discussion on multi-use trails provides an appropriate context for considering a unique trail hierarchy for the Township of Springwater. Current trails in the Township range in scope from a rail-trail, to forest trails, to urban pathways.

We recommend the following hierarchy for trails:

Hiking Trails

- Trail Width – 1.0 to 1.25 metres
- Clearing Width – 1.25 to 3 metres
- Clearing Height – 3.0 metres
- Surface – generally woodchips or compacted limestone fines, or other suitable material

Multi-Use Trails

- Trail Width – 2.4 to 4.5 metres (2.4 for most multi-use applications; 3.0 metres recommended for new urban trails with significant cycling activity)
- Clearing Width – trail width plus 2.0 metres

²⁵ A Community Workbook on Multiple Use Trail Safety, Meewasin Valley Authority, Saskatoon, Saskatchewan, Canada prepared by D. Noakes et al, 1996

²⁶ An Overview of Trails for Metro Toronto, Metro Toronto Parks and Property Department, prepared by Hough, Stansbury, Woodland, Naylor, Dance Ltd., 1995

²⁷ Time-Saver Standards for Landscape Architecture, 2nd Edition, edited by C.W. Harris and N.T. Dines, 1998

²⁸ Guide for the Development of Bicycle Facilities, American Association of State Highway and Transportation Officials, 1999

- Clearing Height – 3.0 metres
- Surface – compacted limestone fines or asphalt for high traffic areas or where erosion is an issue

Rail Trails (includes winter snowmobile use)

- Trail Width – 3.5 to 5.0 metres
- Clearing Width – minimum of 5.0 metres
- Clearing Height – 4.0 to 5.0 metres
- Surface – compact limestone fines on top of compacted rail ballast

Motorized Trails (ATV and motorcycles), 2-way traffic

- Trail Width – 3.5 to 5.0 metres
- Clearing Width – 3.5 to 5.0 metres
- Clearing Height – 4.0 to 5.0 metres
- Surface – natural surface or gravel where natural environment conditions warrant

Water Trails

- Waterway Width – 3.0 metres minimum
- Water depth – 0.5 minimum
- Clearing Height – 2.5 metres

The hierarchy allows sufficient flexibility for the Township to match the appropriate trail to the anticipated types and volumes of use, and meet the objective of enjoyable and safe trail experiences.

6.4 Miscellaneous Trail Features

6.4.1 Midblock Crossings

Midblock crossings are a non-preferred, yet often unavoidable feature of trail development. While every attempt should be made to encourage crossings at intersections, trail user movements gravitate to the shortest distance between two points. When there is an obvious trail continuation directly across a road, it is difficult to persuade a user to take 5 minutes to divert to an intersection 200 metres away, when the direct crossing will take less than 20 seconds. Midblock crossings must be carefully considered as poor design may contravene driver and pedestrian expectations resulting in serious potential safety problems for trail users. Generally, the standard mid-block crossing is appropriate for minor and local, two lane roads. Collector Roads or any four lane roads will require a median refuge. Minor arterial and higher order roads require a pedestrian signal.

Design considerations for midblock crossings include²⁹:

²⁹ Pedestrian Design Guidelines, Sacramento County Department of Transportation, prepared by Toole Design Group, LLC in association with Moore Iacofano Goltsman, Inc, and Dowling Associates, Inc., 2006

- Level of use, distance to the nearest controlled intersection.
- Adequate sight distance for both drivers and trail users.
- Adequate night-time illumination.
- Traffic gap analysis.
- Requirement for pedestrian-activated signal.
- Existing lane (road) widths and potential for shortening crossing distance (curb extensions; crossing islands, etc).
- High visibility crosswalk marking treatment
- Adequate signage including potential signage of yellow-green warning signs.
- Design road speeds and traffic calming potential to reduce excessive vehicle speeds in advance of the midblock crossing.

A Transportation or Traffic Engineer should determine the appropriate solution for each location considered for a midblock crossing.

6.4.2 Trail Entrance Gates

Standard gates are recommended at all entrance points to trails. Currently, the North Simcoe Rail Trail has a variety of road crossing gates. It is recommended that a standard gate design be adopted for all trail entrances to ensure safety of users and to increase identity of the trail system.

6.4.3 Signage

Signage is one of the most important aspects to the development of a safe and user friendly trail system. It is recommended that a trail logo be developed for all trails in the Township to increase over identity of the trail system. A common colour scheme for signage should be used to promote the trail system.

6.4.4 Trail Heads

Adequate parking should be provided in various areas of the Township to support existing and future trail use. Visitor and resident parking may be required in certain locations based on the intended use of a trail. Parking facilities should be developed in conjunction with other providers and users where appropriate (e.g. County of Simcoe or Conservation Authority).

6.5 Implementation

The following outlines the Implementation proposals for the Township for Non-motorized and Motorized Trails. These are differentiated on the basis of short-term or long-term development horizons.

6.5.1 Proposed Non-Motorized Trails

When planning for trails, it is important to look at the various nodes, destinations, features and facilities within the system. Trails are more than just a route, there should be opportunities along the way to access view points, rest areas, and significant natural and heritage features. These landmarks within Springwater Township have been considered in the Trails Master Plan. The Master Plan Trail proposes the following long and short term, non-motorized trail implementation as illustrated on Figure 2.

SHORT TERM

Little Lake to Midhurst Loop

There is the potential to connect the communities of Barrie and Midhurst by linking the Little Lakes area with the Hunter Russell Trail. Plans are underway for a future Multi-purpose Recreation Complex in Midhurst at Highway 26 and Nursery Road. There is an opportunity for this trail loop to connect the Complex with the associated neighbourhoods within Midhurst. This system would need to coordinate with the future Midhurst Secondary Settlement Plan.

North Simcoe Rail Trail Extension to Essa Township

The current upgraded trail extends 1 kilometre south from Pinegrove Road, where it ends at the Essa Transformer Station. If extended, an additional 2 kilometres from the station, the rail trail would connect with Simcoe Road 90, a direct link to the City of Barrie.

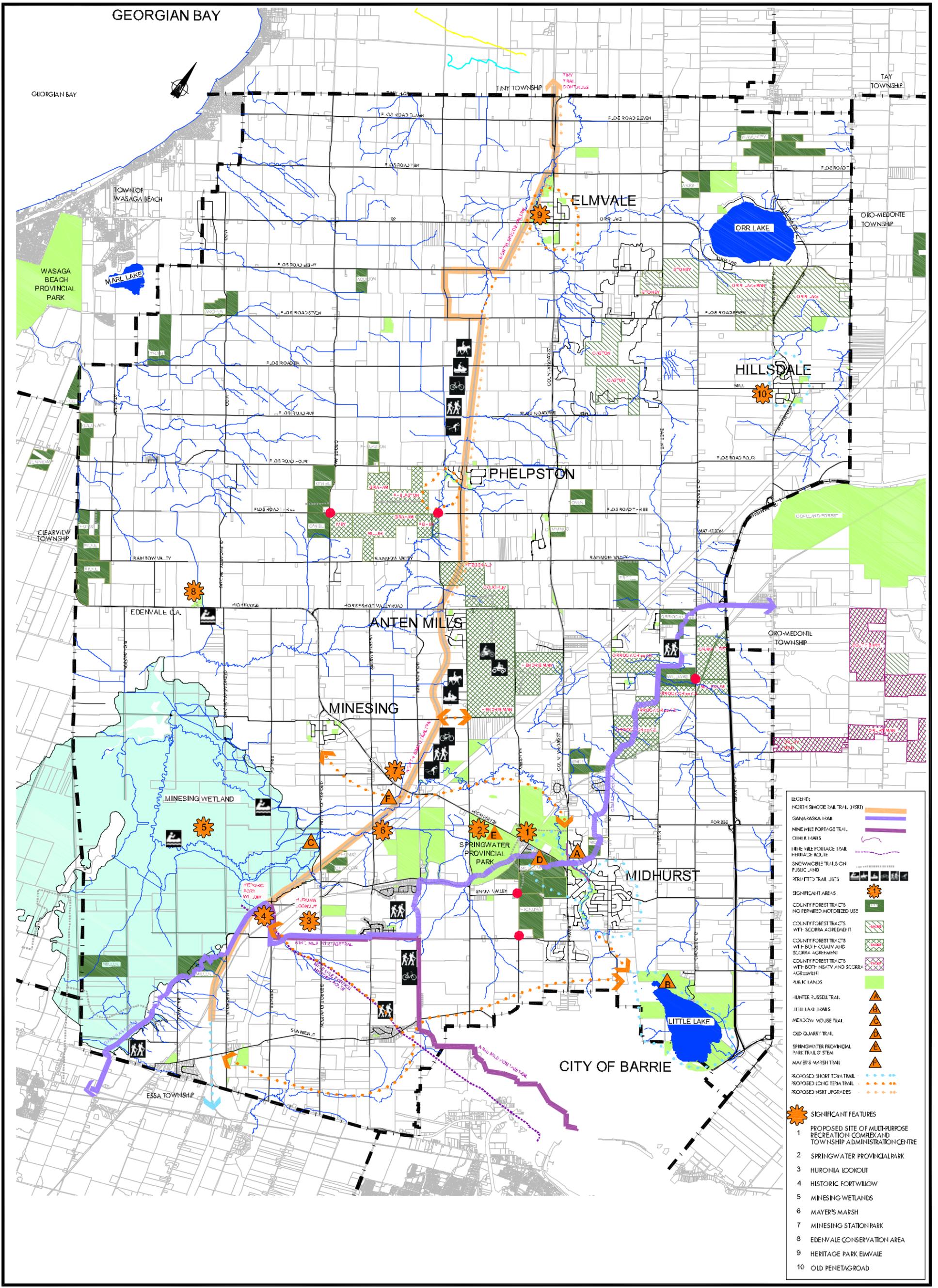
Hillsdale Loop

A trail loop through Hillsdale would connect with the natural and heritage features of the area. Efforts should be made to protect the Old Penetang Road for passive trail use and snowmobile use in the winter months. Alignment of a trail system in Hillsdale would be developed in accordance with the future Hillsdale Secondary Settlement Plan.

