

REGIONAL DISTRICT OF NANAIMO
ELECTORAL AREA PLANNING COMMITTEE
TUESDAY, JUNE 9, 2015
6:30 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

- 3-8 **Heather Powell, Riverbend Resort**, re Request for clarification regarding the definitions of zoning of Resort property.

MINUTES

- 9-10 Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, May 12, 2015.

BUSINESS ARISING FROM THE MINUTES

DEVELOPMENT VARIANCE PERMIT

- 11-22 Development Variance Permit Application No. PL2014-119 – 3560 Allsop Road, Electoral Area 'C'.

DEVELOPMENT PERMIT WITH VARIANCE

- 23-35 Development Permit with Variance Application No. PL2015-061 – 646268 BC Ltd. – Harold and Balsam Road, Electoral Area 'A'.
- 36-48 Development Permit with Variance Application No. PL2015-058 – 2930 Trans Canada Highway, Electoral Area 'A'.

OTHER

- 49-53 Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2015-019 – 2610 Harold Road, Electoral Area 'E'.
- 54-144 Proposed Telecommunication Antenna System Application No. PL2013-086 – 891 Drew Road, Electoral Area 'G'. – *Note: Attachment 4, "Public Submissions and Applicant's Response", is provided as a separate enclosure.*

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

May 27, 2015

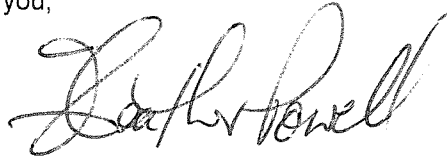
Riverbend Resort
1-924 East Island Hwy
Parksville BC
V9P1R6

Regional District of Nanaimo
6300 Hammond Bay Rd
1-250-390-4111

Please add myself Heather Powell as a delegation to the next Regional District meeting. I have attached a letter and information package regarding my request of the Board.

Please let me know if this is the correct platform for my requests. I noticed the next meeting is June 9th, 2015.

Thank you,



Heather Powell



Riverbend Resort

1-924 East Island Hwy
Parksville,
V9P1R6
1-800-701-7033

May 27, 2015

Riverbend Resort
1-924 East Island Hwy
Parksville BC
V9P1R6

Regional District of Nanaimo
6300 Hammond Bay Rd
1-250-390-4111

The Regional District of Nanaimo Board of Directors,
Attention: Joe Stanhope Board Chair, Director, Area G

Riverbend RV and Cottage resort is located in Area G along the Englishman River. Recently the Board approved our development permit to add recreational vehicle sites to our Resort Vehicle Park. Thank you for your approval.

At this time, I am requesting a clarification from the Board regarding the definitions of the zoning of this parcel of land.

According to the permitted uses of CM5 "**Resort Vehicle Park**" is a permitted use. The definition of **Resort Vehicle Park** as stated in bylaw 500:

"means a parcel providing for seasonal or periodic accommodation of travelers or residents using tents or recreational vehicles not exceeding 37 m2 (400 ft2) in floor area, but specifically excludes a mobile home park or hotel".

This definition varies quite significantly from a **Recreational Vehicle Park** whose definition is as follows:

"means a parcel providing for the seasonal and temporary accommodation of travelers for not more than six months of the calendar year using tents or recreational vehicles, not exceeding 37m2 (400 ft2)in floor area, but specifically excludes a mobile home park or hotel".



Riverbend Resort

1-924 East Island Hwy
Parksville,
V9P1R6
1-800-701-7033

I believe but do not want to assume in any way that the significant difference between these two definitions are:

- 1) The specific use of the word resident as in "**residents using tents and recreational vehicles**"
- 2) There is no length of stay minimum or maximum stated in the **Resort Vehicle Park** definition.

My question is: "are residents allowed in a **Resort Vehicle Park**?"

Some background on Riverbend Resort. The park has been in existence for over 65 years. At one time prior to the current bylaw 500 definitions and zoning, the resort had several mobile homes. It was at one time called Riverbend Mobile Home Park. There were cottage rentals, residents staying in mobile homes and recreational vehicles and nightly camping. I believe this is why Riverbend has the unique zoning of CM5. When the zoning came in the property was zoned for the uses that it had. I believe this is still current practice when rezoning existing properties.

Thank you,



Heather Powell



Riverbend Resort

1-924 East Island Hwy
Parksville,
V9P1R6
1-800-701-7033

Section 3.4.15

COMMERCIAL 5¹**CM5****Permitted Uses and Minimum Site Area**

Permitted Uses	Required Site Area with:		
	Community Water & Sewer System	Community Water System	No Community Services
a) Hotel			
First Unit	2000 m ²	2000 m ²	4000 m ²
Each Additional Unit	200 m ²	400 m ²	400 m ²
b) Resort Condominium Unit	400 m ²	1000 m ²	4000 m ²
c) Marina	5000 m ²	5000 m ²	1.0 ha
d) Neighbourhood Pub	2000 m ²	4000 m ²	6000 m ²
e) Public Assembly Use	4000 m ²	5000 m ²	8000 m ²
f) Recreation Facility	4000 m ²	5000 m ²	8000 m ²
g) Residential Use ²	n/a	n/a	n/a
h) Restaurant	2000 m ²	4000 m ²	6000 m ²
i) Resort Vehicle Park ³	400 m ²	400 m ²	400 m ²
j) Tourist Information Booth	500 m ²	500 m ²	500 m ²
k) Tourist Store	800 m ²	1600 m ²	2000 m ²

Maximum Number and Size of Buildings and Structures

Resort Vehicle Park ⁴	25 camping spaces/ha to a maximum of 150 camping spaces per parcel developed in accordance with Schedule '3C', 'Campground Regulations and Standards'
Dwelling units/parcel ⁵	- 1
Floor area ratio	- 0.60
Height	- 8.0 m
Parcel coverage	- 40%

¹ Bylaw No. 500.74, adopted October 8, 1991² Bylaw No. 500.13, adopted October 13, 1987³ Bylaw No. 500.162, adopted April 8, 1997⁴ Bylaw No. 500.162, adopted April 8, 1997⁵ Bylaw No. 500.13, adopted October 13, 1987

principal use means the main use of land, buildings or structures as listed under the permitted uses of the applicable zone;

produce market means a building or structure providing for the retail sale of agricultural produce including vegetables, fruit and seafood;

produce stand means a building or structure not exceeding 100 m² in area providing for the retail sale of fresh agricultural produce, which are produced on the same farm on which the stand is located;

public assembly use means the use of land, buildings or structures to accommodate exhibits, special events or meetings and includes auditorium, church, museum, community hall, fraternal lodge, youth centre, theatre;

public utility use¹ means the use of land, buildings or structures for the provision of community water or sewer services, park, public access, pipelines, electric and telephone service, emergency services, government office or cemetery;

railway means a railway and accessory uses as defined by the **Railway Act**;²

recreation facility means a facility used and equipped for the conduct of sports and leisure activities and includes pool hall, bowling alley, games court, curling and roller rink, health club, spa, swimming pool, but specifically excludes amusement arcade and fairground;



recreational vehicle means any vehicle, trailer, coach, house-car, structure or conveyance designed to travel or be transported on a highway and constructed and equipped to be used as temporary living or sleeping quarters by travelers;



recreational vehicle park³ means a parcel providing for the seasonal and temporary accommodation of travelers for not more than six months of the calendar year using tents or recreational vehicles, not exceeding 37m² (400 ft²) in floor area, but specifically excludes a mobile home park or hotel;

Regional District means the Regional District of Nanaimo;

remainder means that portion of a parcel being subdivided which is shown on the same Certificate of Indefeasible Title before and after the subdivision;

residential use means the accommodation and homelife of a person or persons in common occupancy, and shall only be conducted within a dwelling unit;

resort condominium development means a hotel and includes hotel units subdivided pursuant to the **Strata Property Act** and amendments thereto;⁴

resort condominium unit means a hotel unit which is subdivided pursuant to the **Strata Property Act** and amendments thereto;⁵



resort vehicle park⁶ means a parcel providing for seasonal or periodic accommodation of travelers or residents using tents or recreational vehicles not exceeding 37 m² (400 ft²) in floor area, but specifically excludes a mobile home park or hotel;

¹ Bylaw No 500.386, adopted November 26, 2013

² Bylaw No. 500.283, adopted August 13, 2002

³ Bylaw No. 500.162, adopted April 8, 1997

⁴ Bylaw No. 500.74, adopted October 8, 1995

⁵ Bylaw No. 500.74, adopted October 8, 1995

⁶ Bylaw No. 500.162, adopted April 8, 1997

dwelling unit means one self-contained unit contained within common walls with a separate entrance intended for year-round occupancy and the principal use of such dwelling unit is residential with complete living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation;¹

eligible subdivision² means lands located within a subdivision of a category A lot;

emergency services³ means the non-commercial use of land, buildings and structures for fire, police and ambulance services and may include temporary living accommodations for emergency service personnel.

explosives manufacturing means the use of land, buildings and structures for the manufacturing and storage of a product, substance, material or compound used for blasting purposes;

extraction use means the extraction of soil;

fairground means the use of land, buildings and structures for entertainment and recreational activity generally undertaken in an outdoor setting, where the users constitute a significant element in the activity, and includes go-cart track, waterslide, mini-golf course, amusement park;

farm retail sales means the sale to the public of products grown or raised on a farm, from that farm and may include the sale of non-farm products in accordance with the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.⁴

fast food outlet means an eating establishment providing for the sale of prepared food and beverages that can be consumed in vehicles, taken off the premises for consumption or consumed on the premises;

feeder swine⁵ means a pig, between the age of 8 weeks and 6 months, weighing less than 102 kilograms;

feed lot⁶ means the use of land, buildings or structures for the purposes of keeping greater than 6 cattle per hectare on land upon which the feed lot is situated;

final approval means the Approving Officer affixing his signature to a subdivision plan pursuant to the **Land Title Act** and amendments thereto;

floor area⁷ means the sum total of the gross horizontal area of each floor of a building as measured from the inside surface of the outermost exterior walls.

floor area ratio means the figure obtained when the floor area of all buildings on a parcel, except those areas of a building providing covered parking area, is divided by the area of the parcel;⁸

frontage means that length of a parcel boundary which abuts a highway;

funeral parlour means an establishment with facilities for the preparation of the dead for burial or cremation, for viewing of bodies, and for funerals;

¹ Bylaw No. 500.113, adopted August 12, 1991

² Bylaw No. 500.253, adopted January 11, 2000

³ Bylaw No. 500.386, adopted November 26, 2013

⁴ Bylaw No. 500.383, adopted June 25, 2013

⁵ Bylaw No. 500.218, adopted August 12, 1997

⁶ Bylaw No. 500.218, adopted August 12, 1997

⁷ Bylaw No. 500.396, adopted February 24, 2015

⁸ Bylaw No. 500.95, adopted February 12, 1991

REGIONAL DISTRICT OF NANAIMO

**MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, MAY 12, 2015 AT 6:30 PM IN THE
RDN BOARD CHAMBERS**

In Attendance:

Director B. Veenhof	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director B. Rogers	Electoral Area E
Director J. Fell	Electoral Area F
Director J. Stanhope	Electoral Area G

Also in Attendance:

P. Thorkelsson	Chief Administrative Officer
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
J. Hill	Mgr. Administrative Services
P. Thompson	Mgr. Long Range Planning
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and respectively acknowledged the Coast Salish Nations whose traditional territory the meeting takes place.

ELECTORAL AREA PLANNING COMMITTEE MINUTES

Minutes of the Regular Electoral Area Planning Committee meeting held Tuesday, April 14, 2015.

MOVED Director McPherson, SECONDED Director Fell, that the minutes of the regular Electoral Area Planning Committee meeting held April 14, 2015, be adopted.

CARRIED

DEVELOPMENT VARIANCE PERMIT APPLICATION

Development Variance Permit Application No. PL2015-050 – Electoral Area ‘E’.

MOVED Director Rogers, SECONDED Director Young, that staff be directed to complete the required notification.

CARRIED

MOVED Director Rogers, SECONDED Director Young, that Development Variance Permit Application No. PL2015-050 to increase the maximum permitted height for a dwelling unit be approved subject to the conditions outlined in Attachments 2 to 6.

CARRIED

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

Development Permit with Variance Application No. PL2015-028 – 5509 Deep Bay Drive, Electoral Area ‘H’.

MOVED Director Stanhope, SECONDED Director Fell, that staff be directed to complete the required notification for Development Permit with Variance Application No. PL2015-028.

CARRIED

MOVED Director Stanhope, SECONDED Director Fell, that Development Permit with Variance Application No. PL2015-028 to permit an addition and renovation to a dwelling unit on the subject property be approved subject to the conditions outlined in Attachments 2 and 3.

CARRIED

ZONING AMENDMENT

Bylaw and Policy Updates Project – Draft Agricultural Zoning and OCP Amendments.

P. Thompson, Manager of Current Planning, presented the draft agricultural zoning and Official Community Plan amendments for bylaws 500 and 1285. The draft identified 13 potential obstacles, outlined the summary of community feedback, a comparison of Regional District of Nanaimo zoning and how it aligns with agricultural land reserve regulations, and next steps for community consultation.

MOVED Director Fell, SECONDED Director Young, that modifications to the bylaws be reviewed by Electoral Area Directors at a special meeting before they are brought forward for public consultation.

CARRIED

ADJOURNMENT

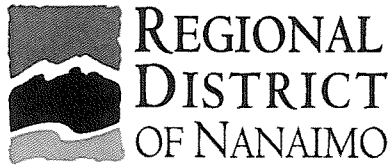
MOVED Director Stanhope, SECONDED Director Fell, that this meeting be adjourned.

CARRIED

TIME: 6:59 PM

CHAIRPERSON

CORPORATE OFFICER



RDN REPORT	
CAO APPROVAL 	
EAP	✓
COW	
MAY 28 2015	
RHD	
BOARD	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: May 28, 2015

FROM: Tyler Brown
Planner

MEETING: EAPC – June 9, 2015

FILE: PL2014-119

SUBJECT: Development Variance Permit Application No. PL2014-119
Lot 4, Section 17, Range 3, Mountain District, Plan 26264
3560 Allsop Road – Electoral Area ‘C’

RECOMMENDATIONS

1. That staff be directed to complete the required notification.
2. That Development Variance Permit No. PL2014-119 be approved to reduce the required lot line setback of 8.0 metres to 6.9 metres for an existing rabbit hutch, to 7.4 metres for an existing pump house, to 3.1 metres for an existing garden shed, to 0.0 metres for an existing train trestle, to 5.5 metres for an existing block retaining wall and to 2.7 metres for an existing wood retaining wall subject to the conditions outlined in Attachment 2 to 4.

PURPOSE

To consider an application for a Development Variance Permit to reduce the property line setback requirements to permit an existing rabbit hutch, pump house, garden shed, train trestle, block retaining wall and wood retaining wall on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Anna Elizabeth Roosen to permit an existing rabbit hutch, pump house, garden shed, train trestle, block retaining wall and wood retaining wall within the lot line setbacks on the subject property. The subject property is approximately 0.49 ha in area and is zoned Rural 1 (RU1) pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (see Attachment 1 – Subject Property Map). In addition to the structures requiring a variance, the subject property currently contains a dwelling unit, barn, and an extensive working railway system intended for private use that is not open to members of the public nor involves public assembly. Rural 1 zoned parcels surround the subject property, the southwestern lot line is bordered by Allsop Road and the southeastern lot line is bordered by Ranch Point Road.

A small drainage ditch runs west to east on the southern portion of the parcel. The applicant has submitted a letter from a Registered Professional Biologist concluding that the ditch is not considered a

watercourse pursuant to the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". Moreover, the report concludes that the provincial Riparian Areas Regulations do not apply.

Bylaw Enforcement History

RDN staff received information about the placement and construction of a number of structures utilized to create a working replica mining railway on the subject property in October 2011. Upon investigation by bylaw enforcement staff, it was observed that along with railway cars, rail track and other historic mining railway objects, the property contained a tunnel and wall built from creosote ties, and a train trestle. The replica rail line runs the course of the property's perimeter. A series of letters were sent to the property owner and on February 14, 2012, RDN staff issued and posted a Stop Work Order on the subject property in relation to the construction of the train trestle. Subsequent inspections of the property revealed the works on the property had continued and that one of the walls built from creosote rail ties had collapsed. RDN staff made further attempts to engage the property owner but did not receive a response.

In September 2013, both a staff report and presentation by the property owner's agent/son were provided to the Board. Subsequently, the Board passed the following motion:

That an extension of time be granted to January 2014, and to bring back a staff report for re-consideration of the Board before a notice of bylaw contravention is registered on title pursuant to Section 57 of the Community Charter on the title of Lot 4, Section 17, Range 3, Plan 26264, Mountain District (3560 Allsop Road).

Following the Board motion, staff corresponded with the owner's agent/son and received a response expressing disagreement with the necessity to comply with RDN regulations. On January 28, 2014, a staff report was provided to the Board. The Board passed the following motion:

That staff be directed to suspend further enforcement action and assist the owner of 3560 Allsop Road with the applicable permitting processes and that the owner be directed to make application for the required permits to recognize all structures on the property within 30 days.

Since the last Board motion, the tunnel and wall built from creosote ties has been dismantled and the ties have been removed from the subject property. A survey of the property revealed that the trestle encroaches into the road right-of-way and that several other outbuildings were within Bylaw No. 500 lot line setbacks.

Proposed Development and Variance

The applicant proposes to vary the following regulations from the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987":

Section 3.4.81 – Minimum Setback Requirements – All Lot Lines – to reduce the required lot line setback of 8.0 metres to 6.9 metres for an existing rabbit hutch, to 7.4 metres for an existing pump house, to 3.1 metres for an existing garden shed, to 0.0 metres for an existing train trestle, to 5.5 metres for an existing block retaining wall and to 2.7 metres for an existing wood retaining wall.

The variances requested are to only address existing structures which are in contravention of Bylaw No. 500. The variances requested are summarized as follows (see Attachment 3 for an illustration of the site plan and requested variances):

Section 3.4.81 – Minimum Setback Requirements – All Lot Lines			
Article	Required Setback by Bylaw	Currently Setback	Requested Variance Amount
Rabbit Hutch	8.0 metres	6.9 metres	1.1 metres
Pump House	8.0 metres	7.4 metres	0.6 metres
Garden Shed	8.0 metres	3.1 metres	4.9 metres
Train Trestle	8.0 metres	0.0 metres	8.0 metres
Block Retaining Wall	8.0 metres	5.5 metres	2.5 metres
Wood Retaining Wall	8.0 metres	2.7 metres	5.3 metres

ALTERNATIVES

1. To approve Development Variance Permit No. PL2014-119 subject to the conditions outlined in Attachments 2 to 4.
2. To deny Development Variance Permit No. PL2014-119.

LAND USE IMPLICATIONS

Development Implications

Staff have reviewed the applicant's variance request, to legalize the existing rabbit hutch, pump house, garden shed, train trestle, block retaining wall and wood retaining, and do not note any negative land-use implications that would be associated with the approval of Development Variance Permit Application No. PL2014-119. From the information provided by the applicant, the rabbit hutch and pump house were constructed prior to the adoption of Bylaw No. 500. The applicant has submitted a letter signed and stamped by a structural engineer confirming that the train trestle and block wall are adequate for the intended use (see Attachment 4 – Letters from Structural Engineer). No safety concerns were noted by the applicant's structural engineer. If the development variance application is approved, the property owner will be required to obtain the necessary permits in accordance with Regional District of Nanaimo Building Regulations.

Environmental Implications

The applicant has submitted a letter from a Registered Professional Biologist concluding that the small drainage ditch that runs west to east on the southern portion of the parcel is not considered a watercourse pursuant to the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The letter also concludes that the provincial Riparian Areas Regulations are not applicable.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS

The application was referred to the Ministry of Transportation and Infrastructure (MOTI) as the existing train trestle encroaches into MOTI’s required 4.5 metre setback from a property line fronting a provincial public highway. MOTI has issued a permit to allow the encroachment into the 4.5 metre setback area.

PUBLIC CONSULTATION IMPLICATIONS

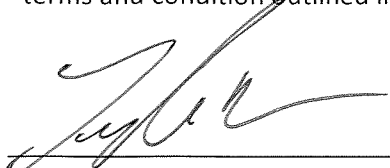
Pending the Committee’s recommendation and pursuant to the *Local Government Act* and the “Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005”, property owners and tenants of parcels located within a 50 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board’s consideration of the application.

SUMMARY/CONCLUSIONS

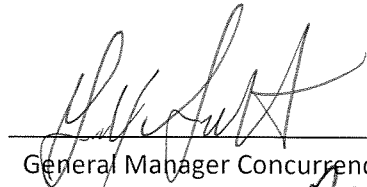
This is an application to consider a Development Variance Permit to legalize the siting of an existing rabbit hutch, pump house, garden shed, train trestle, block retaining wall and wood retaining wall. A total of six variances are being requested to legalize structures identified to contravene Bylaw No. 500. Information provided by the applicant indicates the rabbit hutch and pump house were constructed prior to the adoption of Bylaw No. 500.

Furthermore, the applicant has submitted a letter signed and stamped by a Structural Engineer confirming that the train trestle and block wall are adequate for the intended use and if the variance is approved the property owner will be required to obtain the necessary permits in accordance with Regional District of Nanaimo Building Regulations. Given that the requested variance is to legalize existing structures and bring them into compliance with Bylaw No. 500, that the property owner will be required to obtain the necessary permits in accordance with Regional District of Nanaimo Building Regulations, and that no negative land-use implications have been identified, staff recommend the

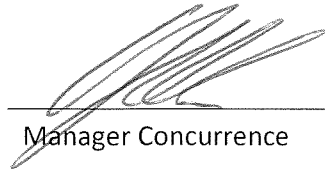
Board approve the requested variances, pending the outcome of public notification and subject to the terms and condition outlined in Attachment 2.



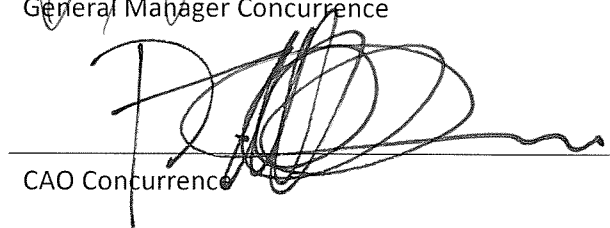
Report Writer



General Manager Concurrence

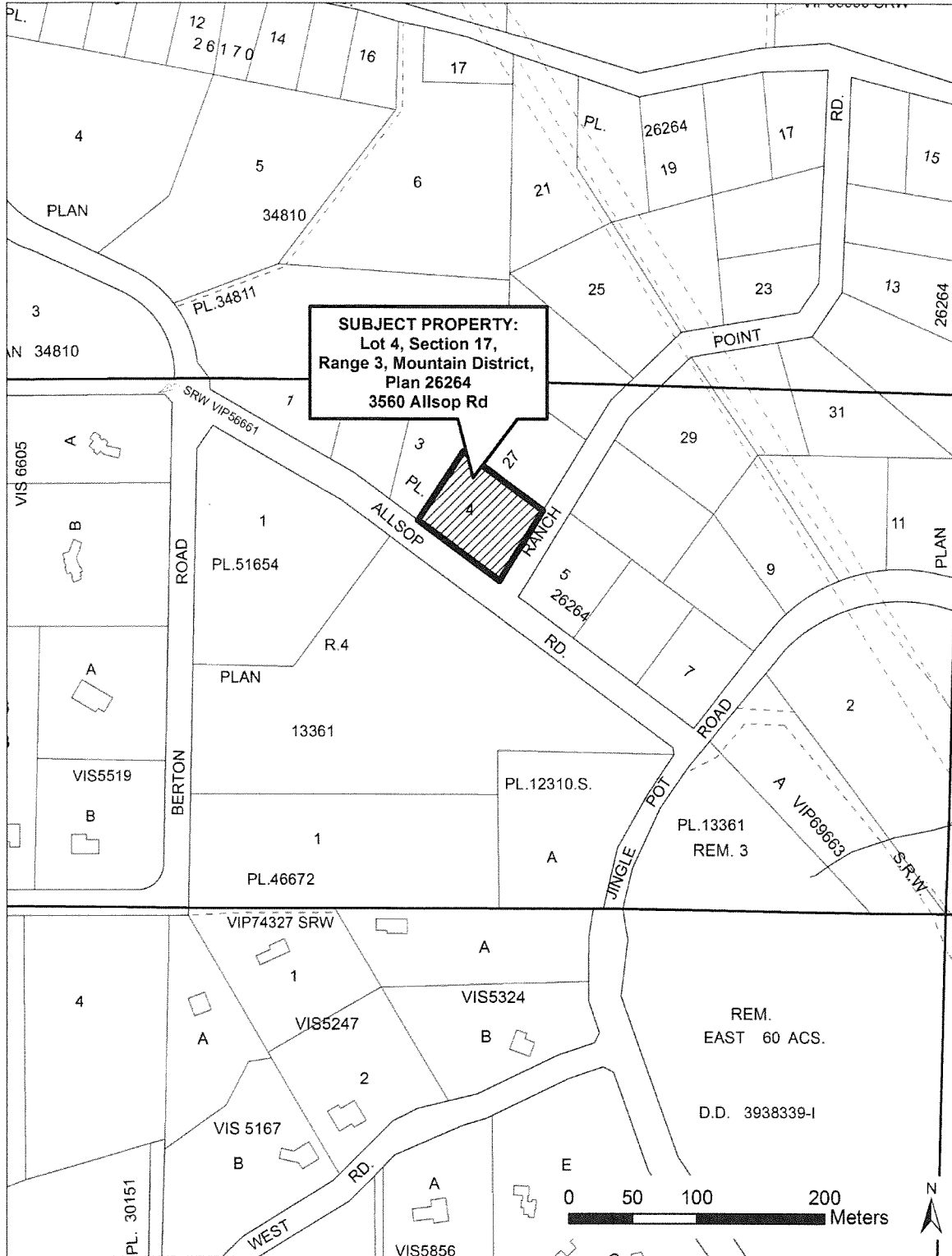


Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2
Terms and Conditions of Permit

The following sets out the terms and conditions of Development Variance Permit No. PL2014-119:

Bylaw No. 500, 1987 Variances:

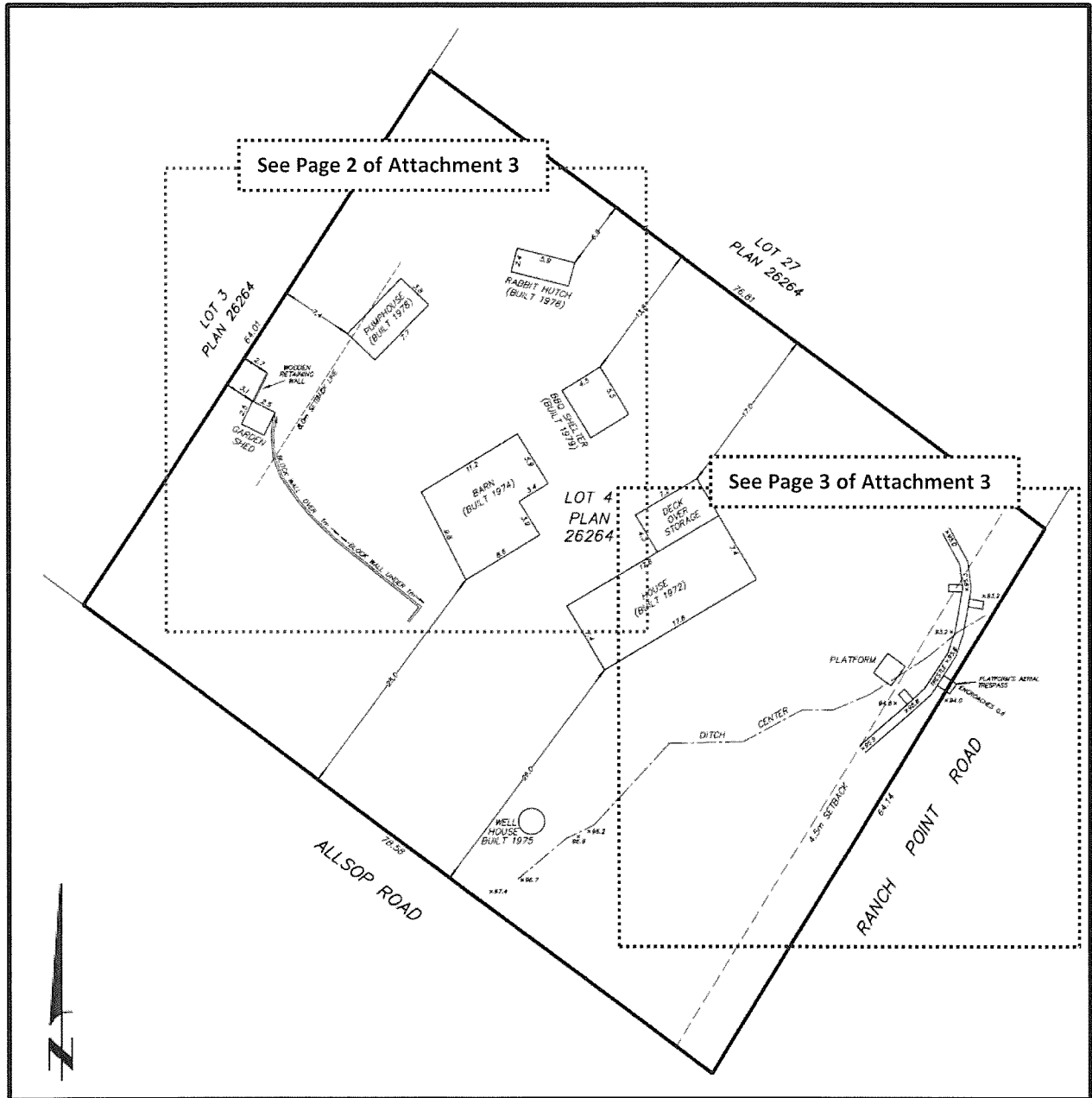
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

Section 3.4.81 – Minimum Setback Requirements – All Lot Lines – to reduce the required lot line setback of 8.0 metres to 6.9 metres for an existing rabbit hutch, to 7.4 metres for an existing pump house, to 3.1 metres for an existing garden shed, to 0.0 metres for an existing train trestle, to 5.5 metres for an existing block retaining wall and to 2.7 metres for an existing wood retaining wall.

