

**MINUTES – VICTORIA CITY COUNCIL**  
**SPECIAL MEETING OF WEDNESDAY, DECEMBER 02, 2009, AT 7:30 p.m.**

**PLACE OF MEETING:** Council Chambers, City Hall

**PRESENT:** Acting Mayor Young in the Chair; Councillors Chandler, Coleman, Hunter, Luton, Madoff, Thornton-Joe and Young

**ABSENT:** Mayor Fortin and Councillor Lucas

**APPROVAL OF AGENDA**

It was moved by Councillor Madoff, seconded by Councillor Chandler, that the meeting agenda be approved.

Carried

**REPORT OF COUNCIL STANDING COMMITTEE ON VICTORIA HARBOUR AIRPORT**

*Acting Mayor Young said that the presentation from the Standing Committee on Victoria Harbour Airport will be presented in three parts by members of the Committee, Councillors Madoff, Coleman and Luton.*

*Councillor Madoff said that this has been a long detailed and thorough process and appreciates the assistance of staff members Janice Schmidt, Soki Kaur and Robert Woodland. She would also like to thank the public for informing the process with written comments and at public meetings.*

*Since May 2008, the Standing Committee has investigated floatplane noise and air pollution impacts on residents' quality of life; they consulted key stakeholders, such as residents, Transport Canada and other jurisdictions; they held two public meetings, reviewed numerous written submissions and examined potential mitigating strategies to address issues.*

*The presentation tonight is to report on the Committee's findings and provide final recommendations that will be passed on to the Federal Government, as the regulatory authority for the airport.*

*What the Standing Committee has heard from residents is that there has been an unacceptable level of noise and air pollution since the 1990's affecting their quality of life. Their concerns include: increased number of floatplane movements, proximity of aircraft to residential buildings, type/age of aircraft, perceived pilot non-compliance with operating procedures and a lack of clear jurisdiction and regulations governing noise and air pollution.*

*The Committee initially assumed the City could take some direct action, through property leases, business licenses or zoning, but learned otherwise. The management of the aerodrome is a Federal undertaking and the City has no authority to control floatplane operations. The Committee agrees that noise and air quality are impacting residents' quality of life. The Committee believes in finding a balance between maintaining a vibrant harbour and quality of life. Victoria City Council can influence the Federal Government by advocating strongly on the citizens' behalf.*

*The Committee acknowledges that the harbour airport is under the sole jurisdiction of the Federal Government and municipal bylaws are unenforceable because they impact the core of Federal jurisdiction.*

*The Committee has developed recommendations in two parts:*

*1. Guiding principles, (policy statement), to articulate how the City wishes the airport to be managed:*

*That Council supports:*

- a. An airport that balances public safety with quality of life expectations;*
- b. A viable working harbour as a valuable contributor to the local and regional economy and a key transportation link; and*
- c. Ongoing scheduled aircraft operations in the harbour, managed in an economically and environmentally sustainable manner that considers the impact of noise and air pollution on the environment, neighbours and residents*

*2. Specific recommendations for action:*

*That Council urges the Minister of Transport to adopt the following recommendations:*

- a. Manage the harbour airport with a long-term vision that incorporates a quality of life perspective; includes short, intermediate and long term plans and considers the triple bottom line;*
- b. Manage growth of floatplane traffic by investigating current passenger loads, determining future capacity and establishing sustainable number of daily flights;*
- c. Improve community communication/consultation by implementing a public complaint mechanism and employing an ongoing consultative committee;*
- d. Conduct new studies that incorporate a quality of life perspective; conduct an independent aeronautical study; study the impact of noise and air quality and apply new standards that consider liveability impacts; and*
- e. Revisit Canadian Aviation Regulations and Standards (CARS) by adjusting the draft CARS to include quality of life factors, location, dense urban environment and address airport airspace surfaces.*

*Councillor Coleman said that the Committee learned through their research that there are things the City of Victoria could not influence and things that Transport Canada has no authority over or does not want to embrace for their own reasons. Examples of actions that are not included in the Committee's recommendations are:*

1. *Greater use of City authorities around property leases, business licenses and zoning*
  - *There are only two floatplane properties that the City could apply these powers to, but it would probably result in the operators moving to locations over which the City has no control. The City has no authority over aircraft operations as operations are conducted off-site; and the City's rezoning authority cannot be exercised for activities within the Federal domain.*
3. *Impose noise and maximum air quality levels*
  - *There are no benchmarks, but Transport Canada would be open to the installation of permanent noise monitoring stations and they would be used to build benchmarks.*
4. *Constructing one aircraft terminal under one authority*
  - *In order to have an airport authority, there must be at least 60,000 annual flights, among other conditions, and there is no one entity to assume the authority role.*
5. *Close / move runway Alpha*
  - *This is not a viable option as it would remove pilot discretion and could compromise safety. Transport Canada is working toward more takeoffs using Bravo and landings using Alpha.*
6. *Regulate floatplane movements, schedules and spacing and dock floatplanes until take-off*
  - *Transport Canada does not have the authority to regulate floatplane movements, schedules and spacing, but they are working with the operators for compliance, which will take time.*
7. *Impose minimum separation distance*
  - *These claims have been determined by Transport Canada as unfounded and an amendment was made to Restriction #3 in the Canada Flight Supplement to clarify the definition of take-off and landing, which requires pilots to begin their take-off slide to an altitude of 150' ASL and descent from an altitude of 150' ASL.*
8. *Employ quieter and less polluting engines*
  - *No such floatplanes exist and there is no recertification process. Aircraft must meet international noise and engine emission standards at the time of initial certification and manufacture. If a plane has a lesser load, there will be less rev at takeoff.*
9. *Penalize pilots for non-compliance*
  - *Transport Canada and floatplane operators advise that pilots are complying with operating procedures and avoid reverse-thrust and Transport Canada will continue to monitor and reinforce avoidance of reverse thrust.*
10. *Close regulatory gap*
  - *Transport Canada has acknowledged that there is a legislative/regulatory gap in regard to noise and air quality. New Water Airport Regulations and Standards are currently being drafted by the Federal government. The present standards and practices are not enforceable due to lack of supporting regulation. The proposed new regulations and standards (Canadian Aviation Regulation (CAR) 306 Water Airport Regulations and CAR 326 Water Airport Standard) will provide minimum safety criteria at certified water airports. The public will be able to review the draft in the near future, and the City will subject these proposed changes to careful scrutiny.*
11. *Apply International Civil Aviation Organization Standards*
  - *These only apply to airports located on land.*

