

Date: March 29, 2018

To: Mr. Doug Hnatiuk (Manager Parks and Community Development)

Re: Submission concerning the Draft Trail Development Policy

From: Active Trails Whitehorse Association (ATWA)

Note: Possible changes to Draft Trail Development Policy document in red. Comments will follow.

Under: Purpose

This document describes the City of Whitehorse's policy and procedure to authorize construction, rehabilitation, maintenance, and possible closure of trails on municipal and/or Crown lands within the City of Whitehorse boundary.

Comment: The development of a trail system may of necessity include closing existing trails, or unauthorized (rogue) trails in order obtain the "sustainability goal mentioned in the "Purpose" statement.

Comment: The draft policy was supposed to provide a process for dealing with unauthorized (rogue) trails. (See Minutes of Community Services committee Oct. 17, 2016 Page 2.)

Under: Policy Statement

The City of Whitehorse is committed to the development and support of trail construction, maintenance, rehabilitation, and possible closure that contribute to a diverse, accessible, and sustainable trail network, with a focus on non-motorized active forms of transportation and recreation, and which includes the public in all aspects of trail development. However, the City does not have the capacity to maintain and manage all trails that have been built or will be built within municipal boundaries. (The previous sentence should have its own distinct paragraph.)

Unless these objectives can be achieved, the City will not authorize trail construction, maintenance and rehabilitation on municipal and/or Crown lands within the City of Whitehorse boundary. Unauthorized (rogue) trails constructed without authorization will be closed.

Comment: The development of a trail system may of necessity include closing existing trails (decommissioning), or closing unauthorized (rogue) trails, in order obtain the "sustainability" goal mentioned in the Policy Statement.

Comment: The words "diverse, accessible, sustainable and inclusive found in the first sentence under *Policy Statement* are simply the repeat of the *Guiding Principles* of the 2007 Trail Plan. Unfortunately, the word "inclusive" has been

used incorrectly in the past by administration, which often indicated that the word meant all trails were open to as many users as possible

However, it actually means that the City is committed to “including the public in determining guidelines for trail system development, use, preservation and maintenance.” The Policy Statement needs to ensure that this principle is conveyed to the public. The term also needs to be included in the *Definition* section of the Draft.

Comment: The City claims it is committed to active forms of recreation and transportation. If that is the case, then that should be emphasized in any policy statement.

Comment: The *Policy Statement* says, “The City does not have the capacity to maintain and manage all trails that have been built or will be built within municipal boundaries.”

This is one of the reasons why the City should consider training its own volunteers to do trail construction or closure, maintenance, and rehabilitation. We do not mean *volunteers* in the sense of local organizations or groups, but simply people who appreciate the value of our trail system and would like to help to ensure that it continues as a positive aspect of our community.

Comment: One problem with entering partnerships with organizations like the Klondike Snowmobile Association (KSA) and the Contagious Mountain Bike Club (CMBC) is that such groups will build and maintain trails for their particular use(s). Such trails may not be appropriate for use by other user groups.

For example, trails built and maintained for non-motorized activities are often of different design in order to enhance the experience of the respective non-motorized users. A City trained volunteer group could be used to build and maintain such trails.

At present we have two trail stewards, one which is interested in building trails that are primarily appropriate for mountain biking, and another which is interested in building trails that are primarily appropriate for snowmobiling.

Comment: The City should close down unauthorized or rogue trails immediately. This would send a message to illegal builders that such actions will not be tolerated. Those responsible (if found) should face some form of censure. This has not been done in the City. In fact, there is one case where the City knew the identity of the perpetrator, and yet apparently did nothing. As a result, the illegal trail was eventually completed.

Under: Definitions

“IMBA Guidelines” – The International Mountain Biking Association Guidelines for trail building, as documented in the IMBA publication, “Trail Solutions: IMBA’s Guide to Building Sweet Single Track” or successor publications.
See: <http://www.imba.com/catalog/book-trail-solutions>.

