

REPORT No. 5 OF THE LAND USE COMMITTEE

Clause 1
S.T.O.L. AT TORONTO ISLAND AIRPORT

The Committee submits the communication (January 23, 1981) from the Secretary, Executive Committee:

On January 21, 1981, the Executive Committee again gave consideration to the proposed use of the Toronto Island Airport for S.T.O.L. service. The Committee had before it the attached material.

1. Report (January 15, 1981) from the Commissioner of Planning and Development regarding the Canadian Transport Commission's decision respecting this subject,
2. Communication (January 19, 1981) from Blake, Cassels and Graydon; Barristers and Solicitors, regarding possible grounds for appeal of the Canadian Transport Commission's decision, and;
3. Communications from the Minister of Transport regarding this matter.

The Committee was advised that the Mayor would be making recommendations with reference to the future of the Island Airport, and his report (January 22, 1981) is now also appended hereto (4).

The Executive Committee decided to forward this material to a Special Meeting of the Land Use Committee, to be held in the Council Chamber at 7:30 p.m. on Wednesday, February 4, 1981. Anyone wishing to make representations before the Committee should contact the Secretary at 367-7033.

(Report dated January 15, 1981, from the Commissioner of Planning and Development)

Subject: CTC Decision Respecting Proposed STOL Service at Toronto Island Airport.

Origin: Commissioner of Planning and Development. (c71exec81009:109)

Background:

At its meetings of January 22 and February 5, 1979, City Council decided to intervene before the Canadian Transport Commission (CTC) in opposition to an application by Canavia Transit Inc. to operate a scheduled STOL air service between the Toronto Island Airport, Montreal and Ottawa. Four other airlines later submitted applications to run similar air services and the CTC decided to hold public hearings in Toronto, Montreal and Ottawa to deal with all five applications. These hearings took place between February 11, 1980, and March 6, 1980.

The City of Toronto was represented at the CTC hearings by Mr. D.J.M. Brown of Blake, Cassels and Graydon. Members of my staff assisted Mr. Brown before and during the hearings. On October 17, 1980, the CTC released a 240 page document containing its "decision and order". Since an election campaign was by then in place, the CTC decision was not immediately placed before City Council.

The purpose of this report is to summarize the main findings of the CTC decision, and its implications, in order to assist City Council in determining an appropriate response both to the CTC decision itself and to the proposals subsequently put forward by the federal Minister of Transport.

Copies of the full text of the CTC decision can be provided to Members of Council on request.

Summaries of two key documents dated February, 1980, and which were released during the hearings are attached. Transport Canada's "Report on the Proposed Establishment of a Limited Toronto Island Based Dash-7 STOL Service" is Appendix D. The report "Revised Benefit - Cost Analysis of DASH-7 STOL Systems in the Quebec-Windsor Corridor", prepared by Quantalytics Inc. for the City of Toronto, is Appendix E.

Copies of these documents have been placed in the Aldermen's lounge for the use of Council Members.

Comments:

1. The City's Concerns

The last three City Councils have all expressed opposition to the introduction of commercial, STOL air services at Toronto Island Airport. This opposition has been based on two factors:

- (a) a concern that changing Toronto Island from a recreational airfield to Toronto's second commercial airport would, in the long run, have a seriously detrimental effect on the Toronto waterfront and on City Council's efforts to make it more of a "people place" by promoting new recreational and housing uses (even through the initial service, using quiet Dash 7 aircraft, would have a comparatively small impact);
- (b) a conviction, supported both by the federal government's analyses and those undertaken by City planning staff, that the service would offer very few benefits and that these would be outweighed by its costs.

The findings of the CTC address both of these matters.

2. The CTC's Finding that a Service is Required

The CTC's mandate means that it has to consider three related issues:

- is a proposed service "required by the present and future public convenience necessary?" and if so

- is it in the public interest that a licence be issued? and if so,
- to which applicant?

In dealing with the first issue, the CTC asked four questions.

Question No. 1

"Is there an identifiable need for STOL services?"

On this question, the CTC concluded that "if the necessary infrastructure is in place and if the STOL service can, in fact, realize some form of competitive advantage in terms of time-savings or convenience, then a STOL service authorized to operate in the Montreal/Toronto/Ottawa triangle could reasonably expect to attract a substantial number of inter-city travellers from the other means of transportation." (p. 198)

Question No. 2

"Can the alleged advantages of introducing STOL be achieved?"

This second question followed logically from the first. The CTC looked at three elements:

- (a) Time Savings - the question of whether STOL would provide time savings, and also how large they would be, has been hotly debated over several years and occupied considerable time at the hearings. The CTC concluded: "On balance we see the time-saving as being rather on the minimal side and are inclined to draw the conclusion that it will likely belong more to the realm of perception than otherwise." (p. 204)
- (b) Frequency of Service and Flight Schedule - the CTC concluded that: "... the frequency of flights out of the STOLport would be unable to match the frequency out of conventional airports. Moreover ... it is unlikely that the STOL service would be as successful in matching frequency to the daily variation in demand as is the STOL service." (p. 204)
- (c) Convenience - only here did the CTC conclude that STOL would realize some of its claimed advantages: "In summary, we would conclude that the convenience of the STOL system related to the no-hassle more personalized type of service, the smaller terminals and smaller aircraft, the shorter and less risky access times, would alleviate, for a proportion of the travelling public, some of the tension, stress and aggravations associated with business travel." (p. 206)

Question No. 3

"Are present services adequate to meet the need of the marketplace?"

The CTC gave a double answer to this question. it decided that "the present air services in the triangle (are) adequate in terms of the present and future public convenience and necessity", but that this should not prevent it from

authorizing new air services "on the basis of improved convenience for the travelling public or segment thereof." (p. 209)

Question No. 4

"Will authorization of the STOL service jeopardize the existing scheduled services?"

The CTC made several comments in response to this question. Most significantly, it concluded that: "... by authorizing STOL, to commence at some future date, we may be trading-off improved convenience for the local passenger against that of the non-local connecting passenger." (p. 212)

Based on its answers to these four questions, the CTC reached its major conclusions:

- "we fail to see the establishment of a STOL service as a necessity", but
- "at the same time, it is clear that if authorized the STOL service would provide a more convenient service for a segment of the travelling public." Even so,
- "we are left with concern on two fronts":
 - (1) "we find the notion of convenience to take on a somewhat nebulous and intangible air", and
 - (2) "a STOL service would be attractive to only a segment of the travelling public. For another segment ... (it) may lead to reduced convenience".

Ultimately, however, the CTC:

- "is content to conclude that the introduction of STOL into the Montreal/Toronto/Ottawa triangle would improve, in an overall sense, the convenience of the overall air services ... this finding of convenience, although not a strong one, is sufficient to convince us that a STOL service is required by the present and future public convenience and necessity." (pp 214-215)

3. The CTC's Findings about the Public Interest

In considering "whether the public interest is of sufficient merit to outweigh the finding of public convenience", the CTC looked at four major issues.

Issue 1: "The Impact of STOL Services on VIA Rail"

The CTC concluded that STOL would cater mainly to time-sensitive travellers while rail is attractive to the price-sensitive traveller. As a result: "(we do) not believe that the introduction of a STOL service between Montreal, Toronto and Ottawa would have any significant impact on VIA Rail's operation". (p. 220)

Issue 2: "The Economic Implications of Authorizing a STOL Air Service"

The CTC had before it three different cost-benefit analyses, two prepared by the federal government and one commissioned by the City of Toronto (Appendix E). The CTC decision states: "on the basis of the cost-benefit analyses we would conclude that the STOL project is at best a marginally beneficial project. It would seem more likely, however, that economic costs will outweigh economic benefits." (p. 226) Despite this finding, the CTC concluded that: "... the task of determining modal (carrier) presence and modal (carrier) share properly rests with the marketplace itself" and should not be delegated to cost-benefit analysis. (p. 227)

Issue 3: The Position of Transport Canada in Respect of Airport Facilities

The CTC decision states: "Transport Canada has given no indication that it is committed to the construction of the necessary STOLport facilities at Toronto (Island) Airport, Montreal (Victoria Carpark) and Ottawa (Uplands Airport)." The CTC "cannot ignore the uncertainty resulting from a lack of commitment on the part of Transport Canada to the construction of the necessary STOL infrastructure." (p. 229-230)

Issue 4: "The Position of the City of Toronto in Respect of Toronto Island Airport"

(Since this is obviously at the core of City Council's concerns, the CTC's findings on this point are reproduced in full.)

