

BOMBARDIER INC.
123 GARRATT BLVD
TORONTO, ONTARIO M3K 1Y5
TEL 416-375-3015
FAX 416-375-4282
www.bombardier.com

BOMBARDIER
the evolution of mobility

VIA EMAIL AND COURIER

November 9, 2012

Mr. Joe D'Abramo
Zoning Bylaw Project
City Planning
Metro Hall, 55 John St, 22nd Floor
Toronto ON M5V 3C6
jdabramo@toronto.ca

Dear Mr. D'Abramo:

Re: New Draft City-Wide Zoning By-Law and Transport Canada Height Restrictions surrounding Downsview Airport (the "Airport")

As you are aware, Bombardier Inc. ("**Bombardier**") owns and operates an aerospace manufacturing and test facility and an approved maintenance organization for aircraft at Downsview Airport (the "**Toronto Site**"). As a part of our flight operations we are required to comply with certain regulations and standards set by Transport Canada regarding the height of structures surrounding the Toronto Site.

In 2008 various meetings took place amongst the City of Toronto, Bombardier and various property developers regarding the Transport Canada height restrictions, the impact of those restrictions on development in the area surrounding the Toronto Site and the need to update the height overlay map attached as Schedule D to North York Zoning By-Law 7625 (the "**Existing Height Overlay Map**"). In the particular case of the Existing Height Overlay Map, we advised the City of Toronto that the map dates from 1964 and thus hadn't reflected the applicable Transport Canada standards for quite some time. Various discussions took place in 2008 regarding the updating of the Existing Height Overlay Map to current Transport Canada standards, and we have attached for your information as Exhibit I to this letter a sample of what the updated height overlay map would look like if drawn in accordance with those standards for the entire perimeter of the airspace around the Toronto Site.

In December, 2008 we advised the City of Toronto that Bombardier would be able to work with a modified version of the map (such modified version of the proposed height overlay map (the "**New Height Overlay Map**") is attached as Exhibit II). The primary reason for the New Height Overlay Map was to release a large portion of the airspace to the West of the Toronto Site (being the hash marked area on the New Height Overlay Map) to enable property developments in those areas to proceed free from any airport related height restrictions while at the same time protecting Bombardier's flight operations. Unfortunately, no further action was taken by the City to implement the New Height Overlay Map.

Since 2008, we have had numerous conversations with various property developers regarding the height restrictions surrounding the Toronto Site. In many cases such conversations are informational only in the sense that the developer consults with us to ensure that the height of a proposed development does exceed the relevant restrictions. In other cases, however, Bombardier has had to object to the proposed height of a development as it would penetrate our airspace and potentially put at risk our flight operations. At a minimum, such objections have delayed the property development process while in other cases have resulted in the developer having to adjust their development plans. In some cases such delays and/or adjustments could have been avoided if the New Height Overlay Map had been implemented as the City and/or developers would have had a greater degree of certainty as to the various height restrictions at an earlier stage in the development and planning process.

We understand that the New Draft City-Wide Zoning By-Law, at Chapter 950.30.1, intends to re-implement the Existing Height Overlay Map. Bombardier objects to the re-implementation of the Existing Height Overlay Map as it reflects neither existing Transport Canada standards and requirements nor the nature of Bombardier's flight operations at the Toronto Site. Bombardier requests that Chapter 950.30.1 be amended to refer to a height overlay map which would be drawn in accordance with the areas and related height limitations as that which is specified by the New Height Overlay Map.

Since the New Draft City-Wide Zoning By-Law process is an iterative one, we reserve the right to raise further issues with provisions thereof that may affect the Toronto Site. By copy of this letter to the City Clerk, we ask to be provided with notice of all upcoming meetings of Council and Committees of Council at which the New Draft City-Wide Zoning By-Law will be considered and we ask to be provided with notice of Council's decision with respect to the by-law.

Bombardier is fully prepared to meet with your team and other relevant City departments to further discuss this matter. It would be appreciated if you could contact Jason Locklin at 416.375.5901, Jason.locklin@aero.bombardier.com to schedule a convenient time for a meeting.

