Further Analysis of HOV Lane and Sustainable Transport Failures in Ontario: Ottawa Case Study

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1. Purposes of the 2010 HOV Report

Presentations by public agencies on behalf of high-occupancy vehicle (HOV) lanes are generally promotional, frequently disingenuous, and usually very short on evidence pertinent to assessing the purported claims made by HOV boosters. On the other hand, it is my experience that critics of HOV initiatives fail to properly expose the shortcomings in the HOV argument.

As a result, the HOV notion manages to "wriggle free" and survive for another day, and more HOV lanes are added to more sections of highway, ultimately worsening the situation that was purportedly going to be corrected. Moreover, and looking at the larger or broader picture, creating HOV lanes frustrates the pursuit of sustainable transport systems and sustainable transport behaviours.

In this paper I use the case of Ottawa to take issue with the HOV notion, and contend that by creating HOV lanes in the Ottawa area the Ontario Ministry of Transportation (MOT) has directly contributed to the mucked-up sustainable transportation situation in this city.

Finally, while I am resigned to the fact that it will take the Ottawa area decades to address the mess caused by the HOV program, I am hopeful that these comments will help residents in other municipalities in Ontario, and perhaps in other jurisdictions, prevent similar HOV lane muck-ups.

2. Background to the 2010 HOV Report

In 2007 I gave media interviews and conference presentations which included references to the topic of so-called "high-occupancy vehicle (HOV) lanes". The general focus of the interviews and presentations was sustainable transport practices, and it was my position that the installation of HOV lanes was not a sustainable transport practice. Illustrative comments on my position *vis-à-vis* the HOV notion are contained in such presentations as *Getting to the Truth About "High-Occupancy" Vehicle (HOV) Standards* (*transport2000.ca*) and *Sustainable Transport by Design or by Default? Either Way, the Wasteful Ride is Over* (*transport2000.ca*) (Wellar, 2007a, 2007b).

Responses to the 2007 publications and associated media interviews included expressions of interest in various aspects of the HOV notion, but four issues dominated the communications:

1. Questions regarding the validity of claims made by agencies such as the Ontario Ministry of Transportation, and other proponents, about HOV lanes as a solution to congestion or other transportation problems involving the movement of private and/or public motor vehicles on public roads.

2. Questions regarding the validity of the methodologies that agencies such as the Ontario Ministry of Transportation use to define "high-occupancy vehicle" (HOV).

3. Questions regarding the validity of the ways used by agencies such as the Ontario Ministry of Transportation to measure the performance of HOV lanes.

4. Questions regarding the extent to which claims by agencies such as the Ontario Ministry of Transportation about the benefits of HOV lanes are subjected to efficiency, effectiveness, productivity, sustainability, value-for-money, energy reduction, and other performance tests by oversight bodies, including the Provincial Auditor, the Provincial Commissioner of the Environment, and professional organizations.

An additional activity that cuts across all those issues and questions was my involvement in the 2007 Fleming Lecture by Professor William Garrison (Wellar, 2007d). In his presentation, *Increasing the Flexibility of Legacy Systems,* Garrison points out the inflexibility of many systems, and the increasing need to do a much better job of building flexibility into systems such as transportation which may exist for hundreds of years (Garrison, 2007).

Based on Garrison's thinking about legacy matters, it appeared clear to me that if HOV lanes are under consideration as expansions of or add-ons to existing corridors, and thereby in all likelihood compounding the traditional highway infrastructure inflexibility problem, then the issues and questions listed above take on new, more urgent, and more consequential import.

That is, there needs to be <u>unequivocal and overwhelmingly supportive evidence</u> in all the above regards to justify even thinking about creating HOV lanes. And then, if and when that compelling evidence is put on the table, it might be appropriate to seriously consider creating HOV lanes, but only if the flexibility objectives outlined by Garrison are fully met.

Based on my understanding of the history of HOV installations, it seemed to me in 2007 that we had barely begun to ask the right questions about the HOV notion. Moreover, it seemed that professionals, politicians of all stripes, and citizens at large were "slow off the mark" in regard to insisting that HOV proponents provide

hard evidence to justify what were soft and even mushy opinions about the merit of so-called HOV lanes.

As a contribution to those important lines of questioning, including the legacy systems wrinkle, I prepared *Design of High Occupancy Vehicle (HOV) and High Efficiency Vehicle (HEV) Standards to Achieve Sustainable Transportation Best Practices* (*transport2000.ca*) (Wellar, 2008). The paper was presented at a session on New Measures of Transportation System Performance, which was held as part of the 2008 Annual Conference of the Association of American Geographers.

The 2007 and 2008 presentations were posted on various websites, and resulted in requests and suggestions about further contributions to the HOV literature. Matters of particular concern to a number of correspondents from the Ottawa region were the conflicting messages about the pros and cons of HOV lanes on Highway 417 (See Figure 1 and Figure 2 for area maps), and the apparent lack of informed public discussion about the utility of HOV lanes as a long term or even a short term means of addressing Ottawa's transportation problems.

By way of brief recollection, conflicting messages are not new to this area in either the east-west or north-south directions, or various directions in between. By way of brief illustration, by the early 1970s, Ottawa (the former Region of Ottawa-Carleton) was already home to numerous debates about the pros and cons of road-building schemes, including the widening of most sections of 417 from Bayshore Shopping Centre to "The Split" (174 and 417), with special emphasis on the downtown or central city stretch from the Parkdale ramps to the Nicholas Street overpass.

Those same calls, usually of a piecemeal nature by design, have been repeated, seemingly every year, for the past decade. Readers from the Ottawa area who look at the maps will likely be reminded of sections of 417 that have been floated by MTO, developers, and municipal and provincial politicians as places to receive "improvements", "collectors", HOV lanes, and other forms of highway widening.

It was my intention in mid-2008 to write another HOV paper in 2009, but that was not possible due to commitments involving the Transport Canada project, Methodologies for Identifying and Ranking Sustainable Transport Practices in Urban Regions (*wellarconsulting.com*), and other assignments.

However, in anticipation that circumstances would permit writing an HOV paper in 2010, letters were sent to Ontario government officials seeking information and explanations about the province's HOV program, discussions were held with individuals with deep knowledge about the origins of the HOV concept and the performance of HOV programs in various jurisdictions, and materials were assembled from several bodies of literature for a 2010 paper examining the HOV experience to date in Ottawa.

