

CORPORATION OF THE MUNICIPALITY OF CALVIN

BY-LAW 2026-27

BEING A BY-LAW TO PROVIDE FOR HIGHWAY (ROAD) CLASSIFICATIONS, FOR THE PURPOSE OF MINIMUM MAINTENANCE STANDARDS CLASSIFICATIONS

WHEREAS Section 27 (1) of the Municipal Act, S.O. 2001, c.25 as amended from time to time, provides that a municipality may pass by laws in respect of a highway only if it has jurisdiction over the highway;

AND WHEREAS section 44(1) of the Municipal Act 2001, c.25 as amended, provides that the municipality that has jurisdiction over a highway or bridge shall keep it in a state or repair that is reasonable in the circumstance, including the character and location of the highway or bridge;

AND WHEREAS Section 44 (4) and (5) of the Municipal Act 2001, c.25 as amended, provides that regulations will be established by the Minister for minimum standards of repair for highways or bridges or any class of them and that the minimum standards may be general or specific in their application;

AND WHEREAS the Municipality of Calvin deems it appropriate to fulfill the requirements of Ontario Regulation 239/02, Minimum Maintenance Standards for Municipal Highways made under the Municipal Act, as amended from time to time;

NOW THEREFORE the Council of the Corporation of the Municipality of Calvin enacts the following:

1.0 PURPOSE

The purpose of this By-Law is to:

- 1.1** Clearly define the terms identified in the definition section of this By-Law;
- 1.2** Classify all roads within the Municipality, their levels of service, the patrolling requirements, and the maintenance period annually; and,
- 1.3** Identify signage where required for certain types of roads.

2.0 DEFINITIONS

- 2.1** **“Access Road”** as per the Road Access Act, R.S.O. 1990, c. R.34 as amended, means a road located on land not owned by a Municipality and not dedicated and accepted as, otherwise deemed at law to be, a public highway, that serves as a motor vehicle access route to one or more parcels of land.
- 2.2** **“Boundary Road”** means a road or street which is divided longitudinally or laterally and is under the joint jurisdiction of those municipalities. Both Municipalities are required to keep the highway open and maintained. By-laws are executed to determine who is responsible for the maintenance of these Boundary Roads.
- 2.3** **“Common Road”** as per the Road Access Act, R.S.O. 1990, c.R.34 as amended, means an access road on which public money has been expended for its repair or maintenance.
- 2.4** **“Forced Roads”** means a publicly used existing roadway on private land usually to get around an obstacle that prevents a road from being built on the surveyed public road allowance. Only the Municipality (and not the private landowner) is fully responsible and liable for any incidents or accidents that occur on forced roads. Widening Forced Roads requires the Municipality to negotiate with private landowners. The Municipality would need a survey, a transfer/deed from the registered owner, and a partial discharge of any mortgages affecting the private property.
- 2.5** **“Laneway Road”** means a Municipal Public highway or road allowance having a width of less than 12.0 meters.
- 2.6** **“Private Road”** means a road that has not been assumed by the Municipality, which provides access by means of a registered right-of-way to private property, and of

which the use, maintenance, and liability of the road are the responsibility of the abutting landowners, or the registered owner of the road itself.

