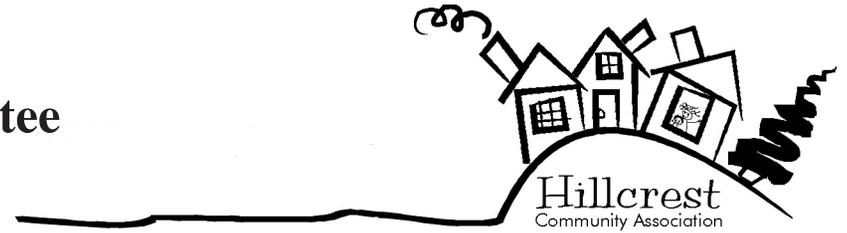


May, 2011

**Hillcrest Community Association
Trails and Greenspaces Committee**



A response to the Interim Report by the Snowmobile Task Force

CONTENTS

PART 1, HILLCREST TRAILS AND GREENSPACES RESPONSE TO SNOWMOBILE TASK FORCE INTERIM REPORT

2	Snowmobiles are motor vehicles
2	Committee makeup
2	Neighbourhood representation
3	User groups and fairness
3	Addressing conflicts
3	Yukon Government, March 2011
4	Non-motorized areas
4	City planning
4	Motorized multi-use trails
5	Environmental damage
5	Mapping
5	Trails and Greenspaces
6	Timelines
6	Website feedback
6	In closing
7	Mapping comments

Part 2, restructure appendices in Interim report for readability

8	Riverdale Community Association
9	Porter Creek Community Association:
10	Klondike Snowmobile Association
11	Listers Motor Sports
12	Yukon Conservation Society
13	Environment Yukon
14	RCMP
15	Parks & Recreation, City of Whitehorse
16	Bylaw Services,
16	City of Whitehorse

SNOWMOBILES ARE MOTOR VEHICLES

ANY VEHICLE WITH a motor is a motorized vehicle so snowmobiles (and motor toboggans) should be considered as motorized vehicles. Likewise this is true for ATVs. They shouldn't have special softened rules only applying to them. Any and all City legislation that exempts snowmobiles from rules applying to other motor vehicles should be changed to remove that exemption.

Governments have determined that rules of the road and safety and proving competencies are required for driving vehicles on the road: buses, trucks, cars and motorcycles. Like other motor vehicles, there must be special licence classes for drivers of off-road vehicles, whether on the road or off the road. Like motorcycles, snowmobiles, quads and motorcycles would each need different rules. As YCS suggested, rules of the road for off-road drivers would also be, environmental in nature.

With its large population compared to the whole Yukon, much off-road vehicle use seems to be within City boundaries. The City should be lobbying the Territorial government to change legislation to allow the City to better legislate off-road vehicles within its borders.

JUST BECAUSE ONE is driving slowly does not exempt a driver from needing to be licensed. Children should not be allowed to drive motor vehicles until they are 15 and pass tests, as per the current graduated licence system.

WITHOUT REGISTRATION AND licence plates, how can people be held accountable for their actions? How can we identify a snowmobile without number plates?

WHEN TALKING ABOUT registration, Klondike Snowmobile Association refers to "Only on public property." What is included here? What is not included here?

COMMITTEE MAKEUP

THE PURPOSE OF the Snowmobile Task Force was to have a diverse group of organizations meet and share their thoughts and considerations.

OVER HALF OF task Force members were governments:

2 FNs: Ta'an Kwach'an Council and Kwanlin Dun First Nation. The report gives little indication of their part in the process.

2 YG departments: Motor Vehicles was only in an advisory role. It shows up very little in the interim report; Environment gave input on environmental matters, but abstained from most other things.

2 City departments: Parks and Recreation; and Bylaw Services (and possibly the Sustainability Manager)

RCMP which spoke to specific issues,

Klondike Snowmobile Association (~600 members) and Lister's Motor Sports (a corporate sponsor of KSA). They mostly voted similarly, and in opposition, to most things. No rules for snowmobiles?

Yukon Conservation Society, a Yukon-based group and finally, only 2 neighbourhood associations: Riverdale and Porter Creek were there to represent 26,418 residents!

HAVING LISTER'S AS a full Task Force member makes no sense. If there was information Lister was needed for, then it could have been invited to sit in an advisory capacity, like Motor Vehicles. If it was to represent snowmobilers, then KSA already represented them. If to represent the business community, then the Chamber of Commerce might have made more sense. Why is it important for the Task Force if Lister's feels WCB rates are driving up their costs? It would have been better to have an organization with some balance of community responsibility, someone who wanted to solve problems.

APPENDIX B REPORTED that some organizations voted "no/abstain." These are two quite different things. Why are they lumped together? How are people to understand the positions taken by each organization? (See Part 2, page 7.)

FOR A TRANSPARENT process, it's important that the people sitting on the Task Force be known to the public.

NEIGHBOURHOOD REPRESENTATION

FROM THE INTERIM Report:

Riverdale and Porter Creek were most often identified as an issue.

COUNCIL DETERMINED THE members of the Task Force based on a number of factors including frequency of complaints in specific subdivisions.

The City's belief that problems are only where people have complained to By-law is not an accurate take on what's happening. Citizens understand that there's a limited ability of By-law, both legislatively and staff-wise, to deal with motor vehicle problems.

For instance, say you meet snowmobiles on a trail near Paddy's Pond and they see you walking out of a small side trail. You return the next day and find the trail all dug up making it unwalkable for weeks afterwards? They had no plates, they wore dark face shields and were basically anonymous. Was there any sense in complaining to By-law? What would By-law do?