Figure 1. Map of the National Capital Region and the Location of Highway 417

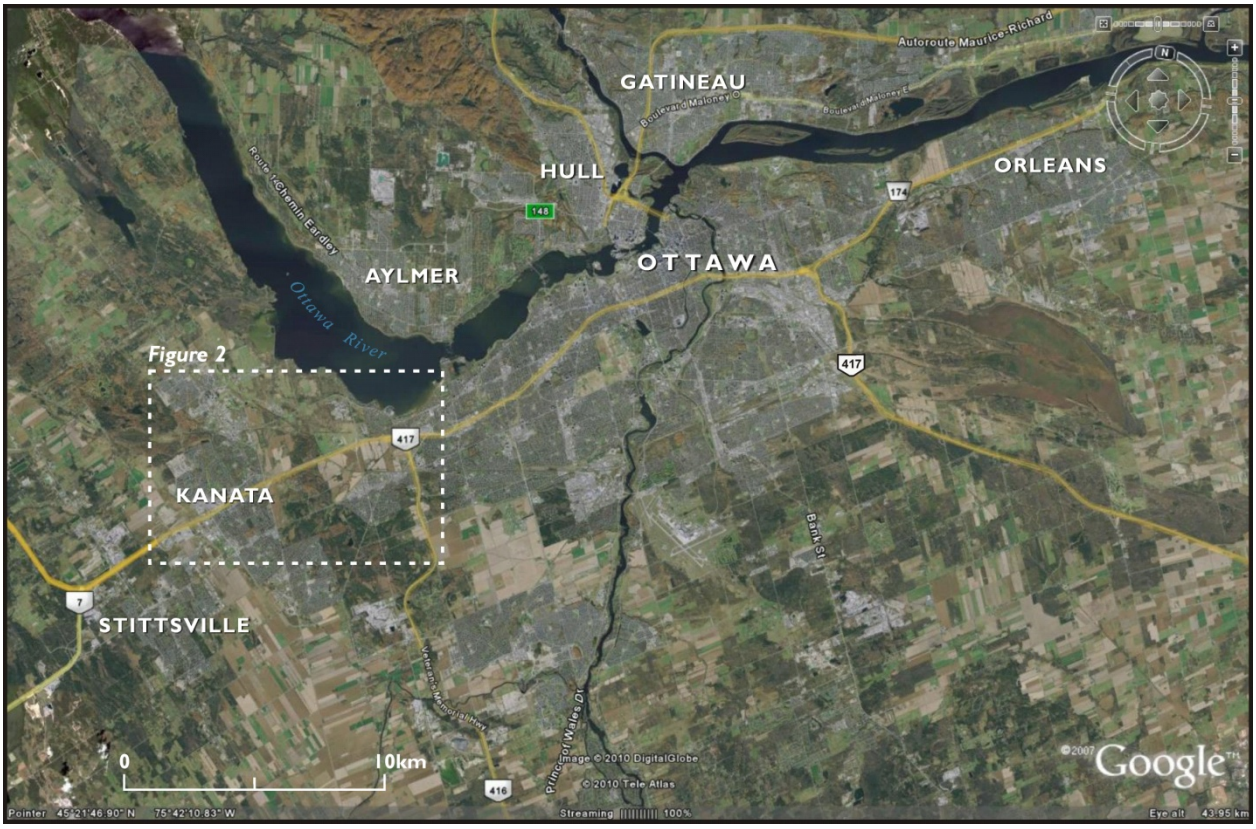


Figure 2. Map of Highway 417 West Showing Location of HOV Lanes

3. Context Remarks

There are existing and planned HOV lanes in the Ottawa area at the time of this writing in April, 2010. However, and as indicated above, there are questions and concerns about the decisions by the Ontario Ministry of Transportation (MTO) to create such lanes.

By way of brief introduction to the Ottawa HOV story, the entire Ottawa metropolitan region with its population of less than one million is on the small, somewhat runtish side in the array of metro regions in North America in which HOV lanes are generally found, or have been proposed. Based on its size, Ottawa is hardly a bursting-at-the-seams candidate for HOV lanes.

And, based on its relatively peripheral location in the North American urban system – approximately 200 kilometres west of Montreal, 450 kilometres east Toronto, 175 kilometres north of Kingston, 500 kilometres southeast of Sudbury, 325 kilometres north of Syracuse – daily interaction levels with other urban centres that have populations larger than 100,000 do not signal the need for HOV lanes to handle inter-city traffic.

Figure 3 illustrates the relative isolation of Ottawa from other urban centres, and the very low likelihood of daily, inter-city traffic.

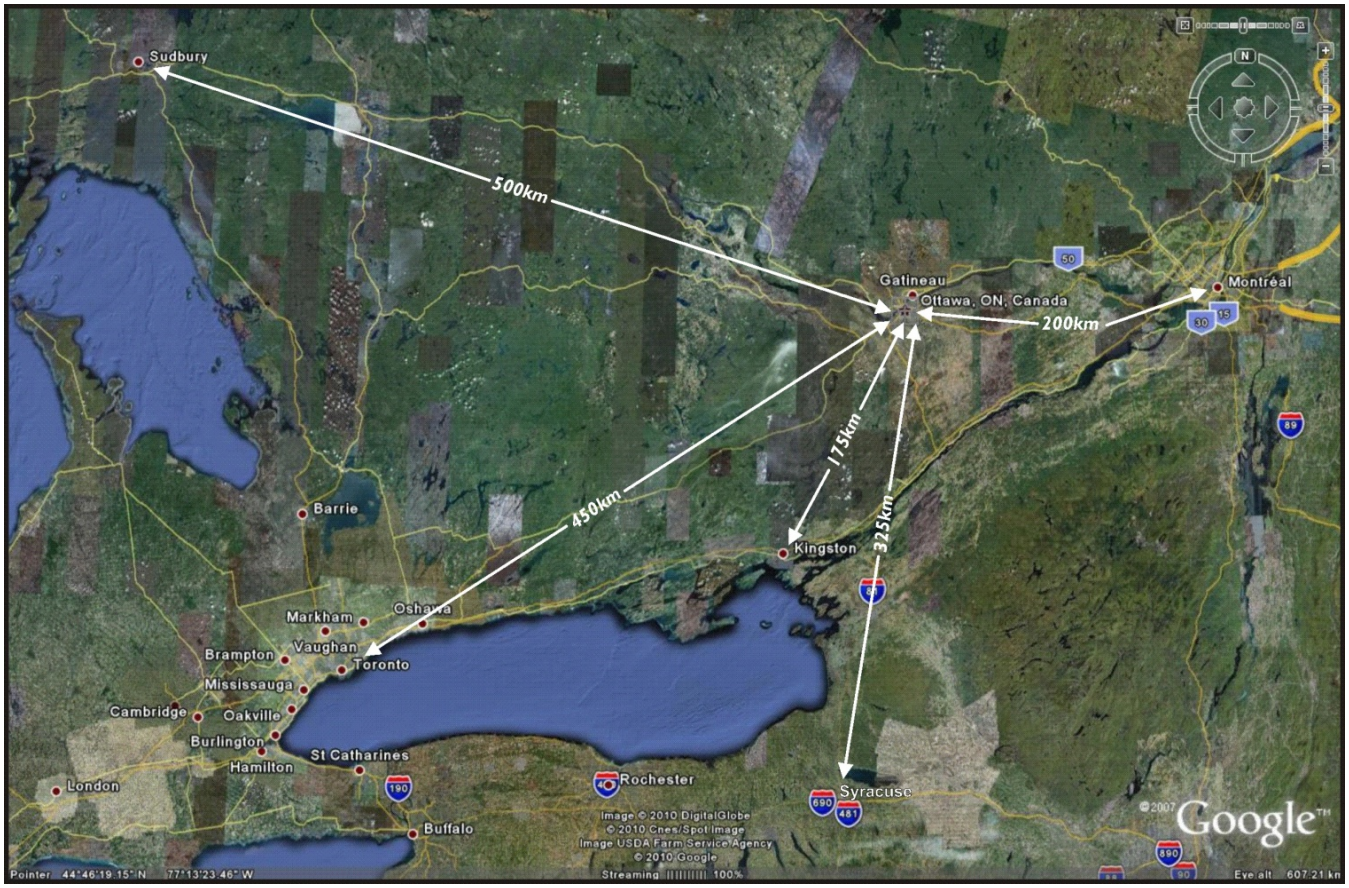
Moreover, according to my files and recollection of traffic count and media stories, the entire amount of nearby and distant private and public motor vehicle traffic from outside the Ottawa region that traverses Ottawa in the east-west direction via Highway 417 seems to have changed relatively little over the past decade.

That traffic did not precipitate a broad-based public call for HOV lanes 10 years ago, and I found no evidence of it serving as a rallying point in recent years. Indeed, periodical calls for by-passes and ring roads that could be transformed into arguing for HOV lanes are invariably driven by speculators or their agents trying to drum up interest in outlying lands for development purposes.

Further, I do not recall seeing or hearing anything of major consequence regarding huge, daily increases in Highway 417 travel times within the Ottawa region over the past decade. There are, of course, occasions when travel times are higher during one hour versus another, but <u>that is to be expected</u> rather than come as a surprise in any Canadian metro region whose population exceeds even 100,000.

After all, congestion is one of the defining features of urban areas, so it is to be expected that trip times during peak hours will be higher than trip times during off-peak hours. Consequently, congestion is hardly a substantive basis for yelling “Transportation Problem” in council chambers, at committee meetings, or to the media, much less creating HOV lanes in the Ottawa region.

Figure 3. Location Map of Ottawa and Its Urban 'Neighbours"



In terms of the big picture, then, no obvious, substantive reason shows itself as a basis for creating HOV lanes for vehicles driving on Highway 417 within the Ottawa city limits. Nevertheless, and apparently at odds with good sense, the HOV lanes are here, and more may be on the way. This seemingly bizarre state of affairs therefore prompts a question about the decisions by MTO officials to create HOV lanes on Highway 417 in Ottawa:

What are they thinking?

