

Clause embodied in Report No. 3 of the Planning and Transportation Committee, as adopted by the Council of the City of Toronto at its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001.

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**Application by the GTAA to Amend the Official Plans
of the Former Municipality of Metropolitan Toronto
and the Former Cities of Etobicoke and North York
(Ward 2, Etobicoke North; Ward 3, Etobicoke Centre;
Ward 7, York West)**

(City Council at its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001, amended this Clause:

(1) in accordance with the recommendations of the West Community Council embodied in the communication dated April 10, 2001, from the City Clerk, wherein it is recommended that the Clause be amended by:

(a) adding thereto the following:

“It is further recommended that:

(i) policies be added to the Official Plan that would require an appropriate periodic update of the federal NEF/NEP contours and a concurrent periodic review of Official Plan policies related to the Airport Operating Area (AOA), such review to include the Greater Toronto Airports Authority’s (GTAA) operations compliance with the boundaries of the AOA; and

(ii) the Ontario Municipal Board be requested to ask Transport Canada to:

(1) review the accuracy of the new curves produced by the GTAA, especially for areas which never lied in the NEF/NEP curve before; and

(2) determine if the reason for adding new areas to the NEF/NEP 30 curve is a result of the GTAA failing to adopt appropriate Noise Management Policies.”; and

(b) deleting from Attachment No. 2 to the report dated March 22, 2001, from the Commissioner of Urban Development Services, headed “Revised Staff Recommendations for Proposed Official Plan Amendments”, Part 2. (3.1.2, 122.1), viz.:

- ‘2. Amend Section 3.1 *ECONOMIC DEVELOPMENT* by adding the following new Section:

“3.1.2 Policies Respecting Lester B. Pearson International Airport

122.1 to recognize Lester B. Pearson International Airport (L.B.P.I.A.) is as an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Toronto and the Greater Toronto Area. The presence of L.B.P.I.A. provides national and international transportation linkages, creates significant employment and generates many direct and indirect economic benefits. Because of its significance, it is a priority of this Plan to ensure that new development is compatible with airport operations.” ’; and

- (2) by adding thereto the following:

“It is further recommended that the report dated April 19, 2001, from the Commissioner of Urban Development Services, embodying the following recommendation, be adopted:

‘It is recommended that Council instruct City Legal staff to request the Ontario Municipal Board to make the additional policy amendments and mapping changes identified in this report.’ ”)

The Planning and Transportation Committee recommends that the report (March 2, 2001) from the Commissioner of Urban Development Services be adopted subject to:

- (a) **in view of the representation made by the Greater Toronto Airports Authority and their request that the NEF/NEP noise contours be established as a fixed boundary amendment to the City of Toronto Official Plan, any NEF/NEP noise contours and corresponding flight paths not be adjusted without an amendment to the Official Plan boundaries, and that statutory community consultation pursuant to the Planning Act be provided; and**
- (b) **the adoption of the further report (March 22, 2001) from the Commissioner of Urban Development Services subject to amending Attachment No. 2 of this report titled “Revised Staff Recommendations for Proposed Official Plan Amendments”, by inserting in Point 1. headed “Section 2.4 TRANSPORTATION”, the word “public” prior to the word “transit”, so as to read:**

‘It is the policy of Council:

- “95. to encourage initiatives by the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport and to encourage initiatives by the federal and**

provincial governments to undertake and develop public transit facilities from downtown Toronto to Lester B. Pearson International Airport.” ’

The Planning and Transportation Committee reports, for the information of Council, having:

- (1) forwarded the reports (March 2, 2001 and March 22, 2001) from the Commissioner of Urban Development Services, together with all related material and notice of the action taken by the Planning and Transportation Committee in this respect, to the North and West Community Councils for public consultation at their next meetings on April 4, 2001 with a request that they forward their comments thereon directly to City Council for its meeting on April 24, 2001; and
- (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on April 24, 2001, on:
 - (a) the financial impact of sound modifications with respect to construction or reconstruction of school buildings; and
 - (b) the potential to further reduce the impact of the contour lines on the Markland Woods community in the former City of Etobicoke.

The Planning and Transportation Committee submits the following report (March 2, 2001) from the Commissioner of Urban Development Services:

Purpose:

To consider a proposal by the Greater Toronto Airports Authority to amend the Metropolitan Toronto, Etobicoke and North York Official Plans.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) City Council, following consideration of the comments received at the public meeting, instruct City Legal staff to request the Ontario Municipal Board to amend the Metropolitan Toronto, Etobicoke and North York Official Plans generally in accordance with the draft amendments attached to this report;
- (2) City Council, by resolution, insert a new Appendix “F” into the Metropolitan Toronto Official Plan; and
- (3) City Council, by resolution, delete Appendix “A” from the Etobicoke Official Plan.

Background:

On July 7, 2000, the Greater Toronto Airports Authority (GTAA) submitted an application to amend the Metropolitan Toronto, Etobicoke and North York Official Plans. The proposed amendments would:

- (a) establish policies in the Plans that recognize the importance of the Lester B. Pearson International Airport (the Airport) to the economy of the City;
- (b) establish policies in the Plans that promote the establishment of transit facilities from downtown Toronto to the Airport;
- (c) establish policies and map schedules in the Plans that would create an “Airport operating area”. The proposed policies would prohibit new residential and other sensitive land uses and the redevelopment and infilling of existing uses not permitted by the current zoning; and
- (d) add a definition of “sensitive land uses” to the Plans.

The GTAA has appealed their application to the Ontario Municipal Board (OMB) due to the expiration of the statutory 45 day period for the holding of a public meeting. A pre-hearing conference of the OMB was held on the application on January 5, 2001. At that time, City Legal staff requested the Board to postpone the hearing until the City could hold a public meeting and establish a position on the application. The Board agreed with the City and has scheduled another pre-hearing conference for May 11, 2001, with the actual hearing commencing on June 26, 2001. It is important that the City establish a position on the applications, at the City Council meetings of April 24, 25, 26 and 27, prior to the second pre-hearing conference.

On December 20, 2000, the GTAA made an amendment to their original application to take into account some of staff’s concerns. On March 1, 2001, the GTAA provided another letter which supported revised wording of the policies in their application and revised operating area mapping. These amendments were based, in part, on discussions between City staff and the GTAA. However, to provide clarity on the proposal, the following discussion outlines staff’s position on the applications as originally submitted.

Comments:

The Form of the Proposed Official Plan Amendments

The City of Toronto receives a number of applications each year to amend its Official Plans. Almost all of these applications are submitted to allow new developments not otherwise permitted by the Official Plans. It is very rare for the City to receive an application to insert new policies into its Plans. The form (style) of the City’s Official Plans, should be controlled by the City, since after amendments are made, the amendments become part of the City’s official policy.

The GTAA is proposing to amend the Metropolitan Toronto Official Plan as well as the Etobicoke and North York Official Plans. Since the creation of the new City of Toronto, new planning policy initiatives with City-wide implications have been placed in the Metropolitan Toronto Official Plan. Corresponding policies in the former local municipal Official Plans have been deleted. Until the City's new Official Plan is in place, the Metropolitan Toronto Official Plan is the only Plan which speaks for the whole City. Although the GTAA has requested that Council add policies to the Etobicoke and North York Official Plans, it is staff's recommendation that any new Airport related planning policies should only be placed into the Metropolitan Toronto Official Plan and that any existing Airport related policies in the Etobicoke Official Plan be deleted. (The North York Official Plan does not currently contain any policies relating to the Airport). The Etobicoke and North York Official Plans should only be amended to cross reference the Metropolitan Toronto Official Plan policies.

