



City of Vernon

***REGIONAL
AIRPORT ZONING
BYLAW***

#4578

Consolidated for Convenience

THE CORPORATION OF THE CITY OF VERNON

BYLAW NUMBER 4578

A bylaw to amend the City of Vernon
Regional Airport Zoning Regulations

WHEREAS the City of Vernon has entered into an agreement with Her Majesty the Queen in Right of Canada, represented by the Minister of Transport, pursuant to section 5.81 of the Aeronautics Act of Canada, to authorize the City of Vernon to regulate the use of lands adjacent to or in the vicinity of the Vernon Regional Airport within the City of Vernon for the purpose of ensuring that any use is not incompatible with the safe operation of the said Airport or of any aircraft using the airport;

AND WHEREAS the City of Vernon has the authority to enter into the above agreement pursuant to section 176 (1) (b) of the Local Government Act as amended;

AND WHEREAS, while making regulations under the requirements of the Aeronautics Act and the Local Government Act, the Council shall have due regard to the safety and welfare of the public, both as users of the Airport and for those members of the public who live in or are passing through the vicinity of the Vernon Regional Airport;

AND WHEREAS all persons who deem their interest in property is affected by this bylaw have, before the passage hereof, been afforded an opportunity to be heard on the matters contained herein before the Council of the City of Vernon, all in accordance with the requirements of the Local Government Act;

NOW THEREFORE, the Council of the Corporation of the City of Vernon, in open meeting assembled, enacts as follows:

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SHORT TITLE

1. This Bylaw may be cited as the “City of Vernon Regional Airport Zoning Regulations”.

INTERPRETATION

2. (1) In these Regulations,

“Airport” means the Vernon Regional Airport, in the City of Vernon, in the Province of British Columbia’

“Airport Reference Point” means the point described in Part I of the schedule;

“Approach Surfaces” means the imaginary inclined planes that extend upward and outward from each end of a Strip, which planes are more particularly described in Part II of the schedule;

“Minister” means the Minister of Transport of Canada or his authorized representative;

“Strip” means the rectangular portion of the landing area of the Airport, including the runway, that is prepared for the take-off and landing of aircraft in a particular direction, which rectangular portion is more particularly described in Part III of the schedule;

“Transitional Surfaces” means the imaginary inclined planes that extend upward and outward from the lateral limits of a Strip and the Approach Surfaces, which planes are more particularly described in Part IV of the schedule.

- (2) For the purposes of these Regulations, the elevation of the Airport Reference Point is 344.64 m above sea level.

APPLICATION

3. These Regulations apply to all land, including public road allowances, that is adjacent to or in the vicinity of the Airport, which land is more particularly described in Part V of the Schedule.

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BUILDING RESTRICTIONS

4. No person shall erect or construct, on any land to which these Regulations apply, any building, structure or object or any addition to any existing building, structure or object, the highest point of which will exceed the elevation at the location of that point:
 - (a) the Approach Surfaces; or
 - (b) the Transitional Surfaces.

GENERAL

5. The provisions of sections 911 and 914 (1) of the Local Government Act, R.S.B.C. 1996, Chapter 323, and section 5.8 of the Aeronautics Act apply to this bylaw.

AERONAUTICAL FACILITIES

6. No owner or lessee of any land to which these Regulations apply shall permit any part of that land to be used or developed in a manner that causes interference with any signals or communication to and from
 - (a) any aircraft; or
 - (b) any facilities used to provide services relating to aeronautics.

NATURAL GROWTH

7. No owner or lessee of any land to which these Regulations apply shall allow an object of natural growth to exceed a height in elevation at the location of that point of:
 - (a) the Approach Surfaces; or
 - (b) the Transitional Surfaces.

INSPECTION

8. The Chief Building Inspector, the Chief Licence Inspector, or any other officer, employee or agent of the City of Vernon who may be appointed by the Council of the City of Vernon, is authorized to enter, at all reasonable times, upon any property to ascertain whether the provisions of this bylaw are being obeyed.

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ENFORCEMENT

9. Every person who violates any provision of this Bylaw shall be guilty of an offence punishable on summary conviction.

PENALTIES

10. Every person who is convicted of an offence under this Bylaw is liable to the punishments contained in section 7.3, subsections (4) to (7) inclusive, of the Aeronautics Act.

OTHER ACTION

11. Nothing herein contained shall prevent the Minister or the City of Vernon from taking such other lawful action as is necessary to prevent or remedy any violation or breach of this Bylaw.

