

Nanaimo Airport Planning Bylaw Updates



Terms of Reference

December 6, 2018

Endorsed by RDN Board January 22, 2019

Timeline dates updated June 13, 2019

Introduction

The purpose of this project is to acknowledge current aviation uses and support the growth and development of the Nanaimo Airport lands by amending the Regional Growth Strategy (RGS), Electoral Area A Official Community Plan (OCP) and the Land Use and Subdivision Bylaw 500 (zoning bylaw).

Since at least 2003 the Regional District of Nanaimo (RDN) and the Nanaimo Airport Commission (NAC) have been in discussion to formalize current aeronautics-related uses in RDN land use bylaws and to create policies and regulations for future uses on the Nanaimo Airport lands that are not related to aeronautics and operation of the airport. During the most recent review of the Electoral Area A OCP, it was decided to initiate a separate process to adopt a land use plan for the Nanaimo Airport lands within the OCP and zoning bylaw, and this separate process began in 2011. This Terms of Reference outlines the current phase in the ongoing project towards adoption of OCP and zoning bylaw amendments for the Nanaimo Airport lands.

1. Background

The Nanaimo Airport is located on approximately 211 hectares (ha) of land situated in the southwest corner of Electoral Area A (see figure 1). Jurisdiction over land use is shared between the RDN and the NAC, and depends on the nature of specific uses. Use and development of the airport lands in relation to aeronautics is under exclusive federal authority through the NAC and not subject to the regulatory control of the RDN, however, uses not related to aeronautics are subject to RDN bylaws.

The Nanaimo Airport lands are almost entirely within the RDN; a small portion at the south end of the property is within the Cowichan Valley Regional District. In 1942, the Department of National Defense purchased the land on which the Airport is situated, and constructed an airstrip making it war-ready. In 1992, the management of the Airport was transferred to the NAC, a federally registered not for profit authority, to which ownership of the lands was also transferred in 1996. A more detailed history of the airport is found on the Nanaimo Airport website at: www.nanaimoairport.com/business/history.

Until 1997, the Airport property was entirely in the Agricultural Land Reserve (ALR). The Airport received approval from the Agricultural Land Commission to exclude approximately 50 ha from the ALR to allow for the addition of 'airport related' uses along the portion of the airport adjacent to the Island Highway. The Commission also granted 'special use status' for a 40 ha parcel for commercial/recreational use (the golf course) to the east of the airport runway.

Regional Growth Strategy, OCP and Zoning

The Regional Growth Strategy (RGS) designates the area containing the airport terminal, hangars and associated parking as “Industrial”, and the ALR land including the runway and golf course, and the land fronting the Island Highway as “Resource Lands and Open Space” (see figure 1).

The 2011 OCP designates these lands as “Nanaimo Airport” and does not contain any objectives or policies for this designation, instead supporting a public process to add objectives and policies for these lands to the OCP in the future.

Current zoning of the Nanaimo Airport lands does not reflect actual land uses. The lands are zoned Rural 4 or Agriculture 1, and are within Subdivision District 'D' (see figure 2). The permitted uses in the Rural 4 zone are: agriculture, aquaculture, home based business, produce stand, residential use, silviculture, and secondary suite. Permitted principal uses in the Agriculture 1 zone are farm use, agriculture and residential. The minimum parcel size in Subdivision District 'D' is 2.0 ha irrespective of the level of servicing available.

Past work on OCP and Zoning Bylaw Amendments

The NAC has been pursuing development of their non-ALR land adjacent to the Island Highway for some time, and first referred a draft of their “Nanaimo Airport Master Plan” to the RDN for comment in 2003, which was subsequently finalized in 2004. At that time, the RDN drafted OCP and zoning bylaw amendments for the lands but these were not adopted and the earlier zoning remains in place. Since then, the NAC has continued to develop and refine their land use plan, and published a map on their website at www.ycdaviationgateway.ca, which provides important context and background for this project.

Non-aviation use of the Nanaimo Airport lands were again considered during the Electoral Area A OCP Review from 2008-2011, but issues and community concern over land use jurisdiction of the Nanaimo Airport lands could not be resolved in the time frame for that process, and it was decided to initiate a separate, public engagement process following adoption of the OCP.

