

**Toronto  
Port  
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**Administration  
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April 23, 2013

Councillor Adam Vaughan  
City of Toronto  
100 Queen Street West  
Toronto, Ontario  
M5H 2N2

Dear Councillor Vaughan:

Re: Toronto Port Authority and the Billy Bishop Toronto City Airport

I take this opportunity to address comments you've made via your most recent ward newsletter, and to clarify yet again your ongoing misrepresentations regarding various issues involving the Toronto Port Authority ("TPA") and the Billy Bishop Toronto City Airport ("BBTCA"). This is the 10<sup>th</sup> such letter since 2008 along similar lines regarding your many other misunderstandings, misrepresentations and falsehoods (June 27, 2008, August 28, 2009, October 20, 2010, December 1, 2010, September 13, 2011, March 23, 2012, March 27, 2012, November 13, 2012 and November 29, 2012), all of which are available, for transparency purposes, in the Executive Correspondence section at [www.torontoport.com](http://www.torontoport.com).

We anxiously await your formal, written reply to any of them outlining the basis for your earlier claims now that you've had the benefit of receiving the facts (and perspective) on each item from the TPA.

As you know, the TPA is aware of the recent announcement made by Porter Airlines. As an independent operation, it is up to Porter to pursue its own business plan for the benefit of its customers, shareholders and employees. The TPA takes no position on Porter's business aspirations. The TPA will not consider any change of use to the airport until a determination is first made by the elected representatives on Toronto City Council regarding Porter's proposed changes to the 1983 Tripartite Agreement.

We are, however, concerned when our public officials provide inaccurate information about the airport and its operating agency to their constituents as fact. Although your track record over the past six years suggests that you do this intentionally, as is implied by your continued silence when we've pointed out your BBTCA falsehoods in the earlier correspondence cited above. We hope (perhaps in vain) that you will want to share only correct information with the residents of Toronto, and appreciate this opportunity to bring these facts to your attention; in some cases for the second or third time.

We understand that you stated the following in the April 22, 2013 ward newsletter:

*“Regardless of what particular jet any particular airline chooses to buy, allowing any jet to land on the lake could allow every jet to land on the waterfront.”*

*“Lengthening the runway into Lake Ontario, and further into the park on Toronto Island, potentially opens up the airport to big jets, small jets, loud jets, quiet jets, dirty jets and clean jets.”*

*“We have many airports in the Toronto area. We have only one lake. Filling it in, paving it over and putting industrial uses on the waterfront will turn the clock back on decades of work to make the waterfront clean and green. It will rob many of their sunset views, drown out music in our parks and fill the air with pollution while dumping even more toxic runoff into our lake.”*

*“It is safe to say that if the airport had never been built on the island a half century ago, it would never get built there today. However it does exist. Debates over the facility have been waged in this city since the day it opened.”*

*“The notion that people moved into a community next to an airport and therefore should expect what they get is wrong. People have lived along the lakeshore and in harbourside communities for hundreds of years. All governments owe these people a duty of care.”*

*“There are also strict and defined noise permissions and rules that protect non-commercial use of the airport by smaller aircraft.”*

*“When it comes to the Toronto Port Authority (TPA), broken promises are nothing new. In 2012, when the airport proposed dumping the earth from the tunnel excavation now underway for its passenger tunnel at the end of the runway, the TPA publicly said that it had no plans to use the fill to lengthen the runway.”*

*“When they added new flights to the schedule the TPA promised to honour the noise restrictions and declared that they had no desire to change the rules.”*

*“When noise complaints and curfew violations mounted in the wake of Porter's arrival, the TPA promised sound barriers and a run-up berm to deflect noise and respect local residents. These promises have not come to fruition.”*

*“We have an agreement, people have a right to expect the federal agency to honour that agreement. I will not back down from my commitment to respect and enforce the terms of that agreement. It is my duty.”*

*“I have run twice and been elected twice in Ward 20 on a very clear promise to protect residents from the noise, congestion, air pollution and environmental*

*impact the airport has on our waterfront, and downtown neighbourhoods. I have no intention of surrendering my commitment now. If the residents right next door to the airport cannot rely on their city councillor to protect their interests at City Hall who will? My opposition to the proposal to land jets along the waterfront must been seen in this context.”*

If I may, I'd like to take this opportunity to clear up this misinformation and misrepresentations for your constituents, and will address each comment in order. Please do not take any of this to reflect a position on the Porter Proposal; the TPA will be left to manage the BBTCA into the future, regardless of the outcome of the Porter Proposal, and we are concerned that misinformation about the basics of the airport will have a negative, long term impact on the BBTCA.