LONG TERM

Elmvale Loop

A secondary loop is possible connecting the North Simcoe Rail Trail, Heritage Park and amenities in the Town of Elmvalle. This will provide trail network within the community which links the town, its associated green spaces and heritage features.



- LEGEND:**
- NORTH-SOUTH TRAIL (SHORT)
 - MANITOBA TRAIL
 - NINE MILE PORTAGE TRAIL
 - OTHER TRAILS
 - NINE MILE PORTAGE TRAIL (PRIVATE/LOCAL)
 - SNOWMOBILE TRAILS ON PUBLIC LAND
 - PERMITTED TRAIL USES
 - SIGNIFICANT AREAS
 - COUNTY FOREST TRACTS (NO PERMITTED MOTORIZED USE)
 - COUNTY FOREST TRACTS WITH SCORRA AGREEMENT
 - COUNTY FOREST TRACTS WITH BOTH COALTY AND SCORRA AGREEMENT
 - COUNTY FOREST TRACTS WITH NEATV AND SCORRA AGREEMENT
 - PUBLIC LANDS
 - HUNTER JUSSELL TRAIL
 - ILLI LAKES TRAILS
 - MEADOW MOUSE TRAIL
 - OLD QUARRY TRAIL
 - SPRINGWATER PROVINCIAL PARK TRAIL SYSTEM
 - MAYERS MARSH TRAIL
 - PROPOSED SHORT TRAIL
 - PROPOSED LONG TRAIL
 - PROPOSED NSRT JUNGLES
- SIGNIFICANT FEATURES**
- 1 PROPOSED SITE OF MULTI-PURPOSE RECREATION COMPLEX AND TOWNSHIP ADMINISTRATION CENTRE
 - 2 SPRINGWATER PROVINCIAL PARK
 - 3 HURONIA LOOKOUT
 - 4 HISTORIC FORT WILLOW
 - 5 MINESING WETLANDS
 - 6 MAYERS MARSH
 - 7 MINESING STATION PARK
 - 8 EDENVALE CONSERVATION AREA
 - 9 HERITAGE PARK ELMVALE
 - 10 OLD PENETAG ROAD

Fig. 2



TOWNSHIP OF SPRINGWATER
Trails Master Plan
Proposed Trails



Date: September 26 2008
Scale: 1:100,000

North Simcoe Rail Trail Between the 7th and 8th Concession

Future consideration should be made to obtain agreements with the associated land owners for public use of the rail trail sections connecting through private property. This action has the potential to provide a continuous trail and a safer route which avoids roadway detours.

Phelpston Loop

Phelpston is located on the North Simcoe Rail Trail and adjacent to many of the County Forests. There is potential to offer a trail loop encompassing these area features.

Midhurst to Minesing Loop

This trail would follow adjacent to Willow Creek and connect the community of Midhurst with Minesing and the related natural and historic features of the area.

Nine Mile Portage Historic Loop

As noted, there is the desire to reconstruct the actual Nine Mile Portage Heritage Route. Land owner approvals would need to be acquired and this non-invasive, *walking only* trail would demand minimal construction.

Little Lake to North Simcoe Rail Trail Connection

A connection of these two trail systems would allow a larger loop trail network, connecting the City of Barrie with the natural and historic features of Minesing. In addition this larger network link would allow links to Midhurst and the North Simcoe Rail Trail system.

North Simcoe Rail Improvements – Anten Mills to Tiny Township Boundary

The northern section of the North Simcoe Rail Trail (Anten Mills to Tiny Township boundary) is currently not developed to the same standard as the southern section (ie: stone dust surface and trail gates). It is suggested that the trail be upgraded to similar standards as the south section. Further, it is suggested that the same uses continue on the northern section (hiking, cycling, cross-country skiing, seasonal horseback riding (May to November) and snowmobiling in winter months).

6.5.2 Proposed Motorized Trail Linkages

The ORV issues are a challenging issue. Amongst Springwater residents attending the first public meeting there was a clear and almost equal division of views for and against ORV activities.

Despite the diverse opinions there are several principles that should be brought to bear on the discussion. The principle of embracing all trail uses has been firmly entrenched by the Ontario Trails Strategy and the Ontario Trails Council. The principle is based on a general right for citizens to pursue any manner of recreational enjoyment within reasonable limitations. This does not mean that all activities are to be allowed on all trails, but that each use shall have an opportunity of access to some of the trails, where appropriate. Nor does it mean that all uses are treated equally; some will have to pay for access and others may not.

ORV users, in addition to conducting their activities in a safe and environmentally responsible manner, will need to avoid infringement on the right of residents to quiet and peaceful enjoyment of their properties. This is a tested right (Coalition for the Protection of the Environment linear park Petit Train du Nord v. Regional Municipality County of Laurentian, November 30, 2004), and raises the possibility that a municipality may be liable for unreasonably permitting a recreational activity that causes disruption to the lives of residents. Excessive noise was a chief complaint in this case where residents living within 100 m of a major snowmobile route were awarded damages. The ORV organizations and industry are aware of the noise issue and are providing lower noise products and undertaking campaigns to educate users to achieve low-noise activity.

Therefore, a balance must be struck when considering promotion of legitimate recreational activities that may have negative impacts when they occur in an inappropriate manner. This includes four primary considerations as also illustrated in Figure 3:

1. An understanding that the solution to “rogue” riding—which is the source of most of the ORV complaints—is to aid and promote the established ORV organizations. These organizations have expressed a commitment to rider education and trail for these organizations to increase membership and improve their position, they must be able to offer exclusive and attractive trail opportunities. These trail opportunities must be good enough that, despite the cost of membership, they are more attractive than the “free” but more limited and problematic rogue riding opportunities offer. In order for the organized trails to be “good” they must be connected and that requires linkages between forest tracts.
2. An understanding that the ORV organizations must prove their ability to conduct their activities in a sustainable and responsible manner, as well as provide a deterrent to rogue riding.
3. The project team endorses an initiative where access to Township roads and unopened road allowances may be considered for a specific area. The area considered includes the forest tract complexes of Phelpston, Hendrie and Orrock. The Township is prepared to permit conditional ORV use of designated roads or URAs as required to link these complexes so as to create a continuous trail loop, in addition to consideration of other supporting measures such as development of parking areas and signage.
4. For this access to be granted, an application must be submitted by an organization recognized under the County Forest Recreational Policy, the application must meet certain criteria, and, if met, the proposal must go through a public review. Designation of any

roads or URAs will be granted for a year and shall be renewed annually. Should such designations achieve the desired outcome, designation of other roads or URAs may be considered for other areas of the Township, subject to the same conditions.

7.0 TRAILS PARTNERSHIPS AND FUNDING

To expand and improve upon the existing trail network in the Township of Springwater, the municipality should strive to develop partnerships with local businesses, organizations, and individuals, as well as applying for funding from private and public organizations. The purpose of this section is to provide a summary of potential partnerships and funding sources that would be appropriate for the Township of Springwater.

7.1 Partnerships

There are a wide range of Public-Private Partnerships (P3s) and Public Partnerships that are formed to assist in meeting the needs of the current and future residents. Generally, a P3 is an agreement between a public authority and a private organization to share skills, knowledge, and assets in the delivery of a particular service or facility. P3s also involve the sharing of risks and rewards. It is imperative that when entering into a P3 that both parties assume a fair and balanced sharing of the risks and rewards to ensure that one party does not benefit at the expense of the other.

Currently, the Township is partnered with the North Simcoe Railtrail Inc. on the North Simcoe Rail Trail, a designated Trans Canada Trail. In addition, the County of Simcoe has entered into use agreements with third parties for use of specific County forest tracts within the Township of Springwater. This supports the research finding that 'more attention must be placed on land use patterns at a regional scale that determine the arrangement of physical activities across metropolitan areas.'³⁰ The County of Simcoe recently received approval to hire an additional staff member whose work portfolio will include the coordination of trails.

In implementing the recommendations of the Trail Master Plan, the Township should continue to explore partnerships with the local school boards, adjacent municipalities (e.g. City of Barrie), the Nottawasaga Valley Conservation Authority, Simcoe County, Huronia Trails and Greenways, user groups (e.g. snowmobile club), private land owners (including farmers), and local businesses (e.g. landscape contractors). In particular, the Township could explore potential partnerships with the following organizations:

Trails Open Ontario 2008

In 2007, the Ontario Heritage Trust and Active 2010 launched Trails Open Ontario, which promotes trail use and education, conservation and stewardship, and physical activity. Trails Open Ontario organizes free events that provide an opportunity for the public to experience local trails. Most events include a guided hiking tour and either an educational workshops, exhibit, and or an interactive activity. Partnering with the Trails Open Ontario to host an event in Springwater would provide the Township an opportunity to market local trails and augment local interest in trails

³⁰ Ontario Professional Planners Institute – Healthy Communities, Sustainable Communities, 2007

The Nottawasaga Valley Conservation Authority

The Nottawasaga Valley Conservation Authority has developed a Conservation Lands Program that works in partnership with the community on projects that restore the local environment. In particular, the NVCA 'assists in the management of our lands by keeping the general public aware of our natural resources and why they need to be protected'. The Township should dialogue with the Conservation Authority to develop a coordinated approach to promoting the conservation of land and the benefits of trails.

7.2 Funding

In addition to soliciting partnerships for the construction, maintenance, and promotion of trails in Springwater, the Township should apply for grants/funding to assist in the implementation of the Trail Master Plan. In addition to the funding programs administered by the Ontario Ministry of Health Promotion, in recent years, a number of private businesses have directed their charitable funds towards services and facilities that promote environment sustainability. Examples of potential funding sources are noted below.

Communities in Action Fund

The Communities in Action Fund ('CIAF') is a cost-sharing program created through the Ontario Ministry of Health Promotion's Active 2010 program. This program provides funds to not-for-profit organizations, municipalities and agencies that meet the required criteria. The CIAF's funding objective³¹ is:

To assist organizations in creating more opportunities for sport and/or physical activity among Ontario's disadvantaged or underprivileged populations. The Fund provides grants for noncapital projects that will contribute to increasing Ontario's physical activity and sport participation rates.

