

# 10.1 MAINTENANCE OF PEDESTRIAN AND CYCLING FACILITIES

## 10.1.1 General Maintenance Considerations for Active Transportation

Maintenance is a key consideration for pedestrian and cycling facilities. Maintenance regiments impact the attractiveness, comfort and viability of year-round travel by active modes. A variety of activities are completed to maintain active transportation facilities on a seasonal basis. A summary of these activities is shown in Exhibit 10-1.

Exhibit 10-1 . Summary of Maintenance Activities for Active Transportation Facilities

Type	Maintenance Activity
Year-Round	<ul style="list-style-type: none"> <li>• <b>Inspection &amp; Patrol</b> – Routine inspection and patrolling to ensure that facilities are in a state of good repair</li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Pothole &amp; Surface Discontinuity Repair</b> – Ensuring a smooth walkable/rideable surface free of major cracks and/or discontinuities</li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Pavement Markings &amp; Signage</b> – Ensuring visibility of signage and pavement markings and refreshing pavement markings following winter months</li> </ul>
	<ul style="list-style-type: none"> <li>• <b>Sweeping</b> – Clean-up of leaves, debris and dirt that accumulate along active transportation facilities.</li> </ul>
Winter	<ul style="list-style-type: none"> <li>• <b>Snow Clearing &amp; Snow Removal; Prevention of Ice Formation</b> – All of the winter maintenance activities that help to create a navigable active transportation facility year-round.</li> </ul>
Others – As Needed	<ul style="list-style-type: none"> <li>• <b>Vegetation Trimming</b> – Ensuring grass and other plantings do not impact the surface through regularly cutting and trimming</li> <li>• <b>Litter collection</b> – Removing/collecting garbage accumulated in boulevards and through open spaces</li> </ul>

### 10.1.2. Ontario Regulation 239/02 – Minimum Maintenance Standards for Cycling & Walking Facilities

Ontario Regulation 239/02, a regulation under the Municipal Act, 2001, identifies minimum maintenance standards for municipal highways. These standards are optional for municipalities, however many municipalities choose to adopt them as policy since they provide some protection from liability when they are met under Section 44 (3) of the Municipal Act. The standards focus on the end outcome, without providing prescriptive details of how the results are to be achieved. As a result, municipalities are free to implement a variety of techniques to achieve the desired results and to adapt maintenance practices based on local conditions.

Historically, these standards focused largely on municipal roadways, however a recent amendment to Ontario Regulation 239/02 includes proposed minimum maintenance standards for walking & cycling facilities. The amendment represents a major step forward for municipalities with active transportation facilities as it provides a benchmark for municipalities hoping to provide access to cycling and walking facilities throughout all four seasons.

The overview of the amendment identifies the purpose of the proposed changes:

The intent is to encourage Ontario municipalities to continue to expand the number of active transportation facilities that they own and maintain, for year-round use, without fear of undue legal/liability risks being the excuse not to do so, by providing clear and achievable winter maintenance standards.

Those municipalities who (pursuant to their existing powers to do so as granted under the Municipal Act, 2001) must close portions of their public highways during Winter months, due to lack of sufficient funding for proper inspection and maintenance, will continue to be able to do so and will also have clearer guidance and enhanced protections under the updated regulation. This will better permit municipalities, especially in rural or smaller centres with limited tax bases, to focus their resources and provide better service on those highways that remain open for winter use.

Increased certainty for municipalities and clarifying expectations for all road and sidewalk users will result from these proposed amendments to the regulation.

These maintenance standards provide a baseline level of service for municipalities across Ontario, and are being incorporated into the Region's Maintenance Practices.

A summary of the new service levels identified in the updated standards for active transportation facilities for each mode is included below.

### Sidewalks

The revised standards incorporate guidance on winter maintenance of sidewalks. The specific requirements are noted below:

- 16.3** 1. Subject to section 16.4, the standard for addressing snow accumulation on a sidewalk after the snow accumulation has ended is,
- a. to reduce the snow to a depth less than or equal to 8 centimetres within 48 hours; and
  - b. to provide a minimum sidewalk width of 1 metre. O. Reg. 366/18, s. 15.
2. If the depth of snow accumulation on a sidewalk is less than or equal to 8 centimetres, the sidewalk is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 15.
3. If the depth of snow accumulation on a sidewalk exceeds 8 centimetres while the snow continues to accumulate, the sidewalk is deemed to be in a state of repair with respect to snow accumulation, until 48 hours after the snow accumulation ends. O. Reg. 366/18, s. 15.

Source: O. Reg 239/02, Section 16.3

### Bicycle Lanes/Separated Bicycle Lanes

The MMS now addresses winter maintenance of bicycle lanes and separated bicycle lanes. The specific requirements are noted below:

- 4.2** 1. Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,
- c. after becoming aware of the fact that the snow accumulation on a bicycle lane is greater than the depth set out in the Table to this section, to deploy resources as soon as practicable to address the snow accumulation; and
  - d. after the snow accumulation has ended, to address the snow accumulation so as to reduce the snow to a depth less than or equal to the depth set out in the Table to this section to provide a minimum bicycle lane width of the lesser of 1 metre or the actual bicycle lane width. O. Reg. 366/18, s. 7.
2. If the depth of snow accumulation on a bicycle lane is less than or equal to the depth set out in the Table to this section, the bicycle lane is deemed to be in a state of repair in respect of snow accumulation. O. Reg. 366/18, s. 7.