

**REPORT NO. 111 of the
ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY
STANDING COMMITTEE**
of its meeting held February 20, 2013

Present:
Councillor J. Gignac
Councillor A. Halberstadt
Councillor R. Jones,
Councillor H. Payne
Councillor F. Valentinis, Chair

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Gignac, seconded by Councillor Jones,

I. **THAT** Traffic By-Law 9148 **BE AMENDED** as follows:

Part VII, REGULATIONS RE: BICYCLES

25 (3) No person shall operate a Power Assisted Bicycle (e-bike) on a shared pathway (multi-use trail, trail).

II. **THAT** the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-law.

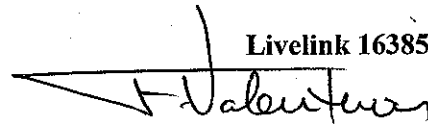
III. **THAT** the City of Windsor request that on behalf of Ontario Municipalities that the Association of Municipalities of Ontario (AMO) encourage the Provincial government to review regulations surrounding Power Assisted Bicycles (e-bikes).

Carried.

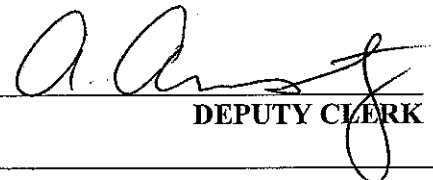
Councillor Halberstadt voting nay.

Clerk's Note: The report authored by the Transportation Planning Engineer dated February 7, 2013 entitled "*Consideration of Shared Pathways for E-Bike Usage*" is attached as background information.

Livelihood 16385, ST2013

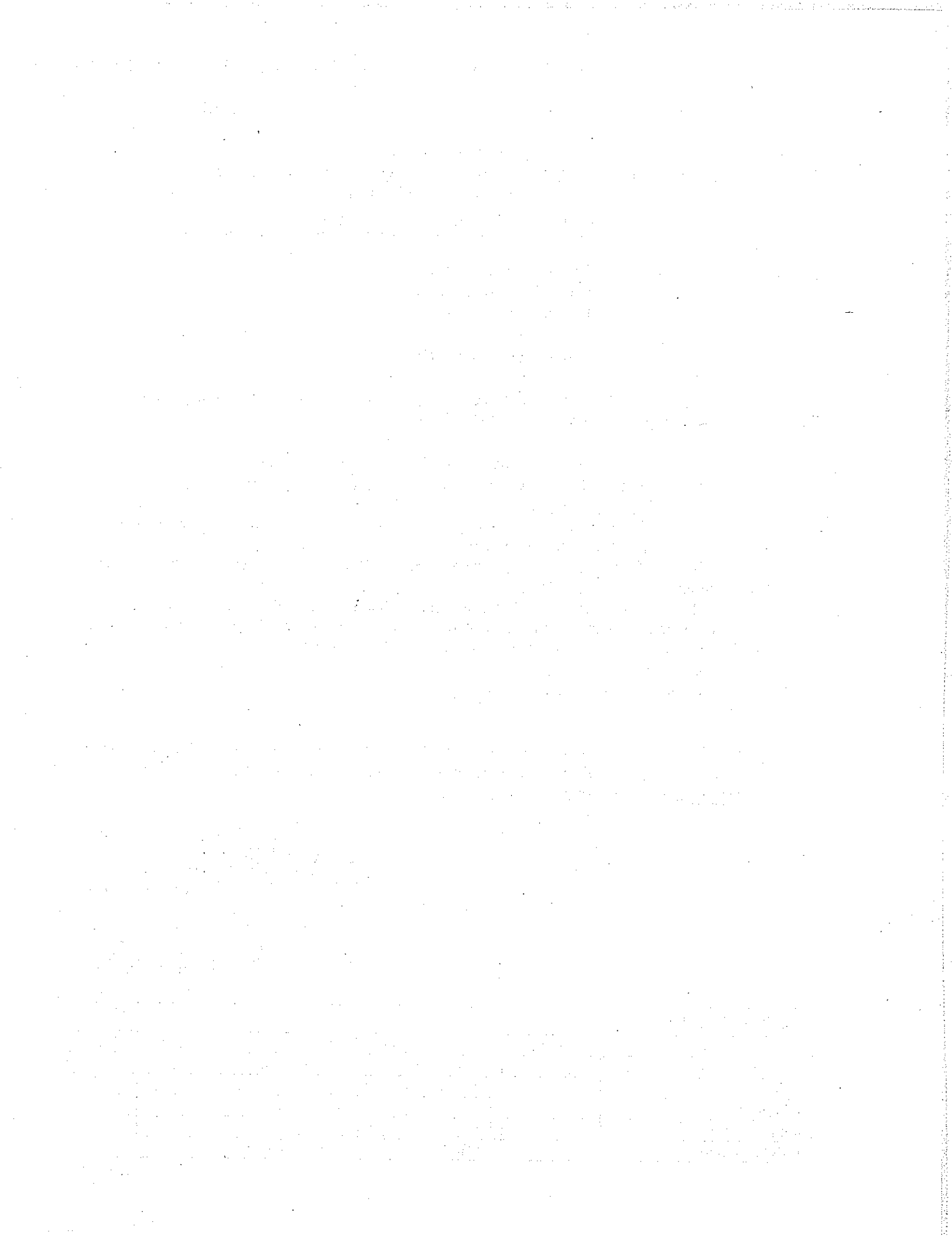


CHAIRPERSON



DEPUTY CLERK

NOTIFICATION:				
Name	Address	Email Address	Telephone	FAX
Kimberly & Brian Tucker		scootalongofwindsor@gmail.com		
Walter Hancrar		whancrar@bell.net		
John Richards		jrichards@police.windsor.on.ca		
John DeMarco		jvdemarco22@sympatico.ca		
WBC members		on file		



