

DATE: January 3, 2024

File: 3010-01 / PJ 2C 21

TO: Agricultural Advisory Planning Commission

FROM: Planning and Development Services

**RE: Proposed Telecommunications Tower – 3505 Dove Creek Road
TELUS Communications Inc.
Lot A, Section 37, Comox District, Plan 2241, PID 005-314-941**

The attached development proposal, for property described as Lot A, Section 37, Comox District, Plan 2241, PID 005-314-941, is for commission members' review and comment.

A proposal to construct a 62.0 metre telecommunications tower on the property at 3505 Dove Creek Road (Figures 1 and 2) has recently been amended (Figure 3). The Agricultural Advisory Planning Commission (APC) reviewed this proposal at its October 14, 2021 meeting and made the following recommendation:

THAT the Agricultural Advisory Planning Commission oppose SitePath Consulting Inc.'s request for a letter of concurrence for the following reasons:

- The majority of the residents don't appear to be supportive in view of the evidence presented to the commission; and,
- It could have a negative impact on agritourism in the area, which is significant since this is a primary agritourism corridor for the Comox Valley.

The original APC Memo from 2021 is attached as Appendix A for reference.

Just prior to the October 14, 2021 APC meeting, the proponent had hosted a virtual public information meeting. Because of concerns raised about the proposal and the engagement method, the proponent agreed to hold an in-person public information meeting, which was done on November 9, 2022. Following this, the proponent has proposed a new location for the tower on the same property, which can be seen in Figure 3. The new location moves the tower further in the property – approximately 440 metres from Condensory Road to its southwest, and 530 metres from Dove Creek Road to its northeast – but is still near the southeastern lot line to limit the degree to which agricultural operations on the property would be impacted.

After making this siting change, the proponent sent a letter notifying nearby property owners and tenants of the siting change and opened a 30-day comment period. The Comox Valley Regional District had received confirmation from Innovation, Science, and Economic Development (ISED) Canada that this was sufficient notice given the existing engagement and scope of the proposed change.

Sincerely,

T. Trieu

Ton Trieu
Manager of Planning Services
Planning and Development Services

/dt

Attachments: Appendix A – “APC Memo for proposed telecommunications tower on 3505
Dove Creek Road dated September 23, 2021”

