

Friday, October 29, 2010

Mr. Ken Petersen
Manager
Legislation and Research
Provincial Planning Policy Branch
Ministry of Municipal Affairs and Housing
14th Floor - 777 Bay Street
Toronto, M5G 2E5

Sent by email to: Ken.Petersen@ontario.ca
and to Kyle.MacIntyre@ontario.ca

Dear Mr. Petersen,

Re: Environmental Bill of Rights Registry Number 010-0766, Review of the Provincial Policy Statement 2005 – TRANSPORTATION-RELATED recommendations

We are pleased to provide you with these comments and proposals respecting the review of the Provincial Policy Statement 2005. **Pembina Institute, Citizens Environment Alliance, SHIFT – Stop Highways; Invest in Feet and Transit, York Simcoe Naturalists, Transport Action Ontario, and Ecojustice** have collaborated on these submissions and recommend them to you for your consideration.

While our submission focuses specifically on **transportation-related matters**, we also refer you to the recommendations being made by a larger coalition of groups relating to the full PPS 2005. (See: *Submissions of Planning for Sustainability: A Provincial Policy Statement Collaborative in response to the on-going review of the 2005 Provincial Policy Statement Environmental Bill of Rights Number ... October 2010.*)

Our reform proposals might best be implemented by including new sections in the PPS relating to **Active Transportation** and **Climate Change**, which fit nicely into existing provincial priorities.

In the case of our recommendations respecting active transportation we focus first on measures that would make conditions safer for people already traveling by active means, and second on creating conditions that would promote active transportation where current conditions are so undesirable that few people feel safe enough to travel in such a way (despite the advantages of these transportation options to reducing polluting emissions from automobiles).

This PPS review process provides key opportunities for your ministry to direct municipal decision-makers towards achieving key provincial and communal objectives relating to air pollution, climate change, and a healthier population. We are pleased to participate in this review process.

We divide our comments into two sections:

- A. Reform proposals; and
- B. Recommended changes and amendments to the PPS.

In each case we offer commentary that supports our changes and proposals.

A. Reform Proposals

ACTIVE TRANSPORTATION

Proposal #1:

*Within two years of the coming into force of this statement, **public facilities such as schools and community centres shall be made safely accessible by walking and cycling.*** (We recognize that measures taken in rural areas where many students may live a significant distance from such public facilities will look different from those in areas of greater population density.)

Commentary:

- Metrolinx: *The Big Move*, (online at: <http://www.metrolinx.com/thebigmove/index.html>) notes:
 - “School catchment areas shall be defined; and school campuses shall be designed, to maximize walking and cycling as the primary means of school travel.”
 - “Between 1986 and 2001, weekday travel for 11- to 15-year olds increased 83 per cent versus 11 per cent for adults.”
- Numerous studies have found that car-based communities lead to physical inactivity and ill health effects, including obesity, diabetes and heart disease. (See, for example: Mahshid Dehghan et al, *Childhood obesity, prevalence and prevention* Online at: <http://www.nutritionj.com/content/4/1/24> and Bassett, D., Pucher, J., **Buehler, R.**, Thompson, D., Crouter, S. 2008. "Walking, Cycling, and Obesity Rates in Europe, North America and Australia," *Journal of Physical Activity and Health* (JPAH), Vol. 5, No. 6, Fall 2008, pp. 795-814.)

Proposal #2:

*Within two years of the coming into force of this statement, **require the implementation of bike lanes, or measures of comparable or greater safety as determined by a cycling safety study, on all roads where, during any period of the year, at least five percent of vehicular traffic is comprised of bicycles, except where the speed limit on such roads is limited to 30km/h or less.***

Commentary:

- One of the greatest obstacles to getting people out of their cars and onto bicycles is the opinion that cycling is not safe. A 1998 Environics poll showed that 70% of Canadians would be willing to ride a bike to work if the distance took less than 30 minutes to cycle and they had access to a bike lane. (See: 1998 National Survey on Active Transportation: Summary Report. Study conducted by Environics International on behalf of Go for Green, Ottawa ON. Online at: http://safety.fhwa.dot.gov/ped_bike/docs/bike_flash.pdf)
- A recent World Health Organization/World Bank report on traffic fatalities notes that at speeds of 30km/h or less motor vehicles can mix safely with pedestrians and cyclists. The WHO considers road injuries to be one of the greatest and most neglected public health issues. Globally, cyclists are 8 times more likely to be killed per kilometer traveled than a person in a car. Online at: http://www.who.int/violence_injury_prevention/road_safety_status/2009/en/index.html
- Canadian motorists on average make 2000 trips of **under** 3 km each year – trips that can easily be completed by bike or on foot.
- A 2007 report by Toronto Public Health found that 440 premature deaths and 1700 hospitalizations each year in Toronto are caused specifically by pollution from road transportation emissions. The same report found that children suffer over 1200 acute bronchitis episodes as a result of air pollution from traffic, and the majority of 68,000 asthma symptom days. Mortality-related costs associated with traffic pollution in Toronto are estimated to be \$2.2 billion per year. (Online at: <http://drivethrulies.wordpress.com/2008/07/08/air-pollution-burden-of-illness-toronto-public-health/>)

Proposal #3:

In the case of all new roads or roads that are undergoing redevelopment (of a type that brings the project under Class B or C of the Municipal Class Environmental Assessment) and where the speed limit on such road is greater than 30km/h, a study shall be completed in advance of the project detailing how the roadway is to be made safe for cycling and walking. This study shall determine whether a physically separated cycling route is necessary to provide for the safety of cyclists. The study's recommendations shall be implemented prior to the completion of the road project.

Commentary:

- The safety of cyclists is linked to higher levels of cycling. Amsterdam, which has 450 km of bike paths and bridges, has cycling levels in excess of 30% of the population but lower per capita injury and death rates than in Canadian cities. (See: Pucher, J. and Buehler, R. 2007: *Cycling policies innovations in cities: Netherlands, Denmark, Germany.*)
- The Centre for Sustainable Transportation's 2002 report entitled *Canada's Urban Regions: How They Compare* found that Toronto had the single most energy intensive transportation system out of 52 of the world's more affluent urban

regions, largely because of the very high proportion of people driving. (See: Issue No 7, October 2002, online at:

<http://www.centreforsustainabletransportation.org/downloads/STM7English.pdf>)

- In the City of Toronto, for example, approximately 10,000 bike accidents occur every year. While the number of accidents reported to police is generally around 1,000, city documents show that up to 90% of bike accidents go unreported, including a significant number of those that result in hospitalization. In most of these cases cyclists are not at fault. (See: City of Toronto, Bicycle/Motor-Vehicle Collision Study, online at: http://www.toronto.ca/transportation/publications/bicycle_motor-vehicle/pdf/car-bike_collision_report.pdf)

Proposal #4:

All official plans and transportation plans shall include a cycling plan and a pedestrian plan to be prepared in coordination with, where available, municipal transportation, recreation, and health departments. Such plans shall include existing and proposed routing, design standards, and promotion strategies for safe use. All Part II plans and development proposals shall comply with the pedestrian and cycling plans.

Commentary:

- As of August 2010, Complete Streets policies have been adopted by 14 U.S. states. A model Complete Streets policy requires that the State Department of Transportation:
 - provide for the needs of drivers, public transportation vehicles and patrons, bicyclists, and pedestrians of all ages and abilities in all planning, programming, design, construction, reconstruction, retrofit, operations, and maintenance activities and products;
 - view all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in [state] and recognize bicycle, pedestrian, and transit modes as integral elements of the transportation system.
- See: Complete Streets Policies, <http://www.completestreets.org/changing-policy/model-policy/model-state-legislation-options/>
- The United States Department of Transportation: *Policy Statement on Bicycle and Pedestrian Accommodation, 2010* states that transportation agencies should find ways to make facility improvements for pedestrians and bicyclists during resurfacing and other maintenance projects. (Online at: <http://www.dot.gov/affairs/2010/bicycle-ped.html>)

Proposal #5:

All municipalities shall develop transportation network plans that demonstrate how new subdivisions and existing development will be connected by sidewalks, cycling infrastructure, and roads to community facilities.