THE CORPORATION OF THE CITY OF WINDSOR
Environment, Transportation & Public Safety Standing Committee
Admin Report – Environment Transportation



MISSION STATEMENT:

"The City of Windsor, with the involvement of its citizens, will deliver effective and responsive municipal services, and will mobilize innovative community partnerships"

LiveLink REPORT #: 16385 ST2013	Report Date: February 7, 2013 PW#3495 -02/07/13:ebr
Author's Name: Jennifer Leitzinger	Date to Standing Committee: Feb 20, 2013
Author's Phone: 519 255-6247 ext. 6002	Classification #:
Author's E-mail: jleitzinger@city.windsor.on.ca	

To: Environment, Transportation & Public Safety Standing Committee

Subject: Consideration of Shared Pathways for E-Bike Usage

1. RECOMMENDATION: City Wide: Ward(s): _____

I. THAT Traffic By-Law 9148 **BE AMENDED** as follows:

Part VII REGULATIONS RE: BICYCLES

25 (3) No person shall operate a Power Assisted Bicycle (e-bike) on a shared pathway (multi-use trail, trail).

II. THAT the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the by-law.

III. That the City of Windsor request that on behalf of Ontario Municipalities that the Association of Municipalities of Ontario (AMO) encourage the Provincial government to review regulations surrounding Power Assisted Bicycles (e-bikes).

EXECUTIVE SUMMARY:

Administration is recommending to prohibit Power Assisted Bicycle (e-bike) use on shared pathway (multi-use trail) City wide.

2. BACKGROUND:

On June 27, 2012, *Bylaw Regulations RE: Power Assisted Bicycles ("e-bikes")* Committee Report (LiveLink Report # 15995) was presented to the Environment, Transportation & Public Safety Standing Committee.

The following recommendation from the Environment and Transportation Standing Committee was forwarded to Council for consideration:

That Traffic Bylaw 9148 **BE AMENDED** as follows:

“Power Assisted Bicycle (e-bike)” shall mean a power assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, c. H-8, as amended.

“Shared Pathway (multi-use trail, trail)” shall mean a separate trail or path from which motor vehicles are prohibited and which is for the exclusive use of bicycles and pedestrians (including skaters). Where such a trail or path forms a part of a highway, it is separated from the roadways for motor vehicle traffic by an open space, rumble strip, or barrier.

Part VII, REGULATIONS RE: BICYCLES

- 25 (1) No person shall ride a bicycle, with a wheel or wheels more than sixty centimetres (60 cm.) in diameter, or a Power Assisted Bicycle (e-bike) upon a sidewalk.
- 25 (2) No person shall operate a bicycle or a Power Assisted Bicycle (e-bike) on the E.C. Row Expressway or Dougall Parkway (between Roseland Drive East and Sixth Concession Road.)
- 25(2)Bi Subject to Section 25C., no person shall operate a vehicle other than a bicycle or a Power Assisted Bicycle (e-bike) in any lane or portion of a lane designated under Schedule “R” except:
- 25 (3) No person shall operate a Power Assisted Bicycle (e-bike) on a shared pathway (multi-use trail, trail).

That, the Use, Regulation, and Protection of Parks By Law 200-2002 **BE AMENDED** as follows:

DEFINITIONS 2.1(t) Vehicle includes a motor vehicle as defined in the *Highway Traffic Act, R.S.O. 1990, c.H-8*, as may be amended from time to time, and any bicycle, power assisted bicycle, carriage, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power and includes in-line roller skates and skateboards, but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage or cart, child’s wagon, child’s stroller, child’s sleigh, or other conveyance of like nature

AND

That Windsor Police Services **BE ADVISED** of these by law amendments for enforcement as resources allow.

At the July 23, 2012 Council meeting motion M318-2012 was passed with respect to Power Assisted Bicycles on shared pathways.

M318-2012 That Traffic Bylaw 9148 **BE AMENDED** as follows:

“Power Assisted Bicycle (e-bike)” shall mean a power assisted bicycle as defined by the Highway Traffic Act, R.S.O. 1990, c. H-8, as amended.

“Shared Pathway (multi-use trail, trail)” shall mean a separate trail or path from which motor vehicles are prohibited and which is for the exclusive use of bicycles and pedestrians (including skaters). Where such a trail or path forms a

part of a highway, it is separated from the roadways for motor vehicle traffic by an open space, rumble strip, or barrier.

Part VII, REGULATIONS RE: BICYCLES

25 (1) No person shall ride a bicycle, with a wheel or wheels more than sixty centimetres (60 cm.) in diameter, or a Power Assisted Bicycle (e-bike) upon a sidewalk.

25 (2) No person shall operate a bicycle or a Power Assisted Bicycle (e-bike) on the E.C. Row Expressway or Dougall Parkway (between Roseland Drive East and Sixth Concession Road.)

25(2)Bi, Subject to Section 25C., no person shall operate a vehicle other than a bicycle or a Power Assisted Bicycle (e-bike) in any lane or portion of a lane designated under Schedule "R"

THAT, the Use, Regulation, and Protection of Parks Bylaw 200-2002 **BE AMENDED** as follows:

DEFINITIONS 2.1(t) Vehicle includes a motor vehicle as defined in the *Highway Traffic Act, R.S.O. 1990, c.H-8*, as may be amended from time to time, and any bicycle, power assisted bicycle, carriage, wagon, sleigh or other vehicle or conveyance of every description, whatever the mode of power and includes in-line roller skates and skateboards, but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, baby carriage or cart, child's wagon, child's stroller, child's sleigh, or other conveyance of like nature

AND

THAT Windsor Police Services **BE ADVISED** of these by law amendments for enforcement as resources allow.

