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<b>TO:</b>	<b>CHAIR AND MEMBERS CIVIC WORKS COMMITTEE MEETING ON NOVEMBER 11, 2013</b>
<b>FROM:</b>	<b>JOHN BRAAM, P. ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>
<b>SUBJECT:</b>	<b>BICYCLES ON SIDEWALKS</b>

<b>RECOMMENDATION</b>
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That on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the attached proposed revision to the By-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on November 19, 2013, for the purpose of amending the Streets By-law (S-1) to allow individuals 65 years of age or older to ride bicycles on City sidewalks but to prohibit cyclists of all ages from riding on sidewalks in the Downtown Area.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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September 10, 2012 – Civic Works Committee – Bicycles on Sidewalks

<b>BACKGROUND</b>
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The purpose of this report is to provide a proposed amendment to the Streets By-Law (S-1) related to bicycle use on City sidewalks.

On September 10<sup>th</sup> 2012, the Civic Works Committee approved a staff report to consider an amendment to the Streets By-law (S-1) to allow children under the age of 14 years to ride bicycles with a wheel diameter less than 61 centimeters on City sidewalks.

On September 18<sup>th</sup> 2012, Municipal Council approved the amendment to the Streets By-law (S-1) to allow children under the age of 14 years to ride bicycles on City sidewalks without specific restriction on the wheel diameter, and requested that the Managing Director, Environmental & Engineering Services & City Engineer report back at a future meeting of the Civic Works Committee with respect to:

- i) the possibility of also permitting individuals over 65 years of age to ride bicycles on City sidewalks;
- ii) restricting the riding of bicycles on sidewalks from Business Improvement Areas, which are traditionally areas with high pedestrian traffic; and,
- iii) what additional measures are necessary to ensure appropriate illumination and warning devices to mitigate the chance of accidents.

<b>DISCUSSION</b>
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*Sidewalk Use by Seniors (Age 65+)*

In 2010, London became the first Canadian City to join the World Health Organization Global Network of Age Friendly Cities. The goal of the Age Friendly London Task Force is to ensure London meets its commitments to improving age-friendliness and involving members of the community in the process. A more age-friendly City is one that encourages active aging by optimizing opportunities for health, participation and security.

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The evaluation regarding the potential of permitting individuals 65 years of age or older to ride bicycles on City sidewalks took into consideration overall safety, social value and practice in other jurisdictions. To further engage the senior community on the decision making process, a survey was conducted with partners of the Age Friendly London Task Force; the Council for London Seniors, and the Canadian Council of the Blind.

The survey was also distributed to the City of London Kiwanis Seniors' Centre and the Hamilton Road Senior Centre. A detailed summary of the survey results is attached in Appendix "B". While the percentage of respondents with age 65 years of age or older was not large, it provided useful insight from the senior prospective.

#### Senior Citizen Survey Findings:

There were many valuable points raised by the participants in regards to their opinion on the existing by-law and the recommendation for bicycles on sidewalk. The following summarize a few key findings:

- Of the 65+ years that don't own bicycles; most won't consider cycling even if the Streets By-law is changed to allow seniors to cycle on sidewalks.
- Of the 65+ years that have bicycles; most of them bike often, and most already bike on the sidewalk because they feel safer.
- Of the all participants of the survey; more than 60% think it would be safer to allow seniors to ride on sidewalk.

Unlike children, seniors are generally more aware of the risks and hazards associated with cycling and are underrepresented in crashes with motor vehicles as stated in the 2012 Edition of the Guide for the Development of Bicycle Facilities prepared by American Association of State Highway and Transportation Officials (AASHTO). Senior cyclists normally cycle at lower speeds when compared to other adult cyclists. Combining lower speed with extra caution, it is anticipated that senior cyclists are safer on the road.

Notwithstanding the above, the survey shows that most of the senior cyclists already ride on the sidewalk, where they feel safer. The additional caution and lower speeds typical of senior cyclist may make sidewalk riding lower risk for this group. Some cyclists feel safer riding on City sidewalks, possibly due to the incomplete network of bicycle facilities. This may be unavoidable at the moment especially for seniors who ride at lower speeds and demand more space while cycling. Hence, allowing senior cyclists on sidewalks may potentially help to promote a more age friendly community and accessibility to green transportation for seniors. Please note that the above observation and rational only applies to seniors with self-propelled bicycles and this report does not promote the use of e-bikes or any other power assist bicycles on sidewalks.