Comment: There seems to be a suggestion that we are only building non-motorized trails for mountain bikers. We should realize the following:

Mountain bike trails are, by nature, quite different from hiking, commuting, walking and equestrian trails. Hiking trails generally strive to reach certain points of interest via the route of least resistance, i.e. low grade and wide, or steep with less regard for terrain features. Mountain bike trails are constructed to maximize the esthetic appeal of the terrain at hand. Soil, logs, lumber, and rock are sometimes used to enhance and create new landforms. Trails meander through a landscape from one feature to the next, the most successful and popular trails “flow” through the landscape in this endeavour. (District of Squamish Trail Standards, P. 16)

“Neighbourhood Trails Task Force” –A group of the City of Whitehorse that is comprised of **members from the** Parks & Community Development Department and relevant stakeholders. A Task Force is convened on a short term, as needed basis to make recommendations on the achievement of the 2007 Trail Plan’s guiding principles at the neighbourhood level, with particular focus on trail locations, designations, **and** types of use.

Comment: To our knowledge *trail etiquette* has never been a subject of discussion on the trail task force bodies in which we have participated, so the words *and trail etiquette* should be dropped from the definition.

“shared use (multi-use) trail” means a trail that accommodates more than one user group such as hikers and mountain bikers at one time. **(This definition should be corrected to conform to the definition of the term found in the OCP.)**

Comment: A definition of the term *multi-use* is found in Section 18.5.1 of the Official Community Plan. “Multi-use trails . . . accommodate motorized and non-motorized recreation.” Other jurisdictions use the term “mixed-use” to define trails on which you will find a combination of non-motorized and motorized users on the same trail.

The 2007 Trail Plan does use the term *multi-use*, but in conjunction with the following two definitions:

Motorized Multiple Use Trails – includes only those trails formally designed and designated by the City of Whitehorse to allow the use of motorized vehicles,

including 4-wheel drive vehicles, motorcycles, all terrain vehicles (ATVs) and snowmobiles.

Non-motorized Multiple Use Trails - designated non-motorized trails and all others by default – officially (but not in practice) includes all trails not officially designated by the City of Whitehorse to allow use of motorized vehicles.

The City should use the OCP definition of multi-use (MU).

The City must cease using the term MMU to mean a trail that can accommodate both motorized and non-motorized users. As you can see, the Trail Plan definition of a Motorized Multiple Use Trail (MMU) does not include non-motorized users.

It is suggested that the definition in the draft policy be replaced by the correct definition of a multi-use trail (as defined in the OCP).

In addition, we feel that the terms Motorized Multiple Use Trails and Non-motorized Multiple Use Trails should be included in the *Definition* section of the Trail Development Policy.

“Trail Partnership Agreement” – The form of authorization issued to eligible parties by the City to enable trail construction, rehabilitation, **possible closure**, and maintenance on municipal and/or Crown lands within the City of Whitehorse boundary. Trail partnership agreements may contain terms and conditions that are appropriate to individual situations for enabling the City to achieve public safety, user and impact management objectives.

Comment: Please refer to the addition of the words *possible closure* to the above definition.

Comment: There needs to be a definition of *Unauthorized Trails* included in the *Definition* section. The following definition could be modified for our City’s use. Please note that the B.C. government has a form available on its website that can be used to report illegal trail construction. This is something that we should have on our City’s website.

“Unauthorized trails are trails on Crown Land not authorized by the minister. These trails are in trespass and will not be given consideration during land use management and planning decisions. No infrastructure, maintenance, and resources will be invested on these trails and the infrastructure may be removed. (District of Squamish Trail Standards, P. 13)

The Ministry’s website provides a form for reporting someone who is using Crown land without authorization, or is misusing Crown land, causing damage, or contravening their permit, licence or lease relating to Crown land.”

Comment: We suggest that the following definitions be added to the *Definition* section of the draft: un-managed trail, stakeholders, digital geo-spatial information, trail corridor width, trail tread width, resource users, maximum trail density threshold, decommissioning, Motorized Multiple Use Trails (P. 25, 2007 Trail Plan), Non-motorized Multiple Use Trails (P. 25, 2007 Trail Plan), and multi-use trails (18.5.1 OCP).

Some who wish to make application with regard to a trail proposal may be unfamiliar with some of the above terms.

Under: Objectives

(3) Provide appropriate recreational trail use opportunities within municipal boundaries as a means of promoting healthy lifestyles, and supporting local economic development.

Comment: Although healthy lifestyles and economic development are listed as opportunities, there are others that we feel should be included. It is important that Whitehorse citizens recognize *all* the potential benefits that may accrue to those who live in such a unique setting and surrounded by an amazing trail system.