As a result, Hillcrest and other above-the-airport neighbourhoods received little chance to make their views considered as part of the Task Force discussions.

THERE WAS NO mention in the Interim Report that issues presented by neighbourhood submissions were even considered.

SENDING COMMENTS, QUESTIONS, suggestions, issues centrally to the chair or waiting for the public consultation at the end is not the best way for ensuring our issues are considered.

With only 2 neighbourhood associations on the task force, the City could have informed the other neighbourhood associations to pass information to the people who were the representatives of the neighbourhoods on the Task Force so they could better represent the neighbourhood associations.

The two chosen associations could have then reinforced "neighbourhood" issues through examples that were broader than just their own areas. It lends more credence when they can give a Riverdale example and then mention the same (or different) for xyz in Hillcrest, Crestview and Granger.

USER GROUPS AND FAIRNESS

THE INTERIM REPORT seems to show an almost complete lack of recognition by the Task Force for walkers and snowshoers. Does one need to be part of an organized sports group or a business to be given a voice in this process? This is in spite of the large showing (95%) by walkers and dog walkers in the survey.

(For a survey on snowmobiling, i.e. winter conditions, it seems odd that bicycling was included but not snowshoeing.)

FROM THE INTERIM Report:

Environment Yukon says “Give wildlife the right of way. Noisy machines scare wildlife/alter behaviour. Slow down and stop for wildlife. Respect of key wildlife areas.”

The Task Force examined: Impact on Lands, Impact on Water bodies, Impact on Wildlife. It also discussed distance from residences, schools and recreation areas.

It seems that if animals and the land are to be considered, then too it seems reasonable to treat people's issues also.

Yet very little in the report suggests that “Impact on People using Trails” was a topic for consideration. There are issues around this as the next sections will show. We shouldn't be wishing away problems between user groups.

ADDRESSING CONFLICTS

ALMOST HALF THE respondents in the Task Force's Datapath survey reported having a negative experience with snowmobiles on the trails.

FROM THE INTERIM Report:

Brian Edelman – Listers Motor Sports said that special interest groups with no tolerance for other views or positions and whose sole purpose was to ban snowmobiles should not be listened to.

MARK DANIELS OF KSA mentioned that *special interest groups are against snowmobilers where the dealerships and KSA are not against other interest groups.*

THE INTERIM REPORT also mentioned:

Limits the possibility of conflicting use (public safety will take precedence); there are concerns for the safety of pedestrians on trails; Parks & Recreation, Whitehorse - Need education for users - trail etiquette.

YET THE INTERIM Report really doesn't seem to make one feel that conflict was really addressed. People are quite irate at the idea that snowmobiles can do what they want, wherever they want. This is a problem. When challenged, the answer is often that drivers are mostly “self-policing” and problems are only because of a small number of bad-apples. More education seems to be the only thing the snowmobile supporters accept as a solution.

AT THE YUKON Government Select Committee on the safe operation of off-road vehicle meeting held in Whitehorse this spring, there was a lot of discussion around conflicts. There was a sense of surprise that people were unfriendly on the trails towards drivers. Off-road drivers wondered why can't people share.

One person said if he couldn't go to a place with his off-road vehicle then it should be off-limits to everyone.

There seemed to be absolutely no awareness that people could possibly want to be on a trail in the woods without hearing the noise, smelling exhaust and having to be conscious of walking on a trail with motor vehicles. There was no understanding or acceptance that if all areas are to be open for vehicles, then the corollary is that there are no areas without vehicles where people can go — this is not sharing, it is a one-sided deal.

YUKON GOVERNMENT, MARCH 2011

FROM THE REPORT of the Select Committee on the Safe Operation and Use of Off-road Vehicles

One thing is clear: Yukoners are passionate about the issue. Comments tend to be emotionally charged and closely tied to what Yukon means to each individual. For example, some view Yukon as the last frontier and want it to remain that way. For them it's about protecting their personal rights and freedoms and having the ability to choose. Others see it as that pristine, untouched wilderness experience. For them it's more about respect and the principle that Yukon belongs to all of us and must be protected for future generations

THE REPORT ALSO stated

This responsibility [address the ATV/snowmobile issue] becomes even more urgent when the potential population growth over the next ten years is considered. Even a modest increase in population will see a significant increase in back country use by all citizens and the conflicts between user groups will continue to escalate. There were many stories of ATVs racing past and nearly hitting hikers or skiers and of non-motorized users throwing objects or threatening riders with ski poles. This apparent intolerance and unwillingness to share is becoming a serious safety concern for both groups.

AND IT FURTHER said:

The Committee heard that this is an urban versus rural issue. There were repeated calls for more stringent regulations in residential areas and in Yukon campgrounds with less need for increased regulation identified for the back country. Many Yukoners believe this is a “Whitehorse only” issue and that any legislation or additional regulations should be community specific.

And finally, lack of enforcement of existing laws and the potential inability to enforce any new laws also came up over and over again. There were numerous calls for increased enforcement in and around the Whitehorse area. Yukoners repeatedly commented on the futility of enacting more laws that can't or won't be enforced. Suggested methods of enforcement included the RCMP, bylaw officers, conservation officers, water inspectors and possibly even a program similar to Turn in Poachers.

NON-MOTORIZED AREAS

YUKON CONSERVATION SOCIETY said “There must be clearly defined areas where snowmobilers can and cannot go”. Klondike Snowmobile Club says it agrees with YCS about trails. Will they support the concept of substantial areas completely free of motorized vehicles?

