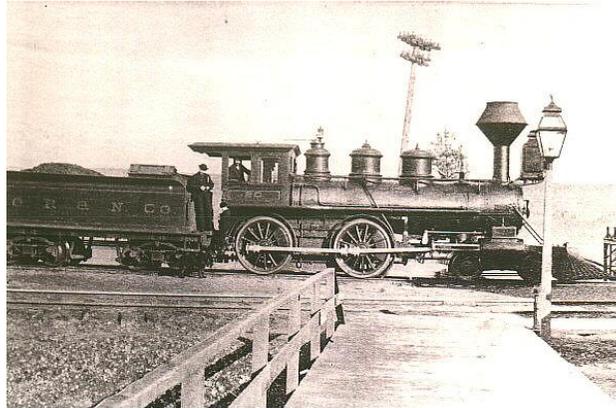




K & P CORRIDOR

Management Plan CALABOGIE TO RENFREW



RAIL To TRAIL



Prepared by:
County of Renfrew
Development & Property Department
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Pembroke, ON K8A 6W5

Prepared for:
K & P Management Advisory Committee
and the County of Renfrew Development &
Property Committee

Adopted by County Council August 27, 2003

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SUMMARY OF RECOMMENDATIONS

- *That the most appropriate use of the K & P Corridor between Calabogie and Renfrew is a multi-use recreation corridor. The potential social, economic and environmental benefits are significant and the concerns raised can be addressed through the proper management of the corridor.*
- *That the discharge of firearms from the K & P corridor is not compatible with the use of the corridor as a trail due to public safety issues. As such, the K & P Management Advisory Committee recommends to the Development and Property Committee that discussions be held with the Ministry of Natural Resources and the Ontario Provincial Police to review options for prohibiting the discharge of firearms under current Provincial legislation such as the Fish and Wildlife Conservation Act.*
- *Vehicular access to the K&P should be limited to existing landowners with no other means of access to their property. A policy outlining permitted access requirements (licenses or permits, agreements, third party liability insurance, etc.) and appropriate signs and gates should be developed.*
- *To keep ongoing maintenance costs as low as possible, it is recommended that partnerships with user groups, local clubs and organizations and local municipalities be developed. Maintenance efforts should be co-ordinated by County of Renfrew staff. It is recommended that federal and/or provincial funding be pursued for trail development purposes. With regard to fencing, it is recommended to the Development and Property Committee that the situation be closely monitored and that the County (through the K & P Management Advisory Committee) resolve any fencing issues on a site specific basis and in co-operation with the property owner, the local municipality, and user and community groups.*
- *It is recommended that the trail be developed as a year-round, multi-use trail and that rules of etiquette be developed to allow the safe use of the corridor by as many user groups as possible. User groups will be encouraged to organize and assist in trail maintenance and to investigate liability insurance options.*
- *That the County solicitor should be consulted regarding the Municipal Act and the Occupiers Liability Relief Act as they relate to the County's management of the K&P corridor as a trail.*

That a proper signage and gating program is essential to reducing the County's exposure to liability and the safe use of the trail. It is recommended that a qualified consultant be contracted to prepare recommendations regarding appropriate signage and gates (including location).

- *The development of the K&P corridor into a multi-use recreation trail will require the following actions:*
 - *The development and approval by County Council of a policy manual regarding the development and use of the corridor as a recreation trail (see Appendix C);*
 - *The submission of a funding application(s) to assist in the development of the corridor as a recreation trail;*
 - *The development of maintenance standards and protocols (where necessary) regarding the maintenance of the corridor;*
 - *The establishment of partnerships with local clubs, organizations and/or agencies with mutual interest in the K&P corridor;*
 - *The development of an ongoing dialogue with abutting property owners, user groups and other affected agencies and organizations.*

THE KINGSTON & PEMBROKE RAILWAY CORRIDOR CALABOGIE TO RENFREW

BACKGROUND

The Development of the Kingston & Pembroke Railway (the K & P)¹

The K & P was chartered in 1871 and it took thirteen years to build, with the 112 miles (180 kilometers) of main line and spurs being completed from Kingston to Renfrew in 1884. The promoters of the railway wanted to exploit the vast resources of pine and minerals available in the area between Kingston and Pembroke and have a link to the American market via Kingston and Lake Ontario. By the time the K & P reached Renfrew in 1884, the Central Canada Railway had built a line to Pembroke and the K & P never went further than Renfrew.

By 1879, the track reached Lavant Township in Lanark County when the contractor ran out of money. M.J. O'Brien of Renfrew then took over the contract for the remaining portion of the railway. This portion was to prove very difficult, with a rock cut at Calabogie Lake likely to be difficult and expensive to deal with. Even though O'Brien would later become a millionaire, at this time he had little money but managed to secure a loan from a bank in Kingston. Despite difficult conditions, O'Brien managed to complete the K & P to Renfrew in 1884.

Renfrew County Purchase of the K & P Corridor Between Calabogie and Renfrew

Renfrew County land use policies recognize the importance of abandoned rail corridors as future utility/transportation/recreation corridors and state that County Council shall purchase future surplus abandoned railway rights-of-way as they become available.

The K & P Corridor was abandoned in the early 1970s and the rails and ties were removed. Although other portions of the corridor were purchased by public agencies or private companies (e.g., Mississippi Valley Conservation Authority, Bell Canada), the 13 miles (21 kilometers) from Calabogie to Renfrew remained in the ownership of the

¹ From "In Search of the K & P"

Canadian Pacific Railway until purchased in 2001 by the County of Renfrew (see attached map).

Subsequent to the purchase of the corridor, the County of Renfrew established the K & P Management Advisory Committee (composed of municipal politicians and lay persons) to undertake a public consultation process and to make recommendations to the County Development and Property Committee regarding the most appropriate uses of the corridor. The terms of reference of the K & P Management Advisory Committee are included as Appendix A. A main focus of the Committee was to establish a mutually beneficial relationship with the abutting property owners.