It should be noted that the earlier proposed amendment to the Streets By-law (S-1), which allowed children under the age of 14 years to ride their bikes on City sidewalks, considered the following:

- A Bicycle was defined as a vehicle propelled or driven by muscular power and includes a tricycle but does not include a power or motor-assisted vehicle of any kind;
- Did not limit the use of Electric Personal Assistive Mobility Devices;
- Allowed only children riding bicycles on the sidewalk;
- Encouraged young people to cycle as a part of an active lifestyle;
- Did not allow any power-assisted bicycles (i.e. e-bikes) on sidewalks;
- Required young cyclists to yield the right-of-way to pedestrians on sidewalks.

It is recommended that these restrictions also apply to a bylaw exception for seniors. Research undertaken by staff in the previous report in regards to bicycles on sidewalks showed that no municipality had any standards in their by-law specifically targeting senior (65+) cyclists on sidewalks.

The by-law amendment recommended herein is applied to bicycles with respect to sidewalks only. Persons operating bicycles on sidewalks as authorized by Section 2.12 of the Streets By-Law must still comply with the Highway Traffic Act (HTA) with respect to pedestrian crossovers and crosswalks. Subsection 140(6) of the HTA provides that no person shall ride a bicycle across a roadway within a pedestrian crossover. Riding in a pedestrian crossover is prohibited.

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*“(6) No person shall ride a bicycle across a roadway within a pedestrian crossover”;*  
*R.S.O.1990, c. H.8, s. 140 (6).*

Similarly subsection 144(29) provides that no person shall ride a bicycle across a roadway within or along a crosswalk at an intersection or at a location other than an intersection which location is controlled by a traffic control signal system. In other words, riding in crosswalks is prohibited.

*“(29) No person shall ride a bicycle across a roadway within or along a crosswalk at an intersection or at a location other than an intersection which location is controlled by a traffic control signal system”.*

It should be noted that Parks & Recreation is submitting a staff reports for the Community & Protective Services Committee on the subject of e-bikes on multi-use pathways. The recommendation of the report is to exclude the power-assisted “scooter style e-bikes” from the City’s multi-use pathway system, while bicycle style e-bikes continue to be permitted on multi-use pathways. This issue is unique and separate from the recommendation of this report since, as noted above, all power-assisted vehicles such as e-bikes are prohibited on City’s sidewalks.

*Restricting the riding of bicycles on sidewalks from Business Improvement Areas, which are traditionally areas with high pedestrian traffic*

Three business improvement areas exist in London – Downtown, Old East Village and Argyle. In order to provide a safer environment in areas of high potential sidewalk conflict, the area of highest pedestrian activity, the Downtown Area, is proposed as a protected sidewalk zone, which prohibits cyclists from riding bicycles on the City sidewalks regardless of their age.

The zone includes sidewalks within the Downtown Area as well as the boundary streets shown in the map attached herein Appendix “A” (Extracted from Chapter 4 of the City of London Official Plan). Information signs will be installed to advise riders of the adjacent restricted zone and state alternative modes of travel. The signs will also contain a map that shows the entire restricted zone for reference.

*Consider possible additional measures necessary to ensure appropriate illumination and warning devices to mitigate the chance of accidents*

To ensure the design of illumination is sufficient and adequate, the City of London is the first municipality in Ontario which has adopted the IES-RP-8-00 Roadway Lighting Standards, the most up to date recommend practice approved by American National Standard Institute for roadway lighting since 1996. Adoption of the noted standard ensures the roadway lighting facilitates improved vision at night that will safeguard, facilitate, and encourage vehicular, cyclist and pedestrian traffic.

Aside from illumination, the City of London has also followed the most updated design standards for all other warning devices such as, pavement markings, traffic and pedestrian signals. The City is also upgrading the system by introducing Audible Pedestrian Signal heads to provide a safer environment for the Roadway users. The City will continue to implement designs with the most up to date standards and practice in the industry.

