



August 1, 2025

Dear Premier Houston,

I'm sure by now you are well aware that the **Ontario Courts have ruled against Premier Ford's attempt to rip out bike lanes in Toronto.**<sup>1</sup>

In a nutshell, the Court ultimately found that the Ontario Provincial Government's decision to pass legislation requiring the removal of protected bike lanes in favour of adding motor vehicle lanes (Bill 212) to breach the Applicant cyclists' rights to life and security of the person under the Charter. The right to life is engaged where a law or state action creates an increased risk of death, either directly or indirectly.

In its decision, the Court clearly recognizes that while governments can make decisions about roads and traffic infrastructure, governments cannot do so arbitrarily. This is especially the case when there is clear evidence that a traffic infrastructure decision will expose road users to significant increased safety risk. This decision signals to governments the Courts' expectation that **decision-making should be evidence-based**, and logically connected to the ultimate government objective when an infrastructure decision engages road-users' Charter rights. If the decision is not, then it may be found to breach the Charter rights of road users to life and security of the person, and accordingly be struck down.

While you may believe that the decision on Morris St. is different, it shares the characteristics that HRM's plan, passed twice by Council, and based on years of expert input and consultation with the public and with key stakeholders like Fire, the Port Authority and EHS, would provide much-needed connectivity in a network which will make all road users safer, including drivers (CAA), and reduce road congestion (Dr. Saxe, an

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<sup>1</sup> [Cycle Toronto et al. v. Attorney General of Ontario et al., 2025 ONSC 4397](#)



expert witness in the Ontario case). With these conditions, if you override the decision, you are effectively **jeopardizing lives in an arbitrary (not evidence-based) decision**. This is exactly what the judge found unconstitutional.

Evidence that was accepted by the Court included:

An August 29, 2024 briefing note to the Ministry of Transportation advised that the Canadian Automobile Association (CAA) recommended the use of cycling infrastructure as a congestion management measure, noting that bike lanes increase active transportation mode share, reduce demand on vehicle lanes, can move 10 times more people than a car lane, and that adding a protected bike lane reduces collisions and injuries by 30 to 50%.

Dr. Shoshanna Saxe, a Canada Research Chair in Sustainable Infrastructure and Associate Professor at the University of Toronto stated that “investing in cycling infrastructure is one of the most powerful tools available to reduce congestion.” She noted that “when there are safe cycle routes that connect to a network of other safe cycle routes people take up biking in large numbers.” In short, as safe alternative modes of travel are developed, people drive less and use other modes of transportation, thereby reducing motor vehicle congestion. As Dr. Saxe said, “in other words, when it’s safe, people bike.”

Premier Houston, you have stated that the Morris St. decision should be reversed due to public safety concerns. However, you are focussing only on concerns expressed in the EMCI letter which simply asks for more collaborative work to find viable solutions. A key advantage of the proposed two-way cycleway on Morris is that it will be wide enough to accommodate emergency vehicles in either direction – this will prove to be faster than the



current conditions. Emergency vehicles are widely permitted to drive in bike lanes in other cities. Further, public safety of all road users will be enhanced by the city's plan.

The Port Authority's concerns have been addressed in the proposed design. While Morris St. is one of several secondary truck routes, the city has provided another secondary route and has included changes at one intersection to accommodate turns. This solution was previously accepted by the Port Authority. And, of course, in 2027, 75% of port traffic will no longer use south end roads.

I hope that with new information, you will reconsider your stance and allow the city to proceed with their carefully thought out plan.

Respectfully,

David Trueman,

Co-chair, Halifax Cycling Coalition

Cc:

Honourable Fred Tilley, Minister of Public Works

Honourable Michelle Thompson, Minister of Health and Wellness

Honourable Becky Druhan, Attorney General

Honourable John Lohr, Minister of Municipal Affairs

Honourable Timothy Halman, Minister of Environment and Climate Change

Honourable Tim Outhit

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