



## **Attachment 5 Compilation of Referral Responses**

### **Agricultural Land Commission**

201 – 4940 Canada Way  
Burnaby, British Columbia V5G 4K6  
Tel: 604 660-7000 | Fax: 604 660-7033  
[www.alc.gov.bc.ca](http://www.alc.gov.bc.ca)

May 20, 2020

Reply to the attention of Gordon Bednard  
ALC Planning Review: 46723

**Regional District of Nanaimo**  
**Attn: Courtney Simpson, Senior Planner**

**Delivered Electronically**

**Re: Proposed Amendment Bylaws 1620.06 and 500.429 - Nanaimo Airport Lands**

Dear Courtney Simpson

The Agricultural Land Commission (ALC) has reviewed your correspondence dated April 29, 2020 regarding the above proposed Bylaw Amendments. The ALC recalls email correspondence from February 2020 which expressed its concerns regarding the proposed Bylaw amendments and their inconsistency with the ALC Act and Regulations. At that time the Regional District was reminded that the ALR is designated over the majority of Development Area A (to the east of the terminal building) and that the ALC is the Grantee on a Restrictive Covenant which limits the uses permitted on the area previously excluded from the ALR (to the west of the terminal building). The February 2020 email correspondence advised the Regional District to work with the Airport Authority to either ask the ALC to reconsider the earlier exclusion application (ALC legacy file 31216) and remove the condition which required the covenant, or to revise the proposed Policies and Objectives to remove those which are not consistent with the ALC Act and Regulations. It appears that advice has not been followed.

With regard to the proposed Bylaws the ALC has the following comments:

### **OCP amendment Bylaw 1620.06, Section 8.8**

Policy 8.8.2 does not recognize that, while portions of the airport lands are not designated as ALR, those lands remain affected by the restrictive covenant which precludes all but airport related activities. It should be clearly stated in the policy that until such time as the covenant is removed, it may be necessary to confer with the ALC as to its application to any or all proposed land uses.

Policy 8.8.4 should reference consultation and potential applications to the ALC regarding airport development and expansion in both the ALR designated areas and the restrictive covenant area.

The ALC appreciates and encourages the protection of groundwater and the provision of wastewater management as stated in Objective 8.8 and its attached policies.

## Land Use and Subdivision Bylaw 500

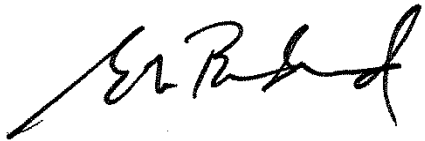
The ALC objects to renaming the AG1D (Agriculture) to AR1 (Airport) especially for areas within the ALR as this diminishes the recognition that the land is impacted by the provincial ALR designation.

As related in previous correspondence it should be understood that in area B many of the listed commercial activities would likely require referral to the ALC to confirm that they are consistent with the Sec 219 covenant, notwithstanding that the area is no longer in the ALR. Development Area B, located along the highway and as far away from the terminal building as possible, brings into question the connection between the Airport and the activities proposed for that area and how those activities would be "airport- related" as required under the covenant.

Thank you for the opportunity to comment on the proposed amendments. If you have any questions about the above, please contact the undersigned at 236-468-2039 or by e-mail ([Gordon.Bednard@gov.bc.ca](mailto:Gordon.Bednard@gov.bc.ca)).

Yours Truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink, appearing to read 'G. Bednard', written in a cursive style.

Gordon Bednard, Regional Planner

Enclosure:

46773m1



175 Ingram Street  
Duncan, BC V9L 1N8  
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Office: 250.746.2500  
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June 11, 2020

Ms. Courtney Simpson  
Senior Planner, Long Range Planning  
Regional District of Nanaimo  
6300 Hammond Bay Road  
**NANAIMO BC V9T 6N2**

Dear Ms. Simpson:

**Re: Proposed Regional District of Nanaimo Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands**

Thank you for referring the above-noted bylaws to the Cowichan Valley Regional District (CVRD). This is to advise you that at the CVRD Board meeting of June 10, 2020, the following resolution was adopted:

***“That the Regional District of Nanaimo be advised that the Cowichan Valley Regional District supports the proposed bylaw amendments in the vicinity of the Nanaimo Airport with the following comments for consideration:***

- 1. The term “airport” is not defined nor is reference made to definitions elsewhere such as the Aeronautics Act. It is suggested that the “airport” be defined to provide clarity around the uses specifically as it relates to Development Area A.***
- 2. The lands currently occupied by the Cottonwood Golf Course are identified as “future aviation” in the Nanaimo Airport Commission Land Development Plan which is not defined. Both the Nanaimo Airport Commission and the Regional District of Nanaimo support the continued operation of the Cottonwood Golf Course and until “future aviation” is defined it is suggested that the lands be zoned to their current use.***
- 3. For the lands immediately adjacent to Cowichan Valley Regional District Area H agricultural lands it is suggested that the required setbacks and landscape buffering be increased from 5 meters to those specified by the Agricultural Land Commission Landscape Buffer Specifications.***
- 4. The Cowichan Valley Regional District understands the use of a Memorandum of Agreement rather than the Development Permit process. Recognizing the impacts on surrounding properties are normally publicly reviewed as part of the Development Permit process and allow for public comment from surrounding properties it is suggested that, at a minimum, the Cowichan Valley Regional District be kept informed in the development of the Memorandum of Agreement and be considered for participation in the development and the opportunity to become party to the Agreement. “***

We hope that the support of the proposed Regional District of Nanaimo amendment bylaws and the related suggestions for consideration will be useful. Thank you and your Board for the opportunity to comment.

Yours truly,



Mike Tippett, RPP, MCIP  
Manager, Community Planning Division  
Land Use Services Department

MT/lkw



May 19, 2020

Courtney Simpson  
Regional District of Nanaimo  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

**Re: Proposed Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands**

Dear Courtney,

Thank you for providing the Canadian Wildlife Service an opportunity to comment on proposed amendment bylaws 1620.06 and 500.429 under the Regional District of Nanaimo Official Community Plan and Zoning Bylaws. Based on our review of the information provided, we are concerned that the adoption of amendment bylaw 500.429 could increase the likelihood of critical habitat and nests/residences for Vesper Sparrow *affinis* subspecies (*Pooecetes gramineus affinis*) being destroyed. Vesper Sparrow *affinis* subspecies is a migratory bird, protected under the [Migratory Birds Convention Act, 1994](#) (MBCA) as well as a species listed as Endangered under the *Species at Risk Act* (SARA). Although we recognize that this species has not been observed regularly at this site in recent years, it is still listed under SARA and protected under the MBCA. Consequently, its critical habitat and any nests/residences (should they occur) still require protection.

***Species at Risk Act* - Critical Habitat**

For species listed as Threatened, Endangered, or Extirpated under SARA, a recovery strategy must be produced that contains an identification of critical habitat to the extent possible. When critical habitat is identified on non-federal lands, Environment and Climate Change Canada undertakes an assessment of protection measures that are in place to prevent its destruction, and will provide the Minister of Environment and Climate Change with this information. If the Minister forms the opinion that the critical habitat is not effectively protected, SARA (section 61) requires that the Minister recommend to Governor in Council that an order be put in place to bring SARA's prohibitions against destruction of critical habitat on non-federal land into effect for the unprotected portion(s) of critical habitat. If there is a history of provincial or local government approvals that enable, or do not explicitly prohibit, destruction of critical habitat on private land, this could be considered as evidence of a lack of effective protection. When considering activities within geospatial areas containing critical habitat, it is necessary to review the specifics of what biophysical attributes constitute critical habitat for that species, as well as the scope and timing of specific activities that may result in destruction of critical habitat.