Commentary:

- Ministry of Public Infrastructure Renewal: *Places to Grow Act* – The Growth Plan for the Greater Golden Horseshoe 2005, Section 2.2.7 states:
 - “New development taking place in *designated Greenfield areas* will be planned, designated, zoned and designed in a manner that –
 - contributes to creating complete communities
 - creates street configurations, densities, and an urban form that support walking, cycling, and the early integration and sustained viability of transit services
 - provides a diverse mix of land uses, including residential and employment uses, to support vibrant neighbourhoods
- The United States Department of Transportation: *Policy Statement on Bicycle and Pedestrian Accommodation, 2010* (online at: <http://www.dot.gov/affairs/2010/bicycle-ped.html>) states that the best way to improve transportation networks for any mode is to collect and analyze trip data to optimize investments. Walking and bicycling trip data for many communities are lacking. This data gap can be overcome by establishing routine collection of non-motorized trip information. Communities that routinely collect walking and bicycling data are able to track trends and prioritize investments to ensure the success of new facilities. These data are also valuable in linking walking and bicycling with transit.

Proposal #6:

Progressive steps shall be taken to reduce land consumed by parking, including removal of minimum parking requirements and introduction of more paid parking.

New parking areas shall be constructed of permeable surfaces.

Commentary:

- Metrolinx: *The Big Move* priority actions 7.6 and 7.13 provide as follows:
 - Priority Action 7.6: With the guidance of a multi-stakeholder roundtable, undertake a comprehensive parking study to identify best practices and guidelines with respect to
 - optimum parking standards, practices and pricing policies for non-residential parking
 - design of parking facilities to ensure they do not act as barriers to transit or active transportation
 - transitioning from free to paid parking to encourage transit and active transportation use
 - separating parking costs from transit fares at mobility hubs
 - implementing mechanisms such as municipal parking authorities
 - Priority Action 7.13: Municipal parking and zoning bylaws shall be updated to
 - establish maximum parking requirements
 - decrease minimum parking requirements where appropriate

- permit off-site, on-street and shared-parking capacity to be counted towards meeting parking requirements
- providing priority parking for car-sharing
- give landowners and developers the option of providing alternatives to free on-site parking, such as transit passes, car-sharing memberships, carpooling services and/or financial contributions towards transit or active transportation infrastructure

CLIMATE CHANGE

Proposal #1:

Action plans with subsequent progress reports shall be prepared that measure projected greenhouse gas emissions from the transportation needs of proposed developments.

Commentary:

- From 1990 to 2008, emissions in the transportation subsector in Canada rose by about 53 Mt, or 36.4%. Within the transportation sector, the greatest contributors to the overall increase were the 116% increase (24.1 Mt) from light-duty gasoline trucks (reflecting the growing marketing and sales of sport utility vehicles) and the 90% increase (18.7 Mt) from heavy-duty diesel vehicles (indicative of greater heavy-truck transport). There were only minor reductions of 5.2 Mt from gasoline-fueled cars and 1.3 Mt from alternatively- fuelled cars.
- In 2008, the transportation sector was responsible for 62Mt, or 33% of Ontario's overall ghg emissions. Within this sector, road transportation was by far the greatest contributor, comprising 77% of emissions. By 2008, Ontario's emissions for road transportation were 34% higher than the 1990 level. Of the emissions in Ontario attributable to road transportation, passenger vehicles were responsible for the majority of these emissions: almost 35Mt.
- Ontario's Environmental Commissioner (ECO) released his most recent ghg progress report to the Legislature on May 31, 2010. This ECO report highlights that the transportation sector is responsible for the largest portion of Ontario's ghg emissions, and notes that a wide range of initiatives will be required to drive down transportation's overall contributions. The ECO notes that well-designed land-use planning and urban transportation policies, changes to vehicle technologies, and policies that affect consumer choice may all play a significant role in reducing emissions in this sector. The ECO notes that increased public transit is a key element of any climate change reduction plan. (See: ECO: "Broadening Ontario's Climate Change Policy Agenda: Annual Greenhouse Gas Progress Report 2010" online at: http://www.eco.on.ca/eng/uploads/eng_pdfs/2010/GHG10.pdf) See also ECO: "Finding a Vision for Change: Annual Greenhouse Gas Progress Report 2008/2009, pp. 5-6 and s. 2.4 starting at p. 18).
- The ECO found that transportation accounts for the highest demand for energy in the province and that passenger vehicles represent 73% of the ghg emissions from road transportation. The report notes that transportation authorities have not

