

<b>To:</b>	Warden Hicks and Members of Grey County Council
<b>Committee Date:</b>	September 12, 2019
<b>Subject / Report No:</b>	TR-CW-20-19
<b>Title:</b>	Closure of Bicycle Lanes on Grey Roads By-Law
<b>Prepared by:</b>	Pat Hoy, Director of Transportation Services
<b>Reviewed by:</b>	Kim Wingrove, CAO
<b>Lower Tier(s) Affected:</b>	Member Municipalities
<b>Status:</b>	Recommendation adopted by Committee as presented per Resolution CW179-19;

## Recommendation

1. **That Report TR-CW-20-19 regarding the closure of bike lanes on Grey County Road be received; and**
2. **That a By-Law to Authorize the Annual Closure of Bicycle Lanes on Roadways in the County of Grey from October 15<sup>th</sup> to April 15<sup>th</sup> be brought forward for Council's consideration.**

## Executive Summary

By-Law 5036-18 was adopted by Grey County Council on November 22, 2018 to authorize the closure of bicycle lanes on roads under the jurisdiction of the County of Grey.

Staff has requested that the term of the by-law be held from October 15<sup>th</sup> to April 15<sup>th</sup> annually to account for the winter season and avoid the process of bringing forward a report to Council each year.

## Background and Discussion

The Provincial Maintenance Standards were updated prior to the winter of 2018-2019. One of the key clauses affecting the Transportation Services Department was the requirement for bicycle lane maintenance. By-Law 5036-18 closing bicycle lanes during the winter season was addressed through Addendum To Report TR-CW-42-18 Minimum Maintenance Standards Update on November 22, 2018. As per this report, only the designated bicycle lanes on Grey Road 1 and Grey Road 19 will be closed. The signage on Grey Road 1 and Grey Road 19 will continue to read Bike Lane Closed For Winter Season.

## Legal and Legislated Requirements

For the above term to be enforceable the By-Law must be consistent with the field signage.

## Financial and Resource Implications

Labour, material and equipment to manufacture and install the additional signage would be minimal if any, as the signage from By-Law 5036-18 will be utilized.

## Relevant Consultation

Internal  
Clerks Department  
Legal Department

External

## Appendices and Attachments

[Addendum To Report TR-CW-42-18 Minimum Maintenance Standards Update](#)  
[TR-CW-42-18 Minimum Maintenance Standards Update](#)  
[By-Law 5036-18](#)

Draft By-Law 5068-19  
Bike Lane Closed Sign

# Corporation of the County of Grey

## By-Law 5068-19

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### A By-law to Authorize the Annual Closure of Bicycle Lanes on Roadways in the County of Grey from October 15<sup>th</sup> to April 15<sup>th</sup>

WHEREAS the Council of the County of Grey adopted the recommendations of the Committee of the Whole at its September 12, 2019 meeting regarding not providing winter maintenance on bicycle lanes on Grey County roadways on an annual basis and;

AND WHEREAS Section 35 of the *Municipal Act, 2001*, as amended, allows a municipality to pass a by-law restricting the common law right of passage by the public over a highway;

AND WHEREAS pursuant to section 16.8 of Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways, when a municipality closes part of a highway pursuant to its powers under the *Municipal Act, 2001*, the highway is deemed to be in a state of repair in respect of all conditions described in that Regulation from the time of the closure until the highway is re-opened by the municipality;

AND WHEREAS on November 22, 2018 the Council of the County of Grey enacted By-law 5036-18 to restrict the common law right of passage over bicycle lanes on Grey County roadways during the 2018-2019 winter season;

AND WHEREAS the Council of the County of Grey accordingly desires to prohibit the use of bicycle lanes annually from October 15<sup>th</sup> to April 15<sup>th</sup>;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE COUNTY OF GREY HEREBY ENACTS AS FOLLOWS:

1. Definitions – in this By-law:
  - 1.1 “Bicycle Lane” has the meaning given to it in Ontario Regulation 239/02 – Minimum Maintenance Standards for Municipal Highways, such regulation being made under the authority of the *Municipal Act, 2001*.
2. The common law right of passage over each of the following highways is restricted by fully and completely removing such right of passage from any Bicycle Lane along them during the period commencing on October 15 in each year and extending to April 15 of the following year:
  - 2.1 Grey Road 1 from the intersection at East Linton Sideroad West north to the intersection of Kemble Rock Road;
  - 2.2 Grey Road 1 from 300 metres east of the intersection at Skinner’s Bluff to the westerly boundary of Grey County; and
  - 2.3 Grey Road 19 from the intersection of Grey Road 119 to the intersection of Highway 26.

3. By-law 5036-18 is repealed.
4. This By-law shall come into full force and effect upon the date of final passing thereof.

ENACTED AND PASSED this 26<sup>th</sup> day of September, 2019.

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WARDEN: Selwyn Hicks

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CLERK: Heather Morrison

