

JUAN DE FUCA LAND USE COMMITTEE

Notice of Meeting on Tuesday, **February 16, 2021 at 7 pm**

Juan de Fuca Local Area Services Building, #3 – 7450 Butler Road, Otter Point, BC

AGENDA

1. Approval of Agenda
2. Approval of the Supplementary Agenda
3. Adoption of Minutes of January 19, 2021
4. Chair's Report
5. Planner's Report
6. Building Conversion to Strata Application
 - a) BC000024 – Lot A, Section 11, Otter District, Plan 33095 (4090 Otter Point Road)
7. Radio Communication and Broadcasting Antenna Systems Application
 - a) LP000020 – Lot 1, Section 31, Otter District, Plan 17157, Except Part in Plans 17314, 45873 and 47428 (7908 West Coast Road)
8. Adjournment

Please note that during the COVID-19 situation, the public may attend the meeting electronically through video or teleconference. Should you wish to attend electronically, please contact us by email at jdfinfo@crd.bc.ca so that staff may forward meeting details. Written submissions continue to be accepted.



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Minutes of a Meeting of the Juan de Fuca Land Use Committee
Held Tuesday, January 19, 2021, at the Juan de Fuca Local Area Services Building
3 – 7450 Butler Road, Otter Point, BC

PRESENT: Director Mike Hicks (Chair), Stan Jensen (EP), Vern McConnell (EP),
Roy McIntyre (EP), Ron Ramsay (EP), Dale Risvold (EP), Sandy Sinclair (EP)
Staff: Iain Lawrence, Manager, Community Planning (EP);
Wendy Miller, Recorder (EP)
PUBLIC: 4 EP

EP – Electronic Participation

The meeting was called to order at 7:00 pm.

1. Election of Vice Chair

Director Hicks called for nominations for the position of Vice Chair of the Juan de Fuca Land Use Committee for 2021 and Sandy Sinclair's name was put forward. Sandy Sinclair declined the nomination.

Director Hicks called a second time for nominations for the position of Vice Chair and Roy McIntyre's name was put forward. Roy McIntyre stated that he would stand for the position. Director Hicks called a third time for nominations and, as there was none, Roy McIntyre was acclaimed Vice Chair.

2. Approval of the Agenda

MOVED by Dale Risvold, **SECONDED** by Sandy Sinclair that the agenda be approved.

CARRIED

3. Approval of the Supplementary Agenda

MOVED by Vern McConnell, **SECONDED** by Dale Risvold that the supplementary agenda be approved.

CARRIED

4. Adoption of Minutes from the Meeting of December 15, 2020

MOVED by Sandy Sinclair, **SECONDED** by Roy McIntyre that the minutes from the meeting of December 15, 2020, be adopted.

CARRIED

5. Chair's Report

The Chair thanked everyone for coming to the meeting.

6. Planner's Report

No report.

7. Development Permit with Variance Application

a) DV000073 - Lot 5, Section 87, Sooke District, Plan VIP64712 (Seedtree Road)

Iain Lawrence spoke to the staff report and the application for a development permit with variance to address the Steep Slopes, Riparian, and Sensitive Ecosystem (DP) guidelines, and to reduce the requirement that 10% of the parcel perimeter fronts onto a public highway, for the purpose of authorizing the development of a subdivision.

Iain Lawrence highlighted the subject property map and the proposed plan of subdivision.

Iain Lawrence confirmed that:

- the applicant has submitted an application for a 2-lot subdivision for a relative under Section 514 of the *Local Government Act*
- as there are four existing homes, the property is built out
- accordingly, no professional reports have been requested as part of the subdivision process
- development permits and accompanying professional reports would be required at such time that development activities are planned within the designated development permit areas
- no comments were received in response to the notice of intent mailed to adjacent property owners within 500 m of the subject property

Iain Lawrence responded to a question from the LUC advising that proposed Lot 2 is accessed by an existing driveway easement through the neighboring property to the east.

The applicant stated that the access easement for 670 Seedtree Road (proposed Lot 1) over the neighbouring property to the west was established when the property was initially developed.

MOVED by Stan Jensen, **SECONDED** by Roy McIntyre that the Land Use Committee recommends to the Capital Regional District (CRD) Board:

That Development Permit with Variance DV000073 for Lot 5, Section 87, Sooke District, Plan VIP64712, to authorize a 2-lot subdivision within Steep Slopes, Riparian, and Sensitive Ecosystems Development Permit Areas, and to vary Juan de Fuca Land Use Bylaw No. 2040, Part 2, Section 3.10(4) by reducing the minimum road frontage requirement from 10% (97.68 m) to 8.75% (85.49 m), be approved.

CARRIED

8. Zoning Amendment Application

a) RZ000269 - Lot 1, Section 18, Otter District, Plan VIP53538, Except Part in Plan VIP77828 (4460 Rannveig Place)

Iain Lawrence spoke to the staff report and the application to rezone the split-zoned property to create two additional rural residential parcels.

Iain Lawrence highlighted the subject property map, proposed zoning boundaries, and the proposed plan of subdivision.

Iain Lawrence confirmed that the LUC directed referral of the proposal to agencies and to the Otter Point Advisory Planning Commission (APC) at its November 17, 2020, meeting. The APC met on December 8, 2020, to consider the proposal. Three letters and a petition in support of the application were received at that time. The APC recommended support for the rezoning proposal.

Iain Lawrence directed attention to the referral comments included in the staff report and on the supplementary agenda. The referral comment from the Ecosystems Section of the Ministry of Forests Lands and Natural Resource Operations notes the requirement for a *Riparian Areas Protection Regulation (RAPR)* assessment report. Iain Lawrence reported that the *RAPR* report will be requested at the time of subdivision.

MOVED Sandy Sinclair, **SECONDED** Roy McIntyre that the Land Use Committee recommends to the Capital Regional District (CRD) Board:

- a) That the referral of proposed Bylaw No. 4380, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 148, 2020” directed by the Juan de Fuca Land use Committee to the Otter Point Advisory Planning Commission, appropriate CRD departments, BC Hydro, District of Sooke, FLNR - Archaeology Branch, FLNR - Environmental Stewardship Division Island Health, Ministry of Environment & Climate Change Strategy – Water Stewardship Division, Ministry of Transportation & Infrastructure, RCMP, Sooke School District #62 and T’Sou-ke First Nation be approved and the comments received;
- b) That proposed Bylaw No. 4380, “Juan de Fuca Land Use Bylaw, 1992, Amendment Bylaw No. 148, 2020” be introduced and read a first time and read a second time; and
- c) That in accordance with the provisions of section 469 of the *Local Government Act*, the Director for the Juan de Fuca Electoral Area, or Alternate Director, be delegated authority to hold a Public Hearing with respect to Bylaw No. 4380.

CARRIED

9. Adjournment

The meeting adjourned at 7:16 pm.

Chair



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REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, FEBRUARY 16, 2021

SUBJECT **Building Conversion to Strata for Lot A, Section 11, Otter District, Plan 33095
– 4090 Otter Point Road**

ISSUE SUMMARY

A request has been made to convert a single-family dwelling to strata at 4090 Otter Point Road.

BACKGROUND

The 2.5 hectare (ha) property is located at 4090 Otter Point Road (Appendix A). Approximately 1.0 ha of the subject property is within the Agricultural Land Reserve (ALR) and is zoned Agricultural (AG), and the remaining portion is zoned Rural (A) in the Juan de Fuca Land Use Bylaw No. 2040. The property is adjacent to Otter Point Road to the north and west, ALR properties to the north, west and south, and Crown and Rural (A) zoned land to the east. King Creek flows through the rear of the property and is designated as a Watercourses and Wetlands development permit area in the Otter Point Official Community Plan, Bylaw No. 3819.

