

Honorable Marc Garneau

Minister of Transport

House of Commons Ottawa, Ontario Canada K1A 0A6

By email: marc.garneau@parl.gc.ca December 12, 2018

Buttonville Airport and Nav Canada's erroneous Study

I am writing to as the President of the Buttonville Flying Club (BFC). BFC is a 200 plus member group of pilots and aviation supporters who are dedicated to safe and enhanced general aviation flying from the Buttonville Airport.

Key points;

You, or a Transport Canada spokesperson recently was quoted in the media as having relied on Nav Canada providing Transport with a credible case to close the Buttonville Airport tower. This was in response to media stories calling the decision of Nav Canada to close the Buttonville Tower January 3rd 2019 short sighted and unsafe. I am sorry to inform you that you have been misinformed/mislead by Nav Canada. The original study on which you relied that was signed off by a number of senior Nav Can managers and published in March 2018, had significant factual errors and makes a knowingly misleading statement about traffic forecasts. Additionally, since then Nav Can have "doubled down" on its flawed study by then by "strangling" the tower operations to provide justification for the closure even though they admit that the traffic at Buttonville has doubled since last year.

Nav Canada made a subsequent concerted effort over the summer to make sure that contrary information did not surface to change the decision. Additionally, they "accidentally" made an error which closed off the ability for IFR pilots to use the instrument approach to the main south east runway for 56 days this late summer and fall.

Safety at Buttonville airport and around the high use westbound Pearson Airport approaches is being compromised due to what appears to be Nav Canada's desire to "pinch pennies" and not admit they did a flawed study.

This letter is to ask you to take steps to reverse this dangerous decision.

Background:

In 2017 Nav Canada did an inhouse study* (appendix A) which had limited input from the users of the Airport. What input they received they appear to have ignored. They then published the report in March of 2018 (but dated it October 2017). In the justification for closure of the airport tower they produced a table to justify their decision with significant and obvious errors*. (see Appendix B for the Table and its errors illustrated.) The table showed a number that was on its face wrong and obvious to any reasonably alert reader. It showed a number of totals for a year when the numbers were obviously incorrect. The document had an obvious mislabelling and then repeated it 18 times. It was as if no one checked the document for accuracy or logic because the decision had been made even before the study was written. Additionally, at least 6 senior people signed off on the document with its obvious errors.

During the period from the end October (the date on the study) to when it was published in March no one corrected the data nor updated the tables with numbers that Nav Canada knew were changing (as they count the numbers). In fact, the traffic was more than doubling, as they had been told would happen by the people they ignored in their "consultation".

On the Executive Summary page* (Appendix C an extract from Appendix A) which justifies the closure, there is a forecast for traffic used to justify closure. This "12 month forecast" was lower than the traffic already seen at the airport 10 months into the year when the study was dated. This indicates either wilful neglect of facts or incompetence. (Appendix D shows the traffic totals for 2017 and 2018 as published by Statistics Canada on data provided by Nav Can on an "apples to oranges" basis.) I will let you judge based on the Appendices A, B, C and D.

I believe that Nav Canada had decided to close Buttonville Tower early in 2017 and then wrote and published the document with all its errors in early 2018 regardless of the actual facts on the ground and the growing traffic numbers.

Then, when the Airport operators went to court to halt the closure, Nav Can said they would halt the planned closure on July 19 and restudy the numbers. However, they cut the number of hours for the tower on July 19 anyway (from 16 hours a day to 12 hours per day or -25%) so that traffic numbers would fall as the tower personnel were no longer there to count the traffic. They said that London FIC would count some of the traffic but they did not expect much. As they do the count it is hard to argue the numbers they then give you. Notwithstanding that "apples to oranges" comparison, Nav Can counted traffic still increased two times in the year to the end of September 2018 vs 2017. Before the tower hours were cut 25% it was on track well beyond that. (see Appendix D for Stats Canada tower numbers and growth %'s.) As they apparently did not like to have to show the traffic doubling when they were trying to justify shutting it down, they again cut tower hours in the fall from 12 hours per day to 9 hours again a -25% cut and announced they would close the tower on January 3, 2019.