***“Regardless of what particular jet any particular airline chooses to buy, allowing any jet to land on the lake could allow every jet to land on the waterfront.”***

This is not true, as the TPA stated publicly<sup>1</sup> when you made this point via television on April 10, 2013.

Since 1983, the TPA has required that all commercial and private aircraft comply with the strict noise limits defined in the Tripartite Agreement. The 1983 Tripartite Agreement's strict noise limits ensure that no aircraft are allowed to use the BBTCA that do not meet the longstanding noise restrictions. Whether an air carrier is Canadian, American or European, for example, the 1983 Tripartite Agreement's rules control aircraft noise emissions – and therefore the type of aircraft that can use the BBTCA. We advised the media of this on April 11, 2013 in response to your claim that “every” U.S. carrier would get “exactly the same access” to the BBTCA as Porter, if City Council approved Porter’s proposal.

To our knowledge, and according to media reports, Porter has not asked Toronto City Council to amend the existing strict noise restrictions. As well, as has also been reported in the media, they have asked the City of Toronto to exempt the Bombardier CS-100 aircraft; they have not asked to “lift the jet ban”. From a technical standpoint, this is the same Tripartite Agreement amendment process that allowed the Dash 8 aircraft access to the BBTCA beginning on July 19, 1985. That earlier approval process did not lead to non-compliant turboprops securing access to the BBTCA due to their unacceptable noise profile.

The TPA stated publicly that, according to the best available current information, the only jet aircraft used (or forecast to be used) by commercial airline carriers that appears to comply with the aircraft noise limits as laid out in the existing 1983 Tripartite Agreement is the CS-100 aircraft<sup>2</sup>. And, in the case of the CS-100, this is based upon the

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<sup>1</sup> <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Background-Documents-on-Tripartite-Agreement-and-Ot.aspx>

<sup>2</sup> <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Background-Documents-on-Tripartite-Agreement-and-Ot.aspx>

TPA's understanding of Bombardier's technical specifications and performance targets for the CS-100 aircraft currently under development.

Second, the TPA has also stated publicly<sup>3</sup> (as has been reported in the media) that there are no new commercial available slots to grant to any airline at the present time for any purpose. If additional slots were to become available at a later date, under the terms of the BBTCA's Commercial Carrier Operating Agreement template, priority would first go to airline applicants that were proposing new destinations that are not currently served by the BBTCA.

This process was utilized during the 2009-10 BBTCA commercial slot allocation process, which was upheld in a decision released on July 22, 2010 by the Federal Court of Canada following a Judicial Review at the request of Air Canada.<sup>4</sup>

The suggestion that any number of jets would have access to the airport is as unfounded as a suggestion that any number of turboprops could have access to the BBTCA today. As is the case at any slot-controlled airport, such as LaGuardia and D.C. National, that is patently false. The airport is controlled, by virtue of noise ceilings and slot limitations, as has been the case for 30 years and will remain so whatever Toronto City Council should decide on the Porter Proposal.

***“Lengthening the runway into Lake Ontario, and further into the park on Toronto Island....”***

Last week, your concern was “paving the lake”. Now you believe Porter has asked City Council to extend the runway “further into the park on Toronto Island”?

The airport runway is quite some distance from the park on Toronto Island.<sup>5</sup> According to Porter's public statements<sup>6</sup>, of the proposed 168 metre extension to the airport's footprint, 150 metres is to accommodate potential future Transport Canada regulatory changes to the Runway End Safety Zone. The proposed 168 metres would be within the existing airport Marine Exclusion Zones, which currently extend 309 metres into the Toronto Harbour area at each end of the airport. If Porter's plans were approved, this would leave the airport's physical ecosystem no closer to either the Toronto Islands or the mainland than it is today.

Nor will the proposal “pinch” boat traffic at the Western Gap, as you have separately advised the public via the media. The western MEZ is already well protected by a naturally-occurring sandbar, which has kept boat traffic away from the western side of

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<sup>3</sup> <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Background-Documents-on-Tripartite-Agreement-and-Ot.aspx>

<sup>4</sup> <http://www.torontoport.com/TorontoPortAuthority/media/TPASiteAssets/news/TPACourtDecision.pdf>

<sup>5</sup> [https://maps.google.ca/maps?hl=en&q=bbtca&ie=UTF-8&ei=WN11UZDGKs6DrQHnIDYBQ&ved=0CAgQ\\_AUoAg](https://maps.google.ca/maps?hl=en&q=bbtca&ie=UTF-8&ei=WN11UZDGKs6DrQHnIDYBQ&ved=0CAgQ_AUoAg)

<sup>6</sup> The TPA has not received a formal proposal from Porter as of yet

the airport for many years. According to Porter's Proposal, the western MEZ would not change and, as such, there'd be no impact on area boaters.

