WeirFoulds LLP

Aviation & Transportation

Transportation and the investment, creation and/or revitalization of any network is essential for the forward movement of the Canadian economy and connecting it to the world. To be engaged in this space requires a partner with experience and extensive knowledge of not only the transportation sector and its players, but the legal, commercial, operational, regulatory and technical issues that accompany these types of operations.

Our lawyers represent air operators, including domestic and international air carriers, in regulatory, litigious and commercial matters. We provide advice on the establishment of air services and assist in navigating the multi-faceted legal requirements from start-up to mature operation. We regularly appear on our clients' behalf in provincial and federal courts and represent them before the Canadian Transportation Agency, the Transportation Appeal Tribunal of Canada, the Canada Human Rights Tribunal and other tribunals and departments of government involved in the administration of laws affecting the aviation industry.

In the case of foreign operators such as air carriers or other travel intermediaries, we provide a full range of services relating to the day-to-day operations of an aviation business in Canada including, reviewing and drafting commercial agreements, commercial leasing, employment advice, protection of intellectual property, local licensing, privacy issues and business start-ups.

Since 1907 when our then partner, George F. Shipley K.C. was appointed by the Board of the Railway Commissioners for Canada to examine toll rates across the country, we have partnered with our clients that include governments, government agencies, private sector developers, operators, lenders and P3 investors on projects in Canada for governments, government agencies and private sector entities in the air, transit and urban mass transit, truck, bus, and rail sectors of the transportation industry.

Our litigators represent clients in hearings before the Canadian Transportation Agency, the Transportation Appeal Tribunal of Canada, the Canadian Human Rights Tribunal and the courts. We also defend vehicle and equipment manufacturers and retailers in product liability claims and class actions.

If you would like to speak to one of our lawyers, please contact Carlos Martins.

Lawyers and professionals in this area

Carlos Martins
Partner
416.619.6284
cmartins@weirfoulds.com

Daniel Ferguson
Partner
416.947.5029
ferguson@weirfoulds.com

Sean Foran
Partner
416.947.5019
sforan@weirfoulds.com

Ralph Kroman
Partner
416.947.5026
rkroman@weirfoulds.com

Michael Lieberman
Partner
416.947.5091
mlieberman@weirfoulds.com

Andrew MacDonald
Partner
416.619.6291
amacdonald@weirfoulds.com

Anna Morrish
Associate
416.947.5075
amorrish@weirfoulds.com

Adam Varro
Associate
416.947.5085
avarro@weirfoulds.com

Areas of Expertise

- Canadian Transportation Agency hearings
- Certificates of fitness
- Class actions (defence)
- Compliance
- Customs
- Environmental requirements
- Equipment leasing
- Insurance
- International trade
- Interswitching rates
- Labour and employment law
- Licences
- Litigation
- Permits
- Product liability
- Product recalls
- Renewable fuel requirements
- Safety

- Transportation contracts

Representative Experience

- We act for air carriers and the general aviation community (and their respective insurers) in commercial and liability claims, including: Passenger injury claims; Lost, delayed, damaged baggage and/or cargo; Transportation of inadmissible passengers into Canada; and Commercial claims as between aviation industry participants.
- We act for air carriers in complaints before the Canadian Human Rights Tribunal and the Canadian Transportation Agency, including complaints relating to: Presence of kirpans (Sikh ceremonial daggers) in the cockpit of an aircraft; Carriage of obese passengers; Carriage of passenger requiring a medical attendant for travel; Carriage of passengers who require a stretcher; Accessibility requirements of passengers in the airport terminal; and Loss, damage and/or pilferage of checked baggage
- We have acted for dozens of trucking companies, including two of Canada's top 10 largest for-hire carriers. We also act for a number of bus companies, including one of Canada's two largest national bus companies.
- For both our trucking and bus clients, we protect their ability to operate by keeping their CVOR (Commercial Vehicle Operator's Registration), which is, in effect, their licence to carry on business, in good standing. In addition, bus companies require an operating licence under the *Public Vehicles Act*.
- We have acted on many of the leading cases involving the trucking and bussing industry before the Licence Appeal Tribunal, *Public Vehicles Act*, and the Ontario Highway Transport Board.
- Cases in which we have been engaged have shaped the test the Registrar of Motor Vehicles must meet for the Tribunal to uphold a proposed CVOR suspension. *Don Hislop Trucking Ltd. v. Registrar of Motor Vehicles* (October 28, 2004) and *Thistletown Motor Freight (2003) Inc. v. Registrar of Motor Vehicles*, [2006] O.L.A.T.D. No. 580. We have also argued the leading case on absolute versus strict liability offences and the defence of due diligence in the regulatory context. *R. v. Transport Robert (1973) Ltée* (2003), 68 O.R. (3d) 51 (C.A.).

WeirFoulds LLP

www.weirfoulds.com

Toronto Office
4100 – 66 Wellington Street West
PO Box 35, TD Bank Tower
Toronto, ON M5K 1B7

Tel: 416.365.1110
Fax: 416.365.1876

Oakville Office
1320 Cornwall Rd., Suite 201
Oakville, ON L6J 7W5

Tel: 416.365.1110
Fax: 905.829.2035

© 2026 WeirFoulds LLP