monitored priced highways for ghg emissions and criteria air contaminants, except at specific choke points within or near urban areas.

Proposal #2:

Reports shall be prepared for all new developments demonstrating how trip reduction, shortening or avoidance of trips is facilitated or provided for and the associated impact on greenhouse gas emissions.

Commentary:

- The ECO's May 3, 2010 energy conservation report concluded that the large, and growing, consumption of transportation fuels was unsustainable and leading to adverse effects on air quality and rising ghg emissions. The report notes that the rate of personal vehicle use exceeds the rate of population growth. According to MTO data, between 2000-2006 Ontario's population grew by 9% while vehicle kilometres travelled increased by 11%. The ECO report identifies sprawl as a factor in promoting the use of personal vehicles and in acting as a major barrier to transportation fuels conservation. (See: ECO: "Rethinking Energy Conservation in Ontario" online at: http://www.ecoissues.ca/index.php/Rethinking_Energy_Conservation_in_Ontario)
- The ECO identifies transportation as an important sector from which ghg savings could be achieved. The report notes that the large growth of ghg emissions for passenger transportation is directly related to urban sprawl, with over 5.6 million commuters in Ontario in 2006, and over 71% of them using a personal vehicle to travel to work. (See: ECO: "Finding a Vision for Change: Annual Greenhouse Gas Progress Report 2008/2009; at s. 5.1.)
- See also The United States Department of Transportation: *Policy Statement on Bicycle and Pedestrian Accommodation, 2010*: <http://www.dot.gov/affairs/2010/bicycle-ped.html>
- The Ontario government recognizes the urgency of climate change. See *Go Green: Ontario's Action Plan on Climate Change*, online at: <http://www.ene.gov.on.ca/publications/6445e.pdf> However, accomplishing provincial ghg reduction goals cannot be achieved if there is no tracking and mitigation of emissions from activities that would otherwise increase ghg emissions. It is therefore vital to ensure that activities undertaken in the province such as residential developments will be connected to and consistent with provincial goals to address climate change.

B. Recommended changes and amendments to PPS.

Proposal #1

Change the name of the document to "Provincial Policy Statement for Municipal Land Use Planning and Development"

Commentary:



- This change would more clearly articulate for the public the nature of the PPS.

Proposal #2

Amend section 1.6.5.1 by changing “should be” to “**shall be**”, and revise the section as follows:

Transportation systems **shall be** provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs **and such systems shall have the following features:**

- 1. Active transportation and public transit as the first priorities for people movement;**
- 2. Making better use of transportation infrastructure that is already in place, through optimization including use of advanced technology;**
- 3. Providing more and better choices for people and shippers in making trip decisions, with more effective transit and rail infrastructure and service; and**
- 4. Pursuing means to reduce travel demands through establishment of smart commute programs and increased community self containment (jobs and homes in the same community).**

Commentary:

- See: Draft Transportation Strategy developed by MTO for the GTA-West corridor, June, 2010.
- See also: *Places to Grow Act*, Growth Plan for the Greater Golden Horseshoe, Sections 3.2.2 and 3.2.3
- Metrolinx, *The Big Move* recommends:
 - “amending the *Development Charges Act* to allow municipalities to recover the full growth-related costs of transit infrastructure, and to base cost recovery on a level of transit service above historical levels”;
 - “redirecting development charge levies collected within the broader transportation envelope to a variety of modes, including Transportation Demand Management and active transportation, so as to support the goals and objectives of the RTP, rather than extend past patterns into the future.”