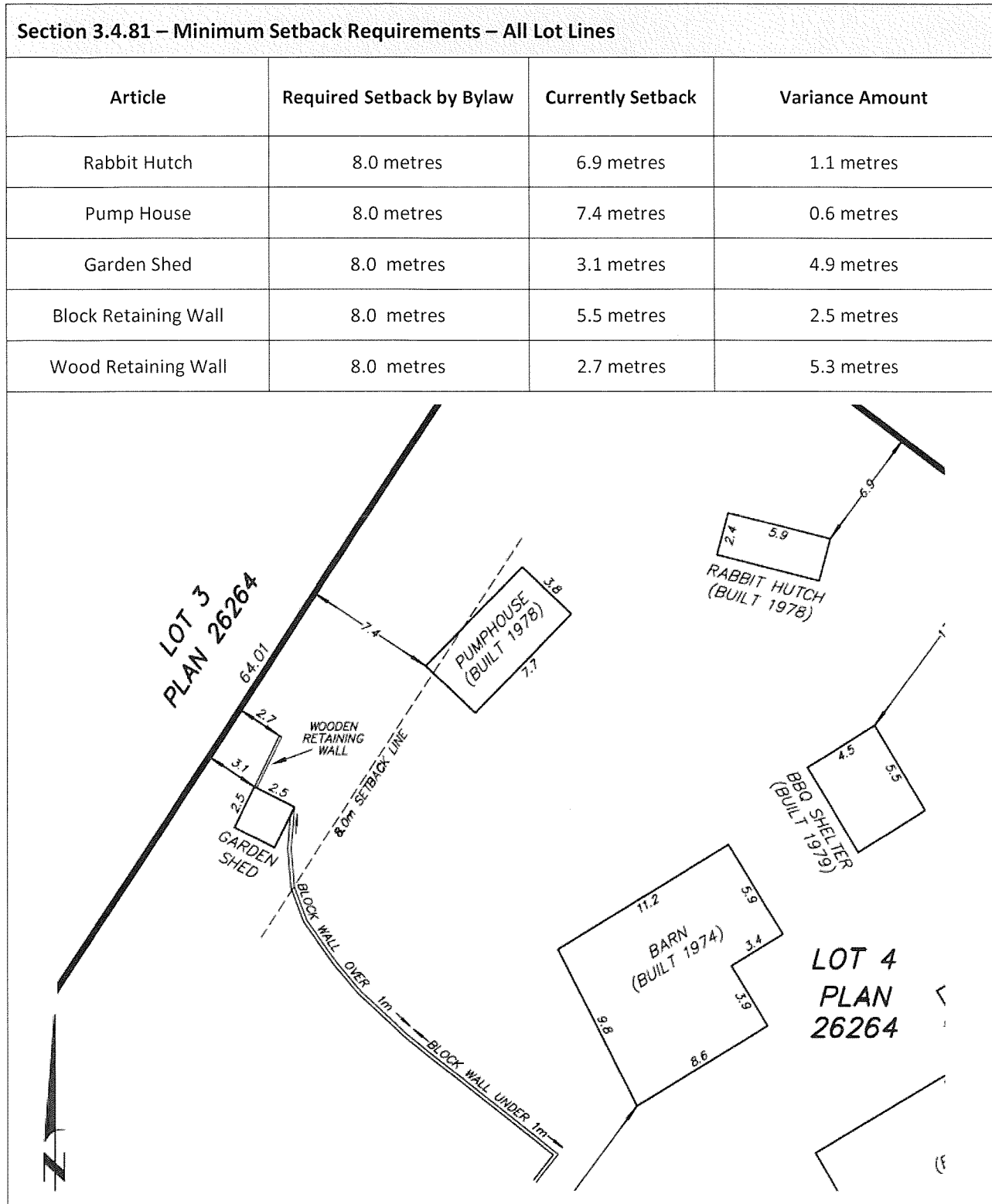
Conditions of Approval:

The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

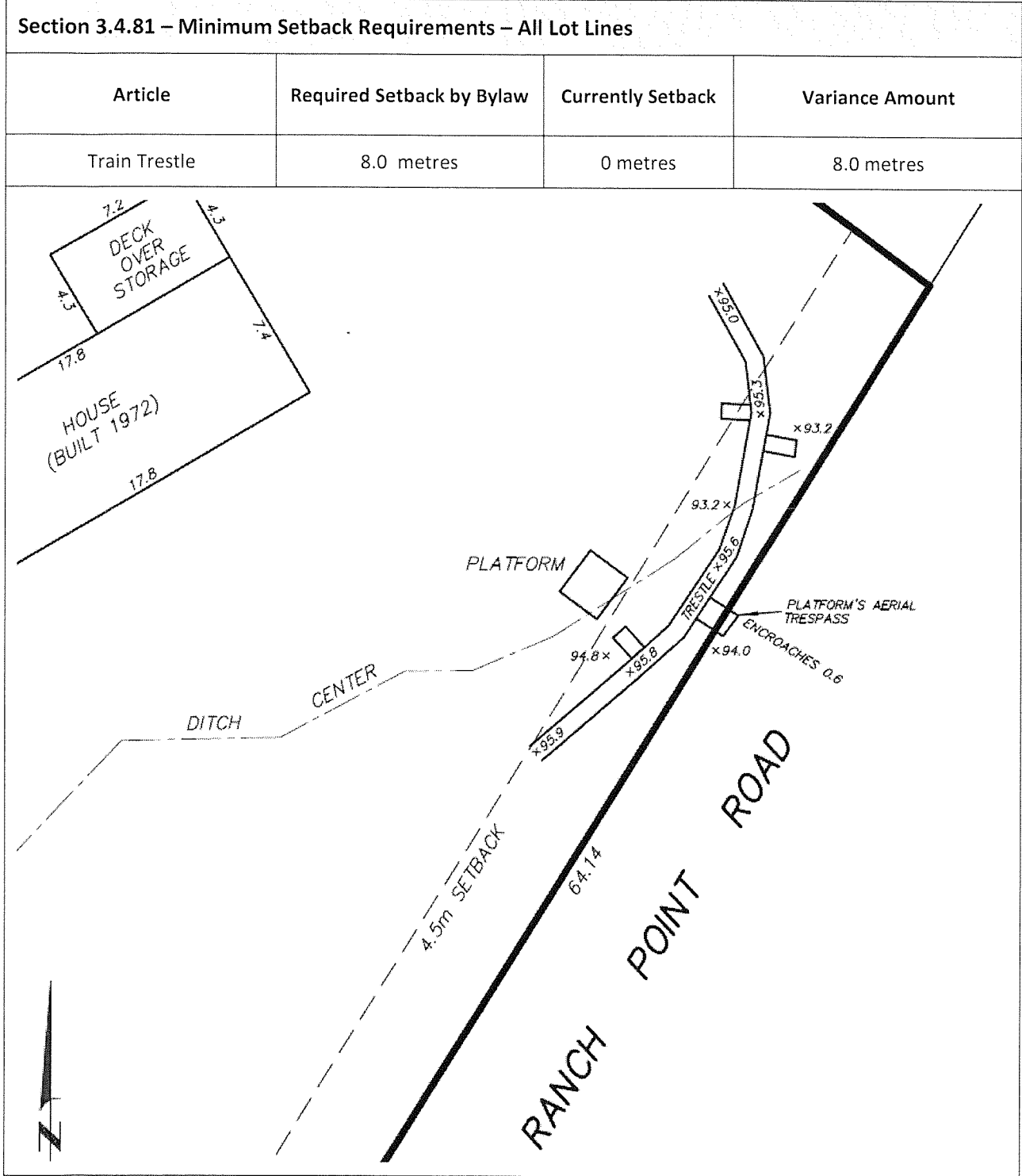
Attachment 3
Site Plan and Variances (page 1 of 3)



**Attachment 3
Site Plan and Variances (page 2 of 3)**



**Attachment 3
Site Plan and Variances (page 3 of 3)**



Attachment 4
Letters from Structural Engineer (page 1 of 2)



March 13, 2015

3504-001

Via email: proosen@castagra.com

Mr. Peter Roosen
c/o Sims Associates Land Surveying
223 Fern Road
Qualicum Beach BC
V9K 1S4

Attn: Peter Roosen

Re: 3560 Allsop Road,
Nanaimo BC

Dear Peter:

At your request, the undersigned completed an on-site inspection of the timber railway trestle at the above residence and completed measurements in order to complete a review of structural adequacy of the trestle to safely support the weight of your small gauge rolling stock of 2 tons.

The trestle in question is an eight span curving timber trestle with bent spacings at approximately 11'-6" maximum on center with max bent heights approximately 6 feet. The steel rolling stock rails are supported by 3"x 4" landscape ties at 8" o/c spanning to four 7"x 9" timber stringers. The stringers span to timber bents comprised of an 8"x 8" cap and four round log posts of approximately 6-8" diameter supported by 8"x 8" timber sill caps supported by three concrete piers on grade. It is not known to what depth the concrete piers are constructed below grade. The bents are braced with 2" diameter wood braces in the transverse direction and the trestle is braced in two locations between bents in the longitudinal direction.

We completed design calculations on the trestle assuming a maximum 2 ton car and in the writers opinion the trestle is structurally adequate for the intended use.

We will also be reviewing the structural design of the concrete Alan Block retaining wall on the site and will provide a structural opinion of their adequacy in a subsequent letter.

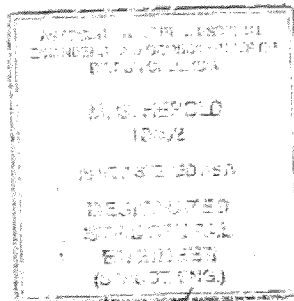
Yours truly,

HEROLD ENGINEERING LIMITED

Mike Herold P.Eng., Struct. Eng., M.I. Struct., LEED AP
President

cc hsimis@simssurvey.ca

Enclosure



Attachment 4
Letters from Structural Engineer (page 2 of 2)



May 4, 2015

3504-001

Via email: proosen@castagra.com / proosen@gmail.com

Mr. Peter Roosen
c/o Sims Associates Land Surveying
223 Fern Road
Qualicum Beach BC
V9K 1S4

Attn: Peter Roosen

Re: 3560 Ailsop Road,
Nanaimo BC

Dear Peter:

Further to our previous letter (attached) of March 13, 2015, Herold Engineering Limited has now reviewed the design and construction of the Allan Block retaining walls on the site and in the writer's opinion, the walls meet the intent of the Manufacturer's requirements and are structurally adequate for the intended use.

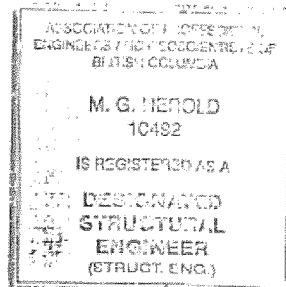
Yours truly,

HEROLD ENGINEERING LIMITED

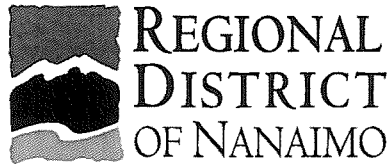
Mike Herold P.Eng., Struct.Eng., M.I.Struct., LEED AP
President

cc hsims@simssurvey.ca

Enclosure



May 4/15



RDN REPORT	
CAO APPROVAL	
EAP	<input checked="" type="checkbox"/>
COW	<input type="checkbox"/>
MAY 28 2015	
RHD	<input type="checkbox"/>
BOARD	<input type="checkbox"/>
DATE: May 28, 2015	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

MEETING: EAPC – June 9, 2015

FROM: Tyler Brown
Planner

FILE: PL2015-061

SUBJECT: Development Permit with Variance Application No. PL2015-061 – 646268 BC Ltd.
Lot 1, Section 13, Range 7, Cranberry District, Plan VIP78041
Harold and Balsam Road – Electoral Area ‘A’

RECOMMENDATIONS

1. That staff be directed to complete the required notification.
2. That Development Permit with Variance No. PL2015-061 to permit the construction of an industrial building be approved subject to the conditions outlined in Attachments 2 to 6.

PURPOSE

Consider an application for a Development Permit with Variance to allow for the construction of an industrial building on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Keith Brown Associates Ltd. on behalf of 646268 BC Ltd. and Summer Estates Ltd. in order to permit the construction of an industrial building on a portion of the subject property. The subject property is approximately 1.19 ha in area and is zoned Industrial 1 (IN1) pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

The subject property is rectangular shaped and is surrounded by industrial zoned properties. Balsam Road borders the property to the east, Harold Road borders the property to the south and a small drainage ditch runs the length of the southern lot line (see Attachment 1 – Subject Property Map). There are currently no buildings or structures on the subject property and any development will be serviced by well water and a septic disposal system. Access to the proposed development will be from Balsam Road (see Attachment 3 – Site Plan).

The proposed development is subject to the South Wellington Industrial-Commercial development permit area as per “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Bylaw No. 1620, 2011”. The purpose of the South Wellington Industrial-Commercial development permit area is for the protection of the natural environment, the establishment of objectives to promote water and energy conservation, and to guide the form and character of commercial or industrial development.

Proposed Development and Variance

Proposed development for the property includes the placement of a pre-engineered steel framed building with metal siding on the northern most portion of the lot. The industrial building is approximately 1065 m² in area and will include approximately 73 m² of area as office space and 992 m² of area as warehouse space. A covered outdoor area protrudes from the west of the building and combined with the building will result in approximately 25% parcel coverage. Additional development will include 22 parking spaces, as required by Bylaw No. 500, and two loading areas (see Attachment 3 – Site Plan). To accommodate a ten ton overhead crane within the proposed building, the applicant proposes to vary the following regulation from “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”: Section 3.4.31 –Maximum Number and Size of Buildings and Structures – Height from 8.0 metres to 9.75 metres (see Attachment 2 – Terms and Conditions of Permit and see Attachment 4 – Building Elevations and Variance).

The applicant is proposing an 8.0 metre landscape buffer along Balsam Road for the length of the proposed development which exceeds the 2.0 metre buffer width outlined in the development permit guidelines. A planting plan has been prepared by Victoria Drakeford Landscape Architect. A mixture of rock planters, trees and shrubs are proposed and once mature will exceed the 5.0 metre height requirement outlined in the development permit guidelines (see Attachment 5 – Landscape Plan). Grass is proposed to cover the area reserved for a septic field. While the development permit guidelines require a continuous landscaping buffer along the inside of all property boundaries, due to security and theft concerns, the applicant is proposing to only buffer the lot line along Balsam Road. As the parcel is bordered by industrial zoned land and the application includes plantings that exceed the minimum buffer requirement along Balsam Road, the proposed landscaping generally meets the intent of the development permit area guidelines.

ALTERNATIVES

1. To approve Development Permit with Variance No. PL2015-061 subject to the conditions outlined in Attachments 2 to 6.
2. To deny Development Permit with Variance No. PL2015-061.

LAND USE IMPLICATIONS

Development Implications

The applicant has submitted a Rainwater Management Plan, prepared by J.E. Anderson & Associates and dated May 11, 2015, to address the development permit guidelines pertaining to rainwater management for the proposed development. The plan evaluated existing drainage conditions, reviewed the Hydrogeological Assessment prepared by Levelton Consultants Ltd., and concluded that a rainwater collection system, which includes an oil water separator, can be utilized to manage rainwater effectively. Additional recommendations include that silt fencing, temporary silt ponds or other measures are to be installed during construction of the proposed building in order to contain runoff and eliminate silt from exiting the site. Staff recommend that the applicant be required to register a *Section 219* covenant that registers the Rainwater Management Plan for surface water on the property title with a clause that all development is to be done in general accordance with the recommendations of the report. In addition, per the development permit guidelines, staff recommend that the applicant be required to register a

Section 219 covenant on the property title with a commitment to a maintenance schedule, prepared by a qualified engineer, for the proposed oil water separator.

The applicant has submitted a Hydrogeological Assessment, prepared by Levelton Consultants Ltd. and dated May 13, 2015, to satisfy the development permit guidelines pertaining to groundwater protection for the proposed development. The report concludes that the development of the site with the proposed industrial use is unlikely to stress the aquifer or have negative impact on neighbouring wells. In addition, the report makes recommendations for developing the site. The recommendations include that an oil-water separator should be installed, the maintenance schedule suggested by the oil-water separator manufacturer should be followed and that the well on the property should be disinfected, re-pumped and re-sampled to confirm the absence of total coliform bacteria prior to being commissioned into service. Staff recommend that the applicant be required to register a *Section 219* covenant that registers the Hydrogeological Assessment on the property title with a clause requiring the site to be developed in accordance with the recommendations of the report (see Attachment 2 – Terms and Conditions of Permit).

As stated previously, the proposed development for the property includes the placement of a pre-engineered steel framed building with metal siding on the northern most portion of the lot (see Attachment 4 – Building Elevations and Variance). In order to accommodate a ten ton overhead crane required for the industrial use within the proposed building, the applicant is requesting to vary the maximum permitted height from 8.0 metres to 9.75 metres (see Attachment 4 – Building Elevations and Variance).

A mixture of rock planters, trees and shrubs valued at \$13,828.50 are proposed to buffer the proposed building from Balsam Road and once mature will exceed with 5.0 metre height requirement outlined in the development permit guidelines (see Attachment 5 – Landscape Plan). The planting plan has been prepared by Victoria Drakeford Landscape Architect and the proposed landscaping is proposed to be secured through a landscaping security deposit (see Attachment 2 – Terms and Conditions of Permit). The proposed landscaping would provide attractive buffering between Balsam Road and the proposed building, and any future development on the subject property or neighbouring properties will be subject to the South Wellington Industrial-Commercial development permit area. As the subject property is shielded from the Trans-Canada Highway, surrounded by industrial zoned properties, and a significant landscape buffer is proposed along Balsam Road, no negative land-use impacts are anticipated as a result of the proposed height variance. To address security concerns, the applicant is proposing a chain link fence around the proposed development to limit unauthorized access to the site

Several covenants in favour of the RDN are registered on the title of the subject property. Covenant EW164322 was registered against the lands in December of 2004 which restricts development on the southern portion of the parcel. A small drainage ditch runs the length of the southern lot line and seasonally floods. However, the applicant is only proposing developing the northern portion of the parcel outside of the covenant area at this time. Covenant EM076478 was registered against the lands in August of 1998 as the result of a zoning and official community plan amendment application. The covenant restricts the hours operation for industrial development, the location of outdoor storage and parking facilities to the rear of any buildings, the construction of buildings and structures to 8.0 metres from the property lines except where adjacent to industrial zoned land, and the removal or disturbance of natural vegetation within 8.0 metres of a lot line not adjacent to industrial zoned land. As the covenant was registered on title prior to the adoption of the current official community plan (2011),

several of the restrictions on development are not completely consistent with the South Wellington Industrial-Commercial development permit area guidelines. However, the applicant's proposal meets the intent of the development permit area guidelines and generally meets the intent of Covenant EM076478 with respect to buffering industrial development from non-industrial neighbouring land-uses.

In accordance with the development permit area guidelines, no signage or lighting will be directed towards or observable from Schoolhouse Road and the Trans-Canada Highway (see Attachment 4 – Building Elevations and Variance). Furthermore, no variance is proposed to the RDN sign bylaw.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal is in line with the strategic priority of self-sufficiency as the proposal will generate economic opportunities within the region.

INTER-GOVERNMENTAL IMPLICATIONS

The application was referred to both Island Health and the Ministry of Transportation and Infrastructure (MOTI). Both agencies indicated that they received the referral and do not have any concerns with the proposal. A valid access permit from MOTI will be required.

PUBLIC CONSULTATION IMPLICATIONS

Pending the Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

SUMMARY/CONCLUSIONS

This is an application to consider a Development Permit with Variance to permit the construction of a light industrial building on the subject property. The applicant has provided a comprehensive Site Plan, a Rainwater Management Plan, a Hydrogeological Assessment report, Building Elevations and a Landscape Plan. The technical reports outline protective measures to ensure any potential contaminants from the industrial activity will not be harmful to the natural environment and the landscape plan illustrates a vegetative buffer to shield the development from Balsam Road. The recommendations of all the reports are proposed to be secured through restrictive covenants and the proposed landscaping is proposed to be secured through a security deposit (see Attachment 2 – Terms and Conditions of Permit).

The applicant has applied to vary the maximum height provision in the IN1 zone from 8.0 metres to 9.75 metres to accommodate a ten ton overhead crane within the proposed building (see Attachment 2 – Terms and Conditions of Permit and see Attachment 4 – Building Elevations and Variance). If approved, Development Permit PL2015-061 would permit an industrial building of approximately 1065 m² in area with two large vehicle loading areas, a covered outdoor storage area and 22 parking spaces on the

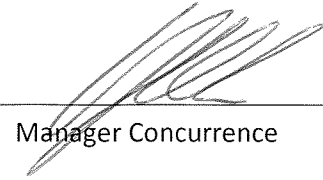
subject property. As the applicant has provided the technical assessments required to address the development permit area guidelines, followed the guidelines with respect to the design of the site and no negative development implications are anticipated as a result of the height variance request, staff recommend approval pending the outcome of consultation/statutory notification.



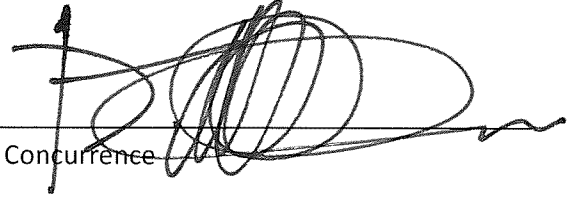
Report Writer



General Manager Concurrence

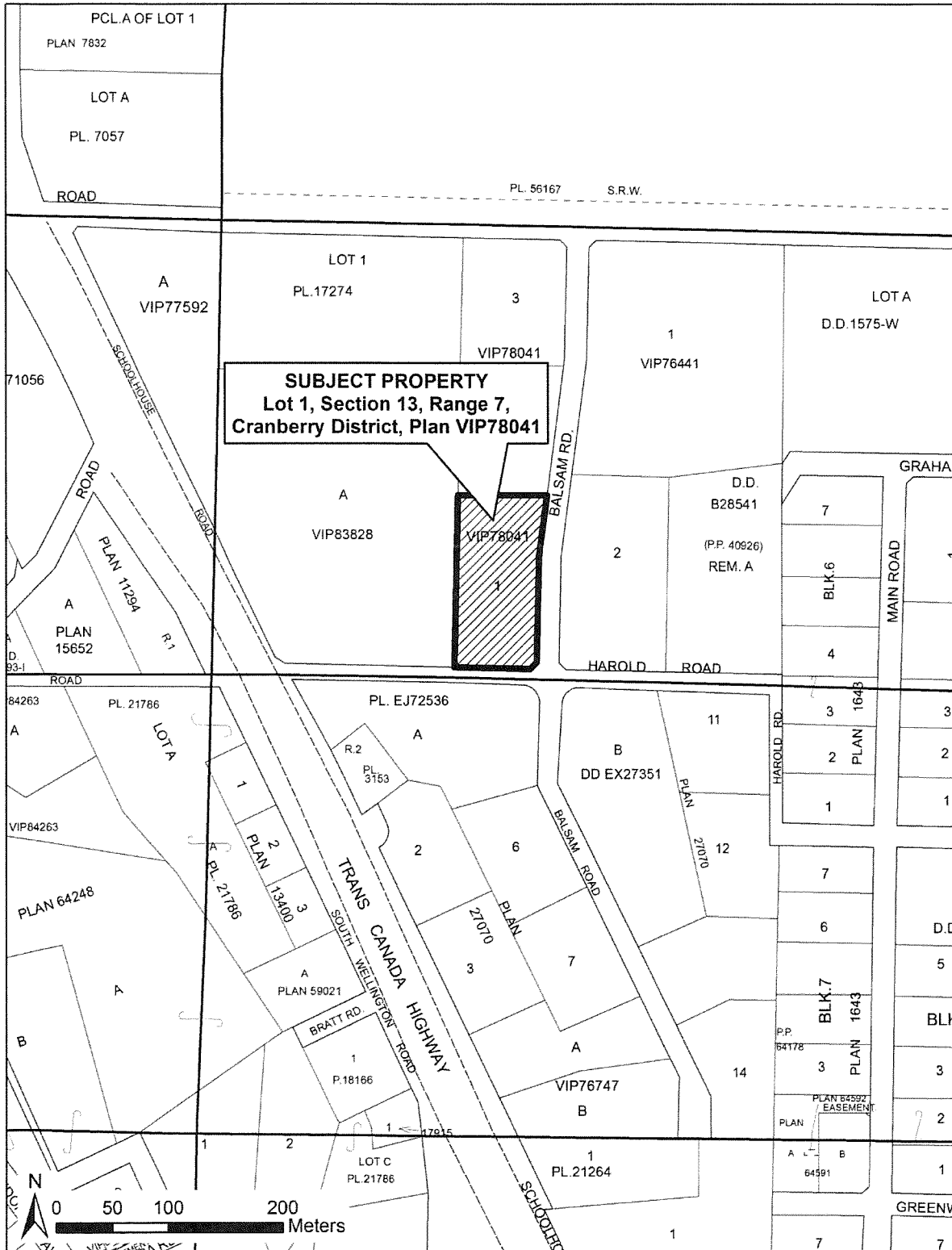


Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variance No. PL2015-061:
Bylaw No. 500, 1987 Variances:

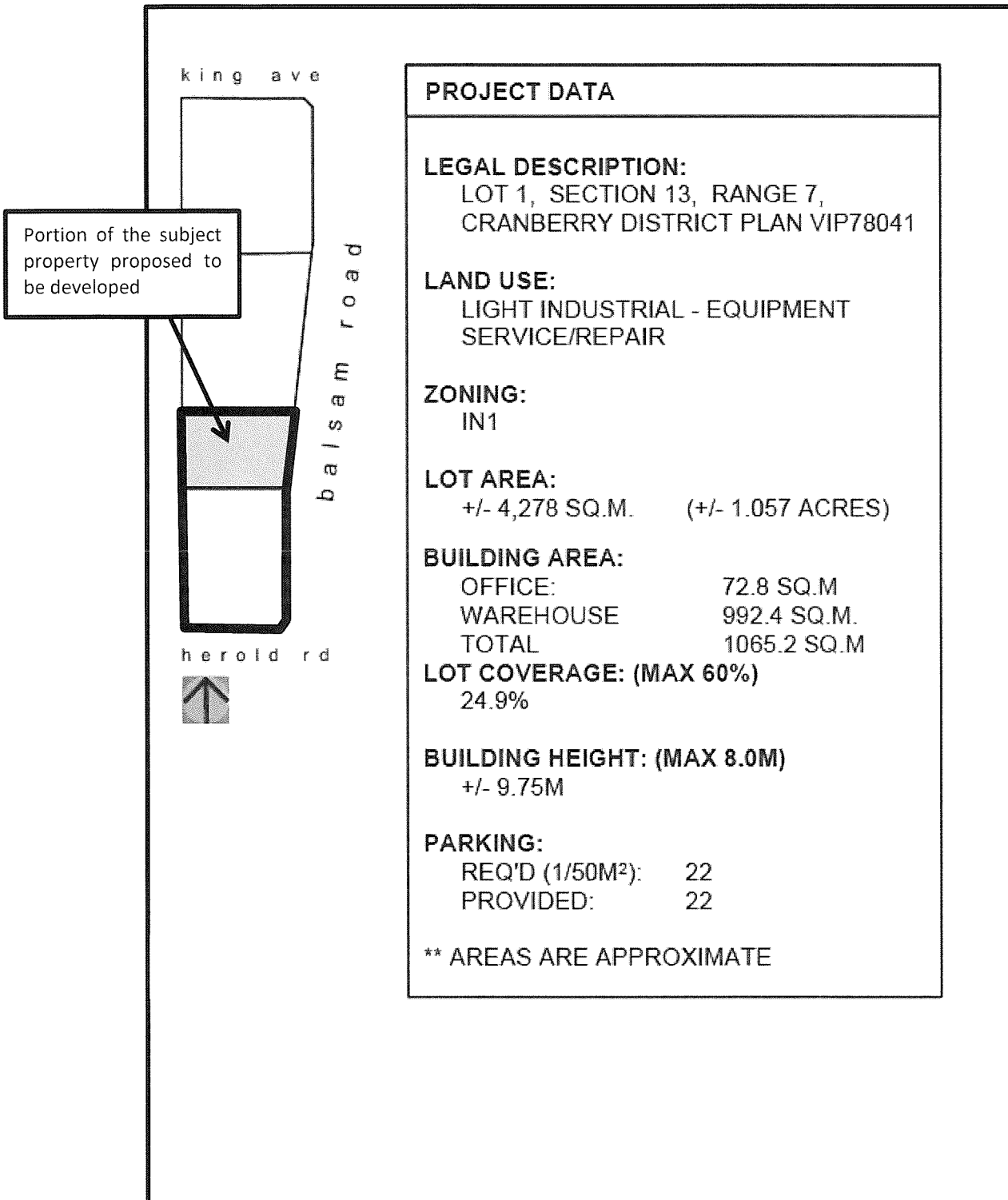
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

Section 3.4.31 –Maximum Number and Size of Buildings and Structures – Height to increase the maximum permitted height from 8.0 metres to 9.75 metres to accommodate an industrial building.

Conditions of Approval:

1. The proposed development is sited in general accordance with the Site Plan prepared by Delinea Design Consultants Limited, dated May 6, 2015.
2. The proposed development is in general compliance with the plans and elevations prepared by Delinea Design Consultants Limited, dated May 6, 2015.
3. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers a *section 219* covenant registering the Rainwater Management Plan, prepared by J.E. Anderson & Associates and dated May 11, 2015, on the property title which includes a clause requiring the site to be developed in accordance with the recommendations of the report.
4. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense, registers *Section 219* covenant registering the Hydrogeological Assessment, prepared by Levelton Consultants Ltd. and dated May 13, 2015 on the property title which includes a clause requiring the site to be developed in accordance with the recommendations of both reports.
5. Staff shall withhold the issuance of this Permit until the applicant, at the applicant's expense registers a *Section 219* covenant on the property title with a commitment to a maintenance schedule, prepared by a Qualified Engineer, for the proposed oil water separator.
6. The proposed landscaping shall be provided and maintained in accordance with the landscaping plan submitted by Victoria Drakeford Landscape Architect, dated May 03, 2015.
7. Staff shall withhold the issuance of this Permit until the applicant provides a landscaping security in the amount of \$13,828.50.
8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.
9. The applicant is to obtain a valid access permit from the Ministry of Transportation and Infrastructure.

