



**KIRKLAND LAKE**  
THE RIGHT ENVIRONMENT

# 2024-2025 Winter Maintenance Manual



**Roads Division**  
*Public Works Department*

Updated: October 2024

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## Overview

The Winter Maintenance Manual serves as a foundational document aimed at ensuring that winter maintenance services in the Town of Kirkland Lake are delivered in a way that promotes safety, reliability, efficiency, and environmental responsibility. These services are carried out in alignment with the town's approved level of service and established standards. The manual outlines how the town responds to the unique challenges posed by winter weather, offering a structured approach to dealing with snow and ice in an efficient manner, while keeping environmental concerns in mind.



## Purpose

The primary purpose of the manual is to safeguard the well-being of the public and ensure that the town's infrastructure—such as roadways and sidewalks—remains functional during winter storms and adverse weather conditions. The aim is to minimize disruptions to the community's daily life by keeping roadways and sidewalks as safe as possible within the constraints imposed by nature and resources. Additionally, the manual emphasizes environmental stewardship by outlining winter maintenance practices that minimize potential harm to the environment, including proper sand and salt use.

## Objective

The objective of this document is to clearly define a consistent and achievable level of service for winter maintenance operations. This includes specifying procedures for snow and ice control to mitigate hazards and maintain the safe movement of people, goods, and services within the community.

Winter maintenance standards within the manual are crucial as they delineate varying levels of service based on the classification of roads and sidewalks, as well as their priority in terms of usage. For instance, main roadways that experience higher traffic volumes and are essential for emergency services will be treated with greater urgency compared to local or residential streets.

## Winter Maintenance Standards and Priorities

The standards set forth in the manual are designed to prioritize snow and ice control in a way that optimizes the use of resources. This means that high-priority routes—such as main roads, emergency routes, and school zones—are cleared first. Residential streets, alleys, and secondary sidewalks are addressed once higher-priority areas are safe and passable. This system of prioritization helps to ensure that the town can provide essential services to residents and businesses in an orderly fashion.

The winter maintenance procedures detailed in this document serve as a guide for municipal staff, contractors, and other stakeholders involved in the operations. These procedures explain the specific actions required to meet the winter maintenance standards, considering the unique characteristics and needs of various roadways and pedestrian areas. These include but are not limited to snow plowing, salting, sanding, and ice removal.

## Managing Limited Resources

One of the challenges faced in winter maintenance is that all roads and sidewalks cannot be serviced simultaneously. The manual acknowledges this limitation and offers a structured approach to ensure that the most critical areas are addressed first. By clearly defining priority classifications for roadways and sidewalks, the town can efficiently deploy resources like snowplows, salt trucks, and personnel where they are most needed during winter events.

## Risk Mitigation

While the manual recognizes that it is impossible to fully eliminate the risks associated with winter weather, it underscores the importance of reducing those risks to a manageable level. Through proper planning, prioritization, and execution of the Winter Maintenance Plan, the town can mitigate many of the negative impacts of winter storms, including reduced road safety and potential accidents. By adhering to a well-managed and consistent approach, the town can ensure that its winter maintenance services are effective, and that public safety remains a priority.

Ultimately, the Winter Maintenance Manual provides a comprehensive framework that not only addresses the operational aspects of winter weather management but also fosters a sense of preparedness and resilience within the community.

## Policy Statement

The Corporation of the Town of Kirkland Lake is committed to coordinating winter road maintenance in full compliance with the *Municipal Act*, 2001 Minimum Maintenance Standard for Municipal Highways ([O. Reg. 239/02](#)) and any subsequent updates. Our goal is to ensure practical and safe access to highways, residences, businesses, and municipal facilities during winter conditions.

Winter maintenance measures, including salting, sanding, snow plowing, and snow removal, will be determined based on the type and severity of each weather event. While this policy sets clear standards, the Town reserves the right to adjust operations to address significant weather conditions or unique circumstances that may arise.

In general, snow plowing operations will commence when snow accumulation reaches or exceeds 5 cm, going beyond the Minimum Maintenance Standards where necessary. Salt and/or sand will be applied to slippery road surfaces as required to enhance safety.

The Roads Supervisor, or their designated representative, is responsible for the timely dispatch of municipal operators and coordinating with contractors when needed to ensure effective winter maintenance operations.

This manual outlines the standard operating procedures for 2024-2025 winter maintenance in the jurisdiction of the Town of Kirkland Lake. However, certain situations may impact the Town's ability to fully implement these procedures, including:

- Emergencies or safety hazards
- Equipment breakdowns
- Snow accumulation exceeding 2.5 cms per hour
- Freezing rain or severe ice conditions
- Traffic congestion
- On-street parking
- Personnel availability due to illness

The Town of Kirkland Lake is dedicated to continually improving its winter maintenance operations. This plan will be reviewed and updated annually to ensure it remains effective and responsive to the needs of the community.

## Road Classifications

Ontario Regulation 239/02, which came into effect on November 1, 2002, sets out the Minimum Maintenance Standards for Municipal Highways. This regulation was amended in May 2018 under [O. Reg. 366/18](#). It provides clear guidelines for municipalities to ensure that road maintenance meets provincial standards.

Under this regulation, roadways are classified into six categories, with Class 1 receiving the highest level of service and Class 6 the lowest. These classifications are based on two key factors: the Average Annual Daily Traffic (AADT) and the posted or statutory speed limit of the road. Higher-traffic roads with higher speed limits are given higher priority for maintenance, ensuring a proportional response to their importance in the transportation network.

This system ensures that road maintenance efforts are efficiently allocated to support public safety and mobility, especially during adverse weather conditions.

### *Classification of Highways*

AADT	91-100 km/h	81-90 km/h	71-80 km/h	61-70 km/h	51-60 km/h	41-50 km/h	1-40 km/h
53K +	1	1	1	1	1	1	1
23K – 52,999	1	1	1	2	2	2	2
15K – 22,999	1	1	2	2	2	3	3
12K – 14,999	1	1	2	2	2	3	3
10K – 11,999	1	1	2	2	3	3	3
8K – 9,999	1	1	2	3	3	3	3
6K – 7,999	1	2	2	3	3	4	4
5K – 5,999	1	2	2	3	3	4	4
4K – 4,999	1	2	3	3	3	4	4
3K – 3,999	1	2	3	3	3	4	4
2K – 2,999	1	2	3	3	4	5	5
1K – 1,999	1	3	3	3	4	5	5
500 – 900	1	3	4	4	4	5	5
200 – 499	1	3	4	4	5	5	6

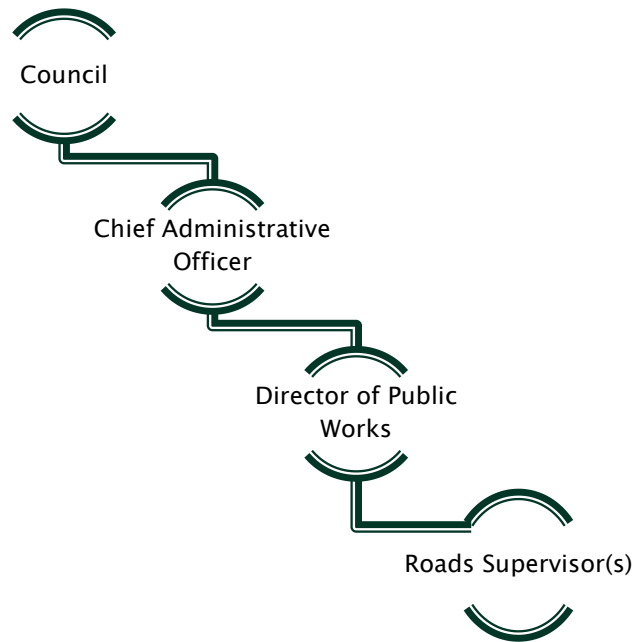
AADT	91-100 km/h	81-90 km/h	71-80 km/h	61-70 km/h	51-60 km/h	41-50 km/h	1-40 km/h
50 – 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

MTO, O Reg. 366/18

The Town of Kirkland Lake is responsible for maintaining roads classified as Class 3, Class 4, and Class 5 within its jurisdiction. These classifications, as outlined in Schedule A, guide the level of winter maintenance provided to ensure safe and efficient travel based on the specific needs of each roadway.

### Corporate Organization Chart

The Roads Supervisor reports directly to the Director of Public Works, as illustrated in the organizational chart below.



The Roads Supervisor is responsible for executing the Winter Maintenance Manual, as adopted by Council. While the manual outlines general procedures, the Roads Supervisor has the discretion to adjust specific operational actions to implement the plan effectively.

If the Director of Public Works, the Chief Administrative Officer, or Council requires actions beyond the standards set forth in the Winter Maintenance Manual, such requests must be submitted in writing and formally documented in Town records.



## Maintenance Standards

### *Patrolling*

Patrolling is a key component of winter maintenance, ensuring road conditions are regularly assessed and necessary actions are taken to maintain safety. This responsibility falls to the Roads Supervisor or their designated representative.

The frequency of patrolling is governed by provincial standards, as outlined in the table below:

Class of Highway	Patrolling Frequency
Class 3	Once every 7 days
Class 4	Once every 14 days
Class 5	Once every 30 days

However, during adverse weather conditions or when weather monitoring indicates a significant likelihood of snow accumulation or ice formation, patrolling frequency is determined at the discretion of the Roads Supervisor. In these cases, more frequent assessments may be necessary to ensure timely intervention and road safety.

Regular patrolling allows for the early detection of hazardous conditions, enabling the municipality to deploy resources effectively and address emerging issues, such as snow buildup or ice formation, before they compromise road safety.

### *Weather Monitoring*

Weather monitoring plays a crucial role in determining when to initiate patrolling and winter maintenance activities. The Roads Supervisor, or their designate, is responsible for monitoring weather conditions through reliable sources such as weather forecasting websites or by conducting road patrols. A combination of these methods may be used to ensure accurate and up-to-date information.

From October 1<sup>st</sup> to May 30<sup>th</sup>, the Minimum Maintenance Standards Regulations requires that weather be monitored—both current conditions and the 24-hour forecast—three times per calendar day. This regular monitoring helps anticipate changing conditions, allowing the Roads Supervisor to make informed decisions about winter maintenance operations.

By staying proactive in weather monitoring and adjusting patrolling as necessary, the Town ensures that its roadways remain safe and passable, even under unpredictable winter conditions.



## Level of Service for Roadways

### *Snow Accumulation*

The minimum standard for addressing snow accumulation is as follows:

1. Upon becoming aware that snow accumulation on a roadway exceeds the depth specified in the "Snow Accumulation Table" below, the Town will deploy resources as soon as practicable to address the accumulation.
2. After the snow has stopped falling, the Town will reduce snow levels on the roadway to meet or fall below the specified depths in the "Snow Accumulation Table" within the designated timeframes.

The depth of snow accumulation is determined by the Roads Supervisor or their designate, based on actual measurements, weather monitoring, or visual estimates.

Addressing snow accumulation includes, but is not limited to:

- Plowing the roadway
- Removing snow
- Salting the roadway
- Applying abrasive materials (e.g., sand)
- Or any combination of these methods

Note: This section does not apply to areas designated for parking, sidewalks, or municipal snow storage.

### *Snow Accumulation Table (Minimum Maintenance Standard)*

Class of Highway	Depth	Time
Class 3	8 cm	12 hours
Class 4	8 cm	16 hours
Class 5	10 cm	24 hours

The Town uses three beats for efficient snow plowing, identified in Schedule B. These beats are activated when snow accumulation exceeds 5 cm, even if this is above the Minimum Maintenance Standards Regulations. If snow accumulation is less than 5 cm, beat 1 will prioritize Class 3 highways and the downtown core, as shown in Schedule B.

### *Ice Formation on Roadways*

To prevent ice formation, the minimum standard is as follows:

1. Within the 24 hours prior to potential ice formation, the Town must:
  - Monitor the weather.
  - Patrol roadways.
2. If weather monitoring and patrolling suggest a high probability of ice formation, the Town will treat the affected roadways as soon as practicable.

### ***Ice Formation Prevention Table***

<b>Class of Highway</b>	<b>Time to Treat</b>
Class 3	16 hours
Class 4	24 hours
Class 5	24 hours

Once ice has formed, the Town will treat the roadway within the time limits set below, applying materials such as salt, sand, or a combination to improve road safety.

### ***Treatment of Icy Roadways Table***

<b>Class of Highway</b>	<b>Time to Treat</b>
Class 3	8 hours
Class 4	12 hours
Class 5	16 hours

Salting and sanding routes are outlined in Schedules C and D of this manual. Salting will only occur when temperatures are warmer than  $-8^{\circ}\text{C}$ , and the forecast suggests it will remain mild for the rest of the day. Sanding is carried out at the discretion of the Roads Supervisor.

### ***Snow Pull (Lifting and Hauling)***

Snow removal will occur on streets considering the following factors:

- Public safety
- Snow storage capacity
- Emergency access routes
- Street parking requirements
- Vehicle and pedestrian traffic volumes
- Parking lot capacity

For Class 4 and Class 5 roads, the minimum standard for roadway width is 5.0 meters. Snow pulls, which involve lifting and hauling snow, are detailed in Schedule E. The Roads Supervisor may initiate snow removal when roadway width is compromised.

All snow pulls will be announced via local radio and online platforms (the Town of Kirkland Lake's Official Website and Facebook Page) before work begins.

### ***Controlling the snowpack layer***

To minimize the need for scarifying and maintain road safety throughout the winter, road graders are used to manage the snowpack layer on roadways. By continuously shaving down the snowpack, graders help prevent excessive snow accumulation and keep the layer as thin as possible.

Here's how the process works:

**Ongoing Maintenance:** Road graders are employed regularly during winter weather to shave off the snowpack layer. This proactive approach helps maintain road surfaces and reduces the risk of ice formation.

**Layer Management:** By consistently adjusting the thickness of the snowpack, graders prevent it from becoming too deep or compacted. This not only improves driving conditions but also helps reduce the need for more intensive measures like scarifying.

**Scarifying Avoidance:** Scarifying, which involves completely removing the snowpack with a grader, is a more drastic measure often used as a last resort. By keeping the snowpack layer under control with regular grading, the Town aims to avoid the need for scarifying, thus saving time and resources.

**Enhanced Safety:** This method ensures that roadways remain safer for drivers and reduces the risk of accidents caused by deep snow or ice layers.

**Adaptability:** The frequency and intensity of grading operations are adjusted based on weather conditions and the specific needs of each roadway. This approach ensures that resources are used efficiently and that roads are kept in optimal condition throughout the winter season.

By employing road graders to manage the snowpack layer, the Town effectively maintains road safety and minimizes disruptions during winter weather.

### ***Significant Weather Events***

The Town may declare a "significant weather event" in response to extreme snow accumulation or icy road conditions. Such a declaration will be communicated through local radio, the Town of Kirkland Lake's Official Website, and Facebook Page.

The declaration will remain in effect until the Town determines it is appropriate to end it. Once the significant weather event is over, snow accumulation and ice will be addressed in accordance with the “*Snow Accumulation and Ice Formation Prevention*” Tables.

It is acknowledged that extreme conditions may temporarily prevent the Town from achieving the prescribed levels of service outlined in this document. In such cases, all available equipment and personnel will be used to maintain the safest possible road conditions. Winter operations will continue until the prescribed service levels are met, unless weather conditions make this impossible, in which case operations will focus on keeping roadways as clear as practicable.

## **Procedures**

The Public Works Department is committed to adhering to Provincial Standards under the [\*Highway Traffic Act, R.S.O. 1990\*](#) ensuring health, safety, and effective traffic control during winter maintenance operations.

### ***Roads***

The Town is divided into designated beats, which are mapped out in the attached documents. The primary goal during a storm is to keep traffic moving safely and efficiently. Depending on storm conditions, it may be necessary to prioritize plowing lower Class roadways multiple times before addressing other roadways.

Winter control procedures are initiated by the Roads Supervisor, or their designate, based on current weather and road conditions. Monitoring weather forecasts, patrol reports, and other relevant information enables preparation and preemptive action for winter control operations.

During and after winter control operations, a daily record of maintenance activities is meticulously maintained. These records are updated daily and kept for a period of seven years. Record templates are provided in Schedule F.

### ***Sidewalks***

Sidewalks are maintained on various road classifications, but not all sidewalks in the Town receive snow control services. Sidewalks listed in Schedule G are serviced according to a priority system like street plowing. Priority is given to heavily trafficked pedestrian routes, including main and arterial streets, school and bus routes, public buildings such as hospitals and churches, and business areas.

Sidewalks are plowed only when snow accumulation exceeds 5 cm, beyond the Minimum Maintenance Standards Regulations. All maintained sidewalks should be cleared within

48 hours of the end of snowfall. The minimum width of plowed sidewalks is 1 meter. Sanding must occur on all sidewalks within 48 hours of detecting icy conditions, and treated sidewalks are deemed safe for 48 hours after treatment.

No one is permitted to deposit snow or ice from private properties onto sidewalks or roadways. Violators are subject to fines under the Town's [Snow By-Law 22-062](#).

In the case of significant weather events affecting sidewalks, the Town will issue declarations via radio and online channels. The end of such declarations will be announced once the Municipality has addressed the conditions on sidewalks.

It is acknowledged that exceptional conditions may temporarily affect the ability to meet the prescribed service levels. In these cases, efforts will be made to maintain roadways and sidewalks as effectively as possible, using all available equipment and resources. Winter operations will continue until the prescribed service levels are met, or to the best possible condition given the circumstances.