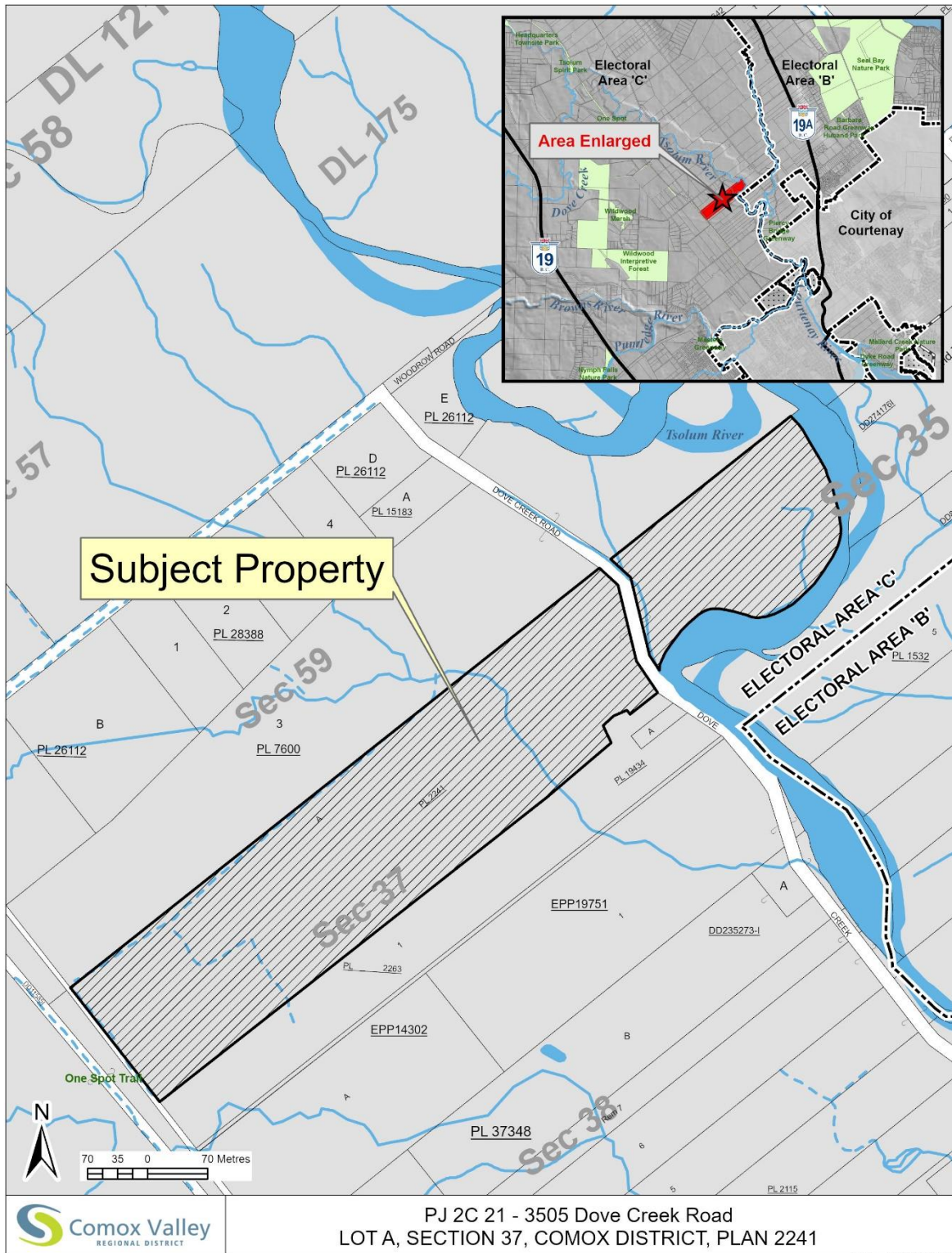


Figure 1: Subject Property Map

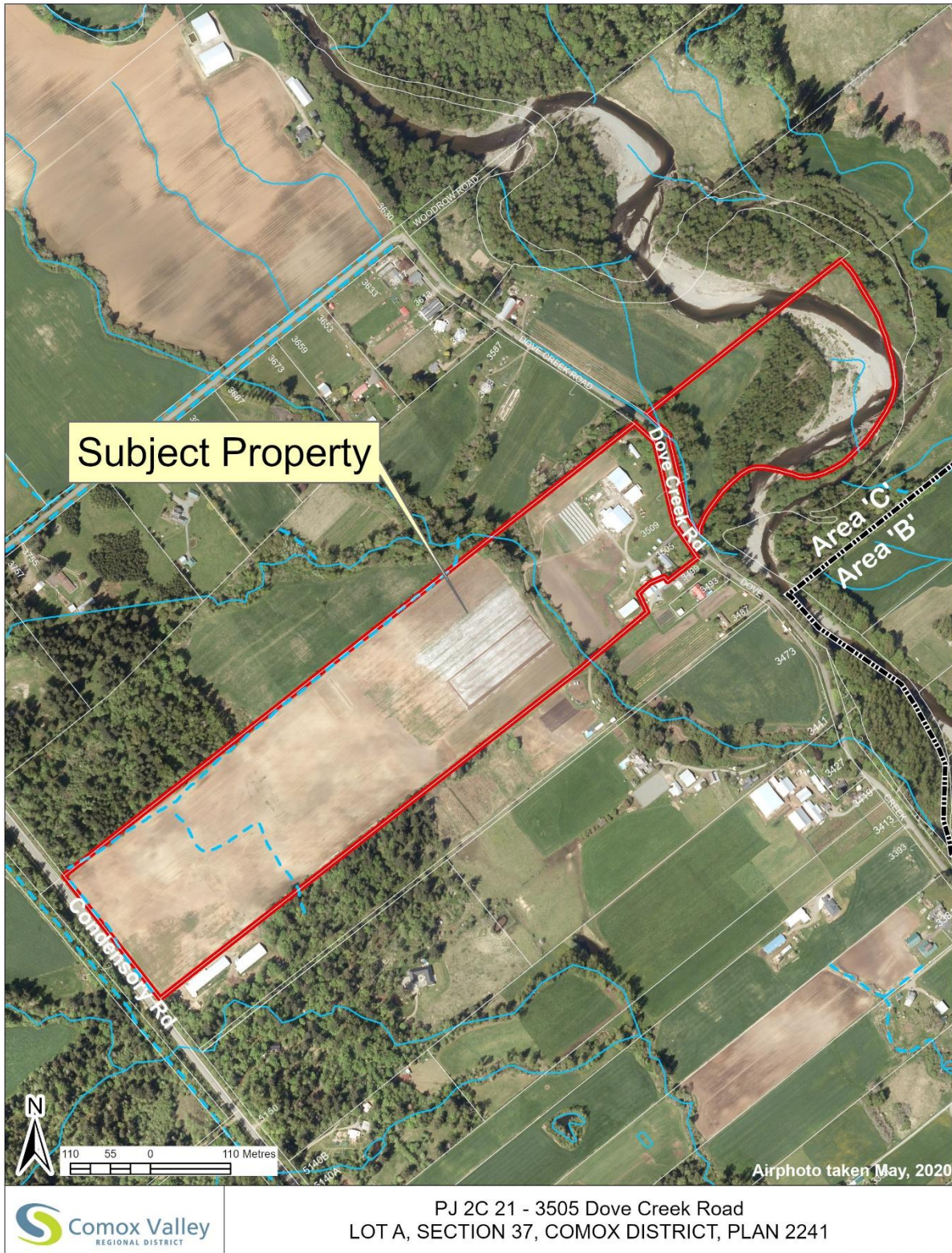


Figure 2: Air Photo



Figure 3: Originally Proposed Location and New Location

770 Harmston Avenue, Courtenay BC V9N 0G8
 Tel: 250-334-6000 Fax: 250-334-4358
 Toll free: 1-800-331-6007
 www.comoxvalleyrd.ca



Memo

File: 3010-01 / PJ 2C 21

DATE: September 23, 2021

TO: Agricultural Advisory Planning Commission

FROM: Planning and Development Services

RE: Proposed Telecommunications Tower – 3505 Dove Creek Road
 TELUS Communications Inc.
 Lot A, Section 37, Comox District, Plan 2241, PID 005-314-941

The attached development proposal is for commission members' review and comment.

Application Description

SitePath Consulting Ltd, acting on behalf of TELUS Communications Inc., is proposing the construction of a 62.0 metre tall telecommunications tower on the property located at 3505 Dove Creek Road (Figures 1-6). TELUS, and their service infrastructure, is regulated by the federal government, but Innovation, Science and Economic Development Canada (ISED) requires a Letter of Concurrence from a local government indicating that the local government is satisfied with TELUS's consultation process, that the proposed tower is a permitted use, and that the tower's design and location is acceptable. An overview of their proposal is provided in this memo (Appendix A).

The subject property is 27 hectares in size, zoned Rural-ALR, and is designated as being within an Agricultural Area. In a presentation made to the Electoral Areas Services Committee on October 4, 2021, a TELUS representative rationalized the site selected based on several factors:

- The property's proximity to the Dove Creek community (will provide optical performance to an established residential community)
- The site's proximity to nearby power sources
- The size of the property

The development proposal was introduced at the October 4 Electoral Area Services Committee meeting. To engage with members of the public, TELUS hosted a virtual public meeting via Webex on September 16, 2021, from 5:00 pm – 6:00 pm. The meeting was advertised in the August 11 and August 18, 2021 editions of the Comox Valley Record, and the results of the engagement will be provided at the November 8 Electoral Area Services Committee meeting.

