



PORTSTORONTO

BILLY BISHOP TORONTO CITY AIRPORT

**COMMUNITY LIAISON COMMITTEE
MEETING #31**

MEETING MINUTES

Tuesday September 25th, 2018
Waterfront Neighbourhood Center
Toronto, Ontario

Minutes prepared by:



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These meeting minutes were prepared by Lura Consulting. Lura is providing neutral third-party consultation services for the PortsToronto Community Liaison Committee (CLC). These minutes are not intended to provide verbatim accounts of committee discussions. Rather, they summarize and document the key points made during the discussions, as well as the outcomes and actions arising from the committee meetings. If you have any questions or comments regarding the Meeting Minutes, please contact either:

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Summary of Action Items from Meeting #31

Action Item #	Action Item Task	Who is Responsible for Action Item
M#31-A1	Lura will assemble a matrix of all meeting topics discussed at each CLC meeting.	Lura
M#31-A2	PortsToronto will work with the Mississauga of the New Credit First Nation to arrange a meeting in Hagersville.	PortsToronto
M#31-A3	Mr. Drakul will identify and share with the CLC how much granular material was brought to the island, and how many tons each barge was able to haul in one trip.	PortsToronto
M#31-A4	PortsToronto will arrange for a noise expert to be present at a future Noise Sub Committee meeting to discuss the potential of noise cancelling panels in the community.	PortsToronto
M#31-A5	Lura will share photos of the last Ground Run-Up Enclosure site visit, including photos of the noise reducing panels.	Lura
M#31-A6	Lura will send out invitations for the next set of Noise Sub Committee meetings.	Lura
M#31-A7	Ports Toronto will consider future meeting topics of slot regulators/regulations and air quality and health monitoring studies.	PortsToronto
M#31-A8	Lura will send out a poll about the potential to move the next CLC meeting to the 28th to allow the Ireland Park representative to attend.	Lura
M#31-A9	Lura will send out a poll to set a date for the next site visit.	Lura



List of Attendees

Name	Organization (if any)	Attendance
COMMITTEE MEMBERS		
Councilor Joe Cressy	City of Toronto, Ward 20	Regrets
Councilor Troisi	City of Toronto, Ward 28	Regrets
Nicole Waldron	On behalf of MP Adam Vaughan, Spadina-Fort York	Present
Bryan Bowen	City of Toronto – Waterfront Secretariat	Present
David Stonehouse	City of Toronto – Waterfront Secretariat	Regrets
Michael Perry	Air Canada	Regrets
Brad Cicero	Porter Airlines	Present
Matthew Kofsky	Toronto Board of Trade	Regrets
Cindi Vanden Heuvel	Toronto Passenger Vessel Association (TPVA)	Regrets
William Peat	Ireland Park	Regrets
Chris Glaisek	Waterfront Toronto	Regrets
Diane Jameson	Bathurst Quay Neighbourhood Association (BQNA)- Alternate	Present
Maureen Callaghan	Bathurst Quay Neighbourhood Association (BQNA) – Alternate	Present
Marie Monique	Bathurst Quay Neighbourhood Association (BQNA) – Alternate	
Hal Beck	York Quay Neighbourhood Association (YQNA)	Present
Sarah Miller	Toronto Island Community Association (TICA)	Present
GUEST SPEAKERS AND SUBJECT EXPERTS		
Michael Lettner	Nieuport Aviation	Present
Darin Wybenga	Mississaugas of the New Credit First Nation	Present
Mark LaForme	Mississaugas of the New Credit First Nation	Present
PORTSTORONTO REPRESENTATIVES		
Angela Homewood	PortsToronto	Present
Sarah Sutton	PortsToronto	Present
Gary Colwell	PortsToronto	Regrets
Gene Cabral – Chair	PortsToronto	Present
Chris Sawicki	PortsToronto	Present
Mike Karsseboom	PortsToronto	Present
Michael Antle	PortsToronto	Present
Bojan Drakul	PortsToronto	Present
FACILITATION AND SECRETARIAT		
Jim Faught	Lura Consulting	Present
Alex Lavasidis	Lura Consulting	Present



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Appendix 4: Airfield Rehabilitation Program Presentation

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1. Welcome and Introductions

Jim Faught, Lura Consulting, welcomed members of the Billy Bishop Airport Community Liaison Committee (BBA - CLC) to the thirty-first committee meeting. Mr. Faught facilitated a round of introductions and an overview of the agenda.

Gene Cabral, PortsToronto, welcomed special guests from the Mississaugas of the New Credit First Nation and provided the following statement of recognition:

We remember, with respect, that we meet on land inhabited by First Nations people since time immemorial. We would like to acknowledge, with gratitude, that we meet on the Treaty Lands and Traditional Territory of the Mississaugas of the Credit First Nation.

2. Review of Previous Meeting Minutes and Review of Action Items

Mr. Faught noted that updated and finalized meeting 29 and meeting 30 minutes are now available on the website.

A YQNA representative requested a matrix be created that highlights the topics discussed at each CLC meeting. Lura will assemble this matrix.

Action:

M#31-A1 Lura will assemble a matrix of all meeting topics discussed at each CLC meeting.

3. Special presentation from the Mississaugas of the New Credit First Nation

Two members of the Mississaugas of the New Credit First Nation, Mark LaForme, Director of the Department of Consultation and Accommodation, and Darin Wybenga, Traditional Knowledge and Land Use Coordinator, provided the CLC with a special oral presentation on the history of the Mississaugas of the New Credit First Nation, the duty to consult, and the current state of treaty disputes.

Mr. LaForme explained that the Mississauga of the New Credit First Nations (MNCFN) is one of the most developed treaty lands in all of North America, and that the duty to consult flows from a ruling by the Supreme Court of Canada in 2008. This ruling requires that any development on any First Nation treaty or reserve land with the potential to impact Indigenous or treaty rights requires that the First Nations groups be consulted. Mr. LaForme's department



was created specifically to manage and respond to notification of development; the MNCFN receives over 150 notifications per month, with a range in size and impact of proposed developments.

The MNCFN take a holistic and inclusive approach to responding to development notices; the Mississaugas aim to protect lands for everybody in the province that use treaty and reserve lands. The Mississaugas view this as their responsibility to the citizens of Ontario. The Mississaugas aim to build a positive working relationship with everyone they work with, through the duty to consult. The MNCFN met with PortsToronto soon after their department of consultation and accommodation opened and have been working to build a strong relationship.

Mr. LaForme explained that on September 6th, 2018, the Mississaugas signed a bilateral consultation protocol with the Government of Canada; this is the first agreement of its kind in Canada and is attracting domestic and international attention and praise. The Government of Canada may use this agreement as a template for consultation agreements with First Nations across the country. The full agreement is available in Appendix 1.

Mr. Wybenga often meets with proponents of projects to present a history of the Mississauga so that proponents understand why, and with whom, they are consulting. Mr. Wybenga provided a captivating history of the Mississaugas. An outline of the history of the Mississauga can be found at <http://mncfn.ca/about-mncfn/community-profile/>. A map of the Mississauga treaty lands is available in Appendix 2.

Following the presentation, CLC members expressed interest in arranging another meeting in Hagersville (the location of the Department of Consultation and Accommodation office). Angela Homewood, PortsToronto, will work with the MNCFN to try to arrange a meeting in Hagersville to allow CLC members to learn more about the history and present-day context of the MNCFN.

The following provides a summary of the questions and comments raised by committee members:

- The BQNA representative inquired what outreach occurs for Toronto bands and the urban Indigenous population.
 - Mr. LaForme replied that the Mississaugas Chief LaForme has been talking to Mayor Tory about urban Indigenous population engagement. There is an Indigenous committee the City sponsors and the MNCFN may become involved with that. The City is also working on developing a First Nations business district.
- Mr. Cabral noted that the Mississaugas were consulted as a part of BBA's ground run-up enclosure (GRE) development; MNCFN field archeology staff attended and conducted soil and site assessment, including review of the archeological study report for the GRE.