The GTAA has also proposed to remove appendices relating to Airport noise, from the Etobicoke Official Plan via an Official Plan Amendment. This is not necessary since the appendices do not form part of the Plan. The appendices can be removed by Council resolution.

The Economic Importance of the Pearson Airport

The Airport is a major economic generator for both the City of Toronto and Southern Ontario. The Airport provides economic benefits both in terms of businesses that directly support Airport operations and to businesses that rely on the shipment of air cargo and business travel. This is becoming increasingly necessary in today's global economy. The Airport also plays an important role for the tourism industry in the City.

Part of the GTAA's proposed amendments to the City's Official Plans are policies which recognize the importance of the economic benefits of the Airport to the City. City staff do not object to the inclusion of these statements in the Metropolitan Toronto Official Plan subject to minor wording changes.

Improved Public Transit to the Airport

The GTAA's proposed amendments include policies which promote the establishment of transit facilities to bring passengers from downtown Toronto to the Airport. The Planning Act states that no public works can be undertaken by a municipality if they do not conform to the Official Plan. The inclusion of a policy to support public transit to the Airport in the Metropolitan Toronto Official Plan would not obligate the City to provide public transit to the Airport, nor would it obligate the City to undertake expenditures for transit improvements. However, it would establish Council's position of support on the issue and enable Council to make future decisions on the nature and amount of public works to be undertaken since the public works would conform to the Official Plan.

Noise Impacts from the Airport

The noise impacts of airports are widely recognized. The Planning Act requires municipalities to have regard for Provincial Policy Statements issued under the Act in their planning documents. The 1997 Provincial Policy Statement states that:

“1.1.3 Long term economic prosperity will be supported by...:

- g. planning so that major facilities (such as airports, ...) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.

To protect airports from incompatible development:

1. new residential development and other sensitive land uses will be prohibited in areas near airports above 30 NEF/NEP*, as set out on maps (as revised from time to time) approved by Transport Canada; but
2. redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long term function of the airport.”

(* The 30 NEF/NEP is the Noise Exposure Forecast/Noise Exposure Projection which is roughly equivalent to an Leq of 64 decibels)

The principle of protecting new residential development and noise sensitive developments from airport noise in the City is not new. The Etobicoke Official Plan currently requires development applications within the 30 NEF/NEP to have regard for the Provincial Policy Statement. In processing applications within the 30 NEF/NEP, City Planning staff typically would circulate the application to the GTAA for comments; require a satisfactory noise study; and require developers to provide any noise mitigation measures recommended by the noise study.

The Proposed Airport Operating Area

The GTAA has proposed in their amendments that the City establish an airport “operating area” in the City’s Official Plans. The proposed operating area is based on an expansion of the 30 NEF/NEP noise contour out to the nearest roadway, natural feature or major zoning boundary. Attachment No. 1 to this report shows the proposed operating area boundary as proposed by the GTAA, as revised on March 1, 2001. Attachment No. 2 to this report shows the proposed operating area in relationship to the 30 NEF/NEP noise contours.

The principle of an airport operating area has been accepted in other municipalities. The Region of Peel and the City of Mississauga’s Official Plans were recently amended to establish an airport operating area. These amendments were appealed to the Ontario Municipal Board (OMB) by land owners in the area. The OMB dismissed the appeals and ruled that the principle of an operating area was good planning.

The proposed operating area in the City covers an area containing approximately 10,000 dwelling units and 30,000 residents. In addition, approximately 9 schools, 7 child care centres and 11 places-of-worship would be within the operating area. This does not include schools, childcare and places-of-worship that are currently located within employment areas.

The GTAA has proposed that the operating area boundary be incorporated into the City's Official Plans. The GTAA is also proposing that policies prohibiting new residential or other sensitive land uses within the operating area be inserted into the Plans. The policies would also prohibit the redevelopment or infilling of residential or other noise sensitive land uses within the operating area that do not conform to the existing zoning on the land. The wording of the GTAA's proposed amendments is shown in Attachment No. 3 to this report.

As previously mentioned, the Region of Peel and Mississauga Official Plans were also recently amended to establish an operating area for the Airport. However, the wording of the policies in these Official Plans are less stringent than the GTAA's proposed wording in the Toronto Official Plans. The Peel and Mississauga Official Plans permit the re-development of existing residential uses and other sensitive land uses and the infilling of residential and other sensitive land uses within the operating area, provided that the proponent demonstrates, "that there would be no negative impacts on the long-term function of the Airport." These policies are identical to the wording in the Provincial Policy Statement.

The GTAA is proposing policies that are more stringent for Toronto. The proposed policies would prohibit re-development or infilling that does not conform to the existing zoning. This is problematic, due to the fully developed nature of the City of Toronto and the presence of well established residential areas within the proposed operating area. Due to issues of neighbourhood fit, there are often no compatible noise insensitive land uses (such as commercial or industrial uses) that can be built in many fully developed areas of the City. Staff do not recommend that the City support this aspect of the GTAA's proposal. The City should not accept policies that are more stringent than those in the Peel and Mississauga Official Plans and the Provincial Policy Statement.

Staff are also concerned about the ability of property owners to establish certain types of "noise sensitive" land uses on employment lands (industrial areas) in Etobicoke. The existing zoning in these areas permit uses such as: schools, colleges, training centres, hotels, industrial caretakers' residences, community centres, playgrounds, libraries, daycares and places of worship on an as-of-right basis. The proposed Official Plan policies would prohibit zoning by-law amendments that might be required to establish other similar uses or minor technical by-law amendments to allow for the development of these uses.

In addition, the City is currently developing a new City-wide Official Plan. In the future, the City may also prepare a new City-wide comprehensive zoning by-law. If the GTAA's proposed amendments are incorporated into the new Official Plan, they may make it impossible to ensure that these existing as-of-right uses can continue to be enshrined in the new zoning by-law. Since the new zoning by-law would have to conform to the Official Plan, the use of existing zoning rights as a criteria for new noise sensitive development may cause problems.

As a result of all of the above, staff propose that the City advise the Ontario Municipal Board that the City supports revisions to proposed amendments so that the new policies would:

- (a) prohibit new residential development and other sensitive land uses within the operating area, except those where the land use is permitted by the existing zoning;

- (b) allow the redevelopment of existing residential development and for the infilling of residential development provided that the proponent demonstrates to the satisfaction of the GTAA that there will be no negative impacts on the long term function of the airport and that acceptable noise studies and noise mitigation is undertaken;
- (c) allow for the development, redevelopment and infilling of non-residential noise sensitive land uses that meet federal government airport noise guidelines; and
- (d) allow the City to enact a future new city-wide comprehensive zoning by-law that can reconfirm the land uses permitted under the existing zoning by-law.

The Etobicoke and North York Official plans should be revised to cross-reference the Metropolitan Toronto Official Plan policies.

The owners of the Woodbine Racetrack lands have expressed concerns that the proposed amendments would affect both their current use of the lands as a racetrack and future development on the site. The Woodbine lands contain stables, dormitories and other residential uses for persons who must reside close to the stables to care for the horses. In addition, large portions of the Woodbine lands are vacant. The City's Official Plan Directions Report, "Toronto at the Crossroads, Shaping Our Future", includes the vacant Woodbine lands in its map showing potential opportunities for growth. Staff recommend that the City advise the Ontario Municipal Board that the City supports revisions to the proposed amendments to specifically permit the existing uses on the Woodbine lands that are required to support horse racing. The changes to the policies proposed by staff for non-residential noise sensitive land uses outlined previously, should be sufficient to allow the development of the vacant portions of the Woodbine lands.