The property was created by subdivision in 1979 and a building permit was issued in 1980 for a single-family dwelling on the AG portion of the property. The permit lapsed in 1987 and was never completed. In addition to the dwelling, there are various sheds and stables on the property. The Rural A portion of the property is currently vacant; however, three additional dwellings are permitted to be constructed within that zone. The property is serviced by a septic system and groundwater well, and is within the Otter Point fire protection service area.

The owners are proposing to register a building strata in three phases, and have applied to CRD for approval to convert the existing single-family dwelling to strata under Section 242 of the *Strata Property Act* (Appendix B).

ALTERNATIVES

The Land Use Committee recommends to the Capital Regional District Board:

1. That That Building Conversion Strata BC000024, for Lot A, Section 11, Otter District, Plan 33095, to obtain individual title for two single-family dwellings as part of phase 1 of the Proposed Phased Building Strata shown on the Plan prepared by Summit Land Surveying, dated December 2, 2020, be approved subject to the following conditions:
 - i. Submission of a Qualified Professional's report to confirm that the existing dwelling substantially complies with the *BC Building Code* and describe the life expectancy and projected major increases in maintenance costs due to the condition of the building;
 - ii. Completion of a building permit for the existing dwelling;
 - iii. Completion of any building permits and development permits required for the existing accessory buildings;
 - iv. Submission of a Qualified Professional's report confirming completion of the improvements to the existing domestic groundwater as outlined in the report prepared by Wellmaster Pumps and Water Systems Ltd., dated July 19, 2020, and certifying that well complies with the *Groundwater Protection Regulation*;
 - v. Submission of proof of a potable water supply for the proposed dwelling;
 - vi. Confirmation that the subject property can accommodate a sewerage system or systems that meet the requirements of the *Sewerage System Regulation*, for proposed phased strata;

- vii. Substantial completion of a second dwelling on the subject property, as confirmed by CRD Chief Building Inspector, to form part of phase 1 of the proposed phased building strata as identified on the survey prepared by Summit Land Surveying dated December 2, 2020;
 - viii. The submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.
- 2. That Building Conversion Strata BC000024 be denied.
 - 3. That the application be referred back to staff for more information.

LEGISLATIVE IMPLICATIONS

Section 242 of the *Strata Property Act* establishes the CRD Board as the approving authority for conversion of previously occupied buildings to strata and requires that approval shall only be granted if the building(s) substantially comply with the applicable bylaws of the Regional District and the *BC Building Code*.

The Capital Regional District (CRD) Land Use Committee Bylaw No. 3166 gives powers to the Committee to make recommendations to the CRD Board on applications for the conversion of previously occupied buildings to strata. Juan de Fuca Development Fees and Procedures Bylaw No. 3885 and the Juan de Fuca Building Conversion to Strata Application Policy outline application requirements for building conversions to strata.

PUBLIC CONSULTATION IMPLICATIONS

Bylaw No. 3885 does not require public notification of the application; however, at any time during the building conversion strata application process, the Board may refer the application to any agency or organization for their comments and suggestions. Notice of the Land Use Committee meeting and CRD Board meeting are posted on the CRD website.

LAND USE IMPLICATIONS

The eastern portion of the property is designated as Settlement Area 2 in the Otter Point Official Community Plan (OCP) and zoned Rural A. The Settlement Area 2 designation signifies that the predominant land use is rural residential and supports a 1 ha average lot size. The Settlement Area designation supports parcels with multiple dwellings constructed or building stratas registered prior to adoption of the OCP being considered for rezoning to permit subdivision to create the equivalent number of parcels that may not meet the average parcel size of 1 ha. However, since the dwellings have not yet been constructed, this policy does not apply; therefore, the only option available to create individual title is through a building conversion to strata. Affordable housing is encouraged and two-family and multiple-family dwellings are supported within the Settlement Area designation subject to the land use bylaw. The 1.5 ha Rural A zoned portion of the property permits the construction of up to three dwellings, which could be granted individual title through a building strata.

The western 1 ha portion of the property is designated as Rural Lands-Agricultural Land Reserve and is zoned Agriculture (AG). The Rural-ALR designation identifies that agriculture is the priority land use in the ALR and is encouraged. Development should be designed to minimize impacts on land, groundwater, vegetation and agricultural lands. Development of land adjacent to the ALR may be supported where the site will have minimal impact on the existing man-made and natural physical features of the area; and a buffer between the development and the ALR parcel should be considered. King Creek provides a natural buffer between the subject property and ALR land to the south and Otter Point Road separates the subject property from ALR lands to the north and west. Any development within 30 m of King Creek will require a development permit and a

Riparian Areas Protection Regulation (RAPR) report to identify a minimum natural buffer area for the protection of fish habitat.

The applicant wishes to pursue conversion of the previously occupied dwelling to strata prior to constructing the three additional dwellings.

CRD is the approving authority for conversion of previously occupied buildings, as outlined in the *Strata Property Act*. Section 242(6) of the *Strata Property Act* requires the approving authority to consider the following:

- (a) the priority of rental accommodation over privately owned housing in the area,
- (b) any proposals for the relocation of persons occupying a residential building,
- (c) the life expectancy of the building,
- (d) projected major increases in maintenance costs due to the condition of the building, and
- (e) any other matters that, in its opinion, are relevant.

The Policy also outlines application requirements and evaluation criteria in more detail.

Rental accommodation: The Otter Point OCP encourages rural forms of affordable housing by supporting suites, manufactured homes, and two-family dwellings. Both the AG and Rural (A) zones permit construction of a secondary suite which could add to the available rental housing on the subject property, or it is possible that the dwelling units in the proposed strata may become available for rent. However, at the present time, only one unit exists and the strata form of tenure provides a mechanism by which the construction of additional units can be financed.

Relocation proposal: With respect to any proposals for relocation of current occupants of the dwelling, one of the property owners is living at 4090 Otter Point Road so no tenants would need to be relocated as a result of the strata conversion.

Life expectancy of the building and maintenance costs: The dwelling at 4090 Otter Point Road was constructed in the 1980s and never received a certificate of occupancy from CRD. The applicant has submitted an engineer's inspection report outlining that the existing house is in good condition (Appendix D). Staff recommend that a building permit be obtained for the existing dwelling and that a Qualified Professional's report be submitted confirming compliance with the *BC Building Code*, describing the life expectancy and outlining information about any projected major increases in maintenance costs. Building permits and development permits should also be obtained for the existing accessory buildings.

Other relevant matters: There is one existing domestic groundwater well on the property that was drilled in 1980. The applicant has obtained a report from Wellmaster Pumps & Water Systems Ltd., dated July 19, 2020, addressing the well performance and equipment evaluation (Appendix E). The report describes the well as having a low water level, and requiring improvements to bring its construction into compliance with current standards. A water quality analysis was not completed, but the water was observed to have discolouration. Staff recommend that the applicant obtain proof of a potable water supply and confirmation from a Qualified Professional that improvements have been completed to bring the well into compliance with standards in the *Groundwater Protection Regulation* of the *Water Sustainability Act*. If the owners propose to use one well to supply potable water to two or more dwelling units in the strata, a permit will be required for a water supply well in accordance with the *Drinking Water Protection Act*, through Island Health.

The applicant has provided a report from Complete Septic Solutions, dated December 10, 2020 (Appendix F), confirming that the existing Type 1, gravity sewerage system with traditional trench dispersal field is functioning as per design and that there appears to be no indication the system is incapable of handling the flow rates for the dwelling at 4090 Otter Point Road. Additional

dwellings to be constructed in the phased strata will require either new individual septic systems, or a common system, that complies with current regulatory requirements and agency standards.

Registration of phase one of the proposed building strata requires construction of a second dwelling on the property. Staff recommend that consideration of the strata conversion application be conditional on substantial completion of the new dwelling, as determined by CRD Building Inspection division. Approval of the phased strata is the authority of the Provincial Approving Officer who will determine timelines for construction of the dwelling units in phases two and three of the strata.

