

**Transportation Report to
SPC on Transportation and Transit
2019 February 27**

**ISC: UNRESTRICTED
TT2019-0205**

Transportation Bylaw Changes

EXECUTIVE SUMMARY

This report proposes transportation-related bylaw amendments that will increase safety and accessibility for a variety of modes of travel for Calgarians. The recommended amendments will:

- Enact a number of The City's transportation related rights granted in the City Charter;
- Address the Notice of Motion (C2018-0934) from the 2018 July 23, meeting of Council;
- Address needed updates in the bylaws.

Many of the recommended changes are proposed to legalize behaviours that are commonly accepted and currently in practice in Calgary. A summary of the recommended changes includes:

1. Hand Signals for Cyclists
2. Signage for Cyclists
3. Safe Passing Bylaw
4. On-Street Parking Adjacent to Painted Lines
5. Back-In Angle Parking
6. Changes to where one can use Non-Motorized Skateboards, Inline Skates and Scooters
7. Yielding When Entering a Roadway or Sidewalk from a Pathway
8. Bicycle Parking in City Bike Racks
9. Allowing Electric Pedal Assist (E-Bikes) On Public Transit
10. Active Modes On Transit Station Pedestrian Bridges
11. Definition of Sidewalk
12. Definition of Skateboard, Scooter and Bicycle

The recommended bylaw changes are presented in two separate amendments, one addressing Charter bylaw amendments and the other addressing all non-Charter related amendments. Due to the Charter related changes, this report is directed to appear as a Public Hearing item at the Combined Meeting of Council on 2019 March 18 to comply with the advertising requirements within the Charter.

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ADMINISTRATION RECOMMENDATION:

1. That Council give three readings to the proposed Charter bylaw to amend:
 - a. the Calgary Traffic Bylaw 26M96; and
 - b. the Calgary Parking Bylaw 41M2002.
2. That Council give three readings to the proposed bylaw to amend:
 - a. the Calgary Traffic Bylaw 26M96;
 - b. the Street Bylaw 20M88;
 - c. the Stephen Avenue Mall Bylaw 52M87;
 - d. the Barclay Mall Bylaw 17M84;
 - e. the Calgary Parking Bylaw 41M2002;
 - f. the Calgary Transit Bylaw 4M81;
 - g. the Mall Between Second Street S.E. and First Street S.E. on Eighth Avenue Bylaw 26M85; and
 - h. the Municipal Complex Bylaw 38M2012.
3. That the report be directed to the 2019 March 18, Combined Meeting of Council to the Public Hearing portion of the Agenda;

PREVIOUS COUNCIL DIRECTION / POLICY

The City of Calgary Charter was enacted in 2018 April (with a retroactive effective date of 2018 January 1) and contains 37 new authorities, which may be implemented at the discretion of the municipality. The list of authorities was reviewed and approved by Council several times over the development of the Charter. The Charter grants The City certain transportation authorities that were previously controlled under the Alberta Traffic Safety Act. To implement the authorities the City of Calgary must update a variety of Municipal Bylaws.

On 2018 July 23 Council approved a Notice of Motion (C2018-0934) directing Administration to initiate a two-year pilot for bike share by 2018 September. The motion was adopted as follows:

“AND FURTHER BE IT RESOLVED that Council direct Administration to review the existing bylaw rules governing mobility devices such as scooters, skateboards, roller skates and personal mobility devices with electric motors and to bring forward any necessary bylaw amendments to facilitate the use of such devices no later than Q1 2019.”

BACKGROUND

One of The City’s primary goals is for all transportation modes to be safe and accesible. The recommended changes to the existing bylaws are planned to result in the following outcomes:

- Increase safety and accessibility on City roads, sidewalks, cycle tracks and public spaces;
- Provide more flexibility and choice options for defining parking;
- Encourage citizens to take advantage of more transportation modes by allowing the broader use of non-motorized personal mobility devices (skateboards, inline skates and scooters) on our existing cycle tracks and in public spaces in the downtown core.

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INVESTIGATION: ALTERNATIVES AND ANALYSIS

The recommended bylaw changes associated with the City Charter are detailed in Attachment 1, and a summary is provided in Table 1 of this report. The recommended bylaw changes associated with non-Charter changes are detailed in Attachment 2, and a summary is provided in Table 2 of this report. A more detailed description of each change, research, and other relevant information is provided in Attachment 3.