Staff have prepared revised proposed amendments which are attached to this report as Attachment No. 4. City Staff have circulated these proposed modifications to the GTAA. Their staff concur with the majority of the changes. However, the GTAA continues to propose stricter policies on infill development within the operating area in the City, than exist in the Peel and Mississauga Official Plans and the Provincial Policy Statement.

In addition to the policies, the extent of the operating area is also a concern. The GTAA's original Official Plan Amendment application was based on mapping that did not accurately reflect the location of the 30 NEF/NEP noise contours. In addition, staff were concerned that the GTAA's original proposed operating area was too extensive, because it included areas that extend far beyond the 30 NEF/NEP noise contours without any scientific justification. This was largely due to the use of major roads as boundary lines. Staff propose that the operating area boundary be changed to better reflect the actual noise impacts of the Airport, using local roads. The GTAA has agreed to the changes. Due to the problems in accurately locating the 30 NEF/NEP noise contours, the GTAA's is now also requesting that some additional areas, not originally within the requested operating area be included. Since these additional areas either are either within the 30 NEF/NEP or are within the area delineated by the nearest local road, staff does not object to these changes. All of these changes are shown on the map attached as Attachment No. 1 to this report.

Community Consultation

A letter was sent to the Etobicoke Chamber of Commerce, the Toronto Board of Trade, the Urban Development Institute and the Greater Toronto Home Builders Association, the Etobicoke Federation of Ratepayer's and Residents Associations (E.F.R.R.A.) and other Ratepayers organizations to inform them of the proposed Official Plan Amendments.

In addition, the City staff and staff from the GTAA have held several meetings with the Etobicoke Federation of Ratepayer's and Residents Associations (E.F.R.R.A.) and representatives from some of their member organizations. A representative from the Humberlea Community Ratepayers Group in North York also attended the meetings. Separate meetings were also held with the Markland Homes Association.

In general, the Ratepayers and Residents groups are concerned that the proposed operating area will affect the value of homes in the area. They are also concerned about the restrictions that the proposal will make on redevelopment opportunities in the operating area. They have also expressed concerns over the proposal to place policies in the Plan that acknowledges the economic importance of the Airport to the City.

Staff have contacted the City of Mississauga Planning Department to determine if the establishment of an operating area has affected residential property values. They report that they are not aware of any decrease in property values caused by the operating area.

There has been some interest in the City allowing for additional community consultation at the North and West Community Councils. It was not possible to have consultation meetings at the Community Councils before this meeting of Planning and Transportation Committee, due to the City's Procedural By-law. If the Planning and Transportation Committee wishes to refer this report to the North and West Community Councils for further community consultation, the Community Councils should report directly to the April 24-27th City Council meeting, rather than back to Planning and Transportation Committee. This will help to ensure that a City position is established prior to the May 11, 2001 pre-hearing conference of the Ontario Municipal Board.

Agency Comments/Department Circulation

The GTAA's application was circulated to the following agencies and departments for comment: the Ministry of Municipal Affairs; the Ministry of Environment; the Works and Emergency Services Department; the Economic Development Division; the Municipal Standards and Licensing Division; the Building Division; and the Transportation Planning Section. In addition, the Etobicoke Community Council referred the application to the Airport Task Force for information.

The Works and Emergency Services Department has responded that they do not support residential development above the 30 NEF/NEP.

The Economic Development, Culture and Tourism Department supports the proposed policies in the Official Plan to recognize the importance of the Airport.

Conclusions:

The Lester B. Pearson International Airport is an important cornerstone of the economic prosperity of the City and the southern Ontario region. Due to its noise impacts, the City's Official Plans should ensure that noise sensitive developments do not harm the long-term function of the Airport. However, the City should only support amendments to the Metropolitan Toronto Official Plan which establish an operating area in a manner similar to the Peel and Mississauga Official Plans and the Provincial Policy Statement.

If the Planning and Transportation Committee wishes to refer this report to the North and West Community Councils for further community consultation, the Community Councils should report directly to the April 24-27th City Council meeting to ensure that a City position is established before the May 11, pre-hearing conference of the Ontario Municipal Board.

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Insert Table/Map No. 1
Attachment No. 1
Proposed Lester B. Pearson International Airport
Operating Area (As amended on March 1, 2001)

Insert Table/Map No. 2
Attachment No. 2
L.B.P.I.A. 30 NEF/NEP Noise Contour and Proposed Operating Area

Attachment No. 3
Official Plan Amendments As Originally Proposed By The GTAA

PROPOSED AMENDMENT TO THE OFFICIAL
PLAN OF THE MUNICIPALITY OF METROPOLITAN TORONTO

1. Amend SECTION 2.4 TRANSPORTATION by deleting the following Policy 2.4.5 Air, Rail and Marine Transportation Policies

It is the policy of Council:

“95. to encourage initiatives by the federal and provincial governments to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

And adding in its place:

“95. to encourage initiatives by the federal and provincial governments and the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

2. Amend Section 3.1 ECONOMIC DEVELOPMENT by adding the following new Section:

“3.1.2 Policies Respecting Lester B. Pearson International Airport

“122. Lester B. Pearson International Airport (L.B.P.I.A.) is an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Metropolitan Toronto and the Greater Toronto Area.

123. The presence of L.B.P.I.A. provides national and international transportation linkages, creates significant employment and generates many direct and indirect economic benefits. Because of its significance, it is a priority of this Plan to ensure that new development is compatible with Airport operations and allows the Airport to function efficiently.”

3. Amend Section 3.5 ENSURING COMMUNITY HEALTH: ENVIRONMENTAL MANAGEMENT by deleting the following Policy 185:

3.5.6 Policies Respecting Air Quality and Noise

It is the policy of Council:

“185. to support the application of the federal NEF and NEP maps in the establishment of Area Municipal official plan policies and development control regulations respecting appropriate noise control and prevention of impacts from excessive noise and vibration from Lester B. Pearson Airport where such policies and regulations are consistent with provincial policies and guidelines to pertaining to aircraft noise.”

and adding in its place:

“185. to prohibit new development of residential and other sensitive land uses within the L.B.P.I.A. Operating Area and prohibit redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses, not permitted by existing zoning, within the L.B.P.I.A. Operating Area as outlined on Map 8.

186. that notwithstanding Policy 185, redevelopment of existing residential uses or infilling of residential uses not permitted by the existing zoning may be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in a fewer total number of units and a lower total gross floor area than the existing zoning would permit.”

4. Amend GLOSSARY OF TERMS by adding the following definition:

“sensitive land uses

buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples include: residences, day care centres, and educational and health facilities.”

5. Add Map 8 – L.B.P.I.A. Operating Area showing the new L.B.P.I.A. Operating Area boundary.

PROPOSED AMENDMENT TO THE CITY OF ETOBICOKE OFFICIAL PLAN

CHAPTER TWO - STRATEGIC POLICIES

1. Amend Section 2.3.19 by deleting the following:

“The land use designations and policies of Chapter 4, as they apply to the various components of the City’s economic base are intended to implement the policies of this Section.”

and adding in its place as a new Section 2.3.19:

L.B.P.I.A. “2.3.19 Lester B. Pearson International Airport (L.B.P.I.A.) is an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Metropolitan Toronto and the Greater Toronto Area.

Because of the economic importance of L.B.P.I.A. to the City of Etobicoke, Metropolitan Toronto and the Province of Ontario, new development must be compatible with airport operations and allow the airport to function at maximum efficiency to achieve full economic potential.”