In summary, Council prohibited e-bikes on sidewalks and on multi-use trails within the Parks (as governed by the Use, Regulation and Protection of Parks Bylaw).

A second motion M319-2012 was passed during this Council meeting with respect to Power Assisted Bicycles on shared pathways within the right-of-way and as governed by the Traffic Bylaw.

M319-2012 That Traffic Bylaw 9148 **BE AMENDED** as follows:

Part VII, REGULATIONS RE: BICYCLES

25 (3) No person shall operate a Power Assisted Bicycle (e-bike) on a shared pathway (multi-use trail, trail) unless such a multi-use trail has been specifically designated by Council to allow for such activity with a set speed limit of 10 km per hour,

AND FURTHER

THAT Administration **REPORT BACK** to Council on appropriate trails to be considered for such activity.

AND

THAT Windsor Police Services **BE ADVISED** of these by-law amendments for enforcement as resources allow.

Attempting to reduce speed differential by limiting e-bike speeds to 10km/h has barriers as further outlined in the report.

Administration will be addressing motion M319-2012 in this report. The corresponding traffic bylaw amendments have been postponed pending the resolution of this report.

The Windsor Bicycling Committee made the following 2 recommendations in the form of Committee Reports No. 53 and 54 (attached in Appendix A) at its meeting held on October 17, 2012. These reports are addressed herein.

Report No 53 requests Council to consider the following two options:

1. Allow e-bikes on multi-use trails that are 12 feet or wider; OR
2. Allow e-bikes on multi-use trails that are 12 feet or wider and further, that e-bikes be permitted on multi-use trails from 7:00am to 7:00pm Monday to Friday (holidays excluded).

Report No. 54 requests that City Council maintain the speed of 20 kilometres per hour on all signage in city parks for *e-bikes*.

3. DISCUSSION:

E-bikes (Power Assisted Bicycles)

While e-bikes are considered a bicycle under the Highway Traffic Act, unlike a bicycle, by definition an e-bike can weigh a maximum of (120kg) 265lbs exclusive of its occupant(s) or trailer loads, and be sufficiently powered to operate up to 32km/hr. Advertisements claim that e-bikes can travel 50 km before being charged*. The scooter style e-bikes are regularly observed being propelled exclusively under electric power.

*A high capacity pack will store over 500 watt-hours and gets closer to 40-50 km.
<http://ebikes.ca/faq.shtml>

The following excerpt is from the MTO website regarding e-bikes:

E-bikes are allowed to travel anywhere bicycles are permitted to travel. Any municipal by-law prohibiting bicycles from highways under their jurisdiction also apply to e-bikes. Municipalities may also pass by-laws specific to e-bikes that prohibit them from municipal roads, sidewalks, bike paths, bike trails, and bike lanes under their jurisdiction.

E-bikes, like bicycles, are **not** allowed on controlled-access highways such as 400 series highways, the Queen Elizabeth Way, the Queensway in Ottawa or the Kitchener-Waterloo Expressway, or on municipal roads, including sidewalks where bicycles are banned under municipal by-laws.

Conversely, the Criminal Code considers e-bikes motor vehicles because they can be used without pedaling. The following is also an excerpt from the MTO website regarding e-bikes:

Drinking and driving a motor vehicle is a Criminal Code offence and charges are laid under the Criminal Code of Canada. Under the Criminal Code, the definition of a "motor vehicle" would include an e-bike and anyone operating an e-bike intoxicated could be charged for impaired driving. If convicted, the offender would be subject to the Criminal Code penalties, including a fine or jail time, and a driving prohibition.

Multi-Use Trails

Multi-use trails are defined in the **Bicycle Use Master Plan 2001** as follows:

"Multi-use Trail- is any off-road dedicated facility for pedestrians and inline skaters as well as non-motorized vehicles such as cyclists."

The city currently has over 105km of multi-use trails and paths that vary in width from 2.5m to 4.5m combined within the City Parks and within the road right-of-way. Some park facilities are linear in nature (such as the Ganatchio Trail) and contain multi-use trails that could be easily confused for trails within the right-of-way.

The multi-use trails within the right-of-way and under the jurisdiction of the Traffic Bylaw for consideration to allow e-bike use as directed by Council Motion M319-2012 are 29.1 km in length and are listed below for information in Table 1.

