

Minutes of the Standing Committee on Victoria Harbour Airport
Information Meeting
Held Thursday, October 02, 2008, 7:00 p.m.

Committee Members Present: Councillor Holland in the Chair

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Staff Present: R. Woodland, Corporate Administrator; J. Schmidt, Manager, Corporate Planning and Policy; S. Kaur, Policy Analyst; J. Hawkins, Council Secretary

1. CALL TO ORDER

The Chair called the meeting to order at 7:10 p.m.

The Chair said that this is an information sharing meeting and is the first of at least two meetings as the City moves towards the development of recommendations to address some ongoing issues that have been raised by the community.

It is disappointing that Transport Canada could not attend the meeting tonight. They are unable to participate in public meetings during a Federal election campaign. They will be part of the next meeting.

2. OVERVIEW OF STANDING COMMITTEE AND MEETING

The Chair said the Committee was established by the Mayor in March 2008 to look into the issues around harbour airport operations and concerns that have been expressed by the community. Specifically, the main issues the Committee has focused on are noise and air quality, while acknowledging the safety and capacity concerns, which are linked to these two issues. The objectives of the Committee are to listen to and investigate stakeholder concerns; facilitate communication between Transport Canada and the community; provide recommendations to City Council and to provide strategic advice to Transport Canada.

The Committee reviewed a large amount of correspondence and other material; they have also had discussions with the Port Manager and other Transport Canada officials to understand their position and what has been done to date. Legal advice was also sought with respect to the jurisdictional matters governing the harbour airport. While the Federal government has the regulatory authority, the City may be able to bring some influence to the situation.

3. SUMMARY OF ISSUES AND ACTIONS IDENTIFIED TO DATE

The Chair said that the Committee felt that it was important that everyone have a common understanding of the issues that have been forwarded, so staff have prepared a high-level summary of the concerns and recommendations for further action that the City has heard from the community.

Janice Schmidt, Manager, Corporate Planning & Policy delivered a PowerPoint presentation covering the following points:

Overview:

- The Victoria Harbour Airport was certified as an airport in 1999;
- In 2001 the economic impact of the harbour airport was estimated at \$54 million;
- Aircraft flights grew 14%, from 38,199 to 43,607 flights between 2003 and 2007;
- In 2007 there were 119 flights per day
- Between 1995 and 2007 aircraft flights increased 47%, so the perception of significant growth over the past 10-12 years is borne out by the data.

Community Concerns – Key Themes, Citizen Issues and Citizen Recommendations

- **Noise levels - Issues**
 - Primarily propeller noise;
 - Proximity of aircraft to shoreline buildings (predominant use of Alpha runway);
 - Transport Canada acknowledge a problem does exist;
 - Engine noise mitigated to a degree by retrofitting with newer, quieter technology.
- **Noise levels – Recommendations**
 - Conduct new noise study;
 - Implement noise reduction measures and noise monitoring system;
 - Use modern aircraft;
 - Do not permit noise level over 90dBA;
 - Restrict/prohibit floatplane operations;
 - Reduce or cap the number of flights;
 - Limit any future expansion.
- **Air quality – Issues**
 - Noxious fuel fumes linger for many hours and enter homes;
 - Poor air quality affects health and causes anxiety and stress;
 - No recent air quality assessments have been conducted.
- **Air quality – Recommendations**
 - Conduct air quality assessment;
 - Consider impacts on health of residents in air quality studies;
 - Require/encourage floatplane operators to use new aircraft that generate lower emissions.
- **Non-compliance with regulations and standards - Issues**
 - Inappropriate use of Alpha (East-West) runway instead of Bravo (North-South) runway;
 - Proximity of aircraft to shoreline buildings;
 - Takeoff and landing practices.

