

# **Residential Street Sidewalk Snow Removal Presentation**

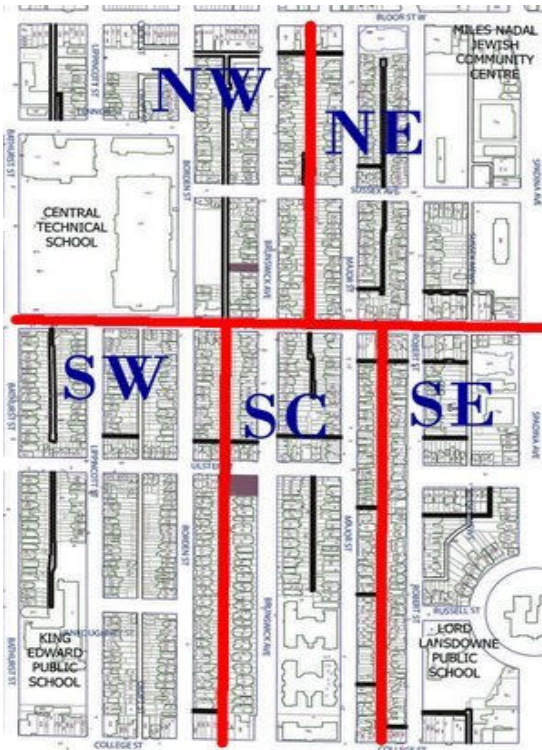
**City of Toronto  
2019 Budget Consultations**

**Thursday February 7, 2019  
Toronto City Hall**



# HVRA: Who We Are / What We Do

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- ◆ An Active Victorian-Design Downtown Neighbourhood
- ◆ Bounded by Bloor - Bathurst – College - Spadina
- ◆ As many as 600 Contributing Members
- ◆ Recent Interventions:
  - New in-street planters installed for traffic calming.
  - Completed a updated canopy/tree inventory with U of T forestry, first done a decade ago.
  - HVRA Traffic Study captured City-wide attention.
  - HVRA & ARA organized 65 RAs to support doubling of Councillor staffing budgets for new reduced council, to maintain service levels.
  - Mediated Settlement at LPAT for major U of T student housing resulted in a new parkette, protected heritage & created a sympathetic transition to neighbourhood.
  - HVRA Green Plan endorsed by City and used as a model for others.
  - Jan 2018\*: Letter to Mayor on snow clearing; he replies with a promise to review.



## BREAKING NEWS – Mayor to Transportation Services Feb 5, 2019

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Accordingly, to ensure that we are doing everything possible to deal with difficult and extreme winter weather, I believe it is time for a review of our winter operations. I would request that the review include:

- A study of our service levels around snow removal and whether they should be increased.
- The threshold for declaring a major snow event to trigger parking restrictions along key routes so those routes can be cleared quicker and more thoroughly.
- How we can establish a zero tolerance system for vehicles blocking streetcar routes to ensure they are removed immediately and that drivers face stiff penalties for this infraction.
- A look at best practices and technology used in other Canadian cities when dealing with snow and ice.
- The cost of clearing the sidewalks in the Toronto and East York community council area and a detailed look at the benefits of harmonizing the city's sidewalk clearing.

I believe this review is timely and important given the increasing unpredictability of our winter weather.

I look forward to seeing the results of this review in the near future.