Table 1 - Charter Related Bylaw Changes	
Item	Summary
1. Hand Signals for Cyclists	A proposed section of the Calgary Traffic Bylaw, 41.2, will be added to enable cyclists to use either arm to indicate a right turn. Currently cyclists must use their left arm to indicate a right turn. The recommended change is aligned with the current legal practice of signaling a right turn using a right-hand in jurisdictions such as Ontario, Quebec, British Columbia as well as internationally.
2. Signage for Cyclists	Proposed new subsection 4(7) of the Calgary Traffic Bylaw will enable the Traffic Engineer to create new cycling signage where no existing cycling signage exists and where the provincially approved Manual of Uniform Traffic Control Devices does not mandate a particular form of signage or address a particular issue relating to cyclists. The signage is more visual and more universally understood.
3. Safe Passing Bylaw	Proposed section 41.3 of the Calgary Traffic Bylaw will create a rule that specifies the minimum distance at which a car can pass a cyclist in the roadway. Current legislation doesn't specify at what distance it is safe to pass a cyclist. The identification of a minimum distance of 1 metre to pass a cyclist while traveling under 60km/hr and 1.5m when traveling over 60km/hr provides additional clarity and protection to both drivers and cyclists.
4. On-Street Parking Adjacent to Painted Lines	Proposed section 5.1 of the Calgary Parking Bylaw will enable on-street parking adjacent to painted lines on a roadway. Currently, under the Alberta Traffic Safety Act, vehicles have to park on-street next to a physical curb, which in some cases is unnecessary and costly.
5. Back-In Angle Parking	Proposed amendments to section 5 of the Calgary Parking Bylaw will enable back-in angle parking where a traffic control device indicates. This amendment will provide additional parking options to consider when reviewing new projects or updates to existing infrastructure.

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Table 2 - Non- Charter Related Bylaw Changes	
Item	Summary
6. Non-Motorized Skateboards, Inline Skates And Scooters	Non-motorized skateboarding, inline skating and scooters are currently banned from the Central Traffic Zone (CTZ) in downtown Calgary. The CTZ is the only area where these modes cannot operate on sidewalks. In response to the Notice of Motion (C2018-0934) and to promote active mobility choices within the City, amendments are proposed to the Calgary Traffic Bylaw to lift the ban on non-motorized skateboarding, inline skating and scooters within the CTZ. In addition, amendments are proposed to allow skateboarding, inline skating and non-motorized scooters to operate within the cycle track network downtown and other exclusive bike lanes throughout the city. Non-motorized skateboarding, inline skating and scooters would be subject to the same rights and rules as a bicycle and will require lights when operating at night.
7. Yielding When Entering A Roadway Or Sidewalk From A Pathway	The proposed amendments to subsection 41(8) of the Calgary Traffic Bylaw will require that a cyclist entering onto a roadway or sidewalk from a pathway to yield instead of coming to a full stop. The proposed provision would only apply when there is the absence of any type of signage, such as when a pathway transitions to an on-street bike lane.
8. Bicycle Parking In City Bike Racks	Proposed subsection 17(6) of the Street Bylaw will address a gap in The City's current bylaws that do not expressly allow for bicycle parking in City provided bicycle racks.
9. Allowing Electric Pedal Assist (E-Bikes) On Public Transit	Proposed subsection 14.1(1)(a), of the Calgary Transit Bylaw will allow electric pedal assist bicycles on CTrains during the same hours that bicycles are permitted. Electric pedal assist bicycles are allowed on bus racks currently, given that their frame fits the bike rack and is not over 110 lbs.
10. Active Modes On Transit Station Pedestrian Bridges	A new subsection 14(14.2), of the Calgary Transit Bylaw is proposed to empower the Director of Calgary Transit to permit bicycles, and other active modes to be ridden on pedestrian bridges connecting to LRT stations and other transit infrastructure.
11. Definition Of Sidewalk	Administration has incorporated amendments to the definition of sidewalk in the Calgary Traffic Bylaw to be consistent with the Parks and Pathways Bylaw.
12. Definition of a skateboard, scooter and bicycle.	Definitions of skateboards and scooters were added to the Traffic Bylaw in order to allow for the operation of non-motorized skateboards and scooters in dedicated bicycle lanes. The definition of a bicycle was updated to match the Parks and Pathway bylaw.

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Electric Scooters

Notice of Motion (C2018-0934) directed Administration to review existing bylaw rules looking at personal mobility devices with electric motors. After review administration has confirmed that motorized mobility devices such as electric scooters (e-scooters), fall within the province's jurisdictional authority. Bylaws relating to these modes of transportation cannot be amended at without authorization from the Government of Alberta. Administration is currently working with the Government of Alberta on a permitting process that will allow for e-scooter pilots in Calgary. are Dependent on the results of the pilot and the Government of Alberta's willingness to permit the use of E-Scooters in the Transportation Safety Act, Municipal Bylaws may be be updated in the future.

Prior to Notice of Motion (C2018-0934), private bicycle share companies were expressing interest to introduce shared e-scooters into their fleet along with shared bicycles. Notice of Motion (C2018-0934) identified that the Dockless Bike Share pilot could consist of up to 10,000 bicycles, scooters, or other personal mobility devices. If approval of the pilot is granted prior to 2019 June 1 from the Government of Alberta, Administration will include e-scooters (with specific conditions related to their safe use and operation) in phase two of the Dockless Bike Share pilot running from 2019 June 1 until 2020 Oct. 31. Administration has been directed to report back to Council through Transportation and Transit Committee with an update on the Dockless Bike Share pilot in Q4 2019 and a final report with potential further recommendations no later than Q4 2020.