Please consider including the following possibilities that are mentioned in the Trails Strategy for B.C. (Without question the one entitled “Heritage and cultural” should be included.)

Key benefits of recreation trails include:

- Community and social – cohesive communities, enhanced quality of life, providing opportunities for families and friends to enjoy time together.
- Economic – increased tourism revenues, greater business investment and enhanced property values.
- Educational – providing an outdoor classroom for nature, culture and history.
- Environment – enhanced environmental awareness, improved understanding of our natural heritage, and stewardship of the environment.
- Health and fitness – improved health and physical well-being for both individuals and communities, reduced health care costs, and enhanced productivity.
- Heritage and cultural – recognition and respect for First Nations culture and historical values.
- Transportation – greener transportation and commuting use of trails contributing to reduced greenhouse gas emissions and improved health and wellness of individuals. (Trails Strategy for B.C. P. 10)

(5) Promote (**where appropriate**) efficient land use within municipal boundaries for trail development by encouraging **new trail authorizations** to locate on/around existing, established recreation trail networks and infrastructure.

Comment: This statement seems to be quite a logical route for trail development to take. In other words, concentrate development in areas that already have extensive trail networks in place. Our only concern would be that consideration be given to the *saturation* point of such areas. In other words, you can have too much of a good thing, which may result in displacement of users who wish for a quieter and less crowded experience. We suggest placing the words “where appropriate” behind “Promote” in number 5.

In addition, we are not sure exactly what is meant by the phrase “new trail authorizations”. We assume it means authorizations that allow new trail construction, but this should be clarified. Perhaps a definition of the phrase could be included under *Definitions*.

(6) Manage safety hazards and risks associated with trail use, and associated legal liability for the City and other stakeholders, **particularly in light of trail uses that by their very nature result in increased risk to users, e.g. a trail with TTF’s, or a trail which allows both motorized and non-motorized users.**

Comment: Citizens and trail building organizations need to be made aware of the fact that legal risks/liability will increase, depending on the recreational use(s) to which the trail will be put.

(7) Minimize potential conflicts on municipal, crown lands and/or **First Nations lands** within the City of Whitehorse boundary, **with and** between trail users, other approved resource users, **and** private property owners.

Comment: We believe it is essential to mention First Nations lands in the above sentence.

Under: Trail Construction, Rehabilitation, **Closure, and Maintenance**

Comment: Closure of trails is another possibility that must be address by any trail development policy.

(2) Rehabilitation, **closure**, or maintenance of trails on municipal and/or Crown lands within the City of Whitehorse boundary is not permitted unless authorized by the Manager.

Comment: As mentioned previously, closure of trails is another possibility that must be address by any trail development policy.

(3) Applications to construct rehabilitate or maintain trails on municipal and/or Crown lands within the City of Whitehorse boundary should be submitted to the Parks and Community Development office. Parks and Community Development staff will guide proponents through the authorization process. Applications should contain the information described in [Appendix 2](#) of this policy.

Comment: Applications should contain the information described in Part 11 of this policy. Should this not read “Appendix 2” rather than Part 11?

(4) **The Manager will make authorization recommendations** on the basis of various information sources, including some or all of the following:

- information submitted by the proponent in the application package;
- land status reports;
- relevant sections of land/resource management plans, including recreation management plans or strategies, if available;
- environmental review;
- referral comments;
- site investigations;
- consultation with stakeholders and the public; and
- First Nations consultation

Comment: We have changed the sentence (See #4) to the active form rather than the passive form as it reads better.

Comment: We feel it is necessary to explain who will carry out these environmental reviews. In other words, qualified personnel with the necessary educational requirements should conduct the reviews.

Comment: Somewhere in the draft there should be an explanation as to what form public consultation will take. The lack of public consultation in the trail development process was a major concern of ATWA when the Whitehorse Trail and Greenways Committee was involved. The 2007 Trail Plan requires the public to be directly involved in “determining guidelines for trail system development, use, preservation and maintenance.”

Comment: Stakeholders are listed as information sources. We would like a list of stakeholders with whom Parks and Community Development currently considers worthy of consultation to be included in the Draft Policy.

As the trail stewards with whom administration consults, are often the same bodies which either make development applications, or support other applicant’s proposals, it is essential that other groups/organizations as well as the public are also consulted. Otherwise the entire process will lack meaningful oversight, input, and transparency.