"The City of Toronto opposes the authorization of regularly scheduled commercial air services (Class 1 or 2) out of Toronto Island Airport. More specifically, and in the context of this hearing, it opposes the services contemplated by Canavia, City Centre, Dash-Air, Bradley and Air Atonabee. This opposition relates not so much to the details of any particular application, but rather, in principle to the authorization of 'high frequency regularly scheduled passenger services', in general, because of the longer term implications. The City has argued that such an authorization, would for example, (1) open the door for the replacement of the present equipment with noisy jet-STOL aircraft (and increased use of the airport by corporate jets) and, (2) promote the development of the Island Airport to such an extent that it may become a highly commercialized and congested facility. Such development, it was argued, would be inconsistent with the land-use plans of the City of Toronto and the City would be powerless to prevent its occurrence.

The testimony of a number of public interest witnesses supports the contention that the establishment of a scheduled commercial air service out of the Island Airport would be inconsistent with the present and contemplated future uses of the waterfront lands. To this extent, the Committee views this evidence as enhancing the position of the City of Toronto.

The essential argument, therefore, is one of incompatible land uses. To appreciate this argument it is necessary to understand the overall direction and thrust of land-use planning in the central area of Toronto.

The City of Toronto has argued that its position with respect to the use of Toronto Island Airport must not be viewed as an isolated decision on one tract of land in the waterfront area, but rather must be viewed in conjunction with (1) past planning and development decisions taken with regard to the waterfront area and, (2) the City's development plans for the central City which includes the waterfront area.

The City of Toronto's plan for the central part of the City is designed to restrict, to some extent, the growth of offices in downtown Toronto and to complement that restriction by encouraging housing development in the central area. It follows that if there are going to be more people living close to and around the downtown area there will arise a greater need for recreational resources. Hence, in addition to the regional recreational role which is placed on the waterfront area, there is an increasing demand associated with the requirement of the citizens living in the downtown area.

Because of these demands for recreational land, the City has attempted to realize fully the recreational potential of the waterfront area which for many years has been dominated by port-related industrial activities. As the requirements for such industrial facilities to be located in the port area have diminished over the years, a series of new opportunities for the conversion of the waterfront area for recreational and residential purposes have emerged.

Thus, the overall planning thrust has been to promote "people-related" uses of the Toronto waterfront and to realize its potential as a recreational and residential resource.

To the extent that the nature of land utilization is changing in the Toronto waterfront area, the Toronto Island Airport remains as a somewhat incompatible land-use. As such, it was argued by the City of Toronto that the most consistent and logical position from a planning point of view is to restrict the future growth and expansion of such a facility. Not to do so would be contrary to the direction of development and planning in the waterfront area.

The Committee appreciates the position of the City of Toronto. In particular, we accept that the authorization of a scheduled commercial air service (Class 1 or 2) out of Toronto Island Airport, however limited in scope, may lead to possible future aviation uses which may run counter to the thrust of planning and development in the waterfront area, and which, because of the particular exigencies of the time, may be difficult to curtail or prevent.

It is, of course, difficult to predict with any degree of certainty the longer term implications of developing a scheduled commercial air service out of Toronto Island Airport. It is clear, however, that the possible introduction of noisier aircraft may (1) compromise the quality and value of recreational areas such as the Toronto Islands, Harbourfront and Ontario Place, (2) lead to the elimination of significant wildlife resources on the Islands and (3) reduce the desirability of residential areas such as Harbour Square and the St. Lawrence development. Moreover, it seems clear that it will be difficult to curtail the level of activity at Toronto Island Airport, should a limited Dash-7 service prove successful. Undoubtedly, in those circumstances there will be pressure to expand operations to other points. Such growth may

bring with it traffic problems and increased congestion in the Harbourfront area.

The City of Toronto has also argued that by virtue of the provisions of the Ontario Planning Act and by virtue of the terms of its agreement with His Majesty the King (represented by the Minister of Transport for Canada) and its lease agreement with the Toronto Harbour Commissioners, the City has the legal right to regulate or control the use of the Toronto Island Airport lands for airport purposes and thus prevent the use of Toronto Island Airport for a STOL service.

Without commenting upon the legal position of the City of Toronto, the Committee recognizes that if the City remains firm in its opposition to the commercial use of Toronto Island Airport as otherwise than defined in its by-law, and unless the Government of Canada exercises its power to expropriate the City-owned land, the question of whether or not Toronto Island Airport will be available for a STOL air service could take a considerable time to resolve. Moreover, we take note that the federal government is not, at the present time, contemplating the expropriation of the City-owned land.

The Committee is concerned about the uncertainty which results from the position taken by the City of Toronto. We are of the view that this uncertainty and the implications thereof must weigh heavily in our deliberations.

The Committee also notes that the City of Toronto would withdraw its opposition, notwithstanding these concerns, if it were proven that the authorization of regularly scheduled commercial air services was required in the "national interest". In citing such an example, Mayor Sewell stated,

'I know of one example where in fact City Council did take it into account in regard to this airport and that was during the Second World War when it was used for training Norwegian pilots.'

No evidence has been placed before the Committee to suggest that it is dealing with such a 'national interest matter'.

In respect of the position of the City of Toronto the Committee would offer two further comments. First, we understand that the land-use plans of the City of Toronto may have to be modified in the future to conform with the Official Plan adopted by Metropolitan Toronto. The evidence suggests, however, that an amendment to Metro's plan, in respect of Toronto Island Airport, will take time and, in fact, may not compromise the position of the City of Toronto. In any event, this matter is yet to be resolved.

Second, we note the position of Transport Canada that it may be possible to frame an agreement which would allay the concerns of the City of Toronto in respect of (1) the possible introduction of jet-STOL aircraft and (2) the eventual scale of the STOL operation. We also note that at present, the City of Toronto does not share this view. This matter, also, remains unresolved."

4. The CTC's Final Conclusions

The CTC announced in its conclusions that it was satisfied that the proposed service is required by the public convenience and necessity. It decided that it could not, however, award a licence to any of the five applicants and should defer consideration since all of them are "clouded with uncertainty" for two reasons:

- * (a) Transport Canada is not committed to upgrading the Island Airport or providing the necessary infrastructure at Toronto or elsewhere;
- * (b) "The City of Toronto strenuously opposes the introduction of scheduled services", and the construction of STOL infrastructure, at the Toronto Island Airport. (p. 235)

As a result, the CTC "being of the view that the public interest requires that the uncertainties outlined above be first resolved before the matter can be carried further, has decided to adjourn sine die its further consideration". (p. 237)

5. Implications for City Council

When it was first announced, the CTC decision was viewed by City officials as a significant victory, since the general public expectation had been that a licence would be awarded to one of the five applicants. The finding that a STOL service is "required", however, makes the City's success only a partial one.

The CTC's assessment of the large amount of evidence placed before it is impressive. Its findings on virtually all the factors considered seem fair and reasonable. The point where City Council may part company with the CTC is on the weighting to be assigned to each factor.

The CTC decision in effect sets up a pair of scales with the convenience and necessity of the travelling public on one side, and the broader "public interest" on the other. Its strong-sounding conclusion that the service is "required by the present and future public convenience and necessity" merely means that there is something, in this case a small and "somewhat nebulous" amount of increased convenience, on the one side of the scales.

On the other side of the scales come three factors:

- the impact on rail (a point on which very little evidence was led, and on which the CTC did not have the benefit of the "Alternatives to Air" report recently produced by the Canadian Institute on Guided Ground Transport);
- a negative cost/benefit analysis (which the CTC decided, in what is essentially a political judgement, should not prevent the service being tried in the "market place"); and
- the City of Toronto's concerns about immediate and long run impacts on the Toronto waterfront.

