

CITY OF WHITEHORSE  
COUNCIL POLICY



**TRAIL DEVELOPMENT POLICY**

<b>Policy Number:</b>	<b>2018-02</b>
<b>Approved by:</b>	<b>Council</b>
<b>Effective date:</b>	<b>June 2018</b>
<b>Next review due:</b>	<b>2022</b>
<b>Department:</b>	<b>Parks &amp; Community Development/Legislative Services</b>

**PURPOSE**

To describe the policy and procedure to authorize trail construction, trail enhancements, and trail rehabilitation and maintenance on municipal and/or Crown lands within the municipal boundaries of the City of Whitehorse

**AUTHORITY** Council Resolution #2018-14-15 dated June 25, 2018

**POLICY STATEMENT**

The City of Whitehorse is committed to the development and support of trail construction, trail enhancements and trail rehabilitation and maintenance that contribute to a diverse, accessible, sustainable and inclusive trail network. 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.

Accordingly, the City of Whitehorse practice for accommodating trail building activity on municipal and/or Crown lands within its boundary is to enter into trail use agreements with local organizations and individuals (or groups of individuals). Local groups and organizations can be allowed to develop and maintain new and existing trails, whereas individuals (or groups of individuals) can be permitted to do 'one-off' enhancement projects on existing City trails. Trail Agreements will contain terms that enable the City to achieve its objectives regarding public safety, user conflict avoidance, and environmental stewardship. Unless these objectives can be achieved, the City will not authorize trail construction, trail enhancement or trail rehabilitation and maintenance activities on municipal and/or Crown lands within the City of Whitehorse boundary and trails known to have been constructed without authorization can be closed.

**SCOPE**

This policy applies to council, city administration, First Nation governments, Yukon Government, trail users, trail stewards, and the general public.

**TRAIL NETWORK**

There are over 700 kilometres of mapped trails within the municipal boundaries of the City of Whitehorse. The City is responsible for the maintenance of specific trails that meet established criteria. The level of service for identified trails is determined using a

system of prioritization. This maintenance responsibility includes, but is not limited to, scheduled inspections, clearing, remediation, re-routing, decommissioning and issue tracking. The City will provide this service on a priority basis in a cost-effective manner, with consideration to safety, budgets, personnel, and environmental concerns.

### **EXCLUSIONS**

- (1) The Trail Development Policy specifically excludes the following:
  - (a) Trail rehabilitation and maintenance activities on City trails by City staff. This is clearly outlined in the Trail Maintenance Policy.
  - (b) Conditions for trail closures. This is clearly outlined in the Trail Maintenance Policy.
  - (c) Development of Priority A and Type I trails as described in the Trail Maintenance Policy.
- (2) Trail construction, trail enhancements, trail rehabilitation and maintenance does not include:
  - (a) Basic travel through/across municipal and/or crown lands within the City of Whitehorse boundary, whether on a one-time basis or repetitive use of the same route;
  - (b) Route-finding or marking for that purpose, using ribbons, cairns or other directional indicators;
  - (c) Minor or incidental clearing of brush or downed trees on or off City trails;
  - (d) Emergency repairs to a trail to prevent imminent damage to the environment or the trail; and
  - (e) Emergency construction or maintenance of a trail when that is the only reasonable way of minimizing risk to personal safety.

### **DEFINITIONS**

“ATV” means a motorized wheeled vehicle designed and manufactured for off-road travel including, but not limited to, three wheelers, four wheelers, six wheelers, amphibious machines, off road or hybrid two wheeled vehicles but excludes, at all times, automobiles;

“Automobiles” means a motorized four wheeled vehicle designed and manufactured for transporting passengers primarily on roads including, but not limited to, cars, trucks and vans;

“City trail” means a trail designated by Council and subsequently incorporated into the priority trail inventory in the Trail Maintenance Policy.

“City trail network” means all trails designated by Council and subsequently incorporated into the priority trail inventory in the Trail Maintenance Policy.

“Council” means the duly elected Council of the City of Whitehorse.

“IMBA Guidelines” means 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>

“Manager” means the Manager of Parks and Community Development for the City of Whitehorse or his/her approved designate.

“shared use (multi-use) trail” means a trail that accommodates more than one user group such as hikers and mountain bikers at one time.

