

DATE OF MEETING | MAY 27, 2019 |

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**SUBJECT                      PROPOSED PILOT SITES FOR UNMANNED AERIAL VEHICLES  
IN PARKS**

## **OVERVIEW**

### **Purpose of Report**

To provide background information regarding flying Unmanned Aerial Vehicles in the City of Nanaimo and to propose two pilot sites for flying in parks. |

### **Recommendation**

That Council approve a one-year pilot project that allows members of the Nanaimo Model Airs Club, or individuals who qualify for a permit from the Director of Parks and Recreation, to fly Unmanned Aerial Vehicles in designated locations at designated times.

## **BACKGROUND**

The Nanaimo Model Airs Club (Model Airs) approached Parks and Recreation staff in the fall of 2017 to create a safe model aircraft flying site in a Nanaimo park. The Model Airs have been safely operating model aircraft under their club umbrella for decades. Their current flying site is outside of City limits and so the Club requested of staff to work together on finding suitable locations within a city-owned park. The Model Airs proposal includes the creation of a legal and safe environment for people interested in Unmanned Aerial Vehicles (UAVs) of all types to enjoy their hobby to the fullest at specific parks.

Requirements for flying sites have changed over the last few years with advancing technologies. The planes of the past had gas engines but members today fly mainly electric-powered models. The electric engines have low decibels and produce zero emissions.

In 2018, Staff proposed East Wellington Park as a possible location for a flying site and brought that recommendation forward to the Parks, Recreation and Wellness Committee. At the meeting of the Parks, Recreation and Wellness Committee held 2018-MAY-23, a motion was passed to:

- (a) direct Staff to work with the Nanaimo Model Airs Club to explore suitable locations for use of Model Aircraft; and,*
- (b) undertake a park planning process for East Wellington Park to determine appropriate land use strategies for the site including the exploration of a pilot site for the Model Airs.*

A Public Engagement process and biophysical assessments of East Wellington Park were conducted through the summer of 2018. Public feedback showed that the flying of UAVs was not seen as favourable at East Wellington Park and in conjunction with further discussion with the Model Airs, alternative locations were determined to be more appropriate. (Staff are still finalizing the report regarding East Wellington Park and will return to Council with this information at a later date).

## REGULATIONS

The flying of UAVs in Canada is regulated by Transport Canada. Transport Canada is preparing updated regulations and is set to release them in June 2019. This update will require UAV flyers to have a licence for flying issued by Transport Canada unless they belong to a Model Aeronautics Association of Canada (MAAC) regulated club, like the Model Airs.

The Model Airs operate in compliance with Transport Canada regulations and the MAAC interim orders respecting the use of UAVs. As a club, they have insurance for their members who are operating within club guidelines. Designating trial locations for the flying of UAVs under the Model Airs Club would offer safe flying opportunities within Nanaimo's parks.

At this time, the "Parks, Recreation and Culture Regulation Bylaw 2008 No. 7073" does not address the flying of UAVs on City-owned parkland. Currently there are various type of UAVs flying within the City limits. Some fly UAVs in accordance with federal legislation and respect of public safety, and some do not. There are instances where the public flies aircraft over sports fields with user groups on the field or in areas that are not considered safe, putting the public at risk.

## PROPOSED PILOT SITES

With the increase use of artificial turf fields in Nanaimo, some natural turf fields are seeing less use by sports groups. Underutilized sports fields currently include Deverill Square Gyro Park, Elaine Hamilton Park, Harry Whipper Park and Serauxmen Sports Fields. The Model Airs have interest in testing two of these locations as regulated flying sites. Anyone who joins their club and flies at these locations within these designated times and dates under the pilot project would be in compliance with Transport Canada regulations and covered by the Club's insurance. New members would be mentored by experienced members on safe operating practices. Use times and dates would be booked by the club as with other field users. For the pilot phase, Staff recommend no booking fees for use and utilize the period to evaluate use and demand.