<b>CONCLUSION</b>
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Based on the information presented above and recognizing the specific needs of senior cyclists and an age friendly community, it is recommended that the Street By-law (S-1) be amended to allow seniors age 65 and above to ride bicycles on City sidewalks.

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**Recommended amendments to Section 2.12 of the Streets By-Law S-1:**

- (e) Operates a bicycle while such person is 65 years of age or older.

The following is also recommended to be amended to the Street By-law (S-1) to prohibit any cyclist from riding on City sidewalks within the Downtown Area in the City of London Official Plan. This is a proactive approach for the pedestrian safety within the Downtown Area, where high pedestrian volume is typical.

**Recommended amendments to Section 2.13 of the Streets By-Law S-1:**

- (3) Despite the exemptions set out in section 2.12, no person of any age shall operate a bicycle on a sidewalk within the area delineated by the boundary streets marked in bold in Figure 2.13-1, and including the portions of those boundary streets marked in bold, known as the Downtown Area.

**Acknowledgements**

This report and the supporting studies were prepared with the assistance of Greg Corbiere, Intern, Shaun Chen, Engineer in Training, and Maged Elmadhoon, Manager, Transportation Planning, within the Transportation Planning and Design Division. The report was also prepared with the review and input from Lynn Marshall, City Solicitors Office and Joy Jackson, Risk Management.

<b>PREPARED BY:</b>	<b>REVIEWED &amp; CONCURRED BY:</b>
<b>DOUG MACRAE, P. ENG. DIVISION MANAGER TRANSPORTATION PLANNING &amp; DESIGN</b>	<b>EDWARD SOLDI, P. ENG. DIRECTOR, ROADS AND TRANSPORTATION</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN BRAAM, P.ENG. MANAGING DIRECTOR, ENVIRONMENTAL &amp; ENGINEERING SERVICES &amp; CITY ENGINEER</b>	

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- Attach:      Appendix "A" – Amending By-Law  
                  Appendix "B" – Senior Citizen Survey Results
- c.c.            L. Marshall  
                  J. Jackson  
                  S. Maguire  
                  L. Baker – Council for London Seniors  
                  R. Khouri – Canadian Council of the Blind  
                  Transportation Advisory Committee c/o Heather Lysinski

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## Appendix "A"

Bill No.

2013

By-law No.

A bylaw to amend By-law S-1  
entitled "A by-law to provide  
for the Regulation of Streets"

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the *Municipal Act, 2001* or any other Act;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The definition of "bicycle" in Section 1.1 of By-law S-1 is amended by inserting the following sentence at the end: "The terms 'Power-assisted bicycle' and 'motor-assisted bicycle' have the same meanings as set out in the *Highway Traffic Act*, R.S.O. 1990 c. H.8, as amended".
2. Section 1.1 of By-law S-1 is amended by inserting a definition for the term "motor vehicle" as follows:

""motor vehicle" has the same meaning as set out in the *Highway Traffic Act*"

3. Section 2.12 of Bylaw S-1 is amended by:
  - inserting the phrase ", power-assisted bicycle," after the phrase "operate a motor vehicle"; and
  - by inserting the phrase ", subject to subsection 2.13(3)," after the phrase "This section"; and
  - by deleting the word "or" at the end of subsection (c); and
  - by inserting the phrase "; or" at the end of subsection (d); and
  - by inserting the following new subsection 2.12(e) after subsection 2.12 (d):  
"(e) operates a bicycle while such person is 65 years of age or older."
4. Section 2.13 of Bylaw S-1 is amended by inserting the following new subsection 2.13 (3) after subsection 2.13 (2):
  - " (3) Despite the exemptions set out in section 2.12, no person of any age shall operate a bicycle on a sidewalk within the area delineated by the boundary streets marked in bold in Figure 2.13-1, and including the portions of those boundary streets marked in bold, known as the Downtown Area."

