

PROPOSED PICKERING AIRPORT - STATUS UPDATE

The Planning and Economic Development Committee recommends the adoption of the recommendations contained in the following report, August 21, 2003, from the Commissioner of Planning and Development Services:

1. RECOMMENDATIONS

It is recommended that:

1. This report be received for information purposes.
2. Staff prepare a further report for Committee and Council regarding Markham's Eastern Markham Strategic Review.
3. The Regional Clerk forward a copy of this report to Transport Canada and the Greater Toronto Airports Authority.

2. PURPOSE

The purpose of this report is to:

- Provide the status of Transport Canada's Airport Zoning Regulations (PAZR) for the proposed Pickering Airport, and their impact on the development review process.
- Identify measures that regulate uses to ensure the safe operation of an airport on the Pickering lands.
- Apprise Committee and Council of the current studies being carried out by the Greater Toronto Airports Authority in preparation of a master plan for the proposed Pickering Airport.

Attachment No. 1 shows the location and extent of the Federal Pickering Airport lands.

3. BACKGROUND

Transport Canada is in the process of enacting Airport Zoning Regulations for the proposed Pickering Airport lands. The Greater Toronto Airports Authority (GTAA) is completing an Economic Impact Study and Environmental Impact Study, for a possible airport on the Pickering lands.

3.1 Pickering Airport Zoning Regulations (PAZR)

On August 1, 2001 the Pickering lands were designated an Airport Site by the Federal Minister of Transport allowing for the enactment of the Pickering Airport Zoning Regulations (PAZR) to ensure development in the vicinity of the airport site is compatible with the safe operation of an airport. The PAZR include general building height restrictions, provisions which restrict electronic interference with communications and aeronautical facilities, and restrictions on the use of land and activities that attract birds. The PAZR apply to lands in the vicinity of the airport site but not to the site itself, which is controlled by the Federal government.

3.1.1 Consultation on Pickering Airport Zoning Regulations

In 2002/2003 representatives from Transport Canada held several meetings with planning staff from local area municipalities and York and Durham Regions regarding the content and process for implementing the PAZR. Discussions included how development applications within the bird hazard zones would be processed.

During April and May of 2003 Transport Canada held a series of nine open houses to solicit comments from the general public. Open houses were held in Stouffville, Markham (2), Scugog, Whitby, Ajax, Uxbridge, Pickering, and Claremont. Issues raised at the open houses included:

- Whether the bird hazard provisions would negatively effect conservation efforts.
- Why an instrument had to be deposition on title prior to an airport being approved.
- How the AZR would impact local airports.
- The roles of Transport Canada and the Greater Toronto Airports Authority.

The Pickering AZR were published in the Gazette, Part 1 on April 12, 2003 and April 19, 2003. Following the consultation period which ended on June 12, 2003 the PAZR will be reviewed by the Minister of Transport, then a Special Committee of Council and then published in the Canada Gazette, Part 2. It is anticipated that the Pickering AZR will come into force early in 2004.

3.2 Current Studies by GTAA

The GTAA is undertaking a series of technical studies including a baseline environmental report, and an economic development study as part of the preparation of the draft master plan for the proposed Pickering Airport. The baseline environmental information will include a compilation of the available natural environmental data, such as flora and fauna, hydrology/water, soil and air quality and fish habitat. Fisheries, archaeology and heritage field studies are being undertaken to produce an inventory of areas impacted by the proposed airport.

The purpose of the economic development study is to assess the community economic opportunities that may be generated by the development of an airport. The study will identify the strategies and related land use policies that governments, as well as the airport operator, could implement to foster local economic development. The terms of reference have been completed and the GTAA has engaged Leigh Fisher Associates (LFA) to carry out the review.

4. ANALYSIS

The Federal Pickering Airport Zoning Regulations provide assurance that development in the vicinity of the proposed Pickering airport will be compatible with the safe operation of an airport. Other measures include the Provincial Ministers Airport Zoning Order, Provincial Policy Statement and local and Regional Official Plans. In addition, the size of the federal government landholdings, which is approximately four times the size of the Pearson Airport land holdings, and the amount of publicly owned land should also contribute to the safe operation of a potential airport.

4.1 Provincial Ministers Airport Zoning Order

The Provincial Ministers Airport Zoning Order restricts land use to agricultural and associated uses, including one single family dwelling, within the boundary covered by the Order (*see Attachment No. 2*). Any application for expansion to existing uses requires approval from the Province. The Provincial Order will remain in place even after the Federal Pickering Airport Zoning Regulations come into force.

4.2 Provincial Policy Statement

Section 1.1.3.1 of the Provincial Policy Statement states that:

“To protect airports from incompatible development:

1. New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP, as set out on maps (as revised from time to time) approved by Transport Canada;”

In exercising any authority that affects planning matters, planning authorities shall have regard for the above noted policy statement and as such, the review of all development applications must take into consideration the above policy. NEF/NEP refers to Noise Exposure Forecast/Noise Exposure Projection contours. These contours generally are reflective of the approach surfaces to the airport shown on *Attachment No. 4*

4.3 Local and Regional Official Plans

A large portion of the lands in east Markham are designated for “Agricultural” uses by the Town of Markham Official Plan and “Agricultural Policy Area” by the Regional Official Plan. These Official Plan designations permit agricultural and related uses only.

