

Memo

File: 3010-01 / PJ 1C 20

DATE:	March 24, 2021
TO:	Advisory Planning Commission Puntledge-Black Creek (Electoral Area C)
FROM:	Planning and Development Services
RE:	Letter of Concurrence Request – 3301 Macaulay Road (Telus Communications) Lot B, Section 21, Township 4 and of Block 29, Comox District, Plan EPP53081, PID 029-776-279

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

Application Description

SitePath Consulting Ltd, acting on behalf of TELUS Communications Inc., is requesting a Letter of Concurrence from the Comox Valley Regional District regarding their proposed development of a 48.1 metre tall telecommunications tower on the property located at 3301 Macaulay Road (Figures 1-4). TELUS 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' 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 and the results of their public engagement consultation session is provided in this memo.

The subject property is 93 hectares (230 acres) in size, zoned Rural-ALR, and is designated as being within an Agricultural Area. In a presentation made to the Electoral Area Services Committee on October 5, 2020, a TELUS representative rationalized the site selected based on several factors:

- The property's proximity to the Robinson Lake community (will provide optical performance to an established residential community);
- The site's proximity to nearby power sources;
- The size and forestation of the lot, as this will help hide the lower portion of the tower; and,
- TELUS has existing land rights on the subject property.

To engage with members of the public, TELUS hosted a virtual public meeting via Webex on January 28, 2021, from 5:00 pm – 6:00 pm. The meeting was advertised in the January 20 and January 27, 2021 editions of the Comox Valley Record and saw the company receive 21 comments from community members. Additionally, 12 commenters indicated support for the proposal, three indicated opposition, and six were neutral and only sought additional information. The request for a Letter of Concurrence, as well as a summary of the public engagement process and event, is attached as Appendix A.

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. 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. These include minimum distances between the tower and residential uses (240 metres or six times the height of the tower), and locating towers and base stations as far away from roadways and property lines as possible.

Sincerely,

A. Mullaly (for)

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

/dt

Attachments Appendix A – "Public Consultation Summary and Land Use Concurrence Request"

