



**King Edward Avenue Task Force /
Groupe de travail de l'avenue King Edward**
205-100 Boteler Street · Ottawa, ON K1N 8Y1

Dr. Bert Lauwers,
Deputy Chief Coroner-Investigations
Office of the Chief Coroner
26 Grenville Street
Toronto ON M7A 2G7
Occo.inquiries@ontario.ca

December 8th, 2011

Re. Coroner's Pedestrian Safety Review

Dear. Dr. Lauwers,

The King Edward Avenue Task Force, a citizens' advocacy group, was formed in 1986 in response to growing truck traffic on King Edward Avenue and Rideau Street in Ottawa's downtown. We are writing to share our perspectives on the lack of progress to address pedestrian safety and associated issues on King Edward Avenue. We believe that our experiences will demonstrate some significant problems with the current approach to road safety at every level of government. It is our belief that politicians and transportation planners have unintentionally contributed to fatalities and injuries on King Edward Avenue and other Ottawa streets. As you will see, despite all of our hard work – over many years – to bring attention to this serious public safety issue, there has been little progress from any level of government.

King Edward Avenue demonstrates a systemic failure by municipal, provincial, and federal governments, and their respective planning departments to deal with known transportation safety issues. A toxic combination of factors has contributed to this problem:

- a densely populated residential neighbourhood being used as the “temporary” and main interprovincial truck route between eastern Ontario and western Quebec;
- heavy truck, bus and car traffic;
- a heavily travelled pedestrian environment;
- an inadequate and circuitous truck corridor in downtown Ottawa (King Edward/Rideau/Waller/Nicholas);
- a street redesign that has decreased safety and increased risks (speed);
- city / provincial / federal policies and inaction that have unduly exacerbated problems; and,
- the city of Ottawa not following their own policies for pedestrian inclusivity.

At the very core of this letter, it is our thesis that safety and other quality of life factors have been sacrificed for the sake of an almost fanatical approach to accommodating trucks and commuter traffic capacity for cars. This is despite much factual data and other government-stated safety principles. The reckless approach by all three levels of government and transportation planners have resulted in King Edward Avenue being designed as if it were a highway where safety for pedestrians is an afterthought.

Background – King Edward Avenue

Prior to the completion of the Macdonald-Cartier Bridge in 1965, the City of Ottawa had promised to connect the interprovincial bridge with Highway 417 in Ottawa. The original plan was to build a sunken freeway through the Lowertown and Sandy Hill communities, just east of and parallel to King Edward Avenue. Due to community protests, this potentially destructive highway was never built.

Following the failed freeway plan, as an alternative, it was proposed that an old rail right-of-way be converted to a parkway to complete the missing link. About 90% of this right-of-way was converted to what is now known as the Vanier Parkway; however, the last leg of the right-of-way, which went past the New Edinburgh Community, was cancelled in the 1990's as a result of community pressure.

Due to the lack of a connection after the Macdonald-Cartier Bridge was built in 1965, King Edward Avenue and a limited number of other downtown streets became the temporary route for commuters and trucks through downtown Ottawa. It is nearly 45 years later and the problem still has not been resolved.

Statistics

- There are 50,000 vehicles using King Edward Avenue between the Macdonald-Cartier Bridge and Rideau Street each day;
- The section of King Edward Avenue affected by the truck route is 1km long;
- There are 3,000 trucks using King Edward Avenue and Rideau Street every day (1 million per year);
- If the Macdonald-Cartier Bridge, which connects to King Edward Avenue in Ottawa, was a Canada-U.S. border crossing, then it would rank 4th highest in terms of annual two-way truck traffic;
- There are 11 intersections along the downtown truck route (King Edward Avenue / Rideau / Waller / Nicholas) of which most are heavily used by pedestrians;
- There are 6,000 pedestrians using the King Edward Avenue and Rideau Street intersection alone during the 8 busiest hours of the day;
- A large amount of University of Ottawa students use 2 of the intersections along the truck route;
- In a 1997 speed survey, the City of Ottawa determined that the 85th percentile of vehicles on King Edward Avenue were travelling at 75 km/h. Compliance with the posted speed of 50 km/h was 3%.
- A former fire chief estimated that 100,000 people would need to be evacuated if a truck carrying a certain dangerous chemical were to overturn and spill its load on King Edward Avenue
- The highest average sound decibels adjusted (dBA) on King Edward is 75 dBA. The provincial and municipal standards stipulate that noise should not go beyond an average of 55 dBA.

