

THE CORPORATION OF THE TOWN OF COCHRANE

BY-LAW NUMBER 693-2010

BEING A BY-LAW TO ESTABLISH ROAD MAINTENANCE STANDARDS AND ROAD CLASSIFICATIONS FOR HIGHWAYS WITHIN THE JURISDICTION OF THE TOWN OF COCHRANE

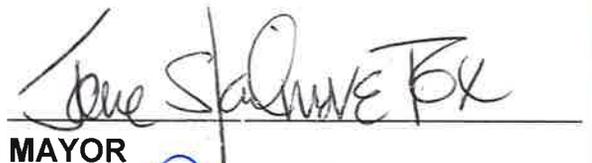
WHEREAS Section 27 and 28 of the Municipal Act 2001, S.O. c.25 and related regulations thereto authorizes a municipality to pass by-laws in respect of highways over which it has jurisdiction;

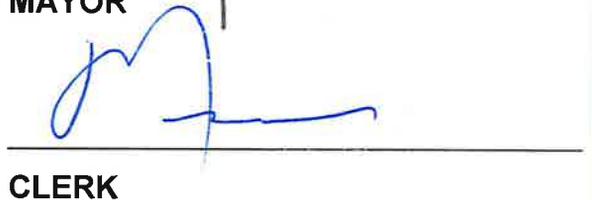
AND WHEREAS the Council of the Corporation of the Town of Cochrane deems it necessary to pass a by-law respecting the classification and maintenance of highways under its jurisdiction;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cochrane enacts as follows:

1. **THAT** for the purposes of this by-law, "highway" is defined as those roadways that are municipally maintained and as described and classified as set out in Schedule "A", attached hereto and forming part of this by-law.
2. **THAT** Regulation 239/02 made under the Municipal Act 2001, defining minimum maintenance standards for highway with classifications of 1, 2, 3, 4, and 5, is hereto attached as Schedule "B" and forms part of this by-law.
3. **THAT** winter sidewalk standards as outlined in Schedule "C" attached hereto and forms part of this by-law.
4. **THAT** the maintenance of unopened road allowance policy as outlined in Schedule "D" attached hereto and forms part of this by-law.
5. **THAT** any prior by-laws relating to road maintenance standards or road classifications of the former Township of Glackmeyer By-Law Number 853 is hereby repealed.
6. **THAT** this by-law shall come into force and take effect upon final passing thereof.

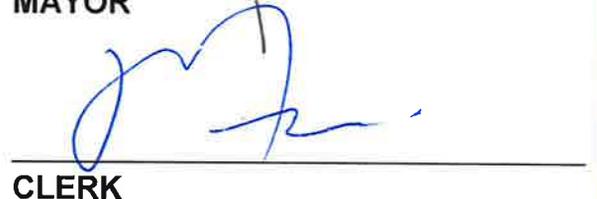
READ a first and second time this 12th day of April, 2010.


MAYOR


CLERK

READ a third and final time this 12th day of April, 2010.


MAYOR


CLERK



SCHEDULE "A" – FORMING PART OF BY-LAW NUMBER 693-2010

The Corporation
of the Town of Cochrane

MOP– Municipal Operations Policy
Winter Road Patrol for Quality Standard

File Number: PW 2009 PP02

Issued Date: October 27, 2009

Revised Date: January 18, 2010

OVERVIEW

The major objectives for Winter Operations are:

- To maintain safe, passable roads and reduce the hazards of winter road conditions to motorists.
- To reduce economic losses to the community and industry caused by workers not being able to get to their jobs.
- To facilitate the handling of emergencies by fire, police and ambulance services.
- To maintain safe, passable school bus and winter recreation routes.

SUMMARY OF QUALITY STANDARD

The level-of-service for Winter Control Operations within the Town of Cochrane are as per the current version of the Ontario Regulation of the Minimum Maintenance Standards for Municipal Highways.

