

Request to Amend the Tripartite Agreement for Billy Bishop Toronto City Airport

City Council Decision

City Council on April 1, 2 and 3, 2014, adopted the following:

1. City Council state that approval of Item EX40.1, as amended, does not in any way imply City Council's support for or against the airport expansion or the introduction of jets.
2. City Council authorize the Deputy City Manager, Cluster B to negotiate with the Toronto Port Authority and Transport Canada the following phased framework for managing growth at Billy Bishop Toronto City Airport:
 - a. Phase One:
 - i. annual origin/destination passenger cap of 2.4 million;
 - ii. peak hour flight (slot) cap of 16;
 - iii. peak hour origin/destination passenger cap of 884; and
 - iv. daily flight (slot) cap of 202;
 - b. Phase Two:
 - i. annual origin/destination passenger cap of 2.7 million;
 - ii. peak hour flight (slot) cap of 20;
 - iii. peak hour origin/destination passenger cap of 1,178; and
 - iv. daily flight (slot) cap of 202; and
 - c. Phase Three: passenger and flight (slot) caps, based on transportation capacity, community impacts and experience with the Phases One and Two.
3. City Council authorize the Deputy City Manager, Cluster B, to negotiate with the Toronto Port Authority and Transport Canada the conditions precedent of the phased framework for managing growth at Billy Bishop Toronto City Airport, that include but are not limited to:
 - a. Phase One:
 - i. commencement of an Airport Master Plan, runway extensions environmental assessment and runway extensions detailed design;
 - ii. implementation of the following measures:
 1. implementation of passenger wayfinding and route planning tools for users of the airport;
 2. taxi operational adjustments to achieve increased passenger efficiency;
 3. enhancement of shuttle service to achieve an increased modal split and regular monitoring and reporting of shuttle usage to the City;
 4. implementation of traffic monitoring for Eireann Quay and reporting to the City;
 5. implementation of an airport noise monitoring system and reporting protocol;
 6. implementation of restrictions on ground-based airport noise;

7. review of deicing and chemical management programs;
 8. implementation of air quality monitoring and reporting to the City; and
 9. construction of aircraft run-up barrier or enclosure and alternate procedures for mitigating run-up noise in the interim;
- iii. a robust plan for public and stakeholder input into all planning exercises, including the Airport Master Plan and runway extensions environmental assessment;
 - iv. participation in the Official Plan review and Bathurst Quay Precinct Plan study process (to be led by the City); and
 - v. Toronto Port Authority and Transport Canada letters to confirm full participation in the above;
- b. Phase Two:
- i. amendments to the Tripartite Agreement to require annual Noise Exposure Forecast monitoring and reporting by Transport Canada to the City;
 - ii. completion of a new Airport Master Plan by the Toronto Port Authority, aligned with the City's new Bathurst Quay Precinct Plan and Official Plan;
 - iii. a revised set of Official Plan policies for the airport;
 - iv. completion of an environmental assessment for the proposed runway extensions consistent with the letter dated February 27, 2014 from the Toronto Port Authority, with scope and components to be finalized to the City's satisfaction;
 - v. a final Code 3 airport runway design, including all modifications to airside facilities, acceptable to Transport Canada, with no changes to the airport's Marine Exclusion Zones as currently configured, that would materially encroach on the Western Shipping Channel;
 - vi. certification of the Bombardier CS-100 or similar aircraft for operation at Billy Bishop Toronto City Airport, and confirmation that such aircraft would meet the noise restrictions contained in the Tripartite Agreement, secured through provision of a remodelled Noise Exposure Forecast 25 Contour;
 - vii. funding for groundside traffic and community infrastructure improvements, to the agreement of all parties and in keeping with the findings of the Billy Bishop Toronto City Airport review, Eireann Quay Strategic Transportation Study and Bathurst Quay Precinct Plan;
 - viii. endowment of a community benefit fund for public realm improvements, housing noise reduction retrofits, and any other noise reduction opportunities;
 - ix. construction management plans for the proposed runway extensions and related work, designed to mitigate community impact (especially overnight);
 - x. mechanisms for airport operations monitoring and dispute resolution;
 - xi. enhanced remedies for non-compliance; and
 - xii. such other terms and conditions as deemed necessary by the Deputy City Manager, Cluster B, in consultation with the City Solicitor; and
- c. Phase Three:
- i. funding for additional groundside traffic and community infrastructure improvements, to the agreement of all parties;
 - ii. advancement of, and coordination with, appropriate public transit improvements,