The Advisory Committee held two public meetings, one in Calabogie on February 18, 2002, and one in Admaston/Bromley on July 10, 2002. Both meetings were well attended (over 100 participants in total) and there were many questions and some very helpful comments and suggestions. Sign-up sheets were available at both public meetings and all abutting property owners were notified of the meetings by direct mail. At both meetings, members of the public were encouraged to send any correspondence to the local municipalities or the County. Several pieces of correspondence have been received and all concerns and comments have been considered by the Advisory Committee.

ESG International is a renowned consulting firm with extensive experience in trail development. Ken Buck, an employee of ESG International and a property owner in Admaston/Bromley, was hired by the County of Renfrew to attend the Calabogie meeting to review the concerns of the public and to make recommendations to the Advisory Committee regarding the concerns and issues raised. Mr. Buck's letter is included as Appendix B.

Existing Uses

Subsequent to the removal of the rails and ties in the early 1970s, Canadian Pacific Railway (CP) could be described as an absentee landlord. The corridor was open to

vehicular access and abutting property owners complained about garbage dumping, the discharge of firearms and trespassing. The only organized use of the corridor was for snowmobiling and the snowmobile clubs signed yearly agreements with CP to use the corridor as a snowmobile trail during the winter months and to maintain it for that purpose.

Several other groups, including the Renfrew Walking Club, have conducted informal walks (see advertisement below) along the corridor and the K & P corridor has been included in several trails publications and maps.

K & P WALK

Date: Sunday, September 29, 2002
Time: 1:00 p.m.
Place: Ferguslea. Route is about
15 km and will end in
Calabogie

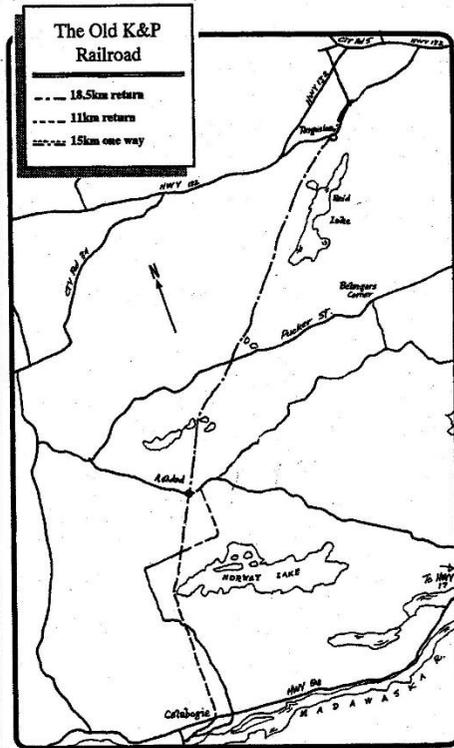
*Cars will be available for walkers
who wish to stop early.*

Contact: Theresa Mann
Renfrew County & District Health Unit
(432-5853 or T-800-804-0772)



Renfrew County Walking Club
Walk Your Way

5722



THE OLD K & P RAILROAD

Length of Trails: 11 km, 15 km, 18.5 km
Type of Trail: Old abandoned railway
Level of Difficulty: Easy
Special Features: Lakes and ponds, scenic

Directions to Trails

This trail can be walked from Ferguslea to Ashdad (18.5 km return), from Calabogie to Ashdad (11 km return) or from Calabogie to Ferguslea or vice versa (15 km one-way).

To begin in Ferguslea, follow Hwy 132 west from Renfrew. Just past City Rd 5, turn left toward the village of Ferguslea. The old Kingston & Pembroke Railroad runs through Ferguslea. Park on the side of the road and pick up the trail just before or after the sawmill. To begin in Calabogie, follow Hwy 508 west from Hwy 17 to Calabogie. Just before you get to Calabogie, you will see Munford's Restaurant & Gas Bar on your right. Park here and locate the old K & P to your left about one hundred meters as you face the highway from the parking lot.

Description of Trails

This old abandoned railway line offers a nice walking experience. It will be described here from Ferguslea to Calabogie, although it can be walked in the other direction. From Ferguslea to the place where Pucker Street crosses the trail, there are a number of lakes and ponds. The next section takes you to Ashdad, where it may be necessary to detour around cattle (if there is a fence across the trail, a sign will be posted to indicate that you should go around this section by following the dotted line on the map) Back on the K & P, beyond Ashdad, you will cross the Norway Lake Rd. The last stretch of this walk to Munford's Store on the 508 is very picturesque; to your right are the hills of Calabogie Peaks.

Additional Routes

You may enjoy a walk into the village of Calabogie, which is a very pretty town. In addition, the K & P continues and can be walked further south into Lenark and Frontenac Counties.

From the public meetings, the following existing uses of the corridor were mentioned:

- snowmobiling
- biking
- walking
- ATVs
- farm crossings
- horseback riding
- access for fishing and hunting
- access to cottage
- access for logging purposes

As mentioned above, unfettered vehicular access has led to garbage dumping along the corridor. Motorized vehicle traffic has also resulted in the significant deterioration the corridor in some areas and created drainage problems which have further reduced the integrity of the corridor. Presently, the corridor is not maintained to any standard and work has been done by various groups on an as- and where-needed basis.

MOST APPROPRIATE USE OF CORRIDOR

The main goal of the K & P Management Advisory Committee is to recommend to the County of Renfrew Development and Property Committee the most appropriate uses of the corridor, taking into account the social, economic and environmental benefits, capital and maintenance costs, compatibility with other uses and effects on adjacent landowners.

Discussion:

The approved policy of the County of Renfrew pertaining to abandoned rail corridors is as follows:

County policy recognizes the importance of abandoned rail corridors as future utility/transportation/multi-use recreation corridors and states that the County of Renfrew shall purchase future surplus abandoned railway rights-of-way as they become available.

