

Subject: Response to Westboro Collision Coroner's Inquest

File Number: ACS2025-TSD-TS-0002

Report to Transit Committee on 12 June 2025

and Council 25 June 2025

**Submitted on June 3, 2025 by Renée Amilcar, General Manager, Transit Services
Department**

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Ward: Citywide

**Objet : Réponse à l'enquête de la coroner provinciale sur la collision à la
station Westboro**

Numéro de dossier : ACS2025-TSD-TS-0002

Rapport présenté au Comité du transport en commun

Rapport soumis le 12 juin 2025

et au Conseil le 25 juin 2025

**Soumis le 3 juin 2025 par Renée Amilcar, Directrice générale, Services de
transport en commun**

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Quartier : À l'échelle de la ville

REPORT RECOMMENDATIONS

1. That the Transit Committee recommend that Council receive this response to the Provincial Coroner's Inquest, including the Inquest's recommendations attached as Document 1 to this report, for information; and
2. That the Transit Committee receive and recommend that Council receive the City's Action Plan to address the Inquest recommendations directed to the City, attached as Document 2 to this report, for information.

RECOMMANDATIONS DU RAPPORT

1. Que le Comité du transport en commun recommande au Conseil de recevoir la présente réponse à l'enquête de la coroner provinciale y compris les recommandations formulées dans le cadre de cette enquête qui sont jointes au présent rapport en tant que Document 1, et ce, à titre d'information;
2. Que le Comité du transport en commun reçoive et recommande au Conseil de recevoir le plan d'action de la Ville pour donner suite aux recommandations formulées à la Ville dans le cadre de cette enquête qui est joint au présent rapport en tant que Document 2, et ce, à titre d'information.

BACKGROUND

On the afternoon of Friday, January 11, 2019, OC Transpo double-decker bus number 8155, traveling westbound on the Transitway on Route 269 to Kanata, collided with the canopy of the shelter at Westboro Station. Tragically, the collision resulted in the deaths of three passengers: Judy Booth, Bruce Thomlinson, and Anthonia Van Beek. The collision also caused injury to an additional 35 passengers on board the bus. In late 2024, the Regional Supervising Coroner of the East Region of Ontario announced that a discretionary inquest would be held to examine the circumstances of the three deaths.

In Ontario, Coroner's Inquest are formal, quasi-judicial processes, presided over by a Coroner, who is a provincially appointed medical practitioner empowered by the *Coroner's Act* to investigate certain deaths occurring within the province. The Coroner's powers include the discretion to hold an Inquest where it is desirable for the public to have an open and full hearing of the circumstance of a death and where a jury could make useful recommendations to prevent further deaths.

The City participated as a party to the Coroner's Inquest, which began on Wednesday April 2, 2025, and concluded on May 1, 2025, with the delivery of the Verdict. The City was granted standing to participate in the Inquest and City staff from the Transit Services, Infrastructure and Water Services, and Finance and Corporate Services departments participated as witnesses. In addition to the City, two of the families of the deceased, as well as Amalgamated Transit Union Local 279, representing OC Transpo workers, were granted standing. Industry experts were called to testify in areas such as human factors and distracted driving, bus collision countermeasures, and bus crash worthiness.

The purpose of the Inquest was to inquire into the circumstances of the deaths in question and to determine, for each individual:

- (a) Who the deceased was;
- (b) How the deceased came to his or her death;
- (c) When the deceased came to his or her death;
- (d) Where the deceased came to his or her death; and
- (e) By what means the deceased came to his or her death.

The Inquest also explored, to the extent relevant and material to the collision, bus operator training, safety oversight, transitway construction, crashworthiness and human factors. The final determinations and recommendations of the Inquest were made by a Jury comprised of five members of the public selected by the Coroner. As stipulated by the *Coroner's Act*, the Jury was not empowered to assign legal responsibility or to make legal conclusions. The focus of the Inquest was fact-finding and making safety-related recommendations to prevent fatalities in the future; not a process that assigns responsibility or blame.

During the Inquest, the parties granted standing were able to review and provide preliminary feedback and suggestions on the initial set of recommendations provided to the Jury. The Jury was ultimately responsible for providing the final list of recommendations. The City received the Verdict on May 1, 2025, which included the Jury's finding that the three deaths were accidental in nature and 60 recommendations.