Official Community Plan and Regional Growth Strategy Analysis

Bylaw No. 120, being the "Comox Valley Regional District Regional Growth Strategy Bylaw No. 120, 2010," does not discuss infrastructure specifically related to telecommunications networks, but the introduction to the infrastructure goal (Goal 5) notes that infrastructure extensions "should be

guided by an understanding of where and how growth should occur, considering natural capacity, environmental impact, costs and efficiency.”

Bylaw No. 337, being the “Rural Comox Valley Official Community Plan Bylaw No. 337, 2014,” provides more concrete policies relating to infrastructure, some of which explicitly mention telecommunications infrastructure. These subsections that mention telecommunications infrastructure are listed below for your convenience and review.

- | | |
|---------------|---|
| Section 25(2) | “Development of any new roads, road improvements, bridges, telecommunications towers, or service corridors are encouraged to design using natural topography and conservation of environmental features.” |
| Section 25(5) | “Require telecommunications proponents to identify co-location opportunities prior to siting new infrastructure such as new self-support telecommunications towers.” |
| Section 25(6) | “Require a public information meeting for any new proposed self-support telecommunications towers.” |

Zoning Bylaw Analysis

Bylaw No. 520, being the “Rural Comox Valley Zoning Bylaw No. 520, 2019,” outlines how and in what capacity a property may be utilized. While the property is zoned RU-ALR, which is a zone intended on encouraging agricultural use, Section 301(1)(i) of the Zoning Bylaw lists “utility use” as a use that is permitted in all zones. “Utility use” is defined in a way that includes telecommunications services and its related infrastructure. Because TELUS is regulated solely by the federal government, local government bylaws and regulations, including Zoning Bylaws, do not apply beyond ensuring that the use itself is permitted. However, the federal government does impose regulations that limit certain aspects of a telecommunications tower development that are similar to those which may be regulated by a Zoning Bylaw.