HOW OFTEN DO people out for a walk in the woods hear the din of snowmobiles roaring around, and as a result, turn around and go walk elsewhere, possibly never returning to the area? Has there been any study of how far snowmobile noise travels in the winter, destroying any aspect of silence... 500 m?... 1, 2, 3 kms?

One important aspect in our committee’s submission to the Task Force (given as part of Hillcrest’s submission) was the concept that for fairness, some areas should be considered totally out of bounds to motor vehicles. There was no mention in the Interim Report that completely no-go areas were even considered.

IN THE LAST OCP process, our committee lobbied for the ability to create motor vehicle-free areas. Take Paddy’s Pond/Ice Lake Park for instance. This is a logical area for no motor vehicles. There are presently no official motor vehicle trails in this small Park. This area need not be used as a motor vehicle playground.

As an example, Ice Lake is an area of the Park that is gaining more frequent vehicle use since the new culvert under Hamilton Blvd. was built. Now, instead of a peaceful small lake in the city where one can walk and experience nature, it’s becoming a snowmobile destination with loud motors and new trails being cut through the brush around lakeshore. (Also, ATVs are starting to chew up the shoreline.)

THE TASK FORCE’S Datapath survey reported that 84% of people encountered snowmobiles on the trails. Certainly in the Paddy’s Pond/Ice Lake area these days, by the end of the winter there’s seldom a trail to be found that hasn’t been travelled by snowmobiles.

CITY PLANNING

FROM THE 2007 City of Whitehorse Trail Plan:

... there is a need for escape routes, trails which allow residents to leave the limits of the City entirely. These are the “getting the heck out of Dodge” trails which facilitate escape from urban form and connect the City to a broader network of trails and destinations beyond its boundaries. It is particularly important that motorized users have appropriate urban/rural interface routes which allow them the opportunity to recreate at distance from built-up areas.

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.

FROM THE 2010 City of Whitehorse OCP:

18.5 Motorized Recreation: Many residents of Whitehorse enjoy motorized recreation, such as ATVs and snow machines. However, not all residents appreciate motorized vehicles on local walking and skiing trails.

To avoid conflict between motorized and non-motorized trail users, the City Parks & Recreation Master Plan and Trail Plan recommend the idea of “out and away” trails. These trails would be designated for motorized use, allowing those residents routes to get away from the local green space and into the larger hinterland, where they will not be a nuisance to non-motorized users.

18.5.1 Where feasible, consideration shall be made to separate multi-use trails (which accommodate motorized and non-motorized recreation) from non-motorized trails. Future multi-use trail development shall avoid environmentally sensitive areas wherever possible.

18.5.2 The Trail Plan recommends the creation of a map of “out and away” trails for motorized recreation vehicle usage. This map shall be designed to strongly discourage the use of all terrain vehicles on non-motorized trails and in environmentally sensitive areas. The map would be accompanied with physical upgrades such as signage. Work on this project shall be done in conjunction with groups such as the Klondike Snowmobile Association, Motor Vehicles Branch, and others.

DURING THE OCP process, our committee lobbied that community associations should have a voice in creating of this map. This is still true!

MOTORIZED MULTI-USE TRAILS

THIS DESIGNATION RESULTS in people and motor vehicles sharing the same trails. This creates situations where off-road vehicles are interacting with people walking, skiing, snowshoeing, bicycling, pushing strollers, pulling tobaggans — this isn’t really safe.

Some trails are winding, with lots of ups and downs and low visibility. If the intention is to let snowmobiles and other motor vehicles go on trails with people, then 25 km/hr is too fast. Quite unreasonable. A person pulling a child on a sled is not able to react very quickly.

In Toronto for comparison, multi-use trails mixing people and bicycles have a 20 km/hr speed limit, and that’s for bicycles, not snowmobiles.

FROM THE 2007 Trail Plan:

All trails within the City of Whitehorse, whether formally developed and constructed by the City or others or evolved through neighbourhood use, are multiple-use trails.

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.

There needs to be a way that the non-motorized trails are respected, in practice, and not just as a Trail Plan recommendation. If By-law can’t enforce, there needs to be discussion on how a law should be respected.

THE MILLENNIUM TRAIL and parts of the Trans Canada Trail get to be motor vehicle-free. Likewise, downtown gets to be snowmobile free.

As well, ski trails get protection from motorized vehicles. But our laws seem to be only protecting formal trails like the ski club and Chadburn Lake Trails.

What about ski trails which are informally maintained by residents? These should also be respected.

ENVIRONMENTAL DAMAGE

WE SEE OUR Paddy's Pond/Ice Lake Park as a small green jewel in the ever increasing subdivisions and commercial highway growth. Our Park helps define the identity of Hillcrest and Granger. Unfortunately, the past few years we've seen some trails become almost unpassable. Parts of some trails are so bad that the ATVs create new bypass trails. Skidoos treat trail corridors as broad highways.

IN THE PADDY'S Pond/Ice Lake area, there are new trails showing up as ever more snowmobiles use the area. Soon these new trails are used by ATVs which follow the snowmobile trails.

From the 2007 Trail Plan:

"because there are physical signs that the activity is tolerated (i.e. visible existing trail damage indicates it's "okay" to use that trail in less-than-ideal conditions)."

THE CITY PUBLISHED a series of wetland brochures a few years back. They all said snowmobiles should not be using wetlands.

IN EXAMINING ECONOMIC effects of snowmobiles, there seemed little interest in reclamation/restoration and repair of damaged/degraded habitat. Since City finances are not such that it can go behind off-road vehicles and repair trails, it seems obvious that off-road drivers need to stop using trails that are not designated as motorized.