The *Strata Property Act* requires that approval of the building conversion to strata only be granted if the building(s) substantially comply with the applicable bylaws of the Regional District and the *BC Building Code*. As the existing dwelling and accessory buildings and related on-site services do not currently comply with CRD bylaws, staff recommend that the applicant provide a qualified professional's report certifying that necessary improvements to the buildings and on-site services have been completed and upgraded to meet current standards. In addition, staff recommend that consideration of approval of the application be subject to substantial completion of the second dwelling unit and submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.

CONCLUSION

An application has been received to convert an existing dwelling to strata at 4090 Otter Point Road for the purpose of registering a phased building strata. The 2.5 ha property is split-zoned AG and Rural A, and a total of four dwellings are permitted. Staff recommend the applicant provide a qualified professional's report certifying that necessary improvements to the buildings and on-site services have been completed and upgraded to meet current standards. In addition, staff recommend that consideration of approval of the application be conditional on issuance of required building permits, substantial completion of the second dwelling unit and submission of a final survey plan.

RECOMMENDATION

The Land Use Committee recommends to the Capital Regional District Board:

1. That That Building Conversion Strata BC000024, for Lot A, Section 11, Otter District, Plan 33095, to obtain individual title for two single-family dwellings as part of phase 1 of the Proposed Phased Building Strata shown on the Plan prepared by Summit Land Surveying, dated December 2, 2020, be approved subject to the following conditions:
 - i. Submission of a Qualified Professional's report to confirm that the existing dwelling substantially complies with the *BC Building Code* and describe the life expectancy and projected major increases in maintenance costs due to the condition of the building;
 - ii. Completion of a building permit for the existing dwelling;
 - iii. Completion of any building permits and development permits required for the existing accessory buildings;
 - iv. Submission of a Qualified Professional's report confirming completion of the improvements to the existing domestic groundwater as outlined in the report prepared by Wellmaster Pumps and Water Systems Ltd., dated July 19, 2020, and certifying that well complies with the *Groundwater Protection Regulation*;
 - v. Submission of proof of a potable water supply for the proposed dwelling;
 - vi. Confirmation that the subject property can accommodate a sewerage system or systems that meet the requirements of the *Sewerage System Regulation*, for proposed phased strata;

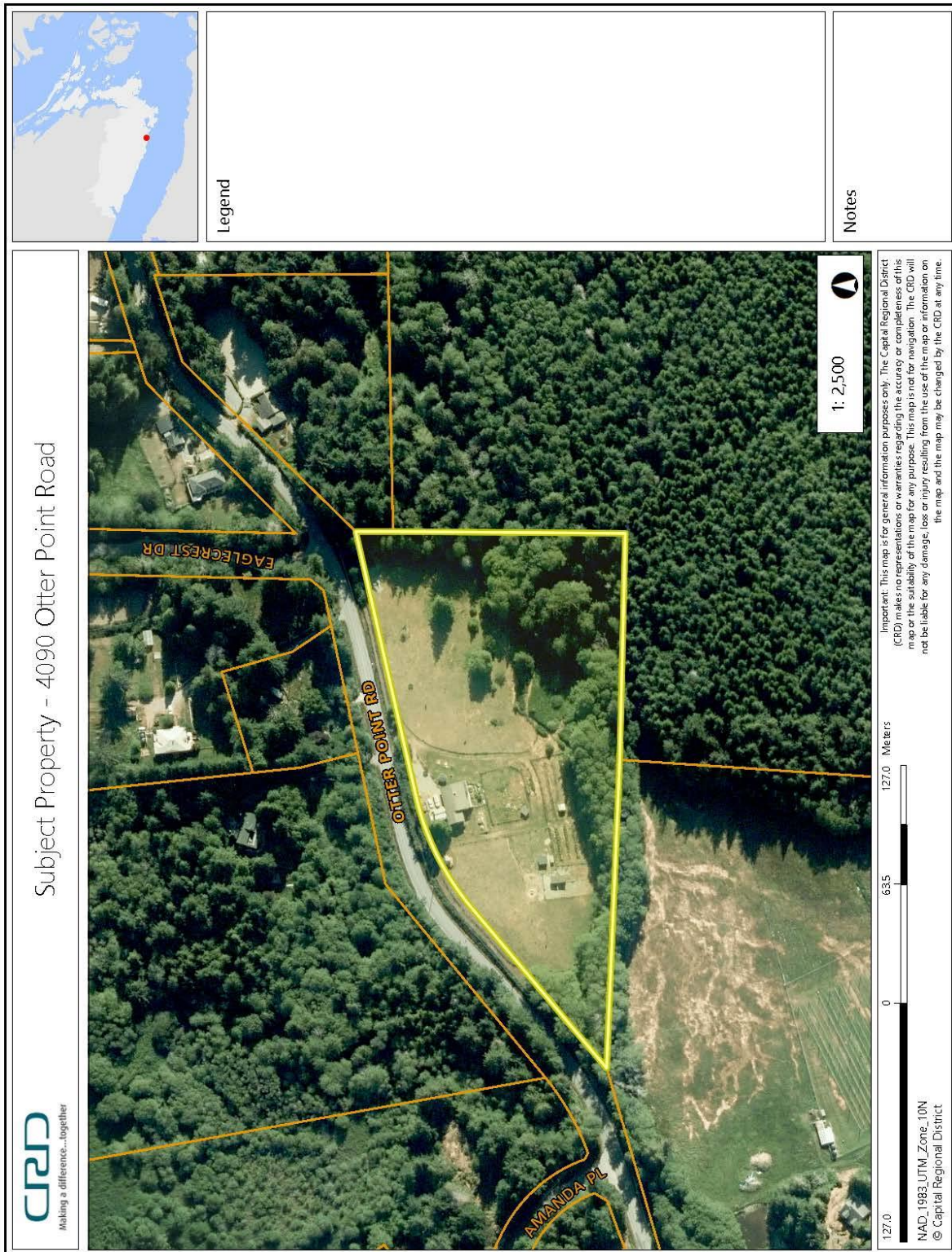
- vii. Substantial completion of a second dwelling on the subject property, as confirmed by CRD Chief Building Inspector, to form part of phase 1 of the proposed phased building strata as identified on the survey prepared by Summit Land Surveying dated December 2, 2020;
- viii. The submission of a final survey plan for endorsement by the General Manager, Planning & Protective Services Department.

Submitted by:	Iain Lawrence, MCIP, RPP, Manager, Juan de Fuca Community Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, Acting Chief Administrative Officer