- The TICA representative noted that the Simcoe Mural has recently been completed after about a year of work, and showcases First Nations leaders. The mural now links the waterfront to the rest of the city. Images of the mural and its development can be found on the mural Facebook page [here](#).
- A PortsToronto member inquired why a portion of the treaty lands exist outside of the Mississaugas' territory (see map, Appendix 2).
 - Mr. Wybenga explained that there was not always certainty about where treaty lands have been, as surveying has not always been as precise as today. This led to land sometimes being given away unknowingly. There are similar overlaps of boundaries and treaties throughout the province.
- A YQNA representative inquired what the Mississaugas' thoughts would be on having a third terminal built on the island.
 - Mr. LaForme responded that he had not heard about that project, as there is no second or third terminal being proposed.

Action:

M#31-A2 PortsToronto will work with the MNCFN to arrange a meeting in Hagersville for the Spring of 2019.

4. Billy Bishop Airport Terminal Upgrade Update

Michael Lettner, Nieuport Aviation, provided an update presentation on the Airport Terminal Upgrade. The presentation is located in Appendix 3. The following provides a summary of information presented that is supplementary to the PowerPoint presentation. No questions or comments were raised by committee members:

- Mr. Lettner has been working at the airport for 10 years, this year!
- Mr. Lettner explained that Nieuport canvassed passengers and the community to find out what people like about the preexisting terminal, and what they wanted to see change. Nieuport took that information and designed the terminal upgrade.
- The upgrades should be complete by December of 2019.
- Mr. Lettner noted that the project was put on pause to allow the full 11 gates to be open in the summer; this resulted in unrestricted gate access during summer months.

5. Airfield Rehabilitation Program

Bojan Drakul, PortsToronto, provided a presentation on the Airport Rehabilitation Program. The presentation is located in Appendix 4. Mr. Cabral provided a thank-you to the rehabilitation team for listening to the community throughout this project, and adjusting the rehabilitation work to reduce the impact on the community through light, sound, and traffic. He also highlighted that the project was both on time and on budget. The following provides a summary of comments and questions raised by committee members:

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- A YQNA representative inquired how many active construction days there were, and if there were barge trips that took place in the daytime.
 - Mr. Drakul responded that in 2016, operations were 24 hours a day, 6 days a week, and this included day barge trips. In 2018 there were a few weekends when time off was shortened to ensure deadlines were met.
 - Mr. Cabral noted that there was some routine barging in the day during 2018 as well.
- A YQNA representative inquired if the 800 barge trips cited in Mr. Drakul's presentation included all barge trips.
 - Mr. Drakul confirmed that the 800 barge trips included all one-way barge trips.
- A YQNA representative inquired how much granular material was brought to the island.
 - Mr. Drakul was not certain at the time but will follow up.
- A YQNA representative inquired how much material arrives on a single barge.
 - Mr. Drakul responded that the barge can accept up to 16 loaded trucks, but was uncertain of the tonnage. Mr. Drakul will find and share the tonnage that can be carried over on a single barge.
- A YQNA representative inquired how many truck trips were saved by using barges.
 - Mr. Drakul responded that 6,000 one-way truck trips were saved.
- Mr. Drakul thanked the CLC for their input throughout this process, noting that he would always raise community concerns at construction meetings thanks to the input of the CLC; this feedback helped ensure the project was run with as little disruption to the community as possible.
- A YQNA representative thanked Mr. Drakul for his work and the work of the team in addressing concerns around lighting impacts on the community; when the issue was raised, lighting was adjusted to reduce community impact.
- A YQNA representative requested additional information about the composition of the sound absorbing panels that are a part of the GRE. She suggested there may be potential to use the technology to absorb sound in the communities neighbouring BBA.
 - Mr. Drakul noted that the composition is proprietary technology. He suggested visiting <http://www.blastdeflectors.com/> for more information.
 - Mr. Cabral noted that a discussion around noise absorbing panels in neighbouring communities would be a good topic for an upcoming Noise Subcommittee Meeting, and a noise expert could be brought in to speak to the topic.
 - Mr. Faught noted that he will share images from the last GRE site visit, which include the noise reducing panels, with A YQNA representative.

Action:



- M#31-A3 Mr. Drakul will identify and share with the CLC how much granular material was brought to the island, and how many tons each barge was able to haul in one trip.
- M#31-A4 PortsToronto will arrange for a noise expert to be present at a future Noise Sub Committee meeting to discuss the potential of noise cancelling panels in the community.
- M#31-A5 Lura will share photos of the last GRE site visit, including photos of the noise reducing panels.

6. Overview of FBO Operations

Mike Karsseboom, PortsToronto provided a presentation on Fixed Base Operations. The presentation is located in Appendix 5. The following provides a summary of comments and questions raised by committee members:

- A YQNA representative inquired how long Pascan Aviation has been present at BBA.
 - Mr. Karsseboom replied that Pascan has flown from BBA from about a year ago until June, after which they ceased operations for the summer as they are focused on mainly business travel. They have limited 9 seat commercial trips out of Quebec, with flights into Toronto in the morning and out in the afternoon/evening. It is uncertain if Pascan will restart operations.
- The TICA representative inquired if itinerant aviation aircrafts need to provide advanced notice that they will be landing at an airport, or if they are always allowed to land as they please.
 - Mr. Karsseboom replied that BBA is a public airport, so the itinerant general aviation (which is non-commercial) will call the FBO to inform them of their intentions to land and provide a flight path. The airport has never had to turn down general aviation planes from landing.
- The TICA representative inquired if there is a hierarchy for which planes are allowed to land if there must be planes turned away.
 - Mr. Karsseboom replied that according to international aviation standards, emergency landings are always the first priority, with medivac as the number two priority. Both are always prioritized over general aircraft.
- A member of the public inquired if the BBA, as a public airport, has no limit on the number of general aviation aircrafts that can land in a day.
 - Mr. Karsseboom replied that there is no daily limit, but that BBA analyzes yearly movement to ensure they are not operating outside of the NEF contours.
- A member of the public inquired why helicopters are not included in the yearly movement limits and slot limits.

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- Mr. Cabral responded that there is a restriction on the number of commercial flights, but no restriction beyond that. PortsToronto is looking into whether or not there needs to be additional restrictions on broader overall movements as part of the Master Plan process.
- Mr. Karsseboom noted that there are natural limitations on the number of movements that can occur on the runway based on the physical space available, which is why there is no specific daily limit to the number of general aviation movements.
- A YQNA representative inquired what the difference is between general aviation and commercial flights.
 - Mr. Cabral noted that the difference is the number of seats on an aircraft. Aircraft with more than 19 seats are considered commercial and require passenger screening. Smaller aircrafts can operate from an FBO. BBA has agreements with those aircrafts as they still have to meet the maximum overall annual movement limits.
- A BQNA representative noted that runway congestion caused by as many as 5 planes (large and small)are often lined up, cumulatively increasing noise levels and pollution in the neighbouring communities.
 - Mr. Karsseboom replied that is an issue of concern that needs to be addressed and prevented through process changes.
 - Mr. Cabral noted that BBA is an attractive airport for many general aviation pilots, who would like more access to the airport. PortsToronto needs to be able to balance the needs of multiple airport users while addressing noise concerns; these will be considerations as part of the Master Planning process.
- A member of the public inquired if Porter Airlines has priority over hangars.
 - Mr. Cabral noted that Porter owns hangars 3, 4, 5, and 6, and that these are used for various uses (e.g. commercial, maintenance, general aviation, etc.). Over the last few years, Porter has seen a growth in general aviation flights, and a leveling of commercial flights. Porter is not given priority as they are only operating out of the hangars they own. Overall, most hangars at BBA are general aviation.
- The BQNA representative inquired if de-icing occurs at the Porter hangar.
 - Mr. Karsseboom replied that for de-icing, aircraft enter the glycol containment area. Porter provides de-icing service within that area.
 - More information on de-icing and glycol containment areas are available in the [CLC Meeting 27 meeting summary, Appendix A1-5.](#)
- A YQNA representative noted that the movement of Helicopters to the Stoloport area has resulted in an increase in noise in the neighbouring community as there is now less of a buffer between the helicopters and the community.