I deal with that question in various ways when the discussion focuses on MTO. However, before I get to MTO it is necessary to briefly discuss the contributions made by the former Region of Ottawa-Carleton, the former City of Kanata, and the new (2000) City of Ottawa to the HOV part of the transportation muck-up that has befallen the western reaches of this region.

4. Institutional Failures: Municipal and Provincial

It is my belief that what I term the Ottawa muck-up in regard to HOV lanes has its roots in three institutional failures. They are briefly outlined in order to provide a framework for the critique of the Province of Ontario's HOV program in the Ottawa

region. Several references and suggestions are included for readers who wish to examine the institutional failures in more detail.

A. Institutional Failure 1: Dysfunctional Land Use-Transportation Planning.

The origins of the current transportation mess in Ottawa's western reaches lie in the institutional failure by municipal governments to establish an intimate, intelligent, and forward-looking land use-transportation planning system connection in Ottawa's west end beginning more than 30 years ago.

And, the origins of the current transportation mess lie in the associated institutional failure at the municipal and provincial levels of government to ensure that proposed land development initiatives would not be approved unless the Region of Ottawa-Carleton, the City of Kanata, and any other public body could demonstrate that development initiatives would contribute by design to an intimate, intelligent, and forward-looking land use-transportation relationship in Ottawa's western reaches.

The essence of the transportation mess in Ottawa's western reaches may be summarized as follows.

First, the Ottawa region inclination over the past three or four decades was to permit development of low-density suburban communities which rely on private motor vehicles for the vast majority of work trips, shopping trips, recreation trips, school trips, etc. One legacy of that mindset, to extend Garrison's work on legacy systems, includes the large numbers of vehicles on area roads during the hours between about 6 A.M. and 9 P.M.

In the case of residents of communities in the western reaches of Ottawa, however, the cars-on-the-road problem is compounded because a significant proportion of work trip traffic involves commutes by private motor vehicle to the Ottawa downtown core via Highway 417. Further, Highway 417 is also the main route for east-west truck traffic, which at times can be a disruption to the maximum speed flow of commuter traffic.

And, as the bitter icing on this bad transportation cake, alternatives to the private motor vehicle in the western communities are extremely limited. By way of brief illustration, there is no east-west light rail transit in the region, plans for extending light rail beyond the north-south O-Train are at best shaky, and the bus transit system provides what is generally described as poor service for people travelling between the western reaches of Ottawa and downtown via Highway 417 and the bus Transitway.

Clearly, it appears fair to say, the institutional failure by municipal governments over the past 30 or so years to intelligently integrate land use and transportation planning in Ottawa's west end has been and remains a major contributor to that area's transportation mess (Wellar and Novakowski, 2007).

B. Institutional Failure 2: When Development Knows No Bounds.

Flowing directly from the institutional failure to intelligently integrate land use and transportation planning in general, was the issue of where to locate a 20,000-seat hockey arena (which has been named, in order, the Palladium, the Corel Centre, and more recently Scotiabank Place).

In the early 1990s a National Hockey League franchise was awarded to a bidder from Ottawa. For reasons which are well-documented elsewhere, including a detailed newspaper article by this writer (Wellar, 1999), the successful franchise bidder applied to the Region of Ottawa-Carleton and the City of Kanata for changes to official plans as well as changes to zoning by-laws.

The official plan and zoning by-law changes were necessary in order for the hockey arena and other development to be located in the rural, under-serviced, western outskirts of the Region of Ottawa-Carleton <u>on land owned by the franchise bidder</u>.

The decisions by the Region of Ottawa-Carleton and the City of Kanata to amend the regional and municipal official plans were appealed by individuals and groups, including the Federation of Citizen's Associations. An Ontario Municipal Board (OMB) panel heard the matter in 1991. A number of expert witnesses were called to give evidence, and the OMB hearing generated hundreds of pages of documentation. Among the issues brought before the panel were those involving transportation concerns.

In my capacity as an expert witness retained by the Federation of Citizens Associations, it was my opinion that it was not good planning to locate the arena at the proposed site.

Among the reasons that I gave dealing with inadequate access as one concern were:

- The absence of dedicated transit services to or near the proposed site,
- The fact that the existing road network was not designed to handle relatively massive private motor vehicle loadings within short time spans of an hour or so,
- The prediction that arena traffic going to and from events would periodically overwhelm Highway 417 to the point that arguments would soon be made to widen 417 at the expense of taxpayers for the benefit of the land and arena developer/owner (Wellar, 1991).

Experts on the pro-development side disagreed, and their disagreement included the opinion that there would be no need to widen 417. Further, there were no reservations or qualifiers that I can recall in the positions taken before the OMB panel by those experts.

And, to complete the roster of the pro-development supporters, it is my recollection that no elected or appointed government officials at the municipal or provincial levels expressed concerns before or at the OMB hearing about the capacity of Highway 417.

The Board ruled that 125 acres could be developed for the arena, but rejected the request for the rezoning of about another 6,000 acres for residential and commercial uses. It is my recollection that the media coverage of the OMB decision included supportive and even gushy comments by government officials from both the municipal and provincial levels.

The only transportation infrastructure concern that I recall being publicly expressed was who should pay for an interchange to handle arena traffic between the site and Highway 417. Other than that item, I recall no public statements by government officials at any level about current or future transportation problems resulting from the development.

Well, here we are, less than 15 years after the Palladium opened on January 17, 1996, and guess what? The experts on the pro-development side were wrong. Wrong. Wrong. Wrong.

Within several years of opening it was abundantly clear that Highway 417 was no easy ride when it came to handling arena traffic and other west-end traffic, and MTO responded by widening sections of 417. And then MTO went a step further and decided that 417 needed an HOV lane or two.

Clearly, even if they wanted to, the municipal governments in this area could hardly have objected to the expansion of 417, or to the HOV initiative, since they created the environment for MTO to push its pro-road agenda.

As for the provincial level of government, the Ontario Municipal Board had already missed the very obvious land use-transportation connection at the Palladium hearings.

In my experience from other hearings in this region, the OMB had at best a very limited grasp of how to ensure an intimate, intelligent, and forward-looking land use-transportation connection at the regional level. Small wonder, then, that none of the Board's post-Palladium rulings which I can recall took into account the brewing transportation mess that the Board had set to boil in Ottawa west.

Further, I am not aware of legislative or other means that the Ministry of Municipal Affairs has used or currently uses to give direction to other provincial departments, including MTO, to ensure that planning drives development in Ontario, rather than the other way around.

And there we have institutional failure number 2. That is, both the municipal and provincial levels of government failed to take steps to ensure residents of the day,

and future residents, that this proposed land development initiative would be allowed to proceed if and only if it was determined by appropriate, rigorous methods that the development would contribute to an intimate, intelligent, and forward-looking land use-transportation relationship in Ottawa's western reaches.

Of course, the governments did no such thing. As a result, 14 years after the Palladium opened there has been no progress in getting light rail to the site or anywhere near the site, the bus transit service is still spotty at best, and at least 90 percent of attendees at sporting and other events travel by private motor vehicle, frequently during the peak hours of 5:30-7:30 P.M. on Highway 417.

In combination, then, the two institutional failures involving the land use-transportation relationship in west Ottawa provided a very fertile ground for MTO to pursue its road-expansion agenda.

C. Institutional Failure 3. Lack of Regard by the Ministry of Transportation (MTO) for Sustainable Transport Principles and Practices.

I previously discussed sustainable transport principles and practices in a number of publications, including the dozen or so reports prepared for the recently-completed Transport Canada project, *Methodologies for Identifying and Ranking Sustainable Transport Practices in Urban Regions* (Wellar, 2009).

The Transport Canada project reports and other sustainable transport presentations and publications are readily available online at several websites, including *slideshare.net*, *transport2000.ca*, and *wellarconsulting.com*. As a result, the reader in search of extensive discussions of sustainable transport concepts, issues, principles, and practices is referred to those sources.

For this report I present several of the overriding principles of sustainable transport in Table 1, and Table 2 contains a selection of the practices which have been identified, adopted, and implemented to achieve the principles. Then, to illustrate the negative side of the coin, Table 3 lists some of the transportation practices (acts, and failures to act) which counter achieving sustainable transport principles.

The section is closed by a brief discussion of why the failure to implement sustainable transport principles and practices paved the way for the Ontario Ministry of Transportation (MTO) to create HOV lanes on Highway 417 and compound the festering transportation muck-up in the western part of Ottawa.