MAPPING

WHILE IT SOUNDS like it is being worked on, mapping is not addressed in the timeline (Appendix F).

From the Yukon News, April 20, 2011 about the Task Force, *"To try to address these problems, new trail maps are in the works."*

From the Interim Report:

Appendix 1, Group 4: Jeff Marynowski drew trails with a red marker that already exist and are not marked on the map which would make good out and away trails;

THE RULES AROUND snowmobiles are being examined separately from the rules around motor vehicles (two Task Forces). Does this mean that special snowmobile trail maps are in process? Without consultation with the neighbourhoods, this would be a very bad step.

With no maps with this report, how can we comment on what is being done? Are the two maps (a Motorized Trails Map and a Non-motorized Trail Map) posted on the Task Force homepage meant to be drafts of new mapping?

WHAT ABOUT TRAILS that are defined as "rough roads"? The rough road from the culvert under Hamilton Blvd. to the Ice Lake Road is an issue. It's not shown on the Motorized Trails Map as a red line — which means that it's not a motorized vehicle trail.

The Hillcrest Trails and Greenspaces Committee had a meeting with By-law last fall — on-site at one particularly bad spot caused by both snowmobile and ATV traffic using the rough road. The officer said he'd never seen an area so trashed by vehicles. Soon a gate was installed to stop vehicles from using the rough road.

However, Parks and Recreation has a contract with KSA to "groom" the rough road, and the gate was soon opened so snowmobiles could have clear access.

The problem is that many snowmobiles immediately leave the rough road and drive down into the wetlands and on to Paddy's Pond and its trails. Others go farther along the rough road and use Ice Lake and its trails as a playground.

Is the solution to reclassify the rough road as a trail?

Parks and Recreation needs to be clear about what trails they have KSA groom. When asked, they said to ask KSA!

TRAILS AND GREENSPACES

THIS PROCESS SHOWS the need for the City to follow its own recommendations in both the Trail Plan and the Parks and Recreation Master Plan around a committee of residents/city officials — a Trails and Greenspaces Committee.

Having true representation, by districts, with people whose focus is a positive growth in trails and greenspaces is obvious. Presently, when looking at trails and greenspaces, neighbourhoods talk to Parks and Recreation about some things, Planning about different things, Bylaw about others, Engineering and Environmental Services about still others.

This is a situation ripe for a passing-the-buck strategy on the part of the city. Residents need a voice and trails and greenspaces also need a voice.

A big step for such a committee would be charettes held in different districts that would address neighbourhood and district trail needs.

BEFORE THE NEXT Task Force, there needs to be a community charrette around the issue of motorized trails.

There needs to be current usable, Google earth readable maps. This way people can prepare properly for meetings, understanding the big picture of where the "hinterland" is that the City wants off-road vehicles to go to, where land is still open for trails, where there are impediments to trails, and other relevant information.

TIMELINES

THE CITY HAS had this Task Force in process since last year.

There needs to be more time allowed for the public part of this process. Most neighbourhood organizations consist of volunteers with other responsibilities.

This is a very detailed process that looks like it will affect the use of many trails and green spaces. It may legitimize snowmobile use on many trails without community consultation. There are many ideas that really need more community consultation.

ADDITIONALLY, MAY 5 is a Thursday. The City should acknowledge that most people are donating their time and energy in responding to this report and at least have made the deadline Monday May 9, so people could have had the weekend to get feedback from their community members.

HOLDING THE PUBLIC meeting and releasing the report at almost the same time means there's no time for the community to read it, understand it, and then ask informed questions at the meeting. We need more time to adequately prepare for these meetings, or else they really are a waste.

GIVEN THAT THE City has e-mail lists of people involved, then there should be notification that things are happening, especially to those who submitted input.

ON MAY 4, there was an article in the Whitehorse Star about a two-week extension. There was no notice on the City's website. This is an important process and giving an extension the day before the deadline really shows that this issue of giving the community adequate time was not well thought out. Likely some people gave up thinking they would respond to the report due to the original short timeline.

WEBSITE FEEDBACK

THE CITY'S TASK Force homepage looks like the correct place for any new material on the Task Force. This page has a number of links to Task Force materials of relevance to the process. It has a link to two maps created in February: a Motorized Trails Map and a Non-motorized Trail Map.

But, the page does not link to the Task Force Interim Report. It does, however, have a link to a survey on the Task Force Recommendations!

FLASH: This page now has a link to the report.

THE TASK FORCE Interim Report is posted on a different web page: a Public Meeting page.

The Public Meeting page is accessible under the ATV and Snowmobile entry. The page also has information on the April 20th Consultation Meeting.

This Public Meeting page did have notification that all public input had to be submitted by May 5. The deadline date is no longer on the website; this date, however, is still in the Interim Report.

THE COMMITTEE SHOULD show the submissions made by the public.

It should also show items such as the survey that Riverdale gave to By-Law and which has been supplied to all Task Force members.

THE WEBSITE SHOULD give PDFs that download with proper names. Likewise, it should also use simple names for web pages.

EVEN TODAY, IN Mid May, the main City home page shows Feb. 11 for the main Task Force page and Apr. 19 for the secondary Public Meeting page. Neither shows anything about the initial deadline for the public input phase, nor the two-week extension.

TIMELY INFORMING THE public is a problem. By routinely linking to PDFs of the weekly City pages in the newspaper, there would be an easy way to keep in touch with City processes, like public response periods to planning initiatives and task forces. This assumes that these dates are recorded in the City's newspaper pages of course.