Immediately following the adoption of the 2011 OCP, the RDN engaged CitySpaces Consulting to conduct a jurisdictional review of comparable airports in BC and to provide advice to the RDN on an appropriate process to include the Airport lands in the Area A OCP based on feedback from consultations with key stakeholders, Area A residents and the general public. The “Nanaimo Airport Land Use Final Report” dated June 2012 presents the results of their review and consultation. Based on the recommendations in that report, the RDN and NAC proceeded to develop a memorandum of understanding (MOU) which is still ongoing.

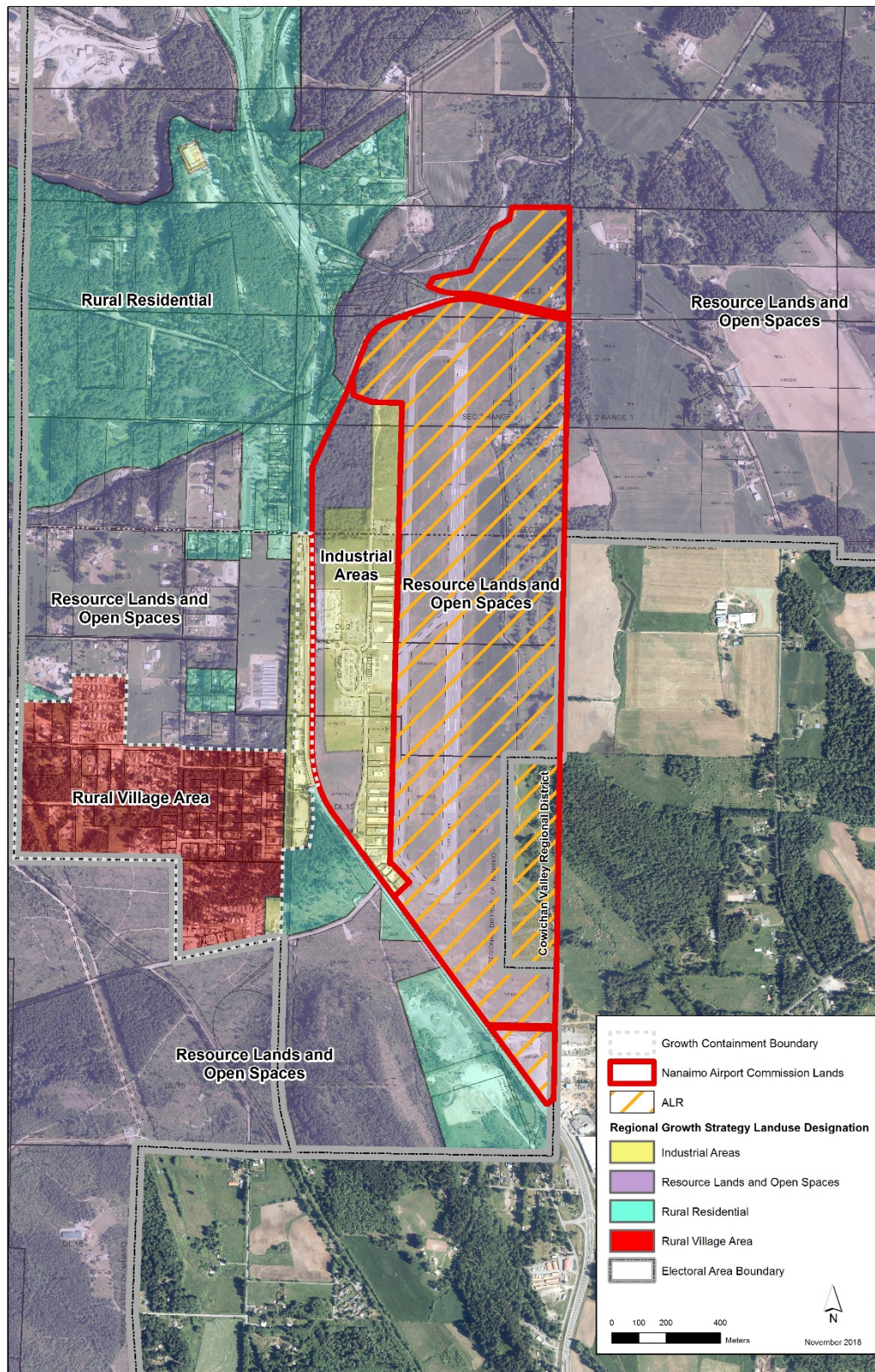


Figure 1 Nanaimo Airport Commission Lands and Current Regional Growth Strategy Designations