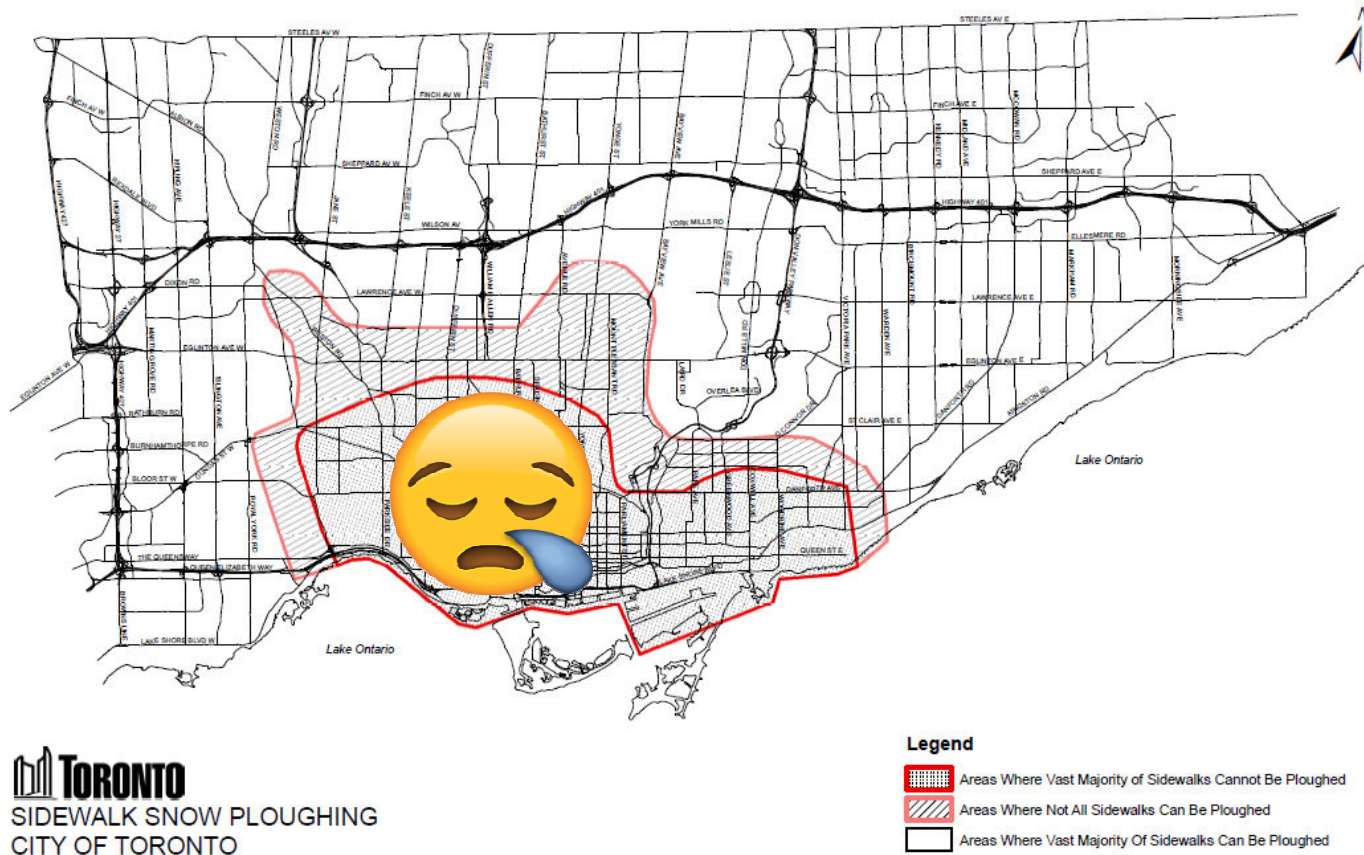
Sincerely,



John Tory



# Equity: The Case for Clearing Downtown Neighbourhood Sidewalks



- ◆ Tax rates are the same, but snow clearing is not!
- ◆ Why are the most used sidewalks... **the least cared for?**

Source <https://www.toronto.ca/wp-content/uploads/2017/11/988c-City-of-Toronto-Sidewalk-Plowing.pdf>



## **Cost Savings: The Case for Clearing Downtown Neighbourhood Sidewalks**

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- ◆ “A 2016 Toronto Public Health Report\* found there were almost 30,000 emergency department visits ...due to falls on snow or ice from 2006 to 2015:
  - ◆ **“Slips and falls on snow or ice costs the city about \$6,700,000 per year as a result of insurance liability claims.”** [P1\*]
  - ◆ “about 1,100km of sidewalks are not mechanically cleared (out of a total of 7,100 km of sidewalk in Toronto).” And, “challenges arise when snow accumulates on sidewalks rather than being cleared away.” [P7\*]
  - ◆ “This is most likely to occur in the areas of the former city of Toronto and East York which do not have mechanical snow clearing. These are also areas of the city that typically have higher pedestrian volumes meaning that higher numbers of people are affected by poor sidewalk conditions.” [P7/8\*]
- ◆ **But, the City of Toronto is still on the hook for liability claims even though a bylaw requires sidewalks to be cleared according to a 2000 Ontario Court of Appeal Decision...**

\*Source <https://www.toronto.ca/legdocs/mmis/2016/hl/bgrd/backgroundfile-97431.pdf>



# Bylaw Ineffective: The Case for Clearing Downtown Neighbourhood Sidewalks

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## Current Bylaw is not enforced:

- ◆ City Bylaw requires residents on non-serviced streets to clear ice and snow within 12 hours of a snowfall<sup>1</sup>.
- ◆ Enforcement is done on a complaint basis, but investigations of complaints take 3 weeks – meaning there is no enforcement. And few complaints. And rarely a conviction.

**From:** 311toronto <[311@toronto.ca](mailto:311@toronto.ca)>

**Date:** January 30, 2019 at 08:29:08 EST

**Subject:** Re: Sidewalk ice

**Reply-To:** [311@toronto.ca](mailto:311@toronto.ca)

Thank you for contacting 311 Toronto. We apologize for the delayed response and appreciate your patience at this time.

