

To whom it may concern,

RE: Transportation 2030: Review of Canada Port Authorities: Toronto Port Authority

Please find my commentary below on the Ministry of Transport's consultation and review currently underway in respect to the Toronto Port Authority (TPA).

I attended a consultation meeting on Saturday, 17 November 2018, organized by MP Adam Vaughan, which focused on the TPA. This and subsequent research form the basis for my comments.

Reading the *Ports modernization review: discussion paper* makes it evident that the 'port' of Toronto is unlike other major ports in Canada.

First and foremost, Toronto Harbour is no longer a commercial port. Grain shipments that once made it viable now bypass the City. Toronto's port is a place primarily for recreation, the only exception being lingering shipments by water of winter salt for local roads, sugar (one company), cement and its aggregate (another company). Less than 20 cruise ships visit every year and the total number of 'ships' passing through annually amounts to only some 200. One ferry takes residents and interested visitors to a small bedroom community on Ward's Island. All other ferries and private transportation like water taxis either carry citizens and tourists to and from the Toronto Islands' playground or are pleasure craft of sizes ranging from canoes, kayaks and sailboats to yachts and tour boats whose passengers are there to enjoy the water view. These recreation craft make up the bulk of the harbour's activity.

Environmental Protection and Climate Change

Unfortunately, the harbour still has the ugly vestiges of its former life as a commercial port but, save for the three enterprises mentioned above, these structures are anachronisms. Most of the quay-like shoreline is no longer needed and gets in the way of current and future uses of this pleasure port as well as stifling attempts to make the shore more ecological. The two major investments by TPA in recent years are improved docking for larger yachts and a pedestrian tunnel to the Island Airport. Instead of emulating major commercial ports, TPA should look to smaller recreational harbours for inspiration. Instead of maintaining the historic facilities, it should be creating wetlands and promoting natural shore-water integration.

The anachronistic structure has perpetuated an anachronistic attitude. This has resulted in Toronto Harbour being distinguished as one of the most polluted bodies of water in Canada. The 1992 report *Clean Waters, Clear Choices: Recommendations for Action* by the Metro Toronto & Region Remedial Action Plan (MTRAP) laid out the course to a pollution-free harbour. Back then, Toronto was a major "Area of Concern" under the Canada-US Great Lakes Water Quality Agreement. MTRAP's public consultation was dismantled under the previous Ontario Progressive Conservative government led by Premier Mike Harris. In

1998, the federal government established the Port Authorities with the Canada Marine Act. Little or nothing has been done for the past 20 years to clean up pollution. The harbour still suffers from combined sewage and rainwater runoff and no provisions have been made for the growing incidents of climate change, which have led to more and more flooding in the downtown core. The port has become the City's toilet bowl.

Evolving Marine Industry

The anachronistic attitude of the Toronto Port Authority led to the failure of a major attempt to create a direct link between Toronto and the United States. Rochester, New York, made a major investment in establishing a ferry service between the two cities but the TPA made no effort at all, other than providing an out-of-the-way Port Lands' quay. Here it missed a great opportunity to give the port a modern purpose.

This quay is still used by the few cruise ships that come annually but, most of the time, it is used as a set by film companies. Harbour warehouses, no longer needed, are currently being converted into film studios under long-term leases. Meanwhile, valuable TPA land downtown is being sold off for commercial development.

To the Harbour's detriment, the TPA's great preoccupation has become its chief moneymaker, the Billy Bishop Island Airport.

Local Communities and Reconciliation with Indigenous Peoples

The Canada Marine Act insisted that these Port Authorities be self-financing. This is a mandate that the TPA has taken very seriously. Content to run the TPA as a profit-making business – \$6,368,000 in 2017 – with the airport and land development as cornerstones, there has been little attempt to reach out to the local community and certainly no effort at reconciliation with local indigenous peoples. TPA's token adherence to this mandate is to give away about a million dollars per year "in donations, sponsorships and in-kind contributions to community initiatives, activities and events." (TORONTO PORT AUTHORITY (Doing Business as PortsToronto) MANAGEMENT'S DISCUSSION & ANALYSIS – 2017) After the sale of 30 Bay/60 Harbour St. for \$96 million and the subsequent investment of these funds, TPA's annual profits are set to rise substantially, which, at most, may lead to an increase in this budget line under its current governance structure.

Safety and Security

The Harbour has become a dangerous place for most of its users and the surrounding community. There have been many near misses between small planes and the rising condo towers in the surrounding neighbourhood. Commercial flights are conducted with planes and landing facilities that violate safety regulations. Emergency vehicles inadequately serve the airport and the occurrence of a major accident is only a matter of time. The speed limits on the water are badly enforced. Small boats are constantly in danger of collisions in crowded and restricted waters. God help people who fall in the water, especially if they swallow.

Governance

When the Canadian Conservative Party came to power in 2006, it added two more members to the seven-person Board established in the Act in order maintain absolute federal control. The Ministry of Transport (MOT), in consultation with 'user' groups – who these user groups are has never been identified or explained – nominates six people; a seventh is directly nominated by the MOT. The remaining two are nominated by the Ontario government and the City (each nominates one). The Board itself selects the TPA Directors – behind closed doors! Four Committees report to the Board of Directors: the Audit & Finance Committee, the Governance & Human Resources Committee, the Communications & Outreach Committee and the Pension Committee. None address the new concerns of this review.

There is no public consultation, neither where appointments to the Board are concerned, nor with regard to the TPA's objectives and plans. The Board claims that the TPA is structured around three priority focus areas:

- Environmental Stewardship
- Community Engagement
- Economic Performance

Save for its Economic Performance, the TPA has failed to satisfy its own priorities.

It has certainly failed to meet most of the five key objectives laid out by the Ports Modernization Review:

- Supporting the competitiveness of Canada's economy by facilitating the movement of goods and passengers
- Strengthening relationships with indigenous peoples and local communities
- Promoting environmentally sustainable infrastructure and operations
- Enhancing port safety and security
- Optimizing governance and accountability, including respect to financial management

The governance structure of the TPA needs to include representatives from the real 'users' of the Harbour:

- Small-craft recreational boaters – canoeists, kayakers, sailors and small-motor boaters
- Yacht owners
- Local lakeshore resident associations
- Companies and organizations conducting business in the port
- Environmentalists and ecologists
- Indigenous peoples, and
- More than one representative from the City. The Councillors from the two surrounding Wards – 10 and 14 – should automatically be appointed to the Board.

The current *raison d'être* of the Toronto Port Authority seems to be the maximization of profit above all else.

TPA is more interested in serving as the Authority for the easy-money-making Billy Bishop **Airport** than the evolving **water port** that they may be too blind to see. The commercial repurposing and profitable development of the 56-acre port lands and other properties under its fiduciary responsibilities appear to be of more importance than meeting TPA's other two priorities – Environmental Stewardship and Community Engagement. TPA's current Board seems to lack the knowledge and interest in these areas.

TPA is falling very short of the targets set by MOT in undertaking this Ports Modernization Review. Before all else, the Governance structure of the TPA must be reformed to make it more inclusive, diverse, representative and forward looking.

Submitted by

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