Trails for Life

Another mechanism to increase trails funding created through the Active 2010 program and the Ontario Trails Strategy is Trails for Life. Trails for Life are a cost sharing program which will provide up to \$440,000 for a range of trail-related projects. Trails for Life's objective³² is to:

Increase physical activity of Ontarians and the health and economic benefits of trails through strategic investments that support a higher quality of life.

³¹ Ontario Ministry of Health Promotion – Communities in Action Fund 2008-2009

³² Ontario Ministry of Health Promotion – Trails for Life 2008-2009

Municipalities, agencies and not-for-profit organizations can apply for the Trails for Life funding, provided the project requirements are met and a clear linkage to the Ontario Trails Strategy is demonstrated.

Mountain Equipment Co-op

Mountain Equipment Co-op ('MEC') donates funds to organizations focused on the conservation of ecologically and/or recreationally significant resources in Canada. Depending on a variety of criteria, including the urgency of the proposal, the opportunity for education and the level of support from the community, MEC will provide from \$10,000 to \$100,000.

TD Canada Trust Environmental Fund

As part of TD Canada Trusts' charitable donations, they donate up to \$1 million per year to community groups that are implementing programs or services that promote environmental sustainability and conservation. This includes environment clean ups, conservation and recycling initiatives, and wildlife rehabilitation.

Evergreen 2008 Common Grounds Funding

Evergreen is a national not-for-profit environmental organization that focuses on naturalizing land in urban areas. In partnership with Wal-Mart Canada and Unilever Canada, Evergreen has developed the Common Grounds program which provides 'grants to community groups doing environmental stewardship in Canada'. To be eligible for the funding, applicants must be partnered with a local municipality or public agency and the proposed project must be on land that is accessible to the public.

The Provincial and Federal government also provide funding for a wide range of services and projects, including:

Canada-Ontario Municipal Rural Infrastructure Fund

The Canada-Ontario Rural Infrastructure Fund provides grants to smaller scale municipalities to assist with infrastructure needs (water, cultural and recreation projects). The purpose of the fund is to improve the quality of life and the economic opportunities available for smaller communities. With approximately 75% of all funding being allocated to communities with a population of 250,000 or less, the Township of Springwater would be eligible to apply for funding from COMRIF.

Ontario Rural Economic Development Program

The Ontario Rural Economic Development Program, which is implemented through the Ministry of Agriculture Food and Rural Affairs, provides funding to rural communities for community development and economic growth. Funding from the Ontario Rural Economic Development Program is up to a maximum of 50% of 'actual cash outlays to third parties', including marketing, professional fees, studies, consultants/sub-contractor fees, equipment (R&D), and minor capital including engineering, architectural and renovations. To be eligible for funds, the municipality must be in partnership with an individual, a business, or community organization and have an equal share of the project risks.

Infrastructure Canada Program

The Federal government allocates \$2 billion annually to Canada's urban and rural communities to facilitate the development of infrastructure that supports long-term community and economic growth. Specifically, the purpose of the funding is to improve the quality of the environment and community infrastructure, encourage innovation, and ensure the efficient use of existing infrastructure. As an example, the City of Victoria, BC received \$11.3 million for a new pedestrian and cyclist trail that linked the western area of the City with the downtown. The funds are allocated to either cultural (20.9%), tourism (5.2%), transportation (22.9%), or green projects (51.7%). The construction and/or maintenance of trails in Springwater could be considered in the later three categories.

2008 Trans Canada Trail Building Fund

Funds are available from the Trans Canada Trail Ontario ('TCT') organization to assist in building new trails and extending/maintaining existing trails. As the North Simcoe Rail Trail is already designated as part of the Trans Canada Trail, the only trail that could benefit from this funding would be the Nine Mile Portage Trail. Should funding be provided, the TCT requires that their signage and Discovery Panels be installed along the trail.

Ontario Trillium Foundation

The Ontario Trillium Foundation provides grants to small municipalities (20,000 residents or less) to support of arts, culture, sports and recreation sectors.

8.0 IMPLEMENTATION

In order to implement the TMP, roles and responsibilities need to be defined for the Township, County of Simcoe and other neighbouring municipalities, Conservation Authority/Association, local agencies and volunteer groups and organizations. As well, in accordance with the recommendation contained in the Township of Springwater Parks and Recreation Master Plan, it is suggested that a Trail Development Committee (TDC) be formed to monitor and assist with the implementation of the TMP. Accordingly, the following section provides guidance for each body. It should also be noted that additional groups may be included in the future and their roles and responsibilities should be defined accordingly.

Further, a review process for new trails is discussed in this section. Such a review process is required to ensure the plan is implemented appropriately and that the public has an opportunity for input. The new Trail Development Committee will be instrumental in the review process.

In addition, enforcement strategies for off-road vehicles have been recommended. These strategies are being recommended to assist with the evolution of motorized trail activities in the Township.

8.1 Roles and Responsibilities

8.1.1 Role of Township

- Implementation and review of the TMP will be the responsibility of the Recreation Services Department.
- Implementation of the TMP policies, mapping or other relevant recommendations in the Official Plan, Secondary Plans and/or subdivision process to protect and enhance the local trail system.
- The Manager of Recreation Services will prepare an annual report to Council on the implementation of the TMP and the planned development and activities for the upcoming year. Budget implications will be noted and projections will be undertaken for the coming three years on an annual basis. Opportunities for funding new trails or trail improvements should be part of this annual reporting process.
- Review the TMP on a five-year basis, either internally or with the assistance of an outside consultant.
- Coordinate the planning for future trails and links in urban areas in the Township during the Secondary Plan Process and/or the subdivision process. The Recreation Services Department and the Planning and Development Department should continue to work together in this regard.

- Encourage cooperation and agreements between various levels of government and/or agencies to encourage the retention and further development of trails.
- Develop appropriate promotional materials and encourage events and activities to support the use and development of the trail system.
- Coordinate the formation of the Trails Development Committee (TDC). This Committee would report to the Recreation Advisory Committee and ultimately to Council through the Manager of Recreation Services.
- Develop a mailing/e-mail list of trail partners to communicate regularly regarding trail planning, development and implementation.
- Continue to support the partnership on the North Simcoe Rail Trail. Township to remain as owner and responsible for liability insurance.

8.1.2 Role of Trail Development Committee (TDC)

- TDC will report through the Recreation Advisory Committee and will be an adhoc committee.
- TDC membership will consist:
 - Manager of Recreation Services
 - County representative
 - NVCA representative
 - Huronia Trails and Greenways representative
 - Snowmobiling representative
 - ATV club representative (one representative to speak on behalf of the two local organizations)
 - Off-road motorcycling representative
 - Two local residents *(e.g. member from farming community, member with a natural environment background, etc.)
 - OPP/SAVE officer
 - Township By-law Enforcement Officer
- Members will be appointed for the term of Council.
- Committee will meet three times per year or at the call of the Chair.
- Monitor and assist with the implementation of the TMP.
- Assist with the preparation of the annual trail report to Council.

***the two local residents should not be members of the above-noted organizations**

- Review applications by groups and organizations for use of trails/areas. Recommendations for inclusion of trails or uses of trails will be communicated through the Recreation Advisory Committee and ultimately to Council for approval.
- Assist in coordinating and submitting funding applications for trail improvements and development.
- Consult with County, adjacent municipalities, Conservation Authority/Association, local agencies and volunteer groups/organizations to coordinate trail plans.
- Coordinate the development of promotional materials and mapping for the overall trail system.
- Coordinate the development of a trail logo, signage standards and signage hierarchy.
- Investigate and evaluate issues and concerns raised by public and adjacent landowners as they arise.
- Undertake ongoing trail education programs.

8.1.3 Role of the County and Surrounding Municipalities

- Continue to promote the use of County forests under the direction of the Simcoe County Forests Recreation Policy (June 2006).
- Coordinate with the Township on future agreements with third-parties to ensure the timely and coordinated development of the Springwater trail system and to reduce potential conflicts for trail use.
- Coordinate with Township and other local municipalities regarding potential future trails, linkages and looping of trail systems and use of various public land holdings for trail uses and related staging/parking areas.

8.1.4 Role of Conservation Authorities (Nottawasaga Valley Conservation Authority and the Severn Sound Environmental Association)

- Coordinate with the Township regarding trail planning and development.
- Review and promote opportunities for land and water trails.
- Communicate regularly with the Township to ensure trail use and activities are not having a negative impact on natural areas or other resources.

8.1.5 Role of Local Agencies

- Continue to work and dialogue with the Township on potential partnership opportunities for trails on public lands.
- Communicate any divestment plans for public lands that would provide linkages or loops for the local or regional trails.

8.1.6 Role of Volunteer Groups/ Organizations

- Partner with the Township, County and local agencies to provide trails and trail opportunities.
- Enter into trail use agreements, where appropriate, for specified trails or areas with the Township, County, Conservation Authority/Association and other local agencies.
- Provide annual reports to appropriate body with respect to trail planning, development, maintenance and other trail-related issues.

8.2 Review Process for New Trails

The review of new trails and linkages should be undertaken at the time of a secondary plan process within urban areas. Additional trails in the rural area will be developed over time as user groups/organizations bring forward proposals.

Proposed motorized trail use requires specific review procedures as the potential for negative impacts is much higher. Accordingly, motorized trail criteria are suggested.

Further, a public process for trail development in the rural area of the Township is also proposed.

8.2.1 Urban and Rural Non-motorized Trail Development

Some urban trails exist within current settlement areas in Springwater. These trails have developed over time through development of parks, subdivisions and along natural environment corridors or historical road allowances. Due to the incremental nature of urban development, it is important for the Township to maintain the objective of an ultimately fully linked trail system, where indicated on the Master Plan, so that individual trail easements and sections in each development are not omitted.

The development of trails in urban areas is best done early in the planning process. The secondary plan process has a public meeting process built into the review through Planning Act requirements. This process would allow for public feedback and input into the alignment of trails and connections within a defined urban area of the Township. The Township is currently undertaking a secondary plan process for Hillsdale and Midhurst. Through this process the

general areas for trail connections should be determined. Through the subsequent subdivision process the actual alignments would be determined.

