

Date: March 11, 2022	Originator's files:
To: Chair and Members of General Committee	
From: Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works	Meeting date: March 30, 2022

## Subject

Administrative Penalties for Parking, Standing or Stopping in Bicycle Lanes (All Wards)

## Recommendation

That an administrative penalty be established for parking, standing or stopping a vehicle in bicycle lanes by amending the following by-laws as outlined in the corporate report dated March 11, 2022 from the Commissioner of Transportation and Works entitled "Administrative Penalties for Parking, Standing or Stopping in Bicycle Lanes (All Wards)":

1. That the Administrative Penalty By-law (0282-2013), as amended, be further amended to establish penalties of \$55 for parking, standing and stopping vehicles in designated bicycle lanes.
2. That the Administrative Penalty By-law (0282-2013), as amended, be further amended to increase the penalty for parking in a prohibited zone to \$55.
3. That the Traffic By-law (0555-2000), as amended, be further amended to add a definition for "Bicycle Lanes", a prohibition for parking and standing in designated bicycle lanes, as well as certain exemptions.

## Executive Summary

- Several roads with painted bicycle lanes in Mississauga also include parking lanes or lay-by parking bays, which introduces potential conflicts when drivers park in or otherwise obstruct the bicycle lanes.
- The establishment of an administrative penalty for parking, standing or stopping a vehicle in a designated bicycle lane would be in line with fines levied in comparator municipalities in southern Ontario.
- If approved and enacted, enforcement of the new penalty will begin as soon as May 2, 2022 and will be supported by a communications campaign.

## Background

Members of the public have expressed concerns about drivers of vehicles parking in or otherwise blocking painted bicycle lanes in various locations across the City. Staff have reviewed the Traffic By-law (0555-2000), as amended, and the Administrative Penalty By-law (0282-2013), as amended, to confirm the options available to the City to enforce and/or issue fines to drivers who park or otherwise block a bicycle lane. Staff have also reviewed how neighbouring municipalities address this issue.

Painted bicycle lanes are in place on several streets in Mississauga. These bicycle lanes do not include any physical measures that might prevent drivers of cars or trucks from either encroaching on the lanes or stopping, standing or parking in the lanes. Typically, the City installs “No Parking” signage wherever bicycle lanes are in place at the right-most edge of the roadway, adjacent to the curb.

There are some locations with parking bays or lay-by parking stalls in place on the roadway as well as a bicycle lane. In these instances, “No Parking” restrictions are not possible since the intention of the road design is to permit curbside parking while maintaining cycling space. The lack of a parking restriction limits enforcement tools for situations where vehicles block a bicycle lane. Specific examples include Confederation Parkway between Rathburn Road West and Burnhamthorpe Road West, and Tenth Line West between Britannia Road West and Derry Road West (see Figures 1 and 2 below).



Figure 1: Confederation Parkway south of Princess Royal Drive



*Figure 2: Screen capture of resident video submission showing multiple vehicles blocking bicycle lane on Confederation Parkway south of Princess Royal Drive (Source: Kris Hammel, MCAC Member)*

When drivers of cars, trucks or other motor vehicles park, stop or stand in bicycle lanes, it forces people riding bicycles to merge into general purpose travel lanes and share space with motorized vehicles. This creates uncomfortable conditions for people on bikes and can result in potentially dangerous merging and weaving movements on high volume roads in busy urbanized areas.

## Comments

### Traffic By-law (0555-2000)

Section 31 of the Traffic By-law (0555-2000), as amended, describes the purpose of designated bicycle lanes and includes provisions that prohibit drivers of vehicles from stopping in a bicycle lane.

The existing language makes explicit reference to stopping a vehicle in a bicycle lane, but does not mention parking or standing. Without a specific reference to all of these activities (parking, standing and stopping), the City is limited in its ability to establish penalties to deter undesirable behaviour. Therefore, Section 31(2)(b) is recommended to be revised to add reference to parking and standing as well as to stopping to align with existing wording in the Traffic By-law (0555-2000) for other types of driver prohibitions.

Further, the existing language refers to an exemption for public transit vehicles to be able to stop in a bicycle lane. This type of exemption should also be applied to other specific categories

of vehicles for specific purposes. Section 31(2) is recommended to be revised to articulate additional exemptions to this provision. Vehicles permitted to drive in a bicycle lane would include:

- a bicycle or an e-scooter;
- a police, fire, emergency medical service vehicle;
- a maintenance vehicle while engaged in maintenance activities.

Vehicles permitted to park or stop in a bicycle lane would include:

- a public transit motor vehicle;
- a police, fire, emergency medical service vehicle;
- a maintenance vehicle while engaged in maintenance activities;
- a vehicle loading or unloading of a person with a disability, while actively engaged in doing so.