4.4 Public Lands

Attachment No. 3 shows the extent of publicly owned lands in the east Markham area. Approximately 67 % of the east Markham area is held in public ownership, owned either by the Federal, Provincial governments, the Conservation Authority or Town of Markham. Government and public agencies can regulate the use of these lands to ensure compatibility with the safe operation of a proposed airport.

4.5 Federal Pickering Airport Zoning Regulations

Transport Canada has requested development applications, including Official Plans and amendments, plans of subdivision and condominium, and major site plans, located within the PAZR be circulated to them for review and comment. Staff at Transport Canada will advise if the application is in compliance with the PAZR.

4.5.1 Bird Hazard Zones

In May of 2002, LGL Limited, on behalf of Transport Canada, completed a bird hazard risk assessment for the proposed Pickering airport. The report formed the basis for the bird hazard zones and provisions in the PAZR.

The PAZR establish three bird hazard zones in which certain land uses are not permitted, or are only permitted if specific mitigating techniques are implemented. The bird hazard zones cover an extensive area stretching from Warden Avenue into Durham Region, and from just north of Steels Avenue to St. John’s Sideroad

Transport Canada is preparing guidance documents outlining mitigation measures for land uses restricted by the bird hazard zones to assist in the review of development applications and their compliance with the bird hazard zone provisions. LGL is completing a further study identifying mitigating measures for:

- Uses identified in the earlier 2002 report.
- Expansion of “grandfathered” uses.

- Uses within the Green Space lands within the boundaries of the Pickering Airport site.

The mitigating techniques and measures are applicable to facilities that attract birds such as storm water management ponds, restaurants, or composting facilities. The techniques and measures would be implemented at the site plan approval, or plan of subdivision stage by the local area municipalities.

4.5.2 Height Limitations

The Pickering Airport Site Zoning Regulations will also limit the height of new buildings, structure and objects including natural growth, or any additions to any existing buildings, structures or objects. These height limitations are imposed to ensure the safe operation of aircraft in the airspace surrounding the potential airport. The height restrictions apply to the lands within a 6,500 m radius of the airport (referred to as the outer surface shown in yellow) with more restrictive limitations imposed within the runway approaches and transitional surfaces shown in blue and pink on *Attachment No. 4*.

The runway approaches and transitional surfaces shown in blue on Attachment No. 4 are long sloped surfaces, beginning at each end of the runway strips (shown in green), sloping upwards from the surface of the earth. Any building or structure must be lower than this plane. An example of the resulting height limitations of these approaches is a 49m height limit at the intersection of Major Mackenzie and 9th Line. This height would be equivalent to a 16 storey office building. The areas in Markham where this type of higher density would be permitted such as Markham Centre and Highway 7 are not within the approach or outer surface areas and not impacted by height limits imposed as part of the airport zoning regulations.

4.6 Greater Toronto Airports Authority Studies

As noted in Section 3.2, the GTAA is completing an Economic Development Study and Environmental Baseline Study in support of the Master Plan for the proposed airport.

4.6.1 Economic Development Study

This study will identify the best practises, policies and strategies that have worked elsewhere to foster economic development of airports, and then relate them to the Pickering airport. The report will make reference to the impact on the Buttonville airport; however, a full analysis of the impact is only likely to occur at the Environmental Assessment stage.

4.6.2 Environmental Baseline Study

Regional staff have met with the consultants carrying out this study and provided them with data and information applicable to York Region. The GTAA is in the process of signing a data sharing agreement with the Ministry of Natural Resources and the baseline environmental study is projected to be completed by the end of 2003. The final study is to be shared amongst the area municipalities participating in the GTAA workshops.

4.7 Relationship to Vision 2026

Vision 2026 states that the Region will have an effective transportation system. Action areas to support this goal include ensuring the transportation system is co-ordinated with development. The measures identified in this report to regulate uses and facilities so that they are compatible with the safe operation of the proposed Pickering Airport support the Region's goal.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

6. LOCAL MUNICIPAL IMPACT

The Town of Markham has completed a review of land use within east Markham. On July 8, 2003 Markham Council endorsed principles and action items set out in the final report entitled Eastern Markham Strategic Review. The final report identifies a vision based on “countryside”, and a series of principles and actions related to environment, land use, heritage, transportation and related matters. Many of the principles and action items are based on planning for the Pickering airport.

Some of the transportation action items include a request for York Region to update the Transportation Management Plan in light of the road and transit improvements required to accommodate development in Seaton and the Pickering Airport site, and a co-ordinated review of the transportation requirements in and around the airport site. Regional staff will prepare a separate report addressing the requests by the Town of Markham set out in its Eastern Markham Strategic Review.

7. CONCLUSION

The Federal Airport Zoning Regulations, Provincial Ministers Airport Zoning Order, Provincial Policy Statement, local and Regional Official Plans, and the extent of public land within eastern Markham all ensure that development is compatible with the safe operation of an airport on the Pickering site. The Pickering Federal Airport Zoning Regulations are anticipated to come into force early in 2004.

Regional staff will continue to participate in the GTAA workshops for the proposed Pickering airport and up-date Committee and Council as further studies are completed.

Staff will prepare a separate report for a future meeting of Committee and Council regarding the recommendations of the Town of Markham’s Eastern Markham Strategic Review.

The Senior Management Group has reviewed this report.

(A copy of the attachments referred to in the foregoing is attached to this report and is also on file in the Office of the Regional Clerk.)