Sincerely,



Martin J. Herman
Director, Legal Services
Commercial Aircraft
Bombardier Inc.

c: Ulli S. Watkiss, *City of Toronto Clerk* (clerk@toronto.ca)
Jason Locklin, *Bombardier Commercial Aircraft*
Steve Tinker, *Bombardier Commercial Aircraft*

EXHIBIT I



DRAFT

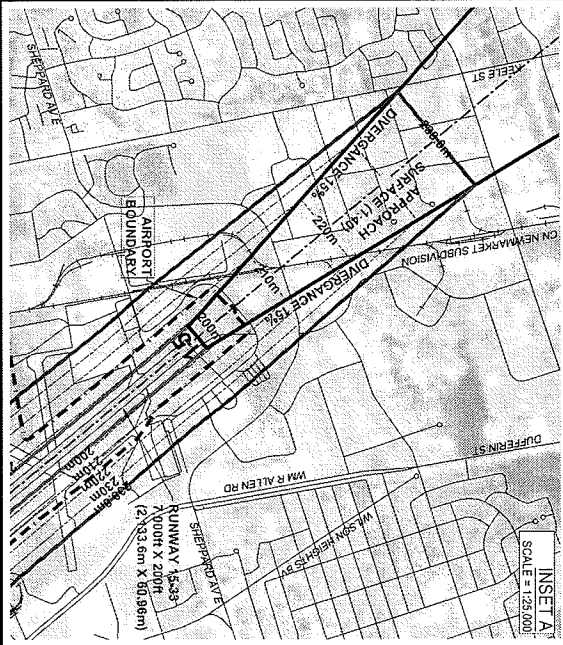
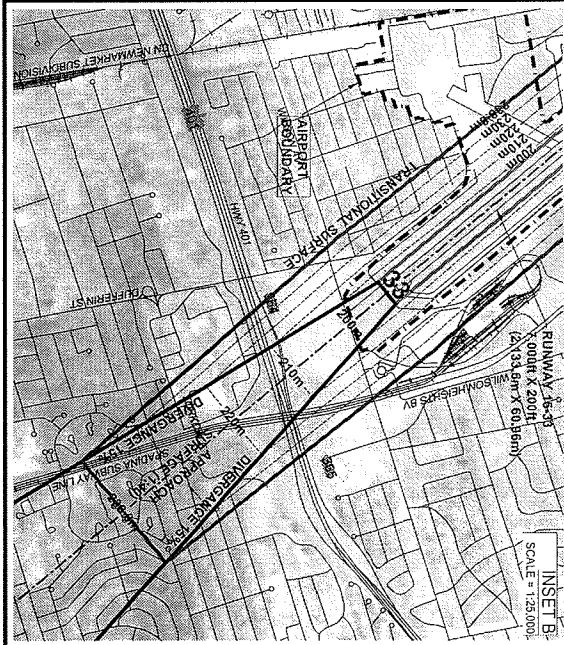
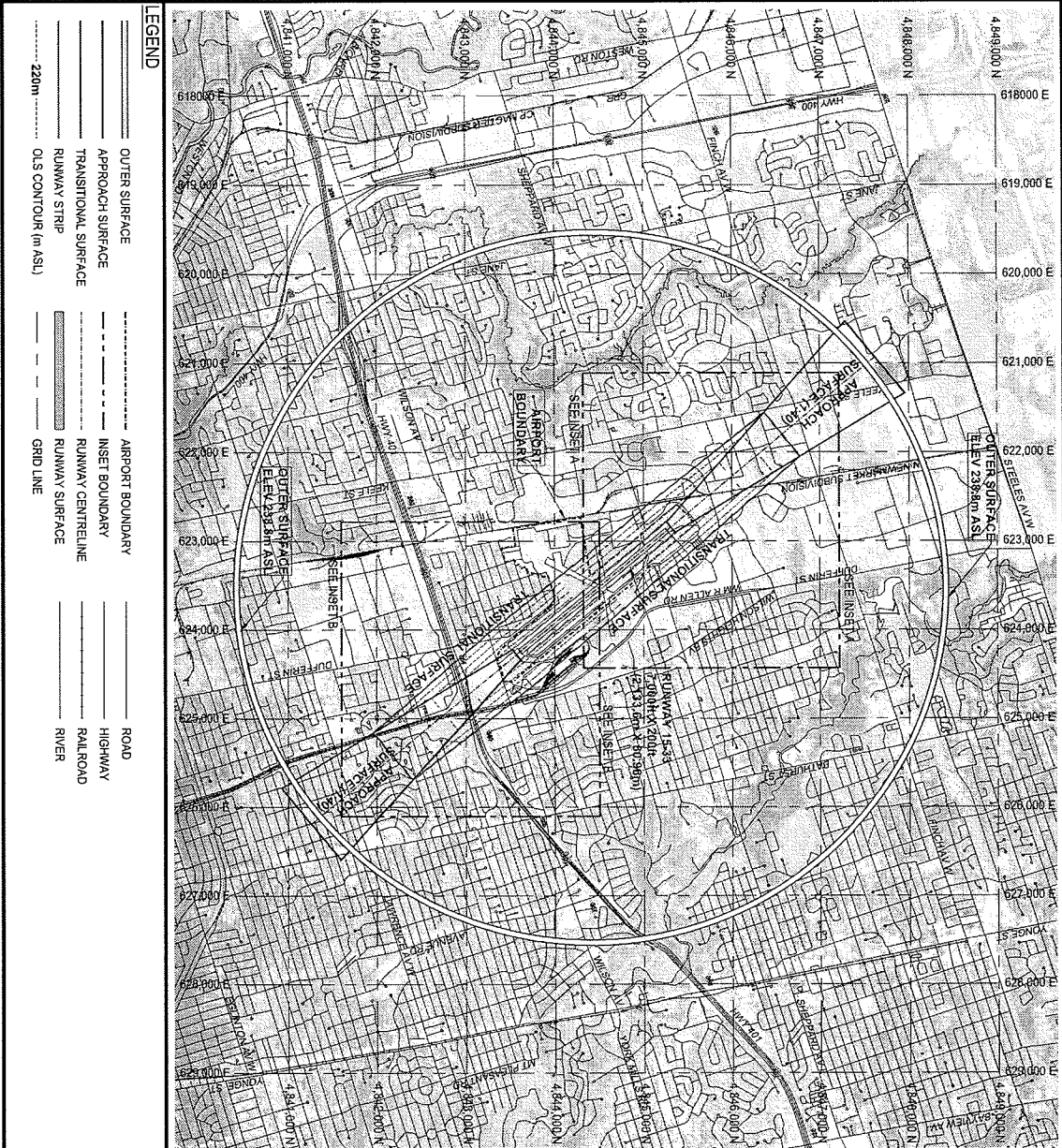
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NO.	DATE	DESCRIPTION	BY	CHKD.
1	10/29/12	ISSUED FOR PERMITTING		
2	10/29/12	REVISED TO REFLECT COMMENTS		
3	10/29/12	REVISED TO REFLECT COMMENTS		
4	10/29/12	REVISED TO REFLECT COMMENTS		
5	10/29/12	REVISED TO REFLECT COMMENTS		
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8	10/29/12	REVISED TO REFLECT COMMENTS		
9	10/29/12	REVISED TO REFLECT COMMENTS		
10	10/29/12	REVISED TO REFLECT COMMENTS		