Of the Jury's recommendations, 41 are directed to the City of Ottawa. The remaining 19 recommendations are directed to the Province of Ontario (Ministry of Transportation or MTO), the Government of Canada (the Transportation Safety Board, or TSB, and Transport Canada), Alexander Dennis Limited (the manufacturer of the bus involved in

the collision), the Canadian Urban Transit Association (CUTA), and the Ontario Public Transit Association (OPTA).

DISCUSSION

Since the collision in 2019, Ottawa's transit network has changed significantly, including the closure of many Transitway stations as part of Stage 2 construction. The western section of the Transitway, where the collision occurred, has been closed since June 26, 2022, and Westboro Station will reopen as an O-Train station with the forthcoming launch of the western expansion of Lines 1 and 3.

OC Transpo's driver training program for new bus operators was the subject of an audit in 2020 and management has completed all 20 of the Auditor General's recommendations, with significant improvements made to increase the oversight and consistency of training for new bus operators.

In 2020, a dedicated Regulatory Compliance, Quality Control and Assurance branch within the Transit Services Department was created under the Chief Safety Officer. This branch provides quality assurance, independent oversight and auditing for the department, including a dedicated Quality Assurance Specialist responsible for overseeing training. An enhanced focus on safety and training data is also part of this branch's mandate, which helps to identify emerging trends.

Starting in 2022, OC Transpo created a centralized recruitment team to more consistently oversee the rigorous selection process of new bus operator trainees. Over the last six years there have been substantive advancements in the Transit Services Department (TSD). The TSD Safety Management System (SMS) is reviewed annually, and new programs, policies, and standard operating procedures have been developed to reflect lessons learned and strengthen both training and safety programs across all modes of transit.

City staff from Transit Services will lead the City's response to the 41 Coroner's Inquest recommendations specific to the City of Ottawa with the support of relevant City departments, including Finance and Corporate Services, Public Works, and Infrastructure and Water Services.

On behalf of the City, the authors of this report would like to thank the Coroner and the Jury for their efforts in developing, reviewing, and providing these recommendations.

While the City is not legally bound by the Jury's recommendations, they follow closely with what was originally presented by the parties. As a result, staff have carefully reviewed each of the recommendations and has built the City's Action Plan with the goal of accepting the recommendations, wherever possible, and providing reasonable alternatives and rationale if strict compliance is not possible. These recommendations will be implemented as quickly as reasonably possible. Document 2 – Action Plan to Address the Inquest Recommendations Directed to the City of Ottawa, attached to this report, outlines staff's initial assessment of the 41 recommendations directed to the City. The document notes the supporting City departments, the initial actions that have or are being taken to address the recommendation, the status of the recommendation, and whether there is an anticipated budget pressure.

Each recommendation is being reviewed according to the following criteria:

- The feasibility for implementation by the City;
- Potential timelines for implementation;
- The existence of alternative solutions that might fulfill the intent of a recommendation if strict compliance is not reasonably possible;
- Any associated effects on transit customers' travel experience; and,
- Any associated resource or budgetary pressures.

Each recommendation has been grouped into one of three categories:

- Recommendations requiring an adjustment to City practices, processes, operating procedures or policies.
- Recommendations resulting in small to medium budgetary pressure.
- Recommendations resulting in significant budgetary pressures or service impacts.

Preliminary analysis – Jury recommendations

Based upon staff's initial review of the recommendations, four of the recommendations have already been fully implemented, with additional minor internal adjustments to be made; 14 are currently in the process of being implemented; and 23 recommendations require further evaluation by staff. All 41 of the recommendations have been reviewed by the relevant stakeholders and action items are being developed to implement the recommendations, where feasible (see Document 2). A staff working group has been established with all relevant stakeholders who will review and determine what subsequent steps are required to implement the recommendations.

As indicated in Document 2, select recommendations have potential budgetary pressures. Examples of recommendations with small to medium budgetary pressures include the installation of radar speed boards on all sections of the Transitway (Recommendation 5), telematics on a sample of buses (Recommendation 34), and the installation of multimodal information decals promoting safety culture (Recommendation 28). Staff are reviewing the requirements with operational staff and procurement staff to confirm details and obtain the necessary cost estimates to determine whether the measures are achievable within current capital and operating budgets.

There are some recommendations with significant budgetary pressures, as well as potential service impacts. Staff will return to Transit Committee in Q3 2025 with recommendations to address them. For instance, Recommendations 35 and 36 relate to installing and retrofitting the existing bus fleet with cameras facing the operators. In order to develop a response to this recommendation, research will need to be completed, a robust policy must be drafted, all relevant stakeholders and unions must be consulted, and a technical analysis of how to retrofit the existing fleet will need to be undertaken. Once all of these steps have been completed, the costs can be presented for consideration through the budget process.