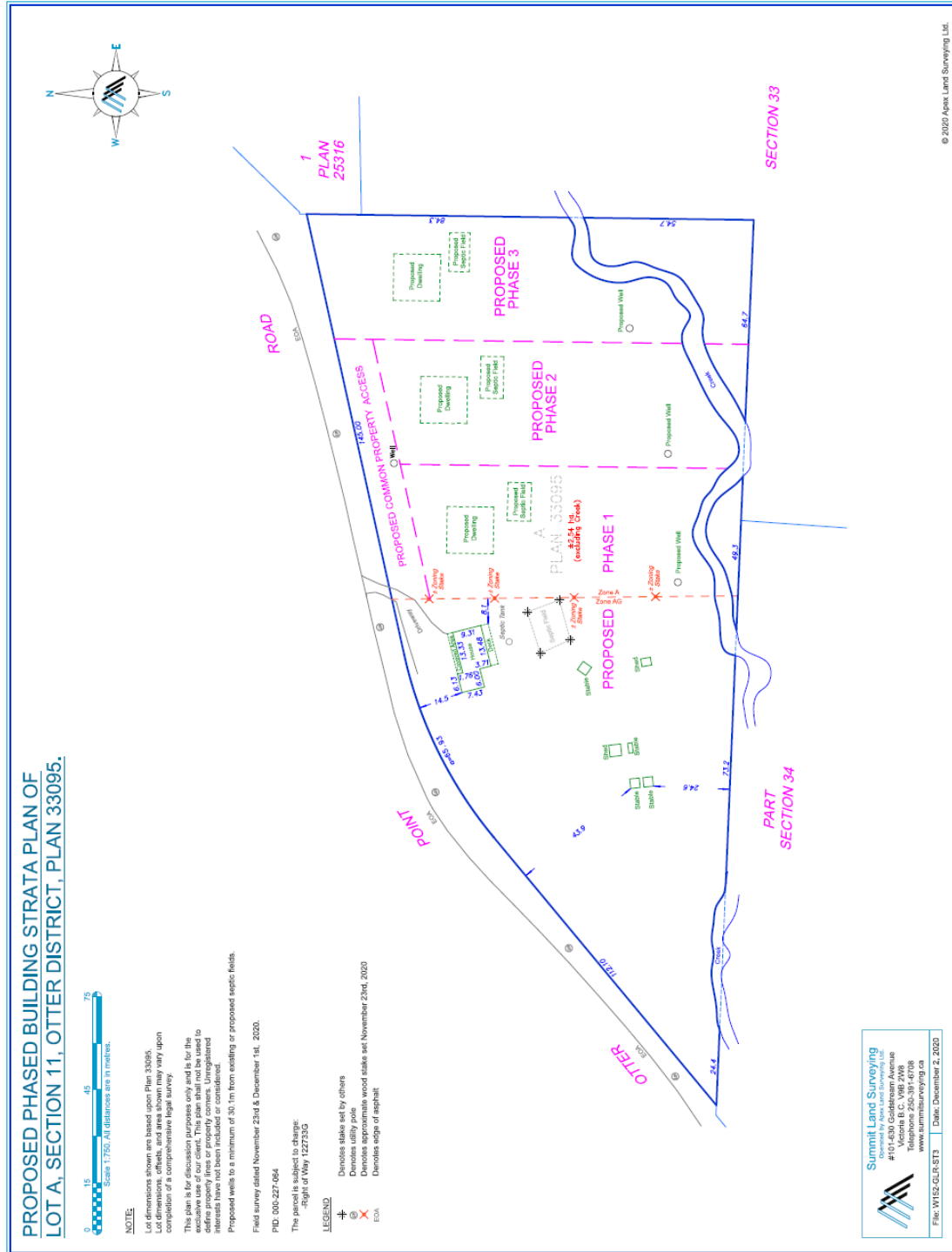
ATTACHMENTS

- Appendix A: Subject Property Map
- Appendix B: Proposed Phased Building Strata Plan
- Appendix C: Scott Engineering Inc. Report
- Appendix D: Wellmaster Pumps & Water Systems Ltd. Report
- Appendix E: Complete Septic Solutions Report

Appendix A: Subject Property Map



Appendix B: Proposed Phased Building Strata Plan



SCOTT

ENGINEERING INC

Email: scottengineering@shawcable.com

3148 ANTROBUS CRESCENT, COLWOOD, BC V9B 5P5 TEL: 250-391-8682

ON-SITE INSPECTION REPORT

CONSULTING REPORT: ☐

PROJECT:

DATE INSPECTED:

July 15/20

LOCATION:

4090 ORER POINT RD

ON SITE REVIEW OF THE EXISTING HOUSE CONDITIONS

- ENGINEERED TRUSSES - GOOD CONDITION AND NO MODIFICATIONS

- UPPER FLOOR - THE HOUSE IS IN GOOD CONDITION. NO MAJOR DRYWALL CRACKING OR DISPLACEMENT ISSUES

- THE UPPER FLOOR HAS NOT BEEN RENOVATED FROM THE ORIGINAL PLAN.

- LOWER FLOOR - THE LOWER FLOOR HAS BEEN FINISHED INSIDE. THE ORIGINAL POST AND BEAM STRUCTURE DOES NOT LOOK TO HAVE BEEN MODIFIED

- THERE ARE NO WATER CRACKS OR CONCERNS WITH THE DRYWALL

- FOUNDATION - THE FOUNDATION LOOKS TO BE IN GOOD CONDITION.

* - OVERALL THE HOUSE IS IN GOOD CONDITION AND HAS NOT BEEN STRUCTURALLY MODIFIED FROM THE ORIGINAL PLAN.



Page 1 of 1

INSPECTED BY:

John Scott

SCOTT ENGINEERING INC.

INSPECTION IS LIMITED TO STRUCTURAL CONTENT ONLY DIMENSIONS AND LOCATION ARE THE RESPONSIBILITY OF THE CONTRACTOR.

Appendix D: Wellmaster Pumps & Water Systems Ltd. Report



July 19, 2020

Attention: [REDACTED]

Re: 4090 Otter Point Rd. Well Pump Test & Equipment Evaluation
[REDACTED]

On July 14, 2020, a service technician from Wellmaster Pumps and Water Systems Ltd. was dispatched to 4090 Otter Point Rd. as per your request to perform a well performance and equipment evaluation for a potential real estate sale. The technician arrived to find the water system consists of a drilled well located in the upper field to the left of the house. The well depth is reported to be 125 feet and has a ¾ hp pump motor and is set on Deepset PVC pipe. The well was pumped for a period of 20 minutes at an average rate of 6 US gallons / min producing an estimated 120 US gallons of water. At that time the well pump was shut off by the pump protection module (Pumpteck QD) due to low water level. 4 Staged recoveries were then performed and a well in flow rate is estimated at 0.9 US gallons / min. The water was a murky orange color throughout the test. Samples were NOT taken for Bacterial and Mineral analysis to MB Labs in Sidney BC. The following observations and recommendations were noted.

Observations / Recommendations.

- The buried wire leading to the well looks to be #14 gauge wire and is under sized for this horse power motor.
- There is a 20/40 pressure switch installed on the pressure tank.
- There is a galvanized nipple and coupler at the pressure tank. Galvanized fittings tend to corrode and cause failures in the future.
- The pressure tank is a Red Lion brand that has 12 psi charge pressure. This pressure should be increased to 2 – 5 psi below the pressure switch cut in pressure.
- The control box and pressure switch have exposed wires and should be repaired.
- The wellhead is covered with a tarp and fibreglass insulation. It is recommended to clean this up as it can lead to well water contamination.
- There is no water treatment or disinfection seen at this time.

In summary the well ran dry in a noticeably short period and the water produced was NOT clear.

Wellmaster Pumps does not certify nor warrant these results. These results are based on years of experience in the groundwater industry and a visual and performance examination of the well equipment. Please consider these results can and will be affected by seasonal changes, geologic events, industrial occurrences, and population growth in the area.

Kindest Regards

Chris Dutnall
Wellmaster Pumps.

Phone 1-877-474-5755

Box 221, Cobble Hill BC. V0R1L0

admin@wellmasterpumps.com

Appendix E: Complete Septic Solutions Report

Complete Septic Solutions

1793 York Ridge Place, Victoria, BC V9B 6E5 (250) 880-0810

December 10, 2020

4090 Otter Point Road
Sooke, BC. V9Z 0K2
PID: 000-227-064
Folio: 762.16070.100
Plan VIP33095

To Whom It May Concern:

I performed an inspection of the sewerage system for the property at 4090 Otter Point Road. Upon inspection I found that there were no signs of failure in the system. The system is working fine. The sewerage system is a type 1, gravity system with a traditional trench dispersal field. The soils are sandy loam, and coarse sands. There are no signs of over load. The system is functioning as per design. There appears to be no indication that the system is incapable of handling the flow rates of its respective existing dwelling.

I hope this letter is sufficient to enable the owners to proceed with their strata conversion and future building permits. If there are any questions and/or concerns please contact me.

Sincerely,



Dave Gardiner
R.O.W.P., OW0285





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REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE MEETING OF TUESDAY, FEBRUARY 16, 2021

SUBJECT **Radio Communication and Broadcasting Antenna Systems Application for Lot 1, Section 31, Otter District, Plan 17157, Except Part in Plans 17314, 45873 and 47428 – 7908 West Coast Road**

ISSUE SUMMARY

An application has been received by Freedom Mobile for a 45 metre (m) radio communication tower with attached antennas and satellite dishes at 7908 West Coast Road for the purpose of expanding telecommunications services.

