

Date: Sept. 2, 2021

To: Heidi Redman, Landscape Architect, LEES + Associates,
Landon Kulych, Manager of Parks and Community Development, City of Whitehorse,
and Meagan Wilson, Projects and Trails Coordinator, City of Whitehorse

Re: Feedback on the Draft Whitehorse South Trail Plan

From: Keith Lay/Pat Milligan (Active Trails Whitehorse Association)

Response: To send out a survey without telling respondents that any **proposed** non-motorized trail on the draft map, and **any other trail** in Whitehorse South not officially designated by the City of Whitehorse as **MMU**, will be open to **motorized** (snowmobile) use in winter was simply unacceptable.

Citizens were asked to fill out a survey without having accurate information that would have allowed them to make informative responses. As a result, responses to the survey are compromised. One would have thought that the Whistle Bend Perimeter Trail debacle would have taught the City a lesson.

Action: A second survey needs to be issued which would include (along with other corrections) accurate information concerning the actual status of so-called non-motorized trails.

Response: It appears that it is **administration's** intent to allow motorized (snowmobile) use of any so-called **non-motorized** multiple use trail in Whitehorse South. This despite the fact that the recently approved 2020 Trail Plan defines Non-motorized Multiple Use trails as trails "to be used by a variety of **non-motorized** users," and despite the City's pledge in the 2020 Trail Plan to "build upon and **integrate** existing policies, bylaws, management plans, memoranda of understanding and safety documents." (1.1 Purpose and Scope 1.1 #2)

And, it should not be forgotten that the current *Trail Maintenance Policy* defines "single-track" trails as trails that are **off-limits to motorized use**, yet the Snowmobile Bylaw has never been updated to reflect this requirement.

The Snowmobile Bylaw (2012) should be changed to reflect the intent of the newly created Trail Plan as to the meaning of a non-motorized multiple use trail as expressed in the 2020 Trail Plan.

However, as administration knows, there is a way to protect the non-motorized trails of Whitehorse South from motorized (snowmobile use) in winter, without rewriting the Snowmobile Bylaw.

The **Excluded Trails** section of the bylaw (which currently lists a grand total of **three** trails) was added to the Snowmobile Bylaw in 2018, and reads as follows:

“EXCLUDED TRAILS means trails on which the use of snowmobiles is prohibited as identified in Schedule “E” attached hereto and forming part of this bylaw. (**Bylaw 2018-25 passed 2018-07-09**)”

When the draft plan comes before City Council administration **could** recommend to councillors that all so-called non-motorized multiple use trails in Whitehorse South be placed in the **Excluded Trails** section of the Snowmobile Bylaw, and thus would be seen to be doing what it can to uphold the intent of the 2020 Trail Plan, a plan which clearly states that Non-motorized Multiple Use trails are “Trails to be used by a variety of **non-motorized users**, and **not** by a “variety of non-motorized users [and snowmobilers].”

Action: When the draft trail plan comes before City Council administration should recommend that all non-motorized multiple use trails in Whitehorse South be designated as such, and placed in the **Excluded Trails** section of the Snowmobile Bylaw.

Response: The Draft Trail Map’s legend includes a section that is entitled **Existing Motorized Multi-Use (MMU) Trails**. This suggests that **all** these trails have been **designed** and **designated** (by City Council) as MMU trails. However, the only ones that have definitely been designated are the recently approved Dawson North MMU trail, and the MMU exit trail around the railway right-of-way. And, to make things more confusing administration has said that **no MMU** trails in Whitehorse South have been approved by City Council.

Again, citizens were asked to complete a survey based on a draft trail map that appears to have been incorrectly labelled, and as a result is extremely confusing.

Action: Correct the draft trail map to indicate which of the so-labelled **Existing Motorized Multi-Use Trails** have **been approved** by City Council and can actually be considered as **Existing MMU trails**, and re-label the remainder as **Proposed Motorized Multi-Use (MMU) Trails**.

If any of the **Existing** MMU trails (other than Dawson North and the MMU exit trail) have been both designed and designated by the City and approved by City Council, then administration needs to inform citizens as to when and how this was done.

Response: According to the 2020 Trail Plan Motorized Multiple Use Trails are “Trails [that are] **designed** and designated by the City to be used by both non-motorized and motorized users including snowmobilers.” Yet, administration says that there is “no “formal document for required design criteria for MMU trails,” despite the fact that the **Trail Maintenance Policy** indicates that there are

Whitehorse trail standards “**for trail construction**, maintenance, signage and inspection.”

