

November 20, 2024

**Electronic Submission Only**

**ATTENTION:**

Katerina Downard  
Environmental Policy Office  
438 University Avenue  
12<sup>th</sup> Floor  
Toronto, ON M7A 1N3

**Re: City of Burlington comments on Bill 212 – Reducing Gridlock, Saving You Time Act, 2024  
Framework for bike lanes that require removal of a traffic lane  
ERO Posting No.: 019-9266**

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**Background:**

On October 21, 2024, the Province posted a proposal to Bill 212, the *Reducing Gridlock, Saving You Time Act, 2024* that proposed a framework that impacts bike lanes, enabling provincial approval authority for the installation of bike lanes on municipal roads, where the removal of a vehicle lane is required. Approval will be based on a set of specified criteria, to be set out in guidance and/or regulation. The proposed framework would also provide the province with the authority to request municipalities to submit information about existing bike lanes on municipal roads where an existing vehicle lane was removed.

**Context:**

Burlington City Council recently approved an Integrated Mobility Plan (2023) creating a long-range multi-modal mobility strategy that will guide the development and operation of the city's future transportation network. The approved mobility strategy is rooted in a vision that mobility will be safe, accessible, sustainable, balanced, and livable. It aligns with provincial and municipal growth strategies to accommodate future travel demand without relying on expanding roadways. The plan aims to manage vehicular congestion for people who drive by encouraging more people to use alternative forms of transportation. It also supports improvements to safety, such as the expansion of a protected cycling network, that positively impacts the safety of all users, particularly vulnerable road users; those who walk, cycle and use transit.

Furthermore, Burlington City Council declared a climate emergency in 2019 and approved the Climate Action Plan in 2020 which provides a low carbon energy pathway for Burlington to become a net carbon neutral community by 2050. The Climate Action Plan recognizes that the transportation sector accounts for nearly half of the City's carbon footprint. One of the key program areas identified in the Climate Action Plan promotes sustainable mobility options to reduce reliance on the private automobile, highlighting the importance of walking, cycling and transit.

Bill 212, if enacted, may significantly impact planned cycling infrastructure projects over the next 10-years. Burlington's plan includes expanding the cycling network to connect people to key destinations and serves riders of all ages and abilities through the introduction of physically separated and protected cycling facilities. Dedicated cycling infrastructure also accommodates new and emerging modes of micromobility devices such as e-bikes and e-scooters, which will continue to be important modes of mobility as the Ministry of Transportation has recently extended the Electric Kick-Scooter (E-Scooter) Pilot Project O. Reg. 389/19 for an additional five years, reflecting the province's ongoing commitment to exploring sustainable transportation options while ensuring public safety. Burlington remains committed to expanding its network of high-quality protected cycling infrastructure, providing equitable mobility options for all residents, not just those who drive.

**Comments:**

At present, municipalities have the authority to design and construct bike lanes on roads under their jurisdiction based on local priorities and mobility needs. Bill 212 proposes to amend the Highway Traffic Act to require that municipalities obtain provincial approval before constructing bike lanes that would "reduce the number of marked lanes available for travel by motor vehicle traffic". The city offers the following comments:

- The proposal states that prescribed municipalities would be required to seek provincial approval to remove an existing vehicle lane in order to construct bike lanes, but there is no list of "prescribed municipalities" included within the proposal, nor is there a definition as to what would make a municipality eligible for provincial approval. A list of prescribed municipalities is required.
- The proposal states that provincial approval would be required for implementation of new bike lanes that require the removal of an existing lane of traffic. It is requested that the province define "existing lane of traffic" and confirm if parking lanes, two-way left-turn lanes and exclusive turn lanes fall within the definition. Furthermore, the context of an "existing lane of traffic" is vague. The proposal does not appear to consider the role and function of the "existing lane of traffic" in the overall mobility network, the amount of automobile traffic it serves per day (average annual daily traffic), daily volume of cyclist, pedestrian and transit activity, adjacent land use or built form.
- The proposal states that approval of future cycling projects will be based on a set of "specified criteria," to be set out in guidance and/or regulation. In essence, the province will have the authority to decide if a bike lane would unduly diminish the orderly movement of motor vehicle traffic, but the criteria to make this decision has not yet been defined or made available for comment.
- It is noted that municipalities in an urbanized context have significantly greater tolerance for vehicular delay & capacitated conditions when compared to the province. In fact, the Ministry of Transportation's General Guidelines for the Preparation of Traffic Impact Studies defines a volume/capacity (v/c) ratio greater than 0.85 to be deemed "critical" in terms of operations and evaluated for operational improvements (i.e. widening to accommodate additional vehicle lanes and increase auto carrying capacity), compared to the approach of many urban municipalities, including Burlington, that tolerates increased congestion and focuses on rebalancing the transportation network to add people-carrying capacity through increasing accessibility to sustainable modes (i.e. safe cycling infrastructure).

The proposal is unclear as to how impacts of bike lanes will be assessed and under what v/c threshold will a project be rejected. It is important to note that local municipal mobility objectives differ from those of the province and the role of the local municipal street network is significantly different than the provincial highway & freeway system. It is the opinion of the City of Burlington that the viability of municipal projects introducing cycling infrastructure should not be assessed under the same criteria and capacity thresholds used to assess impacts to the provincial highway system.