Sustainable transport practices are identified in government documents, research reports, learned journals, conference proceedings, the professional literature, and media articles, and are also posted on websites and circulated via list serves.

Table 1. A Selection of Sustainable Transport Principles

1. Integrate land use and transportation systems based on walking, cycling, and transit as primary transport modes.
2. Increase the number and share of trips made by the walk, cycle and transit modes, and decrease the private motor vehicle component.
3. Increase the amount of freight moved by rail and decrease the amount moved by truck.
4. Define and measure transport network "improvements" according to the extent and rate that trip volumes and modal shares shift from private motor vehicles to the walk, cycle, and transit modes for people, and from trucks to trains for freight.
5. Decrease the amounts of resources consumed, and especially the amounts of non-renewable resources such as fossil fuels which are consumed, in building and maintaining the transportation infrastructure and moving people and goods.
6. Decrease the impact of the transportation infrastructure and the movement of people and goods on the environment.

Table 2 contains an illustrative selection of the practices which could have, and in my opinion should have provided suggestions to MOT about how the agency might better deal with a perceived traffic problem than by throwing HOV lanes at it along sections of Highway 417 in the western part of Ottawa.

In addition, several practices are included to illustrate how to intelligently set the vehicle occupancy bar <u>if MOT has the evidence to support the HOV lane notion.</u>

Again, to return to the matter of setting the bar to define "high occupancy", this issue was addressed in the 2007 and 2008 papers (Wellar, 2007a, 2007b, 2008)I have seen nothing from MTO or any other group that refutes the positions taken.

Therefore, the standards included in Table 2 are from those papers, and the invitation to MTO is repeated: If you disagree with my approach to deriving appropriate standards under sustainable transport conditions, put your "better way" in the public domain so that we can all examine the MTO methodology. The point of emphasis here is that because MTO decisions affect people from all parts of Ontario, these people have a right to see for themselves the whys and hows behind MTO decision-making processes. A very effective way for MTO to meet that obligation in large part is to post the relevant materials on the MTO website,

Table 2. A Selection of Sustainable Transport Practices

- Transit vehicles are equipped to change signal lights.
- Transit vehicles are given priority right-of-way to enter traffic lanes.
- As private motor vehicle use declines, roads and streets are removed from city networks and converted to alternative transport uses, or other land uses.
- Surface parking lots are removed from areas served by transit.
- A moratorium is imposed on road and street expansion expenditures.
- Road capital budgets are reduced to accelerate the shift from the private motor vehicle mode to the walk, cycle, and transit modes.
- Road maintenance budgets are reduced to accelerate the shift from private motor vehicle to walk, cycle, and transit modes.
- Sustainable transport tests are applied to transportation projects, official plan amendments, and rezoning applications.
- Truck trailers are loaded onto rail cars.
- The standard for high occupancy vehicle (HOV) lanes is set at 4 or more occupants in private motor vehicles.
- The standard for high efficiency vehicle (HEV) lanes is set at 3 or more occupants in private motor vehicles.
- Intersection design and movement priorities are assigned to the walk mode in the vicinity of such pedestrian zones as schools, seniors' residences, sports facilities, entertainment complexes, and downtown streets.

The sources that provide examples of sustainable transport practices also provide examples of practices by transport agencies and other government agencies which counter achieving sustainable transport processes and states. In addition to new practices which counter sustainability, there are cases where the counter involves simply reversing the direction of a practice, Table 3 lists some of the practices of transport agencies which counter achieving sustainable transport infrastructures, and the sustainable transport of people and goods.

Clearly, the extent to which sustainable transport principles are identified, adopted, and implemented by an agency such as MTO affects the policies, plans, programs, and priorities associated with the movement of people and freight in Ontario. And, of course, the sustainable transport principles identified, adopted, and implemented by MTO would logically be the basis for decisions about whether creating HOV lanes is a proven and appropriate sustainable transport practice.

Further, should HOV lanes be demonstrated to be a proven, appropriate sustainable transport practice, then the principles would logically be the basis for decisions about such matters as how to define a "high-occupancy vehicle", and how to measure and evaluate the effectiveness of the practice of creating HOV lanes.

Table 3. A Selection of Practices by Transport and Other Government Agencies Which Counter Achieving Sustainable Transport Processes and States

- Constructing new inter-urban roads.
- Widening roads.
- Constructing ring roads.
- Constructing toll roads.
- Enlarging interchanges.
- Expanding intersections.
- Timing traffic signals to increase flow speeds of private motor vehicles.
- Raising speed limits.
- Setting the minimum standard for "HOV" lanes at two (2) occupants in private motor vehicles.
- Subsidizing so-called 'green' private motor vehicles.
- Underfunding transit capital expenditures.
- Underfunding transit operating costs.
- Reducing transit services to balance transport budgets.
- Cutting transit fare subsidies for seniors and students.
- Reducing budgets for maintenance of sidewalks and bike paths.
- Not constructing sidewalks along arterial roads.
- Not constructing bike lanes along provincial highways.
- Approving plans for low-density, private motor vehicle-oriented suburban sprawl development.

(NOTE: There are a number of sustainable transport principles, and a methodologically rigorous approach requires that all the known principles are taken into account during the defining process. The extent to which MTO followed such a procedure in defining "high", as in "high-occupancy vehicle" is discussed in section 5.)

Several steps were taken to learn about the MTO position on sustainable transport principles and practices. First, I conducted keyword-based, online searches for documentation on what MTO has done in terms of identifying, adopting, and implementing sustainable transport principles and practices.

Second, I used list serves to contact researchers, members of community groups, and professionals in search of empirical evidence that MTO uses sustainable transport principles and practices when making decisions that affect Ontario's transportation infrastructure, as well as the uses made of the infrastructure by the movement of people and freight in Ontario.

I hasten to emphasize at this point that while the identifying and adopting phases are critical to achieving sustainable transport practices, they are largely promises. Implementation is the bottom line when it comes to achieving practices. As a result, the focus of the literature searches and communications was on learning which practices which have been implemented by MTO, when, where, and with what results.

At the time of this writing in April 2010, two documents are posted on the MTO website in the section on Sustainability. The first is a report from a conference titled *Sustainable Transforum: Shaping Transportation for Future Generations*, held in 2007 (*http://sustainabletransforum.ca/*).

The conference document is long on principles and very short on practices. The language is also heavily peppered with coulds, shoulds, and woulds, many of which have been in the literature for decades, but there is relatively little in the report about sustainable transport practices that have been implemented. Nor, unfortunately, is there much of substance in the document about practices in related domains such as land use planning, energy conservation, telecommuting, health care, etc., that have been implemented and are contributing to the achievement of sustainable transport processes and states.

There is a specific reference to high-occupancy vehicle (HOV) lanes in the Executive Summary, however, and it warrants a brief comment now in preparation for the more detailed discussion of the HOV concept in section 5.

> "The modern highway network remains central to Ontario's transportation system. By implementing innovations such as High Occupancy Vehicle (HOV) lanes and bus-bypass shoulders on 400-series highways, MTO is making better use of highway capacity in order to reduce congestion and transportation emissions."

The claim that the HOV lane concept is a current "innovation" in Ontario or anywhere else is almost too painful to entertain without uttering an epithet.

During a meeting in 2008 with Prof. William Garrison, Professor Emeritus, Civil and Environmental Engineering, University of California-Berkeley to discuss a conference paper we were preparing (Wellar and Garrison, 2009), we reviewed various sustainable transport principles and practices, and we also considered the issue of HOV lanes. As a pioneer in many aspects of the transportation field over the past 50-some years, Prof. Garrison "was there" when the HOV notion was making the rounds in the United States.

If memory of our discussion serves me correctly, the HOV lane notion was circulated in the U.S. in the 1970s, and could have been on drawing boards in the 1960s. Calling something which has been around for 40 years an "innovation" is one huge stretch, and seemingly one huge admission that MTO is sorely out of touch with the history of transport practices, sustainable and otherwise.

Further, regarding the assertion that "…MTO is making better use of highway capacity in order to reduce congestion and transportation emissions", I did not locate any elaboration of what the statement means in general, what "better use" means in particular, any evidence to support the assertion, or any evidence that the HOV lane approach actually contributes to sustainable transport processes or states. I discuss this matter further in section 5.