In Canada, Vesper Sparrow *affinis* subspecies is known to breed only at the Nanaimo airport and adjacent lands. A recovery strategy including Vesper Sparrow *affinis* subspecies was posted on the Species at Risk Public Registry in 2016 (<https://www.canada.ca/en/environment-climate-change/services/species-risk-public-registry/recovery-strategies/horned-lark-vesper-sparrow-2016.html>). In section 8 of the strategy, you will find maps indicating the areas containing critical habitat as well as a written description of the biophysical attributes (within those mapped areas) that must be maintained in order for recovery of the species to be successful. Biophysical attributes for Vesper Sparrow *affinis* subspecies critical habitat include:

- open areas with short, sparse grass or herbaceous cover, and intermittent bare ground (for nesting and foraging) and;
- scattered shrubs and small trees (for perching and singing)



Activities that are likely to destroy critical habitat for Vesper Sparrow *affinis* subspecies include, but are not limited to:

- mowing, particularly during the breeding season;
- seeding of mat-forming grasses;
- complete vegetation removal; and/or
- significant shrub and/or tree removal.

The area referred to as 'Development Area A' under amendment bylaw 500.429 overlaps with designated critical habitat for Vesper Sparrow *affinis* subspecies. If development occurs within the boundaries of the designated critical habitat, where the above biophysical attributes exist, critical habitat could be permanently damaged or destroyed where it could no longer serve the biological functions required by the species.

### ***Species at Risk Act and Migratory Birds Convention Act - Individuals and Nests/Residences***

The MBCA and its regulations protect migratory birds and prohibit the disturbance or destruction of migratory birds, their nests and eggs in Canada. Similarly, section 33 of SARA prohibits the damage or destruction of residences (e.g., nest) of species listed as Endangered or Threatened (<http://laws-lois.justice.gc.ca/eng/acts/S-15.3/page-9.html#h-14>). For migratory bird species at risk, these prohibitions apply to all nests regardless of land ownership.

Any activity that impairs the function of the nest would constitute damage or destruction of the residence under SARA. This would include, but is not limited to, any activity that:

- disturbs the adult pair that are building the nest, incubating eggs or bringing food to the nestlings such that one or both members of the adult pair are disturbed to the point where the nest may be abandoned, or, if present, the eggs or young perish inside the nest for lack of parental care, and
- blocks access to the nest by the birds.

Active nesting within southwest British Columbia occurs between April and August (see the [General Nesting periods of Migratory Birds in Canada](http://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html)). If development occurs in an area containing active nests of Vesper Sparrow *affinis* subspecies, their nest/residence could be destroyed (see <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>).

If there are development restrictions under the previous zoning of the area referred to as 'Development Area A' (AG1D) that are not carried over to the new 'Nanaimo Airport 1' zoning, then adoption of amendment bylaw 500.429 could increase the likelihood of development occurring, and thus of identified critical habitat being destroyed, as well as any nests/residences (should they occur) being destroyed.

Sincerely,

Ken Brock  
Manager, Conservation Planning and Stewardship  
Canadian Wildlife Service, Pacific Region  
RR1, 5421 Robertson Road  
Delta, BC V4K 3N2

**From:** [Yehia, Jade](#)  
**To:** [Simpson, Courtney](#)  
**Cc:** [Rosser, Sunny](#); [Bilyk, Tim E.](#)  
**Subject:** RE: RDN Amendment Bylaws Referral for Nanaimo Airport Lands  
**Date:** Thursday, May 28, 2020 5:04:58 PM  
**Attachments:** [image001.gif](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)

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Hello Courtney,

I hope this email finds you well!

As you know, the past several years have seen significant advances in linking urban planning with a variety of health outcomes. These include outcomes such as: the encouragement of physical activity, healthier eating, greater safety, cleaner air and healthier living environments, access to health services, food security, age friendly communities, and improved social interaction amongst other potential health criteria. Island Health appreciates the opportunity to provide evidence based recommendations and comments for this referral.

After reviewing Bylaw 1620.06 (amending the OCP Bylaw No. 1620, 2011) and Bylaw 500.429 (amending Bylaw No. 500, 1987), my office has some comments/concerns on the changes.

1. **Drinking Water** – The underlying Cassidy Aquifer is highly vulnerable. It needs to be protected and it is unclear from the referral how the Nanaimo Airport Commission will accomplish that. There are 4 active wells on the Nanaimo Airport grounds, supplying two water systems serving the Nanaimo Airport, one is to the Main Building (Airport) and the other is to the CSB building both with their own water treatment systems. Drinking water must be protected, for current and future use through the implementation of water system assessments and plans. It is advised an assessment occur prior to these amendments being considered.
2. **Land Use** – There is no municipal sewerage system offered at this location, only on sewage disposal is utilized here. According to the bylaw amendments, the Nanaimo Airport has the intention of building a hotel, gas station, fast food outlet, neighbourhood pub, tourist center and food stores etc... Consideration needs to be taken into account of the amount of area required for land use with regards to sewage disposal which may have an impact on the Cassidy Aquifer. If the estimated daily sewage flow exceeds our legislation, then the Ministry of Environment will need to be involved. Echoing comments made under point #1, it may be necessary to carry out a hydrogeological study to ensure that the land can support this kind of use with regards to septic and that the Cassidy Aquifer is protected from contamination.
3. **Contamination** – There vehicles (other than aircraft) and chemical storage on site. Again, the Cassidy Aquifer needs to be protected and emergency protocols need to address how the



Nanaimo Airport is going to address a chemical spill and/leak from a storage tank or vehicle (which we assume they already have in place to comply with Aviation Canada).

4. **Noise** – While noise is outside of our regulatory role, health evidence demonstrates a clear linkage to health. “Excessive noise seriously harms human health and interferes with people’s daily activities at school, at work, at home and during leisure time. It can disturb sleep, cause cardiovascular and psychophysiological effects, reduce performance and provoke annoyance responses and changes in social behaviour” ([WHO, 2020](#)). As such, we support compliance with local bylaws and other agencies (i.e. federal) as to not cause a disturbance to the local residences and businesses. It is advised that the Nanaimo Airport Commission examine the hours of operation so as to not disturb the local residence and industry nearby within reasonable operating hours. We also note, the Cottonwood Golf Course is right beside the airport lands in particular Development Area “A.”
5. **Transit** – Reviewing the [public submissions](#), we see comments on public transit and access to the airport (along with a review of the local area and entire RDN transit network). We offer our support to this review, and consideration in this proposal. There is a great deal of health evidence to support the convenience of public transit. It plays a role in our daily choices about how to get to where we need to go. When individuals choose public transit they are more likely to get their daily dose of physical activity (walking to and from bus stops). This further lends itself to positive benefits for the environment, greenhouse gas reductions and reduced levels of harmful carbon monoxide, hydrocarbons, oxides of nitrogen and particulate matter ([BCCDC, 2018](#)).
6. **Health Impact Assessment** (HIA) – Based on the above health topics of concern, we would like to offer a recommendation for a HIA to be conducted prior to approval. There are many examples from around the globe where an HIA has been conducted on Airport Lands to address health and be responsive to public concerns. This systematic, evidence based process, could support addressing, and minimizing health risks, while maximizing health benefits. We would welcome further dialogue on the subject.

