



**Complete  
Streets**

**tcat** toronto centre for  
active transportation 



January 28, 2012

Michael DeRuyter, Policy Officer  
Ministry of Transportation  
Policy and Planning Transportation Services  
Transportation Planning Branch  
Environmental Policy Office  
301 St. Paul Street, Floor 2  
St. Catharines, L2R 7R4

**Re: Ontario Ministry of Transportation Cycling Strategy, EBR Registry Number: 011-7552**

Dear Mr. DeRuyter,

I am writing to you on behalf of the Toronto Centre for Active Transportation (TCAT), a project of the registered charity Clean Air Partnership. TCAT conducts research, develops policy recommendations, and creates opportunities for knowledge sharing, all with the goal of providing evidence and identifying workable active transportation solutions. Within this capacity, TCAT has established itself as a respected voice on matters concerning the safety of cyclists and pedestrians.

We would like to thank you for the opportunity to comment on the Ontario Ministry of Transportation (the Ministry) draft Cycling Strategy. We acknowledge the significance of the policy framework and strategic direction provided at the provincial level. The role of the Ministry cannot be underestimated in increasing the modal share of cycling and improving safety for all road users. The Cycling Strategy should clearly reflect the vision, values and actions of the provincial government and be translated into tangible action items for the Ministry and other provincial ministries, municipalities, the not-for-profit sector, and cycling associations.

We begin our comments by describing two key issues that are not currently addressed in the draft strategy. We then move on to specific feedback to the Cycling Strategy document released Nov 30, 2012.

### **Missing from the Strategy**

#### **i. The need for targets to measure success**

There are no targets to measure whether the strategy is a success. In Section 1, statistics are provided that indicate that cycling is a vital mode of transportation but the rest of the document lacks metrics to indicate the level of funding that cycling initiatives will receive (apart from Metrolinx's The Big Move), targets to improve cycling mode share, and targets to improve safety for cyclists. For example, a potential target could be the number of kilometers of paved shoulders added within a given timeframe.

#### **ii. Complete Streets policy**

The Chief Coroner of Ontario's "Cycling Death Review" recommended the adoption of a province-wide Complete Streets policy. We are encouraged that the Ministry has included a Complete Streets approach in its 2012 Transit-Supportive Guidelines and we envision that the Cycling Strategy would also provide direction regarding the adoption of a Complete Streets policy, not only for the Ministry itself, but also for Ontario municipalities. A Complete Streets policy ensures that the entire street network is consistently designed and operated for all ages, abilities, and modes of travel, including cycling.

For more information on Complete Streets, please see TCAT's Complete Streets for Canada website ([completestreetsforcanada.ca](http://completestreetsforcanada.ca)) that is designed to be a policy and design resource for Canadians, with an initial focus on Ontario communities.

## **Cycling Strategy Comments**

### **Section 1 – Context: Cycling in Ontario: Benefits of Cycling**

We suggest the following changes to this section:

- Promotes an accessible and equitable transportation system: cycling provides a cost-effective transportation option for people of all ages and abilities regardless of whether they cannot, or choose not to, drive. Cycling also acts as a supportive link between walking, public transit, and car trips. These are important benefits missing from the current draft.
- Providing economic development opportunities: we agree on the economic potential of cycling tourism in the province of Ontario. In addition, we would like to emphasize that commuter cycling also has the potential to contribute significant economic value to local communities such as employment opportunities and retail sales. For example, several research studies (including TCAT's "Bike Lanes, On-Street Parking and Business" reports, available at: <http://tcat.ca/node/1525>) have found that people arriving by foot and by bike visit local stores more often and spend more money, while drivers visit less often and spend less, and that the majority of merchants believe that improving conditions for cyclists and pedestrians would increase or not change their daily number of customers. (TCAT 2009 and 2010).

### **Section 1 – Context: Cycling in Ontario: What We Are Doing at the Ministry of Transportation: Infrastructure**

TCAT is supportive of the two shoulder-paving pilot projects initiated by the Ministry on Manitoulin Island and the Bruce Peninsula. TCAT recommends that the Ministry:

- Initiate shoulder paving projects (1) closer to urban areas where there are more cyclists and (2) establish realistic targets to ensure that shoulders become paved for cyclists (i.e. tracking number of kilometers added by a specific year).
- Implement changes to the Highway Traffic Act to legally permit cycling on paved shoulders, as further discussed below under the heading "Legislation that Provides for the Safety of Cyclists."