- **Non-compliance with regulations and standards – Recommendations**
 - Close or restrict use of Alpha runway;
 - Ensure take-off and landing occur in designated areas;
 - Ensure floatplanes adhere to all restrictions and procedures;
 - Monitor runway usage and enforce rules;
 - Impose fines for violations.
- **Safety – Issues**
 - Airport is seen as operating in violation of airspace design standards governing proximity to shoreline buildings;
 - Congestion in harbour increases likelihood of accidents.
- **Safety – Recommendations**
 - Restrict/prohibit number of floatplane movements;
 - Apply same safety standards as applied to airports located in built-up areas in Canada;
 - Provide more space between take-off and landing areas and condominiums;
 - Relocate sightseeing and charter operations to new site.
- **Jurisdiction/Authority to Regulate**

City's legal advice confirmed:

 - Seaplane operations, air and noise pollution is the exclusive jurisdiction of the Federal government;
 - The City cannot impair matters that fall within the *Aeronautics Act*;
 - The City's bylaws have no force on a Federal undertaking;
 - Municipal bylaws that attempt to regulate floatplane operations, such as related to health or environmental concerns are invalid.

Transport Canada's Documented Position

- **Noise and Air Quality**
 - All aircraft are certified when they are built, but it is not repeated;
 - Transport Canada does not regulate noise and emissions;
 - There are noise abatement restrictions and operational practices in place for Victoria Harbour.
- **Compliance**
 - Establishment of current runways and taxi areas are seen by Transport Canada as reasonable response to community concerns;
 - Weather, traffic and other safety considerations are assessed by pilots when taking off and landing;
 - 73% of all take-offs in 2007 were from Bravo runway;
 - Water Airport Regulations and Standards are currently being drafted.
- **Safety**
 - Pilots and floatplanes must meet safety standards;
 - Airports in built up areas are certified and provide and maintain a safe operating environment for take-off and landing;

- Pilots are governed by regulations that require them not to fly in a reckless or negligent manner.
- **Jurisdiction/Authority**
 - Federal government has jurisdiction of the Victoria Harbour Airport;
 - The City and other stakeholders can work with Greater Victoria Harbour Authority to develop noise procedures for Transport Canada's consideration.

Transport Canada Actions to Date

- Introduced mechanism for community dialogue on issues (Noise & Air Quality Management Committee);
- Developed Traffic Separation Scheme;
- Implemented safety regulations and standards;
- Authorized one entity to manage the Victoria Harbour Airport;
- Implemented operational/procedural changes to reduce the overall impact of aircraft noise;
- Finalized Noise Abatement Checklist for community use;
- Initiated development of *Water Airport Regulations and Standards*.

3. REQUESTS TO ADDRESS STANDING COMMITTEE

1. Jack Bragg, President, Greater Victoria Marine Air Safety Society

He has been involved with water aerodromes and airports since 1995 and this Victoria harbour was the first water airport certification in Canada. The major problem is the design and construction of the water airport space and the 'vertical transitional' surface measurements in close proximity of a residential community. Transport Canada is not treating the area as urban topography with condominiums, but rural topography, thus creating the excessive noise and pollution; no airplane is made to operate within 100 meters of condos. He would suggest that the E-W runway should be moved closer to Pelly Island to allow at least 300 meters separation from a condo building to a height of 45 meters.

2. Marc Pakenham

Safety is a concern. He worked in Safety and Accident Prevention for the Coast Guard for 35 years. 20 years ago when an Airwest Twin Otter crashed in the harbour they had to find a rescue facility. Concerns over increased traffic falls by the wayside until there is a serious accident. We need to have some contingency in case of a capsized or collision. Having taken the flight many times, he is terrified of landings with wind speed in excess of 55 km/hour as it seems the craft is pushed to its limit and operated on the margins of safe flying conditions. He noted that the heliport must also be taken into consideration and be part of these discussions as it has become a permanent fixture, despite when it was opened it was to be temporary and consultation was promised before it was made permanent. Most airports in Canada have an airport authority to connect the airport to the community and he does not see why Victoria

Harbour can't have an authority that is connected to but autonomous from the Greater Victoria Harbour Authority.