“Snowmobile” means a motor vehicle designed primarily for travel on snow or ice, having one or more steering skis, and self-propelled by means of an endless belt or belts driven in contact with the ground, and includes a snowmobile Conversion Vehicle;

“Technical Trail Features (TTFs)” means obstacles on a trail designed to add a degree of difficulty to a trail in order to challenge the skill of trail users. Technical trail features can be either natural or man-made.

(1) Man-made TTFs are considered to be:

- jumps either wood or dirt over 0.5 metres in height and over one metre in length;
- any wooden ramps or log rides for the purpose of adding a degree of technical skill to a trail; or
- any other feature as determined by the Manager.

(2) Natural TTFs are considered to be:

- Drop-offs over 0.5 metres;
- rock slabs over 5 metres in length at a grade exceeding 30%; or
- any other feature as determined by the Manager.

(3) For the purposes of this policy, works constructed solely for the purpose of enhancing trail safety or access (e.g., a bridge across a stream or gully), or to protect the environment (e.g., an elevated pathway over a wetland) will not be considered technical trail features.

“Trail Agreement” means the form of authorization given to eligible groups or stewards by the City of Whitehorse to enable trail construction, trail enhancements and trail rehabilitation and maintenance on municipal and/or Crown lands within the City of Whitehorse boundary. Trail 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. Trail Agreements are generally in the form of a memorandum of understanding.

“trail construction” means trail building activities that involve:

- ground disturbance (i.e., grubbing or excavating soils or rocks along a linear route to establish a visible, long-lasting tread way);

- clearing or cutting vegetation (i.e., significant, continuous uprooting of shrubs or understory plants along a linear route, or cutting standing trees); or
- construction of structures, such as boardwalks, bridges, TTFs and other structures, of a long-term or permanent nature.

“trail enhancement” means trail works that change the characteristics of a particular trail to improve user experience such as minor reroutes (under 100 meters), large contiguous resurfacing projects (over 10 meters) and construction of structures, such as boardwalks, bridges, TTFs or other structures, of a long-term or permanent nature.

“trail monitoring” means trail inspection and reporting activities on City trails identified in the Trails Maintenance Policy.

“trail rehabilitation and maintenance” means trail upkeep activities to enable or facilitate safe, enjoyable and impact-free trail use, such as grading and filling holes or ruts, armouring against erosion, improving drainage, removing hazardous roots or stones, trimming encroaching vegetation, and replacing deteriorated structures such as handrails, steps or bridging.

“trail steward” means an organization or individual (Appendix 4) that formally takes on responsibility for the care and maintenance of a particular City trail. A trail steward is generally a volunteer or volunteer organization whose stewardship is authorized through a memorandum of understanding. The Manager or designate has the authority to amend Appendix 4 as necessary to reflect changes or additions to the list of Trail Stewards.

“unauthorized trail” means any new trail constructed within City limits that is identified by the City as having been constructed without proper authority or approval.

“Whistler Trail Standards” means the standards for mountain bike trail signage, fall zones, inspection and maintenance, and TTF design and construction that are specified in the most recent version of the publication developed by the Resort Municipality of Whistler titled, “Whistler Trail Standards: Environment and Technical Trail Features” or successor publications.

See: [http://www.mbta.ca/assets/pdfs/trail\\_standards\\_first\\_edition.pdf](http://www.mbta.ca/assets/pdfs/trail_standards_first_edition.pdf)

## **OBJECTIVES**

1. Recognize trail construction and trail enhancements as legitimate activities within municipal boundaries, provided they are authorized and sustainable in the sense that they occur in suitable locations and do not result in unacceptable safety hazards, user conflicts, or negative environmental impacts.
2. Prevent a proliferation of uncoordinated and unplanned trail development.
3. Provide appropriate recreational trail use opportunities within municipal boundaries as a means of promoting healthy lifestyles and supporting local economic development.
4. Provide recreational opportunities on municipal and/or Crown lands within the City of Whitehorse boundary that accommodate demand for various types of

- trails, facilities and experiences, recognizing user demand for new and varied types of trail experiences will continue to evolve over time.
5. Promote, where appropriate, efficient land use within municipal boundaries for trail development by encouraging new trail authorizations to locate on/around the existing City trail network and infrastructure.
  6. Manage safety hazards and risks associated with trail use, and associated legal liability for the City and other stakeholders.
  7. Minimize potential conflicts on municipal, crown lands and/or First Nations lands within the City of Whitehorse boundary between trail users, other approved resource users, and private property owners.
  8. Minimize potential impacts of trail use activities on environmental and other sensitive values.
  9. Foster cooperative partnerships with local interest groups as a means of meeting public demand for trail infrastructure and to address the issue of limited City resources to develop, maintain and manage trails in all locations where user demand exists.
  10. Recognize a role for other partners/participants in responding to demand for trail experiences, including groups and/or organizations, other governments and the private sector.
  11. Ensure trail development is consistent with City plans, policies and bylaws.