Thank you kindly and do not hesitate to contact us (Tim Bilyk, district Environmental Health Officer cc’ed, or I) should you have any questions.

Jade

**Jade Yehia, MSc, CPHI(C)**

Regional Built Environment Consultant

Health Protection & Environmental Services

201 - 771 Vernon Avenue | Victoria, BC V8X 5A7

Ph: 250.519.3654 | Fax: 250.519.3402

**Healthy Built Environment intake:** [HBE@viha.ca](mailto:HBE@viha.ca)





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**From:** Rosser, Sunny <SRosser@rdn.bc.ca>  
**Sent:** Wednesday, April 29, 2020 7:31 PM  
**To:** Yehia, Jade <Jade.Yehia@viha.ca>  
**Cc:** Simpson, Courtney <CSimpson@rdn.bc.ca>  
**Subject:** RDN Amendment Bylaws Referral for Nanaimo Airport Lands

Dear Jade Yehia

Please find attached a referral of Regional District of Nanaimo Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands.

A copy of the letter and Bylaws will be mailed out to you shortly.

Sincerely,

**Courtney Simpson**

Senior Planner, Long Range Planning  
Regional District of Nanaimo  
6300 Hammond Bay Road, Nanaimo, BC V9T 6N2  
T: (250) 390-6510 | Email: [csimpson@rdn.bc.ca](mailto:csimpson@rdn.bc.ca)  
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**Sunny Rosser**

Administrative Associate  
Strategic & Community Development

**Regional District of Nanaimo**

6300 Hammond Bay Road  
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T: (250) 250-390-6510 | Email: [srosser@rdn.bc.ca](mailto:srosser@rdn.bc.ca)  
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**From:** [Clements, Nancy](#)  
**To:** [Simpson, Courtney](#)  
**Subject:** Nanaimo Airport  
**Date:** Wednesday, June 17, 2020 10:09:11 AM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)

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Hi Courtenay

I wanted to include some additional comments about the Airport OCP amendment / rezoning application as it pertains to drinking water and onsite sewage disposal.

Considering our legislated authority in regards to the drinking water and sewerage systems, I can provide the additional comments for the Nanaimo Regional Airport site.

### **Drinking Water**

The airport site currently holds a valid Permit to Operate a Water Supply System which is granted under the Drinking Water Protection Act (DWPA) and the Drinking Water Protection Regulation (DWPR). The system is currently classified as a “small drinking water system” with 2-14 connections. As a water purveyor, the Airport Commission is obligated to meet the requirements of the Act and Regulation.

Currently the Health Authority under the direction of the Ministry of Health, is in the process of conducting assessments of the potential risks associated with water systems which use ground water supplies as their source of drinking water. Depending on the risk identified, minimum treatment and/or disinfection systems may be required to adequately address these risks. The documents outlining these assessments and requirements based on risk, can be reviewed here [Ground Water at Risk of Containing Pathogens](#) and [Ground Water Treatment Objectives](#). The district Environmental Health Officer, Tim Bilyk, can also be contacted to discuss this further. Depending on the outcome of this assessment upgrades to the system may be required. The expectation would be that if upgrades are needed, that they be completed prior to any expansion occurring.

Any expansion, water main extension, or addition to the treatment or disinfection system must be done under application as either a Construction Permit or a Construction Waiver which is issued by the Public Health Engineer. Any works completed without the benefit of this approval is a violation of the DWPR.

### **Sewage Disposal**

We draw our authority from the Sewerage System Regulation (SSR) under the BC Public Health Act. This regulation applies to the construction and maintenance of a combination of sewerage systems

with a combined design daily domestic sewage flow of less than 22 700 litre/day that serves structures on one or more parcels or strata lots or on a shared interest. If the volume of discharge equals or exceeds 22 700 m<sup>3</sup>/day the regulation that would apply is the Municipal Wastewater Regulation (MWR) under the authority of the BC Ministry of Environment. Given the proposal to expand the terminal, add airside commercial and aviation light industrial, a hotel and commercial business space for businesses such as a pub, the expectation of the flows generated by this number of connections would be that it falls under the MWR.

With the large number of potential connections and volume of cumulative flow, we feel strongly that any upgrades or changes to the sewage disposal that occur on the site should be done under the MWR and that multiple smaller systems installed under the SSR not be considered. The MWR is the more stringent of the two pieces of legislation and includes, among other things, the requirement for ongoing monitoring of the system along with a adequately trained operator. With the highly sensitive nature of the two overlaying aquifers, the highest level of care needs to be applied to provide this protection to not only the water supplied to the airport site but to all the other users reliant on this aquifer. This recommendation is also in line with Nanaimo Airport Land Use Plan which states the objective of protecting the Cassidy aquifer. The LUP also suggests that they explore opportunities to share wastewater treatment with Cassidy Village which we would also support.

This Land Use Plan also states that they continue to initiate comprehensive groundwater impact studies for new development that may have a detrimental impact on the aquifer. We do support further study to determine the potential risks, the capacity of the aquifer to support this type of expansion and other potential health impacts that should be considered with a proposal such as this.

## **Conclusion**

We would be in support of a Health Impact Assessment (HIA) for this site as it is a means of assessing the health impacts of this proposal using quantitative, qualitative and participatory techniques. This approach would support the review process of this OCP amendment / rezoning application and could address the potential concerns around onsite sewage disposal and the protection of the ground water source. There have been HIA conducted for airports such as the one that was completed for the Billy Bishop Airport on Toronto Island, <https://www.toronto.ca/wp-content/uploads/2017/11/9202-billy-bishop-airport-golder-associates-health-impact-assessment-report.pdf> and this is something we would consider valuable at this site as well.

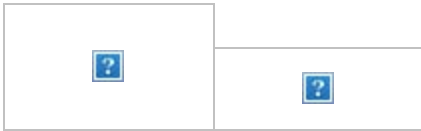
I hope this provides you with the information that you need moving forward in the preparation for your report to board. If you have any other questions, please contact me via this email, my office number (listed below). The District EHO is also available and can be reached at [tim.bilyk@viha.ca](mailto:tim.bilyk@viha.ca) or by phone 250.755.6279.

Regards  
Nancy

Nancy Clements | Drinking Water – Healthy Built Environment Consultant

Phone: 250.850.2107 | email: [nancy.clements@viha.ca](mailto:nancy.clements@viha.ca)

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May 20, 2020

Chair Ian Thorpe and Board  
Regional District of Nanaimo  
6300 Hammond Bay Road,  
Nanaimo, BC V9T 6N2

Dear Chair Thorpe and Board:

**RE: Proposed Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands**

On behalf of the Town of Ladysmith, I thank you for providing the Town with an opportunity to comment on the above-noted bylaws.

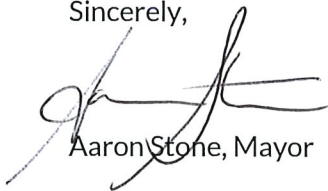
Council reviewed the referral at our May 19, 2020 meeting; the staff report and Council resolution are attached for your consideration. A recording of the Council meeting is available at: <https://www.ladysmith.ca/city-hall/mayor-council/council-video-archive>.

The Town of Ladysmith supports adoption of the proposed bylaws, with the recommendation that transit-oriented development principles be factored into further expansion of the airport and that efforts to expand regional transit connections continue. Specifically, the Town recommends that the RDN continue its efforts to expand regional bus service connecting the airport and communities to the south, with the aim of having this service up and running prior to full build out of the proposed commercial developments along the highway.