***"We have many airports in the Toronto area. We have only one lake. Filling it in, paving it over and putting industrial uses on the waterfront will turn the clock back on decades of work to make the waterfront clean and green. It will rob many of their sunset views, drown out music in our parks and fill the air with pollution while dumping even more toxic runoff into our lake."***

In the 1800s, the footprint of the Toronto Islands was approximately 60% of what it is today. A combination of sand, landfill and reclamation has increased the acreage of the scenic elements of the Toronto Islands over many decades. The land on the City-side of the Toronto Harbour has also changed over time.

In 1906, for example, the current Portlands district was largely water and formed part of Ashbridges Bay. Later, the Portlands district was reclaimed, an area which is now a hot prospect for further residential and commercial development. In the 1930s, the City of Toronto, Federal Government and Toronto Harbour Commissioners decided to construct what is now the BBTCA; the majority of the airport property was built on landfill and reclaimed land. It may surprise you to learn that with the exception of two small fingers of city-owned property leased for the airport operation, the airport lands are for the most part owned by the TPA, and are neither city owned, nor federal real or public property.

In decades gone by, development along Toronto's Waterfront has required that portions of Toronto Harbour (and by extension Lake Ontario) have been reclaimed with landfill to create the sites for such well-known property developments as: the Corus Building, the new George Brown College campus, Harbourfront Centre, the Harbour Square condominium development, the Pinnacle Condominium development, the Queen's Quay Terminal, the Redpath Sugar plant, The Toronto Star Building, the Waterfront School (operated by the Toronto District School Board at Queen's Quay West at Bathurst Street), Waterpark Place Towers I/II/III (including the new RBC Canadian headquarters currently under construction) and the 10 York Street condominium development (owned by the City of Toronto).

In terms of the BBTCA "drowning out music in our parks", it is compelling that air traffic at the BBTCA is down 51% since 1961, and 13% since 2001 (prior to the arrival of Porter Airlines).

- Buttonville Municipal Airport, just north of Toronto, had 17% more aircraft movements in 2012 than the BBTCA.
- The BBTCA is quieter, in terms of air movement traffic, than it was both 12 and 52 years ago. And that would still be the case, even if City Council approved Porter's proposal.

As for "*even more toxic runoff*", the BBTCA produces for no such thing. Airports operate under strict regulatory controls. For example as we have noted before, all glycol is

captured and directed to sanitary systems for treatment. It is disingenuous to suggest otherwise.

The TPA remains committed to balancing the needs of the residential community, which has grown up around the airport, with those of our airport users. I'll take a moment to remind you that the BBTCA and TPA were the first airport, Port Authority and/or agency with a link to the federal government to use one hundred per cent green renewable electricity from Bullfrog Power, Canada's green electricity retailer.

The BBTCA / TPA also monitors aviation noise sources with latest radar-based technologies, has developed new fish habitats (at a cost of more than \$1 million of non-taxpayer dollars), provides financial support for the World Wildlife Federation's Great Canadian Shoreline Cleanup, and generally works hard in a variety of ways to ensure that the environment is well looked after for future generations.

More broadly, we have undertaken every one of the 2009/2010 Jacobs Consultancy Report's 16 recommendations<sup>7</sup> aimed at mitigating the impact of the BBTCA on the neighbourhood, including the erecting of the first of two sound deflection barriers. The TPA has, among other things, established an Airport Community Liaison Committee with membership from community groups and the local councillors for this purpose

We are highly sensitive to the impact of the airport's ambient noise on the broader community. Indeed, the TPA established a Noise Management Office in 2011, modelled on and with specific expertise from Pearson Airport's own successful model. The office implemented internationally regarded radar-based software technology to be able to accurately track and identify most any aviation-related source noise.

We note from the 2012 statistics, out of a total of 354 noise complaints received, only 119 (i.e. one third) were related to scheduled commercial operations by Air Canada and Porter, and that our commercial carriers experienced no night curfew violations in 2012.

In all cases, we are committed to continuously managing and seeking ways to curb the impacts of aircraft noise, traffic congestion, and environmental effects from the airport's operations.