## **RESPONSIBILITIES**

### **City Council**

12. City Council shall:
  - (1) authorize new trail construction;
  - (2) designate new trails; and
  - (3) adopt new trails into the Trail Maintenance Policy

### **City Administration** (Parks and Community Development Department)

13. The Manager or designate shall:
  - (1) authorize trail enhancement projects;
  - (2) assess trail development applications based on the terms found in sections 34 to 45 inclusive of this policy;
  - (3) consult with stakeholders, public and community groups as required in sections 34 to 45 inclusive of this policy;
  - (4) recommend and present trail development authorizations to Council;
  - (5) renew Trail Agreements;
  - (6) educate applicants on best construction and operation practices; and

- (7) address public concerns and safety issues.

### Applicants

14. When proposing trail development, applicants shall provide all required information as listed in sections 31 to 33 inclusive of this policy.

### Organizations and/or Groups

15. Where not-for-profit organizations and/or groups assume a primary trail monitoring and trail rehabilitation and maintenance role on identified trails, the organization shall:
  - (1) Fulfil terms in the Trail Use Agreement; and
  - (2) Perform duties consistent with the established 'level of service' assigned to each trail using criteria in the Trail Maintenance Policy.

## **TRAIL CONSTRUCTION AND TRAIL ENHANCEMENT**

16. Construction of trails on municipal and/or Crown lands within the City of Whitehorse boundary is not permitted unless authorized by Council.
17. Enhancement of trails on municipal and/or Crown lands within the City of Whitehorse boundary is not permitted unless authorized by the Manager.
18. No trail enhancements are permitted on City trails located on Kwanlin Dūn First Nation Settlement Land unless authorized by Kwanlin Dūn First Nation (see Appendix 2 for a list of Government Partners and Appendix 4 for trails located on Kwanlin Dūn First Nation Settlement Land).
19. No trail enhancements are permitted on City trails located on Ta'an Kwäch'än Council Settlement Land unless authorized by Ta'an Kwäch'än Council (see Appendix 4 for trails located on Ta'an Kwäch'än Council Settlement Land).
20. Applications for trail construction or trail enhancements on municipal and/or Crown lands within the City of Whitehorse boundary must 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 sections 31 to 33 inclusive of this policy.
21. The Manager will make authorization recommendations on the basis of various information sources, including some or all of the following:
  - (1) information submitted by the proponent in the application package;
  - (2) land status reports;
  - (3) relevant sections of land/resource management plans, including recreation management plans or strategies, if available;
  - (4) environmental review;
  - (5) a Decision Document pursuant to the Yukon Environmental and Socio-economic Assessment Act (YESSA), where applicable;
  - (6) referral comments;

- (7) site investigations;
- (8) consultation with stakeholders and the public; and
- (9) First Nations government consultation.

### **APPLICANT ELIGIBILITY**

22. Legally established groups and organizations are eligible to submit proposals for trail construction or trail enhancements, including:
  - (1) Non-profit organizations established under the Society Act;
  - (2) Local economic development organizations;
  - (3) Other governments; and
  - (4) Appropriate organizations, as determined by the Manager.
23. Individuals (or groups of individuals) are eligible to submit proposals only for short-term, 'one-off' trail enhancement projects.

### **TYPE AND TERM OF APPROVAL**

24. Where approved by Council, trail construction is authorized in two ways:
  - (1) **Trail Construction Agreement** – by entering into a Trail Agreement that explicitly authorizes construction of a proposed trail that has been adopted into the official City trail network and managed by the City as per the Trail Maintenance Policy.
  - (2) **Trail Use Agreement** – by entering into a Trail Agreement that explicitly authorizes construction of a proposed trail that will be adopted into the official City trail network and managed by the City as per the Trail Maintenance Policy, but requires ongoing trail monitoring and trail rehabilitation and maintenance tasks completed by the agreement holder.
25. Where approved by the Manager, trail enhancements are authorized by a **Trail Enhancement Agreement** by entering into a Trail Agreement that explicitly authorizes trail enhancement on a City Trail.
26. A Trail Use Agreement entered into with a specified party will include terms of trail construction, other terms and conditions such as ongoing trail monitoring and trail rehabilitation and maintenance requirements, as well as special circumstances where the City is best suited to maintain the proposed trail. Trail Use Agreements can contain terms and conditions that are appropriate to individual situations for enabling the City to achieve public safety, user and impact management objectives. Trail Use Agreements are generally in the form of a memorandum of understanding
27. A Trail Enhancement Agreement will include commensurately simple conditions (e.g., sketch map and/or a few sentences describing the approved works.)
28. Trail Construction Agreements and Trail Use Agreements may last for terms of up to 3 years, at the discretion of the Manager. The duration of Trail Construction Agreements will be commensurate with the nature and scope of trail activities