### ***Municipal Parking Lots***

Municipal parking lots are plowed and sanded concurrently with roadway maintenance. These activities are incorporated into regular maintenance beats and are not treated as separate tasks. Additional sand and salt applications may be required based on conditions and are at the discretion of the Roads Supervisor and Director of Public Works.

The Roads Supervisor is responsible for procuring and storing the sand and salt mixture. Snow piling should be done in designated areas to minimize the impact on parking spaces and prevent adverse effects on public sidewalks or roadways. Entrances must remain unobstructed, and snow should not be piled in accessible parking areas or near walkways.

Snow removal and hauling will occur as needed.

Locations of all municipal parking lots are detailed in Schedule H.

### ***Special Areas***

**School Crossing Guard Locations:** Snow removal and sanding at school crossings are performed at select locations.

**Canada Post Community Mailboxes:** Snow removal around Canada Post Community Mailboxes is managed by Canada Post and is not a service provided by the Town of Kirkland Lake.

### ***Variable Weather Conditions***

During extreme snow and ice events, additional personnel, contractors, and equipment may be deployed to support operations. In cases of prolonged snowfall or freezing rain, focus may be directed towards primary transportation routes and emergency service delivery locations.

Snow and ice control operations will be conducted only when weather conditions permit the safe operation of equipment and personnel. Factors such as severe cold, strong winds, poor visibility, and rapid snow or ice accumulation may delay operations.

Staff will utilize weather forecasting to anticipate and proactively respond to winter storm events, in line with Minimum Maintenance Standards Regulations.

## Winter Preparation

### *Sand Boxes*

Sand boxes are strategically placed throughout the Town in late fall to aid in snow and ice control on both public and private properties. Staff regularly inspect the sand levels in these boxes and remove them in the spring. The locations of sand boxes are detailed in Schedule I.

## Responsibilities of Residents

Effective winter maintenance relies on clear communication with residents about how they can assist and what to expect. Throughout the winter season, the Town will periodically update residents on winter control activities and requirements. This information will include guidelines on how residents can facilitate snow clearing and what they should anticipate in response to winter storms.

### *Snowplow Safety*

To ensure safety around snowplows, residents should observe the following guidelines:

**Keep a Safe Distance:** Maintain at least a 30-meter distance from working snowplows. If you cannot see the snowplow's mirrors, the operator likely cannot see you. Snowplows travel slowly and have large blades extending into neighboring lanes.

**Avoid Passing:** Do not drive beside snowplows, as they may shift sideways while plowing snow. Passing between snowplows working in tandem on multi-lane roads is especially dangerous.

**Move Aside:** If approaching a snowplow from the opposite direction, shift to the right if conditions allow to provide enough space for the snowplow to pass safely.

**Watch for Visibility Issues:** Snowplows can create a cloud of snow that severely limits visibility, making passing risky.

**Be Cautious in All Conditions:** Snowplows may continue clearing shoulders and cutting back snowbanks even on sunny days after a storm.

### ***Garbage and Recycling Bins***

Proper placement of garbage and recycling bins is crucial during winter months. Residents should place their bins as close to the road as possible, ideally in their driveway. If no driveway is available, a cleared path on the boulevard is acceptable, with property owners responsible for maintaining this path.

Bins should be removed from the boulevard or driveway promptly after collection to facilitate effective snow clearing. For any questions about bin placement, the public are encouraged to contact the Waste Management Division at 705-567-9365.

### ***Managing Complaints and Requests for Services***

The Public Works Department receives numerous inquiries, complaints, and service requests during snow and ice control operations. Administrative staff will be kept informed about snow and ice removal schedules and any equipment breakdowns.

Citizen inquiries and concerns will be recorded and managed through an activity request tracking system. Requests will be categorized and addressed as follows:

**Safety Issues:** Immediate action will be taken, and concerns will be forwarded to the Roads Supervisor.

**Non-Safety-Related Issues:** These will be directed to appropriate personnel in a timely manner.

**Property Damage:** Will be recorded and forwarded to the Roads Supervisor.

Activity requests will be tracked to ensure timely and effective responses. Any additional requests for plow beats must be approved by Council.

## ***Repairing Property Damage***

Winter maintenance activities may occasionally cause property damage, particularly to improvements in the road right-of-way. The Town is responsible for repairing damage to roadways and grass boulevards. Property owners are responsible for repairs to landscaping, trees, shrubs, and other features beyond the property line.

Sod damaged by snowplows will be replaced if reported to the Roads Division by June 1st following the winter season. Damage from sand, salt, or other de-icing chemicals is not covered.

## ***By-Law Enforcement***

The Town's By-Law Enforcement Division will patrol streets and enforce Winter Parking and Snow By-Laws, detailed in Schedules K and L.

**Parking By-Law:** Residents must avoid parking on boulevards and sidewalks to allow for effective snow removal.

**Winter Parking By-Law:** On-street winter parking restrictions are in effect from November 1<sup>st</sup> to April 15<sup>th</sup>. Vehicles parked during snow removal operations may be ticketed or towed at the owner's expense.

**Depositing of Snow or Ice Regulations By-Law:** Residents are responsible for removing snow from their own properties and cannot move snow onto other properties or municipal areas. Non-compliance will result in written warnings and, if repeated, fines and possible towing.

Violations of these By-laws may result in fines under the [Provincial Offences Act, R.S.O. 1990.](#)



## Frequently Asked Questions

### **Why hasn't my residential street been plowed yet?**

During a snowfall, the Town prioritizes clearing main arterial and collector roads first, following Minimum Maintenance Standard Regulations. As a result, plows may not immediately reach local residential or less-traveled roads. Typically, residential streets are cleared after 8-10 cm of snow accumulation, and this process is usually completed within 24 hours after the snowfall ends. The Town starts deploying resources to clear roads after an accumulation of 5 cm.

### **Why does the snowplow end up blocking my driveway with snow?**

Snowplows clear streets from the center to the curb, which can result in snow being pushed across private driveways. Unfortunately, this is unavoidable due to the design of the boulevard area, which is intended to accommodate snow storage from the roadway.

### **Can the Town clear the snowbank in front of my driveway?**

The Town is responsible for maintaining roadways and sidewalks to ensure they are clear of snow and ice. However, the Town does not have the resources to clear snowbanks that accumulate in front of private driveways. This limitation helps ensure that public funds are used efficiently and avoids direct competition with private snow removal companies.

Snowbanks that form at the end of driveways are typically a byproduct of plowing operations and are considered a part of normal winter maintenance. These snowbanks result from clearing the streets and cannot be avoided entirely.

For residents needing assistance with snowbank removal or additional snow clearing services, numerous private companies offer such services. We encourage residents to contact these businesses for any specialized snow removal needs.

### **Why does the snowplow come down my street more than once during the same snowfall?**

During prolonged snowfalls, plows may need to clear streets multiple times. The first pass helps make the road passable, while subsequent passes ensure the road is cleared to a satisfactory condition as snow continues to accumulate.

### **Why are snowplows and sanders operating in the middle of the night?**

To ensure roads are clear and safe for morning traffic, the Town may plow overnight. This timing helps avoid road traffic and parked cars, making the plowing process more efficient and effective.

### **Why are the snowplows and sanders out when it's not snowing?**

Town crews may be seen treating roads even when it's not snowing. This proactive approach addresses anticipated weather conditions and treats areas prone to ice formation, such as hills and curves, to ensure safety.

### **Who can I call if my street hasn't been plowed?**

Residents on local or rural roads should wait 24 hours before calling to inquire about plowing. Due to the severity of storms and the volume of work, it may take up to 24 hours for plows to reach your street. Your patience is appreciated.

### **What about the high snowbanks along my street?**

The Town will address high snowbanks along major arterial and collector roads when they cause visibility issues or create snow storage concerns. This work will be carried out as needed to maintain safety and proper snow management.

### **How can I help with winter maintenance**

Residents can assist with snow clearing operations by:

**Avoiding Street Parking:** This allows plows to work efficiently.

**Proper Snow Disposal:** When shoveling or plowing snow from your driveway, do not place it on the street or sidewalks. Instead, pile it on your own property.

**Placing Garbage Bins Correctly:** Position garbage containers and recycling bins on a cleared area at the end of your driveway or near the curb, not on snowbanks, sidewalks, or roads.

**Being Considerate:** Avoid piling snow in a way that may force the Town to push it onto your neighbor's property.

By following these guidelines, residents can help ensure effective and efficient winter maintenance in the community.

## Schedules

Schedule A - Classification of Roads

Schedule B – Snow Plowing & Grader Beats

Schedule C – Salting Routes

Schedule D – Sanding Routes

Schedule E – Snow Pulls

Schedule F – Daily Recordings Templates

Schedule G – Maintained Sidewalks

Schedule H – Location of Municipal Parking Lots

Schedule I – Location of Sand Boxes

Schedule J - O. Reg. 239/02 – Minimum Maintenance Standards for Municipal Highways

Schedule K – “Winter Parking” By-Law (amending Parking By-Law 15-017)

