

19 Parkside Avenue

Dundas, L9H 2S4

23 June 2017

To: Hamilton City Council

**Re the Proposed permanent closure and sale of a Public Unassumed Alley Between Sydenham Road, Cross St., Alma St. and Victoria St, Dundas.**

Dear Mayor and Members of Council,

**The application to close the Alley has led to an increase in the risk to cyclists and increased risk to the City of Hamilton of a liability claim**

I urge you to suspend a decision on the proposed closure and sale of this alley.

I spoke at the meeting of the Public Works committee on Monday June 19. I had originally planned to talk about safety issues, but because I only had 5 minutes to speak, I omitted that part of my presentation.

Councillor VanderBeek based her argument for closure and sale of the alley almost solely on the safety issue. She claimed that children who walked to St Augustine's school through the alley were at risk when they reached Alma St and had to cross to the school, given the load of traffic. While it seems no one can point to any injury to a child in the many years that the alley has been used, Councillor VanderBeek said she was concerned about the risk, and the resulting liability of the City to lawsuits.

Certainly there is risk whenever anyone crosses a road. But in this case that is only half the story.

I state below my credentials to comment on safety interventions.

Evaluation of a safety measure requires consideration of ALL possible outcomes. You have to check if your solution to the safety problem doesn't create another problem somewhere else.

So what does this have to do with the alley? Closing the alley forces children to walk along the busy Sydenham Road. It is a dangerous arterial road. The City knew that and some attempts have been made to improve safety there. All-way stop signs have been installed at the corner of Sydenham and the eastern part of Alma. As well, white posts have been installed on the pavement just off the sidewalk next to the east side of Sydenham.

But this has created its own safety hazard. It has meant the northbound lane on Sydenham is narrowed. It has become more dangerous, and when cycling there I have had passing cars come very close to me. Children are encouraged to cycle to school, so I worry about the risks they (and indeed anyone cycling) now face there. I am an experienced cyclist and particularly careful on this stretch of road, but children who ride on the pavement are more likely to wobble and swerve unexpectedly. With the narrower lane, the margin for error from passing cars is greatly reduced.

Moreover, if a cyclist tries to stay close in to the kerb to cut their risk, their handlebars could easily clip one of the posts. The cyclist would then fall to the left into the path of any passing vehicles.

At the committee meeting, Councillor VanderBeek did not consider this risk. She seemed to regard the safety measures now in place as adequate, and removing liability from the City. But as I have shown, that is wrong. While there may be risk currently to those travelling through the alley, there is now increased risk to cyclists on Sydenham.

Of course I cannot judge which risk is greater. No one can. To the extent we can use evidence to compare the risks, as far as anyone seems to recall, there have been no collisions involving children walking or cycling through the alley over many, many years. Yet there was a collision involving a child on a bicycle on Sydenham only last September. See <https://www.hamiltonnews.com/news-story/6844875-police-investigate-child-hit-by-motorcycle-in-dundas-at-sydenham-and-victoria/>

The details in the report were unclear and I did not see any follow-up story. Maybe the more recent three-way stop sign at Sydenham and Alma would have prevented the collision, but I don't know if anyone can say.

What I can say is that the installation of posts and the narrowing of the lane on Sydenham have increased the danger to cyclists.

Of course, we all sincerely hope that no one is injured. But if a cyclist *is* hurt on Sydenham, the City will indeed be open to a liability claim.

As for the all-way stop at Alma and Sydenham: Yesterday evening (around 5 p.m. Thursday 22 June), my wife and I were walking along Alma towards the intersection. We were just a few metres away when a car on Alma started to turn right to go north on Sydenham. Another car was on Sydenham, travelling north, approaching the intersection. The driver ignored the stop sign and 'blew through' it. Fortunately, he saw the danger just in time and narrowly avoided a collision. (I wrote down the car's plate number. I have reported the incident to Traffic operations, who are passing the information to Traffic Engineering. I have also left a message on the Police's Aggressive driver line.)

This incident again shows the importance of evaluating ALL possible outcomes of an intervention. Before the signs were installed, pedestrians and others at the intersection knew that cars would not stop on Sydenham, and they took this into account when they crossed the road. Now, people crossing the road will generally assume that cars on Sydenham will stop. So I hate to think what would have happened if any pedestrians had made this assumption and started crossing as the car came by.

The act of installing stop signs has created a different risk.

I wasn't sure about sending this letter, as I realise I might be accused of making a desperate claim because I didn't like the decision of the Public Works committee to close the alley. And, yes, I most

certainly didn't like it. But when I discussed the safety issue with my wife, she pointed out that if I do not send this letter and someone is hurt on Sydenham, I will curse myself for not acting. So I decided to write.

I urge you to suspend your final decision on the closure of the alley until a full evaluation of ALL the potential consequences.

Sincerely,

Harry Shannon, PhD

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I am a health researcher. Much of my work has been on safety – mainly occupational, but I have written some papers on road safety.

A staff member under my supervision and I led the writing of the book on evaluation of occupational safety interventions published by the US Centers for Disease Control. Many thousands of people have obtained a paper copy, and tens of thousands have downloaded the electronic version. Other researchers use it as a text for their students. You can find it at:

<https://www.cdc.gov/niosh/docs/2001-119/pdfs/2001-119.pdf>

I was also the first author of a paper on this topic in the leading journal Safety Science. The journal considers the paper so important, it advises potential authors to read it even before they do their research and before they write their papers.

(See Introduction section in

<https://www.elsevier.com/journals/safety-science/0925-7535/guide-for-authors>)

While these publications are related to work safety, the principles they deal with apply to road safety.

The principle of studying all possible outcomes of an intervention is described in section 6.4.2 of the book and section 2.2.4 of the journal paper.