The second MTO document describes the *Ontario Transportation Demand Management Municipal Grant Program: A Program to Encourage Cycling, Walking, Transit, and Trip Reduction.*

(*http://www.mto.gov.on.ca/english/sustainability/programs/tdm-grant.shtml*)

I am confused by the title, and seek clarification. Perhaps someone at MTO can assist.

Is it the intent of the program to encourage people to use the most sustainable modes of transportation, and also to encourage them to make fewer trips by the most sustainable modes?

Or, were several words left off the title of the posted document? By way of illustration, was the title supposed to be, *Ontario Transportation Demand Management Municipal Grant Program: A Program to Encourage Cycling, Walking, Transit, and* ***Promote Private Motor Vehicle*** *Trip Reduction?*

The possibly missing terms, ***Promote Private Motor Vehicle***, are highlighted in red and bolded for emphasis.

Whatever the title was supposed to be, or mean, the program itself has serious limitations when it comes to implementing practices.

First, the maximum grant is $50,000, or about the cost of one large SUV. In my experience, $50,000 is far less than the kind of money which is needed to achieve significant sustainable transport practices that extend beyond the scope of small, local projects.

There is no harm in that approach, of course, but it is hardly an assertive way to promote achieving sustainable transport practices across the province.

Second, the following extract from the report reveals that the focus of the program is strategies as opposed to practices.

> "TDM strategies (underline added) have multiple benefits including:
>
> - Increased transit ridership
> - Improved health through active transportation such as cycling or walking
> - More pedestrian-, cycling-, and transit-oriented neighbourhoods and developments
> - Reduced traffic congestion
> - Energy conservation through reduced reliance on cars and oil
> - Reduced pollution and greenhouse gas emissions
> - Improved mobility for non-drivers
> - Cost savings through reduced need for highway and parking infrastructure improvements
> - A more sustainable transportation system"

The purported, multiple benefits have been previously proposed on numerous occasions over many years by various agencies as program outcomes or outputs, and have even been referred to as sustainable transport principles for that matter. However, the benefits do not constitute operations and are not practices. Moreover, I did not find any practices in the document to explain how the respective benefits are to be achieved via which strategy or strategies.

Based on the skimpy set of documents listed by MTO in the sustainability field, it appears evident that there is a huge lack of regard by the Ontario Ministry of Transportation for both sustainable transport principles and practices. That being the case, the question arises:

What is the likelihood that decisions by MTO to create HOV lanes in Ottawa or anywhere else are based on sustainable transport principles and practices?

That fundamental question is pursued in the next section.

As for empirical evidence attesting to MTO's use of sustainable transport principles and practices when making decisions that affect Ontario's transportation infrastructure, as well as the movement of people and freight in Ontario, I examined various literatures in search of survey results. Unfortunately, I did not locate any information about such a survey or surveys, and I was not informed by any provincial official that such a survey or surveys had been conducted by MTO or other provincial agency.

Given the apparent absence of provincial government or other survey information, the following communication was sent to community groups, researchers, and members of sustainable transport interest groups for their assessments of MTO's record.

From: Barry Wellar [mailto:wellarb@uottawa.ca]
Sent: March 28, 2010 6:24 PM
To: Interested parties

Subject: Sustainable Transport Request

Hello to All,

I am writing a public service report on the Ottawa experience with high-occupancy vehicle (HOV) lanes, and in one section I discuss how sustainable transport principles and practices are pertinent to deciding whether to create HOV lanes on 400-series highways. I seek your assistance in three regards.

First, I am searching for documents which report on sustainable transport principles or practices that have been identified, adopted, and implemented by the Ontario Ministry of Transportation (MTO).

If you know about any such documentation, I would be grateful if you would call it to my attention.

Second, I am searching for empirical evidence about any sustainable transport practices that MTO states it has implemented.

If you know about any empirical evidence that MTO has implemented a sustainable transport practice in your community or other communities, I would be grateful if you would call it to my attention.

Third, if you have opinions about whether MOT has missed opportunities to include sustainable transport practices in its road, transit, or other initiatives in your community or other communities, I would welcome learning about those missed opportunities.

Thanks are given in advance for assistance received.

Barry Wellar

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Transport Action Canada
211 Bronson Ave., Suite 303
PO Box 858 Station B

In regard to references to MTO documentation, no information was received beyond notes about the two documents already discussed. There may be more

available public documents, but they were not brought to my attention by respondents.

As for claims by MTO that it has implemented sustainable transport practices, respondents did not indicate knowledge of any practice-related action by MTO in their communities, or other communities. And, no one mentioned knowing about any documents prepared by municipal governments, community associations, interest groups, consultants, university researchers, etc., listing such actions.

Perhaps in a future exchange of correspondence, someone at MTO will provide the details that tell us all where and when it implemented which sustainable transport practices, with what results. Until that happens, however, comments received to date suggest it is best to regard the MTO claims about sustainability as puffery.

Finally, I received very negative comments about MTO in general, and extremely negative comments on the matter of HOV lanes.

Specifically, respondents expressed dismay, outrage, etc., that MTO would build and attempt to pass off HOV lanes as a sustainable transport practice, even though they have been panned in the literature, at public meetings, and in governmental correspondence as a gimmick to expand the highway network and add to the amount of private motor vehicle traffic on Ontario's highways, thereby creating the demand for more highways, and round and round it goes.

Small wonder, therefore, that MTO was called MRO (Ministry of Roads for Ontario) in several communications.

In the absence of evidence to the contrary, it appears fair to say that MTO is abysmally lacking in its understanding of and commitment to sustainable transport principles, and especially to sustainable transport practices.

The summary comment for this section is that the combination of Ottawa's dysfunctional land use and transportation planning, the failure by government bodies including the Ontario Municipal Board to rein in development in Ottawa's western reaches, and the lack of regard by the Ontario Ministry of Transportation for sustainable transport principles and practices created a brutal triumvirate of entrenched forces to be overcome in order to achieve a sustainable transport solution to the traffic situation in Ottawa's west end.

Which brings me back to the question asked earlier in the paper, that is,

What are they thinking?

when decisions are made by MTO officials to create HOV lanes in Highway 417 in the western reaches of Ottawa.

Well, let us see if what they were thinking, and why, can be ascertained.

5. Seeking an *Intelligent* Explanation from MTO About the Creation of HOV Lanes, Highway 417, Ottawa West

The word *Intelligent* in the heading for section 5 is chosen advisedly. As attested by many people who have had communications with government officials at any level, it is frequently the case that responses to inquiries from citizens are larded with bafflegab, veer off on tangents, and are designed to stall, create diversions, wear out the inquisitor, etc. In brief, to do everything possible short of providing pertinent, timely, informed responses to inquiries.

I sent several HOV-related communications to MTO officials, and in all cases they took what I regard as excessive amounts of time to reply. However, I do have two replies to communications in hand, and the matter of interest is whether the communications amount to a Yes or a No response to the following question:

Does MTO have an intelligent explanation for its HOV lane initiatives in Ottawa's west end?

I hasten to add here that I am partial to basing the word *intelligent* on the articulation of sustainable transport principles and the achievement of sustainable transport practices. Nevertheless, and applying good sense to the situation, if MTO can provide a different, internationally-recognized, and methodologically-grounded basis for its explanation about HOV lanes, then the agency's HOV explanation could pass the *intelligent* test for the purposes of this report. That said, the explanation may not pass the sustainable transport test.

A. Communications with MTO Officials for the HOV Paper, 2008 Conference, Association of American Geographers (AAG)

The 2007 report, *Getting to the Truth about "High-Occupancy" Vehicle (HOV) Standards* generated a large amount of correspondence. However, this is not a dissertation or a funded project, so in the interests of time and space I am including only the exchange of correspondence with MTO officials. Fortunately, this exchange is sufficient to lay the foundation for the more pointed letter sent in 2010, which was designed to ascertain whether MTO does in fact have an intelligent explanation for creating HOV lanes in a section of Highway 417 in Ottawa's western reaches.

The communication regarding the 2007 HOV report was sent by way of my former MPP Jim Watson, then Minister of Municipal Affairs, to Donna Cansfield, then Minister of Transportation.