2. Amend Section 2.3 by adding the following new Section:

“2.3.20 The land use designations and policies of Chapter 4 and Chapter 6, as they apply to the various components of the City’s economic base are intended to implement the policies of this Section.”

CHAPTER SIX - ENVIRONMENTAL PROTECTION AND DEVELOPMENT CONSTRAINTS

3. Amend Section 6.6 Noise, Vibration and Safety by deleting the following Section 6.6.1:

“All forms of development falling within the most current NEF/NEP contours provided by Transport Canada for Lester B. Pearson International Airport, as shown schematically on Map 6, and contained in Appendix I, will have regard for the Provincial Policy Statement.”

and adding in its place:

“6.6.1 Airport Noise

There are areas of Etobicoke which are subject to high levels of aircraft noise. As a result, policies are required which set out the restrictions on development within the areas subject to high levels of aircraft noise.

6.6.1(a) New development of residential and other sensitive land uses, and redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses, not permitted by the existing zoning, are prohibited within the L.B.P.I.A. Operating Area outlined on Map 6, Environmental Protection and Development Constraints.

- 6.6.1(b) Notwithstanding Section 6.6.1(a) redevelopment of existing residential uses or infilling of residential uses not permitted by the existing zoning may be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in a fewer total number of units and a lower total gross floor area than the existing zoning would permit.
- 6.6.1(c) Notwithstanding Section 6.6.1(a) new residential development and other sensitive land use development may be permitted on the Woodbine Racetrack lands (shown as ‘★’ on Map 6) provided at the time of draft plan of subdivision and final approval no new residential and other sensitive land uses are located within the most current 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown on the plan of subdivision by clear features such as streets, natural features, and/or zoning land use boundaries.
- 6.6.1(d) Notwithstanding Section 6.6.1(a) new residential development and other sensitive land use development may be permitted on the Rexdale Mall lands (shown as ‘★★’ on Map 6) provided at the time of draft plan of subdivision and final approval no new residential and other sensitive land uses are located within the most current 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown by clear features such as streets, natural features, and/or zoning land use boundaries.”

CHAPTER TWELVE - INTERPRETATION

4. Amend Section 12.2 Definitions by adding the following definition:

‘ “Sensitive Land Uses” means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples include: residences, day care centres, and educational and health facilities.’
5. Amend Map 6 Environmental Protection and Development Constraints - revise to remove the 30 NEF/NEP contour and replace with L.B.P.I.A. Operating Area by replacing it with the attached Map 6 Environmental Protection and Development Constraints showing the new L.B.P.I.A. Operating Area.
6. Amend Appendix 1 - Airport Noise Restrictions by deleting it in its entirety.

PROPOSED AMENDMENT TO THE NORTH YORK OFFICIAL PLAN

Proposed Policies (No Existing Policies)

1. Amend INTRODUCTION, Section 3 DEFINITIONS by adding the following definition:

‘ “sensitive land uses” means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples include: residences, day care centres, and educational and health facilities.’

2. Amend THE CONCEPT PLAN (PART A), Section 2 THE CONCEPT by adding the following at the end of ‘The Concept’ portion of this Section:

“Lester B. Pearson International Airport (L.B.P.I.A.) is an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Metropolitan Toronto and the Greater Toronto Area.

Because of the economic importance of L.B.P.I.A. to the City of North York, Metropolitan Toronto and the Province of Ontario, new development must be compatible with airport operations and allow the airport to function at maximum efficiency to achieve full economic potential.”

3. Amend MAJOR POLICIES (PART B), Section 3 HOUSING by adding the following at the end of this Section:

“3.1.0 AIRPORT NOISE

3.1.1 Introduction

 There are areas of North York which are subject to high levels of aircraft noise. As a result, policies are required which set out the restrictions on development within the areas subject to high levels of aircraft noise.

3.1.2 Policies

 a) New development of residential and other sensitive land uses, and redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses, not permitted by the existing zoning, are prohibited within the L.B.P.I.A. Operating Area outlined on Map C.7.1 Transportation.

b) Notwithstanding Clause 3.1.2 a) redevelopment of existing residential uses or infilling of residential uses not permitted by the existing zoning may be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in a fewer total number of units and a lower total gross floor area than the existing zoning would permit.”

4. Amend Map C.7.1 North York Transportation and replace it with the attached Map C.7.1 North York Transportation showing the new L.B.P.I.A. Operating Area.

Attachment No. 4

Staff Recommendations for Proposed Official Plan Amendments

PROPOSED AMENDMENT TO THE OFFICIAL
PLAN OF THE MUNICIPALITY OF METROPOLITAN TORONTO

1. Amend SECTION 2.4 TRANSPORTATION by deleting the following Policy 2.4.5 Air, Rail and Marine Transportation Policies

It is the policy of Council:

“95. to encourage initiatives by the federal and provincial governments to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

And adding in its place:

“95. to encourage initiatives by the federal and provincial governments and the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

2. Amend Section 3.1 ECONOMIC DEVELOPMENT by adding the following new Section:

“3.1.2 Policies Respecting Lester B. Pearson International Airport

“122.1 Lester B. Pearson International Airport (L.B.P.I.A.) is an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Toronto and the Greater Toronto Area. The presence of L.B.P.I.A. provides national and international transportation linkages, creates significant employment and generates many direct and indirect economic benefits. Because of its significance, it is a priority of this Plan to ensure that new development is compatible with airport operations.”

3. Amend Section 3.5 ENSURING COMMUNITY HEALTH: ENVIRONMENTAL MANAGEMENT by deleting the following Policy 185:

3.5.6 Policies Respecting Air Quality and Noise

It is the policy of Council:

“185. to support the application of the federal NEF and NEP maps in the establishment of Area Municipal official plan policies and development control regulations respecting appropriate noise control and prevention of impacts from excessive noise and vibration from Lester B. Pearson Airport where such policies and regulations are consistent with provincial policies and guidelines to pertaining to aircraft noise.”

and adding in its place:

“185.1 to prohibit new development of residential and other sensitive land uses within the L.B.P.I.A. Operating Area not permitted by existing zoning, within the L.B.P.I.A. Operating Area as outlined on Map 8.

185.2 that notwithstanding Policy 185.1, redevelopment of existing residential uses or infilling of residential uses not permitted by the existing zoning may be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in the same or fewer total number of dwelling units than the existing zoning would permit.

185.3 that notwithstanding Policy 185.1, the development or redevelopment of existing sensitive land uses, other than residential, or infilling of sensitive land uses, other than residential, not permitted by the existing zoning may be permitted by site specific zoning within the L.B.P.I.A. Operating Area if the proposed sensitive land use development is generally consistent with Transport Canada’s latest guidelines. In applying these guidelines, the 30 NEF/NEP noise contour shall be considered to be the L.B.P.I.A. Operating Area shown on Map 8.

185.4 that notwithstanding Policy 185.1, the redevelopment or infilling of existing residential uses may be considered within the L.B.P.I.A. Operating Area, if it has been demonstrated that there will be no negative impacts on the long-term function of the airport. In this regard, amongst other matters, the City shall require proponents of redevelopment or infilling to provide noise studies and undertakings to provide satisfactory noise attenuation measures when making applications for development approval.

185.5 that notwithstanding Policy 185.1, the City may pass comprehensive City-Wide zoning by-laws that permit residential within the L.B.P.I.A. Operating Area, provided that the new City-Wide Zoning By-law does not increase the dwelling unit count permissions. The City may pass comprehensive City-Wide zoning by-laws to continue to permit non-residential noise sensitive land uses residential within the L.B.P.I.A. Operating Area that are permitted in existing zoning by-laws.

