

Type of Decision									
Meeting Date	Tuesday, February 13, 2018				Report Date	Wednesday, February 7, 2018			
Decision Required	X	Yes		No	Priority	X	High		Low
Direction	x	Information Only			Type of Meeting	X	Open		Closed
REPORT TITLE – Algonquin Trail in HCM – Moving Forward									
Report #13/02/18 - 1101									

Subject:

Moving Forward – Use of the Algonquin Trail in HCM

RECOMMENDATION:

That Council members commit to representation on specific dates/times to facilitate stakeholder consultation meetings within HCM over the next couple of months.

WHEREAS it is in the interest of residents and Council to participate in the forming the development of the use of and alternate routes for certain sections of the Algonquin Trail within Head, Clara & Maria;

AND WHEREAS Council and staff believe that decisions which effect the entire municipality should be made after consultation with all stakeholders;

THEREFORE BE IT RESOLVED THAT the Council of the United Townships of Head, Clara & Maria does hereby authorize staff to move forward in consultation with stakeholders including members of our community prior to further notifying the County of the desires of the community;

BACKGROUND/EXECUTIVE SUMMARY:

Although Council is representative of the community with a legal obligation to make important decisions on behalf of the population and the municipality without specific input; with a decision of this magnitude, it is important to hear from as many people as possible.

That is one of the specific challenges that Council and staff have been having with the County – decisions being made without proper and thorough consultation.

A schedule has been suggested and presented for Council members who wish to be involved in the process to sign up for specific meetings. It would be beneficial if Mayor Reid could participate in all/most sessions but understandable if scheduling will not allow this. It is recommended that no more than two council members attend any session to allow residents to feel they can speak freely.

The ultimate number of required meetings will depend on the willingness of members of the community to come forward to participate.

The attached documents include information to be presented, an invitation and details of how the specific meetings will be conducted.

Moving forward plan/possibilities to be discussed during consultation meetings:

1. Develop a plan and approach County with it for consultation and consideration.

2. Work towards amending zoning by-law for specific sections and alternate routes for motorized use of the trail and create supporting mapping hopefully in conjunction with MLSC/OFSC and property owners' representation.
3. Consideration of forming an ATV club with Council representation to facilitate coordination of use within HCM.
4. Consideration of having Council purchase an OFSC trail pass and having a neutral appointee become a member of the local snowmobile club to act as a liaison in order to facilitate continued coordination of use within HCM into the future. This would allow challenges to be noted and addressed in a timely matter and dealt with before they become problems.
5. Consideration of the development of a municipal corporation to create business opportunities to take advantage of increased traffic/usage through the community along the trail into the future. This could be a means of providing additional revenues for the municipality to offset property tax increases. Possibilities might include:
 - a. Cabins – yurts – bed and breakfasts
 - b. Weekend and summer breakfast/lunch at the hall – similar to Trail Side using:
 - i. Volunteers
 - ii. Renting the hall or provide it for token cost to someone to run a business
 - iii. Hire staff
 - iv. Combination of the above
 - c. provide a shuttle for hiker's to Brent campground
6. Ways to market this area:
 - a. longest trail section along the Historic Ottawa River
 - b. opportunity to see wildlife – specifically bald eagles and their nesting habitat
 - c. Laurentian mountains
 - d. Proximity to Algonquin provincial park

Options/Discussion:

Opportunities are endless. This would begin a long term consultation process with residents and ratepayers so that Council when making decisions moving forward would be representative of the wishes of the entire community and not just those with the strongest lobbying effort.

Issues that still need to be worked out at the County level as outlined in the resolution from January 2018th meeting:

1. The need for the lower tier to come up with and fund any by-pass required to protect its residents from environmental contaminants and to provide for their safety;
2. Coming to an agreement with respect to the municipal Zoning By-Law through by-law amendment, rezoning some sections to allow motorized use;
3. Written assurance from the County that the municipality is protected and indemnified by the County and its lessees with respect to the general use of the rail corridor through Head, Clara & Maria, and specifically with respect to travel over municipal roads and unopened road allowances;
4. That the municipality is named as an additional insured in all trail insurance policies;
5. A written commitment from the County of Renfrew to provide resources to enforce trail rules, and/or to provide and finance an increased police presence;
6. A written commitment from the County of Renfrew to provide assistance with fire management and suppression costs due to increased trail use and to assume the municipal cost of fires that can be linked to trail use;
7. Written assurance that when the corridor is brushed, waste materials will be properly disposed of and not left along the trail increasing forest fire risk;
8. Immediately, rescinding the lease agreement with the Missing Link Snowmobile Club for motorized use through the Community contrary to the Municipal Zoning By-law until all of these issues have been resolved;

Financial Considerations/Budget Impact: - none at this time

Policy Impact:

Informs policy moving forward.