Attachment 3
Site Plan (Page 1 of 2)



PROJECT DATA

LEGAL DESCRIPTION:

LOT 1, SECTION 13, RANGE 7,
CRANBERRY DISTRICT PLAN VIP78041

LAND USE:

LIGHT INDUSTRIAL - EQUIPMENT
SERVICE/REPAIR

ZONING:

IN1

LOT AREA:

+/- 4,278 SQ.M. (+/- 1.057 ACRES)

BUILDING AREA:

OFFICE:	72.8 SQ.M
WAREHOUSE	992.4 SQ.M.
TOTAL	1065.2 SQ.M

LOT COVERAGE: (MAX 60%)

24.9%

BUILDING HEIGHT: (MAX 8.0M)

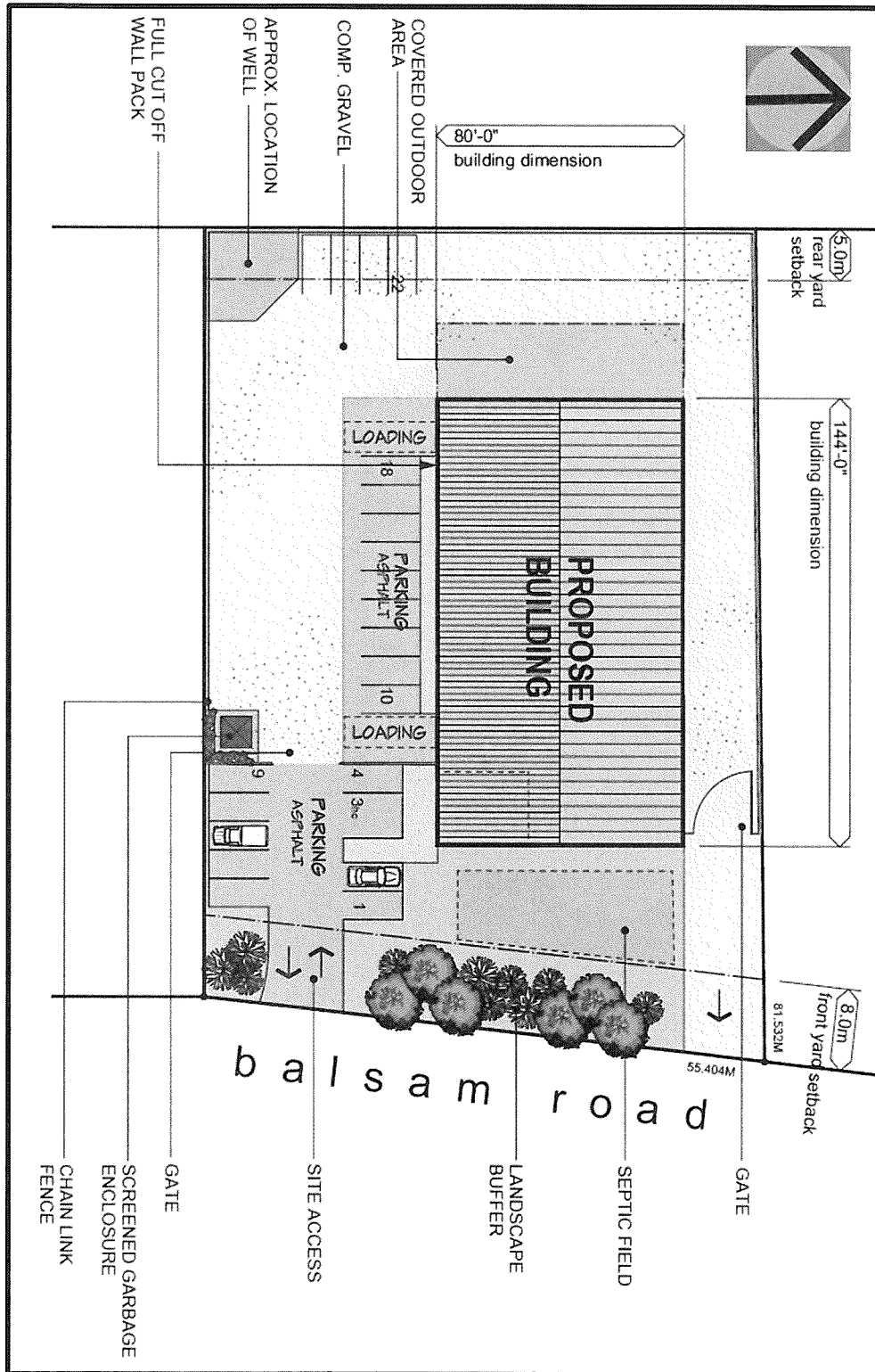
+/- 9.75M

PARKING:

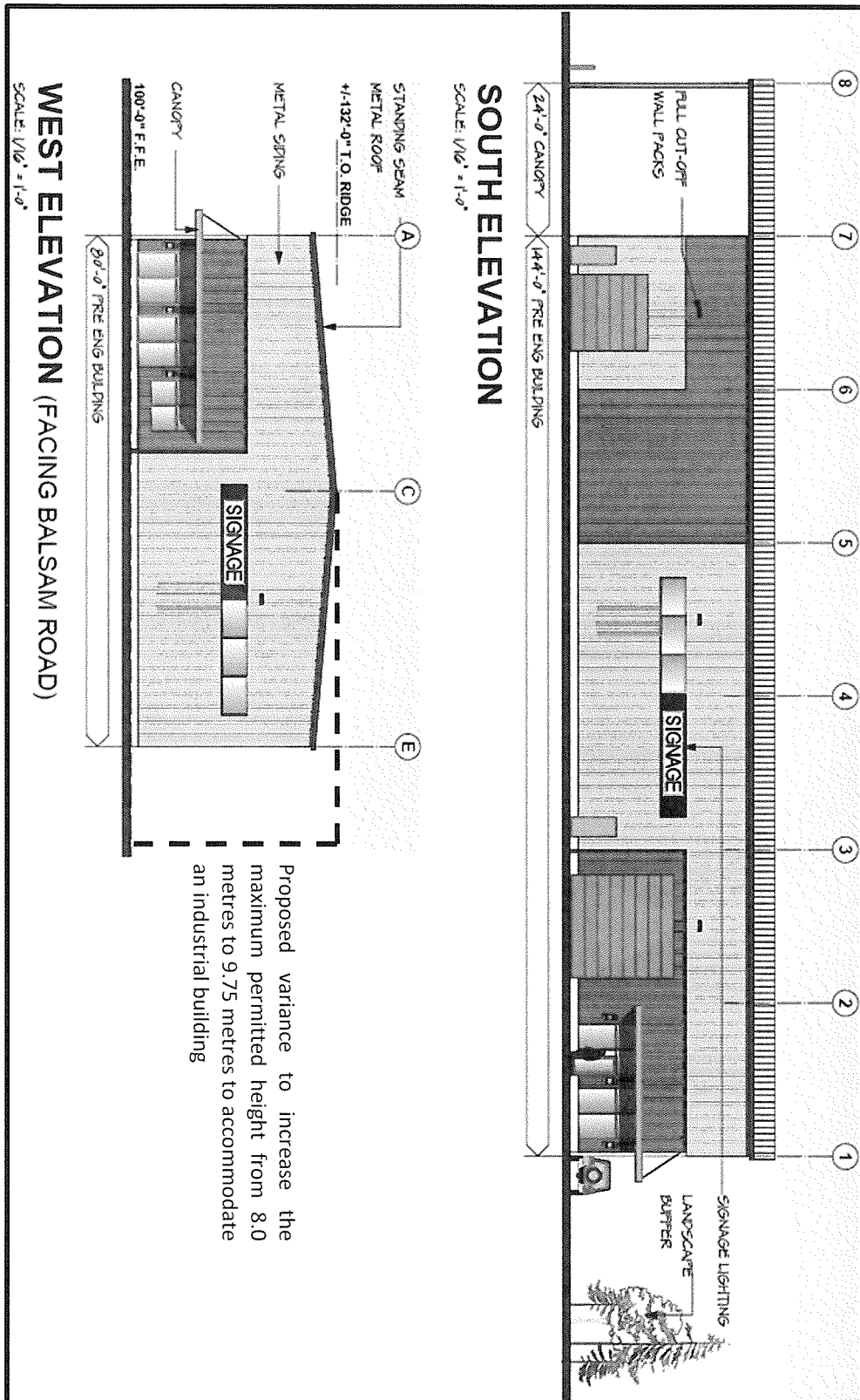
REQ'D (1/50M ²):	22
PROVIDED:	22

** AREAS ARE APPROXIMATE

Attachment 3
Site Plan (Page 2 of 2)

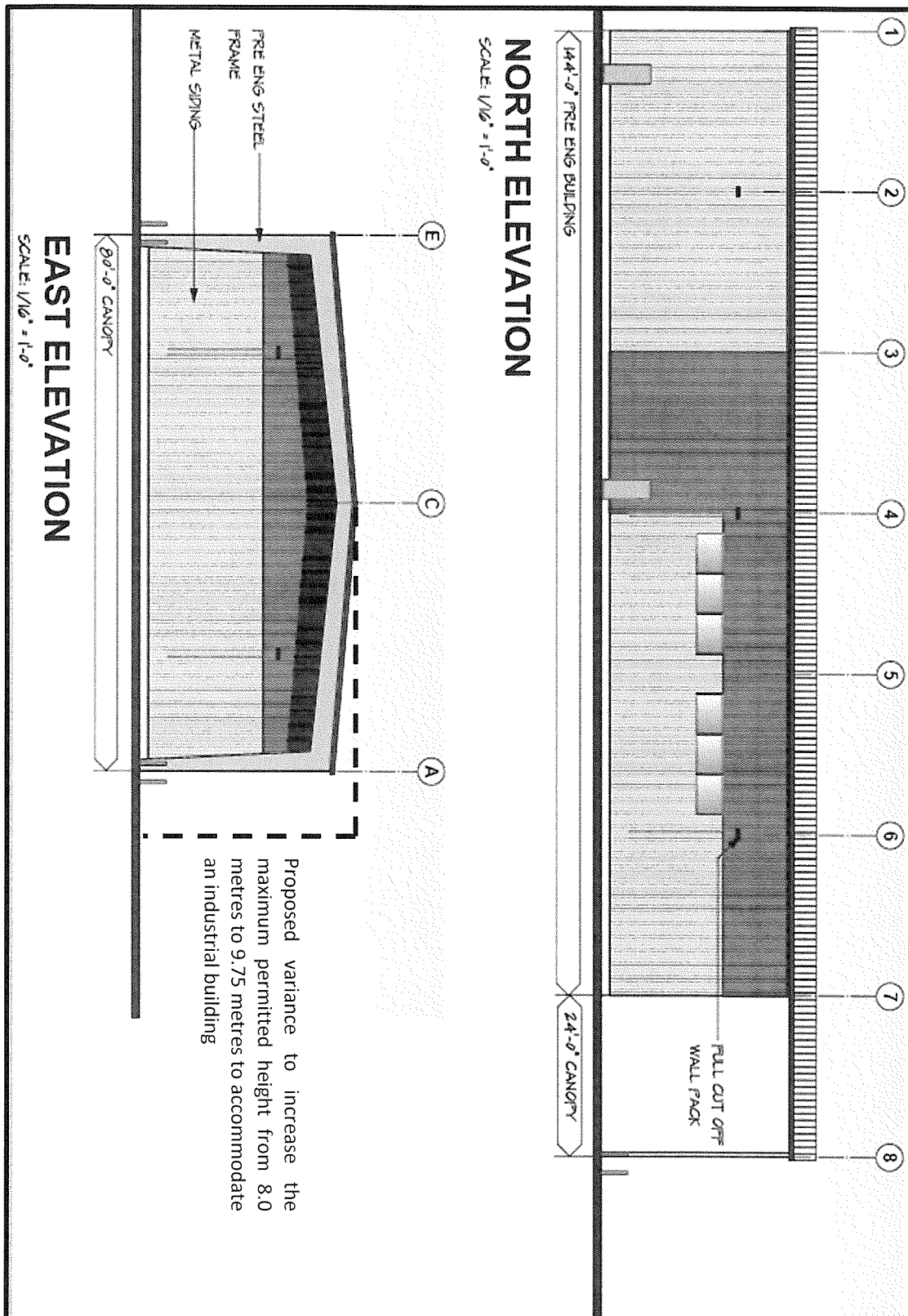


Attachment 4
Building Elevations and Variance (Page 1 of 2)

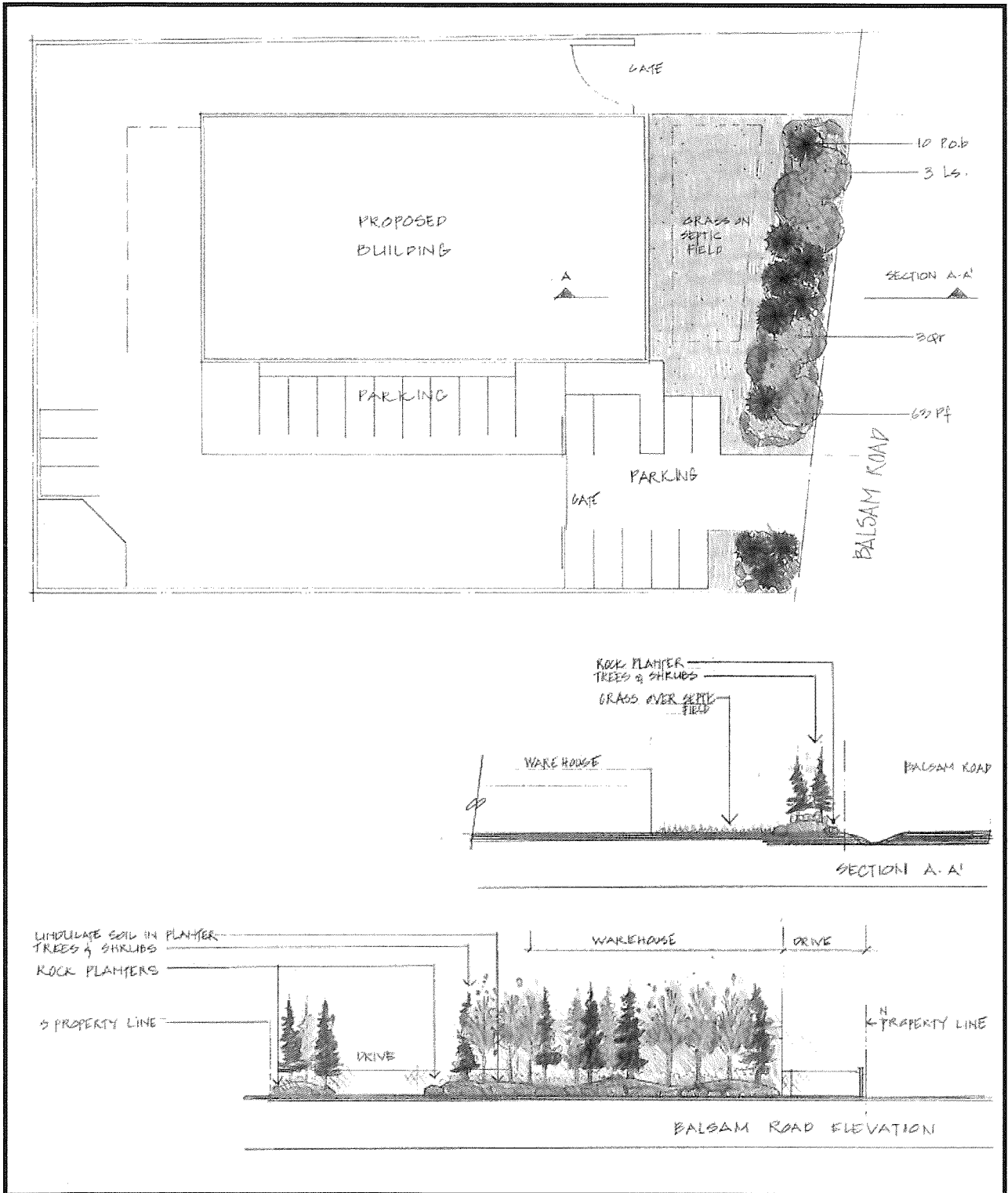


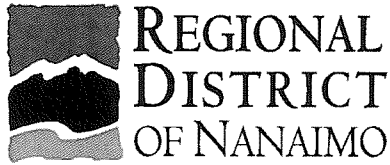
Attachment 4

Building Elevations and Variance (Page 2 of 2)



Attachment 5
Landscape Plan





RDN REPORT	
CAO APPROVAL	
EAP	
COW	✓
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RHD	
BOARD	
DATE: June 1, 2015	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

MEETING: EAPC June 9, 2015

FROM: Lainya Rowett
Senior Planner

FILE: PL2015-058

SUBJECT: Development Permit with Variances Application No. PL2015-058
Lot A, Section 3, Range 8, Cranberry District, Plan VIP54591
2930 Trans Canada Highway – Electoral Area ‘A’

RECOMMENDATIONS

1. That staff be directed to complete the required notification.
2. That Development Permit with Variances No. PL2015-058 to permit redevelopment of the Cassidy Country Kitchen Restaurant be approved subject to the conditions outlined in Attachments 2 to 5.

PURPOSE

To consider an application for a Development Permit with Variances to allow the reconstruction of a restaurant on the subject property with variances for the proposed parking and landscaping standards and an existing free-standing sign.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Jack Anderson on behalf of Judith Stauffer to permit the reconstruction of the Cassidy Country Kitchen restaurant, which was lost due to fire in May 2014. The subject property is approximately 0.37 ha in area and is located north of the Cassidy Pub and adjacent to a public rest area (Cassidy Bridge rest stop) along the Trans Canada Highway (see Attachment 1 – Subject Property Map).

On May 26, 2015, the Regional Board of Directors adopted the Official Community Plan (OCP) and Zoning Amendment Bylaws 1620.03 and 500.397 (Applications PL2014-095 and PL2014-098) which rezoned and re-designated the subject property to allow a site-specific commercial zoning, Beck Road Comprehensive Development Zone 50 (CD50), Subdivision District ‘D’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”.

The applicant demonstrated through the amendment application process that the proposed development will be adequately serviced with an existing well and on-site septic system.

The proposed development is subject to the South Wellington Industrial-Commercial Development Permit Area and requires a development permit to permit the proposed construction as per the “Regional District of Nanaimo Electoral Area ‘A’ Official Community Plan Bylaw No. 1620, 2011”.

Proposed Development and Variances

The applicant proposes to construct a new restaurant building, approximately 480 m² in floor area including 240 m² for the restaurant and 240 m² below for seasonal storage, and to relocate an existing free-standing sign and complete parking and landscaping improvements within the property. To accommodate the proposed site improvements, the applicant is requesting the following variances to the “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”:

- **Section 3.4.150.3 – Minimum Setback Requirements** to reduce the minimum setback from “Other lot lines” from 5.0 m to 1.7 m for a free-standing sign as shown on Attachment 3.
- **Schedule ‘3B’ Off-Street Parking & Loading Spaces, Section 1.1 b)** to allow parking within the setback area as shown on Attachment 3.
- **Schedule ‘3B’ Off-Street Parking & Loading Spaces, Section 2.2** to allow up to 24% of the total parking stalls to be reduced to 4.6 m in length and marked for small cars only as shown on Attachment 3.
- **Schedule ‘3F’ Landscaping Regulations and Standards, Section 2.1.1** to not require the provision of a landscape buffer within the setback area of the parcel adjacent to a designated highway (Trans Canada Highway) as shown on Attachment 3.

The applicant is also requesting the following variance to “Regional District of Nanaimo Sign Bylaw No. 993, 1995”:

- **Section 5 c)** to increase the maximum permitted height from 4.0 m to 5.5 m for an existing free-standing sign as shown on Attachment 5.

ALTERNATIVES

1. To approve Development Permit with Variances No. PL2015-058 subject to the conditions outlined in Attachments 2 to 5.
2. To deny Development Permit with Variances No. PL2015-058.

LAND USE IMPLICATIONS

Development Implications

In accordance with the South Wellington Industrial-Commercial Development Permit guidelines, the proposed development will incorporate non-combustible materials (e.g. stone veneer, Hardie Board, metal roofing) and will meet or exceed BC Building Code standards with energy efficient and water conserving features (e.g. increased building envelope thickness, low flow toilets and appliances). The design will also incorporate natural building materials (e.g. cedar posts, fencing and pergola) and reflect the rural character of the area by maintaining the historic scale and ‘country’ details of the former restaurant with a steeply pitched metal roof, front entry porch, horizontal siding, and rectangular glass panel windows. An accessible wheelchair ramp will also be provided on the front of the building (see Attachment 4 – Building Elevations). The proposed building complies with the setback, height and Floor Area Ratio requirements of the CD50 Zone.

The applicant proposes to provide 25 parking spaces (24 spaces required) for the restaurant use, including 2 stalls for persons with disabilities, 1 designated loading space, a bike rack, and additional motorcycle parking on the front (west side) of the restaurant (see Attachment 3). In support of the requested variances to allow parking in the setback area and to increase the number of small car stalls (6 out of 25 spaces) that may be 4.6 metres in length, the applicant has provided the following rationale:

- The parking configuration utilizes existing paved areas and the established traffic pattern;
- The existing septic system and cistern on the north and rear sides of the restaurant constrain parking opportunities;
- Locating parking on the rear (east) side of the restaurant would require the removal of naturally landscaped areas including mature trees;
- Construction will occur within the existing excavation footprint which does not provide enough depth to accommodate the parking at the rear of the building; and,
- Additional small car stalls will maximize aisle widths and assist in traffic flow within the site.

Locating parking in the front and (south) side of the restaurant will minimize impacts on existing trees and vegetation and enable the retention of two existing picnic areas in the northwest and southeast corners of the site. The garbage and recycling area will be located to the rear of the building and screened with solid wood fencing.

In support of the requested variance to eliminate the requirement to provide a 5.0 metre landscape buffer along the Trans Canada Highway, the applicant has provided the following rationale:

- Decorative planters will be introduced throughout the parking area to provide visual breaks between parking clusters, and landscaping will be added along the front of the restaurant as shown on Attachment 3;
- Mature vegetation and trees will be retained along the north and east property boundaries and these areas exceed the 2.0 metres width requirement in the DP guidelines;
- The adjacent public rest area and landscaped strip (grass) is maintained by the Ministry of Transportation and Infrastructure and provides adequate separation between the restaurant parking and the Trans Canada Highway; and,
- The existing parking area is paved and converting this into new landscaped areas would be costly and would constrain vehicle access aisles and parking.

The proposed landscaping will be drought-tolerant and will provide aesthetic improvements to the existing site. The applicant is required to provide a landscaping security deposit for materials and labour in the amount of \$3,900.00 as outlined in the Terms and Conditions of Permit (Attachment 2).

In addition to landscaping improvements, the applicant proposes to provide external lighting around the building perimeter and directed to the fascia sign on the front elevation, which will include Full Cut-off Flat Lens (FCO/FL) luminaries, as well as additional lighting on the porch and outdoor patio to illuminate the pedestrian areas.

The proposed signage includes one fascia sign (3.6 m² in sign area) above the front entrance (west side) of the restaurant and one existing free-standing sign (2.7 m² in total sign area), which is to be relocated within the property boundary (see Attachment 5 for signage details). As shown on the proposed Site Plan (Attachment 3) and Signage Details (Attachment 5), the applicant is requesting variances to

increase the maximum permitted height for the free-standing sign from 4.0 metres to 5.5 metres, and to reduce the required setback from 5.0 metres to 1.7 metres to accommodate the existing sign within the southwest corner of the parcel. In support of these variances, the applicant has provided the following rationale:

- The variances will allow the re-use of an existing free-standing sign to maintain visible advertisement for the business;
- The proposed location of the sign will assist in defining the vehicle entrance to the site; and,
- The sign will be landscaped at the base with decorative planters and split rail fencing which is well-integrated with the site improvements.

In keeping with the DP guidelines, the proposed signage will be designed to complement the scale and architecture of the proposed building.

The proposed site alterations will provide significant aesthetic and functional improvements to an existing commercial property. Historically, the site has functioned with a continuous and undefined parking area, which extended outside the property boundaries. The proposed lot consolidation and landscaping and design improvements will better demarcate the commercial use, the parking areas and site entrance. The location of the existing septic system and cistern make it difficult to locate parking to the rear of the building as recommended by the DP guidelines. However, the proposed development will provide a significant overall improvement to the site and will enable the existing business to reopen. Therefore, the applicant has provided sufficient rationale for the requested variances and demonstrated that the proposed development is generally consistent with the DP guidelines.

Environmental Implications

To further address the DP guidelines, the applicant submitted an engineering assessment by GW Solutions which examined the potential impacts of the proposed development on groundwater (Cassidy Aquifer) and surface water sources, such as the Nanaimo River located northwest of the property beyond a steep embankment. The report concluded that the existing site is predominantly paved and the risk of impact to the aquifer is very low. Furthermore, the proposed development will not negatively alter or impact the existing hydraulic regime on or off the property. The report recommended that the disposal of any liquid waste and the septic system be operated and maintained as designed. Compliance with the recommendations of this report is noted in the Terms and Conditions of Permit in Attachment 2.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal will promote economic resilient communities in keeping with the 2013 – 2015 Board Strategic Plan by allowing the re-development of an existing commercial property which will provide local employment and services.

INTER-GOVERNMENTAL IMPLICATIONS

The proposed site configuration will maintain access to and from Beck Road, and will introduce a second exit (one way only) from the subject property to the adjacent public rest area (see Attachment 3 – Site Plan). The Ministry of Transportation and Infrastructure (MOTI) has reviewed the proposed development and confirmed that it has no concerns with the site configuration and proposed variances. MOTI has also approved the proposed closure of portions of Beck Road and the Trans Canada Highway (total 650 m² in area) to be consolidated with the subject property in order to incorporate the existing parking area entirely within the property and address a historic non-conforming situation. Registration of the lot consolidation plan is noted in the Terms and Conditions of Permit in Attachment 2.

The application was also referred to the local fire department and no concerns were raised.

PUBLIC CONSULTATION IMPLICATIONS

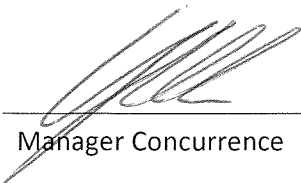
Pending the Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variances prior to the Board's consideration of the application.

SUMMARY/CONCLUSIONS

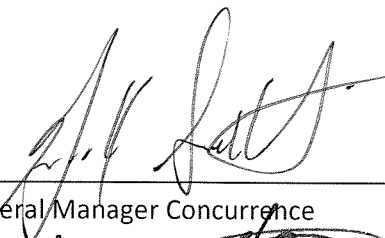
The applicant is proposing a Development Permit with Variances to allow the reconstruction of a restaurant (Cassidy Country Kitchen) within the subject property. The applicant proposes to construct a new building with related site improvements in accordance with the South Wellington Industrial-Commercial DP guidelines. To accommodate the proposed site configuration, which is largely determined by the pre-existing building footprint, the applicant is requesting variances for the proposed parking and landscaping standards and to relocate an existing free-standing sign within the property. Given that no negative impacts are anticipated as a result of the proposed variances, staff recommends that the Board approve the variances pending the outcome of the public notification and subject to the Terms and Conditions outlined in Attachment 2.



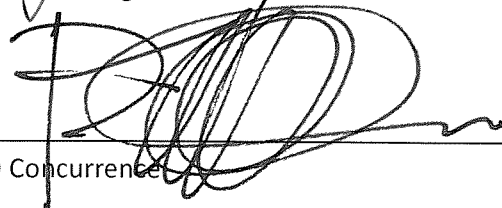
Report Writer



Manager Concurrence

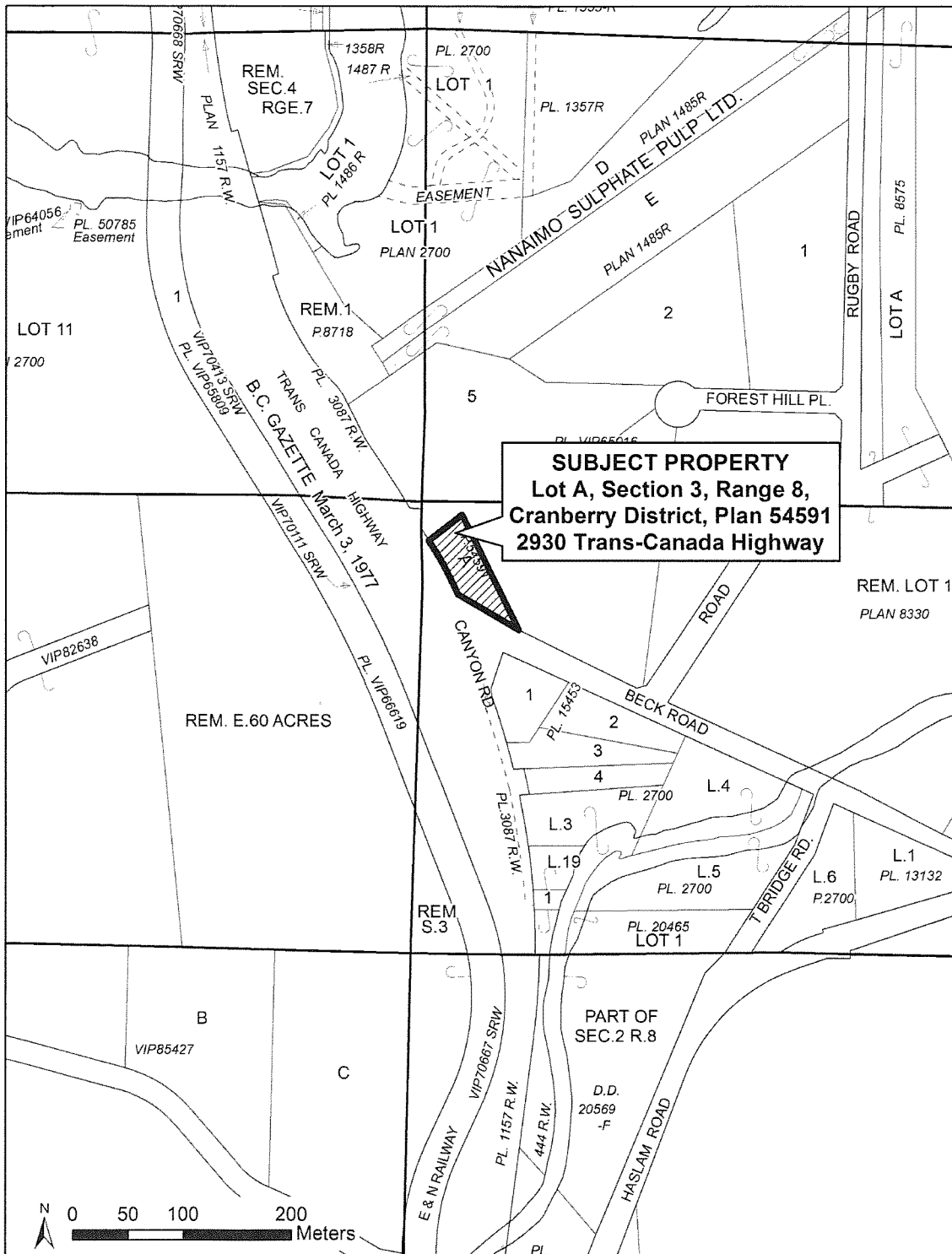


General Manager Concurrence



CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2 Terms and Conditions of Permit

The following sets out the terms and conditions of Development Permit with Variances No. PL2015-058:

Bylaw No. 500, 1987 Variances:

With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

1. **Section 3.4.150.3 – Minimum Setback Requirements** to reduce the minimum setback from "Other lot lines" from 5.0 m to 1.7 m for a free-standing sign as shown on Attachment 3.
2. **Schedule '3B' Off-Street Parking & Loading Spaces, Section 1.1 b)** to allow parking within the setback area as shown on Attachment 3.
3. **Schedule '3B' Off-Street Parking & Loading Spaces, Section 2.2** to allow up to 24% of the total parking stalls to be reduced to 4.6 m in length and marked for small cars only as shown on Attachment 3.
4. **Schedule '3F' Landscaping Regulations and Standards, Section 2.1.1** to not require the provision of a landscape buffer within the setback area of the parcel adjacent to a designated highway (Trans Canada Highway) as shown on Attachment 3.