Proposal #3

Adopt a “**fix it first**” approach to transportation planning by amending s. 1.6.5.2 from “Efficient use shall be made of existing and planned infrastructure” to read:

... prioritize the efficient use of existing infrastructure over the use of planned infrastructure, particularly with respect to highways. Where new/planned infrastructure is required, efficient use is a priority with a focus on increasing energy efficiency through the use of demand reduction and a variety of transportation options (i.e. transit, active transportation, rail).

Commentary:

- See: *Places to Grow Act*, Growth Plan for the Greater Golden Horseshoe, Sections 3.2.2 and 3.2.3.
- See also: Fast Track Fix it First Report, Smart Growth America, 2009, <http://stimulus.smartgrowthamerica.org/431>
- See also: Governors' Institute on Community Design: *Policies that Work: A Governors' Guide to Growth and Development* <http://www.govinstitute.org/policyguide>

Proposal #4

Amend 1.6.5.3, which currently reads:

“Connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.”

by dividing it into two separate provisions reading:

1.6.5.3a Connectivity within and among transportation systems shall be maintained and improved. Specifically, improve cross-jurisdictional transit connections.

1.6.5.3b Connectivity within and among transportation modes shall be maintained and improved. Specific attention shall be made to improving transit-transit, transit-active and transit-auto connections to encourage more energy efficient transportation.

Commentary:

- See: *Places to Grow Act*, Growth Plan for the Greater Golden Horseshoe, Sections 3.2.2 and 3.2.3
- See also: Metrolinx, *The Big Move*, Strategic Direction # 1, Build a Comprehensive Regional Rapid Transit Network and Strategic Direction # 4, Consider All Modes of Transportation

Proposal #5

Amend 1.6.5.4 to change

- “should be promoted” to **“shall be promoted”**
- “alternative transportation modes” to **“transportation options”**

so that the new section reads:

A land use pattern, density and mix of uses **shall be promoted** that minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and **other transportation options**, including commuter rail and bus.

Commentary:

- See: Metrolinx, *The Big Move* Strategic Direction # 8 – Build Communities that are Pedestrian, Cycling and Transit Supportive
- See also: Growth Plan for the Greater Golden Horseshoe, particularly sections 1.1, 1.2, and 2.2.2-2.2.7.
- This change simply makes clear that the private automobile is only one of several options and that walking, cycling, and mass transit are preferred means of transportation that are more consistent with broader societal goals.

Finally, it remains a significant concern for us that the goals of the PPS 2005 aimed at reducing sprawl and moving away from car-centred transportation continue to be thwarted by the fact that provincial decisions relating to matters such as highway construction or expansion are not subject to requirements similar to those of the PPS, even though such construction and expansion often induces additional traffic and sets in motion the pre-requisites for the type of sprawl that the PPS attempts to prevent. It is for this reason that we encourage your ministry and the provincial government to consider amending necessary legislation so that such decisions are bound by the type of progressive measures already detailed in the PPS 2005.¹

We would be pleased to meet with you directly to discuss our proposals and to provide additional feedback.

Sincerely,

Albert Koehl

¹ We note for example, that Metrolinx estimates that not proceeding with the expansions of the 404, 407 East, and 427 would save one million tonnes of ghg emissions annually. (See Metrolinx: White Paper #2: Preliminary Directions and Concepts (2008), online at: <http://www.metrolinx.com/Docs/WhitePapers/WhitePaper2.pdf> at p. 65. See also: Metrolinx: The Big Move: sections 1.1 and 3.0 and Victoria Transport Policy Institute: *Generated Traffic and Induced Travel Implications for Transport Planning*, 2010 Online at: <http://www.vtpi.org/gentraf.pdf>)