3. **Frank Gatto, Victoria Harbour Noise & Air Quality Management Committee/Royal Quays Strata Council**

He is relatively new to Victoria, but this noise is not new. In 1973, harbour noise data was already being gathered. In 1984, a Victoria Harbour Baseline Study stated the redevelopment of the Songhees will increase the numbers of people exposed to noise problems. There seemed to be progress being made in 1997 with the Victoria Harbour Noise Committee, but somehow the momentum died. He would request that this work be looked at as there were some good recommendations. The float plane issue is boiled down to a love or hate and whether it is good for the economy. It is an environmental and quality of life problem. He thinks the time has come for this matter to be dealt with. Another Working group made up of City of Victoria, Transport Canada, floatplane operations and residents need to sit down and solve this problem. The issue has gone on for too long and it is not going to go away, it is only going to get worse.

4. **Brian Scarfe**

He runs a small business and is a harbour resident and he is often disturbed by the harbour noise. The social costs of the growing use of the harbour exceeds the benefits. The main social benefit provided by the harbour is a travel time savings for business and government employees. The number of tourists brought by floatplane is insignificant to the total Victoria tourist travel. It actually may reduce the number of overnight stays. If allowed to continue, aircraft noise and pollution will also lower property tax revenues by causing residential and commercial property values all around the harbour to be lower than they could be without these adverse impacts. City Council should request Transport Canada to place a ceiling on the number of aircraft movements as was done at Lake Union in Seattle.

5. **Susan Woods, Queens Port Strata Council**

For more than eight years residents have submitted recommendations to Transport Canada regarding noise and air quality arising from the harbour operations, with minimal success. Resident's quality of life is negated by the impacts of the noise and fumes. The following are the underlying causes and possible solutions:

- (1) Superimposing an airport on the shipping channel – recommend that floatplanes should stay at the dock until the channel is clear for them to takeoff, schedules should be adjusted accordingly and prohibit the use of reverse thrust.
- (2) Discriminatory application of vertical zoning – recommend Transport Canada apply standards here as applied to all other certified airports in built-up areas in Canada; and move the E-W runway further west, away from the buildings.
- (3) Lack of minimum separation distance – recommend Transport Canada include buildings in their 50 meter minimum separation distance as applied to vessels.

- (4) Uncontrolled expansion of floatplane operations – recommend Transport Canada put a cap on the annual volume of floatplane movements; and Transport Canada should conduct a saturation study.
- (5) Lack of environmental standards – recommend Transport Canada establish noise and air quality standards equivalent to the City of Victoria bylaws and install a permanent noise monitoring station. She would ask that the City take these recommendations to Transport Canada and that the City be involved in the new water airport regulations.

6. **Charlene Simon, Victoria West Community Association**

In May 2008 Victoria West Community Association wrote to the City in support of the Committee being established and stated their desire to find a solution. They support that the harbour is a 'working harbour' with a balance given to preserve the quality of life. Some steps have been taken to mitigate issues but there are still issues. Some residents cannot hold conversations in their homes without the doors and windows closed; there is also the smell of fuels and exhaust in their homes. The issues are not new and are extreme frustration for harbour residents for many years. The Victoria West Community Association would request that the Committee take the following actions: restrict the number of floatplane movements; a saturation study be conducted; regular attendance at the Transport Canada Victoria Harbour Noise and Air Quality Management Committee; the City establish a complaints procedure for residents; have a noise monitoring system installed; have planes upgraded to reduce noise and emissions; conduct an air quality study; and review the Water Airport Regulations and Standards when it is published.

7. **Marg Gardiner, James Bay Neighbourhood Association**

In 1998 Council stated that they supported the aerodrome and asked staff to determine the maximum level of noise to be achieved in a reasonable time frame and it is 10 years later, which is not reasonable. Improvements in noise depend on where you live. Noise levels doubled overnight when the flights moved west. Residents shouldn't have to lock up their doors and windows to have some peace. Transport Canada is not using noise mitigation, but the City can ask them to. The City can control zoning and licensing as the planes use City property. The City has influence with Transport Canada and they will listen to the City. There should be no further development west of Laurel and Songhees Points within 1,000 feet of the harbour until a Noise Exposure Forecast (NEF) has been completed. Air quality test should be done. The issue is not about a harbour airport being compatible with residential uses, but the other way around. The City is committed to a working harbour, but an aerodrome is not essential part of a working harbour. If noise was being monitored, the levels would be lowered; right now it is free for all. The Boeing website contains information on noise and emission surcharges in some jurisdictions.