- being contemplated. Trail Enhancement Agreements that authorize short-term, small-scale trail works will normally be issued for one year or less.
29. Trail Construction Agreements and Trail Use Agreements can be renewed where agreed upon by the Manager and agreement holder.
  30. Trail Construction Agreement, Trail Use Agreement and Trail Enhancement Agreement documents will be individually customized to contain terms and conditions that are appropriate to the nature and scale of the trail construction, trail enhancement and/or trail rehabilitation and maintenance activities being approved. See sections 46 to 49 inclusive of this policy (Special Requirements).

### **CONTENT OF APPLICATIONS**

31. Applications for authorization to construct a trail or trail enhancements should be submitted to the Parks and Community Development Department using the City's application form. The application form is available at:  
<http://www.whitehorse.ca/departments/parks-and-community-development/trails>
32. Applications for straightforward, short-term or one-off trail enhancement works require inclusion of the following basic information:
  - (1) Name, address and contact information of the applicant organization (or individuals);
  - (2) Location of the proposed works, including a map showing the area of the proposed works, and names of existing trails, as appropriate;
  - (3) General description of the proposed trail construction, rehabilitation or maintenance activities that will be undertaken; and
  - (4) Timeframes when the work would occur.
33. Where an ongoing trail monitoring and trail rehabilitation role by the applicant is envisioned, applications for Trail Use Agreements should include the information required by section 32 of this policy as well as:
  - (1) demonstration of the capability, capacity and commitment of the organization to provide maintenance and trail monitoring services over the longer-term;
  - (2) ***a certificate of general liability insurance in a minimum amount of \$2,000,000 with the City named as an additional insured;***
  - (3) an indication of other recreational users and resource users of the trail area under application, and measures proposed for preventing or minimizing user and resource conflicts;
  - (4) measures proposed for ensuring trails will be safe and durable; and
  - (5) measures that will be employed to ensure trail work is environmentally sound.



**APPROVAL PROCESS**

34. Wherever possible, the City will encourage trail use on the City trail network to prevent a proliferation of uncoordinated and unplanned trail development on municipal and/or Crown lands within the City of Whitehorse boundary.
35. The Manager can approve proposals for enhancements on City trails provided that public safety, user conflicts, and environmental issues can be successfully managed.
36. Council can approve proposals to expand or diversify the City trail network by constructing new trails that inter-connect with the existing City trails, provided that:
  - (1) public safety, user conflicts, City resources and environmental issues can be successfully managed; and
  - (2) if City management of the expanded trail system would not be possible, the proposal will be entertained only if the proponent is willing to take on an ongoing trail monitoring and trail rehabilitation and maintenance role outlined in a Trail Use Agreement and can demonstrate the capacity to take on such a role.
37. 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 the existing City trail network will be accepted for review only if:
  - (1) an approved, City plan, exists which recommends the area for trail development/use; and
  - (2) the area is permitted for trail development in the City's Zoning Bylaw; or
  - (3) the proponent is representative of a community based trail organization; and
  - (4) the proponent is willing to take on an ongoing trail monitoring and trail rehabilitation and maintenance role outlined in a Trail Use Agreement and can demonstrate the capacity to take on such a role.
38. Section 37 of this policy also applies to trails that have been built on municipal and/or Crown lands within the City of Whitehorse boundary without prior authorization.
39. 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:
  - (1) a land status check;
  - (2) environmental review including identification of permit requirements and proximities to sensitive areas (environmentally sensitive and water features);
  - (3) a Decision Document pursuant to the Yukon Environmental and Socio-economic Assessment Act (YESSA), where applicable;

