



TOWN OF COMOX

OFFICE OF THE MAYOR

08 Feb 2023

The Honourable Anita Anand
Minister of National Defence
C/O Corinne Havard
101 Colonel By Drive
Ottawa, ON K1A 0K2
Delivered via email: corinne.havard@forces.gc.ca

Re: Outdated Comox Airport Zoning Regulation

Dear Minister Anand:

The Town of Comox is proud of our strong relationship with the Department of National Defence. As the host community for 19 Wing Comox, we have long enjoyed providing a welcoming and supportive community for military personnel and their families on beautiful Vancouver Island.

The Town of Comox is writing to ask for your assistance in harmonizing outdated Department of National Defence (DND) airport zoning regulation which is preventing the development of much needed multi-unit housing supply to house both members of the CAF and the civilian population living in Comox, with current Transport Canada standards.

Unfortunately, the current *Comox Airport Zoning Regulations* were written in 1980 and are not in alignment with the current standards issued Transport Canada. In 2015, Transport Canada made updates to its *Aerodrome Standards and Recommended Practices*, TP-312, issuing the 5th edition.

This update created additional nuance within areas of an aerodrome to eliminate the outer obstacle **limitation** surface area, creating instead an outer obstacle **identification** surface. This change allowed for objects in the newly created outer obstacle identification surface to exceed the previous 9 m height restriction, subject to potential identification via such means as lighting atop an object such as a housing development. Unfortunately, the *Comox Airport Zoning Regulations* have not been updated to reflect this additional nuance, with the blanket 9 m height restriction remaining in place within the Comox aerodrome due to enforcement of *Comox Airport Zoning Regulations*, despite the contradiction with the latest Transport Canada *Aerodrome Standards and Recommended Practices*, TP 312, 5th edition. Consequently, this is restricting the ability of the Town of Comox to examine the potential for multi-unit housing developments exceeding 9 m.

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We respectfully acknowledge that we live, work and play on the traditional lands of the K'ómoks First Nation ... Gila'kasla ... Hay ch q' a'

1809 Beaufort Avenue, Comox, B.C. V9M 1R9 • Tel. (250) 339-2202 Fax (250) 339-7110 • Email: nminions@comox.ca



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As you are aware, there is a significant shortage of housing for CAF personnel and their families in the Comox area. In addition, the most recent Canada Mortgage and Housing Corporation rental vacancy rate for Comox was 1.4%. A recent [Housing Needs Assessment](#) found that Comox will require an addition 7,665 units of housing by 2025. These regulations are preventing a number of potential housing projects that stand to significantly improve the housing situation with the Town of Comox. The Town recently received notification that a mixed use development on Guthrie rd. will not be able to proceed along with indications that developments along Hector rd. and Aspen rd will similarly be restricted. While each of these developments still require zoning approval for which Council cannot fetter its future decision making and must pass through community consultation, the potential community benefit is large. Currently these three developments alone represent 1,000 housing units, \$6,050,000 in funds towards the Town's affordable housing reserve, and \$904,000 per year in additional municipal revenue to offset rising infrastructure replacement costs. Further, these developments are located close to shopping centers and bus routes making them ideal for high density construction and reduction of greenhouse gas emissions. The potential impact these developments could have on the Town both in terms of housing supply and assisting the Town in infrastructure replacement cannot be understated. *It is of great worry to the Town that should these regulations not be changed the few remaining parcels in the community where density is achievable will be developed with a lower density and these highlighted benefits will be lost or greatly reduced.*

Our understanding is that given that the current *Comox Airport Zoning Regulations* remain in force and Department of National Defense officials have indicated that they must continue to enforce the restrictions as they currently exist, despite the contradiction with TP 312, 5th edition. This is discourage investment and economic development in Comox and preventing the Town from fully exploring potential opportunities to increase the supply of multi-unit housing.

We have been informed that updating the Regulations to be harmonized with the TP 312, 5th edition, requires ministerial intervention. While we recognize that Transport Canada Regulation is not binding on DND, we respectfully request that DND's Comox Airport Zoning Regulations be updated to be harmonized with the most recent Transport Canada *Aerodrome Standards and Recommended Practices*, TP-312, 5th edition. Should you have any questions or concerns, Comox's Chief Administrative Officer, Jordan Wall at jwall@comox.ca or 250-207-5523, would be pleased to assist.

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Thank you for your attention to this important matter,

Nicole Minions,

A handwritten signature in black ink that reads "N. Minions".

Mayor, Town of Comox
250-339-2202