

TORONTO ISLAND
COMMUNITY ASSOCIATION

102 Lakeshore Avenue Ward's Island Toronto Ontario M5J 1X8

October 30, 2018

Re. Review of Canadian Port Authorities

To whom it may concern,

Please find attached a submission from the Toronto Island Community Association (TICA) for consideration in the review of Canadian Port Authorities, specifically Ports Toronto.

TICA's submission was prepared by its Stewardship Committee and endorsed by TICA's executive after review. The Stewardship Committee's mandate includes all park and harbour development, maintenance and communications. We thank you for the opportunity to present our community's concerns.

Yours truly,

A handwritten signature in black ink, appearing to read 'Valerie Cook', with a stylized, cursive script.

Valerie Cook

Chair, Toronto Island Community Association

Review of Canadian Port Authorities

Submission to Transport Canada regarding Ports Toronto by

The Stewardship Committee of the Toronto Island Community Association

October 30, 2018

Background

The Stewardship Committee is a committee of the Toronto Island Community Association, which represents the 262 households living on Ward's and Algonquin Islands under the *Toronto Islands Residential Community Stewardship Act, 1993*. Our mandate is to remain apprised of and engaged in issues that affect the Island community, the Toronto Island Park, and the Toronto waterfront.

Committee members sit on a broad variety of stakeholder groups, including Waterfront Toronto, the Harbour Liaison Committee, Waterfront for All, and the Billy Bishop Community Advisory Group. Within the community, members are actively involved with the Ward's Dock Renewal Initiative and the First Nations Friendship Initiative, as well as working with the Toronto Region Conservation Authority and the City regarding emergency preparedness since the Lake Ontario flooding in Summer, 2017. Currently, our focus is to work closely with the City and other stakeholder groups as the City develops its Management and Master Plans for the Island.

The Ports Modernization Review

In reading the parameters for the Review of Canadian Port Authorities by Transport Canada (the Review), it is clear that Toronto's Port authority is an anomaly. It has not, for many years now, fulfilled the role of a "port of national significance" and the majority of areas of interest in the Review do not apply to Toronto's port. Shipping is at a minimum and is independently managed by the individual companies. Less tonnage passes through Toronto's port than is shipped through the town of Goderich, Ontario.

Ports Toronto has shifted its focus from the Port to the Billy Bishop Toronto City Airport (BBTCA). Prior to this shift, the organization struggled to justify its existence due to limited marine activity and untenable economics of managing a commercially diminished Port. At the same time, Ports Toronto has failed to effectively manage its core harbour responsibilities and address the changing nature of the waterfront as it has evolved into recreational, residential, and mixed-use communities.

What Toronto needs from its Port authority is an organization that will take responsibility for setting up a stakeholder organization and engaging in robust public consultation pertaining to port issues.

We are calling for the following:

1. Conduct a Master Plan for the Port in consultation with all stakeholders. This has never been done and is long overdue.
2. Develop and oversee implementation of effective harbour wall safety equipment and set standards for those responsible for putting these in place. As an example, police found a young woman who tried to commit suicide, changed her mind, but could not climb out of the water. She was found hypothermic in a tire used as a fender by the harbour police. Safety equipment around our hard walls is at times spotty, missing or inadequate.
3. Initiate discussions with Port users, including the tour boat industry and the water taxi businesses; to bring stakeholders together to develop appropriate and consensual harbour practices.
4. Ensure that maintenance and oversight of navigational aids is a priority. For example: an important buoy marking the entrance to the harbour was not lit for an extended period, which could have resulted in someone running into a half-submerged wall, while a new beacon marking the end of the newly extended spit had not yet been put in place. Once this beacon was installed, foliage was not maintained and the new beacon was obscured as a result. All of these were brought to the attention of Ports Toronto by members of the public.
5. Document ownership of the collapsing and derelict walls in and around the harbour, notably the wall along the west side of the Eastern Gap. This has been a serious safety issue and navigational hazard for many years, and has seen two separate boating fatalities resulting from nighttime collisions. Ownership of dock walls has remained contentious and unresolved due to the failure of Ports Toronto to move to rectify this very serious port safety issue and infrastructure problem.
6. Initiate discussions with the appropriate authorities to develop regulatory functions to address the issue of speeding and to ensure proper boating practices in the Inner Harbour, as it is getting busier with a wide variety of user groups engaging in stand up paddle boarding, kayaking and sailing in addition to the ferries, water taxis, tour boats and power boats. Additionally, float planes land in the Inner Harbour and require long takeoff and landing areas. The harbour police, in particular, need this in order to better enforce speed limits and other safe boating practices.
7. Improve its public relations by holding information and general meetings that are truly open and transparent. Meetings called by Ports Toronto have consistently been contentious and controversial, as they have failed to take into account the public interest on many issues and properly consult with stakeholders, but rather present issues as a 'fait accompli'. Plans to build a tunnel under the Western Gap, claiming it was not a 'fixed link' and therefore did not require a fundamental amendment to the Tripartite Agreement, is a prime example. Only when challenged at a public meeting did they then go through the proper process.