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- (4) referral to other interest groups;
  - (5) review of existing land-use plans, as appropriate;
  - (6) compliance with First Nations consultation requirements; and
  - (7) reference to the considerations and impact mitigation strategies identified in Appendix 1.
40. The Manager will notify relevant stakeholders, community groups and other organizations of proposed trail developments and will receive comments for a period of three weeks after notification when:
- (1) a proposed trail exceeds 500 meters in length;
  - (2) a proposed trail exceeds 1.5 meters in width; and/or
  - (3) a self-propelled power driven machine for moving earth or clearing land of vegetation is proposed for construction (this excludes the use of ATVs, automobiles and snowmobiles for transportation of tools and materials).
41. The Manager will initiate public consultation when:
- (1) a proposed trail exceeds 1,000 meters in length;
  - (2) a proposed trail exceeds 1.5 meters in width; and/or
  - (3) a self-propelled power driven machine for moving earth or clearing land of vegetation is proposed for construction (this excludes the use of ATVs, automobiles and snowmobiles for transportation of tools and materials).
42. The Manager will present complete applications to Council for approval. Council approval consists of authorizing trail construction, designating proposed trails and adopting proposed trails into the Trail Maintenance Policy.
43. If approved by Council, the Manager will:
- (1) enter into a Trail Construction Agreement with the proponent containing terms of trail construction and any special requirements identified in the special requirements sections of this policy (sections 46 to 49), or
  - (2) negotiate the terms of a Trail Use Agreement with the proponent. The Trail Use Agreement will include:
    - (a) terms of trail construction;
    - (b) other terms and conditions such as ongoing trail monitoring and rehabilitation and maintenance requirements;
    - (c) circumstances where the City is best suited to maintain the proposed trail;
    - (d) appropriate provisions for addressing safety, conflict and impact issues (e.g., see Appendix 1); and
    - (e) any special requirements identified in sections 46 to 49 inclusive of this policy.

44. Once a Trail Construction Agreement or a Trail Use Agreement is in place and all permit requirements are met, trail construction can proceed. The proposed trail will be maintained and monitored by the proponent pursuant to the Trail Use Agreement, under the supervision of the City.
45. 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.

### **SPECIAL REQUIREMENTS**

46. Issuance of a Trail Agreement does not extend a right of exclusive control, use or possession of any 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.
47. Where TTFs ARE NOT proposed:
  - (1) 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 Construction Agreement, Trail Enhancement or Trail Use Agreement; or
  - (2) these authorizations are subject to the requirement for the agreement holders to follow engineering standards and guidelines, and any other requirements included in the Trail Construction Agreement, Trail Enhancement Agreement or Trail Use Agreement when proposed trails are over 1.5 meters wide and intended for ATV use; and
  - (3) follow the City's procedures for trail monitoring and maintaining trails as specified in a Trail Use Agreement consistent with the established 'level of service' assigned to each trail using criteria in the Trail Maintenance Policy.
48. Where TTFs ARE proposed, agreement holders will be required to meet the following provisions aimed at minimizing public safety and liability risks:
  - (1) follow the IMBA Guidelines, the Whistler Trail Standards and any other requirements included in the Trail Construction Agreement, Trail Enhancement Agreement or Trail Use Agreement when planning, constructing, rehabilitating and maintaining trails. Note: consistent with Whistler Trail Standards, Expert Unlimited trails will not be authorized, however there may be some of these elements on a trail based on conditions specified by the City; and
  - (2) follow the City's procedures for trail monitoring and maintaining trails as specified in a Trail Use Agreement consistent with the established 'level of service' assigned to each trail using criteria in the Trail Maintenance Policy.
  - (3) repair or eliminate known safety hazards.

49. Trail Agreements will contain an operating plan schedule, in appropriate detail, the trail construction, trail enhancement, trail monitoring, and trail rehabilitation and maintenance work that the agreement holder is authorized to conduct. Operating plans will be valid for the term of the agreement.
- (1) In the case of simple, one-off, short-term trail enhancement works proposals, the operating plan should be commensurately simple (e.g., sketch map and/or a few sentences describing the approved works.)
  - (2) In the case of Trail Use Agreements, the agreement holder will be required to submit a proposed operating plan for approval by the Manager before the trail work can commence. Operating plans should contain a description of the location (map required at appropriate scale – e.g., 1:20 000), and the nature and timing of the proposed trail works. Operating plans should also identify measures that will be implemented for ensuring trail safety, preventing/minimizing conflicts with other trail and resource users, and preventing/minimizing environmental impacts.