- The proposal notes that implications to the environment will be considered as the ministry identifies and develops criteria for evaluating new cycling lanes. It is prudent that the province considers the impact fewer cycling facilities will have on GHG emissions and how this move will impact the city's ability to deliver on the program areas outlined in the Climate Action Plan.
- The proposal indicates that the province will consult with targeted stakeholders, including large municipalities, on the proposal and seek feedback to develop criteria on the installation of new cycling infrastructure. Burlington respectfully requests to be identified as an impacted and interested party and would welcome the opportunity to participate in future consultation activities.

**The City of Burlington urges the reversal of Bill 212, recognizing that local governments are best positioned to make decisions about cycling infrastructure in a way that reflects the needs of the community.**

Please accept this letter as the City of Burlington's submission on ERO Posting No.: 019-9266. This letter and its attachments were shared with City Council on November 15, 2024. Should Council determine that any additional comments or refinements to the attached are required, the province will be advised at the earliest opportunity.

Sincerely,



Kaylan Edgcumbe, C.E.T.  
Manager, Integrated Mobility  
Transportation Services Department  
Public Works Division

Attachment A – Comments Submitted by Burlington's Integrated Transportation Advisory Committee (ITAC)  
Attachment B – Comments Submitted by Burlington's Cycling Advisory Committee (BCC)



## Integrated Transportation Advisory Committee

[burlington.ca/ITAC](http://burlington.ca/ITAC)



Katerina Downard  
Environmental Policy Office  
438 University Avenue, 12<sup>th</sup> Floor  
Toronto, ON M7A 1N3

### **Re: Province's Bill 212 (Reducing Gridlock, Saving You Time Act)**

This letter is sent on behalf of the City of Burlington's Integrated Transportation Advisory Committee members (ITAC) who are Council-appointed citizen volunteers and collectively play a key role in providing advice and feedback to Council and Staff on a variety of transportation issues in the city. ITAC advises the City and Staff on policies, initiatives and strategies affecting all forms of transportation, including cycling, pedestrian travel, transit, and driving.

We are writing to express our concerns regarding the Province's Bill 212 (Reducing Gridlock, Saving You Time Act) and its implications for municipal autonomy in delivering safe and effective cycling infrastructure.

### **Our City is strong and capable:**

The City of Burlington, along with other Ontario municipalities, has demonstrated a strong capability to develop cycling infrastructure that responds to the unique needs of our local communities. We believe that the Province's new bill represents an unnecessary and improper overreach into municipal affairs that will only serve to delay the delivery of crucial projects and force people to choose personal vehicles as a mode of travel due to a lack of safe and comfortable cycling conditions.

Providing safe cycling infrastructure is vital for supporting choice and equity in travel modes, including supporting vulnerable road users such as children, those who cannot afford a car, and those who are unable to drive. Our city has consistently prioritized the safety and well-being of all our residents, regardless of the mode of transportation they choose. This includes developing a long-term plan for the implementation of a complete cycling network, which includes both on and off-road facilities that are properly located to ensure the effective and efficient movement of people and goods across the entire transportation network. Burlington has always considered both localized and broader impacts on travel patterns and community feedback during the planning and implementation of these cycling facilities, undoubtably promoting a safer and more equitable transportation network.



## Integrated Transportation Advisory Committee

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### **Bike lanes will support a growing population:**

Furthermore, the provision of active transportation infrastructure, particularly cycling lanes, is essential for supporting a long-term modal shift away from personal vehicles. As our population continues to grow, it is imperative that we offer safe and accessible transportation options that do not require the purchase of a vehicle or can support households in moving away from owning multiple vehicles. Cycling is an environmentally responsible and easily accessible mode of transportation for people of different ages and abilities that currently plays, and will continue to play, a key role in getting Ontarians moving. We know that each bike on the street equals one less car on the road, which will ultimately help to reduce congestion and resolve gridlock long term.

With Ontario's population projected to grow significantly in the coming years, it is crucial to address the impending challenges of increased congestion. Without substantial investment in cycling lanes and other active transportation infrastructure, municipalities across Ontario will face worsening traffic congestion, far beyond the levels we currently experience. By prioritizing cycling infrastructure, we can mitigate these issues and ensure that our transportation networks remain efficient and effective for all modes of travel.

The Province's focus on expanding space for personal vehicles is an antiquated approach to transportation planning that only serves to facilitate induced demand and is an inequitable approach that will limit equity-deserving groups to choose how they move throughout the city and the broader region. Instead, we urge the provincial legislature to (1) limit their involvement in municipal affairs, and (2) invest in cycling lanes and transit infrastructure. These investments will have lasting impacts by promoting a mode shift away from personal vehicles, ultimately helping to manage congestion in the future.

### **Bike lanes have many benefits:**

Beyond these benefits, we would also like to note that investing in cycling infrastructure also brings significant economic benefits. Local Business Improvement Areas and academic studies have shown support and evidence that cycling infrastructure can boost local economies by increasing retail sales, attracting tourism, and reducing healthcare costs associated with sedentary lifestyles. Additionally, cycling infrastructure projects often create jobs and stimulate economic activity during their construction and maintenance phases. By promoting cycling, we can foster healthier, more vibrant communities that are more equitable and economically resilient.



