

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF DECEMBER 10, 2021**

Item 7, Report No. 58, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on December 10, 2021.

#### **7. WINTER MAINTENANCE UPDATE – DECLARATION OF SIGNIFICANT WEATHER EVENT**

**The Committee of the Whole recommends approval of the recommendations contained in the following report of the Deputy City Manager, Public Works, dated December 7, 2021:**

##### **Recommendations**

1. That Council adopt the City of Vaughan's Winter Maintenance Policy to Declare a Significant Weather Event in alignment with legislative changes to Ontario Regulation 239/02 Minimum Maintenance Standards; and
2. That Council delegate authority to the Deputy City Manager, Public Works, or designate, to declare the beginning and end of a Significant Weather Event for the purposes of *Municipal Act, 2001* and Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways), in accordance with the Policy.

## Committee of the Whole (2) Report

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**DATE:** Tuesday, December 7, 2021

**WARD(S):** ALL

**TITLE:** WINTER MAINTENANCE UPDATE – DECLARATION OF  
SIGNIFICANT WEATHER EVENT

**FROM:**

Zoran Postic, Deputy City Manager, Public Works

**ACTION:** DECISION

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### **Purpose**

To seek approval of the City of Vaughan's Winter Maintenance Policy to Declare a Significant Weather Event.

### **Report Highlights**

- The Policy establishes criteria under which the Deputy City Manager, Public Works may declare a Significant Weather Event.
- A municipality may declare a significant weather event when a weather hazard has been identified that poses a significant danger to road users and an alert has been issued by Environment Canada.
- A declaration of a significant weather event would not change the City's regular maintenance procedures and is not a declaration of an emergency.
- During the course of a declared significant weather event, the standard timelines, as stated in the Provincial Regulations for municipalities to meet their maintenance obligations, are suspended until the significant weather event is declared to have been concluded.
- This policy reflects changes to Ontario Regulation 239/02 Minimum Maintenance Standards and will protect residents and the City.

## **Recommendations**

1. That Council adopt the City of Vaughan's Winter Maintenance Policy to Declare a Significant Weather Event in alignment with legislative changes to Ontario Regulation 239/02 Minimum Maintenance Standards; and
2. That Council delegate authority to the Deputy City Manager, Public Works, or designate, to declare the beginning and end of a Significant Weather Event for the purposes of *Municipal Act, 2001* and Ontario Regulation 239/02 (Minimum Maintenance Standards for Municipal Highways), in accordance with the Policy.

## **Background**

### **Ontario Regulation 239/02 establishes the Minimum Maintenance Standards for municipal road networks in Ontario**

Ontario Regulation 239/02 was first enacted in 2002 to establish minimum maintenance standards for municipal road networks in Ontario. The City of Vaughan's Winter Maintenance Program has been designed to meet or exceed these minimum standards.

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.

**A significant weather event means an approaching or occurring weather hazard with the potential to pose a significant danger to users of the road network within a municipality.**

A municipality may declare a significant weather event when a weather hazard has been identified that poses a significant danger to road users and an alert has been issued by Environment Canada in response to snow accumulation or ice formation on roads, sidewalks and/or bicycle lanes.

### **Declaring a Significant Weather Event protects residents and the City**

Declaring a significant weather event protects residents and the City by providing a public notice that a significant weather event is occurring that poses danger, and by providing the City with greater protection from liability as it continues its work to address the weather conditions.

As per the most recent amendments to Ontario Regulation 239/02, a significant weather event means an approaching or occurring weather hazard has the potential to pose a significant danger to users of the road network 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.

## **Previous Reports/Authority**

1. Ontario Regulation 239/02 Minimum Maintenance Standards [O. Reg. 239/02: MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS](#)

## **Analysis and Options**

### **A declaration of a Significant Weather Event would not change the City's regular winter maintenance procedures**

The purpose of declaring a significant weather event for the City's roads, sidewalks and/or bicycle lanes is to advise the public of the potential dangers associated with the weather hazard and to deem City roads, sidewalks and/or bicycle lanes in a state of repair with respect to snow accumulation and ice conditions for the duration of the declaration.