(5) The Manager will close any unauthorized trail immediately upon discovery. No additional work (except for possible rehabilitation efforts) will be undertaken unless specifically approved by Mayor and Council.

Comment: As this policy was supposed to deal with how the City is to deal with unauthorized or rogue trails, we see the necessary addition of a number “5”.

Under: Applicant Eligibility

(1) Legally established groups and organizations are eligible to submit proposals for trail construction, **closure**, rehabilitation or maintenance, including:

- Non-profit organizations established under the Society Act;
- Local economic development organizations;
- Other governments; and
- Appropriate organizations, **individuals (or groups of individuals)** as determined by the Manager.

(2) Individuals (or groups of individuals) are eligible to submit proposals only for short-term, ‘one-off’ trail maintenance, **trail closure**, or rehabilitation projects.

Comment: As mentioned previously, closure of trails is another possibility that must be address by any trail development policy, particularly in light of the fact that this policy was to address the issue of unauthorized trail construction.

Comment: There must be some explanation as to what management might consider an “appropriate organization”. The criteria should be written down and available to applicants applying for eligibility under “Appropriate organizations, individuals (or groups of individuals) as determined by the Manager.”

Under: Type and Term of Approval

(2) Where approved by the Manager, trail rehabilitation, **closure**, and maintenance is authorized by a:

(a) **One-off Maintenance Agreement:** By entering into a Trail Partnership Agreement that explicitly authorizes rehabilitation, **closure**, and maintenance of a City Trail.

(8) All City Trail Construction Agreements, Long-term Trail Partnership Agreements, and One-off Maintenance Agreements will be made available for public perusal on the City’s website. (Please add.)

Comment: As mentioned previously, closure of trails is another possibility that must be address by any trail development policy, particularly in light of the fact that this policy was to address the issue of unauthorized trail construction.

Comment: What would happen if the City was directly involved in projects concerning trail rehabilitation, closure, decommissioning, construction, and maintenance *that used City trained volunteers*? Would this require a separate type of agreement due to the volunteer nature of the activity?

Comment: Number “8” needs to be added as it reflects the “inclusiveness” principle of the 2007 Trail Plan in that the public is to be involved in trail system development. If it is to be involved, then it must be made aware of such agreements.

“including the public in determining guidelines for trail system development, use, preservation and maintenance.”

Under: Content of Applications

(1) Application for authorization to construct, **close**, rehabilitate or maintain a trail should be submitted to Parks and Community Development staff using the City’s application form available at: <http://www.whitehorse.ca/departments/parks-and-community-development/trails>

(2) Applications for straightforward, short-term or one-off trail works require inclusion of the following basic information:

- General description of the proposed trail construction, **closure**, rehabilitation or maintenance activities that will be undertaken; and

(3) Applications for long-term Trail Partnership Agreements, where an ongoing trail management role by the applicant is envisioned, should include the above information as well as:

- proof of general liability insurance with the City as an additional insured; **(This needs clarification. As written, it is somewhat confusing as to its meaning.)**
- a **list** of other recreational users and resource users of the trail area under application, and measures proposed for preventing or minimizing user and resource conflicts;

Comment: As mentioned previously, closure of trails is another possibility that must be address by any trail development policy, particularly in light of the fact that this policy was to address the issue of unauthorized trail construction. We also wonder if the term *decommissioning* should be added along with the term *closure* in the applicable sections.

Under: Approval Process

The process for dealing with applications under this policy will depend on whether the area under proposal is already part of the City's trail network, or the proposal is for new trails that are not apart into the City's trail network. (Typo: "not a part of the City's trail network.")

Wherever possible, the City will encourage trail use on the City's trail network and other established trails to prevent a proliferation of uncoordinated and unplanned trail development on municipal and/or Crown lands within the City of Whitehorse boundary. (Excellent comment.)

12.1 Proposals Involving City Trails

(1) Subject to 13.1(3), The Manager may approve proposals for trail maintenance, closure, decommissioning, or rehabilitation on (Typo: Use of instead of on.) City trails, provided that public safety, user conflicts, and environmental issues can be successfully managed. (Sentence was rewritten to improve clarity. Please consider the rewrite.)