The public meetings held thus far and the correspondence received from abutting landowners and other interested members of the public have been very positive pertaining to the County's purchase of the corridor. In the long-term, abandoned corridors similar to the K & P may have an important role to play in terms of utility or transportation corridors. In the shorter term, however, it appears that there are many social, economic and environmental benefits to the development of such corridors as recreation trails. These benefits range from improved recreation opportunities for the general public to increased tourism opportunities for members of the public and private sector businesses. The development of trails for their economic and social benefits is a trend that has become very evident throughout North America and in the Province of Ontario.

Concerns raised during the public process pertaining to the development of the corridor for a trail include maintenance costs, liability, and impacts on abutting property owners. Similar concerns were raised as County Council considered the merits of purchasing the corridor.

Abandoned rail corridors offer a means of trail development at a very reasonable cost. Their gentle grades make them appropriate for many uses and users and the rail bed is usually in suitable condition for multiple uses. As is the case with the K&P corridor, rail corridors represent linear features of continuous land ownership and usually connect towns villages and hamlets and run through picturesque countryside.

Recommendation:

That the most appropriate use of the K & P Corridor between Calabogie and Renfrew is a multi-use recreation corridor. The potential social, economic and environmental benefits are significant and the concerns raised can be addressed through the proper management of the corridor.

MANAGEMENT ISSUES

Issue 1: *Hunting Along the Corridor*

Discussion:

At both public meetings, hunting was raised as a public safety issue. Prior to the County's purchase of the corridor, a delegation to County Council also indicated that hunting along the corridor in the Ferguslea area was endangering lives and resulted in a dwelling being hit with a stray bullet on one occasion. Subsequent to the public meetings, several letters were received from abutting property owners concerned about the discharge of firearms from the corridor. Ken Buck's report strongly recommends that hunting on the corridor not be considered acceptable, as it is simply not compatible with trail uses. Through permitted trail use, hunters may be able to use the trail to access hunting areas on public or private lands.

At the Calabogie meeting, several members of the public indicated that they used the corridor to access hunting areas and a representative of the Renfrew Woodland Aboriginal Association felt that the corridor should be left open to hunting.

For the past two years and again in 2002 during deer hunting season, the County has requested the Ministry of Natural Resources and the Ontario Provincial Police to patrol the corridor to apply the provincial and federal laws related to firearms and hunting. Notices to this effect have been placed in local newspapers. Feedback received from several abutting property owners indicates that the discharge of firearms along the corridor has been significantly reduced.

For public safety purposes, the Municipal Act does permit local councils to pass by-laws prohibiting the discharge of firearms within a defined area of a municipality. The Ministry of Municipal Affairs and Housing (MMAH) has advised the County that the new Municipal Act which is to come into full force and effect on January 1, 2003, would also require a by-law prohibiting the discharge of firearms to be passed by a local municipality.

Recommendation:

That the discharge of firearms from the K & P corridor is not compatible with the use of the corridor as a trail due to public safety issues. As such, the K & P Management Advisory Committee recommends to the Development and Property Committee that discussions be held with the Ministry of Natural Resources and the Ontario Provincial Police to review options for prohibiting the discharge of firearms under current Provincial legislation such as the Fish and Wildlife Conservation Act.

Issue 2: Vehicular Access to the Corridor

Discussion:

As stated earlier, subsequent to the removal of the ties and rails in the early 1970s the corridor has been open to vehicular traffic. Vehicle travel on the corridor has resulted in garbage dumping, physical damage to the traveled portion of the corridor, and increased hunting along the corridor. Abutting property owners have also indicated that the corridor has been used as an un-patrolled access route from which properties may be accessed by unauthorized persons.

During the public meeting process, members of the public indicated that the corridor is used to access bush lots, to access several cottages on Norway Lake, for farm crossings and to access hunting and fishing lands. For a number of years, the corridor has been used during the winter months as a snowmobile trail.

Through proper signing, gates and/or bollards and permission, the existing accesses to the corridor which are absolutely necessary (ie. no other alternative) can be maintained. However, the K&P corridor is not a private nor public road and no further uses/buildings requiring access over the K&P should be permitted. Through further discussions with abutting property owners and user groups, appropriate locations for gates and or bollards may be determined. Access should be controlled via policy requiring, permits or licenses, agreements and third party liability insurance

Recommendation:

Vehicular access to the K&P should be limited to existing landowners with no other means of access to their property. A policy outlining permitted access requirements (licenses or permits, agreements, third party liability insurance, etc) and appropriate signs and gates should be developed.

Issue 3: Long-term Maintenance

Discussion:

The cost of the on-going maintenance of a trail was raised as a concern at both public meetings. Maintenance costs include maintenance of the physical condition of the traveled portion of the corridor, drainage, brushing, fencing, animal control and signage and barriers. To keep costs as low as possible, over the past year the County has worked with the Ontario Federation of Snowmobile Clubs (OFSC), the local snowmobile clubs, local municipalities, the County Public Works Department, and Ontario Power Generation. Several abutting property owners have also been active in maintaining portions of the corridor, usually in conjunction with access to their property. There is also potential to partner with Ontario Works at the County and Human Resources Development Canada (HRDC) regarding employment for specific tasks or projects, such as brushing or other minor maintenance of the corridor.

To develop the corridor as a year-round recreation corridor, further partnerships with service clubs and user groups will be required. An “Adopt-a-Trail” program could be developed whereby a group or organization would be responsible for assisting in the maintenance of a portion of the trail. Over the past decade, throughout Ontario numerous abandoned railway and other corridors have been converted to recreation corridors. Many of these projects have developed with the assistance of federal and/or provincial funding through programs such as the provincial Trillium Foundation. In the County of Renfrew there is a great potential for the development of a trails network which would not only assist in the development of the K&P corridor but other corridors throughout the County. The Ottawa Valley Tourist Association (OVTA) and Ottawa Valley Economic Development (OVED) would be ideal partners in the preparation of a funding proposal to the federal and/or provincial governments.

