

**Toronto
Port
Authority**



**Administration
Portuaire
de Toronto**

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December 17, 2013

Ms. Janet Leiper
Integrity Commissioner
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Leiper,

I am writing to you in reference to recent public comments made by Councillor Adam Vaughan regarding the Toronto Port Authority (“TPA”)’s involvement with the “Porter Proposal” currently being studied by City staff.

In an interview with CP24 on December 5th at 10:14 am, Councillor Vaughan once again grossly misrepresented the TPA’s position on issues surrounding the Billy Bishop Toronto City Airport (“BBTCA”). This pattern of behaviour has been of serious concern over the past several years, and the subject of many letters from the TPA to Councillor Vaughan in the past¹. To date, we have failed in our attempts to get the Councillor to change his behaviour. As he said himself about one of his colleagues during a live CP24 television interview on November 19, 2013: “[Public office] should not be about lying and not telling the truth.” We agree.

Councillor Adam Vaughan, December 5th at 10:14 am on CP 24:

“(TPA) ...a federal entity that wants the city to pay for everything. Yet they sit back and don’t make a penny of contribution. They’ve said in a press release after the report came out, they’re not gonna make a penny investment in infrastructure to accommodate their expansion plans. So we have huge question marks.”

The accusation by Councillor Vaughan is not true. On three separate occasions over the past few weeks, the TPA has made it clear to members of Toronto City Council and the public at large that it would contribute to groundside improvements related to the proposal of Porter Airlines for a change of use at BBTCA. I cite those instances below:

November 28, 2013 TPA Press Release

As a matter of public record, the TPA advised in the November 28, 2013 Press Release to which Councillor Vaughan refers:

¹ June 27, 2008, August 28, 2009, October 20, 2010, December 1, 2010, September 13, 2011, March 23, 2012, March 27, 2012, November 13, 2012, November 29, 2012, March 8, 2013, April 23, 2013, July 10, 2013 and August 29, 2013

“The TPA is committed to an effective and collaborative working relationship with the City of Toronto, a joint partner in the Tripartite Agreement, to continue to improve the airport for the benefit of the community and stakeholders; The TPA considers appropriate and reasonable capital investments in groundside infrastructure at Billy Bishop Airport, and strongly believes this work should be best done in concert with the City’s overall planning strategy for the redevelopment of the Canada Malting Site.”

Councillor Vaughan claims that the TPA is “a federal entity that wants the city to pay for everything. Yet they sit back and don’t make a penny of contribution.” He knows this is a false statement, whether he’s referring to the Porter Proposal or the TPA’s role as a responsible steward of important public assets.

The TPA has invested continuously in BBTCA infrastructure, including the soon-to-be completed \$82.5 million pedestrian tunnel, a project on which the City of Toronto Council voted on July 14, 2011 to partner with the TPA to avoid duplicate construction. In doing so, our partnership saved the city an estimated \$10 million of its own capital expenditure budget (Councillor Vaughan voted against the collaboration).

Since the mid-2000s, the TPA has invested \$30 million in a ferry and terminal system to accommodate ground transport to and from the airport.

The agency recently invested \$1.0 million in improvements to the Canada Malting Site (land the TPA leases on a short term basis from the City) to establish an efficient taxi corral and remove taxis off Eireann Quay - an operational improvement made in collaboration with the airport’s community liaison committee on which Councillor Vaughan has a designated seat. This construction project was reviewed by the Toronto & East York Community Council, and Councillor Vaughan spoke publicly on the topic regarding the TPA’s construction and tree planting suggestions, for example. He also reviewed the construction management plan for the project.²

The TPA built the first of two planned acoustical sound barriers³ to deflect aircraft noise on the airport’s northwest property line (the second barrier is delayed due to its proximity to the construction footprint of the pedestrian tunnel project). Councillor Vaughan is aware of the 2011-12 construction of the first sound barrier⁴, at a cost of \$900,000 to the TPA, although he recently denied its very existence in a 2013 community newsletter⁵.

