



## REPORT

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**TO:** Mayor Bonnette and Members of Council

**FROM:** Mark Covert, Director of Public Works

**DATE:** November 1, 2021

**REPORT NO.:** TPW-2021-0040

**SUBJECT:** Sidewalk Snow Clearing Expansion Considerations

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### RECOMMENDATION:

THAT Report No. TPW-2021-0040, dated November 1, 2021, regarding Sidewalk Snow Clearing Expansion Considerations, be received;

AND FURTHER THAT Staff be directed to report back to Council as part of the planning process for winter operations in the Vision Georgetown community, including public consultation, on a Town-wide sidewalk snow clearing program.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- The Town currently maintains about 160 km of sidewalks, walkways and pathways, or just over half of all the sidewalks and walkways in the community as part of winter operations.
- Additional annual cost for winter maintenance of the remaining sidewalks is estimated at \$370,000 (2022 costs).
- Based on historical inquiries, requests to expand the winter maintenance program represent a relatively small percentage of the winter sidewalk concerns currently raised by residents.
- Expanding the service is not likely to result in any immediate or significant impact (increase or decrease) on insurance premiums.
- An expanded sidewalk clearing service is estimated to result in a general tax increase of approximately 0.66% or an additional \$13.14 per household.
- The recommended delivery method (Town staff, contractor or a combination) of the expanded service will need to be reviewed and assessed in greater detail.

- Expansion of the sidewalk clearing program is not recommended by staff at this time.
- Staff will report back to Council with a Town-wide sidewalk clearing program for consideration as part of the planning process for winter operations in the Vision Georgetown community.

## **BACKGROUND AND DISCUSSION:**

At the Planning, Public Works and Transportation Committee meeting on February 18, 2020, the following staff direction was passed:

THAT Staff report back to Committee regarding the price per household for Town-wide sidewalk clearing prior to the 2021 Budget deliberations. (Moved by: Councillor M. Johnson)

The purpose of this report is to respond to the above staff direction and to provide further context and considerations regarding any future expansion of sidewalk plowing in Halton Hills.

### Current Sidewalk Snow Clearing Service

In order to preserve reasonable budgetary expense, By-law No. 2007-0003 provides the Council-approved criteria for the provision of snow clearing services. The criteria provides snow clearing for sidewalks on main (arterial) and collector roads, (or roads with traffic exceeding 1,000 vehicles/day), walkways associated with these roads, and sidewalks adjacent to schools. This leads to the Town currently maintaining about 160 km of sidewalks, walkways and pathways, or just over half of all the sidewalks and walkways in the community.

The current practice is to plow included sidewalks as required to address snow accumulation or treat as required to address icy conditions. When plowing of sidewalks is undertaken, the goal is to complete plowing of the routes within 48 hours after snowfall ending. Sidewalks not cleared by the Town are typically located on local/residential roads. These sidewalks are left for residents to clear, although resources are deployed to address any reports of icy or slippery sidewalks anywhere in Town, as required.

### Resident Feedback

The Town typically receives over 100 sidewalk related concerns each winter season. Around 50% of these calls concern sidewalk conditions. About 25% of calls relate to sod damage or damage to other private features (e.g. driveway curbs) in the right-of way. The remaining (approximately 25%) are split between general dissatisfaction with the timing or quality of the service provided, dissatisfaction that a sidewalk was plowed after being cleared by the resident, and finally requests that the clearing service be expanded. In summary, requests to clear additional or all Town sidewalks represent a relatively small percentage of the winter sidewalk concerns currently raised by residents.

## Risk Management

In 2018, the Province's Minimum Maintenance Standards for Municipal Highways (MMS) was amended to include standards to address winter conditions on sidewalks. While not a legislated requirement, meeting the standards within MMS can provide a defense against claims brought upon municipalities. While the Town's current program strives to meet MMS for the Town sidewalks that are maintained for snow clearing, the remaining sidewalks do not satisfy this MMS standard. The current MMS standard is to deploy resources when 8cm of snow has accumulated.

By-law No. 2007-0003, provides some level of defense in defining the Council-approved criteria for which sidewalks are cleared; however, it should be noted the actual application in any defense is highly dependent on the facts of a particular case and with the applicability of any relevant case law.

Some municipalities have invoked by-laws requiring property owners to maintain sidewalks fronting their properties (Halton Hills has no such by-law); however, to be effective, such by-laws require inspection and enforcement, consideration of physically challenged homeowners, and consideration of vacant lots and frontages. Furthermore, such by-laws do not fully release a municipality of ultimate liability for sidewalk claims.