Bylaw No. 993, 1995 Variance:

With respect to the lands, "Regional District of Nanaimo Sign Bylaw No. 993, 1995" is varied as follows:

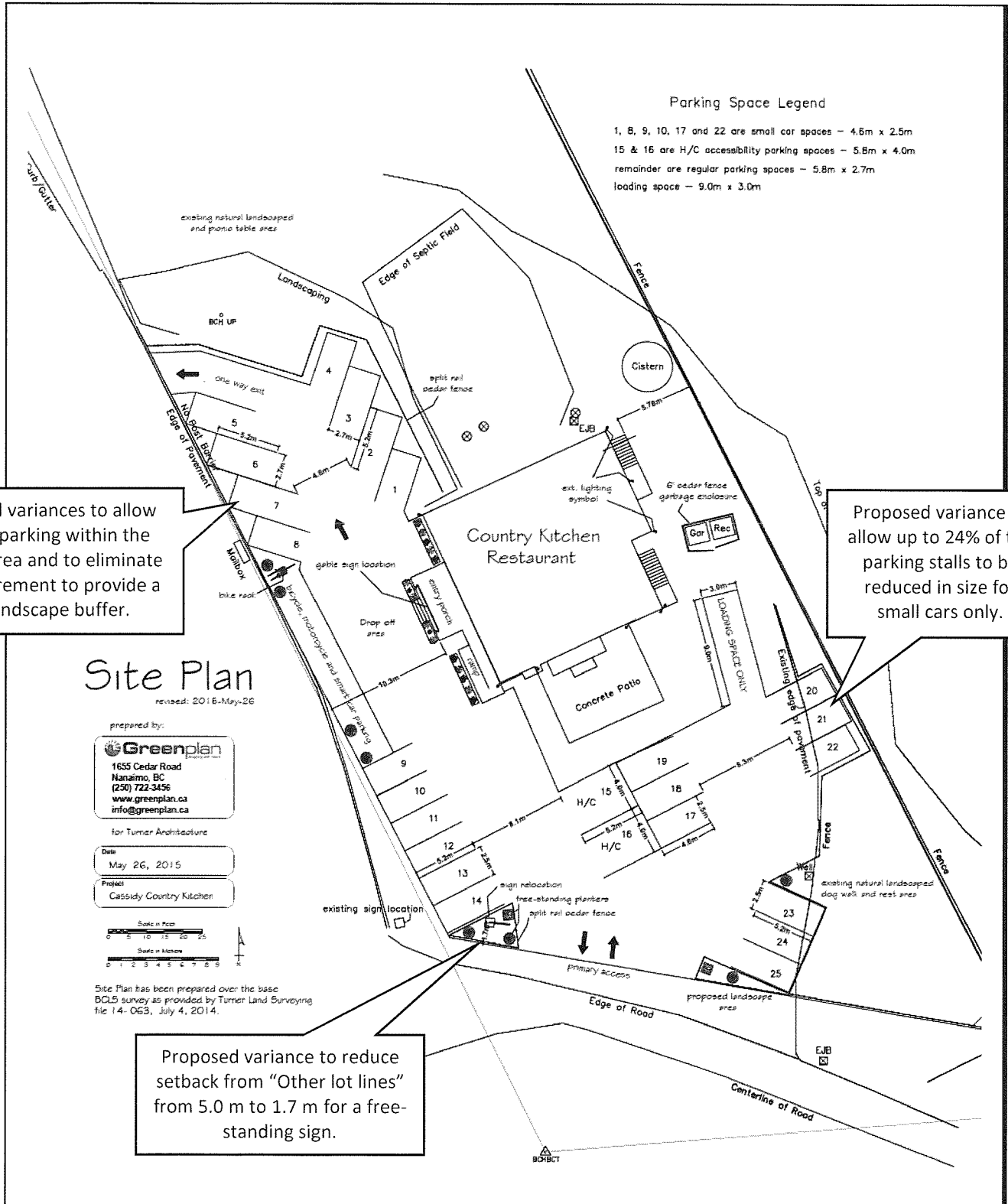
1. **Section 5 c)** to increase the maximum permitted height from 4.0 m to 5.5 m for an existing free-standing sign as shown on Attachment 5.

Conditions of Approval:

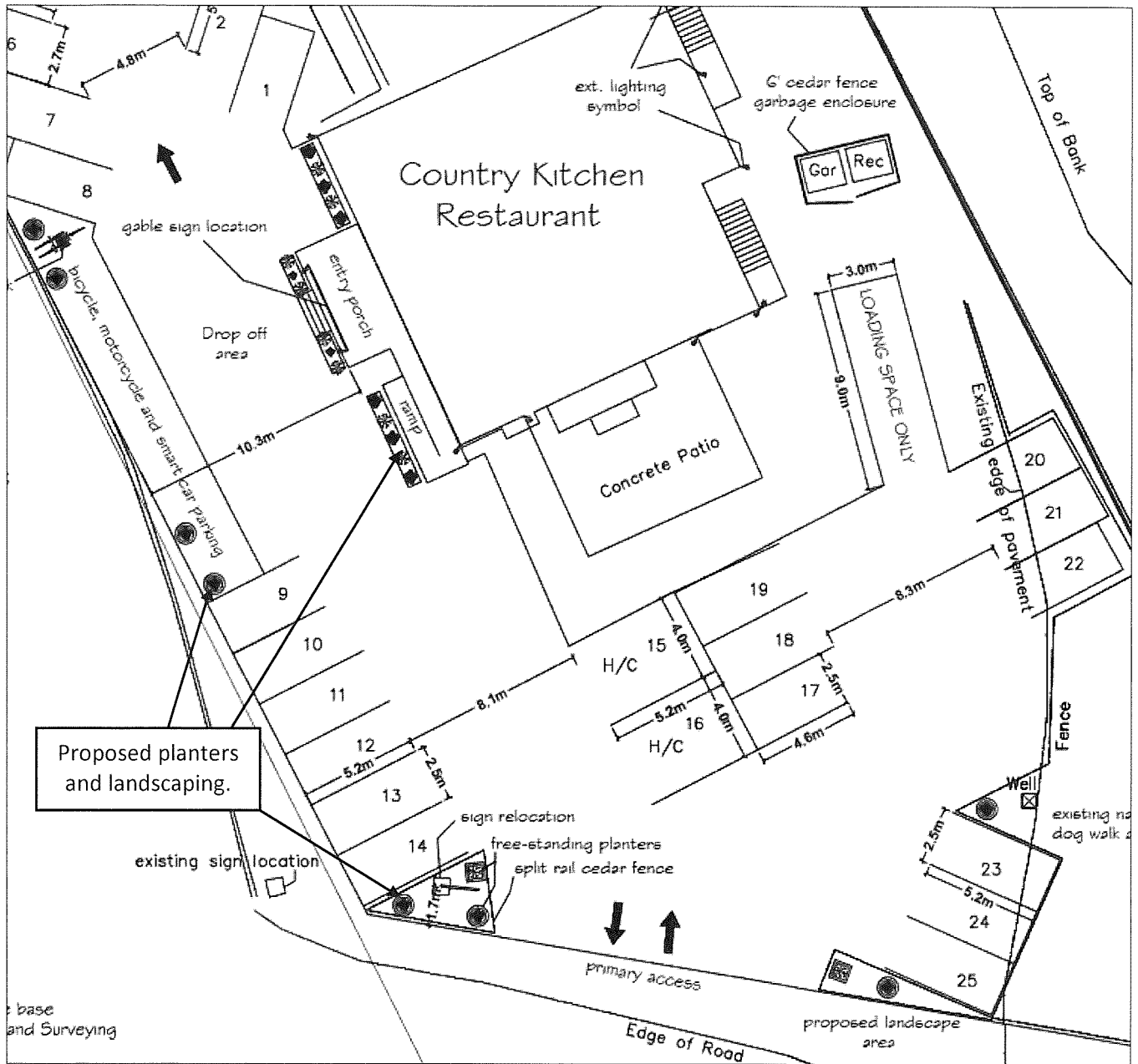
1. The site is developed in accordance with the Site Plan prepared by Greenplan, dated May 26, 2015 and attached as Attachment 3.
2. The proposed development is in general compliance with the plans and elevations prepared by Turner Architecture, dated March 2015 and attached as Attachment 4.
3. The proposed signage is developed in general compliance with the elevations and details prepared by Greenplan and attached as Attachments 4 and 5.
4. The proposed landscaping is provided and maintained in accordance with the landscaping shown on the Site Plan prepared by Greenplan, dated May 26, 2015 and attached as Attachments 3.

5. The applicant shall provide a landscaping security in the amount of \$3,900.00 in accordance with the cost estimate prepared by Tina Hankins, dated May 26, 2015.
6. The property is developed in accordance with the recommendations contained in the Engineering report prepared by GW Solutions, dated May 27, 2015.
7. Staff shall withhold the issuance of this Permit until the applicant registers a lot consolidation plan to include the adjacent portions of Beck Road and Trans Canada Highway as shown on the Site Plan prepared by Greenplan, dated May 26, 2015, and attached as Attachment 3.
8. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.
9. The property owner shall obtain any necessary permits required by the Ministry of Transportation and Infrastructure for the location of the free-standing sign.

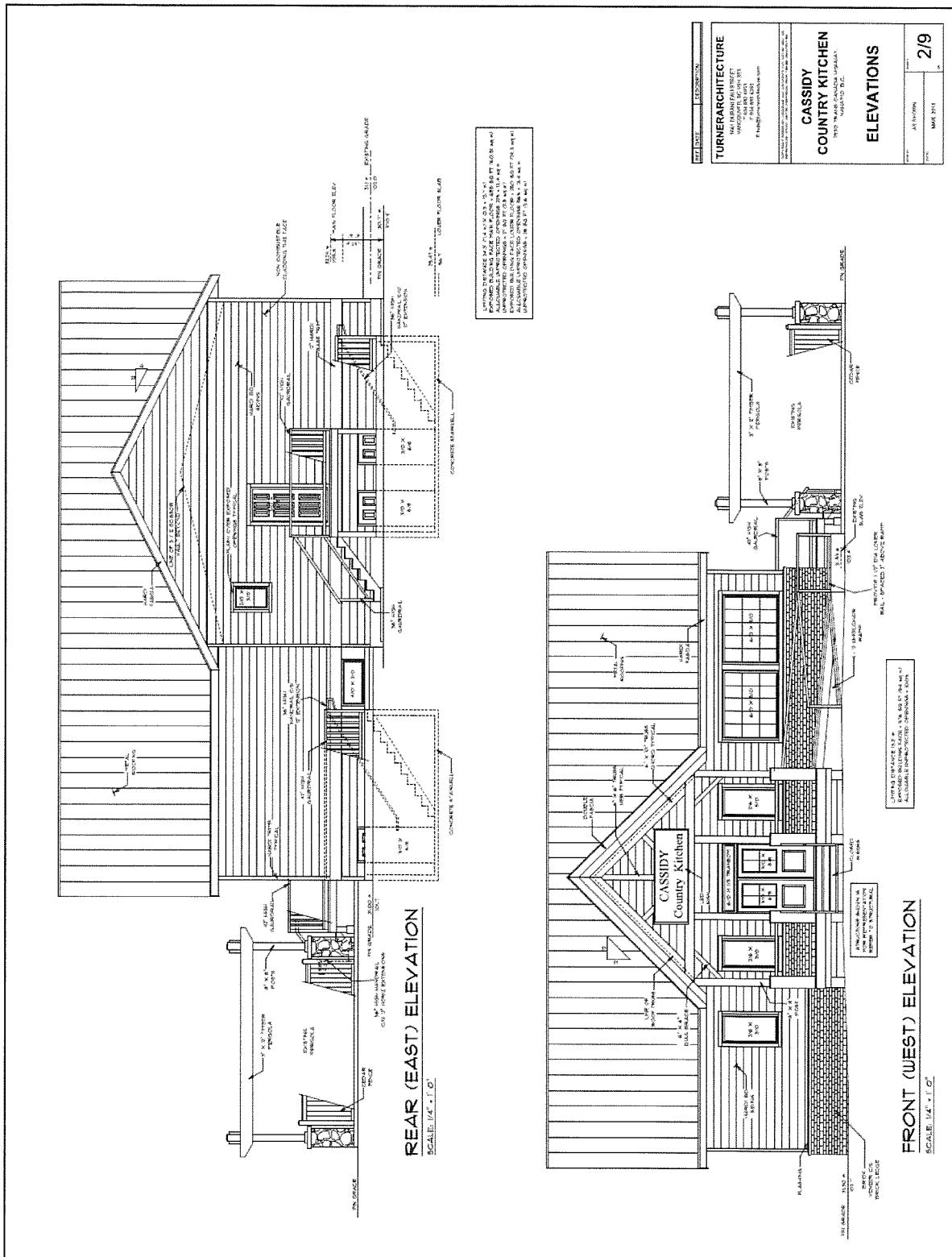
Attachment 3
Proposed Site Plan and Variances (Page 1 of 2)



Attachment 3
Proposed Site Plan – Landscaping Details (Page 2 of 2)

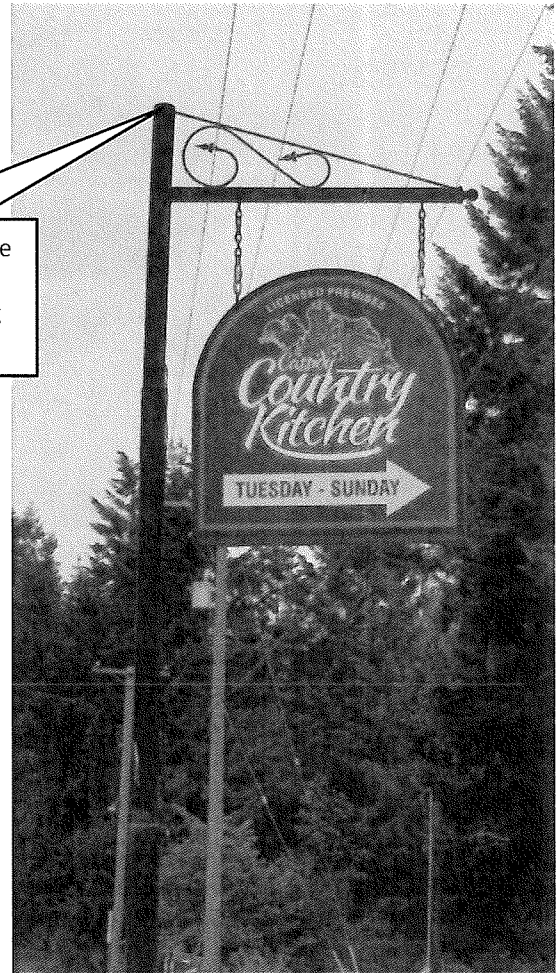


Attachment 4
Building Elevations (Page 1 of 2)

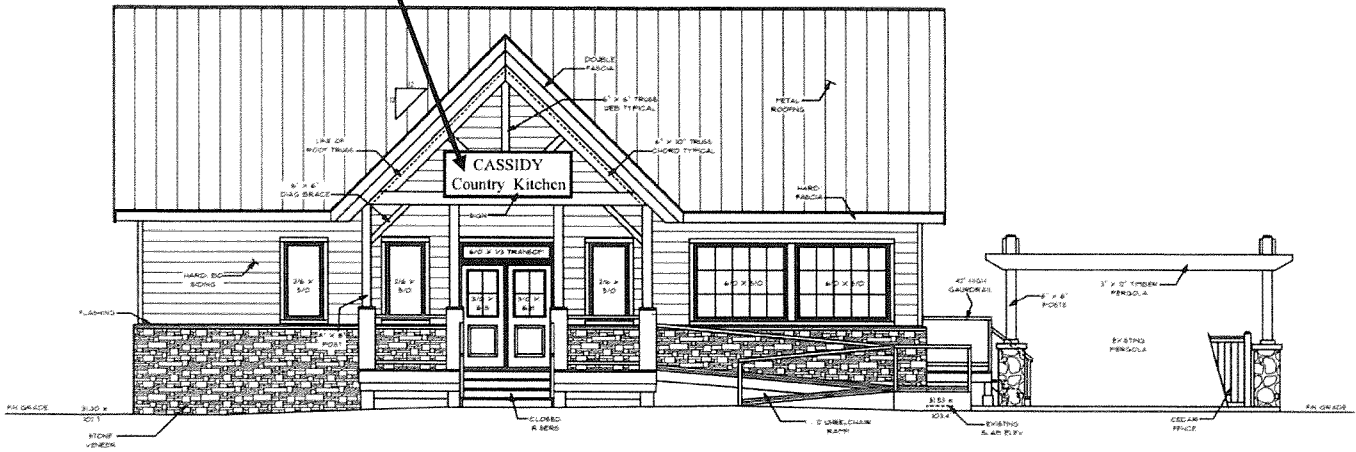
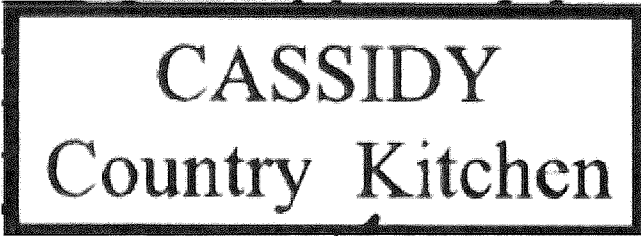


Attachment 5
Proposed Signage (Details)

Proposed variance to increase maximum permitted height for an existing free-standing sign from 4.0 m to 5.5 m.



Proposed fascia sign on front elevation.



FRONT (WEST) ELEVATION



RDN REPORT		PH
CAO APPROVAL		
EAP	<input checked="" type="checkbox"/>	
COW	<input type="checkbox"/>	
MAY 28 2015		
RHD	<input type="checkbox"/>	
BOARD	<input type="checkbox"/>	

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: May 27, 2015

FROM: Lainya Rowett
Senior Planner

MEETING: EAPC June 9, 2015

FILE: PL2015-019

SUBJECT: Request for Relaxation of the Minimum 10% Perimeter Frontage Requirement Subdivision Application No. PL2015-019
Lot 1, District Lot 133, Nanoose District, Plan 15832, Except Plan 30182 and VIP81849
2610 Harold Road – Electoral Area ‘E’

RECOMMENDATION

That the request to relax the minimum 10% perimeter frontage requirements for proposed Lots 1 and 3 in relation to Subdivision Application No. PL2015-019 be approved.

PURPOSE

To consider an application for a request to relax the minimum 10% perimeter frontage requirement in order to permit a proposed three lot subdivision within the subject property.

BACKGROUND

The Regional District of Nanaimo has received an application from Fern Road Consulting Ltd. on behalf of Patricia Manuel and James Newbury to relax the minimum 10% perimeter frontage requirement in relation to a proposed three lot subdivision (Application No. PL2015-019). The subject property is approximately 5.7 ha in area and is zoned Residential 1 Zone (RS1), Subdivision District ‘F’, pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”. The property is located to the east of Northwest Bay Road and has road access from Northwest Bay Road and Harold Road. The property is surrounded by residential lots to the east and south, rural lots within the Agricultural Land Reserve to the west across Northwest Bay Road, and resource zoned lots to the north (see Attachment 1 – Subject Property Map). The property contains an existing dwelling to be retained within proposed Lot 3 and several other accessory buildings and structures throughout the property which will be removed prior to subdivision approval.

The proposed development is subject to the Watercourse Protection Development Permit Area per the “Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005”. The applicant has provided a Riparian Areas Assessment (RAR) Report that identifies a 10 metre Streamside Protection and Enhancement Area (SPEA) for Claudet Creek in the northwest corner of the property (within proposed Lot 3). The Report recommends the removal of existing debris/structures from within the 30 metre riparian assessment area, which is currently underway. As a condition of subdivision approval, the applicant is required to provide written confirmation from a Qualified Environmental

Professional (QEP) that the clean-up works have been completed. Given that no new development is proposed within the SPEA, and no additional measures are required to protect the SPEA as a result of the subdivision or the required clean-up works, a development permit is not required.

Proposed Development

The applicant proposes to subdivide the parent parcel into three fee simple parcels. Proposed Lots 1 and 2 will access Northwest Bay Road via a shared driveway, and proposed Lot 3 will maintain access from Harold Road for an existing dwelling to be retained (Attachment 2). All parcels exceed the minimum parcel size (1.0 ha) and will be serviced with individual private water wells and septic disposal systems.

Minimum 10% Perimeter Frontage Requirement

Proposed Lots 1 and 3 do not meet the minimum 10% perimeter frontage requirement pursuant to Section 944 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirements as follows:

<i>Proposed Lot No.</i>	<i>Required Frontage (m)</i>	<i>Proposed Frontage (m)</i>	<i>Approximate % of Perimeter</i>
1	42.32	25.4	6.0
3	78.52	67.5	8.6

ALTERNATIVES

1. To approve the request for relaxation of the minimum 10% perimeter frontage requirement for proposed Lots 1 and 3 as shown on Attachment 2.
2. To deny the request for relaxation of the minimum 10% perimeter frontage requirement.

LAND USE IMPLICATIONS

Development Implications

To address the criteria in Board Policy B1.4 – Frontage Requirements for Rural Lots, the applicant has provided the following rationale for consideration of the proposed frontage relaxations.

The configuration of proposed Lots 1 and 2 was largely determined by the existing topography, as the land slopes steeply (rock face) along the frontage of Lot 1 on Northwest Bay Road. It is not practical to provide driveway access in this location, therefore, Lot 1 will access Northwest Bay Road through a shared (existing) driveway, which is located within Lot 2 and extends to the boundary of Lot 1. The frontage of Lot 2 (112.6 m) exceeds the minimum frontage requirement (48.24 m) and follows the existing driveway alignment which results in a shorter frontage for Lot 1 (25.4 m). As a condition of subdivision approval, the applicant is required to register a reciprocal access agreement to protect a 6 metre wide shared access driveway for Lots 1 and 2.

Proposed Lot 3 contains an existing dwelling and has access to Harold Road. The Ministry of Transportation and Infrastructure requires a cul-de-sac to be dedicated at the end of Harold Road. Given the length of the perimeter of this parcel (785.2 m), it is not practical to meet the 10% frontage requirement even with the additional road frontage to be dedicated. It is also noted that proposed Lot 3, being 3.56 ha in area, would have subdivision potential to create additional 1.0 ha parcels under the existing zoning. Additional frontage relaxations would be required if further subdivision is proposed.

All of the proposed lots will have sufficient site area to accommodate the intended residential use with adequate access, and the existing dwelling to be retained within Lot 3 will meet the required setbacks. The lot configuration is also consistent with the character of the surrounding rural lots. Therefore, the proposed frontage relaxations to Lots 1 and 3 are not anticipated to have any negative impacts on the intended use of these lots.

FINANCIAL IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications related to the Board 2015 – 2019 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

Staff have reviewed the proposed development and note that the proposal has no implications for the 2013 – 2015 Board Strategic Plan.

INTER-GOVERNMENTAL IMPLICATIONS

The Ministry of Transportation and Infrastructure (MOTI) has issued a Preliminary Layout Approval (PLA) for the proposed subdivision, and MOTI staff has indicated that they have no concerns with the proposed frontage relaxation.

SUMMARY/CONCLUSIONS

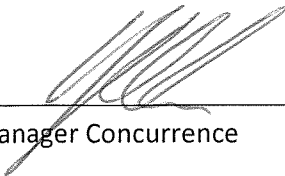
The applicant has requested a relaxation of the minimum 10% perimeter frontage requirement for Lots 1 and 3 within a proposed three lot subdivision of the subject property. All proposed parcels will exceed the minimum parcel size requirements and provide adequate site area for the intended residential use with sufficient access. Despite the reduced frontages, no negative land use implications are anticipated, and MOTI staff have confirmed that they have no concerns with the requested frontage relaxations. Therefore, staff recommends that the requested frontage relaxation be approved.



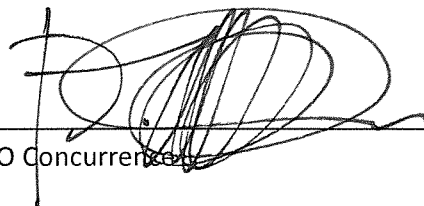
Report Writer



General Manager Concurrence

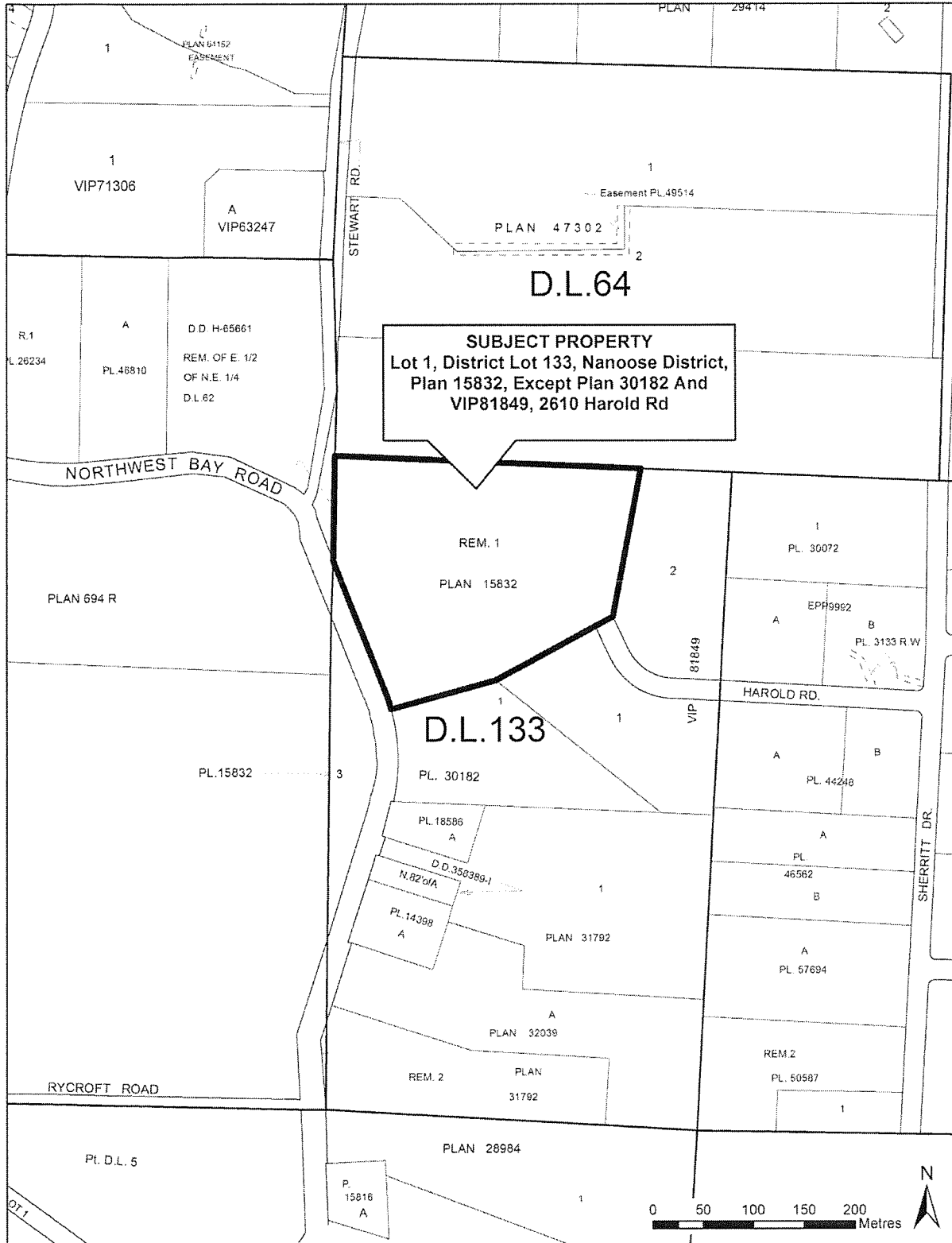


Manager Concurrence

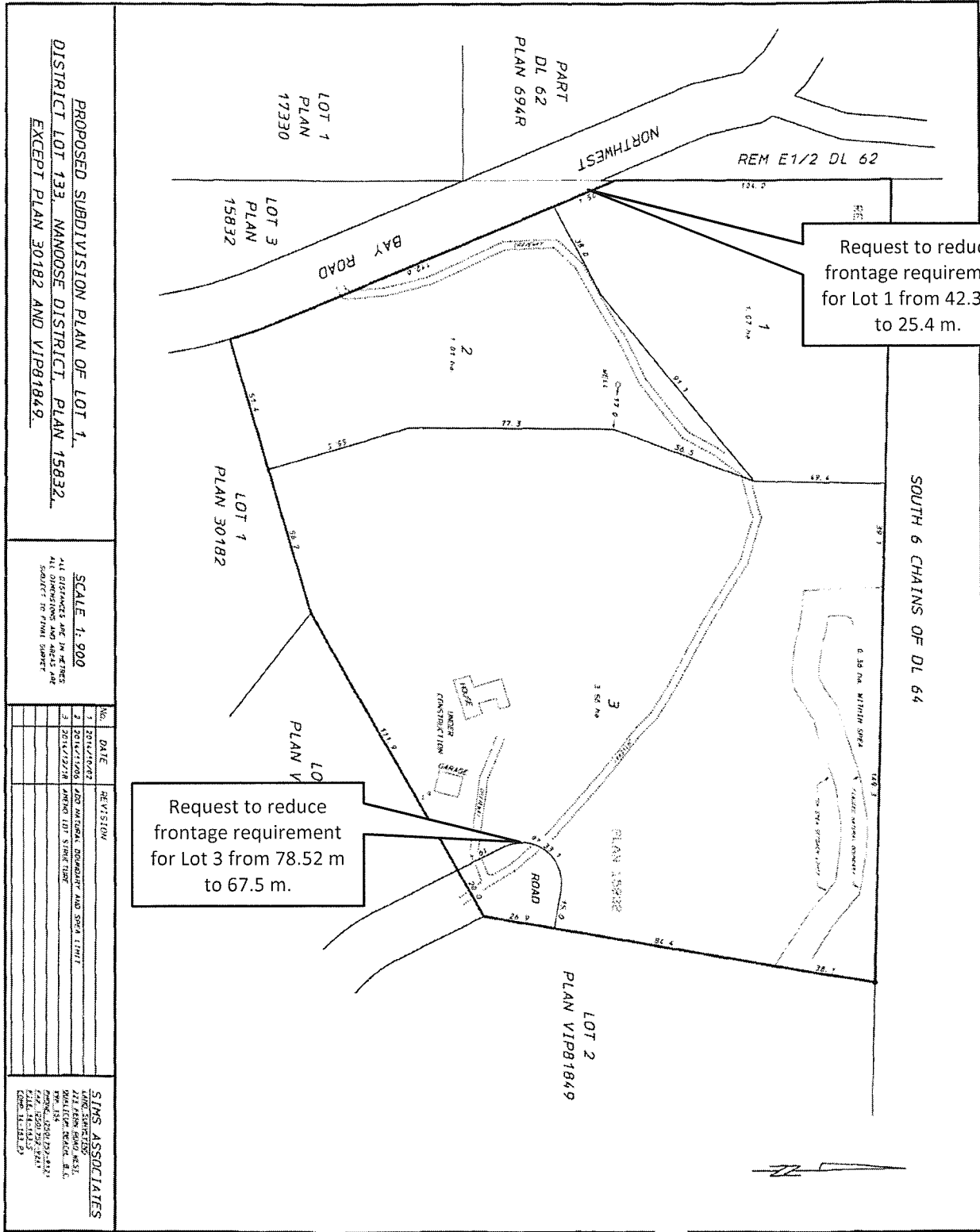


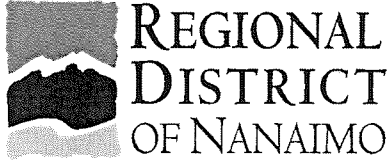
CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2
Proposed Plan of Subdivision





RDN REPORT	
CAO APPROVAL	
EAP	<input checked="" type="checkbox"/>
COW	<input type="checkbox"/>
MAY 29 2015	
RHD	<input type="checkbox"/>
BOARD	<input type="checkbox"/>

STAFF REPORT

TO: Jeremy Holm
Manager, Current Planning

DATE: May 27, 2015

FROM: Tyler Brown
Planner

MEETING: EAPC – June 9, 2015

FILE: PL2013-086

SUBJECT: **Proposed Telecommunication Antenna System Application No. PL2013-086**
Proposed Rogers Communications Inc. Wireless Tower
Pt Lot A Lying S Of Swly Bdy Of E&N Rly On PL 7736F, District Lot 27, Nanoose District,
Plan 1300, Exc PL 25748
891 Drew Road – Electoral Area ‘G’

RECOMMENDATIONS

1. That Regional District of Nanaimo staff be instructed to advise ROGERS COMMUNICATION Inc. and Industry Canada that the Regional District of Nanaimo does not concur with the proposal submitted by ROGERS COMMUNICATION Inc. to construct a single-provider freestanding telecommunication antenna system at 891 Drew Road.
2. That Regional District of Nanaimo staff be instructed to advise ROGERS COMMUNICATION Inc. that it is the Regional District of Nanaimo’s expectation that telecommunication industry proponents will work together to maximize co-location opportunities; coordinate the placement of telecommunication infrastructure in the region; and where co-location is not possible, provide detailed information to the Regional District of Nanaimo as to why co-location is not possible.
3. That Regional District of Nanaimo staff be instructed to advise TM Mobile Inc. (TELUS) that it is the Regional District of Nanaimo’s expectation that telecommunication industry proponents will work together to maximize co-location opportunities; coordinate the placement of telecommunication infrastructure in the region; and where co-location is not possible, provide detailed information to the Regional District of Nanaimo as to why co-location is not possible.
4. That Regional District of Nanaimo staff be instructed to advise TM Mobile Inc. (TELUS) that it is the Regional District of Nanaimo’s expectation that TELUS will provide a detailed assessment outlining why neither co-location nor co-build opportunities are possible prior to requesting siting concurrence for the proposed telecommunications facility at 885, 891 and 897 Island Highway East.