8. Ensure that any environmental assessments separate the project proponent and the approval authority. Currently, environmental assessments are done 'in house', with the terms of reference, the consultants and the approval process all managed by Ports Toronto. This creates an obvious conflict of interest.
9. Work with stakeholder groups to put the public interest first in an open, transparent and effective way. This will include working with local governments and agencies to support local planning and development initiatives, and acknowledging the interests of all users including the residential, recreational and business interests. In particular, Ports Toronto must work closely with Waterfront Toronto to revitalize Toronto's waterfront.
10. Ensure that any decisions regarding the considerable assets that are currently under Ports Toronto ownership are managed with full consultation with stakeholder groups, including the public, Waterfront Toronto and the City. These assets should not just benefit the narrow agenda of Ports Toronto but should rather be considered assets belonging to the citizens of Canada. As an example, \$93 million dollars was received from a sale of the land on Bay Street adjacent to the Harbour Commission building and was handed to the Ports Toronto. There appears to be no obligation on Ports Toronto to use it for Port improvements or waterfront development. What the Ports Toronto will do with the money remains a secret.
11. The business of Ports Toronto, including board meetings, minutes and details of financial transactions must be made available to the public.
12. Board appointments must be chosen in the broader public interest and fulfill the current mandate of true representation of stakeholder groups.

Ports Toronto and the Billy Bishop Toronto City Airport

While Ports Toronto fails on many levels to adequately manage Toronto's port, they have focused their time and resources on the Billy Bishop Toronto City Airport (BBTCA). The promotion and support of this business has been hugely contentious among all other stakeholders and remains so to this day.

While the Ports Review talks about "innovative operations...strengthening relationships...with local communities...promoting environmentally sustainable infrastructure...green and innovative transportation... protecting the environment and addressing climate change...and... enhancing port safety and security" one has to say the BBTCA does none of these things. *Other than the owners, operators and users of BBTCA, Toronto's waterfront user groups all suffer from the presence of this airport.* BBTCA primarily benefits a private business operator and props up Ports Toronto to the detriment of all other user groups.

As stewards of Toronto Islands, we have grave concerns about the impact of the airport on many levels:

- (a) **Noise:** This is a serious issue, and one that can never be fully remediated by the noise run-up enclosures. The community and Park visitors are hugely impacted, especially when certain weather conditions are at play. Hanlan's Point visitors cannot possibly enjoy the peace and quiet they expect when they come to a Park, due to the proximity of the airport.
- (b) **Safety Concerns:** There are concerns in terms of a potential crash in a densely populated area that is also in close proximity to Toronto's downtown towers. Large numbers of waterfowl live and feed near the airport and present significant collision risk: thousands of cormorants, swans, Canada geese, and gulls live, nest and migrate through the area.
- (c) **Bathurst Quay community:** The airport is a terrible infringement on the quality of life in the Bathurst Quay community. Safety issues, congestion, and pollution due to increased air traffic are a concern, and noise (in spite of attempts to mitigate it) remains very problematic.
- (d) **Air pollution:** Adding pollution to an already polluted downtown core is always a concern, especially when the new rapid train to Pearson Airport makes Pearson a viable alternative to flying out of the Islands.
- (e) **Water quality:** We have concerns about water quality due to de-icing fluids shedding into the bay as planes take off, and by the fact that it gets flushed down into our sewer system. This is our drinking water and a place where thousands are flocking to our beaches to swim in increasing numbers. No adequate environmental assessment of this impact has been undertaken.
- (f) **Environmental:** The Island is a major migratory route for both birds and Monarch butterflies. There has never been a proper study regarding the impact of the proximity of the airport to the bird habitat. Anecdotal reports indicate that long-present night herons have recently left Hanlan's Point. If general aviation is moved to the fence adjacent to the Park, as is being considered, what impact will that have on other vulnerable species?
- (g) **Park Users:** Toronto Island Park was previously compromised due to the airport operation when playground areas were removed and trees were cut and topped to permit glide paths. With Toronto's growing population and increase in Park attendance, we cannot compromise the use of our limited green space. The airport is trying to grow, squeezing onto a footprint that cannot sustain it and is impinging on public use of the Park. Further, what will be the impact of expanded general aviation on Hanlan's Point?
There has been no public consultation on this proposed plan.

Recommendations and Conclusions

It is critically important that this Review take into consideration the contentious and obstructive role Ports Toronto has had in Toronto, and how it fails to fulfill its current mandate. It is clear that Ports Toronto must undergo serious changes if it is to effectively act as a legitimate governing body of the Toronto Port and Waterfront. Working in step with the priorities of the local government and agencies is a must.

We recommend transferring the role and management of this organization and its assets to a responsible agency such as Waterfront Toronto. Toronto already has an umbrella organization that provides a long-term vision for the evolution of the waterfront and which represents the collective interests of municipal, provincial and federal governments and those agencies with a stake in the waterfront and the harbour.

At the same time, a full review of the BBTCA operations should be undertaken, with a view to preparing for the end of the Tripartite Agreement in 2033. This review should consider how to repurpose the 260 acres of designated green space for the maximum benefit of Toronto, its residents and visitors. It should also consider how to fulfill the aims stated in the Ports Modernization Review: “Sustainable and inclusive economic growth through effective governance and innovative operations”, to which we would add: “to ensure quality of life and the protection of the Toronto Islands.”

Respectfully submitted,

A handwritten signature in black ink that reads "Tony Farebrother". The signature is written in a cursive style with a long, sweeping underline.

Tony Farebrother, Chair

Stewardship Committee, Toronto Island Community Association

TICA would like to acknowledge their support for the submissions made by Waterfront for All and Community Air.