From: Barry Wellar [mailto:wellarb@uottawa.ca]
Sent: August 28, 2007 10:07 PM
To: Jim Watson (Jim_Watson@ontla.ola.org)
Cc: 'dcansfield.mpp@liberal.ola.org'

Subject: Paper on HOV standards
Importance: High

Hello Mr .Watson,

As per our recent discussion, I am pleased to apprise you of a development in the transportation field that may also be of interest to Transport Minister Cansfield.

Transport 2000 Canada just posted a paper that I wrote on HOV standards, and I have attached the pdf version for your consideration should this matter be within your purview.

I am very interested in receiving comments on the report. While confirmation is welcome, I am especially interested in receiving comments that point out errors, or better ways of expressing concepts, relationships, etc.

So, if you and/or a colleague or two have the time to read the paper, I would be most appreciative of your feedback.

Regards.

Barry Wellar

Dr. Barry Wellar, MCIP
Distinguished Research Fellow
Transport 2000 Canada
211 Bronson Ave., Suite 303
PO Box 858 Station B
Ottawa, ON K1P 5P9

One objective of the communication was to obtain feedback from MTO that could be used to confirm, reject, or modify all or parts of the 2007 report, and enable me to prepare, if necessary, a revised and more robust presentation for the 2008 Annual Meeting of the Association of American Geographers.

The request for feedback was honoured by a letter dated March 12, 2008, or about <u>six and one-half months after the request was made</u>. In the interests of completeness, the letter is reproduced in full.

Ministry of Transportation
Transportation Planning Branch
3rd Floor, Building "B"
1201 Wilson Avenue
Downsview, Ontario M3M 1J8

Tel. (416) 235-3976
Fax. (416) 235-5224

Ministère des Transports

Ontario

March 12, 2008

Dr. Barry Wellar, MCIP
Transport 2000 Canada
211 Bronson Avenue, Suite 303
PO Box 858, Station B
Ottawa, Ontario
K1P 5P9

Dear Dr. Wellar:

Thank you for providing a copy of your report, entitled "Getting to the Truth about "High-Occupancy" Vehicle (HOV) Standards", to the Ministry of Transportation. It was forwarded to the Transportation Planning Branch for review. I regret that there has been a delay in responding to your letter.

Congestion is of primary concern to this government because of its effects on our quality of life, our environment, and our economy. As our population and economy grow, so too will the demands on our transportation infrastructure—the number of people who need to commute will only increase. One way we can work at managing congestion is to move those people in fewer vehicles, by improving transit access and providing viable alternatives to driving alone.

We believe that HOV lanes are an effective incentive for people to carpool or ride transit. People who do their part by taking a bus or sharing a ride with someone else get the advantage of a quicker, more reliable trip along the highway.

While your paper postulates an interesting theoretical method for defining a high occupancy vehicle, and thereby determining how many occupants are required for a vehicle to be considered "high occupancy", it would be difficult to apply this method in a real-world context. It appears that the issue is the use of the word "high" in the term "high occupancy vehicle", and its use to describe vehicles with two occupants.

From the ministry's perspective, "high" is a relative term: in comparison with the many vehicles on our roads that are carrying only one occupant, those with two or more people can be considered high-occupancy. Given the long-standing, high proportion of single-occupant vehicle travel on our highways, we feel it is important to provide options for travellers that are relatively easy to adopt and that act as incentives for behavioural change, rather than to impose changes on people that require sudden, radical shifts in their behaviour. If future monitoring showed that the average number of people per vehicle had increased on provincial highways, the ministry could consider increasing the occupancy requirement to three people.

.../2

-2-

Ontario's HOV lane planning, design and operating principles are based on over 30 years of successful, extensive experience from around the world. There are now over 4,000 kilometres of HOV lanes operating across North America and using the same 2+ occupancy requirement that we have applied here in Ontario.

Thank you again for taking the time to share your report with us and for your interest in Ontario's transportation system.

Yours truly,

Patricia Boeckner
Director

c. Jim Watson, MPP

As the organizer for the session on New Measures of Transportation System Performance, it was my hope that feedback from the Ministry of Transportation would be methodologically robust, and supported by empirical evidence. Alas, it was not to be.

Analysis of the Ministry's response proved to yield exceedingly thin pickings. Only two statements were excerpted from the MTO communication for inclusion in the PowerPoint slides. And, the use made of the quoted sections was not flattering to MTO.

The first selected quote,

> "… in comparison with the many vehicles on our roads that are carrying only one occupant, those with two or more can be considered high-occupancy."

is more than just embarrassing due to its vacuousness. It is so totally devoid of good sense that one wonders who comes up with this stuff.

Elementary logic dictates that since one occupant in a moving vehicle is the lowest level, it follows that two occupants is the lower level, three is low, <u>four is high</u>, five is higher, etc. And, to get even more rigorous, 4 could be the hinge or bridge interval to designate neither low nor high, making high 5 occupants, higher 6 occupants, and highest 7 or more occupants.

The MTO rationalization that two occupants is a high level of occupancy because there is only one occupant in many vehicles is the weakest form of relativist argument. And, worse, it is a gross and shameful abdication of leadership by the

Ministry of Transportation and the Government of Ontario in the sustainability domain.

As for the second quote, it is even more revealing about MTO's proclivity to serve the private motor vehicle mode:

> "There are now over 4000 kilometres of HOV lanes operating across North America and using the same 2+ occupancy requirement that we have applied here in Ontario."

Ontario is a follow-the-leader in this field, and to my knowledge it cannot lay claim to even one original input in regard to HOV analysis, assessment, evaluation, or any other type of performance-measuring methodology.

I suggest that the logic bar is lying on the ground in all jurisdictions with the 2+ criterion, and the MTO position can be outlined as follows:

> "We have no substantive ideas of our own, so we just do what some other jurisdictions do, no questions asked."

Moreover, it appears that even elementary logic is baffling to MTO. I refer to the <u>two</u> occupants mentioned in the first MTO quote, and the 2+ occupants criterion cited by MTO in the second quote as being used in other jurisdictions and, apparently, adopted by MTO.

To the 2 versus 2+ issue I say "Whoa". Two and 2+ are not equivalent, just as the grades of A and A+ are not equivalent. In the case of occupancy, if 2 means two occupants, then 2+ logically means more than two occupants, that is, at least three occupants. So, posing the question that suggests itself, What is the actual, minimum "high-occupancy" requirement in Ontario, two or more than two?

Cutting to the basics to be perfectly clear on this issue, what does MTO understand 2+ to mean when used to refer to vehicle occupants? 2.25? 2.5? 2.75? It is my inclination to regard the 2+ reference to occupants as the kind of "cutesy" murk that is used in attempted public relations deceptions, but I could be wrong in this case. I look forward to receiving an explanation from MTO that clarifies its 2 versus 2+ positions, and I will ask for one in due course if it is not volunteered in a timely manner upon publication of this report.

B. Further Communication with MTO Officials in Search of Substantive Answers to Specific Questions

In preparation for this report, and having already seen the vacuous "explanations" put out by MTO in response to open-ended and good faith inquiries, the next letter to then Minister of Transportation Jim Bradley, was sharpened considerably. The sharpness is illustrated by the six questions in the attachment to an email of January 11, 2010.

From: Barry Wellar [mailto:wellarb@uottawa.ca]
Sent: January 11, 2010 8:58 AM
To: 'jbradley.mpp@liberal.ola.org'
Cc: 'jwatson.mpp.co@liberal.ola.org'
Subject: Highway 417 HOV Lane(s)
Importance: High

Dear Mr. Bradley,

A letter regarding the 417 HOV lane or lanes initiative is attached. I look forward to receiving a response at the earliest to my inquiry.

Thank you for your prompt consideration of this communication.

Sincerely,

Dr. Barry Wellar, MCIP
Professor Emeritus
Department of Geography
University of Ottawa
Ottawa ON K1N 6N5

Mr. Jim Bradley January 11, 2010
Minister of Transportation
Government of Ontario
3rd Floor, Ferguson Block
77 Wellesley Street W.,
Toronto, ON M7A 1Z8

Re: HOV Lane or Lanes, Highway 417

Dear Mr. Bradley,

I have a number of concerns regarding the so-called high-occupancy vehicle (HOV) lane or lanes recently created on Highway 417 (a.k.a. the Queensway) by the Ministry of Transportation (MTO). They are illustrated by the following questions:

1. What is the operational purpose, stated in specific, measurable terms, of the so-called HOV lane or lanes?
2. What is the basis for this decision, that is, what is the evidence behind the MTO decision to create the HOV lane or lanes?
3. What variables are being used to measure the success of this initiative?
4. How is the determination of the success of the HOV lane or lanes initiative to be measured?