Sincerely,

T. Trieu

Ton Trieu, RPP, MCIP
 Manager of Planning Services
 Planning and Development Services

/dt

Attachments Appendix A – Public Notification Mail-out Package

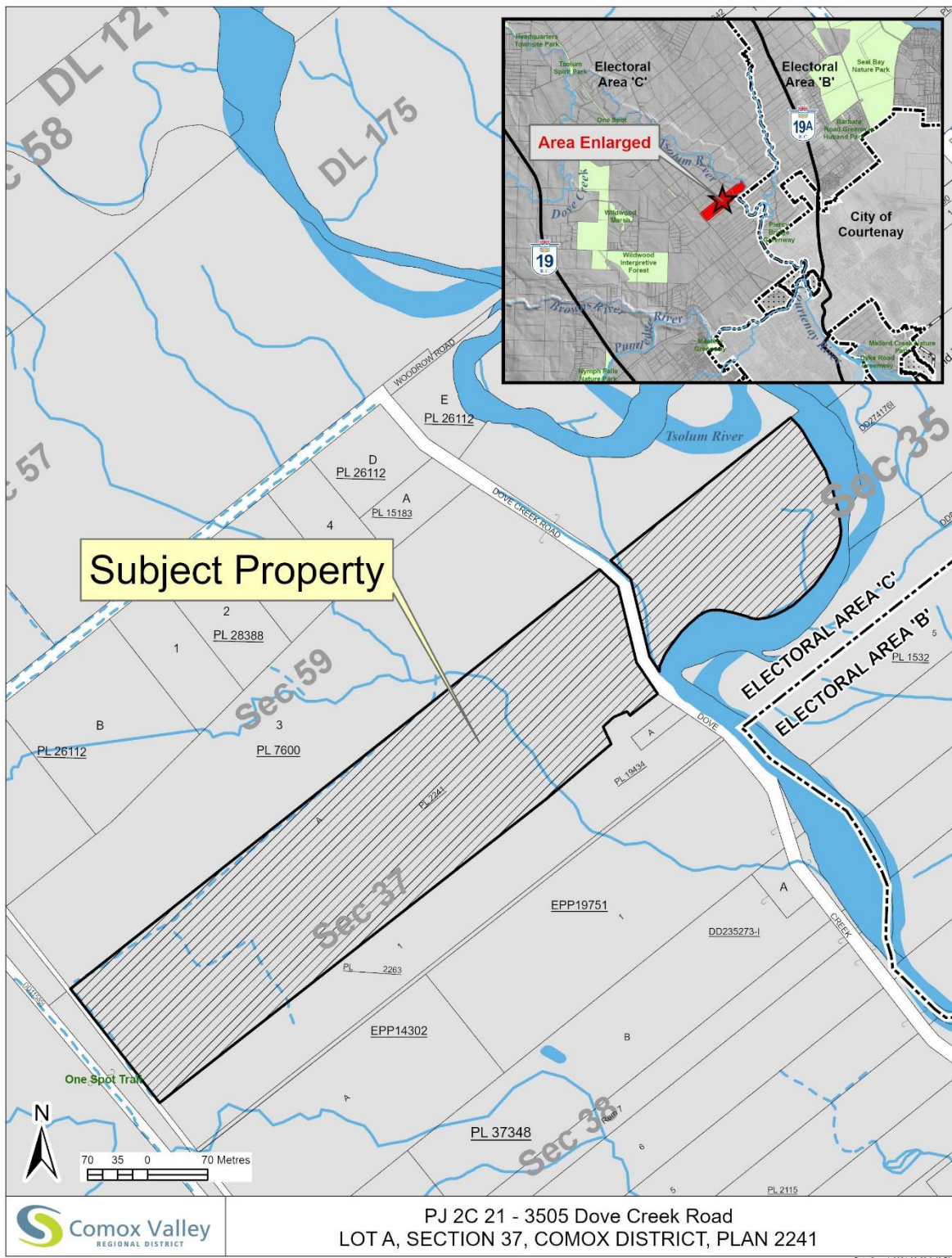