Rural trails also exist currently in the Township and additional links may be proposed in the future to expand the system or connect to surrounding municipalities. Rural trail development may be proposed by trail organizations (third parties) that require use of Township land or other resources. For such proposals, a Trial Application (Appendix B) would be submitted and reviewed by the Trail Development Committee (TDC).

For both Township and Third Party trail development, a set of review criteria should be followed, as proposed in Appendix C

8.2.2 Motorized Trail Use

Where a new motorized trail or linkage is proposed that will include any Township lands or resources, a trail application is required along with adherence to motorized trail criteria and public review process.

The application, contained in Appendix B, would be received through the Trail Development Committee (TDC) and assessed against the trail evaluation criteria detailed in Appendix D.

The evaluation criteria developed as part of the Simcoe Off-Road Vehicle (SORV) process conducted in 2006 by the Township and the criteria contained in the Simcoe County Forests Recreation Policy (June 2006) provide an excellent basis for overall evaluation of new trails (either motorized or non-motorized). Both sets of criteria were used with minor modifications

8.2.3 Trail Review Process

Given the nature of trails and the anticipated evolution of the trail system, a trail review process is proposed as contained in Appendix E. The TDC will administer this process. Ultimately, a recommendation would be made to the Recreation Advisory Committee (RAC) by the TDC for a specific trail or linkage. The final approval for any new trails and related agreements would be given by Township Council. Related municipal by-laws would be passed, where appropriate.

8.3 Enforcement Strategies for Off-Road Vehicles, Off-Road Motorcycles and Snowmobiles

As part of the terms of reference for the Trails Master Plan, enforcement strategies for control off-road vehicle, off-road motorcycles and snowmobiles were to be recommended.

Currently, regulation of off-road vehicles in Ontario (commonly known as All Terrain Vehicles - ATV) and off-road motorcycles is either through applicable Provincial legislation (Highway Traffic Act, Ontario Regulation 316/03, Off-Road Vehicles Act, Motorized Snow Vehicles Act and Trespass to Property Act) or through municipal by-law. The Highway Traffic Act allows

municipalities to exempt all or certain roads to permit the use by off road vehicles. The Township of Springwater does not currently permit use of road allowances.

The growth in ATV sales and the popularity of the sport, as well as off-road motorcycling, has put pressure on public land resources to accommodate this activity. The County of Simcoe has put in place access agreements for use of specific forest tracts within Springwater to address these uses and to accommodate the various off-road vehicle and motorcycle activity in appropriate locations.

The Township of Springwater currently restricts the “common right of passage” for unopened road allowances through By-law No 2004-67 (see Appendix F). In essence this restricts motorized use on all unopened road allowances as defined in the By-law. This by-law and the related regulations are enforced through the Township By-law Enforcement Officer.

The Township of Springwater also regulates snowmobile use in the Township under By-law No. 98-007 (see Appendix F).

If a Provincial offence is committed, the local OPP/SAVE team may lay charges under the appropriate legislation.

The Master Plan has recommended a set of criteria for utilizing these unopened road allowances for motorized use were deemed appropriate and in compliance with the criteria established (see Appendix D). Hence, if specific unopened road allowances are ultimately utilized for ATV, off-road motorcycle use or snowmobile use, exemption from the appropriate by-law would be required. As discussed previously in this report, full use of municipal opened road allowances for ATV or off-road motorcycles is not recommended, except in case to link off-road areas based on entering into an appropriate agreement with the Township.

As discussed previously in this report, the Province is also currently considering legislation for off-road vehicles. This legislation may provide consistent policies and regulations across Ontario.

In order to provide for a consistent enforcement for ATV, off-road motorcycles and snowmobiling throughout the Township, the following strategies are recommended for further consideration:

- Use the new Trail Development Committee to evaluate issues and problems as they arise;
- Hold annual meetings, or as required, with Trail Development Committee and representatives of local motorized groups to ensure ongoing communication between groups and the Township;
- Amend By-law 2004-67, as amended from time-to-time, or the appropriate repeal and replacement with a new by-law to allow use of unopened road allowances or specific portions of open road allowances where an appropriate agreement has been entered into between the Township and a motorized user group;

- Monitor Provincial legislation and encourage standard practices and enforcement to be implemented across all municipal jurisdictions;
- User groups and the Township (through the Trail Development Committee) should work with the OPP/SAVE team to ensure appropriate enforcement of Provincial legislation;
- Implement appropriate fines (similar to Snowmobile by-law) to regulated ATV and off-road motorcycle use in specific areas of the Township (e.g. parks, sidewalks, trails, etc.)
- Implement speed limits for use of unopened road allowances as recommended in the Motorized Trail Development Criteria – see Appendix D;
- In consultation with user groups, develop and implement consistent motorized trail signage throughout the Township;
- In consultation with adjacent property owner and user groups, user groups should sign appropriate adjacent properties along trails to discourage trespassing; and,
- User groups, in association with the Trail Development Committee, Township, law enforcement and other appropriate agencies should undertake ongoing education programs to assist in the understanding of various trail related pursuits.

The recommendations offered above should be further canvassed with Township legal advisors before implementation to ensure no conflict arise between existing by-laws and other Provincial legislation.

9.0 RECOMMENDATIONS

The Township of Springwater Trails Master Plan (TMP) is intended to be a working document for the implementation of a comprehensive trails master plan. The recommended trail system is intended to be flexible and adjusted where appropriate at the detail designed stage and layout stage.

The following the major recommendations are intended to guide the implementation of the Springwater trail system:

1. Adopt the TMP in its entirety to guide trail development in the Township of Springwater.
2. The TMP should be reviewed, evaluated and updated annually in association with the Township budgetary process, with a comprehensive review every five years.
3. Adopt the goals and objectives contained in Section 5 the TMP to guide trail planning and development.
4. Adopt the policies in Section 5 of the TMP to guide trail planning and development.
5. A Trails Development Committee (TDC) will be established under the direction of the Recreation Advisory Committee to advise Township Council on trail matters. Changes and improvements to the trail system will be considered by the TDC, including new partnerships and funding.
6. The Township will encourage community partnerships for the funding, development and maintenance of the majority of the Township trail system.
7. Existing urban area trails will be protected and new trail linkages acquired through the development process by the Township. Maintenance of trails in urban settings will be the responsibility of the Township.
8. Coordinate the planning for future trails and links in urban areas in the Township during the Secondary Plan Process and/or the subdivision process. If appropriate, the existing and proposed trail system could be incorporate in a separate schedule(s) in the Township Official Plan.
9. Develop an overall set of standards and specifications for trails in order to provide consistency for the user and identity of the overall trail system.
10. Use the criteria recommended in the TMP to evaluate new trail proposals in the urban and rural areas of the Township.

11. Use the criteria recommended in the TMP to evaluate new trail proposals for motorized use.
12. Use the trail review process recommended in the TMP to evaluate future trail proposals and provide for public review and input.
13. Develop a motorized trail area using the County forest complexes in the central part of the Township.
14. Continue to support the partnership on the North Simcoe Rail Trail. Encourage upgrading on the trail surface and related features on the northern portion of the trail between Anten Mills to the Tiny Township boundary (ie: to match standard established on southern section of trail). Also, encourage the connection of this trail to Township of Essa.
15. Continue to maintain and improve the Nine Mile Portage Route, including the restoration of portions to their historic location. Also, apply for Trans Canada Trail Ontario for designation and funding of the Nine Mile Portage Route.
16. Develop local trail loops in Midhurst and Hillsdale through the Secondary Plan process in the short term. Also trail links should be made to the new Township Administration and proposed recreation complex.
17. Do not permit ATV and off-road use on the Old Penetang Road. Use this section of the road for passive use, as well as snowmobile use in the winter months. Connect this area into an overall Hillsdale trail loop. Consider heritage designation of the road in the Hillsdale area and develop historical interpretative signage.
18. Develop a trail loop in the Elmvale area on the long term.
19. Encourage the development of trail loop in the Phelpston/Anten Mills area over the long term. Development of a passive trail loop in the Phelpston/Anten Mills should be done in cooperation with the County of Simcoe.
20. Encourage the connection to the Little Lake trail, as well as connection between Barrie and the Township. A trail loop along the northern boundary of Barrie should be explored over the long term to link the Little Lake Area with the Nine Mile Portage Trail and/or the North Simcoe Rail Trail.
21. Encourage the development of a long term connection along Willow Creek between Midhurst and Minesing.
22. Implement enforcement strategies contained in the TMP to guide ATV, off-road motorcycle and snowmobile use in the Township.

23. Considering closing and transferring ownership of unopened road allowances in and around the Minesing Wetland to the Nottawasaga Valley Conservation Authority in an effort to control unauthorized motorized vehicle use.

APPENDIX A

BRIEFING REPORT

1. BACKGROUND RESEARCH

The information contained in this briefing report has been gathered through our background research and stakeholder interviews during November 2008. Additional information has also been gathered through comments received at Public Forum #1 on January 29, 2008, as well as through feedback received from a Comment Sheet that was distributed at the public forum. This Comment Sheet is contained in Appendix "A" to this report.

The purpose of this report is to highlight issues and opportunities that will form the basis for the preparation of the draft Trails Master Plan.

Additional information has been gathered from Township staff during our site inspections of the area, Provincial and County staff and other local interested individuals and landowners.

2. STAKEHOLDER INTERVIEWS

The following stakeholder groups and individuals were interviewed at the Township offices on November 20 and 21, 2007 and through additional follow-up phone conversations during November and December 2007:

- City of Barrie – Wendy Lovenmark
- Hydro One – Paul Dockrill
- Allendale Community Development Corporation – Geoff Mitcheson
- Ontario Federation of Snowmobile Clubs (SnoVoyagers) – Ray Schafer
- County of Simcoe – Graeme Davis
- Township of Oro-Medonte – Shawn Binns
- Nottawasaga Valley Conservation Authority (NVCA) - Byron Wesson
- Ontario Federation of Trail Riders – Ken Hoeverman
- North Simcoe ATV - Penny Curtis/Jim McKeever
- Springwater Heritage Committee – Ruth Byers
- SAVE (Snowmobile-ATV-Vessel Enforcement) Program – Sgt. Daryl Grenville
- North Simcoe Rail Trail – Eldon Sommerville
- Huronia Trails and Greenways – Frieda Baldwin
- Simcoe County Off-Road Riders Association – Wayne Ricketts and Mark Nastassiuk
- Central Ontario ATV – Rhonda Broderick

3. PUBLIC FORUM AND COMMENT SHEET

A public forum was held on the January 29, 2008 at the Willow Creek Baptist Church in Midhurst. A presentation was made by Hugh Handy and Chris Bohme from GSP Group regarding the Trails Master Plan process. Approximately 100 people were in attendance at the meeting.