8. **Miza Yu**

She moved to James Bay in 2003 and last year she moved to the North side of Shoal Point. The noise from the floatplanes have made it an uncomfortable summer for her as she has had to keep her windows closed due to the noise. She has had to go to coffee shops and other places

during the day as she found being at home mentally exhausting and stressful. The landing and takeoff areas should be away from homes.

9. Gordon Tweddell

He also lives at Shoal Point and he would like to congratulate the Committee for holding this meeting. The floatplane noise disrupts his daily activities, particularly his enjoyment of the outdoors. He has five main points – (1) Harbour airport operations are a significant source of noise and disruption to the neighbourhood; (2) The volume and aircraft movement are increasing and affecting the neighbourhood; (3) The City has the jurisdiction and influence over the solutions; (4) The reasons to act are clear and arguments against are untenable; (5) The City should enact and recommend that Transport Canada enact measures to address the problem in the short and long term. The calculation of the sound levels is confusing and problematic. World Health Organization guidelines with respect to noise outdoors is between 50dBA and 55dBA. The City of Victoria Noise Bylaw states levels in the range between 45dBA and 65dBA. Transport Canada's Aircraft Noise Measurement Project in 2001 reported noise levels between 63.4dBA and 64.7dBA and a Shoal Point Residents' Study measures the noise levels frequently at 90dBA. The noise has increased due to the increase in the number of flights. While Transport Canada has direct control over aircraft operations, the City of Victoria issues the business licences and provide the facilities for the aircraft and they can enforce restrictions on noise levels. The City should take leadership in this. Arguments against restrictions are untenable as the City has a duty of care for its residents. (1) Some will argue the economic benefits outweigh the concerns; (2) that the floatplanes were here first; but residents were here before the airplane was invented; and we are all here now. (3) Some will argue if the residents don't like it then they should move. City Council determines where residential development should occur, so the City has a duty to ensure there is a proper living environment. (4) Some will argue that floatplanes are a feature of Victoria's charm, but that becomes a serious annoyance over time. (5) Some will argue restrictions will close the airport, that is not true. The City has the duty and power to act and put in place the actions to solve the problem.

10. Jim Gauer

He is a frequent flyer on Kenmore Air. Discussion regarding noise and air pollution is long overdue, but discussions get bogged down in misinformation, contained in the following thirteen myths:

1. Seaplanes were here first – planning and promoting of residential development since 1983, when seaplane traffic was less than 12,000 flights per year, traffic now exceeds 36,000 per year.
2. Seaplane traffic is compatible with residential development – Victoria is the only city in Canada that permits airport runways in such close proximity to residential development.
3. Noise pollution is not so bad – in 1999 average noise level was found to be at the upper limit of the acceptable range, since then activity has increased 68%, pushing noise levels to the unacceptable range.

4. Air pollution is not so bad – fuel used emits pollutants and on the Alpha runway planes emit fumes 50 meters from people's homes.
5. Seaplanes are essential to a working harbour – it is a stretch to call it a working harbour, most of the marine traffic is generated by tourism and recreation.
6. Seaplanes are essential to tourism – only 15% of seaplane passengers are tourists, the majority are business and government travelers.
7. Seaplanes are essential to economic vitality – no evidence to support this.
8. Seaplanes are essential to the provincial government as the jobs would move to the mainland – no evidence to support this.
9. Noise and air pollution are a small price to pay – increasing environmental awareness of issues does not support this.
10. It is economic unfeasible to require that seaplanes be upgraded – this argument was also used by car manufacturers 30 years ago.
11. Transport Canada is powerless to do anything about the noise – Transport Canada can limit the number of flights and enforce its own procedures.
12. Enforcement of runway procedures is not required as pilots voluntarily follow procedures – in the first four months of 2008 runway Alpha was used 68% of the time, compliance is possible.
13. Only Transport Canada can regulate harbour activity – the City can do whatever it has the political will to do such as limiting flights, requiring upgraded planes and closing runway Alpha.