Table 1: Multi-Use Trails Within the Public Right-Of-Way

STREET NAME	FROM STREET	TO STREET	TOTAL (km)
BANWELL RD	LITTLE RIVER BLVD	TECUMSEH RD E	1.49
CLAIRVIEW AVE	MATTHEW BRADY BLVD	DIEPPE ST	0.81
DOUGALL AVE	SOUTH CAMERON BLVD	GRAND MARAIS RD W	0.49
E C ROW AVE E	MARENTETTE AVE	BYNG RD	1.45
GRAND MARAIS RD W	SOUTH CAMERON BLVD	DOUGALL AVE	0.35
GRAND MARAIS RD E	WALKER RD	CENTRAL AVE	1.20
HOWARD AVE	LENS AVE	MEMORIAL DR	0.14
HOWARD AVE	GRAND MARAIS RD E	DIVISION RD	0.84
HURON CHURCH RD	RIVERSIDE DR W	PETER ST	0.34
LAKE TRAIL DR	HOWARD AVE	SOUTHWOOD LAKES BLVD	1.22
LAUZON PKY	FOREST GLADE DR	HAWTHORNE DR	1.43
LAUZON PKY	MATTHEW BRADY BLVD	HAWTHORNE DR	1.37
LAUZON LINE	LAUZON PKY	LAUZON RD	0.12
LITTLE RIVER BLVD	CLOVER AVE	BANWELL RD	0.89
MCHUGH ST	LAUZON RD	BANWELL RD	2.98
MCNORTON ST	BANWELL RD	RADCLIFF	0.54
MEMORIAL DR	HOWARD AVE	VIMY AVE	0.10
MEMORIAL DR	GLADSTONE AVE	TURNER RD	0.76
OJIBWAY PARKWAY	BROADWAY ST	WEAVER RD	1.33
PLYMOUTH DR	PILLETTE RD	CENTRAL AVE	1.08
QUALITY WAY	JEFFERSON BLVD	LAUZON PKY	1.69
RADCLIFF AVE	MCNORTON ST	COBBLESTONE CRES	0.68
RUSSELL ST	CHEWETT ST	BROCK ST	0.74
SOUTH CAMERON BLVD	DOUGALL AVE	NORTHWOOD ST	0.09
SOUTH CAMERON BLVD	GRAND MARAIS RD W	HOWARD AVE	0.90
SOUTH NATIONAL ST	PILLETTE RD	JEFFERSON ST	1.63
SOUTHWOOD LAKES BLVD	NORTH TALBOT RD	NORTH TALBOT RD	2.26
TECUMSEH RD E	PARENT AVE	FOREST AVE	0.19
TERMINAL ST	PARENT AVE	FOREST AVE	0.22
WALKER RD	ST JULIEN AVE	GRAND MARAIS RD E	0.33
WALKER RD	LEGACY PARK DR	SOUTH CITY LIMITS	0.76
VIRGINIA PARK CRT & RADISSON CRT W	ACADEMY DR	BRUCE AVE	0.63
		TOTAL (km)	29.1

Appendix B includes a map depicting the multi-use trails shown in the table above, as well as the bike lanes and signed routes throughout the City.

Multi-Use Trail Width

The average width of the multi-use trails in the system is 3.0m. The recommended minimum width for new trail construction is 3.0m to accommodate trail users, service vehicles and snow removal equipment. In constrained spaces, the existing trails can be 2.5m or less however this is the exception.

The recommended width for one-way travel for a bicycle on a multi-use trail is 1.5m as identified in the Transportation Association of Canada (TAC) guidelines (3m for two-way traffic), which is consistent with the City of Windsor BUMP.

Using e-bikes within the existing trail width is not consistent with the BUMP intended use for multi-use trails as e-bikes are equipped with an electric motor (see definition excerpt herein). In order to widen the trails to accommodate e-bikes within their own space, the standard existing trail width of 3.0 meters would have to be doubled to 6.0m (19.68 feet).

Widening the existing trails would require a total reconstruction including the relocation of trees, benches, bollards, lights, signage and drainage infrastructure to provide the recommended 60cm setback from obstructions. The entire pathway (old and new) would need to be paved to avoid cold joints which result in a trip hazard and drainage issues. There are limited opportunities where sufficient space is available to achieve this objective.

The average cost to construct one linear meter of asphalt trail at a 3.0m width is \$130.00.

The cost to widen the existing trails to 6m and repave all 29.1 km of our existing trails within the right-of-way would be approximately \$7,566,000, exclusive of removal costs. Alternatively, providing e-bikes with a totally separate 3m trail on these same routes would result in capital costs of \$3,783,000.

Both scenarios would effectively double the on-going operational costs for maintenance, pavement markings, signage and snow removal without extending the trail network into un-serviced areas.

E-bike Use on Multi-Use Trails

Table 2 is a list of Ontario Communities and their regulations regarding e-bike use on multi-use trails both within parks and within the road right-of-way. Those municipalities prohibiting the use of e-bikes on multi-use trails tend to consider e-bikes as motorized vehicles and have banned them accordingly.

Table 2: E-Bikes Regulations in Other Communities

City		E-bike Use on Multi-use Trails		Notes
		Within Parks	Within the Road Right of Way	
Ajax				Updating policy next year; policies will likely change then.
Guelph				Multi-use trails are within the right-of-way (as well as in locations that wouldn't be either a ROW or a park: they have at least one trail in a rail corridor). E-bikes are permitted on all trails.
London				E-bikes on trails outside the ROW are prohibited by the Parks By-Law. E-bikes on multi-use trails in the ROW are not dealt with explicitly in the City's current By-Laws.
Ottawa	City	Scoter type prohibited		http://ottawa.ca/en/roads_trans/cycling/safety/law/cy_5_1/
	NCC	Scoter type prohibited		Currently only one trail in ROW
Toronto		Muscular Powered ONLY	Muscular Powered ONLY	Bicycles must be propelled only by muscular power in on-road bike lanes and all multi-use trails. E-bikes permitted as long as motor is switched off. http://www.toronto.ca/cycling/e-bikes/

Legend

Prohibited	
Allowed	
Caution – Some restrictions	

The following are municipalities that have banned e-bikes in parks and on trails:

- Ottawa (some exceptions, as noted above)
- Sarnia
- National Capital Commission (NCC) (some exceptions, as noted above)
- North Bay
- Brampton
- Oakville
- Burlington
- Toronto (some exceptions, as noted above)
- Markham
- Niagara Parks
- Richmond Hill
- Aurora
- Kitchener
- Brantford

In the majority of circumstances, the municipalities tend to consider e-bikes as motorized and have banned them from parks and trails. They have simply added them to their definition of motorized vehicles.

