

SNOW AND ICE REMOVAL IN ONTARIO: A CALL FOR CHANGE

LANDSCAPE ONTARIO is the province’s premier horticultural trades association. Through its Snow and Ice Management Sector group, it works with contractors and municipal managers, commercial and multi-residential property managers, technical staff, and business owners to educate on industry best practices through the Smart about Salt program, and find solutions to issues we are all facing when it comes to snow and ice management.

Safety and environmental protection are the two primary obligations of our industry, which employs over 8,000 snow and ice management contractors and provides an essential service to Ontarians. Today, those obligations are in direct conflict with each other due to the overuse of salt caused by liability concerns.

There is no doubt that excessive salt use has a negative impact on the environment — and that the current system puts snow and ice contractors at a disadvantage. That’s why Landscape Ontario is seeking legislative change and the establishment of technical standards — to create a win-win-win for public safety, the economy and the environment.

THE REQUEST

Landscape Ontario seeks to achieve the following goals through legislative reform and the establishment of technical standards:

- Create safe road conditions for Ontarians while respecting the natural environment;
- Reform the liability system by balancing risk to all involved in site management in winter; and
- Establish a regulatory framework for snow and ice management in Ontario.



KEY CONSIDERATIONS Safety and the Environment

- High levels of chloride from winter salt use can harm water resources, aquatic life, soils, vegetation and infrastructure.
- Changing weather patterns are making prediction more difficult. It’s also causing freeze-thaw cycles and extreme weather events that can result in “oversalting” to address ice build-up and mitigate potential slip and fall claims.
- Mandating lower salt use on public highways and roadways is not enough to address salt-related environmental damage.
- Private parking lots and roadways are also major contributors to the problem and we all need to work toward solutions.
- The existing Smart About Salt program offers training to both contractors and facility owners, but the implementation of best practices is being hampered by liability risk.



LIABILITY

- Liability risk from slip and fall claims and the accompanying demands from property owners are the most important factors currently preventing us from reducing salt use.
- Property owners demand oversalting to avoid slip and fall risks. In doing so they pass along the responsibility for liability, ecological and infrastructure damage to snow and ice contractors.
- A regulated snow and ice management system, supported by a strong legal framework to indemnify contractors if they are certified, would allow snow and ice operators to greatly improve salt management.
- Slip and falls continue to harm our industry despite the passing of Bill 118.
- The issues affecting the industry have been discussed in other jurisdictions which led to the solutions being suggested, such as in New Hampshire and the ASCA legislations.
- Ontario needs its own solution to the identified issues which is fair to all, and we have a plan to make that happen through legislative change to balance the liability equation, required training and accreditation.

WHAT HAPPENS IF WE DO NOTHING?

- Oversalting puts our natural environment at risk, and it will continue unless legislative changes are made to regulate the industry and address the liability concerns.
- Contractors will continue to leave the industry due to the high operating costs — and those who do remain in business will face limited insurance options, forcing them to oversalt.
- Oversalting will harm our freshwater systems, drinking water, vegetation, and wildlife.
- We will have less competition in the sector leading to increased cost, less accessibility for the Ontario consumers, and poor-quality snow and ice management.
- Municipalities will struggle to find snow and ice contractors – as we have already seen in The Town of the Blue Mountains, which put out to tender snow removal contracts and receive no bids in 2022.
- Ontarians’ ability to get to work and school, and access emergency services 24/7 will be compromised.

Landscape Ontario’s Snow and Ice Sector is seeking support as it works to reform the current liability system and create a regulatory framework. Regulating the snow and ice industry will increase consumer protection, help better manage the province’s roadway infrastructure, reduce snow and ice removal costs, and protect the environment from the impacts of oversalting.