- 185.6 that notwithstanding Policy 185.1, new residential development and other sensitive land use development may be permitted on the Woodbine Racetrack lands (shown as ‘★’ on Map 8) provided at the time of draft plan of subdivision and final approval no new residential and other sensitive land uses are located within the most current 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown on the plan of subdivision by clear features such as streets, natural features, and/or zoning land use boundaries. Notwithstanding Policy 185.1, housing, dormitories and other noise sensitive land uses, including the keeping of horses, required for the operation of horse racing are permitted on the Woodbine Racetrack lands.
- 185.7 that notwithstanding Policy 185.1, new residential development and other sensitive land use development may be permitted on the Rexdale Mall lands (shown as ‘★★’ on Map 8) provided at the time of draft plan of subdivision and final approval no new residential and other sensitive land uses are located within the most current 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown by clear features such as streets, natural features, and/or zoning land use boundaries
4. Amend GLOSSARY OF TERMS by adding the following definition:
- “sensitive land uses
buildings, amenity areas, or outdoor spaces where routine or normal activities would experience noise impacts from aircraft using the Lester B. Pearson International Airport. Examples of these uses include: residences, day care centres, and educational and health facilities.”
5. Add Map 8 – L.B.P.I.A. Operating Area showing the new L.B.P.I.A. Operating Area boundary and identify the Woodbine Racetrack and the Rexdale Plaza.
-

Insert Table/Map No. 1
Map 8
Lester B. Pearson International Airport Operating Area

Insert Table/Map No. 2
Appendix F
Detail of Map 8 -
Lester B. Pearson International Airport Operating Area

The Planning and Transportation Committee also submits the following report (March 22, 2001) from the Commissioner of Urban Development Services:

Purpose:

To make minor technical corrections to the proposed Official Plan Amendments attached to the March 2, 2001 staff report.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that the draft official plan amendments attached to the March 2, 2001 staff report be replaced with the draft official plan amendments attached to this report and that the map schedules in the amendment and the appendix be revised by changing the operating area in accordance with the map attached to this report.

Background:

City staff met with representatives of the Greater Toronto Airports Authority (GTAA) on March 20, 2001. At that time, the GTAA suggested several changes to the wording of the draft Official Plan Amendments attached to the staff report of March 2, 2001.

These changes are not substantive and merely clarify the intent of the amendments. City staff do not object to the changes.

On March 21, 2001, City staff received correspondence from representatives of the Ontario Jockey Club, the owner of the Woodbine Racetrack Lands, requesting modifications to the policies for their lands. They are concerned that the proposed policies will limit the use of their lands for horseracing purposes and for possible future development. They note that there is a proposal for a rail link from the downtown core to the airport, with a transfer station on the Woodbine Racetrack lands. The changes to the policies that they propose can be supported, given the existing nature and potential future development of the Woodbine Racetrack lands.

The Ontario Jockey Club has also requested changes to the mapping of the airport operating area on their lands to better reflect the 30 NEF/NEP noise contour. These changes are outlined in a map prepared by the Ontario Jockey Club and attached as Attachment No. 1. to this report. Staff do not object to these mapping changes.

In addition, the staff report of March 2, 2001, identifies that changes should be made to the Etobicoke Official Plan to delete redundant policies relating to the airport and to cross reference the new Metropolitan Toronto Official Plan policies in the Etobicoke and North York Official Plans. These amendments to the Etobicoke and North York Official Plan were inadvertently not attached to the staff report due to a clerical error.

Comments:

A corrected version of staff's recommended Official Plan Amendments, which also incorporate minor wording changes as recommended by the GTAA and the Ontario Jockey Club is attached as Attachment No. 2 to this report. In this attachment, the text to be inserted is in bold and the text to be deleted is struck out.

Conclusions:

The changes proposed by the GTAA are not substantive and merely clarify the intent of the draft Official Plan Amendment. Staff support the changes proposed by the Ontario Jockey Club for the Woodbine Racetrack lands.

Contact:

David Oikawa, Manager, Community Planning, West District
Tel: (416) 394-8219; Fax: (416) 394-6063
E-Mail: doikawa@city.toronto.on.ca

Insert Table/Map No. 1
Attachment No. 1
Proposed Mapping Changes to the Airport Operating Area
At the Woodbine Racetrack

Attachment No. 2
Revised Staff Recommendations for Proposed Official Plan Amendments

PROPOSED AMENDMENT TO THE OFFICIAL
PLAN OF THE MUNICIPALITY OF METROPOLITAN TORONTO

1. Amend SECTION 2.4 TRANSPORTATION by deleting the following Policy 2.4.5 Air, Rail and Marine Transportation Policies

It is the policy of Council:

- “95. to encourage initiatives by the federal and provincial governments to improve the efficiency and capacity of the Lester B. Pearson International Airport, and to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

And adding in its place:

- “95. to encourage initiatives by ~~the federal and provincial governments and the~~ Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport and to encourage initiatives by the federal and provincial governments to undertake and develop transit facilities from downtown Toronto to Lester B. Pearson International Airport.”

2. Amend Section 3.1 ECONOMIC DEVELOPMENT by adding the following new Section:

“3.1.2 Policies Respecting Lester B. Pearson International Airport

- “122.1 to recognize Lester B. Pearson International Airport (L.B.P.I.A.) ~~is~~ as an important element of infrastructure in the Greater Toronto Area. L.B.P.I.A. is a significant generator of positive economic benefits and is directly responsible for attracting a broad range of industries and businesses to Toronto and the Greater Toronto Area. The presence of L.B.P.I.A. provides national and international transportation linkages, creates significant employment and generates many direct and indirect economic benefits. Because of its significance, it is a priority of this Plan to ensure that new development is compatible with airport operations.”

3. Amend Section 3.5 ENSURING COMMUNITY HEALTH: ENVIRONMENTAL MANAGEMENT by deleting the following Policy 185:

3.5.6 Policies Respecting Air Quality and Noise

It is the policy of Council:

- “185. to support the application of the federal NEF and NEP maps in the establishment of Area Municipal official plan policies and development control regulations respecting appropriate noise control and prevention of

impacts from excessive noise and vibration from Lester B. Pearson Airport where such policies and regulations are consistent with provincial policies and guidelines pertaining to aircraft noise.”

and adding in its place:

“185.1 to prohibit new development of residential and other sensitive land uses within the L.B.P.I.A. Operating Area not permitted by existing zoning, within the L.B.P.I.A. Operating Area as outlined on Map 8.

185.2 that notwithstanding Policy 185.1, redevelopment of existing residential uses or infilling of residential uses not permitted by the existing zoning may be permitted within the L.B.P.I.A. Operating Area if the proposed residential development would result in the same or fewer total number of dwelling units than the existing zoning would permit.

185.3 that notwithstanding Policy 185.1, the development or redevelopment of existing sensitive land uses, other than residential, or infilling of sensitive land uses, other than residential, not permitted by the existing zoning may be permitted by site specific zoning within the L.B.P.I.A. Operating Area if the proposed sensitive land use development is generally consistent with Transport Canada’s latest guidelines. In applying these guidelines, the 30 NEF/NEP noise contour shall be considered to be the L.B.P.I.A. Operating Area shown on Map 8.

185.4 that notwithstanding Policy 185.1, the redevelopment or infilling of existing residential uses may be considered within the L.B.P.I.A. Operating Area, if it has been demonstrated that there will be no negative impacts on the long-term function of the airport. In this regard, amongst other matters, the City shall require proponents of redevelopment or infilling to provide noise studies and undertakings to provide satisfactory noise attenuation measures when making applications for development approval.