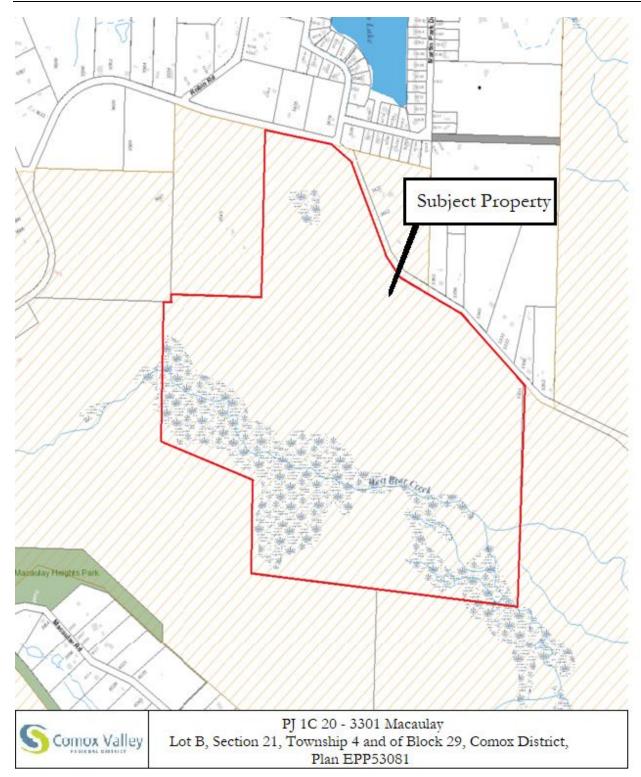


Figure 1: Subject Property Map

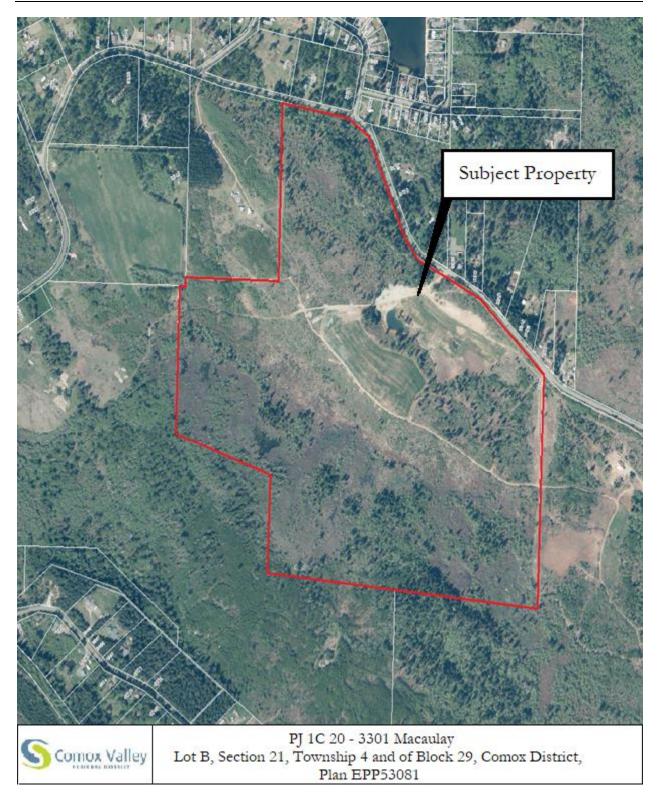


Figure 2: Air Photo

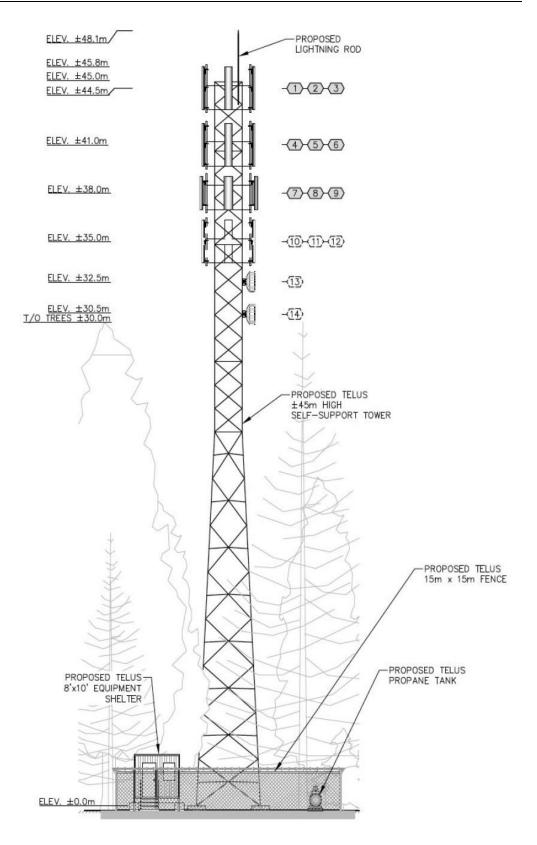


Figure 3: Elevation Drawing

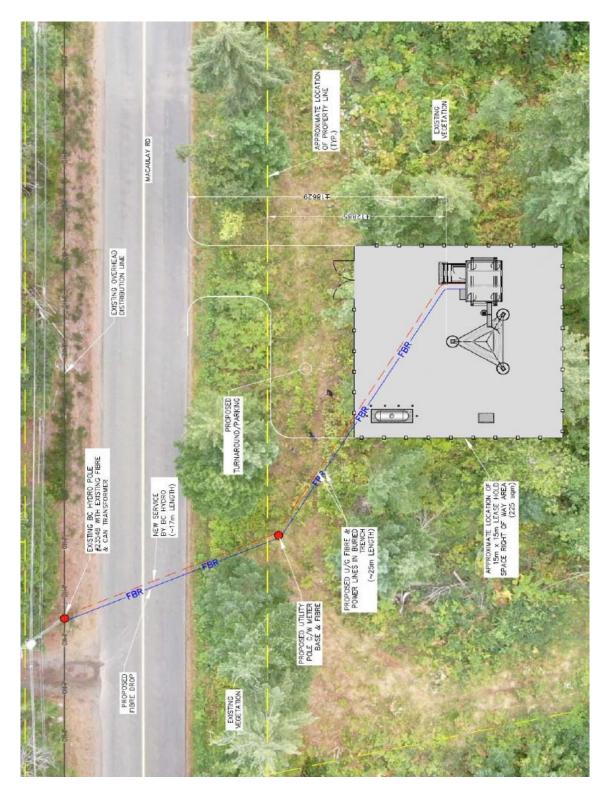


Figure 4: Site Plan



March 3rd, 2021

Public Consultation Summary & Land Use Concurrence Request

SitePath Consulting Ltd. ("SitePath") is representing TELUS Communications Inc. ("TELUS") in seeking land use concurrence from the Comox Valley Regional District (CVRD) in response to a proposed telecommunications installation.

