
SUBJECT: Request from Dyers Bay Association Regarding Cabot Head Road

FROM: Troy Cameron, Public Works Manager

DATE: October 26, 2020

RECOMMENDATION:

THAT Council receives Public Works Department Report PW 20-49 titled Request from Dyers Bay Association Regarding Cabot Head Road, AND;

THAT Council consider including funds in the 2021 budget for the installation of a permanent gate structure at Cabot Head Road.

BACKGROUND:

The Cabot Head Road washed out in the winter/fall of 2019/2020. In August 2020, Council authorized staff to conduct a temporary repair on the road to allow The Bruce Peninsula Bird Observatory (BPBO) and its contractor to conduct maintenance on one of the Observatory's cottages. Public Works Department staff completed the work in September, and the BPBO was granted access to complete their work; however, the road remains closed, gated and signed.

The trespass road is owned by a number of parties, being the Federal Government, Provincial Government and private landowners. There are also a number of interested groups who use the road for a multitude of purposes, including the Canadian Coast Guard/DFO, Ontario Parks, The Bruce Peninsula Bird Observatory, Friends of Cabot Head, private landowners, and the Bruce Peninsula Biosphere Association.

At the September 28, 2020, meeting of Council, correspondence was received from Mr. Jim Wadleigh, President of the Dyers Bay Association, of which contained a number of requests regarding Cabot Head Road.

COMMENTS:

Since the road has been temporarily repaired, the Friends of Cabot Head have been provided access to gather a number of artifacts from the Lighthouse and outbuildings.

Municipal staff continues to engage in discussions with all interested parties to come to a permanent solution on the status of the road. At this time, that includes awaiting an

assessment and cost estimate from the Department of Fisheries and Oceans' engineering team for Cabot Head Road. Unfortunately, this is at a standstill as, due to COVID19 restrictions, the engineering team is not permitted to be on-site.

Other interested parties have expressed their need for access, specifically The Bruce Peninsula Bird Observatory/Ontario Parks, as well as the Friends of Cabot Head. The Dyers Bay Association is requesting that the road be permanently gated, with access only being provided for authorized vehicles.

Public Works staff has and will continue to monitor the area, including the road and gate, while the By-law Department monitors the area for unauthorized use.

ATTACHMENTS:

1. July 27, 2020 – Correspondence from Dyers Bay Association

MUNICIPAL STRATEGIC COMMITMENT:

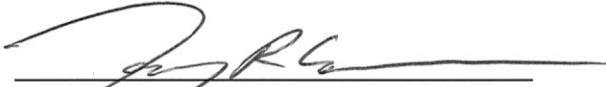
By evaluating strategic objectives, it can be assured that the actions taken by the Municipality create value across all strategic priorities identified in the Strategic Plan. In doing so, the Municipality moves closer to its vision of providing a safe, progressive municipality that is committed to managing growth and providing a welcoming, diverse and environmentally sustainable community that enhances the quality of life for all residents and visitors.

Strategic Priority	Yes	No
Well managed and fiscally responsible municipal government is enhanced	☐	☐
Conservation and protection of unique natural environment including the encouragement of well managed growth is enhanced	☐	☐
Health, safety and education of the community are enhanced.	☐	☐
Development/promotion of cultural and recreational opportunities is enhanced.	☐	☐
Citizen involvement is enhanced.	☐	☐
Economic development strategies are enhanced.	☐	☐
Does the option(s) recommended create value across all strategic priorities?	☐	☐
Does the option(s) recommended make Northern Bruce Peninsula a municipality of choice for high performance public servants?	☐	☐

BUDGET IMPLICATIONS:

Currently there is no implication to the 2020 operational budget however it is recommended that this discussion be brought forward to the 2021 Budget deliberations.

Respectfully submitted:



Troy Cameron, Public Works Manager

Approved by:



Peggy Van Mierlo-West, CAO

JULY 27 2020 REQUEST TO MNBPC COUNCIL REGARDING CABOT HEAD ROAD

The travel track known as Cabot Head Road having been severely damaged in late 2019 by a combination of storms and rising lake levels, residents of the growing community of Dyers Bay propose stepping back before simply repairing, at great expense, what appears to be an unsustainable travel track.

We propose using the circumstances imposed by Nature as an opportunity to solve longstanding and increasingly dangerous traffic problems in the community of Dyers Bay, while providing a high-quality walking and cycling experience for visitors to North Bruce, while reducing the tax burden on property owners.

We ask the Municipality to stop all efforts to re-open the Cabot Head track to motor vehicles, including ending requests to Provincial and Federal governments for funding of that work, until the issue is studied, with input from all parties.