The Traffic By-law (0555-2000) does not currently include a formal definition of a bicycle lane. A formal definition would improve clarity when the City seeks to add new enforcement tools. For example, edge lines are frequently used in Mississauga as a traffic calming device. The lines are visually similar on the roadway to bicycle lanes, however there are specific bicycle stencil and diamond markings and specific signage that distinguish bicycle lanes from edge lines and other uses. A formal definition gives the City a stronger foundation to consistently enforce new penalties. A formal definition is therefore recommended to be added, with language that is largely consistent with definitions found in the Region of Peel and City of Brampton's by-laws:

“Bicycle Lane” means a portion of the roadway designated for unidirectional bicycle traffic only and denoted by authorized signs and pavement markings.

#### Administrative Penalty By-law (0282-2013)

The Administrative Penalty By-law (0282-2013), as amended, does not have an established penalty for parking in or otherwise obstructing a bicycle lane.

Staff have reviewed the set penalties for this situation in 38 neighbouring Ontario municipalities as of 2020. Fifteen (15) of the municipalities reviewed had established penalties, of which a selection is presented below (see Table 1):

<b>Municipality</b>	<b>Set Penalty for Parking in or Obstructing Bicycle Lane</b>
City of Toronto	\$150
Town of Oakville	\$50
City of Vaughan	\$50
City of Burlington	\$46
City of Brampton	\$35
City of Hamilton	\$33

*Table 1: Comparison of Set Penalties in Nearby Municipalities*

The average penalty across the 15 municipalities is \$45; excluding Toronto, which has the highest penalty by a significant margin, the average penalty is \$37.

In consideration of Mississauga's relative size and rate of urbanization, it would be reasonable to set its penalty for parking, stopping or standing in a bicycle lane at or above the average value. For additional context, the City's existing penalty for stopping in a prohibited zone is set at \$55. For consistency, it is therefore recommended that the penalty for parking, standing or stopping in a bicycle lane be set at \$55 as well.

## Strategic Plan

Discouraging drivers from illegally blocking bicycle lanes by setting a fine in the Administrative Penalty By-law is aligned with the **Move** pillar in the City's **Strategic Plan**. In addition, it also aligns with other key City strategies, including:

- **Mississauga Cycling Master Plan** – “Improve safety for cycling” is one of the four main goals of the Cycling Master Plan;
- **Mississauga Transportation Master Plan** – A policy framework and Action Plan to guide the development of Mississauga's transportation system for the next 25 years; the vision statement of the TMP states that “In Mississauga, everyone and everything will have the freedom to move safely, easily and efficiently to anywhere at any time”;
- **Vision Zero** – The City's commitment to Vision Zero includes a focus on providing safe and comfortable infrastructure for vulnerable road users such as cyclists; and
- **Climate Change Action Plan** – Providing safe and comfortable active transportation infrastructure supports the long-term goals of the CCAP, to achieve goals for mode split and the co-benefits of active transportation, such as improved air quality and improved health outcomes.

## Engagement and Consultation

The recommended penalties of \$55 for parking, standing and stopping vehicles in designated bicycle lanes, along with other recommended changes as outlined in this report, were presented to the Mississauga Cycling Advisory Committee at its meeting on January 11, 2022. The Committee passed the following recommendation:

GC-0050-2022

That the Mississauga Cycling Advisory Committee support the proposed amendments to the Traffic By-law and the Administrative Penalty By-law, as outlined in the presentation from Matthew Sweet, Manager, Active Transportation regarding Set Fines for Parking, Standing or Stopping in Bicycle Lanes.  
(MCAC-0001-2022)

A public notification and communications plan will be developed and distributed throughout the City to advise local residents and visitors of the implementation of this penalty.

Enforcement of the new penalties will begin as soon as Monday, May 2, 2022. Proactive enforcement will be scheduled to occur in the spring of 2022 in areas previously highlighted by residents and other locations with similar parking and bicycle lane configurations.

## Financial Impact

This report is recommending a new penalty fee for parking, standing or stopping in a bicycle lane at \$55 per occurrence. Revenue from this new fee is undetermined as it remains unknown the extent to which undesired behaviour will be deterred by setting penalties. The revenues received will be booked to Cost Centre 22681 - APS Enforcement and Account 540100 - APS Fees.

## Conclusion

Establishing a penalty for parking, stopping or standing in bicycle lanes in the Administrative Penalty By-law (0282-2013) and amending the Traffic By-law (0555-2000) to strengthen regulations related to bicycle lanes are key steps in improving safety and comfort for people riding bicycles in Mississauga. Once a penalty is established, staff will implement the communications and enforcement plan beginning in the spring of 2022.



---

Geoff Wright, P.Eng, MBA, Commissioner of Transportation and Works

Prepared by: Matthew Sweet, Manager, Active Transportation