TELUS Site:	BC105990 - Robinson Lake
Prepared By:	SitePath Consulting Ltd., representing TELUS
	Brian Gregg, Real Estate & Government Affairs Consultant
Address:	3301 Macaulay Road, Black Creek, BC
Coordinates:	49.87875, -125.20750
Legal Description	LOT B SECTION 21 TOWNSHIP 4 AND OF BLOCK 29 COMOX DISTRICT PLAN
and PID:	EPP53081, PID: 029-776-279
Land Use Authority:	CVRD
Zoning:	RU - ALR

Objective

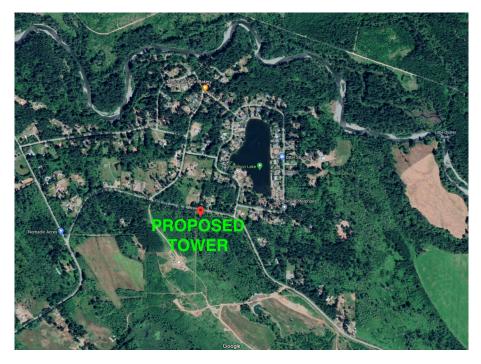
- TELUS has identified that there is currently not dependable wireless service, including wireless high speed internet access, in the Robinson Lake area. As a result, TELUS is proposing to install a new cell tower at a large privately owned property where TELUS holds existing land rights.
- The proposed facility will provide dependable voice and data service to the Robinson Lake community and improve personal safety as the majority of emergency calls are made using wireless devices.

Description of Proposed Site

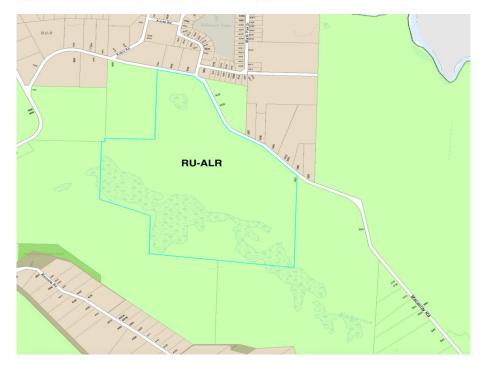
- TELUS is proposing the construction of a 48.1-meter tall self-support tower on a private property. The approximate coordinates of the tower are as follows: 49.87875, -125.20750.
- If constructed, all of the equipment necessary to operate this facility will reside within an approximately 15 meter by 15 meter fenced compound located at the base of the tower.
- The subject property was selected for the following reasons:
 - Rural Location: The proposed facility is on the fringe of Robinson Lake in an area with lower population density and large lots while still being centrally located in the area needing service improvements.
 - Minimal View Impacts: The proposed facility is setback from the lakefront area and will be partially screened by trees, minimizing view impacts to the extent possible.
 - Access: The proposed tower is located in close proximity to Macaulay Road. This will
 mitigate the need for TELUS to clear more land for a longer access road as TELUS will be
 able to extend a short access driveway into the proposed compound.
 - **Power:** There are nearby distribution power poles that TELUS can tie into on Macaulay Road. This will mitigate the need for TELUS to develop a lengthy power line and will minimize disturbance to the land.



Aerial Photo (Source: Google Maps)



Zoning Map (Source: Comox Valley Regional District)





Existing Structures

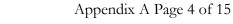
• TELUS has reviewed all existing structures within the search area and has confirmed that there are no existing antenna-support structures of a suitable height or location that would provide dependable network improvements in the community.