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5. Section 2.13 of Bylaw S-1 is amended by inserting Figure 2.13-1 immediately after subsection 2.13 (3) as follows:

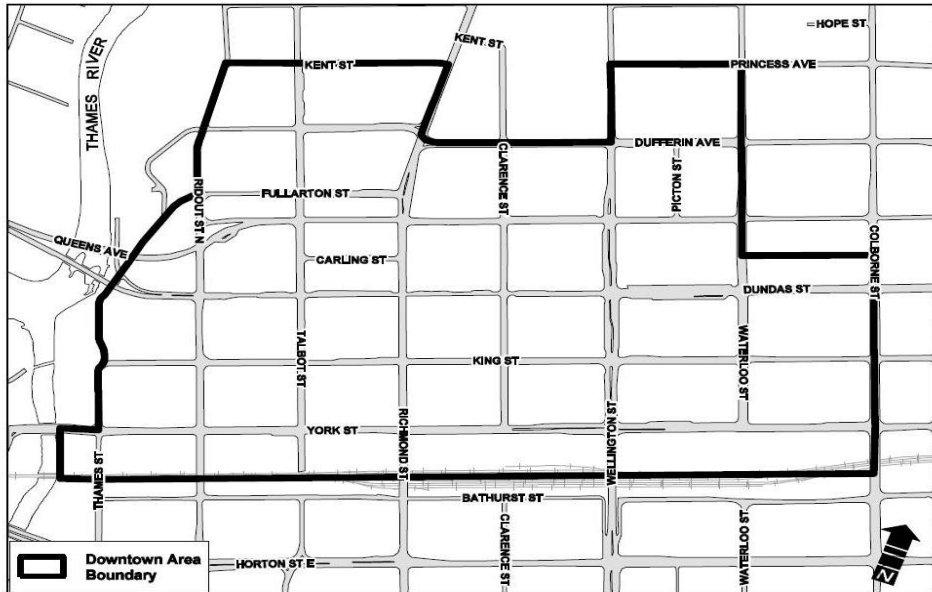


Figure 2.13-1

This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 19, 2013

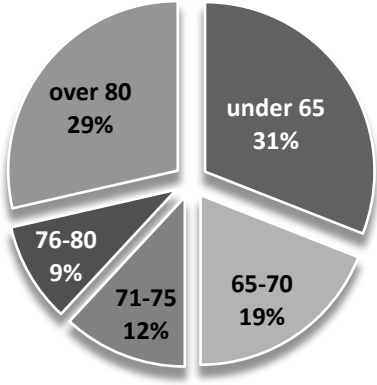
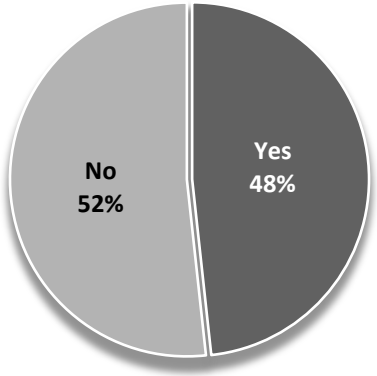
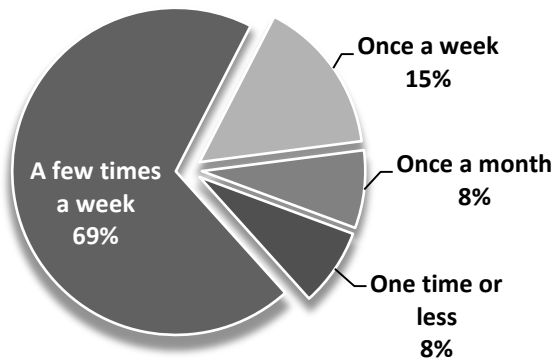
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