## **Section 2 – A Cycling Strategy for Ontario's Ministry of Transportation**

### **2.1 Enhancing Cycling Infrastructure in the Province: Leading the Identification of a Province-Wide Cycling Network**

TCAT supports the identification of a province-wide cycling network. To improve and expand on this network we recommend:

- That the Ministry create a dedicated annual fund for municipal cycling infrastructure projects.
- The current draft strategy says: "When the Ministry plans infrastructure projects for future funding... it will evaluate on a case-by-case basis whether the addition of a cycling component is warranted..." TCAT believes that the addition of a cycling component is *always* warranted in new projects to improve conditions for cycling and should be included *on a routine basis*. What exactly that component should be (whether a bike lane, off-road trail, paved shoulder, improved connection, etc.) does require evaluation on a case-by case basis, however.
- Greater consultation between the province and municipalities in delivering cycling infrastructure especially when the cycling network is supported through a municipal plan and/or policy (e.g., Transportation Master Plan, Official Plan). As an example, the Ministry could dedicate a percentage of its capital budget to the construction of bicycle lanes, physically-separated bicycle lanes and/or cycling pilot projects while prioritizing projects that have municipal support through local policy.

- A clear set of criteria needs to be developed to determine the prioritization of cycling projects based on its own benefits (i.e. providing a connection) and not only through association with a road construction/rehabilitation project. Further detail is required to describe what is meant by the bulleted list of priority projects including "have no viable alternative route" and "have a demonstrated demand for cycling". Also required is the method by which to measure these aspects in a consistent manner.
- That the Ministry will plan, fund, and construct cycling facilities on provincial highways (excluding 400-series highways) and highway crossings. This can be done at the time of highway construction or during highway reconstruction and rehabilitation. Emphasis should be placed on provincial highways that divide local cycle networks.
- That, in addition to municipalities, the Ministry engages with cyclists or cycle organizations directly to gain additional local knowledge.
- Clarify that off-road trails are to be paved. While TCAT supports routes that are traffic free we believe that the primary cycling network should be paved to provide a viable option for all types of bicycles. The term "trail" implies a potential for unpaved sections of the network, which would be unsuitable for most bicycles. This definition should be included in the Glossary as further discussed below under the heading "Glossary."

## **2.1 Enhancing Cycling Infrastructure in the Province: Supporting Municipalities in the Development of Local Cycling Networks**

TCAT is supportive of the goal set out at the beginning of this section: "The Ministry does not want its infrastructure to be a barrier to existing municipal routes". However the reality is that existing provincial infrastructure *does* create a barrier preventing the implementation of local cycling routes. To remedy this, TCAT suggests the following:

- The Ministry should work in active partnership with municipalities to identify where current barriers exist that are under the jurisdiction of the Ministry and to implement a solution to address these barriers.
- Work towards diligently releasing updated bikeways planning and design guidelines to empower municipalities to complete cycling networks across provincial highways and interchanges.

## **2.2 Enhancing Cycling Safety through Education and Legislation: Public Education for Cyclists and Drivers**

TCAT believes that the Ministry should play a greater role to improve cyclists' safety and to help educate the public on the rights of cyclists as legitimate road users under the HTA. We recommend that the Cycling Strategy incorporate the following:

- That the Ministry develop a "comprehensive cycling safety public awareness and education strategy, starting in public schools, and continuing through the purchase of every new and used bicycle and through driver's license testing." (from the 2012 Office of the Chief Coroner Cycling Death Review)
- That the driver's handbook be updated more often to reflect changes in the road environment and new cycling infrastructure (e.g. sharrows, bike boxes, bicycle left-hand turns, etc.)
- That the Ministry develop and implement a public education campaign to accompany the introduction of new types of cycling infrastructure and treatments.
- That the Ministry ensure that its resources (i.e. publications and data) are more readily accessible and available. For example, the 1992 Ministry Bicycle Policy is referenced in this draft Strategy but it does not appear on the Ministry's website.

## **2.2 Enhancing Cycling Safety through Education and Legislation: Legislation that Provides for the Safety of Cyclists**

The purpose of the HTA is to promote safety on Ontario's highways. However, because it was first enacted to respond to motorized vehicles, it does not appropriately address cyclists and the interaction between motorized traffic and non-motorized traffic. This presents two problems: First, it is inconsistent with current traffic and land-use planning practice to prioritize active transportation; and second, it does not meet the objective of the Act.

On several different occasions in recent years the HTA has undergone exhaustive reviews to provide consistency, clarity and improvement within the HTA specific to cyclists. These reviews include:

- The Regional Coroner for Toronto's 1998 "Recommendations for reducing cycling injuries and death" pointed out that the HTA "presently does little to clarify how bicycles interact with other traffic on our roads". Appendix B of the Coroner's report provided a list of recommendations that address concerns and questions specific to the needs of cyclists. This list can be found here: [http://www.toronto.ca/cycling/reports/coroner/coroner\\_appendix.htm#amendments](http://www.toronto.ca/cycling/reports/coroner/coroner_appendix.htm#amendments)
- In December 2010, TCAT participated in a "Public and Community Stakeholders Survey – Amendments to the Highway Traffic Act to Support and Promote Active Transportation" led by the Regional Public Works Commissioners of Ontario (RPWCO). TCAT solicited feedback from a wide group of stakeholders and prepared a detailed response to this survey. A full list of our recommendations can be found here: <http://tcat.ca/node/1504>.
- In January 2013, TCAT participated in the Ministry's stakeholder consultation on legislative changes currently under consideration. Detailed feedback was provided at that meeting on the following issues:
  - Mandatory helmets. TCAT is in support of helmet promotion but opposed to helmet legislation. In 1998 the Regional Coroner of Toronto concluded: "Many articles have been published expounding the virtues of bicycle safety helmets in prevention of both significant head injuries and death. Several reports refute these claims and suggest that in jurisdictions where cycling helmet use has been legislated, there has not been a significant reduction in either injury or fatalities, and that bicycle use has declined because of the requirement to wear a helmet. Both sides would agree that helmets are an asset, but not a panacea. The helmet does nothing to prevent a collision." In 2012 the provincial Coroner recommended that a full study of the impacts of a mandatory helmet law should be undertaken before determining if a helmet law would have a net positive impact on cycling activity in Ontario.
  - 1-Meter Passing law. TCAT is in support of new legislation that mandates motor vehicles provide bicycles with a minimum of one metre of space when overtaking. This was a recommendation in both the 1998 and 2012 coroner's reviews and was introduced to the legislature in 2010 as Bill 74 (<http://www.cheridinovo.ca/blog/bill-74-one-metre-law/>). TCAT further recommends that drivers leave a safe passing distance when travelling *behind* a bicycle.
  - Cycling on paved shoulders. TCAT recommends that the HTA be amended to legally permit cycling on paved shoulders to improve the safety and comfort of the cycling experience. However cyclists should not be "required" to use the paved shoulder.
  - Contra-flow bicycle lanes. TCAT is in support of the Ministry amending the HTA to clarify that these lanes are permitted, and indeed that municipalities should be encouraged to implement these lanes where possible.

### **2.3 Ensuring Relevancy through Monitoring, Researching and Coordinating Monitoring and Research**

Communication strategies related to the Ministry's Monitoring and Research, and Coordination efforts could be strengthened. TCAT encourages the Ministry to:

- Provide a clear vision with objectives tied to short-term and long-term timelines, e.g. identify priority cycling facility projects to improve interchange crossings based on volumes, collision data and site conditions.
- Take the lead in monitoring 'best practice' cycling policy and infrastructure treatments to ensure coordination, consistency, and dissemination of best practices across the province. This could include monitoring mode-share increases in cycling in municipalities across the province, ensuring that Ontario's cycling infrastructure is keeping up with international best practices, etc.
- Gather data and opinions from cyclists through citizen cyclist focus groups to help municipalities prioritize projects and understand the 'user end' perspective of infrastructure.

### **Glossary**

In addition to those provided, we suggest the inclusion of the following definitions to ensure increased accuracy and clarity about cycling in the province of Ontario.

- Active Transportation - means human-powered travel, including, but not limited to, walking, cycling, inline skating, skateboarding and travel with the use of mobility motorized wheelchairs.
- Complete Streets - Complete Streets provide safe access for all road users including pedestrians, cyclists, public transit users, and motorists of all ages and abilities. Complete Streets policies ensure that transportation agencies routinely design and operate the entire right-of-way to enable safe access for all users.
- Cycling - refers to the act of riding a bicycle, tricycle or other similar vehicles, but does not include any vehicle or bicycle propelled or driven by any power other than muscular power.
- Each and every different type of bicycle infrastructure (e.g. on-street bicycle lanes, off-road trails, etc.) should be defined to clarify the distinguishing characteristics and standards of each. This is needed not only to inform the general public but also the municipalities who are building this infrastructure.

### **Appendix A – Types of Bikes in Ontario: Electric Bicycles (“e-bikes”)**

In 2009, TCAT was one of the organizations invited by The Ministry to provide input into e-bike regulations (<http://tcat.ca/node/450>). As a result, we were pleased to see that new safety requirements were legislated. However one key concern with the new legislation is that the Province decided not to make a decision about whether or not e-bikes can be used in bike lanes and bike paths, leaving this to individual municipalities to decide. TCAT’s position is that while we support the use of electric bikes (e-bikes) as a low-carbon means to travel around the city, bike lanes and bike paths should be used exclusively for non-motorized powered vehicles.

### **In Conclusion**

The vision as noted in the introduction by The Honourable Bob Chiarelli, Minister of Transportation, “...a safe cycling network that connects the province, for collision rates and injuries to continue to drop, and for everyone from the occasional user to the daily commuter to feel safe when they get on a bicycle in Ontario” speaks to both decision-makers at the municipal level and the individual Ontarian. While the Cycling Strategy is a satisfactory first step in describing Ministry activities and delegated responsibility, the level of commitment and evidence of clearly defined actions and expected results as presented in the document will not fulfill this vision on a significant scale and the ‘status quo’ will undoubtedly remain.

Thank you for your outreach to the community for feedback on this important initiative. We welcome a further discussion with the Ministry should clarification be required for any of our recommendations.



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