PURPOSE

To receive information and consider a request for concurrence from ROGERS COMMUNICATIONS Inc. (Rogers Communications) with respect to the proposed telecommunications tower on the subject property, and to consider the impact of multiple freestanding telecommunication towers in the French Creek and Eagle Crest area.

BACKGROUND

The Regional District of Nanaimo (RDN) has received recent correspondence from Rogers Communications regarding the proposed installation of a telecommunications tower on the subject parcel (see Attachment 2 – Second Request for Concurrence). The subject property is zoned Rural 1 (RU1) and is approximately 10.5 ha in area. Additionally, the subject parcel is located within the Agricultural Land Reserve. The tower is proposed to be sited at the northern portion of the parcel bordering Drew Road (see Attachment 1 – Subject Property Map and Map of Proposed Cell Tower Locations). The proponent's stated intention is to expand wireless coverage in the French Creek area to satisfy the increasing demand for cellular service and data intensive devices. The most recent correspondence requests that the RDN Board considers Rogers Communications request for siting concurrence which was initially submitted to the RDN on August 9, 2013 (see Attachment 3 – Information Package and Request for Concurrence). The initial letter requested that the Board pass the following resolution:

- a) *ROGERS COMMUNICATIONS INC. has satisfactorily completed its consultation with the Regional District of Nanaimo;*
- b) *The Regional District of Nanaimo is satisfied with ROGERS COMMUNICATIONS INC.'S public consultation process and does not require any further consultation with the public; and*
- c) *The Regional District of Nanaimo concurs with ROGERS COMMUNICATIONS INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it.*

Upon receipt of the original request, RDN staff provided a report to the September 10, 2013 Electoral Area Planning Committee (EAPC). The Committee did not provide a recommendation to the RDN Board on the matter. Following the result of the September 10, 2013, EAPC meeting, Rogers Communications withdrew the request for siting concurrence.

Proposed Tower

Rogers Communications is proposing a 45 metre monopole tower structure on private land known as 891 Drew Road (see Attachment 1 – Subject Property Map and Map of Proposed Cell Tower Locations). Rogers has indicated that there are no existing antenna support structures or any other feasible alternatives that can be utilized in the area and as such a new antenna structure is required (see Attachment 2 – Second Request for Concurrence).

DISCUSSION

When sited appropriately, modern telecommunication infrastructure can contribute positively to community and economic development, strengthen business operations, enhance emergency service and public safety initiatives, and provide increasingly expected tourist amenities. The technical aspects and siting of telecommunication and broadcasting services are regulated solely by the Federal government. Approval of any related antenna systems; including masts, towers and supporting structures, are under the mandate of Industry Canada. With regard to public health, Industry Canada refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines of both Health Canada and Industry Canada.

Industry Canada has an established procedure for the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through Industry Canada's prescribed public consultation process. With respect to this application, Rogers states that they have fulfilled their obligations under the Industry Canada process. An overview of the completed process is outlined on Page 7 of Attachment 3 and a copy of all public consultation materials is also found in Attachment 3. Formal commencement of consultation with the RDN occurred on February 26, 2013.

Role of Local Government

As noted above, local government is referred applications for proposed towers and is provided the opportunity to comment on the proposal. Local government concerns and the applicant's response to those concerns are considered by Industry Canada as part of their review process. In this case, staff requested in 2013 that the proponent contact local resident and neighbourhood associations for their comments on the initial proposal. The applicant complied with the RDN's request and concluded public consultation on July 29, 2013. It should be noted that the RDN was not notified of the updated proposal prior to the most recent request for concurrence.

A local government may establish and develop a formal telecommunications antenna and tower siting protocol. Staff have begun developing such a protocol, which is on the Current Planning 2015 Work Plan, and anticipate bringing a report to the Board in July of 2015. While there is no formalized telecommunications siting protocol in place, RDN staff do consult with the proponent on each proposed tower location and provide suggestions with regard to public consultation and process.

It should be noted that while a formalized siting protocol may serve as a guide to the siting of a tower and the consultation process, the Federal government, through Industry Canada, retains the authority to approve telecommunication infrastructure. A local government is not permitted to dictate the telecommunication siting process. Nonetheless, a formalized telecommunications antenna and tower siting protocol will provide clarity and consistency with respect to application submissions for both the RDN and the proponent; state the RDN's expectation for public consultation and process; and provide an expanded opportunity for both the RDN and the public to have input into the tower siting approval process.

ALTERNATIVES

1. To pass the following resolution requested by ROGERS COMMUNICATION INC:
 - a) ROGERS COMMUNICATIONS INC. has satisfactorily completed its consultation with the Regional District of Nanaimo;
 - b) The Regional District of Nanaimo is satisfied with ROGERS COMMUNICATIONS INC.'S public consultation process and does not require any further consultation with the public; and
 - c) The Regional District of Nanaimo concurs with ROGERS COMMUNICATIONS INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it.

2. To provide no comment with respect to the proposed request for siting concurrence for a single-provider freestanding telecommunication antenna system at 891 Drew Road.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided site plans, detailed structure descriptions and the results of a visual impact study for the proposed telecommunications tower. Under federal regulations, the applicant is not required to comply with local zoning or any applicable development permit areas. Additionally, the applicant is not required to obtain a building permit for any essential telecommunications infrastructure. Due to the proximity of the proposed structure to a nearby air strip, the applicant is required to fulfill Navigation Canada's lighting and visibility requirements. Therefore, the proposed structure will be illuminated at night. As outlined in the Background section of this report, Rogers Communications withdrew their formal request of concurrence following the EAPC providing no comment on the proposal at the September 10, 2013 meeting. Since then, Rogers Communications has altered the proposal but did not provide notice to the RDN nor undergo additional public consultation.

The most recent correspondence indicates that Rogers Communications submitted an application to co-locate on the new TELUS tower located at 1421 Sunrise Drive (see Attachment 2 – Second Request for Concurrence). The correspondence indicates that TELUS rejected the offer to co-locate on that particular site in May 2015. Of note is that the RDN Board provided a statement of concurrence on March 24, 2015 to TELUS indicating siting concurrence for a 17.5 metre tower at 1421 Sunrise Drive. To avoid the proliferation of standalone telecommunication towers, Industry Canada requires that industry proponents first explore sharing an existing antenna structures before erecting new antenna systems. The Industry Canada publication Spectrum Management and Telecommunications Client Procedures Circular: Radiocommunication and Broadcasting Antenna Systems anticipate that 30 days is reasonable time for an existing antenna system owner to reply to a request by a proponent in writing with a detailed explanation of why co-location is not possible.

Regarding the tower at 1421 Sunrise Drive, neither Rogers Communications nor TELUS has provided a detailed explanation as to why co-location is not possible nor did Rogers Communications provide explanation as to why they approached TELUS after the RDN issued a statement of concurrence. Furthermore, upon request by RDN staff, TELUS informed the RDN that Rogers Communications had made a request for a co-build at 1421 Sunrise Drive, which is a different proposition and business arrangement than co-location. With consideration given to avoid unnecessary standalone telecommunication towers and that both TELUS and Rogers Communications desire to expand service in the French Creek area, it should be deemed that co-location on either 1421 Sunrise Drive or 891 Drew Road is viable, unless evidence to the contrary is provided (see Attachment 1 – Subject Property Map and Map of Proposed Cell Tower Locations).

In addition to the proposed tower at 1421 Sunrise Drive, TELUS officially notified the RDN on December 9, 2014, of a telecommunications facility proposal for 885, 891 and 897 Island Highway East (French Creek Landing). Subsequently, the proponent completed public notification in accordance with Industry Canada's regulations. Although the public consultation concluded on January 20, 2015, TELUS has yet to request a statement of concurrence from the RDN Board. With consideration given to the

minimal information provided by both TELUS and Rogers Communications with respect to co-location attempts for towers telecommunications structures proposed in similar areas and the apparent lack of strategic planning among industry proponents, RDN staff suggest written correspondence be sent to TELUS stating that the RDN's expectation is that TELUS will provide a detailed assessment outlining why neither co-location nor co-build opportunities are possible prior to requesting siting concurrence for the proposed telecommunications facility at 885, 891 and 897 Island Highway East (see Attachment 1 – Subject Property Map and Map of Proposed Cell Tower Locations).

Furthermore, to ensure co-location and co-build opportunities are fully explored by industry proponents for any future telecommunication antenna proposal, staff suggest written correspondence be sent to both Rogers Communications and TELUS that it is the Regional District of Nanaimo's expectation that telecommunication industry proponents will work together maximize co-location opportunities; coordinate the placement of telecommunication infrastructure in the region; and where co-location is not possible, provide detailed information to the Regional District of Nanaimo as to why co-location is not possible.

INTER-GOVERNMENTAL IMPLICATIONS

All telecommunications infrastructure, including antenna and tower structures, are under the jurisdiction of Industry Canada. As such, these facilities are not subject to local zoning or the development permit process.

PUBLIC CONSULTATION IMPLICATIONS

The applicant has followed the Industry Canada default public consultation protocol as outlined in the Industry Canada publication Spectrum Management and Telecommunications Client Procedures Circular: Radiocommunication and Broadcasting Antenna Systems (CPC-2-0-03). A timeline of the completed process is outlined on Page 1 of Attachment 3, a copy of all public consultation materials is also found in Attachment 3 and all public response received by the applicant is found in Attachment 4.

Although compliant with Industry Canada requirements, it should be noted that significant time has passed since the close of public consultation period on July 28, 2013. The proponent has indicated in their most recent letter that the location of the proposed telecommunication antenna structure has shifted slightly to the east and a new visibility study was completed (see Attachment 2 – Second Request for Concurrence). However, neither the new structure location nor the results of the visibility study were shared with members of the public.

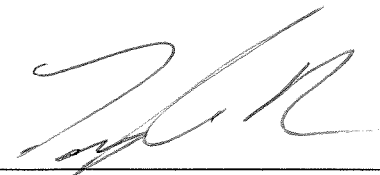
SUMMARY/CONCLUSIONS

The RDN has received correspondence from Rogers Communications requesting Board concurrence for the proposed installation of a telecommunications tower on the subject parcel. The applicant has submitted to the RDN all information materials provided to the public and subsequent correspondence received from the public. As outlined in this report, all telecommunications infrastructure is under the jurisdiction of Industry Canada. Additionally, the RDN does not currently have a telecommunications siting protocol. Therefore, the applicant has followed the Industry Canada default public consultation protocol. Significant time has passed since the proponent originally requested a statement of siting concurrence from the RDN Board on August 9, 2013, and the close of the public consultation period on

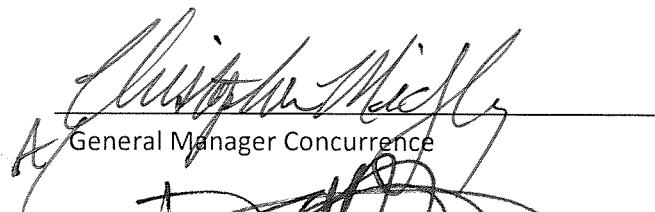
July 28, 2013. As part of the default Industry Canada process, Rogers Communication is required to consult with the nearby community. Rogers Communications provided notification package to property owners within 135 metres of the proposed tower, placed a newspaper notice in the PQ News and Oceanside Star, and consulted with neighbourhood community groups for their original proposal. The public consultation process was concluded on July 28, 2013.

The proponent has indicated in their most recent letter that since the close of the public consultation process the location of the proposed telecommunication antenna structure has shifted slightly to the east and a new visibility study was completed. The results, however, were never provided to the public. In addition, members of the public were not notified of the newly proposed location. As outlined in the Background section of this report, Rogers Communications withdrew their formal request of concurrence following the September 10, 2013 EAPC meeting. The most recent correspondence requesting siting concurrence indicates that Rogers Communications submitted an application to co-locate on the new TELUS tower located at 1421 Sunrise Drive which was rejected by TELUS. Moreover, Rogers Communications has slightly altered the proposal without notifying the public or the RDN. As such, with consideration given to the slightly altered proposal, the length of time that has passed since the close of the public consultation process and the original request for concurrence, and that Rogers Communication approached TELUS with a proposal of co-location on 1421 Sunrise Drive in May after the Board provided a statement of concurrence on March 24, 2015 to TELUS, staff recommend the Board instruct staff to advise Rogers Communications and Industry Canada that the Regional District of Nanaimo does not concur with the proposal submitted by Rogers Communications to construct a freestanding telecommunication antenna system at 891 Drew Road.

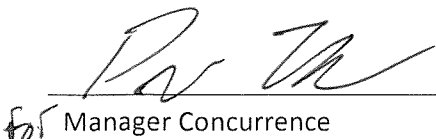
To ensure co-location and co-build opportunities are fully explored by industry proponents for any future telecommunication antenna proposal, staff suggest written correspondence be sent to both Rogers Communications and TELUS outlining that it is the Regional District of Nanaimo's expectation that telecommunication industry proponents will work together to maximize co-location opportunities; coordinate the placement of telecommunication infrastructure in the region; and where co-location is not possible, provide detailed information to the Regional District of Nanaimo as to why co-location is not possible. In addition, to ensure TELUS provides sufficient details with regard to the proposed telecommunications facility at 885, 891 and 897 Island Highway East, staff suggest that it is the Regional District of Nanaimo's expectation that TELUS will provide a detailed assessment outlining why neither co-location nor co-build opportunities are possible elsewhere.



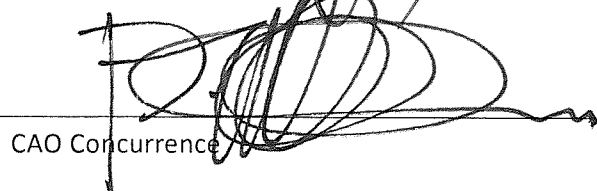
Report Writer



General Manager Concurrence



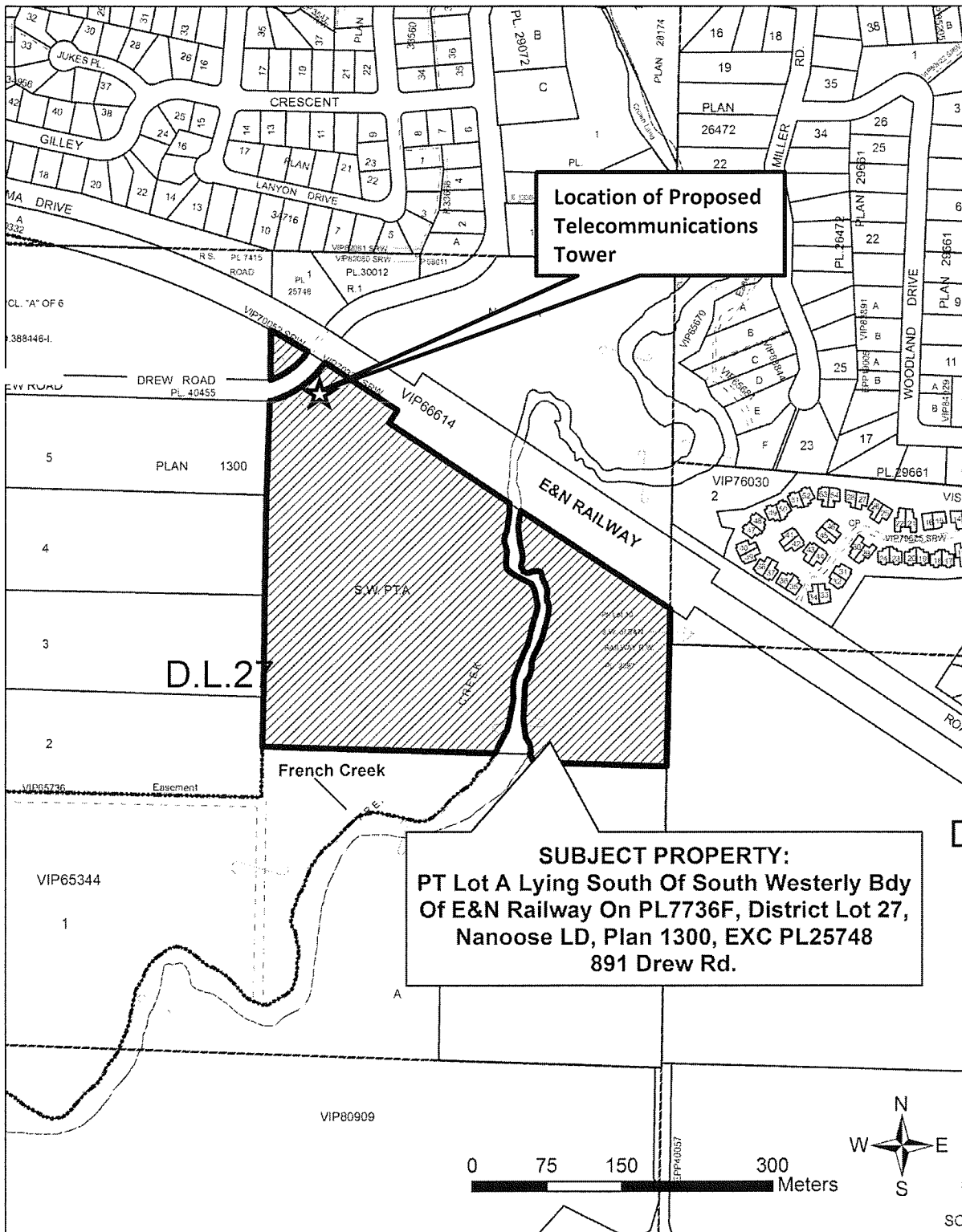
for Manager Concurrence



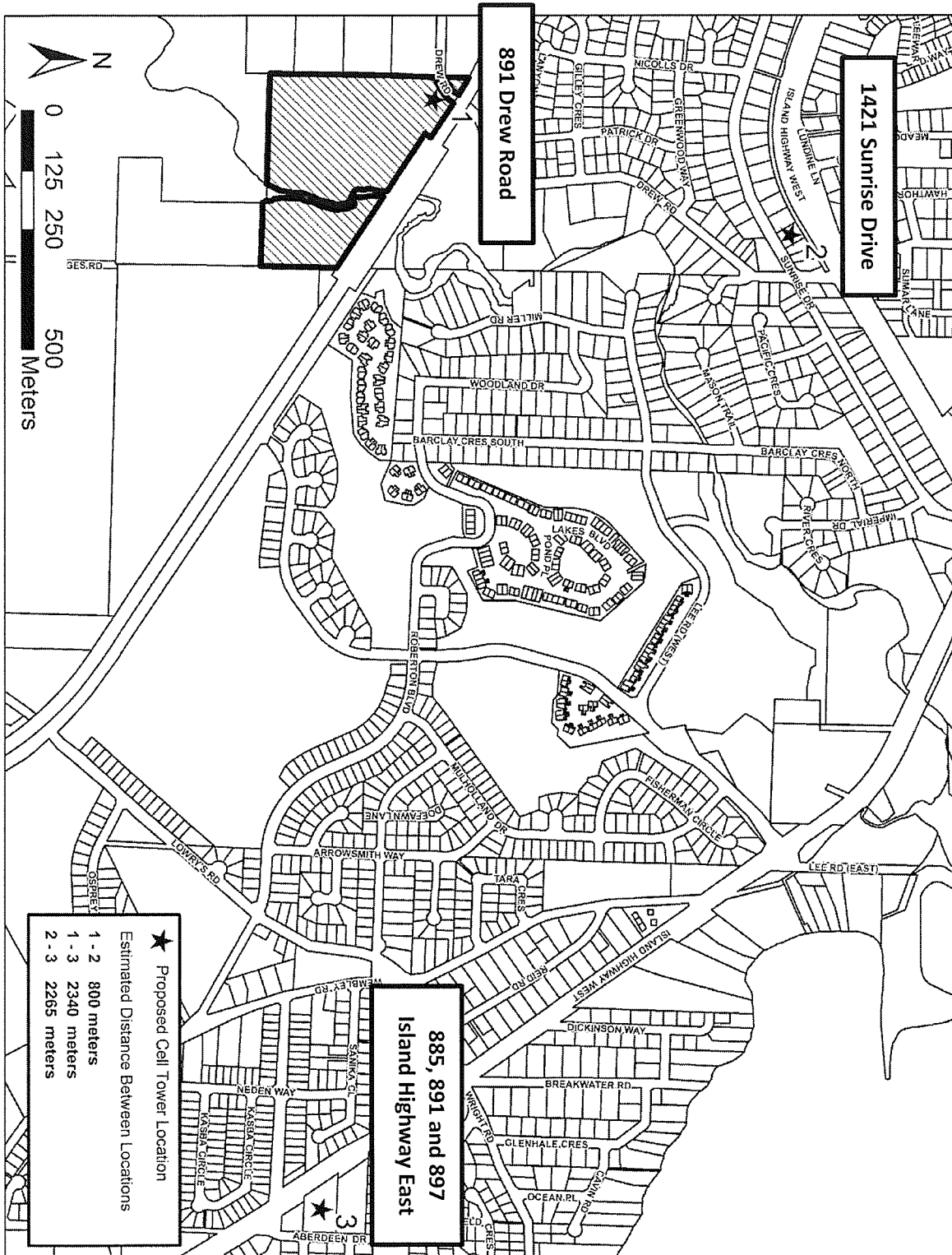
CAO Concurrence

Attachment 1

Subject Property Map and Map of Proposed Cell Tower Locations (Page 1 of 2)



Attachment 1
Subject Property Map and Map of Proposed Cell Tower Locations (Page 2 of 2)



Attachment 2
Second Request for Concurrence



May 14, 2015

VIA E-MAIL

Jeremy Holm
Manager, Current Planning
Regional District of Nanaimo
6300 Hammond Bay Road
Nanaimo, British Columbia V9T 6N2

Dear Mr. Holm,

SUBJECT: REQUEST FOR CONCURRENCE, ROGERS TELECOMMUNICATIONS TOWER
LOCATION: 891 DREW ROAD, PARKSVILLE, BRITISH COLUMBIA (PID: 007-591-547)
ROGERS SITE: FRENCH CREEK (W3030)

Rogers kindly requests that the Electoral Area Planning Committee reconsider Rogers' request for concurrence for a new telecommunications tower at 891 Drew Road, Parksville that will greatly enhance wireless service to communities in French Creek and Eaglecrest.

Background

In July 2013, Rogers completed Industry Canada's Default Public Consultation process, including presenting to the French Creek Residents Association. At the conclusion of the 30 day comment period, Rogers received comments of support - - from residents and businesses who recognized that existing wireless services were in need of upgrade and improvement - - and non-support - - principally from nearby residents. For those who opposed the project, the main issues were visibility of the tower, property values and health concerns.

In considering the proposed tower on September 10, 2013, the Electoral Area Planning Committee defeated the motion of "no comment". Without support from the Board, Rogers has not moved forward, nor has found an alternative location for the proposed tower. Additional information on the proposed tower and the consultation process is included in **Appendix 1: Background Summary** and **Appendix 2: Alternative Sites Considered**.

Rationale for Telecommunication Infrastructure

Rogers respectfully requests the Electoral Area Planning Committee reconsider supporting additional telecommunication infrastructure based on the following modifications since the original proposal in 2013:

1. Revised Health and Safety Regulation, 2014

The proposed tower will need to operate within Health Canada's new safety guidelines that were revised in 2014. During the initial consultation, residents raised concerns with the standards of Health Canada's regulations regarding public exposure to radiofrequency electromagnetic fields to ensure public safety. The health of residents is important and Rogers ensures all its antenna installations are safe and operate well below Health Canada's safety regulations. In fact, Health Canada regulations limiting radio frequency exposure has recently been updated, further limiting exposure. For more information, please see Industry Canada's website Fact Sheet: What is Safety Code 6? http://www.hc-sc.gc.ca/ahc-asc/media/fttr-ati/_2014/2014-023fs-eng.php

2. Reduced Visibility to Residential Areas

During the consultation process in 2013, residents voiced concern with visibility of the tower, and how the visibility of the tower could potentially affect property values. As a result, Rogers is proposing to move the tower

approximately 20 feet east from the original location. To gauge visibility, Rogers flew a balloon at the height of the tower and took photos from various vantage points. The results confirm that most views north of the railway tracks show the tower will be completely or partially screened by the tree canopy. To review photos taken of a balloon flown at 45 metres at the proposed tower location from various vantage points, please see **Appendix 3: Visibility Analysis**.

In communication with Transport Canada, the tower will not need to be painted red/white. This allows Rogers to paint the tower a dark green, if preferred by the RDN, to reduce the tower's visibility behind the tree canopy. Lighting will be required, however not during the day. Rogers would propose installing a red light medium intensity light, where there is screening at the bottom of the light fixture to block light seen at ground level. This will reduce or eliminate the view of the light to those living within at least 500 metres of the tower.

3. Increased Need for High Quality Wireless Service to Support Community Services

More and more communities, including Parksville, depend on wireless service for all aspects of community life, including first responders, businesses and personal communications. Specifically to Parksville, Rogers's wireless service supports:

a) RCMP

As confirmed by Sgt. Brian Hunter, Detachment Commander, Oceanside RCMP Detachment, reliable cellular coverage greatly enhances the ability for police to perform their day to day duties which ultimately enhances public safety. Currently, 120 RCMP vehicles rely on the Rogers network to stay connected and respond to emergencies. Further, the RCMP use over 200 Blackberries. Please see **Appendix 4: RCMP**

b) mHealth

There is a growing interest in health care providers using mobile health, a term used for the practice of medicine and public health supported by mobile devices. For an aging community, mHealth is a fast, convenient service that reduces costs on the health care system while still providing high quality of health care. mHealth provides a mobility option that reduces automobile dependency and the need for one-on-one interaction for minor health check-ups.

c) Support RDN Growth Strategy

Improving wireless service is in line with the RDN Growth Strategy. For example, enhancing wireless service helps the environment by helping those who telecommute, which leads to reduced greenhouse gases. Improved wireless services help provide services efficiently: Wireless services allow communities to access services and amenities (like health, banking and government services) for those who cannot drive due to social conscience, age, ability, or income.

In line with the RGS Vision, dependable, high speed wireless service supports:

- Expansion and enhancement of mobility options that reduce automobile dependency;
- A strong and resilient economy based (on) ... information age industries and services, such as health and education;
- Efficient, state-of-the-art servicing, infrastructure and resource utilization

We hope the Electoral Area Planning Committee will reconsider our request for concurrence for a new telecommunication tower at 891 Drew Road, Parksville. Please do not hesitate to contact us should the committee require additional information.