(2) Subject to 13.1(3), proposals to expand/diversify the City trail network by constructing new trails that inter-connect with the existing City trails may be approved by Council, provided that:

- a. Public safety, user conflicts, trail density concerns, and environmental issues can be successfully managed; and
- b. The Manager is of the opinion that the City has the resource capacity to adequately manage the expanded trail system. If City management of the expanded trail system would not be possible within existing resource levels, the proposal will be entertained only if the proponent agrees to take on a long-term trail management role and the proponent can demonstrate the capacity to take on such a role.

(3) Proposals to construct TTFs at (Typo: Use on instead of at.) City trails will only be considered if the proponent agrees to enter into a long-term Trail Partnership Agreement or otherwise approved by the Manager.

(5) The Manager will present successful applications to Council for designation or approval.

Comment: In (5) change "successful" applications to "completed" applications, as the applications cannot be considered *successful* until approved by Council.

Comment: In (5) is the intent to say "rejection or approval"? If not, what does "designation" mean in this sentence?

12.2 Proposals for New Trails

(1) Proposals to develop new trails on municipal and/or Crown lands within the City of Whitehorse boundary that are not part of or integrated with an existing established trail system will be accepted for review only if **the following conditions are met:**

- a) An approved, integrated land-use plan exists which recommends the area for trail development/use; or
- b) The proponent is representative of a multi-user, broad, community based trail organization and has support of the local trail community; and
- c) The proponent is willing to take on a long-term trail management role and can demonstrate the capacity to take on such a role.

Comment: Refer to *b*. It is unclear as to what is meant by the term *multi-user* in the context presented. The CMBC builds for mountain bikers. The KSA builds for snowmobile users. Although the two may *allow* other users, one could not say that either is building trails specifically for any other groups but their own. It is suggested that the term be dropped.

Comment: Refer to *b*. New trail development built within City limits requires the support of not only the local community, but of the entire City. This is a requirement of the 2007 Trail Plan's Guiding Principle of *Inclusiveness*. It is suggested that the word *local* be deleted.

This applies to trails that have been built municipal and/or Crown lands within the City of Whitehorse boundary without prior authorization. **(Delete this statement, until we have a Council approved process for dealing with such trails.)**

Comment: The above statement should be deleted. There does not appear to be anything in this draft plan that specifically addresses the question of what should be done with unauthorized trails. There needs to be a process to deal with such trails.

Administration was directed to include such a process in this Trail Development Policy. (See Minutes of the Meeting of the Community Services Committee October 17, 2016 Page 2.)

The City should close down unauthorized or rogue trails immediately. This would send a message to illegal builders that such actions will not be tolerated. Those responsible (if found) should face some form of censure.

(2) Where applications are accepted for review, the Manager will assess the suitability of the proposal on its merits. This will involve reference to information from:

- a land status check;
- an environmental review, including identification of potential permit requirements, and proximities to sensitive areas (ESAs and water features);
- other interest groups; (delete the word *referral*)
- review of existing land-use plans, as appropriate;
- First Nations consultation and compliance requirements; and from
- references to the considerations and impact mitigation strategies identified in Appendix 1.

(3) Where significant environmental concerns and/or trail user conflict exist, the Manager may assemble a Neighbourhood Trails Task Force for additional consideration, or inform both the neighbourhood and all Whitehorse citizens of the concerns, and then hold a public meetings to discuss the issues, and obtain feedback both orally and through written submissions.

Comment: Assembling a Neighbourhood Trails Task Force for such a purpose would be both time consuming and expensive. (A facilitator would probably be contracted.) We have suggested another option be given to the Manager as indicated in red. (See # 3 above.)

In addition, trails (regardless of where they are built in the City) belong to all citizens of our community, not just the residents of the neighbourhood in which they are built.

(4) A public consultation may be initiated at any point in the approval process at the Manager’s discretion. All applications for trail proposals will be posted to the City’s website for public review and comment, up until the time they are presented to Council for possible approval.

Comment: Input from citizens should not be feared. Certainly some may oppose the application. Others may do the opposite. However, input often adds information that may help to make for a better proposal. In any case, posting the application and allowing public input would reflect the *inclusiveness* principle of the 2007 Trail Plan. No one could then argue that they did not have an opportunity to provide input.

(5) The Manager will present successful applications to Council for approval.

Comment: In (5) change *successful* applications to “completed” applications, as the application is not “successful” until approved by Council.