However, it appears that the City of Whitehorse follows City approved design requirements for mountain bike trails (“IMBA Guidelines” and Whistler Trail Standards), but has no City of Whitehorse approved standards for trails that **combine motorized and non-motorized** users to which the public can refer, and that can provide users with some degree of confidence that safety and environmental concerns (among others) have been met.

In addition, the City of Whitehorse makes no claims at all when it comes to so-called non-motorized trails that are open to motorized (snowmobile) use in winter, as such trails are defined as “trails that [are] to be used by a variety of non-motorized users.” There is not even a suggestion that they are **designed** to accommodate both motorized and non-motorized users. This puts both users and the environment at risk.

An **ignored** Section 18.5.1 (p. 74) of the Official Community Plan (OCP) says that, “Where feasible, consideration shall be made to separate multi-use trails (which accommodate motorized and non-motorized recreation) from non-motorized trails. Obviously, **safety** was one of the factors that promoted the inclusion of such a statement.

The **Alberta Recreation Corridor and Trails Classification System** outlines design requirements for trails that combine motorized and non-motorized users, and states that such trails should be **five metres** wide. (Paved trails in Whitehorse are **three** metres wide.) It also suggests that these trails should be **one way** to accommodate and manage multiple users.

City councillors, when considering the approval of new MMU trails, need to be assured that those trails meet **specific design requirements**, particularly those requirements that deal with safety and environmental protection. How can they do so if there is no formal document that outlines the design criteria for MMU trails?

As well, city councillors should be aware that combining snowmobilers and non-motorized users on so-called non-motorized trails without any attempt at designing said trails to accommodate such use, puts all users at risk and demonstrates a lack of accountability by the City of Whitehorse.

Action: Create a City of Whitehorse approved MMU trail design document. This should be done (with public consultation) prior to the Whitehorse South Draft Trail Plan being brought before City Council for approval. Administration would have to ensure that those design qualifications were met (or will be met within a specific time frame), for any proposed MMU trail in Whitehorse South before its trail plan receives approval by council.

Ensure that all so-called non-motorized multiple use trails in Whitehorse South are added to the ***Excluded Trails*** section of the Snowmobile Bylaw.

Response: There is a section on the draft map entitled, ***Future Single-Track Development Area***. Administration has been asked whether or not this was discussed by the Whitehorse South Trail Task Force, or simply added after the fact. No response to this question was received. If added after the Whitehorse South Trail Task Force came to an end, then its addition would be unacceptable, as proper process would not have been followed.

Common courtesy suggests that a group (Friends of McIntyre Creek) that has long been working on trying to get a management plan for McIntyre Creek Regional Park would have been consulted about the possibility of single-track development in the area. The Porter Creek Community Association should also have been informed as it has a vested interest in this regional park.

The area of the park in question may fall outside of Porter Creek, but the park encompasses parts of that neighbourhood, and what goes on in any part of the park could well impact other park areas including those located around Porter Creek.

As the 2014 Regional Park Plan states, “Regional Parks do not operate in isolation from other lands and ***neighbourhoods***. They have an intricate relationship with surrounding areas. Good decision-making will depend on science, our ability to identify linkages, and understand the broader inter-relationships and impacts.” (P. 15)

Although those preparing this plan indicate that the “intended purpose [of this development] is walking, hiking, and biking,” experience suggests that whenever the term “single-track” is used it refers to mountain biking. Such trails are not necessarily built to fit the needs of skiers, walkers/hikers and runners. As well, one must question why we need to build more trails when the City already has a plethora of existing trails that mountain bikers can use.

Action: Tell the public when this development proposal was brought forward and by whom.

Drop this development proposal from the draft plan. If it is to be considered at all then it should be in the context of a draft management plan for the existing McIntyre Creek Regional Park.

Response: Delegates at the final Whitehorse South Task Force meeting were advised by City administration that the Wolf Creek Community Association asked that the Dawson South trail be designated as a MMU trail. ***This was not the case!***

The WCCA indicated it did not support the Dawson South MMU trail both verbally **and** on the maps provided for delegates at the final Whitehorse South Task Force meeting, and in a follow-up email.

A number of other delegates opposed the MMU designation in comments on the maps because of the ecological significance of the Wolf Creek. This trail traverses an ESA and receives the greatest non-motorized trail use within the Wolf Creek subdivision.

Delegates were told their map comments would be made available to those members of the public participating in the current trail planning process for Whitehorse South. However, those comments were not provided to survey respondents.