#### Authorization Decision Review

50. If an applicant is dissatisfied with a City decision on an authorization to construct, rehabilitate or maintain a trail or a Trail Partnership Agreement application, a review of the application may be requested. The applicant can appeal the decision to Council by means of a formal letter.

#### Monitoring and Enforcing Trail Agreements

51. The Manager will allocate available resources to monitor and inspect authorized trails and assess compliance with the Trail Agreement terms and conditions, including the requirement to comply with the IMBA Guidelines and the Whistler Trail Standards. The Manager may retain independent technical expertise TTF development to assess / audit compliance with the guidelines and standards.
52. If public safety, user or resource conflicts, environmental impact issues, or agreement compliance deficiencies are identified, the Manager will provide the agreement holder with verbal and written notice of the problem and a reasonable amount of time for the problem to be corrected. The Manager may independently take temporary action to correct an urgent public safety problem (e.g., close a trail section; repair or remove a structure).
53. Where disputes arise between City and an agreement holder over compliance questions, the City has the authority to vary or cancel trail agreements to address public safety, trail or resource user conflicts, or environmental impact issues. The agreement holder can appeal the decision to Council by means of a formal letter.

#### Where Trail Agreements Are Not Possible

54. 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 monitoring and trail rehabilitation and maintenance role, the Manager will assess the trails from a public interest perspective. Consideration will be given to:
- (1) appropriate location;

- (2) popularity with trail users;
  - (3) public safety, user/resource conflicts, or environmental impact concerns; and
  - (4) existing City operations and maintenance budget and staff levels.
55. 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.
56. If the criteria in section 54 of this policy 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 remediation efforts, or posting an order prohibiting trail use.

### Trail Planning

57. Where trail user or resource conflict issues emerge on City trails, the Manager may initiate a trail planning process/strategy to work with local interests and identify solutions to issues (e.g., voluntary agreements among users on ways to meet users' interests and minimize trail use conflicts).
58. The Manager will participate, to the extent possible, in inter-agency integrated land/resource planning initiatives to ensure that trail opportunities are considered in the planning process, and identify areas with trail potential/suitability.
59. Where applicable, the Manager will aid and collaborate with Trail Agreement holders to identify and access potential funding sources for approved trail development projects.

### **SAFETY**

60. All work shall be carried out in accordance with the General Safety Regulations of the *Yukon Occupational Health and Safety Act*.

### **APPENDICES**

Appendix 1 – Trail Hazard, Conflict and Impact Reduction Strategies

Appendix 2 – Government Partners

Appendix 3 – Trail Stewards

Appendix 4 – Trails Crossing First Nation Settlement Lands

Appendix 5 – Trail Development Process

### **SUPPORTING REFERENCES**

The *Municipal Act*, related council bylaws and policies, and other applicable Acts and Regulations, as amended from time to time.

*Please note that some documents may not be publicly available. Contact the Department of Parks and Community Development for additional applicable procedures, bylaws, Acts and supporting references.*

### **HISTORY OF AMENDMENTS**

<b><u>Date of Council Decision</u></b>	<b><u>Resolution Number</u></b>	<b><u>Description</u></b>
June 25, 2018	2018-14-15	Initial policy adopted

## APPENDIX “1”

### Trail Hazard, Conflict and Impact Reduction Strategies

This appendix describes strategies for mitigating safety/ user conflicts, and impact issues that are potentially associated with trail development and use. Depending on the specifics of individual trail situations, these may be adopted as provisions in trail agreements, proposed as voluntary measures, or put into action by the City as part of general implementation of the City trails program.

#### REDUCING SAFETY HAZARDS

When processing applications and implementing agreements for trail construction, rehabilitation and maintenance, the Manager will consider the following factors that can influence public safety risks:

- Whether the trail system involves TTFs, either man-made or natural;
- Whether the trails, facilities and features are developed and managed according to guidelines/standards;
- Steepness of trails;
- Speed at which trails are/will be used;
- Adequacy of visibility/sight lines along trails;
- Volume of use that the trails receive;
- Degree to which trails are accessible/proximate to settled areas, and therefore receive a high volume of use by a wide cross-section of users;
- User types and profiles (e.g., are users experienced/skilled, novice, knowledgeable about the area, a combination thereof);
- Potential for encounters for different types of trail users (e.g., mountain bikers, hikers, equestrians, dirt bikers, etc.);
- Potential for trail instability/deterioration and environmental damage (e.g., as a result of erosion);
- Whether or not the local organization has demonstrated capacity/interest in developing and managing safe trail systems; and
- Other factors that may influence hazard/safety levels, as identified by the Manager.