Visibility

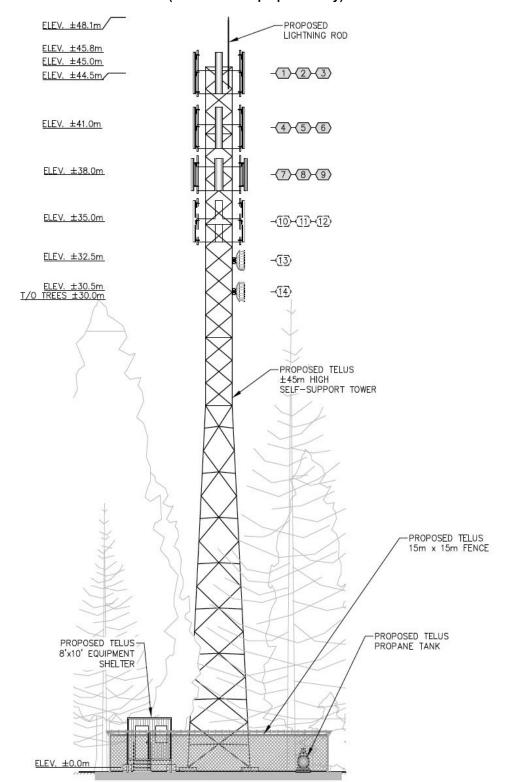
- The proposed tower will be visible from Macaulay Road and from various vantage points.
- Due to topography and the proposed site location, we anticipate that only the upper portion of the tower will be visible from most vantage points.

Compound Plan (for discussion purposes only)









Elevation Plan - Tower Profile (for discussion purposes only)



Photo Simulations

Photo Simulation 1 – View Looking Southeast from Macaulay Road (for discussion purposes only)



Photo Simulation 2 – View Looking West from Macaulay Road (for discussion purposes only)





Consultation Process & Summary

Innovation, Science and Economic Development (ISED) Canada Default Consultation Process and the CVRD Official Community Plan

As the CVRD does not have an established and documented public consultation process applicable to tower siting on privately-owned land, TELUS was required to follow the ISED Public Consultation Process as follows:

- Notify any property owners within three times the proposed tower height: Due to large lot sizes and significant setbacks from residential areas, there were only four (4) property owners within the notification radius (144.3 meter radius).
- *Place a notice in a local paper welcoming public comments within the prescribed timelines:* TELUS placed a notice for two issues in the Comox Valley Record. The notices were posted on January 20th and January 27th, 2021. Refer to **Appendix B** for copies of the newspaper notices.
- **Request land use concurrence from the relevant land use authority:** TELUS is now seeking land use concurrence from the CVRD.

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 was required to do so. As there are no suitable opportunities for co-location or tower sharing in the local area, *TELUS hosted a digital public meeting via the Webex application on Thursday, January 28th, 2021 from 5:00-6:00 pm.* The public meeting was well attended and entailed a presentation followed by a question and answer period.

Consultation Summary

During the public consultation process, TELUS received comments from twenty-one (21) community members. Twelve (12) commenters indicated support for the proposal, three (3) indicated opposition and six (6) comments were neutral and pertained to information seeking only. A summary of the comments received can be found in the Appendix A of this document.

Land Use Concurrence Request

Although TELUS is exclusively regulated by the Federal Government, ISED requires TELUS to consult with the relevant land use authority as a commenting body in the siting of antenna support structures. As a form of comment, TELUS is requesting land use concurrence from the CVRD in the form of a resolution or a letter that addresses the following items:

- The CVRD is satisfied with TELUS' consultation process, as outlined in ISED's Default Public Consultation Process;
- That the proposed tower is a permitted use;
- The proposed design and location is acceptable;
- That the CVRD has been consulted and concurs with the tower location.