Following the presentation, a panel discussion took place. Hugh Handy from GSP Group acted as the moderator. This panel was convened specifically for the public meeting to represent a cross-section of interested stakeholders in the development of the Trails Master Plan. The following panel members participated in the discussion

1. Penny Curtis, North Simcoe ATV Club and OFATV
2. Eldon Sommerville, SnoVoyager Snowmobile Club
3. John Broderick, Central Ontario ATV Club
4. Ken Hoeverman, OFTR Executive Director
5. Byron Wesson, Director of Land Mgmt/Stewardship Services, NVCA
6. Graeme Davis, County of Simcoe
7. Andrew Fyfe, Manager of Planning, Township of Springwater
8. Ron Belcourt, Manager of Recreation Services, Township of Spring Water
9. Daryl Grenville, OPP SAVE program
10. Frieda Baldwin, Huronia Trails and Greenways and North Simcoe Rail Trail

A summary of comments from the panel discussion is as follows:

- Concern about impact on natural areas by off-road motorized uses
- Speeding by off-road motorized users is an issue on local roads
- Lack of enforcement by police with respect to off-road motorized vehicles on road allowances
- Need for specific areas for off-road motorized uses
- Conflict between passive and motorized use of trails
- Need to cooperate between users and provide enforcement through user groups
- Concern regarding increase liability for Township re: allowing more off-road vehicle use
- Impact on properties adjacent to trails by off-road vehicle use i.e. noise, trespassing, etc.
- Use of unopened road allowances for trail connections (either passive or motorized) may impact of adjacent property owners and hard to control use
- Funding required for trail development and maintenance

A Comment Sheet was also distributed at the public meeting on January 29, 2008. The Comment Sheet and a summary of the responses is contained in Appendix "A" to this report.

A total of 81 people responded to the Comment Sheet. The following are highlights from the Comment Sheet:

- The number of responses were pretty equally divided between the Township (30), County (25) and from outside the County (26).
- A significant number of respondents were either from SCORRA (Simcoe County Off-Road Riders Association) and the OFTR (Ontario Federation of Trail Riders).
- Walking/Hiking and Off-Road Use were clearly the highest uses of trails for the respondents, while bicycling, cross country skiing, bird/wildlife viewing, historic/nature observation and snowmobiling were also popular activities.
- Not everyone answered Question 5 i.e.: Would you be willing to accept a tax increase to support the development and maintenance of trails? While slightly more Township and County residents were in favour of a tax increase to support trails, respondents were generally divided on the issue.
- Regional Trails (greater than 10 kms in length) and Motorized Trails were most requested types of trails by respondents. This result is reflective of the fact that the majority of respondents were from off-road vehicle groups. There was also notable support for Local Trails (less than 2 kms in length) and Community Trails (2-10 kms in length).
- Respondents were generally in support of off-road vehicle use on roads within the Township. The response to this question has to be tempered against the fact that a significant number of respondents were from off-road vehicle groups.
- Majority of respondents felt that trails should be developed and maintained by users groups and/or partnerships, as opposed to the Township and County taking an active role.
- Appendix "A" also contains a summarized list of more detailed comments, issues and concerns raised by the respondents entitled "Detailed Comments Summary". These responses are categorized by Springwater Township residents, Simcoe County residents, and Other residents.

4. ISSUES AND OPPORTUNITIES

4.1 Existing Trails

The Township of Springwater has significant, open space resources: County forest tracts, Minesing Wetland, Little Lake, and Ministry of Natural Resources (MNR) lands. Springwater has significant regional, multi-use(non-motorized) trail infrastructure: North Simcoe Rail Trail (NSRT, part of the

Trans Canada Trail), Ganaraska Trail, Nine Mile Portage Route, as well as significant local trail infrastructure: County forest tracts, Minesing Wetland.

Springwater has a relatively limited, direct trail management and ownership responsibility. It has the only rail trail in the County that is not directly owned/managed by the respective municipality. Non-profit trail organizations are finding that people are increasingly willing to pay for their trail experiences, but decreasingly willing to volunteer. Assistance is required for infrastructure (bridges), insurance, and maintenance (surface repairs, mowing). A Township trail committee is a potential solution to this issue.

4.2 Future Non-Motorized Trail Initiatives

There are several planned and potential, multi-use (non-motorized) trail initiatives:

- Former landfill Overlook and trail connection to NSRT
- City of Barrie land acquisition and recreational amenity/trail development around Little Lake
- Nine Mile Portage improvements (more alignment on original route) and using the Portage Trail as the Trans Canada route (better connection into Barrie)
- Heritage designation for original portions of Penetang Road that remain as road allowances
- Potential trail connecting the NSRT, Midhurst and Little Lake, along Willow Creek
- Potential trail connections into Barrie using hydro, natural gas or rail corridors
- Potential trail connections to Wasaga Beach and Essa (DA Tiffin – NVCA land)
- Expansion of the local trail system in Hillsdale and Midhurst as part of the Secondary Plan process. Additional trail expansion is also anticipated in the Elmvale area as part of the completion of new subdivisions.

4.3 Trail Benefits and Funding

Trail initiatives at the Provincial level and more recently at the County level, are founded on the health benefits of trail recreational activity. Trails also provided economic, social, heritage and tourism benefits. The development of the Ontario Trails Strategy has also provided a consistent direction for trail planning and development. The County of Simcoe is also considering taking a more active role in trail planning, development and implementation by creating a trail coordinator position at the County level. There is increased Provincial money for trails: recreation and health promotion is a priority of Trillium grants and the maximum capital grant limit has recently doubled; other moneys are being directed to Provincial trail organizations or dedicated to Trans Canada trail improvements.

4.4 Snowmobiling

Snowmobile recreation is a well established, well organized, self-policing activity that benefits from provincial mandated requirements for registration, insurance and permits. Snowmobiling is resulting in little conflict or complaint. Snowmobile use is declining since its peak in the early 2000's and average user age is increasing. Trail maintenance and insurance costs have been increasing significantly. Snowmobile "tourism" and its associated advertizing revenue, is important. Challenges include maintaining private agreements and the primary (Provincial) trails. Snowmobile use, except where noted, is not included in the following off-road vehicle discussion.

4.5 Off-Road Vehicles

The Province is currently studying the off-road vehicle issue. A report entitled "Reducing Conflicts Associated with Recreational Use of Off-Road Vehicles" was prepared in April 2007 for the Ontario Ministry of Health Promotion. Recommendations are contained in this report pertaining to government action on policies and regulations . Based on the results of that study, a legislative review is currently underway and a final report on proposed implementation is expected in early 2008.

Off-road vehicle activity is a convoluted and contentious issue in Springwater Township and appears to be a result of several factors:

- rural character and resources, particularly the occurrence of significant, large, public forest tracts, utility corridors and unopened road allowances.
- urban fringe density, particularly numerous hamlets and estate development.
- diverse perspectives on the part of residents of off-road vehicle use: some located here to be in a quiet countryside setting; some located here to permit a more unfettered enjoyment of their off-road vehicle recreation. This appears to be the primary factor in the debate in Hillsdale, related to non-motorized vs. motorized use of a portion of the Old Penetang Road.
- close proximity to large urban areas including Barrie and the Greater Toronto Area (GTA).
- a perspective on the part of users from outside the community that, "north of Barrie, one can ride anywhere".

Trends include the undeniable, sustained and rapid growth of the All-Terrain Vehicle (ATV) sector, and the acknowledgement of all trail groups at the provincial level that all uses—both motorized and non-motorized—must be accepted and reasonably accommodated, and all user groups must cooperate to advance all trail recreation.

Off-road use in Springwater consists primarily of ATV's along with off-road motorcycles (trail riders). There are wide variations in opinions of the proportion of local versus out-of-county riders:

the clubs think a majority of the riders are local; the police representative thought that the majority of riders were from out-of-county.

Off-road issues include: unauthorized use of roads and highways (roadways and shoulders), undesirable or unauthorized use of road allowances; undesirable or unauthorized use of forest tracts, utility corridors and trails; unauthorized use, or disruption of quiet enjoyment, of private property; environmental degradation of ditches, low lying and wet areas or erodible areas; and increasing accident and injury rates.

Off-road recreation is a heavily fractured in terms of organization and activity. The ATV user spectrum ranges from those that seek a quieter, family-oriented, trail and nature experience to those called “mudders” who seek the greatest challenge from difficult terrain. Of the 2 local ATV organizations, the Central Ontario ATV (COATV) is of the former type, while the North Simcoe ATV (NSATV) includes both streams of users.

The off-road motorcycle user spectrum is similar, but at the extreme end includes “motocross” riders who use the very powerful, high revving, and noisy machines that are considered “track”, vs. trail motorcycles. This motocross activity is essentially a race activity, highly competitive, with their own sanctioning organization. This activity is only appropriately in private venues (tracks) such as RJ Motosport on the Old Second Line South. Many users in both motorized groups are not part of a club, as the lack of provincially mandated legislation (permits) and, to date, informally available or un-enforced access, has not encouraged club membership.

The Motorcycle Trail Riders appear well organized at the provincial level (Ontario Federation of Trail Riders - OFTR) including participation on the executive board of the Ontario Trails Council. The local club (Simcoe County Off-Road Riders Association - SCORRA) organized recently in response to the County’s initiation of forest policy and the possibility of closure to motorized uses, now has 104 members and also appears to be well-organized. SCORRA, as an OFTR member club, has entered into agreements with the County for the use of 27 tracts, including the Orr Lake, Easton, Phelpston, Hendrie and Orrock complexes. The challenge for the Trail Riders is that there is not a municipal option for on-road use of green-plated motorcycles and therefore they require a continual off-road trail and linkages.