- Mr. Cabral explained that PortsToronto has no authority to restrict helicopter movement to different hangars at the airport. He noted that the existing hangar provides some noise dampening.
- The BQNA representative inquired who has the authority to determine where the helicopters land.
 - Mr. Cabral explained that decision is up to the customer and FBO operators, who are looking to attract business. He noted that Stolport has increased operations over the past few years, which is their purpose as an FBO operator.
 - Mr. Cabral also clarified that the helicopters in question are sightseeing helicopters, not medivac helicopters.
- The BQNA representative further inquired if control over the location helicopter operations is only limited by the NEF standards, as well as the provincial standards governing the residential noise requirements.
 - Mr. Cabral responded that he believes the largest controlling factor would be the NEF contour modeling, but also noted that NEF modeling doesn't take into account noise from aircraft on the ground.
- A member of the public inquired about the Runway End Safety Areas (RESA) proposal and the potential for it to allow jets at the BBA.
 - Mr. Cabral established that RESA is not a proposal but a requirement passed down from the Ministry of Transportation; any extension if there was a landmass extension for RESA would not allow for jets to operate at BBA.

7. CLC Members (Neighbourhood Reps)

CLC members representing neighbourhood groups were allotted time to raise issues of concern. The following provides a summary of the topics raised and subsequent discussions:

- Noise Sub Committee update:
 - The objective of the past meeting was to brainstorm priorities to work on at the consequent meetings. Objectives from members include:
 - Ensuring all parties understand what the noise standards are and how they can be achieved;
 - Improving noise management and reducing noise in the community;
 - Ensuring accurate noise measurement and assessment;
 - Understanding meteorological impacts on noise management and measurement;
 - Increasing understanding of noise management terminology.
 - Lura will identify a full list of key objectives of the next meeting set up a template for some focused meeting agendas.
 - The goal will be to meet on a monthly basis, for up to 6 meetings. Lura will send out potential dates in the coming weeks.



- Measuring health impacts on the community:

A BQNA representative commented on the toxic smell of airplane fuel in the neighbourhood and waterfront parks in all seasons depending on the wind direction and the need to hold her breath at times including tonight as she walked into the school/community centre at 635 Queens Quay W where the meeting was held.

 - A BQNA representative requested that there be new testing completed to measure air quality and the health impacts from the airport on neighbouring communities.
 - A BQNA representative noted that her community members feel that pollution from the airport (e.g. idling planes) are creating health impacts in the community.
 - Mr. Cabral stated that testing had already occurred, and that aircraft movements have not increased greatly since the last study. He noted that PortsToronto are making honest efforts to reduce their emissions including being in the process of electrifying the ferry.
 - Mr. Cabral stated they had already addressed public health concerns at a past meeting when they had Barbara LaChapelle from TPH attend a meeting.
 - A BQNA representative stated that Miss LaChapelle addressed the overall air quality of the city and not the air quality or health implications by the airport on the nearby communities
 - Ms. Homewood added that this issue arose at the Master Plan public meeting. The provincial and federal government are in charge of air quality testing and monitoring; their networks of data collection are extensive. It is key that government bodies be responsible for this monitoring to ensure the public trusts the validity of the data collected and subsequent analysis. In existing studies, the airport has been identified as contributing 10-15% of the pollutants in the local air shed. The primary contributor of this is the diesel ferry; this is why PortsToronto is working to electrify the ferry. Ms. Homewood also stated that, as Toronto Public Health stated in a previous CLC meeting, fumes and emissions have different impacts on different people; the airport does not exceed air quality parameters set out by the government regulations and meets health standards. Government agencies are responsible for conducting air quality analysis and setting levels, and it is important that they answer questions around air quality requirements and analysis.
 - A BQNA representative inquired if there had ever been studies done around the health impact on children.
 - Ms. Homewood responded that Toronto Public Health follows the World Health Organization standards, which requires consideration of the



impacts to vulnerable populations including children and the elderly. She noted this study was completed in 2015.

- The BQNA representative requested a follow up by Public Health where the Golder Report left off. They questioned the validity of the study, suggesting there was political pressure to complete the study in a 2-month time frame, which resulted in overly general and misleading findings.
 - Ms. Homewood responded that the report that was completed was based on 3 years of data.
 - The BQNA representative suggested the weakness of the report was the short timeframe with which the analysis could occur, and suggested there were only 3 to 4 data collection points.
 - Mr. Cabral replied that Toronto Public Health stated the study was extensive and robust and that the timeframe did not take away from the quality of the work. Mr. Cabral noted that a flaw in the report was the comparison of current levels to a scenario where there was no airport present, which he asserted was not a good baseline.
 - The BQNA representative agreed that the baseline was flawed and cited this as a reason to recommission the studies.
 - Mr. Cabral noted that the optics of BBA holding their own study would lead to questions about the validity of the data acquired and the results of the study, suggesting that for this reason the requested health impact and air quality studies should be completed by government.
- The BQNA representative suggested that noise, air quality, and other monitoring devices could be placed around the airport in the future; similar to those suggested for the proposed Google development along Toronto's waterfront. He suggested this could help create a better understanding of microclimates.
- Mr. Cabral responded that the study did include the Q400s.
- The BQNA representative would like to discuss this issue further at the next meeting.
 - Mr. Cabral noted that the conversation should occur with a representative from Toronto Public Health in the room. He stated that PortsToronto takes the issue seriously and would like to act to better manage outputs from the airport. While PortsToronto is discussing possible changes with Toronto Public Health, including the option for a noise penalty on certain aircrafts, Mr. Cabral noted it may be useful to have these discussions with the CLC group present.
- Water Main break:
 - A YQNA representative inquired what caused the recent water main break across from the Toronto side of the terminal.



- PortsToronto responded that the third-party organization, who locates all utilities underground, was not notified of a fairly recent watermain installation by the city (about 2 years ago). When the company located the existing pipes, they did not know about the pipe that was eventually compromised. Essentially a communications and data sharing failure lead to the water main break.
- Slot regulators:
 - The BQNA representative noted they would like to discuss the roll of slot regulators next meeting

Action:

- M#31-A6 Lura will send out invitations for the next set of Noise Sub Committee meetings.
- M#31-A7 PortsToronto will consider future meeting topics of slot regulators/regulations and air quality and health monitoring studies.

8. Business Arising

Mr. Faught reminded the CLC that the next BBA CLC meeting dates are Tuesday November 27th. The CLC may try to move the November meeting to a Wednesday to allow the representative from Ireland Park to attend.

Mr. Cabral will send out a poll shortly to set a date for the next site visit.

Action:

- M#31-A8 Lura will send out a poll about the potential to move the next CLC meeting to the 28th to allow the Ireland Park representative to attend.
- M#31-A9 Lura will send out a poll to set a date for the next site visit.

9. Wrap Up

Mr. Faught and Mr. Cabral thanked CLC members for attending the meeting.

Adjourn

**Appendix 1: Consultation Protocol Agreement between
Mississaugas of the New Credit First Nation and the
Government of Canada**

Consultation Protocol Agreement

Between

Mississaugas of the New Credit First Nation

(“MNCFN”)

And

Her Majesty the Queen in Right of Canada

as represented by the Minister of Indian Affairs and Northern Development Canada

(“Canada”)

(collectively the “Parties” or individually a “Party”)

WHEREAS MNCFN are the direct descendants of the Mississaugas of the Credit River, whose ancestors have used and benefited from the land and waters of their Territory for countless generations;

WHEREAS MNCFN have entered into a number of treaties with Canada between 1781 and 1820 with respect to areas within MNCFN traditional territory;

WHEREAS MNCFN asserts unextinguished Aboriginal rights, including Aboriginal title to the waters, beds of waters, and foreshore in its Territory, and Aboriginal title to the Rouge River Valley (collectively the “Aboriginal Title Claims”);

WHEREAS MNCFN has submitted to Canada and Ontario the Aboriginal Title Claims for the negotiation of an agreement reconciling their Aboriginal Title Claims with the Crown;

WHEREAS a federal duty to consult may arise in relation to a proposed federal activity or decision that may have an adverse impact on the treaty rights or the Aboriginal rights including title claims of the MNCFN;

WHEREAS the Parties acknowledge that Canada’s duty to consult is grounded in the honour of the Crown and that the fundamental goal of consultation is reconciliation between the Parties;

WHEREAS the Parties acknowledge that a federal duty to consult and, where appropriate, accommodate, in relation to a proposed federal activity or decision will be informed by the historical context, including any cumulative effects, and the present realities;

WHEREAS, for MNCFN this context includes the heavy urbanization and industrialization of MNCFN’s Territory and the increasing and ongoing pressures and strains of cumulative development activities and decisions on the land and waters in MNCFN’s Territory;

WHEREAS MNCFN has established the Department of Consultation and Accommodation (“DOCA”) to engage with Canada, Ontario, and others in consultation and accommodation discussions on its behalf;

WHEREAS the Parties entered into discussions and signed a Memorandum of Understanding, Recognition of Indigenous Rights and Self-Determination Table on June 9, 2017, acknowledging the need for reconciliation and a renewed relationship between them;

AND WHEREAS further to those discussions the Parties wish to set out a process by which consultation and accommodation will be undertaken between them as part of this renewed relationship and based on a recognition of rights, respect, and in a spirit of partnership.