EFFECTIVE DATE OF BYLAW

12. This bylaw shall come into force and take effect upon registration with the Clerk of the Queen's Privy Council.

READ A FIRST TIME this 28th day of February, 2000.

READ A SECOND TIME this 28th day of February, 2000.

PUBLIC HEARING held in accordance with the requirements of the Municipal Act on the 10th day of April, 2000.

READ A THIRD TIME this 23rd day of May, 2000. AS AMENDED.

APPROVED pursuant to Section 54 of the Highway Act this 22nd day of June, 2000.

"D.H. TURNER"

David H. Turner,
Sr. Dist. Dev. Tech.
Ministry of Transportation & Highways

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RESCIND THIRD READING this 6th day of November, 2000.

READ A THIRD TIME AS AMENDED this 6th day of November, 2000.

RESCIND THIRD READING this 29th day of January, 2001.

READ A THIRD TIME AS AMENDED this 29th day of January, 2001.

ADOPTED this 12th day of February, 2001.

 "David O'Keefe"
Acting Mayor:

 "Marg Bailey"
City Clerk

(Sections 2 and 3)

PART I

Description of the Airport Reference Point

The Airport reference point, shown on Vernon Airport Zoning Plan No. 4888 dated 16 November, 2004, is a point which may be located by:

COMMENCING at a point on the southwestern end of the strip associated with runway approach 05-23 which point is on the centre line of the said strip and identified as point number 3 on the said Vernon Airport Zoning Plan;

THENCE, on an azimuth of 72 degrees 37 minutes 10 seconds a distance of 565.03 metres along the said centre line of the said strip to a point;

THENCE, on an azimuth of 162 degrees 37 minutes 10 seconds a distance of 55.02 metres to the Airport Reference Point which is identified as point number 1 on the said Vernon Airport Zoning Plan.

PART II

Description of the Approach Surfaces

The approach surfaces, shown on Vernon Airport Zoning Plan No. 4888 dated 16 November, 2004, are planes extending upward and outward from each end of the strip associated with runways 05-23 and 23-05 which are described as follows:

- (a) an inclined plane abutting the end of the strip associated with runway approach 05 having a ratio of 1 m measured vertically to 25 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip and distance 2500 m measured horizontally from the end of the strip; the outer ends of the imaginary horizontal line being 280 m from the projected centre line; said imaginary horizontal line being 100.0 m above the elevation at the end of the strip;
- (b) an inclined plane abutting the end of the strip associated with runway approach 23 having a ratio of 1 m measured vertically to 25 m measured horizontally rising to an imaginary horizontal line drawn at right angles to the projected centre line of the strip and distance 2500 m measured horizontally from the end of the strip; the outer ends of the imaginary horizontal line being 280 m from the projected centre line; said imaginary horizontal line being 100.0 m above the elevation at the end of the strip.

PART III

Description of the Strip

The strip, shown on Vernon airport Zoning Plan No. 4888 dated 16 November, 2004, is described as follows:

- (a) the strip associated with runway 05-23 is 60 m in width, 30 m being on each side of the centre line of the runway; and
- (b) the strip associated with 05-23 is 60 m in length, at each end of runway threshold. The strip shall be 4393 feet in length and the runway is 3999 feet in length.

PART IV

Description of the Transitional Surfaces

The transitional surfaces, shown on Vernon Airport Zoning Plan No. 4888 dated 16 November, 2004, are inclined planes rising at a ratio of 1 m measured vertically to 5 m measured horizontally at right angles to the centre line and projected centre line of the strip and extending upward and outward from the lateral limits of the strip and its approach surfaces to an elevation of 389.64 m above sea level.

PART V

Description of the Land to Which These Regulations Apply

The outer boundary of the land to which these Regulations apply, shown on Vernon Airport Zoning Plan No 4888, dated 16 November 2004, is described as follows:

Beginning at the Airport Reference Point;

Thence on an azimuth of 342 degrees 37 minutes 10 seconds a distance of 55.02 m to a point on the centre line of strip 05-23;

Thence southwesterly along the centre line of strip 23-05 on an azimuth of 252 degrees 37 minutes 10 seconds a distance of 714.205 m to a point on the southwesterly limit of strip 23-05;

Thence on an azimuth of 162 degrees 37 minutes 10 seconds a distance of 249.75 m to a point on the southwesterly limit of the southern transitional surface, which point is the POINT OF COMMENCEMENT of the description of the lands to which these Regulations apply;