Others Consulted:

Mayor Reid

Attached:

Copy of Letter to Ratepayers – Stakeholder consultation

Copy of Stakeholder consultation Schedule and Draft Questions

Copy of Letter to County – January 24, 2018

Copy of Resolution of Council – January 23, 2018

Approved and Recommended by the Clerk

Melinda Reith,

Municipal Clerk

A handwritten signature in black ink that reads "Melinda Reith" followed by a stylized monogram "MR".



**THE CORPORATION OF THE UNITED TOWNSHIPS OF
HEAD, CLARA & MARIA**
15 Township Hall Road
STONECLIFFE, ONTARIO, K0J 2K0

Phone: (613) 586-2526 | Fax: (613) 586-2596 | E-mail: hcminfocfischer@gmail.com; or hcmclerkreith@gmail.com

Monday, February 5, 2018

Good day Head, Clara & Maria Resident

Council is requesting a private meeting with you and your neighbours to discuss how to move the Algonquin Trail in Head, Clara & Maria ahead in a positive, respectful manner.

Over the past months there has been much circulating within the community with respect to the use of the abandoned CP Rail Corridor as the Algonquin Trail which has caused significant unnecessary divisiveness. The most worrying part of this entire experience is that property owners along the trail and within the larger community were not consulted. 6 meetings held within the county with the closest being in Chalk River are not adequate in the opinion of Council and staff.

Council is reaching out to you for your input. Council believes that the development of a trail would be beneficial to our community and small businesses and holds unlimited opportunities for business creation and expansion; but it would like input in how that development should occur.

We are writing today to ask you to join small group discussions about the use of the rail corridor in our community into the future. The groups will contain a small number of residents in each meeting along with representative council and staff members to answer questions and record responses.

Head, Clara & Maria Council is opposed to the way that the County has been dictating to lower tier municipalities what they must do, what we must fund; without consideration of the wishes of lower tier residents. Council is looking out for resident rights, and ultimately how the tax dollars collected by lower tiers and sent to the County are being spent.

The following insert outlines the dates and times consultation meetings are to occur, along with a sample of questions council is seeking input on. Please take the time to inform the development of this trail within your community. It would be best if you could attend in person however; if you are unable, please feel free to send a letter or email for council consideration.

Respectfully, and on behalf of Council,

Melinda Reith, D.M.M. AMCTO
Municipal Clerk and CAO

Head, Clara & Maria Algonquin Trail - Stakeholder Consultation

Council is looking for your input. Please plan to attend focused consultation meetings with municipal council and staff representatives to answer the following questions concerning your views of the development of the Algonquin Trail through your community. Council fully believes that the trail is an excellent opportunity for the expansion of existing and the development of new business opportunities and wishes to have you inform Council on your desires and wishes when planning the trail use into the future.

Discussion Questions

1. What do you see as the future of the trail within Head, Clara & Maria?
2. What development would you like to see within Head, Clara & Maria to take advantage of increased traffic from all users along the rail corridor? (hikers, cyclists, snowmobilers, atv'ers etc.)
3. How do you feel about the potential for creation of new business through a municipal corporation to raise funds for the municipality through methods other than taxation?
4. Do you have any concerns with increased development along the trail? For you personally? For the community? For residents who live along the trail?
5. Are you concerned with any negative effects of the trail development? For you personally? For the community? For residents who live along the trail?

Please review the attached and be prepared to meet with your neighbours, council and staff representatives to discuss your position in a quiet, small environment. Meetings will be limited to no more than 10 resident, 2 council and 2 staff participants at one time so everyone has the opportunity to have their say without feeling intimidated. Coordinate with your neighbours to book a session just for you.