Local Road Classifications

Class IV

Township Roads - 80 km (Rural – Ward 2)

- Génier Road, Concession 2 & 3 East, Western Avenue with a traffic count of 1,000 to 4,999.
- All other Township Road with a traffic count of 50 to 999

Town Roads - 40 km

5th Street, 4th Street East, 3rd Street, 8th Street, 9th Avenue, 11th Avenue, 13th Avenue, Downtown Core with a traffic count of 2000 to 4999

Class V

Town Roads – 40 km.

- All other Town Streets with a traffic count of 50 to 1,999.

Class VI

- All Lane ways

Prepared by: Daniel Maltais – Director of Operations

Dated Prepared:

Revised History:

SCHEDULE "B" – FORMING PART OF BY-LAW NUMBER 693-2010

**Municipal Act, 2001
Loi de 2001 sur les municipalités
ONTARIO REGULATION 239/02**

MINIMUM MAINTENANCE STANDARDS FOR MUNICIPAL HIGHWAYS

Consolidation Period: From January 1, 2007 to the e-Laws currency date.

Last amendment: O.Reg. 613/06.

This Regulation is made in English only.

Definitions

1. (1) In this Regulation,

“cm” means centimetres;

“day” means a 24-hour period;

“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;

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

“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;

“surface” means the top of a roadway or shoulder. O. Reg. 239/02, s. 1 (1).

(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 annual daily traffic on it. O. Reg. 239/02, s. 1 (2).

(3) For the purposes of subsection (2) and the Table to this section, the average annual 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 for the previous calendar year; or
- (b) by estimating the average daily two-way traffic on the highway or part of the highway in accordance with accepted traffic engineering methods. O. Reg. 239/02, s. 1 (3).

**TABLE
CLASSIFICATION OF HIGHWAYS**

Average Annual Daily Traffic (number of motor vehicles)	Posted or Statutory Speed Limit (kilometres per hour)						
	91 - 100	81 - 90	71 - 80	61 - 70	51 - 60	41 - 50	1 - 40
15,000 or more	1	1	1	2	2	2	2
12,000 - 14,999	1	1	1	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	3	3
5,000 - 5,999	1	2	2	3	3	3	3
4,000 - 4,999	1	2	3	3	3	3	4
3,000 - 3,999	1	2	3	3	3	4	4
2,000 - 2,999	1	2	3	3	4	4	4
1,000 - 1,999	1	3	3	3	4	4	5
500 - 999	1	3	4	4	4	4	5
200 - 499	1	3	4	4	5	5	5
50 - 199	1	3	4	5	5	5	5
0 - 49	1	3	6	6	6	6	6

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) The minimum standards of repair set out in this Regulation are applicable only in respect of motor vehicles using the highways. O. Reg. 239/02, s. 2 (2).

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

MINIMUM STANDARDS

Routine patrolling

3. (1) The minimum standard for the frequency of routine patrolling of highways is set out in the Table to this section. O. Reg. 239/02, s. 3 (1).

(2) Routine patrolling shall be carried out by driving on or by electronically monitoring the highway to check for conditions described in this Regulation. O. Reg. 239/02, s. 3 (2).

(3) Routine patrolling is not required between sunset and sunrise. O. Reg. 239/02, s. 3 (3).

**TABLE
ROUTINE 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.

Snow accumulation

4. (1) The minimum standard for clearing snow accumulation is,

(a) while the snow continues to accumulate, to deploy resources to clear the snow as soon as practicable 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; and

(b) after the snow accumulation has ended and after becoming aware that the snow accumulation is greater than the depth set out in the Table to this section, to clear the snow accumulation in accordance with subsections (2) and (3) or subsections (2) and (4), as the case may be, within the time set out in the Table. O. Reg. 239/02, s. 4 (1).

(2) The snow accumulation must be cleared to a depth less than or equal to the depth set out in the Table. O. Reg. 239/02, s. 4 (2).

(3) The snow accumulation must be cleared from the roadway to within a distance of 0.6 metres inside the outer edges of the roadway. O. Reg. 239/02, s. 4 (3).

(4) Despite subsection (3), for a Class 4 highway with two lanes or a Class 5 highway with two lanes, the snow accumulation on the roadway must be cleared to a width of at least 5 metres. O. Reg. 239/02, s. 4 (4).

