



December 11, 2020

Marcia Jones
Chief Strategy Officer
Canadian Transportation Agency
15 Eddy Street
Gatineau, QC, K1A 0N9

Via email: marcia.jones@otc-cta.gc.ca

**Re: Canadian Transportation Agency Request for Submissions
Consideration of Exemptions - ATPDR provisions**

Dear Ms. Jones,

Thank you for the opportunity to provide input regarding the possible extension by the Canadian Transportation Agency (CTA) of its existing Exemption Order, issued in June 2020, and to consider exemptions relating to certain provisions of the ATPDR that will come into force in June 2021 and 2022, in light of the ongoing impacts of COVID-19.

We respectfully request that the CTA extend the existing Exemption Order and provide an exemption with respect to provisions of the ATPDR that are due to come into force in 2021 and 2022 as discussed in this letter.

As we highlighted in our letters of April 9 and August 21, the COVID-19 pandemic continues to have a devastating impact on the aviation industry as a whole as well as at Toronto Pearson, and on the Greater Toronto Airports Authority (GTAA).

Data for three quarters of 2020 shows that passenger volumes have decreased by 70 per cent compared to 2019. At Toronto Pearson, the majority of the traffic for 2020 so far is from the first quarter. Q3 2020 compared to Q3 2019 shows that passenger volumes decreased by nearly 90 per cent (88%). The impact of the pandemic continues to severely reduce our revenues. As you likely know, airports like Toronto Pearson are established as a user pay model where we are solely reliant on passenger traffic for revenues (due to COVID-19's severe impacts, the federal government has waived the payment of ground rent by the GTAA since April and the GTAA has participated in the government's CEWS program). Our revenues come from aeronautical revenues such as landing fees from airline partners. With very little passenger travel, aeronautical revenue is down significantly. The second source of revenue is non-aeronautical which is comprised of passenger purchases at retail and AIF on ticket sales. As a result of the precipitous drop in revenue, we have had cut expenses dramatically. The

**Greater Toronto
Airports Authority**
P.O. Box 6031
3111 Convair Drive
Toronto AMF, Ontario
Canada L5P 1B2

P 416.776.3000
F 416.776.7746

GTAA.com



torontopearson.com

GTAA reduced its workforce by over 500 positions and has greatly reduced capital spending and operating expenses.

Due to the significant impacts of the pandemic, the GTAA has focused on new touchless processes, innovative technologies, and safe travel solutions for passengers with disabilities. To help keep passengers safe and build the public's confidence in Toronto Pearson, the GTAA developed and implemented its Healthy Airport program, which created solutions for all passengers to safely traverse various aspects of the airport journey. To support persons with disabilities, the GTAA has deployed solutions well exceeding requirements of the ATPDR, including the development of five (5) post-security designated pet relief areas, becoming the first airport in Canada to launch the Sunflower Lanyard program for individuals with hidden disabilities, extending our agreement with Aira for passengers with sight-loss, and will have deployed hearing loops at key information counters, government agency spaces, and Lost & Found facilities by the end of this year. These additions are only some examples of the changes introduced for persons with disabilities in 2020. As we have reiterated in the past, we strongly support the intent of the ATPDR, and our goal is to ensure that every traveller has a seamless experience through Toronto Pearson.

The GTAA continues to prioritize and implement new initiatives to deliver a safe and healthy airport experience which remains our essential objective. It is clear that the severe impacts of the pandemic are not fleeting and will be with us for several years and continues to present us with many challenges that we had not expected prior to the arrival of COVID-19. It is in this context that we are writing to express our concerns with certain provisions of the ATPDR that are due to come into force in 2021 and 2022, specifically regarding Automated Self-Service Kiosks and Wheelchairs, as well as request continuations of the exemptions made in the Temporary Order.

Automated Self-Service Kiosks

As you are aware, the requirement in the regulation is that all airport authority owned or controlled self-service kiosks must be accessible by June 25, 2022. Nearly 47 per cent of the GTAA's owned or controlled self-service check-in kiosks are currently accessible (meeting the National Standard noted below) and we are working with third party organizations, including government agencies, such as Canada Border Services Agency ("CBSA"), and manufacturers for parking kiosks to ensure the remaining products meet the National Standard of Canada CAN/CSA-B651-07 (R2017), as specified under the ATPDR. The requirement for accessible kiosks builds on the CTA's Code of Practice which requires at least 25 per cent of the check-in kiosks be accessible. As you can see, we are well above this requirement.

While the GTAA had initiated plans to replace the check-in, government agency, and parking self-service kiosks with newer accessible technologies, these efforts have been temporarily suspended by the significantly reduced capital expenditure program and the deferral of many programs about which we do not know when, or if, they will restart. The impact of COVID-19 significantly interferes with the GTAA's ability to achieve the June 25, 2022 compliance date under the ATPDR. Of equal significance, the pandemic has also pushed the industry to review alternative touchless technologies, which may require the GTAA to move away from physical

kiosk technology and towards a solution driven primarily from a user's handheld device, such as a personal cell phone. Additionally, the GTAA is working with the United States Customs and Border Protection ("U.S. CBP") and the CBSA on border modernization strategies, which would enable low or no touch processes.