Figure 1: Subject Property Map

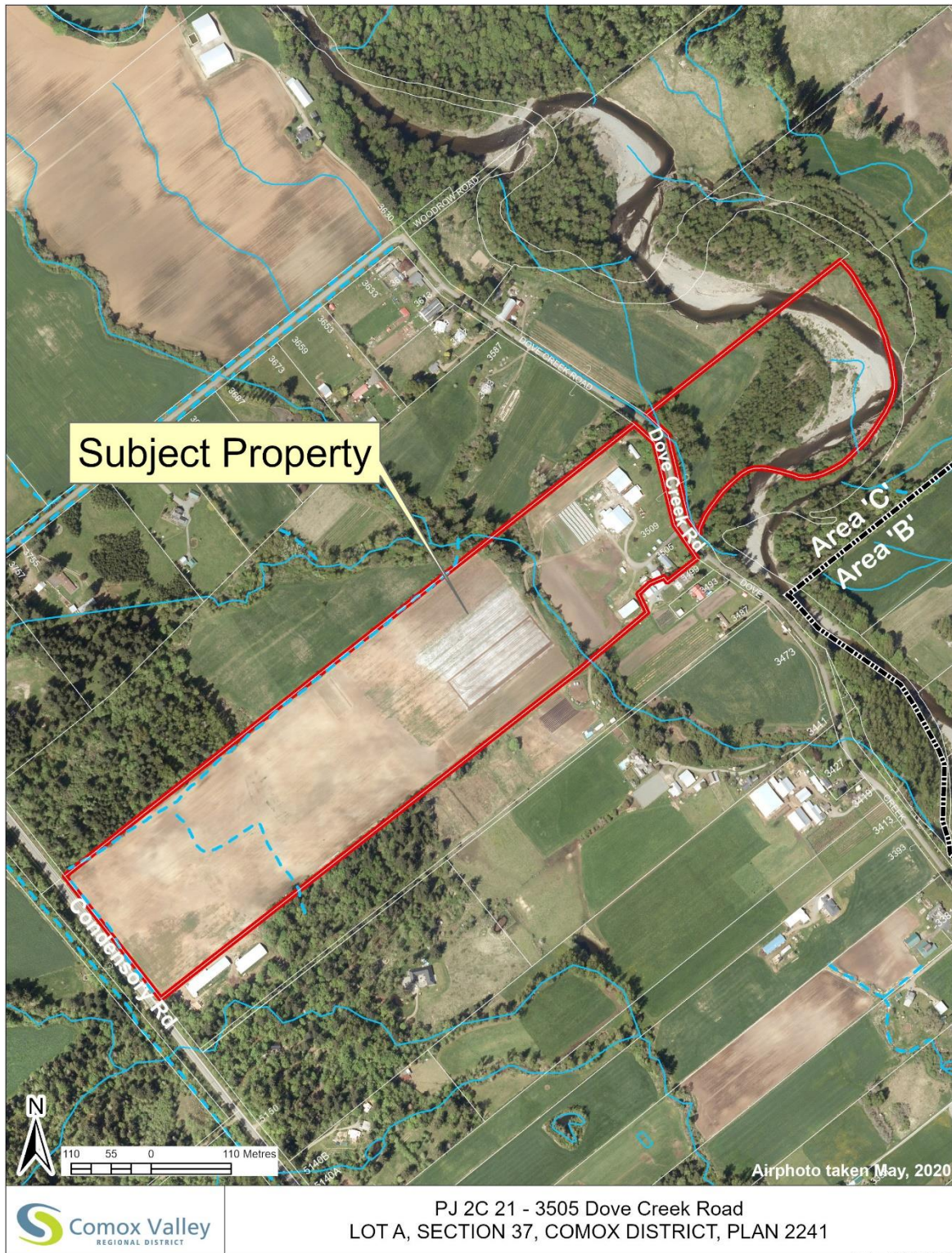


Figure 2: Air Photo

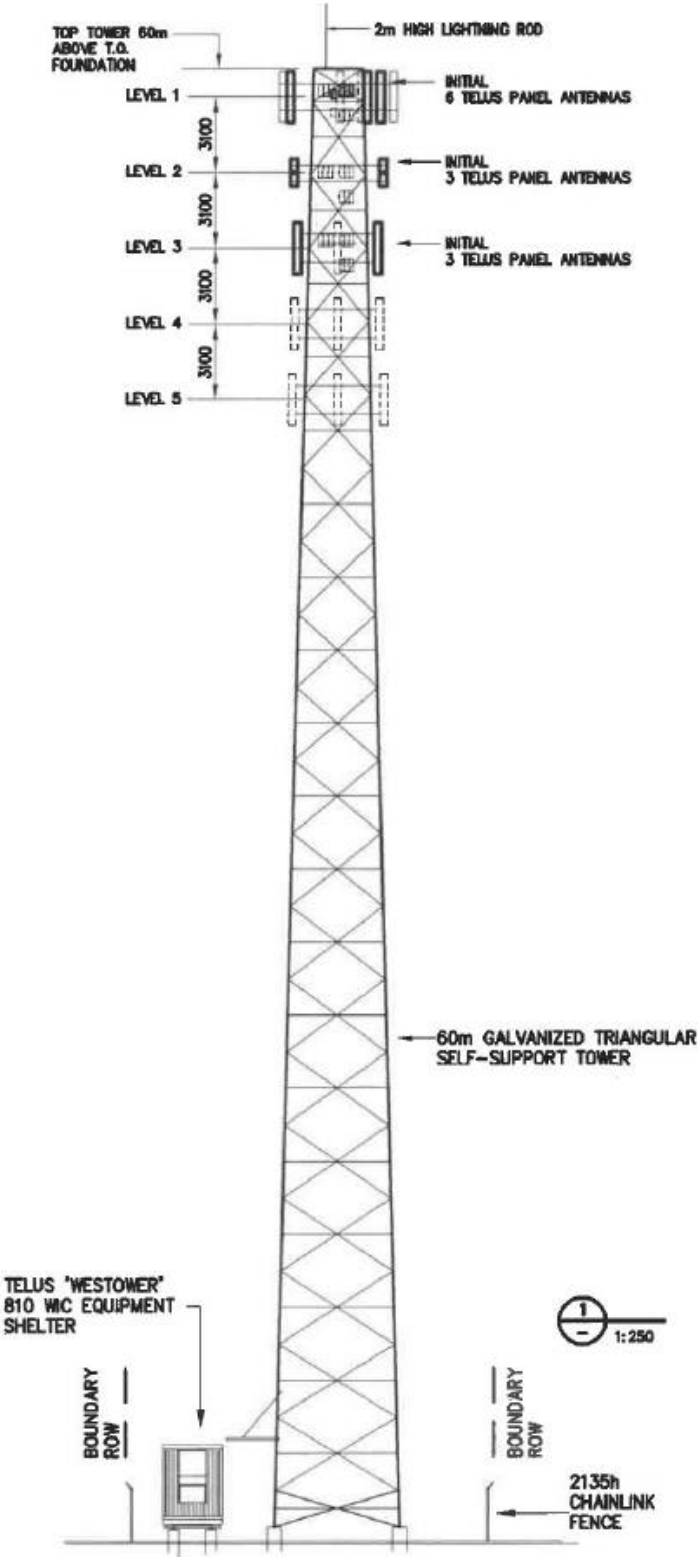


Figure 3: Elevation Drawing

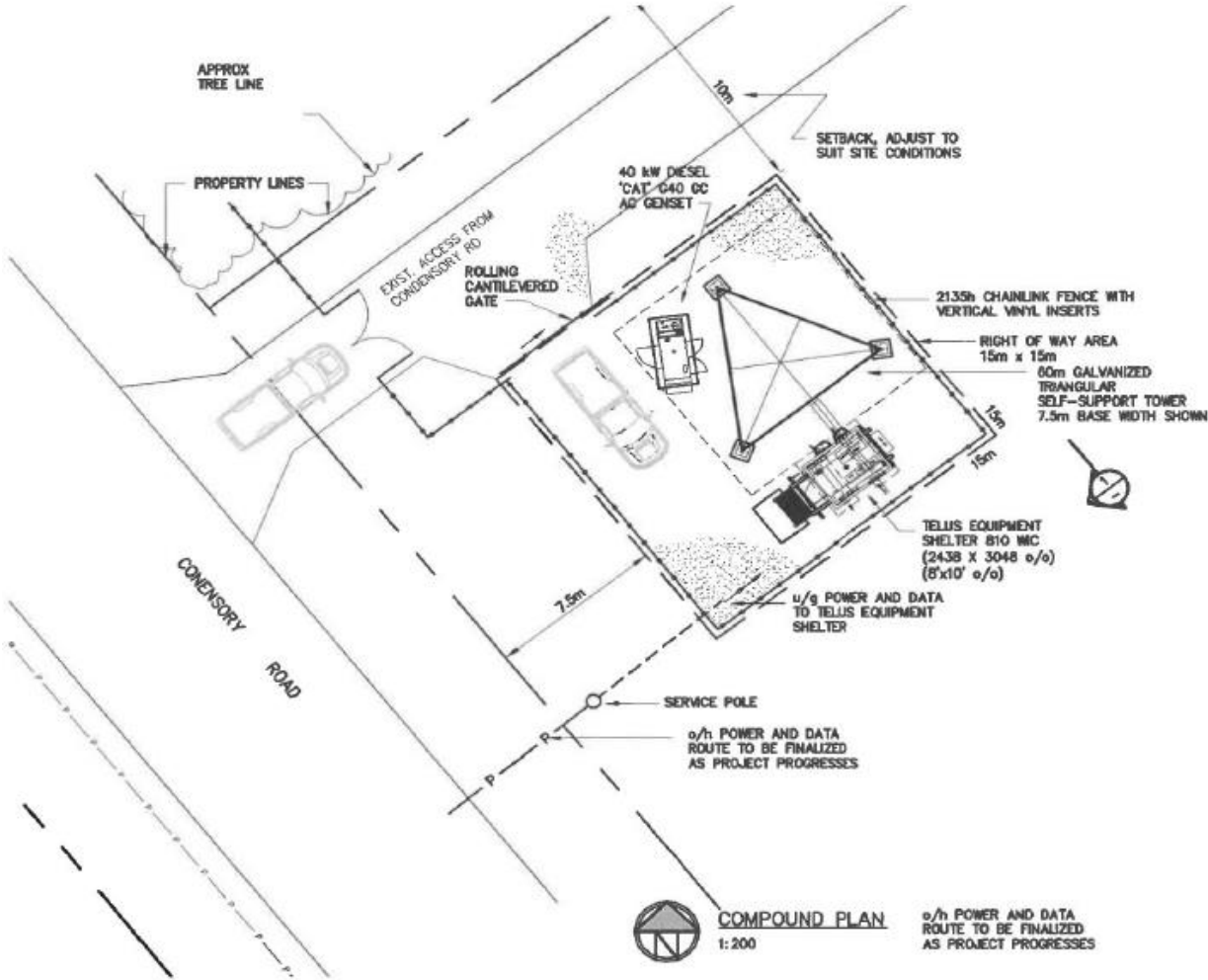
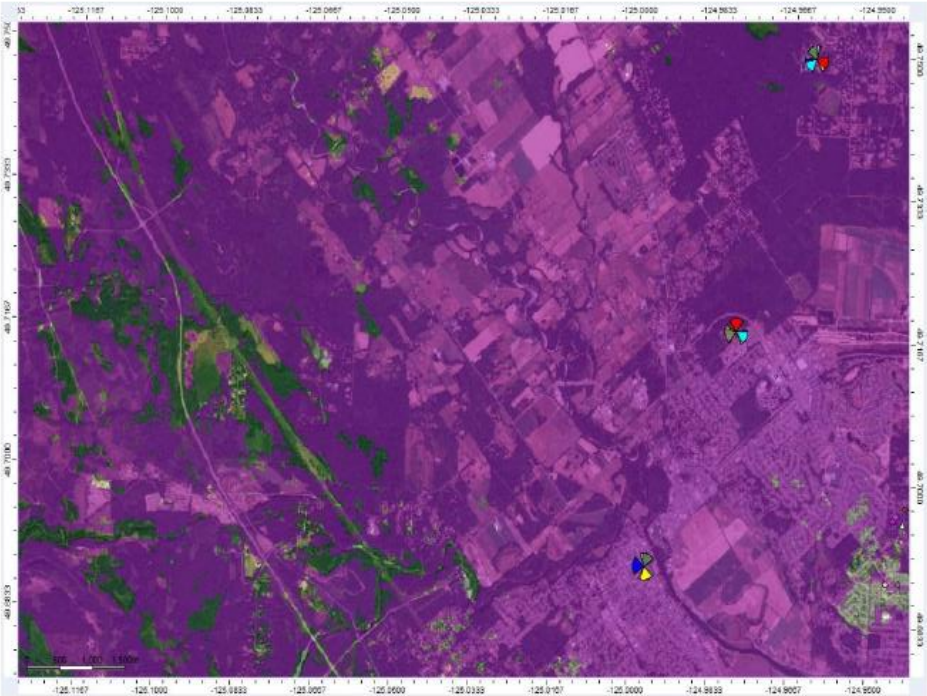