#### Strategies for managing public safety include:

Authorization of Appropriate Trails – Authorize trail works only if public safety (and other) issues can be sufficiently addressed.

Management Agreements – Enter into long-term trail agreements with qualified organizations to ensure appropriate trail development and upkeep.

Enforce Guidelines and Standards – Require conformance with the IMBA Guidelines and Whistler Trail Standards.

Remove Hazards – Close/dismantle all or a portion of a trail or TTF. Mitigate a Hazard – Modify a trail or TTF to remedy a hazard situation.

User Education – Promote user education/awareness of risk levels and safe riding techniques (e.g., through communication materials, safety workshops, etc.).

User Skills – Enhance user skill levels/abilities (e.g., through skills camps).

Trail Builder Education – Educate trail building volunteers on skills and techniques for building safe and sustainable trails.

Zoning – Close certain areas or trails to types of recreation uses and encourage that use on other areas. This method depends on having other areas available and useable.

## **REDUCING RECREATIONAL AND RESOURCE USE CONFLICTS**

Options for addressing conflict between recreational users, and conflict with other resource users, are listed below in the general order of preference for implementation. (Note: For more information, see the IMBA document *The Minimum Tool Rule: A Hierarchy of Options for Managing Trail User Conflicts*, available at [www.imba.com/resources/bike\\_management/hierarchy.html](http://www.imba.com/resources/bike_management/hierarchy.html)).

Post Signs – For example, advising caution; reminders of trail ethics/conduct; urging cyclists to stay on routes, slow down, limit party size, consider other users; identifying any local trail ‘rules’ that may be in effect; etc.

Self-Monitoring – Encourage cyclists to patrol their own ranks in a positive way.

Education – Work with local clubs, special interest groups and others to educate users about low impact and responsible trail use, riding etiquette (codes of conduct/ethics), and consideration for other users.

Develop posters, brochures, and logos or trademarks as a reminder/symbol of considerate trail use.

Educate local groups and/or organizations about proper procedures/standards for designing and building sustainable trails.

Build Relationships – Encourage positive interaction among different trail users. (For example, joint trail maintenance projects, forming trail advisory committees, etc.).

Training – Develop and implement training programs on low impact trail use to be presented by clubs, organizations, bike shops, etc.

Trail Design – On new trails or trails that can be modified, include design features that restrict speed and enhance sight distance, and build wide or pull-out sections to facilitate safe passing (see Whistler and IMBA design standards/guidelines).

Barriers to Speed Control – Subject to safety considerations, leave or install barriers in the trail to control speed (e.g., rocks, roots, bumps, tight curves, down trees, speed barriers, water bars).

Requested Walking Zone – Signs that request or require cyclists to walk their bikes in certain areas where speed, recklessness or congestion are potential problems.



One-Way Only – Designate the direction of travel on trails with heavy use to avoid the potential for collisions.

Post Speed Limits – Set maximum allowable or recommended speeds for users.

Encourage voluntary compliance in positive enforcement. Encourage speeds that allow a user to stop in less than half the distance they can see.

Patrols – Use trained volunteer groups to patrol trails and talk with cyclists to dispense advice, and monitor compliance with trail rules and codes of conduct.

Separate Sections – Construct separate routes for different uses where there is the greatest congestion (e.g., at trailheads).

The City may also facilitate local management planning processes that bring together the affected interests to cooperatively identify solutions for addressing user conflicts (and possibly other) issues. The planning processes may identify any of the above, or other, solutions for addressing conflict and impact issues.

## **REDUCING IMPACTS ON ENVIRONMENTAL AND RESOURCE VALUES**

To address potential issues of trail development and use impacts on environmental and other resource values, the City will apply the following strategies, as appropriate, to individual situations and as resources permit:

Proactive Planning – Ensure that areas appropriate and suitable for trail development/use are identified through management planning processes that consider sensitive environmental and other resource values (e.g., wetlands, unstable soils, valuable habitats, cultural/heritage values).

Environmental Design – As part of the trail authorization process, encourage applicants and Trail Agreement holders to work with land managers in a process to identify/map sensitive values, and design and construct trails accordingly. Apply the IMBA guidelines and Whistler standards for environmental design (e.g., stream crossings, drainage, habitat considerations, appropriate trail widths, environmentally sensitive construction materials and best practices).