In its decision the CTC never really states its judgement as to whether the public interest side of the scale outweighs its finding of public convenience. Instead, it finds that the uncertainty created by two government decision-making bodies - the Minister of Transport and City Council - makes it unrealistic to issue a licence at the present time. In effect, then, the CTC seems to be concluding that these two bodies must determine whether the broader public interest outweighs the measure of convenience STOL would add for some members of the travelling public. By his recent public announcement that he is prepared to provide funds, the Minister appears to have already reached his own conclusion on the matter.

All of this places the onus on City Council in a new and extremely clear way. It means that City Council's decision is likely, in fact, to weigh heavily on the determination of whether or not a STOL service is introduced.

In the wake of the CTC decision, therefore, City Council seems to be faced with three reasonable options:

Option 1 - Appeal the CTC Decision

Under federal legislation, a decision of the Canadian Transport Commission can be appealed to the Federal Court of Appeal in the event that there is a legal error on the face of the document. In the case of the STOL decision, the CTC discussed at some length the question of whether, if convenience but not necessity was present, it should still find a service "required by public convenience and necessity". It concluded in the affirmative. (pp. 186-192)

It is understood that the City's outside legal counsel, Mr. D.J.M. Brown believes that the CTC's decision in this respect amounts to a reinterpretation of the law. Furthermore, even on the CTC's own analysis, the conclusion reached seems inconsistent with its own interpretation of public convenience and necessity. Taken together, these two considerations provide the City with a basis on which to launch an appeal.

Mr. Brown has written to the City Solicitor in this regard.

Option 2 - Status Quo

A second option would be for City Council to take no further action with respect to the CTC decision, but to reaffirm its position as stated in Official Plan amendment 115. This amendment, approved in principle by the 1976-1978 Council and passed by Council in 1979, was upheld by the Supreme Court of Ontario last January but was rejected by the Ontario Minister of Housing in October, 1980, (Appendix C). The Minister did not refer it to the Ontario Municipal Board despite two requests for such referral. I understand that it is doubtful as a matter of law whether the Minister can refuse a request for referral in this case.

A similar issue is raised by the Minister's rejection of City Council's request that Metroplan's statement with respect to the Island Airport be referred. This reads:

"The (Metropolitan) Corporation supports the retention of the Toronto Island Airport."

City Council at its meeting of December 18, 1980, instructed the City Solicitor to take the appropriate legal action to attempt to reverse the Minister's decision respecting this and various other sections of Metroplan.

An Official Plan amendment was originally proposed (rather than a resolution) as the vehicle through which Council should express its policies for the Island Airport since:

- the Official Plan amendment process involves extensive public participation and consultation;
- an Official Plan amendment binds future City Councils, thereby providing a measure of assurance to all parties that the decision will not be unexpectedly reversed; and
- the Government of Ontario was not at that time firmly committed to STOL, and it was hoped that the Municipal Board and the Minister of Housing would recognize the validity of the City's Planning arguments and uphold the amendment.

Although amendment 115 has been rejected by the Minister, the present City Council is quite free to adopt the same position as its policy by way of resolution. To do so would clarify that Council's position is unchanged on the STOL issue, and would have the further advantage of re-asserting the City's determination to decide for itself the future use of its own lands which form an integral part of the Airport site.

The text of amendment 115 appears in Appendix B. A possible resolution embodying the same intent is set out in Appendix A.

Council could both appeal the CTC decision (Option 1) and adopt the resolution put forward as Option 2. A more moderate stance would involve simply adopting the resolution (Option 2). The only remaining option is for Council to change its past position and agree to negotiate guarantees with the federal government.

Option 3 - Negotiate Guarantees

Two previous reports from this department have recommended against "STOL with guarantees". The CTC decision does not change the factors on which those recommendations were based; in fact, it supports them.

The principal argument against "STOL with guarantees" has been twofold. First, that it is impossible for really firm guarantees to be provided by the federal government. The federal government of today cannot bind the federal government of tomorrow. Under the British North America Act, federal jurisdiction over aviation matters is clearly established. The Government of Canada can at any time unilaterally change the function of the Toronto Island Airport.

The City presently has a measure of control through its ownership of part of the Island Airport. But the federal government can always expropriate the City's lands.

Of course, the federal government could take that step in the present case (despite an announcement that it is not now contemplating such action). But where the case for STOL is such a thin one, and has been so hotly contested for so long, this would be a highly controversial move.

By contrast, once Toronto Island becomes clearly established as Toronto's second commercial airport, incremental expansion of its role, through minor or "technical" amendments to agreements, carried out unilaterally or under threat of unilateral federal action, will become almost impossible to resist.

This is the second element of the argument against guarantees. Once a "limited" STOL service is established there will almost certainly be pressures to expand the limits in various ways. The STOL operator may wish to expand the number of routes, the number of flights, or the size of aircraft. Additional terminal, parking and access requirements may emerge. Most critically, once the first commercial jet STOL aircraft become available (within 2-3 years) there will be very strong pressure to use them since they would generate significant travel time savings to cities already served and would add cities like New York, Chicago and Boston to those within range of the Island STOLport.

The CTC apparently accepts the validity of this "thin end of the wedge" argument. It states:

"It seems clear that it will be difficult to curtail the level of activity at Toronto Island Airport, should a limited Dash-7 service prove successful. Undoubtedly, in those circumstances there will be pressure to expand operations to other points. Such growth may bring with it traffic problems and increased congestion in the Harbourfront area."

6. Conclusions

In terms of the three options set out above, the second one, re-affirming Council's opposition to STOL, is recommended as a minimum action. (Resolution set out in Appendix A).

If Council wishes to go further in attempting by legal means to prevent the licensing of a STOL service, it should also launch an appeal against the CTC decision along the lines set out in Option 1.

Option 3, the negotiation of guarantees, is not recommended.

The Minister of Transport and other members of the Policy Steering Group should be formally notified of Council's actions.

Appendix A

(Resolution recommended for adoption by City Council.)

Whereas the Canadian Transport Commission has referred to City Council's strenuous opposition to the introduction of STOL services as part of its basis for not licensing such a service at this time,

And whereas the federal Minister of Transport is proposing that STOL be introduced subject to certain conditions,

Therefore, be it resolved that this Council reaffirm that its policy is to discourage the use of Toronto Island Airport for high frequency regularly scheduled passenger services,

And further that it is the policy of Council to support the continued use of the Toronto Island Airport lands for general aviation purposes, subject to certain conditions being reflected in a new lease agreement with the Toronto Harbour Commissioners, specifically:

- (i) the construction of additional runways or the extension of any runway beyond 4,000 feet in length will not be permitted;
- (ii) jet-powered aircraft will not be permitted to land, except for emergency purposes; (except for aircraft powered by turbo-prop engines);
- (iii) aircraft generating excessive noise levels will not be permitted; appropriate noise levels and monitoring points will be determined by Council following consultation with the Toronto Harbour Commissioners;
- (iv) there will be no instrument landing facilities (including microwave landing facilities) installed or used at the Airport;
- (v) there will be no bridge or vehicular tunnel access between the mainland and Airport;

In the event that such a new lease agreement is not in place prior to June, 1981, it is the policy of City Council to withdraw its lands from Airport use when the current lease expires in June, 1983, and to seek the immediate conversion of all Toronto Island Airport lands for parks or parks and housing purposes (and accessory or incidental uses).

And further that it is the policy of Council to oppose the establishment of any new airport on the City's waterfront.

