

THE DISTRICT MUNICIPALITY OF MUSKOKA

BY-LAW NO. 2016-4

Being a by-law to prescribe an annual
reduced load period

WHEREAS pursuant to sections 23.2 (1), (4) and (5), 27 (1) and 28 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended ("the Municipal Act"), and section 122 (7) of the Highway Traffic Act, R.S.O. 1990, c. H.8, as amended ("the Highway Traffic Act"), Muskoka District Council may, by by-law, may designate an individual to determine the date on which a reduced load period shall start or end and the roads within the Muskoka District Road System to which the designation applies;

AND WHEREAS a reduced load period is deemed necessary for the protection of certain roads in The District Municipality of Muskoka;

NOW THEREFORE the Council of The District Municipality of Muskoka ENACTS AS FOLLOWS:

A. Interpretation

1. In this by-law, "reduced load period" means a reduced load period within the meaning of section 122 of the Highway Traffic Act.

B. Reduced Load Period

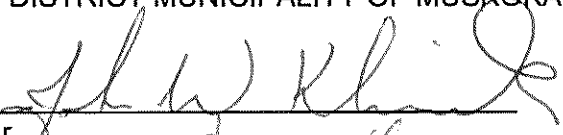
2. Subject to sections 3, 4 and 6 herein, a reduced load period for all roads within the Muskoka District Road System shall commence at 12:01 a.m. on the 1st day of March and shall remain in effect until 11:59 p.m. on May 31, each and every year.
3. The designation in this by-law shall apply to all roads within the Muskoka District Road System, except the roads, or parts thereof, specified in Schedule "A" hereto.
4. Notwithstanding anything herein to the contrary, section 2 shall only apply during such times when and where official signs advising of the reduced load period have been erected.

C. Implementation

5. The Commissioner of Engineering and Public Works or their designate shall be and is hereby authorized, directed and empowered to obtain, install and maintain such signage as may be necessary to implement this by-law.
6. The Commissioner of Engineering and Public Works or their designate shall be and is hereby authorized to extend or shorten the reduced load period as deemed necessary to protect the highway infrastructure.
7. In exercising the delegation described in section 6 of this by-law, the Commissioner of Engineering and Public Works, or their designate, shall have regard for the following:
 - (i) whether or not the condition of the road is suitable for sustaining full loads on an ongoing basis and it is appropriate to terminate or extend the reduced load period for that road or portion of road;
 - (ii) the status of flooding, ground water, spring melt and other conditions that may result in the road or portion of the road being unsuitable for sustaining full loads; and
 - (iii) Determining criteria for extending or shortening the reduced load period shall include but not be limited to the adequacy of the road base to withstand fully loaded vehicle and the adequacy and safety of the road surface to withstand fully loaded vehicles.
8. The delegation described in section 7 may be exercised on either a whole of a road or a portion of a road basis.

- D. General
- 9. By-law 2015-8 shall be and is hereby repealed.
- 10. This by-law shall come into force and take effect on the date that it receives third reading.

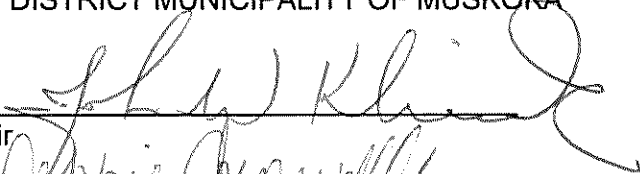
READ A FIRST AND
SECOND TIME: February 16, 2016

THE DISTRICT MUNICIPALITY OF MUSKOKA
Per: 

Chair


Clerk

READ A THIRD TIME
AND FINALLY PASSED: February 16, 2016

THE DISTRICT MUNICIPALITY OF MUSKOKA
Per: 

Chair


Clerk

SCHEDULE "A" TO BY-LAW 2016-4

REDUCED LOAD PERIOD

PORTIONS OF MUSKOKA DISTRICT ROADS TO WHICH REDUCED LOAD PERIOD DESIGNATION DOES NOT APPLY

District Road No.	From	To
<u>Town of Huntsville</u>		
2	West limit of K.H. # 11 in Lot 10/11, Con. II, Chaffey	North limit of Kinsmen Beach Road in Lot 10, Cons. III and IV, Chaffey
2	East limit of K.H. # 11 in Lot 10/11, Con. II, Chaffey	North limit of DR # 3 (King William Street)
3	South limit of K.H. # 60 in Lot 17, Con. II, Chaffey	Lot line between Lots 26/27, Con. I, Stisted (Domtar Road)
3	North limit of K.H. # 11 in Lot 18, Con VI, Chaffey	Southerly Access Road, Lot 19, Con III, Chaffey
10	West limit of K.H. # 11 in part Lot 19, Con VI, Stephenson	East limit of Lot 21, Con VI, Stephenson
<u>Town of Bracebridge</u>		
4	East limit of DR # 118 (Wellington Street)	0.4 kms. north of the intersection of DR # 4 and DR # 47
14	North limit of DR # 37 (Entrance Drive)	20 metres (66') east of Finch Road
16	South limit of DR # 37 (Manitoba Street)	North limit of DR # 118 (Wellington Street)
17	South limit of DR # 118 in Con. XI, Draper	West limit of Lot 5, Con. X, Muskoka
37	West limit of K.H. #11 in Con. XI, Draper	DR # 4 and McDonald Street Intersection
46	South Limit of DR # 117 in Lot line between Lots 15/16 Con VII, Macaulay	Northerly Access Road in Lot 17, Con IX, Macaulay

District Road No.	From	To
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Town of Gravenhurst

17	East limit of DR # 18 in Lot 20, Con. IV, Muskoka	West limit of DR # 41 in Lot 20, Con. IV, Muskoka
18	West limit of DR # 169 in Lot 5, R.E.M.R., Muskoka	North limit of DR # 17 in Lot 20, Con. IV, Muskoka
19	West limit of K.H. # 11 in Lot 26, Range West, Morrison	West limit of Sedore Road in Lot 26, Range West, Morrison
41	North east limit of DR # 169 In Lot 12, Con. V, Muskoka	West limit of K.H. # 11 in R.E.M.R., Lot 5, Muskoka

Township of Muskoka Lakes

24	East Limit of Hwy # 141 in Lot 37, Con A, Watt	600m west of Hwy # 141, Part Lot 37, Con A, Watt
35	North limit of DR # 4 in Lot 11, Con. VI, Watt	North limit of DR # 35

Multiple

117	West limit of K.H.#11 in Lot 9, Concession VI, Macaulay	West limit of K.H. # 35 in Lot 28, Concession "B", Ridout
118	West limit of K.H.#11 in Lot 2, Concession X, Muskoka	East limit of DR # 169 in Lot 18, Concession III, Medora
169	West limit of K.H.#11 in Lot 5. R.E.M.R., Muskoka	East limit of K.H.#69 in Lot 3, Concession IX, Medora

Notes:

"DR" means Muskoka District Road
 "K.H." means King's Highway