

# Regional Ownership and Maintenance of Cycling Paths Policy

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Approved By: Regional Council

Approved On: June 26, 2025

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## Policy Statement

A policy to establish ownership and maintenance responsibilities for off-street Regional cycling paths located within the right-of-way of a Regional road.

## Application

This policy applies to York Region and its Local Municipalities. This policy does not apply to privately-owned and operated cycling paths.

## Purpose

This policy establishes criteria to define the extent of Regional ownership and maintenance responsibilities for off-street cycling paths located within the Region right-of-way. This enables York Region to clarify the implementation, ownership and maintenance responsibilities between the Region and its Local Municipalities.

## Definitions

**Local Municipality:** Refers to one of the nine lower-tier municipalities within York Region. Specifically, Town of Aurora, Town of East Gwillimbury, Town of Georgina, Township of King, City of Markham, Town of Newmarket, City of Richmond Hill, City of Vaughan and Town of Whitchurch-Stouffville.

**Cycling Paths:** Refer to in-boulevard (off-street) Cycle Tracks and Multi-Use Paths, which allow the use of bicycles and micromobility (where permitted) within the boulevard.

**Right-of-Way:** Right-of-Way (ROW) means publicly-owned Regional Roads or lands including the publicly owned land between private property limits including but not

limited to the roadway, medians, curbs, shoulders, sidewalks, cycling tracks, multi-use pathways, boulevard elements, utilities and other associated above and below infrastructure.

### Description

While Section 55 of the *Municipal Act, 2001* clearly identifies the responsibilities of sidewalks as a lower-tier responsibility, ownership and maintenance responsibilities for off-street cycling paths located within the Regional right-of-way, such as Multi-Use Paths and Cycle Tracks, are not currently defined.

Where a Local Municipality has confirmed their support of Regional ownership and maintenance responsibilities by way of local Council resolution, this policy establishes such Regional ownership and maintenance responsibilities for cycling paths that:

- Are located off-street within the right-of-way of a road that is under the jurisdiction of the Regional Municipality of York; and
- Comprise an existing or planned Regionally-significant cycling connection as identified in Map 1 (2051 Regional Road Cycling Network) or Map 2 (2051 Regional Trail Network) of the [Transportation Master Plan](#); and
- Have completed construction in 2026 or thereafter.

### Cycling Paths Constructed by the Region

York Region has ownership and maintenance responsibilities for cycling paths constructed by the Region, unless otherwise stipulated in a Cycling Path Maintenance Agreement.

### Cycling Paths Constructed by Local Municipalities or Third Parties

The ownership and maintenance responsibilities of cycling paths constructed by parties other than York Region shall be determined in accordance with applicable criteria outlined in this Policy and the Ownership and Maintenance of Cycling Paths Transfer Policy. Local Municipalities shall confirm their support for Regional ownership and maintenance responsibilities of cycling paths by way of local Council Resolution.

Where a cycling path is constructed in the Region's right-of-way by a party other than the Region, the party constructing the path must consult with the Region during the planning and design phase to ensure that the path conforms to applicable Regional standards and guidelines.

### Cycling Path Maintenance Agreements

York Region and Local Municipalities may determine ownership and maintenance responsibilities through Cycling Path Maintenance Agreements, where necessary.

## Responsibilities

### Public Works Department:

- Administration of the Regional Ownership and Maintenance of Cycling Paths Policy.
- Plan, build, own and maintain new cycling paths in the Region's Right-of-Way.
- Review designs, planned placement and construction plans of cycling paths constructed by parties other than the Region.
- Implement, manage and amend Cycling Path Maintenance Agreements with Local Municipalities as required.
- Ensure newly constructed cycling paths' ownership and maintenance responsibilities are defined.
- Engage Local Municipalities to build consensus on cycling paths' ownership and maintenance responsibilities.

### Corporate Services Department:

- Ensure the Regional Official Plan, its amendments and other Corporate Strategies comply with the policy as required.

### Legal and Court Services Department:

- Prepare legal documents required to support policy implementation, including:
  - Cycling Path Maintenance Agreements with Local Municipalities

### Local Municipalities and Third Parties:

- Confirm support of Regional ownership and maintenance responsibilities for cycling paths by way of local Council resolution.
- Consult with York Region during the planning and design phase of construction of cycling paths in the Region's right-of-way to ensure that the cycling path conforms to applicable Regional standards and guidelines.

## Compliance

Cycling paths that do not comply with this policy shall be identified, and ownership and maintenance arrangements, including transfer(s), shall be recommended by Public Works. All York Region employees involved in activities related to the construction of new cycling paths must adhere to this policy. Regional staff's failure to comply with this

policy is a violation of authority vested in staff and is subject to appropriate disciplinary action by the Commissioner, Public Works, up to and including dismissal

## Reference

Legislative and other authorities

- [Municipal Act, 2001](#)

## Contact

Director, Transportation Infrastructure Asset Management (TRN), Public Works Department

## Approval

Council Date: <a href="#">June 26, 2025</a>	Committee Date: <a href="#">June 12, 2025</a>
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