NOW THEREFORE the Parties have reached agreement on the process for undertaking consultation and accommodation discussions (the “Consultation Protocol”):

1. Purpose

- 1.1. The Parties recognize that Canada has a duty to consult Indigenous people where it contemplates actions or decisions that may adversely impact their asserted or established Aboriginal or treaty rights.
- 1.2. The Parties recognize that consultation is an opportunity to promote reconciliation and build stronger long-term relationships between the Parties.
- 1.3. The Parties intend that the consultation process described in the Consultation Protocol be the preferred choice for consultation between Canada and the MNCFN.
- 1.4. For greater certainty, this Consultation Protocol does not prevent the Parties from agreeing to consultation independent of this process or concluding other consultation agreements.

2. Canada’s Participation

- 2.1. Canada participates in the consultation process conducted pursuant to this Consultation Protocol through the federal departments and agencies responsible for the contemplated Project.
- 2.2. Where practicable, federal departments and agencies will adopt a coordinated approach regarding consultation and, where appropriate, accommodation in order to promote the effectiveness and efficiency of the process.
- 2.3. Where appropriate, Canada uses and relies to the extent possible on the processes of other parties (e.g. boards, industry, province) to assist it in fulfilling its duty to consult and, where appropriate, accommodate.
- 2.4. Where Canada intends to rely on the process of another party to assist it in fulfilling its duty to consult and, where appropriate, accommodate, Canada will provide timely notice to MNCFN of its intent and the parties will seek to come to a common understanding on how that process will contribute to the consultation activities described in this protocol.

3. Notice of Projects

- 3.1. When Canada contemplates a proposed project, activity, development, or action (collectively a “Project”) that has the potential to impact MNCFN’s Aboriginal or treaty rights it shall provide written notice to MNCFN.
- 3.2. Written Notice shall be directed to the attention of the Consultation Manager at DOCA.
- 3.3. This Notice shall contain, to the extent reasonably available:
 - 3.3.1. A description of the Project;

- 3.3.2. Where applicable, a map of the Project identifying the location of the Project in relation to MNCFN reserve lands;
 - 3.3.3. Any technical or other reports, information, or studies prepared or provided in connection with the Project;
 - 3.3.4. Any initial assessment of identified potential impacts or effects of the Project by Canada;
 - 3.3.5. Contact information for the ministry, department, or other group, organization or proponent responsible for the Project;
 - 3.3.6. Timelines for the Project, including the identification of key milestones, description of the regulatory framework, decision-points and approvals related to the Project including guidelines and policies being relied on; and
 - 3.3.7. A copy of any preliminary assessment or other analysis of the potential impacts on MNCFN's rights, claims, or interests prepared by Canada.
- 3.4. This Notice shall be provided as soon as reasonably possible, and in all cases sufficiently in advance of a final decision so that MNCFN can have a meaningful opportunity to provide information and so that the Parties can fulfill the activities outlined in this Protocol.
 - 3.5. For greater clarity, the imperative of providing early notice, as soon as reasonably possible, takes precedence over the Notice containing all information identified in section 3.3 and it is contemplated by the Parties that additional or supplementary information will be exchanged between them throughout the consultation process.
 - 3.6. DOCA, on behalf of MNCFN, will respond to acknowledge receipt of this Notice within 30 days and it is agreed that this response is not intended or to be construed as an indication as to the sufficiency of information or a conclusion of the consultation process.
 - 3.7. DOCA will be the primary point of contact between MNCFN and Canada on all matters concerning this Consultation Protocol.
- 4. Consultation Process**
- 4.1. Upon receiving the Notice, DOCA will undertake an assessment of the Project and categorize it as either "Low Concern" or "High Concern".
 - 4.2. A Low Concern Project means: as determined by DOCA, a Project of a routine or inconsequential nature that is unlikely to have an impact on the Aboriginal or treaty rights and claims of the MNCFN.
 - 4.3. A High Concern Project means: as determined by DOCA, a Project other than a Low Concern Project.
 - 4.4. Within 15 days of acknowledging its receipt of the Notice referred to in clause 3.6 DOCA will communicate the results of its assessment of the Project and its requirements for next steps based on its assessment.
 - 4.5. For all High Concern Projects, a meeting between DOCA and Canada will occur no later than 30 days following DOCA providing Notice of its assessment, where the Parties will:
 - 4.5.1. Discuss the Project, and the sufficiency of the information provided to DOCA in the Notice;
 - 4.5.2. Discuss MNCFN's history, its rights, claims, and interests that may be impacted by the Project;

- 4.5.3. Discuss MNCFN's traditional knowledge, laws, values, and stewardship obligations, and how these can be considered and respected as part of the Project design, conditions, or approvals;
 - 4.5.4. Identify any gaps in information and identify a process to address those gaps, including by considering whether additional studies, environmental assessment criteria, monitoring, or other investigations are required;
 - 4.5.5. Discuss any capacity needs of MNCFN and identify a plan to meet those needs, including by engaging with proponents involved in the Project, federal departments and agencies; and
 - 4.5.6. Discuss the timeline for the Project and approvals by Canada related to it, in light of the need for MNCFN to engage with its members.
- 4.6. For all Low Concern Projects, a meeting between DOCA and Canada may be necessary and will occur at the request of either Party to discuss the application of this Protocol including Sections 5 and 6.
- 4.7. The Parties will consider opportunities to invite proponents, companies or other organizations involved in the Project to participate in such meetings, as appropriate.

Consultations regarding Aboriginal Title Claims

- 4.8. The Parties agree that any Projects that have the potential to impact MNCFN's Aboriginal Title Claims are High Concern Projects.
- 4.9. The Parties agree that, given the unique considerations that are involved in consultation over MNCFN's Aboriginal Title Claims, where requested by MNCFN, Canada will participate in consultation processes when impacts may result to MNCFN's asserted title rights, claims, and interests even where consultation or engagement is being undertaken primarily by a proponent or third party.

5. Elements for a Successful Resolution

- 5.1. The Parties acknowledge that appropriate accommodation or interim protection measures will be informed by the historical context, including any cumulative effects, and the present realities.
- 5.2. The Parties further acknowledge that the perspective of MNCFN on the nature, scope, and extent of its rights and impact to those rights will be considered in designing a successful accommodation or interim protection measure.
- 5.3. The Parties agree that, accommodation discussions will be undertaken with an open mind, seeking creative and innovative solutions to resolve concerns and minimize impacts, and that discussions about appropriate accommodation measures will be discussed and considered for each Project.
- 5.4. The Parties agree that accommodation options to be considered may include cultural, environmental, or economic interests or agreements, as well as a role for MNCFN in decision-making related to a Project.
- 5.5. For all High Concern Projects, the Parties will meet within 60 days of the date of the meeting referred to in 4.5 and as necessary to discuss potential accommodation or interim protection measures, including:
 - 5.5.1. Environmental assessments, environmental monitoring and requirements of MNCFN in any environmental study, plan, or assessment processes;

- 5.5.2. Archaeological monitoring by MNCFN, including through the participation of its Field Liaison Representatives (“FLR”) in accordance with MNCFN Archaeological Standards and Guidelines;
- 5.5.3. Changes to the timing or location of Project activities to minimize impacts on MNCFN’s Territory, and its rights or interests or exercise of the same;
- 5.5.4. Any studies, assessments, or technical reviews that may be required to collect additional information about potential impacts, environmental, or other concerns;
- 5.5.5. Changes to the Project or any conditions that would be required as part of any approval related to the Project;
- 5.5.6. Any opportunities for MNCFN participation in the Project, including through employment opportunities, partnership, or impact benefit agreements; and
- 5.5.7. Other appropriate accommodation or protection measures that may be necessary.