Addressing these considerations would be consistent with airport development and transit plans that are already proposed or under discussion. Improved transit is necessary to mitigate impacts on regional highway infrastructure, combat climate change, support the Island's economy, optimize integrated transportation systems, and ensure the long-term success of the airport.

Again, thank you for providing the opportunity to comment on this proposal.

Sincerely,



Aaron Stone, Mayor



eDAS File #: 2020-02020

Date: Jun/11/2020

Regional District of Nanaimo  
Kristy Marks

Attention: Kristy Marks, Planner

**Re: Proposed Official Community Plan Approval Application for  
3350 Spitfire Way**

Thank you for the referral to the Ministry, comments have been received from both our Planning and Engineering departments.

**Planning:**

- There are some concerns about the proposed OCP and zoning amendments on the Airport lands. In review of what is available publicly regarding the Nanaimo Airport Master Plan, there is the potential for significant developments at the site that would be accessing Spitfire Way and utilizing the roundabout. The amendments would allow the Nanaimo Airport Commission to develop on the lands without necessarily requiring MOTI approval. There is the potential to add significant trips/traffic onto Spitfire Way and Highway 1. Before approving the amendment the Ministry would need to see their development plans and based on what is available online, we would likely need a TIA to understand trip generation at the site.

**Engineering:**

- A TIA will be required, including an assessment of the signal at Spitfire, levels of service of the 95% que. Concerns of the SB LT Highway 1. Concerns of traffic queuing on Spitfire backing into the roundabout.

If you have any questions please feel free to call Jamie Leigh Hopkins at (250) 734-4825.

Yours truly,

Jamie Leigh Hopkins  
Development Services Officer

Local District Address
Vancouver Island District Third Flr 2100 Labieux Road Nanaimo, BC V9T 6E9 Canada Phone: (250) 751-3246 Fax: (250) 751-3289



eDAS File #: 2020-02020

Date: Jun/24/2020

Courtney Simpson;  
c/o Regional District of Nanaimo

**Re: Proposed Official Community Plan Approval Application for:  
3350 Spitfire Way**

Thank you for the follow up response to the initial comments provided by our Planning and Engineering Groups.

The Ministry would like to see an Overview Technical Memo completed, based on the newly provided: Nanaimo Airport Master Plan, March 25, 2019 by SNC Lavalin. This is to confirm the operation of Spitfire Way and the 2<sup>nd</sup> access at buildout.

The Ministry is not opposed to the rezoning and is supportive of the development at the Airport lands. Development Proposals will need to be referred to the Ministry as they are received.

If you have any questions please feel free to call Jamie Leigh Hopkins at (250) 734-4825.

Moving forward, please ensure I am included all communications for this matter to ensure proper document controls, and timely responses.

Thank you and have a lovely day,

Jamie Leigh Hopkins  
Development Services Officer

CC

MOTI- Michael Pearson, Susan Randle, Peter Maxwell Webber

Local District Address
Vancouver Island District Third Flr 2100 Labieux Road Nanaimo, BC V9T 6E9 Canada Phone: (250) 751-3246 Fax: (250) 751-3289



**From:** [Jennifer Bradley](#)  
**To:** [Simpson, Courtney](#)  
**Subject:** RE: RDN Amendment Bylaws Referral for Nanaimo Airport Lands  
**Date:** Tuesday, June 16, 2020 1:17:34 PM

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Hi Courtney

I am sorry for the late reply, no the District did not have any comments on this amendment. These properties are outside our service area.

Thank you

Jennifer Bradley | Administrator | North Cedar Improvement District  
2100 Yellow Point Rd, PO Box 210, Cedar BC V9X 1W1 | Tel: 250.722.3711 | Fax: 250.722.3252 |  
Website: [www.ncid.bc.ca](http://www.ncid.bc.ca) |

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**#8 – 140 Wallace Street, Nanaimo, BC V9R 5B1**

**Phone/Fax 250-714-1990 Email:**

**admin@nalt.bc.ca**

**Website: [www.nalt.bc.ca](http://www.nalt.bc.ca)**

May 28<sup>th</sup>, 2020

To: Courtney Simpson  
Senior Planner, RDN Strategic and Community Development

**Re: Proposed Nanaimo Airport Lands Bylaw Amendments**

Dear Courtney Simpson,

Thank you for your request for input from the Nanaimo & Area Land Trust (NALT) regarding the proposed amendments to the Official Community Plan (OCP) and the Zoning Bylaw in relation to the Nanaimo Airport Lands. The inclusion of community voices in the planning process is something NALT has supported since its inception.

It is heartening to see the protection of the Cassidy aquifer to be noted as of the “utmost importance” in the proposed bylaw change. The RDN Drinking Water and Watershed Protection Program has certainly helped promote the protection of fresh water and, in partnership with organizations like NALT, has involved the community in stewardship outreach and participation. The pre-eminence of aquifer protection in the proposed bylaw indicates a culture of water stewardship embraced by the RDN.

Other environmental concerns on or adjacent to these lands are of concern to NALT, namely critical habitat for the vesper sparrow and riparian area integrity for Haslam Creek.

The Airport lands referred to as Development Area A encompass the only known nesting sites of the coastal vesper sparrow on Vancouver Island. This sparrow is rated as endangered by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) and is red-listed by the province of British Columbia. Other than these nesting sites, the sparrow would be extirpated from Vancouver Island. We all have a duty to include stewardship of habitat crucial for the survival of this population in our consideration of human use of these lands. In the past, NALT has enjoyed a collaborative relationship with Airport management in stewarding the only known nesting site of coastal vesper sparrows on Vancouver Island. Unfortunately, as airport security became paramount, we no longer have access to assess and enhance the sparrow habitat. Although our information about the sparrow on the airport land ends in 2014, it is not a leap to anticipate these birds may be seasonally present on the land.

As well, at the north end of the Development Area A and immediately north of that boundary, consideration must be given to maintaining and restoring a healthy riparian area adjacent to Haslam Creek. It supports populations Coho, Chum, Chinook and Pink salmon as well as resident and sea-going trout. The Airport has been involved with stewardship groups to restore riparian areas on the Creek and inclusion of a statement valuing the natural and eco-asset services Halsam Creek provides to the airport and surrounding community should also be included in the environmental concerns highlighted in the proposed bylaw changes.

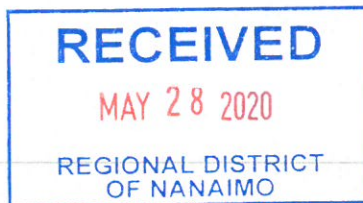
Balancing the operations and expansion of this key regional infrastructure with ground water security, critical habitat and the myriad of values embodied in Haslam Creek is key to the success and resiliency of our built and natural environment. The natural values unique to the Airport Lands must be represented in the bylaw to inform future land use practice.

Sincerely,

Nina Evans-Locke, NALT Co-Chair

Dean Gaudry, NALT Co-Chair

**Nalt's mission: to support, promote and protect the natural values of land and water in our area.**



Nanaimo Airport  
P.O. Box 149 3350 Spitfire Rd  
Cassidy, BC Canada V0R 1H0  
Ph (250) 245-2157 Fax (250) 245-4308

May 28, 2020

Regional District of Nanaimo  
Planning Department  
6300 Hammond Bay Road  
Nanaimo, BC  
V9T 6N2

**Please note: This letter's attachments 1, 2, 4, 5 and 6 are not included here for brevity.**

**Re: Regional District of Nanaimo (RDN) – Proposed Amendment to Official Community Plan Bylaw 1620.06 (OCP) and Nanaimo Land Use and Subdivision Bylaw 500.429 (Zoning Bylaw).**

Dear Planning Department:

I am writing to respond to your letter dated April 29, 2020 on the "Proposed Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands".