Stakeholder Consultation Meeting Options

1. Friday, March 23
2. Saturday, March 24
3. Friday, April 6
4. Saturday, April 7
5. Friday, April 13
6. Friday, April 27
7. Friday, May 4
8. Saturday, May 5

Times

1. 9:00 am. To 11:00 a.m.
2. 12:00 noon – 2:00 p.m.
3. 3:00 p.m. – 5:00 p.m.

Draft Agenda

1. 5-10 Minute overview of situation – delivered by staff as approved by Council
2. Talking stick round table – each person has 5 minutes to express their thoughts on the draft questions before a joint discussion. (Employees and Council representatives are to answer questions, not lead the discussion.)
3. Brainstorming – 30 minutes – to suggest/discuss solutions to identified challenges

Results will be compiled and shared with Council so they may make an informed decision when discussing this issue with the County into the future.

If you are interested in responding to these questions and are not able to attend a consultation session; please feel free to express your concerns in writing and submit to the municipal office at hcmclerkmreith@gmail.com or mail to 15 Township Hall Road, Stonecliffe, Ontario, K0J 2K0.

Only the opinions of residents and property owners will be considered throughout this process.



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Wednesday, January 24, 2018

Good Day Council members
Via email

The Council of the United Townships of Head, Clara & Maria did at its meeting last evening receive a presentation from the County of Renfrew staff on the proposed Algonquin Trail which is to travel approximately 65 km. through the municipality. It has also passed the enclosed resolution which it is circulating for information and support.

It appears from comments made by the presenters last evening that there is a misunderstanding about the wishes of this Council and staff with respect to the construction of the Algonquin Trail. Comments made would suggest that this Council are looking to prevent the trail from being constructed along the rail corridor, that they do not see the benefit in such a use. That is wholly and completely false.

What this Council and staff are and have been requesting is consideration and consultation in the process and management of the trail within its boundaries. Based on what we can only assume are miscommunications and misunderstandings being shared through sources other than direct ones, there has been a 14 month negative history within this municipality over the use of this trail. Direct consultation with Council, residents and staff by the County would have gone a long way in preventing the development of this unfortunate situation we find ourselves in.

The legal opinion obtained by this municipality questioning the authority of the County to pass the by-laws they have passed and evidence of the need to comply with local zoning by-laws is being presented to provide support for council's request for respect and consideration; not as a means to stop the trail. It seems this trail has been pushed through without thorough consultation; Council wishes to be part of the process.

Council would like to be heard when determining which sections should be motorized, which should not and to be a constructive part of the management plan within our municipality in the future and not be bullied into compliance by an upper tier without consultation. Council is willing to work with the management team; as of yet, it has not been given that opportunity. That should have been a component of this process but so far has not been. We have recognized challenges which so far have been answered with "we haven't received that request before". This as a response to, are you willing to indemnify the municipality for crossing unopened road allowances and municipal roads. Not doing so would leave municipalities in a potentially serious situation.

For those of you who may not understand where HCM council is coming from should know that in the fall of 2016 the County granted permission to the local OFSC club to travel through a residential area of our community; without any consultation with Council, staff or the ratepayers. Being blindsided by the appearance

of snow machines speeding past their doors and disrespecting municipal roads and private property, residents were understandably upset. When they brought this to the attention of staff and Council, they too were concerned. Our community has been divided over this issue ever since. An agreement between the OFSC clubs and the county provided without consultation with the lower tier is unfair and disrespectful.

Going forward, this municipality will enforce zoning by-laws if required however; as stated in any and all previous pieces of correspondence, reports to Council and/or letters to the county what is being requested is openness and transparency and consultation throughout the remainder of this process, lacking until the past few weeks.

Council believes that the construction of a trail through Head, Clara & Maria is an excellent opportunity to work with partners to create a vital transportation link in the Ontario and Canadian trail system and can benefit many parties. It also believes that there are significant questions which have not yet been addressed by the counties involved in this process to the satisfaction of ratepayers, Council and staff members of this and other lower tiers.

As per the attached legal opinion, which has subsequently been reviewed and validated by Mr. Fred Dean this week at ROMA, the Counties involved have overstepped their authority. Despite that fact; this municipality still feels that the trail is a tremendous opportunity and looks forward to working together to make it positive for all users. Even though only a small lower tier this Council and staff still have legal and financial obligations to our ratepayers and municipality; we are requesting that the County respect that obligation moving forward.