(5) This section,

(a) does not apply to that portion of the roadway designated for parking; and

(b) only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 4 (5).

(6) In this section,

“snow accumulation” means the natural accumulation of new fallen snow or wind-blown snow that covers more than half a lane width of a roadway. O. Reg. 239/02, s. 4 (6).

TABLE
SNOW ACCUMULATION

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. 239/02, s. 4, Table.

Icy roadways

5. (1) The minimum standard for treating icy roadways is,
- (a) to deploy resources to treat an icy roadway as soon as practicable after becoming aware that the roadway is icy; and
 - (b) to treat the icy roadway within the time set out in the Table to this section after becoming aware that the roadway is icy. O. Reg. 239/02, s. 5 (1).
- (2) This section only applies to a municipality during the season when the municipality performs winter highway maintenance. O. Reg. 239/02, s. 5 (2).

TABLE
ICY ROADWAYS

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

O. Reg. 239/02, s. 5, Table.

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 minimum 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).
- (2) A pothole shall be deemed to be repaired 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).

TABLE 1
POTHOLES ON PAVED SURFACE OF ROADWAY

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

TABLE 2
POTHOLES ON NON-PAVED SURFACE OF ROADWAY

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

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

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

Shoulder drop-offs

7. (1) If a shoulder drop-off is deeper, for a continuous distance of 20 metres or more, than the depth set out in the Table to this section, the minimum standard is to repair the shoulder drop-off within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 7 (1).

(2) A shoulder drop-off shall be deemed to be repaired if its depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 7 (2).

(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	Depth	Time
1	8 cm	4 days
2	8 cm	4 days
3	8 cm	7 days
4	8 cm	14 days
5	8 cm	30 days

Cracks

8. (1) If a crack on the paved surface of a roadway is greater, for a continuous distance of three metres or more, than both the width and depth set out in the Table to this section, the minimum standard is to repair the crack within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 8 (1).

(2) A crack shall be deemed to be repaired if its width or depth is less than or equal to that set out in the Table. O. Reg. 239/02, s. 8 (2).

TABLE
CRACKS

Class of	Width	Depth	Time
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Highway			
1	5 cm	5 cm	30 days
2	5 cm	5 cm	30 days
3	5 cm	5 cm	60 days
4	5 cm	5 cm	180 days
5	5 cm	5 cm	180 days

O. Reg. 239/02, s. 8, Table.

Debris

9. (1) If there is debris on a roadway, the minimum 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).

(2) In this section,

“debris” means any material 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).

Luminaires

10. (1) For conventional illumination, if three or more consecutive luminaires on a highway are not functioning, the minimum 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. 239/02, s. 10 (1).

(2) 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 minimum 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. 239/02, s. 10 (2).

(3) Despite subsection (2), for high mast illumination, if all of the luminaires on consecutive poles are not functioning, the minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (3).

(4) 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 minimum standard is to deploy resources as soon as practicable after becoming aware of the fact to repair the luminaires. O. Reg. 239/02, s. 10 (4).

(5) Luminaires shall be deemed to be repaired,

(a) for the purpose of subsection (1), if the number of non-functioning consecutive luminaires does not exceed two;

(b) for the purpose of subsection (2), if more than 70 per cent of luminaires on any kilometre of highway are functioning;

(c) for the purpose of subsection (3), if one or more of the luminaires on consecutive poles are functioning;

(d) for the purpose of subsection (4), if more than 50 per cent of luminaires on any kilometre of highway are functioning. O. Reg. 239/02, s. 10 (5).

(6) Subsections (1), (2) and (3) only apply to,

(a) Class 1 and Class 2 highways; and

(b) Class 3, Class 4 and Class 5 highways with a posted speed of 80 kilometres per hour or more. O. Reg. 239/02, s. 10 (6).

(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

O. Reg. 239/02, s. 10, Table.

Signs

11. (1) If any sign of a type listed in subsection (2) is illegible, improperly oriented or missing, the minimum 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).

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

1. Checkerboard.
2. Curve sign with advisory speed tab.
3. Do not enter.
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).