An example of this came on September 3, 2009, when the TPA Board of Directors asked NAV CANADA to improve and expand the designated Noise Sensitive Areas in order to extend such protections over *all* of the Toronto Islands, and not just the eastern portion (as had been the case for many years). This was a TPA initiative and not in response to any request or public complaint. I followed-up on this request via letter to NAV CANADA Board Chair Nick Geer in May 2011 (which is available at [www.torontoport.com](http://www.torontoport.com)). Our view was and remains that all Torontonians should benefit from a more protected Toronto Islands, not just the permanent residents on Algonquin Island, for example.

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<sup>7</sup> Such as the construction of the BBTCA noise sound barrier and measures to restrict aircraft engine run-ups and idling.

I regret that we have not yet succeeded in getting NAV CANADA, which has jurisdiction for such things, to agree to expand the Noise Sensitive Areas.

***“It is safe to say that if the airport had never been built on the island a half century ago, it would never get built there today.”***

The airport was not “built on the island a half century ago.”

According to the archives, Toronto City Council resolved in July 1937 that the BBTCA would be the “main” airport in Toronto while Malton (which is now Pearson International Airport) would serve as the “auxiliary” airport to be used during foul weather. According to archival records, Malton was “too far from downtown” at the time to serve as the main Toronto airport. To that end, the Province of Ontario promised to construct a new road (what is now Brown's Line) to Malton Airport once the project was completed, given the distance from Toronto.

The TPA archives include a letter from William (Billy) George Barker, VC, dated November 1, 1919 to the then Mayor of Toronto on behalf of the Aero Club of Canada (he was President at the time) asking if he was prepared to consider establishing a municipal aerodrome in the city.

There are also several letters to and from Col. William A. (Billy) Bishop, VC (such as May 20 and July 13, 1937) and Toronto Harbour Commissioners general manager E.L. Cousins concerning the airport. The latter one informs Col. Bishop that Toronto City Council adopted the report of the city's Board of Control to build two airports, with the main one in the harbour (what is now the BBTCA) and an auxiliary one out in Malton. The City requested that the Toronto Harbour Commissioners (predecessor to the TPA) build both facilities.

The THC began clearing and grading the land for development of the BBTCA in August of 1937. The THC used some 1.8 million cubic yards of landfill to create the additional land for the airport (a byproduct of that dredging was the Long Pond regatta course).

As you will see from the enclosed photos, the area that is now the BBTCA was a combination of harbour water, sand and marsh prior to the airport's construction in the 1930s. The enclosed photos cover three periods, to give you the best possible appreciation of the history of the site:

Photo #1: January 11, 1921. View to the West of York, Maple Leaf, Spadina and Bathurst Quays being reclaimed from the water. (Photo may have been taken either by Messers Bishop or Barker as the rear is stamped “Bishop-Barker Air Service”).)

Photo #2: Taken circa 1935. Aerial view of the west end of Toronto Island, with the famous Hanlan's Point Stadium (where Babe Ruth hit his first professional home run) in the mid-upper left of the image.

Photo #3: Aerial photo of Airport, taken April 23, 1939.

***“The notion that people moved into a community next to an airport and therefore should expect what they get is wrong. People have lived along the lakeshore and in harbourside communities for hundreds of years. All governments owe these people a duty of care.”***

This reminds me of your statement on the John Oakley Show on November 16, 2012: *“the residential community predates the airport. You can look it up. It’s in the history books.”* I had hoped that our letter dated November 29, 2012 would have cleared this issue up for you at the time, particularly given the historical photographs that were sent along as well.

As you are well aware, the Billy Bishop Toronto City Airport opened in 1939. None of the condos and townhouses that are along the Waterfront, and specifically the Bathurst & Queen’s Quay neighbourhood, pre-date the airport, and there was no residential community during the first part of the last century as was demonstrated by the photographs of the area that we sent you last Fall from 1912, 1918, 1922, 1928, 1930, the late 1930s, and even one from 1949. Most of what you refer to as “the neighbourhood” was, in fact, underwater prior to this period; making it inhospitable.

As you saw in “black & white” last November, the “neighbourhood” of the 1900-1950s period was dominated by marine terminals, warehouses, factories (with their omnipresent smoke stacks) and even a slaughterhouse. In 1936, for example, the Central Heating Plant (on the harbour at the foot of York Street) produced up to 150,000 kilograms of steam every hour for Union Station.