APPENDIX A – PUBLIC COMMENTS

Contact Information	Comment(s) Received	Response(s) Provided	Supportive (Yes or No)? N/A	
Mike Miller mmiller@telus.net T 250-337-2008 C 604-220-8066	Jan 16, 2021 - This commenter asked if they missed the comment deadline. They inquired as to whether they will receive the same level of service in Black Creek as they have in Richmond.	Jan 16, 2021 - We noted that they did not miss the comment deadline. We confirmed that they appear to be within the coverage area. We noted that the tower will provide both voice (cell phone) and data service including wireless high speed internet access. We noted that while the service will not provide Optik TV it will enable wireless high speed internet services.		
Lawrence 250-287-6341	Jan 29, 2021 - This commeter is the neighbour directly to the west. He expressed concerns over the phone regarding property values and whether the tower could be shifted further east away from his property line.	Jan 29, 2021 -We explained that there is no consistent evidence to suggest that there will be property value impacts. We noted that BC Assessment will typically assess the properties wherein our infrastructure is located for additional commercial realty tax due to the infrastructure improvements. We indicated that we would share his recommendation with TELUS regarding whether the tower can be shifted incrementally east.		
G. Peter MacDonald	Jan 29, 2021 - This commeter mailed a comment sheet. Their only stated concern is whether TELUS' installation will impact their existing satellite dish service.	Jan 29, 2021 - We confirmed that there will be no interference with the satellite dish.	N/A	
Deb Oakman deboakman@gmail.com 250-337-8377	Jan 28, 2021 - This commenter contacted us and requested details to attend the digital public meeting on January 28th. They provided comments at the meeting indicating that while Robinson Lake does need service, so too does the development down Doyle Rd and Macaulay Heights.	Jan 28, 2021 - We provided the WebEx link to our digital public meeting and welcomed this commenter's attendance.	N/A	
Kip Keylock oed@shaw.ca 250-218-6363	Jan 28, 2021 - This commenter expressed support for the proposed facility. They asked whether the tower will deliver better internet service.	Jan 28, 2021 - We thanked this commenter for their input. We noted that internet access will be achievable via TELUS' smart hub product.	YES	



Sharon Clarke sclarke@telus.net 3478 Macaulay Road Black Creek	March 1, 2021 - This commenter shared a comment sheet and detailed 9 page letter. Concerns were re-iterated regarding the siting of TELUS' tower, a request to set the facility back further into the property or to relocate it, a request for a landscape buffer, concerns about the aesthetics of the tower, concerns about health and safety, concerns that the tower will result in a financial loss, amongst other concerns.	March 2, 2021 - We responded to every comment in detail. We noted that we would explore the possibility of installing a landscape buffer and cedar fence to ensure a more aesthetic design at the base of the tower. We re-explained TELUS site selection rationale and that TELUS' installation will comply with Health Canada's Safety Code 6 and operate safely. We noted that there is no consistent evidence to support this commenter's theory that a financial loss would occur and that this subject is excluded from the federal consultation process. We acknowledged that the commenter is opposed to TELUS' tower and that we would share this input with the CVRD and endavour to make reasonable concessions around landscaping but that relocating the tower entirely would be more complex and require TELUS to start from the beginning with a new consultation and right of way agreement.	NO
	Feb 10, 2021 - This commenter followed up to discuss additional questions. They noted that TELUS' public meeting materials included coverage maps that were not in TELUS' notification materials. They asked whether the coverage maps show coverage only from the proposed tower or from multiple installations. They asked about the specific technologies being installed. They also asked for specific data with regards to noise that TELUS' generator and A/C unit may generate. They also asked about whether there will be marking and lighting on the tower.	Feb 10, 2021 - We explained that the coverage maps show only added coverage from the proposed tower as well as any existing coverage from existing facilities already in effect. We noted that TELUS is planning to deploy 4G/LTE technology but that 5G is the future technology evolution across all wireless networks. We indicated that TELUS' equipment will operate quitely and that the A/C unit will only turn on if there is extreme weather and that the generator will only be used in the instance of an extended power outage. We provided detailed sound (decibel level) data. We noted that marking and lighting requirements will be dictated by NAV/Transport Canada.	
	Jan 28, 2021 - This commenter attended our digital public meeting and asked numerous questions regarding the siting of the tower, our cousultation process. health and safety, whether the equipment would generate noise.	Jan 28, 2021 - We responded to this commenter's questions in detail during the digital public meeting. The majority of the meeting entailed responding to this person's questions. We expressed that	