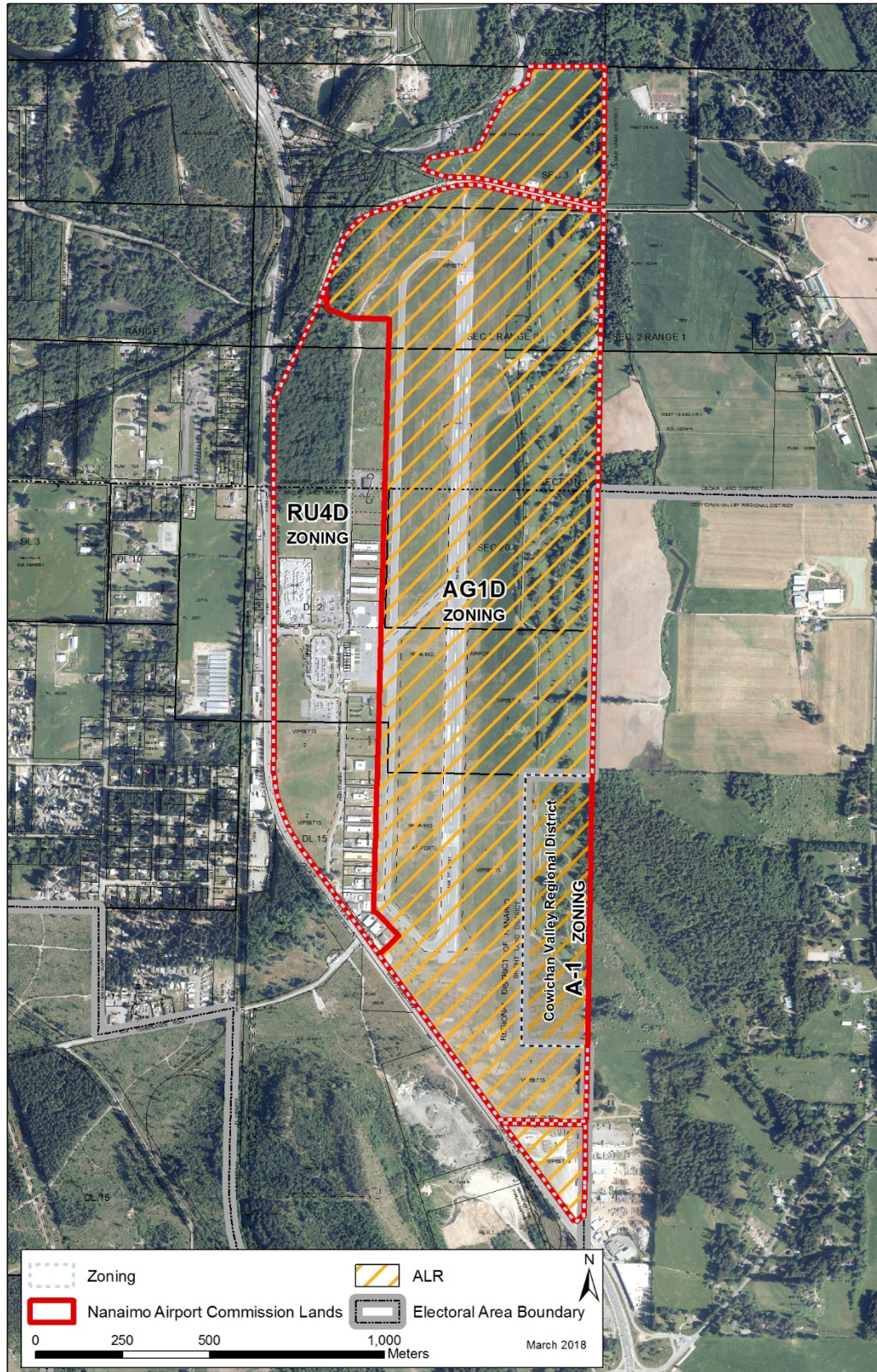


Figure 2 Nanaimo Airport Commission Lands and Current Zoning

1.1. Goal

To amend the RGS, OCP and zoning bylaw for the Nanaimo Airport lands to acknowledge current aviation use and to create policies, objective, guidelines and regulations for non-aviation related uses.

1.2. Objectives

- Support the growth of the Nanaimo Airport as a regional transportation hub and an important part of the central Vancouver Island economy.
- Consider the proposed land uses on Nanaimo Airport lands within the local and regional land use context.
- Ensure that development on the Nanaimo Airport lands is consistent with the vision, principles and goals of the OCP.
- Build on previous work to update RDN planning bylaws for the Airport lands.
- Ensure policies, regulations and guidelines are in place to protect the Cassidy aquifer, and other ecologically important habitats and features.