- including the Western Waterfront Light Rail Transit;
 - iii. coordination of transportation infrastructure to improve access and egress of airport passengers with plans for the Canada Malting site redevelopment; and
 - iv. such other terms and conditions as deemed necessary by the Deputy City Manager, Cluster B, in consultation with the City Solicitor.
4. City Council request the Toronto Port Authority to submit a letter confirming the agency's commitment to managing growth at Billy Bishop Toronto City Airport through caps and phasing. The Toronto Port Authority should confirm:
- a. its commitment to satisfy the conditions precedent for Phase One; and
 - b. its willingness to negotiate required Tripartite Agreement amendments and any other agreements for Phase Two and Phase Three approvals.
5. City Council request the Government of Canada (represented by the Minister of Transport) to submit a letter confirming the government's commitment to managing growth at Billy Bishop Toronto City Airport through caps and phasing, and their engagement in negotiating required Tripartite Agreement amendments for Phase Two and Phase Three approvals.
6. City Council direct the Deputy City Manager, Cluster B, to include as part of the negotiations, limiting commercial jet-powered aircraft to 25 percent of daily flights (slots).
7. City Council direct the Deputy City Manager, Cluster B, to include general aviation use at Billy Bishop Toronto City Airport as part of the negotiations with the Toronto Port Authority and Transport Canada.
8. City Council direct the Deputy City Manager, Cluster B to ensure that the Toronto Port Authority defines and protects the role of general aviation at Billy Bishop Island Airport during the negotiations authorized by City Council.
9. City Council direct the Deputy City Manager, Cluster B, to include as part of the negotiations, that any costs of the infrastructure associated with amendments to the Tripartite Agreement shall be at no cost to the City and not from any funding envelopes available to the City including the Build Canada Fund.
10. City Council direct the Deputy City Manager, Cluster B, to undertake consultation with Waterfront Toronto during any negotiations with the Toronto Port Authority and Transport Canada, including any planning, design, mitigation or other work as related to the Billy Bishop Toronto City Airport.
11. City Council direct the Deputy City Manager, Cluster B to ensure that any potential changes to the Tripartite Agreement are not dependent on any particular airline carrier or its commercial arrangements, including an initial public offering.
12. City Council direct the Deputy City Manager, Cluster B to ensure that the creation of a new road extension of Dan Leckie Way is not included in any negotiations or plans to facilitate airport expansion.
13. City Council refer Item HL27.3 to the Deputy City Manager, Cluster B for consideration during negotiations related to Billy Bishop Toronto City Airport and direct the Deputy City Manager, Cluster B to include in his report back, consideration of:

- a. the health impacts identified by the Medical Officer of Health; and
 - b. the report on the "Air Quality Review Final Report" by RWDI Consulting Engineers and Scientists.
14. City Council direct the Deputy City Manager, Cluster B, to report back to the Executive Committee with the outcome of the negotiations including all recommended Tripartite Agreement amendments.
 15. If, prior to the Deputy City Manager, Cluster B's report back to City Council on proposed amendments to the Tripartite Agreement, the Deputy City Manager, Cluster B becomes aware of ownership changes of the air carriers or the airport facilities including the terminals, City Council direct the Deputy City Manager, Cluster B to report to City Council to make City Council aware of these changes.
 16. City Council direct the Deputy City Manager, Cluster B to review all existing safety documents related to Billy Bishop Toronto City Airport and report to City Council with a comprehensive review of all Transport Canada exemptions and rationale for these exemptions.
 17. City Council request Transport Canada to communicate any future safety exemptions related to runway expansion and the rationale for these exemptions.
 18. City Council direct that the Airport Master Plan and Environmental Assessment include a review and analysis of:
 - a. the impact that expansion of the Island Airport may have on the bird populations in the Inner Harbour Area and Tommy Thompson Park; and
 - b. the potential danger that existing bird populations and bird colonies may pose to air traffic and air passengers.
 19. City Council direct the Deputy City Manager, Cluster B to consult organizations including Bird Studies Canada, Animal Alliance of Canada, Toronto and Region Conservation Authority and the Toronto Field Naturalists during the preparation of the Airport Master Plan and Environmental Assessment.
 20. City Council direct the Deputy City Manager, Cluster B, to undertake further studies and consultations that may be necessary arising from this review.
 21. City Council direct the Chief Planner and Executive Director, City Planning to report back to City Council through the Planning and Growth Management Committee on alignment of the Airport Master Plan with the City's policies and objectives, the Official Plan and the Bathurst Quay Precinct Plan.
 22. City Council receive for information the report (November 21, 2013) from the Deputy City Manager, Cluster B.