The Nanaimo Regional Airport (YCD) is owned and operated by the not-for-profit Nanaimo Airport Commission (NAC). The Nanaimo Airport was incorporated in August 1990 as a not-for-profit corporation under the Canada Corporations Act – Part II. The NAC is an airport certified by the Minister of Transport to be an airport operator. The airport lands were transferred fee simple to the NAC in 1996. The transferred airport lands are intended by the Federal government to be used directly or in support of aeronautics under the NAC Operating Agreement.

As noted in our Board Chair's letters of August 13, 2019 (Attachment #1) and April 16, 2019 (Attachment #2), the land use planning and zoning of Nanaimo Airport Lands is solely a matter of federal jurisdiction rather than municipal, and the Nanaimo Airport Commission rejects the notion that the RDN has any zoning or land use jurisdiction over Nanaimo Airport Lands.

Notwithstanding, the Nanaimo Airport Commission is committed to working with the RDN to ensure we operate in an environmentally, socially and financially sustainable manner to enhance the value of the Nanaimo Airport to the surrounding communities we serve. Our comments below are intended to be constructive in relation to the proposed Bylaw 1620.06 and Bylaw 500.429.

#### Official Community Plan Bylaw 1620.06

The NAC will support aspirational statements in a proposed Official Community Plan Bylaw.

We have attached a revised Bylaw 1620.06 (Attachment #3) for your consideration.

Section 8.8.2 - Given that the RDN is proposing that it supports the Nanaimo Airport Land Use Plan (Attachment #4) and Nanaimo Airport Land Use and Development Principles (Attachment #5) we recommend Section 8.8.2 should be simplified to clearly support the noted plans. We would also recommend that our Nanaimo Airport Development Design Guidelines (Attachment #6) be included as this approved document complements the two plans already included in Bylaw 1620.06.



Section 8.8.3 - For the same reason noted above, we feel it is not necessary to include 8.8.3 so we recommend this section be deleted.

Section 8.8.4 - We recommend that RDN delete the reference "and hours of usage" as we feel this is overreaching.

Section 8.8.5 – We recommend that the reference "within the ALR in this designation" be deleted as Objective 8.8.1 – Section 8.8.2 already supports the NAC Land Use Plan.

Objective 8.8.2 and Sections 8.8.6, 8.8.7 and 8.8.8 – We recommend that this Objective and these Sections be deleted as they are already covered by Section 6.1.3 and 6.2.4 of the Nanaimo Airport Land Use Plan referenced in Section 8.8.2. We have included an amended version of this Objective and these Sections, if the RDN decides not to delete.

Overall, we feel it is important to support an amendment that encourages NAC to manage our lands in accordance with our own approved Nanaimo Airport Land Use Plan that was developed in consultation with the community, First Nations and our local government partners (including the RDN). Our recommended amendments to Bylaw 1620.06 are consistent with the following approved NAC documents:

- Nanaimo Airport Master Plan
- Nanaimo Airport Land Use Plan
- Nanaimo Airport Land Use and Development Principles
- Nanaimo Airport Land Development Site Masterplan
- Nanaimo Airport – Development Design Guidelines

It is our understanding that this type of high-level OCP policy language is common in other jurisdictions in Canada (e.g. including the City of Richmond regarding YVR) and we would like to support our amended Bylaw 1620.06.

#### Nanaimo Land Use and Subdivision Bylaw 500.429 – Amendment

The proposed Nanaimo Land Use and Subdivision Bylaw 500.429 amendment is a significant concern to the Nanaimo Airport Commission because, as written, it may set a precedent that could significantly impair the exercise of our core powers to manage, operate and maintain an airport and airport lands governed under federal jurisdiction.

In discussions with RDN staff it is our understanding that the intent of the bylaw is to acknowledge and support the permitted uses in the Nanaimo Airport Land Use Plan, and it is not the intent of the RDN to regulate the permitted uses in accordance with RDN regulations (e.g. landscaping requirements, development permit areas, etc.).

We have attached a revised Bylaw 500.429 (Attachment #7) for your consideration.

- 1) We recommend alternative wording for the introduction section of AR1 that acknowledges and supports the uses per our Nanaimo Airport Land Use Plan, and states that it is not the intent of the RDN to regulate the development of these permitted uses on the Airport Lands.

In the proposed bylaw the RDN has noted "Airport" as a permitted use in Development Area "A" that basically covers our airside lands and in Development Area "B" that basically covers our groundside lands. It is worth noting that "Airport" is not a defined term in the Zoning Bylaw.

- 2) We recommend all lands owned by the Nanaimo Airport Commission including the 33 hectare (ha) parcel north of Haslam Road be zoned AR1 which we note in Bylaw 1620.06 supports agriculture as a permitted use on Airport Lands.
- 3) In "Development Area A – Airport" and "Development Area B – Airport Commercial" we recommend the only use should be "Airport". For clarity purposes we feel the other noted permitted uses should be included in Airport.
- 4) We recommend amending Development Area A – Airport permitted uses to be "Airport which includes agriculture".
- 5) We recommend amending Development Area B – Airport Commercial permitted uses to be "Airport which includes:

- convenience store
- gas bar
- hotel
- neighbourhood pub
- parking
- retail store
- tourist information booth
- liquor store
- transportation terminal
- outdoor sales (south of Simpson Rd. only)"
- fast food outlet
- gasoline service station
- light industry
- office
- restaurant
- tourist store
- transit exchange
- public utility use
- medium industry

Note: we have added 5 defined "permitted uses" that were omitted in the proposed Bylaw 500.426

In essence, we are recommending that the only permitted use is "Airport" which includes all the other noted uses that are consistent with the Nanaimo Airport Land Use Plan. This will provide clarity to the surrounding community on the intended uses on the Airport Lands and ensure that NAC can develop its Airport Lands to provide services to our customers in a financially sustainable manner.

- 6) We recommend deleting Sections 3.4.3.2, 3.4.3.3, 3.4.3.4, 3.4.3.5 and 3.4.3. We do not support these regulations. We have recommended that the RDN include in its OCP amendment Bylaw 1620.06 our Nanaimo Airport Development Design Guidelines as these guidelines provide clear direction.
- 7) We recommend amending Schedule 1 to show the area south of Simpson Rd as Development Area B.

In summary, we feel the proposed RDN Zoning Bylaw is unclear as to its intent and potentially overreaching in its attempt to regulate land use at the Nanaimo Airport. We feel it would significantly impair our ability to maintain the financial sustainability of the airport (especially relevant today with COVID 19) and ensure we provide a safe and efficient service to our regional partners and customers.

It is the Nanaimo Airport Commission's desire that the RDN amend the bylaws as per our recommendations.

In the near future we would like to enter into a process with the RDN to find a mutually agreeable process to consult with the RDN on future land use developments on the Nanaimo Airport lands, and that we work collaboratively on developing an Airport Zoning Regulation (AZR) for lands in the vicinity of the airport.

Thank you for considering our comments.