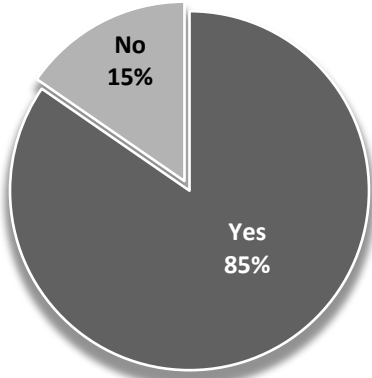
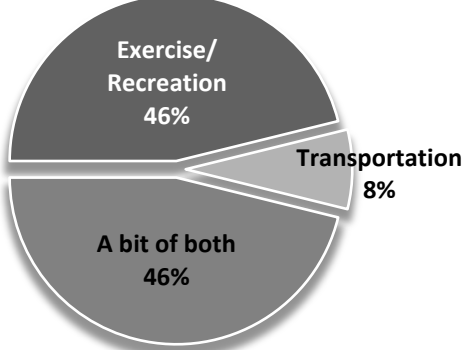
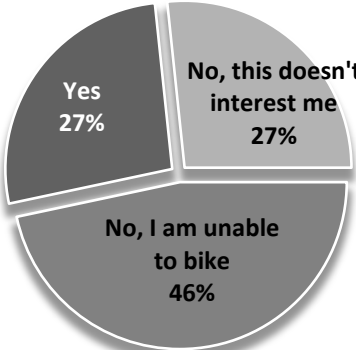
First Reading – November 19, 2013  
Second Reading – November 19, 2013  
Third Reading – November 19, 2013

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## Appendix "B" Senior Citizen Survey Results

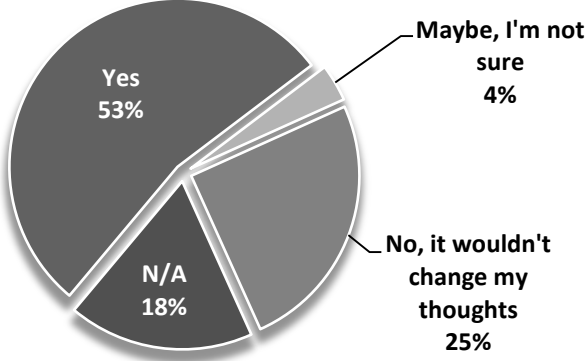
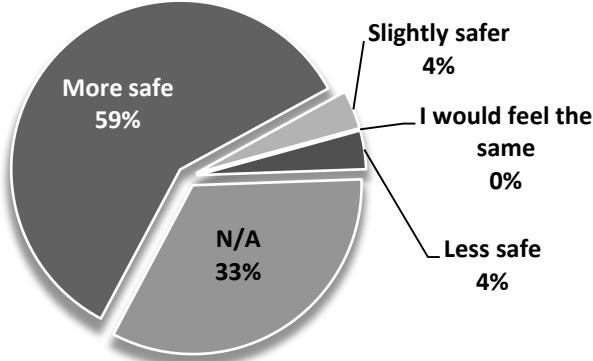
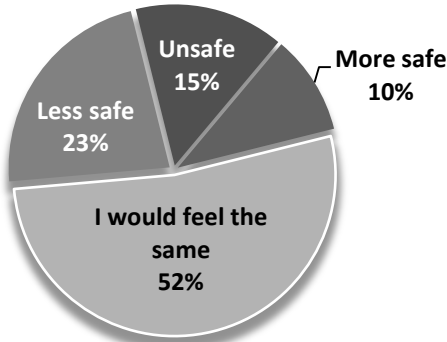
<p style="text-align: center;"><b>What age group do you fall under?</b></p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <caption>Age Group Distribution</caption> <thead> <tr> <th>Age Group</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>under 65</td> <td>31%</td> </tr> <tr> <td>65-70</td> <td>19%</td> </tr> <tr> <td>71-75</td> <td>12%</td> </tr> <tr> <td>76-80</td> <td>9%</td> </tr> <tr> <td>over 80</td> <td>29%</td> </tr> </tbody> </table>	Age Group	Percentage	under 65	31%	65-70	19%	71-75	12%	76-80	9%	over 80	29%	<ul style="list-style-type: none"> <li>• Sample Size is 42</li> <li>• Total number of participant with age over 65 is 29</li> </ul>
Age Group	Percentage												
under 65	31%												
65-70	19%												
71-75	12%												
76-80	9%												
over 80	29%												
<p style="text-align: center;"><b>Do you have a bicycle?</b></p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <caption>Bicycle Ownership</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>No</td> <td>52%</td> </tr> <tr> <td>Yes</td> <td>48%</td> </tr> </tbody> </table>	Response	Percentage	No	52%	Yes	48%	<ul style="list-style-type: none"> <li>• Sample Size is 29</li> <li>• Total number of senior (65+) who owns a bicycle is 13</li> </ul>						
Response	Percentage												
No	52%												
Yes	48%												
<p style="text-align: center;"><b>If Yes; how often do you use it during biking season?</b></p>  <table border="1" style="margin-left: auto; margin-right: auto;"> <caption>Bicycle Usage Frequency</caption> <thead> <tr> <th>Frequency</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>A few times a week</td> <td>69%</td> </tr> <tr> <td>Once a week</td> <td>15%</td> </tr> <tr> <td>Once a month</td> <td>8%</td> </tr> <tr> <td>One time or less</td> <td>8%</td> </tr> </tbody> </table>	Frequency	Percentage	A few times a week	69%	Once a week	15%	Once a month	8%	One time or less	8%	<ul style="list-style-type: none"> <li>• Sample Size is 13</li> <li>• 69% of seniors (65+) cycles more than once every week.</li> </ul>		
Frequency	Percentage												
A few times a week	69%												
Once a week	15%												
Once a month	8%												
One time or less	8%												