Although most of the corridor passes through forested lands, lands abutting parts of the corridor are used for agricultural purposes. In these areas, fencing (and farm crossings in certain cases) is a concern of abutting property owners. In other areas where trails have been developed through agricultural lands, fencing is dealt with on a site specific basis and in partnership with the abutting property owners. Other municipalities have

passed by-laws in accordance with Section 210(27) of the Municipal Act requiring cost sharing between the abutting property owner and the owner of the corridor (50% each).

Recommendation:

To keep ongoing maintenance costs as low as possible, it is recommended that partnerships with user groups, local clubs and organizations and local municipalities be developed. Maintenance efforts should be co-ordinated by County of Renfrew staff. It is recommended that federal and/or provincial funding be pursued for trail development purposes. With regard to fencing, it is recommended to the Development and Property Committee that the situation be closely monitored and that the County (through the K & P Management Advisory Committee) resolve any fencing issues on a site specific basis and in co-operation with the property owner, the local municipality, and user and community groups.

Issue 4: Permitted Uses and Rules For Users

Discussion:

Through agreement with Canadian Pacific Railway Ltd., for many years the corridor has been used as a popular snowmobile trail during the winter months (approximately four months) and the local snowmobile clubs have put a great deal of effort into maintaining the corridor as a snowmobile trail. If not the only organized user group, the snowmobile clubs are certainly the most organized user group. This has significant advantages in terms of policing trail use, liability insurance and maintenance of the trail. During the winter months, as portions of the corridor are narrow, safety and liability concerns need to be addressed to permit the corridor to be utilized for multiple uses simultaneously (i.e. motorized and non-motorized).

As previously mentioned, the gentle grades of the former rail corridor and the fair condition of the rail bed make it ideal for a number of uses. These include walking, bicycling, cross-country skiing and horseback riding. To allow multiple uses to occur simultaneously, however, rules of etiquette need to be established for each group. A number of organizations have developed rules of etiquette and these can be tailored to suit our circumstances and users.

Recommendation:

It is recommended that the trail be developed as a year-round, multi-use trail and that rules of etiquette be developed to allow the safe use of the corridor by as many user groups as possible. User groups will be encouraged to organize and assist in trail maintenance and to investigate liability insurance options.

Issue 5: Liability and Safety

Discussion:

At both public meetings, abutting landowners raised concerns regarding their liability and the liability of the County, if a trail user is hurt on the trail. Third party liability for volunteers working on the trail is an issue that also requires consideration.

The County's insurance company has been notified and consulted regarding the County's purchase of the corridor. Advice received indicated that the corridor would be considered similar to other County property which is used by the general public. However, as the lands are to be developed as a trail, the liability issues as addressed in the Municipal Act and the Occupiers Liability Relief Act should be considered in consultation with the County solicitor.

A Land Use Permission form has been signed by the Calabogie and District Snowmobile Club for the period that the corridor is to be used as a snowmobile trail (December 1, 2002 to March 31, 2003). The snowmobile club has access to the OFSCs third part liability insurance. Unfortunately, as mentioned earlier, the snowmobile clubs are probably the only organized user group carrying their own insurance.

To reduce the County's exposure to liability and maximize public safety, a comprehensive signage program is required. Signs are needed to identify appropriate uses, warnings of possible hazards and trail access and crossings. A trail inspection program also needs to be implemented so that hazards can be quickly identified and signed or rectified accordingly.

Recommendation:

That the County solicitor should be consulted regarding the Municipal Act and the Occupiers Liability Relief Act as they relate to the County's management of the K&P corridor as a trail.

That a proper signage and gating program is essential to reducing the County's exposure to liability and the safe use of the trail. It is recommended that a qualified consultant be contracted to prepare recommendations regarding appropriate signage and gates (including location).

Issue 6: Implementation

Discussion:

This Management Plan is only the first step in the development of the K&P corridor as a recreation trail. It will take time, effort and funding assistance to implement the recommendations contained herein. Upon acceptance of the Management Plan by County Council, a funding application should be submitted to the federal, provincial and/or private sector to assist in the development of the corridor. In the interim, the staff of the County, the County Development and Property Committee and the K&P Management Advisory Committee will continue to deal with issues as they arise and require attention.

In addition to funding assistance, County Council needs to develop a policy regarding the use of the corridor (a draft is attached as Appendix C) and a signage and access plan needs to be developed in line with the approved County policy and this Management Plan. Standards for maintenance also need to be developed and a protocol between the County and the local municipalities wishing to participate in the maintenance of the corridor would be beneficial.

Partnerships with local groups, organizations and agencies are required to assist in the maintenance of the corridor and to ensure that the corridor becomes an integral aspect of the surrounding community.

Recommendation:

The development of the K&P corridor into a multi-use recreation trail will require the following actions:

- *The development and approval by County Council of a policy manual regarding the development and use of the corridor as a recreation trail (see Appendix C);*
- *The submission of a funding application(s) to assist in the development of the corridor as a recreation trail;*

- *The development of maintenance standards and protocols (where necessary) regarding the maintenance of the corridor;*
- *The establishment of partnerships with local clubs, organizations and/or agencies with mutual interest in the K&P corridor;*
- *The development of an ongoing dialogue with abutting property owners, user groups and other affected agencies and organizations. The Management Plan should be reviewed on a regular basis (at least once a year) to ensure that it remains current. Any significant changes proposed should be reviewed at a public meeting(s) hosted by the Committee.*

APPENDIX A

K & P MANAGEMENT ADVISORY COMMITTEE

TERMS OF REFERENCE

K & P MANAGEMENT ADVISORY COMMITTEE

TERMS OF REFERENCE

Purpose

To design and undertake a public involvement process and to make recommendations to the Development and Property Committee pertaining to the use and management of the abandoned K & P Corridor between Calabogie and Renfrew.

Goal

To recommend to the Development and Property Committee the most appropriate uses of the corridor, taking into account the social, economic and environmental benefits, capital and maintenance costs, compatibility with other uses and effects on adjacent landowners.