Action: The Dawson South trail should not be proposed as a designated MMU trail.

Response: Why are there no trail designations along the Alaska Highway? Whitehorse South Trail Task Force delegates strongly requested that the City pursue a safe biking trail off the highway through an MOU with Government of Yukon Highways and Public Works; this trail could be designated as an MMU trail.

One delegate received conceptual support for the idea from Minister Streicker, but City administration indicated the Alaska Highway was Government of Yukon land, and designating City trails along it will be a burden for bylaw enforcement. Alaska Highway trails designated by the City will greatly enhance trail connections and user access to trails.

Action: Administration should pursue the possibility of an MOU with Highways and Public Works prior to the Whitehorse South Trail Plan coming before City Council for approval.

Response: The Pineridge proposed non-motorized trail is a long standing non-motorized trail (summer and winter). It has signage indicating that it is off-limits to snowmobiles and other ORVs, and barriers in several places in an attempt to stop such use.

Apparently, this **designation** came as a result of public consultation. However, for some reason the trail was never added to the **Excluded Trails** section of the Snowmobile Bylaw. Now, it appears that the City wants to open it to snowmobile use in winter.

Administration suggests that signage in Pineridge was incorrectly installed as no trails are designated in Whitehorse South. Strange how the Draft Whitehorse South Trail Plan indicates that there are **existing** motorized multiple use trails in Whitehorse South, when administration claims that **no** trails in the area have

received council designation. (As mentioned previously, there are at least two MMU trails in Whitehorse South that were approved by City Council.)

Action: Administration should recommend to City Council that this trail be added to the *Excluded Trails* section of the Snowmobile Bylaw. This would make it a truly non-motorized trail in both summer and winter.

Note: If the City would simply change the Snowmobile Bylaw to restrict snowmobile use to *designated and designed MMU* trails, there would be no need to add non-motorized trails to an *Excluded Trails* section of the bylaw in order to protect such trails from motorized use in winter.

In the near future, Snowmobilers and other motorized users will have an updated *MMU trail map* to which they can refer that will indicate what trails they can use. Changing the Snowmobile Bylaw as suggested would mean that any trail *not found* on that map would be off-limits to motorized users in both summer and winter. This would eliminate the confusion that surrounds non-motorized trail use in the City of Whitehorse. It would also provide increased safety for all trail users and help to prevent the widening of non-motorized trails to the point where they become attractive to summer ORV operators.

Response: Although the City is currently updating its MMU map, and indicates that it plans to “[include] those trails considered “out and away” trails,” none of those “out and away” trails appear on the draft trail plan map for Whitehorse South. Surely Whitehorse South citizens should have some say as to which trails the City is most likely to select as “out and away” trails in the area.

Action: Allow Whitehorse South residents to have some input as to where these “out and away” trails should be located, as residents may be directly impacted by their location. This should be done before the draft trail plan goes before council.

Final comments:

a) Reconciliation as outlined in the draft OCP.

Administration should not propose a MMU trail through the riparian area (within 30m setback) of Wolf Creek because the KDFN has clearly stated it wants to protect the Wolf Creek watershed as is outlined in the KDFN City of Whitehorse Heritage and Ecosystem Design Proposal.

Similarly, proposing a MMU trail that ends at a KDFN land disposition is inconsistent with Reconciliation; it will likely result in conflict with ORV users venturing onto KDFN land. The KDFN has recently raised concerns about human activities that are damaging cultural values and KDFN land in the Fish Lake area so why contribute to this problem?

Rather than proposing the MMU trails noted in the above, City administration should demonstrate that they support Reconciliation by working with the KDFN and TKFN to protect the Wolf Creek watershed and proposing MMU trail options that protect the First Nation land dispositions.

b) City administration should have a City Council member present at all trail meetings to ensure there is oversight by someone who represents the community at large, and to ensure that there is consistency in the information that administration provides to the public.

c) We seem to forget that the most expensive type of trail to design, build, maintain, and enforce is a trail that combines both motorized and non-motorized users, although this reality may have been usurped at times by mountain bike trail construction if the number of helicopter visits to the top of Grey Mountain's so-called *Dream* Trail is any indication.

Walkers/hikers/mountain runners/cross-country skiers (who can't afford to, or do not wish to ski on club trails) do not ask for much . . . except to enjoy trails and/or green spaces that are free from motorized activity in both summer and winter. We don't necessarily need more trails to be built, just protection for those that currently exist, but are exposed to widening due to ORV incursion.