Stakeholder Engagement, Research and Communication

Consultation was undertaken with the public focusing on the items that were citizen focused, and less administrative. For example, more focus was given to people being able to use their right arm to signal while cycling, compared with the the authority for the Traffic Engineer to create cycling signage. Back-in angle parking was not publicly consulted on. Back-in angle parking will be reviewed and permitted on a per project basis after consultation with the relevant stakeholders. At present, there are no current projects where back-in angle parking is being considered or recommended.

The engagement was completed at a listen and learn level with the promise to "listen to stakeholders and learn about their plans, views, issues, concerns and expectations and ideas". Administration considered this feedback as well as other factors in providing recommendations to Council. Given the broad scope of changes and city-wide impact required for the project, online engagement was recommended by the Engagement Resource Unit. An online survey was open to the public from 2018 November 23 to 2018 December 9. We received 8,045 visitors to the webpage and from that 3,433 participants gave their input.

In addition to the online survey, Administration also met with key stakeholder groups who may be impacted or invested in the proposed bylaw changes including: Calgary Downtown Association, Calgary Police Services, Calgary Parking Authority, Calgary Association of Skateboarding Enthusiasts (CASE) and Bike Calgary.

The communication goals of the project included building public understanding of the project's purpose, promoting engagement opportunities and demonstrating openness and transparency in The City's planning and decision-making process. Stakeholders and the public were informed about the proposed bylaw amendments through:

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- Paid online advertisements on the calgary.ca webpage, Instagram, Twitter and Facebook.
- Bold signs at prominent locations in all four quadrants of Calgary.
- Posts from The City of Calgary and YYC Transport Twitter accounts.
- Emails to all Neighbourhood Partnership Coordinators with support materials for each community association (poster and messaging for their respective social media channels).
- A Public Service Announcement, which generated media mentions from seven different outlets.
- A project newsletter sign-up, which received over 200 registrations during the online engagement period.

All comments received were grouped into themes. While the most common themes were those who had general support or concern (liking or disliking the proposals without additional explanation why), the more detailed ideas were:

- Relating to safety (both that these changes would improve or decrease safety).
- Accommodating different types of transportation sharing the same spaces (i.e. speed differences, clarity of signals, congestion).
- Better enforcement and for all road users to follow the same rules.
- Making transportation easier for everyone.
- Encouraging more active transportation and/or use of pathways/cycle tracks.

A summary of the What We Heard Report has been provided as Attachment 4. The full report was published online in January and is available at calgary.ca/transportationbylaws.

Strategic Alignment

The proposed transportation bylaw amendments align with the Council priorities to provide a Well-Run City that is open and responsive to the needs of the communities; a City That Moves by enabling active mode choices; a Healthy and Green City by encouraging sustainable transportation choices; and the Key Directions for Land Use and Mobility identified in the Calgary Transportation Plan (CTP) of increasing mobility choices and optimizing infrastructure.

The project also supports the Sustainability Principles outlined in the CTP to provide a variety of transportation options and to provide transportation services in a safe, effective, affordable and efficient manner that ensures accessibility to all areas of the city for all citizens.

Social, Environmental, Economic (External)

The engagement provided opportunities for citizens to identify areas of concern. The interdepartmental collaboration provided opportunities to identify areas where consistency could be applied to reduce confusion and maximize citizen value. The bylaw changes support the social and cultural goals of The City to create an inclusive city that fosters participation within communities and supports opportunities for recreation and leisure. This work also supports The City's goals to create and sustain a healthy community by promoting active living through accessible services, facilities and amenities.

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Financial Capacity

Current and Future Operating Budget:

Administration anticipates that any budgetary implications would be minimal and could be accommodated within existing operating budgets. The two major implications would be education and communication on the new cycling rules and removal of “no skateboarding, inline skating or scootering” signs where necessary. The changes to the cycling bylaws can be incorporated into the existing education campaign planned for the 2019 spring/summer season.

Current and Future Capital Budget:

There are potential cost savings for future capital budgets that incorporate parking next to linear painted lines instead of using concrete curbs.

Risk Assessment

There is a risk that public may misunderstand the bylaw changes. These risks can be mitigated through education campaigns and promotion of bylaw changes.

There is also a risk that having mobility devices (skateboards, scooters and inline skates) on dedicated cycling infrastructure and on downtown sidewalks could lead to collisions between different modes. However, many Calgarians who use personal mobility devices already access downtown sidewalks and cycling infrastructure and do so safely. Additionally, wording is included in the bylaws to give pedestrians right-of-way on sidewalks across the city.

REASON(S) FOR RECOMMENDATION(S):

The recommended transportation bylaw changes incorporate amendments to increase the safety and accessibility for a variety of transportation modes for Calgarians. In many cases the recommended changes support existing behaviours and will promote a more healthy and active City. The recommended changes align with Council’s priorities and existing Policy.

ATTACHMENT(S)

1. Attachment 1 – Proposed Text of a Charter Bylaw to amend Bylaw 26M96, the Calgary Traffic Bylaw and Bylaw 41M2002, the Calgary Parking Bylaw
2. Attachment 2 Proposed Text of a Bylaw to amend Bylaw 26M96, the Calgary Traffic Bylaw and other traffic-related bylaws
3. Attachment 3 – An overview of proposed changes
4. Attachment 4 – What We Heard Summary Report