For the purpose of determining a list of shared pathways appropriate for e-bike use, Administration is inclined to view e-bikes as interpreted by the Criminal Code. Administration took the following factors into account in arriving at this conclusion:

The safety of other shared pathway users

- including children, seniors, walkers, joggers, rollerbladers, persons with personal mobility devices and cyclists

The potential for differential speed conflicts between users

- Council expressed the same concern by recommending a speed reduction to 10km/hr for e-bikes on multi-use trails
- Windsor Bicycling Committee Report No. 54 requested Council consider e-bikes be allowed to operate at 20km/hr on multi-use trails
- Concern has been expressed that scooter style e-bikes cannot be operated at the recommended 10km/hr

The typical purpose of e-bike use

- i.e. commuting purposes, not recreational purposes as reinforced by the Windsor Bicycling Committee request for time limited permissions on non-holiday days in Report No. 53

Additional space requirements to accommodate some e-bike designs

- This was reinforced by the Windsor Bicycling Committee request for width limited permissions (3.66m or 12 feet).
- The City current standard multi-use trail width is 3m (10 feet).
- Trails with widths exceeding the City standard are currently constructed in areas experiencing/projected to experience higher than average volume use

Clarity for users and enforcement regarding allowed/prohibited use

- Qualified permissions will have to be well communicated

Current and projected volume of e-bikes.

- Some literature forecasts 20% compound annual growth in the number of e-bikes sold over the next several years**.

**The Electric Bicycle Market in the United States will more than triple by 2018, Forecasts Pike Research, August 1, 2012 retrieved from <http://www.pikeresearch.com/newsroom/the-electric-bicycle-market-in-the-united-states-will-more-than-triple-by-2018-forecasts-pike-research>

Permission with Explicit Exceptions

• Style Based Restrictions

Some communities selectively permit the bicycle style e-bikes on their multi-use trails. This approach would partially address concerns with respect to weight as the bicycle style units tend to weigh less than the scooter style, although not legally restricted.

• Muscular Power Restrictions

Some communities permit the use of e-bikes on their multi-use trails when muscular powered only. This approach would partially address concerns with respect to:

- maintained speed and
- weight.

Requiring an e-bike to be powered by muscular power only would improve its equivalence to a bicycle from a speed perspective and to a lesser degree from a weight perspective. It would be more challenging to use muscular power to operate an e-bike of substantial weight. Should

muscular power still be possible, it would result in reduced operating speed as weight increases. The amount of reduction would be contingent on the operator's ability.

- **Combined Restrictions**

Some communities permit bicycle style e-bikes when muscular powered only to operate on their multi-use trails. This approach is somewhat more successful in tackling the concerns of maintained speed and weight for the reasons noted above.

As per the Cycling Skills, Ontario's Guide to Safe Cycling: Section 5 Cycling and The Law

A bicycle is a vehicle under the Ontario Highway Traffic Act (HTA). This means that, as a bicyclist, you have the same rights and responsibilities to obey all traffic laws as other road users. Cyclists charged for disobeying traffic laws will be subject to a minimum set fine and a Victim Surcharge fine of \$20.00 for most offences (please note set fines below are subject to change). See Appendix C.

Enforcement

Windsor Police Service comments will be forwarded under a separate cover and brought forward to the Standing Committee as a communication item.

Windsor Bicycling Committee (WBC) Report Recommendations

As noted above and contained within Appendix A, the WBC (whose membership is comprised of 9 volunteer voting members including one e-bike retailer), made 2 recommendations in the form of Committee Reports No. 53 and 54 (attached in Appendix A) at its meeting held on October 17, 2012. These reports are addressed herein.

Report No 53 requests Council to consider the following two options:

1. Allow e-bikes on multi-use trails that are 12 feet or wider; OR
2. Allow e-bikes on multi-use trails that are 12 feet or wider and further, that e-bikes be permitted on multi-use trails from 7:00am to 7:00pm Monday to Friday (holidays excluded).

None of the communities researched restricted trail use based on available width nor approach the solution with time limited permissions and therefore is not currently recognized as a best practice.

As noted herein, the feasibility of providing sufficient additional width to existing multi-use trails is extremely difficult to achieve and has ongoing budget implications in addition to the initial capital cost.

Administration is not supporting restricting e-bike use on the multi-use trails during weekday nights, weekends and holidays and permitting e-bike usage on the multi-use trails during weekday daylight hours.

Report No. 54 requests that City Council maintain the speed of 20 kilometres per hour on all signage in city parks for *e-bikes*.

- A. As noted during the WBC meeting dated October 17, 2012 and as suggested by Report No. 54, speeds below 20km/hr are difficult to maintain on an e-bike and hampers balance. As per Council M318-2012, e-bike use is prohibited within Parks and therefore the issue of speed is not currently under consideration.

- B. None of our community comparators limited e-bike usage on their multi-use trails with a time restriction. Usage was based on a speed limit of 20km/hr, as also seen in the City of Toronto, NCC Ottawa and the City of Calgary.
- C. Enforcement of speed presents many challenges.

Given the above considerations, Administration is recommending that e-bikes are best suited for on-road usage. This renders the suggested speed limit of 10 km per hour as not applicable.

A meeting of the Windsor Bicycling Committee occurred on Feb. 6, 2013 and the WBC and the e-bike retailers submitted comments on Feb. 7, 2013. Their comments will be addressed under a separate cover and brought forward to the Standing Committee as a communication item.

