



REVISED Member Motion

City Council

Notice of Motion

MM30.4	ACTION			Ward:All
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Single File Riding By-law - by Councillor Karen Stintz, seconded by Councillor Josh Colle

** Notice of this Motion has been given.
* This Motion is subject to referral to the Public Works and Infrastructure Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Karen Stintz, seconded by Councillor Josh Colle, recommends that:

1. City Council direct the City Solicitor, at the time Municipal Code Chapter 950 becomes enforceable, to submit a bill to delete Subsection 950-201A from Chapter 950, Traffic and Parking.
2. Following the repeal of Municipal Code Section 950-201A, City Council direct the General Manager, Transportation Services to provide recommendations for municipal by-laws necessary to ensure the safe and equitable use of Toronto's roadways by cyclists and other road users, as part of the by-law review process recommended by the Ontario Chief Coroner's report on Cycling Deaths.

Summary

Ontario Highway Traffic Act

The introduction of Municipal Code Chapter 950, Section 950-201(A) would restrict all cyclists from riding in any configuration other than single file, at any time of day, on every Toronto street.

In certain cases it is possible for road users to reasonably share the road, without creating congestion or road safety issues:

- On residential, collector, or arterial roads where there are sufficient lanes for cyclists ride two abreast, such that faster vehicles may pass these road users using adjacent traffic lanes; and
- At times of day when the traffic volumes are low.

At times when these conditions are not in place, and the roadway must be shared by cyclists and other road users, the appropriate behaviours are legislated according to Section 148(1) of the Ontario Highway Traffic Act. This section of the Act requires cyclists to responsibly position themselves on the right side of the roadway when a faster vehicle approaches to pass. A charge may be laid for “failing to move right to be overtaken”. The fine for this charge is \$85.

Cyclists are therefore legislated by the Highway Traffic Act to not block the roadway. An additional municipal By-law stipulating that cyclists must 'ride single file' in situations where they are not blocking or disrupting traffic around them is unnecessary, and may invite situations which are less safe for cyclists.

Pre-Amalgamation By-laws

Pre-amalgamation Etobicoke was the only former district to pass a By-law against single file riding on all streets (including residential streets), at all times. The fine for this Etobicoke Municipal Code 240 section 6(A)(2) is \$85.

In the former Cities of Toronto, North York, Scarborough, East York and York, municipal By-laws did not stipulate that cyclists must ride single file on residential and most collector streets.

For all former districts, Metro Toronto By-law 32/92 Sec 14(2) they may be fined \$3.75 if they are not riding single file on street which were maintained by Metro – this is to say on arterial roadways only.

By-law Consolidation Process

A process is currently underway to consolidate various pre-amalgamation By-laws which are still on the books from the former City of Toronto, Etobicoke, North York, Scarborough, East York, York, and Metropolitan Toronto. As part of this consolidation, By-laws which formerly were only in effect for certain former districts will become law for the entire amalgamated City of Toronto.

As a result of the By-law consolidation process of pre-amalgamation By-laws to develop Municipal Code Chapter 950, the Etobicoke Code 240 Sec 6(A)(2) requiring cyclists to ride single file on all streets, at all times, will now apply to all districts, including the former Cities of Toronto, Scarborough, North York, East York, and York, despite the fact that only the former City of Etobicoke had such a By-law, and the other City Councils of the former Cities did not pass such a By-law. The set fine application proposed for 950-201(A) is \$60.

Chapter 950 was enacted by Council December 1, 2011, but is not yet enforceable. The By-laws will become enforceable the first Thursday following 45 days after set fine approval of the set fine order for Chapter 950.

(Submitted to City Council on February 20 and 21, 2013 as MM31.4)

Background Information (City Council)

Member Motion MM30.4

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56039.pdf>

Ontario Traffic Act Sections 147 and 148

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56041.pdf>

Summary of Pre-Amalgamation Single File Riding By-laws

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56043.pdf>

Municipal Code Chapter 950-201

<http://www.toronto.ca/legdocs/mmis/2013/mm/bgrd/backgroundfile-56046.pdf>