Membership

- one elected representative from Admaston/Bromley Township
- one elected representative from Greater Madawaska Township
- one representative appointed from the County of Renfrew Development and Property Committee also to be Chair of K&P Management Advisory Committee
- one representative from abutting property owners group in Admaston/Bromley
- one representative from abutting property owners group in Greater Madawaska Township
- one staff person from the County of Renfrew Development and Property Department
- other Agencies which may be consulted
 - the Mississippi Valley Conservation Authority, the Ministry of Natural Resources, the Ministry of Agriculture, Food and Rural Affairs, the Ontario Trails Council, the Ottawa Valley Tourist Association, the Ministry of Economic Development and Trade and the Ministry of Tourism, agricultural organizations, local businesses, snowmobile clubs

Responsibilities

- Collectively organize and manage public workshops to ensure full participation of all interested groups and individuals.
- Report to the Development and Property Committee of the County of Renfrew
- Act as link between the public/groups and the Development and Property Committee
- Acquire information and evaluate options.
- Developing a shared vision for the future of the corridor.
- Ensure that all issues are identified and considered.
- Provide recommendations to the Development and Property Committee on appropriate uses and management of the corridor.

Following the establishment of the Management Advisory Committee, it will then, with assistance from the resource people, undertake the following tasks:

Management Advisory Committee Process

1. Identify all adjacent landowners along the corridor and potential interest groups and invite to the first public meeting to:
 - Discuss the project and the rationale behind the County's purchase of the corridor
 - listen to the public and identify issues and concerns
2. Conduct research and complete a literature review to determine a number of options for consideration with regard to the long-term management and use of the corridor.
3. Conduct research into funding sources and partnerships for the on-going management and maintenance of the corridor.
4. Evaluate options, possible partnerships and funding sources
5. Organize further public meetings to review findings and possible recommendations for the use of the corridor.
6. Develop final recommendations and present to Development and Property Committee and County Council for approval.
7. Make recommendations to the Development and Property regarding potential the for further corridor development/conservation in the County of Renfrew.

APPENDIX B

**K & P LINE TRAIL
REPORT FROM KEN BUCK**

APRIL 24, 2002

April 24, 2002

Mr. Jim Hutton, MCIP, RPP

Senior Planner
Planning Department
County of Renfrew
9 International Drive
Pembroke, Ontario, K8A 6W5

RE: K&P Line Trail

Dear Mr. Hutton:

You asked that I prepare notes on my reactions to the public meeting held on Monday February 18, 2002, and that I make suggestions about potential solutions to issues raised and next steps in planning the corridor. In reviewing my own notes and the minutes of the meeting that you kindly forwarded to me, I have summarized below what I consider to be the main issues raised at the meeting.

I will address each briefly.

- **Need another meeting for input, to consider proposals:**
- **Need outreach (stakeholder involvement)**
- **Possibility of stakeholder meeting (Focus Group)**

Judging from the turnout, there is a great deal of interest generated by the project. For some of those present, I sensed that it was unclear as to the purpose of the meeting (expected outcomes) and the process being considered for the development of the K&P Line. There were many questions asked, with relatively few answers offered due to the preliminary nature of the meeting. I heard it stated a number of times that people wanted to be involved in a formal way to help develop and comment on potential plans for the property. I suggest that a structured public consultation process (the public at large) and a stakeholder communication strategy directly affected stakeholders) be developed along with less structured opportunities for people to be involved (such as kitchen table meetings). In addition, I also suggest the creation of a Focus Group of various interests who would be consulted at various points during the creation of a plan and strategy for the corridor.

- **Mandate / structure / timing / ongoing involvement of committee**

It was stated that the Committee had not met prior to the meeting nor determined its role other than to receive comments. I strongly suggest that if you have not already done so, the committee mandate be made clear. To this end we have found it very useful to develop the (existing) Project Goal supported by strong objectives, and most importantly by “Guiding Principles”. The development of the latter should be the result of an intense brainstorming session led by a facilitator to gain consensus on the question “what are we trying to achieve here?” We often prepare suggested principles for consideration prior to such meetings as food for thought. The principles are then presented for public consumption and comment. Once adopted, they are not etched in stone, but act to guide the process. We have found these to be very important tools to focus the effort.

I suggest that you establish a timeline for the committee’s work (i.e. to develop a master plan and implementation strategy by December 2002). When that objective is achieved, you may consider

a new mandate for the committee (implement the highest priority of the plan within 2 years) which may require a revised committee structure (new members) or reaffirm the current composition.

▪ **Aboriginal rights / historical uses**

I am not familiar with the background of aboriginal claims to the use of the corridor. It strikes me that this is a legal matter, which may or may not have implications for the uses / users of the trail. In all of our projects to date, there have never been special considerations for aboriginal use apart from permitted uses by the general public.

▪ **Hunting (some in favour some against)**

I suggest strongly that hunting simply not be considered as an acceptable use on, or near the corridor. The corridor could be used by hunters for access to acceptable hunting grounds, through permitted trail use. In previous projects, hunting has been restricted from the trailway, across the trailway or within specified distances on either side of the trailway by bylaw. I suggest that this (or similar) stance be taken early on to eliminate the issue as a matter of public safety.

▪ **Uses / users / who? How established?**

You need to hear from all potential users, make a determination of which uses can coexist (most, in my opinion) and develop rules and responsibilities for all user groups to adopt. It may be useful for you to enter into formal arrangements only with incorporated user groups thereby controlling to some extent the rules by which acceptable use can be judged. Permitted uses need to be clearly posted and enforced.

▪ **User pay possibility?**

I believe that you should seriously consider this eventuality now. There are some emerging models to draw on, notwithstanding that there has been little government leadership in this regard.