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<p style="text-align: center;"><b>If Yes; do you already bike on the sidewalk?</b></p>  <table border="1"> <caption>Data for: If Yes; do you already bike on the sidewalk?</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>85%</td> </tr> <tr> <td>No</td> <td>15%</td> </tr> </tbody> </table>	Response	Percentage	Yes	85%	No	15%	<ul style="list-style-type: none"> <li>• Sample Size is 13</li> <li>• 85% of seniors (65+) already cycles on the sidewalk.</li> </ul>		
Response	Percentage								
Yes	85%								
No	15%								
<p style="text-align: center;"><b>If Yes; do you bike for exercise/recreation or for transportation?</b></p>  <table border="1"> <caption>Data for: If Yes; do you bike for exercise/recreation or for transportation?</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Exercise/Recreation</td> <td>46%</td> </tr> <tr> <td>A bit of both</td> <td>46%</td> </tr> <tr> <td>Transportation</td> <td>8%</td> </tr> </tbody> </table>	Response	Percentage	Exercise/Recreation	46%	A bit of both	46%	Transportation	8%	<ul style="list-style-type: none"> <li>• Sample Size is 13</li> </ul>
Response	Percentage								
Exercise/Recreation	46%								
A bit of both	46%								
Transportation	8%								
<p style="text-align: center;"><b>If No; would you consider getting a bike if you were allowed to use it on sidewalks?</b></p>  <table border="1"> <caption>Data for: If No; would you consider getting a bike if you were allowed to use it on sidewalks?</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>27%</td> </tr> <tr> <td>No, I am unable to bike</td> <td>46%</td> </tr> <tr> <td>No, this doesn't interest me</td> <td>27%</td> </tr> </tbody> </table>	Response	Percentage	Yes	27%	No, I am unable to bike	46%	No, this doesn't interest me	27%	<ul style="list-style-type: none"> <li>• Sample Size is 15</li> <li>• About a quarter of the total senior (65+) participants who currently does not own a bicycle would be encouraged to cycle if they are allow to ride on City sidewalks.</li> </ul>
Response	Percentage								
Yes	27%								
No, I am unable to bike	46%								
No, this doesn't interest me	27%								