	Jan 27, 2021 - This commenter asked us to clarify the consultation timelines stated in TELUS' consultation package. They also expressed concerns with regards to how our notification package was distributed. Jan 26, 2021 - This commenter reached out to obtain details regarding TELUS' digital public meeting on January 28.	the tower will operate in accordance with Health Canada's Safety Code 6. We explained that the tower will operate relatively quietly. We explained TELUS' site selection rationale. Jan 27, 2021 - We explained the public comment period runs until March 1. We explained that we mailed our consultation package to both registered property owners on title and to the civic addresses within our notification radius. We also noted that we completed a newspaper notice and would be hosting a digital public meeting. We re- assured this commenter that they would have plenty of time to submit their input. Jan 26, 2021 - We provided the WebEx link to our digital public meeting and welcomed this commenter's attendance.	
Catherine Davidson catherinedavidson@telus.n et	Feb 1, 2021 - This commenter indicated a concern that the tower may increase traffic.They indicated a need for partnerships to be formed with the Ministry of Transportation and Infrastructure to address traffic challenges.	Feb 1, 2021 - We noted that once the tower is constructed, TELUS' access needs are very infrequent and in a regular sized vehicle. We noted that TELUS' activities will largely occur on the private land.	N/A
	Jan 28, 2021 - This commenter requested information regarding how to join TELUS' public meeting.	Jan 28, 2021 - We provided the WebEx link to our digital public meeting and welcomed this commenter's attendance.	
Phil Tardif philtardif.ca@gmail.com	Jan 28, 2021 - This commenter asked about a timeline for the construction of the tower. They subsequently expressed full support for the proposed tower.	Jan 28, 2021 - We stated that the timeline is dependent on when TELUS can secure approval from the CVRD but that we are targeting 2022 at this point. We thanked this commenter for their letter.	YES
Ann Carpenter lakehousebc@gmail.com	Jan 28, 2021 - This commenter requested information regarding how to join TELUS' public meeting.	Jan 28, 2021 - We provided the WebEx link to our digital public meeting and welcomed this commenter's attendance.	N/A
Nancy Horobetz madam4rlpoa@gmail.com 250.337.2285 9526 Martin Park Drive	Jan 28, 2021 - This commenter requested information regarding how to join TELUS' public meeting. They also asked if we could send them our slide deck from the public meeting to distribute.	Jan 28, 2021 - We provided the WebEx link to our digital public meeting and welcomed this commenter's attendance. We noted that while we cannot share our slide deck as it contains proprietary details, we could share our public consultation package and did.	N/A



Joanne Irwin jlee_irwin@hotmail.com	Feb 1, 2021 - This commenter indicated support for the tower. They noted that they live in the James Crescent and Doyle Road area and have slow internet and no cell service.	Feb 1, 2021 - We thanked this commenter for their input.	YES
Trudi Garratt trudig@telus.net	Feb 1, 2021 - This commenter indicated support for the tower. They noted that they live in the Riverbend Road area and that they have no cell reception. They wanted confirmation that the tower will service their area.	Feb 1, 2021 - We thanked this commenter for their input. We explained that the tower will deliver service to their neighbourhood, if built.	YES
Dick And Kathy Meston dkmeston@telus.net 3754 James Crescent	Feb 1, 2021 - This commenter indicated support for the tower. They noted that they live in the James Crescent area. They wanted confirmation that the tower will service their area. They asked what services the tower will deliver.	Feb 1, 2021 - We thanked this commenter for their input. We explained that the tower will deliver service to their neighbourhood, if built. We noted that the tower will deliver both cell service and wireless high speed internet access.	YES
Warren & Cherie Kelley 3925 Islak Rd Bkack Creek, BC V9J 1Y9 236-255-2327 cell 250-337-1783 house wckelley27@gmail.com	Feb 1, 2021 - This commenter is supportive of the proposal. They indicated that they want the tower to be tall enough to deliver dependable serivce. They requested a guarantee that TELUS' tower will deliver service to their address.	Feb 1, 2021 - We thanked this commenter for their input. We explained that the tower will likely deliver service to their neighbourhood, if built.	YES
Sean Edwards 9372 Martin Park Drive Black Creek, BC V9J 1C4 seanedwards101@me.com	Feb 11, 2021 - This commenter called us via Skype (no phone number provided) and wanted to share their desire for TELUS to relocate the tower.	Feb 11, 2021 - We had a phone conversation (via the Skype call received) and addressed this commenter's questions in detail. We explained TELUS' site selection rationale and that we would document their non support.	NO
	Feb 8, 2021 - This commenter shared a comment sheet indicated that they own a property near the proposed tower and that they do not support the design or location. They noted that the tower will imapct their views.	Feb 8, 2021 - We thanked this commenter for their input. We explained TELUS' site selection rationale.	
Rick & Donna Leche rleche@telus.net	Feb 8, 2021 - This commenter indicated full support for the tower as service is lacking.	Feb 8, 2021 - We thanked this commenter for their input.	YES
Brent and Karen Gottfried 9514 Riverbend Rd Black Creek BC V9J 1E8 250 337 5519 gottfried@telus.net	Feb 8, 2021 - This commenter noted that they are 35 year residents of Black Creek and they fully endorse the construction of a tower to deliver cell service. They expressed public safety concerns since most calls to emergency responders are placed via wireless devices.	Feb 8, 2021 - We thanked this commenter for their input.	YES
Stan Bass 9518 Riverbend Rd., Black Creek (250) 337-4049	Feb 8, 2021 - This commenter indicated full support for the tower as service is lacking. They asked that the tower be tall enough to cover James Crescent and Riverbend Rd.	Feb 8, 2021 - We thanked this commenter for their input.	YES
John Crowshaw glojohn@telus.net	Feb 8, 2021 - This commenter noted that they support the proposal.	Feb 8, 2021 - We thanked this commenter for their input.	YES