Review Regulations Surrounding Power Assisted Bicycles (E-bikes)

As mentioned earlier in the report, Administration recommends the City of Windsor request that on behalf of Ontario Municipalities that the Association of Municipalities of Ontario (AMO) encourage the Provincial government to review regulations surrounding Power Assisted Bicycles (e-bikes). During Ontario's e-bike pilot project, e-bike usage was minimal compared usage today and the e-bike products available have expanded to include scooter style units. As stated in Ontario's Cycling Skills guide operators are not required to hold a driver's licence, to have the e-bike registered or plated or to have motor vehicle insurance. A re-evaluation is required since current practices differ drastically and e-bike usage continues to increase in our community.

4. RISK ANALYSIS:

In general, the risks associated with e-bikes use on selected multi-use trails (shared pathways) include:

- Increased risk of accidents as a result of differential speed conflicts (e-bike, bicycle, roller blades, walkers, joggers, etc.)
- Injuries to pedestrians or other cyclists as a result of being hit by an e-bike can be significant given their potential speed and weight (120kg or 265 lbs curb weight plus the weight of the e-bike rider and any belongings). As noted insurance is not required.
- E-bikes produce very little noise and trail users can easily be startled or even injured if they do not realize that an e-bike is approaching them.

5. FINANCIAL MATTERS:

The cost to widen the existing trails to 6m and repave 29.1 km of existing trails within the right-of-way would be approximately \$7,566,000. Alternatively, providing e-bikes with a totally separate 3m trail on these same routes would result in capital costs of \$3,783,000.

6. CONSULTATIONS:

Windsor Police Service
Windsor Bicycling Committee (WBC)
E-Bike Retailers

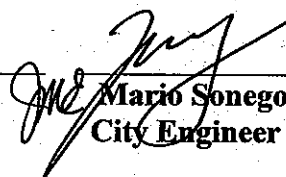
7. CONCLUSION:

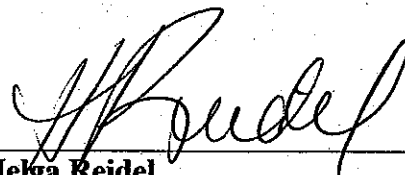
Administration is recommending to prohibit e-bikes from shared pathways. Several factors were considered in this report in order to arrive at this conclusion and these include the following:

- The safety of other shared pathway users
- The potential for differential speed conflicts between users
- The typical purpose of e-bike use
- Additional space requirements to accommodate some e-bike designs
 - This was reinforced by the Windsor Bicycling Committee request for width limited permissions (12 feet).
- The City current standard multi-use trail width is 3m (10 feet).
- Additional width, trails are currently constructed in areas experiencing/projected to experience higher than average volume use
- Ability to enforce

Administration further recommends AMO be requested to encourage the Provincial government to review regulations surrounding Power Assisted Bicycles (e-bikes).


 Jennifer Leitzinger
 Transportation Planning Engineer


 Mario Sonego
 City Engineer


 Helga Reidel
 Chief Administrative Officer

(JL)

APPENDICES:
 A – Windsor Bicycling Committee Reports No. 53 and 54
 B – City of Windsor Bike Lanes, Signed Routes & Multi-Use Trails within the Right-of-Way
 C – Highway Traffic Act Fines

DEPARTMENTS/OTHERS CONSULTED:
 Name:
 Phone #: 519 ext.

NOTIFICATION :				
Name	Address	Email Address	Telephone	FAX
WBC				
E-Bike Retailers Assoc.				
WPS				

KK/
Windsor, Ontario, November 28, 2012

REPORT NO. 53
of the
WINDSOR BICYCLING COMMITTEE
of its meeting held
October 17, 2012
Room 407, 400 City Hall Square East

Present: Kari Gignac, Chair
Councillor Alan Halberstadt
Neil Campbell
Walter Manney
Nicole Noel
Charles Pope

Regrets: Charles Griffiths
Dr. Christopher Waters

Your Committee submits the following recommendation:

Moved by N. Campbell, seconded by W. Manney
That City Council **BE REQUESTED** to consider allowing e-bikes on multi-use trails that are 12 feet or wider;

OR

That City Council **BE REQUESTED** to consider allowing e-bikes on multi-use trails that are 12 feet or wider and further, that e-bikes **BE PERMITTED** on multi-use trails from 7:00 a.m. to 7:00 p.m. Monday to Friday (holidays excluded).

Carried.

Charles Pope discloses an interest and abstains from voting on the matter as he is an e-bike retailer.

CHAIRPERSON

COMMITTEE COORDINATOR

NOTIFY:
Windsor Bicycling Committee

REPORT NO. 54
of the
WINDSOR BICYCLING COMMITTEE
of its meeting held
October 17, 2012
Room 407, 400 City Hall Square East

Present: Kari Gignac, Chair
Councillor Alan Halberstadt
Neil Campbell
Walter Manney
Nicole Noel
Charles Pope

Regrets: Charles Griffiths
Dr. Christopher Waters

Your Committee submits the following recommendation:

Moved by Councillor Halberstadt, seconded by N. Noel,

WHEREAS By-Law Number 200-2002 (A By-law for the use, regulations and protection of Parks) provides the following in Section 7.7 relating to "Speed" -

"Unless authorized by permit, while in a Park no person shall operate:

- (1) any vehicle on a roadway at a speed in excess of the posted limit; or
- (2) a bicycle other than a roadway at a speed in excess of 20 kilometres per hour", and;

WHEREAS City Council at its meeting held July 23, 2012 amended the Traffic By-Law 9148 (Part VII, Regulations re: Bicycles as follows:
M319-2012 25(3)"No person shall operate a Power Assisted Bicycle (e-bike) on a shared pathway (multi-use trail) unless such a multi-use trail has been specifically designed by Council to allow such activity with a set speed limit of 10 km per hour, and further, that Administration report back to Council on appropriate trails to be considered for such activity",

THEREFORE BE IT RESOLVED that City Council **BE REQUESTED** to maintain the speed of 20 kilometres per hour on all signage in city parks for *e-bikes*.