- 2.7** **“Private Unassumed Road”** means a road that has not been assumed by the Municipality and maintained by a separate private individual/s, organization, or company other than by the Municipality. The public is allowed to travel on these roads and, since these roads have not been assumed by the Municipality for maintenance purposes, the responsibility for maintenance and liability of a Private Unassumed Road is that of private individuals, organization, or company. (*Road Signed-Unassumed Road, Not Maintained by the Municipality, Use at own Risk*)
- 2.8** **“Resource Access Road-Crown Land”** means, a temporary road built and maintained for the purpose of providing access to lands used for resource extraction such as mining, mineral aggregates and forestry and are not intended to provide access to residential or commercial land uses. A Resource Access Road is constructed across Crown Land and may be constructed by a Crown agency such as the Ontario Ministry of Natural Resources & Forestry or by the private sector with Crown approval. The road may be maintained by the Crown or through a maintenance agreement with the private sector. The public can use these Crown Land Resource Access Roads, but they cannot alter the road in any way. The Municipality has not assumed ownership or for maintaining Resource Access Roads-Crown Land and therefore is used at your own risk. (Road Signed – Unassumed Road, Not Maintained by the Municipality, Use at Own Risk)
- 2.9** **“Resource Access Road-Private Land”** means, a private non-permanent road constructed and maintained privately for the purpose of providing access to private lands used for resource development such as mining, mineral aggregates, and forestry. The public are prohibited (not allowed) to use Private Land Resource Access Roads, and therefore there is no trespassing on privately owned lands.
- 2.10** **“Seasonal Road-Annual Year”** means an opened road allowance used on a “courtesy” basis by the public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives **limited annual maintenance**. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under regulation Ontario 239/02. (Road Signed-Seasonal Road, Limited Maintenance.)
- 2.11** **“Seasonal Road-Partial Year”** means an opened road allowance used on a “courtesy” basis by the public with the understanding that the road, or portion thereof, is owned by the Municipality and which receives **limited maintenance** from June 1st to October 1st each year, and on which no winter maintenance is performed, with the exception of winter maintenance performed at the discretion of the Public Works Superintendent or designate to avoid damage to Municipal property or to repair or remove a potential threat to public health and safety. These roads are considered Class 6 Roads, not subject to Minimum Maintenance Standards under Ontario regulation 239/02. (Road Signed- Seasonal Road, Partial Year, Limited Maintenance from June 1st to October 1st, Use at Own Risk)
- 2.12** **“Unassumed Road”** means a road not owned by the Municipality and for which the Municipality has not assumed responsibility for maintaining and therefore is used at your own risk. (Road Signed-Unassumed Road, Not Maintained by Municipality, Use at Own Risk)
- 2.13** **“Unassumed Road Allowance”** means a road owned by the Municipality as they were originally surveyed during the province’s early settlement. These are public highways, owned by the Municipality, but are unopened and not maintained. The Municipality has no obligation to open or assume original road allowances, or to make passage over them easier for the public. The public is however able to “use” these unopened road allowances but cannot alter the road allowance in anyway.
- 2.14** **“Year-Round Maintained”** means a road which has been opened and assumed full responsibility by the Municipality or the Province of Ontario and is maintained year-round.

3.0 MUNICIPAL RIGHT-OF-WAYS

3.1 History/Ownership

Crown surveyors in Northern Ontario very often did not set aside Municipal “road allowances” between lots and concessions as was the case in Southern Ontario. Settlers created roads in locations convenient to them. The Corporation was, in many cases, incorporated after the network of roads had been created by others. Accordingly, the Corporation does not always technically own the land beneath the Municipal Highway. Even though it may not have “paper title” to the land, the Corporation is considered at law to be the legal owner, based on its having assumed and maintained the Municipal Highway without the objection from the paper title holder. Those paper title holders are considered to have “dedicated” the land to the Corporation. Consents to sever property shall have a condition attached to the approval to provide the Corporation the “paper title” to the land to correct the paper title.

3.2 Municipal “Road Allowance” Widths

The standard width of a Municipal Highway in Ontario, based on the original crown surveys, is sixty-six (66’) feet or approximately twenty (20) meters.

4.0 ROAD CLASSIFICATION

4.1 Classification for the purpose of this By-Law applies to Class 4,5, 6, 6A and 6B Year-Round and Seasonally Maintained Roads under the jurisdiction of the Municipality of Calvin. Classification has been established through the Annual Average Daily Traffic count completed in 2025, the speed limit and by the Minimum Maintenance Standards for Municipal Highways Ontario Regulation 239/02, amended from time to time. Classes 1,2 and 3 do not apply to the Municipality of Calvin and will not be described in this By-Law.