## Integrated Transportation Advisory Committee

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Finally, the Provincial Legislature should also be aware of some key statistics to understand when considering the impacts of Bill 212.

- Protected cycling lanes can substantially improve safety for all road users, with a [2014 study in New York City](#) showing up to 25% decreases in all forms of crash injuries (driver, pedestrian, or cyclist).
- That [same study](#) also highlighted a reduction in vehicle volumes, which directly improved travel time by up to 35%. Fewer people using cars can have a far greater impact on improving congestion than maintaining or adding lanes for general purpose vehicles.
- Cycling infrastructure may be controversial in the short-term, but there is [academic evidence](#) from Canada to show that there is long term acceptance and support for this infrastructure.
- While vehicles idling along congested roadways may have greenhouse gas (GHG) emissions that are higher than free-flowing vehicles, removing a vehicle entirely from the network (and replacing it with a cyclist) would represent a 100% reduction in GHG emissions for that user.

In conclusion, we strongly believe that Ontario municipalities, including Burlington, are better positioned to understand and address the holistic transportation needs of our communities, without the oversight of the Province. We strongly urge the provincial government to reconsider Bill 212 and to respect local decision-making in creating a sustainable and equitable transportation network.

Thank you for your attention to this important matter.

Sincerely,

The City of Burlington's Integrated Transportation Advisory Committee

Cc:

Hon. Doug Ford, Premier; Hon. Prabmeet Singh Sarkaria, Minister for Transportation; Hon. Andrea Khanjin, Minister for the Environment; Natalie Pierre, Burlington MPP; Marit Stiles, NDP Leader; Joel Harden, NDP; Karina Gould, Burlington MP.

October 31, 2024

We, the members of Burlington's Cycling Advisory Committee, are writing to express our opposition to the proposal in Bill 212 that would limit the autonomy of municipalities in determining how they can implement cycling infrastructure to best serve the needs of their constituents.

As an advisory committee to Burlington's city council, our mandate includes providing input on cycling infrastructure and encouraging cycling for residents of all ages. We support Burlington's Cycling Master Plan (2021) and Integrated Mobility Plan (2023), both of which call for expanded cycling infrastructure. Our community needs more bike lanes for:

1. **Safety.** The evidence is unequivocal – bike lanes save lives, and limiting their placement puts cyclists, who pay equally for city roads through their property taxes, unnecessarily at risk. They give people the opportunity to navigate the city without being forced to compete with motor vehicle traffic for space. But cyclists aren't the only ones who benefit: evidence shows that bike lanes add a level of safety for pedestrians and drivers too.<sup>1</sup> Traffic can move faster, safer and more confidently knowing there is protected sharing of the road.
2. **Liveability.** Burlington's population is expected to expand to approximately 265,160 by 2051. With this growth, modal shifts to alternative forms of active and public transportation will be necessary to avoid traffic congestion. Bike lanes can accommodate a larger number of commuters in a smaller space, making them more efficient than cars. Moreover, because cycling is an effective transportation option for anyone who is unable to or chooses not to drive, it contributes to the health and accessibility of our community.
3. **Climate action.** Cycling is a zero-emission mode of transportation with lower embedded carbon than automobiles. Burlington, like municipalities across Ontario and around the world, is working toward becoming a net carbon zero community. Growing our cycling modal share is an important part of that effort.

While we continue to advocate for further improvements to the cycling infrastructure in Burlington, we are proud of the progress our city has made in planning a safer, more liveable, more environmentally responsible and ultimately more equitable community for the future.

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<sup>1</sup> <https://www.cazbike.org/bike-lanes-make-roads-safer-for-all-road-users/>

**Does Bill 212 make any sense?**

Bill 212 would require municipalities to provide data and get Ministry of Transportation approval to install bike lanes if traffic lanes will be impacted. This approach ignores the simple fact that car traffic congestion is caused by one thing – more cars. Stifling a municipality's ability to manage its own transportation systems and making streets less welcoming for cyclists by limiting the installation of bike lanes will ultimately do nothing to relieve the gridlock you reference. As local populations expand it will likely result in slower traffic as cyclists must occupy the vehicle lanes they are entitled to use.

Your government has suggested that bike lanes should be located on secondary roads. That's not possible in Burlington, where the only North/South corridors connecting the city over the Queen Elizabeth Way are major arterials. Here, cars and bikes must share the road.

Bill 212 appears to be a politically motivated overreach that is not supported by scientific evidence or analysis. It ignores the knowledge and expertise our local transportation departments have in designing and managing public space. It wastes resources that communities have dedicated to cycling infrastructure planning and implementation, adding an unnecessary layer of bureaucracy to the process. And it exacerbates the hostility between drivers and cyclists.

We don't need short-sighted and divisive policies. We need an approach that embodies open mindedness, cooperation and compromise, and keeps Ontario communities moving.

Sincerely,

Burlington Cycling Committee.