Sincerely,



Dave Devana  
President and CEO  
Nanaimo Airport Commission

Cc: NAC Board

Attachment #1 - Letter dated August 13, 2019

Attachment #2 - Letter dated April 16, 2019

Attachment #3 - Bylaw No. 1620.06 (as amended per NAC recommendations)

Attachment #4 - Nanaimo Airport Land Use Plan (dated March 25, 2019)

Attachment #5 - Nanaimo Airport Land use and Development Principles (dated March 25, 2019)

Attachment #6 - Nanaimo Airport Development Design Guidelines (dated November 2019)

Attachment #7 - Bylaw No. 500.429 (as amended per NAC recommendations)



## REGIONAL DISTRICT OF NANAIMO

## BYLAW NO. 1620.06

## Schedule 'A'

Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011, Schedule A, is hereby amended by deleting Section 8.8 Nanaimo Airport and replacing with the following:

**Section 8.8 Nanaimo Airport**

The Nanaimo Airport is comprised of three parcels of land on 211 ha owned by the Nanaimo Airport Commission, a federal not-for-profit corporation. A fourth, 33 ha parcel north of Haslam Road is also owned by the Nanaimo Airport Commission and within the OCP Nanaimo Airport designation, but not within the federally designated Airport. An approximately 15 ha area of the airport at the eastern boundary is located within the Cowichan Valley Regional District.

The Nanaimo Airport Commission's Nanaimo Airport Land Use Plan, 2019 establishes objectives, policies, development principals, and land use zones to guide development of the airport lands in support of the economic and environmental viability of airport, and the region, and support the airport's role as a regional transportation facility.

The airport lands are located above the Cassidy Aquifer, which is highly vulnerable to surface contamination. Aquifer protection is of utmost importance.

**Objectives and Policies**

Section 8.8	Policy/Objective
<b>Objective 8.8.1</b>	<b>Recognize the importance of the Nanaimo Airport as an economic and transportation hub for the Regional District of Nanaimo and Vancouver Island.</b>
Policy 8.8.1	The Lands owned by the Nanaimo Airport Commission that are shown on Map No. 3 shall be designated as Nanaimo Airport Lands.
Policy 8.8.2	On Nanaimo Airport Lands <del>outside the ALR</del> , the RDN supports airport use, including airport use described in the Nanaimo Airport Land Use Plan contained within Schedule C of this OCP. <del>The RDN also contemplates that a portion of the non-ALR lands within the Nanaimo Airport Lands designation may be zoned to allow other uses the RDN determines are compatible with the operation of an airport on the Nanaimo Airport Lands.</del>
<del>Policy 8.8.3</del>	<del>On the Nanaimo Airport Lands within the ALR, Agriculture use is supported.</del>
Policy 8.8.4	The RDN encourages the NAC to consult with the community and the RDN to address specific issues related to airport expansion and development of light industrial and commercial uses including the following: <ul style="list-style-type: none"> <li>a. establishing and regulating flight paths <del>and hours of usage</del> to minimize disturbance to nearby residents;</li> <li>b. communication process for addressing noise complaints;</li> </ul>



**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 1620.06**

**A BYLAW TO AMEND THE REGIONAL DISTRICT OF NANAIMO ELECTORAL AREA 'A' OFFICIAL  
COMMUNITY PLAN BYLAW NO. 1620, 2011**

The Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This bylaw may be cited as "Regional District of Nanaimo Electoral Area A Official Community Plan Amendment Bylaw No. 1620.06, 2020".
- B. The "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011" is hereby amended as set out in Schedule 'A' of this Bylaw.

Introduced and read two times this 28th day of April, 2020.

Considered in conjunction with the Regional District of Nanaimo Financial Plan and any applicable Waste Management Plans this \_\_\_\_ day of \_\_\_\_, 20XX.

Public hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_\_ day of \_\_\_\_, 20XX.

Read a third time this \_\_\_\_ day of \_\_\_\_, 20XX.

Adopted this \_\_\_\_ day of \_\_\_\_, 20XX.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
CORPORATE OFFICER

	<ul style="list-style-type: none"> <li>c. mitigating impact of development on groundwater, surface water and storm water management.</li> <li>d. traffic impacts; and</li> <li>e. visual character.</li> </ul>
Policy 8.8.5	Continued operation of the Cottonwood Golf Course <del>within the ALR in this designation</del> is supported.

Section 8.8	Policy/Objective
<b>Objective 8.8.2</b>	<b>Protect the Cassidy aquifer, acknowledge the sensitivities associated with adjacent ALR lands, streams, and surrounding residential areas, and avoid or mitigate any negative impacts from development.</b>
Policy 8.8.6	The NAC is encouraged to provide a high standard of wastewater and storm water management and treatment to protect the sensitive aquifer.
Policy 8.8.7	The NAC is encouraged to consider options for coordinating shared wastewater treatment with the Cassidy Village Centre, <del>including consideration of connection to DPPCC.</del>
Policy 8.8.8	The NAC is encouraged to continue its groundwater monitoring program for both water levels and water quality, to share groundwater monitoring data with the Province and the RDN, <del>and ensure that new development does not negatively impact the aquifer.</del>

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 500.429**

**A BYLAW TO AMEND THE REGIONAL DISTRICT OF NANAIMO LAND USE AND SUBDIVISION BYLAW NO.  
500, 1987**

The Board of the Regional District of Nanaimo, in open meeting, enacts as follows:

- A. This bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.429, 2020".
- B. Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 is hereby amended as follows:

1. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following zone classification and corresponding short title after the Agriculture 2 zone:

Nanaimo Airport (AR1)

2. By adding Section 3.4.3 NANAIMO AIRPORT (AR1)

as shown on Schedule '1' which is attached to and forms part of this bylaw.

3. By rezoning the lands shown on Schedule '2' and legally described as

Lot 2 of Section 1 & 2 Range 8, Cranberry District and of District Lots 2 &  
15 Bright District Plan VIP68713;

from Rural 4 (RU4), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

4. By rezoning the lands shown on Schedule '2' and legally described as

Lot 3, District Lot 15, Bright District, Plan VIP687113;

from Agriculture 1 (AG1), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

5. By rezoning the lands shown on Schedule '2' and legally described as

Lot 1 of Sections 1, 2 & 3, Range 8, Cranberry District and Section 20,  
Range 8, Bright District and District Lots 2 & 15, Bright District and  
District Lot 8, Oyster District, Plan VIP68713;

from Agriculture 1 (AG1), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

Introduced and read two times this 28th day of April, 2020.

Public hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_\_ day of \_\_\_\_, 20XX.

Read a third time this \_\_\_\_ day of \_\_\_\_, 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this \_\_\_\_ day of \_\_\_\_, 20XX.

Adopted this \_\_\_\_ day of \_\_\_\_, 20XX.

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CHAIR

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CORPORATE OFFICER

**REGIONAL DISTRICT OF NANAIMO  
BYLAW NO. 500.429**

**A BYLAW TO AMEND THE REGIONAL DISTRICT OF NANAIMO LAND USE AND SUBDIVISION BYLAW NO.  
500, 1987**

The Board of the Regional District of Nanaimo, in open meeting, enacts as follows:

- A. This bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.429, 2020".
- B. Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 is hereby amended as follows:

1. Under **PART 3 LAND USE REGULATIONS, Section 3.1 Zones** by adding the following zone classification and corresponding short title after the Agriculture 2 zone:

Nanaimo Airport (AR1)

2. By adding Section 3.4.3 NANAIMO AIRPORT (AR1)

as shown on Schedule '1' which is attached to and forms part of this bylaw.