Another risk management consideration is the volume of claims received. It is uncertain if there would be any reduction in slip and fall claims received if the Town maintained all sidewalks in winter. Injured parties may be more compelled to file a claim against the Town if they were aware the Town maintained the sidewalk, as they may have higher expectation of service.

Meeting MMS for all Town sidewalks would generally place the Town in a stronger position to defend against slip and fall claims on sidewalks than for sidewalks not currently maintained; however, it is unclear how or if the total number of claims received would be affected.

Staff reviewed these considerations with the Town's insurance broker and learned there would likely not be any immediate or significant impact on insurance premiums if the Town were to begin clearing all sidewalks. Any impact on premiums in this area would be the result of the Town's claims history trend over a period of several years.

## Drivers for Clearing All Sidewalks

In addition to managing risk through improved services and meeting MMS, there are several social drivers that should be considered. Council's 2020-2022 Strategic Plan *Goal 3: Ensure healthy lives and promote well-being for all at all ages* within priority area *Youth and Seniors Initiatives*, provides strategic incentive for Town-wide sidewalk plowing, especially in light of an aging population for the coming years.

Town-wide sidewalk plowing would also be supported by the Town's Transportation Master Plan (2011). While not specifically mentioning sidewalk plowing, the Plan does speak to Active Transportation as a critical component of an effective Transportation Demand Management Strategy, creating a barrier-free community, and the health, social, transportation, environmental and economic benefits that accrue from active

transportation. It would also support the Active and Safe Routes to School Program and the Council-approved Active Transportation Master Plan (ATMP), which contains a goal to *Provide a network of on and off-road facilities that is connected and continuous and considered safe and comfortable by users.*

Another incentive is that Town-wide plowing would address situations where residents are physically unable to clear sidewalks adjacent to their homes.

### Deterrents for Clearing All Sidewalks

Beyond a significant budget impact, there are several deterrents to expanding sidewalk plowing. As noted previously, requests to clear additional or all Town sidewalks are not the largest winter sidewalk concern currently raised by residents and from this, it is expected that clearing additional of sidewalks would likely lead to increased calls and concerns being raised by residents, especially as any expansion of service will be into more local/residential sidewalks. These will include increase calls on the timing and quality of service provided, the condition of sidewalks, and the inevitable damages caused.

Damage to sod and private unauthorized encroachments (e.g., sprinklers, planters, fences, etc.) is likely to be intensified. Any expansion of service will require prior notice to residents with requests to modify or remove private features and to provide adequate clearance from the sidewalk edge. Many residents prefer to clear the sidewalks adjacent to their homes themselves and take great pride in the quality of their work and are sensitive to any damage caused to sod or private features.

Another issue is that trees on many streets in residential areas will conflict with the height of a municipal sidewalk tractor. This issue will likely warrant a project (with a financial impact) to raise (remove) branches along added routes prior to any service expansion to minimize the potential for damage to the trees and ensure the safety of Town staff.

### Practices in other Communities

Staff performed a cursory review of several other Ontario municipalities' current sidewalk snow clearing practices (as posted on the municipality website) and the results are provided in the table below:

<b>Municipality</b>	<b>Sidewalk Snow Clearing Service Provided</b>
<i>Halton Hills</i>	<i>Sidewalks with traffic exceeding 1,000 vehicles/day (typically main roads and collector roads) and sidewalks adjacent to schools are cleared. The current practice is to plow these sidewalks as required to address snow accumulation or treat as required to address icy conditions.</i>
Milton	After the accumulation of 5 cm or more of snow, plow sidewalks and pathways associated with schools, transit routes and major pedestrian travel.
Burlington	All Sidewalks are cleared. Sidewalk clearing begins after snow accumulates in excess of 5 cm and only after roads are cleared.

Oakville	All Sidewalks are cleared. Sidewalks on primary and secondary roads are cleared only after snow accumulates in excess of 5cm, and only after roads are cleared. Residential sidewalks are cleared after 8cm of snow accumulates.
Mississauga	Only priority sidewalks located on a major road or bus route or accessing hospitals, schools and nursing homes are cleared. These sidewalks are plowed when snowfall exceeds 5cm.
Brampton	Sidewalks are maintained by the City if they are: <ul style="list-style-type: none"> <li>• On arterial roads like Queen Street or Bramalea Road</li> <li>• In front of City parks and recreation facilities</li> <li>• Curb-faced (no grass boulevard)</li> <li>• Behind a property (reverse frontage)</li> <li>• On a road with bus stop locations</li> </ul>
Guelph	High priority sidewalks: serviced first after 4cm of snow accumulates. Residential sidewalks: serviced after 8cm of snow accumulates.
Orangeville	Clear and salt all sidewalks in the Town following the general order of priority: <ul style="list-style-type: none"> <li>• municipal buildings and facilities</li> <li>• school and transit routes</li> <li>• commercial areas</li> <li>• arterial and collector roads</li> <li>• curb-faced sidewalks</li> <li>• local roads</li> </ul>