Even as late as 1949, the site of the current Harbourfront School (on reclaimed land at the south east corner of Bathurst Street and Queen’s Quay West) was being used by Firestone (the structure in the photo was originally built in 1927 as a factory for a British pickle and jam manufacturer, named Crosse and Blackwell), and just across the street to the north was Goodyear (on a site that was originally the Rogers-Majestic radio factory in 1929). The baseball stadium to the west was built circa 1922 (on the site of what is Little Norway Park today). Beyond that was that Tip Top Tailor clothing and textile factory.

The area to the north of the BBTCA was not a “residential community” prior to the airport’s creation in the mid-1930s; it was primarily a mixed-use industrial and commercial district in the decades leading up to, and following, the establishment of the airport. It may well be that in the time of the City of York, in the 1700s, the area near the shores of Lake Ontario had some permanent inhabitants; but that shoreline has moved dramatically over the centuries. Certainly, no residential structures or other evidence of a “community” appear in any photographs of the area during the first 50+ years of the 1900s.



That doesn't mean that the BBTCA isn't trying its utmost to be a good neighbour to the residents of the condominiums that have been built south of Lake Shore Blvd. over the past 20 years. The TPA and BBTCA are very committed to working with its neighbours. We do this in a variety of formal and informal ways.

The permanent Airport Community Liaison Committee has met nine times since it was created in 2011, in keeping with the recommendations of the Jacobs Consultancy Noise Management Study released on February 8, 2010. Unfortunately, you have personally attended only one of such meetings, despite demanding that a permanent slot be created for you on the committee. We assume that your ongoing absence is an indication of the success this important forum has been for the community.

The TPA has also created a comprehensive operational noise management program, implemented in early 2011, that includes a noise management office with dedicated staff, state of the art technology to track aircraft noise, and a monthly public reporting mechanism on the website. This model is based on a similar program in place at Pearson Airport.

Although we have undertaken every one of the Jacobs Consultancy Report's 16 recommendations<sup>8</sup> aimed at mitigating the impact of the BBTCA on the neighbourhood, the TPA remains open to any feasible ideas that would further mitigate the impact of the BBTCA on the neighbourhood.

It is worth reminding your staff of the independent "noise capture" engineering study undertaken by Jacobs Consultancy in July 2009. The study was done from six different Waterfront locations between May 13 and May 22, 2009. It found, for example, that all of the following elements of life in the City of Toronto generated a decibel reading equal to or greater than a Q400 in either take-off or landing mode at the BBTCA:

- i) the Don Valley Parkway and the excavation of the West Donlands (for neighbours at Queen and River Street);
- ii) noise from the Gardiner Expressway and nearby construction vehicles (for residents at City Place); and
- iii) a motorcycle on Stadium Road (for the condo owner on the balcony of 680 Queen's Quay, unit 702).

Beyond the permanent Airport Community Liaison Committee and comprehensive operational noise management program, the TPA has also established a Tunnel Committee comprising residents and airport stakeholders for the duration of the pedestrian tunnel's construction.

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<sup>8</sup> Such as the construction of the BBTCA noise sound barrier and measures to restrict aircraft engine run-ups and idling.

Toronto, as Canada's most populated urban area, is no stranger to ambient noise. And, depending upon where you live, the reality of the type of urban noise that you experience will be different.

The residents on Balmoral Avenue live within a stone's throw of a very busy TFS Aerial Ladder truck. In Yorkville, condo residents will hear the local TFS Pumper Truck make more than 2,400 runs each year. On Chaplin Avenue, a Toronto Ambulance depot is adjacent to a dense residential area. The East Annex Heritage District shares a few precious century-old blocks with many of Toronto's busiest restaurants at Avenue Road & Davenport. In the northern part of Etobicoke, Pearson Airport is omnipresent for perhaps 20 hours each day and night. On the western end of the downtown waterfront, residents there live in proximity to the BBTCA – which was opened long before any of the local residents moved into the area. And in certain areas of Scarborough, for example, the Canadian National rail line runs through many a residential backyard at all hours of the day and night.

Living in a City requires us all to deal with the reality of City life; the sounds just differ by neighbourhood. We do not know of a public agency in Toronto that is more active in mitigating the impact of its essential business on its neighbours than the TPA.