While these programs are underway, the implementation date is subject to many variables, including foreign government involvement, and may not be in place prior to the June 25, 2022 ATPDR compliance date. Should the GTAA be required to install accessible kiosks within the U.S. CBP or CBSA area for a short period of time in order to meet the compliance dates within the ATPDR, only to remove and replace them with touchless/biometric technologies, the installation of kiosks would result in an additional capital expenditure to the GTAA for the purpose of achieving the June 25, 2022 compliance date, and for no other purpose. We respectfully submit that expending millions of dollars of scarce capital resources in this manner is unreasonable and not warranted in light of the rapid innovations being developed related to passenger processing which are designed to improve health and safety.

The GTAA's recommendation is that the regulation be amended to require airports to replace their current kiosks with accessible kiosks as part of their normal asset replacement cycle or no later than June 25, 2025, whichever is sooner. Until such time, airports should also be required to maintain a minimum of 25 per cent accessible check-in kiosks per the current requirement in the Code of Practice, subject to technological innovations that may replace such kiosks with the benefit of improved health and safety for users.

Wheelchairs

The GTAA owns approximately 1600 common-use wheelchairs, which are utilized by the air carriers at Toronto Pearson. While many of the wheelchairs located within the terminals meet the requirements of the ATPDR, "aisle chairs" utilized to board the aircraft are required under the ATPDR to have movable armrests. The modifications required to make them compliant would render the current chairs unusable while being modified and, therefore, modification is not an option. Instead, the aisle chairs will need to be replaced to be compliant with the ATPDR as of June 25, 2021. The GTAA anticipates approximately 50-100 aisle chairs will need to be replaced, which are otherwise in good working condition. As the cost is borne by the air carrier community, replacement of the chairs will further impact their financial situation as they strive to recover from the impacts of COVID-19.

Our recommendation is that the aisle chairs be replaced as part of the normal asset replacement cycle or no later than June 25, 2025, whichever is sooner.

Matters relating to the existing Exemption Order

Curbside Services

Air carriers at Toronto Pearson have provided curbside services to their passengers, including persons with disabilities, for many years. This included meeting the passenger at the curbside adjacent to the terminal building, to/from the parking garage connected to the terminal building, to/from public transportation, and from the public arrivals area to their final mode of transportation. Under the ATPDR, Terminal Operators are now required to provide curbside services, unless an airline is providing them. Accordingly, the GTAA has provided the air carriers an option to continue providing curbside services through their own employees or service provider, or the option of procuring curbside services through a service provider retained by the GTAA. Most air carriers have elected to use their own employees or service provider to continue to provide curbside services to their passengers.

We respectfully recommend extending the existing Exemption Order and further recommend replacing the need for curbside services to be provided “without delay” with appropriate time-based service levels reflective of the current operating environment.

Public Announcements inside Terminals

The GTAA had raised concerns with the implementation of “visual paging” throughout the consultation process and in its April 9, 2020 letter to the CTA. The complexities of the GTAA’s Public Announcement (“PA”) system require the involvement of many providers from around the world. While the GTAA has developed a methodology to communicate safety and security announcements in an audio and visual format, the requirements of carriers to communicate public announcements within the departure gate is still underway. A current manual process has been introduced until an automated solution can be fully developed.

Our recommendation is to defer the enforcement of financial penalties with respect to Public Announcements inside Terminals for the air carriers operating at Toronto Pearson.

Training

While the GTAA has developed and implemented a new training program, in compliance with the ATPDR, the training of third-party organizations providing services on behalf of the GTAA is challenging in an environment where airport staffing has been reduced by over 13,000.

While the GTAA has extended its training program to assist service providers at Toronto Pearson, our strong recommendation is to extend the existing Exemption Order to provide more time for the relevant service providers to complete training their staff.

Our Commitment

Over the past years, the GTAA has made significant progress in advancing the needs of persons with disabilities while travelling through Toronto Pearson. This included a new approach, working directly with advocacy groups for persons with disabilities to co-create an inclusive and hassle-free airport travel experience. The changes ranged from technology based, such as the introduction of American Sign Language video translation units, to process and flow, such as enhancing the in-terminal shuttle system or hosting a tour for young children with autism and their families to simulate the airport experience, providing a level of confidence in booking future travel and understanding how their children may respond to the busy airport environment. The GTAA remains committed to achieving the ATPDR requirements and working closely with the CTA, the 400 organizations operating at Pearson, and advocacy groups for persons with disabilities to facilitate seamless travel for persons with disabilities. We have and will continue to work towards implementation in areas where we are able to proceed and continue to develop accessible travel solutions that exceed the ATPDR requirements to continuously improve the barrier free travel experience for all passengers. It is our hope that the CTA recognizes the commitment to improving the experience for passengers with disabilities, while taking into account the unprecedented impact of the current crisis on both airports and airlines.

The GTAA kindly requests the CTA extend the existing Exemption Order and provide an exemption in respect of the provisions of the ATPDR due to come into force in June 2021 and 2022 as discussed in this letter.

As the existing Exemption Order is set to expire on January 1, 2021, the GTAA would appreciate a response to this letter by Friday, December 18, 2020.

Should you have any questions, we would be happy to have a further discussion regarding the ATPDR provisions pertaining to the matters set out above given the severe impact of COVID-19 and the expected multi-year recovery in air travel. We respectfully request that the existing Exemption Order be extended and exemptions be granted relating to the provisions due to come in force in June 2021 and 2022 as described in this letter.

Sincerely yours,

Atul Sharma
Manager, Government and Stakeholder Relations