11. Don Roughley

There was a lot of work done between 1996 and 1999, but do not depend on Transport Canada to look after your interests. He has reviewed the application for the community marina in front of the Royal Quays and they have made their application to Transport Canada and not the City as it is the Province that handles leases of the waterfront. There are issues with respect to the marina as there will be an impact on the taxiing corridor around Pelly Island. The number of government employees that move between Vancouver and Victoria is quite large. The issue of environmental impact on residents of the City is not just those adjacent to the harbour, but also the general public, the boaters and recreational users of the harbour. With the continued growth of floatplane trips and the impacts of that increase on the pollution and noise, the increase will continue. He would suggest that there will be a major impact of quality of life in community. There needs to be coordination between airlines.

12. Lynn MacDonald

She has been a Songhees resident since 1990. The Committee stated that safety issues are out of scope. The issue of zoning for other areas of water lot areas will seriously impact the use of the harbour by water groups such as paddlers, the Coho, etc. and people walking. Part of the marina plan is to put a parking lot in the harbour. How can that be an acceptable use of the harbour? There needs to be studies done and they need to meet with City staff. The zoning in that area is critical.

13. Miriam Nelson

There used to be three flights a day. Her white balcony is black with the pollution from the floatplanes. She suffers whenever the wind blows north and west. It is beautiful to see the planes coming and going, but she is worried about all the planes. She has a terminal illness and she believes it is due to the fumes. People have told her to move, but it is the planes that should leave the harbour. She was a member of the Greater Victoria Marine Harbour Committee. Why are the planes still there? This is an illegal airport. Why should people have to close their windows and doors against the noise and fumes? The City is the landlord and they should evict the floatplanes, but they are concerned about being sued due to the loss of revenue the companies will experience. Great things are being done in the harbour. Please do something and help us. Don't let this go on for another 12 years.

14. Don Prittie, Greater Victoria Harbour Authority Chair

The GVHA does not have the authority, but he thinks meetings like this are good. It will take a compromise to make changes. He believes it is a working harbour and floatplanes have a place there. A balance is needed.

15. Arthur. Garner, Resident of Montreal Street

Kenmore Air comes in and out and you never hear anything about them. If Seattle can do it (caps on flights) then we can do it and the planes are the same.

4. CONCLUSIONS AND NEXT STEPS

The Chair said that the Committee will review all the information presented tonight and they will also review the Noise Abatement Procedures process and its applicability/implications for our use. The Committee will also do some research into the best methods and techniques for measuring noise so that any measurement process proposed will be meaningful. The Committee will also review the proposed new Water Airport Regulations and Standards.

The Chair encouraged those present to also review the Water Airport Regulations and Standards and provide their feedback to Transport Canada.

Councillor Madoff said that often the community's concerns have been characterized as extremist, but tonight that notion is put to rest as those speaking have shown a level of detail and thought and willingness to recognize the element of compromise that will come into this. She noted a recent experience at the Vancouver Airport which closes certain runways in consideration of the neighbours at certain hours. The quality of life is an issue, but it is tied to the success of the industry. The solution is simple - it involves the principles of willingness and cooperation of the Federal government. There are commonsense measures that could be taken.

Councillor Coleman thanked those that have submitted their written comments and requested that those who spoke and have not submitted their comments in writing to please do so as they are important. The Committee will review all comments and the solution will involve some form of working together that will work for the

majority. The airport at Lake Union does not have a cap on flights, but there is a voluntary noise abatement program. He is looking forward to finding a resolution that works for the majority which will allow the harbour to continue to be a working harbour which is more peaceful.

5. ADJOURNMENT

Councillor Holland adjourned the meeting at 8:54 p.m.

Councillor Holland, Chair