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## **Major Victory in Cycle Challenge: Ontario Court Finds Government Violated Charter Rights**

**Toronto, ON** – In a landmark ruling, the Ontario Superior Court has sided with cycling and safety advocates in the *Cycle Challenge* case, finding that the Ontario government's actions violated Canadians' Charter rights under Section 7.

Justice Schabas ruled that government decisions that increase risk to people, particularly vulnerable road users like cyclists, are unconstitutional when not made in accordance with the principles of fundamental justice. The ruling affirms that government action cannot knowingly make streets less safe, especially when it won't achieve the goal of reducing traffic congestion, and that public safety must be a paramount consideration in policymaking.

"This is a full win," said Michael Longfield, Executive Director of CycleToronto. "We won on the facts and on the law. The court accepted our argument that the government's actions increased the risk of harm to Ontarians, and that doing so without justification breaches our most basic constitutional rights."

The case was brought by Cycle Toronto, Eva Stanger-Ross and Narada Kiondo after the Ontario Government enacted Bill 212, which required the government to remove three existing bike lanes on Bloor Street, University Avenue and Yonge Street, in Toronto, which the applicants argued disproportionately endangered cyclists and pedestrians. The applicants are represented by lawyers from Ecojustice and Paliare Roland LLP.

"Today's ruling re-affirms the principle that government actions that harm public safety are not shielded from constitutional scrutiny" added Lindsay Beck, from Ecojustice.

This ruling is a powerful vindication of what the applicants and cycling advocates have long said: cyclists are not the cause of traffic, they are among the most vulnerable road users, too often put at risk by infrastructure and policies that prioritize vehicle speed over human safety. The court's decision affirms that governments cannot act in ways that knowingly increase danger without breaching fundamental Charter protections.

## Quotes:

"Today's decision is a historic victory for Torontonians and everybody who rides a bike in our city. The facts, and now the law, are both clear that bike lanes are part of the solution to tackling traffic and congestion, and that ripping them out will put people's lives at risk. Cycle Toronto thanks all of our supporters. We look forward to moving past these distractions and keep building a healthier, more vibrant cycling city for everyone."

**- Michael Longfield, Executive Director of Cycle Toronto.**

"The decision makes clear that where government action arbitrarily causes harm, the rights protected by section 7 of the Charter are engaged. That's exactly what the government did when it enacted legislation to remove protected bike lanes in the face of its own expert evidence that doing so won't alleviate congestion and will put lives at risk." - **Lindsay Beck, Staff Lawyer at Ecojustice**

"This is a complete victory for our clients, as well as for bike riders in Toronto and across the country. It vindicates our position that bike lanes don't cause congestion, and finds as a fact that removing them will not achieve the government's stated objective of alleviating it, but will instead make congestion worse and the roads less safe."

**- Andrew Lewis, Partner, Paliare Roland LLP**

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[Decision: Cycle Toronto et al. v. Attorney General of Ontario et al.](#)