As expressed in the attached resolution, there remain serious financial, legal and safety concerns which require significant consideration and attention prior to the trail being opened. The meeting held at the County for staff on Thursday, January 18 was a beginning; a beginning which should have occurred months if not years ago. Not being able to go backwards and correct the wrongs; it is this council's hope that we can work together moving forward in a comprehensive collaborative way.

Reports to Council and additional information may be located on the municipal website at <http://www.townshipsofheadclaramaria.ca/council-and-staff/agenda-reports-to-council/2018-agenda-reports-to-council/tuesday-january-23-2018-8439.html>.

Respectfully, and on behalf of Council,

Melinda Reith, D.M.M. AMCTO
Municipal Clerk and CAO

Enclosure: Resolution of Council Jan. 23, 2018– Algonquin Trail Implications in Head, Clara & Maria
Legal Opinion – Cunningham Swan, Use of Trail by County of Renfrew
Report to Council – Algonquin Trail Implications in Head, Clara & Maria



THE CORPORATION OF THE UNITED TOWNSHIPS OF HEAD, CLARA & MARIA
COUNCIL MEETING RESOLUTION FORM

Date: Tuesday, January 23, 2018

Resolution No.:23/01/18/007

Moved by: *Ernie Stedman* Seconded by: *J. Scott*

Subject: Report #23/01/18/1101 – Algonquin Trail Implications in Head, Clara & Maria

WHEREAS the potential for serious liability has been identified with the use of the rail corridor as a motorized trail throughout the municipality;

AND WHEREAS this Council has some concerns with:

- The process with which the trail has been pushed through at County Committee level without proper consultation with lower tier municipalities or their residents;
- Unanswered public safety and operational concerns with the use of the corridor as a multi-use trail and the risks involved;
- Unanswered lower tier liability and indemnification with respect to crossings on municipal roads and unopened road allowances;
- Incompatibility with local Zoning By-laws;
- The restrictions and costs associated with by-passes imposed by the County;

THEREFORE BE IT RESOLVED that the Council of the United Townships of Head, Clara & Maria does hereby request that the County of Renfrew staff, meet with representatives of Head, Clara & Maria staff and Council to discuss the future of the Algonquin Trail within our municipal boundaries paying particular attention to resolving concerns including as a minimum:

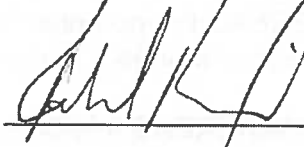
1. The need for the lower tier to come up with and fund any by-pass required to protect its residents from environmental contaminants and to provide for their safety;
2. Coming to an agreement with respect to the municipal Zoning By-Law through by-law amendment, rezoning some sections to allow motorized use;
3. Written assurance from the County that the municipality is protected and indemnified by the County and its lessees with respect to the general use

- of the rail corridor through Head, Clara & Maria, and specifically with respect to travel over municipal roads and unopened road allowances;
4. That the municipality is named as an additional insured in all trail insurance policies;
 5. A written commitment from the County of Renfrew to provide resources to enforce trail rules, and/or to provide and finance an increased police presence;
 6. A written commitment from the County of Renfrew to provide assistance with fire management and suppression costs due to increased trail use and to assume the municipal cost of fires that can be linked to trail use;
 7. Written assurance that when the corridor is brushed, waste materials will be properly disposed of and not left along the trail increasing forest fire risk;

8. Immediately, rescinding the lease agreement with the Missing Link Snowmobile Club for motorized use through the Community contrary to the Municipal Zoning By-law until all of these issues have been resolved;

9. Council authorizes staff to meet with MLSC representatives to arrange use contrary to Local zoning by law for remainder of this season for areas west of Stonecliffe

AND FURTHER THAT a copy of this resolution and report be circulated to the Counties of Renfrew and Lanark, the Municipality of Papineau/Cameron, and to the lower tier Councils in the County of Renfrew and Lanark for information and support.

Carried Defeated Mayor 

Recorded Vote

Recorded Vote		
Chartrand, C	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Foote, D	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
McKay, C	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Villeneuve, E	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>
Reid, B	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

The United Townships of Head, Clara & Maria

CERTIFIED TRUE COPY

Melinda Reith, Municipal Clerk