▪ **Maintenance / Management (who, how?)**

There is little question that the development of the trail is one challenge and that the ongoing management and monitoring is another, one that is often overlooked in the zeal to establish the corridor in the first place. It was suggested at the meeting that other management models be examined (i.e. the Mississippi Conservation Authority). Inasmuch as the County of Renfrew has established a policy of acquiring such corridors as they become available, it would be wise to use the K&P project to develop (and experiment with) a trail management strategy that could be extended to other corridors in Renfrew as time goes on. This probably involves the County taking the lead initially, with the possibility of others taking on a more significant role later. The Eastern Ontario Trails Alliance, for example, has been able to attract significant funding and has full-time staff to administer their system. I would suggest that such models be carefully examined and “re-jigged” to reflect the experiences of each and the specific needs of Renfrew County.

▪ **Liability / Insurance / Permitted Users / Standards**

Questions of liability and insurance were dealt with very well at the meeting. As noted above, there needs to be an assessment of what the permitted uses will be and under what conditions they will be permitted. Attendant to all of these issues are matters of design standards. It is astonishing to me that there are no widely accepted standards for trails in Ontario, although with each project, they are advancing somewhat. It seems to me that for the approved uses, there needs to a reasonable level of care taken to make users aware of potential hazards and to take reasonable precautions to prevent them. This may involve the development of standards for all Renfrew County Trails, in consultation your risk managers.

▪ **Funding (construction / maintenance)**

Funding sources are available. Some may be available to municipal applicants (such as Superbuild, with private sector partners) others may not. It would appear that the County may need to take a funding lead, but nurture and draw upon other partnerships wherever possible. This is part of the reason that the constitution and mandate of the Committee is so important. Funding agencies often require a fairly clear picture of what the funding is for and how it will benefit the community at large. A clear synopsis of corridor objectives / plans would be an important part of funding applications.

▪ **Access for private property owners (cottagers, landowners on either side)**

This is a very important matter, especially since it was made clear at the meeting that some landowners have invested substantial amounts of time and materials to maintain access on the rail line to their properties. Firstly, it seems to me that there is a planning issue whereby access has been permitted in the past other than from a proper road. This practice should be reexamined and possibly discontinued. Secondly, access across the rail line for those who own property on both sides, should not be a problem through proper signing and gating. In the past, we have reorganized gates to be across from each other at right angles to the trail and given the keys to the landowner. It is then up to the landowner as to whether or not the gates are left open or closed. Thirdly, regarding access along the trail, special agreements and permits may be made available to qualified persons to do so. Obviously, there are risk management issues that need to be examined and articulated in the agreements. Qualified persons could be given keys (or other access means) to gates and it would be required that keys not be duplicated and that gates closed at all times. Failure to do so may result in access denied. In addition, proper signing and other measures would be required to inform users that they may expect vehicular access along the corridor. This would require legal and design detailing to implement and might be tried on an experimental basis.

▪ **Restricted access for inappropriate uses**

Once acceptable uses have been determined, access must be permitted only for those uses and all other uses prohibited through regulatory and physical means. Based on all of our trails experience this can only be achieved by locked gates, combined with other visually unobtrusive barriers at all access points (i.e. at all road crossings and private access points along the route)

- **Fencing**

This is a matter to be considered under the Line Fences Act and the County’s own policies. My experience has been that the need for a fence has to be established with each landowner along the route and that if such need is established, the repair of existing fences or erection of new fences may be a cost shared by the parties or borne by either one or the other. I suggest that you consult with the Ontario Trails Council on this matter. Their solicitor, Mr. Ian Attridge has pursued the matter at length and can no doubt provide specific advice.

- **Security (Policing)**

From time to time security patrols are necessary to “establish the presence” particularly over the first several years of trail implementation. It has been the general experience of trail organizations that over time, and assuming that proper barriers have been erected and maintained, trails tend to become somewhat self-policing through user peer pressure, community watch programs and the like. Nonetheless, arrangements should be made for patrols and for emergency response mechanisms. Emergency numbers should be posted along the route. In other projects, trail patrol ambassadors, either as volunteers or in some cases as paid positions, have been very successful in creating goodwill among trail users with respect to reinforcement of codes of conduct, wayfinding, marketing, etc. as well as in reporting unusual incidents, trail conditions or assisting with emergencies.

Next Steps:

I know that you have assembled an electronic base plan and have begun to assemble a basic inventory of trail conditions. With the public meeting, you have begun the communication process and have clearly gained the attention of many residents.

It believe that the development of a Master Plan and Management Strategy is a rather obvious objective over the short term. This Master plan should encompass:

- A comprehensive public consultation program with public meetings, a communications strategy, a Focus Group and the opportunity for one-on-one contacts
- The development of guiding principles
- The preparation of Master Plan concepts and details for review and input by the public and affected stakeholders, leading to the preparation of a Master Plan for adoption by County Council as the framework for corridor development
- The development of design guidelines / standards for the permitted uses
- The preparation of an economic impact analysis to demonstrate the community benefits of proceeding with the project
- The development of an implementation strategy that articulates phasing, potential funding needs (capital and operating), funding opportunities, potential partners, and a management strategy
- A marketing plan
- Recommendations for advancing the project.

Prior to embarking on this Master Plan, it may be wise to reconsider the mandate and structure of the Committee and to confirm its role. It may also be useful to consider a countywide trails policy and strategy to ensure that the energy and resources spent on the K&P process are transferable to other County initiatives. Trail development in a county as large as Renfrew is a very sizable job. It may be worth considering a trails coordinator position for an existing or new staff person to actively pursue all opportunities.

As you know, I have been following the evolution of trail development in the County of Renfrew over the last 7-8 years, both as a trails design professional and as a county landowner. I sincerely appreciate the opportunity to have been involved in this process to date and look forward to future initiatives. Thank-you for permitting me to be involved. If I can be of further assistance please do not hesitate to call on me.