3. By rezoning the lands shown on Schedule '2' and legally described as

Lot 2 of Section 1 & 2 Range 8, Cranberry District and of District Lots 2 &  
15 Bright District Plan VIP68713;

from Rural 4 (RU4), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

4. By rezoning the lands shown on Schedule '2' and legally described as

Lot 3, District Lot 15, Bright District, Plan VIP687113;

from Agriculture 1 (AG1), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

5. By rezoning the lands shown on Schedule '2' and legally described as

Lot 1 of Sections 1, 2 & 3, Range 8, Cranberry District and Section 20,  
Range 8, Bright District and District Lots 2 & 15, Bright District and  
District Lot 8, Oyster District, Plan VIP68713;

from Agriculture 1 (AG1), Subdivision District D, to Nanaimo Airport (AR1), Subdivision District D.

Introduced and read two times this 28th day of April, 2020.

Public hearing held pursuant to Section 464 of the *Local Government Act* this \_\_\_\_ day of \_\_\_\_, 20XX.

Read a third time this \_\_\_\_ day of \_\_\_\_, 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this \_\_\_\_ day of \_\_\_\_, 20XX.

Adopted this \_\_\_\_ day of \_\_\_\_, 20XX.

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CHAIR

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CORPORATE OFFICER

## Schedule '1'

### 3.4.3 NANAIMO AIRPORT

AR1

#### 3.4.3.1 Permitted Principal Uses

For clarity, by describing "airport" as a permitted use in this zone, the RDN does not intend to imply that it has the constitutional jurisdiction to regulate the location or operation of airports or the construction of airport buildings and structures. ~~The listing of "airport" as a permitted use is also not intended to imply that the RDN is "allowing" a non-farm use on the portion of the lands that are in the Agricultural Land Reserve. Instead, "airport" is listed as a permitted use in this zone in recognition that the Nanaimo Airport Commission operates an airport on the lands and to give context to the provisions below relating to site coverage that require the coverage by airport buildings and structures to be taken into account in determining whether additional buildings and structures for uses other than airport use are permitted.~~

##### Development Area A - Airport

- a) airport *which includes*
  - i ~~b~~) agriculture

##### Development Area B - Airport Commercial

- a) airport *which includes*
  - i ~~b~~) convenience store
  - ii ~~s~~) fast food outlet
  - iii ~~d~~) gas bar
  - iv ~~e~~) gasoline service station
  - v ~~f~~) hotel
  - vi ~~g~~) light industry
  - vii ~~h~~) neighbourhood pub
  - viii ~~i~~) office
  - ix ~~j~~) parking
  - x ~~k~~) restaurant
  - xi ~~l~~) retail store
  - xiii ~~m~~) tourist store
  - xiii ~~n~~) tourist information booth
  - xiv ~~o~~) transit exchange
  - xv) Liquor Store
  - xvi) Public Utility Use
  - xvii) Transportation Terminal
  - xviii) Medium Industry
  - xix) Outdoor Sales (South of Simpson Rd)

The intent of the AR1 zone is to acknowledge and support the permitted uses on Airport Lands as per the Nanaimo Airport Commission's approved Nanaimo Airport Land Use Plan. It is not the intent of the RDN to regulate the development of these permitted uses on the Airport Lands.



### **~~3.4.3.2 Maximum Height of Buildings and Structures~~**

---

Height:

~~hotel use: 15.0 m or 4 storeys, whichever is less~~

~~all other uses: 10.0 m or 3 storeys, whichever is less~~

### **~~3.4.3.3 Maximum Parcel Coverage~~**

---

~~Parcel coverage: 60% including impervious surfaces.~~

~~A building or structure (including impervious surfaces) that is not intended to be used for airport purposes must not be constructed or placed on a parcel if the parcel coverage of all buildings and structures (including impervious surfaces) on that parcel, including those used or intended to be used for airport purposes, already exceeds 60% or if the addition of that building or structure would cause the parcel coverage of all buildings and structures (including impervious surfaces) on the parcel, including those used or intended to be used for airport purposes, to exceed 60%.~~

### **~~3.4.3.4 Minimum Setback Requirements~~**

---

~~Front lot lines 10 metres~~

~~All other lot lines 5 metres~~

~~except where any part of a parcel is adjacent to or contains a watercourse, then the regulations in Section 3.3.8 shall apply.~~

### **~~3.4.3.5 Off Street Parking Requirements~~**

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~~Parking shall be provided as set out under Schedule '3B' Off-Street Parking & Loading Spaces.~~

~~In addition to the requirements of Schedule '3B' Off-Street Parking & Loading Spaces, the following bicycle parking is required:~~

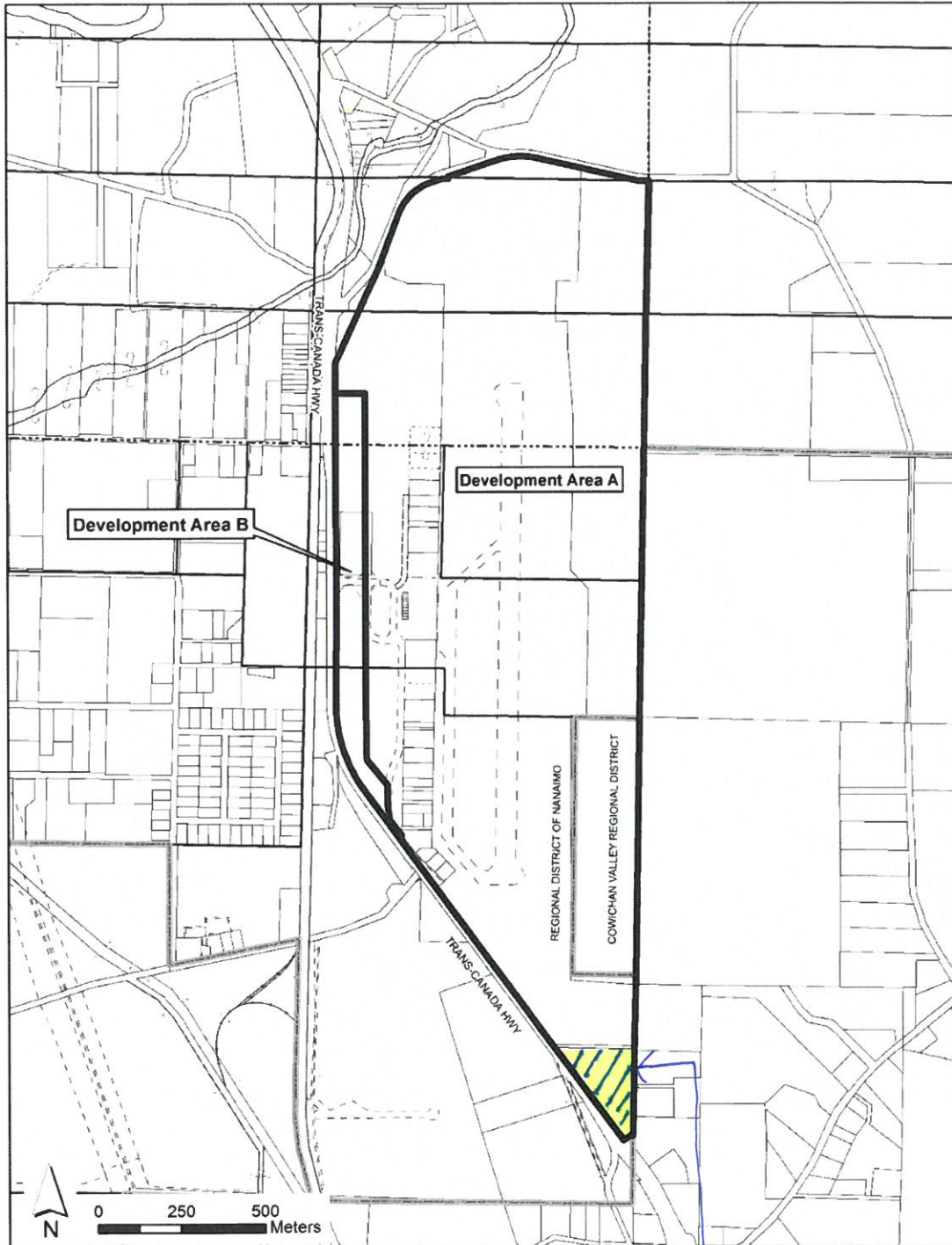
- ~~a) 1 space per 475 m<sup>2</sup> commercial floor area adjacent to primary building entrances.~~