We look forward to your response.

Sincerely,

ROGERS COMMUNICATIONS INC.

A handwritten signature in black ink, appearing to be 'Sugita', written in a cursive style.

Samuel Sugita
Municipal Affairs Specialist

Appendix 1: Background Summary

A. Proposed Telecommunications Tower

Rogers proposed the construction of a 45 metre monopole tower to improve service to areas in and around French Creek, improving high speed wireless voice and data services. Below is a link to the RDN staff report:

<http://www.rdn.bc.ca/events/attachments/evlD6286evattID1637.pdf>

B. Consultation Timeline

Although required to follow Industry Canada's Default Public Consultation process, Rogers pre-consulted with RDN Planning Staff and the French Creek Residents Association (FCRA), inviting input and comment on the proposed installation. As a result, additional steps were taken by Rogers in order to fully address the community's questions and concerns.

- ❑ January 21, 2013: Rogers pre-consulted with the Regional District of Nanaimo (RDN), seeking comments on the proposed tower location.
- ❑ February 26, 2013: Rogers provided an Information Package to the RDN in order to formally commence land-use consultation efforts.
- ❑ April 2013: Rogers, represented by Standard Land, pre-consulted with the RCRA. Rogers agreed to the FCRA's request to extend the consultation timeline for comments, and present at their evening meeting.
- ❑ April 15, 2013: Rogers provided a Notification Package to residents and owners of surrounding properties within at least a 135 metre radius of the proposed site.
- ❑ April 18, 2013: A newspaper notice, inviting public comments ran in the Parksville Qualicum Beach News.
- ❑ May 9, 2013: An additional newspaper notice, inviting comments ran in the Oceanside Star (as requested by FCRA).
- ❑ May 25, 2013: Conclusion of community comments period.
- ❑ June 28, 2013: In reviewing feedback received from the community consultation on visibility concerns, Rogers flew a balloon at 45 metres and took pictures from various locations to gauge potential visibility. Rogers completed a visibility study and compiled a "Questions and Answers" sheet, summarizing the question(s) received along with a corresponding answer. At the request of the FCRA, Rogers extended the comment period until July 29, 2013.
- ❑ July 28, 2013: Conclusion of second community comments period. No further comments were received.
- ❑ August 9, 2013: Rogers submitted a summary of the consultation process, including copies of all correspondence, and requested concurrence from the RDN.

C. Co-location

Industry Canada requires all telecommunication companies to investigate locating new equipment (i.e. antennas) on existing structures, including telecommunication towers, as well as design towers to support additional carriers. There are no existing structures within 500 metres that offer a height of 45 metres of the proposed tower location.

- Rogers submitted an application to co-locate on the new TELUS tower at 1421 Sunrise Drive, providing the tower be extended by 25% to support the additional antennas. TELUS rejected Rogers request to co-locate in May 2015.
- Rogers would accept applications from other carriers to co-locate on the proposed 45 metres tower in the future, if there were interest.

D. Distance to Residential

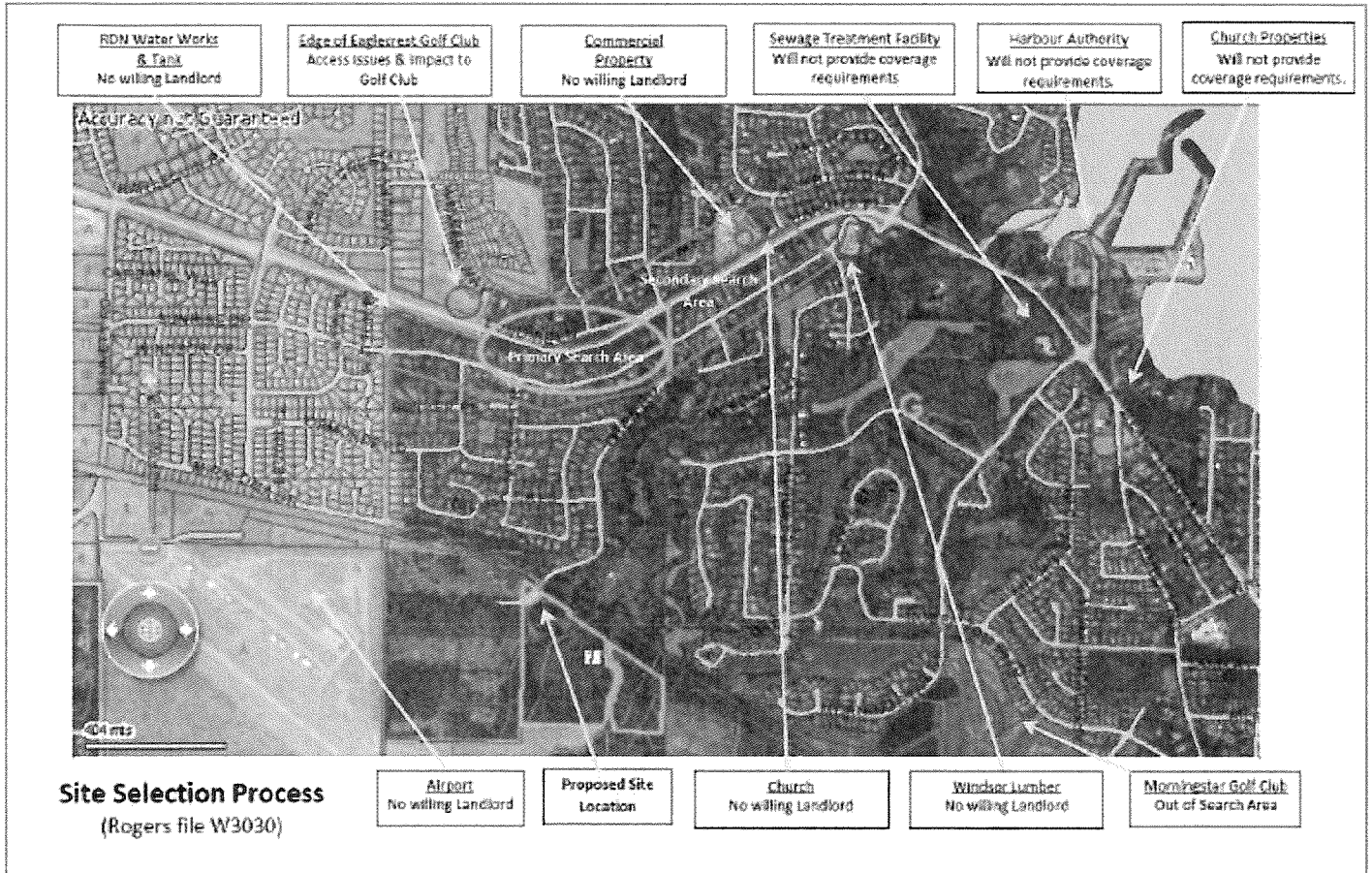
The distance between the base of the tower to the nearest residential dwelling is approximately 70 metres. The proposed tower is 45 metres in height.

E. Alternative Locations

Rogers considered more than 10 properties, including industrial lands, prior to submitting an application for the proposed tower at 891 Drew Road in Parksville (see **Appendix 2: Map of Alternative Locations**). During the consultation process, Rogers revisited the possibility of locating on several of these alternative locations, including:

Proposed Alternative Location	Comments
Morning Star Golf Course	This property is located too far southeast and would not provide service to the areas north of West Island Highway.
French Creek Harbour	This property is located too far northwest and would not provide service to the residential properties south of West Island Highway.
Sewage Treatment Facility	This property is located too far east and would only partially satisfy Rogers' service requirements and community service needs.
BC Hydro towers	The transmission corridor is too far south to achieve the coverage objective for the community.
RDN Water Works (1225 Sunrise Drive)	Rogers approached the RDN for the use of their property for a tower; however, the RDN did not want to pursue an agreement for the use of their land.
St. Columba Presbyterian Church	Rogers approached the Church; however, the Church did not want to pursue an agreement for the use of their land.

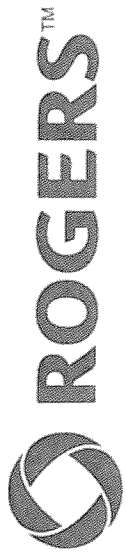
Appendix 2: Alternative Sites Considered



Appendix 3: Visibility Analysis

Attached.





View 1 – Facing West from Drew Road



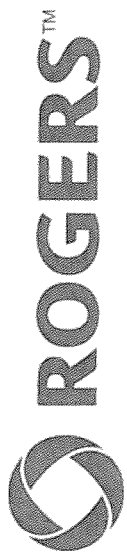
Legend
● = Tower Location



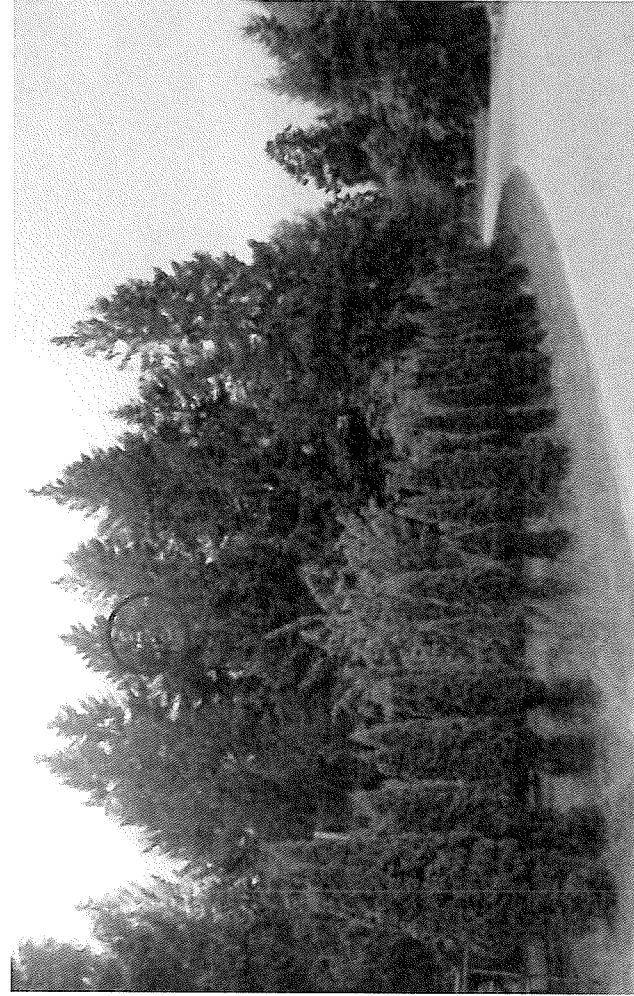
View 2 – View Northwest from Drew Road



Legend
● = Tower Location



View 3 – View South from Drew Road



Legend
● = Tower Location

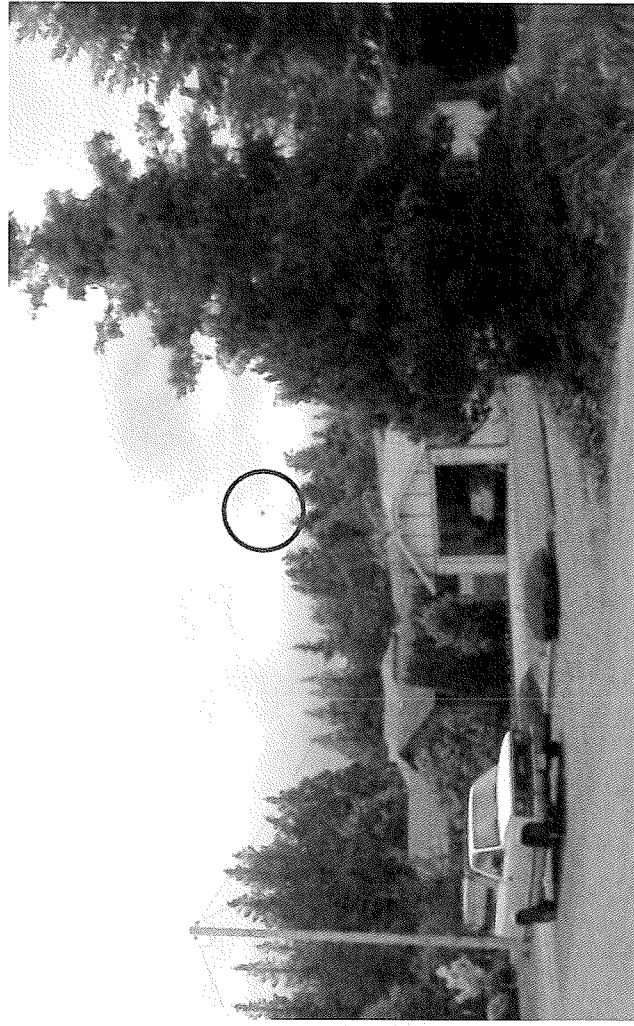


View 4 – View Southwest from Drew Road



Legend
● = Tower Location

View 5 – View South from Drew Road



Legend
● = Tower Location

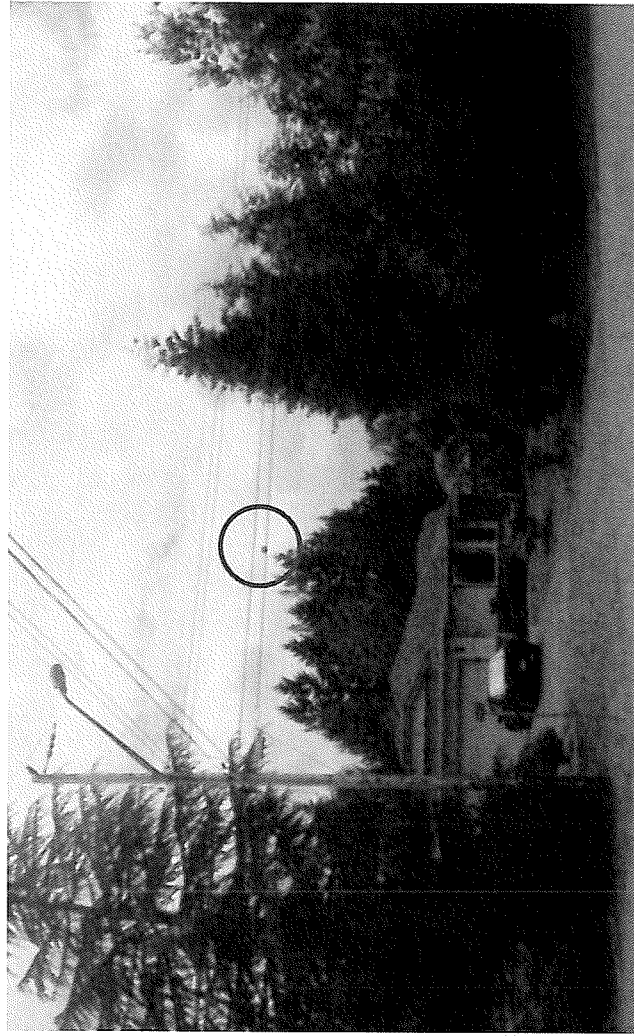
View 6 – View South from Drew Road



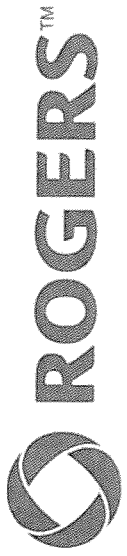
Legend
● = Tower Location



View 7 – View Southwest from Lanyon Drive



Legend
● = Tower Location



View 8 – View Southeast from Lanyon Drive



Legend
● = Tower Location

View 9 – View Southeast from railway



Legend
● = Tower Location

View 10 – View Southwest from railway



Legend
● = Tower Location

Appendix 4: RCMP

Attached.

Kent Martin

From: Brian HUNTER <Brian.HUNTER@rcmp-grc.gc.ca>
Sent: Monday, April 13, 2015 3:00 PM
To: Kiersten Enemark
Subject: Re: Improving Wireless Service

Hi Kiersten,

Cellular coverage in the Eaglecrest and French Creek area is weak. Reliable cellular coverage greatly enhances the ability for police to perform their day to day duties which ultimately enhances public safety.

Best regards,

Brian

Brian HUNTER, S.Sgt./S.é.-m.
Detachment Commander
Chef de détachement
Oceanside RCMP Detachment / Government of Canada
Détachement de la GRC de Oceanside / Gouvernement du Canada
727 West Island Highway
Parksville, BC V9P 1B9
brian.hunter@rcmp-grc.gc.ca
Tel/Tél.: 250-248-6111
Fax/Télé.: 250-248-4962

>>> Kiersten Enemark <kierstene@standardland.com> 2015/04/13 2:30 PM >>>
Hello Sgt. Hunter,

Rogers Communications is proposing to improve wireless service by adding new communications infrastructure at 891 Drew Road, Parksville. We plan to reach out to the RDN for support in the next few months.

Do you have any comments that you would be comfortable sharing with the RDN regarding the importance of having access to dependable wireless service?

Your feedback would be welcome.

Regards,

Kiersten Enemark
Standard Land Company
Agents to Rogers

Attachment 3
Information Package and Request for Concurrence



StandardLand

Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1

Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
Website: www.standardland.com

August 9, 2013

VIA COURIER

Regional District of Nanaimo
Tyler J Brown
Planning Technician
6300 Hammond Bay Road
Nanaimo, British Columbia
V9T 6N2

Dear Mr. Brown,

SUBJECT: REQUEST FOR CONCURRENCE, ROGERS TELECOMMUNICATIONS TOWER
LOCATION: 891 DREW ROAD, PARKSVILLE, BRITISH COLUMBIA
PID: 007-591-547
ROGERS SITE: FRENCH CREEK (W3030)

Rogers Communications Inc. ("Rogers"), represented by Standard Land Company Inc. ("Standard Land") has followed Industry Canada's Default Public Consultation process for a new telecommunications tower. Rogers is respectfully requesting from the members of the Board concurrence in the location of this new tower that will be providing advanced, high speed wireless service to the French Creek area.

Enclosed, please find evidence of the following efforts regarding this public consultation process:

April 15 & 16, 2013	Notification packages were issued to approx. 24 property owners within at least a 135 metre radius. Please see Appendix 1: Affidavits of Notification.
April 18, 2013	Notice of proposed tower project placed in The Parksville Qualicum Beach News on April 18 th and the Oceanside Star on May 15 th . Please see Appendix 2: Newspaper Notice.
May 1, 2013	A Site Selection Process Outline was provided in the form of a visual, including an aerial map as a response to a member of the public's inquiry. Please see Appendix 3: Site Selection Map.
May 8, 2013	Rogers presented to the Residents Association of French Creek.
May 25, 2013	Conclusion of 30 day consultation period. During the consultation period, we received comments from 9 households, 3 of which were in support of the tower. Please see Appendix 4: Comments & Correspondence Tracking Form.
June 28, 2013	Rogers conducted a Visibility Study and a compiled a Questions and Answers sheet provided to members of the community who provided comment and to the Regional District. Additional comments were welcomed until July 28, 2013. Please see Appendix 5: Questions and Answers and Appendix 6: Visibility Study.

The comments received regarding both the location and design of the tower were reviewed, and Rogers has responded to the residents as follows:

<p>Visibility of proposal</p>	<p>In response to the comments received, Rogers investigated the visibility of the area from alternate locations within the property. In our site review, Rogers confirmed the visibility of the tower by completing a visibility study. A “balloon test” was conducted June 14th, where a balloon was flown at 45 metres in height and pictures were taken from various view points from the community. The visibility study conducted confirmed that the proposed tower would be partially visible from certain views, but many views would have little to no visibility due to the mature trees in the area.</p> <p>Rogers is proposing to relocate the tower an additional 10 metres southeast further reduce the visibility from properties to the west and northwest. A greater setback was not feasible as the land elevation drops significantly.</p>
<p>Tower light as required by Transport Canada</p>	<p>Transport Canada requires that Rogers add a light above the tower for safe aeronautical navigation. Understanding that a light above a tower can be obtrusive, Rogers has learned of an alternative light for a tower that would shield the light from those at ground level but clearly visible to aircrafts. This proposed lighting would reduce the appearance of a light to the community.</p>

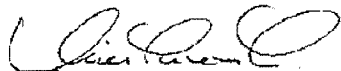
There is an increasing dependence on wireless products for personal, business and emergency purposes, and an improvement in service in French Creek would benefit the community. In response to the public’s demand for high quality wireless services, Rogers is proposing a telecommunications site.

If Council concurs with the proposed tower project, please find in **Appendix 6: Sample Resolution**, a sample resolution which may be used.

Rogers is committed to working with the community to find an acceptable location and infrastructure design. Should you require any additional information, please do not hesitate to contact us at (604) 687-1119 or by e-mail at kierstene@standardland.com.

Sincerely,

Standard Land Company Inc.
 Agents for Rogers



Kiersten Enemark
 Director, Land and Municipal Affairs (BC)

- cc: Peter Leathley, Municipal Affairs Specialist (BC), Wireless Network Implementation West
 Rogers Communications Inc.
- cc: Samuel Sugita, Municipal Affairs Specialist (BC), Standard Land Company Inc.

Appendix 1: Affidavits of Notification



StandardLand

Standard Land Company Inc.
Suite 610, 688 West Hastings Street
Vancouver, British Columbia
V6B 1P1

Telephone: 604.687.1119
Facsimile: 604.687.1339
Email: standard@standardland.com
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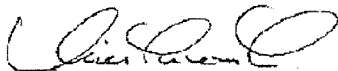
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Sincerely,

Standard Land Company Inc.
 Agents for Rogers



Kiersten Enemark
 Director, Land and Municipal Affairs (BC)

- cc: Peter Leathley, Municipal Affairs Specialist (BC), Wireless Network Implementation West
 Rogers Communications Inc.
- cc: Samuel Sugita, Municipal Affairs Specialist (BC), Standard Land Company Inc.



April 15, 2013

Dear Area Residents and Businesses:

Like so many communities, the community of French Creek is experiencing a growing demand for wireless services as more and more people come to rely on smart phones, tablet computers and laptops as part of their everyday life. In response to this and in order to ensure dependable high speed wireless service is available to the community, Rogers is proposing the construction of a telecommunications tower at 891 Drew Road, Parksville, British Columbia.

As part of the public consultation process, you are invited to comment on the Rogers proposal before May 25, 2013. Following Industry Canada's Default Public Consultation Process, all residents and businesses within 135 metres of the proposed tower location will receive this Public Consultation Information Package. As well, a notice inviting the community to comment has been placed in the Parksville Qualicum Beach News on April 18, 2013.

This package contains detailed information about the proposed structure, the consultation and approval process, as well as contact information available to you during the consultation process.

Rogers has been invited and accepted to attend the French Creek Residents' Association (FCRA) Annual General Meeting on May 8th at 7:00 pm at St. Columba Church Hall, 921 Wembley Road, Parksville to meet with residents and answer any questions regarding the proposed project.

Your questions and comments are an important part of the consultation process. Please know you may provide your comments by contacting Rogers at CommentsBC@standardland.com, or by completing the Comments Sheet on the other side of this letter by May 25, 2013.

We appreciate your time and attention in considering the proposed telecommunications tower and look forward to your comments.

Rogers Communications Inc.

Peter Leathley
Municipal Affairs Specialist (BC), Wireless Network Implementation



QUESTIONNAIRE & INPUT FORM

We welcome your comments regarding the proposed Rogers telecommunications structure at 891 Drew Road, Parksville, BC. We would appreciate your time in completing this questionnaire. Rogers will respond to any questions or issues, and the correspondence will be shared with the Regional District of Nanaimo and Industry Canada as part of the consultation process. This information will not be used for marketing purposes.

1. Are you currently happy with the quality of wireless service in your community?

Yes No If no, what areas require improved service?

2. Do you feel this is an appropriate location for a tower?

Yes No

If not, what change do you suggest: _

3. Are you satisfied with the proposed appearance / design of the proposed tower?

Yes No

If not, what change do you suggest: _

4. Other Comments: _

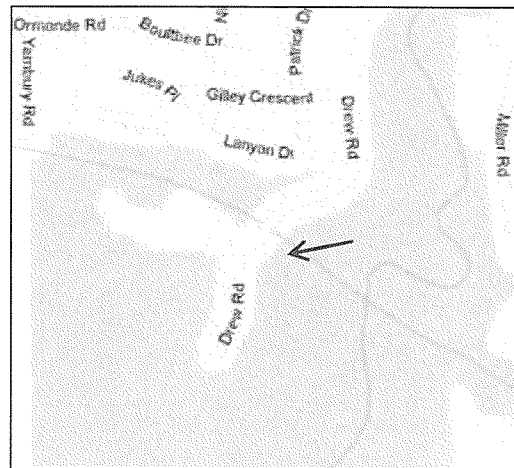
Tower Location

Name: _____

Address: _____

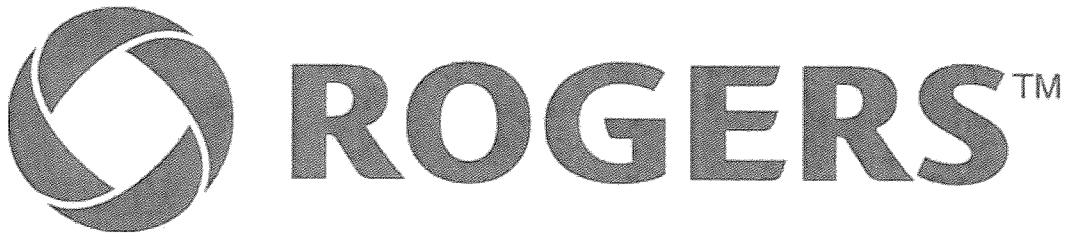
Telephone: _____

Email: _____



Thank you.





**Public Consultation Information Package
Wireless Communications Installation**

Location: 891 Drew Road, Parksville, BC V9P 1X2
Rogers Site: W3030 (French Creek)

Contact

Rogers Communications Inc.
1600 – 4710 Kingsway,
Burnaby, British Columbia V5G 4W7

Contact name: Kiersten Enemark
c/o Standard Land Company Inc.
Agents to Rogers Communications Inc.
Tel: 1 (877) 687-1102
Email: CommentsBC@standardland.com

April 15, 2013

What is being proposed?

Rogers is proposing to build a new 45 metre monopole tower structure. To ensure continued reliable service, Rogers is proposing to enhance and restore a high quality network signal for the wireless network in the area by adding equipment on a proposed structure.

When a network weakness is identified, Rogers' radiofrequency engineers' first steps are to explore any and all opportunities to add additional equipment on nearby towers or mount antennas on existing buildings. Only when every alternative has been exhausted, does Rogers consider constructing a new wireless structure. Rogers engineers have determined that in this case there are no suitable existing structures in the area. As a result, a single structure of 45 metres is being proposed to meet Rogers' network requirements.

Initially, Rogers identified commercial lands along the Hwy 19A as being appropriate for a tower location. For over a year, Rogers actively searched for a commercial property with a willing property owner to host a telecommunications facility at a location compatible with the Rogers network. Unfortunately, Rogers was unable to finalize a location with a willing property owner.

Where is the proposed tower site?

The proposed location is on rural land (zoning RU1) and is also adjacent to rural lands in all directions. Rogers is proposing to locate the tower southeast of the railway tracks, behind mature trees approximately 30 metres in height. This location is based on Rogers' technical requirements to provide improved service as well as preliminary feedback from the Regional District of Nanaimo.



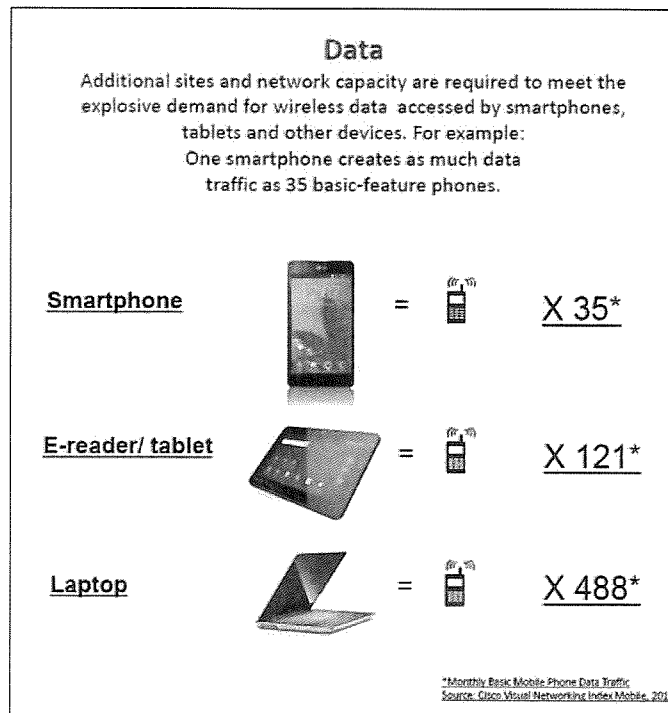
Why is this new structure required?

A new structure is required to host telecommunications equipment that will provide improved wireless service to the community. Rogers is constantly working to improve coverage and network quality to its customers. Rogers is responding to the growing demand for wireless voice and data services, particularly within existing service areas.

The customers using smartphones like iPhones and Blackberries, portable devices like iPads and tablets, computers and wireless laptops are demanding fast, reliable service. These “smart devices” place an increased demand on the wireless network which, in turn, requires ongoing investment and expansion in order to maintain service quality.

With the introduction of smartphones, tablets and other forms of mobile computing devices, customer demand for higher data speeds has become increasingly important. The amount of data that can be processed and/or the number of calls that can occur at the same time is limited by two key factors: the number of users at any one time and the distance between the device and the cell site. As network demand increases, denser radio networks (more sites that are closer together) are required. It is also the case that the amount of coverage provided by a single site is inversely proportional to the number of voice calls and/or data transactions that occur at a given time. This becomes important as cells sites begin to function at or above capacity and gaps in coverage develop during periods of overcapacity. While this is represented by slowed transactions times for internet use, applications, and e-mail, it is much more problematic for voice calls, which either cannot be made or are constantly dropped. Where once excellent coverage and high quality calls were the norm, as capacity is reached, calls can no longer be processed even though the device may show strong coverage.

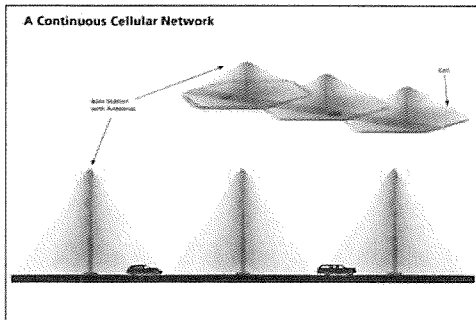
The table below illustrates how devices that transmit and receive data information need much more network capacity than standard mobile phones. For example, one Smartphone uses a wireless network as much as 35 standard mobile phones.