185.5 that notwithstanding Policy 185.1, the City may pass comprehensive ~~City-Wide~~ zoning by-laws that permit residential uses within the L.B.P.I.A. Operating Area, provided that the new ~~City-Wide~~ zoning by-law does not increase the dwelling unit count permissions. The City may pass comprehensive ~~City-Wide~~ zoning by-laws to continue to permit non-residential noise sensitive land uses ~~residential~~ within the L.B.P.I.A. Operating Area that are permitted in existing zoning by-laws.

185.6 that notwithstanding Policy 185.1, 185.2, 185.3 and 185.4:

- a) new residential development and other sensitive land use development may be permitted on the Woodbine Racetrack lands (shown as ‘★’ on Map 8) provided at the time of draft plan of subdivision and final approval and/or site rezoning, no new

residential and other sensitive land uses are located within the Transport Canada approved 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown on the plan of subdivision and/or the zoning by-law by clear features such as streets natural features, and/or zoning land use boundaries;

- b) the redevelopment or infilling of existing residential uses and other sensitive land uses may be considered within the L.B.P.I.A. Operating Area, if it has been demonstrated that there will be no negative impacts on the long-term function of the airport. In this regard, amongst other matters, the City shall require proponents of redevelopment or infilling to provide noise studies and undertakings to provide satisfactory noise attenuation measures when making applications for development approval; and
- c) nothing in this Plan shall prevent the use of the Woodbine Racetrack lands as a horse racetrack and for any related, associated or accessory uses facilities and services.

185.7 that notwithstanding Policy 185.1, new residential development and other sensitive land use development may be permitted on the Rexdale Mall lands (shown as ‘**’ on Map 8) provided at the time of draft plan of subdivision and final approval and/or site rezoning, no new residential and other sensitive land uses are located within the ~~most-current~~ Transport Canada approved 30 NEF/NEP Composite Noise Contour and that the demarcation between the areas where these uses are and are not permitted is shown on the plan of subdivision and/or the zoning by-law by clear features such as streets, natural features, and/or zoning land use boundaries.

4. Amend GLOSSARY OF TERMS by adding the following definition:

“sensitive land uses

buildings, amenity areas, or outdoor spaces where routine or normal activities would experience noise impacts from aircraft using the Lester B. Pearson International Airport. Examples of these uses include: residences, day care centres, and educational and health facilities.”

5. Add Map 8 – L.B.P.I.A. Operating Area showing the new L.B.P.I.A. Operating Area boundary and identify the Woodbine Racetrack and the Rexdale Plaza.

PROPOSED AMENDMENT TO THE CITY OF ETOBICOKE OFFICIAL PLAN

CHAPTER TWO – STRATEGIC POLICIES

1. Amend Section 2.3.19 by deleting the following:

“The land use designations and policies of Chapter 4, as they apply to the various components of the City’s economic base are intended to implement the policies of this Section.”

And adding in its place as a new Section 2.3.19:

“2.3.19 There are areas in Etobicoke that are located within the Lester B. Pearson International Airport Operating Area. Policies related to development in the Operating Area can be found in the Official Plan for the Municipality of Metropolitan Toronto.”

2. Amend Section 2.3 by adding the following new Section:

“2.3.20 The land use designations and policies of Chapter 4 and Chapter 6, as they apply to the various components of the City’s economic base are intended to implement the policies of this Section.”

CHAPTER SIX – ENVIRONMENTAL PROTECTION AND DEVELOPMENT CONSTRAINTS

3. Amend Section 6.6 Noise, Vibration and Safety by deleting the following Section 6.6.1:

“All forms of development falling within the most current NEF/NEP contours provided by Transport Canada for Lester B. Pearson International Airport, as shown schematically on Map 6, and contained in Appendix 1, and will have regard for the Provincial Policy Statement”.

And adding in its place:

“6.6.1 Airport Noise

There are areas in Etobicoke, subject to aircraft noise, that are located within the Lester B. Pearson International Airport Operating Area. Policies related to development in the Operating Area can be found in the Official Plan for the Municipality of Metropolitan Toronto.”

4. Amend Map 6 Environmental Protection and Development Constraints – by deleting references to the noise contours.

PROPOSED AMENDMENT TO THE
NORTH YORK OFFICIAL PLAN

1. Amend MAJOR POLICIES (PART B), Section 2 LAND USE by adding the following at the end of this Section:

“2.4.0 AIRPORT NOISE

There are areas in North York that are located within the Lester B. Pearson International Airport Operating Area. Policies related to development in the Operating Area can be found in the Official Plan for the Municipality of Metropolitan Toronto.”

Mr. David Oikawa, Manager, Community Planning, West District, Urban Development Services, gave a presentation to the Committee with regard to this matter, and the following persons addressed the Committee:

- Dr. D.W. Beggs, Donald W. Beggs Enterprises Inc.;
- Dr. Peter Yannopoulos;
- Richard Boehnke;
- Don Bennett;
- Sylvia Giovannella, Etobicoke Federation of Ratepayers' and Residents' Association;
- Steve Shaw, Vice-President of Corporate Affairs and Communications, GTAA; and
- Ross Vaughan, I.R.R.A., Past President.

The Planning and Transportation Committee also had before it the following communications and copies thereof are on file in the office of the City Clerk:

- 277 identical submissions from area residents opposing the application by the GTAA;
- (March 18, 2001) from John Anga and Joanna Twitchin, Co-Presidents, Thistletown Ratepayers Association, opposing the inclusion of any airport operating area in the Official Plan;
- (March 15, 2001) from Irene Ellis and John G. Ellis opposing the rezoning application by the GTAA;
- (March 21, 2001) from Tom Gladney opposing the rezoning application by the GTAA;
- (March 19, 2001) from Paul Badics in favour of the rezoning application by the GTAA.
- (undated) from Sylvia Giovannella, President, Etobicoke Federation of Ratepayers' and Residents' Associations, advising that the GTAA application is not in the community's interest and providing reasons;

- (March 23, 2001) from Donna R.D. Porter requesting that the Committee ensure that the GTAA 'Operating Area' does not cover properties that are not under the NEF/NEP area;
- (March 23, 2001) from Steve Shaw, Vice-President, Corporate Affairs and Communications, Greater Toronto Airports Authority advising of his support for staff recommendations and noting that some technical amendments will remain outstanding for which discussions are continuing;
- (March 23, 2001) from Brian M. Dourley, Miller Thomson LLP representing the Toronto Catholic District School Board, and advising of their objection to the Official Plan amendment;
- (March 23, 2001) from Tom Dean opposing the GTAA proposed Operating Area;
- (undated) from E.M. Kurak, Secretary, Markland Woods Home Association, opposing the GTAA proposed Operating Area;
- (March 25, 2001) from Richard L. Boehnke in favour of the rail linkage and opposing the concept of the Operating Area;
- (March 25, 2001) from Dr. Peter Yannopoulos opposing the proposed GTAA Operating Area;
- (March 26, 2001) from Peter Van Loan, Fraser Milner Casgrain LLP, acting for The Ontario Jockey Club and expressing support for the recommendations in the March 22, 2001 supplementary report;
- (March 26, 2001) from Dr. Donald Beggs asking the Committee to reject or modify the GTAA application; and
- overhead presentation from the Urban Development Services Department.