Christine-Ann Fordham bizhelp@telus.net	Feb 8, 2021 - This commenter indicated support as they live on James Crescent and do not have dependable service.	Feb 8, 2021 - We thanked this commenter for their input.	YES
Lorne Stefan stefanll@yahoo.com	Feb 8, 2021 - This commenter requested that TELUS have proper directional orientation of antennas to service the Doyle/James/Riverbend areas.	Feb 8, 2021 - We thanked this commenter for their input.	YES



APPENDIX B - NEWSPAPER NOTICE TEAR SHEETS COMOX VALLEY RECORD - JANUARY 20, 2021 AND JANUARY 27, 2021

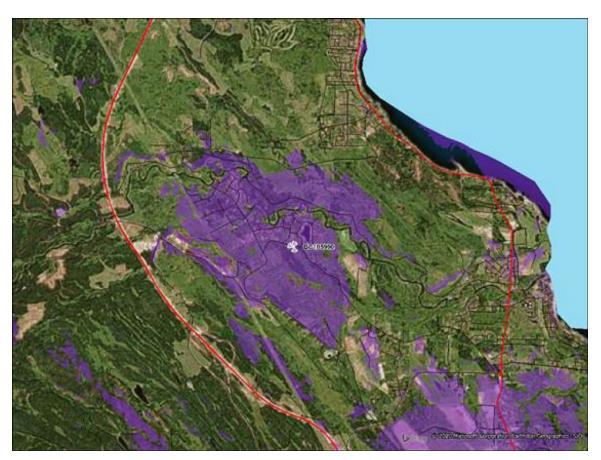
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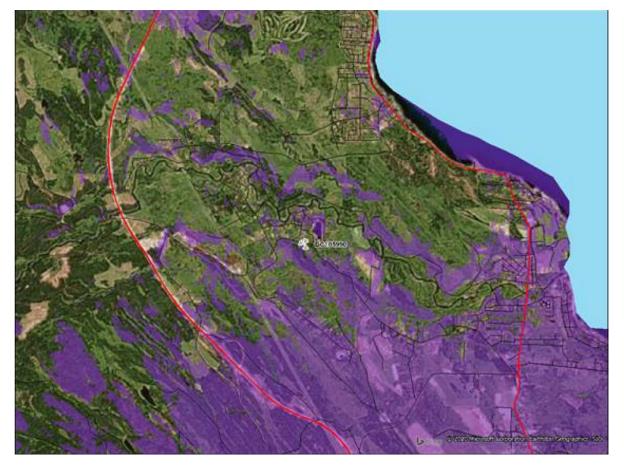
www.comoxvalleyrecord.com Comox Valley Record Wednesday, January 27, 2021 A53 **Business Services** Rentals Legal Legal Legal Your Career LocalWork.ca Starts H Homes for Rent Legal Notices Legal Notices Legal Notices Journeyman Carpenter With 25+ ears Of Experience Skilled in high end market homes, interior finishing, renovations, decks and pergolas. for estimates call homas 250-215-0215 Car Caree Port Alberni Beaver Creek Area New House Be First Occupant 1300 sq ft 2 Bedroom 1 Bathroom, Rancher Opportunities Opportu Opportunities **PUBLIC NOTICE** PROPOSED TELUS TELECOMMUNICATIONS FACILITY 1 Bathroom, Rancher Electric heat, n/p, \$1800/mo. Reply to email risteInvest@gmail.com 48.1-METER TALL SELF-SUPPORT TOWER STRUCTURE Laichwiltach Family Life Society Free L PROPOSED STRUCTURE: As part of the public consultation process **EMPLOYMENT OPPORTUNITY** Transportation nting & orating **COLLABORATIVE CONFERENCE** Make your kitchen cabine look like new with paint. Call Virginia for a quote. 250-941-6068 Trucks & Vans 1999 Chev 3 Quarter Tonne Pick Up Truck Extra cab long box, 2 wheel drive, new tires, with matching green canopy and Okanagan camper on trailer. Will spill \$4300 obo **PLANNING COORDINATOR (FGC)** Merchandise for Sale COORDINATES: 49.87875, -125.20750 Laichwiltach Family Life Society has an opening for a Collaborative PUBLIC MEETING: TELUS will host a digital public meeting via the Webex application on Thursday, January 28th, 2021 from 5:00-6:00 pm. Please note that during the public meeting there will be two (2) presentations, including a presentation at 5:00 pm and another Building Supplies Conference Planning Coordinator (FGC) in the Campbell River area. **Requirements:** split, \$4300 obo. 250-871-5559 INTEGRITY POST FRAME BUILDINGS since 2008. Built with concrete posts. Barns shops, riding arenas, machine sheds and more. Adam.s@ integritybuilt.com. Human Service Diploma, Child and Youth Care Degree, BSW **Skills, Abilities & Experience** CLASSIFIED ADS MEAN (2) presentations including a 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, January 27th, 2021. Experience and knowledge in working with Aboriginal Children