Carried.

Charles Pope discloses an interest and abstains from voting on the matter as he is an e-bike retailer.

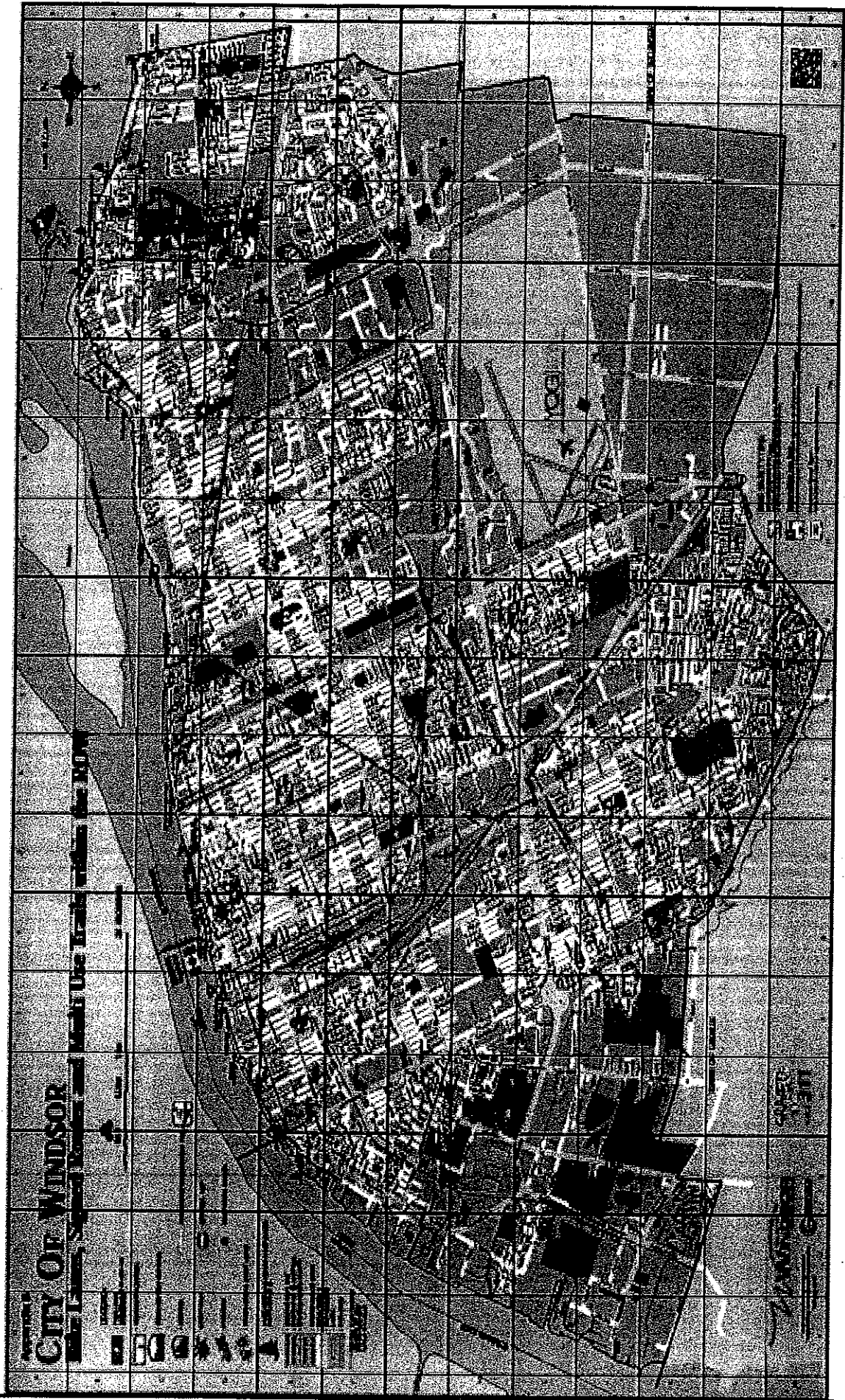
CHAIRPERSON

COMMITTEE COORDINATOR

NOTIFY:

Windsor Bicycling Committee

Appendix B



Appendix C

As per the **Cycling Skills, Ontario's Guide to Safe Cycling**

The following are key sections of the HTA concerning cyclists.

HTA Section	Offence	Description	Set Fine
HTA 144/136	Traffic signals and signs	Stop for red lights and stop signs and comply with all other signs	\$ 85.00
HTA 153	One-ways streets	Ride in the designated direction on one-way streets	\$ 85.00
HTA 147	Slow moving traffic travel on right side	Any vehicle moving slower than the normal traffic speed should drive in the right-hand lane, or as close as practicable to the right edge of the road except when preparing to turn left or when passing another vehicle.	\$ 85.00
HTA 142	Signalling a turn	Before turning, look behind you and signal your turn. Cyclists can use their right arm to signal a right turn.	\$ 85.00
HTA 140(1) 144(29)	Crosswalks	Yield or stop for pedestrians at crosswalks.	\$ 85.00
HTA 140(6)/144(29)	No riding in crosswalks	Walk your bike when crossing at a crosswalk	\$ 85.00
HTA 166	Streetcars	Stop two metres behind streetcar doors and wait until passengers have boarded or departed and reached the curb	\$ 85.00
HTA 175 (12)	Stopped school buses	Stop for stopped school buses when the upper alternating red lights are flashing.	\$ 400.00
HTA 62(17)	Lights	A bike must have a white front light and a red rear light or reflector if you ride between 1/2 hour before sunset and 1/2 hour after sunrise and white reflective tape on the front forks and red reflective tape on rear forks.	\$ 20.00
HTA 75 (5)	Bell	a bike must have a bell or horn in good working order	\$ 85.00
HTA 64(3)	Brakes	a bike must have at least one brake system on the rear wheel. When you put on the brakes, you should be able to skid on dry, level pavement.	\$ 85.00
HTA 218	Identification	Cyclists must stop and identify themselves when required to stop by police for breaking traffic laws. The police officer will ask you for your correct name and address	\$ 85.00
HTA Section	Offence	Description	Set Fine