Figure 4: Site Plan

VOICE COVERAGE – BEFORE



VOICE COVERAGE – AFTER

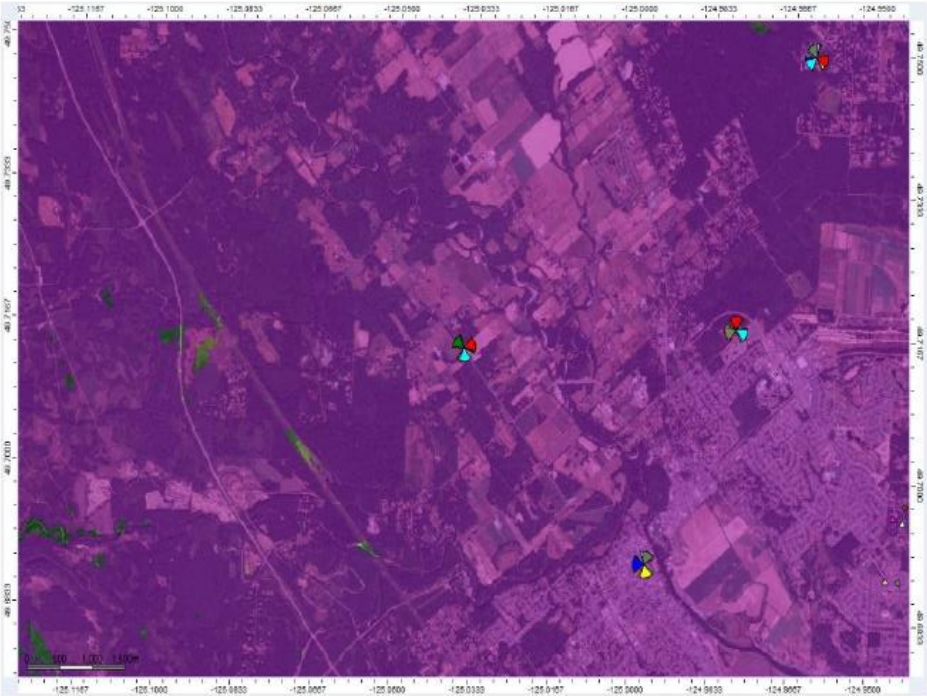
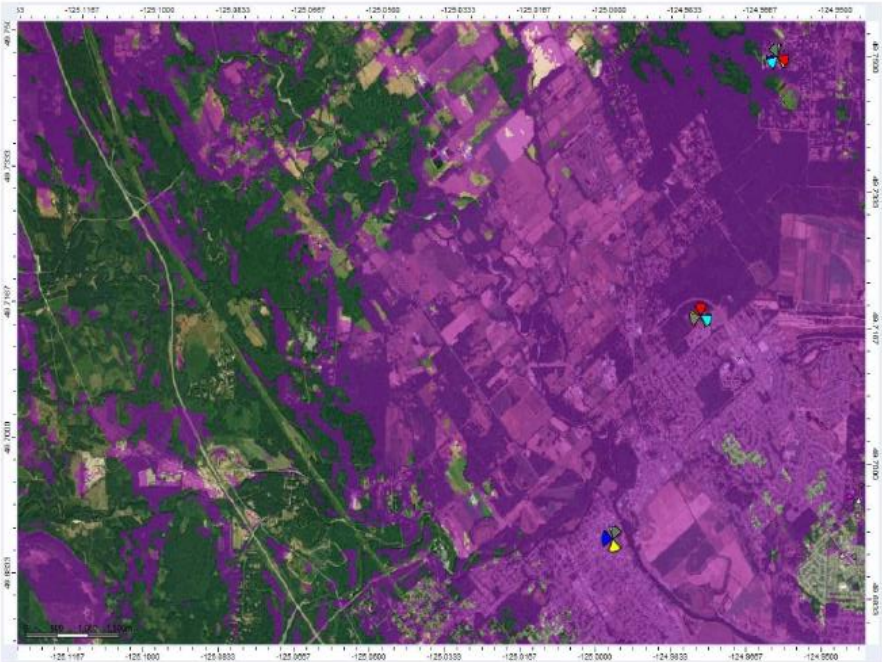


Figure 5: Voice Coverage Before and After Maps
Comox Valley Regional District

WIRELESS HIGH SPEED INTERNET ACCESS (wHSIA) – BEFORE



WIRELESS HIGH SPEED INTERNET ACCESS (wHSIA) – AFTER

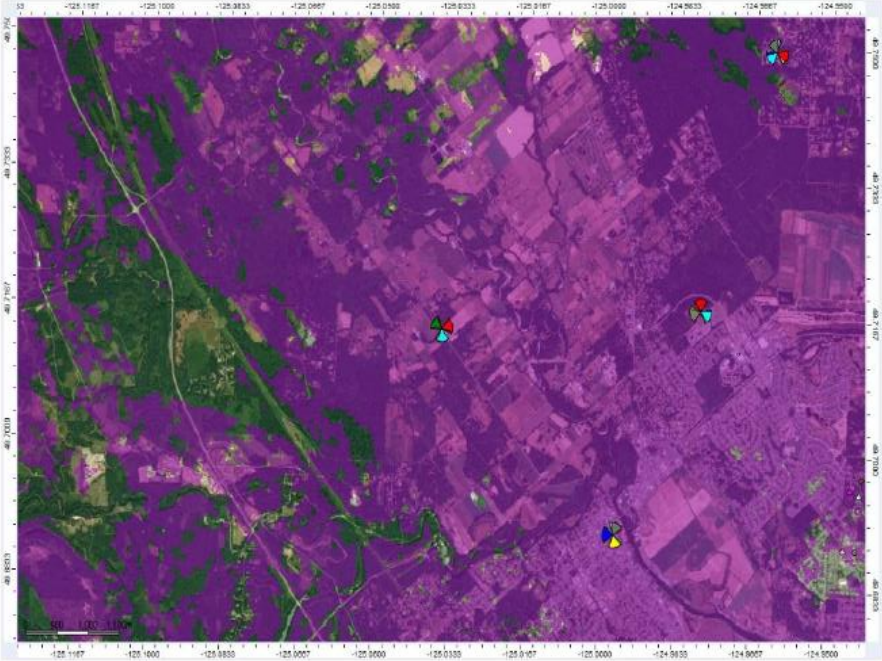


Figure 6: Wireless Internet Coverage Before and After Maps



Dear Resident/Landowner

August 2nd, 2021

Re: Proposed 62.0 m TELUS Radiocommunications Tower
Location: 3505 Dove Creek Road, Courtenay, BC
Coordinates: 49.714556, -125.035518
TELUS File: BC109300 - Dove Creek

Wireless technology offers many benefits to Canadians. Millions of individuals rely on wireless communications to enhance their personal security and safety, enjoy more frequent contact with family, friends and business associates, and to make more productive use of their personal and professional time. Additionally, cellular coverage improves public safety as over 70 percent of all calls to 911 are placed through wireless devices.

TELUS' Proposal

TELUS is proposing to construct a 62.0-meter tall self-support tower at a privately-owned property in Dove Creek, BC. All of the equipment necessary to operate this facility will reside within a compound located at the base of the tower. The proposed facility is to be located on a large 66.8 acre lot. The tower, if constructed, will provide improved high-speed internet access and wireless service to the Dove Creek community.

Authority

Although Innovation, Science and Economic Development Canada (ISED) has exclusive jurisdiction over the placement of wireless telecommunications facilities, it requires the carriers to consult with the applicable local government and the general public regarding new installations. The public consultation process is intended to provide an opportunity to have property owner questions addressed while respecting federal jurisdiction over the installation and operation of telecommunications systems.

ISED's Default Public Consultation Process

ISED has jurisdiction over telecommunications facilities and has set out public and land use authority consultation requirements in the ISED circular, CPC-2-0-03 (CPC) for telecommunication carriers. The CPC requires TELUS to consult with the local land use authority and the general public. TELUS is also required to provide notification packages to property owners within a radius of three times the proposed tower height, measured from the tower base or the outside perimeter of the supporting structure. The required notification radius in this instance is 186 meters. Your property falls within this notification radius, and accordingly, TELUS is consulting with you on this tower. This process will provide you with an opportunity to engage in reasonable, relevant, and timely communication regarding this proposal. This notification will also be submitted to the Comox Valley Regional District (CVRD) and ISED as part of our application for land use concurrence.