IN CLOSING

IT'S REALLY HARD to believe that economic impact was a high enough priority to rate being 1 of only 4 themed meetings. If smoking was banned would we worry that drugstores were losing a revenue stream? Just because people make money and create jobs shouldn't be a compelling argument for no regulation.

THIS WHOLE ECONOMIC value of snowmobiles seems strange. Without proper input from other potential users of the trails who are turned off freely using them because of off-road vehicles, this economic aspect should be ignored. Why wasn't the ski club asked what future they thought could be for the tourism potential of the city if we had no snowmobiles? Or ask how much healthier people would be walking instead of driving? Or how much economic value would be gained by not polluting the air on the trails?

THERE WAS SUPPOSED to be an Appendix to show who voted for what around economic benefits. Realistically, is there really an economic benefit for having uncontrolled snowmobile use?

YCS WAS TOLD that they would sit on the next Task Force that will be examining ATV trail issues. The ATV Task Force should not have the same people. It should get new points of view and learn from the shortcomings of the snowmobile Task Force.

AS PEOPLE GIVE feedback at this step of the Task Force process, it's not clear from the City timeline in the Interim Report what happens to the public input. It should obviously be given to the Task Force members for consideration. It should not just be evaluated by City staff.

TO HELP SEE not only which organizations voted for or against particular issues but also to gain an overall look at the positions taken by the various Task Force participants, Appendix A – D of the Task Force Interim Report was shuffled to allow viewing of all positions by each organization.

Appendix A, below, is as provided in the Task Force’s Interim Report.

Then, using one page for each organization, Appendix D’s notes are placed in the left columns. (This appendix is about ... Dee Enright explained to Mayor and Council... how the Task Force meetings were based on four themed meetings. She also advised that the purpose of the meeting ... was for each Task Force member to give their top 3 priorities as it relates to the group they are representing.)

Finally, Appendix B and C were merged by the issues to show all the positions on the issues. This is the table on the right side of the pages.

Contents

7	Mapping comments	12	Yukon Conservation Society
8	Riverdale Community Association	13	Environment Yukon
9	Porter Creek Community Association:	14	RCMP
10	Klondike Snowmobile Association	14	Parks & Recreation, City of Whitehorse
11	Listers Motor Sports	15	Bylaw Services, City of Whitehorse

Mapping comments Appendix A

Group 1

Yukon Conservation Society, Ta’an Kwach’an Council, Parks and Recreation

- i) identified known ski trails and establish corridors;
- ii) identify typical areas where motorized vehicles frequent;
- iii) establish links to power lines in Riverdale, Cantli Lake, Livingstone Trail, Schwatka Lake and by using Chadburn Lake Road; iv) possibility of a new bridge over Miles Canyon to link users up to an extremely popular area to the west;
- v) red dots went on ski trails and areas behind Valleyview to Kopper King;
- vi) red dots on slops between Takhini Subdivision and the Marwell area (marsh area);
- vii) trails established in Porter Creek behind Birch Street area.

Group 2

Riverdale Community Association, R.C.M.P., Education Constable for Bylaw Services

- i) would like to see more than one out and away trail (only trail goes up Pee Wee Hill and is being used to get to Hidden Lakes area; the same trails are used by residents walking, skiing etc.
- ii) snowmobiles are riding all around Riverdale to get to the one trail;
- iii) Grey Mountain Road could maybe be used to get out and away;
- iv) Snowmobiles access Pee Wee hill via the power line along the escarpment. Concern was raised because of pedestrians and dogs using same trails.

Group 3

Klondike Snowmobile Association, Department of Environment, Bylaw Services Manager

- i) identified sensitive areas with emphasis on caribou herds and sheep areas;
- ii) identified ski trails;
- iii) need structured plan for Porter Creek out and away trails;
- iv) Copper Ridge, Arkell, Logan (large population area) needs more out and away trails.

Group 4

Porter Creek Community Association, Listers Motor Sports, Sustainability Project Manager

- i) Jeff Marynowski drew trails with a red marker that already exist and are not marked on the map which would make good out and away trails;
- ii) feel that there is no need for further trails as the trails which are already being used by motorized vehicles are marked as motorized;
- iii) the trails which are already being used by motorized vehicles are all in the red dot zones;
- iv) the industry is selling more smaller machines and the large ones are being sold to individuals who are going out into the hinterland;
- v) important to note that there are 14 to 16 year old users that are responsible and respectful of others on the trails and the sensitive areas;
- vi) a lot of young users only go out when they are supervised

Riverdale Community Association

(Gabriele Watts)

Gabriele quoted a sentence from an open letter sent by Dorothy Lebel to the City of Whitehorse on the review of the Snowmobile Bylaw, dated February 8, 2011. “while non-motorized trails are highly desirable and increase a community’s attractiveness, motorized activity on trails negatively impacts the health and quality of life of the majority of the surrounding areas”.

She stated that this best described the feelings and comments she has heard over the years from Riverdale residents on the issue of snowmobiles.

Gabriele stated that the Riverdale Community had not had a meeting specifically related to snowmobiles and that she had been told at one of the committee meetings that there would be a public meeting but that RCA would, in addition like to do a survey for Riverdale residents only, regarding snowmobiles.

Florence (Councillor) asked if they would forward the results to the City once they have the information.

Gabriele then referred to the Riverdale Community Neighborhood Plan for some statistics, which were compiled from the survey the association had sent out in preparation for the neighbourhood plan regarding snowmobile use in Riverdale. Bylaw will ask Gabriele for a copy of this survey (As per this comment, Bylaw Services has a copy of this report in PDF which has been supplied to all Task Force members).