Appendix B

Official Plan Amendment 115

Part I of the Official Plan is amended

- (1) by delineating on Map 1, the generalized City Plan Map, and designating "Toronto Island Airport Lands", the land delineated by a heavy line shown on the Maps designated "Official Plan Amendment No. 115 - Toronto Island Airport Lands", attached hereto.
- (2) by deleting Section 7.17.
- (3) by inserting in Section 5 Section 5.17a as follows

"5.17a Toronto Island Airport Lands

1. It is the policy of Council that the Toronto Island Airport Lands shall be used for parks or parks and housing or, subject to paragraphs 2, 3 and 4, which follow, general aviation and uses incidental or accessory thereto.
2. It is the policy of Council to discourage the use of the Toronto Island Airport for high frequency regularly scheduled passenger services; and Council will encourage the continued use of the Toronto Island Airport Lands for general aviation purposes, for so long as the City's lease agreement respecting part of the Airport property, or any renewal or similar agreement continues in effect, provided that it obtains from the lessee the right to terminate such lease agreement and renewal if any of the following conditions respecting the Toronto Island Airport Lands are not met:
 - (i) the construction of additional runways or the extension of any runway beyond 4,000 feet in length will not be permitted;
 - (ii) jet-powered aircraft will not be permitted to land, except for emergency purposes; (this sub-paragraph shall not apply to aircraft powered by turbo-prop engines);
 - (iii) aircraft generating excessive noise levels will not be permitted; appropriate noise levels and monitoring points will be determined by Council following consultation with the Toronto Harbour Commissioners;
 - (iv) there will be no instrument landing facilities (including microwave landing facilities) installed or used at the Airport;

- (v) there will be no bridge or vehicular tunnel access between the mainland and Airport;

and provided that the Minister of Transport of the Government of Canada consents to the conversion of the Toronto Island Airport Lands for parks or parks and housing purposes, and uses incidental and accessory thereto, in the event it is no longer operated as a public airport.

3. If it is not satisfied that the provisions of paragraph 2, above, have been met prior to June, 1981, by which time any decision not to renew the present lease agreement must have been made, it is the policy of Council to seek the immediate conversion of the Toronto Island Airport Lands for parks or parks and housing purposes and uses incidental and accessory thereto.
4. While the Toronto Island Airport Lands continue to be used for general aviation, Council will review the relative needs for parkland, housing, and general aviation at least two years before the end of each lease period, in order to determine whether a change of use is appropriate and therefore whether the lease should be renewed.
5. It is the policy of Council to oppose the establishment of any new airport on the City's Waterfront."

by adding subsection (n) to Section 10.1 as follows:

"(n) The term 'general aviation' includes the following civil aviation activities:

Recreational flying, flying training or instruction, air charter services using aircraft with a maximum gross take-off weight under 18,000 lbs., corporate and private business flights and government civil flights, and regularly scheduled commercial air services using aircraft with a maximum gross take-off weight under 35,000 lbs."

Appendix C

(Communication dated October 10, 1980, addressed to the City Clerk from the Minister of Housing)

Re: Proposed Amendment 115 to the Official Plan for the City of Toronto Planning Area. File: OPC-3711-115

This is to inform you that I have today refused to approve proposed Amendment 115 to the Official Plan for the City of Toronto Planning Area.

I have taken this action with the agreement of The Honourable James Snow, the Minister of Transportation and Communications and with the full support of cabinet.

Cabinet has recently reaffirmed that the proposed amendment is contrary to the stated provincial position of supporting the concept of a STOL facility on the Toronto Island Airport lands. Cabinet has reaffirmed its support of the concept of a STOL facility at the Toronto Island Airport without prejudice to any specific application pending before the Canadian Transport Commission at that time.

Cabinet has also confirmed as a matter of policy that provisions beyond the legislative ability of a municipality to implement and/or provisions which may be construed as binding on a senior level of government are inappropriate for inclusion in an official plan.

In addition, the provisions of the proposed amendment would conflict with the intent of the recently approved Official Plan for Metropolitan Toronto.

As a result, it is inappropriate to approve an amendment to your official plan which is not in conformity with stated metropolitan and provincial objectives.

Appendix D

(Report dated February, 1980, on the proposed establishment of a limited Toronto Island based DASH-7 STOL service.)

(The following summary is taken from the Ministry's report).

Summary

The purpose of this Report is to discuss the establishment of a Limited DASH-7 STOL Service using Toronto Island Airport as the Toronto terminus.

Details of the Service, including estimates of STOL passenger volumes, capital and operating costs for STOL airport facilities at Toronto Island Airport and in Montreal, and the number of years required to recover fully the costs of the facilities from the STOLport users are provided in Section 1. Section 1 also considered alternative ways of financing the construction of STOL facilities at the Toronto Island Airport. The STOLport cost estimates presented in this Section are elaborated upon in Appendices A and B and a cost/revenue analysis for the Toronto Island Airport is provided in Appendix F.

Section 2 presents what Transport Canada considers to be the two principal arguments supporting the establishment of the Limited STOL Service. These are:

- i) It would provide an alternative intercity transportation service that would be highly valued by many business travellers due to its travel-time savings, improved on-time reliability, and convenience;
- ii) It would help de Havilland market the DASH-7 aircraft, which would strengthen the domestic aerospace industry generally and would result in increased employment at de Havilland and at its Canadian suppliers.

Four other arguments often cited in support of STOL services are considered to be of lesser importance. These are summarized in Section 2 and discussed in Appendix C.

Section 3 considers the main arguments opposing the establishment of the STOL Service from the Toronto Island Airport. These are:

- i) Although Limited DASH-7 STOL Service at Toronto Island might be acceptable from an environmental point of view, in time the DASH-7 would be replaced by noisy jet-STOL aircraft and/or the scale of STOL operations would grow to the point where the Airport would become congested and highly commercialized. This would not be in keeping with land use plans for the general area, and the City of Toronto would be powerless to prevent its occurrence;
- ii) The economic costs of the proposed STOL Service have been shown to exceed the economic benefits, meaning that establishment of the proposed service would be an inefficient use of the nation's resources.

With respect to the first of these two arguments, the Report suggests a practical way in which the City of Toronto could be given effective control over unacceptable future development and use of Toronto Island Airport. As to the second, the Report describes the economic implications of the proposed Limited STOL Service. Economic considerations include such diverse factors as the estimation of the benefits achieved through reduced travel time, as well as disbenefits in terms of additional travel costs in the total transportation system. The Report concludes that no definitive answer can be reached on the economic analysis because of the difficulty in accurately determining all the costs and benefits.

The Report goes on to point out that a STOL air service between Toronto, Montreal and Ottawa should be commercially viable. Moreover, a detailed analysis is provided to demonstrate that the cost of operating and maintaining the Toronto Island Airport for the Limited Service, including the necessary capital improvements, could be recovered from the users of the STOL Service. In addition, the Report explains that if the revenue for the Limited STOL Service were to be consolidated with the revenue from General Aviation activities, it would place the total operation of the Airport on a financially sound basis.

It is the contention of Transport Canada that an acceptable agreement could be reached with the City of Toronto on the future operation and development of the Toronto Island Airport so as to permit STOL Service with de Havilland DASH-7 aircraft. Action would then be required to integrate the STOL/GA Airport into the Toronto Waterfront Planning. Acceptance of

this proposition, coupled with the conviction that the arguments favouring STOL are valid, leads to the conclusion that the proposed Toronto Island based DASH-7 STOL Service would make a positive contribution to transportation in the Toronto/Ottawa/Montreal Triangle and to Canada's aerospace industry.

Appendix E

(Revised benefit-cost analysis of DASH-7 STOL systems in the Quebec-Windsor Corridor by Dr. Cary Swoveland, Quantalytics, Inc. - February, 1980)

(The following summary is taken from Dr. Swoveland's report.)

Summary

The purpose of the study described in this report was two-fold: to update the analysis contained in the 1978 Transport Canada benefit-cost analysis, "Economic Evaluation of a Downtown, Intercity STOL System in the Quebec-Windsor Corridor", and using information contained in the revised analysis, to carry out a benefit-cost analysis of proposals by Canavia Transit Inc., Dash Air Inc. and City Centre Airways Ltd., to provide DASH-7 STOL services on the routes Toronto-Montreal, Toronto-Ottawa and Montreal-Ottawa. (The information needed to carry out a benefit-cost analysis of the air services proposed by Bradley Air Services and by Air Atonabee was not readily available; hence, these proposals were not analyzed.)