 and families MORE BUSINESS FOR YOU! Knowledge of Family Group Conferencing Traditional Decision Making 1-866-865-4460 ANY PERSON may comment by close of business day on March 1, Knowledge of Child and Family Service Act, Adoption and Family 2021 with respect to this matter. Relations Act Transportation Transportation Familiar with facilitating an environment which fosters a sense of trust and collaboration TELUS CONTACT: Further information can be obtained by contacting: Brian Gregg, SitePath Consulting Ltd. 2528 Alberta Street, Vancouver, BC VSY 3L1 Email: briangregg@sitepathconsulting.com Trucks & Vans Trucks & Vans Able to effectively communicate both written and verbal Maintains professional standards of practice
 High degree of resourcefulness, flexibility and adaptability · Good organizational, time management and prioritizing skills Ability to work in team environment Ν Cultural Sensitivity to family's needs Valid driver's license & own vehicle Salary: \$26 - \$28 Hours per week: 5 days per week 35hrs Deadline to submit resume : January 29th, 2021 Start date: February 16th, 2021 Interested persons: Please submit resume and cover letter along interested persons: riease submit resume and cover ietter along with 2 letters of references. Drop off, mall441-4th Avenue, Campbell River, BC V9W 3W7 or fax 250-286-3483 to Laichwilthach Family Life Society or email: executivedirector@lfs.ca Attention: Audrey Wilson PROPOSED TOWER 604-578-077 Only those short listed will be contacted for interview Handwashing: A Healthy Habit in the Kitchen Handwashing is one of the most important things you can do to prevent food poisoning when yo Washing your hands frequently with soap and water is an easy way to prevent germs from spread Follow these handwashing th sure was have 7744-11 ant due e key times to wash in the kitcher and after preparing any food. Before ear raw meat, poultry, seafood, and After touc After win with chemicals. • After touching pets, pet food, or pet treats • After coughing, sneezing, or blowing your THE CLASSIFIEDS! Black Press Med We look forward to being a part of your growth and success in 2021!



Wireless High Speed Internet Coverage Before and After Tower Installation



Appendix A Page 15 of 15



Voice Call Coverage Before and After Tower Installation