Sincerely,

ESG INTERNATIONAL

Kenneth W. Buck, Principal Landscape Architect
Member, OALA, CSLA, ASLA

APPENDIX C

DRAFT K & P RECREATION/UTILITY CORRIDOR

POLICY MANUAL



THE K & P RECREATION / UTILITY CORRIDOR POLICY MANUAL

CALABOGIE TO RENFREW

Prepared by:

County of Renfrew
Development & Property Department

9 International Drive
Pembroke, Ontario
K8A 6W5

Adopted by:

The Council of the County of Renfrew
_____, 2003

**THE K & P RECREATION/UTILITY CORRIDOR POLICY MANUAL
CALABOGIE TO RENFREW**

1.0 OWNERSHIP AND PURPOSE

- 1.1 The abandoned K & P rail corridor between Calabogie and Renfrew shall be referred to as the K & P Recreation/Utility Corridor. The corridor shall be retained in the sole ownership of the County of Renfrew and preserved for short and long term recreation, transportation and utility purposes consistent with the needs of the County and its constituent local municipalities.
- 1.2 Only those portions of the corridor which are considered surplus to the County's long-term requirements or which will not result in disruption of the corridor's continuity shall be considered for sale, in accordance with the applicable policies of the County of Renfrew.
- 1.3 Requests for land exchanges will only be considered on their own merit and where the alignment of the corridor can be maintained or shifted in a manner which will maintain geometrics necessary for possible use as a future transportation corridor. Individual land exchanges will not be considered if they will result in disruption of the continuity of the corridor.
- 1.4 The management of the K & P Recreation/Utility Corridor shall be the responsibility of the Development and Property Committee or such other committee as may be designated by the Council of the County of Renfrew and which may consider and recommend the execution of management agreements, leases, licenses or permits to public agencies, individuals or private organizations for the use, development, management and maintenance of the corridor.
- 1.5 The primary purpose of the corridor shall be recreational; however, its use as a transportation or utility corridor will be entertained where need can be demonstrated and the continued use of the corridor for linear recreational activities is not compromised.

2.0 ENCROACHMENTS

- 2.1 Only existing encroachments of buildings upon the corridor shall be permitted; however, where the encroachment involves temporary structures, consideration of an encroachment agreement, permit or license may be given but shall include a specified time limit for removal of the encroachment.
- 2.2 Existing encroachments may be recognized by lease, license or permits granted by the County of Renfrew. However, it shall be the policy of the County to encourage removal of encroachment buildings or structures. Encroachments may also be resolved by transfer at the occupiers expense in accordance with Section 1.2 above.

- 2.3 Fees for encroachment permits shall be nominal but sufficient to cover related administrative expenses. Such fees may be waived or varied by means of a management agreement only in consideration of assumption of other responsibilities related to the use, management or maintenance of the corridor by the occupier.

3.0 VEHICULAR CROSSINGS AND PRIVATE PROPERTY ACCESS

- 3.1 Existing vehicular access to private properties presently recognized by lease agreements shall be permitted to continue and may be recognized by County Council by new lease agreements, license or permits.
- 3.2 Temporary vehicular access over or across the K & P Recreation/Utility Corridor for logging or other purposes will be considered on their own merit and shall be subject to a land use agreement with the County of Renfrew. Trappers requiring access to the corridor will require written permission from the County of Renfrew.

4.0 MANAGEMENT AGREEMENTS, LEASES, LICENSES AND PERMITS

- 4.1 Where this policy provides that the County may enter into a management agreement or lease, issue a license or permit, it shall be subject to the following terms:
- 4.1.1 The managing agency, lessee, licensee or permit holder will be required to assume full responsibility and liability for the use of the lands in accordance with the County's goals, objectives and policies for the K & P Recreation/Utility Corridor.
- 4.1.2 The managing agency, lessee, licensee or permit holder occupying any of the lands shall submit for the approval of the County of Renfrew a corridor development and management plan which addresses to the County's satisfaction the following:
- i) use
 - ii) policing and security
 - iii) maintenance including brush and weed control
 - iv) fencing and access controls
 - v) signage
 - vi) site modifications and cost estimates
 - vii) rehabilitation of any damage to corridor
- 4.1.3 All management agreements, leases, licenses or permits shall be for such term as may be approved by the County of Renfrew. Renewal of any lease, license or permit shall not be automatic and may be subject to review at the discretion of the County where deemed appropriate due to changing circumstances.

- 4.2 Management agreements, leases, licenses or permits shall only be considered with respect to existing encroachments, existing or new access requirements or with public agencies, private organizations or groups which provide recreation and leisure opportunities for residents and tourists of the County of Renfrew.

5.0 PUBLIC SAFETY

- 5.1 The safety of the public utilizing the K & P Recreation/Utility Corridor shall, at all times, be treated as a priority.
- 5.2 Where possible, existing off-street parking facilities will be utilized; however, additional off-street parking requirements shall be addressed through the preparation of corridor development plans.
- 5.3 Where the corridor intersects or crosses a public street or highway, appropriate warning signs shall be provided on both the street and the corridor. Corridor uses shall always be required to implement full stop measures and warning signs to indicate approaching intersecting streets shall be provided.
- 5.4 The County shall negotiate the provision of road signage by the road authority having jurisdiction over intersecting streets which shall have right-of-way priority. In addition, intersecting roads shall not be subject to any license, lease or permit fees.
- 5.5 Unless otherwise specified pursuant to the lease agreements, licenses or permits, the County shall require that such speed limits be posted by the occupier of the lands.
- 5.6 To minimize the risks inherent with hunting activities adjacent to the K & P Recreation/Utility Corridor, appropriate signs prohibiting hunting shall be posted at structured entrances to the corridor.
- 5.7 Bridges shall be signed to warn of hazards which may accompany their use including prohibitions on fishing or diving from bridges.
- 5.8 Where a bridge is not required for the short-term use of the corridor, access to such structure shall be restricted by means of appropriate barriers.
- 5.9 Where any deficiency is identified in the traveled surface of the corridor or drainage, fences, structures or bridges within the corridor, such deficiency shall be inspected and necessary repairs or corrections initiated.