The public will also be invited to comment on the proposed site in response to a public notice that will be placed in the *Comox Valley Record*. The public notice will run for two consecutive issues on August 11th and August 18th, 2021. The public will then have 30 days to submit comments and questions to myself on behalf of TELUS.

I will acknowledge receipt of comments and questions received within 14 days and address all relevant and reasonable concerns within 60 days. The commenting member of the public will then have 21 days to reply to the response. A summary of all comments received and our responses will then be submitted to ISED.

Public Meeting and Comox Valley Regional District (CVRD) Consultation Requirements

In addition to following the ISED Default Public Consultation Process, TELUS is required to adhere to CVRD policies pertaining to tower siting. Given that the CVRD's Official Community Plan requires telecommunication proponents to host a public meeting and to explore co-location opportunities, TELUS will do so. As there are no suitable opportunities for co-location or tower sharing in the local area, **TELUS will host a digital public meeting via the Webex application on Thursday, September 16th, 2021 from 5:00-6:00 pm** to discuss the new proposed tower structure. *Please note that during the public meeting there will be two (2) presentations, including a presentation at 5:00 pm and another presentation at 5:30 pm. Each presentation will be followed by a question and answer period. For details regarding how to join the Webex meeting, please contact the TELUS contact listed below by no later than Wednesday, September 15th, 2021.*

Site Details

1. *Purpose* - The purpose of the proposed tower is to expand TELUS' wireless coverage and to provide access to dependable wireless high-speed internet services in the Dove Creek community. Currently, there are no suitable existing antenna support structures or other feasible structures that can be utilized and, as a result, a new tower is required. The tower, if constructed, will provide improved wireless connectivity in terms of reliability and speed for those in the vicinity of the facility.

2. *Location and Land Use* - The tower is proposed to be located on privately-owned land at 3505 Dove Creek Road, Courtenay, BC. The geographical coordinates for the tower site are 49.714556, -125.035518. The subject property is a large 66.8 acre lot. The subject property was selected as it is centrally located with favourable topography and it is also in close proximity to supporting infrastructure including access roads and power.
3. *Safety Code 6* – ISED requires all wireless carriers to operate in accordance with Health Canada’s safety standards. TELUS confirms that the tower described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada’s *Safety Code 6 including combined effects with the local radio environment*, as may be amended from time to time.
4. *Site Access* – TELUS is proposing to access the site via Condensory Road and a small access driveway that will extend into TELUS’ compound. TELUS’ compound will be contained within a chainlink fence to mitigate public access.
5. *Environment* - TELUS confirms that the installation is excluded from environmental assessment under the *Impact Assessment Act*.
6. *Design* - This proposal is for a 60.0-meter tall self-support tower structure as well as a 2.0-meter tall lightning rod (62.0 meters of total height including the lightning rod). The tower will house numerous panel antennas and multiple dishes in support of a variety of communication technologies. A preliminary design of the tower profile and compound plan is included in this notification for your reference.
7. *Transport Canada* - The tower will be marked in accordance with the Department of Transportation and NAV Canada requirements.
8. *Structural Considerations* - TELUS confirms that the antenna structure described in this notification package will apply good engineering practices including structural adequacy during construction.
9. *Land Use Authority* - The CVRD is the applicable land use authority and therefore TELUS will adhere to CVRD consultation requirements in addition to applying ISED’s Default Public Consultation process.
10. *Co-Location* - TELUS will consider all applications for tower sharing and co-location in accordance with ISED protocols.
11. *General Information*- General information relating to antenna systems is available on ISED’s Spectrum Management and Telecommunications website: http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/h_sf01702e.html.
12. *Contacts*:

TELUS

C/O Brian Gregg, SitePath Consulting Ltd., Land Use Consultant
2528 Alberta Street, Vancouver, BC V5Y 3L1
Phone: 778-870-1388
Email: briangregg@sitepathconsulting.com

Comox Valley Regional District

C/O Dylan Thiessen, Planner I
770 Harmston Avenue, Courtenay, BC, V9N 0G8
Email: dthiessen@comoxvalleyrd.ca
Phone: 250-334-6098

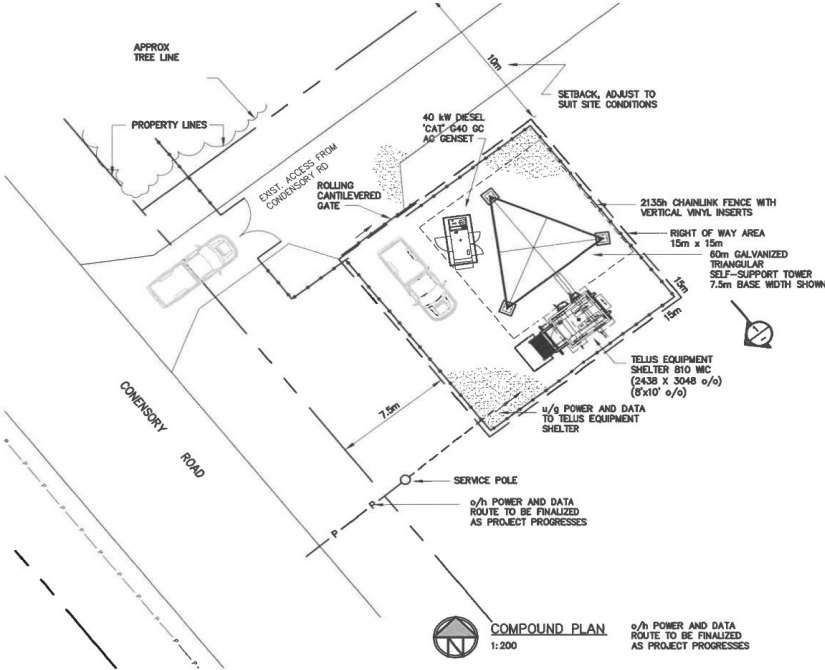
Innovation, Science and Economic Development Canada (ISED) - Vancouver Island District Office

1230 Government Street, Room 430, Victoria BC V8W 3M4
Tel: 250-363-3803
Email: ic.spectrumvictoria-victoriaspectre.ic@canada.ca