The proposed policy includes specific criteria to ensure consistency in the declaration of a Significant Weather event. That criteria includes:

- The issuance of an Environment Canada Public Weather Alert
- Confirmation through local forecasting and observations that the weather hazard, which is subject of the Environment Canada Alert, is actually imminent or occurring in the City.

The City of Vaughan's road network plays an integral role in the daily movement of people and goods. The City will not change its regular winter maintenance procedures during the declaration of a significant weather event unless the weather hazard is so extreme that it creates conditions deemed unsafe for the operation of winter maintenance vehicles. The declaration of a significant weather event is not notice of a reduced service level or a road closure. The declaration is to notify the public that due to current or forecasted conditions, caution is to be observed when travelling along the City's road network and that it may take longer than usual to bring conditions of the roads, sidewalks and/or bicycle lanes back to a state of repair.

## **The declaration of a significant weather event suspends standard timelines stated in the Provincial Regulations**

During the course of a declared significant weather event, the standard timelines, as stated in the Minimum Maintenance Standards for municipalities to meet their maintenance obligations, are suspended until the significant weather event is declared to have been concluded. During the course of a significant weather event, the roadways, sidewalks and/or bicycle lanes under the jurisdiction of the municipality are deemed to be in a state of repair, which protects the City from liability and mitigates risk.

## **The City will employ a comprehensive approach to communicating the declaration of a Significant Weather Event**

Communications with respect to declaring the beginning and end of a Significant Weather Event will be made in accordance with the methods outlined in Ontario Regulation 239/02 (s. 16.9) and will include a variety of approaches, including a public service announcement, social media, website content and digital signs, to ensure the public is apprised of the declaration. Other key stakeholders, including Emergency Services and local partners, will also be advised.

A detailed Standard Operating Procedure has been developed in support of the policy for the declaration of a Significant Weather Event and forms part of the City's overall Winter Maintenance Standard Operating Procedures.

## **A declaration of a significant weather event is a distinctly separate process from a declaration of emergency under the Emergency Management and Civil Protection Act (RSO 1990).**

It is recognized that severe winter weather can have greater consequences to the community beyond what is stated in this policy. Should the situation escalate in severity and results in significant consequences to the community, enhanced response activities will be determined by the Emergency Management Team.

## **Financial Impact**

No financial implications are anticipated because of these recommendations.

## **Broader Regional Impacts/Considerations**

On October 3, 2019, York Region updated their Winter Maintenance of Regional Roads policy to reflect the legislative changes to Ontario Regulation 239/02 Minimum Maintenance Standards regarding municipal declaration of significant weather events.

Public Works Senior Management will be in communication with key stakeholders, including York Region staff, to facilitate alignment between both levels of government when it comes to the declaration of significant weather events.

## **Conclusion**

Winter maintenance across the City of Vaughan is a critical service with respect to ensuring public safety. The City's winter maintenance program is designed to meet the standards prescribed in Provincial regulations.

Amendments to the Ontario Regulation 239/02 Minimum Maintenance Standards provides municipalities with the ability to declare a significant weather event for roadways, sidewalks and/or bicycle lanes under their jurisdiction when a weather hazard has been identified that poses a significant danger to road users and an alert has been issued by Environment Canada.

The declaration of a significant weather event will advise the public of the potential dangers associated with the weather hazard and deem City roads, sidewalks and/or bicycle lanes in a state of repair with respect to snow accumulation and ice conditions for the duration of the declaration. A comprehensive communications approach will be employed to ensure members of the public are aware of the declaration of each Significant Weather Event. Declaring a Significant Weather Event protects residents and the City.