We ask that the Municipality study the idea of converting the track to a permanent walking and cycling path, with due consideration of emergency access issues.

Given continued issues with trespassing through the temporary barriers at the south end of Cabot Head Road, we are hopeful that Council will see the wisdom of **immediately securing and gating the track out to the lighthouse for continued safe non-motorized recreational use**, while preserving access for the bird observatory, for various property owners on whose land the track sits, for Friends of Cabot Head Lighthouse to preserve their artifacts and to allow vehicle access for emergencies and maintenance efforts at the lighthouse property.

The Dyers Bay Association (DBA) requests the opportunity to fully participate in all future discussions in this issue.

BACKGROUND

The DBA wants Council to be aware that residents oppose efforts to re-open this track for public motor vehicle traffic use.

As noted on its web site, the DBA has been incorporated since 1958, and has been continuously operating since then, supported every year through voluntary membership by the great majority of residents of Dyers Bay. The objective of the Association is to build and maintain a safe, clean, and enjoyable community in this special part of the Bruce. There are about 140 properties in the main built area of Dyers Bay. About 150 people join the DBA in a typical year.

Over 110 landowners are affected directly by traffic along the winding, narrow road to the beginning of Cabot Head Road, and there is currently no other way for motor vehicles to reach that point. Dyers Bay Road is paved in the residential area to a width of approximately 6m and has no sidewalks or shoulders to separate pedestrians or bicycles from vehicle traffic.

Over the past 30 years or so Council, and formerly, Lindsay Township, have heard about the traffic concerns in the residential community of Dyers Bay. Municipal responses such as speed signs, reduced speed limits, temporary speed bumps, and building of a parking lot have been appreciated, but have not been effective in **reducing traffic** through the residential area of Dyers Bay, likely due to **increased**

marketing of the light station as a destination and the rapidly rising visitor traffic to the Bruce Peninsula.

Since closure of the light station in 2017 for removal of contaminants, traffic has dropped considerably for the past four years, and now consists primarily of local vehicles. This means that if the light station and Cabot Head Road are again opened, our community will see a quick return to dangerous levels of traffic. Residents observe that much of it will travel in excess of the posted speed limit of 40kph.

RESTORING THE CABOT HEAD ROAD

It is understood by the DBA membership that Council requested a cost estimate to repair damage to the Cabot Head travel track. We understand that rough estimates put repair in the hundreds of thousands of dollars, with full rebuilding cost not yet determined. This most recent damage was caused by winds and high-water levels over the past winter. The track continues to deteriorate and is now impassable for cars and trucks.

Ownership of the land over which the Cabot Head Road was built includes private landowners, Ontario Parks and the Federal Government. There is no road allowance and there is encroachment in several sections on the marine allowance.

Though currently posted as closed and temporarily blocked, this track needs to be properly gated at its intersection with Shoreline Drive to encourage the track's continued use as a popular biking and hiking trail. Unfortunately, the current single chain across the track has not discouraged use by all-terrain vehicles and motorcycles, who are trespassing and camping on unsupervised property of the Federal government and private landowners, endangering the contents of the historic light station. As well, despite signage, vehicles are parking on Dyers Bay Road, blocking access to nearby residences.

WHY WAS IT BUILT?

The track was originally put through what was then private land in the 1960's, apparently as a means for the lighthouse keeper to have vehicle access by road through Dyers Bay, instead of by boat or by hiking a now abandoned trail adjacent to Gilles Lake ("The Lighthouse Keepers Trail"). The track and the road through Dyers Bay were never intended to support significant motorized vehicle traffic. The built portion of Dyers Bay has seen about 10% growth in the number of dwellings in the past 20 years, based on the DBA database.

Friends of Cabot Head state that in 2017, the last year that the Cabot Head Lighthouse was open to the public, this track transported some 18,000 visitors driving personal motor vehicles including recreational vehicles and buses for a visit to the lighthouse. These tourist trips require vehicles to drive through the village of Dyers Bay, closely passing the residential properties, without sidewalks or shoulders to provide safe pedestrian or bicycle passage. Visitors often drive at speeds above the posted 40km per hour and travel carelessly over the mid-line through twisting sections with obstructed views. Vehicle numbers peak on weekends and holidays, when the number of residents and family members using the road for walking and cycling is also at a peak.

STRATEGIC CONSIDERATIONS

The Municipality's vision, as endorsed by Council, is providing a safe, progressive municipality that is committed to managing growth and to providing a welcoming, diverse and environmentally sustainable

community that enhances the quality of life for all residents and visitors. That vision certainly suggests to the DBA that Council is open to discussion of the idea of properly gating and not rebuilding the Cabot Head track to public motor vehicle traffic standards. Preliminary conversations with Municipal representatives and virtually all other stakeholders have been generally supportive of replacing a motor vehicle road with a non-motorized track.