(City Council at its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001, had before it, during consideration of the foregoing Clause, the following report (April 10, 2001) from the City Clerk:

Recommendations:

The West Community Council at its meeting held on April 4, 2001:

(1) recommended to City Council that:

- (a) policies be added to the Official Plan that would require an appropriate periodic update of the federal NEF/NEP contours and a concurrent periodic review of Official Plan policies related to the Airport Operating Area (AOA), such review to include the Greater Toronto Airports Authority's (GTAA) operations compliance with the boundaries of the AOA; and*

- (b) *the Ontario Municipal Board be requested to ask Transport Canada to:*
 - (i) *review the accuracy of the new curves produced by the GTAA, especially for areas which never lied in the NEP/NEP curve before; and*
 - (ii) *determine if the reason for adding new areas to the NEF/NEP 30 curve is a result of the GTAA failing to adopt appropriate Noise Management Policies; and*
- (2) *concurred in the Recommendations embodied in the reports dated March 2, 2001 and March 22, 2001, from the Commissioner of Urban Development Services, as amended by the Planning and Transportation Committee, and subject to amending Attachment No. 2, headed "Revised Staff Recommendations for Proposed Official Plan Amendments" by deleting part 2. (3.1.2, 122.1), contained in the report dated March 22, 2001.*

The West Community Council reports, for the information of Council, having requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, also to include in the report requested by the Planning and Transportation Committee for submission directly to Council, information on the potential to further reduce the impact of the contour lines on all affected communities in the former City of Etobicoke.

Background:

The West Community Council had before it a communication (March 27, 2001) from the City Clerk, Planning and Transportation Committee, respecting an application by the Greater Toronto Airports Authority to amend the Official Plans of the former Cities of Etobicoke and North York; and advising that the Planning and Transportation Committee at its meeting held on March 26, 2001:

- (1) *directed that the reports dated March 2, 2001 and March 22, 2001, from the Commissioner of Urban Development Services, together with all related material, be forwarded to the North and West Community Councils with a request that they schedule community consultation at their next meetings on April 4, 2001, and forward their comments thereon directly to City Council for its meeting on April 24, 2001;*
- (2) *recommended to City Council for its next meeting on April 24, 2001, that the report dated March 2, 2001, from the Commissioner of Urban Development Services be adopted, subject to:*
 - (a) *in view of the representation made by the Greater Toronto Airports Authority and its request that the NEF/NEP noise contours be established as a fixed boundary amendment to the City of Toronto Official Plan, any NEF/NEP noise contours and corresponding flight paths not be adjusted without an amendment to the Official Plan boundaries, and that statutory community consultation pursuant to the Planning Act be provided; and*

- (b) *the adoption of the further report (March 22, 2001) from the Commissioner of Urban Development Services subject to amending Attachment No. 2 of this report titled “Revised Staff Recommendations for Proposed Official Plan Amendments”, by inserting in Point 1., headed “Section 2.4 TRANSPORTATION”, the word “public” prior to the word “transit”, so as to read:*

“It is the policy of Council:

“95. to encourage initiatives by the Greater Toronto Airports Authority to improve the efficiency and capacity of the Lester B. Pearson International Airport and to encourage initiatives by the federal and provincial governments to undertake and develop public transit facilities from downtown Toronto to Lester B. Pearson International Airport.”; and

- (3) *requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report directly to City Council for its meeting on April 24, 2001, on:*
 - (a) *the financial impact of sound modifications with respect to construction or reconstruction of school buildings; and*
 - (b) *the potential to further reduce the impact of the contour lines on the Markland Woods community in the former City of Etobicoke.*

The West Community Council also had before it the following communications:

- (i) *(April 3, 2001) from Mark and Chris Creedon, Etobicoke, submitting comments in opposition to the proposed amendment for reasons including lower property values and deterioration of quality of life and health; and requesting that the proposal be rejected;*
- (ii) *(April 3, 2001) from Mr. Ross Vaughan, Etobicoke, submitting comments in opposition to the proposed GTAA Operating Area;*
- (iii) *(April 4, 2001) from Mr. Brian M. Dourley, Miller Thomson LLP, submitting comments in opposition to the proposal on behalf of the Toronto Catholic District School Board;*
- (iv) *(April 4, 2001) from Dr. Peter Yannopoulos, Etobicoke, submitting comments in opposition to the proposal and requesting that it be rejected;*
- (v) *(April 3, 2001) from Mr. Andrew Gowdy, Manager, Planning Section, Facility Services, Toronto District School Board, regarding the ramifications of the application on school sites in the proposed GTAA Operating Area; and*
- (vi) *(Undated) from Ms. Sylvia Giovanella, President, Etobicoke Federation of Ratepayers’ and Residents Associations, submitting community concerns respecting the proposed GTAA Operating Area; correspondence in this regard; and proposed amendments to the staff recommendations.*

The following persons appeared before the West Community Council in connection with this matter:

- *Mr. Steve Shaw, Vice President, Corporate Affairs and Communications, The Greater Toronto Airports Authority;*
- *Ms. Sylvia Giovanella, President, Etobicoke Federation of Ratepayers' and Residents' Associations;*
- *Ms. Nancy Mueller, Community of Rathburn-Grove Ratepayers; and filed a submission with respect thereto;*
- *Mr. Ross Vaughan, Etobicoke;*
- *Mr. Richard Boehnke, Etobicoke;*
- *Mr. Ed Kurak, Etobicoke; and filed a submission with respect thereto;*
- *Mr. Tom Napier, Etobicoke; and filed a submission with respect thereto;*
- *Mr. Patrick Clifford, Etobicoke;*
- *Mr. John Trembath, West Humber Homeowners Association;*
- *Ms. Rose Kurak, on behalf of Dr. Donald Beggs, Etobicoke; and filed a submission with respect thereto;*
- *Ms. Monique Simandl, Markland Homes Association;*
- *Ms. Anna Fabry, Etobicoke;*
- *Mr. J. Eversley; Etobicoke; and*
- *Mr. Robert Gullins, Etobicoke.)*

(City Council also had before it, during consideration of the foregoing Clause, the following report (April 11, 2001) from the City Clerk:

Recommendation:

The North Community Council recommends to Council, when considering Clause No. 2 of Report No. 3 of the Planning and Transportation Committee, headed "Application by GTAA to amend the Official Plans of the former Municipality of Metropolitan Toronto and the former Cities of Etobicoke and North York (Ward 2, Etobicoke North; Ward 3 – Etobicoke Centre; Ward 7 – York West)" that the recommendations embodied in the reports (March 2, 2001) and (March 22, 2001) from the Commissioner of Urban Development Services, be adopted.

Background:

The North Community Council at its meeting on April 4, 2001, had before it a report (March 27, 2001) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee, at its meeting held on March 26, 2001, recommended that the reports (March 2, 2001 and March 22, 2001) from the Commissioner of Urban Development Services together with related material, be forwarded to the North and West Community Councils with a request that they schedule community consultation at their next meetings on April 4, 2001 and forward their comments thereon directly to City Council for its meeting on April 24, 2001.

The North Community Council also had before it a communication (April 4, 2001) from Mr. Brian M. Dourley of the law firm of Miller Thomson, on behalf of the Toronto Catholic District School Board, objecting to the passing of the proposed Official Plan Amendments because the Amendments and certain policies resulting therefrom will affect both the value of its properties and/or the cost to reconstruct, renovate or retrofit its properties in the operating area that will be governed by the policies.

Mr. Steve Shaw appeared before the North Community Council in connection with the foregoing matter, on behalf of the Greater Toronto Airports Authority.)

(City Council also had before it, during consideration of the foregoing Clause, the following report (April 19, 2001) from the Commissioner of Urban Development Services:

Purpose:

To respond to a request by the Planning and Transportation Committee and the West Community Council for a staff report directly to City Council.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendation:

It is recommended that Council instruct City Legal Staff to request the Ontario Municipal Board to make the additional policy amendments and mapping changes identified in this report.