BACKGROUND

The approximately 11 hectare (ha) subject property at 7908 West Coast Road is zoned Rural Residential 3 (RR-3) in the Juan de Fuca Land Use Bylaw No. 2040 (Appendix A). The property is designated as Settlement Area 1, which signifies that the predominant land use is rural residential and is in the Steep Slopes and Sensitive Ecosystem development permit areas in the Otter Point Official Community Plan (OCP) Bylaw No. 3819. There is an existing single-family residence and accessory buildings on the property.

Freedom Mobile has requested a statement of concurrence from CRD to erect a 45 m radio communication tower to increase their telecommunications service, including wireless data and voice communication, in the Kemp Lake Road area of Otter Point. The proposed tower is a monopole with nine antennas, two microwave dishes, and a 2 m high lightning rod extending above the monopole (Appendix B). A 64 m² equipment compound would be located at the base of the monopole with a 2.1 m high chain-link fence with barbed wire top. The property owners have granted permission to the applicant to pursue this development.

Staff initiated public consultation for the application from November 5 – December 4, 2020. Eleven comments were received from local residents (Appendix C). The applicant has submitted responses to the questions and concerns (Appendix D). As the land use authority for the application, the CRD Board is required to provide a statement of concurrence or non-concurrence on the application.

ALTERNATIVES

Alternative 1

The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board: That in light of public comments received in response to this application that a statement of non-concurrence be provided for the proposed 45.0 m radio communication and broadcasting antenna system on Lot 1, Section 31, Otter District, Plan 17157, Except Part in Plans 17314, 45873 and 47428.

Alternative 2

The Juan de Fuca Land Use Committee recommends to the CRD Board: That a statement of concurrence be provided for the proposed 45.0 m radio communication and broadcasting antenna system on Lot 1, Section 31, Otter District, Plan 17157, Except Part in Plans 17314, 45873 and 47428 for the purpose of expanding Freedom Mobile telecommunications service.

Alternative 3

That more information be provided.

IMPLICATIONS

Legislative

Section 5 of the *Radiocommunication Act* states that the Minister may, taking into account all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radio communication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. Further, the Minister may approve the erection of all masts,

towers and other antenna-supporting structures. Accordingly, proponents must follow the process outlined in this document when installing or modifying an antenna system.

Industry Canada's *Spectrum Management and Telecommunications Client Procedures Circular* outlines the process that must be followed by proponents seeking to install or modify antenna systems. Part of the process includes contacting the land use authority and following the required consultation process. The CRD is the land use authority for the Juan de Fuca Electoral Area where the subject property is located.

The CRD Board approved Bylaw No. 3885, the Juan de Fuca Development Fees and Procedures Bylaw No. 3, 2018, and the Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy (the "Policy") in 2019 which establishes a public consultation process and procedures.

Public Consultation

In accordance with the Policy, a notice was published in the newspaper and a notice delivered to property owners and occupants within 500 m of the subject property advising the public of the application and the opportunity to provide written comments and questions. The notice was published on November 5, 2020, and submissions were to be received by 4:00 pm on December 4, 2020. As of that time, one letter of support and ten submissions stating objection were received (Appendix C). The applicant was provided the submissions and has responded to the concerns and questions raised (Appendix D).

In advance of the February 16, 2021, Land Use Committee meeting, notices were sent to property owners and occupants within 500 m of the subject property advising of the applicant's responses received and the opportunity to be heard and provide additional comment at the meeting.

The public consultation process is to be complete within 120 days from initial contact with the application. A recommendation from the Land Use Committee along with any additional public comments received will be considered by the CRD Board and forwarded to the applicant and Industry Canada.

Land Use

The RR-3 zone does not expressly permit radio communication towers; however, it is considered a use permitted in all zones in accordance with Part 1, Section 4.15 of Bylaw No. 2040, which states: "Except where specifically excluded, the following uses shall be permitted in any zone: public utility poles, pipelines, radio, television, and transmission towers and wires; traffic control devices; and underground or submarine utility systems, the installation of which may be sited on any portion of a lot."

Development of the site will involve extending the existing driveway and clearing land for erecting the tower and installing a cement pad, covered structure and fenced compound. Prior to site alteration, issuance of a development permit is required to address the steep slope and sensitive ecosystem development permit guidelines in the Otter Point OCP. CRD Building Inspection has indicated that a building permit is only required for the covered equipment pad if the canopy exceeds 10 m², and not for the tower.

Evaluation criteria to be considered by the CRD when reviewing an application for a radio communication and broadcasting antenna system is outlined in the Policy and included in Appendix E.

Rational for proposed location: Freedom Mobile states that many locations have been evaluated for the proposed tower and there are currently no existing towers west of Sooke that will provide the necessary coverage to their targeted customer area. The closest nearby tower is approximately 1.5 km north of the subject property. The applicant has received permission from the subject property owner to submit the application to pursue approval for the tower.

Concern about the existence of other towers in the vicinity of Kemp Lake Road was raised by two members of the public. Two additional public submissions state that current telecommunications service from other providers is sufficient in the area and only Freedom Mobile customers and the property owner will benefit from the proposed tower. Freedom Mobile responded by stating they are striving to provide lower rates and more choice in the wireless market and appreciates some community members are satisfied with their current telecommunications provider.

Three public submissions question the plans for future development of the land and tower. Freedom Mobile responded to indicate the tower will be used for communications and it may be updated from time to time. With respect to the development potential of the land, the RR-3 zoning and the policies in the Otter Point OCP, including those specific to the Settlement Area 1 land use designation, apply to the subject property.

Proximity to residential uses, institutions, and public lands: The proposed tower site is adjacent to rural residential properties. The closest residences to the proposed tower are within 50 m to the south (on the subject property) and approximately 100 m to the south and east on adjacent properties.

Visibility and measures to integrate the tower in to local surroundings: The lack of aesthetic quality of the tower design was mentioned by four members of the public. The applicant has responded by stating the siting of the tower amongst mature forest is intended to minimize visual impacts on surrounding residences and that it is not uncommon for residential homes to be in view of an antenna system.

Security measures: Lack of an emergency response plan was noted by a concerned resident. The applicant proposes to install security fencing to restrict public access to the tower. CRD does not require an emergency response plan.

Alternatives/mitigation measures: Options for co-location on existing towers are not feasible as they are outside the area that Freedom Mobile wishes to provide service. No alternative locations are proposed.

Hazardous areas: Risks associated with fire were raised in the public submissions. The applicant indicates that a lightning rod is intended to protect the structure from lightning strike.

Two members of the public questioned what measures would be taken to mitigate risk related to the stability of the tower during high wind and seismic events. In response, the applicant confirmed that good engineering practices will be applied to the design and construction.

Environmentally sensitive areas: Environmental impacts were noted as concerns in five submissions by members of the public. Also, stormwater runoff and potential impacts on water quality were noted as concerns by two members of the public. The applicant has not completed or contemplated an environmental or stormwater study; however, as part of the steep slope and sensitive ecosystem development permit requirements, environmental protection and stormwater runoff control measures would need to be addressed.

Aeronautical safety requirements: In response to two questions regarding whether lights will be installed on the tower, the applicant has confirmed with Transport Canada that no lights are required for the proposed tower.

Referral comments: CRD Building Inspection provided comment clarifying that the *BC Building Code* applies to the covered canopy system if the area is greater than 10 m².

Public comments: At the close of the thirty day comment period, one letter was received in support of the application highlighting the need for expanded telecommunications coverage along the west coast in order to contact emergency services. Ten letters were received stating objection to Freedom Mobile's proposed tower. Six public comments were received outlining health concerns related to radio frequency emissions. The applicant responded to these concerns stating that Health Canada's Safety Code 6 establishes standards for public safety relative to radio frequency emissions and Freedom Mobile is required to comply with the standards.