ATV activity is fractured at the Provincial level. Provincially there are two, separate organizations: the OFATV, which follows a Provincial federation model, and ATV Ontario, which follows a club affiliation model based on tourism initiatives. Each has several member clubs and offers an inter-regional permit, however, as an active participant in the Ontario Trails Council, OFATV appears to be the model promoted by the Province and the only one allowing for full cooperation with other trail organizations. In fact, the OFATV appears to have a significant foundation in the two clubs whose jurisdiction includes Springwater: NSATV and COATV (130 members). NSATV appears to be the stronger organization (includes 3 chapters) and, while there may be some

differences between these clubs, there remain full participants in OFATV and are cooperating on forest tract agreements. In Springwater, the County has entered into agreements for several tracts, including the Easton, Phelpston, Hendrie and Orrock complexes.

The off-road vehicle clubs interviewed all stressed the need for good land stewardship, rider education and etiquette, and responsible trail behavior. They see a big part of their trail activity as “wardening” or “ambassadorship”—where club members encourage these activities to other riders on the trails. They recognize that there are “rogue” riders of whom they only have persuasion as a tool. Part of the problem has been the lack of incentive for club membership (and club trail permits) due to lack of Provincial mandate and “easy” access to various areas/lands. The clubs recognize that they need to be accommodating to residents and other users: they support and encourage maximum noise reduction standards and do not seek trail development near homes, sensitive areas, etc. They encourage charity activity and local economic development.

The clubs face additional challenges. Generally, any motorized trail rider is seeking a trail which allows a half or full day experience, and which requires distances of 25 to 100 kms. This is rarely satisfied by multiple laps of a trail in a single forest tract or even of a tract complex. Therefore, while many hectares of County forest tract has become accessible, these tracts offer a fragmented and discontinuous trail opportunity. Thus, the significant issue is the availability of linkages between designated tracts.

The Province has permitted municipal jurisdictions the option to authorize ATV use of their road system. Many have complained that this downloads the decision onto local levels and will result in fragmented responses (as opposed to snowmobilers who benefit from provincially-mandated road accessibility). In Simcoe County some townships have decided to permit road access (Ramara; Innisfil), while others have decided to not permit (Oro-Medonte). The municipality can allow unconditional access or institute any number of restrictions on what roads can be used, at what times, etc. The ATV clubs have only requested permission for designated roads, that would provide critical linkages. For local riders, designated road permits may mean trailering their vehicle even a short distance, if they live on a non-permit road. For the motorcyclist there is no municipal option for on-road use of green-plated motorcycles; they require a continual off-road linkages (roadside trails or unopened road allowances).

Regarding safety and enforcement, the police are not able to enforce current prohibitions of ATV's on-road with their current resources. They also note that the permission of ATV's to use municipal roads in Innisfil has not been a problem. The police note that of the 22 provincial ATV fatalities most recently reported, 19 of these occurred on-road. These are a result of excessive speed, alcohol and the inherent instability of these vehicles and are not related to whether there is an on-

road bylaw or not. The ATV clubs note that not one of these fatalities was an OFATV club member.

Police would prefer to see provincially mandated registration and insurance along with provincial on-road legislation (like snowmobiles). They see an increasing problem with young riders (not trained; parents take them to public places) and uninsured riders.

5. CONCLUSIONS

The following is a list of “issues” and “opportunities” that need to be considered and evaluated in preparing the draft Trails Master Plan:

5.1 Issues

- Development and management of local trails – who should be responsible for it?
- Who will be the primary party encouraging new trail and linkage development in the Township?
- Potential Township trail committee to monitor and deal with trail issues
- Use/user conflicts in the Hillsdale area along portion of Old Penetang Road
- Pending Provincial direction/legislation related to off-road vehicle use
- Maintaining private agreements and primary (Provincial) trails for snowmobiling
- Off-road vehicle use of road allowances - Do nothing; designate certain roads; or allow on all local roads
- Off-road vehicle issues:
 - sustained and rapid growth of ATV's
 - unauthorized use of roads and highways (roadways and shoulders)
 - undesirable or unauthorized use of road allowances
 - undesirable or unauthorized use of forest tracts, utility corridors and trails
 - unauthorized use of and to private property
 - disruption of quiet enjoyment of private property
 - environmental degradation of ditches, low lying and wet areas or erodible areas
 - increasing accident and injury rate
 - different regulations for on-road use for municipalities within Simcoe County

5.2 Opportunities

- Significant open space, natural and heritage resources
- Significant local and regional trail infrastructure (e.g. part of Trans Canada Trail system)
- Expansion of the local trail system to build on the North Simcoe Rail Trail “spine”
- Expansion of local secondary trail loops in the Hillsdale, Midhurst and Elmvalle area
- Possibility for better trail connections to the City of Barrie and in the Little Lake area

-
- Build on the environmental and heritage aspects in the local area through development of destination points or trails
 - Potential expansion of water trail routes (e.g. Minesing Wetland)
 - Potential heritage designation of portions of the Old Penetang Road
 - Provincial momentum to increase/improve trail systems and related funding
 - County potentially taking a more active role in trail planning, development and management
 - Linking of trail system to proposed Multi-Purpose Recreation Centre and the new Township Civic Administration Centre.

APPENDIX B

NEW TRAIL APPLICATION

APPENDIX B - NEW TRAIL APPLICATION

1. Date of Application
2. Proposed Trail (and name if applicable)
3. Nominating Trail Organization/Group
4. Contact Information and Contact Person
5. Current commitments and/or trails managed by Organization/Group
6. Geographic description of proposed trail (include map and legal description where appropriate)
7. Intended use(s) of trail (please describe)
8. Connections to other trails, land uses or other local features (e.g. historic, natural, etc.)
9. Trail highlights and description (e.g. parking, signage, rest areas, etc.)
10. Liability insurance of Organization/Group
11. Conformity with Springwater Trail Evaluation Criteria

APPENDIX C

URBAN AND RURAL NON-MOTORIZED TRAIL EVALUATION CRITERIA

APPENDIX C- URBAN AND RURAL NON-MOTORIZED TRAIL EVALUATION CRITERIA

The planning and development of future non-motorized trails should take into account the following criteria:

1. **Ecological Sustainability**

The ecological impact of the trail must be minimal and not harm the environmental sustainability of the area. Seasonal restriction on the use of trails may also be imposed by the Township to protect the integrity of the natural environment or protect health and safety of residents. The Nottawasaga Valley Conservation Authority, and/or County of Simcoe may be consulted for opinion on ecological suitability.

2. **Social Sustainability**

The rights of adjacent landowners and other affected parties must be taken into consideration, including concerns over dust, noise, and trespass to property. Usage conflicts with residential areas must be avoided whenever possible. Spatial separation and site specific characteristics, or the lack thereof, shall be given due consideration when selecting a trail location. New trails and additional linkages should promote loops in the trail system; connect to significant local resources or features and provide a broader connection of urban areas within and surrounding the municipality.

3. **Economic Benefits**

The trail or trail system should assist where possible in attracting visitors to the Township or keeping them longer. Routing of the trail system should be considered to attract new development and investment. Partnership opportunities should be developed to reduce the overall impact on the finances of the Township.

4. **Environmental and Health Benefits**

The trail system should be developed to reduce overall dependency on the automobile and link significant land uses and urban areas within and surrounding the Township. The trail system should encourage active living and provide readily accessible recreation opportunities for residents and visitors.

5. **Trail Standards, Guidelines and Maintenance**

Trail standards and guidelines contained within the Trails Master Plan, as amended from time-to-time, should be used when planning and developing trails. Universal accessibility, especially in urban areas, should be considered, including appropriate supportive features, signage and ongoing maintenance.

6. Trespass to Property

The proposed trail layout must not lead users to private property or utility corridors, unless specific written permission exists for use of the private or utility-owned lands. Deviation from an established trail is illegal under the Trespass to Property Act.

7. Usage Agreement (for Third Party Applications)

The user group/organization must be willing to enter into a usage agreement with the Township of Springwater. Agreements will be based on a negotiated time period and renewal will require that the terms of the agreement have been maintained to the satisfaction of the Township of Springwater.

APPENDIX D

MOTORIZED TRAIL EVALUATION CRITERIA

APPENDIX D - MOTORIZED TRAIL EVALUATION CRITERIA

Proposed use of road allowances, unopened road allowances, or other Township land resources by Off-Road Vehicle Organizations in the Township of Springwater, must satisfy the following criteria:

1. Ecological Sustainability

The ecological impact of the trail must be minimal and not harm the environmental sustainability of the area. Seasonal restriction on the use of trails may also be imposed by the Township to protect the integrity of the natural environment or protect health and safety of residents. The Nottawasaga Valley Conservation Authority and/or County of Simcoe may be consulted for opinion on ecological suitability.

2. Physical Sustainability

The land resource sought must have suitable capacity, width and navigability for off-road vehicle use, and be able to withstand the human and natural forces acting upon them without unreasonably degrading the resource. Year-round trail stewardship is sought through cooperation between user groups.

3. Social Sustainability

The rights of adjacent landowners and other affected parties must be taken into consideration, including concerns over dust, noise, and trespass to property. Usage conflicts with residential areas must be avoided whenever possible. Spatial separation and site specific characteristics, or the lack thereof, shall be given due consideration when selecting a trail location. With the exception of on-road routes, no Motorized use shall be permitted within 100 m of a dwelling. Trail should act to link to other motorized trails or defined areas for motorized use.

4. Compliance with Legislation

The proposed trail uses must conform to all applicable legislation, including the provincial Highway Traffic Act, Ontario Regulation 316/03, Off-Road Vehicles Act, Motorized Snow Vehicles Act, Trespass to Property Act, and municipal by-laws.

5. Trespass to Property

The proposed trail layout must not lead users to private property or utility corridors, unless specific written permission exists for use of the private or utility-owned lands. Deviation from an established trail is illegal under the Trespass to Property Act.

6. Tread Lightly Principles

Proposed trail uses must be consistent with the principles and guidelines of the non-profit Tread Lightly organization which promotes land stewardship, safety in recreational sport, and environmental messaging.