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<p style="text-align: center;"><b>Would you be more interested in biking if you could bike on sidewalks rather than on the road?</b></p>  <table border="1"> <caption>Interest in Biking on Sidewalks</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>53%</td> </tr> <tr> <td>No, it wouldn't change my thoughts</td> <td>25%</td> </tr> <tr> <td>N/A</td> <td>18%</td> </tr> <tr> <td>Maybe, I'm not sure</td> <td>4%</td> </tr> </tbody> </table>	Response	Percentage	Yes	53%	No, it wouldn't change my thoughts	25%	N/A	18%	Maybe, I'm not sure	4%	<ul style="list-style-type: none"> <li>• Sample Size is 28</li> <li>• The result reinforces the fact that more people would be interested to cycle if they are allowed to ride on Sidewalk.</li> </ul>		
Response	Percentage												
Yes	53%												
No, it wouldn't change my thoughts	25%												
N/A	18%												
Maybe, I'm not sure	4%												
<p style="text-align: center;"><b>As a potential bicycle user, how would you feel biking on the sidewalk compared to on the road?</b></p>  <table border="1"> <caption>Safety Feelings as Potential Bicycle User</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>More safe</td> <td>59%</td> </tr> <tr> <td>N/A</td> <td>33%</td> </tr> <tr> <td>Slightly safer</td> <td>4%</td> </tr> <tr> <td>Less safe</td> <td>4%</td> </tr> <tr> <td>I would feel the same</td> <td>0%</td> </tr> </tbody> </table>	Response	Percentage	More safe	59%	N/A	33%	Slightly safer	4%	Less safe	4%	I would feel the same	0%	<ul style="list-style-type: none"> <li>• Sample Size is 27</li> <li>• Majority of the senior (65+) participants shows either no opinion or feel safer to ride on the road.</li> </ul>
Response	Percentage												
More safe	59%												
N/A	33%												
Slightly safer	4%												
Less safe	4%												
I would feel the same	0%												
<p style="text-align: center;"><b>As a pedestrian using the sidewalk, how would you feel if seniors were legally allowed to bike on sidewalks?</b></p>  <table border="1"> <caption>Pedestrian Feelings if Seniors Could Bike on Sidewalks</caption> <thead> <tr> <th>Response</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>I would feel the same</td> <td>52%</td> </tr> <tr> <td>Less safe</td> <td>23%</td> </tr> <tr> <td>Unsafe</td> <td>15%</td> </tr> <tr> <td>More safe</td> <td>10%</td> </tr> </tbody> </table>	Response	Percentage	I would feel the same	52%	Less safe	23%	Unsafe	15%	More safe	10%	<ul style="list-style-type: none"> <li>• Sample Size is 40</li> <li>• More than 50% of the total participants don't feel higher risk is implied with seniors cyclist on sidewalks.</li> </ul>		
Response	Percentage												
I would feel the same	52%												
Less safe	23%												
Unsafe	15%												
More safe	10%												

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## Other Comments

Opposition to By-law Change	Support for By-law Change
<ul style="list-style-type: none"> <li>• Allowing children and seniors to bike on sidewalks is a short-term solution; we need more Bike Path</li> <li>• Cyclists ignore the rules of the road; we need to better educate to increase safety</li> <li>• Seniors with a disability are at a disadvantage walking with bicycles on the same walkway</li> <li>• The police ignore riders on the sidewalk</li> <li>• Almost all cyclists either don't have or don't use a bell to announce their presence</li> <li>• Enforcement of bicycle laws is a nightmare for our police due to identification needs</li> <li>• I do not think citizens of any age are responsible enough to have added privileges</li> <li>• There are many other ways to make cycling safer, and sidewalks are not the answer</li> <li>• It would cause more unsafe conditions than exist currently</li> <li>• Biking on sidewalks is bad for everyone, there are other possibilities (CCB)</li> <li>• Adding another exception will only add to people's confusion in thinking that they can ride on sidewalks (CCB)</li> <li>• How would age be monitored? (CCB)</li> <li>• There should be less allowances to cycle on sidewalks, cyclists should have their own path (CCB).</li> <li>• Cyclists need to be reminded often of their responsibilities as vehicle operators</li> <li>• Calming measures have made it difficult for bikers and vehicles to share the road</li> </ul>	<ul style="list-style-type: none"> <li>• Why not let everyone bike on sidewalks and be mindful of pedestrians. Roads are not safe</li> <li>• Anything to increase senior mobility is good</li> <li>• Glad to see London moving in this direction</li> <li>• Fine, as long as bikes are walked through intersections as to not catch drivers off guard with higher speeds</li> <li>• Would be great if: cyclists abided by the rules of the road at all times</li> <li>• If passed, I would like to see a restriction on the speed allowed on sidewalks</li> <li>• The City should make cyclists aware of By-laws by mailed information and/or classes</li> <li>• Automobile drivers do not have any courtesy for cyclists; they do not share the road</li> <li>• Roads are too dangerous for bikes due to distracted drivers. More bike paths are needed</li> <li>• Make it mandatory to have bells. If it is not that busy of an area then I feel it's okay</li> </ul>