6. Resolution

- 6.1. The Parties agree that the shared goal of the consultation process is a mutually satisfactory outcome that addresses MNCFN rights, claims, and interests in a way that allows decisions and projects to proceed efficiently and with minimal impacts.
- 6.2. The Parties agree that to advance this shared goal, no final decisions with respect to a Project will be made until the Parties have made best efforts at reaching a mutually satisfactory outcome.
- 6.3. The Parties will consider opportunities for relationship building agreements and ways for MNCFN to be involved in follow-up, ongoing monitoring and review of Projects, as possible.

7. General

- 7.1. Nothing in this Consultation Protocol shall be construed as recognizing, denying, creating, extinguishing, abrogating, derogating from or defining or interpreting any of MNCFN’s Aboriginal Title Claims or Aboriginal or treaty rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.
- 7.2. Nothing in this Consultation Protocol is intended to alter or define the common law, or alter any statutory or regulatory requirement to which Canada is subject.
- 7.3. The Parties can agree to modify the timelines provided for under this Consultation Protocol for any particular Project, as required, by mutual agreement in writing.
- 7.4. This Consultation Protocol may be amended with the written consent of the Parties.
- 7.5. This Consultation Protocol will come into force on the date of its signature by both Parties and will continue in force unless terminated by one of the Parties.
- 7.6. Either Party may terminate this Agreement upon providing written notice to the other Party hereto that they are withdrawing.
- 7.7. At the request of either Party, the Parties shall meet annually to:
 - 7.7.1. Exchange information regarding the progress of existing or upcoming consultation activities to facilitate improved consultation processes and preparedness; and
 - 7.7.2. Discuss the application of this Consultation Protocol and provide any recommendations to senior officials that may improve this Consultation Protocol.

8. Funding provided by Canada

- 8.1. The Parties recognize that MNCFN and DOCA will require financial capacity for their effective participation in the implementation of the Consultation Protocol and will endeavour to ensure that sufficient funding is made available.
- 8.2. Contribution funding as determined by the Department of Indian Affairs and Northern Development will be paid to MNCFN to support the activities of DOCA as related to this Consultation Protocol. Such funding will be provided based on an annual budget submitted by MNCFN and subject to annual appropriations by Canada.
- 8.3. Notwithstanding 8.2, each federal department and agency involved in consultation with MNCFN conducted under this Consultation Protocol will examine the requirements in connection with consultation relating to proposed Projects and, where appropriate, determine whether and how to fund the needs specific to the consultation and accommodation process.

9. Confidentiality

- 9.1. This document is not confidential and may be made public.
- 9.2. In respect of any consultation conducted pursuant to this Consultation Protocol, records and information may be provided and received in confidence. In each case where information is intended to be provided, received and held in confidence, the Party providing the information shall so notify the other Party. Both Parties shall determine whether the records or information in question should be provided, received and held in confidence. If the Parties determine the records or information should be provided and received in confidence, the record shall so be marked to indicate it was provided and received in confidence. It is the intention of the Parties that such record and information be held in confidence, unless such disclosure is required by law.
- 9.3. Notwithstanding 9.2, any records and information provided in confidence to any department or agency consulting under this Consultation Protocol, shall be deemed to have been provided as confidential to the Government of Canada and may be shared freely amongst federal departments and agencies for the purposes of consultation, unless otherwise agreed in writing.
- 9.4. Nothing in this section of this Consultation Protocol is intended to prevent any Party from tendering records or information as evidence in a court of law or in other legal proceedings when the record or information is relevant to an issue of whether a duty to consult was or was not met.
- 9.5. Unless otherwise stipulated by a Party, documents and information, whether received in confidence or otherwise for the purposes of one consultation, may be used by Canada for the purposes of other consultations with MNCFN. In such a case, Canada shall verify with DOCA that the document or information is relevant and complete as regards the other consultation(s).

10. Parties May Proceed Without Prejudice

- 10.1. Notwithstanding any other provision of this Consultation Protocol, the Parties to a consultation process under this Consultation Protocol may agree that, at any time before or during the consultation, discussions may be held and information exchanged until further notice on a without prejudice basis in order to permit frank, cooperative, and solution oriented interaction without concern for the legal significance of admissions, concessions, positions, and discussions for the period of time specified or agreed upon.

[Remainder of this page is left intentionally blank]

This Agreement is signed and agreed to by the Parties on the dates set out below.

Mississaugas of the New Credit First Nation

Per:



R. Stacey Laforme
Chief, Mississaugas of the New Credit First Nation

Date: SEPTEMBER 6, 2018

Her Majesty the Queen in Right of Canada

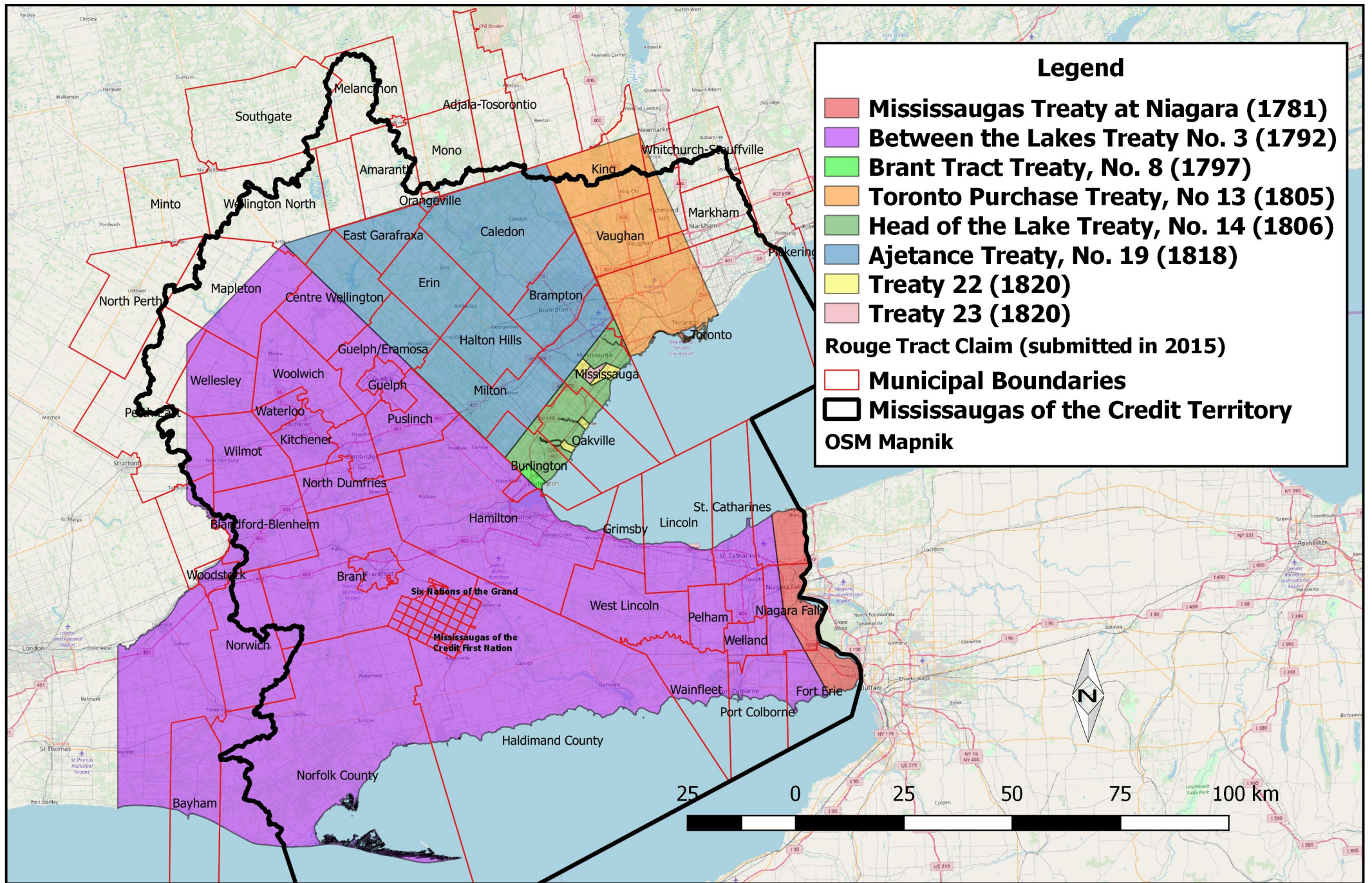
Per:



Carolyn Bennett
Minister of Indian Affairs and Northern Development

Date: SEPTEMBER 6, 2018

**Appendix 2: Municipalities within Mississaugas of the New
Credit First Nation Treaty Lands – Map**



Municipalities within MNCFN Treaty Lands

Appendix 3: Billy Bishop Airport Terminal Upgrade Presentation



TERMINAL UPGRADE
COMPLETION UPDATE

On behalf of Nieuport Aviation Infrastructure Partners, the owner and operator of the passenger terminal at Billy Bishop Toronto City Airport, I am pleased to say we are nearly complete our upgrade of the terminal building. An impressive amount of work and dedication has been put into this project.

The investment by Nieuport Aviation reflects our commitment to delivering an exceptional passenger experience and to working with PortsToronto, our airlines, and all other stakeholders to ensure that Billy Bishop Toronto City Airport continues to be one of North America's best airports.

The Billy Bishop Airport terminal upgrades are focused on meeting the needs of today's travelers who choose the airport for its efficiency, location, convenience and service. At the heart of Nieuport Aviation's terminal upgrade project is the desire to create a modern, contemporary environment and new food, beverage and shopping options that better serve the 2.8 passengers who use the airport each year.

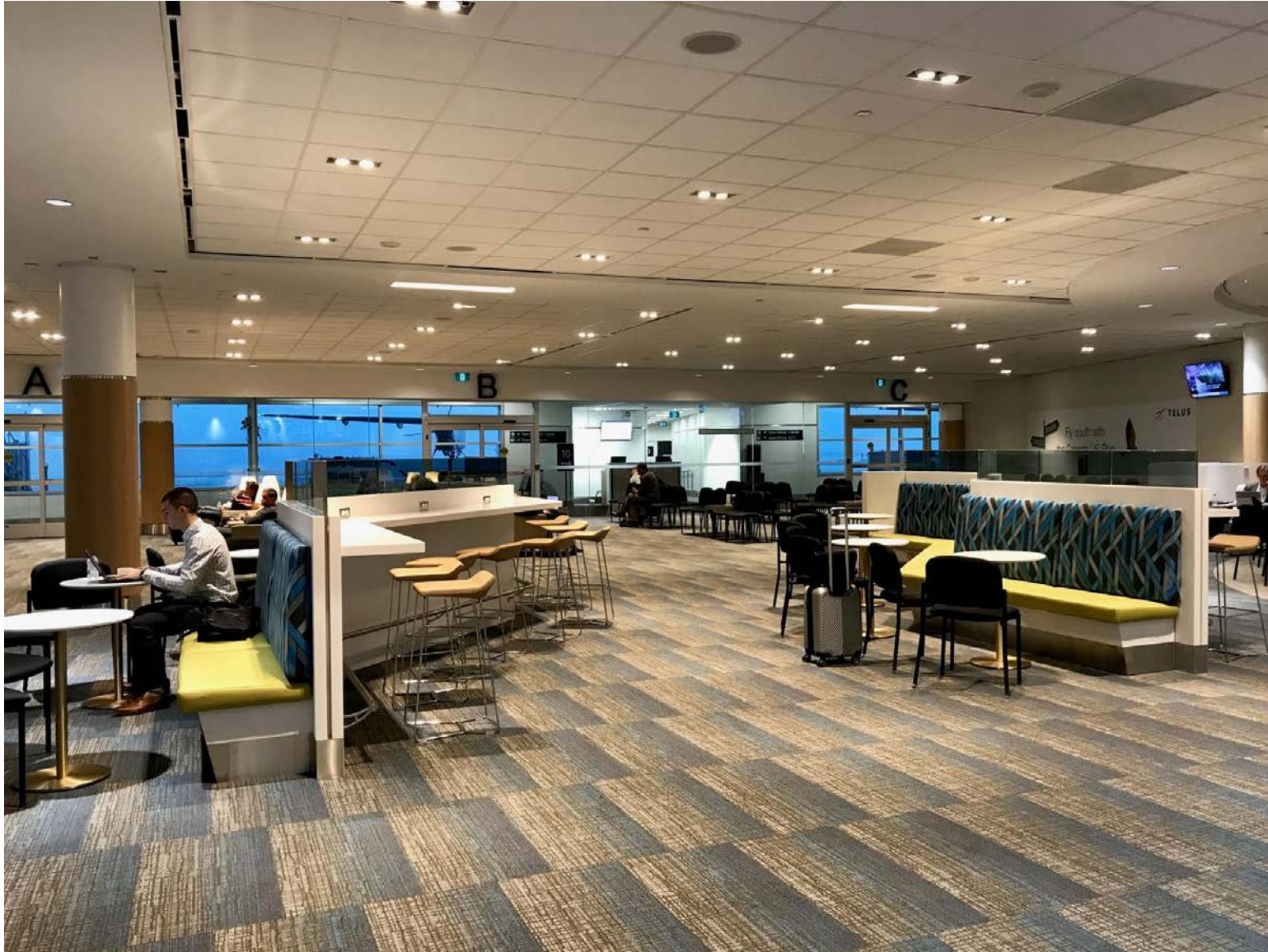
In October, we will introduce new food and retail options that are reflective of our city and region with local vibrant flavours and products. Passengers who arrive at the airport early may try out some of these delicious new food options – many of which are locally-sourced and Toronto favourites.

The team at Nieuport Aviation is excited about the positive impact these updates will have for years to come at Billy Bishop Airport – a key piece of infrastructure in the heart of downtown Toronto. [Excellence in Aviation Infrastructure](#)

As part of the terminal upgrade, Nieuport Aviation has increased the terminal's footprint, lounge size(s), added more comfortable seating, modernized the décor, and improved the business stations.