As an organization, the TPA is committed to building healthier and more sustainable communities in our city. At the risk of repeating myself, here is a listing of just a few of our recent initiatives; in many cases the primary beneficiaries of these initiatives are BBTCA neighbours:

- Financial support to the Harbourfront Community Centre's (HCC) expansion of its Room 13 program, an internationally known leadership program for at-risk youth aged 13-17 that builds entrepreneurial, management, and teamwork skills.
- \$900,000 investment to construct sound barriers to protect nearby residents from noise caused by normal engine maintenance taking place at BBTCA.
- The TPA invested \$1 million to create protective islands and fish habitat wetlands at Tommy Thompson Park.
- Financial support for Harbourfront's 2012 summer programming, following the TPA's successful 2011 role as Harbourfront's *Lead Summer Partner*.
- All of the TPA's operations, including the BBTCA, continue to be 100 per cent powered by Bullfrog Power, Canada's 100 per cent green electricity provider. The TPA was Bullfrog's first client with a link to the Federal government.
- Financial support for the 2013 Reel Artists Film Festival, which was held at the TIFF Bell Lightbox from February 20-24.
- Financial support for MOCCA, the Museum of Contemporary Canadian Art.
- Support for the annual Disabled Sailing Association of Ontario regatta.
- Support for the World Wildlife Federation's Great Canadian Shoreline Cleanup.
- Financial support for *ProAction, Cops & Kids*.
- Financial support for the Canadian Art Foundation.
- Leadership and financial support for the popular 2<sup>nd</sup> annual Sail-In Cinema on August 18-20, 2012. Attended by more than 2,000 people and 70 boats.

- Financial support of *Doors Open on Toronto's Waterfront*, presented by Queen's Quay Terminal in association with The Waterfront Business Improvement Area, May 26-27, 2012.

***“There are also strict and defined noise permissions and rules that protect non-commercial use of the airport by smaller aircraft.”***

Since the Tripartite Agreement was introduced in 1983, the TPA has enforced the noise restrictions under the terms of the Agreement on all aircraft, including those used by private pilots. Interestingly, about half of all 2012 noise complaints involved small, private aircraft. The TPA has undertaken an initiative to manage these activities in an effort to reduce their impact on the neighbouring community.

***“When it comes to the Toronto Port Authority (TPA), broken promises are nothing new. In 2012, when the airport proposed dumping the earth from the tunnel excavation now underway for its passenger tunnel at the end of the runway, the TPA publicly said that it had no plans to use the fill to lengthen the runway.”***

The BBTCA Marine Exclusion Zone (“MEZ”) enhancement project has received a great deal of media attention over the course of the past few days. The MEZ fill will be underwater, when complete, and is unrelated to Porter's new runway proposal (which the TPA has taken no position on).

One airport critic has claimed that there are “never” incursions into the Harbour MEZ, while another said that the Toronto Port Authority's May 2012 MEZ Environmental Assessment was just a “ploy” to support the business aspirations of Porter Airlines, which were announced on April 10, 2013. The MEZ upgrade is just one of many safety improvements that the TPA has recently undertaken at the airport:

- In 2009, the BBTCA added a new, state-of-the-art aircraft firefighting truck on site to enhance its emergency response capabilities;
- Also in the same year, BBTCA requested that Toronto Police Service (“TPS”) provide the TPA with the tools to improve the security presence at the airport;
- In 2011, the TPA upgraded its firefighting vehicle fleet by adding another fire truck with a similar \$800,000 state-of-the-art vehicle;
- In 2011, the TPA created the position of Airport Fire Chief, and recruited a highly-experienced professional from the GTAA to fill this role early 2012;
- Also in 2012, the TPA doubled the number of active firefighters on duty throughout the airport's operating day;
- In 2012, the TPA approved the capital budget for the addition of a Fire Command vehicle, and broadened the training and capability of our airport Fire Fighters; and
- In 2013, the TPA reviewed a proposal from our Fire Chief and Airport Director to acquire additional firefighting apparatus that would support the Toronto Fire Service (“TFS”) response to any on-site structural fire.

As reported in the media, Toronto Police Service estimate that there have been approximately 40 boat incursions each year into the MEZ over the past five years. The MEZ is designated to mark an area, with boaters in mind, where there are low flying aircraft. Pilots need to be assured that no obstacles will be in their approach path. As marine activity has many variables which affect its reliability and predictability, when combined with increased activity in the harbour, TPA management advised that the situation clearly warranted an upgrade to the safety buffer around the BBTCA property.

A recent emergency in the Toronto Harbour is a poignant reminder as to the importance of the MEZ project, and brings to life the thinking behind our management's desire to improve the utility of this airport safety feature.