### Proposed Pilot Site Locations:

1. **Serauxmen Sports Fields** (850 Third Street) is an ideal pilot site for the flying of fixed wing aircraft. These UAVs can be up to 5 kgs and can have a wingspan of up to 2m. This site is the largest and has the most amenities including washrooms, easy access, fencing and parking. Using this site for flying would also assist staff with geese management issues. All flying would take place within the sports fields boundaries, and not over the environmentally sensitive areas contained within Third Street Park. (Attachment A).
2. **Elaine Hamilton Park** (1631 Naylor Crescent) is the choice for flying of drones. This site has good access, washrooms, amenities, and fencing. All drone flying takes place within the boundaries of the sports fields, and not over neighbouring houses (Attachment B).

## MEMBERSHIP

The Model Airs hope to attract new members to the club through this initiative. However, some individuals who fly UAVs may choose not to join a club. Individuals not belonging to a club will be required to have a Transport Canada licence and be a paid member of MAAC for insurance purposes.

These individuals may apply to the Director of Parks and Recreation for a permit to use the designated pilot sites at designated times in a similar manner to the Model Airls (at no cost during the pilot project).

An agreement with the Model Airls for use of the pilot sites has been drafted. This agreement outlines respectful use of the park to balance park use for all users, safety, and environmental values and has been modeled after other municipalities' examples (Attachment C).

## MONITORING OF THE PILOT PERIOD

The proposed pilot airspaces would run for one year from 2019-JUL-01 to 2020-JUN-30. During the pilot period, the City would display signage at the pilot sites notifying the public about the one-year trial and the rules about public field use while UAVs are flying. Signage will request that the public send feedback to Parks and Recreation staff through a phone number or email address. Feedback will be recorded and monitored over the pilot period. Communication will also be ongoing with the Model Airls over the pilot period.

As with most pilot projects, limited infrastructure on the site will change or resourcing be spent until the pilot project is approved as permanent. Field booking times for the pilot sites would be available at each site unless booked by other field user groups. Information regarding the flying of UAVs will be available on the City's website. After the one-year pilot, a report summarizing the feedback and any issues that arose will be reported back to Council for a decision on moving forward.

## OPTIONS

1. That Council approve a one-year pilot project that allows members of the Nanaimo Model Airls Club, or individuals who qualify for a permit from the Director of Parks and Recreation, to fly Unmanned Aerial Vehicles in designated locations at designated times.
  - **Budget Implication:** Costs associated with signage creation and installation at the two locations coming out of parks operating budgets. Fees and charges for the field allocations can also be tested during the pilot project and worked into bylaw amendments following the trial period.
  - **Legal Implication:** The Model Airls will operate in accordance with Transport Canada regulations and will be covered under MAAC insurance. Anyone not in the club must show their park permit, and compliance with Transport Canada and MAAC rules and insurance, as well as agree to fly during designated times only. Cautionary signage will be placed at the sites while flying occurs.
  - **Policy Implication:** "Parks, Recreation and Culture Regulation Bylaw 2008 No. 7073" (for park use and fees and charges) will require updating long term if the pilot is deemed a success.
  - **Engagement Implication:** Public engagement has not begun. Engagement will occur throughout the pilot and after the one-year trial as part of future park planning.
  - **Strategic Priorities Implication:** Supporting partnerships with community groups to provide amenities to the community.

2. That Council deny the approval of a one-year pilot project for the flying of Unmanned Aerial Vehicles.
- **Budget Implication:** No additional costs.
  - **Engagement Implication:** The Model Airs Club will still require a legal flying location for UAVs within the City of Nanaimo. |

### **SUMMARY POINTS**

- The Nanaimo Model Airs Club is requesting a safe and legal site in a Nanaimo park for the flying of Unmanned Aerial Vehicles.
- The two suggested locations for a pilot project are Serauxmen Sports Fields and Elaine Hamilton Park. Both locations are currently underutilized by sports groups.
- The pilot project would run for one-year from 2019-JUL-01 to 2020-JUN-30 and following that year, would return to Council for a final decision.
- All flyers would be required to follow Transport Canada regulations and carry MAAC authorized insurance. |

### **ATTACHMENTS**

ATTACHMENT A: Serauxmen Sports Fields

ATTACHMENT B: Elaine Hamilton Park

ATTACHMENT C: Examples in Other Municipalities in BC |

### **Submitted by:**

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