Schedule L – Depositing of Snow or Ice Regulations By-Law



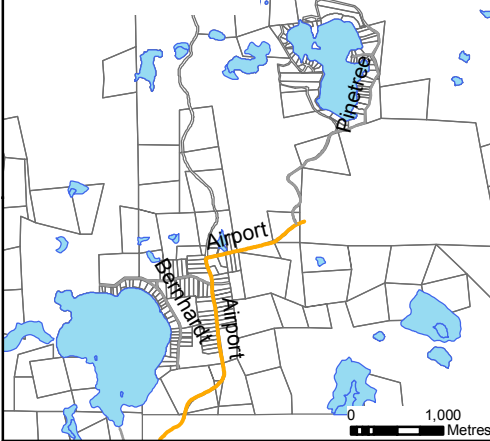
## **Schedule A**

### **Classification of Roads**

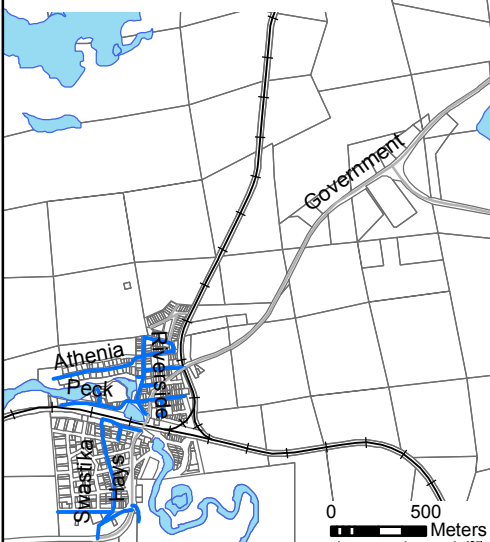


# Roads Division Road Classifications

## Goodfish & Nettie

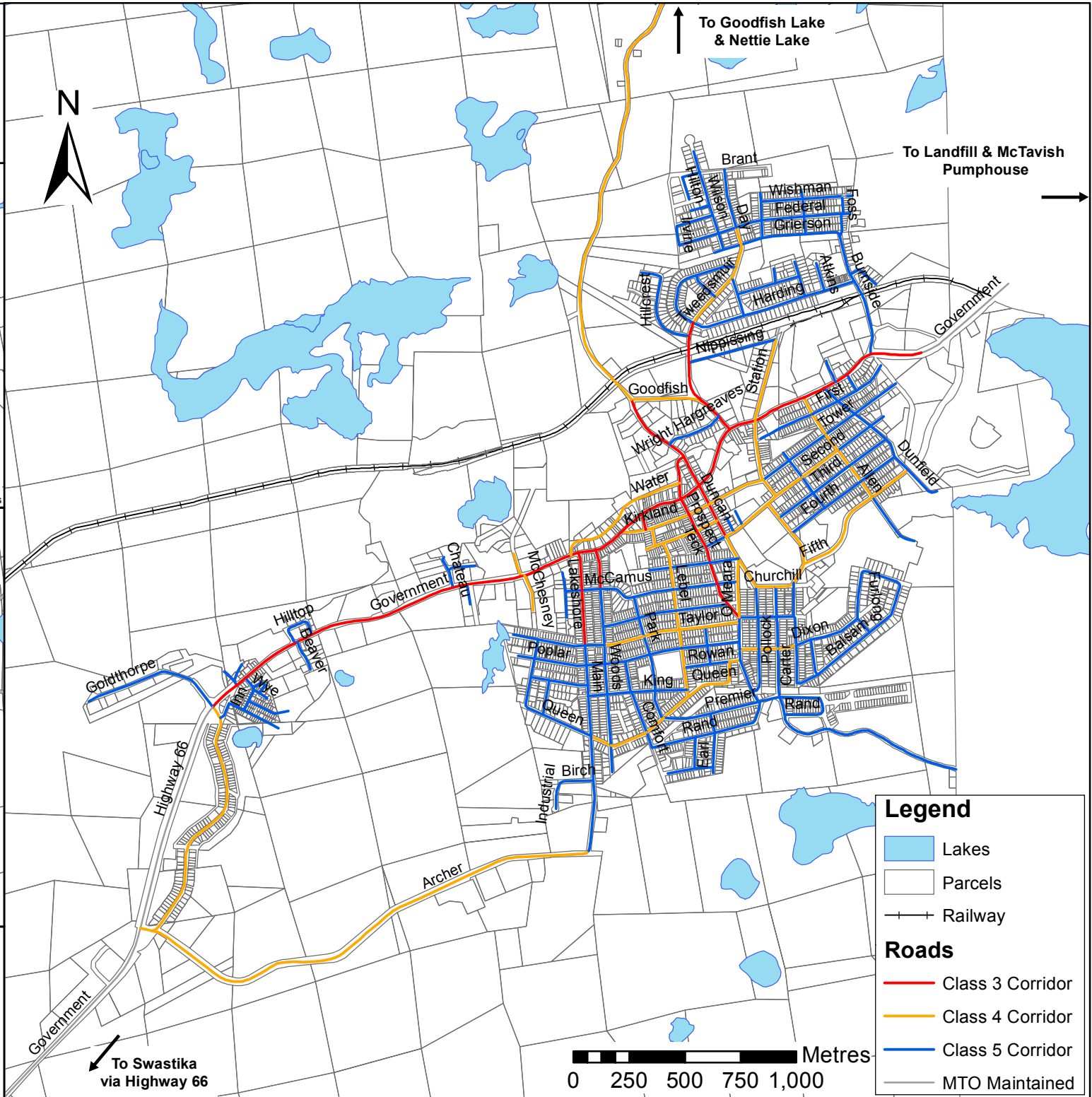


## Highway 66 & Swastika



**Discover**  
KIRKLAND LAKE

Prepared by: The Department of Physical Services  
Revised: November 21, 2017



### Legend

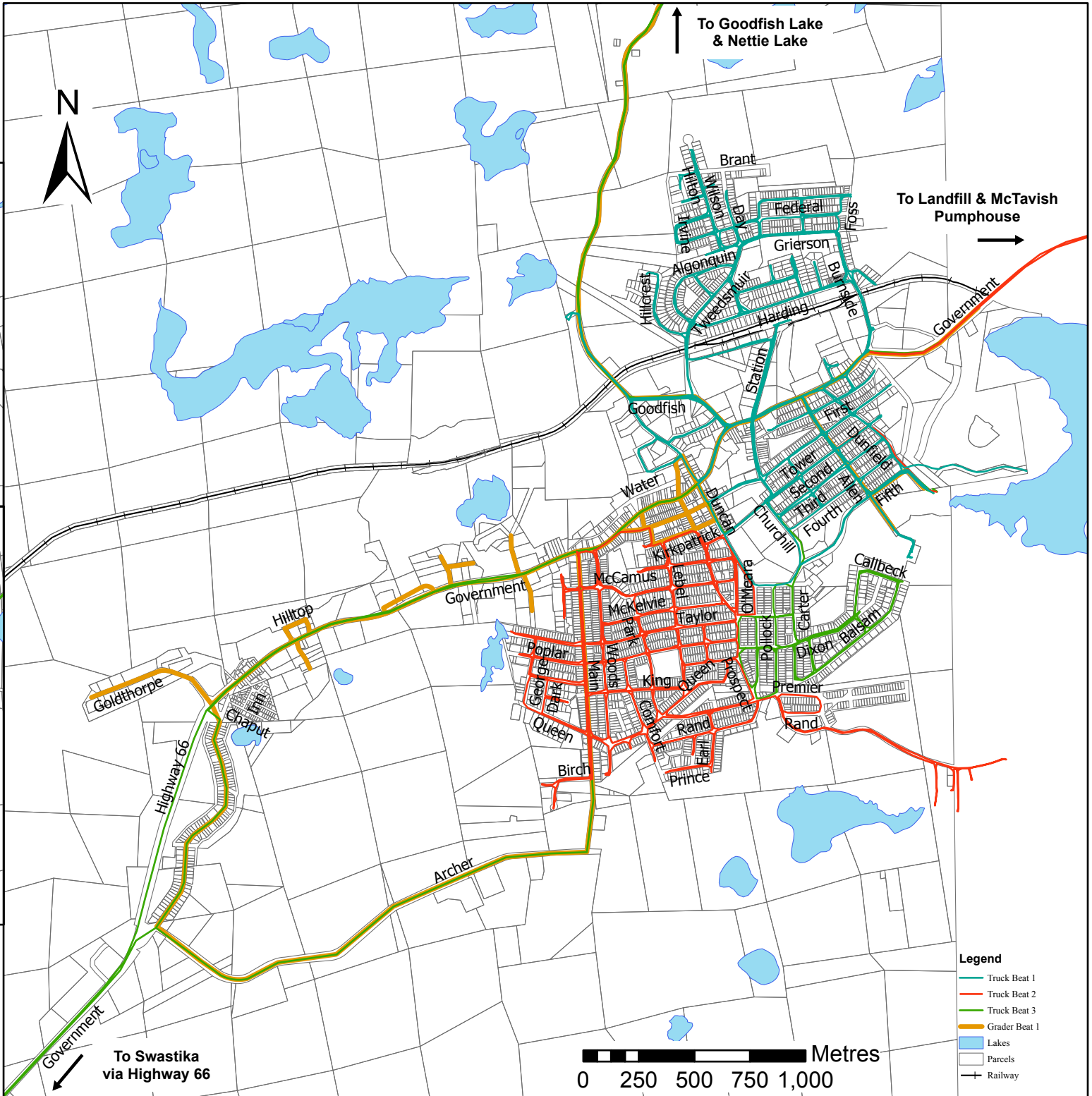
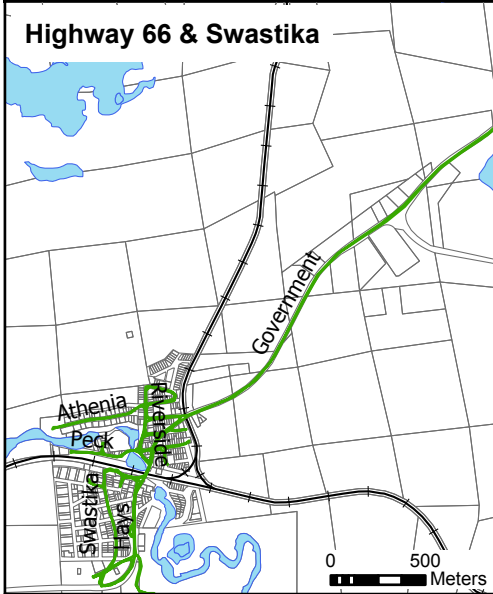
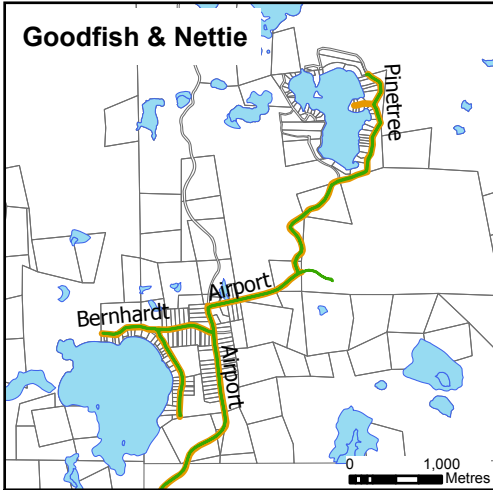
- Lakes
- Parcels
- Railway
- Roads**
- Class 3 Corridor
- Class 4 Corridor
- Class 5 Corridor
- MTO Maintained

## **Schedule B**

### **Snow Plowing and Grader Beats**



# Roads Division Winter Maintenance Plowing Routes



Prepared by: The Department of Physical Services  
Revised: November 30, 2018

- Legend**
- Truck Beat 1
  - Truck Beat 2
  - Truck Beat 3
  - Grader Beat 1
  - Lakes
  - Parcels
  - +— Railway

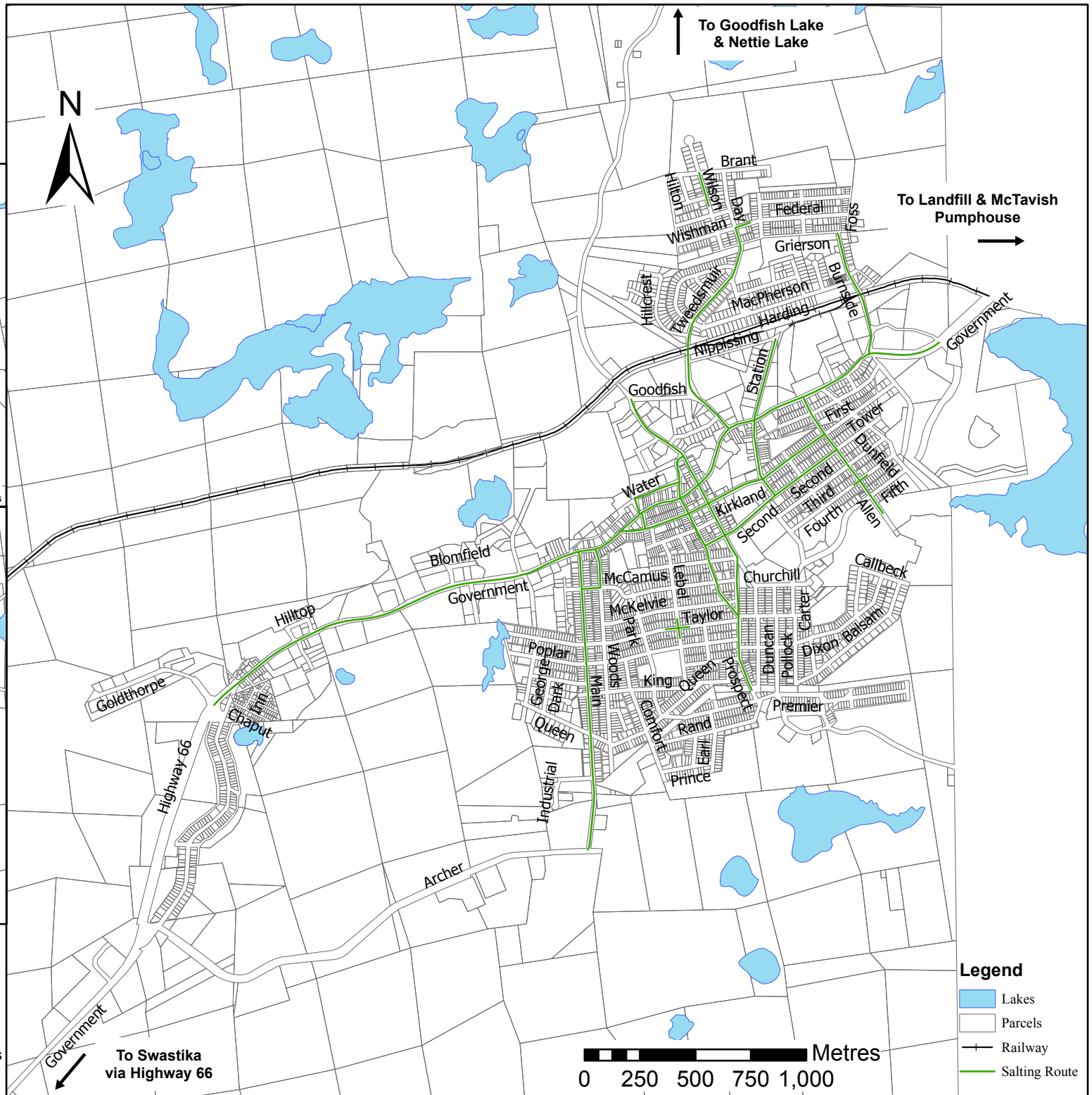
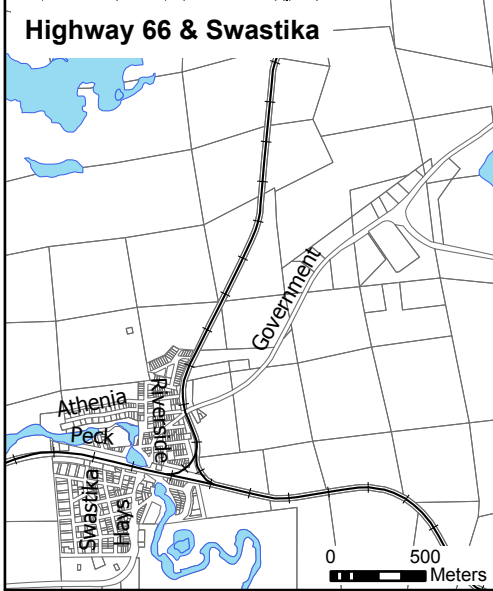
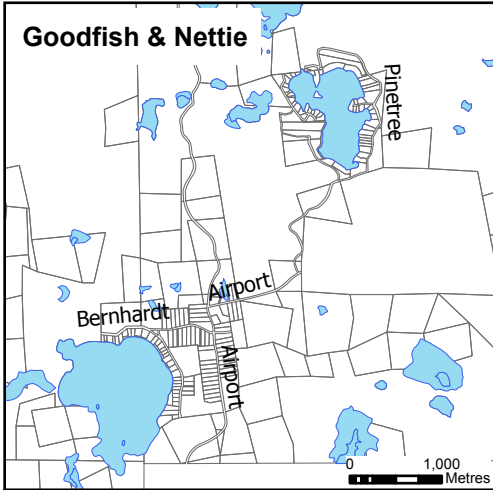
## **Schedule C**

### **Salting Routes**





# Roads Division Winter Maintenance Salting Route



### Legend

- Lakes
- Parcels
- Railway
- Salting Route

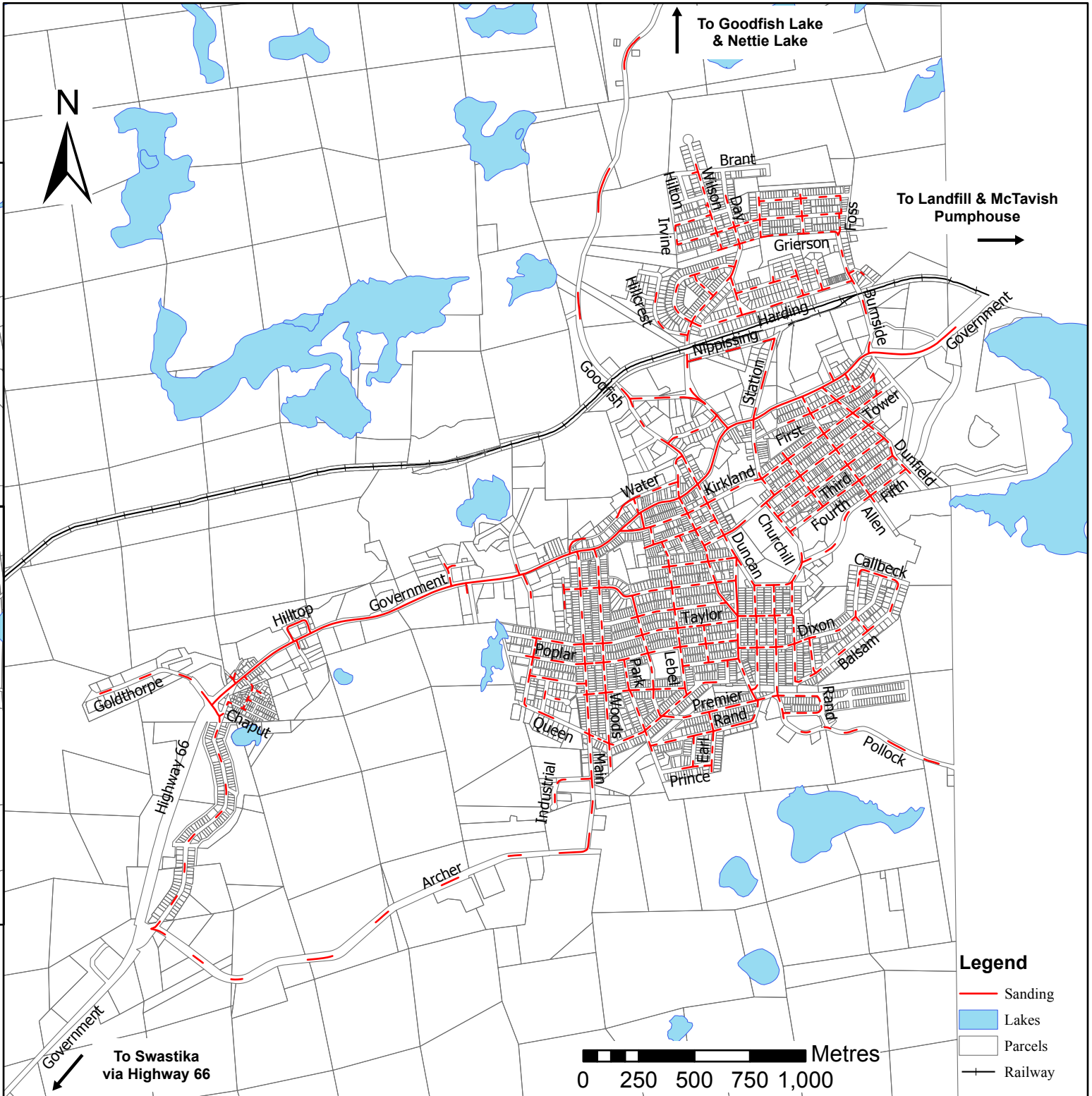
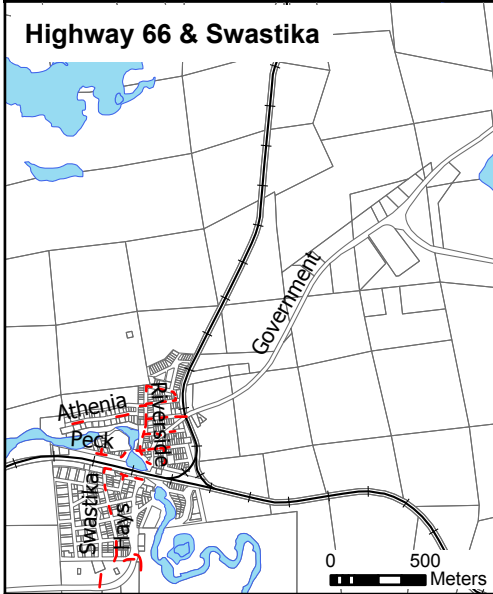
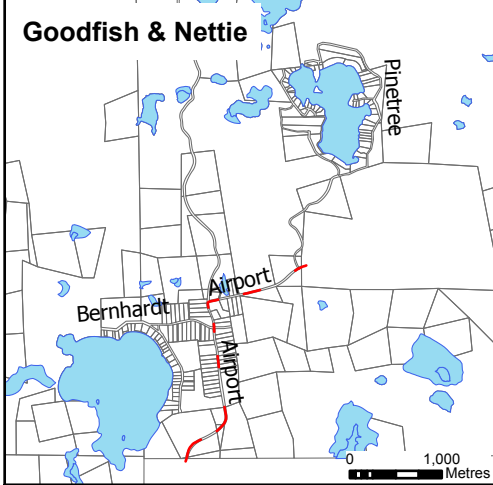