Thence southwesterly along the southwesterly limit of the southern transitional surface on an azimuth of 258 degrees 19 minutes 48 seconds a distance of 1104.23 m to an intersection with the southern limit of the approach surface 05;

Thence southwesterly along the southwesterly limit of the southern approach surface on an azimuth of 246 degrees 54 minutes 32 seconds a distance of 1408.239 m to an intersection with the western limit of the approach surface 05;

Thence northwesterly along the western limit of approach surface 05 on an azimuth of 342 degrees 37 minutes 10 seconds a distance of 560.00 m to the most westerly corner thereof;

Thence northeasterly along the northern limit of approach surface 05 on an azimuth of 78 degrees 19 minutes 48 seconds a distance of 1408.239m to the intersection with the westerly limit of the northern transitional surface;

Thence northeasterly along the northern limit of the northern transitional surface on an azimuth of 66 degrees 54 minutes 32 seconds a distance of 1104.23 m to a corner of the transitional surface;

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Thence northeasterly along the northern limit of the northern transitional surface on an azimuth of 73 degrees 02 minutes 40 seconds a distance of 1200.088 m to a corner of the northern transitional surface;

Thence northeasterly along the northern limit of the northern transitional surface on an azimuth of 78 degrees 19 minutes 48 seconds a distance of 1059.508 m to an intersection with the northern limit of approach surface 23;

Thence northeasterly along the northern limit of approach surface 23 on an azimuth of 66 degrees 54 minutes 32 seconds a distance of 1452.961 m to the most northerly corner thereof;

Thence southeasterly along the eastern limit of approach surface 23 on an azimuth of 162 degrees 37 minutes 10 seconds a distance of 417.00m to the most easterly corner thereof;

Thence southwesterly along the southern limit of approach surface 23 on an azimuth of 252 degrees 39 minutes 19 seconds a distance of 493.284 m,

Thence southwesterly along the southern limit of approach surface 23 on an azimuth of 221 degrees 30 minutes 00 seconds a distance of 156.00 m,

Thence southwesterly along the southern limit of approach surface 23 on an azimuth of 258 degrees 19 minutes 48 seconds a distance of 823.00 m to the intersection with the eastern limit of the southern transitional surface;

Thence southwesterly along the southern limit of the southern transitional surface on an azimuth of 246 degrees 54 minutes 32 seconds a distance of 1059.508 m to a corner on the southern transitional surface;

Thence southwesterly along the southern limit of the southern transitional surface on an azimuth of 252 degrees 11 minutes 40 seconds a distance of 1200.088 m, more or less, to the POINT OF COMMENCEMENT.

PART VI

Description of the Land to in Respect of Which PART V of These Regulations Do No Apply

The outer boundary of the land in respect of which PART V of these regulations do not apply, shown on Vernon Airport Zoning Plan 4888, dated 16 November 2004, is described as follows:

Commencing at a point in the northwestern transitional surface associated with runway 05-23, which said point is shown as number 328 on said Vernon Airport Zoning Plan 4888, dated 16 November 2004;

Thence at a bearing of 91 degrees, 21 minutes, 00 seconds for a distance of 639.929 metres;

Thence at a bearing of 72 degrees 37 minutes, 10 seconds for a distance of 279.746 metres. Thence at a bearing of 1 degree, 27 minutes, 25 seconds, for a distance of 225.791 metres, to where it meets with the existing zoning boundary line as shown on Vernon Airport Zoning Plan 4888;

Thence at a bearing of 253 degrees, 02 minutes, 40 seconds, for a distance of 816.137 metres;

Thence at a bearing of 246 degrees, 54 minutes, 32 seconds for a distance of 143.284 metres to said point 328.

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SCHEDULE "B"

Vernon Regional Airport Zoning Plan

Vernon Regional Airport Legal Description

The Vernon Regional Airport is located 1.8 nautical miles Southwest of the City of Vernon, with a geometric centre at coordinates N50 ° 14' 53" W119° 19' 50", and includes the following lands:

Lots 3 and 4, save and except that part of said Lot 3, shown on Plan "B" 1716, of Lot 66, Osoyoos Division Yale District, Map 509 and part of Lot 4 subdivided by Plan 23913, and Lot 26, of Lots 62 and 67, Osoyoos Division Yale District, Map 1689, except part shown on Plan 23913.