(7) If not approved, the application will be disallowed, and the proponent will be notified of the decision. If an application that is disallowed involves trails that had been built without prior authorization, the Manager may order removal of the illegal trail facilities.

Comment: Applications involving unauthorized trails should *not be accepted*. Otherwise, the City will be seen as encouraging the building of unauthorized trails.

The second sentence in (7) should be deleted, as there does not appear to be anything in this draft plan that specifically addresses the question of what should be done with unauthorized trails. There needs to be a process to deal with such trails.

Administration was directed to include such a process in this Trail Development Policy. (See Minutes of the Meeting of the Community Services Committee October 17, 2016 Page 2.)

Under: Special Requirements

(1) Issuance of a Trail Partnership Agreement does not extend a right of exclusive control, use or possession of the established trails. All trails established under this policy will continue to be shared use (multi-use) trails that are open to all types of recreation, unless otherwise restricted or prohibited.

Comment: The second sentence of the above paragraph is rather misleading. Shared use trails are *not* open to all types of recreation. The 2007 Trail Plan and the OCP support this conclusion.

The sentence should be rewritten as follows:

All trails established under this policy will continue to be shared use trails of various types as defined in the 2007 Trail Plan and in the Official Community Plan.

a) Motorized Multiple Use Trails: - includes only those trails formally designed and designated by the City of Whitehorse to allow the use of motorized vehicles, including 4-wheel drive vehicles, motorcycles, all terrain vehicles (ATVs) and snowmobiles. (P. 25, 2007 Trail Plan)

b) Non-motorized Multiple Use Trails - designated non-motorized trails and all others by default – officially (but not in practice) includes all trails not officially designated by the City of Whitehorse to allow use of motorized vehicles. (P. 25, 2007 Trail Plan)

c) Multi-use Trails – trails that accommodate both motorized and non-motorized recreation. (18.5.1 OCP)

Comment: A non-motorized multiple use trail is *not open* to motorized use. A motorized multiple use trail *is not* open to non-motorized use. Only a multi-use trail (called mixed use in other jurisdictions) is open to both non-motorized and motorized use.

All these three types of trails can be *restricted as to use*. For example, a non-motorized multiple use trail could be closed to those using horses. A motorized multiple use trail could be closed to those using motorized dirt bikes.

In our view the City continues to use the term motorized multiple use trail (MMU) incorrectly by saying that such trails are open to both motorized and non-motorized users. The term it should be using is multi-use (MU).

Strangely, the City correctly uses signs labelled *multi-use* on City trails that combine motorized and non-motorized users, such as the Hamilton Blvd paved trail. You do not see signs labelled motorized multiple use (MMU) on such trails.

(2) Where TTFs ARE NOT proposed:

- These authorizations are subject to the requirement for the agreement holders to follow IMBA's trail building guidelines and any other requirements included in the Trail Partnership Agreement.

Comment: Are we simply assuming that every trail should be built to IMBA's trail building guidelines? Are all non-motorized trails to be mountain bike trails? Are all ORV trails to be mountain bike trails?

"The design of a trail significantly influences the recreation experience that it provides. It is important that trails are purposely designed to deliver the recreation experience the user is looking for." (Alberta Recreation Corridor & Trails Classification System <http://atfiles.org/files/pdf/Alberta-Rec-Corridors-Classification.pdf> p. 7.)

As well, please see the following: **Pennsylvania Trail Design & Development Principles: https://conservationtools-production.s3.amazonaws.com/library_item_files/1242/1143/Chapter_2.pdf?AWSAccessKeyId=AKIAIQFJLILYGVD4AMQ&Expires=1522215980&Signature=Ml7IfzjU6RcV4k7H8br41TOzAVQ%3D**

Comment: Although the Klondike Snowmobile Association has indicated on numerous occasions that it has the financial resources to easily handle the extra costs associated with entering Long Term Trail Partnership agreements, one

wonders if the Contagious Mountain Bike Club has access to similar resources. It operates with volunteers and does not have paid employees.

Our suggestion is that both of our stewards be held responsible for the costs associated with maintaining the trails they have built in the past, and for the cost of building and maintaining any others they may build in the future. All other trails, both existing and to be built, should be the responsibility of the City and maintained as best as possible. (This is where a citizen trained volunteer group could be of use.)