The original benefit-cost analysis was revised to take account of certain information that has become available since the study was published in 1978. The changes concern the capital costs of STOLport facilities at the Victoria Carpark site in Montreal, the valuation of "benefits to conventional airports" and the valuation of "industrial benefits". The effect of the first two changes was to slightly reduce the estimated net economic disbenefit for the Two STOLport Option and to slightly increase the estimated net economic disbenefit for the Single STOLport Option. It is argued that, due to the success that de Havilland of Canada has had in selling the DASH-7, the industrial benefits would undoubtedly be substantially less than previously estimated. Thus, the main conclusion of the original study, that total economic costs exceed total economic benefits, remains unchanged. This present study concludes also that, when compared with the option of the continued use of Toronto Island Airport by General Aviation only, neither the Two STOLport nor the Single STOLport Options can be supported on economic grounds. These conclusions would likely apply to any large-scale DASH-7 STOL system in the Quebec-Windsor corridor. The revision of the original benefit-cost analysis is discussed in Section 2.

The benefit-cost analysis of the applicants' proposed limited STOL services was based on information derived from the original benefit-cost analysis, from the applications filed by the carriers with the Canadian Transport Commission and facilities cost estimates for limited STOL services prepared

by the Canadian Air Transportation Administration and filed with the Canadian Transportation Commission. It was assumed that annual passenger volumes would remain constant, at levels proposed for the first or second year of operation. The proposals were compared with both the "base-case" option of using Toronto Island Airport for a market-oriented housing development, and the option of the continued use of Toronto Island Airport by General Aviation only.

Although the results depend upon the value of the industrial benefits that would result, it is argued that it is unlikely that the industrial benefits would be large enough to justify any of the proposals on economic grounds.

(Communication dated January 19, 1981, addressed to the City Solicitor from Mr. Donald J. M. Brown of Blake, Cassels & Graydon)

I have been asked to write to you with regard to possible grounds of appeal from the Air Transport Committee of the Canadian Transport Commission's decision with regard to air services from the Toronto Island Airport.

The Committee's elaboration of the meaning "convenience and necessity" and their conclusion that these words mean no more or no less than "demand" is not supported by judicial authority. Furthermore, in the course of their reasoning they conclude that it would not be proper to examine convenience alone as the concept obviously intended more than that. Nevertheless, by reaching in their terms, a finding of convenience alone and "not a strong one" at that leads to inconsistency with its own interpretation of public convenience and necessity. It seems to me that taken together, these two conclusions would provide a basis on which an appeal could be launched.

It is not clear whether the Air Transport Committee has reached a conclusion in that the final result was an adjournment of the several applications, however, should the City decide to appeal, an application ought to be launched immediately as the time limits have expired technically than to await any further consideration by the Committee could result in the opportunity to appeal being lost altogether.

I trust that the foregoing is sufficient for your purposes.

(Report dated January 22, 1981, from Mayor Eggleton.)

I have forwarded correspondence from the Honourable Jean-Luc Pepin, Minister of Transport and the Chairman of the Toronto Island Airport Policy Steering Group, for your consideration.

Mr. Pepin outlines, in broad terms, a set of conditions that he feels will satisfy the City's needs to control the future operation of the Island Airport.

As members of the Committee and Council know well, City Council has previously rejected the idea of STOL at Toronto Island Airport. I personally have always believed that the operation of a Dash-7 service from the Toronto Island Airport is totally compatible with our emerging planning objectives for residential and recreational uses in the waterfront. Our planners have made that clear!

- The issue is not whether Dash-7 is compatible - it is. It is a quiet, fuel efficient aircraft.
- The issue is not whether you can "bind" the Federal Government. They always have the ultimate power of expropriation, but it hasn't stopped us from entering into agreements like that for Harbourfront, or various land-banking and mortgage commitments.
- The issue is not whether the Island Airport should be used for commercial purposes - it already is used for scheduled commercial flights.
- The issue is not the economic viability of STOL operations. That is a federal concern. No municipal tax money is involved. The Ministry of Transportation, in its February, 1980, report on Limited STOL Service (See Appendix A) says it is commercially viable. Furthermore, the Minister, Mr. Pepin, says that the government would not subsidize STOL operations.
- The issue is only "what could happen if the introduction of a Dash-7 service leads to an expanded and noisier operation?"

That is a fair question, and one that requires serious consideration.

If one is concerned about protecting the City's position, the approach is one of either:

- saying no to everything, or
- negotiating a set of guarantees that put the City in the driver's seat regarding the future operation of the airport.

Council to date has taken the first route. That is riskier and more dangerous than the second route because it leaves the federal government totally in control, by its legislative jurisdiction, over aviation. I believe that a relationship built on sound technical and legal agreements is safer than a position built on fear. It is safer than the present circumstances where no agreement exists. The second course gives the City a real legal mandate to participate in future decisions.

Accordingly, I propose that we inform the Government of Canada that we would have no objection to the use of the Toronto Island Airport for a limited STOL operation utilizing Dash-7 aircraft, provided that the City, the Federal Government, and the Toronto Harbour Commission, enter into a legally binding lease agreement setting out conditions for the use of the City-owned portion (see Appendix B) of the airport property.

Recommendations:

1. That City Council advise the Federal Government that it will agree to a limited STOL operation at Toronto Island Airport subject to the Federal Government, the Toronto Harbour Commission, and the City of Toronto, entering into a lease agreement for the use of City lands for airport purposes; such agreement to include the provisions that:
 1. the construction of additional runways or the extension of any runway will not be permitted;
 2. scheduled commercial jet-powered aircraft will not be permitted;
 3. aircraft generating excessive noise levels will not be permitted;
 4. the overall frequency of aircraft movements will be regulated such that the area within the 28 N.E.F. contour does not extend beyond designated limits;
 5. there will be no bridge access and no vehicular tunnel access between the mainland and the Airport;
 6. the land area occupied by Airport-related parking and other facilities on Bathurst Quay will be limited, and the height and bulk of all structures will be limited in accordance with the new Official Plan and Zoning By-law provisions;
 7. issuance, by the Minister, of a new Licence for the Toronto Island Airport, incorporating the above conditions;
 8. and that the Lease could be terminated and the City lands returned to the City for its purposes, and the Airport closed, in the event that any of these conditions are not met, and
2. That the Commissioner of Planning and Development report on exact parameters for conditions noted in 1 (3, 4 and 6), above, and
3. That the City Solicitor, in consultation with the Commissioner of Planning and Development, report on a draft lease agreement on the basis of the above recommendations.

(Communication addressed to Mayor Eggleton from the Minister of Transport, The Honourable Jean-Luc Pepin)

I am writing to follow up on our discussions at the December 8, 1980, Toronto Island Airport Policy Steering Group meeting at which you undertook to take a proposal to Toronto City Council for approval for intercity STOL service if certain conditions were met, which would ensure that the City could preserve its environmental and land use objective for the waterfront.

As I recall, I had agreed to confirm the assurances that Transport Canada is prepared to give to satisfy the concerns which you expressed regarding airport use and development. In this regard, I suggest the following for your consideration:

- 1) that Transport Canada define levels of noise impact at Toronto Island Airport by calculation of NEF contours based on current general aviation activity and anticipated DASH-7 operations. These contours would provide a reference for the establishment of criteria to control the noise impact of scheduled STOL operations by new aircraft at the airport. I would be prepared to indicate to the Canadian Transport Commission that Transport Canada would not issue an operating certificate for scheduled STOL Operations by new aircraft if the incremental noise impact would extend the NEF contour size beyond the reference contours by more than an amount agreed to by the City of Toronto and Transport Canada.
- 2) that no scheduled jet STOL Operations be allowed at Toronto Island Airport unless at some future date it can be demonstrated that jet STOL can be operated within the agreed noise criteria established through (1) above.
- (3) that the approaches under MLS control and departures for scheduled STOL operations can and will be controlled to ensure that noise generated will not exceed the condition set out in (1) above.
- (4) that, apart from the upgrading of facilities required for limited STOL, Transport Canada will not fund any major expansion of facilities such as runway extensions or air terminal building extensions unless this is also supported by the City of Toronto.

