

Brief to the Infrastructure and Environment Committee of Toronto City Council

Re: May 2, 2024 Meeting Agenda item:

IE13.1 - A Micromobility Strategy for Toronto

and

IE13.2 – eglintonTOday Phase 1 Complete Street Project:

Riding Electric Scooters in Toronto is Dangerous and Must Remain Banned – and – Toronto Must Never Build Bike Paths on Sidewalks

Agenda Item IE13.1 - A Micromobility Strategy for Toronto

Overview

Toronto City Council must not unleash the silent menace of dangerous electric scooters in Toronto. Riding e-scooters in public places in Toronto is now banned. It remains banned unless Council legalizes them. A new Toronto City Staff Report and three separate motions by Toronto's Accessibility Advisory Committee all recommend that Toronto leave in place the ban on riding e-scooters in public.

We applaud the excellent new City Staff Report on Micromobility. We call on Toronto City Council to adopt it 100% with no changes.

Toronto City Council exhaustively debated this issue three years ago. On May 5, 2021, Toronto City Council voted unanimously to ban riding e-scooters in public places in Toronto. The disability community fought hard for this result, because the silent menace of e-scooters endangers people with disabilities, seniors, and others. They fought against the feeding frenzy of lobbying at City Hall by well-financed corporate lobbyists for e-scooter rental companies.

The Blight of E-Scooters

Vulnerable people with disabilities, seniors and others are endangered by e-scooters racing silently at high speeds on sidewalks, roads and park paths around Ontario. They create twin dangers.

- A silent menace, e-scooters appear out of nowhere and are ridden on sidewalks in cities where they are banned from doing so. Uninsured, unlicensed, untrained, unhelmeted joyriders racing at 20 kph endanger the safety of innocent pedestrians, especially people who cannot see them coming or who cannot quickly dodge them.
- Left strewn on sidewalks, e-scooters have been tripping hazards for blind people. They are an accessibility nightmare for wheelchair users.

There are [news reports from around the world](#) documenting very serious injuries caused by e-scooters. [Several major disability organizations](#), as well as several municipal accessibility advisory committees have called on city after city to not allow e-scooters and to enforce any ban on them that is in place. Toronto's Accessibility Advisory Committee has pleaded with Toronto City Council three times in four years to say no to e-scooters, in 2020, 2021 and 2024.

E-scooter batteries have spontaneously caught fire. That is another safety danger.

We are talking about the motorized kick-style scooters that a person stands on to ride. We of course seek no restrictions on mobility assistance devices for people with disabilities, such as the very different powered scooters on which a person sits when riding.

What Did the New City Staff Report Say?

Like earlier Toronto City Staff Reports in 2020 and 2021, this new Report concluded that e-scooters pose a real danger to safety and accessibility for vulnerable members of the public, including people with disabilities. There is no effective way to protect the public from these dangers short of banning them. There are good forms of micromobility other than e-scooters that can effectively help Toronto reduce road traffic and global warming.

The Report showed that e-scooters do not materially reduce car traffic on the roads. They do not have the benefit of reducing the danger of climate change, despite claims to the contrary by proponents of e-scooters.

The Report calls for City Council to approve certain other options for micromobility. We have no opposition to those other recommendations. If those are approved, then the weak case in favour of e-scooters becomes even weaker.

The new Toronto City Staff Report is far more thorough than any other Staff Report by any other Ontario city that has allowed e-scooters. None of those other cities' staff reports addressed all or even most of the data and issues that are so comprehensively covered here by Toronto City Staff.

Those other cities wrongly ended up giving short shrift to serious concerns about safety and accessibility for vulnerable people with disabilities, seniors and others that e-scooters create. There is thus no good reason to allow e-scooters in Toronto just because some other Ontario cities have made the harmful decision to allow them.

Other Arguments Against Allowing E-Scooters in Toronto

It's not good enough to just ban e-scooters from sidewalks. As the new City Staff Report reaffirms, in cities that have banned e-scooters from sidewalks but allowed them on the roads, people still keep riding e-scooters on sidewalks. We add that Toronto cannot afford to have a cop on every sidewalk to police such regulations.

The [Accessibility for Ontarians with Disabilities Act](#) requires Ontario to become accessible to people with disabilities by 2025. Creating new barriers flies in the face of that.

Some might claim that e-scooters are inevitable, so Toronto might as well just regulate them. Yet they are only inevitable if we let them be so. Moreover, regulating them is much harder than banning them. It is easier for police to prove that someone rode an e-scooter in public when that is forbidden. It is much harder for police to prove that the e-scooter was a prohibited size or weight or that it exceeded a permissible speed.

Some might suggest that e-scooters promote equity for poor people. Yet equity must never come at the price of endangering safety and accessibility for vulnerable people with disabilities, seniors and others, including poor people.