## **Schedule D**

### **Sanding Routes**

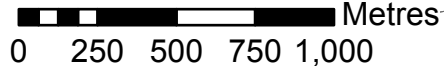


# Roads Division Winter Maintenance Sanding Route Regular Weather Conditions

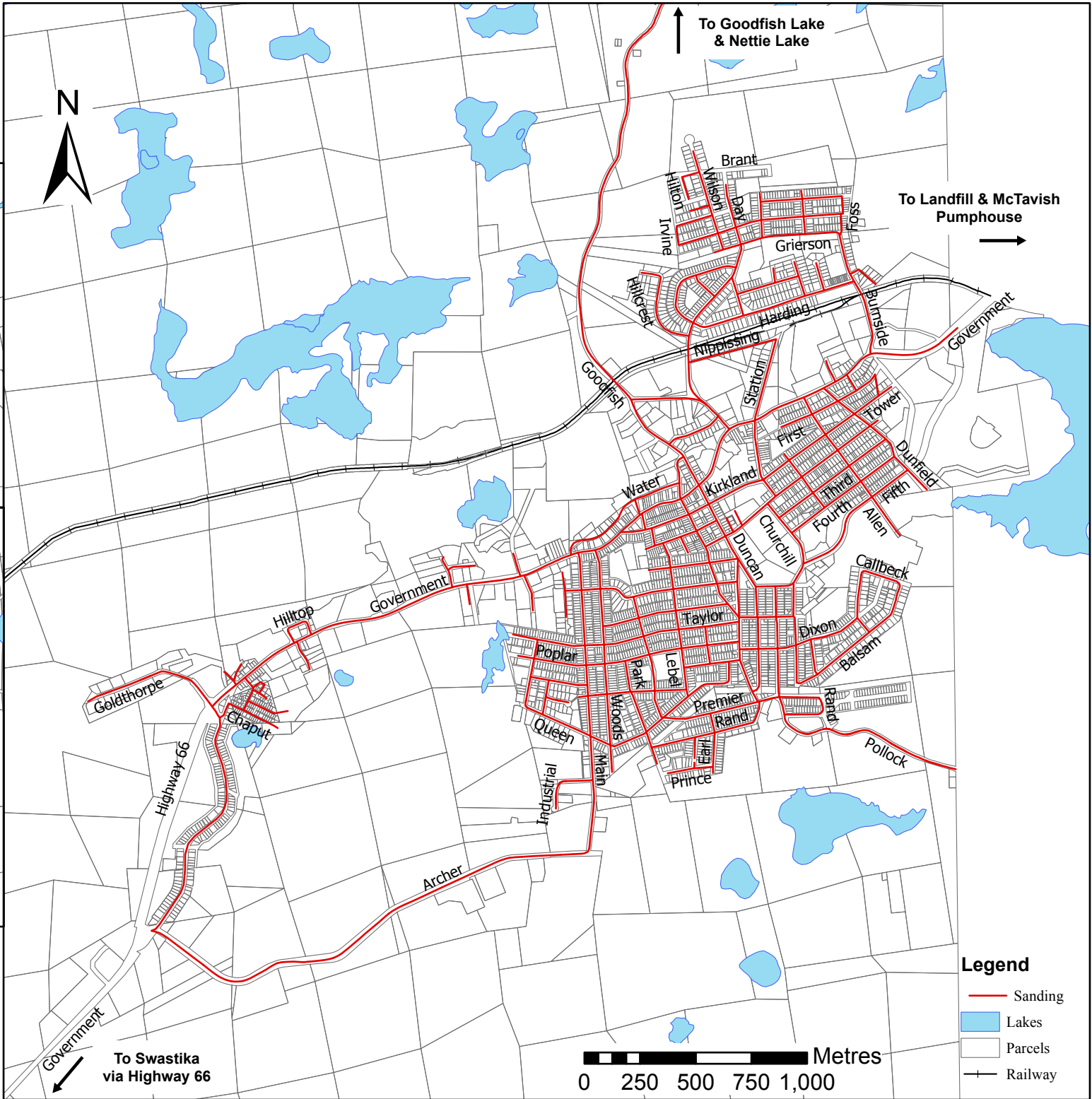
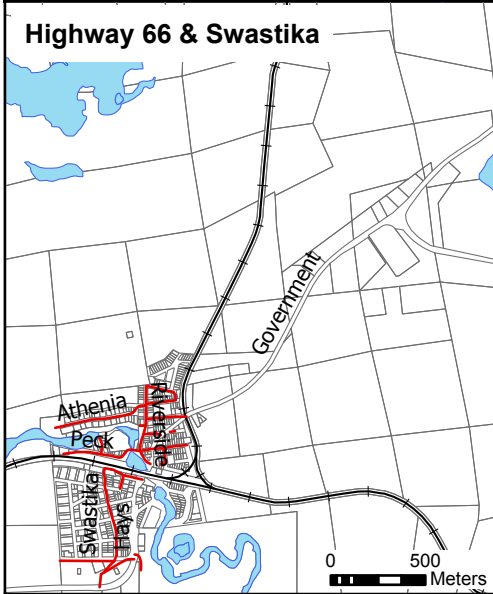
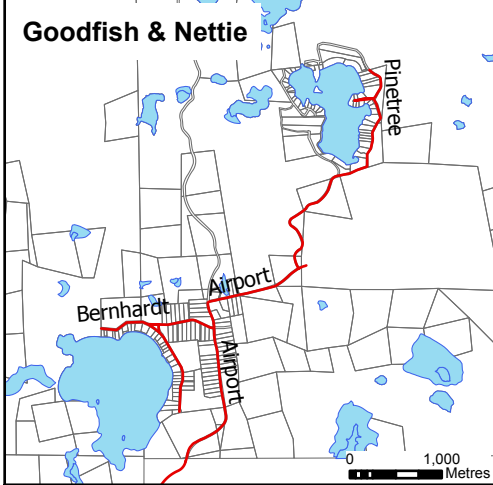


Prepared by: The Department of Physical Services  
Revised: November 30, 2018

- Legend**
- Sanding
  - Lakes
  - Parcels
  - | Railway



# Roads Division Winter Maintenance Sanding Route Adverse Weather Conditions

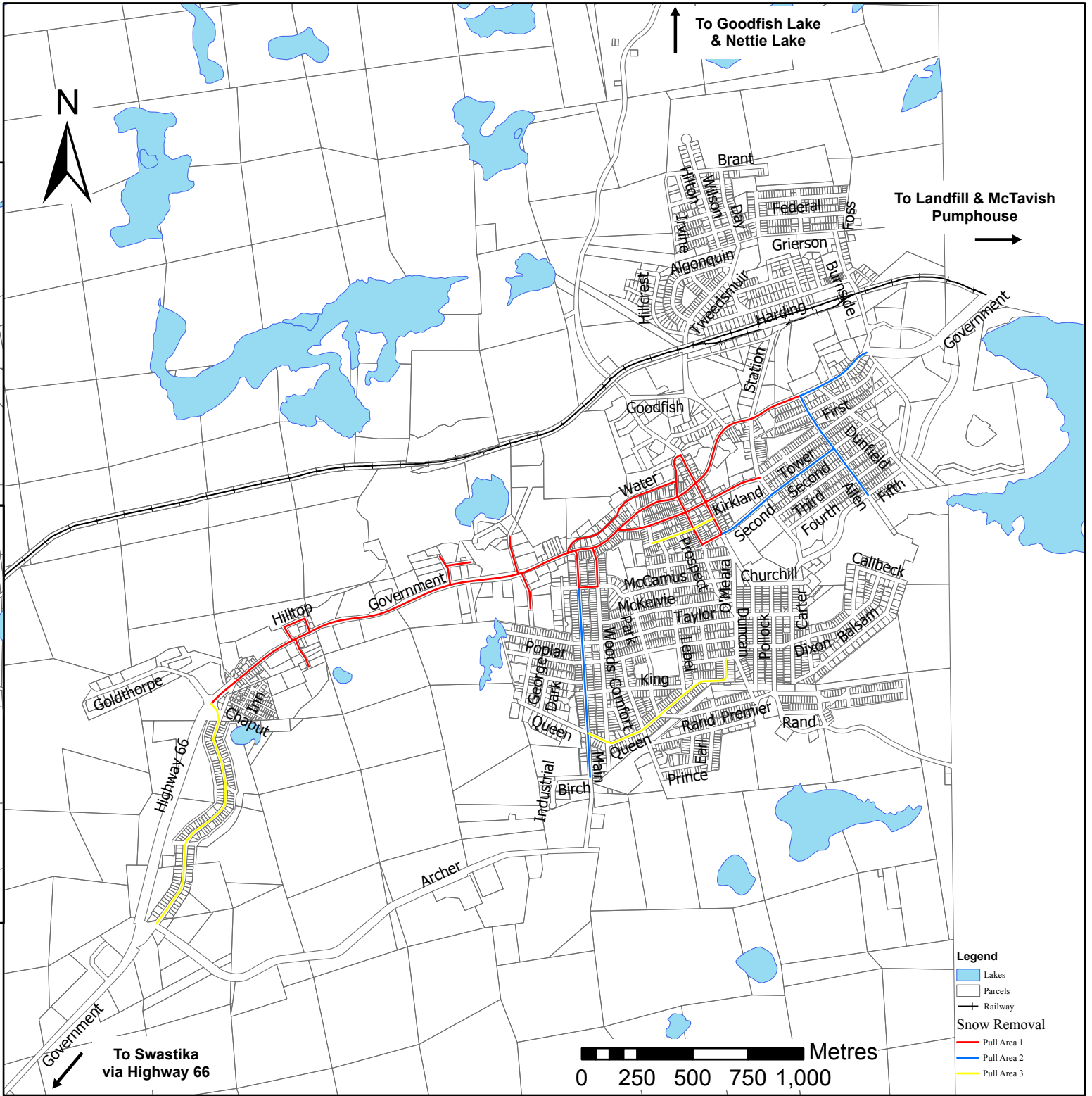
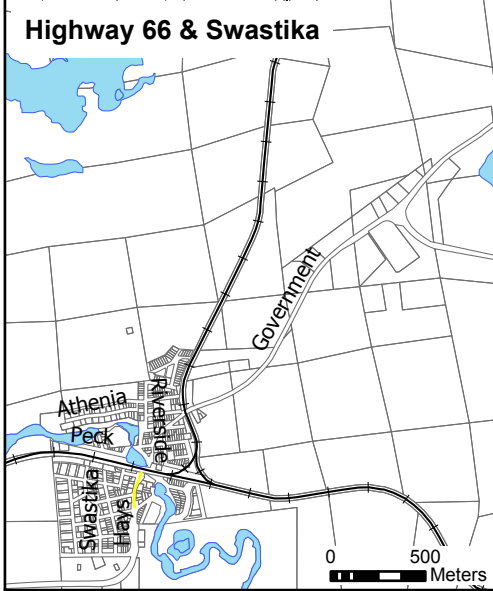
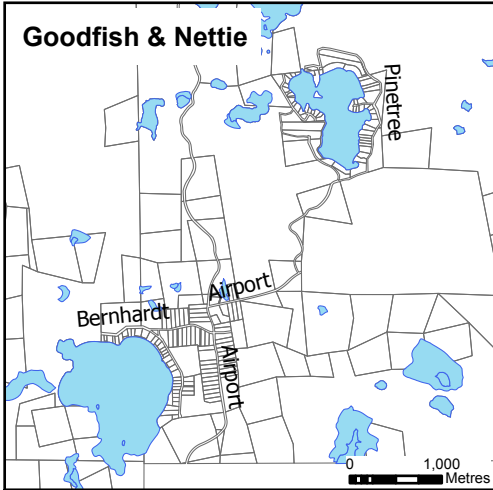


## **Schedule E**

### **Snow Pulls**



# Roads Division Winter Maintenance Snow Removal



## **Schedule F**

### **Daily Recording Templates**





## TOWN OF KIRKLAND LAKE WINTER MAINTENANCE

### MANUAL DATA RECORDING

Date: \_\_\_\_\_

Start time: \_\_\_\_\_

End time: \_\_\_\_\_

Activity:

Plow

	Beat 1	Beat 2	Beat 3
Truck			
Grader			
Loader	T251	T258	
Backhoe	T257	T256	
Trackless	T261	T260	

Sand/Salt

Truck	Beat 1	Beat 2	
Trackless	T261	T260	

Snow Removal

Truck	Beat 1	Beat 2	Beat 3
Loader	T251	T258	
Backhoe	T257	T256	
Trackless	T261	T260	

Scarify

Grader			
Loader	T251	T258	
Backhoe	T257	T256	

Other: \_\_\_\_\_

#### WEATHER

Weather data shall be attached to report, 3 times daily.

Additional notes to be recorded below:

\*\*\*Areas completed shall be highlighted on accompanying map

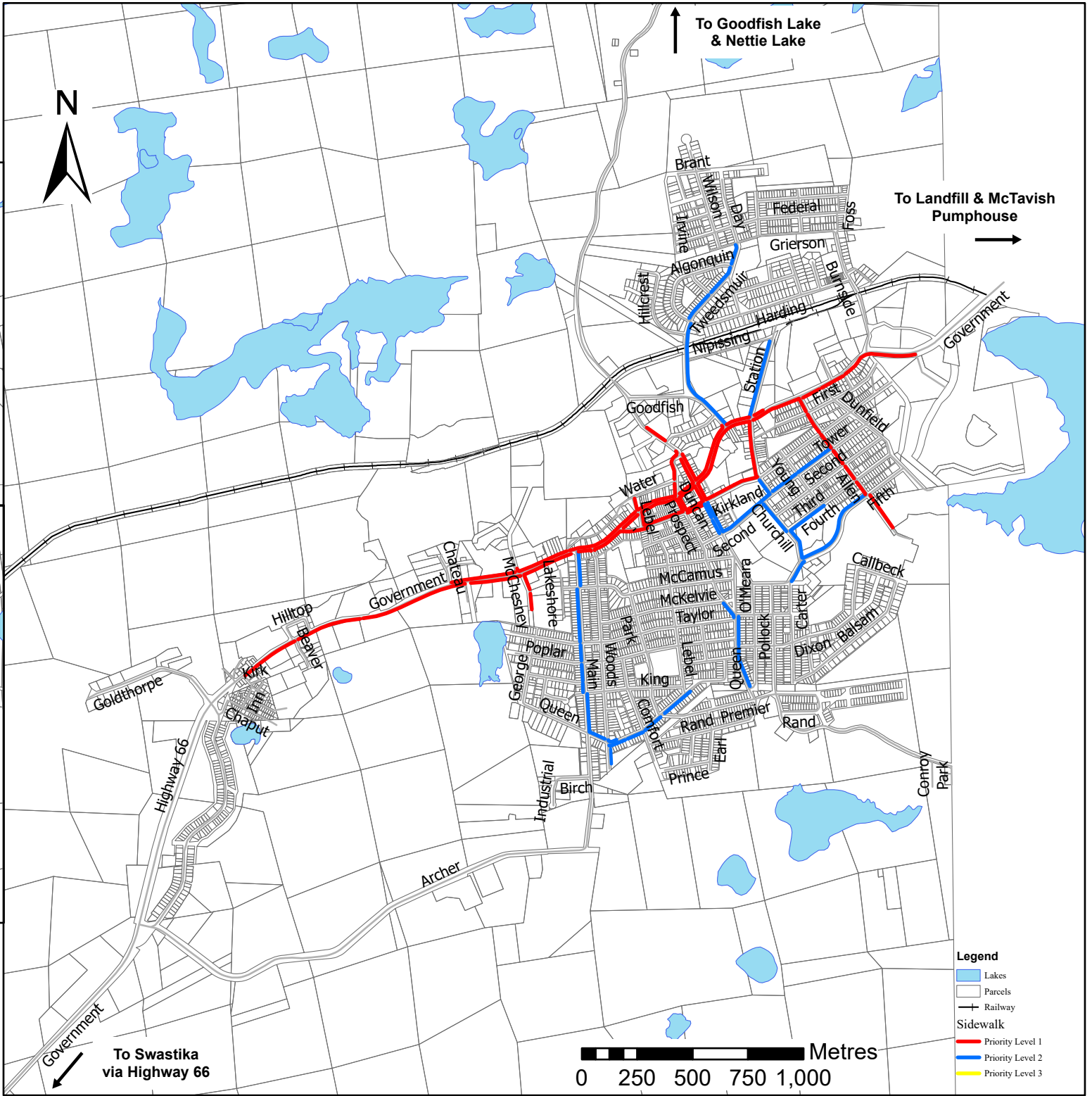
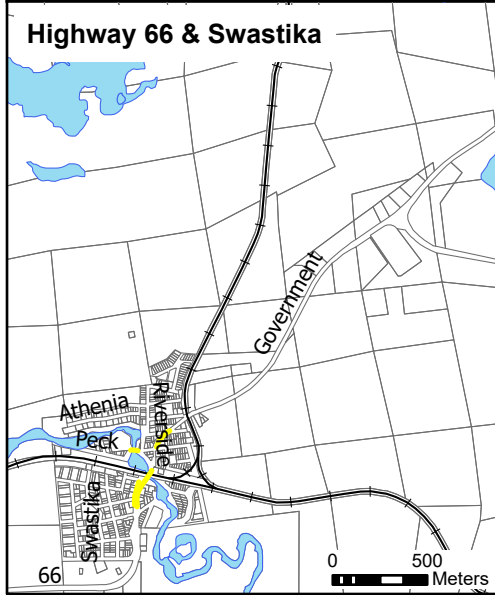
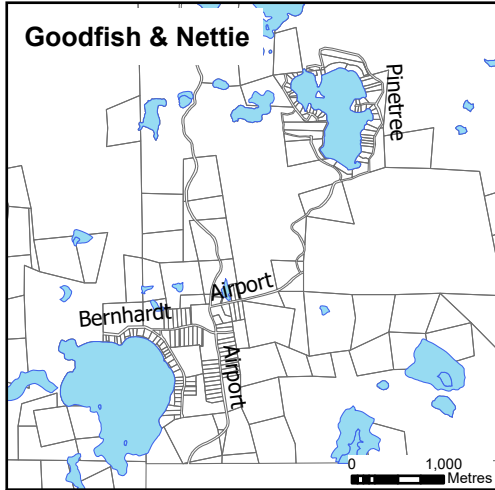