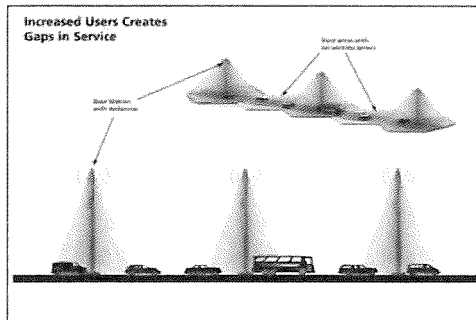
How do wireless networks work?

Wireless networks work by dividing geographic areas into “cells”. Each cell is served by a base station (in this case, a tower supporting telecommunications equipment). Mobile devices communicate with each other by exchanging radio signals with base stations.

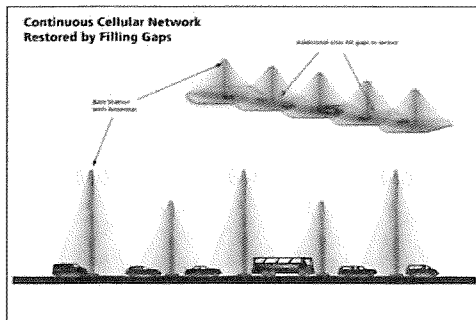
As more mobile phones and devices use the network, the “footprint” of service offered by a base station, like the proposed tower site, shrinks. This result is reduced coverage and gaps in service. Gaps in coverage can result in dropped calls and unreliable service. The drawings below illustrate how gaps in service develop as well as how additional equipment (or the addition of base stations) will enhance service.



A network is a series of interconnected cells each containing a base station (antennas and radio equipment). A high quality network offers continuous wireless service by placing base stations in specific geographical locations that allow us to use wireless devices.



When a base station reaches maximum capacity, the coverage footprint shrinks in order to handle volume.



New base stations must be built to fill in the void areas and restore continuous wireless service.

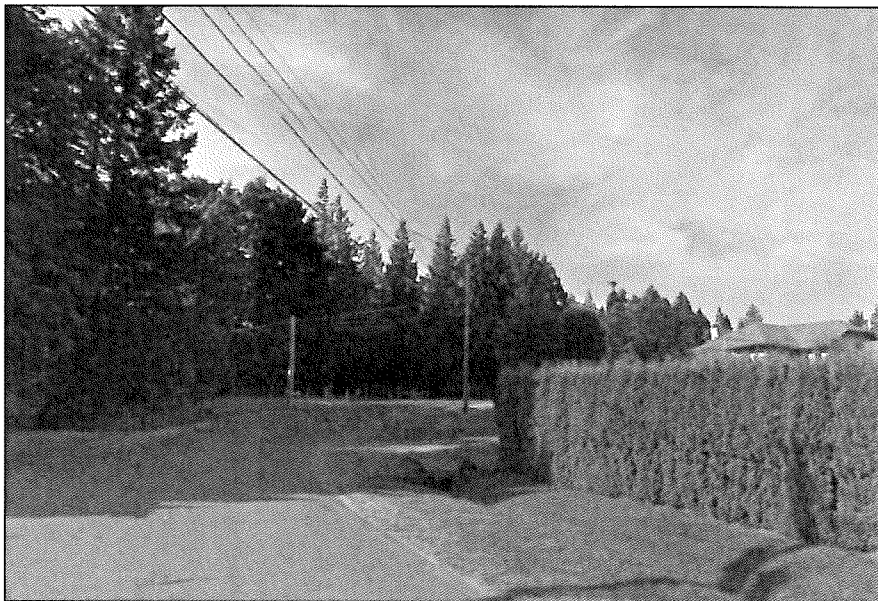
What will the site look like?

The proposed tower will be well screened in all directions by mature trees approximately 20 metres – 30 metres in height. Below is a photo simulation where the proposed tower design has been transposed on a picture taken from Drew Road, looking southwest towards the tower site.

Before Construction



After Construction



From Drew Road, looking southwest towards tower location.

*Photo Simulation is a close representation and is for conceptual purposes only.
Best efforts have been made to represent the antenna accurately.
The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.*

The proposed tower will be well screened in all directions by mature trees approximately 20 metres – 30 metres in height. Below is a photo simulation where the proposed tower design has been transposed on a picture taken from Lanyon Drive, looking south towards the tower site.

Before Construction



After Construction



Looking south on Lanyon Drive towards tower location.

*Photo Simulation is a close representation and is for conceptual purposes only.
Best efforts have been made to represent the antenna accurately.*

The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.

The radio equipment cabinets at the base of the towers have not been included in the photo simulations where they would not be visible. The proposed designs are subject to review and amendment by the appropriate authorities.

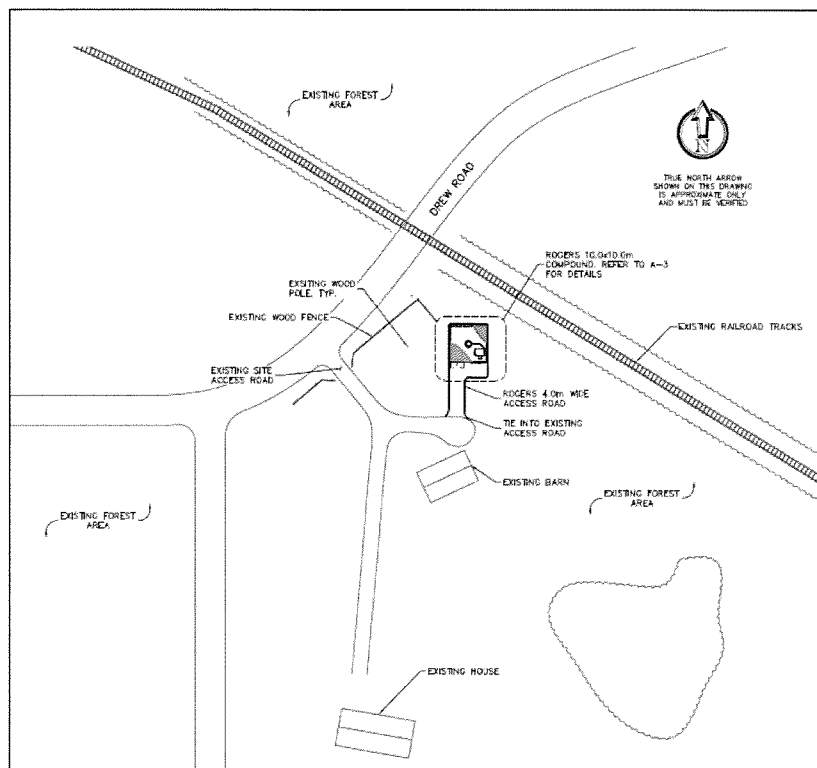
What will the area look like when it is finished?

Rogers is proposing the construction of a monopole tower. As required by Transport Canada, due to the tower's proximity of the Qualicum Beach Airport, the tower will be painted red and white, and will require lighting.

The site are has been designed to accommodate the tower structure and radio equipment cabinets. The dimensions are approximately 10.0 x 10.0 metres.

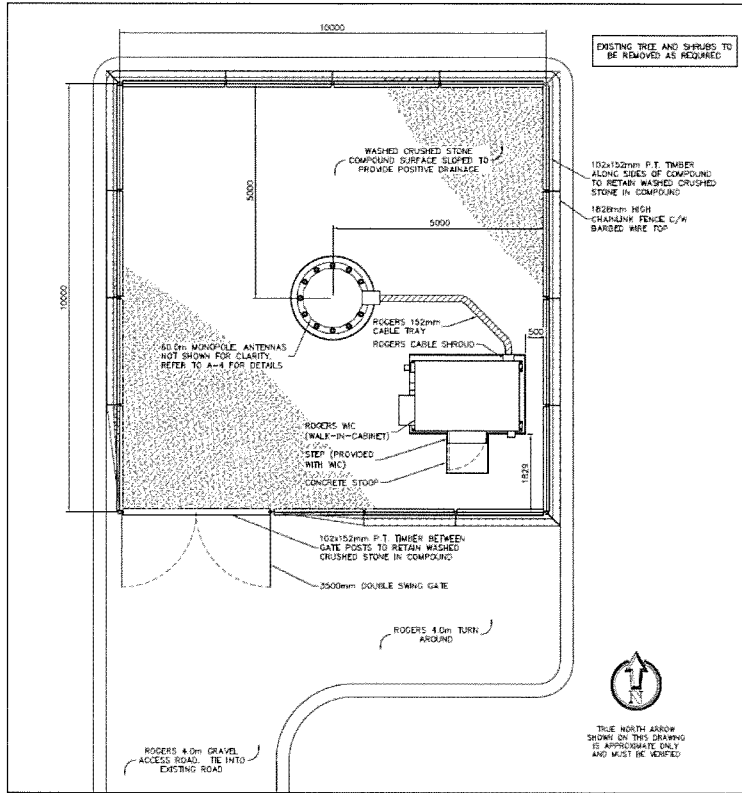
Access to the site will be by Drew Road. The secure site area will not be visible to the public. The property is already fenced and the Rogers compound will include an additional security fence that will be approximately 1.8 metres (6') in height. There will be a locked single access point and a silent alarm system. The shelter will contain radio equipment, back-up battery power, maintenance tools, manuals and a first aid kit. Specific dimensions and access to the site equipment will be determined following consultation, project review and potential approvals.

Site Plan



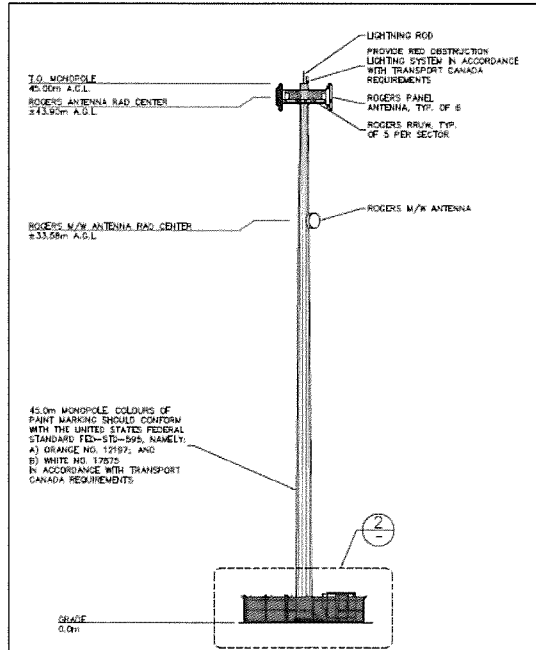
Note: not to scale.

Site Compound Layout



Note: not to scale.

Tower Elevation (South)



Note: not to scale.

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This notification package is part of the required consultation process, where the community is invited to comment within a minimum of 30 days. Rogers is seeking input from the community, including residents, businesses, community groups, elected officials and other interested parties. During this process, Rogers will work to answer your questions.

At the conclusion of this consultation process, Rogers will be sharing the comments received with the land use authority and all regulatory authorities, including the Regional District of Nanaimo. Rogers will also consider and respond to all comments gathered and to make any reasonable adjustments to the proposal.

How safe is this tower?

Rogers relies on the health experts to set radio frequency standards and oversee acceptable levels. In fact, adherence to national health standards is a condition of our operating licence. As a wireless provider, Rogers is responsible for ensuring that all of these safety standards are met and maintained.

In Canada, Industry Canada has adopted Health Canada's Safety Code 6, which establishes the safe limit for all devices that emit radio frequency waves and ensures public safety. The consensus among Canadian health organizations and the scientific community is that wireless antennas are safe. Here in BC, the BC Centre for Disease Control has reviewed the scientific data and supported the safety of wireless structures. Similarly, the Chief Medical Health Officer for Vancouver Coastal Health has determined that installations such as this one are appropriate (see weblinks below).

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In addition, Rogers adheres to a number of Canadian safety standards:

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Rogers attests that the radio antenna system described in this package will at all times comply with Health Canada's Safety Code 6 limits.

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Rogers attests that the radio antenna system as proposed for this site will comply with the Canadian Environmental Assessment Act.

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Rogers attests that the radio antenna system proposed for this site will be constructed in compliance with all applicable safety and building standards and comply with good engineering practices including structural adequacy. Preliminary tower profile and equipment layout plans have been included in this notification package.

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Rogers attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV CANADA aeronautical safety requirements. Rogers made all necessary applications to Transport Canada and NAV CANADA and confirms that both lighting or markings are required.

Where can I go for more information?

The following web links are provided for your information. We are also happy to answer any questions you may have.

Telecommunication Systems

www.ic.gc.ca/epic/site/smt-gst.nsf/eng/h_sf01702.html

Public Consultation Guidelines

www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf01702.html

Safety Code 6

www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html

Vancouver Coastal Health

www.vch.ca/about_us/news/concerns_about_cell_phone_tower_radiation_addressed

http://www.vch.ca/about_us/news/archive/2011-news/concerns_about_cell_phone_tower_radiation_addressed

Canadian Wireless Telecommunications Association

<http://www.cwta.ca>

BC Centre for Disease Control

<http://www.bccdc.ca/healthenv/Radiation/ElectromagRadiation/default.htm>

RFCOM – University of Ottawa

<http://www.rfcom.ca/welcome/index.shtml>

Your role

Rogers is seeking your input and comments about the proposed site to ensure consideration is given to all of the needs of the community as well as our technical requirements, including improved wireless services for the area. **As this is a formal consultation process, your comments are welcome either by email or posted letter by May 25, 2013.**

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Industry Canada, as the regulator for all wireless providers across Canada, sets out the rules and policies for our business. In addition to Industry Canada, we work closely with municipal and provincial authorities to seek their support to identify appropriate site options and if needed, to obtain any necessary permits and approvals.

Land Use Consultant

Rogers is working with Standard Land Company Inc. on this project, who assists our efforts in gathering public input and working with regulatory authorities.

Contact Information

We would like to hear your comments and answer your questions. You are invited to provide your feedback by mail or electronic mail. Please send your comments and questions to Rogers at the address below by the close of business day on **May 25, 2013.**

Rogers Communications Inc.

c/o Standard Land Company Inc.
Attention: Kiersten Enemark
610 – 688 West Hastings Street
Vancouver, British Columbia V6B 1P1
Tel: 1 (877) 687-1102
E-mail: CommentsBC@standardland.com

Please find below, additional contacts in the event that there are questions specific to local land use or Industry Canada Regulations.

Regional District of Nanaimo

Current Planning Department
6300 Hammond Bay Road
Nanaimo, British Columbia V9T 6N2
Tel: (250) 390 6510
E-mail: planning@rdn.bc.ca

Industry Canada

Vancouver Island District Office
1230 Government Street
Victoria, British Columbia V8W 3M4
Tel: (250) 363-3803
E-mail: victoria.district@ic.gc.ca

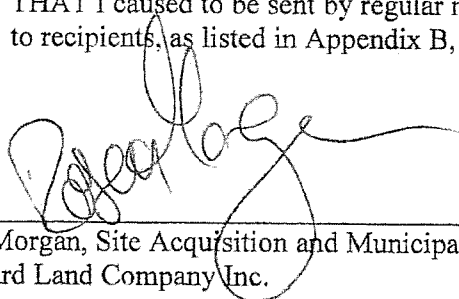
Appendix B: List of Recipients

*Names and personal information not included
for public distribution pursuant to FOIPPA s. 22*

Affidavit of Standard Land Company Inc.

I, Rosa Morgan, Site Acquisition and Municipal Affairs Coordinator (BC) in the City of Vancouver in the Province of British Columbia, make an Oath and say:

1. THAT I caused to be sent by regular mail a notification letter, as included in Appendix A, to recipients, as listed in Appendix B, on Tuesday, April 16, 2013



Rosa Morgan, Site Acquisition and Municipal Affairs Coordinator (BC)
Standard Land Company Inc.

Sworn/Affirmed/Declared before me at the City of Vancouver, in the Province of British Columbia, this 16th day of April, 2013.



(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of British Columbia

Cameron Martin Carruthers
A Commissioner for Taking Affidavits
for British Columbia
Standard Land Company Inc.
610 - 688 West Hastings Street
Vancouver, BC V6B 1P1
Tel: (604) 687-1119
Expires: June 30, 2013

(Commissioner's stamp or printed name and expiry date)

Appendix A: Notification Letter



April 15, 2013

Dear Area Residents and Businesses:

Like so many communities, the community of French Creek is experiencing a growing demand for wireless services as more and more people come to rely on smart phones, tablet computers and laptops as part of their everyday life. In response to this and in order to ensure dependable high speed wireless service is available to the community, Rogers is proposing the construction of a telecommunications tower at 891 Drew Road, Parksville, British Columbia.

As part of the public consultation process, you are invited to comment on the Rogers proposal before May 25, 2013. Following Industry Canada's Default Public Consultation Process, all residents and businesses within 135 metres of the proposed tower location will receive this Public Consultation Information Package. As well, a notice inviting the community to comment has been placed in the Parksville Qualicum Beach News on April 18, 2013.

This package contains detailed information about the proposed structure, the consultation and approval process, as well as contact information available to you during the consultation process.

Rogers has been invited and accepted to attend the French Creek Residents' Association (FCRA) Annual General Meeting on May 8th at 7:00 pm at St. Columba Church Hall, 921 Wembley Road, Parksville to meet with residents and answer any questions regarding the proposed project.

Your questions and comments are an important part of the consultation process. Please know you may provide your comments by contacting Rogers at CommentsBC@standardland.com, or by completing the Comments Sheet on the other side of this letter by May 25, 2013.

We appreciate your time and attention in considering the proposed telecommunications tower and look forward to your comments.

Rogers Communications Inc.

Peter Leathley
Municipal Affairs Specialist (BC), Wireless Network Implementation



QUESTIONNAIRE & INPUT FORM

We welcome your comments regarding the proposed Rogers telecommunications structure at 891 Drew Road, Parksville, BC. We would appreciate your time in completing this questionnaire. Rogers will respond to any questions or issues, and the correspondence will be shared with the Regional District of Nanaimo and Industry Canada as part of the consultation process. This information will not be used for marketing purposes.

1. Are you currently happy with the quality of wireless service in your community?

Yes No If no, what areas require improved service?

2. Do you feel this is an appropriate location for a tower?

Yes No

If not, what change do you suggest: _

3. Are you satisfied with the proposed appearance / design of the proposed tower?

Yes No

If not, what change do you suggest: _

4. Other Comments: _

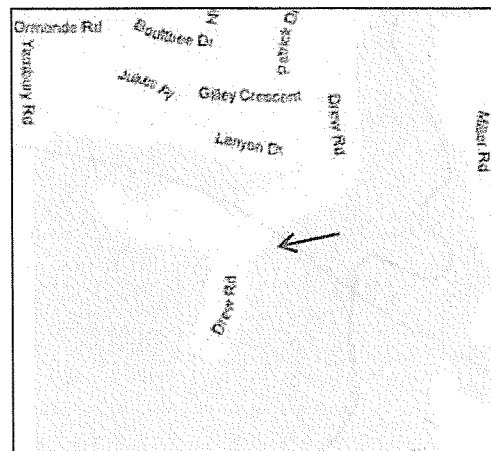
Tower Location

Name: _____

Address: _____

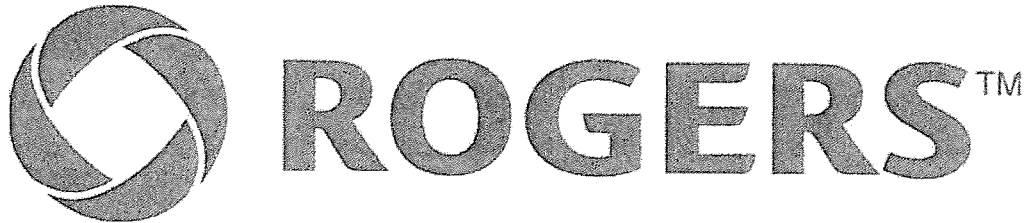
Telephone: _____

Email: _____



Thank you.





**Public Consultation Information Package
Wireless Communications Installation**

Location: 891 Drew Road, Parksville, BC V9P 1X2
Rogers Site: W3030 (French Creek)

Contact

Rogers Communications Inc.
1600 – 4710 Kingsway,
Burnaby, British Columbia V5G 4W7

Contact name: Kiersten Enemark
c/o Standard Land Company Inc.
Agents to Rogers Communications Inc.
Tel: 1 (877) 687-1102
Email: CommentsBC@standardland.com

April 15, 2013

What is being proposed?

Rogers is proposing to build a new 45 metre monopole tower structure. To ensure continued reliable service, Rogers is proposing to enhance and restore a high quality network signal for the wireless network in the area by adding equipment on a proposed structure.

When a network weakness is identified, Rogers' radiofrequency engineers' first steps are to explore any and all opportunities to add additional equipment on nearby towers or mount antennas on existing buildings. Only when every alternative has been exhausted, does Rogers consider constructing a new wireless structure. Rogers engineers have determined that in this case there are no suitable existing structures in the area. As a result, a single structure of 45 metres is being proposed to meet Rogers' network requirements.

Initially, Rogers identified commercial lands along the Hwy 19A as being appropriate for a tower location. For over a year, Rogers actively searched for a commercial property with a willing property owner to host a telecommunications facility at a location compatible with the Rogers network. Unfortunately, Rogers was unable to finalize a location with a willing property owner.

Where is the proposed tower site?

The proposed location is on rural land (zoning RU1) and is also adjacent to rural lands in all directions. Rogers is proposing to locate the tower southeast of the railway tracks, behind mature trees approximately 30 metres in height. This location is based on Rogers' technical requirements to provide improved service as well as preliminary feedback from the Regional District of Nanaimo.



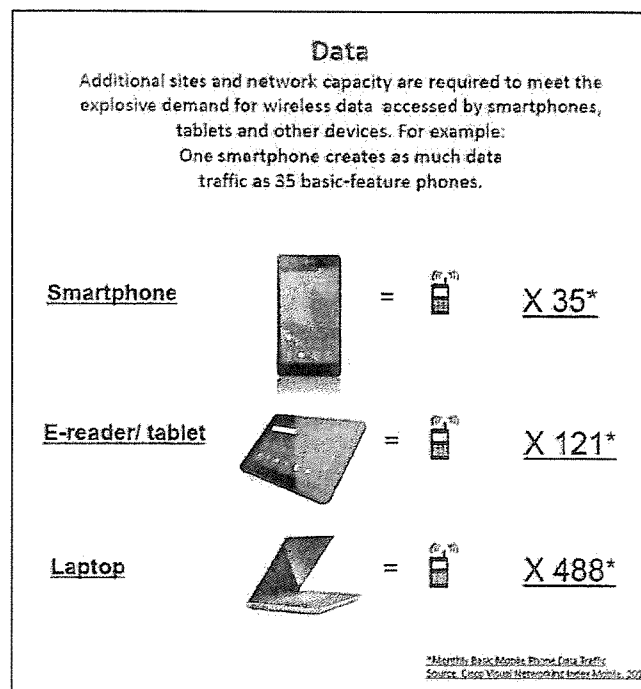
Why is this new structure required?

A new structure is required to host telecommunications equipment that will provide improved wireless service to the community. Rogers is constantly working to improve coverage and network quality to its customers. Rogers is responding to the growing demand for wireless voice and data services, particularly within existing service areas.

The customers using smartphones like iPhones and Blackberries, portable devices like iPads and tablets, computers and wireless laptops are demanding fast, reliable service. These “smart devices” place an increased demand on the wireless network which, in turn, requires ongoing investment and expansion in order to maintain service quality.

With the introduction of smartphones, tablets and other forms of mobile computing devices, customer demand for higher data speeds has become increasingly important. The amount of data that can be processed and/or the number of calls that can occur at the same time is limited by two key factors: the number of users at any one time and the distance between the device and the cell site. As network demand increases, denser radio networks (more sites that are closer together) are required. It is also the case that the amount of coverage provided by a single site is inversely proportional to the number of voice calls and/or data transactions that occur at a given time. This becomes important as cells sites begin to function at or above capacity and gaps in coverage develop during periods of overcapacity. While this is represented by slowed transactions times for internet use, applications, and e-mail, it is much more problematic for voice calls, which either cannot be made or are constantly dropped. Where once excellent coverage and high quality calls were the norm, as capacity is reached, calls can no longer be processed even though the device may show strong coverage.

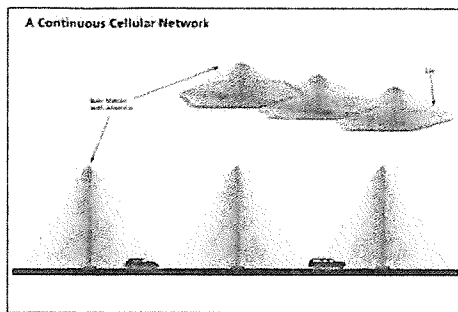
The table below illustrates how devices that transmit and receive data information need much more network capacity than standard mobile phones. For example, one Smartphone uses a wireless network as much as 35 standard mobile phones.



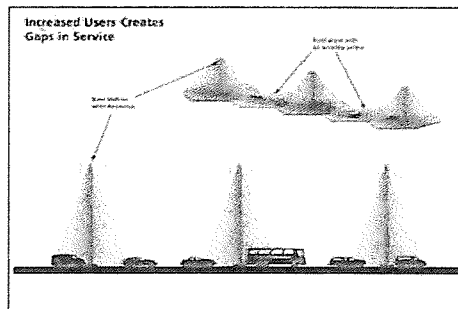
How do wireless networks work?

Wireless networks work by dividing geographic areas into “cells”. Each cell is served by a base station (in this case, a tower supporting telecommunications equipment). Mobile devices communicate with each other by exchanging radio signals with base stations.

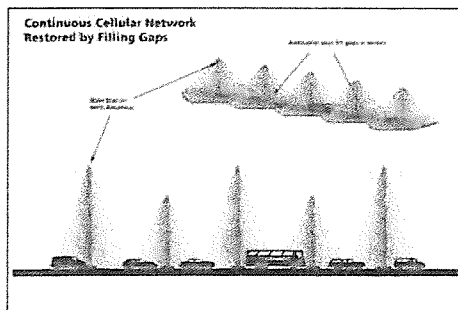
As more mobile phones and devices use the network, the “footprint” of service offered by a base station, like the proposed tower site, shrinks. This result is reduced coverage and gaps in service. Gaps in coverage can result in dropped calls and unreliable service. The drawings below illustrate how gaps in service develop as well as how additional equipment (or the addition of base stations) will enhance service.



A network is a series of interconnected cells each containing a base station (antennas and radio equipment). A high quality network offers continuous wireless service by placing base stations in specific geographical locations that allow us to use wireless devices.



When a base station reaches maximum capacity, the coverage footprint shrinks in order to handle volume.

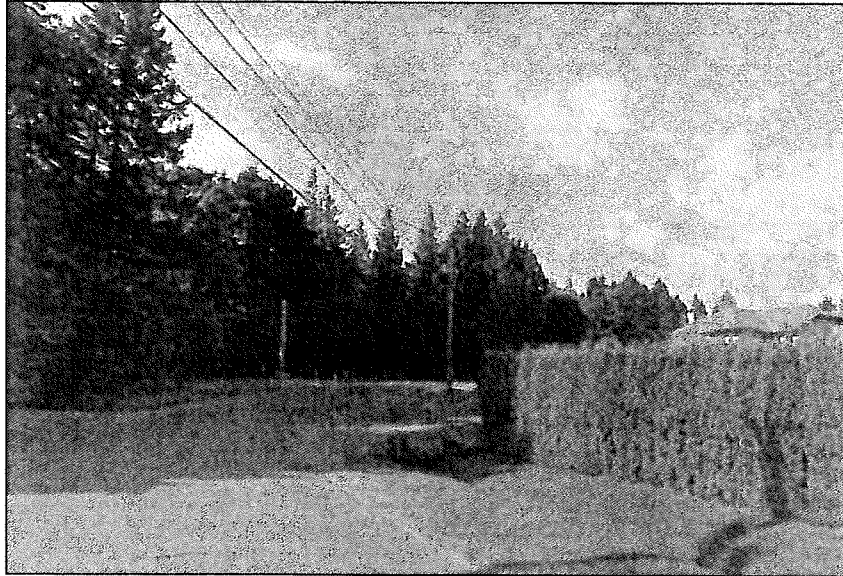


New base stations must be built to fill in the void areas and restore continuous wireless service.

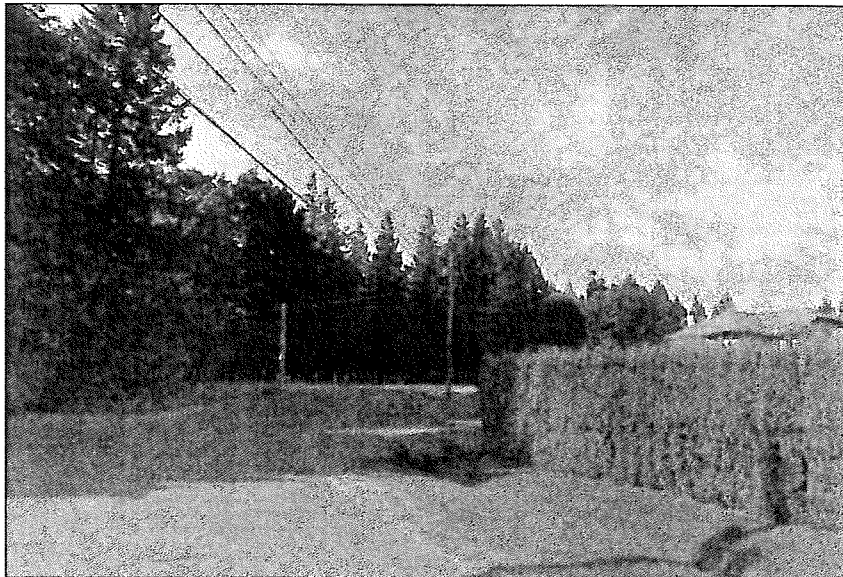
What will the site look like?

The proposed tower will be well screened in all directions by mature trees approximately 20 metres – 30 metres in height. Below is a photo simulation where the proposed tower design has been transposed on a picture taken from Drew Road, looking southwest towards the tower site.