- i) Designated motorized trails, signage
- ii) Safety – The effects on health and quality of life for residents
- iii) Enforcement – would like to see strict enforcement of snowmobiles

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver’s license required	yes		5	
liability insurance	yes		5	
registration	yes		5	
age limitation	yes		5	
helmet required	yes		5	
safety course required	yes	Under 16 or until they have their learners permit or with adult supervision	5	
impact on lands	yes		5	
impact on water bodies	yes	prohibit use in protected and environmentally sensitive areas	5	
impact on wildlife	yes	Increase awareness & identify areas where animals are known to exist.	5	
distance from residences, schools and recreation areas	abstain			abstain
access restrictions in city	yes	Trails should be separated (motorized & non motorized . In certain areas.	5	
trail designation	yes	specific trails for snowmobiles.	5	
machine type/aftermarket equipment	yes	low emissions by a certain year.		abstain
speed limits	yes	25 km in residential areas		abstain
out and away trails				abstain
motorized/non motorized designated trails				abstain
signage				abstain
recreation areas				abstain

Appendix D

Priorities submitted by

Porter Creek Community Association:

Safety - Finding ways to keep vehicles out of private property, licensing drivers, insuring the vehicles, and keeping them off of green belt trails where children are playing.

Noise - Keeping the speeds down to reduce the noise pollution.

Enforcement - Means to enforce the laws that are in place. And user pay - why shouldn't snowmobile users pay to cover the administration and enforcement costs.

Legislation comments

Appendix B

Education comments

Appendix C

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver's license required	yes	Snowmobile Operator's License for 14 18 years	5	no
liability insurance	yes		5	no
registration	yes		5	no
age limitation	yes		5	no
helmet required	yes		5	no
safety course required	yes	14 years 18 years require safety course	5	no
impact on lands	yes		5	no
impact on water bodies	yes	Environmental impact considered.	5	no
impact on wildlife	yes	Environmental impact considered	5	no
distance from residences, schools and recreation areas	no/abstain		2	
access restrictions in city	yes	Not in downtown core except for Trans Canada Trail.	5	no
trail designation	yes	all purpose trails and non motorized trails.	5	no
machine type/aftermarket equipment	yes	noise restrictions, no modified stock exhaust.	5	no
speed limits	yes	site distance considerations, trail considerations, width etc. No faster than trail conditions.	5	no
other ideas		Co2 emissions consideration, no modification to stock.		
out and away trails			5	no
motorized/non motorized designated trails			5	no
signage			2	abstain
recreation areas			5	no
noise			5	no

Klondike Snowmobile Association

(KSA) (Mark Daniels)

i) Safety – there are more injuries by children riding bicycles and playing in playgrounds than there are with children snowmobiling. Education helps with safety issues;

ii) Environment – snowmobiles account for a very small amount of damage and pollution. Motor vehicles do more damage to the environment;

iii) Infrastructure – agrees with the Yukon Conservation Society and Environment Yukon with respect to trails. KSA also partners with Parks & Recreation, City of Whitehorse and agrees that Riverdale is the only subdivision where there are no out and away trails.

Mr. Daniels feels that the City of Whitehorse needs to partner with the public sector and dealerships with respect to safety courses.

With respect to “noise”, Mr. Daniels would like to keep the general legislation with no amendments.

KSA is an advocate for multi-use trails. Mr. Daniels does not want the City to compare the Yukon with other jurisdictions when it comes to amending or implementing a new Snowmobile Bylaw.

Mr. Daniels does not want Mayor and Council to consider the DataPath survey. He has gone over the survey and feels that 35 percent of the questions were asked in a negative light and only 8 percent were asked in a positive light.

Mr. Daniels has asked that when considering a new bylaw to please consider “intent” when drafting the bylaw.

Mayor Bev Buckway asked Mr. Daniels if he felt the Snowmobile Bylaw should be updated. Mr. Daniels said yes, the bylaw needs to be updated.

Dee Enright advised that 5 percent of snowmobile users are abiding by the legislation and that a majority of riders do “self-policing”.

Dave Stockdale asked Dave Pruden how many different complaints Bylaw Services received. Dave Pruden advised 60 – 80 complaints with most complaints coming from Porter Creek and Riverdale. There have hardly been any complaints from Copper Ridge as they do have out and away trails.

Gabriele Watts asked Dave Pruden what types of complaints Bylaw Services receives. Dave Pruden advised that the complaints are for noise, riding on trails where they should not be riding and riding on the roads.

Mayor Bev Buckway advised that the same 5 percent that are causing a problem with snowmobiles in the winter will be the same 5 percent causing problems during other times of the year.

Mayor Bev Buckway brought up the fact that some members of the public felt that KSA and Listers Motor Sports should not be on the Task Force. However, both parties brought a lot to the table and she thanked them for their insight and the fact that they agreed to participate on the Snowmobile Task Force.

Dee Enright informed Mayor and Council that a report is forthcoming which will include economic impact/cost analysis both pro and con.

If Jeff Marynowski of the Porter Creek Community Association sends in a written submission the same will be forwarded to Mayor and Council.

Ranj Pillai asked Doug Hnatiuk if the Trans Canada Trail can be used by snowmobiles. The Trans Canada Trail on Copper Hall Road may be used by snowmobiles, however, the trail through town cannot be used.

Ranj Pillai mentioned an article he saw with respect to snowmobiles on the Trans Canada Trail and will obtain a digital copy.