The TPA recently contributed funding for new fencing, street lighting, and sidewalk improvements on the west side of Eireann Quay to improve safety and public access to Little

² [http://www.torontoport.com/getattachment/dbe7979f-b436-4bcb-8d29-2e159990c92b/Letter-to-Councillor-Adam-Vaughan-\(5\).aspx](http://www.torontoport.com/getattachment/dbe7979f-b436-4bcb-8d29-2e159990c92b/Letter-to-Councillor-Adam-Vaughan-(5).aspx)

³ <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Toronto-Port-Authority-Continues-to-Deliver-on-Com.aspx>

⁴ [http://www.torontoport.com/getattachment/dbe7979f-b436-4bcb-8d29-2e159990c92b/Letter-to-Councillor-Adam-Vaughan-\(5\).aspx](http://www.torontoport.com/getattachment/dbe7979f-b436-4bcb-8d29-2e159990c92b/Letter-to-Councillor-Adam-Vaughan-(5).aspx)

⁵ [http://www.torontoport.com/getattachment/199139e1-d2ab-4a86-8331-b3ec139cd67c/Letter-to-Councillor-Adam-Vaughan-\(10\).aspx](http://www.torontoport.com/getattachment/199139e1-d2ab-4a86-8331-b3ec139cd67c/Letter-to-Councillor-Adam-Vaughan-(10).aspx)

Norway Park, safety fencing and tree buffers for the Toronto District School Board school grounds. We also pushed to have no vehicle standing regulations implemented on Eireann Quay to improve safety and traffic flow, provided additional crossing guards at the Queen's Quay school intersection and additional security personnel to improve safe vehicle movement and traffic flow.

Councillor Vaughan is aware of all of these TPA expenditures, among others.

November 7, 2013 Letter to City Deputy Manager John Livey

In an open letter to Deputy City Manager John Livey on November 7, 2013,⁶ which was widely distributed at City Hall, the TPA made it clear that the TPA would invest in the requested groundside infrastructure:

"As requested, the TPA confirms its commitment to continue to invest in appropriate and reasonable improvements to the airport's existing or evolving operations and address effects on the adjacent community."

"The TPA has indicated, as noted above, that we would consider appropriate and reasonable capital investments in this area...."

"The TPA will continue to deliver on its commitment to invest in improvements to its airport operations to benefit the City, its businesses, and adjacent communities. We will do so at a reasonable level that is appropriate and specific to the airport's level of activity and consistent with our obligations under the Tripartite Agreement and our authority under our Letters Patent. We look forward to working together on mutually agreeable improvements to the operations at Billy Bishop Toronto City Airport."

October 21, 2013 Toronto Region Board of Trade Speech

On Oct 21, 2013 I stated as a matter of public record in his address at the Toronto Board of Trade:⁷

"Traffic is a problem across Toronto, which has nothing to do with the success of Billy Bishop. We believe Eireann Quay is ripe for a solution to vehicle traffic as well as the additional traffic associated with Build Toronto's pending residential development of the Canada Malting Site... we support Build Toronto's Eireann Quay Redevelopment initiative. The TPA can, and would contribute financially to helping the City make it happen, whether or not the City approves Porter's Proposal."

⁶ [http://www.torontoport.com/getattachment/57341cc0-bd81-4323-a0a8-7f73d5c3a1f3/Letter-to-Deputy-City-Manager-John-Livey-\(1\).aspx](http://www.torontoport.com/getattachment/57341cc0-bd81-4323-a0a8-7f73d5c3a1f3/Letter-to-Deputy-City-Manager-John-Livey-(1).aspx)

⁷ <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Toronto-Port-Authority-Outlines-Tests-For-Jet-Prop.aspx>

Our public position on funding groundside improvements in the vicinity of the airport has been well documented in a variety of fora. For several years, Councillor Vaughan has misled the public regarding facts and issues involving the TPA.

Further background on this longstanding problem is available in the Executive Correspondence section on the TPA website, which forms part of this complaint, by reference, should your rules permit.

The purpose of this letter is to lodge a formal complaint regarding Councillor Vaughan's false statements that:

1. *[The TPA] don't make a penny of contribution [to groundside infrastructure improvements].*
2. *They've said in a press release after the report came out, they're not gonna make a penny investment in infrastructure to accommodate their expansion plans.*

Given the public interest in the Porter proposal, the TPA is not in a position to ignore Councillor Vaughan's ongoing intentional misrepresentations of our agency's role with our shared stakeholders. His actions are in contravention of the requirement that "Members of Council should be committed to performing their functions with integrity..."⁸ as well as Section XIV of the Code of Conduct for Members of Council.

It is unacceptable that an elected official of the City continue to present information to his/her Council colleagues and the general public that is knowingly inaccurate and blatantly false. This type of continuing rhetoric has no place in a responsible dialogue with the public, and we would ask your office to review this specific, as well as general pattern of behaviour, and take appropriate action as you see fit. Thank you, in advance, for your attention.

Sincerely,

TORONTO PORT AUTHORITY



Mark McQueen
Chairman

cc: Deputy Mayor Norman Kelly