7. Provincial Incorporation

ORV Organizations applying for permission to use the Township's unopened road allowances must belong to a provincially incorporated association (e.g. Ontario Federation of All Terrain Vehicle Clubs, Ontario Federation of Trail Riders) that belong to the Ontario Trails Council.

8. Motorized Recreation Group Requirements

ORV Organizations must have a permit system, trail warden system, trail maintenance program and third party liability insurance. They may also be required to post a cash security for maintenance and damage, as deemed appropriate by the Township of Springwater.

9. Speed Limits

Off-road vehicles must agree to follow speed and noise limits as set by the Township. Speed shall be limited to a maximum of 50 km/h in rural areas, and 20 km/h in urban areas.

10. Noise Limits

In order to ensure consistency with Ontario Regulation 316/03, no vehicle exhaust system shall be modified in such a manner that would result in increased noise emissions. The maximum allowable noise limit from any off-road vehicle is 94 dB. All vehicle exhaust systems must be equipped with spark arrestors.

11. Usage Agreement

The ORV Organization must be willing to enter into a usage agreement with the Township of Springwater. Usage agreement will be for the duration of one-year. Agreements will be renewed on an annual basis provided the terms of the agreement are maintained to the satisfaction of the Township of Springwater.

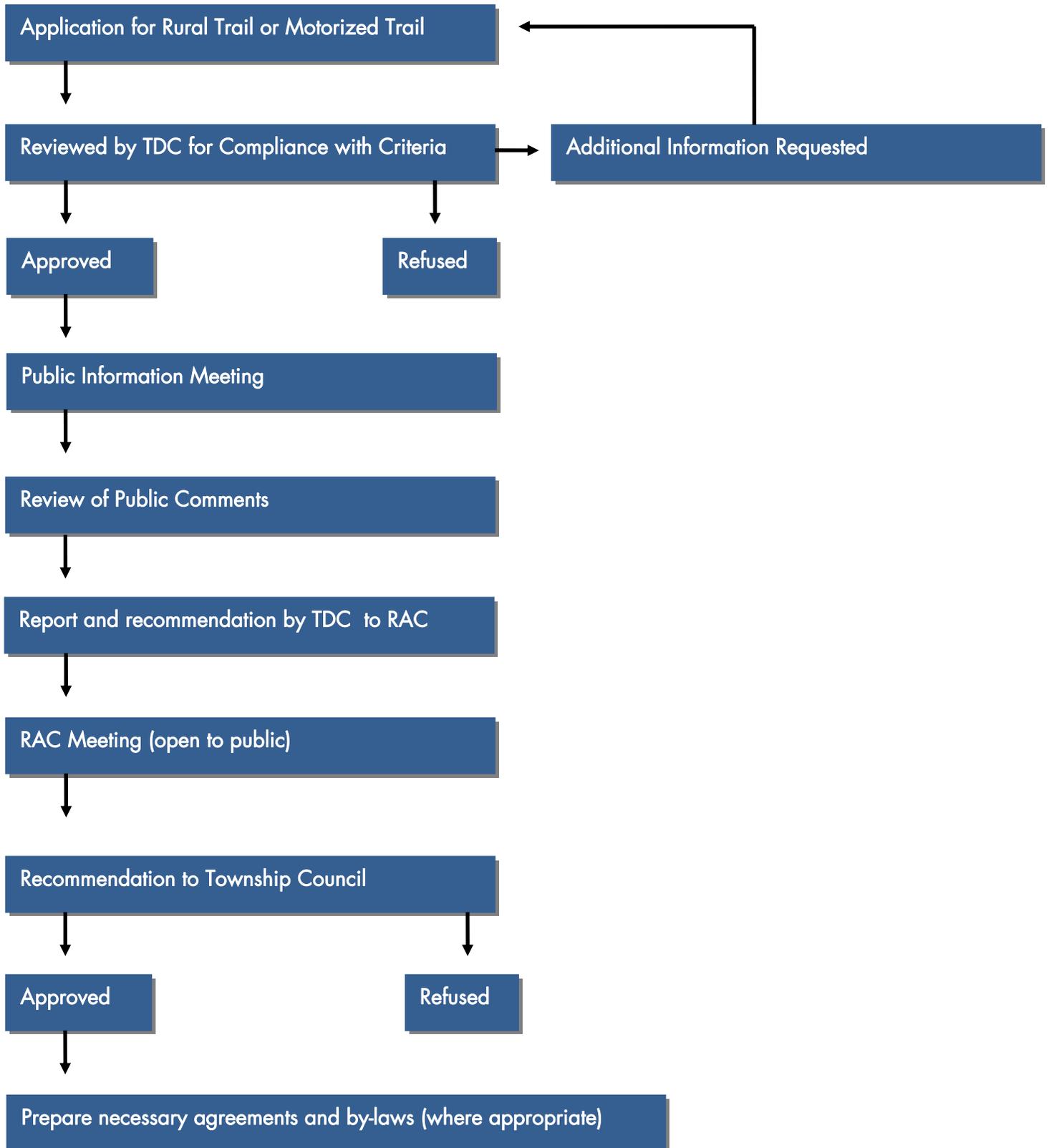
12. Amend Municipal By-law

As part of entering the usage agreement the municipality must lift the restriction for use of the specific unopened road allowance or area under By-law No. 2004-67, as amended from time-to-time.

APPENDIX E

TRAIL REVIEW PROCESS

APPENDIX E - TRAIL REVIEW PROCESS



APPENDIX F

MUNICIPAL BY-LAWS

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW NO. 98-007

Being a By-law for regulating, governing or prohibiting the operation of motorized snow vehicles upon certain highways, parks and lands in the Township of Springwater and to replace Elmvale By-law No. 72-3 and Flos By-law No. 90-48

(REGULATE SNOWMOBILES)

WHEREAS the Township of Springwater was incorporated under the Simcoe County Act, S.O. 1993 through the amalgamation of the Village of Elmvale with specified portions of the Township of Flos, Township of Medonte, Township of Vespra and Town of Wasaga Beach;

AND WHEREAS Section 44 of the Simcoe County Act provides that every by-law of a former municipality pertaining to an area included in a local municipality shall be deemed to be a by-law of the local municipality of which that area now forms a part and shall remain in force and effect until the earlier of the date it is amended or repealed and the 31st day of December, 1997;

AND WHEREAS the former Village of Elmvale had enacted By-law No. 72-3 to prohibit the operation of motorized snow vehicles in certain areas and at certain times within the Corporation of the Village of Elmvale;

AND WHEREAS the former Township of Flos enacted By-law No. 90-48 to prohibit the use of motorized snow vehicles, off road vehicles and all-terrain vehicles in Public Parks within the Township of Flos;

AND WHEREAS Section 7 of the Motorized Snow Vehicles Act provides that a council of a local municipality may pass by-laws regulating and governing the operation of motorized snow vehicles within the municipality including highways therein or any part or parts thereof;

AND WHEREAS Section 207, Paragraph 42 provides that councils of local municipalities may pass by-laws for prohibiting carriages, wagons, bicycles, sleighs and other vehicles and conveyances of every description, and whatever motive power, or any particular kind or class of such vehicles or conveyances being used upon, drawn, hauled or propelled along or upon any sidewalk, pathway or footpaths used by or set aside for the use of pedestrians and forming part of any highway or bridge, boulevard or other means of public communication, or being in or upon any highway, boulevard, park, park-lot, garden or other place set apart for ornament or embellishment or for public recreation;

AND WHEREAS the Council of The Corporation of the Township of Springwater deems it desirable and necessary to enact a By-law for regulating, governing or prohibiting the operation of motorized snow vehicles upon certain highways, parks and lands in the Township of Springwater and to replace Elmvale By-law No. 72-3 and Flos By-law No. 90-48;

NOW THEREFORE the Council of The Corporation of the Township of Springwater enacts as follows:

1. DEFINITIONS

THAT for the purpose of this By-law:

- 1.1 "boulevard" means all parts of the highway save and except any roadway, shoulder or sidewalk;
- 1.2 "Council" means the Council of The Corporation of the Township of Springwater and may include a Committee of Council appointed to deal with matters under this By-law;

- 1.3 "highway" includes a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, designed and intended for, or used by, the general public for the passage of vehicles;
 - 1.4 "motorized snow vehicles" means a self-propelled vehicle designed to be driven primarily on snow;
 - 1.5 "officer" means a Municipal Law Enforcement Officer appointed by Council or any authorized member of the Ontario Provincial Police or any other person appointed or designated by Council to provide law enforcement services in the Township of Springwater;
 - 1.6 "pedestrian walkway" means any lands other than a sidewalk set aside by the Township of Springwater for the use of pedestrians; or
 - 1.7 "person" means any human being, firm, association, partnership, private club, common, joint tenants, agent or trustee and the heirs, executors or other legal representatives of a person to whom the context can apply according to law;
 - 1.8 "Public Works Superintendent" means the Public Works Superintendent appointed by the Council, or Designate;
 - 1.9 "roadway" means the part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder, and where a highway includes two or more separate roadways, the term "roadway" refers to any one roadway separately and not to all the roadways collectively;
 - 1.10 "shoulder" means that part of the highway immediately adjacent to the roadway and having a surface which has been improved with asphalt, concrete or gravel for the use of vehicles;
 - 1.11 "sidewalk/footpath" means that portion of a highway as is set aside by the Township of Springwater for the use of pedestrians;
 - 1.12 "Township" means The Corporation of the Township of Springwater;
 - 1.13 "trail" means the whole of any trail established and maintained by a recreational organization for the use of motorized snow vehicles;
- 2. OPERATION OF MOTORIZED SNOW VEHICLES PROHIBITED IN CERTAIN AREAS**
- 2.1 No person shall operate or permit to be operated a motorized snow vehicle in any of the following locations within the Township of Springwater:
 - 2.1.1 on any sidewalk;
 - 2.1.2 on any pedestrian walkway;
 - 2.1.3 on the municipal easement for parking at the Elmvale Community Arena;
 - 2.1.4 in any park, parkland or other property owned or operated by the Township for recreational purposes, except with the permission of the Township or Recreation Board of Management;
 - 2.1.5 on any other property owned by the Township including an unopened road allowance except with the written permission of the Township;
 - 2.2 Notwithstanding Section 2.1 above, motorized snow vehicles may operate:
 - 2.2.1 on any roadway, shoulder or boulevard under the jurisdiction of the Township provided that such operation of a motorized snow vehicle complies with the Motorized Snow Vehicles Act; or

2.2.2 on a trail has been established under a lease or some other agreement with the Township and/or other property owner; or

2.2.3 in a municipal parking lot for the purposes of parking

2.3 The Public Works Superintendent, or Designate, may erect signs to advise the public of locations where motorized snow vehicles are prohibited under this Section.