Under: Where Trail Agreements Are Not Possible

(1) Where the City becomes aware of the existence of unauthorized trails and there is not a local organization with the interest or capacity to assume an ongoing trail management role, the Manager will assess the trails from a public interest perspective. If the trails:

- are in an appropriate location;
- are popular with trail users;
- do not contain TTFs;
- do not otherwise pose public safety, user/resource conflicts, or environmental impact concerns; and
- can be managed by the City within existing operations and maintenance budget and staff levels...

Council may adopt the trails into the official City network and the trails will be managed by the City pursuant to the Trail Maintenance Policy 2016-04.

(Consider rewriting the above sentence in the following manner: The City, pursuant to the Trail Maintenance Policy 2016-04, will manage the trails, should Council adopt them into the official City network.)

(2) If the criteria in Part 16(1) above cannot be met, the City will take appropriate action, subject to the availability of resources, to address concerns. This action may include dismantling TTFs, environmental rehabilitation efforts, or posting an order prohibiting trail use.

Comment: This draft is written as though there is a Council approved process in place for dealing with unauthorized or rogue trails. There is not.

Administration was directed to include such a process in this Trail Development Policy. (See Minutes of the Meeting of the Community Services Committee October 17, 2016 Page 2.) Section 16 should be deleted.

The City should close down unauthorized or rogue trails immediately. This would send a message to illegal builders that such actions will not be tolerated. Those responsible (if found) should face some form of censure.

Appendix 2. Trail Proposal Form

Under: Part 1. Name and Contact Information

Comment: The Trail Proposal Form should be available on the City's website.

Comment: To be made clearer, it might be better to ask for the name of the individual applying, or the name of the registered society applying, or the name of the group or non-registered association applying. In the second panel it would be clearer if written as follows: Contact name if registered society or non-registered society/group.

If an individual is applying then that individual should be required to list all trail user associations of which he/she is a member.

Under Part 2. General Description:

Comment: Replace *Purpose of proposed trail* with *Primary purpose of proposed trail*. For example, is it intended to be an expert level mountain bike trail? Yes, it may be open to other uses, but the trail will be built and maintained to support the primary use, not other uses.

Comment: What does the applicant put in this section if the work does not involve the construction of a new trail? The applicant could be applying to maintain a particular trail, or rehabilitate a particular trail, or even close down or *decommission* a trail.

Perhaps the section entitled *Purpose of proposed trail* or *Primary purpose of proposed trail* could be combined with the section entitled *This proposal is for*.

The section entitled *Brief description of proposed trail or any work planned* should be rewritten as follows: *Brief description of proposed new trail construction, rehabilitation, maintenance, or closure activities*.

The section entitled *Location of proposed trail* should read, *Location of proposed trail and/or area of work*. If a new trail, then a GPS start location and GPS end location should be given. As well, the applicant should indicate the neighbourhood within which the work area is located if applicable.

Include in *This proposal is for* section, a box for trail decommission and trail closure (the latter refers to the shutting down of an unauthorized or rogue trail).

Include in the section listing *proposed trail uses* a box for trail running. (Some trails are far better suited for running than others, and can be constructed to specifically suit trail or mountain running.)

The next section asks the applicant a number of questions. We would suggest that if the work is to be done in a regional park or a proposed regional park that it be indicated.

Other comments:

If a new trail is proposed and is located within a City of Whitehorse regional park, which has an existing Management Plan, the applicant should be required to demonstrate how the trail fits in with the goals and Mission Statement of the park's Management Plan.

The application form should list the names of stakeholders, and interest holders (not sure to whom this refers), that the applicant might wish to contact.

Applicants should be required to consult with more than just the association that may represent his/her user group.

If there is to be a cost to the City of this trail development, then an estimate of that cost should be given.

The applicant should indicate how any new trail construction would complement the trail system in the immediate area.

The applicant should be asked if there are any non-designated trails in the immediate area that would be replaced by the trail the applicant wishes to construct?

The applicant should be asked if the new trail falls within the maximum trail density threshold of the area? (Applicable only if the City has determined trail density thresholds for the area in question.)

Active Trails Whitehorse Association appreciates the opportunity to provide this submission to the Manager of Parks and Community Development. We trust it will be found to be of some value.

Keith Lay
Active Trails Whitehorse Association (ATWA)
www.activetwa.org