Background:

At its meeting of March 26, 2001, Planning and Transportation Committee requested that staff report directly to the April 24-27, 2001, City Council Meeting on:

- (a) the financial impact of sound modifications with respect to construction or reconstruction of school buildings; and,*
- (b) the potential to further reduce the impact of the contour lines on the Markland Woods community in the former City of Etobicoke.*

At its meeting of April 4, 2001, the West Community Council requested staff to “include in the report requested by the Planning and Transportation Committee for submission directly to Council, information on the potential to further reduce the impact of the contour lines on all affected communities in the former City of Etobicoke.”

In addition, the West Community Council recommended to City Council that policies be added to the Official Plan that would require an “appropriate periodic update of the federal NEF/NEP contours and a concurrent periodic review of Official Plan policies related to the Airport Operating Area (AOA), such review to include the GTAA’s operations compliance with the boundaries of the AOA”.

Comments:

Noise Mitigative Construction in Schools:

The majority of school sites in Etobicoke and North York are currently zoned Institutional, Residential or Agricultural. All of these zones permit schools to be built as-of-right. In addition, schools are permitted in Industrial and in most Commercial zones. The draft Official Plan policies in the staff report of March 22, 2001, would not change these as-of-right permissions. Under the draft Official Plan policies, the development of new schools, additions to existing schools or school renovations in these zones would continue to be permitted without any noise related construction requirements.

As noted above, noise regulations would not affect School construction in most zones in the Airport Operating Area. However, if the School Boards wished to develop new schools on lands that were not currently zoned for school use within the Airport Operating Area, under the draft Official Plan Policies proposed by staff, they would have to comply with Federal noise guidelines. These guidelines permit new school construction up to 35 NEF/NEP subject to a noise study and the requirement that "the required noise insulation features are considered by the architectural consultant responsible for the building design." Notwithstanding the GTAA's application, this is a current practice in the City on lands within the 30 NEF/NEP noise contour and is in accordance with the Provincial Policy Statement related to airport noise.

In general, noise mitigative design usually consists of triple glazed windows, air conditioning, and sound insulation. The need for and the combination of these construction techniques would need to be determined by a noise analysis. The techniques used would vary, depending upon the exact location and orientation of the proposed school in relation to the airport. In other words, there is a difference in noise impact between NEF/NEP 30 and NEF/NEP 35. There may be different requirements for noise insulation depending upon which walls face the flight path. In addition, since most grade schools are not used during July and August, there may not be a need for air conditioning. The cost of these construction materials can vary depending upon the building design, type of construction, building materials used, size of windows, etc. For example, reducing the size of windows would reduce total noise as well as reduce the cost of triple glazing. The typical cost of these improvements would be an increase in window costs of 50 percent, air conditioning costs of up to \$3.00 a square foot, and increased insulation costs of \$4.00 per square foot. Where air conditioning is required, it would also increase the building operating costs as well.

Vacant land owned by the school board retains any rights currently allowed in the existing zoning on the lands. Under the proposed official plan amendment recommended by staff, applications to rezone the vacant school lands within the operating area, resulting in an increase in allowable residential units would require the submission of a noise study and noise mitigative construction. Notwithstanding the GTAA's application, this is also a current practice in the City on lands within the 30 NEF/NEP contour line and is in accordance with the Provincial Policy Statement related to airport noise. The GTAA's proposal would prohibit such rezonings.

Staff have had discussions with the Toronto Catholic School Board about their lands and recommend that the Airport Operating Area be modified to exclude one of their sites since it is outside of the 30 NEF/NEP and can be defined by the existing road pattern and a hydro corridor. A discussion of other recommended modifications to the Airport Operating Area is outlined below.

Possible Changes to the Airport Operating Area:

Staff have carefully reviewed the proposed operating area in all of the residential areas of the City and have found additional areas that could be excluded from the operating area boundary. Attachment Nos. 1 to 6 of this report show these areas and their relationship to the 30 NEF/NEP contour line. These changes are based on using roads, landscape features or zoning categories as the basis of the Airport Operating Area boundary. Although some of the proposed boundary changes encroach on the 30 NEF/NEP contour line, staff do not consider the encroachments to be significant, given the nature of the low density residential neighbourhoods involved.

Staff have forwarded these proposed changes to the GTAA for their comment. As of the date of the writing of this report, they have not responded.

Transport Canada Approval of Noise Contours:

In the March 22, 2001, supplementary staff report, staff recommended changes to the draft Official Plan amendments to add the words, "Transport Canada" to the words, "approved 30 NEF/NEP noise contour". These changes were requested by the GTAA, who had indicated to staff that Transport Canada approved the contours.

Subsequently, Transport Canada has informed staff that they do not fully approve noise contours. Their only involvement is to ensure that airports are using the NEF/NEP noise models correctly. They do not examine the data inputs into the model, such as the projected number of flights, which are the basis for the model output.

Staff want to ensure that Council is aware that the use of the words, "Transport Canada approved 30 NEF/NEP noise contour" in the Official Plan Policies only refers to Transport Canada approval of the noise contour methodology and not the contours themselves.

West Community Council's Proposed Amendments:

On April 4th, the West Community Council proposed that City Council add an additional policy to the proposed official plan amendment that would require a periodic review of the Airport Operating Area boundaries. Staff concurs with this proposal and suggest the following wording:

"185.8 that the airport operating area delineated on Map 8, and policies 185.1 to 185.7 be reviewed whenever a new Transport Canada approved 30 NEF/NEP noise contour is prepared for the airport and/or in conjunction with the five year Plan review outlined in Policy 205 of this Plan."

The existing policy 205 in the Metropolitan Toronto Official Plan states that:

“205 to consider the need to review the Plan at regular intervals, and at least every five years to ensure that the objectives and policies set out in the Plan remain realistic relative to changing social, economic, legislative, and environmental circumstances, and to propose appropriate amendments to the Plan.”

This report was reviewed by the City’s Legal Services Division.

Conclusions:

The policy and mapping changes outlined in this report can be supported by City Planning Staff. It is recommended that Council instruct City Legal Staff to request the Ontario Municipal Board to make the additional policy amendments and mapping changes identified in this report.

Contact:

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List of Attachments:

Attachment Nos. 1-6 Proposed Mapping Changes to the Airport Operating Area)

(City Council also had before it, during consideration of the foregoing Clause, a communication (April 20, 2001) from Mr. Steve Shaw, Vice President, Corporate Affairs and Communications, Greater Toronto Airports Authority respecting the application by the Greater Toronto Airports Authority (GTAA) to amend the Official Plans of the Former Municipality of Metropolitan Toronto and the Former Cities of Etobicoke and North York, and advising that the GTAA will commit to a five-year review of the noise contours in order to ensure that the intent of the Operation Area is being followed.)

(City Council also had before it, during consideration of the foregoing Clause, a communication (undated) from Ms. Sylvia Giovanella, President, Etobicoke Federation of Ratepayer's and Residents' Association expressing opposition regarding the application by the Greater Toronto Airports Authority to amend the Official Plans of the Former Municipality of Metropolitan Toronto and the Former Cities of Etobicoke and North York, and suggesting that should this application be approved, a Conditional Approval Provision, as outlined in the communication, be demanded of the GTAA.)

(City Council also had before it, during consideration of the foregoing Clause, a communication (April 26, 2001) from Mr. Roy Cullen, M. P. Etobicoke North, expressing concerns respecting the Greater Toronto Airport Authority's (GTAA) establishment of an "Airport Operating Area".)