Safety Incidents

Over the years, we have been witness to some serious incidents. The list below is just a sample of the information that we have been able to gather:

- Between 2005-2010, 67 pedestrians were injured (16 seriously) on King Edward Avenue;
- In December 2009, a male pedestrian in his 20's was rushed to hospital with significant trauma after he was struck by a car on Rideau Street near King Edward Avenue;
- **[Death]** In June 2009, a 55-year old male pedestrian was struck by a bus at the corner of King Edward Avenue and Murray Street and died later of his injuries;
- In April 2009, a 58-year old male pedestrian was hit by a school bus at the corner of St. Patrick Street and King Edward Avenue (status unknown);
- **[Death]** In March 2009, a 49-year-old mother's car was struck by a cement truck killing her instantly at King Edward Avenue and St. Patrick Street;
- **[Death]** In October 2008, an 86-year old female pedestrian was struck by a truck near King Edward Avenue on Rideau Street, on the truck route, and died;
- In October 2008, a car struck a pedestrian in a wheelchair sending the person to hospital.
- **[Death]** In July 2007, a truck hit a car making an illegal turn at St. Patrick Street and King Edward Avenue and the 65-year old passenger was killed;
- In March 2007, a 20-year old woman was struck and sustained a broken pelvis bone;
- **[Death]** In September 2006, a truck struck and killed an elderly male pedestrian at King Edward Avenue and Rideau Street. His body was dragged up to 18 meters before the tractor trailer stopped;
- In November 2005, a 53-year-old female pedestrian was struck at King Edward and Rideau Street and sustained life-threatening injuries;
- In June 2003, an 81-year-old male pedestrian was struck by a truck at King Edward Avenue and Rideau Street and was dragged several meters, but survived;
- **[Death]** In October 2002, a 22-year-old courier driver was thrown from his vehicle and killed instantly when another car struck his parked vehicle on King Edward Avenue at a very high velocity;
- In June, 2002, a bus driver lost control and crashed into the Tim's Horton's at King Edward Avenue and St. Patrick Street. Two people were injured.
- In December 1997, a 66-year old driver received multiple injuries when his car got into a collision with a small truck; two others were injured;
- **[Death]** In May of 1997, an 86-year-old female pedestrian was run over and killed at King Edward Avenue and Rideau Street; her body was crushed under the front tires of the bus;
- 20 cyclists and pedestrians were hit by vehicles on the avenue between 1997 and 1999.

Federal Government

As you might know, there is a huge debate currently raging in Ottawa about the location of the next interprovincial bridge between Ontario and Quebec (Ottawa and Gatineau). This new bridge, which has been promised for several decades, is proposed to be the new official truck route bypass. This was the determination of a 1999 Ontario Municipal Board appeal. Time and time again, a new bridge has been the subject of broken promises made by politicians and bureaucrats that led us to believe we would soon have one and that it would solve all the ills on King Edward Avenue. If these promises had been realized, there would have been a new truck route 10 years ago. It is our belief that rich and powerful interests have blocked attempt after attempt to resolve this problem.

The federal government further exacerbates the problem through transportation policies set by its National Capital Commission. This organization is tasked with the beautification and maintenance of many of Ottawa's federally significant buildings, roads, and parks. Unfortunately, the National Capital Commission has banned trucks from many of the roads and bridges it owns despite the fact that most of them have no residential properties adjacent to them. There are five interprovincial bridges between Ottawa and Gatineau, but only two of them allow trucks to cross. It might be a surprise to many to discover that there is not one west end bridge that allows truck traffic. As a result, the entire region's interprovincial truck traffic is funneled through essentially one downtown corridor.

The vision for the national capital does not include trucks. Unfortunately, this has had the indirect result of diverting trucks onto residential streets – like King Edward Avenue – in densely populated and pedestrian-oriented neighbourhoods. This is irresponsible and puts the lives of pedestrians at unnecessary risk.

King Edward Avenue and Rideau Street have been used as the temporary truck route for 46 years. This is an outrageously long period of time to wait and to risk the lives of so many people. The federal government has failed to help solve this problem and there is a risk that the current study process will go nowhere. No funding has been allocated for the new bridge and it is estimated that at least 10 years remain before a bridge could be constructed, if a bridge is constructed.

