

Bicycle Facilities and Municipal Liability Workshop

February 26, 2015 | 7120 Hurontario Street, 2nd Floor, Room 421 | 8:00 am to 1:00 pm

Agenda

REGISTRATION & BREAKFAST: 8:00AM TO 8:45AM

1. Welcome and Introductions: Why are we here today?

8:45 am – 9:00 am – Region of Peel

2. Ontario Traffic Manual Book 18: Cycling Facilities

9:00 am – 9:30 am

Dave McLaughlin, MMM Group Limited

3. Bicycle Facilities and Municipal Liability

9:30 am – 10:00 am

Belinda Bain, Gowling Lafleur Henderson LLP

<15 MINUTE BREAK>

4. Police Perspective on Cycling and Enforcement

10:15 am – 10:45 am

Police Constable Hugh G. Smith, Toronto Police

5. Panel Discussion

10:45 am – 11:45 am

Opportunity to ask Questions – Facilitated by Region of Peel

6. Closing Thoughts and Invitation to Networking Lunch

11:45 am – 12:00 pm

Region of Peel

CATERED LUNCH: 12:00 PM TO 1:00 PM

WE INVITE YOU TO TAKE THIS OPPORTUNITY TO MEET WITH MUNICIPAL AND REGIONAL COLLEAGUES TO
DISCUSS CYCLING ISSUES AND HOW WE CAN COLLABORATE AND MOVE FORWARD

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Presentation Descriptions

Ontario Traffic Manual Book 18: Cycling Facilities

Dave McLaughlin, MMM Group Limited

Dave will highlight some of the new cycling facility design guidelines identified in OTM Book 18; Cycling Facilities (2013), and present some examples of recently implemented or planned projects that demonstrate application of the guidelines. His presentation will also include a few highlights from the Ministry of Transportation of Ontario's (MTO) new Bikeway Design Manual (2014), which is based on similar design guideline principles as OTM Book 18, but intended for provincial highway planners and engineers. Dave will conclude with some recommendations from OTM Book 18 regarding maintenance, risk management and liability as it relates to cycling infrastructure.

Bicycle Facilities and Municipal Liability

Belinda Bain, Gowling Lafleur Henderson LLP

Belinda will speak on the fundamentals of municipal liability in relation to active transportation infrastructure, including applicable statutory and common law duties. The presentation will touch on issues relating to the appropriate use of curb cuts on multi use/cycling trails, as well as potential liability of employers and/or schools encouraging increased cycling.

Police Perspective on Cycling and Enforcement

10:15 am – 10:45 am - Constable Hugh G. Smith, Toronto Police Service, Traffic Services

Hugh will tackle the interpretation of the law, such as the Highway Traffic Act, by police, when enforcing laws dealing with cycling and motorist interactions. In particular, the problems police agencies are having, when dealing with definitions and other laws that don't support one another. E.g. Municipal By-laws vs. Highway Traffic Act vs. Criminal Code. He will also cover the more difficult questions of right of way for cyclists being passed by motor vehicles and new Toronto by-laws that address cycling on sidewalks, cycle-tracks, contra flow lanes and parks. His presentation will also include clarifying the cycling rules around E-bikes and new alternative electric vehicles as well as his own experience successfully working with a school to promote cycling to school.

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Speaker Bios

Dave McLaughlin, MMM Group Limited

<http://mmmgrouplimited.com/experts/dave-mclaughlin/>

Dave McLaughlin is a partner and Senior Project Manager, Transportation Planning at MMM Group Limited. Co-author of OTM Book 18 and the MTO Bikeways Design Manual, he is one of MMM's leading national specialists in Complete Streets and Sustainable and Active Transportation Planning and Facility Design, with more than 23 years of experience in the transportation and land use planning fields.

Belinda Bain, Gowling Lafleur Henderson LLP

<http://www.gowlings.com/OurPeople/belinda-bain>

Belinda Bain is a partner in Gowlings' Toronto office, practising in the area of advocacy. Belinda's practice includes insurance, municipal liability, professional liability, product liability and employment law matters, including class actions. Belinda is the co-leader of Gowlings' Toronto Insurance Group. She has appeared as counsel at all levels of the Ontario Superior Court and at the Ontario Court of Appeal, as well as before the Financial Services Commission of Ontario, the Ministry of Labour and the Ontario Human Rights Commission.

Constable Hugh G. Smith, Toronto Police Service, Traffic Services

Hugh.Smith@torontopolice.on.ca

Constable Hugh Smith joined the Toronto Police Service in May 1987. He spent 10 years as a front-line officer in the Downtown Toronto area. He was one of the founding officers of the Bicycle Patrol Unit that was established in 1990. His professional experience includes becoming a Can-Bike II Certified Instructor in 1994, and a National Examiner in 1999. From 1997 to 2009, Constable Smith was designated as a Police Vehicle Operations instructor at the Toronto Police College. He is certified in all aspects of vehicle operations; Bicycles, All Terrain Vehicles, Motorcycles, Cruisers, Trucks and Buses. His professional experience has allowed him to instruct to various outside police agencies as well as the private sector. Since 2009, Constable Smith has been assigned to the Traffic Services Unit, Traffic Safety Programs, specializing in pedestrian, cycling, active transportation safety, and continues as a Collision Scene Communications /Media Relations Officer.