

**To:** COUNCIL

**Meeting Date:** 11/28/2023

**Subject:** 23-025-IFS Road and Sidewalk Level of Service By-Law

**Submitted By:** Mike Hausser, P.Eng. Director of Operations

**Prepared By:** Mike Hausser, P.Eng. Director of Operations

**Report No.:** 23-025-IFS

**File No.:** 011

**Wards Affected:** All Wards

**RECOMMENDATION(S):**

THAT Report 23-025-IFS Road and Sidewalk level of Service By-Law be received;  
AND THAT By-law 23-104 be adopted by Council

**EXECUTIVE SUMMARY:**

**Purpose**

In co-ordination with the Cities of Waterloo, the City of Kitchener, and the Region of Waterloo reports are being presented to each respective Council that confirms the levels of services delivered by each jurisdiction related to road and sidewalk infrastructure and to provide delegated authority to Operations staff to declare a Significant Weather Event as defined under Provincial Regulations.

**Key Findings**

The Province defined Minimum Maintenance Standards (MMS) under Ontario Regulation 239/02, which apply to all publicly maintained roadways in Ontario.

The proposed by-law recognizes current service levels being provided, as such, there are no operational changes or resource impacts associated with the passing of this by-law.

The by-law would provide delegated authority to the Director of Operations to declare a Significant Weather Event for municipal roadways, including Regional Roads maintained by Cambridge under contract with the Region of Waterloo.

**Financial Implications**

There are no financial implications as the by-law reflects current service levels.

## **STRATEGIC ALIGNMENT:**

☒ Core Service

**Program: Road Management**

**Program: Sidewalks**

**Core Service:** Road Maintenance & Sidewalk Maintenance

This by-law affirms service levels provided by Operations for roads as well as sidewalks under Provincial Regulations.

## **BACKGROUND:**

The Province has defined Minimum Maintenance Standards (MMS) through the Highway Traffic Act (HTA) under Ontario Regulation 239/02 that apply to roads and sidewalks in the winter and summer months. These standards and regulations are updated from time to time by the Province of Ontario.

A Significant Weather Event (SWE) declaration is defined under the current MMS and such a declaration changes the municipality's maintenance obligations in the face of severe weather. Staff propose that authority to issue such a declaration be delegated to Operations staff, as the SWE declaration must be issued promptly in response to weather conditions.

Additionally, the City of Cambridge is under contract via the Region of Waterloo Transportation Division Maintenance Agreement to maintain Regional Roads. The Region of Waterloo has delegated authority to City of Cambridge to declare a SWE on Regionally owned roads maintained by Cambridge under contract.

The City of Cambridge, in collaboration with the City of Kitchener, City of Waterloo, and Region of Waterloo have in place a Snow Event declaration process which defines a specific period of time where residents are prohibited from parking on the street to enable road crews to provide winter maintenance services. This process is reaffirmed in the proposed by-law.

## **ANALYSIS:**

The current MMS provides the Municipality the option to declare a Significant Weather Event (SWE) that defines the protocol of public notification of reduced service levels as a result of inclement weather when regular maintenance schedules and response times cannot be achieved due to the risk to staff.

This protocol has been implemented in many other municipalities, but, has not been implemented to date by Cambridge, the Region of Waterloo, and area municipalities as the delegated authority to make such a declaration has been more complex having a cross-jurisdictional maintenance contract.

In collaboration with the Region of Waterloo, the City of Kitchener, and the City of Waterloo, each municipality has moved forward to formally adopt the MMS regulation and delegate authority to Operations to declare the SWE.

The Region of Waterloo has delegated authority to each respective Municipality to declare a SWE and respond within the contractual obligations and compliance with MMS on Regional Roads.

Communications staff in all three Cities and the Region have collaborated on the development of a communications plan intended to educate the public about SWE (reduced service levels) and how they differ from Snow Events (on-street parking restrictions).

**EXISTING POLICY / BY-LAW(S):**

No existing by-law exists defining these levels of service.

**FINANCIAL IMPACT:**

There is no financial impact as the by-law reflects the levels of service currently being provided by Operations.

**PUBLIC VALUE:**

**Transparency**

The by-law provides transparency between Council decisions and the public for levels of services being provided.

**ADVISORY COMMITTEE INPUT:**

Not Applicable as no changes in levels of service are associated with this report.

**PUBLIC INPUT:**

Posted publicly as part of the report process.

**INTERNAL / EXTERNAL CONSULTATION:**

This by-law and delegated authorities contained within it has been developed in collaboration with the Region of Waterloo, the City of Waterloo, the City of Kitchener, and the Regional Insurance Pool.

**CONCLUSION:**

Delegated authority to declare a Significant Weather Event enables Operations to re-act effectively to weather forecasts and actual conditions and provide notice to the public in a timely manner.

**REPORT IMPACTS:**

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

**APPROVALS:**

**This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:**

**Director**

**Deputy City Manager**

**Chief Financial Officer**

**City Solicitor**

**City Manager**

**ATTACHMENTS:**

1. 23-025-IFS Appendix A – Draft By-law.