Provincial Government

The provincial government, through its own politically-motivated policy decision on speed cameras, is likely responsible for multiple deaths and injuries. In 2009 and 2010, the King Edward Avenue Task Force wrote several letters to the Ontario Ministry of Transportation requesting that the province allow the use of speed cameras in municipalities. Over the course of a year, Ministry officials were unable to give a reasonable explanation for disallowing municipalities to use this safety device (letters can be provided upon request). Through informal channels, we were informed that this was a politically-motivated decision and that our own Premier, Dalton McGuinty, was responsible for stopping progress on the use of this safety device.

In our research, it became quite clear to us that speed cameras have been proven to save a significant number of lives. They are widely used in several European countries and even other provinces in Canada. In recent years, several study results have been released in the United Kingdom that unequivocally indicate speed cameras save lives.

The Ontario government has a misguided and politically-motivated position on speed cameras. This position has – no doubt – resulted in continued and unnecessary fatalities and injuries. Furthermore, despite having very little jurisdiction over municipal roads, it has stopped all attempts by municipalities to use these life-saving devices. What other options do we have other than placing a police car on every corner to monitor speeding? Speed control solutions that do exist, such as speed humps, are derided by Ottawa’s municipal transportation planners. The irrational position taken by Ontario regarding the use of speed cameras is irresponsible. A municipality would surely know better than the province whether a speed camera is needed on a particular roadway. At the very least, municipalities should be given the right to choose whether or not they can use speed cameras on their own roads.

City of Ottawa

Transportation Planners

An environmental assessment was undertaken during 2000-2002 for the renewal of King Edward Avenue. The intention was to implement the design plan developed for this street in the early 1990’s. One of the main goals of this earlier design plan was to improve pedestrian linkages and safety. Early on in the study process, the first set of public consultations determined that traffic speeding and safety were the top concerns of residents. Unfortunately, as the project progressed, it became quite clear that safety would not take precedence over the transportation planners’ concerns for accommodating traffic capacity.

The centerpiece of the original plan was to replace the on and off ramps to the Macdonald-Cartier Bridge with a t-intersection. This plan also included new pedestrian crossings at the new t-intersection and at Cathcart Street. Instead, arguing that this would slow traffic too much and cause congestion, the transportation planners opted for a redesigned set of on and off ramps. In addition, despite prior knowledge showing speeding problems at this location, the new design allowed for vehicles to drive at an even higher speed than previously possible. When asked by one city councillor about the potential for worsening speeding on King Edward Avenue, the main consultant stated that there was no way to determine if this would happen until after the work was done. This flagrant arrogance was recorded in the final minutes of the meeting presenting this plan at the City’s Transportation Committee in 2002.

Every opportunity to improve safety was completely disregarded in the final design as demonstrated by the following:

- No traffic calming was included (eg. traffic humps, raised crosswalks and intersections);
- No new pedestrian crossings were included, despite a lack of pedestrian access;
- No bike lanes were added;
- An unnecessary six-lane configuration – 8 lanes wide at certain junctures;
- The lanes were painted unnecessarily wide encouraging speeding.

In 2002, despite being aware of traffic safety concerns, and red flags from the community and at least one councillor, City Council authorized the flawed redesign of King Edward Avenue based on the findings of the environmental assessment. After spending over \$50 million dollars on King Edward Avenue, what exactly has changed? What have we done about safety and associated problems?

City staff in the safety department told us years later that they were not consulted on the safety aspects of the project. They said the department responsible for the environmental assessment did not communicate with their traffic operations (and safety) group. Having worked with transportation planners in recent years, it is our belief that they despise and obstruct any measures that will reduce speeds – even to within the posted speed limits – on roads like King Edward Avenue. This appears to be consistently done in direct contradiction to many of the City’s democratically stated policies and goals for transportation in the Official Plan and Transportation Master Plan. It is subversion, plain and simple.

Cathcart Crosswalk Controversy

The Cathcart controversy stemmed from a promise by the City of Ottawa to build a crosswalk across King Edward Avenue at Cathcart Street. Despite including the underground wiring in the final design for the renewal of the street, transportation planners later stopped the implementation of this crosswalk.