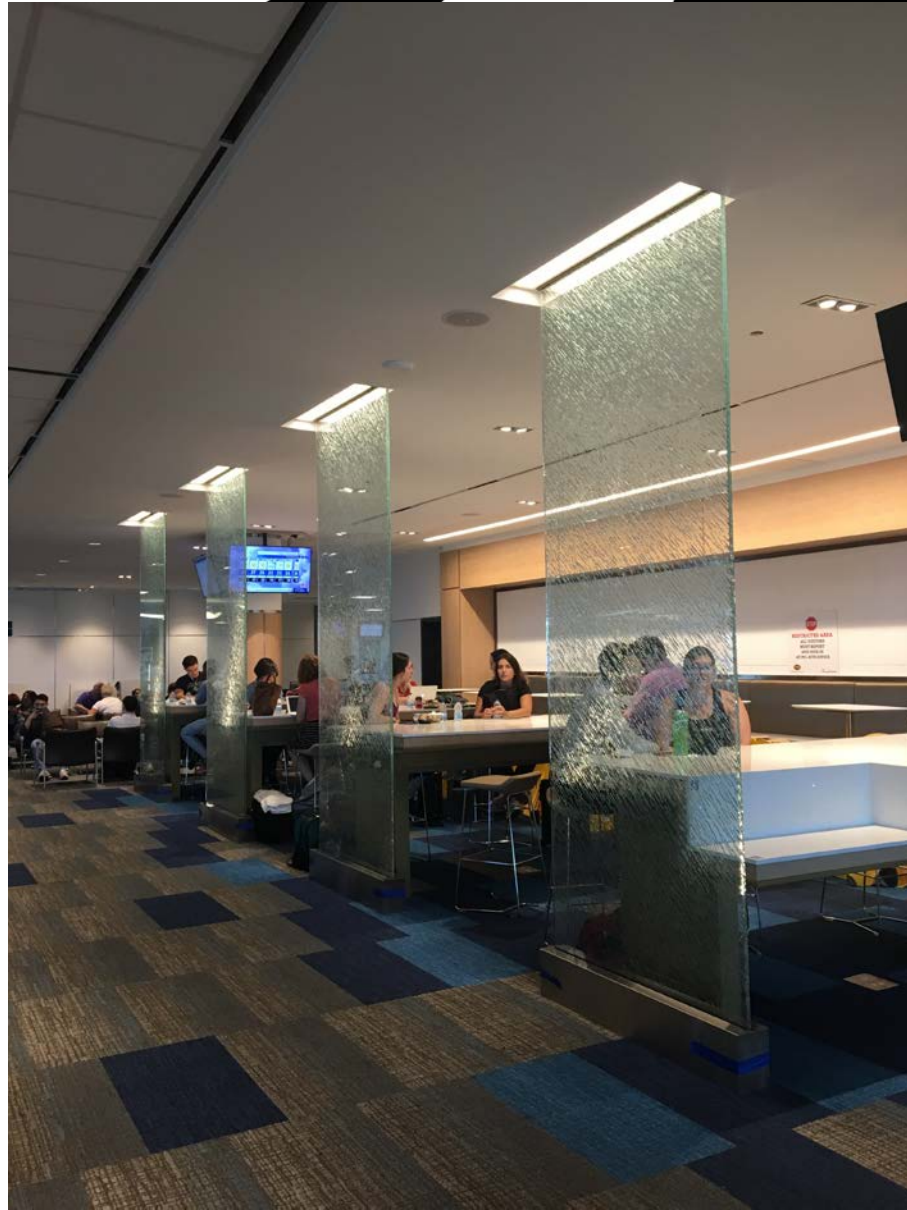
We are also fulfilling our customers' needs when they travel by opening new restaurants and retail facilities in October 2018 with local vibrant flavours and products that are reflective of the city and region. The arrival of new restaurants and shops will attract 100 new employees to our airport.









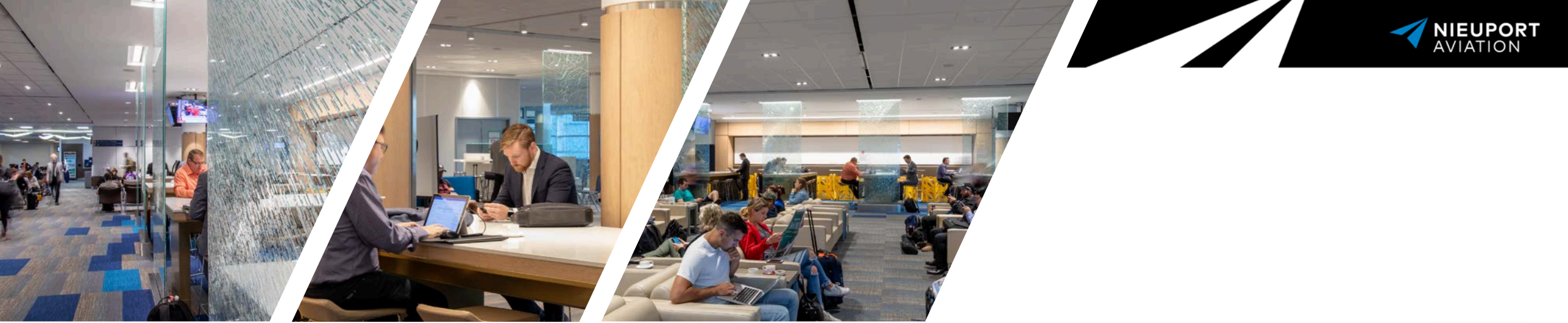


Before
(December 2016)



After
(September 4, 2018)



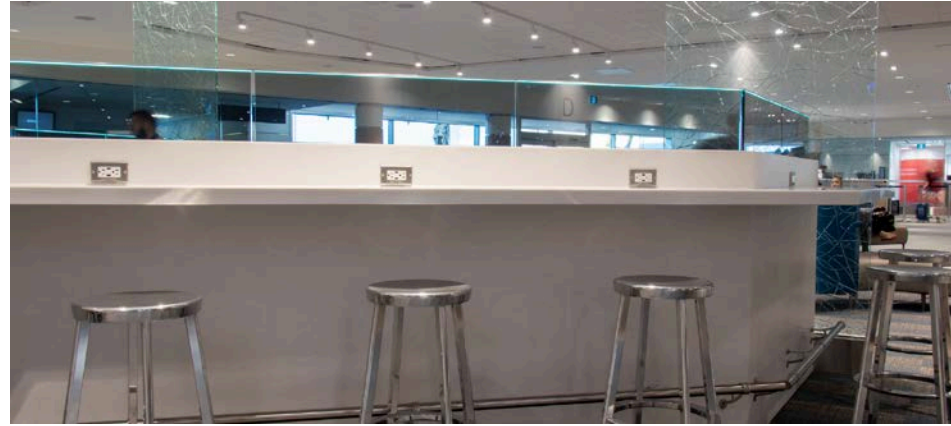


TERMINAL UPGRADE FEATURES

- Additional lounge space in domestic and transborder lounges
- New comfortable passenger seating options



TERMINAL UPGRADE FEATURES

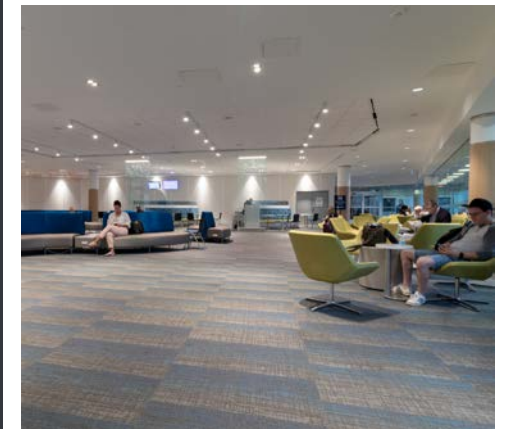


An overall modern and contemporary environment

- New business centers
- Distilled water fountains
- More electronic charging stations



Excellence in Aviation Infrastructure



We look forward to celebrating the completion of these terminal upgrades with you.