## **Schedule G**

### **Maintained Sidewalks**



# Roads Division Winter Maintenance Sidewalk Snow Removal

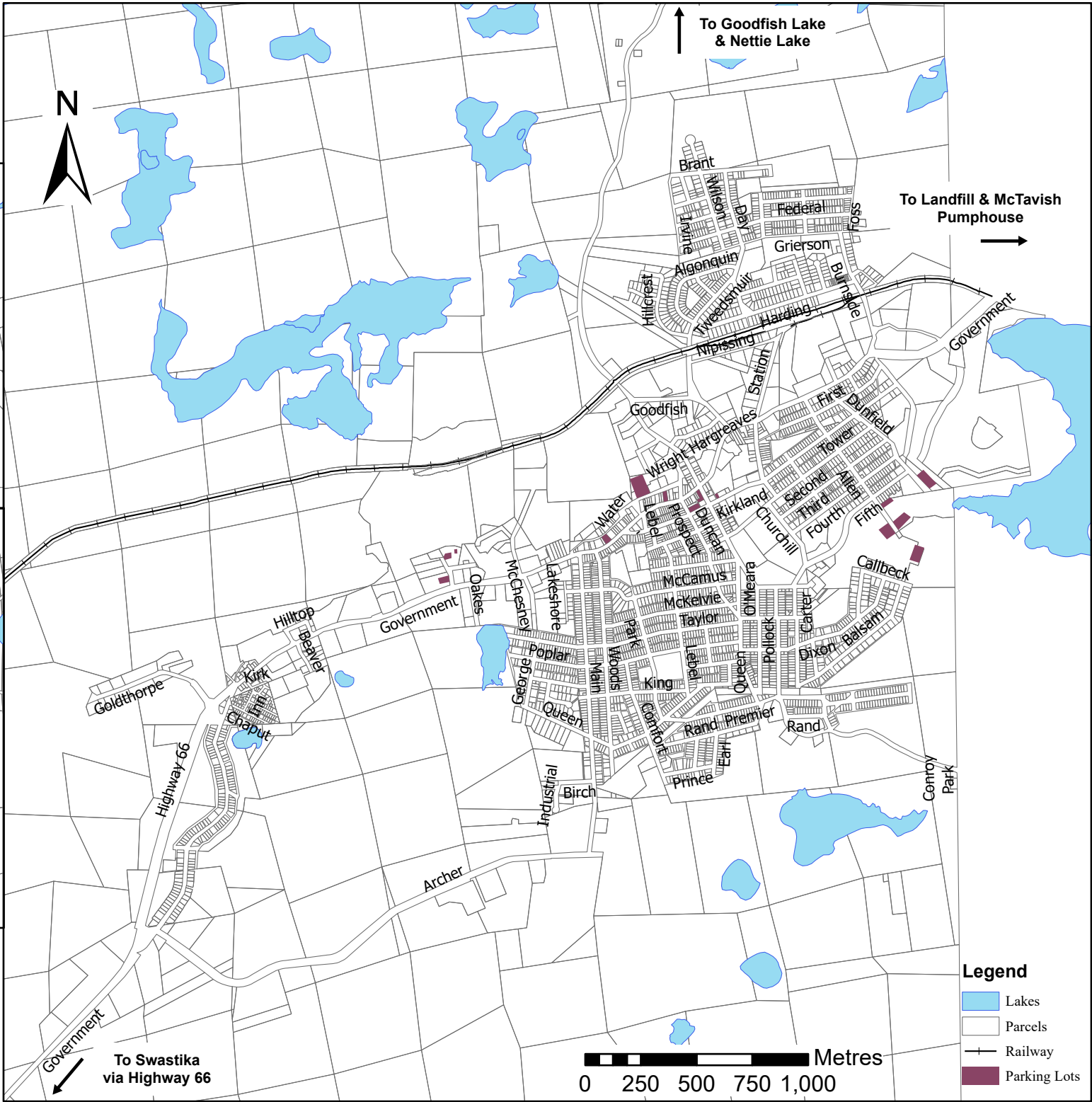
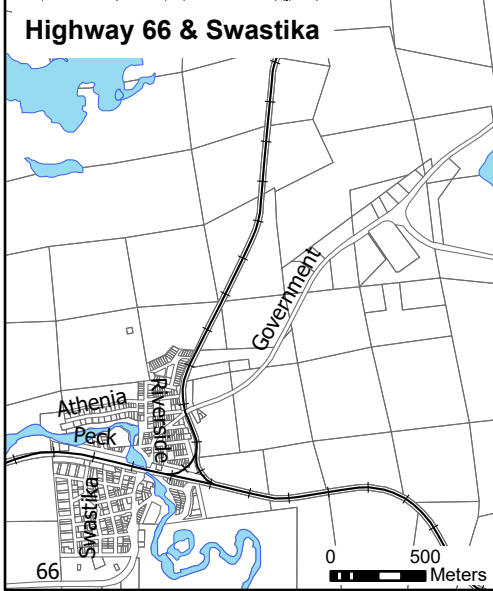
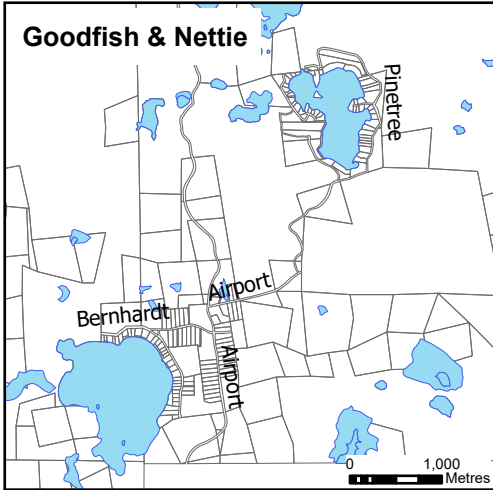


## **Schedule H**

### **Location of Municipal Parking Lots**



# Roads Division Winter Maintenance Municipal Parking Lots



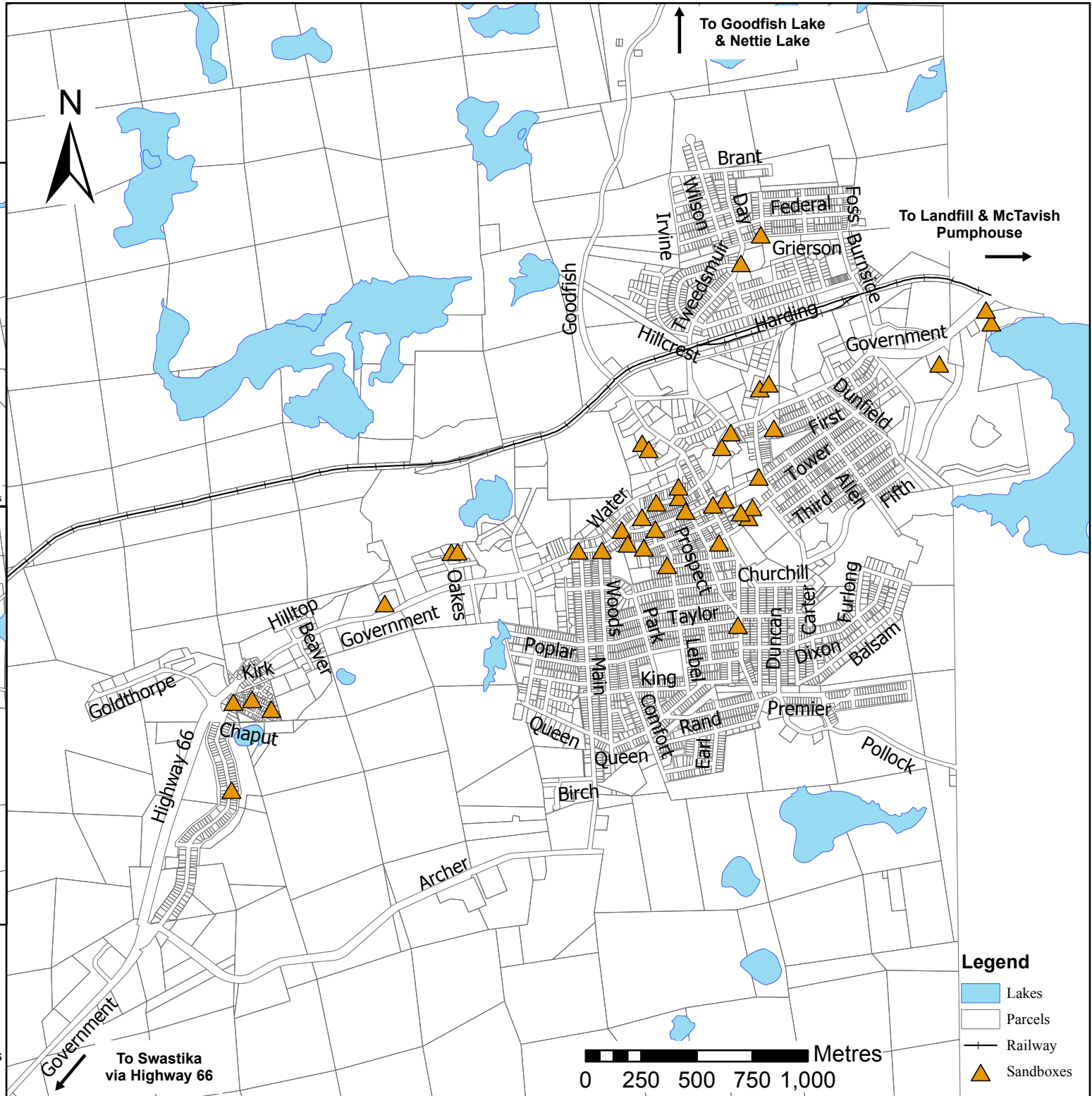
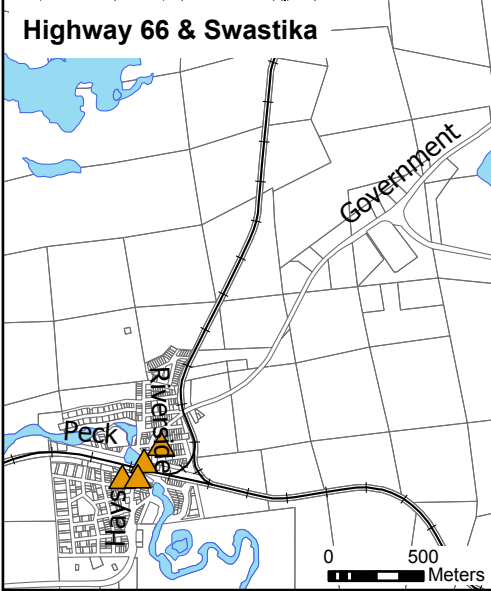
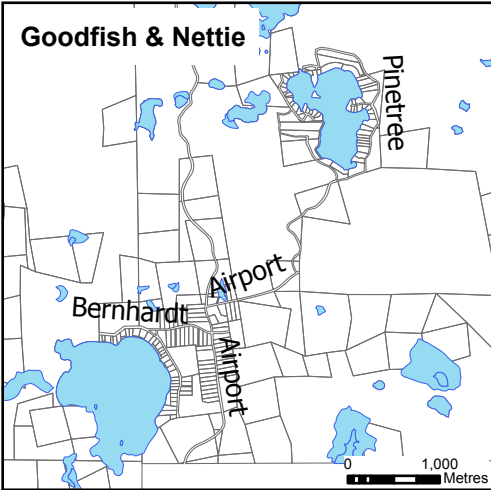
Prepared by: The Department of Physical Services  
Revised: June 27, 2022

## **Schedule I**

### **Location of Sandboxes**



# Roads Division Winter Maintenance Sandbox Locations



## Schedule J

### Minimum Maintenance Standards for Municipal Highways (Roadways)



**Municipal Act, 2001**  
**Loi de 2001 sur les municipalités**

**ONTARIO REGULATION 239/02**  
**MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS**

**Consolidation Period:** From May 3, 2018 to the [e-Laws currency date](#).

Last amendment: 366/18.

Legislative History: 288/03, 613/06, 23/10, 47/13, 366/18.

***This Regulation is made in English only.***

**Definitions**

1. (1) In this Regulation,

“bicycle facility” means the on-road and in-boulevard cycling facilities listed in Book 18 of the Ontario Traffic Manual;

“bicycle lane” means,

- (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;

“cm” means centimetres;

“day” means a 24-hour period;

“encroachment” means anything that is placed, installed, constructed or planted within the highway that was not placed, installed, constructed or planted by the municipality;

“ice” means all kinds of ice, however formed;

“motor vehicle” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*, except that it does not include a motor assisted bicycle;

“non-paved surface” means a surface that is not a paved surface;

“Ontario Traffic Manual” means the Ontario Traffic Manual published by the Ministry of Transportation, as amended from time to time;

“paved surface” means a surface with a wearing layer or layers of asphalt, concrete or asphalt emulsion;

“pothole” means a hole in the surface of a roadway caused by any means, including wear or subsidence of the road surface or subsurface;

“roadway” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*;

“shoulder” means the portion of a highway that provides lateral support to the roadway and that may accommodate stopped motor vehicles and emergency use;

“sidewalk” means the part of the highway specifically set aside or commonly understood to be for pedestrian use, typically consisting of a paved surface but does not include crosswalks, medians, boulevards, shoulders or any part of the sidewalk where cleared snow has been deposited;

“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;

“snow accumulation” means the natural accumulation of any of the following that, alone or together, covers more than half a lane width of a roadway:

1. Newly-fallen snow.
2. Wind-blown snow.
3. Slush;

“substantial probability” means a significant likelihood considerably in excess of 51 per cent;



“surface” means the top of a sidewalk, roadway or shoulder;

“utility” includes any air, gas, water, electricity, cable, fiber-optic, telecommunication or traffic control system or subsystem, fire hydrants, sanitary sewers, storm sewers, property bars and survey monuments;

“utility appurtenance” includes maintenance holes and hole covers, water shut-off covers and boxes, valves, fittings, vaults, braces, pipes, pedestals, and any other structures or items that form part of or are an accessory part of any utility;

“weather” means air temperature, wind and precipitation.

“weather hazard” means the weather hazards determined by Environment Canada as meeting the criteria for the issuance of an alert under its Public Weather Alerting Program. O. Reg. 239/02, s. 1 (1); O. Reg. 23/10, s. 1 (1); O. Reg. 47/13, s. 1; O. Reg. 366/18, s. 1 (1, 2).

(2) For the purposes of this Regulation, every highway or part of a highway under the jurisdiction of a municipality in Ontario is classified in the Table to this section as a Class 1, Class 2, Class 3, Class 4, Class 5 or Class 6 highway, based on the speed limit applicable to it and the average daily traffic on it. O. Reg. 239/02, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(3) For the purposes of subsection (2) and the Table to this section, the average daily traffic on a highway or part of a highway under municipal jurisdiction shall be determined,

(a) by counting and averaging the daily two-way traffic on the highway or part of the highway; or

(b) by estimating the average daily two-way traffic on the highway or part of the highway. O. Reg. 239/02, s. 1 (3); O. Reg. 23/10, s. 1 (2); O. Reg. 366/18, s. 1 (3).

(4) For the purposes of this Regulation, unless otherwise indicated in a provision of this Regulation, a municipality is deemed to be aware of a fact if, in the absence of actual knowledge of the fact, circumstances are such that the municipality ought reasonably to be aware of the fact. O. Reg. 366/18, s. 1 (4).

TABLE  
CLASSIFICATION OF HIGHWAYS

Column 1 Average Daily Traffic (number of motor vehicles)	Column 2 91 - 100 km/h speed limit	Column 3 81 - 90 km/h speed limit	Column 4 71 - 80 km/h speed limit	Column 5 61 - 70 km/h speed limit	Column 6 51 - 60 km/h speed limit	Column 7 41 - 50 km/h speed limit	Column 8 1 - 40 km/h speed limit
53,000 or more	1	1	1	1	1	1	1
23,000 - 52,999	1	1	1	2	2	2	2
15,000 - 22,999	1	1	2	2	2	3	3
12,000 - 14,999	1	1	2	2	2	3	3
10,000 - 11,999	1	1	2	2	3	3	3
8,000 - 9,999	1	1	2	3	3	3	3
6,000 - 7,999	1	2	2	3	3	4	4
5,000 - 5,999	1	2	2	3	3	4	4
4,000 - 4,999	1	2	3	3	3	4	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	5	5
1,000 - 1,999	1	3	3	3	4	5	5
500 - 999	1	3	4	4	4	5	5
200 - 499	1	3	4	4	5	5	6
50 - 199	1	3	4	5	5	6	6
0 - 49	1	3	6	6	6	6	6

O. Reg. 366/18, s. 1 (5).

**Application**

2. (1) This Regulation sets out the minimum standards of repair for highways under municipal jurisdiction for the purpose of clause 44 (3) (c) of the Act. O. Reg. 288/03, s. 1.

(2) REVOKED: O. Reg. 23/10, s. 2.

(3) This Regulation does not apply to Class 6 highways. O. Reg. 239/02, s. 2 (3).

**Purpose**

2.1 The purpose of this Regulation is to clarify the scope of the statutory defence available to a municipality under clause 44 (3) (c) of the Act by establishing maintenance standards which are non-prescriptive as to the methods or materials to be used in complying with the standards but instead describe a desired outcome. O. Reg. 366/18, s. 2.

MAINTENANCE STANDARDS

**Patrolling**

3. (1) The standard for the frequency of patrolling of highways to check for conditions described in this Regulation is set out in the Table to this section. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (2).

(2) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on roadways, ice formation on roadways or icy roadways, the standard for patrolling highways is, in addition to that set out in subsection (1), to patrol highways that the municipality selects as representative of its highways, at intervals deemed necessary by the municipality, to check for such conditions. O. Reg. 47/13, s. 2; O. Reg. 366/18, s. 3 (2).

(3) Patrolling a highway consists of observing the highway, either by driving on or by electronically monitoring the highway, and may be performed by persons responsible for patrolling highways or by persons responsible for or performing highway maintenance activities. O. Reg. 23/10, s. 3 (1).

(4) This section does not apply in respect of the conditions described in section 10, subsections 11 (0.1) and 12 (1) and section 16.1, 16.2, 16.3 or 16.4. O. Reg. 23/10, s. 3 (1); O. Reg. 366/18, s. 3 (3).

TABLE  
PATROLLING FREQUENCY

Class of Highway	Patrolling Frequency
1	3 times every 7 days
2	2 times every 7 days
3	once every 7 days
4	once every 14 days
5	once every 30 days

O. Reg. 239/02, s. 3, Table; O. Reg. 23/10, s. 3 (2).

#### Weather monitoring

3.1 (1) From October 1 to April 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once every shift or three times per calendar day, whichever is more frequent, at intervals determined by the municipality. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

(2) From May 1 to September 30, the standard is to monitor the weather, both current and forecast to occur in the next 24 hours, once per calendar day. O. Reg. 47/13, s. 3; O. Reg. 366/18, s. 4.

#### Snow accumulation, roadways

4. (1) Subject to section 4.1, the standard for addressing snow accumulation on roadways is,

- (a) after becoming aware of the fact that the snow accumulation on a roadway 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
- (b) 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 within the time set out in the Table,
  - (i) to provide a minimum lane width of the lesser of three metres for each lane or the actual lane width, or
  - (ii) on a Class 4 or Class 5 highway with two lanes, to provide a total width of at least five metres. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (1).

(2) If the depth of snow accumulation on a roadway is less than or equal to the depth set out in the Table to this section, the roadway is deemed to be in a state of repair with respect to snow accumulation. O. Reg. 47/13, s. 4.