2. Scope of Work

The scope of this project includes stakeholder and public engagement on the existing planning work done for the Nanaimo Airport lands by the NAC and the RDN, and adoption of RGS, OCP and zoning bylaw amendments so that development of non-aviation uses on the Nanaimo Airport lands can proceed. The following specific activities are included in the project scope:

- Amendments to the RGS, OCP and zoning bylaw for the Nanaimo Airport lands.
- Preparation of draft RGS, OCP and zoning amendments for consultation.
- Development permit area designations for aquifer protection, form and character, and consideration of other development permit area designations.
- Consideration of zoning bylaw amendment for the golf course land.
- OCP amendments outside of the Nanaimo Airport lands to preserve the flight path.

In consideration of the stakeholder and public engagement that has already occurred for this project over the past several years, the scope does not include any visioning-style work for the use of these lands. Instead, this project builds on previous work. As well, continued development of the MOU with NAC is not within the scope of this project and will proceed separately.

3. Tasks and Timeline

The timetable below is based on the project scope as outlined in this Terms of Reference. Any proposed changes to the scope should be evaluated against the timeline to understand how the timeline may be impacted. The timeline for presentation of draft bylaws to the EASC depends on the timeline of the Nanaimo Airport for providing necessary information on their land use plan to ensure that the draft bylaws are consistent with their plans.

Project Timeline		
(dates updated June 13, 2019)		
	MILESTONE	TARGET DATE (2019)
INITIATE (3 months)	Terms of Reference and Engagement Plan to EASC	January 8 EASC
	Terms of Reference and Engagement Plan endorsed by Board	January 22 Board
	Liaison with Nanaimo Airport and NAC Board	Ongoing
	Draft for consultation reviewed by EASC	July 9 EASC
	Draft for consultation endorsed by Board	July 23 Board
	News Release and other communications	July – August
	First Nations and stakeholder outreach	July – August
CONSULT (3 months)	Office Hours in Cassidy (3 days)	September - October
	Stakeholder meetings	September - October
	Online survey	September - October
	Public open houses / meetings	September - October
ADOPT (4-5 months)	Report to EASC for OCP and zoning 1 st and 2 nd reading	November 26 EASC
	Report to Board for OCP and zoning 1 st and 2 nd reading	December 10 Board
	Bylaw referral to agencies and First Nations	December 11
	Public Hearing	January, 2020
	Report to COW for RGS 1 st reading	January, 2020
	OCP and zoning 3 rd Reading and Adoption	February, 2020
	Updates to website and follow up public communication	February, 2020
	Adoption of RGS amendment	April, 2020

4. Roles and Responsibilities

Staff: to provide project management and professional advice, organize, coordinate and facilitate public consultation, draft and finalize the bylaw amendments.

Electoral Area Director: to provide situational leadership throughout the project by chairing and/or presenting at public events, and reporting to the EASC and Board on the project as required.

EASC: to review the project from a regional and sub-regional perspective and make recommendations to the RDN Board on bylaw amendments which may result.

RDN Board: to consider recommendations from the EASC regarding bylaw amendments

Member Municipalities: to consider proposed RGS amendments.

5. Stakeholders and Public Engagement

The RDN is committed to ongoing and meaningful public consultation, and recognizes that not only do the people who live with the impacts of any of our plans, policies, programs or projects expect to share in the decision-making process but that better decisions are made through a shared approach¹.

The plan for community engagement for this project is based on the following principals:

Inclusiveness – engage the widest possible audience through multiple consultation opportunities

Timeliness – offer early and ongoing opportunities for participation well before decisions are made

Transparency – records of all consultation activities will be made available to the public

Balance – provide opportunities for diverse perspectives and opinions to be raised and considered

Flexibility – adapt as required to meet the needs of participants

Traceability – demonstrate the impact of participation input on decision-making

5.1 Approach, Methods and Tools

A variety of methods and tools will be used to communicate and engage during the project. These methods and tools are divided into five approaches:

Information – The RDN will share information about the project throughout the process. Updates will be shared through RDN social media accounts and print materials such as the RDN Perspectives quarterly publication. A “Get Involved” page will be created for the project and updated regularly, acting as the main source of information for the project. Interested public and stakeholders will be encouraged to sign up for email alerts on the project through “Get Involved”.