Impact on community: Ten letters received indicate a general lack of support for additional towers in the neighbourhood. Concerns about the negative impacts on surrounding property values were noted by four people. The applicant was not aware of any direct correlation between telecommunications towers and property values and stated that improved telecommunication service is perceived as a benefit to residents, businesses and emergency services.

Four comments questioned the potential for noise emitting from the tower and antenna system both during construction and operation. The applicant indicated there will be a fan at the base of the tower to cool an equipment cabinet and no other notable noise from the tower will be emitted.

Designs that address the guidelines: The proposed tower is to be located amongst mature forest in order to minimize visibility from surrounding properties. No lights will be installed on the tower. The applicant has provided a simulated image of the tower superimposed on the hillside. The proximity of the proposed tower to adjacent residences is closer than the 135 m setback (three times the 45 m tower height) recommended by the JDF Radio Antenna evaluation criteria.

Since the proposed location does not meet the recommended setback and given the objections raised during the public notification process, specifically concerns related to perceived negative impacts on the community and proximity to nearby residential uses, staff recommend that a statement of non-concurrence for the proposed 45 m telecommunications tower be provided unless the proponent is able to address these concerns.

CONCLUSION

An application has been received by Freedom Mobile to construct a 45.0 m telecommunications tower for the purpose of expanding telecommunications coverage, including wireless data and voice communication, in the Otter Point area. As proposed, the tower location does not meet the recommended setback for radio communication towers from adjacent residents of 135 m. Through the public consultation process, ten letters were received objecting the application and one letter was received in support. The applicant has responded to the questions and concerns related to the proposal. In light of proposed setback and the public comments received opposing the tower, staff recommend that a statement of non-concurrence be provided for the application.

RECOMMENDATION

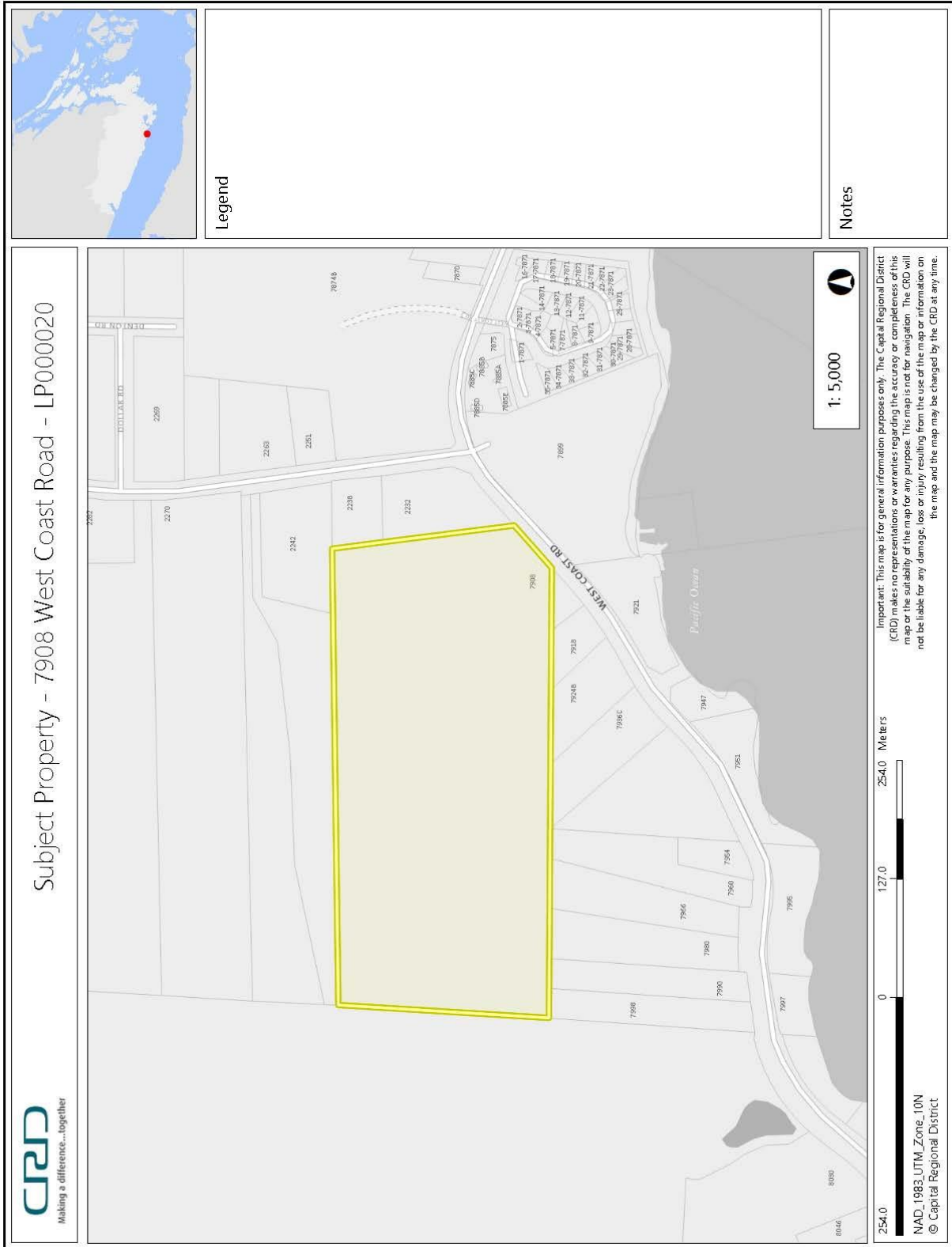
The Juan de Fuca Land Use Committee recommends to the Capital Regional District Board: That in light of public comments received in response to this application that a statement of non-concurrence be provided for the proposed 45.0 m radio communication and broadcasting antenna system on Lot 1, Section 31, Otter District, Plan 17157, Except Part in Plans 17314, 45873 and 47428.

Submitted by:	Iain Lawrence, RPP, MCIP, Manager, Juan de Fuca Community Planning
Concurrence:	Kevin Lorette, P.Eng., MBA, Acting Chief Administrative Officer

ATTACHMENTS

- Appendix A: Subject Property Map
- Appendix B: Development Proposal
- Appendix C: Comments Received
- Appendix D: Applicant's Response Letter
- Appendix E: Evaluation Criteria

Appendix A: Subject Property Map



Appendix B: Development Proposal



Cypress Land Services
Suite 120 – 736 Granville Street
Vancouver, BC V6Z 1G3

Telephone: 604.620.0877
Facsimile: 604.620.0878
Website : www.cypresslandservices.com

October 8, 2020

Via Email: ilawrence@crd.bc.ca

Iain Lawrence
Manager, Local Area Planning
Juan de Fuca Local Area Services
3 – 7450 Butler Road
BC V9Z 0K8

Dear Mr. Lawrence:

Subject:	Freedom Mobile Telecommunications Facility Proposal Information Package
Address:	7908 West Coast Road, Sooke, BC (Juan de Fuca)
Legal:	PID: 003-908-607
Coordinates:	48.366086° N, 123.797830° W
Freedom Mobile Site:	BVI0091H

Overview

Cypress Land Services, in our capacity as agent to Freedom Mobile, is submitting this information package enclosed with the Radiocommunication System Antenna Public Consultation Application to formalize the consultation process related to the installation and operation of a telecommunications facility. We have been in preliminary consultation with the Juan de Fuca Local Area Services Electoral Area under the jurisdiction of the Capital Regional District (CRD) regarding the installation. Freedom Mobile strives to provide quality wireless services in the greater Victoria area and is proposing this installation in order to provide dependable wireless data and voice communication within portions of the Juan de Fuca Electoral Area, the CRD and Sooke.