(3) For the purposes of this section, the depth of snow accumulation on a roadway and, if applicable, lane width under clause (1) (b), may be determined in accordance with subsection (4) by a municipal employee, agent or contractor, whose duties or responsibilities include one or more of the following:

- 1. Patrolling highways.
  - 2. Performing highway maintenance activities.
  - 3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (2).
- (4) The depth of snow accumulation on a roadway and lane width may be determined by,
- (a) performing an actual measurement;
  - (b) monitoring the weather; or
  - (c) performing a visual estimate. O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (3).
- (5) For the purposes of this section, addressing snow accumulation on a roadway includes,
- (a) plowing the roadway;

- (b) salting the roadway;
- (c) applying abrasive materials to the roadway;
- (d) applying other chemical or organic agents to the roadway;
- (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 5 (4).
- (6) This section does not apply to that portion of the roadway,
  - (a) designated for parking;
  - (b) consisting of a bicycle lane or other bicycle facility; or
  - (d) used by a municipality for snow storage. O. Reg. 366/18, s. 5 (4).

TABLE  
SNOW ACCUMULATION - ROADWAYS

Class of Highway	Depth	Time
1	2.5 cm	4 hours
2	5 cm	6 hours
3	8 cm	12 hours
4	8 cm	16 hours
5	10 cm	24 hours

O. Reg. 47/13, s. 4; O. Reg. 366/18, s. 5 (5).

**Snow accumulation on roadways, significant weather event**

**4.1** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on roadways until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on roadways in accordance with section 4. O. Reg. 366/18, s. 7.

**Snow accumulation, bicycle lanes**

**4.2** (1) Subject to section 4.3, the standard for addressing snow accumulation on bicycle lanes is,

- (a) 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
- (b) 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.

(3) For the purposes of this section, the depth of snow accumulation on a bicycle lane and, if applicable, lane width under clause (1) (b), may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3), with necessary modifications. O. Reg. 366/18, s. 7.

(4) For the purposes of this section, addressing snow accumulation on a bicycle lane includes,

- (a) plowing the bicycle lane;
- (b) salting the bicycle lane;
- (c) applying abrasive materials to the bicycle lane;
- (d) applying other chemical or organic agents to the bicycle lane;
- (e) sweeping the bicycle lane; or

(f) any combination of the methods described in clauses (a) to (e). O. Reg. 366/18, s. 7.

TABLE  
SNOW ACCUMULATION – BICYCLE LANES

Column 1 Class of Highway or Adjacent Highway	Column 2 Depth	Column 3 Time
1	2.5 cm	8 hours
2	5 cm	12 hours
3	8 cm	24 hours
4	8 cm	24 hours
5	10 cm	24 hours

O. Reg. 366/18, s. 7.

**Snow accumulation on bicycle lanes, significant weather event**

**4.3** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on bicycle lanes until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on bicycle lanes, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 7.

(2) If the municipality complies with subsection (1), all bicycle lanes within the municipality are deemed to be in a state of repair with respect to snow accumulation until the applicable time in the Table to section 4.2 expires following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 7.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on bicycle lanes in accordance with section 4.2. O. Reg. 366/18, s. 7.

**Ice formation on roadways and icy roadways**

**5.** (1) The standard for the prevention of ice formation on roadways is doing the following in the 24-hour period preceding an alleged formation of ice on a roadway:

- 1. Monitor the weather in accordance with section 3.1.
- 2. Patrol in accordance with section 3.
- 3. If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table 1 to this section, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 8.

(2) If the municipality meets the standard set out in subsection (1) and, despite such compliance, ice forms on a roadway, the roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that the roadway is icy. O. Reg. 366/18, s. 8.

(3) Subject to section 5.1, the standard for treating icy roadways is to treat the icy roadway within the time set out in Table 2 to this section, and an icy roadway is deemed to be in a state of repair until the applicable time set out in Table 2 to this section expires after the municipality becomes aware of the fact that a roadway is icy. O. Reg. 366/18, s. 8.

(4) For the purposes of this section, treating a roadway means applying material to the roadway, including but not limited to, salt, sand or any combination of salt and sand. O. Reg. 366/18, s. 8.

(5) For greater certainty, this section applies in respect of ice formation on bicycle lanes on a roadway, but does not apply to other types of bicycle facilities. O. Reg. 366/18, s. 8.

TABLE 1  
ICE FORMATION PREVENTION

Class of Highway	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

O. Reg. 366/18, s. 8.

TABLE 2  
TREATMENT OF ICY ROADWAYS

Class of Highway	Time
1	3 hours
2	4 hours
3	8 hours
4	12 hours
5	16 hours

O. Reg. 366/18, s. 8.

**Icy roadways, significant weather event**

**5.1** (1) If a municipality declares a significant weather event relating to ice, the standard for treating icy roadways until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to treat icy roadways, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 8.

(2) If the municipality complies with subsection (1), all roadways within the municipality are deemed to be in a state of repair with respect to any ice which forms or may be present until the applicable time in Table 2 to section 5 expires after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 8.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) treat icy roadways in accordance with section 5. O. Reg. 366/18, s. 8.

**Potholes**

**6.** (1) If a pothole exceeds both the surface area and depth set out in Table 1, 2 or 3 to this section, as the case may be, the standard is to repair the pothole within the time set out in Table 1, 2 or 3, as appropriate, after becoming aware of the fact. O. Reg. 239/02, s. 6 (1); O. Reg. 366/18, s. 8 (1).

(1.1) For the purposes of this section, the surface area and depth of a pothole may be determined in accordance with subsections (1.2) and (1.3), as applicable, by a municipal employee, agent or contractor whose duties or responsibilities include one or more of the following:

- 1. Patrolling highways.
- 2. Performing highway maintenance activities.
- 3. Supervising staff who perform activities described in paragraph 1 or 2. O. Reg. 366/18, s. 8 (2).

(1.2) The depth and surface area of a pothole may be determined by,

- (a) performing an actual measurement; or
- (b) performing a visual estimate. O. Reg. 366/18, s. 8 (2).

(1.3) For the purposes of this section, the surface area of a pothole does not include any area that is merely depressed and not yet broken fully through the surface of the roadway. O. Reg. 366/18, s. 8 (2).

(2) A pothole is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in Table 1, 2 or 3, as appropriate. O. Reg. 239/02, s. 6 (2); O. Reg. 47/13, s. 6.

TABLE 1  
POTHOLE ON PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1000 cm <sup>2</sup>	8 cm	7 days
4	1000 cm <sup>2</sup>	8 cm	14 days
5	1000 cm <sup>2</sup>	8 cm	30 days

O. Reg. 239/02, s. 6, Table 1.

TABLE 2  
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

Class of Highway	Surface Area	Depth	Time
3	1500 cm <sup>2</sup>	8 cm	7 days
4	1500 cm <sup>2</sup>	10 cm	14 days
5	1500 cm <sup>2</sup>	12 cm	30 days

O. Reg. 239/02, s. 6, Table 2.

TABLE 3  
POTHOLES ON PAVED OR NON-PAVED SURFACE OF SHOULDER

Class of Highway	Surface Area	Depth	Time
1	1500 cm <sup>2</sup>	8 cm	7 days
2	1500 cm <sup>2</sup>	8 cm	7 days
3	1500 cm <sup>2</sup>	8 cm	14 days
4	1500 cm <sup>2</sup>	10 cm	30 days
5	1500 cm <sup>2</sup>	12 cm	60 days

O. Reg. 239/02, s. 6, Table 3.

**Shoulder drop-offs**

7. (1) If a shoulder drop-off is deeper than 8 cm, for a continuous distance of 20 metres or more, the standard is to repair the shoulder drop-off within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 9 (1).

(2) A shoulder drop-off is deemed to be in a state of repair if its depth is less than 8 cm. O. Reg. 366/18, s. 9 (1).

(3) In this section,

“shoulder drop-off” means the vertical differential, where the paved surface of the roadway is higher than the surface of the shoulder, between the paved surface of the roadway and the paved or non-paved surface of the shoulder. O. Reg. 239/02, s. 7 (3).

TABLE  
SHOULDER DROP-OFFS

Class of Highway	Time
1	4 days
2	4 days
3	7 days
4	14 days
5	30 days

O. Reg. 366/18, s. 9 (2).

**Cracks**

8. (1) If a crack on the paved surface of a roadway is greater than 5 cm wide and 5 cm deep for a continuous distance of three metres or more, the standard is to repair the crack within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 10 (1).

(2) A crack is deemed to be in a state of repair if its width or depth is less than or equal to 5 cm. O. Reg. 366/18, s. 10 (1).

TABLE  
CRACKS

Column 1 Class of Highway	Column 2 Time
1	30 days
2	30 days
3	60 days
4	180 days
5	180 days

O. Reg. 366/18, s. 10 (2).

**Debris**

9. (1) If there is debris on a roadway, the standard is to deploy resources, as soon as practicable after becoming aware of the fact, to remove the debris. O. Reg. 239/02, s. 9 (1); O. Reg. 366/18, s. 11.

(2) In this section,

“debris” means any material (except snow, slush or ice) or object on a roadway,

- (a) that is not an integral part of the roadway or has not been intentionally placed on the roadway by a municipality, and
- (b) that is reasonably likely to cause damage to a motor vehicle or to injure a person in a motor vehicle. O. Reg. 239/02, s. 9 (2); O. Reg. 47/13, s. 9.

**Luminaires**

10. (0.1) REVOKED: O. Reg. 366/18, s. 12.

(1) The standard for the frequency of inspecting all luminaires to check to see that they are functioning is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 12.

(2) For conventional illumination, if three or more consecutive luminaires on the same side of a highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(3) For conventional illumination and high mast illumination, if 30 per cent or more of the luminaires on any kilometre of highway are not functioning, the standard is to repair the luminaires within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 366/18, s. 12.

(4) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles on the same side of a highway are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(5) Despite subsections (1), (2) and (3), for conventional illumination and high mast illumination, if more than 50 per cent of the luminaires on any kilometre of a Class 1 highway with a speed limit of 90 kilometres per hour or more are not functioning, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 366/18, s. 12.

(6) Luminaires are deemed to be in a state of repair,

- (a) for the purpose of subsection (2), if the number of non-functioning consecutive luminaires on the same side of a highway does not exceed two;
- (b) for the purpose of subsection (3), if more than 70 per cent of luminaires on any kilometre of highway are functioning;
- (c) for the purpose of subsection (4), if one or more of the luminaires on consecutive poles on the same side of a highway are functioning;
- (d) for the purpose of subsection (5), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 366/18, s. 12.

(7) In this section,

“conventional illumination” means lighting, other than high mast illumination, where there are one or more luminaires per pole;

“high mast illumination” means lighting where there are three or more luminaires per pole and the height of the pole exceeds 20 metres;

“luminaire” means a complete lighting unit consisting of,

- (a) a lamp, and
- (b) parts designed to distribute the light, to position or protect the lamp and to connect the lamp to the power supply. O. Reg. 239/02, s. 10 (7).

TABLE  
LUMINAIRES

Class of Highway	Time
1	7 days
2	7 days
3	14 days
4	14 days
5	14 days

**Signs**

**11.** (0.1) The standard for the frequency of inspecting signs of a type listed in subsection (2) to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 7 (1); O. Reg. 47/13, s. 11 (1); O. Reg. 366/18, s. 13.

(0.2) A sign that has been inspected in accordance with subsection (0.1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 11 (2).

(1) If any sign of a type listed in subsection (2) is illegible, improperly oriented, obscured or missing, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair or replace the sign. O. Reg. 239/02, s. 11 (1); O. Reg. 23/10, s. 7 (2); O. Reg. 366/18, s. 13.

(2) This section applies to the following types of signs:

1. Checkerboard.
2. Curve sign with advisory speed tab.
3. Do not enter.
- 3.1 Load Restricted Bridge.
- 3.2 Low Bridge.
- 3.3 Low Bridge Ahead.
4. One Way.
5. School Zone Speed Limit.
6. Stop.
7. Stop Ahead.
8. Stop Ahead, New.
9. Traffic Signal Ahead, New.
10. Two-Way Traffic Ahead.
11. Wrong Way.
12. Yield.
13. Yield Ahead.
14. Yield Ahead, New. O. Reg. 239/02, s. 11 (2); O. Reg. 23/10, s. 7 (3).

**Regulatory or warning signs**

**12.** (1) The standard for the frequency of inspecting regulatory signs or warning signs to check to see that they meet the retro-reflectivity requirements of the Ontario Traffic Manual is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 8; O. Reg. 47/13, s. 12 (1); O. Reg. 366/18, s. 13.

(1.1) A regulatory sign or warning sign that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to the retro-reflectivity requirements of the Ontario Traffic Manual until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the sign has ceased to meet these requirements. O. Reg. 47/13, s. 12 (2).

(2) If a regulatory sign or warning sign is illegible, improperly oriented, obscured or missing, the standard is to repair or replace the sign within the time set out in the Table to this section after becoming aware of the fact. O. Reg. 23/10, s. 8; O. Reg. 366/18, s. 13.

(3) In this section,

“regulatory sign” and “warning sign” have the same meanings as in the Ontario Traffic Manual, except that they do not include a sign listed in subsection 11 (2) of this Regulation. O. Reg. 23/10, s. 8.

TABLE  
REGULATORY AND WARNING SIGNS

Class of Highway	Time
1	7 days
2	14 days



3	21 days
4	30 days
5	30 days

O. Reg. 239/02, s. 12, Table.

**Traffic control signal systems**

**13.** (1) If a traffic control signal system is defective in any way described in subsection (2), the standard is to deploy resources as soon as practicable after becoming aware of the defect to repair the defect or replace the defective component of the traffic control signal system. O. Reg. 239/02, s. 13 (1); O. Reg. 366/18, s. 13.

(2) This section applies if a traffic control signal system is defective in any of the following ways:

1. One or more displays show conflicting signal indications.
2. The angle of a traffic control signal or pedestrian control indication has been changed in such a way that the traffic or pedestrian facing it does not have clear visibility of the information conveyed or that it conveys confusing information to traffic or pedestrians facing other directions.
3. A phase required to allow a pedestrian or vehicle to safely travel through an intersection fails to occur.
4. There are phase or cycle timing errors interfering with the ability of a pedestrian or vehicle to safely travel through an intersection.
5. There is a power failure in the traffic control signal system.
6. The traffic control signal system cabinet has been displaced from its proper position.
7. There is a failure of any of the traffic control signal support structures.
8. A signal lamp or a pedestrian control indication is not functioning.
9. Signals are flashing when flashing mode is not a part of the normal signal operation. O. Reg. 239/02, s. 13 (2).

(3) Despite subsection (1) and paragraph 8 of subsection (2), if the posted speed of all approaches to the intersection or location of the non-functioning signal lamp or pedestrian control indication is less than 80 kilometres per hour and the signal that is not functioning is a green or a pedestrian “walk” signal, the standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3); O. Reg. 366/18, s. 13.

(4) In this section and section 14,

“cycle” means a complete sequence of traffic control indications at a location;

“display” means the illuminated and non-illuminated signals facing the traffic;

“indication” has the same meaning as in the *Highway Traffic Act*;

“phase” means a part of a cycle from the time where one or more traffic directions receive a green indication to the time where one or more different traffic directions receive a green indication;

“power failure” means a reduction in power or a loss in power preventing the traffic control signal system from operating as intended;

“traffic control signal” has the same meaning as in the *Highway Traffic Act*;

“traffic control signal system” has the same meaning as in the *Highway Traffic Act*. O. Reg. 239/02, s. 13 (4).

**Traffic control signal system sub-systems**

**14.** (1) The standard is to inspect, test and maintain the following traffic control signal system sub-systems once per calendar year, with each inspection taking place not more than 16 months from the previous inspection:

1. The display sub-system, consisting of traffic signal and pedestrian crossing heads, physical support structures and support cables.
2. The traffic control sub-system, including the traffic control signal cabinet and internal devices such as timer, detection devices and associated hardware, but excluding conflict monitors.
3. The external detection sub-system, consisting of detection sensors for all vehicles, including emergency and railway vehicles and pedestrian push- buttons. O. Reg. 239/02, s. 14 (1); O. Reg. 47/13, s. 13 (1); O. Reg. 366/18, s. 13.

(1.1) A traffic control signal system sub-system that has been inspected, tested and maintained in accordance with subsection (1) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the traffic control signal system sub-system has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (2).

(2) The standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice per calendar year. O. Reg. 239/02, s. 14 (2); O. Reg. 47/13, s. 13 (3); O. Reg. 366/18, s. 13.

(2.1) A conflict monitor that has been inspected, tested and maintained in accordance with subsection (2) is deemed to be in a state of repair until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge that the conflict monitor has ceased to be in a state of repair. O. Reg. 47/13, s. 13 (4).

(3) In this section,

“conflict monitor” means a device that continually checks for conflicting signal indications and responds to a conflict by emitting a signal. O. Reg. 239/02, s. 14 (3).

**Bridge deck spalls**

**15.** (1) If a bridge deck spall exceeds both the surface area and depth set out in the Table to this section, the standard is to repair the bridge deck spall within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 15 (1); O. Reg. 366/18, s. 13.

(2) A bridge deck spall is deemed to be in a state of repair if its surface area or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 15 (2); O. Reg. 47/13, s. 14.

(3) In this section,

“bridge deck spall” means a cavity left by one or more fragments detaching from the paved surface of the roadway or shoulder of a bridge. O. Reg. 239/02, s. 15 (3).