Regulatory or warning signs

12. (1) If a regulatory or warning sign other than a sign listed in subsection 11 (2) is illegible, improperly oriented or missing, the minimum 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. 239/02, s. 12 (1).

(2) In this section,

“regulatory sign” has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation;

“warning sign” has the same meaning as in the *Manual of Uniform Traffic Control Devices* published in 1985 by the Ministry of Transportation. O. Reg. 239/02, s. 12 (2).

TABLE
REGULATORY AND WARNING SIGNS

Class of Highway	Time
1	7 days
2	14 days
3	21 days
4	30 days
5	30 days

Traffic control signal systems

13. (1) If a traffic control signal system is defective in any way described in subsection (2), the minimum 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).

(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 minimum standard is to repair or replace the defective component by the end of the next business day. O. Reg. 239/02, s. 13 (3).

(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 minimum standard is to inspect, test and maintain the following traffic control signal system sub-systems every 12 months:

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).

(2) The minimum standard is to inspect, test and maintain conflict monitors every five to seven months and at least twice a year. O. Reg. 239/02, s. 14 (2).

(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 minimum 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).

(2) A bridge deck spall shall be deemed to be repaired 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).

(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 ²	8 cm	4 days
2	800 cm ²	8 cm	4 days
3	1,000 cm ²	8 cm	7 days
4	1,000 cm ²	8 cm	7 days
5	1,000 cm ²	8 cm	7 days

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

Surface discontinuities

16. (1) If a surface discontinuity, other than a surface discontinuity on a bridge deck, exceeds the height set out in the Table to this section, the minimum standard is to repair the surface discontinuity within the time set out in the Table after becoming aware of the fact. O. Reg. 239/02, s. 16 (1).

(2) If a surface discontinuity on a bridge deck exceeds 5 cm, the minimum 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. 239/02, s. 16 (2).

(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. 239/02, s. 16 (3).

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.

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) The first review shall be started before the end of 2007. O. Reg. 239/02, s. 17 (2).

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

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SCHEDULE "C" – FORMING PART OF BY-LAW NUMBER 693-2010



The Corporation
of the Town of Cochrane

MOP - Municipal Operations Policy
Winter Sidewalk Maintenance
for Quality Standard Sidewalks

Issued Date: October 27, 2009

File Number: PW 2009 PP 05
Revised Date: January 18, 2010

OVERVIEW

The major objectives for winter sidewalk maintenance are:

- To maintain safe passable sidewalk for pedestrian traffic.
- To reduce the number of occasions that sidewalk conditions might discourage pedestrian traffic in commercial areas, thereby creating a hardship for citizens and the business community.
- To prevent incidents that could result in insurance claims against the Town of Cochrane.

SUMMARY OF QUALITY STANDARD

The level-of-service for winter sidewalk maintenance shall be in accordance with the following:

Snow plowing shall be performed in accordance with the following schedule:

- Down Town Core
- 4th Street
- 8th Street
- Around the Lake Commando
- Event Centre Sidewalk along highway 652
- 5th Street
- 3rd Street East
- 11th Avenue from 5th Street to High School
- 6th Street between 10th Ave. and 8th Ave.

ALL OTHER SIDEWALKS NOT IDENTIFIED WILL NOT BE OPENED

- Sanding shall be performed daily as slippery conditions prevail. If conditions are stable, sanding will normally be conducted on regular working hours.
- All sidewalks shall be maintained to a hard packed snow surface condition until such time as the warmer temperatures create a thawing condition and break-up. At that time, they shall be cleaned to a surface bare condition in the business district and hard packed snow surface on others.
- All sidewalks shall be patrolled as required by prevailing conditions during the week.