To ensure the City's policies are aligned with Provincial regulations, it is recommended that Council adopt the City of Vaughan's Winter Maintenance Policy to declare a significant weather event

**For more information**, please contact: Peter Pilateris, Director, Transportation and Fleet Management Services.

## **Attachments**

1. Winter Maintenance Policy to Declare a Significant Weather Event

### **Prepared by**

Peter Pilateris, Director, Transportation and Fleet Management Services, Ext. 6141

Nadia Paladino, Director, Parks, Forestry and Horticulture Operations, Ext. 6146

Alan Pacheco, Manager, Roads Operations, Ext. 6204

Nicki D'Acri, Admin. Assistant to the Director, TFMS, Ext. 6158

### **Approved by**



Zoran Postic  
Deputy City Manager, Public Works

### **Reviewed by**



Nick Spensieri, City Manager



# CITY OF VAUGHAN

## CORPORATE POLICY

**POLICY TITLE:** WINTER MAINTENANCE SIGNIFICANT WEATHER EVENT  
DECLARATION

**POLICY NO.:** N/A

<b>Section:</b>	Roads, Traffic & Operations		
<b>Effective Date:</b>	Click or tap to enter a date.	<b>Date of Last Review:</b>	Click or tap to enter a date.
<b>Approval Authority:</b> Administration		<b>Policy Owner:</b> DCM, Public Works	

### POLICY STATEMENT

Winter maintenance across the City of Vaughan (the “City”) is a critical service with respect to ensuring public safety. The City’s winter maintenance program is designed to meet the standards prescribed in Provincial regulations.

Amendments to *Ontario Regulation 239/02, Minimum Maintenance Standards (MMS) for Municipal Highways* provides municipalities with the ability to declare a significant weather event for roadways, sidewalks and/or bicycle lanes under their jurisdiction when a weather hazard has been identified that poses a significant danger to road users and an alert has been issued by Environment Canada.

The declaration of a Significant Weather Event will advise the public of the potential dangers associated with the weather hazard and deem City roads, sidewalks and/or bicycle lanes in a state of repair with respect to snow accumulation and ice conditions for the duration of the declaration.

### PURPOSE

This Policy outlines provides criteria under which Public Works senior management team may declare a Significant Weather Event as defined in the *Ontario Regulation 239/02, Minimum Maintenance Standards for Municipal Highways*.



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DECLARATION**

**POLICY NO.: N/A**

During an active Significant Weather Event declaration, the roadways, sidewalks, and/or bicycle lanes under the municipality are deemed to be in a state of repair with respect to snow accumulation and/or ice formation such that standard timelines as stated in the *Minimum Maintenance Standards* for municipalities to meet the maintenance obligations are suspended until the Significant Weather Event is declared to be concluded.

**SCOPE**

This Policy will apply to all roads, sidewalks, and bicycle lanes designated to be maintained by the City of Vaughan, internally and/or through contractors.

**LEGISLATIVE REQUIREMENTS**

*Ontario Regulation 239/02, Minimum Maintenance Standards for Municipal Highways.*

**DEFINITIONS**

1. **Alert:** a transmitted signal used to heighten awareness and/or initiate preparation for action. Alerts are issued by Environment and Climate Change Canada's Meteorological Service (MSC) for weather or environmental hazard events that are either occurring, imminent, or forecast to develop. Alerts are currently issued as special weather statements, advisories, watches and warnings.
2. **Bicycle Lane:** (a) a portion of a roadway that has been designated by pavement markings or signage for the preferential or exclusive use of cyclists, or (b) a portion of a roadway that has been designated for the exclusive use of cyclists by signage and a physical or marked buffer
3. **Road:** The entire right-of-way comprising a common or public thoroughfare, including a highway, street, bridge and any other structure incidental thereto.
4. **Salting:** The use of treated rock salt (rock salt coated with performance-enhancing liquids) for ice prevention and treatment.