Additionally, as I understand that the prospect of direct air carrier subsidies for the proposed commercial STOL operations is also a concern to the City of Toronto, I can assure you that no such subsidy has been requested and I would not be willing to grant one.

The approach outlined above is one to which I am certainly willing to subscribe in a Memorandum of Understanding. If it is acceptable to you and the Toronto City Council as well, I think it would be useful for our officials jointly to work out the modalities required to ensure the protection that the City is seeking.

I am sending a copy of this letter to the Honourable E. J. Benson, President of the Canadian Transport Commission to inform him of the current status of our deliberations and to indicate that if the City of Toronto agrees to the use of Toronto Island Airport for STOL operations under the conditions suggested above, Transport Canada is willing to seek Treasury Board funding approval for the provision of the necessary airport facilities. If in your reply you are able to indicate that the City of Toronto's concerns can be met by the approach I have suggested, I think this would be an important step forward in enabling the CTC to resume its deliberations on the question of carrier selection for intercity STOL service.

(Telex dated December 2, 1980, addressed to Mayor Eggleton from the Minister of Transport, The Honourable Jean-Luc Pepin)

As you know the Air Transport Committee of the Canadian Transport Commission announced October 17, 1980, that it would defer further consideration of licensed applications to operate commercial intercity STOL service until the "ambiguities" concerning the availability of the necessary airport infrastructure at Toronto and Montreal were resolved.

With respect to the proposed Toronto terminus for STOL service, at its last meeting the Toronto Island Airport Intergovernment Policy Steering Group concurred that the airport should continue as a general aviation facility and asked the Minister of Transport to prepare a report on the operation of the airport for a limited STOL service. Action has now been taken on both of these decisions -

Steps are being taken to ensure that the necessary financial support from the Federal Government will be forthcoming to permit the airport to continue for general aviation activity -

A report was prepared on a limited STOL service from the Toronto Island Airport and distributed to the Technical Working Committee members.

In view of these actions and having regard for the CTC decision, I think it would be useful for the Policy Steering Group to meet again to discuss the use of the Toronto Island Airport for STOL operations. Accordingly, I am writing to confirm arrangements that have been made for a meeting which will be held Monday, December 8, at 10:00 a.m., at the Toronto Harbour Commission, 60 Harbour Street, Toronto. I would hope that at the conclusion of the meeting we will be able to set out a course of action that will enable us to deal definitively with the future role of the Toronto Island Airport for STOL service.

(Extract from the Report on the Proposed Establishment of a Limited Toronto Island Based DASH-7 STOL Service, from the Ministry of Transportation, February, 1980.)

Policy, Planning and Programming Directorate, Canadian Air Transportation Administration, Transport Canada - February, 1980.

Conclusion:

The development of a Limited DASH-7 STOL Service, using the Toronto Island Airport as the Toronto terminus, would provide an efficient and environmentally acceptable, alternative, inter-city transportation system for which there is a market. In fact the size of the market is part of the persuasive argument for concluding that the Service would be commercially viable for a reliable air carrier. Moreover, the incremental costs of the ground facility improvements at the Toronto Island Airport could be recov-

ered in approximately five years, and at the Victoria Carpark site in approximately 25 years. A STOL Service between Toronto, Montreal, and Ottawa would stimulate the Canadian aerospace industry through the purchase of aircraft required for the Service and would assist in developing export opportunities for the DASH-7.

DASH-7 STOL Service at the Island Airport would be compatible with the social and ecological environment. Over water approaches and departures would completely avoid any negative noise impact and the limited number of flights would not add to visual intrusion or, in any meaningful way, to road traffic in the area.

The aircraft is clean, quiet and fuel efficient. The passenger carrying capacity will accommodate the forecast demand according to the suggested flight schedule in such a manner that the load factors would be kept high, thus minimizing wasteful empty seats.

Finally, the Federal government has indicated that it is prepared to enter into legal agreements that would place effective controls on the further development of the site and on expansion of the Service, to ensure that the Service and the environment continue to be compatible.

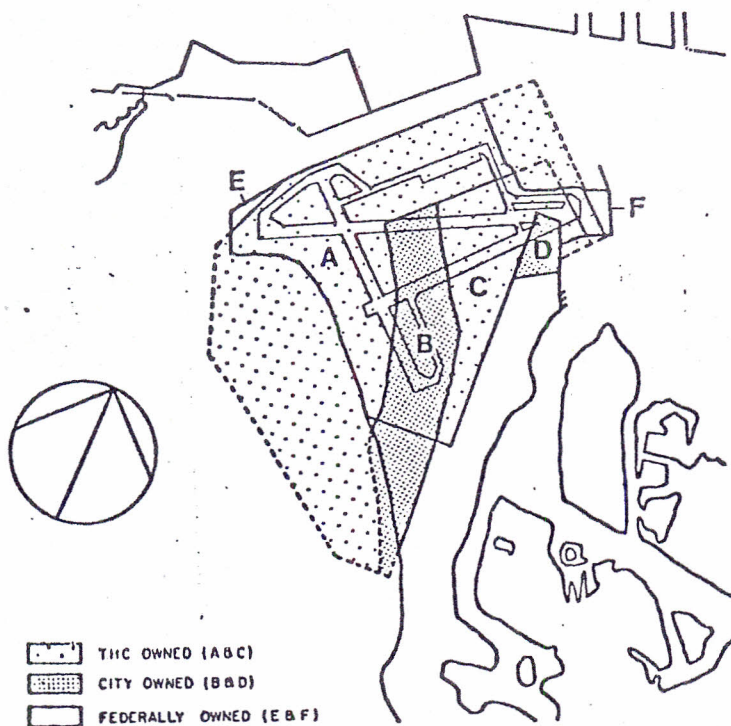


FIGURE 4

LAND OWNERSHIPToronto Island Airport Site Study Program
Summary of Alternative Scenarios

The Committee advises that it had before it communications from the following in support of S.T.O.L. Service at Toronto Island Airport:

1. *(February 3, 1981) from Mr. A. R. Williams, President, and Mr. J. A. Collins, General Manager, The Board of Trade of Metropolitan Toronto;*
2. *(December 11, 1980) from Mr. Bill Peppler, Canadian Owners and Pilots Association;*
3. *(December 8, 1980) from Mr. Robert White, UAW Director for Canada, and International Vice-President; and*
4. *(January 27, 1981) from E. R. Fox, 330 Glenmanor Drive.*

The Committee also advises that it had before it communications from the following in opposition to S.T.O.L. Service at Toronto Island Airport:

1. *(February 2, 1981) from Mr. Kevin Lee, Chairman, St. Lawrence Neighbourhood Association;*
2. *(January 29, 1981) from Ms. Diana Janosik-Wronski, President, Wychwood Community Association;*
3. *(January 28, 1981) from Mr. James T. Lemon, Director, The Annex Residents' Association;*
4. *(December 10, 1980) from Mr. Norman T. Sheppard, 10 Nesbitt Drive;*
5. *(December 17, 1980) from Ms. Marion Bryden, M.P.P., Beaches-Woodbine, New Democratic Party;*
6. *(December 4, 1980) from Mr. John Argue, Chairperson, Metro NDP;*
7. *(January 28, 1981) from G. W. Harper, and Eleanor Harper, 159 Hammersmith Avenue;*
8. *(January 29, 1981) from Mary and John Bain, 163 Parkmount Road;*
9. *(January 29, 1981) from Miss Gladys Ray, 501 Kingston Road, Apt. 508;*
10. *(January 29, 1981) from Mrs. Jessie Shillinglaw, 11 Hannaford Street;*
11. *(January 26, 1981) from Isolde Rest, 296 Albany Avenue;*
12. *(January 26, 1981) from Ms. Joan Macneil, 153 Robert Street;*
13. *(January 26, 1981) from Mr. William E. Brookes, 243 Lee Avenue;*
14. *(January 28, 1981) from D. A. Murray, 153 MacLean Avenue;*