Proposed Site

The subject property is located at 7908 West Coast Road in Sooke, BC within the Juan de Fuca Electoral Area. The property is zoned RR-3 and consists of a large heavily forested property, approx. 29 acres in size with a house and a few small outbuildings. The installation consists of a monopole, 45.0 metres in height, with nine (9) antennas and two (2) microwave dishes mounted to a pinwheel at the top of the monopole. The equipment compound will be located at the base of the monopole, occupying an area of 8.0 metres by 8.0 metres, and enclosed by a 2.1-metre-high chain-link fence with barbed wire top. Please see **Schedule A: Tower Site Location**.

Rationale for Site Selection

Freedom Mobile seeks to provide high quality, dependable wireless communications services through the launch of its network. When a telecommunications carrier is determining a location for new wireless installation it must consider a number of factors to ensure the new installation operates effectively and results in reliable wireless services for the immediate community. Some of the considerations include frequency of operation, local topography, patterns of wireless users, building heights, road patterns, availability of land and existing structures. Freedom Mobile reviewed collocation options on nearby tower sites and unfortunately there are no nearby towers able to accommodate Freedom Mobile's equipment. The closest tower is located approximately 2.5 km northeast of the proposed site which is too far from the area Freedom intends to service.

Availability of a willing property owner is a major consideration; Freedom Mobile has entered into a long-term agreement with the property owner to permit the installation.

Tower Proposal Details

A slim line monopole design is proposed in order to achieve minimal visual impact and is proposed to be well set back from the West Coast Road amongst mature trees that will screen most of the structure from view. Freedom Mobile has completed preliminary design plans (Schedule B: Preliminary Plans) as well as photo-simulations (Schedule C: Photo-simulations). These preliminary design plans are subject to final engineered design, land survey and approval of Transport Canada. Transport Canada approval may require tower lighting and/or marking, comments are pending. The photo-simulations area for conceptual purposes only.

Freedom Mobile encourages any preliminary comments from the Juan de Fuca Local Area Services and the community.

Consultation Process with the Juan de Fuca Local Area Services

Juan de Fuca Local Area Services has adopted Juan De Fuca Radiocommunication And Broadcasting Antenna Systems Application Policy to establish procedures for review of applications for the siting of antenna systems that are subject to Industry Canada Policy CPC-2-03 and to establish a public consultation process and criteria for evaluating proposals.

Enclosed with this Information Package is the Radiocommunication System Antenna Public Consultation Application for consideration of the proposed antenna system. Freedom Mobile understand that Community Planning staff will review and consider the Evaluation Criteria when reviewing the application and undertake Public Consultation processes outlined in the policy, including posting a notice in the newspaper and delivering a notice to property owners and residents within 500 metres of the subject property advising the public of the application and their opportunity to provide written comments and questions to Community Planning. This comment period is a minimum of 30 days.

At the conclusion of the consultation process, Freedom Mobile will prepare a summary of comments received from the community as well as the replies provided by Freedom Mobile.

Freedom Mobile is requesting that, subsequent to the completed consultation process and report to the Board, a letter or resolution of concurrence will be issued by the CRD Board.

Health and Safety

Health Canada's Safety Code 6 regulations are applicable to this, and all, telecommunications sites. Safety Code 6 seeks to limit the public's exposure to radiofrequency electromagnetic fields and ensures public safety. Additional information on health and safety may be found on-line at: Health Canada: http://www.hc-sc.gc.ca/ewh-smmt/pubs/radiation/radio_guide-lignes_direct-eng.php

Concurrence Requirements

In order to complete the consultation process, Freedom Mobile will be requesting concurrence from the Juan de Fuca Local Area Services under the jurisdiction of the CRD in a form acceptable to both the CRD Board and to ISED. We understand that subsequent to the required public consultation process and a Council decision, the CRD Board would be providing a letter of resolution.

Conclusion

Please consider this information package and application as the official commencement of the consultation process. Freedom Mobile is committed to working with the Juan de Fuca Local Area Services and the community in determining an appropriate location and design for a telecommunications tower that will provide wireless communication services.

We look forward to working together during this process. Please do not hesitate to contact us by phone at 604-620-0877 or by email at tawny@cypresslandservices.com.

Thank you in advance for your assistance and consideration.

Sincerely,
CYPRESS LAND SERVICES
Agents for Freedom Mobile



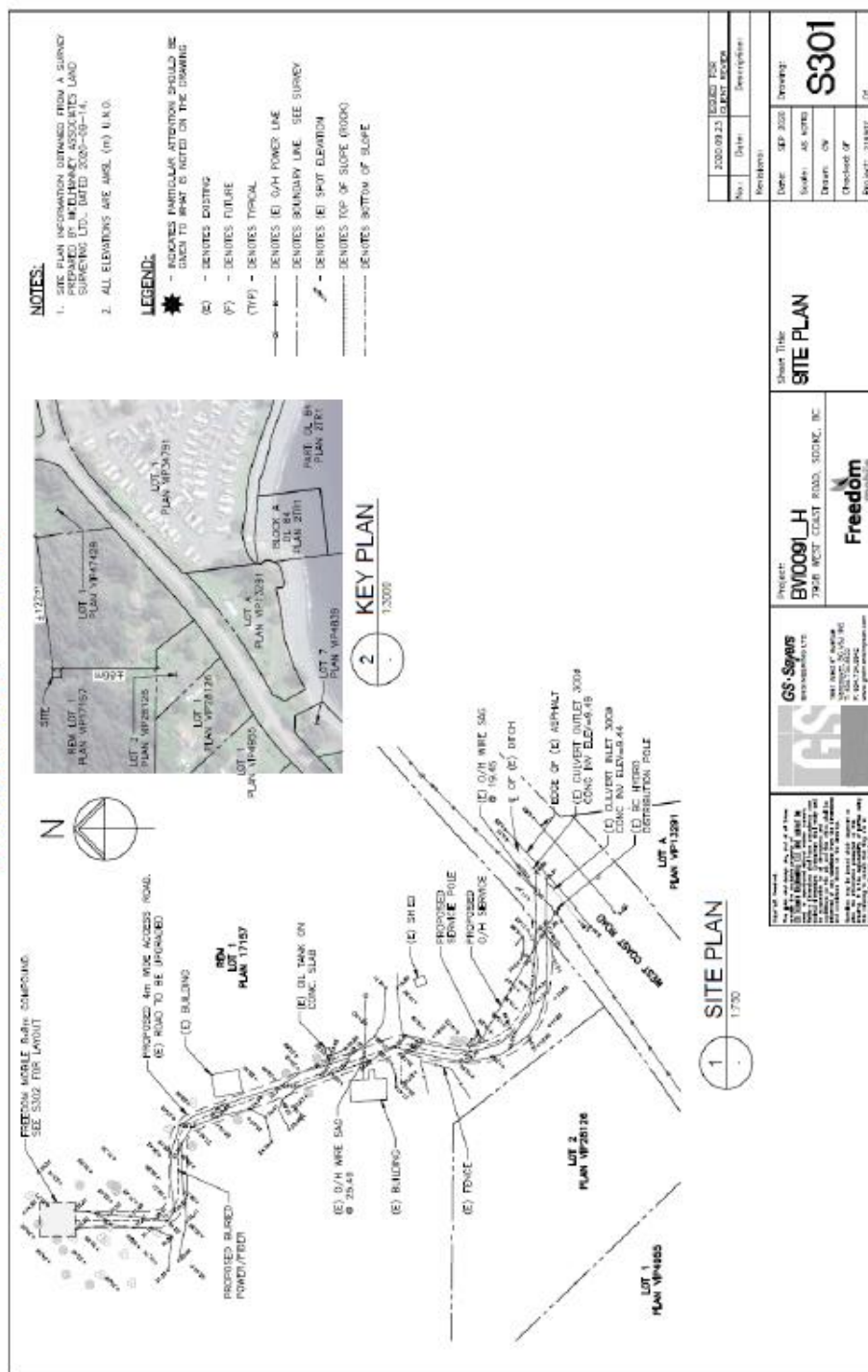
Tawny Verigin
Manager of Government Affairs

