
HALDIMAND COUNTY

Report CDP-08-2023 Request for Temporary Roads By-law

For Consideration by Council in Committee on September 19, 2023



OBJECTIVE:

To obtain approval of a Temporary Road Use By-law to permit ATVs to be used on County roadways and road allowances for a one-day special event.

RECOMMENDATIONS:

1. THAT Report CDP-08-2023 Request for Temporary Roads By-law be received;
2. AND THAT the Temporary Road Use By-law included as Attachment 3 to Report CDP-08-2023 be presented for enactment pursuant to the Highway Traffic Act, O. Reg 316/03.

Prepared by: Lynda Kissner, Supervisor, Community Programs & Events

Reviewed by: Katrina Schmitz, Manager, Community Development & Partnerships

Respectfully submitted: Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

Approved: Cathy Case, Interim Chief Administrative Officer

EXECUTIVE SUMMARY:

A Special Event Application has been submitted by Quad Niagara ATV Club to permit an ATV Ride in support of Breast Cancer (Attachment 1). The ride, which is planned for October 28, 2023, is scheduled to start at the Wainfleet Fire Hall and participants will follow the Feeder Canal through Wainfleet, eventually cross into Dunnville and then continue to Taylor Road.

Pursuant to the *Highway Traffic Act*, O. Reg. 316/03, Operation of Off-road Vehicles on Highways, an off-road vehicle shall not be driven on a highway or part of a highway that is under the jurisdiction of a municipality unless a by-law is made by the Council of the Municipality permitting this type of use. To support the event, a temporary road use by-law is proposed to be enacted by Council for a period of one day, starting at 9:00 AM and expiring at 7:00 PM on October 28, 2023.

BACKGROUND:

Quad Niagara is a group of ATV enthusiasts who formed the club with a vision to create a legal ATV system in the Niagara Region. Their goal is to create safe and enjoyable ATV riding opportunities, environments and experiences for club members. Quad Niagara successfully lobbied the Niagara Region and, with the assistance of local municipalities, their vision was realized with the creation of a trail system located in Port Colborne. Quad Niagara is committed to working with local municipalities, businesses and the public to educate and create a larger trail network. This group promotes safe and responsible riding, trail maintenance, trail patrols and tourism promotions. Quad Niagara is a not for profit, incorporated organization.

The Event Organizer for the Breast Cancer Ride hopes that this ride will provide ATVers from the Niagara Region and Haldimand County with the opportunity to participate in an ATV event which will demonstrate how the responsible and safe use of ATVs can be a positive recreation experience, while raising funds in support of the Breast Cancer Foundation. The event is to take place (in part) on County roads that extend from Wainfleet to the east end of urban Dunnville. The event is supported under the County's Special Event Application process and program, except for the temporary use of County roads. That is the crux of the matter and only support required from Council through this report.

ANALYSIS:

A Special Event Application was submitted and circulated to the Event Review Team, which consists of representatives from a variety of County Divisions including Roads Operations, Building & Municipal Enforcement Services, Planning & Development, Legal Services, Emergency Services as well as the Haldimand County OPP.

In addition to circulating the Special Event Application, staff from the Community Development & Partnerships Division have met with the Event Organizer twice to discuss the event.

The event will start at the Wainfleet Fire Hall, where an opening ceremony will be held. From there, the ATVs will leave Wainfleet and travel along the Feeder Canal, crossing into Dunnville and continuing along the Feeder Canal to Taylor Road. The ATVers will travel up Taylor Road to the parking lot at Canadian Tire and Tim Hortons for a lunch break and will then return to Wainfleet along the same route in reverse. A map of the route is included at Attachment 2. The participants will travel in groups with a front and back group leader who will be easily identifiable as they will be wearing pink safety vests. All traffic will flow one way and, once all of the participants have arrived in Dunnville, the riders will begin to travel back to Wainfleet, once again in their groups.

In preparation for the event, a few volunteers from Quad Niagara have travelled the length of the ride in order to ensure the safety of the route for the riders. In the week leading up to the event, the Organizing Committee will be on the trail and marking the route with directional arrows, stop signs and other related traffic control signage designed to keep participants safe.

There will be times when the ATVs will be in operation on/and crossing County roadways. Ride officials will be on hand to facilitate safe road crossings while wearing reflective vests. There will also be three (3) recovery vehicles on the ride to assist in the case of ATV breakdowns.

The sole reason for this report coming to Council is the need to enact a by-law to permit the Off-Road Vehicles (ATVs) to operate on Haldimand County roads pursuant to *Highway Traffic Act*, O. Reg. 316/03: Operation of Off-Road Vehicles on Highways. The effect of this regulation is that it prohibits Off-Road Vehicles such as ATVs to operate on municipal highways unless a by-law has been passed by the local Council to authorize such. Staff are proposing a temporary road use by-law be enacted and cover the day of the event only. Enacting such a by-law would give the event organizers and participants the legal right to use Haldimand County highways in the manner and along the route described above.

Based on the review of the Special Event Application, staff are recommending that, for this day only, a Temporary Road Use By-law be passed pursuant to the *Highway Traffic Act*, O. Reg 316/03 to allow participants in the Breast Cancer Ride the use of ATVs on the Feeder Canal Road, North Shore Drive, Canal Bank Road and Taylor Road in Dunnville. A copy of the draft by-law is included as Attachment 3.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

The application for this special event was reviewed by the Haldimand County OPP as well as County staff in the following Divisions: Roads Operations, Building & Municipal Enforcement Services, Planning & Development, Legal Services and Emergency Services. The application has received the endorsement of these stakeholders.

REPORT IMPACTS:

Agreement: No

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

1. [Quad Niagara Website](#)

ATTACHMENTS:

1. Special Event Application.
2. Route Map.
3. Temporary Road Use By-law.