3. OFFENSES AND PENALTIES

3.1 Every person who:

(a) wilfully hinders or interrupts, or causes or procures to be hindered or interrupted the Township, its officers, contractors, agents, servants, or workers in the exercise of any of the powers conferred under this By-law, or

(b) who contravenes any provision of this By-law.

is guilty of an offence and is subject to a penalty pursuant to the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

3.2 The conviction of an offender upon the breach of any provisions of this By-law shall not operate as a bar to a prosecution against the same offender upon any continued or subsequent breach of any provisions of the Municipal Act, R.S.O., M.45, s.327, as amended from time to time, and shall further apply to any continued or repeated breach of this By-law.

4. GENERAL PROVISIONS

4.1 If any court of competent jurisdiction finds that any of the provisions of this By-law are ultra vires, or are invalid for any reason, such provision shall be deemed to be severable and shall not invalidate any of the other provisions of the By-law which shall remain in full force and effect.

4.2 Where the context permits, words importing the singular also include more than one persons, parties or things of the same kind.

4.3 Where the context permits, words importing the masculine gender, also include female as well as male.

4.4 The word "May" shall be construed as permissive and the word "Shall" shall be construed as imperative.

4.5 This By-law shall be cited as the "Regulate Snowmobiles By-law" .

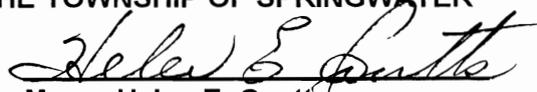
5. FORCE AND EFFECT

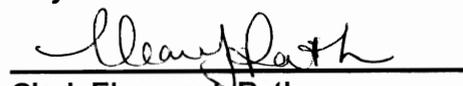
5.1 THAT this By-law shall take force and effect upon final passage hereof.

BY-LAW READ A FIRST AND SECOND TIME THIS 19TH DAY OF JANUARY, 1998.

BY-LAW READ A THIRD TIME AND FINALLY PASSED THIS 19TH DAY OF JANUARY, 1998.

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER


Mayor Helen E. Coutts


Clerk Eleanor J. Rath

THE HONOURABLE REGIONAL SENIOR JUDGE
RAYMOND P. TAILLON
CENTRAL EAST REGION
ONTARIO COURT OF JUSTICE
(PROVINCIAL DIVISION)



L'HONORABLE JUGE PRINCIPAL REGIONAL
RAYMOND P. TAILLON
REGION DU CENTRE-EST
COUR DE JUSTICE DE L'ONTARIO
(DIVISION PROVINCIALE)

440 KENT STREET WEST
LINDSAY, ONTARIO
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LINDSAY, ONTARIO
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TELEPHONE/TELEPHONE (705) 324-1410
FAX/TELECOPIEUR (705) 324-1411

December 30, 1998

Ms. Eleanor J. Rath, AMCT
Clerk
Township of Springwater
Simcoe County Administration Centre
Midhurst, Ontario
L0L 1X0

Dear Ms. Rath:

Re: Set Fines - Township of Springwater

Enclosed herewith is a copy of an Order and a copy of the schedules of set fines for Municipal Bylaw No. 98-007 as amended for the Bylaw indicated in the schedule.

The setting of the fine does not constitute my approval of the short form of the wording used to describe the offences.

I have forwarded a copy of the Order and the schedules of the set fines to the Ontario Court (Provincial Division) in Barrie.

Yours truly,

A handwritten signature in cursive script, appearing to read 'R. Taillon'.

Raymond P. Taillon
Regional Senior Judge
Central East Region

s/
Enclosures

PROVINCIAL OFFENCES ACT

IT IS ORDERED pursuant to the provisions of the Provincial Offences Act and the rules for the Ontario Court (Provincial Division), that the amount set opposite each of the offences in the attached schedule of offences under the Provincial Statutes and Regulations thereunder and the Municipal Bylaw No. 98-007 as amended of the Township of Springwater attached hereto, is the set fine, for those offences to take effect December 30, 1998.

DATED at Lindsay

this 30th day of December, 1998.



Raymond P. Taillon
Regional Senior Judge
Central East Region
Ontario Court (Provincial Division)

TOWNSHIP OF SPRINGWATER

TITLE: REGULATE SNOWMOBILES BY-LAW

ITEM	COLUMN 1	COLUMN 2	COLUMN 3 Set Fines (Includes Costs)
1.	Operate motorized snow vehicle on sidewalk	Section 2.1.1	\$105
2.	Permit operation of motorized snow vehicle on sidewalk	Section 2.1.1	\$105
3.	Operate motorized snow vehicle on pedestrian walkway	Section 2.1.2	\$105
4.	Permit operation of motorized snow vehicle on pedestrian walkway	Section 2.1.2	\$105
5.	Operate motorized snow vehicle on Arena Parking Lot	Section 2.1.3	\$105
6.	Permit operation of motorized snow vehicle on Arena Parking Lot	Section 2.1.3	\$105
7.	Operate motorized snow vehicle in Township Park	Section 2.1.4	\$105
8.	Permit operation of motorized snow vehicle in Township Park	Section 2.1.4	\$105
9.	Operate motorized snow vehicle on Township property without permission	Sections 2.1.4 and 2.1.5	\$205

The penalty provision for the offences indicated above is Section 3 of By-law No. 98-007

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW NO. 2004-067

**Being a By-law to Restrict Access, Use and Motor Vehicle Traffic
on certain Unopened Road Allowances within the Township of Springwater**

WHEREAS The Corporation of the Township of Springwater has authority to pass by-laws regarding over Highways under its jurisdiction, including parking and traffic pursuant to section 11 of the *Municipal Act, 2001*, S.O. 2001, c.25;

AND WHEREAS the unopened road allowances set out in Schedule "A" are highways under the jurisdiction of The Corporation of the Township of Springwater;

AND WHEREAS pursuant to Section 35 of the *Municipal Act, 2001* a local municipality may pass by-laws removing and restricting the common law right of passage by the public over a highway;

AND WHEREAS The Council of the Corporation of the Township of Springwater deems it advisable to restrict the uses of specific unopened road allowances;

NOW THEREFORE BE IT ENACTED AS A BY-LAW by the Council of The Corporation of the Township of Springwater:

PART I - DEFINITIONS:

1. In this By-law, "utility" shall mean any entity or corporation providing public services including electricity, water, natural gas, telephone, television, telecommunications or similar service.

PART II - APPLICATION OF BY-LAW:

2. This By-law shall apply to the unopened road allowances set out in Schedule "A" attached hereto.

PART III - PROHIBITIONS AND REGULATIONS:

Prohibition on public passage over road allowances

3. No person shall enter upon the road allowances set out in Schedule "A" in or upon a motor vehicle as defined in the *Highway Traffic Act*, R.S.O. 1990 as amended.

Exemptions on Prohibition

4. The following persons are exempt from the prohibition set out in section 3 of this by-law:
 - (a) the owner or lessee of land abutting the road allowance and any person accompanied by the owner or lessee;
 - (b) employees, representatives or agents of the Corporation of the Township of Springwater, the provincial or federal government while in the course of their duties;
 - (c) employees, representatives or agents of any utility while in the course of their duties where such utility maintains or operates services in, upon or adjacent to such road allowance;
 - (d) emergency service personnel while in the course of their duties;
 - (e) employees, representatives or agents of a snowmobile club which club has entered into an agreement with the Township regarding the use of such road allowance as a component of an Ontario Federation of Snowmobile Clubs snowmobile trail, while such employee, representative or agent is in the course of inspecting, grooming or maintaining the snowmobile trail.
 - (f) any owner or lessee of farmland located in the vicinity who requires access across the un-assumed Craig Road for the limited purpose of moving agricultural vehicles and equipment from one farm to another. Said persons to apply in writing to the Director of Public Works for

approval and access privileges.

Signs

5. The Township shall erect signs:
- (a) advising the public that entry upon the road allowance upon a motor vehicle is prohibited, subject to the specified exceptions;
 - (b) setting out the fines for contravention of the By-law.

Gates

6. The Township may erect gates (on those unopened road allowances set out in Schedule A) to restrict access to those persons authorized to use the unopened road allowance.

Prohibition on Alteration, Damage

7. No person shall make any alterations to the unopened road allowance or any gate located thereupon.

Remedies and Penalties

8. Every person who contravenes any provision of this by-law is guilty of an offence, pursuant to the provisions of the **Provincial Offences Act**, R.S.O. 1990, c. P.33 (as amended) and, upon conviction, is liable to a fine of up to \$5,000.00 or to the maximum fine applicable pursuant to that legislation.

By-law Enforcement

9. This By-law may be enforced by the By-law Officers of the Corporation of the Township of Springwater.

Damages

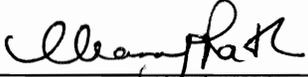
10. In the event that damage occurs to any Township road as a result of any contravention of this By-law, such persons causing the damage shall bear all costs for repairing any such damage.
11. The provisions of this By-law shall come into force and effect upon third reading hereof.

READ A FIRST, SECOND AND THIRD TIME THIS 5th DAY OF JULY, 2004.

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER



Mayor John E. Brown



Clerk Eleanor J. Rath

THE CORPORATION OF THE TOWNSHIP OF SPRINGWATER

BY-LAW NO. 2004-067

SCHEDULE "A"

Unopened Road Allowance

Road allowance between Lots 10 & 11, Concession 3, former Vespra, formerly known as Craig Road