

CANADA TRANSPORTATION ACT REVIEW
ONTARIO MINISTRY OF TRANSPORTATION SUBMISSION

EXECUTIVE SUMMARY

The Ontario Ministry of Transportation, in consultation with Metrolinx and partner Ministries, considered the policy issues and questions raised in the *Canada Transportation Act* (CTA) Review discussion paper released by the Review Panel. The submission aligned with provincial transformation initiatives, and issues raised are within areas of federal jurisdiction or areas of shared federal-provincial jurisdiction. Ontario's position is that federal government initiatives undertaken as a result of the CTA Review should not have an impact on Ontario's ability to set investment priorities.

As Canada's most populous province, Ontario is an important and critical hub in Canada's transportation system and generates 37% of Canada's GDP. The province's 13.7 million residents are heavily concentrated in southern Ontario and its population is expected to continue to grow at a moderate rate, reaching 17 million by 2036. To ensure Ontario's transportation system continues to serve its growing population and its diverse transportation needs, it will be important to address long term issues such as alleviating congestion in urban centres, shifting demographics, managing the impacts of climate change and transitioning towards a low carbon economy.

Ontario's submission includes two parts. **Part I** outlines Ontario's key policy priorities relevant to the national transportation policy framework, including:

A. The Foundation of A Strong, Growing Economy:

- the role of competitive systems and smart, efficient regulation;
- the need for sustained investment in climate resilient infrastructure, especially in the context of shifting towards a low-carbon economy;
- opportunities to explore innovative infrastructure funding and financing models;
- the opportunities of transforming the existing GO rail network into a Regional Express Rail (RER) service, and moving forward with other key transit investments;
- supporting an integrated multimodal system through enhanced data sharing;
- improving air industry competitiveness; and,
- expanding marine access to inland waterways and the Great Lakes.

B. Building Up Strong Healthy Communities:

- the need to strengthen accessibility standards in areas of federal regulation; and
- the opportunities and public value of promoting sustainability and environmental protection.

Part II identifies additional specific issues under the CTA, and outlines considerations for possible amendments to the legislation. Examples of issues include:

- revision of section 95 to address the proper maintenance of railway corridors (e.g., measures to prevent or mitigate wildland fires caused by derailments and railway operations; and
- clarify roles and responsibilities for railway-roadway Orders under section 101 to ensure they match roles and responsibilities under the proposed Grade Crossing Regulations of the *Railway Safety Act*.

ONTARIO'S RECOMMENDATIONS

As the Review Panel develops its recommendations to government, consideration should be given to how current arrangements may be creating unintended incentives and consequences that negatively impact the vision of a *competitive, economic and efficient* transportation system (as described in the CTA's National Transportation Policy Statement).

The federal government's regulatory and program activities related to the CTA should support the foundational economic role of our transportation systems. The safety, accessibility, sustainability and environmental impact of our transportation systems are also key factors that the Review Panel should take into consideration.

1. Regulatory and administrative actions under the authority of the CTA should reflect modal-neutrality (i.e., not 'picking winners'), and should promote a level playing field.
2. The federal government must do its part and increase its investments in infrastructure so that governments in Canada move towards the five per cent GDP annual investment necessary to drive productivity and economic growth. This could take the form of a new and dedicated infrastructure block transfer and should respect provincial priorities.

The Panel should consider how a consolidated national infrastructure plan could promote evidence based decision-making and guide federal investments.

3. The Panel should consider the role of a federal infrastructure Bank or Trust that could provide for matching infrastructure funding opportunities and institutional investors on a national scale. The Panel should also consider new financing mechanisms to support provincial investments in infrastructure (e.g. a program of federal loan guarantees to reduce provincial government costs of borrowing).
4. Clearly define in the CTA Metrolinx's rights as an urban transit authority and as a rail corridor owner, particularly in the areas of the transportation of dangerous goods and disputes involving the use of Metrolinx-owned corridors.
5. Amend the CTA to provide for the sharing of relevant transportation information with the provinces to support policy evaluation and decision making.
6. The federal government should undertake a comprehensive review of the entire aviation cost structure, considering the impact of high taxes and fees on economic growth. Transport Canada should establish and implement a plan to phase-out ground rents for airports in the National Airport System (as outlined in the June 2012 report of the Senate Standing Committee on Transport and Communications).
7. The federal government should consider increased capital infrastructure funding to Ontario's remote and municipal airports to help offset the cost associated with the introduction of new federal airport regulations.

8. The federal government should undertake consultations leading to the modernization of the *Coasting Trade Act* to facilitate improved tourism trade and all Ontario cruising itineraries on the Great Lakes and inland waterways.
9. The federal government should align federal accessibility standards under the CTA with those under the *Accessibility for Ontarians with Disabilities Act, 2005*, including: the Customer Service Standard (i.e., amending existing codes of practices to add new requirements); adopting voluntary federal codes of practice for transportation accessibility into regulation under the CTA; and, consider requiring federally-regulated municipal conventional transportation providers (e.g., Ottawa, Windsor) to adopt AODA Accessible Transportation Standard requirements.
10. The federal government's regulatory framework in the transportation sector, including the CTA, should support opportunities to help lower transportation-related emissions, and to protect and sustain transportation routes to remote communities.