Some might say e-scooters should be allowed on bike paths. Yet in Toronto, that would allow e-scooters on a growing number of sidewalks, endangering vulnerable pedestrians (as we further address below). This is because Toronto is unfortunately building new bike paths on sidewalks. This [widely watched video](#) shows that Toronto's building bike paths on sidewalks endangers people with disabilities.

E-scooter corporate lobbyists claim that there's new technology to avoid all the dangers. It's simply not true. E-scooter corporate lobbyists have been making this claim for years. Moreover, privately owned e-scooters don't include any of that unproven or non-existent technology.

Some might claim that some other Ontario cities are allowing e-scooters, so why not Toronto? Yet those other cities have wrongly created new dangers for vulnerable people with disabilities, seniors and others. They too often have disregarded pleas from Ontarians with disabilities not to allow e-scooters. Toronto should not make the same mistake. Moreover, at least some of those cities have wrongly allowed e-scooter rental companies to take part in the enforcement of the city's e-scooter rules and regulations. That is very inappropriate. The private e-scooter rental companies are in a hopeless conflict of interest.

Toronto must battle climate change. But we don't need e-scooters for that. Many other forms of micromobility, such as bicycles, will do the job. E-scooters add no benefits to climate change and instead create serious new dangers.

More background is available on the AODA Alliance website's [e-scooters page](#).

Action Requested

We call on the Infrastructure and Environment Committee to vote to adopt the new Toronto City Staff Report on Micromobility with no changes. To vote against its e-scooter recommendations would be a vote to endanger vulnerable people with disabilities, seniors and others.

Agenda Item IIE13.2 – eglintonTOday Phase 1 Complete Street Project:

Overview

The City of Toronto has built new bike paths *in the midst of* a midtown Eglinton Avenue West sidewalk that seriously endangers blind pedestrians. This was revealed in the AODA Alliance's widely viewed, captioned, 8-minute video available at <https://youtu.be/tJuF8-EbOME>

The Disability Equivalent to the Vacant Property Tax Debacle

For Toronto to establish a new bike path right on the sidewalk, and not at road level, very obviously endangers blind pedestrians who have no way of knowing they're straying into a bike path. No one would want to walk in the middle of a bike path. When pedestrians with vision

loss are walking on such a sidewalk, they have no way of knowing there is a bike path there and that they are right in the middle of it.

This [video](#) explains to the public, including to Toronto's Public Service, how a blind person can safely navigate a typical sidewalk. When a bike path is added to the sidewalk, a serious and entirely unnecessary danger is created.

It is especially inexcusable that this is happening in a city and province which are required by Ontario law to become accessible and barrier-free to Ontarians with disabilities by 2025. Toronto should not treat people with disabilities as if they were expendable second-class citizens.

[This video](#) shows that this troubling bike path design also endangers pedestrians and cyclists without disabilities. The video heartily supports the need to build more bike paths and contends that designing them to be safe is not rocket science.

[The video](#) also shows that this bike path is illegal. It violates the right to equality for people with disabilities in the Charter of Rights, the Ontario Human Rights Code and the [Accessibility for Ontarians with Disabilities Act](#). It is illegal to create new accessibility barriers like this, which is all the worse when it is done using public money.

In this video, the AODA Alliance called on the City of Toronto to remove such dangers and to prevent them from being created in the future. Yet, as far as we can tell, Toronto has done nothing new in response. It certainly never reached out to discuss this with the AODA Alliance in the five months since it garnered significant public and media attention.

Since releasing this video, the AODA Alliance has received substantial feedback from the disability community and the broader public. It has been universal in its condemnation of the whole idea of situating bike paths on a sidewalk, rather than at road level. We have received feedback about how Toronto is harmfully spreading this bike path design to other parts of the city.

Toronto City Staff have not announced any reforms despite this issue getting significant media attention last November. To the contrary, City Staff have publicly doubled down, denying that there is any problem with this bike path design, claiming its newer design is accessible (despite its also having serious accessibility problems), and continuing to use public money to create these barriers even on Eglinton Avenue, within a few blocks of the bike path displayed in the video.

The Accessibility for Ontarians with Disabilities Act requires the provincial government to lead Ontario to become accessible to people with disabilities by 2025 by enacting and enforcing accessibility standards to prevent barriers such as the one that this video exposes. Government-appointed Independent Reviews of that legislation [by former Lieutenant Governor David Onley](#) and [by Rich Donovan](#) document how far behind the Ontario Government is in fulfilling its duties under the Disabilities Act.

Action Requested

We recommend that the Infrastructure and Environment Committee:

1. Vote for an immediate halt to the construction of any new bike paths that are to be located on a sidewalk rather than at road level.
2. Vote to require all new bike paths be built at road level, using a safe and accessible design.
3. Vote to require that all bike paths now built on sidewalks be retrofitted to be situated at road level, using a safe and accessible design. This bike path debacle is the disability counterpart to the disastrous City roll-out of the vacant home tax. It requires a similar rebuke by City Council.
4. Call on City Staff to make public all the steps taken to design these bike paths so that there can be proper public accountability for this major accessibility blunder.

For More Information

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