On April 12<sup>th</sup> at 7:00 a.m., TFS personnel attached to *FB William Lyon MacKenzie* observed *PV Oriole* drifting, unmanned, in Toronto Harbour<sup>9</sup>. Apparently, it was one of two large craft that had come loose that morning due to "Gale winds with strong Gusts". By 7:05 a.m., the *Oriole* had drifted into the BBTCA's Marine Exclusion Zone. With the quick assistance of the Toronto Police Service Marine Unit, the vessel was secured by TFS at 7:30 a.m. Thanks to the alertness and skill of our City's first responders, the situation was brought under control with minor damage to the fire boat, while avoiding a "near miss" with aircraft at the BBTCA.

Had the pending improvements to the Marine Exclusion Zone been in place two weeks ago, the *Oriole* could not have entered the MEZ and bumped up<sup>10</sup> against the airport dockwall. As you will see from the photo below, the *Oriole* is quite large and may have presented a serious risk to airplanes that were landing or taking off on runway 26. Unlike the airport's western MEZ, the Harbour MEZ does not have a naturally-occurring sandbar to prevent such unintentional incursions from taking place. Thus the genesis for the May 2012 MEZ project using suitable available fill derived from the pedestrian tunnel construction that began in March 2012.

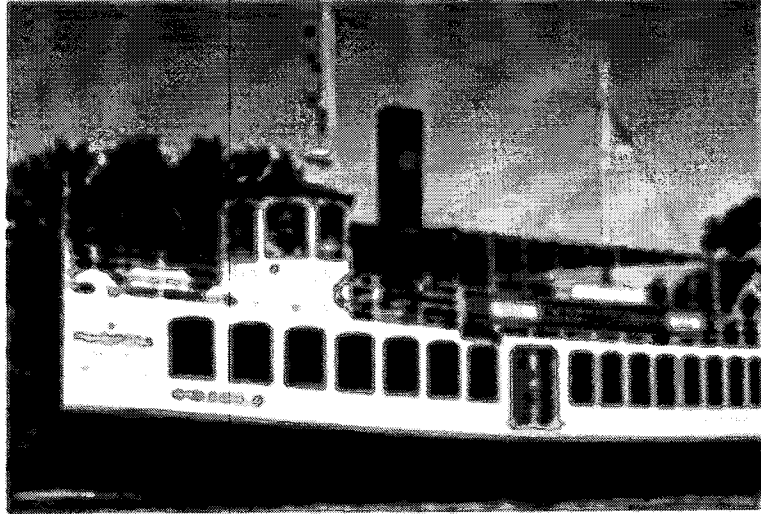
As you can see, the TPA board and management have taken a number of proactive steps, over several years, to improve the safety framework at the BBTCA, long before the MEZ project was initiated in May 2012.

We trust that this most recent incident further demonstrates that our staff's efforts to bolster the current Harbour MEZ are prudent, well-founded, with the best interests of airline customers and boaters in mind.

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<sup>9</sup> Per TFS Marine Incident Report dated April 12, 2013 as filed by Marine Captain – A Shift

<sup>10</sup> <http://www.citynews.ca/2013/04/12/loose-boat-strikes-toronto-island/>



***“When they added new flights to the schedule the TPA promised to honour the noise restrictions and declared that they had no desire to change the rules.”***

The TPA has made no request to amend the “noise restrictions” within the Tripartite Agreement. Nor, to our knowledge, has Porter Airlines.

The 2009 NEF Contour study undertaken by Jacobs Consulting, which led to the award of 90 additional Q-400 commercial slots, was done in compliance with the Tripartite Agreement. In October 2010, the independent engineering work by Jacobs Consulting received a “peer review” at the request of outgoing Mayor David Miller, as you know. The City of Toronto’s own independent consultants confirmed that the Jacobs analysis was accurate, which was the basis upon which BBTCA’s additional commercial slots were awarded.

The NEF 25 Contour limits the amount of noise that the BBTCA can generate in a given year via helicopters, medevac flights, private planes and commercial airline traffic.

The TPA has scrupulously honoured the noise restrictions with the NEF 25 Contour and the Tripartite Agreement, including with the new slot award. If we hadn’t, and your 2010 “peer review” discovered as much, you’d have sued the TPA for a breach to the Tripartite Agreement long ago. Instead, you have ignored that your own consultants have long since confirmed the appropriateness of the new slot award.

***“When noise complaints and curfew violations mounted in the wake of Porter's arrival, the TPA promised sound barriers and a run-up berm to deflect noise and respect local residents. These promises have not come to fruition.”***

The TPA built a \$900,000 six-metre high acoustic barrier (paid for by passenger Airport Improvement Fees) at the northwest end of the BBTCA over a year ago, as we announced on February 21, 2012. Did you not receive our press release at the time?