Prepared by: Daniel Maltais – Director of Operations

Dated Prepared:

Revised History:

SCHEDULE "D" – FORMING PART OF BY-LAW NUMBER 693-2010

Policies and Procedures			
The Corporation of the Town of Cochrane			
Department	Administration	Effective:	October 15 2003
Subject:	Unopened Road Allowance	Page:	1 of 2
Approved by:	Motion 397-2003	Revised:	

Background

1. All road allowances made by the Crown surveyors within the boundaries of the Town of Cochrane, are highways, as defined under the *Municipal Act*. Only those road allowances which have been a) constructed to a standard and; b) have been assumed and dedicated, by by-law, by the municipality, are being maintained by the municipal forces. Under the *Municipal Act*, the municipality is required to carry out the maintenance of road allowances, which have been assumed and dedicated. Official Plan Policy dictates that "permanent year round residential dwelling" may only be erected on a lot which fronts on an opened public street maintained year round.
2. In 2001, an issue arose whereby the Town of Cochrane was carrying out the maintenance of certain road allowances, which had not been constructed to a certain standard and had not assumed and dedicated by the Municipality, for maintenance purposes. At the time most of these road allowances were providing access to properties which were used on a seasonal basis.
3. Pursuant to Motion Number 484-2002, Council adopted a Policy, with respect to road allowances, which have not been assumed and dedicated by the municipality. The Policy direction was not to maintain any road allowances, which had not been assumed and dedicated by the municipality. The general intent for this Policy was to ensure that the any maintenance performed on road allowances would be done once the road was constructed to an established standard and thus assumed and dedicated, by by-law, by the municipality for maintenance purposes, as required by the *Municipal Act*.

Policy - Recommendations

4. Costs to bring unopened road allowances to Municipal Standard

THAT as recommended by the Rural and Operations Committee, we hereby adopt the following as Policy respecting:

"All costs associated for the construction of an unopened/not maintained road allowance, or section thereof, to the standard established by Policy of Council, shall be borne by the applicant(s) and/or respective landowners. It is understood that once the roadway, or part thereof, has been constructed in accordance with the standard established by Council, the subject roadway will be assumed and dedicated, by the municipality."

Policies and Procedures			
The Corporation of the Town of Cochrane			
Department	Municipal Operations	Effective:	October 15, 2003
Subject:	Unopened Road Allowance	Page:	2 of 3
Approved by:	Resolution No. 397-2003	Revised:	

5. Roadway Construction Standard

5.1 Reference

- Geometric Design Standard for Ontario Highways
- Ontario Highway Bridge Design Code (superceded by Can/CSA -56-00, Canadian Highway Bridge Design Code)

5.2 Road geometric standard shall be as laid out in MTO publications - "Geometric Design Standards for Ontario Highway", with the exception of the following:

For "not through" roads (dead end) and having an Annual average daily traffic volume of less than 20:

- the minimum geometric standard may be reduced to 4.8 m. of roadway width with 0.5 m. shouldering.
- Granular base shall be a minimum of 300 mm of Granular B overlain by 150 mm of Granular A. Where an existing granular base exists, the acceptability of the granular base shall be determined by the Municipal Engineer. Where an acceptable granular base exists, a minimum of 100 mm of Granular A shall be placed.
- Turnarounds sized to accommodate school buses and plow trucks shall be constructed. Minimum culvert length on turnarounds shall be 18 m.

5.3 Right of way clearing and roadside ditching shall be constructed. Right of way clearing shall be a minimum of 18 m or as required for construction of roadways and ditching to standard. Roadside ditching invert shall be nominally 0.9 m below finished road grade with 2:1 sideslopes.

5.4 New entrances shall be the responsibility of the applicant. Culverts shall be installed at all entrances. Only new corrugated steel or plastic pipe shall be used. Diameter shall be sized by accepted hydrologic and hydraulic methods with a minimum accepted diameter of 0.45 m.

5.5 Cuts and fills shall be constructed at stable slopes or otherwise stabilized by accepted methods.

5.6 Cross culverts shall be installed as required to ensure drainage is not impeded. Diameter of cross culverts shall be sized by accepted

Policies and Procedures

The Corporation of the Town of Cochrane

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- 5.7 hydrologic and hydraulic methods with a minimum accepted diameter of 0.45 m.

- 5.8 Construction of new roads < \$1.5 M. in value on unopened road allowances are a Schedule "B" project under the Municipal Class Environmental Assessment.