We have generated a service request to Right of Way Management for ice and snow complaint, and **this will be investigated within 3 weeks.**

1. <https://www.toronto.ca/services-payments/streets-parking-transportation/road-maintenance/winter-maintenance/clearing-snow-and-ice-from-your-property/>



## City is Liable: The Case for Clearing Downtown Neighbourhood Sidewalks

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- ◆ Ontario Court of Appeal in *Bongiardina v. City of Vaughn*, 2000-07-26\*:
- ◆ Court was asked “whether a municipal bylaw requiring residents to clear snow from the municipally owned sidewalks butting their residences can be relied on by the municipality to shift civil liability to the resident when it is sued by pedestrian who falls and is injured on the sidewalk.” [P4\*]
- ◆ The Court found that:
  - ◆ “S.284 of the *Municipal Act* imposes a duty on municipalities to keep highways (which include sidewalks) in a reasonable state of repair. It’s doubtful that any municipality could circumvent this duty by trying to impose a replacement duty on its own residents.” [P27\*]
  - ◆ “third parties did not owe a duty of care to pedestrians using the sidewalk adjacent to their home.... the by-law did not alter the common law duty.” [P29<sup>2</sup>]

\*Source: <http://www.ontariocourts.ca/decisions/2000/july/bongiardina.pdf>



## Accessibility: The Case for Clearing Downtown Neighbourhood Sidewalks



- ◆ Only one property owner not clearing the sidewalk renders it inaccessible for people with mobility issues and seniors. Whether 10% or 50% are not cleared (typically by habitual offenders), the result is the same; risk life and limb or remain trapped at home.

Source: Friends of Harbord Village Facebook page, image used with permission of Patricia Pyrka



**Harbord Village Residents' Association**

R. Stambula · Slide 8

## Safety: The Case for Clearing Downtown Neighbourhood Sidewalks

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- ◆ Pedestrians often forced to walk on roads.
- ◆ How does this align with “Vision Zero” goals?

Image source: @Rstambula, Twitter 29-January-2019, near King Edward School



**Harbord Village Residents' Association**

# Age in Place: The Case for Clearing Downtown Neighbourhood Sidewalks

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## Toronto's Seniors Strategy – Towards an Age-Friendly City

- ◆ Recommendation #19\*: “The City of Toronto will improve the accessibility of its sidewalks and crossings.”
- ◆ Snow Clearing for Seniors program only clears their frontage (must be applied for).
- ◆ Does not provide for safe routes to access public transit, shops, work, and daily life.
- ◆ Un-cleared sidewalks trap the elderly and disabled in their homes.
- ◆ Seniors on the City program in our neighbourhood report that snow is removed from the entire block by the City when they arrive....  
**... proving the fallacy of too narrow / too many obstacles.**

\*Source: Page 82, <https://www.toronto.ca/wp-content/uploads/2017/11/97e3-seniors-strategy-fullreport.pdf>



## If Bike Lanes: The Case for Clearing Downtown Neighbourhood Sidewalks

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### Bloor Street Bike Lane Westbound, West of Spadina

- ◆ Major expansion of bike lanes downtown brought new snow clearing requirements.
- ◆ Bike lanes, pinched between a sidewalk and a lane of traffic, are plowed.
- ◆ Downtown residential sidewalks are less challenging than this!

Image source: Robert Stambula, 01-February-2019.



**Harbord Village Residents' Association**

R. Stambula · Slide 11

## Technology: The Case for Clearing Downtown Neighbourhood Sidewalks

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- ◆ Age-old responses allege that equipment can't navigate downtown sidewalks and thus “the City is unable to provide this service..”<sup>1</sup>
- ◆ But full blocks are often done by the City when a Senior's sidewalk is done.
- ◆ Countless cities with narrow sidewalks manage to clear their sidewalks.  
**Toronto can too!**

1. <https://www.toronto.ca/services-payments/streets-parking-transportation/road-maintenance/winter-maintenance/clearing-snow-and-ice-from-your-property/>  
Image BY-CC: [https://commons.wikimedia.org/wiki/File:Mini\\_tractor\\_with\\_snow\\_plough\\_-\\_Market\\_Street,\\_Halifax\\_-\\_geograph.org.uk\\_-\\_1735034.jpg](https://commons.wikimedia.org/wiki/File:Mini_tractor_with_snow_plough_-_Market_Street,_Halifax_-_geograph.org.uk_-_1735034.jpg)



## A Bargain: The Case for Clearing Downtown Neighbourhood Sidewalks

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In 2011, MacLean's reported that:

“Sidewalk plowing appears to be one of the **great bargains of municipal governance**. Winnipeg, for example, manages to keep its sidewalks free from snow and ice for \$2 million a year, **or less than \$7 per household!** ”

Source <https://www.macleans.ca/news/canada/down-shovels-the-city-should-clear-the-sidewalks/>



# **The Case for Clearing Downtown Neighbourhood Sidewalks**

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## **Summary**

- ◆ Breaking News: Mayor Responds to Demands for Improvements
- ◆ Equity: Level Service Across the City
- ◆ Cost Savings with Better Service
- ◆ Current Bylaw Ineffective
- ◆ Accessibility
- ◆ Safety: Supports “Vision Zero”
- ◆ Aging: Supports the “Toronto Seniors Strategy”
- ◆ Bike Lanes are Cleared: Sidewalks are Equally Important
- ◆ Technology: Others Do It – We can Too!
- ◆ A Bargain!