*Councillor Luton said that Transport Canada has expressed a willingness to:*

1. *Conduct noise and air quality studies in consultation with key stakeholders such as NavCanada and residents;*
2. *Install ongoing noise monitoring systems and establish benchmarks;*
3. *Reinforce aerodrome procedures/avoidance of reverse thrust at monthly air carrier meetings and continue to monitor to ensure compliance;*
4. *Aim to improve communications and invite others to the Air Carriers Safety Committee meetings.*

*In conclusion, Victoria airport and floatplane operations must be managed with a broader perspective than just the safety mandate and Victoria City Council will advocate strongly that:*

- *Quality of life of residents is considered;*
- *Dense population and harbour environment is considered;*
- *Needs of floatplane operators are balanced with the needs of harbour residents;*
- *The harbour is sustainable for the long term, and*
- *The harbour remains a vibrant working harbour.*

*The City has limited authority over aircraft operations as the City's authority does not extend to Crown lands and does not supersede Federal authority; the City cannot use its business licence, property lease or zoning authorities and the City's regulatory bylaws are unenforceable against Federal undertakings.*

*The Standing Committee on Victoria Harbour Airport recommendations acknowledge and focus priority on the quality of life issues in the harbour and Victoria City Council will continue to engage the local MP to advocate for these issues in Ottawa.*

Motion:

It was moved by Councillor Luton, seconded by Councillor Coleman, that Victoria City Council:

1. Accept the report of the Standing Committee on Victoria Harbour Airport;
2. Adopt the proposed Council policy position statement;
3. Approve the five recommendations for action by Transport Canada;
4. Direct staff to prepare correspondence to the Minister of Transport detailing Council's position and advice regarding harbour airport issues;
5. Request the City Manager assign staff to monitor the status of the recommendations with Transport Canada on an ongoing basis and work with them to advance the studies and other actions; and
6. Disband the Standing Committee on Victoria Harbour Airport.

*Councillor Hunter said that this is a comprehensive report and she appreciates the work. There is a lot of frustration among Council and citizens about the perceived intransigence of Transport Canada and this is a strong document to go on from. From reading this document Transport Canada must see that there is public pressure on the way they operate. If the City cannot regulate and Transport Canada cannot regulate, and the operators want the public to know that they are operating safely, then the only way for this to happen is to have a regulator overseeing them and not have it based on trust. She commends the Committee and staff, although it is disappointing that the City does not have the authority to act directly.*

*Councillor Chandler said that she appreciates the consideration of the Committee, specifically the triple bottom line in tandem with the working harbour, which is valued. Urbanization is about capacity and the impact on the working harbour and on the community. It is not just about density in the harbour, but applies across the City. There are some strong suggestions in the report and she hopes the Federal government will listen. It is a starting point to speak on behalf of the residents. The sustainability theme is consistently used and it is because we want it to continue to exist in perpetuity.*

*Councillor Thornton-Joe said that there is frustration from Council and the community on this issue and the need to balance a vibrant harbour and address the liveability of residents in the area. This is a start of discussions and they will be continuing.*

*Councillor Madoff said that she is disappointed in the tools available to Council to regulate floatplane operations, but one cannot underestimate the power of these recommendations from Council. Council is committed to a sustainable and working harbour and safety is not enough. Quality of life has to be taken into consideration and that is woven into all the recommendations. Council will apply pressure and try to influence their Federal colleagues that quality of life has to be addressed.*

*Councillor Young said that he will support for the reasons that have been outlined. The City does value the activity in the harbour and the economic benefit of the floatplanes, but Council has to weigh the benefits against the quality of life of the citizens who live and work around the harbour.*

Carried

*Acting Mayor Young advised the members of the public if they wanted to express their views they should forward them to Mayor and Council.*

**ADJOURNMENT**

It was moved by Councillor Chandler, seconded by Councillor Coleman, that the Council meeting adjourn.  
Time: 8:10 p.m.

CERTIFIED CORRECT:

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CORPORATE ADMINISTRATOR

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ACTING MAYOR OF THE CITY OF VICTORIA