15. (January 28, 1981) from Miss L. Tomlinson, 150 Wheeler Avenue;
16. (January 29, 1981) from W. T. Clayton, 71 Lee Avenue;
17. (January 28, 1981) from Violet and Ronald Jones, 102 Bellefair Avenue;
18. (January 28, 1981) from Erica L. James of Mandell, James, Barristers and Solicitors;
19. (February 1, 1981) from Ms. Ruth F. Cork, 10 Glen Stewart Avenue;
20. (January 28, 1981) from Mr. Thomas Marckopulos, 109 Beech Avenue, Apt. 304;
21. (January 30, 1981) from Mr. Milne Hall, 171 Bayview Heights Drive;
22. (January 26, 1981) from Mr. Tony Tudin, 153 Robert Street;
23. (January 27, 1981) from Rose and George Winch, 208 Scarborough Road;
24. (January 27, 1981) from Mr. Bruce D. Woodrow, 18 Albert Franck Place;
25. (January 28, 1981) from Mr. & Mrs. R. Martin, 198 Beech Avenue;
26. (January 27, 1981) from Mrs. Mary Hader;
27. (January 31, 1981) from Mrs. N. Kuzmich;
28. (February 2, 1981) from Ms. Anna Lou and Mr. Derek Paul, 392½ Markham Street;
29. (January 28, 1981) from Ms. Paula Vopni, 41 Elmer Avenue;
30. (February 1, 1981) from Dr. A. J. Dembo and Ms. J. N. Dembo, 156 Major Street;
31. (February 1, 1981) from the French Language Advisory Committee, Toronto Board of Education;
32. (February 3, 1981) from H. L. Roszell and P. Seipp, 274 Beech Avenue;
33. (February 3, 1981) from Mrs. Renate Pratt, 205 Cottingham Street;
34. (February 3, 1981) from Mr. Barrie Atkinson, 115 MacLean Avenue;
35. (December 8, 1980) from Mr. R. Alfred Best of Best & Gray, Barristers and Solicitors;
36. (December 5, 1980) from Mr. Robert Brathwaite, 14 Devon Road;

37. *(January 29, 1981) from Mr. Russell Carpentier, 198 Albany Avenue;*
38. *(January 27, 1981) from Aaron Davis, 489 Euclid Avenue;*
39. *(January 30, 1981) from Ms. Winifred Hall, 21 Maynard Avenue;*
40. *(February 1, 1981) from Ms. Blanche Mitchell, 2 Buller Avenue;*
41. *(February 2, 1981) from a resident at 44 Beech Avenue;*
42. *(December 16, 1980) from Regula and Bertha Modlich, 73 Southwood Drive and 63 Wineva Avenue respectively;*
43. *(December 3, 1980) from a resident in the Beaches Area;*
44. *(December 7, 1980) from Ms. Wendy LeBlanc Reno, Communi Can, Communication Skills Development;*
45. *(February 2, 1981) from Mr. Richard Sandbrook, 256 Cottingham Street;*
46. *(January 26, 1981) from Mr. Michael J. Reynolds, 34 Lockwood Road;*
47. *(December 4, 1980) from Ms. Betty J. Sayman, Vice-President, Dentonia Park Co-operative Homes;*
48. *(January 26, 1981) from Ms. Sarah Taylor, Chairperson, University of Toronto New Democrats;*
49. *(January 29, 1981) from Mr. David Ray Smith, P. O. Box 1891, Hornell Heights, Ontario;*
50. *(December 8, 1980) from Mr. Neil Young, M.P., Beaches;*
51. *From Kathleen and Roger Timms;*
52. *(February 3, 1981) from H. A. McFarlen, 31 Alexander Street, Apt. 816;*
53. *(February 3, 1981) from Ms. Margaret Baily, 112 Heath Street East;*
54. *(February 3, 1981) from Mr. Allan Sparrow, 197 Bain Avenue;*
55. *(February 2, 1981) from Mr. David Lemire and Ms. Elizabeth Bohnen, 61 Havelock Street;*
56. *(February 1, 1981) from Mr. Peter F. Holland and Ms. Karen J. Swift, 32 Arundel Avenue;*
57. *(January 30, 1981) from Mr. John L. Crichton, 29 Rainsford Road;*
58. *(February 2, 1981) from Ms. Ursula M. Franklin, Professor, Department of Metallurgy and Materials Science, University of Toronto;*

59. *(February 3, 1981) from Ms. Susan Lumley, President, Cottingham Square Community Association, 123 Cottingham Street;*
60. *From David and Carol Freeman, 92 Walmer Road;*
61. *Mrs. Gwen Egan, 583 Huron Street;*
62. *(February 3, 1981) from Mr. Thomas B. Hendry, Chairman, The Elgin-Lowther Association;*
63. *(January 28, 1981) from Mr. Walter J. Carson, 314 Lee Avenue;*
64. *(February 4, 1981) from Ms. Sheila Kuja, Conservation Group Coordinator, University of Toronto;*
65. *(February 2, 1981) copy of a petition signed by 95 persons;*
66. *(February 4, 1981) from G. W. McCord, Vice-President, and D. Jones, Chairman, Local 351, Canadian Brotherhood of Railway, Transport and General Workers; and*
67. *(February 4, 1981) from Mrs. Vern Burnett, 28 Hurndale Avenue;*

The Committee further advises that it also had before it a communication (February 3, 1981) addressed to Alderman Sheppard, from Mr. Howard E. Cohen, General Manager, Harbourfront, with respect to this matter, and that copies of the foregoing material are on file in the City Clerk's Department.

The following persons addressed the Committee in support of the establishment of STOL Service at the Toronto Island Airport:

1. *Mr. John Bryan, Toronto Redevelopment Advisory Council, and filed a submission.*
2. *Mr. Patrick Donoghue.*
3. *Mr. Ib Amonsén.*
4. *Mr. Jim Smellie of Herridge, Telmie, on behalf of Atonabee Airways.*
5. *Mr. G. A. Bacchus, The Board of Trade of Metropolitan Toronto.*
6. *Mr. John Bettes, Local 112, United Automobile Workers.*
7. *Mr. David Spaulding, Local 112, United Automobile Workers*
8. *Ms. Carol Aitken, Chairman, Local 673, United Automobile Workers*
9. *Mr. Arthur F. Toples, Manager, Market Planning and Analysis, The de Havilland Aircraft of Canada Ltd.*

The following persons addressed the Committee in opposition to the establishment of STOL Service at the Toronto Island Airport:

1. *Dr. Janusz Dukszta, M.P.P. - Parkdale, on behalf of himself and Trustee Beare Weatherup and Mrs. Elaine Ziemba.*
2. *Ms. Marion Bryden, M.P.P., and filed a submission.*
3. *Mr. Peter Oehm, Upper Canada Railway Society and Go-North Committee, and filed a submission.*
4. *Ms. Helen Juhola, President, Toronto Field Naturalists, and filed a submission.*
5. *Ms. Joyce Tyrrell, Vice-Chairman, Central Waterfront Planning Committee.*
6. *Mr. Dennis Colby.*
7. *Ms. Pat Adams, Energy Probe.*
8. *Mr. Bruce Budd, President, Ontario Section, Transportation 2000, and filed a submission.*
9. *Mr. Roland Beauregard, Marketing Vice-President, Special Products, North American Assurance Company.*
10. *Mr. Russell Francis.*
11. *Mr. Robert Timberg, Canadian Environmental Law Association.*
12. *Alderman Gordon Crann, Borough of East York.*
13. *Mr. Neil Young, M.P., Beaches, and filed a communication.*
14. *Mr. Nelson Clarke.*
15. *Mr. Gary Neil.*
16. *Mr. Grahame Beakhust.*
17. *Mr. Dennis Long, President, Forward 9 Community Association.*
18. *Mr. Ken Bryden, Confederation of Resident and Ratepayer Associations.*
19. *Mr. Roy Merrens.*
20. *Trustee, Fiona Nelson.*
21. *Alderman Pantalone.*