**BOMBARDIER INC.
 DOWNSVIEW AIRPORT
 OBSTACLE LIMITATION SURFACES**

**DOWNSVIEW AIRPORT
 AERONAUTICAL ZONING ASSESSMENT
 ATTACHMENT A1**



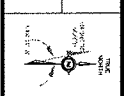
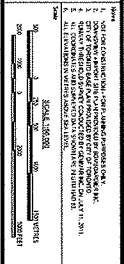
- LEGEND**
- OUTER SURFACE
 - APPROACH SURFACE
 - TRANSITIONAL SURFACE
 - RUNWAY STRIP
 - OLS CONTOUR (in ASL)
 - 220m
 - AIRPORT BOUNDARY
 - INSET BOUNDARY
 - RUNWAY CENTRELINE
 - RUNWAY SURFACE
 - GRID LINE
 - ROAD
 - HIGHWAY
 - RAILROAD
 - RIVER

EXHIBIT II



DRAFT

BOMBARDIER



NO.	DESCRIPTION	DATE	BY	CHECKED

BOMBARDIER INC.
 DOWNSVIEW AIRPORT
 OBSTACLE LIMITATION SURFACES

DOWNSVIEW AIRPORT
 AERONAUTICAL ZONING ASSESSMENT
 ATTACHMENT A1
 20478