Monitoring and Impact Mitigation – Monitor environmental impacts from trail development and use (e.g., erosion, water quality, vegetation disturbance, wildlife disturbance), and mitigate problems as they arise. Mitigation may involve the need to permanently or temporarily close or relocate a trail or trail segment (e.g., during wet periods, during wildlife breeding periods), rehabilitate an area, re-design a trail segment or feature, educate users, etc.

User Education – Work with local clubs and other interests to educate users on ways to minimize environmental impacts (e.g., stay on the trail, ‘riding’ vs. ‘sliding’), and prevent the spread of noxious weeds. Use signage as appropriate.

APPENDIX "2"  
**Government Partners**

Government of Yukon

Kwanlin Dün First Nation

APPENDIX "3"  
**Trail Stewards**

Contagious Mountain Bike Club (CMBC)

Klondike Snowmobile Association (KSA)

Whitehorse Cross Country Ski Club (WCCSC)

APPENDIX “4”

**Trails Crossing Kwanlin Dün First Nation Settlement Lands**

Hospital Ridge Trail

El Camino

My Trail

Hula Girl

Copper-McIntyre Ridge Trail

Bower

Quickie

McIntyre Crossing

Long Flat/Cantlie Lake Connector

Bypass

Fat Tire Fever

**Trails Crossing Ta’an Kwäch’än Council Settlement Lands**

Hospital Ridge Trail

APPENDIX "5"



**Parks and Community  
Development, City of  
Whitehorse**

## Trail Development Process

**SCOPING**

**SCREENING**  
Meet with City staff to discuss:  
applicant eligibility/capacity;  
trail location;  
trail characteristics;  
trail use;  
relation to City Plans; and  
potential adverse impacts.

**PROJECT PROPOSAL**  
Submit application.

**SITE VISIT**

**PLANNING & EVALUATION**

**ENVIRONMENTAL REVIEW**  
Identify: permit requirements; and  
proximity to sensitive areas.

**TRAIL USE**  
Determine if anticipated or proposed trail use is  
acceptable at proposed location.

**TRAIL DESIGN & CONSTRUCTION**  
IMBA Guidelines ; and/or  
Whistler Trail Standards.

**NOTICE FOR COMMENT**  
The Manager will notify relevant stakeholders, community groups and other organizations of proposed trail developments and will receive comments for a period of three weeks after notification when:  
a proposed trail exceeds 500 meters in length;  
a proposed trail exceeds 1.5 meters in width; and/or  
a self-propelled power driven machine is proposed for construction.

**PUBLIC CONSULTATION**  
The Manager will initiate public consultation when:  
a proposed trail exceeds 1000 meters in length;  
a proposed trail exceeds 1.5 meters in width; and/or  
a self-propelled power driven machine is proposed for construction.

**OUTCOMES**

**TERM AND TYPE OF APPROVAL**

**MANAGER APPROVAL**

**COUNCIL APPROVAL**

**TRAIL ENHANCEMENT AGREEMENT**  
By entering into a Trail Agreement that explicitly authorizes trail enhancement on a City Trail.

**TRAIL CONSTRUCTION AGREEMENT**  
By entering into a Trail Agreement that explicitly authorizes construction of a proposed trail that has been adopted into the official City trail network and managed by the City as per the Trail Maintenance Policy 2016-04.

**TRAIL USE AGREEMENT**  
By entering into a Trail Agreement that explicitly authorizes construction of a proposed trail that has been adopted into the official City trail network and managed by the City as per the Trail Maintenance Policy 2016-04, but requires ongoing trail monitoring and trail rehabilitation and maintenance tasks completed by the agreement holder.

**TRAIL ENHANCEMENT AGREEMENT TERMS:**  
Terms of construction.  
Construction plan:  
simple sketch;  
description of work; and  
timeline for proposed work.

**TRAIL CONSTRUCTION AGREEMENT TERMS:**  
Terms of construction.  
Construction plan:  
maps;  
sketches/diagrams;  
description of work; and  
timeline for proposed work.

**TRAIL USE AGREEMENT TERMS:**  
Up to 3 years  
Terms and conditions specific to:  
trail construction;  
trail rehabilitation and maintenance;  
trail monitoring; and  
general liability insurance;  
Construction plan:  
maps;  
sketches/diagrams;  
description of work; and  
timeline for proposed work.

**CITY TRAIL DEVELOPMENT**  
Development of trail resources adopted into the City Trail network. Managed per 2007 Trail Plan and City Trail Maintenance Policy 2016-04 by City with the assistance of Trail Agreement holders.