Additionally, Recommendation 24 suggests the City should have a dedicated fleet of training buses. Given the current shortage of buses in the OC Transpo fleet, this recommendation cannot be implemented at this time. While OC Transpo's Bus Maintenance Action Plan has seen success in keeping our aging fleet in service, it is expected that a stable, reliable fleet will not be fully available until Q4 2027 as more new buses enter the fleet and replace older buses that are past their lifecycle. In the interim, until a dedicated training fleet can be explored, staff will continue to ensure that the availability of buses (or lack thereof) never results in any compromises to the quality of training given to new bus operators.

For Recommendation 2, which proposes two alternative courses of action, staff are working to implement lower speed limits on approaches to the Transitway stations while an analysis of the cost and impacts on customers' travel experience and on operations of installing physical countermeasures and the removal of station canopies is conducted. The Transitway stations identified in the inquiry are specific to the Southeast Transitway from Hurdman to South Keys stations and the Southwest Transitway from Baseline to Barrhaven Centre stations. The majority of transit stations with canopies

close to the platform edge, including the one located at Westboro Station, have been closed and are being rebuilt as part of Stage 2 O-Train construction.

City Action Plan

While acting as the lead department coordinating the City's involvement with the Inquest, Transit Services has adopted a whole-of-City approach, engaging with experts in other departments from the outset to ensure that the City was able to support the Inquest process in a way that was both transparent and candid. Now that the Inquest has concluded, Transit Services will continue to assist with the coordination of the City's response to the recommendations and have already held meetings with key departments including the Finance and Corporate Services, Public Works, and Infrastructure and Water Services departments to ensure that the recommendations are implemented to the greatest extent possible.

Given that the City received the recommendations on May 1, 2025, additional time is required to fully review the implications, including budget pressures and impacts on customers' travel. Staff will provide a status update on the action plan to Transit Committee in Q3 2025. This will include updates on progress made, timelines for each recommendation, and updates on potential budgetary requirements coming to Council in future annual budget discussions. Staff will continue to bring regular updates to the Transit Committee to formally report on progress to complete the Action Plan.

FINANCIAL IMPLICATIONS

Some of the recommendation reflected within the report may result in financial implications and if additional funding is required the budget pressure will be included as part of future budget processes for Council consideration and approval.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This is a city-wide report.

CONSULTATION

As noted in the report, Transit Services staff will work closely with other City departments to ensure that the Inquest recommendations are addressed to the greatest extent possible. This will include collaboration with Fleet Safety, Legal Services, Public Works, and Infrastructure and Water Services.

There are 19 recommendations directed to entities outside the City of Ottawa. Where required, the City will work with these groups to address the recommendations. These groups include MTO, Alexander Dennis Limited, TSB, Transport Canada, CUTA, OPTA, and the provincial and federal governments.

ACCESSIBILITY IMPACTS

The recommendations set out in the Inquest's final report do not make specific reference to any accessibility issues. Any policy or procedural development, as well as customer communications and public engagement identified in the report's recommendations, will include the application of the City's Equity and Inclusion Lens.

Staff will also ensure that any applicable accessibility legislation, standard operating procedures, and guidelines are adhered to during the execution of the work required to address the recommendations within the Inquest report.

ASSET MANAGEMENT IMPLICATIONS

There are no Asset Management implications resulting from the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

The Response to the Provincial Coroner's Inquest identifies risks associated with customer safety on the transit system: new bus operator training; remedial bus operator training; Transitway infrastructure; vehicle speed on the Transitway; and the height and clearance of double-decker buses.

The City is taking these recommendations seriously and following up on each of the recommendations. The risks associated with the Inquest are being tracked and mitigated through the City's Action Plan, which will be reported out through a status report in Q3 2025.

TERM OF COUNCIL PRIORITIES

The 2023-2026 Term of Council Priorities include:

- A city that is more connected with reliable, safe and accessible mobility options. Specifically, to improve transit reliability.
- A city that is green and resilient. Specifically, to improve key infrastructure through asset management.

SUPPORTING DOCUMENTATION

Document 1 – Verdict and Recommendations of the Coroner’s Inquest Jury

Document 2 – Action Plan to address the Inquest recommendations directed to the City of Ottawa

DISPOSITION

Transit Services, working as the lead department, will continue to implement the actions identified within the Action Plan and will provide an update on progress, as well as further details, regarding the recommendations in Q3 2025.