5. What was the basis for deciding which evaluative methods or techniques to use in ascertaining whether the HOV initiative is a success?
6. What is the basis of the decision points to use in concluding whether the HOV initiative is a success?

Mr. Bradley, as you may appreciate from prior communications which I have had with MTO on this issue, as well as many critical statements about the HOV notion in a number of media stories and in the learned and professional literatures, there appears to be a long and substantive list of reasons to develop a very detailed and robust rationale to justify the HOV approach under any set of circumstances.

However, and as you no doubt appreciate, Mr. Bradley, the importance of the rationale increases significantly in the present era which is marked by such characteristics as global warming concerns, energy concerns, urban sprawl concerns, smog and health concerns, financial constraints at all levels of government, an international consensus about the need to implement sustainable transport practices, and the growing public support for major shifts towards moving more people and more freight by rail rather than by private motor vehicle.

Presumably the answers to the questions posed and related questions that could be posed, as well as consideration of concerns such as the ones noted above, are contained in the terms of reference or statement of work which was approved by your Ministry during the deliberative process underlying the decision to implement the 417 HOV lane or lanes initiative.

Since I have a deep interest in the HOV issue, and an invitation to speak at an international meeting about the HOV concept and the success/failure record of its implementation, I have attempted to find the pertinent materials which would enable me to review: a) the 417 HOV project terms of reference or statement of work; and b) the documents that describe the methodology to be used by the Ontario Ministry of Transportation to evaluate the Highway 417 HOV initiative.

Unfortunately, however, and this may be due to a searching error on my part, but my attempts to locate these materials have not been successful and hence this letter to you, copied to my MPP, Jim Watson.

I would be grateful, Mr. Bradley, if you would instruct your staff to direct me to the online location of the Highway 417 HOV terms of reference or statement of work. In the interests of time, please execute this instruction to staff at the earliest moment.

Further, and in the event that the requested materials are not already available online, please instruct your staff to post the materials on the MTO website, and to inform me at the earliest moment as to the link which will connect me to the posted materials.

Finally, in the interests of time and ease of circulating materials, please ensure that all communications from your office and/or MTO officials to me are via emails and attachments.

Your assistance and that of Mr. Watson in ensuring that the requested information is provided at the earliest moment will be appreciated by me, as well as by the audience for my presentation.

Sincerely,

Dr. Barry Wellar, MCIP
Professor Emeritus
Department of Geography
University of Ottawa
Ottawa ON K1N 6N5

cc: Jim Watson, MPP, Ottawa West-Nepean

The response to my inquiry of January 11 was completed on February 26, and forwarded to me from the MTO Provincial Planning Office on March 1. For the record, the response materials are presented in full.

I remind the reader that the six questions in my letter are numbered 1, 2, 3, 4, 5, and 6, much like they might appear on an exam.

It was my expectation that the responses would correspond to the numbers, or even repeat the question for each response, to help ensure that any good work by MTO was not misattributed, misconstrued, misrepresented, etc. Alas, once again even modest expectations were not met.

From: Provincial Planning Office [mailto:ProvincialPlanningOffice@ontario.ca]
Sent: March 1, 2010 1:00 PM
To: wellarb@uottawa.ca
Subject: Ministry of Transportation

Mr. Wellar,

Please see attached response to your January 11 message to the Ministry of Transportation.

Thx,

_____
David Bills
Administrative Assistant
Ministry of Transportation

Ministry of Transportation
Transportation Planning Branch

Ministère des
Transports

777 Bay Street
30th Floor, Suite 3000
Toronto, ON M7A 2J8

Tel. (416) 585-7255
Fax. (416) 585-7324

February 26, 2010

Dr. Barry Wellar
Professor Emeritus
University of Ottawa
Department of Geography
Simard Hall, 60 University, Room 047
Ottawa, Ontario
K1N 6N5

Dear Mr. Wellar:

Thank you for your e-mail requesting information on the addition of HOV lanes to Highway 417. I have been asked to respond on the ministry's behalf.

HOV lanes are an important part of the Ministry's strategy to fight congestion and reduce the related environmental impacts of transportation. The faster trip times and improved reliability of the lanes provide an incentive for travelers to carpool or take transit.

The first expansion of Highway 417 west of Highway 416, in the mid 1990s, provided for managed lanes in the form of reserved bus lanes (RBL) between Moodie Drive and Eagleson Road. Subsequently, an RBL was constructed in the westbound direction from Highway 416 (Acres Rd / Bayshore Transit Station).

During the later Environmental Assessment and Preliminary Design Study for Highway 417 between Highways 416 and 7, travel demand forecasting was undertaken. These forecasts were based on a higher mode shift to transit over time in accordance with the Ottawa Official Plan and Transportation Master Plan. It was concluded in the study that two additional lanes per direction would be required to address travel demand to the study horizon year. Further, the pace of growth was such that the second widening would be required not long after the initial one.

It was also determined in the EA study that the HOV demand within the corridor was sufficient to allow one of the new lanes to be an HOV lane. Experience in other jurisdictions has suggested that conversion of a general purpose lane to an HOV lane after a number of years was rarely successful. As a result, it was decided that one of the new lanes would be designated as an HOV lane. …/2

As the HOV lane was constructed at the same time as the general purpose lane, its true effectiveness will only become apparent over time. Typically, an HOV lane

would not be constructed in conjunction with a general purpose lane. In this instance, the anticipated rate of growth and opportunity to minimize disruption during construction suggested that the widening to provide both an HOV lane and a general purpose lane occur concurrently rather than sequentially.

MTO has not as yet established a monitoring program for HOV lanes on Highway 417.HOV lanes west of Highway 416 will ultimately extend as far as Palladium Drive. It is our view that implementation of a monitoring program is premature until HOV lane construction is complete.

If you have further questions please contact Dave Lindensmith, Senior Project Engineer in our Program Highways Management Division East Region Offices at 613-540-5130 or dave.lindensmith@ontario.ca.

Thank you again for your letter.

Sincerely,

Joe Perrotta
Manager

As the reader likely noticed, there are no numbered connections between the questions in my letter to the Minister and the paragraphs in the reply prepared on his behalf. After several readings of the response, it occurs that there may be no numbers because the response does not substantively address any the specifics in the questions. In that sense the response reminds me of students who fill exam books with whatever they think they know, regardless of the questions on the exam sheet. The word “FAIL” comes to mind in both the MTO and student situations.

Indeed, upon further reflection, and recalling my own days in government, the reply on behalf of the Minister reminds me of the kind of “story” that frequently appears in agency briefing books. That is, rather than deal with the pressing issues, problems, challenges, or concerns confronting the agency, the preferred tactic is put out announcements, press releases, etc., on various and sundry other topics. The hope, of, course, is that the diversions will buy time and, maybe, the bad news items or bad news people will go away.

The fact of this matter as I see it upon analysis of the response, is that MTO does not have either the methodological know-how, or the empirical evidence, to provide substantive answers to even one of the questions asked, much less all six. If it could provide such answers, surely for professional reasons someone in the agency would have insisted that it do so.

Further, it is my experience that if there is nothing to hide, then there is a very compelling reason to prepare responses that are complete and to the point. That is, good answers can put a stop to embarrassing letters being sent to the Minister of MTO, to other Ministers, as well as to MPPs, about the apparent contradiction

between extolling the virtues of sustainable transportation while wasting many millions of taxpayer dollars on so-called HOV lanes.

In closing my comment about the response to the six questions asked of Jim Bradley, Minister of Transportation, I recall the story tactic mentioned above, and the phrase "When in doubt, mumble" that James Boren made famous. The MTO response is far more a story than it is an informed reply to my inquiry, and I am no fan of deliberate or accidental mumbling by government agencies. As a result, another and even sharper letter seeking substantive answers to specific questions about HOV lanes will be sent to the Minister of Transportation in due course.

Finally, the communication to the Minister contained a specific request about the terms of reference for the project that led to the HOV decisions.