The main argument being used by City Staff was a very weak one. The argument was that there was not enough sight distance for large trucks with conventional braking systems to stop when they came around the bend on the off ramp from the Macdonald-Cartier Bridge (this would have been avoided had the ramps been replaced by the previously proposed t-intersection). According to the argument of the transportation planners, only trucks with antilock system (ABS) brakes had enough sight distance to stop at the bend in the off ramp. City Staff and the consultants appeared to have omitted a few facts:

- a) All new trucks built in Canada and the United States were required to have ABS brakes. This was in effect since the late 1990’s in the United States. According to the Transport Canada Road Safety Standards and Regulations Division, this rule had been in effect in Canada since March of 1998.¹
- b) The number of trucks with conventional braking systems (non-ABS) was quickly declining. According to Figure 5.4 of the 2005 Canadian Vehicle Survey, heavy trucks older than 10 years old accounted for only about 30% of trucks on all roads in Canada.² Of this 30%, an unconfirmed amount of them already had ABS brakes.
- c) At the time, approximately 2,580 trucks were using King Edward Avenue per day.³ Of these trucks, 870 were classed as heavy trucks. Applying the above percentages, less than 261 trucks per day had conventional braking systems. The number was most likely closer to 150 when one accounts for the trucks that do have ABS brakes. Also, this number would quickly diminish as the older trucks were decommissioned.
- d) Large trucks with conventional braking systems using King Edward Avenue on a daily basis represented approximately less than 0.5% of the 50,000 vehicles travelling the road each day. The chance of an incident occurring was very unlikely.
- e) Traffic backs up past the bend in the off ramp each morning during commuting hours and there has never been such an incident yet recorded.

¹ “Technical Standards Document.” Standards and Safety Division, Road Safety, Transport Canada. Ottawa, ON. 2004. Section S5.16.1.

² “Canadian Vehicle Survey 2005, Summary Report.” Natural Resources Canada. Ottawa. ON. 2007.

³ “Interprovincial Crossings EA Study.” Public Consultation Session No. 4. Slide Presentation. 2008. Available: http://www.ncrcrossings.ca/en/public_consultation_session_no._4.html.

In this particular case, the key argument appeared to rest on a very weak technical rationale, a lack of desire to find alternative means to reduce speeds on King Edward Avenue, and to take the appropriate steps to enforce speeding regulations. The transportation planners admitted that the speeds on the on and off ramps of the Macdonald-Cartier Bridge and along King Edward Avenue were out of control and provided no reliable solutions to the problem. It remains our belief that the true motivation behind opposition from the transportation planners was a concern that having another crosswalk would unduly slow traffic down.

Speeding

This issue of speeding on King Edward Avenue could have been resolved many years ago. The City of Ottawa has been fully aware of speeding problems on King Edward Avenue since at least 1997. This is a very long time to allow a dangerous traffic safety situation to continue unchecked. The City would be disingenuous if it were to state that there was no problem with speeding associated problems. However, its actions have spoken loud and clear.

The King Edward Avenue Task Force and the Lowertown community have raised the issue of speeding on King Edward Avenue for over twenty years. Over a year ago, we decided it was time to resolve this issue on our own rather than rely on the police or the City's transportation experts. Our first goal was to obtain data; however, after several months and multiple email strings, the City's traffic operations branch had failed to provide the records of speed data counts for intersections along King Edward Avenue. In addition, the Task Force also submitted a request for an Area Traffic Management study in June of 2010. We were later told that this could be delayed for a long time since there is already a backlog of requests. We also worked very hard to help the City in its attempt to get permission from the province to use speed cameras through a writing campaign, a petition, and numerous letters.

Exasperated by the lack of cooperation from the City of Ottawa, we invested several hundred dollars in a speed camera. With the help of over a dozen volunteer members of the community, we went out along King Edward Avenue and collected speed data with the radar gun and video camera. It was just as we started this exercise – in the frigid cold and early snow of December 2010 – that we received a package from the City with the speed counts. Unfortunately, the data the City had collected was so poor that it would have required us to collect the data ourselves nonetheless. Media coverage of our work was extensive and evidence to this effect can be provided upon request.

We recently finalized the results of our speed survey and developed a report and summary statistics (again, available upon request). We also uploaded some of the video evidence online. There were several surprising findings. The first alarming discovery was that transit buses from the Société de transport de l'Outaouais (STO) were speeding an average of 20 km/h over the posted speed limit. We saw this issue early on in our compilation of the data and sent a letter to the STO indicating the situation in March. The STO followed up with an exemplary customer service letter and assured the Task Force that the issue would be raised with drivers. While we did see a temporary reduction in the speed of buses, we have observed that the drivers have since returned to their old habit of speeding. It is unacceptable for municipal employees of a public transportation agency to be speeding while driving publicly funded transit buses.