Before Construction



After Construction

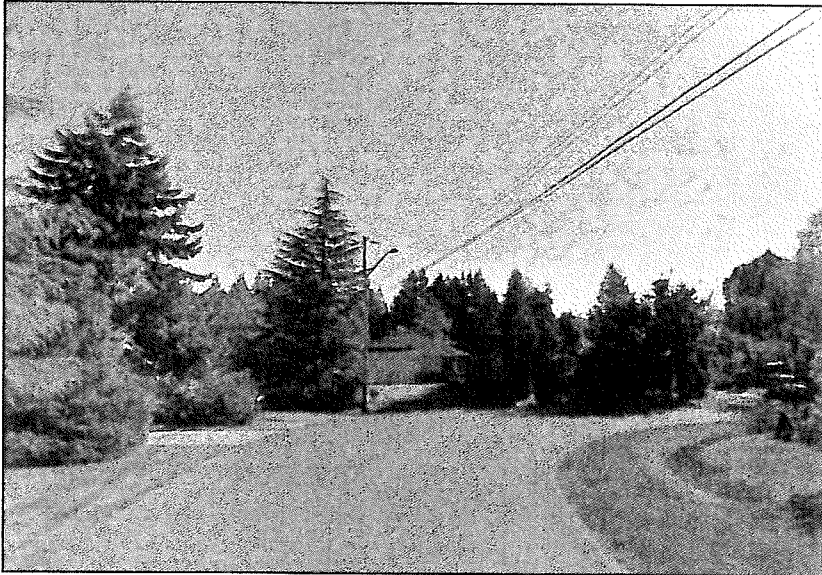


From Drew Road, looking southwest towards tower location.

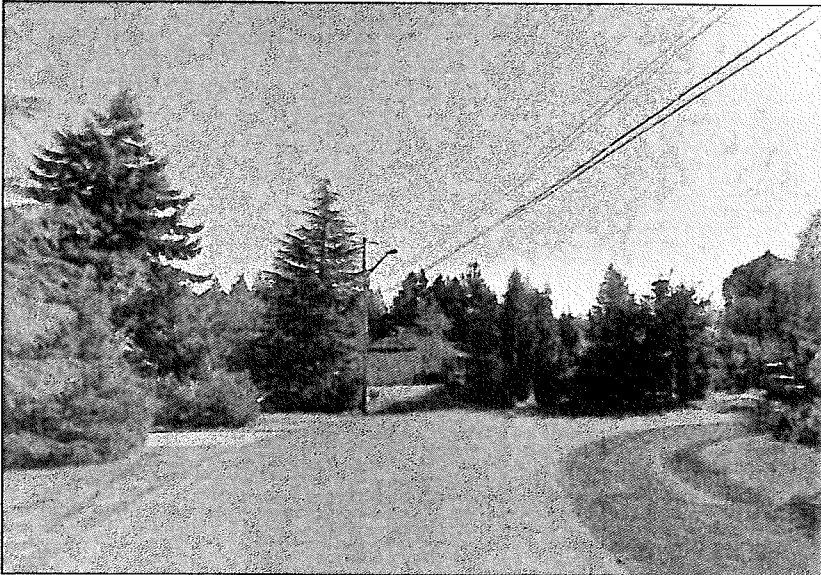
*Photo Simulation is a close representation and is for conceptual purposes only.
Best efforts have been made to represent the antenna accurately.
The tower will be marked in accordance with Transport Canada Obstruction Marking and NAV Canada requirements.*

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Before Construction



After Construction



Looking south on Lanyon Drive towards tower location.

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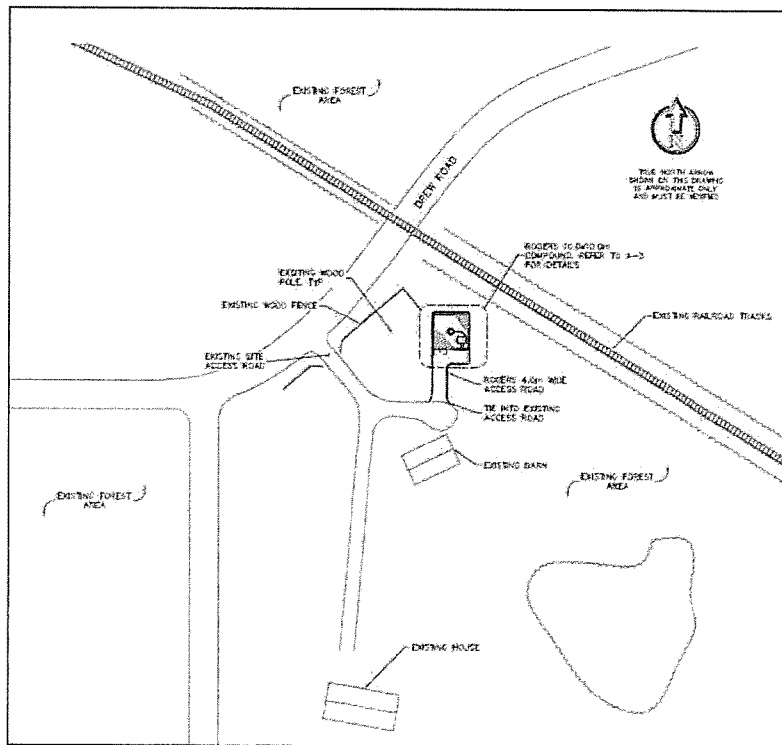
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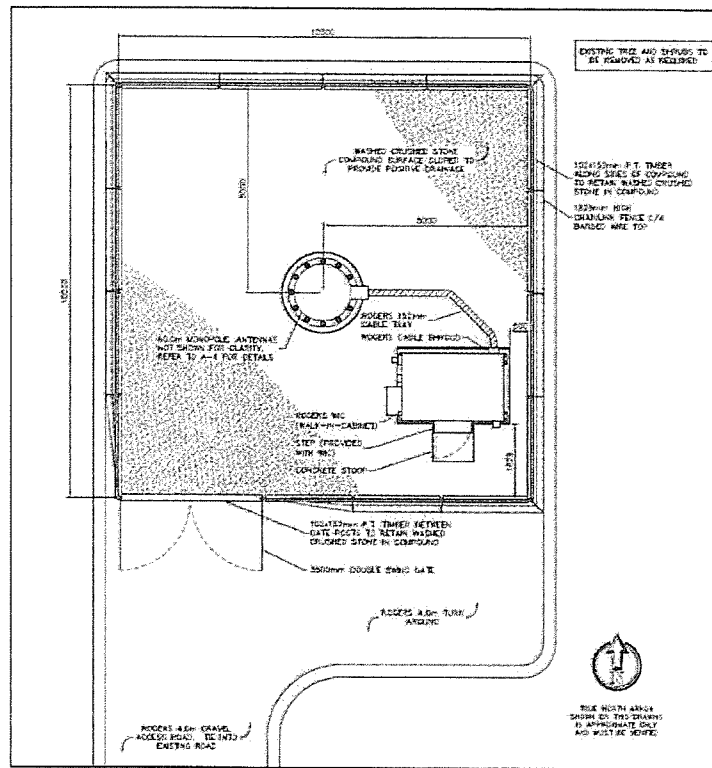
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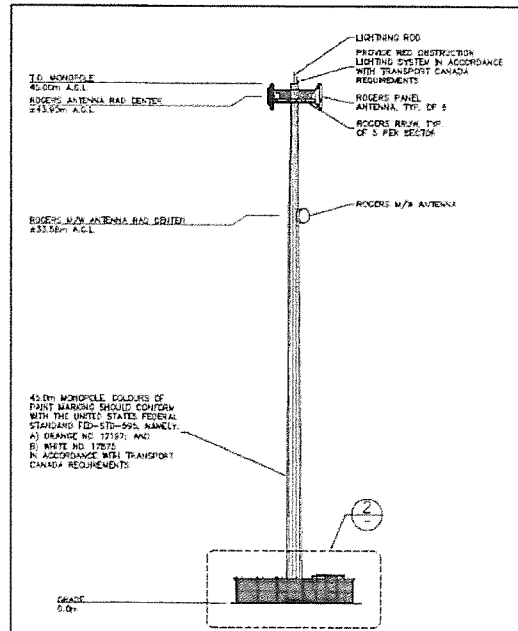


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Safety Code 6

www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html

Vancouver Coastal Health

www.vch.ca/about_us/news/concerns_about_cell_phone_tower_radiation_addressed

http://www.vch.ca/about_us/news/archive/2011-news/concerns_about_cell_phone_tower_radiation_addressed

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BC Centre for Disease Control

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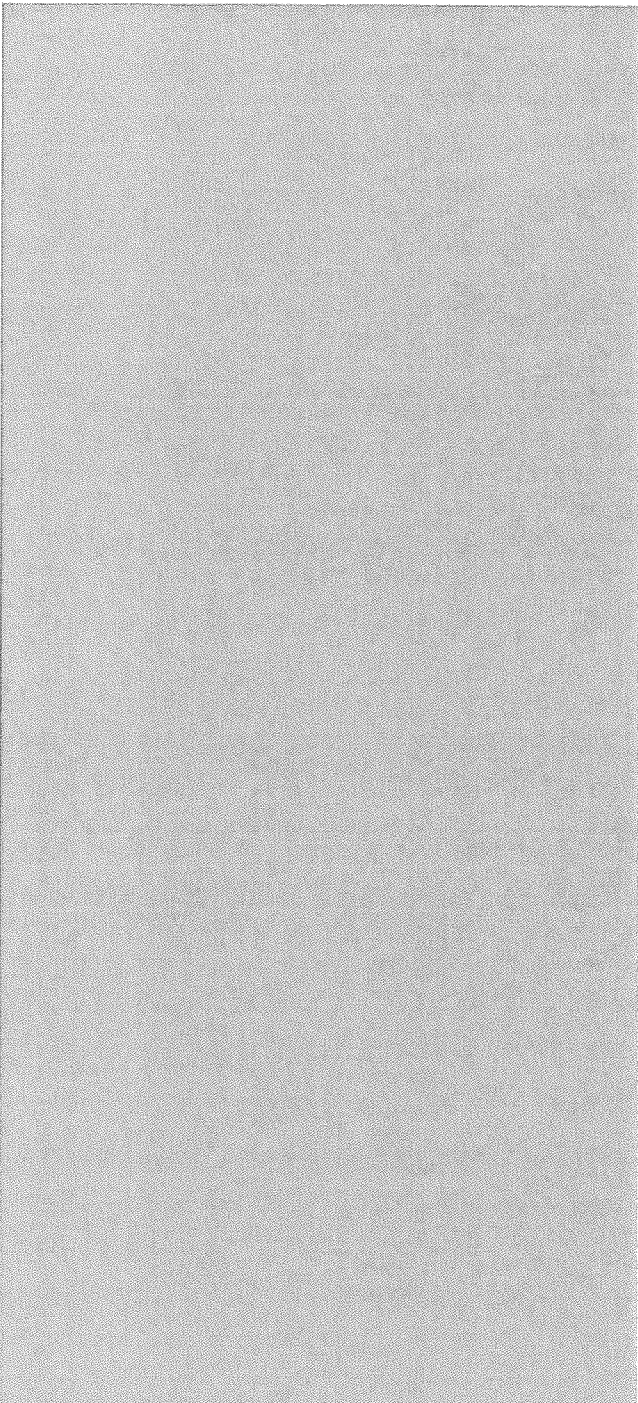
Regional District of Nanaimo

Current Planning Department
6300 Hammond Bay Road
Nanaimo, British Columbia V9T 6N2
Tel: (250) 390 6510
E-mail: planning@rdn.bc.ca

Industry Canada

Vancouver Island District Office
1230 Government Street
Victoria, British Columbia V8W 3M4
Tel: (250) 363-3803
E-mail: victoria.district@ic.gc.ca

Appendix B: List of Recipients



*Names and personal information not included
for public distribution pursuant to FOIPPA s. 22*

Appendix 2: Newspaper Notice

1

Appendix 3: Site Selection Map

RDN Water Works & Tank
No willing Landlord

Edge of Eaglecrest Golf Club
Access Issues & Impact to Golf Club

Commercial Property
No willing Landlord

Sewage Treatment Facility
Will not provide coverage requirements

Harbour Authority
Will not provide coverage requirements.

Church Properties
Will not provide coverage requirements.



Site Selection Process

(Rogers file W3030)

Airport
No willing Landlord

Proposed Site Location

Church
No willing Landlord

Windsor Lumber
No willing Landlord

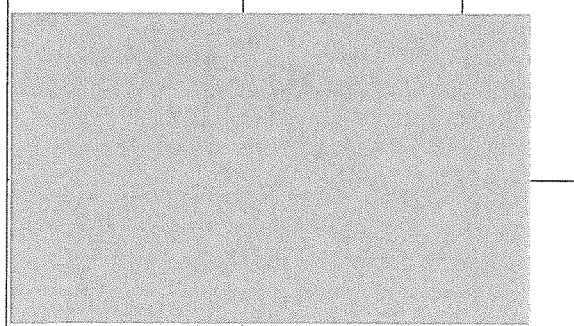
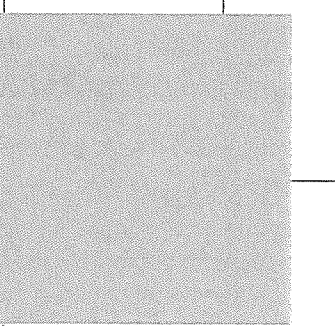

Morningstar Golf Club
Out of Search Area

**Appendix 4: Comments &
Correspondence Tracking Form**

Names and personal information not included for public distribution pursuant to FOIPA s. 22

Response to Notification Tracking Report French Creek W3030							
Name of Resident	Contact Information	Message Received	E-mail, Letter or Voice Message	Comment or Question	Areas for Response	Response to Comment or Question	Response sent to Resident (date)
		26-Apr-13	Letter	<p>Please see original letter document.</p> <p>Summary:</p> <ol style="list-style-type: none"> 1. Opposed to proposal. 2. Low pollution/ clean/ organic lifestyle. 3. Alternative locations, reasoning for not using alternative properties. 4. Other sites need to be examined - list of suggested properties. 5. Health concerns. 6. Time screening may not be indefinite. 7. Property values negatively affected. 8. Wireless towers inappropriate in rural setting. 9. Residents within 200 metres of towers should be received compensation. 10. Present and future agricultural uses need to be addressed. 11. Mental health affected. 	<ul style="list-style-type: none"> - Visibility - Alternative Locations; - Health and Safety 	<p>Response letter to all comments and concerns was provided, including explanation and map of all acquisition efforts for suggested list (see Appendix 3, Site Selection Map).</p> <p>Questions and Answers Sheet and Visibility Study mailed.</p>	<p>8-May-13</p> <p>28-Jun-13</p>
		13-May-13	Phonecall	Alternative Locations.	<ul style="list-style-type: none"> - Alternative Locations. 	<p>SIC to provide further information and research.</p> <p>Questions and Answers Sheet and Visibility Study mailed.</p>	<p>14-May-13 (Email)</p> <p>28-Jun-13</p>
		11-Jun-13 (2nd contact)	Comments Sheet	<p>See original comments sheet.</p> <p>Summary:</p> <p>Currently happy with service. Tower should not be in a "neighbourhood". Put somewhere else, not in favour of tower.</p>	<ul style="list-style-type: none"> - Alternative Locations. - Residential Location. 	<p>As above.</p>	
		16-May-13	Email	<p>Please see original email document.</p> <p>Summary:</p> <ol style="list-style-type: none"> 1. Opposition to proposal. 2. [REDACTED] 3. Painted red and white, this will light up the area at night. 4. Residential Country area. 5. Devaluation of property value. 6. Natural area diminished. 7. Photo sim does not show the tower realistically. 	<ul style="list-style-type: none"> - Visibility - Paint and light - Photo sim does not display the tower correctly 	<p>Questions and Answers Sheet and Visibility Study mailed</p>	28-Jun-13
		16-May-13	Phone call	In support of a tower. He would like to see improved service.	<ul style="list-style-type: none"> - Supportive due to increase in service. 	<p>Phonecall conversation took place.</p>	
		16-May-13	Phone call	In support of a tower. She would like to see improved service.	<ul style="list-style-type: none"> - Supportive due to increase in service. 	<p>Phonecall conversation took place.</p>	
		17-May-13	Comments Sheet	<p>See original comments sheet.</p> <p>Currently happy with wireless service. Not an appropriate location. Move to a more remote location. Antenna is within 60 ft of property. On ALR land.</p>	<ul style="list-style-type: none"> - Visibility - Location - ALR land. 	<p>Questions and Answers Sheet and Visibility Study mailed</p>	28-Jun-13

*Names and personal information not included
for public distribution pursuant to FOIPPA s. 22*

	26-May-13	Letter	<p>See original letter.</p> <p>Summary:</p> <ol style="list-style-type: none"> 1. Opposed to proposal. 2. The previous location suggested was in a residential area, this proposal is still in a residential area. 3. Compensation within the immediate distance of the tower, due to property values being decreased. 4. This tower could expand. 5. Health concerns. 6. Trees that are shown on photo sim could be removed by owner and create more visibility. 	<p>Visibility:</p> <ul style="list-style-type: none"> - Residential area (no better than previous proposal). - Health and Safety. - Property Values. 	<p>Responded to concerns and questions, addressing proximity to residents, health and safety and mitigate with smallest footprint.</p> <p>Questions and Answers Sheet and Visibility Study mailed.</p>	30-May-13 28-Jun-13
	25-May-13	Comments Sheet	<p>See original comments sheet.</p> <p>Currently happy with wireless service (use phone only in emergencies). Seems a strange location with 'dense demand' only on one side of tower.</p> <p>Not really opposed (but could have a negative effect on property value) Neither 'for' nor 'against' appearance of proposed tower.</p> <p>Could there distribution technologies, in the midst of dense housing Could be a sales feature when selling house (unclear: service?)</p>	<ul style="list-style-type: none"> - Could be placed amongst more dense population. - Note: unclear as to whether any questions are posed that require answer 	<p>Questions and Answers Sheet and Visibility Study mailed.</p>	28-Jun-13
	28-May-13	Phonecall	<p>In support of tower as would provide better service for business.</p>	<p>Supportive due to increase in service.</p>	<p>Phonecall conversation took place.</p> <p>Questions and Answers Sheet and Visibility Study mailed.</p>	24-May-13 28-Jun-13

**Appendix 5: Questions and Answers
& Visibility Study**



QUESTIONS & ANSWERS

Proposed Telecommunications Tower 891 Drew Road, Parksville

Rogers is committed to a meaningful consultation process with the community of French Creek, in proposing a telecommunications facility to service the community. In our public consultation process, we have engaged community members in a dialogue to better understand their areas of concern, understand them and put forth considerations to address these issues proactively.

We want to thank the community members for voicing their concerns at the French Creek Residents Association Meeting on May 8, 2013, as well as comments we received from residents during the comments period that concluded May 25, 2013. Based on the feedback we received, Rogers reconsidered alternative locations within the property and conducted a visibility study of the proposed tower. In our review, an alternate location further southeast of the property was found to be feasible from the standpoint of Radiofrequency Engineers requirements to provide coverage to this community, while minimizing tower visibility from the community.

Rogers wants to ensure that the community is well informed and understands the project before any decision regarding the tower proposal is made. Below are some questions we heard and answers we have prepared. If you have any further comments, please contact Rogers before July 18, 2013 at commentsbc@standardland.com

How is a tower at this location a benefit to the French Creek community?

Like many communities across Canada, residents of French Creek are increasingly using wireless data devices in their homes: smartphones, like iPhones and Blackberries, portable devices like iPads and tablets, as well as computers and laptops that depend on wireless service. All of these devices impose an increasing demand on the wireless network which, in turn, requires ongoing investment and improvement to maintain dependable service quality. Without responding to the demand for wireless service, service will only deteriorate and become less reliable.

Is placing a tower in proximity to a residential area appropriate?

More Canadians rely on wireless devices in their day-to-day lives for personal and business use. As a result, telecommunication installations are found where people require these services. It is not unusual to find antenna installations in residential communities, parks and on hospital or government buildings. If the concern is health, as long as the installation is operating within Health Canada's Safety Code 6 limits, antenna installations are acceptable in all parts of the community, including residential neighborhoods.

Why can't Rogers go outside of the residential community and move further away?

Rogers needs to locate its equipment where service is needed to service the community. In this case, Rogers is seeking to improve 4G high speed wireless services to the community of Parksville (north and south of Highway 1). Moving the proposed location further away would reduce network performance and compromise the overall coverage objective for the community.

What can Rogers do to mitigate the visibility of the tower?

In response to the comments received, Rogers investigated the visibility of the area from alternate locations within the property. In our site review, Rogers confirmed the visibility of the tower by completing a visibility study. A "balloon test" was conducted June 14th, where a balloon was flown at 45 metres in height and pictures were taken from various view points from the community. The visibility study conducted confirmed that the proposed tower would be partially visible from certain views, but many views would have little to no visibility.

Transport Canada requires that Rogers add a light above the tower for safe aeronautical navigation. Understanding that a light above a tower can be obtrusive, Rogers was able to provide an alternative light for the tower that is shielded from those at ground level but clearly visible to aircrafts. This proposed lighting would reduce the appearance of a light to the community.



Is this tower going to lower my property value?

There are many factors that affect house prices and there has not been a direct correlation - positively or negatively - between the location of a tower and property values. Antenna installations are found everywhere across Canada within our communities. In fact, in urban areas, there are antenna installations in all zones, sometimes as close as a few metres away, as equipment is located close to an area where service is required.

What other tower locations have Rogers considered?

During the consultation process, a number of alternative locations within the community were suggested by residents. However, most of the locations were set further away from the area Rogers intends to service, which would require a second tower elsewhere in the community. If possible, Rogers would prefer to install one single telecommunications facility to provide service to the community. Below is a list of properties considered by Rogers during our consultation process:

Proposed Alternative Location	Comments
Morning Star Golf Course	This property is located too far southeast and would not provide service to the areas north of Highway 1.
French Creek Harbour	This property is located too far northwest and would not provide service to the residential properties south of Highway 1.
Sewage Treatment Facility	This property is located too far east and would only partially satisfy Rogers service requirements.
BC Hydro towers	The transmission corridor is too far south to achieve the coverage objective for the community.
RDN Water Works	Rogers approached the RDN for the use of their property for a tower; however, RDN did not want to pursue an agreement for the use of their land.
Church, Wembley Road	Rogers approached the Church; however, they did not want to pursue an agreement for the use of their land.

Should the community be concerned about health?

Among other requirements, the proposed telecommunications facility is required to comply with standards and regulations set by Health Canada. These guidelines are outlined in Safety Code 6, which is based on current accepted scientific data, as the basis for safe limits from all radio frequencies, electric and magnetic field energy. Health Canada will continue to refer to long-term studies, however, after a decade of research, there is still no conclusive evidence for the adverse effects on health at exposure levels below current Canadian guidelines. Rogers will meet or exceeds these requirements. Specifically, the proposed tower will emit very low EMF energy and will be fully compliant with safety limits set by Health Canada.

If there are continued concerns, we recommend the community to reach out to local health experts as well as Health Canada, to seek advice regarding the effects of EMF energy from telecommunications towers. For additional information about wireless health and safety, please refer to:

- Health Canada Environmental and Workplace Health
<http://www.hc-sc.gc.ca/ewh-semt/radiation/cons/stations/index-eng.php>
- Canadian Cancer Society
<http://www.cancer.ca/en/prevention-and-screening/be-aware/harmful-substances-and-environmental-risks/cell-phones/?region=on>
- World Health Organization
<http://www.who.int/peh-erf/about/WhatisEMF/en/index.html>
- Vancouver Coastal Health – Concerns about cell phone tower radiation addressed: Radiation from cellular base stations is too low to cause adverse health effects
http://www.vch.ca/about_us/news/archive/2011-news/concerns_about_cell_phone_tower_radiation_addressed
- BC Centre for Disease Control - Cellular/PCS Base Stations
<http://www.bccdc.ca/healthenv/Radiation/ElectromagFields/CellPCSTransSites.htm>

What can the community do now?

You are welcome to reply to Rogers at commentsbc@standardland.com by July 18, 2013. All comments will be shared with the Regional District of Nanaimo.





View 1 – Facing West from Drew Road



Legend
● = Tower Location



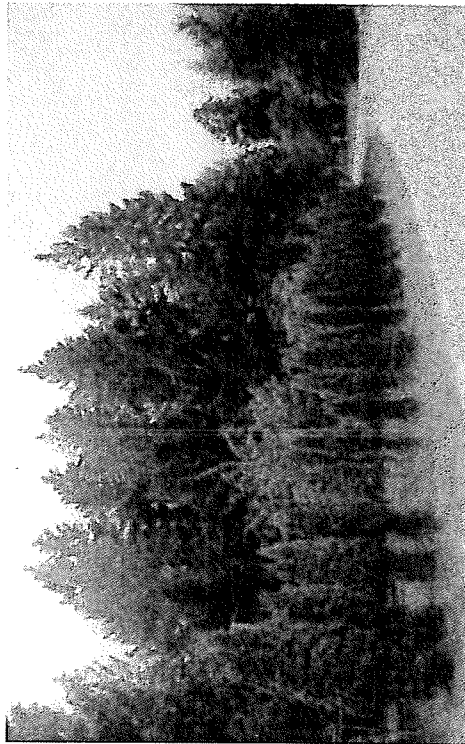
View 2 – View Northwest from Drew Road



Legend
● = Tower Location



View 3 – View South from Drew Road



Legend
● = Tower Location



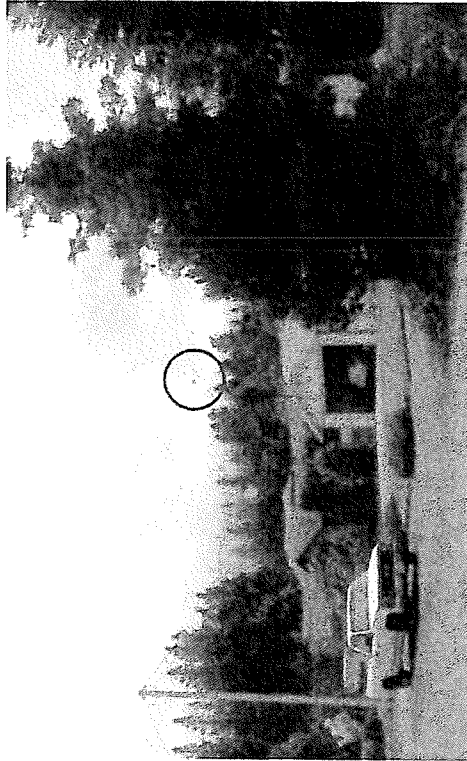
View 4 – View Southwest from Drew Road



Legend
● = Tower Location



View 5 – View South from Drew Road



Legend
● = Tower Location



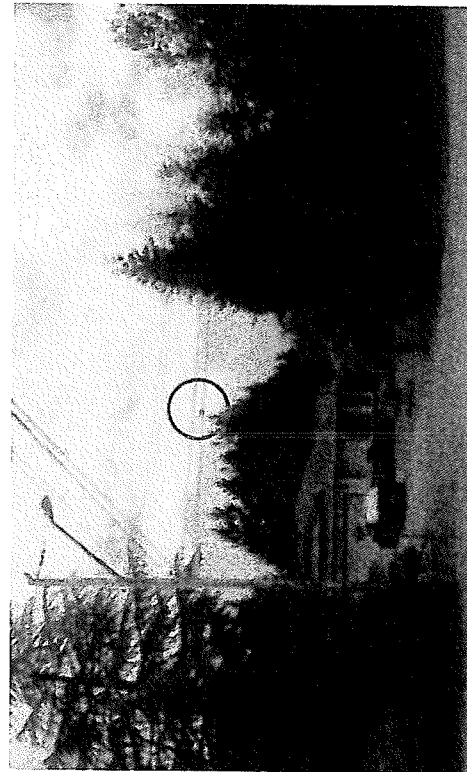
View 6 – View South from Drew Road



Legend
● = Tower Location



View 7 – View Southwest from Lanyon Drive



Legend
● = Tower Location



View 8 – View Southeast from Lanyon Drive



Legend
● = Tower Location



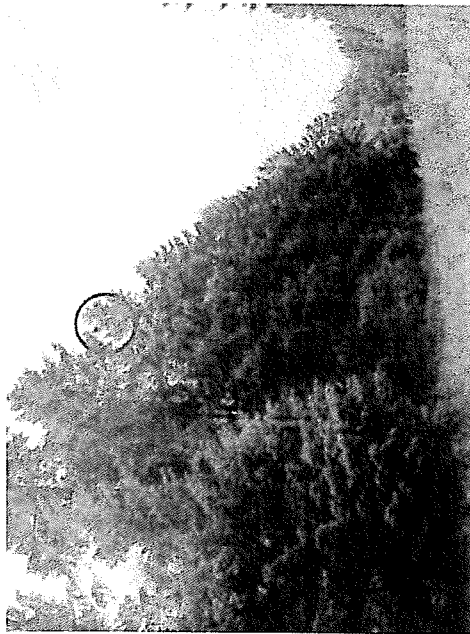
View 9 – View Southeast from railway



Legend
● = Tower Location



View 10 – View Southwest from railway



Legend
● = Tower Location

Appendix 6: Sample Resolution

Resolution

Whereas ROGERS COMMUNICATIONS INC. proposes to erect a wireless telecommunication tower and accessory structure on certain lands more particularly described as, THAT PART OF LOT A, DISTRICT LOT 27, NANOOSE DISTRICT, PLAN 1300, LYING TO THE SOUTH OF THE SOUTH WESTERLY BOUNDARY OF THE RIGHT OF WAY OF THE ESQUIMALT AND NANAIMO RAILWAY COMPANY AS SAID RIGHT OF WAY IS SHOWN ON PLAN DEPOSITED UNDER DD 7736-F, EXCEPT PART IN PLAN 25748, with the civic address of, 891 Drew Road, Nanaimo, British Columbia V9P 1X2;

AND WHEREAS proponents of telecommunication towers are regulated by Industry Canada on behalf of the Government of Canada and as part of their approval, Industry Canada requires proponents to consult with land use authorities as provided for in CPC-2-0-03;

AND WHEREAS ROGERS COMMUNICATIONS INC. has consulted with the and the planning staff have no objection to the proposed telecommunications tower;

AND WHEREAS ROGERS COMMUNICATIONS INC. has consulted with the public by notifying all property owners and occupants within three (3) times the tower height and has provided thirty (30) days for written public comment.;

AND WHEREAS there are no significant land use issues identified by the consultation;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Clerk be instructed to advise ROGERS COMMUNICATIONS INC. that:
 - a) ROGERS COMMUNICATIONS INC. has satisfactorily completed its consultation with the Regional District of Nanaimo;
 - b) The Regional District of Nanaimo is satisfied with ROGERS COMMUNICATIONS INC.'s public consultation process and does not require any further consultation with the public; and
 - c) The Regional District of Nanaimo concurs with ROGERS COMMUNICATIONS INC. proposal to construct a wireless telecommunications facility provided it is constructed substantially in accordance with the plans submitted to it.

Attachment 4

Public Submissions and Applicant's Response

*(Distributed as a separate enclosure -
Names and personal information not included for public distribution
pursuant to FOIPPA s. 22)*