HTA Section	Offence	Description	Set Fine
HTA Reg. 630	Expressways	Bicycles are prohibited on expressway / freeway highways such as the 400 series, the QEW, Ottawa Queensway and on roads where "No Bicycle" signs are posted	\$ 85.00
HTA 178(2)	Passengers	Passengers are not allowed on a bicycle designed for one person.	\$ 85.00
HTA 178(1)	Attaching to a vehicle	You are not permitted to attach yourself to the outside of another vehicle or streetcar for the purpose of "hitching a ride.	\$ 85.00
HTA 104	Helmets	Every cyclist under the age of eighteen must wear an approved bicycle helmet. Parents or guardians shall not knowingly permit cyclists under sixteen to ride without a helmet.	\$ 60.00
HTA 179	Dismounted bicyclist	Cyclists are required to ride on the right-hand side of the road. If you are walking your bike on a highway where there are no sidewalks, you are considered a pedestrian and you should walk on the left-hand side of the road facing traffic. If it is not safe for you to cross the road to face traffic, you may walk your bike on the right-hand side of the road.	\$ 35.00

The following are not considered bicycles and are subject to different rules for use:

- Limited-speed motorcycles
- Motor-assisted bicycles (mopeds)
- Low-speed vehicles
- Electric and motorized scooters (go-peds)
- Pocket bikes
- Segway Human/Personal Transporters

For more information on the rules of use for these types of vehicles, please visit www.mto.gov.on.ca.



THE CORPORATION OF THE CITY OF WINDSOR
OFFICE OF THE CITY ENGINEER - Operations

Memo

FEB 20 2013

Date: February 15, 2013

To: City Clerk

From: J. Leitzinger, Transportation Planning Engineer
H. Reidel, Chief Administrative Officer
M. Sonogo, City Engineer

ADDITIONAL ITEM NO. 5
INFORMATION CITY OF WINDSOR
COUNCIL SERVICES

FEB 15 2013

RECEIVED

Subject: COMMUNICATION: Feedback on Administration's Recommendations
to Amend Bylaw 9148

Administration is providing the following information in response to the submission by the Windsor Bicycling Committee Chair entitled "Feedback on Administration's Recommendations to Amend Bylaw 9148"

1. We ask that the report includes further clarification of *public right-of-way*.

As per the City of Windsor Development Manual, the Right-of-Way is defined as:

"City owned land or property used for public transportation purposes. A general term denoting land, property, or interest therein, usually in a linear orientation acquired for or devoted to public transportation purposes."

It should be noted that the right-of-way extends beyond the roadway pavement and includes items such as grassed boulevards, sidewalks and utilities. There is not necessarily any demarcation for the start of private property.

Administration understands the root of this question to be the variety of trail types currently available and the further complication by the presence of parkland adjacent to the right-of-way.

- Some multi-use trails are physically separated from the paved roadway by curb and gutter, by distance (either gravel portion, grassed areas, asphalt surface with line markings etc) and some are separated by a rumble strip and line markings.
- These trails can be within the public right-of-way, within the parkland immediately adjacent the right-of-way, or transition between the two. From a user perspective – there would be no differentiation.

2. We ask that administration compile a list of multi-use trails that are currently viable for e-bike use, as is (public rights of way that are already wide enough)

As shown in the report, Table 1 lists the Multi-Use Trails within the Public Right-Of-Way and/or parkland adjacent to the right-of-way. None of the trails listed in Table 1 have a width of 6m, therefore no trails within the right-of-way are currently designed to accommodate e-bikes (power assisted bicycles).

Continued

3. We ask that administration and city council place priority on improvements to the city's on-street bike lane network, especially in areas where e-bike traffic is high (arterial routes).

The current Engineering Best Practice BP4.3.1, *Widening During Pavement Rehabilitation on Local Roads*, recommends that consideration be given to the accommodation of cycling facilities with particular (but not exclusive) mention to cycling facilities identified in the Bicycle Use Master Plan.

Administration ensures that cycling facilities are incorporated into the Engineering and Contracts Division projects when feasible.


4. We request that the city make efforts to include e-bikes in current and future cycling policies (i.e. BUMP, the city's Official Plan).


Administration appreciates this comment. Depending on the particular application, e-bikes (power assisted bicycles) may be included in the cycling policies. Opportunities and the relevancy of addressing e-bikes (power assisted bicycles) exclusively will be reviewed on a case-by-case basis.

5. We ask that administration (in cooperation with the Health Unit, the WEC and any other appropriate organizations) explore the cost of providing a comprehensive e-bike safety public outreach campaign.

Administration welcomes opportunities to include e-bike (power assisted bicycle) safety in the City of Windsor education and awareness campaigns. A leading role by the Windsor Bicycling Committee is encouraged.


J. Leitzinger
Transportation Planning Engineer


H. Reidel
Chief Administrative Officer


M. Sonogo
City Engineer and Corporate Leader
Environmental Protection and Transportation

JL:jb