Given rough estimates from the Municipal Roads Department of “hundreds of thousands of dollars” to rebuild and re-engineer the damaged and unsustainable portions of the road, the question of **value for taxpayer money** seems important to examine as part of any discussion. There are serious questions raised about the sustainability of a road in that shoreline location due to uncertainty about the trend of continued rising lake levels.

It is likely, that the past operation of the Cabot Head Lighthouse as a tourist attraction was not sustainable by any reasonable social or economic measure. This was implied in the recent requests for funding and in-kind support from the Municipality from the Friends of Cabot Head Lighthouse, as well as the Council vote not to renew the lease of the light station property.

Allowing public motor vehicle traffic on a track that remains popular for walking and bicycling, and that promotes high volumes of visitors through our residential community, erodes the quality of life for residents and increases the risks of injury. If the track is re-opened to public motor vehicle traffic, it will virtually guarantee continuation of rising traffic numbers through a purely residential area, with vehicle numbers likely to rise above those seen before the 2017 closure of the light station. This would not be consistent with the municipality’s commitment to providing safe communities.

NIMBY

Community opposition to re-opening Cabot Head Road may well be seen by casual observers as simply “not in my backyard” rejection of tourists and day trippers visiting the lighthouse. That perception and characterization is not accurate. Nor is the inaccurate media reporting that our community does not want the light station to re-open.

When the federal government leased the light station property to the Municipality, residents of Dyers Bay, long familiar with the property, were rightly concerned about the potential loss of the heritage and historical elements of this location. Residents of Dyers Bay responded by founding and fundraising for Friends of Cabot Head Lighthouse, an organization designed to support preservation and celebration of that history and heritage. Residents of Dyers Bay and their families have probably all visited the site.

Further, the Dyers Bay community recognizes the scenic value of the road along the shore and was very supportive of last year’s successful bicycle Lighthouse Fondo fundraiser from Lions Head Lighthouse through Dyers Bay to Cabot Head Lighthouse. The Association provided logistical support for the event. Members of the community also support the Bird Observatory, buying memberships and welcoming visitors during open houses to see the important work being done at that facility.

Far from blanket rejection of visitors to Cabot Head, the community simply requests planned, sustainable and well-executed solutions to the issues raised by public motor vehicle access, balancing the needs of all stakeholders. The Dyers Bay community, unfortunately, has suffered the negative impact of high volumes of vehicle traffic headed to Cabot Head, and is requesting a “reset” of the issue.

CONCLUSION AND REQUESTS

We request that the Municipality stop all efforts to re-open the Cabot Head track to motor vehicles, including appeals to Provincial and Federal governments for funding of that work, until the issue is studied with input from all parties.

We request a pause in any consideration of repairing or rebuilding the Cabot Head Road.

We see the opportunity presented by increasing storm events, rising lake levels, and the washing out of the road to be a chance to study, measure, plan, and create a better balance between the negative effects of visitor traffic through Dyers Bay area and any potential tourism and heritage preservation benefits. In other words, **if there was no gravel track to Cabot Head today, would we build it?**

We request that the Municipality study the idea of converting the track to a permanent walking and cycling path, with due consideration of emergency access issues.

A pedestrian and cycling path along the shore would provide enjoyable recreation in itself, as well as access to Cabot Head, and enhance the visitor experience of visiting Northern Bruce Peninsula.

We request immediately securing and gating the track out to the lighthouse for continued safe non-motorized recreational use.

This would require preserving access for the bird observatory, for various property owners on whose land the track sits, for Friends of Cabot Head Lighthouse to preserve their artifacts and to allow vehicle access for emergencies and maintenance efforts at the lighthouse property.

We request that DBA be given the opportunity to fully participate in all future discussions in this issue. To this point, no plan intended to reduce the negative impact of rising vehicle traffic through Dyer's Bay has been successful, and the result of re-opening the gravel track to motor vehicles is as certain as the sunrise. Residents ask for a voice at the table on discussions about the future of transport through our community.

The DBA offers support, financial, fundraising and in-kind, for construction, maintenance and monitoring of a human-powered activity trail. Support includes providing sponsorship and/or fundraising for surfacing, gating, signage and maintenance of a walking and cycling track. Experience with similar facilities in other parts of Canada suggests that maintenance of a high-quality pedestrian and cycling path requires minimal but important seasonal work such as tree-trimming and minor repair.

Thank you for your consideration of our requests. We look forward to Council's consideration and response.

On behalf of the Dyers Bay Association

Jim Wadleigh, President