Additionally, Nav Can during this period when traffic was more than doubling (Appendix D), lowered the bottom of the Pearson (CYYZ) zone 500 feet and reduced the height and size of the Buttonville zone by more than 25%. This made it more difficult for aircraft to use the zone. This contradicts the standard Rules of the Air 4.5.1 which says MFs should be capped 3000 ft above the airport (Buttonville now is less than 1400 feet deep now). In fact, with the tower shutdown this will close the 404/DVP VFR route into CYTZ and force itinerant traffic closer to Pearson as they go through the Downsview area to the west or further around the Buttonville Area to the east (see CARs 602.96 – it requires overflights to be at 2000 above the airport). This shrinking is in a compressed area of very complex and mixed traffic which extends well above and around the zone in what I can only assume is the busiest airspace in the country, is unsafe. This will be confusing to transient pilots and completely counter intuitive to have a main VFR route into CYTZ no longer follow the 404/Don Valley route. As the area above the Buttonville zone is the main approach area for Pearson, which is now 500 feet closer to the ground, the additional concerns we have are that now wake turbulence from heavy Pearson bound traffic is likely to be even more dangerous. It appears that Nav Can did this adjustment to the Control Zone without any consultation and again just to cut the numbers to justify cutting a tower. This area needs a tower to coordinate the traffic and keep it safe.

The movements Nav Can count apparently do not count the traffic that overflies the field going through the zone. This seems rather counter intuitive (and different than done at other fields) as the traffic

transiting the Buttonville zone includes numerous planes from the Island CYTZ like air ambulances, itinerant aircraft to/from points north and east of Toronto that will now be forced to either go through Downsview or further east and funnel through eastern Scarborough and over more homes and less open areas. Additionally, it also appears that they have stopped counting the Helicopter traffic in the zone now (contrary to historical norms). As there are three helicopter operators at Buttonville this seems another indication of bias against the airport.

Nav Can also “accidentally” closed the main South runway (15) instrument approach for almost two months starting in September by renaming a fix in the approach that was not allowed by ICAO rules. They changed the approach then published and distributed the approach with the improper name and so it had to be scrapped for 2 revision cycles (until November). The decision was made to rename the existing fix “WELLA” which was a fix name used less than 70 miles away from Buttonville for a Buffalo missed approach and hence not usable for Canada. Why the fix had to be changed was never well explained and why it was done incorrectly looks like a pattern of petty harassment, the opposite of improving safety.

This cut, coupled with the Mandatory Frequency rules that apply when there is no tower, mean that traffic around Canada’s busiest airport and congested overall airspace is becoming less and less safe for Canadians.

In discussions with Buttonville Airport Operations Nav Canada has announced the closure but apparently refuses to cooperate to make the closure seamless and safe. Given the response (or lack of response to my questions to Nav Can) I can certainly believe the operators’ complaints.

When the numbers did not match the decision they wanted to make, Nav Can appear to justify their decision by taking steps to ensure that traffic stayed away from the airport and/or was not counted and thus making it appear that the traffic numbers were not growing enough to meet their criteria so they could then justify the closure. This behaviour should not be condoned. As a user of Buttonville I believe Nav Canada has acted in bad faith and contrary to its mandate to improve safety.

Next Steps:

Please revoke the Transport Canada sign off on the closing of the Buttonville Tower due January 3, 2019 and require Nav Canada to do a proper, fair and full study of the safety considerations in Canada’s most complex and busy airspace, not as just a stand alone tower operation.

Revise and restore the 2500 foot control zone and MF zone of Buttonville to accommodate the north-south flow of traffic to CYTZ (the Island) through the zone.

Cancel the planned closure of the Buttonville tower until Nav Canada has done a proper study of the whole Toronto traffic. Keep the Buttonville tower open after January 2nd 2019!

A wise person once said that “an error is not a mistake until you deliberately fail to correct the error”. Nav Canada has shown a pattern of errors and bias against Buttonville Tower. I ask that you, as Transport Canada, correct these errors and avoid making a major safety mistake in Toronto.

David Sprague, President of the Buttonville Flying Club (BFC)