

Walter, Penny

Subject: FW: Email - Request to Speak - Scott Woroniuk - Flying Drones - Possible Review of Bylaw 5729 - File CK 370-1
Attachments: Screenshot_20210308_104913_dji.go.v5.jpg

From: Scott Woroniuk <
Sent: Monday, March 08, 2021 12:06 PM
To: Web E-mail - Mayor's Office <Mayors.Office@Saskatoon.ca>
Cc: Kirton, David (City Councillor) Hill, Darren (City Councillor)
Subject: Possible Review of Bylaw 5729 (Scott Woroniuk)

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To His Worship Mayor Charlie Clark, Councillor Darren Hill and Councillor David Kirton,

I understand that the Planning and Development Committee will be reviewing a letter written by resident Murray Wilson regarding the blanket ban of all drones within the city boundaries and I wish to speak to that issue.

Bylaw No. 5729 - Regulate and Control Use of Property Owned by Municipality, 1977
"which states that no person shall fly a remotely piloted aircraft (commonly known as a "drone") in, on or above property owned by the City, or leased by the City, or under the jurisdiction and control of the City, except as permitted by the City."

Transport Canada already has very thorough and complete regulations regarding the use of all drones and already makes an exception for what are termed "microdrones", drones that weigh less than 250g. The majority of recreational drones fall into this category. That being said, microdrones are still subject to all federal laws prohibiting operations near airports and heliports and the height restrictions just outside those zones, as well as restrictions over public events, accident zones and general proximity to the public. The vast majority of recreational drones do not have zoom lenses, they are equipped with wide angle lenses so people being concerned about drones "peeking in their windows" is a red herring. The distance that a microdrone would have to close to to get an identifiable video or photograph would violate federal law already. There are recreational photographers with cameras and lenses that are also capable of violating privacy laws and there are no bylaws prohibiting people in general aviation aircraft from carrying equipment also capable of violating privacy laws, so why single out microdrones?

Recreational drones are also nowhere near as noisy as commercial or larger drones. I've flown my drone out in the country and once it gets more than 100 feet away, I can't even hear it. 100 feet (30m) coincidentally is how far I must, under federal regulations, stay away from members of the public. So noise concerns would also be a non-issue.

The response I've gotten in the past is, "well, just get a permit from the city". Red tape and bureaucracy aside, that would be ideal, except for two things. The permit requires a drone operator's license, which by federal law, operators of microdrones under 250g are not required to have and it requires that the operator must have proof of \$2 million in Aircraft Liability Insurance and \$2 million in General Liability Insurance with the City of Saskatoon named as a co-insured. Not many recreational pilots can afford \$4 million in insurance sitting in their back pocket.

Also, flying a microdrone is very weather dependant. Most microdrones can't fly in winds greater than 35 kmh. The opportunities to fly recreationally are already very limited. There are mornings where I wake up and see it would be a perfect morning to fly. Applying for a permit to fly at that moment right when conditions are perfect is simply not feasible.

Accompanying images of drones in media stories are generally inflammatory in the mind of the public as they generally depict monstrous 30kg 6- or 8-propeller Hollywood-style commercial drones that require two operators instead of showing a picture of what a recreational drone actually looks like, which is generally around the same size as a pigeon and about the weight of a Happy Meal. The current bylaw makes it illegal for a child and parent to go fly a \$60 recreational drone legally purchased from Wal-Mart.

The marketshare leader in drones, DJI, also marks the areas that are prohibited clearly and uses a geofence and will not unlock the drone if it attempts to fly in a prohibited flight area which you can see by the attached screenshot.

I'm positive the city solicitor did their due diligence in drafting the current bylaw but to my interpretation of federal law, the moment a drone takes to the sky, it falls into the jurisdiction of Transport Canada as a remotely piloted aerial vehicle falls under federal jurisdiction. The city, like all property owners, does not have an easement into the sky above their property. And as far as I can tell, federal laws supercede provincial or civic regulations. And the federal laws are already quite robust in this regard.

Now I'm not saying this as a challenge or repudiation to the city nor it's solicitors nor the council who passed this bylaw, just making a point.

Should the city throw it wide open and have the Wild West in city skies? Absolutely not!!! But a more reasonable bylaw should be considered. This bylaw as written prohibits responsible microdrone drone operators from flying. In my opinion, just because irresponsible drone operators may cause problems, it's unfair to ban responsible owners for this same reason. It's akin to banning cars of a certain horsepower or top speed. Irresponsible owners may speed but the answer isn't to ban all cars that are capable of exceeding 110 kmh. Punish the offenders but please do not punish law abiding citizens who adhere to the rules.

Drones also just don't "fall out of sky". If my microdrone loses contact with my controller, it automatically engages a "return to home" where it will return to within a meter of where it took off from at a safe altitude. The same feature is automatically engaged if my drone calculates that it wouldn't have enough power to return home safely if flight operations were continued at that distance.

A review of drone regulations in the cities of Winnipeg, Regina, Edmonton and Calgary show no such blanket bans for recreational microdrone use. There are clear and specific rules for flying a drone, regardless of size over those cities' property and I feel that Saskatoon's bylaw, as written is draconian and an over-reach. Other cities' drone bylaws are closer in line to federal regulations.

I urge you to bring Saskatoon's drone bylaw more in line with those of Edmonton, Calgary and Winnipeg and also in line with what Transport Canada already has in place.

If His Worship and Council are willing, I'd be happy to appear before council at a future date as a recreational drone pilot to answer any questions they may have.

Thank you for your time and consideration.

Scott Woroniuk
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