6.0 FENCING

- 6.1 The County of Renfrew may request Councils of local municipalities to pass by-laws pursuant to Section 210 (27) of the Municipal Act to designate the K & P Recreation/Utility Corridor as an area within which the apportionment of fencing costs to the County shall be limited to a maximum of 50 percent unless otherwise specified within a fencing agreement between the County and the abutting landowner.

- 6.2 It shall be a policy of the County to negotiate agreements with abutting landowners, and local municipalities respecting the location and maintenance of fences along common property lines in accordance with the Line Fences Act. Where an agreement is to be negotiated, it shall be policy of the County that such agreements will release the County from any future obligations relative to such fence.
- 6.3 Wherever possible, the County shall endeavour to minimize the need for fencing. However, where fencing is requested or deemed necessary, the County's share of costs will be based upon the cost of eight-strand farm fencing. The cost of any higher standard of fencing shall be the responsibility of the abutting landowner.

7.0 DRAINAGE

- 7.1 The County shall not permit any use of the corridor or alterations to the corridor which will result in interference with natural drainage in a manner which would adversely impact adjacent properties. It shall be a policy of the County to discourage any land use adjacent to the corridor which will result in additional drainage being directed towards the corridor or which will adversely impact upon the use of the corridor for recreation and transportation purposes.
- 7.2 Alterations to the existing drainage patterns or existing man-made drains shall only be considered where it can be demonstrated that the alteration will not result in adverse impacts upon the corridor or any downstream properties. Where any portion of the corridor is covered by a management agreement, all proposed changes to the grading or drainage shall require the prior approval of the County and must be supported by an engineer-approved design.

8.0 WEED AND BRUSH CONTROL

- 8.1 Weeds and brush shall be monitored on a regular basis and any noxious weeds destroyed in accordance with the Weed Control Act.
- 8.2 Brush which affects visibility at access points or road crossings shall be removed or trimmed to provide appropriate daylighting triangles.
- 8.3 Brush or vegetation which overhangs the corridor or may impede passage shall be cut back to levels appropriate to the specific use permitted in that area.
- 8.4 Within those portions of the corridor covered by a management agreement, weed and brush control shall be the responsibility of the occupier unless otherwise specified within the management agreement.

9.0 NUISANCE

- 9.1 It shall be a policy of the County to manage the K & P Recreation/Utility Corridor so as to mitigate the potential for nuisance impacts upon abutting property owners.
- 9.2 The County may authorize the use of the K & P Recreation/Utility Corridor for special events upon submission of a written proposal outlining the nature of the event, the expected duration and details of the policing or security measures proposed. Approval of such events may be conditional upon deposit with the County of performance bonds and/or insurance policies appropriate to the event.

10.0 ACCESS

- 10.1 Access points will be structured to prevent vehicular access unless designated for such use.
- 10.2 No private property access shall be permitted to the corridor other than those granted by lease, license or permit.
- 10.3 Where a portion of the corridor is not to be utilized for recreation purposes in the short term, access will be restricted by means of appropriate barriers.
- 10.4 Corridor access points shall be clearly identified and signed in order to inform the public of permitted and prohibited uses as well as the corridor length to the next public access point. Where the corridor provides a linkage or access to tourist, recreational or natural features, such features shall be identified at the appropriate access point as well.

11.0 TRESPASS

- 11.1 The County shall encourage property owners abutting the K & P Recreation/Utility Corridor to post their properties in accordance with the provisions of the Trespass to Private Properties Act and to report incidents of trespass to both the appropriate police authority and the occupier of the land if other than the County of Renfrew.

12.0 USE

- 12.1 Specific permitted activities and uses for the corridor (or sections thereof) may be further defined by preparation of development plans pursuant and/or management agreements. The use of the corridor for recreational activities shall be subject to such management agreements but may encompass one or more of the following compatible activities:
 - a) pedestrian uses such as hiking, jogging, walking, nature appreciation and cross country skiing
 - b) cycling

- c) horseback riding
- d) operation of ATV's or snowmobiles
- e) sled dog competitions or training
- f) parks, playgrounds and parking

The corridor shall not be used for camping and by-laws may be passed by County Council to prohibit camping on the corridor.

13.0 ENVIRONMENT

- 13.1 It shall be a policy of the County to encourage the appreciation of the natural environment along the length of the corridor through appropriate signage identifying specific points of interest of unique features.
- 13.2 Any use of the corridor which degrades the natural environment shall be prohibited unless acceptable mitigative measures can be implemented.
- 13.3 The County shall encourage the long-term reforestation and revegetation of the corridor with native plant material unless such activity will adversely affect a unique feature of the corridor which has evolved as a result of isolation.

14.0 COSTS

- 14.1 It shall be policy of the County to establish a reserve fund to be utilized for the long-term development of the corridor for recreation transportation purposes.
- 14.2 Where the corridor is under a management agreement, leased, licensed or a permit granted, taxes and costs associated with the development and maintenance of that portion of the corridor shall be the responsibility of the lessee, licensee or permit holder unless otherwise specified by the terms of the management agreement, lease, license or permit.
- 14.3 In determining priorities or expenditures related to the K & P Recreation/Utility Corridor, first priority shall always be given to matters of public safety and security.
- 14.4 It shall be a policy of the County to make the corridor available for use by the residents of the County at a cost consistent with the level of use and economic benefit derived therefrom.

15.0 ADMINISTRATION

- 15.1 The Warden and Clerk be authorized by By-law to enter into leases or issue permits or licenses in keeping with this policy for terms not exceeding one year. Management agreements and all other leases, permits or licenses shall be approved by Council as recommended by the Development and Property Committee.

- 15.2 That the County pass By-laws with respect to signage of intersections with Provincial Highways, County Roads or Municipal Roads, speed limits, restrictions of motorized vehicles, littering and dumping of material and waste, removal of fill, alteration of drainage, maintenance of fencing and fees and administration for licenses, permits and leases.