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver’s license required	no/abstain	only if 16+ years or if unsupervised	4	no
liability insurance	no/abstain	Only on public property	4	no
registration	no/abstain	Only on public property	4	no
age limitation	no/abstain		4	no
helmet required	no/abstain	Not when loading or unloading	5	no
safety course required	no/abstain		5	no
impact on lands	no/abstain		4	no
impact on water bodies	no/abstain		4	no
impact on wildlife	no/abstain		4	no
distance from residences, schools and recreation areas	no/abstain		2	
access restrictions in city	yes	Not in downtown core except by permit. Separate rules for “wilderness” areas. Yes to out & away trails near subdivisions.	4	no
trail designation	no/abstain		4	no
machine type/ aftermarket equipment	no/abstain		5	no
speed limits	no/abstain		4	no
out and away trails			4	no
motorized/non motorized designated trails			5	no
signage			5	no
recreation areas			5	no
other - Snowmobiling under the influence of alcohol			5	no

**Listers Motor Sports
(Brian Edelman)**

- i) Modernize the Snowmobile Bylaw to bring it up to date but keep it simple;
- ii) Would like to see a helmet bylaw; and
- iii) Would like to see the Snowmobile Bylaw reflect the northern community.

Brian expressed that the snowmobile bylaw need not reflect other jurisdictions but should instead take in to account that we live in the north and the bylaw should reflect our lifestyle. He also stated that since 2006 overall sales for snowmobiles have decreased by 30% and that costs are much higher for dealers in the Yukon and Edmonton and cited WCB rates as an example.

He also stated that special interest groups with no tolerance for other views or positions and whose sole purpose was to ban snowmobiles should not be listened too. The snowmobile industry provides over a hundred jobs in Whitehorse. He presented the situation that occurred in Juneau, Alaska where bylaws became extremely restrictive, environmental groups took over existing snowmobiles trails and as a result, there are no longer any dealers operating there.

Brian Edelman would like City Council to keep these points in mind.

Betty Irwin asked Brian Edelman if dealerships are not special interest groups and Mr. Edelman agreed that they are.

Mark Daniels of KSA mentioned that special interest groups are against snowmobilers where the dealerships and KSA are not against other interest groups.

Mayor Bev Buckway asked Mr. Edelman if he felt that snowmobiles should be licensed, registered and insured. Mr. Edelman agrees to this, however he does not agree to make it Yukon wide.

Florence Roberts asked Mr. Edelman if he hands out Snowmobile Bylaw information and YTG policy when selling a snowmobile or advise them of their responsibilities. Mr. Edelman said that he does advise them.

Mr. Edelman also mentioned that snowmobile users are paying fuel tax on their fuel to operate snowmobiles with no benefits to them.

Dave Stockdale advised that not many people register their snowmobiles and Brian Edelman agreed. However Mr. Edelman felt that if they are driving in municipalities and near a highway then they should be registered. Mr. Edelman also asked the question about how many people register their machines if they are purchased out of the territory. He stated that if local dealers are required to take on the registration portion and paperwork, consumers can choose to buy outside if it is more convenient and simpler.

Mr. Edelman also wanted Mayor and Council to know that he did not agree with an age limit as snowmobiles and riding are a great training tool for young people and will help teach them responsibility for when they start driving motor vehicles.

Mayor Bev Buckway asked Mr. Edelman how many deaths (of youths) have been contributed to snowmobile use. Mr. Edelman advised that there have been no deaths in the last two years.

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver's license required			1	abstain
liability insurance	yes	special insurance for tourist operators (like they have in YK	1	abstain
registration	yes	City administered stickers and Special Tourist Operators stickers	1	abstain
age limitation	no/abstain		1	abstain
helmet required	yes		5	abstain
safety course required	no/abstain		3	abstain
impact on lands	no/abstain		1	abstain
impact on water bodies	no/abstain		1	abstain
impact on wildlife	no/abstain		1	abstain
distance from residences, schools and recreation areas	no/abstain		2	abstain
access restrictions in city	yes	Ski trails and downtown core.	2	abstain
trail designation	no/abstain		3	abstain
machine type/aftermarket equipment	no/abstain			abstain
speed limits	no/abstain	existing Bylaw	2	abstain
other ideas		do not have the dealer do all the checking and paperwork.		
out and away trails				abstain
motorized/non motorized designated trails			2	abstain
signage			2	abstain
recreation areas			2	abstain

Yukon Conservation Society

Written Submission

(Maciej Stetkiewicz)

i) There must be clearly defined areas where snowmobilers can and cannot go;

ii) The bylaw must include consideration of the environmental impacts of snowmobile usage on wildlife, sensitive areas, water quality and air quality.

iii) The bylaw must include regulations, and enforcement of these regulations, as well as education programs pertaining to the priorities outlined above.