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5. **Sidewalk:** Typically, a paved path for pedestrians/cyclists at the side of a road. Where mentioned, sidewalks include main sidewalks, residential sidewalks, walkways, crosswalks, school crossings, park walkways, bicycle paths, and multi-use pathways.
6. **Significant Weather Event:** An approaching or occurring weather hazard with the potential to pose a significant danger to roads, sidewalks, and facility users.
7. **Snow Accumulation:** The natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway: newly-fallen snow, wind-blown snow, or slush.
8. **Weather hazard:** weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program. This clearly indicates that Environment Canada must first issue an Alert before a municipality can declare a Significant Weather Event.
9. **Winter Event:** A winter maintenance response due to a weather condition (or forecast) that affects roads, sidewalks, and/or facilities such as snowfall, wind-blown snow, sleet, freezing rain, frost or ice. A series of activities is performed including: salting, anti-icing, plowing, windrow clearing, snow removal, and/or handwork. A formal notification of the start and end of an event is sent by e-mail by the Department Leads (Supervisor/Foreperson).

**POLICY**

1. Declaration of a Significant Weather Event
  - 1.1 As per *Ontario Regulation 239/02, Minimum Maintenance Standards for Municipal Highways*, the City may declare a Significant Weather Event when a winter weather hazard is approaching or occurring and has the potential to pose a significant danger to City road, sidewalk, and/or bicycle lane users and where Environment Canada has issued an alert under its Public Weather Alerting Program.
  - 1.2 The purpose of the declaration of a Significant Weather Event include:
    - To advise the public of the potential dangers associated with the weather hazard

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- To deem City roads, sidewalks, and bicycle lanes in a state of repair with respect to snow accumulation and/or ice conditions, thereby, suspending the standard timelines as stated in this Policy to meet maintenance obligations for the duration of the declaration
- 1.3 Authority: *Ontario Regulation 239/02*, provides authority for the City to declare a Significant Weather Event. A Significant Weather Event may be declared at the discretion of the Deputy City Manager, Public Works (or designate).
- 1.4 Factors that Public Works staff shall consider in declaring a Significant Weather Event include:
- The issuance of an Environment Canada Public Weather Alert
  - Confirmation through local forecasting and observations that the weather hazard which is the subject of the Environment Canada Alert is actually imminent or occurring in the City
- 1.5 The City will communicate the declaration of a Significant Weather Event for City roads, sidewalks, and bicycle lanes to the public through the appropriate medium in accordance with methods outlined in the *Minimum Maintenance Standards (MMS)*.
- 1.6 The City may also communicate the declaration of a Significant Weather Event for City roads, sidewalks, and bicycle lanes directly to its neighbouring municipalities within York region but assumes no role or liability for the actions or inactions of any of these agencies in making their own declarations or maintenance decisions.
- 1.7 If the City declares a Significant Weather Event for City roads, sidewalks, and/or bicycle lanes, the standard for addressing snow and/or ice accumulation until the declaration of the end of the significant weather event is to:
- Monitor the weather in accordance with the *MMS*; and,
  - If deemed practicable by Public Works staff, to deploy resources to address snow and/or ice accumulation on City roadways, sidewalks, and bicycle lanes, starting from the time that Public Works Operations staff deem appropriate to do so
- 1.8 All City roadways, sidewalks, and bicycle lanes, within the City are deemed to be in a state of repair with respect to snow and/or ice accumulation until the time allowed (under this Policy) expires after the Deputy City Manager, Public Works (or designate) has declared the end of the Significant Weather Event for the City.

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DECLARATION**

**POLICY NO.: N/A**

- 1.9 Following the end of the weather hazard and/or winter event for which a Significant Weather Event for City roads, sidewalks, and bicycle lanes is declared, the City shall:
- Declare the end of the significant weather event when the Deputy City Manager, Public Works (or designate) deem appropriate to do so
  - Address snow and/or ice accumulation on City roadways, sidewalks, and facilities in accordance with this Policy

#### **ADMINISTRATION**

*Administered by the Office of the City Clerk.*

<b>Review Schedule:</b>	Other (specify)Other (specify) 1 Year1 Year	<b>Next Review Date:</b>	Click or tap to enter a date.
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<b>Related Policy(ies):</b>	
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<b>Related By-Law(s):</b>	
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<b>Procedural Document:</b>	
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#### **Revision History**

<b>Date:</b>	<b>Description:</b>
Click or tap to enter a date.	Establishment of policy
Click or tap to enter a date.	
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