> " … I have attempted to find the pertinent materials which would enable me to review: a) the 417 HOV project terms of reference or statement of work; and b) the documents that describe the methodology to be used by the Ontario Ministry of Transportation to evaluate the Highway 417 HOV initiative.
>
> Unfortunately, however, and this may be due to a searching error on my part, but my attempts to locate these materials have not been successful and hence this letter to you, copied to my MPP, Jim Watson.
>
> I would be grateful, Mr. Bradley, if you would instruct your staff to direct me to the online location of the Highway 417 HOV terms of reference or statement of work. In the interests of time, please execute this instruction to staff at the earliest moment.
>
> Further, and in the event that the requested materials are not already available online, please instruct your staff to post the materials on the MTO website, and to inform me at the earliest moment as to the link which will connect me to the posted materials."

This part of the communication is not mentioned, <u>not a word</u>, in the response prepared by MTO for the Minister. Furthermore, I have not received the requested HOV project information subsequent to the MTO letter of February 26, which was almost eight weeks ago. How long does it take to produce an answer that should not need more than 15 minutes to prepare?

In the absence of an answer that should have been producible in a matter of minutes, I am assuming that there is no answer. That is, there are no HOV project terms of reference, and there is no description of the methodology used by MTO to evaluate the HOV initiative from the establishment of need through to the analysis, impact assessment, and other phases. The failure to provide the requested information could be an oversight, and I will ask my current MPP, Bob Chiarelli, to look into the matter, In the meantime, however, it is assumed that the requested information was not provided because it does not exist.

Regrettably, the letter of January 11, 2010 to then Minister of Transportation Jim Bradley did not yield answers to the questions asked, but instead was given the story treatment, that is, a general and vague account of little substantive import. However, the letter may have inadvertently revealed that there are no terms of reference for the Highway 417 HOV project in Ottawa's western region. Or, it could be that there are terms of reference, but for whatever reason they are not available to the public. Perhaps my current MPP Bob Chiarelli can get to the bottom of this issue.

I close this part of the report by returning to the heading for section 5, which is Seeking an *Intelligent* Explanation from MTO About the Creation of HOV Lanes, Highway 417, Ottawa West. The operant question, to re-phrase the section title, is

Does MTO have an intelligent explanation for its
HOV lane initiatives in Ottawa's west end?

Based on the February 26, 2010 communication received from MTO on behalf of the Minister, Jim Bradley, the answer is an emphatic NO.

Moreover, the Ministry's own materials appear to reveal that no one in the agency is aware that the HOV program in Ottawa's west end is a flat-out contradiction of the Ministry's Transportation Demand Management (TDM) strategy. As previously noted in the sub-section titled, Institutional Failure C. Lack of Regard by the Ministry of Transportation (MTO) for Sustainable Transport Principles and Practices, the MTO document asserts that

> "TDM <u>strategies</u> (underline added) have multiple benefits including:
>
> - Increased transit ridership
> - Improved health through active transportation such as cycling or walking
> - More pedestrian-, cycling-, and transit-oriented neighbourhoods and developments
> - Reduced traffic congestion
> - Energy conservation through reduced reliance on cars and oil
> - Reduced pollution and greenhouse gas emissions
> - Improved mobility for non-drivers
> - Cost savings through reduced need for highway and parking infrastructure improvements
> - A more sustainable transportation system"

Among the strategies listed by MTO, a number of them are directly negated by HOV lanes, and some have absolutely nothing to do with HOV lanes. Further, while several others are touted as resulting from the creation of HOV lanes, I have yet to encounter any methodologically-derived evidence to support the contention.

Indeed, if that kind of evidence existed, then I have no doubt that officials at MTO would have made that information available a long time ago on the MTO website, and I most assuredly would have been told all about it in the replies to my communications to MTO.

Finally, in order to close off section 5 by tying together several strings of thought, I return to a question asked in section 4:

What is the likelihood that decisions by MTO to create HOV lanes in Ottawa or anywhere else are based on sustainable transport principles and practices?

As the reader may recall, I stated in section 4 that "… because there are a number of sustainable transport principles, a methodologically rigorous approach requires that all the known principles are taken into account during the defining process. The extent to which MTO followed such a procedure in defining "high', as in "high-occupancy vehicle" is discussed in section 5."

I have reviewed what I believe to be all the pertinent, open literature in the MTO file on this topic, and I was unable to find any evidence whatsoever, none, not a jot, not a tittle, nothing, to establish that the term "high", as in "high-occupancy vehicle" was methodologically derived from any sustainable transport principle, much less from examining all known sustainable transport principles.

It therefore appears fair to conclude that MTO does not have an intelligent explanation for its HOV lane initiatives in Ottawa's west end, or anywhere else, and fair to suggest that this finding is consistent with the agency's seeming lack of regard for sustainable transport principles <u>and</u> sustainable transport practices.

6. Summary Comments.

I opened the 2010 HOV report with the contention that "Presentations by public agencies on behalf of high-occupancy vehicle (HOV) lanes are generally promotional, frequently disingenuous, and usually very short on evidence pertinent to assessing the purported claims made by HOV boosters."

Letters written on behalf of Ministers or agencies are presentations, and in my opinion the opening contention is generally applicable to the MTO communications cited in this report. In brief, the communications promote HOV lanes without providing the evidence to support the claims, questions asked and challenges raised are not answered, and the information requested about the HOV project terms of reference is not provided.

And, I concluded the opening paragraph with the observation that "…it is my experience that critics of HOV initiatives fail to properly expose the shortcomings in the HOV argument."

I took my admonition under advisement in drafting the report, and I am optimistic that I have made it very difficult for MTO to wriggle out of the HOV shortcomings identified in this report. In particular, and despite repeated requests, and a number of searches and inquiries, as of this writing I have seen and heard nothing substantive from MTO or any other body to justify creating such lanes.

Moreover, when arrayed against the noble objectives of articulating sustainable transport principles and achieving sustainable transport practices, the very idea of creating special traffic lanes to accommodate two persons in a vehicle is beyond facile, it is downright ludicrous.

I therefore suspect that with societal progress in the direction of sustainability taking hold, even the auto-oriented diehards within MTO must surely be on the verge of resigning themselves to admitting that HOV lanes are the epitome of waste in too many ways, that they should never have been created in the first place, and that they must be converted to transit uses post haste.

Should my suspicion hold, we are on the threshold of learning that MTO will never again propose the use of HOV lanes anywhere in Ontario.

As for the situation in Ottawa, the legacy of errors is long, wide, and ugly, and the term muck-up is most appropriate.

The combination of land use planning and development blunders by local governments, and the failure of local governments to achieve an integrated land use and transportation system over the past 30-40 years, created a deep hole for Ottawa in terms of achieving a transit-based, city-wide, sustainable transport system.

Nevertheless, and thanks primarily to the efforts of public interest groups such as the Federation of Citizens Associations and Transport 2000 Canada (now, Transport Action Canada), beginning in the 1990s, and increasingly in the past decade, there was at least a faint hope that such a system, and specifically a light rail transit (LRT)-based system was in the cards, including a line into the western part of Ottawa.

However, the decisions by the Ontario Ministry of Transportation to widen Highway 417, and the compounding of those unfortunate decisions by adding HOV lanes, appear to have totally obliterated any hopes for running LRT into the western part of Ottawa for a number of years.

Simply put, it is difficult to come up with a good reason to build light rail into an area that is already over-serviced with roads relative to other parts of Ottawa, and that difficulty is worsened by severe financial constraints at all levels of government.

Finally, while it appears that it will take decades for the Ottawa area to come to grips with its messy transportation legacy, I am hopeful that the HOV 2010 report will help residents in other municipalities in Ontario, and perhaps in other jurisdictions, prevent similar HOV lane muck-ups from thwarting efforts to achieve genuine sustainable transport practices.

7. References

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Ontario Ministry of Transportation, 2007. *Sustainable Transforum: Shaping Transportation for Future Generations.* (http://sustainabletransforum.ca/).

Ontario Ministry of Transportation, 2010. *Ontario Transportation Demand Management Municipal Grant Program: A Program to Encourage Cycling, Walking, Transit, and Trip Reduction.* (http://www.mto.gov.on.ca/english/sustainability/programs/tdm-grant.shtml.

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