22. *Mr. Herb Field.*
23. *Mr. Michael Reynolds.*
24. *Mr. Russell Carpenter.*
25. *Trustee Tom Jacobek.*
26. *Mr. Wally Brooker.*
27. *Mr. Jim Hockley.*
28. *Mr. John Sewell.*
29. *Mr. Dan Leckie.*
30. *Trustee Joan Doiron, and filed a communication addressed to the Air Transport Committee, Canadian Transport Commission, from the Director of Education, Board of Education for the City of Toronto.*
31. *Mr. Peter Harris*
32. *Mr. Dale Munro, Metro N.D.P.*
33. *P. Christie, Ward 9 Ratepayers' Association.*
34. *Mr. John Crichton.*
35. *Mr. George Hislop, and filed a communication from the Chairman, Ward 6 Community Organization.*
36. *Mr. Donald Altman.*
37. *Ms. Helen Angus.*
38. *Mr. Blaine Little.*
39. *Mr. Jack Layton.*
40. *Mr. Peter Monaco.*
41. *Mr. Angus Palmer.*
42. *Mr. Henry Einerson.*
43. *Mr. Tim Giles.*
44. *Mr. Dan Goldstick.*
45. *Mr. Barrie Atkinson.*
46. *Mr. Jeff Lowe.*

47. *Mr. Jim Rootham.*
48. *Mr. Peter Maloney, President of Ward 6, and Member of Ontario Liberal Party, and filed a submission on behalf of the Party.*
49. *Mr. Bruce Woodrow.*
50. *Mr. Brendan Clinch.*
51. *Mr. Martin Amber.*
52. *Mr. Peter Holt.*

The Committee amended proviso 2 in Recommendation 1 in the report (January 22, 1981) from Mayor Eggleton, by deleting the words "scheduled commercial", and recommends that the recommendations, contained in the foregoing report, as so amended, be adopted.

During consideration of this Clause, Council also had before it the following report (dated February 12, 1981) from His Worship the Mayor:

Subject: S.T.O.L.

Recommendations:

1. *That City Council advise the Federal Government that it is not unalterably opposed to a limited S.T.O.L. operation on Toronto Island Airport subject to the Federal Government, the Toronto Harbour Commission, and the City of Toronto entering into legally binding agreements; such agreements to cover the use of City lands, the operation and the infrastructure for airport purposes; such agreements to include the provisions that:*
 - (1) *the construction of additional runways or the extension of any runway will not be permitted;*
 - (2) *jet-powered aircraft will not be permitted;*
 - (3) *aircraft generating excessive noise levels will not be permitted;*
 - (4) *the overall frequency of aircraft movements will be regulated such that the area within the 28 N.E.F. contour does not extend beyond designated limits;*
 - (5) *there will be no bridge access and no vehicular tunnel access between the mainland and the Airport;*
 - (6) *the land area occupied by Airport-related parking and other facilities on Bathurst Quay will be limited, and the height and bulk of all structures will be limited in accordance with the new Official Plan and Zoning By-law provisions;*

- (7) *issuance, by the Minister, of a new License for the Toronto Island Airport, incorporating the above conditions;*
- (8) *and that the Lease could be terminated and the City lands returned to the City for its purposes, and the Airport closed, in the event that any of these conditions are not met; and*
- 2. *That the Commissioner of Planning and Development report on exact parameters for conditions noted in 1 (3, 4, and 6), above; and*
- 3. *That the City Solicitor, in consultation with the Commissioner of Planning and Development, report on draft agreements on the basis of the above recommendations for Council approval.*

—

His Worship the Mayor, seconded by Alderman Piccininni, moved that this Clause be amended by striking out the recommendation of the Land Use Committee and inserting in lieu thereof the following:

"It is recommended that the recommendations contained in the report (dated February 12, 1981) from His Worship the Mayor be adopted.

Alderman Gilbert, seconded by Alderman Thomas, moved that the motion of His Worship the Mayor be amended by adding the following at the end of recommendation (1) contained in the report from His Worship the Mayor:

- (9) *not one penny of Federal monies be spent to subsidize a S.T.O.L. service operating out of the Island Airport or improving the facilities of the Island Airport for the benefit of a S.T.O.L. service.*
- (10) *such agreements are subject to certification by the City Solicitor that they are legally binding on all parties.*

Alderman Hope, seconded by Alderman Rowlands, moved that this Clause be amended by striking out the recommendation of the Land Use Committee and inserting in lieu thereof the following:

"It is further recommended that:

- 1. **Whereas Harbourfront has indicated its concern as well as its interest in planning input, especially insofar as it relates to the integration of parking and access within Harbourfront's objectives (in the event that S.T.O.L. is introduced), the Commissioner of Planning and Development, in conjunction with the appropriate officials, report on infrastructure solutions relating to the above.**

2. Whereas the City of Toronto is the owner of approximately 70 acres of land required for Toronto Island Airport, and such lands have heretofore been leased at a sum of \$1.00 annually since 1962, and whereas the upgrading of such revenues on a market value basis may substantially contribute toward waterfront improvement purposes relating to parks, recreation, and housing programs, the Commissioner of City Property report on an updated evaluation of such lands, and a fair market rental of same for continued airport purposes.
3. Whereas it is important that the lands pertaining to Toronto Island Airport be contained and restricted from further expansion for additional Airport facilities beyond its present boundaries, the City Solicitor, in conjunction with the appropriate officials, report on a draft agreement with the Federal Government, the Province, and the Toronto Harbour Commission not to expand such lands beyond its present shoreline."

Alderman Cressy, seconded by Alderman Rowlands, moved that the motion of His Worship the Mayor be amended by adding at the end thereof the following:

- "4. That the Commissioner of Planning and Development, in consultation with the City Solicitor, be requested to report on the inclusion of such agreements in the City's Official Plan."

Upon the question that the motion of Alderman Hope be adopted; it was carried on the following division of votes:

Yeas: His Worship the Mayor and Aldermen Piccininni, Cressy, Rowlands, Hope, Ruprecht, O'Donohue, Boytchuk, Grys, Paton, Gee, Chong, Kanter, White, Sheppard, Reville, Heap, Pantalone, Gilbert, Thomas and Johnston - 21.

Nays: Aldermen Beavis and Clifford - 2.

Upon the question that the motion of Alderman Gilbert be adopted; it was lost on the following division of votes:

Yeas: Aldermen Cressy, White, Sheppard, Reville, Heap, Pantalone, Gilbert, Thomas and Johnston - 9.

Nays: His Worship the Mayor and Aldermen Beavis, Piccininni, Rowlands, Hope, Ruprecht, O'Donohue, Boytchuk, Grys, Clifford, Paton, Gee, Chong and Kanter - 14.

Upon the question that the motion of Alderman Cressy be adopted; it was carried on the following division of votes:

Yeas: His Worship the Mayor and Aldermen Beavis, Piccininni, Cressy, Rowlands, Hope, Ruprecht, Boytchuk, Grys, Clifford, Paton, Gee, Chong, Kanter, White, Sheppard, Reville, Heap, Pantalone, Gilbert, Thomas and Johnston - 22.

Nays: Alderman O'Donohue - 1.

Upon the question that the motion of His Worship the Mayor as amended be adopted; it was carried on the following division of votes:

Yeas: His Worship the Mayor and Aldermen Beavis, Piccininni, Rowlands, Hope, Ruprecht, O'Donohue, Boytchuk, Grys, Clifford, Paton, Gee, Chong and Kanter - 14.

Nays: Aldermen Cressy, White, Sheppard, Reville, Heap, Pantalone, Gilbert, Thomas and Johnston - 9.

Upon the question that this Clause as amended be adopted; it was carried on the following division of votes:

Yeas: His Worship the Mayor and Aldermen Beavis, Piccininni, Rowlands, Hope, Ruprecht, O'Donohue, Boytchuk, Grys, Clifford, Paton, Gee, Chong and Kanter - 14.

Nays: Aldermen Cressy, White, Sheppard, Reville, Heap, Pantalone, Gilbert, Thomas and Johnston - 9. February 12, 1981.

Respectfully submitted,

YING HOPE,
Chairman.

COUNCIL CHAMBER,
Toronto, February 4, 1981.

(Adopted, as amended, by City Council on February 12, 1981.)