### **~~3.4.3. Other~~**

---

~~Except as provided above for the purposes of calculating parcel coverage limits for the construction of a building or structure not intended to be used for airport purposes, the above restrictions in this zone on height, parcel coverage, minimum setbacks and off-street parking do not apply to buildings or structures that are used or intended to be used for airport purposes.~~

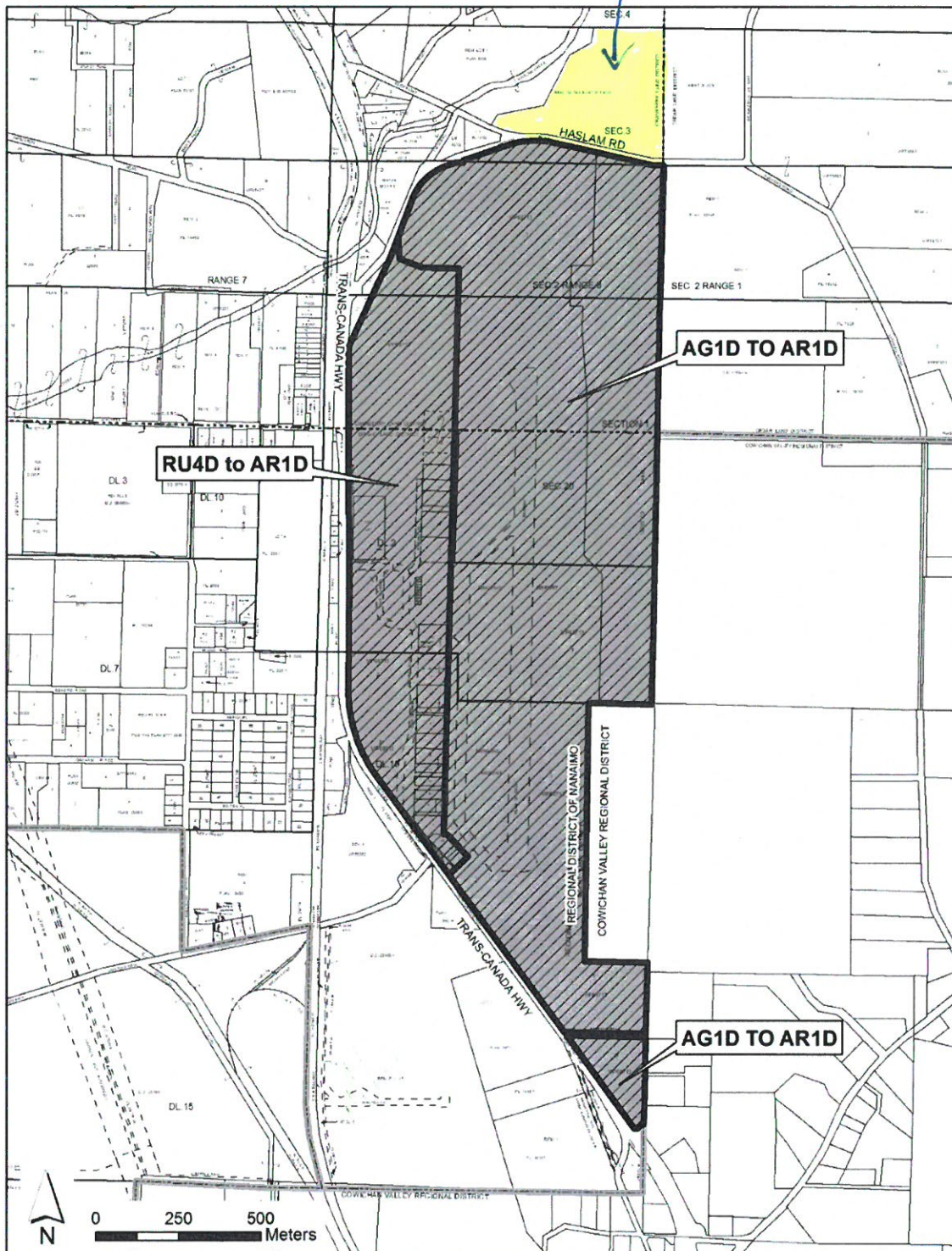
Nanaimo Airport 1 Zone  
Schedule 1  
Development Areas A and B



Development Area B



AR1D





Transport Canada    Transports  
Canada                Canada

7445 – 132nd Street, Suite 2010  
Surrey, BC. V3W 1J8

UNCLASSIFIED

*Your file    Votre référence*

*Our file    Notre référence*

5151-P141

RDIMS No. 16540114

May 21, 2020

Courtney Simpson  
Senior Planner, Strategic and Community Development  
Regional District of Nanaimo  
Planning Department  
6300 Hammond Bay Road  
Nanaimo, BC V9T 6N2  
250-390-6563  
[csimpson@rdn.bc.ca](mailto:csimpson@rdn.bc.ca)

**Re: Proposed Amendment Bylaws 1620.06 and 500.429 for Nanaimo Airport Lands**

Dear Ms. Simpson,

This is in response to your letter dated April 29, 2020 regarding the Regional District of Nanaimo's proposed amendment to bylaws 1620.06 and 500.429 for Nanaimo Airport lands.

Transport Canada is responsible for regulating all matters with respect to aeronautics in Canada, including, the operation, location and design of aerodromes and airports.

Questions, however, regarding possible objections to zoning or local planning by-law amendments are best directed to the affected certified airport operators.

Further, this letter does not preclude Transport Canada from objecting in regard to the proposed Zoning or Official Community Plan by-law amendments and their applicability or validity in respect of matters concerning aeronautics in the future.

Best regards,

*Bill Haidar*

**Bill Haidar**

Civil Aviation Safety Inspector - Aerodromes and Air Navigation  
Transport Canada | Government of Canada  
[bill.haidar@tc.gc.ca](mailto:bill.haidar@tc.gc.ca) | Tel: 604-644-4392 | TTY: 1-866-618-6288

**Canada**

[www.tc.gc.ca](http://www.tc.gc.ca)

**From:** [Candace Charlie](#)  
**To:** [Simpson, Courtney](#)  
**Subject:** Re: Proposed Amendment Bylaws 1620.06 and 500.429 for the Nanaimo Airport Lands  
**Date:** Monday, May 25, 2020 11:28:02 AM

---

**Caution:** This email is from an **external source**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning,

Thank you for your referral correspondence dated April 29, 2020 regarding the above-noted files. Cowichan Tribes has no comments at this time.

Thank you,

Candace Charlie  
Referrals Coordinator  
Lands & Governance, Cowichan Tribes  
5762 Allenby Road  
Duncan BC V9L 5J1  
Ph: (236) 800-4023 ext. 6007  
Cell: (250) 709-7452  
[candace.charlie@cowichantribes.com](mailto:candace.charlie@cowichantribes.com)

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