TABLE  
BRIDGE DECK SPALLS

Class of Highway	Surface Area	Depth	Time
1	600 cm <sup>2</sup>	8 cm	4 days
2	800 cm <sup>2</sup>	8 cm	4 days
3	1,000 cm <sup>2</sup>	8 cm	7 days
4	1,000 cm <sup>2</sup>	8 cm	7 days
5	1,000 cm <sup>2</sup>	8 cm	7 days

O. Reg. 239/02, s. 15, Table.

**Roadway surface discontinuities**

**16.** (1) If a surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(1.1) A surface discontinuity on a roadway, other than a surface discontinuity on a bridge deck, is deemed to be in a state of repair if its height is less than or equal to the height set out in the Table to this section. O. Reg. 47/13, s. 15.

(2) If a surface discontinuity on a bridge deck exceeds five centimetres, the standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the surface discontinuity on the bridge deck. O. Reg. 23/10, s. 9; O. Reg. 366/18, s. 13.

(2.1) A surface discontinuity on a bridge deck is deemed to be in a state of repair if its height is less than or equal to five centimetres. O. Reg. 47/13, s. 15.

(3) In this section,

“surface discontinuity” means a vertical discontinuity creating a step formation at joints or cracks in the paved surface of the roadway, including bridge deck joints, expansion joints and approach slabs to a bridge. O. Reg. 23/10, s. 9.

TABLE  
SURFACE DISCONTINUITIES

Class of Highway	Height	Time
1	5 cm	2 days
2	5 cm	2 days
3	5 cm	7 days
4	5 cm	21 days
5	5 cm	21 days

O. Reg. 239/02, s. 16, Table.

**Sidewalk surface discontinuities**

**16.1** (1) The standard for the frequency of inspecting sidewalks to check for surface discontinuity is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 23/10, s. 10; O. Reg. 47/13, s. 16 (1); O. Reg. 366/18, s. 13.

(1.1) A sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair with respect to any surface discontinuity until the next inspection in accordance with that subsection, provided that the municipality does not acquire actual knowledge of the presence of a surface discontinuity in excess of two centimetres. O. Reg. 47/13, s. 16 (2).

(2) If a surface discontinuity on or within a sidewalk exceeds two centimetres, the standard is to treat the surface discontinuity within 14 days after acquiring actual knowledge of the fact. O. Reg. 366/18, s. 14.

(2.1) REVOKED: O. Reg. 366/18, s. 14.

(3) A surface discontinuity on or within a sidewalk is deemed to be in a state of repair if it is less than or equal to two centimetres. O. Reg. 366/18, s. 14.

(4) For the purpose of subsection (2), treating a surface discontinuity on or within a sidewalk means taking reasonable measures to protect users of the sidewalk from the discontinuity, including making permanent or temporary repairs, alerting users' attention to the discontinuity or preventing access to the area of discontinuity. O. Reg. 366/18, s. 14.

(5) In this section,

“surface discontinuity” means a vertical discontinuity creating a step formation at any joint or crack in the surface of the sidewalk or any vertical height difference between a utility appurtenance found on or within the sidewalk and the surface of the sidewalk. O. Reg. 366/18, s. 14.

#### **Encroachments, area adjacent to sidewalk**

**16.2** (1) The standard for the frequency of inspecting an area adjacent to a sidewalk to check for encroachments is once per calendar year, with each inspection taking place not more than 16 months from the previous inspection. O. Reg. 366/18, s. 15.

(2) The area adjacent to a sidewalk that has been inspected in accordance with subsection (1) is deemed to be in a state of repair in respect of any encroachment present. O. Reg. 366/18, s. 15.

(3) For greater certainty, the area adjacent to a sidewalk begins at the outer edges of a sidewalk and ends at the lesser of the limit of the highway, the back edge of a curb if there is a curb and a maximum of 45 cm. O. Reg. 366/18, s. 15.

(4) The area adjacent to a sidewalk is deemed to be in a state of repair in respect of any encroachment present unless the encroachment is determined by a municipality to be highly unusual given its character and location or to constitute a significant hazard to pedestrians. O. Reg. 366/18, s. 15.

(5) If a municipality determines that an encroachment is highly unusual given its character and location or constitutes a significant hazard to pedestrians, the standard is to treat the encroachment within 28 days after making such a determination, and the encroachment is deemed in a state of repair for 28 days from the time of the determination by the municipality. O. Reg. 366/18, s. 15.

(6) For the purpose of subsection (4), treating an encroachment means taking reasonable measures to protect users, including making permanent or temporary repairs, alerting users' attention to the encroachment or preventing access to the area of the encroachment. O. Reg. 366/18, s. 15.

#### **Snow accumulation on sidewalks**

**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.

(4) For the purposes of this section, the depth of snow accumulation on a sidewalk may be determined in the same manner as set out in subsection 4 (4) and by the persons mentioned in subsection 4 (3) with necessary modifications. O. Reg. 366/18, s. 15.

(5) For the purposes of this section, addressing snow accumulation on a sidewalk includes,

- (a) plowing the sidewalk;
- (b) salting the sidewalk;
- (c) applying abrasive materials to the sidewalk;
- (d) applying other chemical or organic agents to the sidewalk; or
- (e) any combination of the methods described in clauses (a) to (d). O. Reg. 366/18, s. 15.

#### **Snow accumulation on sidewalks, significant weather event**

**16.4** (1) If a municipality declares a significant weather event relating to snow accumulation, the standard for addressing snow accumulation on sidewalks until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to address snow accumulation on sidewalks starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any snow present until 48 hours following the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address snow accumulation on sidewalks in accordance with section 16.3. O. Reg. 366/18, s. 15.

#### **Ice formation on sidewalks and icy sidewalks**

**16.5** (1) Subject to section 16.6, the standard for the prevention of ice formation on sidewalks is to,

- (a) monitor the weather in accordance with section 3.1 in the 24-hour period preceding an alleged formation of ice on a sidewalk; and
- (b) treat the sidewalk if practicable to prevent ice formation or improve traction within 48 hours if the municipality determines that there is a substantial probability of ice forming on a sidewalk, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose. O. Reg. 366/18, s. 15.

(2) If ice forms on a sidewalk even though the municipality meets the standard set out in subsection (1), the sidewalk is deemed to be in a state of repair in respect of ice until 48 hours after the municipality first becomes aware of the fact that the sidewalk is icy. O. Reg. 366/18, s. 15.

(3) The standard for treating icy sidewalks after the municipality becomes aware of the fact that a sidewalk is icy is to treat the icy sidewalk within 48 hours, and an icy sidewalk is deemed to be in a state of repair for 48 hours after it has been treated. O. Reg. 366/18, s. 15.

(4) For the purposes of this section, treating a sidewalk means applying materials including salt, sand or any combination of salt and sand to the sidewalk. O. Reg. 366/18, s. 15.

#### **Icy sidewalks, significant weather event**

**16.6** (1) If a municipality declares a significant weather event relating to ice, the standard for addressing ice formation or ice on sidewalks until the declaration of the end of the significant weather event is,

- (a) to monitor the weather in accordance with section 3.1; and
- (b) if deemed practicable by the municipality, to deploy resources to treat the sidewalks to prevent ice formation or improve traction, or treat the icy sidewalks, starting from the time that the municipality deems appropriate to do so. O. Reg. 366/18, s. 15.

(2) If the municipality complies with subsection (1), all sidewalks within the municipality are deemed to be in a state of repair with respect to any ice which forms or is present until 48 hours after the declaration of the end of the significant weather event by the municipality. O. Reg. 366/18, s. 15.

(3) Following the end of the weather hazard in respect of which a significant weather event was declared by a municipality under subsection (1), the municipality shall,

- (a) declare the end of the significant weather event when the municipality determines it is appropriate to do so; and
- (b) address the prevention of ice formation on sidewalks or treat icy sidewalks in accordance with section 16.5. O. Reg. 366/18, s. 15.

#### **Winter sidewalk patrol**

**16.7** (1) If it is determined by the municipality that the weather monitoring referred to in section 3.1 indicates that there is a substantial probability of snow accumulation on sidewalks in excess of 8 cm, ice formation on sidewalks or icy sidewalks, the standard for patrolling sidewalks is to patrol sidewalks that the municipality selects as representative of its sidewalks at intervals deemed necessary by the municipality. O. Reg. 366/18, s. 15.

(2) Patrolling a sidewalk consists of visually observing the sidewalk, either by driving by the sidewalk on the adjacent roadway or by driving or walking on the sidewalk or by electronically monitoring the sidewalk, and may be performed by persons responsible for patrolling roadways or sidewalks or by persons responsible for performing roadway or sidewalk maintenance activities. O. Reg. 366/18, s. 15.

**Closure of a highway**

**16.8** (1) When a municipality closes a highway or part of a highway pursuant to its powers under the Act, the highway is deemed to be in a state of repair in respect of all conditions described in this Regulation from the time of the closure until the highway is re-opened by the municipality. O. Reg. 366/18, s. 15.

(2) For the purposes of subsection (1), a highway or part of a highway is closed on the earlier of,

- (a) when a municipality passes a by-law to close the highway or part of the highway; and
- (b) when a municipality has taken such steps as it determines necessary to temporarily close the highway or part of a highway. O. Reg. 366/18, s. 15.

**Declaration of significant weather event**

**16.9.** A municipality declaring the beginning of a significant weather event or declaring the end of a significant weather event under this Regulation shall do so in one or more of the following ways:

- 1. By posting a notice on the municipality's website.
- 2. By making an announcement on a social media platform, such as Facebook or Twitter.
- 3. By sending a press release or similar communication to internet, newspaper, radio or television media.
- 4. By notification through the municipality's police service.
- 5. By any other notification method required in a by-law of the municipality. O. Reg. 366/18, s. 15.

**REVIEW OF REGULATION****Review**

**17.** (1) The Minister of Transportation shall conduct a review of this Regulation and Ontario Regulation 612/06 (Minimum Maintenance Standards for Highways in the City of Toronto) made under the *City of Toronto Act, 2006* every five years. O. Reg. 613/06, s. 2.

(2) Despite subsection (1), the first review after the completion of the review started before the end of 2007 shall be started five years after the day Ontario Regulation 23/10 is filed. O. Reg. 23/10, s. 11.

**18.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 239/02, s. 18.

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**Schedule K**  
**“Winter Parking” By-Law 20-040**  
**(amending Parking By-Law 15-017)**





**THE CORPORATION OF THE TOWN OF KIRKLAND LAKE**

**BY-LAW NUMBER 20-040**

**BEING A BY-LAW TO AMEND BY-LAW 15-017 FOR THE REGULATION OF PARKING FOR THE TOWN OF KIRKLAND LAKE**

**WHEREAS** according to Section 27 of the *Municipal Act, S.O. 2001, Chapter 25*, as amended, the Council of a Municipality may pass by-laws in respect to highways;

**AND WHEREAS** Section 137 of the *Highway Traffic Act, R.S.O. 1990, Chapter H.8*, as amended, permits the Council of the Municipality to provide by-laws for the erection of stop signs at the intersections on highways under its jurisdiction;

**AND WHEREAS** Council deems it expedient to amend By-law No. 15-017 to amend no parking areas within the Town of Kirkland Lake;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE HEREBY ENACTS AS FOLLOWS:**

1. THAT the following be added as 16.6 *“No person shall park a motor vehicle in a municipal parking lot beyond the times mentioned in the table below.”*

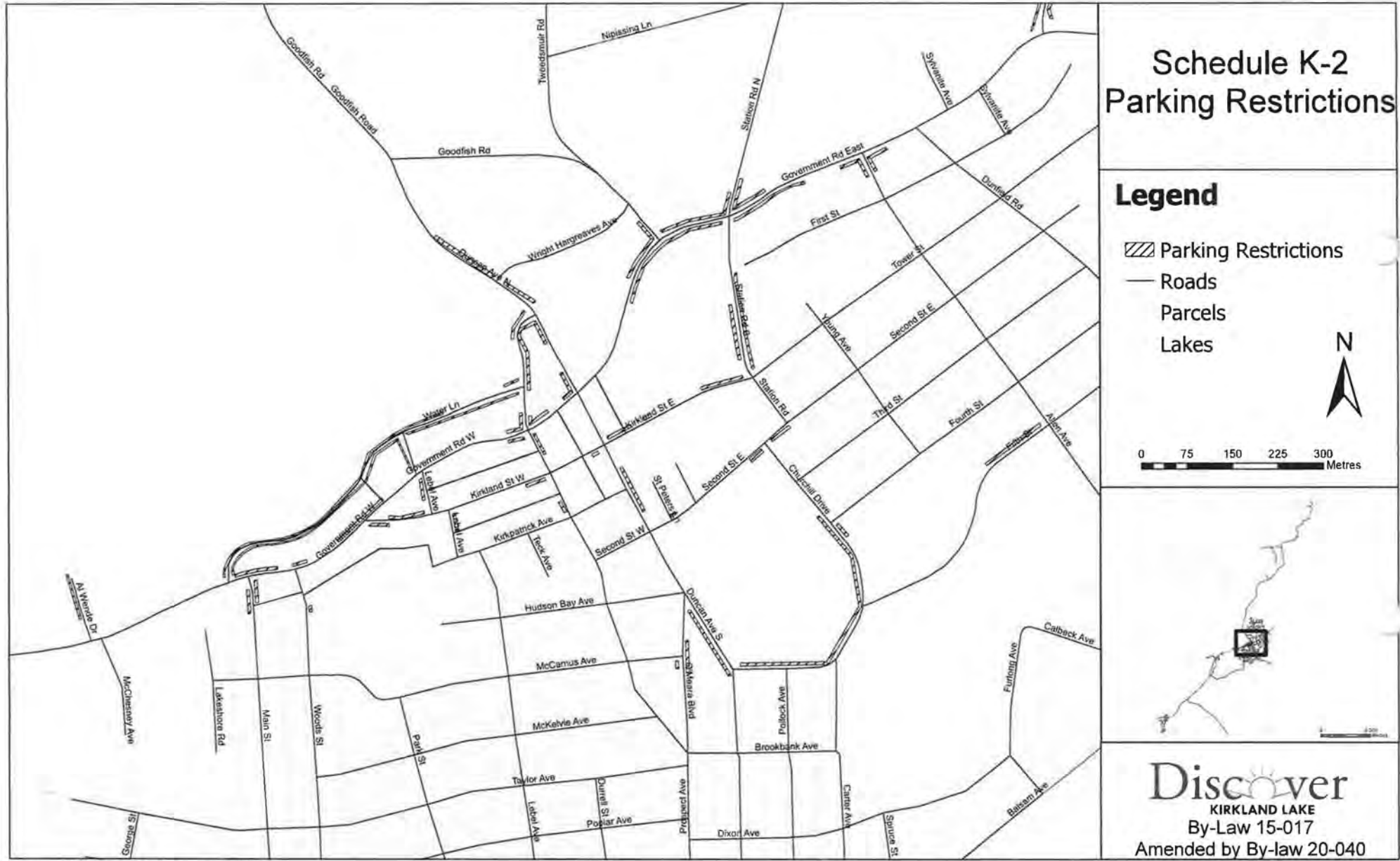
<b>Municipal Parking Lot Number</b>	<b>Winter Months (November – April)</b>	<b>Summer Months (May – October)</b>
1	7:00 am – 2:00 am	No restrictions
2	5:30 am – 2:00 am	No restrictions
3	7:00 am – 2:00 am	No restrictions
4	7:00 am – 2:00 am	No restrictions
5	7:00 am – 2:00 am	No restrictions

1. THAT the following be added as 17.5 *“No person shall park a trailer on public property without prior approval from Council.”*
2. THAT the following be added as 18.7 *“No person shall park a recreational vehicle on public property without prior approval from Council.”*
3. THAT Schedule “K” detailing Parking Restrictions within the Town of Kirkland Lake be hereby deleted and replaced with the updated Schedule “K”, as attached to this By-law as Schedule “A”.
4. THAT Table “K” detailing Parking Restrictions within the Town of Kirkland Lake be hereby deleted and replaced with the updated Table “K”, as attached to this By-law as Schedule “B”.
5. THAT this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

**READ A FIRST, SECOND AND THIRD TIME, ENACTED AND PASSED this 21<sup>st</sup> day of April 2020.**

\_\_\_\_\_  
Patrick Kiely  
Mayor

\_\_\_\_\_  
Meagan Elliott  
Clerk





**20-040 Schedule B**

By-Law 15-017  
 Amended by By-law 18-109  
 Amended by By-law 19-021  
 Amended by By-law 19-029  
 Amended by By-law 19-119  
 Amended by By-law 20-012  
 Amended by By-law 20-024  
 Amended by By-law 20-036  
 Amended by By-law 20-