Another startling discovery was the speed of trucks on the off-ramp of the Macdonald-Cartier Bridge. While buses and cars were driving over the speed limit, the trucks using the off-ramp were more or less compliant with the posted speed. This was a significant finding, because it demonstrated that the previous concerns with speeding trucks at this location appeared to have been resolved by the introduction of a lower speed limit on the ramp in 2009. This issue is directly related to the community's desire to have a crosswalk installed at the intersection of King Edward Avenue and Cathcart Street. The main reason for not recommending the crosswalk was that there was a concern that trucks did not have enough stopping distance at the curve in the off-ramp; however, this was based on the idea that the trucks were speeding. Our statistics and observations have revealed that this issue appears to have been resolved and warrants a second look.

Finally, but not least, according to the data, cars were regularly travelling over the speed limit at all locations where measurements were taken. Generally speaking, 85% of the vehicles were travelling at an average of 70 km/h in both directions. This means that the remaining 15% of vehicles were travelling over 70km/h, which is approaching or reaching double the posted speed limit depending on the location. The worst spot for speeding was northbound at Cathcart Street where the design speed was found to be 76km/h in a zone where the posted speed is 40km/h. In addition, one of the highest speeds recorded was 103km/h. This is unacceptable to Lowertown and it begs the question: why is this acceptable to the Ottawa Police and the City of Ottawa? Some of the regular speeds on King Edward could result in vehicle impoundments, licenses revoked, and heavy fines. Yet this does not happen.

This is a serious matter and we have tried to make it clear that the City of Ottawa has a responsibility to ensure the safety and quality of life of its residents. In fact, there is a very real concern that the City of Ottawa has put itself into a position where it could be held liable for any future accidents along this corridor. Knowing of on-going speeding without appropriate remediation, ineffective or non-existent traffic controls, and a flawed corridor redesign, are all potential evidence for a major lawsuit if anyone should ever be seriously injured as a result of speeding along this urban residential street.

Inadequate Municipal Truck Route Network

Today, in Ottawa, there exist several roads that could accommodate trucks, but that are not included in the current truck road network. For various reasons, in many cases due to political interference, these roads have been designated non-truck routes. In at least one case, the road is a faster and safer alternative to the currently designated downtown truck route. These prohibited routes have resulted in a significantly higher amount of truck traffic along King Edward Avenue and Rideau Street. They have also put a much greater number of lives at risk by allowing trucks to continue moving in areas with higher volumes of pedestrians, cyclists, and cars.

Lack of Transit Integration

For over 20 years, businesses and residents have pointed to the poor integration and efficiency of the two major transit operators in the national capital region. One is on the Gatineau side of the Ottawa River, and the other is in Ottawa. In our opinion, the poor management of the connectivity and operation of these two transit systems across the Ottawa River have contributed to encouraging more commuters to continue driving their own personal vehicles. The additional car traffic has contributed to the mistaken belief that roads need to be widened and safety compromised to meet ever increasing demands for additional capacity. Instead of focusing their attention on car-oriented solutions, the cities of Gatineau and Ottawa need to invest more in better transit options, network integration, and road safety.

Professionals Agree

Over the past decade, our greatest academic ally, although we have had little interaction with him, has been Doctor Barry Wellar. Dr. Wellar has consistently referred to the King Edward Avenue and Rideau Street intersection as an intersection from Hell. His knowledge and expertise in traffic safety issues, and as an expert legal witness in many legal cases, point to the fact that he does not say this about the King Edward Avenue and Rideau Street intersection without some sense of the truth.

Closing

After 46 years, there is no other way to characterize the King Edward Avenue story better than in one word: failure. A historic and toxic combination of factors has contributed to this unsafe transportation corridor. Our conclusion is that safety is not a priority for politicians or transportation planners. This is based on what we have seen in the poor redesign of this roadway, lack of funding for safety programs, and policies that contribute to furthering safety risks. There is no doubt in our minds that there has been undue influence – almost subversive – on the part of transportation planners with a bias for speed over safety and cars literally over pedestrians.

It is when we review the list of injuries and fatalities that I wonder truly what the cost of these lives were when compared with efforts made by the political and bureaucratic establishments of our three levels of government. With one fatality for every year over the past 5 years, one wonders who the next person will be to pay for this great failure to appropriately plan for safety along such a corridor.

In your capacity as coroner, I hope you can shed some light on the systematic failures raised in this letter and on our plight on King Edward Avenue. It is shameful that our community has had to tolerate such conditions for so many years.

Respectfully yours,



Marc Aubin,
Chair, King Edward Avenue Task Force
www.kingedwardavenue.com