4.2 Classifications of Roads

Table 1-Classifications of Roads as per O. Reg 239/02

Average Daily Traffic (number of motor vehicles)	91 - 100 km/h speed limit	81 - 90 km/h speed limit	71 - 80 km/h speed limit	61 - 70 km/h speed limit	51 - 60 km/h speed limit	41 - 50 km/h speed limit	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

Table 2-Minimum Maintenance Standards Applicable to the Municipality of Calvin

Activity	Class 4	Class 5/6A	Class 6B
Patrolling Frequency Snow Accumulation-On Roadways	1x every 14 days	1x every 30 days	As needed
	Depth:8cm Response Time:24 hours	Depth:10cm Response Time:24 hours	No Snow Removal Road Widening of Snowbanks when required.
Snow Accumulation-On Bike Lanes	Winter: additional representative roads patrolling required for winter conditions Depth 8cm Time:24 hours	Depth: 10cm Time:24 hours	N/A
Ice Formation Prevention	Time: 24 hours	Time:24 hours	N/A
Treatment-Icy Roadways	Time:12 hours	Time:16 hours	N/A
Weather Monitoring	Oct. 01 to April 30: 1x per shift or 3x per day/May 01 to Sept. 30 1x per day		
Significant Weather Event Declared by Municipality	<p>Definition: Approaching or occurring weather hazard with the potential to pose a significant danger to users of highways within the municipality and the weather event will not allow the municipality to be able to meet the MMS. The Municipality deems to be in a state of repair.</p> <p>The Municipality must declare the event beginning and end. The Municipality must also:</p> <ol style="list-style-type: none"> 1. Post a notice on the municipality's website. 2. Announce on Social Media platforms. 3. Send a press release or similar communication through the internet, radio or television. 4. Notify police services. 		
Potholes on paved surfaces	Area: 1,000 cm Depth: 8cm Time: 7 days	Area:1,000 cm Depth: 8cm Time: 7 days	N/A
Potholes on non-paved surfaces (gravel)	Area: 1,500 cm Depth: 10 cm Time: 14 days	Area: 1,500 Depth: 12 cm Time: 30 days	2x per year grading during summer or when required. Time: 60 days
Potholes On Shoulders	Area:1,500 cm Depth: 10 cm Time: 30 days	Area: 1,500 cm Depth: 12 cm Time: 30 days	N/A
Shoulder Drop Offs	Deeper than 8 cm, continuous distance of 20 meters		
Table Cracks	Time: 14 days	Time: 30 days	N/A
	Greater than 5 cm wide and 5 cm deep for a continuous distance of 3 meters or more Time:180 days	Time: 180 days	N/A
Signs If any of the following signs are illegible, improperly oriented, obscured or missing, standard requires to deploy resources as soon as practicable after becoming aware	Checkerboard Stop Ahead	Stop Sign Stop Ahead New	
	Curve signs with speed advisory Wrong way Load Restriction Bridges Low Bridge Ahead Schol Zone Speed Reduction Yield Yield Ahead New	Traffic Signal Ahead Do Not Enter Low Bridge One Way Wrong Way Yield Ahead	Time: 30 Days All Classes
All Other Regulatory Sign	Time: 30 days	Time: 30 days	Time: 30 days
Bridge Deck Spalls	Area 1000cm ³ Depth: 8cm Time: 7 days	Area 1,000cm ³ Depth: 8 cm Time: 7 days	Time 7 days
Roadway Surface Discontinuities	Height: 5cm Time: 21 days	Height: 5 cm Time: 21 days	Time: 21 days
Roadway Surface Discontinuities on a Bridge Deck	A surface discontinuity on a bridge deck is deemed to be in a state of repair if it is less than 5 cm. If more than 5cm the standard is to deploy resources as soon as practicable once aware once aware of the fact to repair.		

4.3 **Class 6 Roads**-Ontario Regulation 239/02 does not apply to Class 6 roads. To describe the level of service class 6 roads shall receive two categories will comprise the level of service they will receive.

4.4 **Class 6A Roads**- Class 6A Roads receive year-round maintenance, and will be treated as Class 5 roads, and maintained accordingly using Ontario Regulation 239/02.

4.5 **Class 6B Roads**- Class 6B are Seasonal-Partial Year Roads and will be maintained using Table 2.