**Table K - Parking Restrictions**

Identification Number	Location	From	To	Road Side	Time Period
1	Al Wende	Front Entrance to Mall	Rear entrance to Mall	West	No parking between Nov. 1 <sup>st</sup> and April 15 <sup>th</sup>
2	Allen Avenue	Government Road East	South to laneway	West	No parking at any time
3	Allen Avenue	Government Road East	20 metres South	East	No parking at any time
4	Burnside Drive	Government Road East	Railway tracks	East	No parking at any time
5	Burnside Drive	Government Road East	Railway tracks	West	No parking at any time
6	Churchill Drive	Fourth Street	26m South	East	No parking at any time
7	Churchill Drive	Entrance to Assomption School on Churchill Drive	Carter Avenue	West	No parking at any time
8	Churchill Drive	Carter Avenue	Duncan Avenue South	North	No parking Monday to Friday 8:00am to 4:30pm
9	Duncan Avenue	Government Road	33 metres North	West	No parking at any time
10	Duncan Avenue	Prospect and Duncan Intersection (4 Duncan S)	Wright-Hargreaves Avenue	East	No parking at any time
11	Duncan Avenue	Prospect and Duncan Intersection	South boudary of 9 Duncan S	West	No parking at any time
12	Duncan Avenue North	44 Duncan Ave North	36 Duncan Ave N	East	No parking at any time
13	Duncan Avenue North	Wright Hargreaves Avenue	North of Police Station	North East	No parking at anytime
14	Duncan Avenue South	O'Meara Boulevard	Churchill Drive	West	No parking between 8:00am and 9:00am AND between 3:00pm and 4:00pm
15	Fifth Street	Allan Avenue	74 Fifth St	North	No parking at any time
16	Foss Lane	Federal Street	Wishman St	Both	No parking at any time
17	Foss Lane	Grierson Road	Federal St	Both	No parking at any time
18	Government Road East	Station Road	Entrance of KL Inn	North	No parking at any time
19	Government Road East	Station Road	61 Government Road East	South	No parking at any time
20	Government Road East	Entrance to post office parking	Station Road	South	No parking at any time
21	Government Road East	Station Road	Tweedsmuir Road	North	No parking at any time

Identification Number	Location	From	To	Road Side	Time Period
22	Government Road East	Tweedsmuir Road	14 Government Road East	North	No parking at any time
23	Government Road East	Allan Avenue	middle of 71 Government Road E	South	No parking at any time
24	Government Road East	Allan Avenue	30 Metres East (middle of lot at 83 Government Road E)	South	No parking at any time
25	Government Road West	Duncan Avenue	West end of 2 Government Road	North	No parking at any time
26	Government Road West	Prospect Avenue	Stairs in front of 6 Gov't Rd W	North	No parking at any time
27	Government Road West	Lasalle Theatre (98 Government Road West)	East to 90 Government Road W	North	No parking at any time
28	Government Road West	80 Government Road West	60 Government Rd W	North	No parking at any time
29	Government Road West	Prospect Avenue	Government Road W (Suykens Denture)	North	No parking at any time
30	Government Road West	Water Lane	102 Government Road West	North	No parking at any time
31	Government Road West	Prospect Avenue	25 metres West	South	No parking at any time
32	Kirkland Street East	Station Road	14 Kirkland Street (Union Gas)	North	No parking at any time
33	Kirkland Street East	Light post in front of Library Entrance	Accessible parking space	North	No parking at any time
34	Kirkland Street East	Duncan Avenue South	Library Entrance	North	No parking at any time
35	Kirkland Street West	Government Road West	Lebel Avenue	North	No parking at any time
36	Kirkland Street West	Town Hall	Duncan Avenue	South	Town Hall Business only, between 8am and 7pm
37	Kirkland Street West	Government Road West	Laneway between 55 and 57 Kirkland St W	South	No parking at any time
38	Kirkland Street West	19 Kirkland Street West	Prospect Avenue	South	No parking at any time
39	Lebel Avenue	Government Road West	40 metres South	West	No parking at any time
40	Lebel Avenue	Kirkland Street West	Laneway beside 39 Kirkland Street (Holy Name Church)	East	No parking at any time
41	Main Street	Government Road West	Laneway behind 93 Government Road W	East	No parking at any time
42	Main Street	Government Road West	49 metres South	West	No parking at any time
43	Market Street	Water Lane	Government Road West	West	No parking between Nov. 1 <sup>st</sup> and April 15 <sup>th</sup>

Identification Number	Location	From	To	Road Side	Time Period
44	O'Meara Boulevard	9 metres South of Fire Department	12 metres North of Fire Department	East	No parking at any time
45	O'Meara Boulevard	McCamus Avenue	12 Metres South	West	No parking at any time
46	Prospect Avenue	Government Road West	South 39 metres (NW corner of municipal parking lot)	East	No parking at any time
47	Prospect Avenue	39 Prospect Avenue	Kirkpatrick Avenue	West	No parking at any time
48	Prospect Avenue	Corner of Prospect Ave and Government Road West	13 metres North	East	No parking at any time
49	Prospect Avenue	Water Lane	Duncan Avenue	East	No parking at any time
50	Prospect Avenue	Rear parking lot of Family Health Team/Entrance to old Commodore	Duncan Avenue	West	No parking at any time
51	Prospect Avenue	Government Road West	25 metres north/accessible parking space	West	No parking at any time
52	Second Street	St. Peter's Lane	1 Hospital Green	North	No parking at any time
52	Second Street	Churchill Drive	41 Second Street	South	No parking at any time
54	Second Street	Churchill Drive	25 metres West	South	No parking at any time
55	Station Road South	Tower Street	Laneway North of 40 Tower St.	East	No parking at any time
56	Station Road South	Kirkland Street East	47 metres north, beside central school entrance	West	No parking at any time
57	Station Road North	Government Road East	45 metres North	East	No parking at any time
58	Station Road North	Government Road East	35 metres North	West	No parking at any time
59	Tweedsmuir Road	Government Road East	35 metres North	West	No parking at any time
60	Water Lane	Market Street	Prospect Avenue	South	No parking at any time
61	Water Lane	Government Road West	22 Water Lane	North	No parking at any time
62	Water Lane	Market Street	Government Road West	South	No parking at any time
63	Water Lane	Prospect Avenue	25 Metres West	North	No parking at any time
64	Westinghouse Avenue	Childs Avenue	North side of 12 Childs Avenue	West	No parking at any time
65	Woods Street	South of 8 Woods Street (White Eagle)	North of 8 Woods Street	East	No parking at any time
66	Woods Street	Poplar Avenue	71 Woods Street	West	No parking at any time
67	Woods Street	Queen Street	South end of School parking lot	East	No parking Monday to Friday 8:00am to 4:30pm

**Schedule L**  
**Depositing of Snow or Ice Regulations**  
**By-Law 22-062**





THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 22-062

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**BEING A BY-LAW TO REGULATE THE DEPOSITING OF SNOW OR ICE ON MUNICIPAL OWNED OR OPERATED PROPERTY WITHIN THE TOWN OF KIRKLAND LAKE**

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WHEREAS Section 8(1) of the Municipal Act, 2001, as amended, confers upon the Municipality, authority to govern its affairs as it considers appropriate and to enhance the Municipality's ability to respond to municipal issues;

**AND WHEREAS** Section 10(1) of the *Municipal Act, 2001*, as amended, authorizes municipalities to pass by-laws for the health, safety and well-being of persons;

**AND WHEREAS** pursuant to Section 446(1) of the Municipal Act S.O. 2001, c.25, as amended, a municipality may direct that in default of clearing the land or refuse by the person directed or required to do it, the cleaning and clearing of land shall be done at the person's expense;

**AND WHEREAS** pursuant to Section 446 (2) of the Municipal Act S.O. 2001, c.25, as amended, a municipality may, for the purposes of 446(1), enter upon land at any reasonable time;

**AND WHEREAS** pursuant to Section 446, clauses 3, 4, 5, 6, 7 & 8 of the Municipal Act S.O. 2001, c.25, as amended, a municipality may recover the costs of clearing the land from the person directed or required to do it and the municipality may recover the costs by action or by adding the costs to the tax roll and collecting them in the same manner as taxes;

**AND WHEREAS** Section 181 of the *Highway Traffic Act, RSO 1990*, as amended, prohibits deposit of snow or ice on a roadway without permission from the road authority;

**AND WHEREAS**, Council of the Corporation of the Town of Kirkland Lake deems it advisable to pass a by-law prohibiting the obstructing of roadways and sidewalks and regulating the placement of snow thereon;

**NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:**

**1 DEFINITIONS**

The words and phrases defined in this section have the following meaning for the purposes of this By-law:

- 1.1 **"Boulevard"** means a strip of ground between the sidewalk and road; or the strip of ground between the edge of a property and the road;
- 1.2 **"Highway"** means a common and public highway, street, avenue, lane, parkway, driveway, sidewalk, square, place, bridge, viaduct, trestle, including the area between the lateral property lines that is intended for the use of the general public; or as amended under the Highway Traffic Act, R.S.O., 1990;

- 1.3 “**Motor Vehicle**” includes an automobile, motorcycle, motor assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a street car, or other motor vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine. A motor vehicle must have valid provincial registration.
- 1.4 “**Municipal By-law Enforcement Officer**” means a person appointed by the Town of Kirkland Lake and authorized to carry out the enforcement of this By-Law and other town by-Laws;
- 1.5 “**Municipality**” means the Corporation of the Town of Kirkland Lake;
- 1.6 “**Officer**” means a Municipal By-law Enforcement Officer, a Police Officer, or another agent as designated by the Chief Administrative Officer;
- 1.7 “**Open Space**” means open unobstructed space on a site which is suitable for landscaping, including any part of the site occupied by recreational accessory buildings, any surfaced walk, patio or similar area, any sports or recreational area, any ornamental or swimming pool, and the roof or other part of a building or area, but excluding any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area, or loading space.
- 1.8 “**Owner**” includes the person holding registered title to land and the person for the time being managing or receiving the rent or paying the municipal taxes on the land in question, whether on his, her or its own account or as agent or trustee of any other person or who would so receive the rent if such were let, and shall also include a lessee or occupant of the land. Where the person holding registered title to the land is a condominium corporation, the owner of the corporation and not its member;
- 1.9 “**Person**” means any human being, firm, association, partnership, private club, incorporated company, corporation, tenants in common, joint tenants, agent or trustee and heirs, executors or other legal representatives of a person to whom the context can apply according to law and for the purpose of this By-law includes the owner or driver of a vehicle;
- 1.10 “**Pile**” means a concentration of snow and/or ice pushed into a pile above the height of 1.52 metres (5 feet);
- 1.11 “**Police Officer**” means a sworn member of the Ontario Provincial Police;
- 1.12 “**Private Driveway**” means improved land on a highway, which provides vehicular access from the roadway to a parking area or a laneway on adjacent land;

- 1.13 “**Roadway**” means that part of the highway that is improved, designated or ordinarily used for vehicular traffic, but does not include the shoulder, curbs, sidewalks;
- 1.14 “**Sidewalk**” Shall be defined as the portion of the road allowance, located between the paved portion of the street and the property line, so constructed for the purpose of transporting pedestrians;
- 1.15 “**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. As per Regulation 239/02 of the Municipal Act 2001, an Ontario municipality may declare a significant weather event when a weather hazard is approaching or occurring and has the potential to pose a significant danger to users of the highways in which they have authority over. This declaration suspends the standard timelines required for municipalities to meet their winter maintenance objectives until the municipality declares the significant weather event has ended. During the course of a declared significant weather event, the standard for addressing winter maintenance is to monitor the weather and to deploy resources to address the issue starting from the time that the municipality deems it appropriate to do so. When the municipality has declared the event has ended, the standard timelines for winter maintenance activities will resume.
- 1.16 “**Town**” means the Corporation of the Town of Kirkland Lake;
- 1.17 “**Travelled Portion of the Roadway**” shall be defined as that part of a roadway designated or intended for use by vehicular traffic;
- 1.18 “**Town Owned Property**” is a piece of property, owned or operated by, or upon which a legal easement exists in favour of the Corporation of the Town of Kirkland Lake;

## 2 GENERAL PROHIBITIONS

- 2.1 No person shall deposit or cause to be deposited any snow or ice upon any portion of any highway or bridge located within the territorial limits of the Corporation of the Town of Kirkland Lake.
- 2.2 No person shall deposit, or stockpile, or cause to be deposited or stockpiled, snow or ice within the roadways as to obstruct the line of sight of vehicles entering the roadway from a private driveway or at an intersection.
- 2.3 No person shall deposit any snow or ice from private property or cause to be deposited on any part of a roadway within the Corporation of the Town of Kirkland Lake.
- 2.4 No person shall deposit, or cause to be deposited, snow or ice on any sidewalk plowed by the Corporation of the Town of Kirkland Lake.

## BY-LAW NUMBER 22-062 – ROADWAY SNOW DEPOSITING BY-LAW

- 2.5 No person shall deposit, or cause to be deposited, snow or ice on, or within one (1) metre of a fire hydrant or in a manner that obstructs access to a fire hydrant.
- 2.6 No person shall relocate snow or ice within the roadway in such a manner as to encroach on the cleared portion of the roadway intended for vehicular and pedestrian traffic, or that would result in the obstruction of normal visibility of the safe movement of vehicular and pedestrian traffic on the roadway.
- 2.7 No person shall deposit, or cause to be deposited, snow or ice on Town owned property.
- 2.8 No person shall pile, redistribute, or otherwise cause the accumulation of snow or ice on a sidewalk, travelled portion of a roadway, within the Municipality, in such a manner as to obstruct the view or movement, in any way, of snow clearing equipment under the jurisdiction of the Town's Public Works Department.
- 2.9 No person shall move snow or ice from within the roadway from one side of the cleared portion of the roadway intended for vehicular and pedestrian traffic, to the other side of the roadway.

### **3 EXEMPTIONS**

- 3.1 The provisions of this By-law shall not apply to the Corporation of the Town of Kirkland Lake or the Ontario Ministry of Transportation, or contractors thereof, for the purposes of snow clearing operations on highways;

### **4 REMEDIATION**

- 4.1 If the Director of Public Works deems, at his or her sole discretion, that the nature, volume or consistency of snow or ice accumulation can create a public hazard, the Director of Public Works or designate is authorized to have the material be removed and to invoice the property Owner for the expense incurred or by adding such expense to the tax roll and collecting them in the same manner as taxes in accordance with Section 446 of the Municipal Act.
- 4.2 Expenses invoiced to the Owner or added to the tax roll by the Corporation of the Town of Kirkland Lake will be on a cost recovery basis.

### **5 OBSTRUCTION**

- 5.1 No person shall hinder, interfere with or otherwise obstruct, either directly or indirectly, an officer, employee of the Corporation of the Town of Kirkland Lake and/or agent in the lawful exercise or power of duty under this By-law.

### **6 ENFORCEMENT**

- 6.1 Any Officer is authorized to order any person in violation of the provisions of this By-law and to request compliance therewith;



- 6.2 Any Officer is authorized to order any person believed by such Officer to be in contravention of this By-law to desist from any activity comprising of or contributing to such contravention;

## **7 PENALTY**

- 7.1 Every Person who contravenes any provision of this By-law, is guilty of an offence and upon conviction is liable to a penalty pursuant to the Provincial Offences Act, R.S.O. 1990, C.P. 33, as amended (see Schedule “A”).

## **8 AUTHORITY TO TOW VEHICLES**

- 8.1 In addition to any other penalties provided for the By-law, a Municipal By-law Enforcement Officer, a Police Officer or an individual designated by the Chief Administrative Officer, may, where a vehicle is parked or stopped in contravention of any portion of this By-law, cause it to be moved or taken to and placed or stored in a suitable place as designated by the Corporation of the Town of Kirkland Lake. All fees, costs and expenses associated with the towing and storing of the vehicle will be charged to the Owner and must be paid before the vehicle will be released.

## **9 VALIDITY AND SEVERABILITY**

- 9.1 Should any section, subsection, clause, paragraph or provision of this By-law be declared by a Court of competent jurisdiction to be invalid, the same shall not affect the validity of this By-law as a whole or any part thereof, other than the Part so declared to be invalid.

**10 THAT** this By-law shall be known and cited as the Town’s “Roadway Snow Depositing By-Law”.

**11 THAT** Schedule “A” of this By-Law shall be deemed to be incorporated into and form part of this By-Law.

**12 THAT** By-Law 08-089 is hereby repealed.

**13 THAT** this By-Law shall come into force and effect upon the date of passing.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 16th DAY OF AUGUST, 2022.**

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Pat Kiely, Mayor

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Jennifer Montreuil, Municipal Clerk

**SCHEDULE 'A' TO BY-LAW 22-062**

THE CORPORATION OF THE TOWN OF KIRKLAND LAKE  
PART 1 PROVINCIAL OFFENCES ACT

BY-LAW NO. 22-062 BEING A BY-LAW TO REGULATE THE DEPOSITING OF SNOW OR ICE ON MUNICIPAL OWNED OR OPERATED PROPERTY WITHIN THE TOWN OF KIRKLAND LAKE

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provincial Creating or Defining Offence</b>	<b>COLUMN 3 Set Fine</b>
1	Depositing or cause to be deposited, snow or ice on highway or bridge	Section 2.1	175.00
2	Depositing or cause to be deposited, snow or ice on roadway that obstructs the vehicle traffic line of sight	Section 2.2	175.00
3	Depositing or cause to be deposited, snow or ice on roadway	Section 2.3	175.00
4	Depositing or cause to be deposited snow or ice on sidewalk	Section 2.4	175.00
5	Depositing or cause to be deposited, snow or ice on, or within 1 metre of a fire hydrant	Section 2.5	200.00
6	Relocating snow or ice within the roadway to encroach upon the cleared portion of the roadway	Section 2.6	175.00
7	Depositing or cause to be deposited, snow or ice on town owned property	Section 2.7	175.00
8	Pile the accumulation of snow on sidewalk or travelled portion of a roadway	Section 2.8	175.00
9	Moving snow from one side of roadway to other side of roadway	Section 2.9	175.00
10	Obstructing or hindering an Officer	Section 5.1	300.00

**NOTE:** Penalty provision for the offences indicated above is Section 7 of BY-LAW **22-062**, a certified copy of which has been filed.