Mark Daniels of KSA mentioned that he has worked on another task force with the Yukon Conservation Society to find usable trails.

issue	is legislation needed? any comment		Is education needed? Scale: 1-No → 5-Lots Is current education ok?	
driver's license required	yes	regular driver's license required only	4	no
liability insurance	yes		4	no
registration	yes		4	abstain
age limitation	yes		4	abstain
helmet required	yes		4	no
safety course required	yes	if under 16 years. (Would like to see an environmental course as well	4	no – courses do not exist
impact on lands	yes		4	no
impact on water bodies	yes	Middle of a lake not a problem but to get to that lake you have to drive over a wetland that's a problem	4	no
impact on wildlife	yes	Some species are more important (i.e. caribou, moose . Trails should not arrive at an environmentally sensitive area outside city limits. Trails should not make it easier for hunters to gain access to caribou, moose etc.	4	no
distance from residences, schools and recreation areas	no/ abstain	Out and away	3	no
access restrictions in city	yes	Ski trails (except for grooming purposes . Stick to out and away and popular recreation areas. No crossing by dam (safety issue	4	no
trail designation			4	yes
machine type/aftermarket equipment	no/ abstain		4	abstain
speed limits			4	yes
other ideas		make it clear where you can and cannot go to reduce conflict.		
out and away trails			4	no
motorized/non motorized designated trails			4	no
signage			4	no
recreation areas			4	no
other - Snowmobiling under the influence of alcohol			4	no
avalanche training			4	no

Environment Yukon

Written submission

i) Avoid trail use/construction in significant or sensitive wildlife habitat (emphasis on Southern Lake caribou and waterbodies). Consider the potential impact on City trails leading to out and away trails (outside municipal jurisdiction) that may lead to significant or sensitive wildlife habitat areas. Responsible parties should consult with Environment Yukon prior to proposing new trails;

ii) Avoid stream crossings in sensitive areas to avoid potential impacts to water quality and fish; and

iii) Consider measures that can mitigate potential impacts to fish, wildlife and water quality:

- Stay on trails
- Stop for wildlife
- Best practices to reduce noise and hydrocarbon pollution
- Respect identified key wildlife areas
- Minimum snow depths for operating to prevent habitat impacts

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver's license required	abstain			
liability insurance				abstain
registration				abstain
age limitation				abstain
helmet required				abstain
safety course required	abstain			abstain
impact on lands	yes	stay on designated trails, minimum snow depths for operating to prevent habitat impacts	5	no
impact on water bodies	yes	Snowmobile use on wetlands can degrade habitats. Avoid stream crossings in sensitive areas, could be fish bearing and impact water quality.	5	abstain
impact on wildlife	yes	Give wildlife the right of way. Noisy machines scare wildlife/alter behaviour. Slow down and stop for wildlife. Respect of key wildlife areas.	5	abstain
distance from residences, schools and recreation areas	abstain			abstain
access restrictions in city			5	abstain
trail designation	yes			abstain
machine type/aftermarket equipment				abstain
speed limits	yes		5	abstain
out and away trails			5	abstain
motorized/non motorized designated trails				abstain
signage			5	abstain
recreation areas			5	abstain
other - Snowmobiling under the influence of alcohol			5	abstain

RCMP

issue	is legislation needed? any comment		Is education needed? Scale: 1-No —> 5-Lots Is current education ok?	
driver's license required	yes	only if driving on a highway		
liability insurance	yes			
registration	yes			
age limitation	yes			
helmet required	yes			
safety course required	yes	either a course or adult supervision		
impact on lands	no/abstain			
impact on water bodies	no/abstain			
impact on wildlife	no/abstain			
distance from residences, schools and recreation areas	no/abstain	Basics. Just go to trails, don't dilly dally		
access restrictions in city	yes	Ski trails and downtown core.		
trail designation	yes	clear signage for designated trails.		
machine type/aftermarket equipment	no/abstain			
speed limits	yes	25 km to get to trails.		

**Parks & Recreation,
City of Whitehorse**

issue	is legislation needed? any comment		Is education needed? Scale: 1-No 5-Lots And is current education ok?	
driver's license required	yes	Maintain user safety with existing standards	5	no
liability insurance	yes	Need to enforce existing rules	5	no
registration	yes	Need to enforce existing rules	5	no
age limitation	yes	Need to enforce existing rules	5	no
helmet required	yes	Need to enforce existing rules	5	no
safety course required	yes	Need education for users trail etiquette, permitted uses, results of damage	3	no
impact on lands	yes	Greenbelt protection and trails go hand in hand.	4	yes
impact on water bodies			4	yes
impact on wildlife			4	yes
distance from residences, schools and recreation areas	yes	Set back the motorized trails from residential properties as part of community planning, create designated greenbelts around existing neighbourhoods that protect privacy.	5	no
access restrictions in city	yes	separate motorized and non motorized uses in designated corridors.	5	no
trail designation	yes	Separate motorized and non motorized uses in designated corridors.	5	no
machine type/ aftermarket equipment	yes	Need to enforce existing rules	1	no
speed limits			5	yes
out and away trails			2	yes
motorized/non motorized designated trails			5	no
signage			5	no
recreation areas			4	no

**Bylaw Services,
City of Whitehorse**

issue	is legislation needed? any comment		Is education needed? Scale: 1-No 5-Lots And is current education ok?	
driver's license required	yes		5	no
liability insurance	yes		4	no
registration	yes		5	no
age limitation	no/abstain		5	no
helmet required	yes		5	no
safety course required	yes	if under 16 years	4	no
impact on lands	yes		5	no
impact on water bodies	yes	Lakes are not a problem. The problem is marsh, vegetation, low water	5	
impact on wildlife	yes	Specific areas and species should be excluded. Trails should not arrive at an environmentally sensitive area outside city limits.		
distance from residences, schools and recreation areas	no/abstain		2	no
access restrictions in city	yes	Ski trails & downtown core (except for testing for dealers . Designated trails.	5	no
trail designation	yes	better motorized trail system, more signage, out and away trail and recreation area.	5	no
machine type/ aftermarket equipment	no/abstain		1	no
speed limits	yes	some sort of maximum in certain areas.	4	no
out and away trails			5	no
motorized/non motorized designated trails			5	no
signage			5	no
recreation areas			5	no
noise			5	no