This barrier was one of the key recommendations of the Jacobs Consultancy Noise Management Study released on February 8, 2010. The project's implementation was delayed due to a lengthy Environmental Assessment.<sup>11</sup> A second acoustic barrier, at the north east end of the airport, will be installed following the completion of the pedestrian tunnel.

At 6 metres in height, I'm surprised you've not seen it, nor heard about the public meeting held on May 12, 2011 in conjunction with the project's environmental assessment. We have offered to the community the opportunity to develop artwork for the city-facing side of the noise barrier, which has been discussed at the permanent Airport Community Liaison Committee; unfortunately, you have not utilized your seat on that committee to participate in this dialogue.

But, the acoustic barrier across from Stadium Road is very much in place, despite your claim to the contrary. We'd love to give you a tour and show it off.

***“We have an agreement, people have a right to expect the federal agency to honour that agreement. I will not back down from my commitment to respect and enforce the terms of that agreement. It is my duty.”***

The TPA shares this duty with you. We are accountable to the same stakeholders as you, and are extremely transparent in this regard. Presumably, you also have a duty to inform residents in your ward regarding such issues based upon facts, and not political spin.

***“I have run twice and been elected twice in Ward 20 on a very clear promise to protect residents from the noise, congestion, air pollution and environmental impact the airport has on our waterfront, and downtown neighbourhoods. I have no intention of surrendering my commitment now. If the residents right next door to the airport cannot rely on their city councillor to protect their interests at City Hall who will? My opposition to the proposal to land jets along the waterfront must be seen in this context.”***

We remain open to any feasible mitigation measures to reduce the airport's impact on the people who have moved into the neighbourhood over the years. A few recent steps come to mind, some of which I've mentioned above:

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<sup>11</sup> <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Public-Meeting-on-Noise-Barriers-EA-Set-for-May-12.aspx>

- The BBTCA was the first airport in Canada to use 100 per cent green electricity from Bullfrog Power.
- The use of hybrid vehicles and “green” vehicle lubricants wherever possible.
- The decision to utilize an additional 90 daily commercial airline slots in 2011 was mitigated by the 2010 decision of the TPA Board of Directors to grant no early morning or late evening slots during the RFP processes that awarded additional commercial airline services to Porter, Air Canada and Continental.
- Our September 3, 2009, the TPA’s request of NAV CANADA to improve and expand the designated Noise Sensitive Areas in order to extend such protections over *all* of the Toronto Islands, and not just the eastern portion (as had been the case for many years).
- The new BBTCA taxi staging area helps reduce traffic congestion and noise near Little Norway Park.
- The TPA supports the Strategic Transportation Study, announced on November 30, 2012, which should further resolve congestion issues and address community concerns.<sup>12</sup> As for “protecting” the interests of residents, according to the Toronto Police Service, your new traffic restriction signs actually increase congestion on Eireann Quay. This was made clear by the TPS representative at the November 8, 2012 meeting regarding traffic movements around the BBTCA, attended by City staff, the TTC, and TPA. (As per my letter of November 13, 2012: “These restriction signs have dramatically increased traffic congestion, while at the same time not producing any enhanced pedestrian safety. This was confirmed last week by a representative of the Toronto Police Service at the multi-stakeholder meeting (which included City of Toronto delegates) on the issue.”
- The 2011 decision of the TPA and City to combine its island water and sewer main with our pedestrian tunnel project,<sup>13</sup> a decision which we understand will save the City of Toronto upwards of \$10 million dollars (a motion which you voted against at City Council in July 2011).


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<sup>12</sup> <http://www.torontoport.com/About-TPA/Media-Room/Press-Releases/Strategic-Transportation-Study-Public-Meeting.aspx>

<sup>13</sup> The TPA’s pedestrian tunnel is one hundred per cent financed by the private sector, and will be paid for by BBTCA passengers, without a single dollar from taxpayers of any level of government.

Thank you for the opportunity to address your misrepresentations, yet again. As I've written before, our mutual stakeholders deserve better. If you would like any further detail, our team remains ready, as always, to assist. However, given your lack of written response to our previous correspondence along these lines, I remain concerned that you aren't interested in the truth of these matters.

Respectfully,



Mark McQueen  
Chairman

cc: His Worship Mayor Rob Ford, City of Toronto

Councillors, City of Toronto

*Attachment (neighbourhood photos)*