For further information, please contact questions@nieuport.com



NIEUPOORT AVIATION

Excellence in Aviation Infrastructure



Appendix 4: Airfield Rehabilitation Program Presentation

September 25, 2018

Billy Bishop Toronto City Airport

Airfield Rehabilitation Program Update

Community Liaison Committee



Agenda

- Project Status
- Project Team
- Project Scope
- Interesting Facts



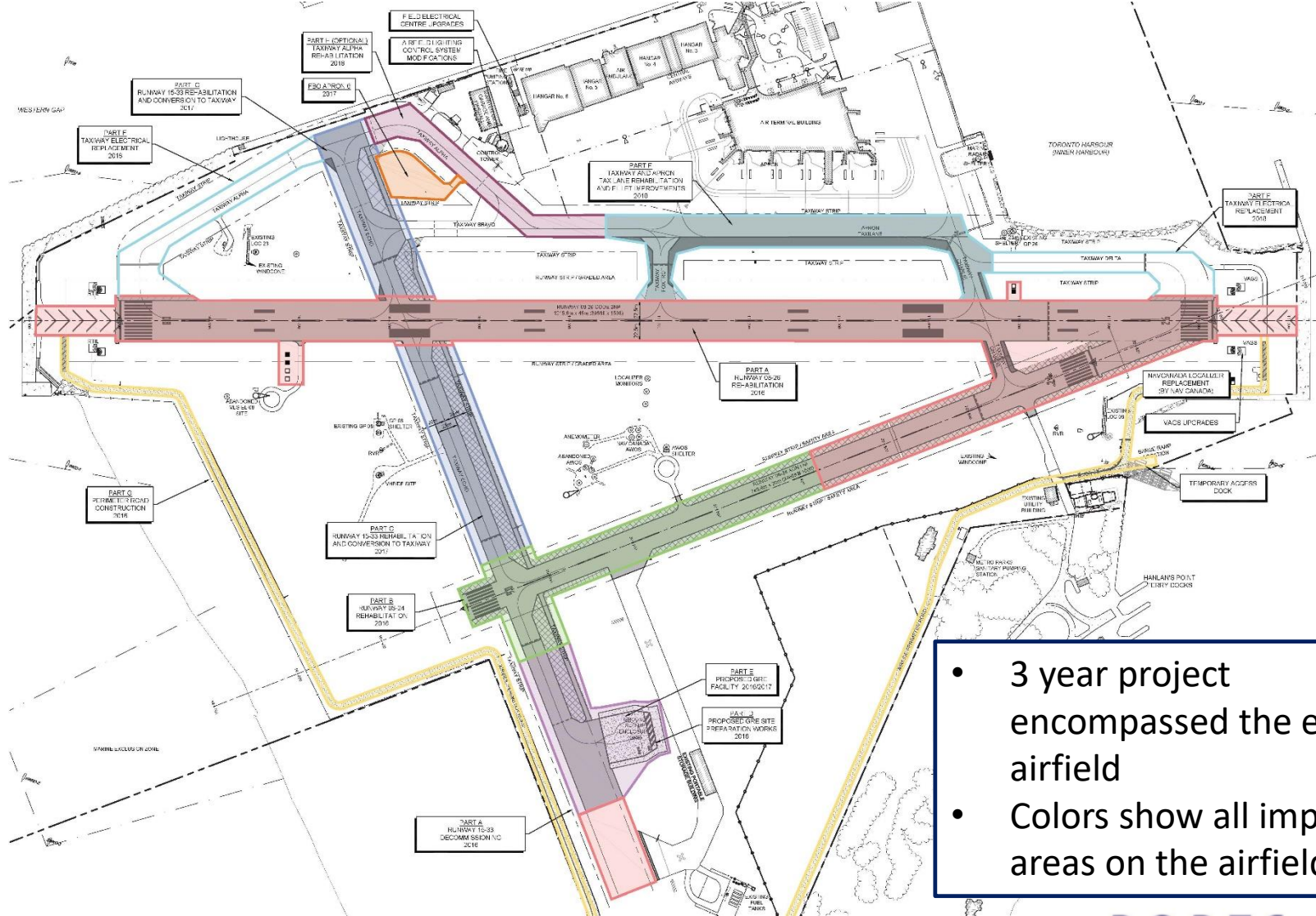
Project Status

- This 3 year Airfield Rehabilitation Program rehabilitated / reconstructed the majority of airfield surfaces and electrical infrastructure
- First day of site work – June 9, 2016
- First day of barging operations – July 7, 2016
- Substantial Completion for the overall project achieved on September 1, 2018
- **Substantial Completion 60 days ahead of original schedule (October 30, 2018)**
- Last day of barging operations – September 5, 2018
- **Project completed within the allocated \$35M program budget**

Project Team

- **PortsToronto**
 - Project Owner
- **WSP Canada Inc.**
 - Providing planning, design, non-resident and full time on-site resident construction inspection services for the project.
- **Construction Contractor**
 - Pave-Al Ltd. – General Contractor for the project
 - TriStar Electric – Electrical subcontractor
 - Blast Deflectors Inc – GRE Design-Build Contractor

Overall Project Scope



- 3 year project encompassed the entire airfield
- Colors show all impacted areas on the airfield



Interesting Project Facts

Delivered only 2nd Ground Run-Up Enclosure (GRE) in Canada
63mx66m, **200T** Facility with **1,726** sound-absorbing panels
1,400 Cubic Meters of concrete foundations
181,244 individual nuts, bolts and washers

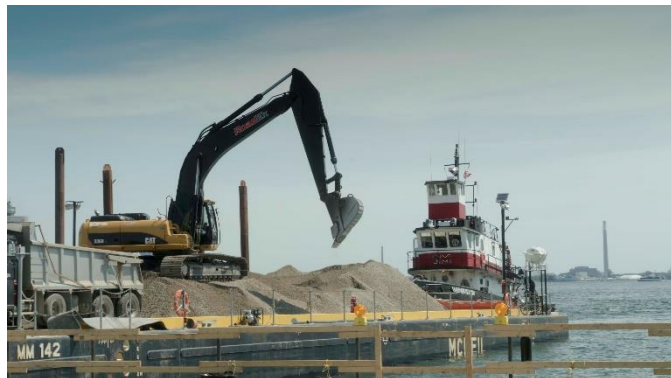
- Significant Number of Work Days & Hours
- Large Quantities of Material
- Barging Element
- Electrical Works
- GRE Facility

Summary

- Project is considered an overall success from a number of aspects:
 - Three-year, \$35M Program completed ahead of time and within budget
 - Use of barge has removed significant construction traffic from the airport's neighborhood
 - Minimal number of noise and light complaints were received related to this construction project over the 3-year duration which is significant considering majority of the project was done between 11pm and 6am
 - Only a 6-minute single aircraft delay experienced due to construction activities on this project which is extraordinary considering the amount of work and that the almost entire airfield was rehabilitated
 - Delivered a 2nd Ground Run-up Enclosure in Canada – number of noise complaints related to aircraft engine run-ups significantly reduced since the facility was opened in May 2017

Thank You

- PortsToronto would like to take this opportunity to thank CLC committee members, neighbouring community and airport stakeholders for working with our team in delivering this successful project
- This project has set a good precedent in how teamwork and collaboration can deliver successful large-scale infrastructure project at Billy Bishop Airport with minimal impacts to airport stakeholders, travelling public and the neighboring community





- Project-specific website has been operational since May 2016
- Website contained regular project status / construction activities updates
- **2,882** Users ; **14,363** Page Views
- Visit www.BillyBishopAirfieldProject.com



Questions/Comments

PORTS
TORONTO

**Appendix 5: Overview of FBO Operations Presentation
Billy Bishop Airport Terminal Upgrade Presentation**

September 25, 2018

Billy Bishop Toronto City Airport

Fixed Base Operators (FBO)



Agenda

- What is a FBO?
- What services do they usually provide?
- FBOs at BBTCA
- Where are the FBOs located?
- Services provided at each FBO
- Who operates from each FBO
- Questions

What is a FBO?

A fixed-base operator (FBO) is an organization granted the right by an airport to operate at the airport and provide aeronautical services.

FBO is the primary provider of support services to General Aviation operators

What services do they usually provide?

- Fueling
- Aircraft Parking
- Hangar Space
- Tie-down
- Aircraft rental
- Aircraft maintenance
- Aircraft cleaning
- Flight instruction

FBOs at BBTCA

Two FBOs at BBTCA

Porter FBO

- Hangar 6 – Northwest side of the airport

Stolport FBO

- Hangar 1 – Northeast side of the airport

FBO Locations



Services provided at each FBO

Porter FBO

Ground Services

- Executive passenger lounge
- Conference room
- Pilot lounge with computer stations
- Complimentary WIFI
- Weather and flight planning facilities
- Courtesy shuttle to terminal and tunnel
- Limo and taxi service available
- Onsite car rental and parking
- Canadian customs
- Airside vehicle access

Aircraft Services

- Refueling services
- Baggage handling
- Rental of secure hangar and ramp
- De-icing
- Onboard catering available
- Maintenance services
- Available ground power unit
- Quick turn handling
- Lavatory services

Services provided at each FBO (con't)

Stolport FBO

Ground Services

- Passenger Lounge
- Washrooms
- Complimentary WIFI
- Conference room with projector
- Assistance with hotel accommodations
- Limo and taxi services
- Parking

Aircraft Services

- Refueling services
- Aircraft Parking
- Float Plane services
- Ground Power Unit available

Who operates from each FBO

Porter

- Cameron Air
- Island Air Flight School
- Most fixed winged medivac flights
- Based and Itinerant General Aviation

Stolport

- FlyGTA
- Pascan Aviation
- Transcapital Air
- Helitours
- Based and Itinerant General Aviation



Questions

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Thank You

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