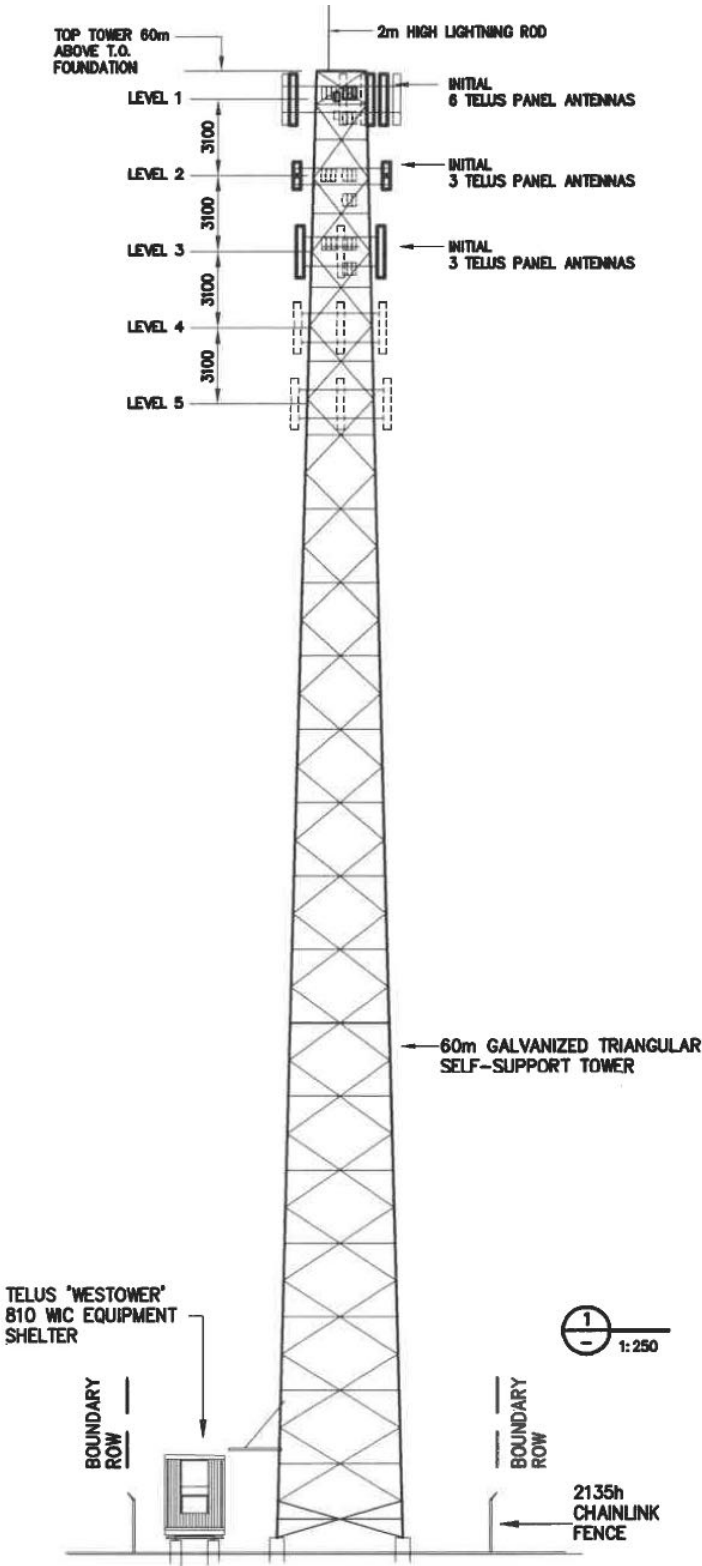
Should you have any specific questions regarding the proposal, please feel welcome to contact the contacts listed herein, or return the enclosed comment sheet by mail or email to TELUS by **September 30th, 2021**.



Aerial Photo (for discussion purposes only)



Compound Plan (for discussion purposes only)



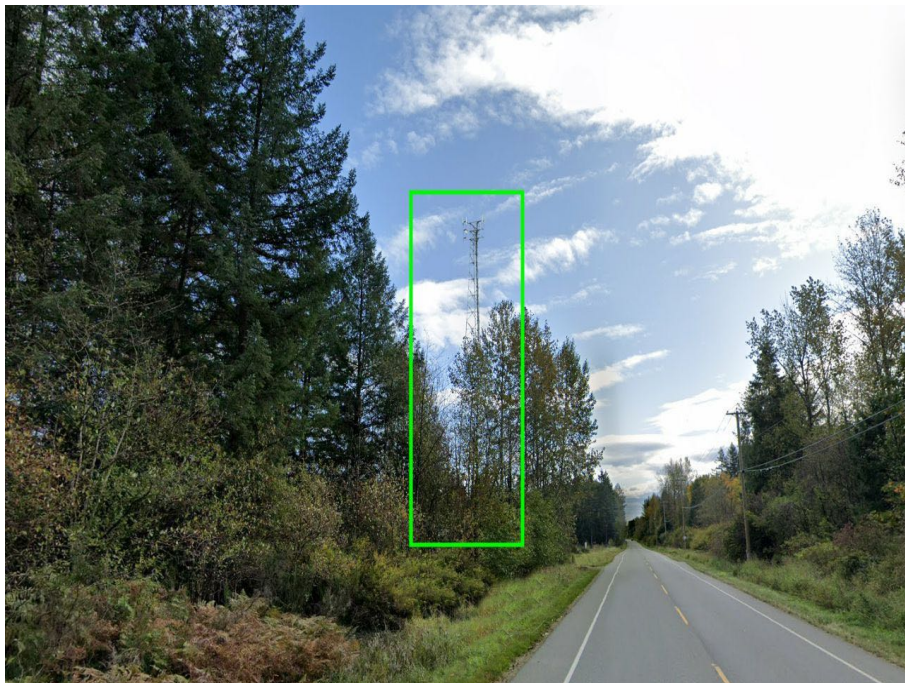
Tower Profile (for discussion purposes only)

Photo Simulations

**Photo Simulation 1 – View Looking Northwest from Condensory Road
(for discussion purposes only)**



**Photo Simulation 2 – View Looking Southeast from Condensory Road
(for discussion purposes only)**



COMMENT SHEET
PROPOSED TELECOMMUNICATIONS TOWER
DOVE CREEK
Coordinates: 49.714556, -125.035518
[TELUS File: BC109300 - Dove Creek]

1. Are you a cellular phone or wireless device user?

- Yes
- No

2. Do you feel this is an appropriate location for the proposed facility?

- Yes
- No

Comments

3. Are you satisfied with the appearance / design of the proposed facility? If not, what changes would you suggest?

- Yes
- No

Comments

Additional Comments

Please provide your name and full mailing address if you would like to be informed about the status of this proposal. This information will not be used for marketing purposes;

Name _____
(Please print clearly)

Mailing Address _____

Please email to briangregg@sitepathconsulting.com
or mail to 2528 Alberta Street, Vancouver, BC V5Y 3L1
ATTENTION: Brian Gregg
by September 30th, 2021.

Thank you for your input.