

The Regional Municipality of York

Committee of the Whole
Transportation Services
October 3, 2019

Report of the Commissioner of Transportation Services

Winter Maintenance of Regional Roads Policy Update to Incorporate Recent Legislative Changes

1. Recommendation

Council adopt the updated Winter Maintenance of Regional Roads policy to incorporate recent legislative changes to Ontario Regulation 239/02 Minimum Maintenance Standards as set out in Attachment 1.

2. Summary

This report seeks Council approval to update the Winter Maintenance of Regional Roads policy to reflect the most recent legislative changes to the Minimum Maintenance Standards regarding municipal declaration of significant weather events under certain conditions.

3. Background

Minimum maintenance standards were first enacted by the Province in 2002

First enacted in 2002, Ontario Regulation 239/02 established minimum maintenance standards for municipal highways in Ontario. The minimum maintenance standards are reviewed and amended from time to time.

The Region's winter maintenance operation standards are set out in Regional policies and based on legislation

On June 26, 2014, Council adopted a new Winter Maintenance of Regional Roads policy to align with legislative amendments. The 2014 policy update primarily added the provision of anti-icing practices on high volume roads in response to related changes in Ontario Regulation 239/02.

The Province amended the Minimum Maintenance Standards providing for the declaration of a significant weather event

On May 3, 2018, Ontario Regulation 366/18 came into force, amending Ontario Regulation 239/02, providing municipalities with a mechanism to declare a significant weather event.

The proposed 2019 policy update reflects the most recent legislative changes

The proposed update to the Winter Maintenance of Regional Roads policy captures the most recent amendments to Ontario Regulation 239/02.

Per the regulations, a significant weather event means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality. A weather hazard means the weather hazard determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program.

A municipality may declare a significant weather event when a weather hazard has been identified that poses a significant danger to travellers and an alert has been issued by Environment Canada.

4. Analysis

Declaration of a significant weather event suspends standard timelines required to meet maintenance objectives

A significant weather event declaration suspends standard timelines, as stated in applicable tables in the Regulations, for maintenance or final cleanup required for municipalities to meet their maintenance obligations. A declaration results in roadways being deemed to be in a legal state of repair until the end of the declaration, which protects the Region from liability.

In all but the most extreme circumstances, a declaration of a significant weather event would not change Regional maintenance procedures or scheduling

Regional arterial roads play a critical role in daily private and commercial travel. In all but the most extreme circumstances, changes to maintenance procedures or scheduling would not occur. Service suspension could be necessary in either a limited or Region-wide area where conditions are so extreme as to be unsafe for the operation of winter maintenance vehicles.

5. Financial

No financial implications are anticipated as a result of this policy update.

6. Local Impact

Staff continues to meet with our local partners and adjacent regions to develop consistent practices and messaging. Each municipality has the ability to declare a significant weather event for roadways under their respective jurisdictions provided the weather hazard is determined by Environment Canada.

If either the Region or a local municipality declare a significant weather event for their roadways, the applicable declaration communication plan will comply with requirements laid out in the maintenance standards, which include through a municipality's website, social media or other media outlets. Residents may experience a reduced level of service in extreme circumstances.

7. Conclusion

Winter maintenance has the highest impact on traveller safety on the Regional road system. The Region continues to meet standards outlined in Regional policies and the Province's maintenance standards.

New amendments to the minimum maintenance standards provide municipalities with the ability to declare a significant weather event for roadways under their jurisdiction provided the weather hazard is determined by Environment Canada.

To ensure Regional policies comply with Provincial regulations and continue to reflect Council's priorities, it is recommended the Winter Maintenance of Regional Roads policy be updated.

For more information on this report, please contact Joseph Petrungaro, Director Roads and Traffic Operations, at 1-877-464-9675 ext. 75220. Accessible formats or communication supports are available upon request.

Recommended by: **Paul Jankowski**
Commissioner of Transportation Services

Approved for Submission: **Bruce Macgregor**
Chief Administrative Officer

September 19, 2019
Attachment (1)
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