Options for Phased Expansion

Staff reviewed the current eligible sidewalk criteria to consider if there might be any option for partial expansion, whereby full expansion could be implemented in phases. Some of the potential criteria could include sidewalks:

- within a certain proximity to schools
- along vacant, non-residential frontage (e.g. storm water ponds, parks, side yards, vacant lots, etc.)
- with community mailboxes
- directly adjacent to the curb (“curb-faced”), which tend to receive large and difficult to remove volumes of snow from the roadway.

It was determined that adding sidewalks through these criteria would create a patchwork of sidewalks to maintain, resulting in significant “deadheading” of equipment to reach and clear the areas, and/or appear arbitrary and inconsistent to residents. A phased-in approach is not recommended.

### Cost of Full Expansion

The annual cost to maintain sidewalks in the existing program is estimated at \$370,000 for 2022, which includes approximately \$50,000 for material usage (i.e. sand and salt) and damage repairs (i.e. sod repair). This equates to \$2.39 per \$100,000 Current Value Assessment (CVA) or \$13.14 per household based on an average CVA of \$550,000.

To maintain all sidewalks and walkways within existing urban areas would essentially double the costs associated with the current program, with the full expansion estimated to cost an additional \$370,000 annually. This equates to a general tax increase of approximately 0.66%, or another \$13.14 per household. Therefore, the total cost of an expanded program is estimated to be \$740,000 annually, or \$26.28 per household.

For discussion purposes, applying the total cost of the sidewalk clearing program to a special levy applied only to *urban* assessment would result in a decrease in the base levy as the cost of the existing service would be removed. This decrease in the base levy would equate to 0.66% or \$13.14 per household for all households. A special levy then applied only to *urban* assessment for clearing *all* Town sidewalks would be \$35.15 per *urban* household.

The introduction of a special levy for the sidewalk program would require additional review and analysis, and could be considered as part of any future recommendations regarding expansion of the sidewalk program.

### Operational Approach

Further consideration would need to be given to the options of delivering the service internally through additional winter contract staffing, contracting out the service or some combination of both.

Utilizing internal resources would require a significant initial capital outlay in the range of \$900,000 to purchase the required additional equipment. Increased operating expenses would include seasonal staff salaries, fuel, equipment maintenance, and for administration of recruitment, training and supervision of seasonal staff. The challenge of maintaining the productivity of seasonal staff during mild winter periods would also be increased. Furthermore, there may be limitations in attracting the required staffing resources from the local workforce due in part to the seasonal/temporary nature of the positions. Alternatively, contracting out the service introduces tender price and contractor performance risks. Overall, the annual operating cost of internally delivered vs. contracted service is assumed to be generally comparable.

### Supporting Vision Georgetown Objectives

A fundamental objective of the Vision Georgetown community is to develop the area as a complete community, with a pedestrian oriented environment, and to create a healthy, vibrant, connected community. This community will encourage residents to leave their cars at home and commute to work, school and other destinations by active modes. Clearing of all sidewalks in the Vision Georgetown community would support this objective.

## Conclusion

As described in the report, there are a number of compelling reasons to consider expanding the Town's sidewalk snow clearing program to include all municipal sidewalks. There are also several challenges and deterrents. Due to continuing operating budget pressures, staff do not recommend expansion of the sidewalk plowing program at this time. As the incorporation of the Vision Georgetown community would necessitate an expansion of the current program, it would be timely for staff to present Council with a Town-wide sidewalk clearing program for consideration as part of the planning process for winter operations in the Vision Georgetown community. This program would include public consultation and provide recommendations on the operational model (internal or contract), specific level of service recommendations, communications, and start-up costs.

### **STRATEGIC PLAN ALIGNMENT:**

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

### **RELATIONSHIP TO CLIMATE CHANGE:**

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

### **PUBLIC ENGAGEMENT:**

Public Engagement was not needed as this report is administrative in nature.

### **INTERNAL CONSULTATION:**

Finance and Purchasing & Risk Management staff were consulted on this report as well as the Town's Insurance Broker.

**FINANCIAL IMPLICATIONS:**

There are no immediate financial implications as a result of this report. Financial impacts and implications will be included as part of any detailed plan brought forward as part of the staff direction included in the recommendations.

Reviewed and approved by,

Moya Jane Leighton, Director of Finance & Town Treasurer

Bill Andrews, Commissioner of Transportation and Public Works

Chris Mills, Acting Chief Administrative Officer