Online Consultation – The RDN will solicit comments and feedback online through the “Get Involved” page for the project using tools such as online survey and the Question and Answer tool.

Live Events – The following live events are planned:

- Drop in office hours in the Cassidy area for three days with the target audience of the local Cassidy neighbourhoods.

¹ Regional District of Nanaimo, 2008. *A Coordinated Public Consultation/Community Framework*.

- Two public meeting / open houses with presentation by staff targeting a broad range of interested public from the wider region.

Outreach – Outreach to the public will be through newspaper ads for the live events, Facebook and Twitter, direct email and phone calls to identified stakeholders listed in this Terms of Reference. Planning staff will seek to meet with stakeholder groups individually either by attending meetings they already have scheduled or at a meeting specifically to discuss the project. If groups that are not already identified in the stakeholder list in this Terms of Reference wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

Engagement with internal stakeholders at the RDN is also important to this process, and there will be collaboration with staff within the Strategic and Community Development department as well as those in other departments who may be impacted by the project or whose expertise may be important.

5.2 Outcomes and Products

One of the principles of this public engagement is transparency, and in order to achieve this, the “Get Involved” page for the project will be used to store information and resources. Presentation materials from public events will be posted to the website so that people who do not attend in person have access to the same information presented at the event. Input received from the public or stakeholders will be posted to the website. An exception to this may be engagement with First Nations, where confidential or sensitive information may not be posted publicly.

5.3 Referral Agencies, and Community Stakeholders

There is a statutory requirement for consultation in section 475 of the *Local Government Act*, which requires that during the development of an Official Community Plan, the Regional District must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected. The Board must specifically consider whether consultation is required with the board of any regional district that is adjacent to the area covered by the plan, the council of any municipality that is adjacent to the area covered by the plan, First Nations, school district boards, greater boards and improvement district boards, and the Provincial and Federal governments and their agencies.

The following is a list of stakeholders for Board consideration pursuant to the requirements in the *Local Government Act*. If groups or agencies identified in the list wish to be involved, Planning staff will meet with and otherwise include them in the consultation for this project.

Local	Provincial
<ul style="list-style-type: none"> • Nanaimo Airport Commission • North Cedar Improvement District • Past members of the Electoral Area ‘A’ OCP Committee • Nanaimo Flying Club • Nanaimo Area Land Trust • South Wellington and Area Community Association 	<ul style="list-style-type: none"> • School District No. 68 • Island Health • Agricultural Land Commission • Ministry of Municipal Affairs & Housing • Ministry of Environment • Ministry of Transportation & Infrastructure • Ministry of Forests, Lands, Natural Resource Operations & Rural Development

Local Governments

- Cowichan Valley Regional District
 - City of Nanaimo
 - Town of Ladysmith
-

Federal

- Canadian Wildlife Service
- Transport Canada

5.4 First Nations Engagement

The Regional Growth Strategy recognizes the need to coordinate planning with First Nations. Regional Growth Strategy Policy 11.3 states that “the RDN wishes to involve First Nations in its planning processes in the same way it involves other levels of government”, and that the RDN will “continue dialogue with First Nations regarding land use planning in the RDN... for the purpose of building a mutual appreciation and understanding of land use planning processes”. The following First Nations have indicated interest in an area that includes the Nanaimo Airport lands.

Stz’uminus First Nation
Snuneymuxw First Nation
Lake Cowichan First Nation
Halalt First Nation
Lyackson First Nation
Penelakut First Nation
Cowichan Tribes

First Nations will be contacted by letter or email initially about the project, and asked how they would like to be involved. The plan for engagement with First Nations after this initial outreach will be defined based on their response. Regardless of response to this initial outreach, all First Nations will receive a formal bylaw referral after 1st reading.

6. Budget and Resources

Approximately 0.5 full-time staff equivalent from Strategic and Community Development and mapping resources will be assigned to the project through to completion. All community, stakeholder and First Nations engagement, bylaw drafting, communications materials drafting and design will be completed by RDN staff.

7. Monitoring and Evaluation

The RDN recognizes that engaging the public is a constantly evolving challenge, and is committed to developing new and innovative approaches to keep the community involved and informed as well as getting their feedback. Evaluating the public engagement for this project will be done throughout by using feedback forms, surveys, and polls to gauge to what extent the public’s expectations are being met, in order to adapt the consultation methods during the project, and as a learning tool for future projects.