5.0 **MUNICIPAL ROAD LISTING**

Road Section	Daily Traffic Count 2025	Speed Limit	Road Class
Adams Road Between Highway 630 and Pratt Rd	93	60 km/hr	5
Adams Road Between Brule Rd. and Pratt Rd.	58	60 km/hr	5
Adams Road Between Brule Rd. and end.	6	60 km/hr	6A
Brule Rd Between McLaughlin Rd and Adams Rd	28	60 km/hr	6A
Brule Rd Between Adams Rd and Galston Rd	50	60 km/hr	5
Brule Rd Between Galston Rd and Peddlers Drive	92	60 km/hr	5
Booth Rd	46	50 km/hr	6A
Boundary Rd Between Highway 17 and Peddlers Drive	326	70 km/hr	4
Boundary Road Between Peddlers Drive and Homestead Road	Year-Round Maintained by Papineau-Cameron Township		
Bronson Lake Rd Ending at 415 Bronson Lake Road	11	60 km/hr	6A
Beach Rd (Portion of)	2	50 km/hr	6A
Donalds Rd	8	60 km/hr	6A
Daventry Rd Floods Rd to Homestead Rd	64	60 km/hr	5
Daventry Rd Between Homestead Rd and Peddlers Dr	72	60 km/hr	5
Gated Rd (Portion of)	2	50 km/hr	6B
Floods Rd (Portion of)	4	60 km/hr	6
Stewarts Rd	16	50 km/hr	6A
Homestead Rd Between Boundary Rd and Daventry Rd	99	60 km/hr	5
Homestead Rd	49	60 km /hr	6A

Between Daventry Rd and Hwy 630					
Pratt Rd Between Adams Rd and Galston Rd	20		60 km/hr		6A
Pratt Rd Between Adams Road and 234 Pratt Road	2		60 km/hr		6A
Peaceful Lane	4		50 km/hr		6A
Pautois Road	2				
Peddlers Drive Between Boundary Rd and Daventry Rd.	288		70 km/hr		4
Peddlers Drive Between Donalds Rd and Hwy 630	216		70 km/hr		4
Peddlers Drive Between Hwy 630 and Peaceful Lane	72		40 km/hr "Community Safety Zone" due to playground/rink/ball field		5
Peddlers Drive Between Galston Rd. and Brule Rd.	63		60 km/hr		5
Peddlers Drive Between Brule Rd and Mount Pleasant Rd	135		60 km/hr		5
Mount Pleasant Rd. Between Peddlers Road and Moreau Rd.	163		60 km/hr		5
Mount Pleasant Road From North of Development Rd to 465 Mount Pleasant Rd.	2		60km/hr		6A
Latimer Lane From Mount Pleasant Rd. to 102 Latimer Lane	6		50 km/hr		6
Moreau Rd	57		60 km/hr		6
Twilight Camp Road	50		50 km/hr		5
Suzannes Rd East of Donalds Rd	6		60 km/hr		6
Suzannes Rd Between Donalds Rd and Hwy 630	11		60 km/hr		6
Suzannes Rd to Municipal Boat Launch	31		50 km/hr		6

6.0 SEVERABILITY

- 6.1** It is hereby declared that each and every of the foregoing provisions of this By-Law are severable and that, if any provision of this By-Law should for any reason be declared invalid by any Court, it is the intention and desire of Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

7.0 ENACTMENT

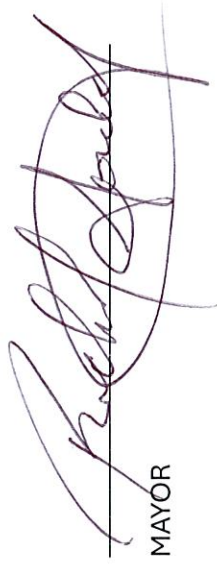
- 7.1** This By-Law shall be known as the "**Road Classification By-Law**".

- 7.2** This By-Law shall come into force and take effect on the date that it is passed.

8.0 REPEAL

8.1 This By-Law shall supersede and repeal By-Law 2016-020 and shall form and be replaced in the East Nipissing Planning Board's Official Plan.

THIS BY-LAW HAS BEEN PASSED IN A PUBLIC SESSION OF COUNCIL, ON THE 09th DAY OF JUNE, 2026.


MAYOR


CLERK, CAO