cc: Omid Choobineh, Real Estate Supervisor, Freedom Mobile

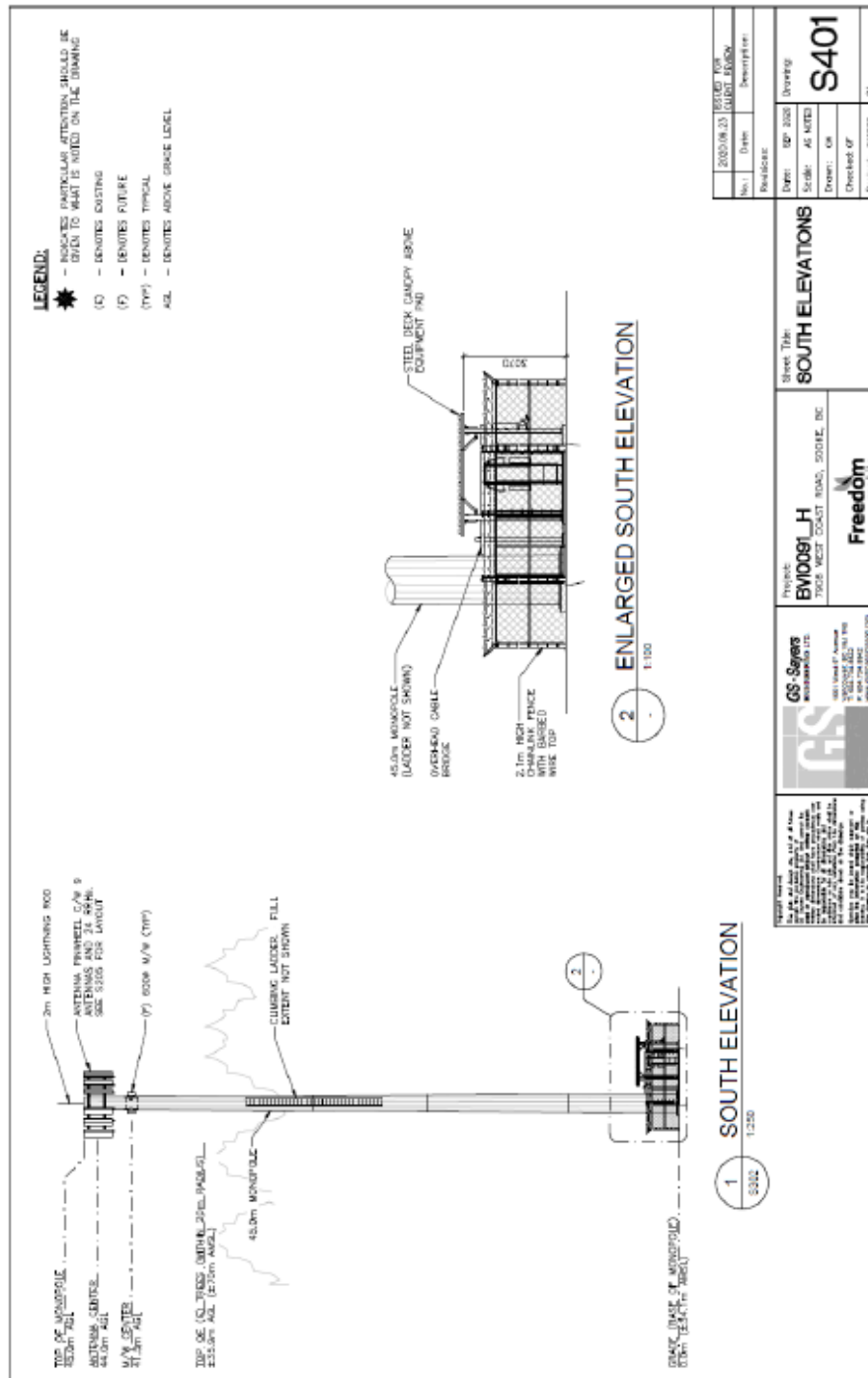
SCHEDULE A TOWER SITE LOCATION



SCHEDULE B
PRELIMINARY PLAN – SITE PLAN



SCHEDULE B
PRELIMINARY PLAN – TOWER PROFILE



SCHEDULE C
PHOTO-SIMULATIONS

BEFORE



AFTER



View: Looking west from Carpenter Road

*Photo Simulation is a close representation and is for conceptual purposes only – not to scale.
Proposed design is subject to change based on final engineer plans*

SCHEDULE C
PHOTO-SIMULATIONS

BEFORE



AFTER



View: Looking northwest from Trailer Park

*Photo Simulation is a close representation and is for conceptual purposes only – not to scale.
Proposed design is subject to change based on final engineer plans*

Appendix C: Comments Received

jdf info

From: Allison Neumann [REDACTED]
Sent: Wednesday, December 02, 2020 7:15 PM
To: jdf info
Subject: Cell tower at 7908 West Coast Road

WE are writing in support of the installation of the cell tower at 7908 West Coast Road as proposed. Expanding cell coverage up the west coast of Vancouver Island is important in keeping residents and travellers safe through connection to emergency services. A recent test of the emergency signal resulted in one of our cell phones not receiving the signal, and was only received by our other cell phone because it was on the Verizon network. We are over-dependent on our house land line due to lack of cell coverage, which makes us vulnerable due to outages caused by trees falling on telephone and power lines. While we recognize we have chosen to live in a rural location, we feel that the time has come for increased cell phone capability. Living on West Coast Road, we see the increased traffic out our way, especially on weekends, and feel that safety in terms of contacting emergency services should be given an increased priority.

Allison and James Neumann
[REDACTED]
[REDACTED]

Phone: [REDACTED]
Cell: [REDACTED] (but don't bother phoning it - it won't ring if I'm at home!)

Allison Neumann

jdf info

From: Wendy
Sent: Friday, December 04, 2020 3:32 PM
To: jdf info
Subject: Cell towers in Otter Point

I am opposed to any cell towers. They are a clear health risk, and not necessary in a rural environment. I have a land line. Please do not threaten our health with more of these hideous and harmful towers to accommodate a few uncaring people.

I have lived in Otter Point since 1973.

It has changed too much.

Thank you,
Wendy Morton

DEC 1/20



CAROL STENNALL



THIS IS MY LETTER OF OPPOSITION TO
PROPOSED CELL TOWER @ 7908 WESTCOAST RD.
LEGAL PID. 003-908-607

MY CONCERNS AND QUESTIONS ARE AS FOLLOWS

- ① FIRE - WHAT PRECAUTIONS WILL BE TAKEN?
- PUTTING A LIGHTENING ROD IN A
EXTREMELY DRY FOREST JUST
SEEMS CRAZY.
- ② WATER RUN OFF - ALL RUN OFF GOES TO
THE OCEAN, WHAT ARE THE
IMPLICATIONS? ALSO TO WILDLIFE
- ③ WILL THIS FACILITY MAKE ANY NOISE?
I.E. HUMMING
- ④ WILL LIGHTS BE A ISSUE?

page 1

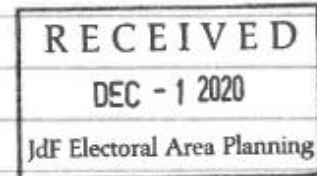
C. STENVAL.

⑤ PROPERTY VALUE - PROPERTIES IN COLWOOD
WERE DEVALUED BY 7% TO 9%
BECAUSE OF TOWER THERE.
WHY SHOULD I SUFFER SO THEY
CAN PROFIT, ALSO PROPERTY OWNERS
DON'T EVEN LIVE HERE
SO HOW MUCH WOULD MY PROPERTY
BE DEVALUED?

PAGE 2

Nov 30, 2020

CRD
Planning Office,
Sooke BC



Re: Proposed Radiocommunications Facility
7908 West Coast Rd Sooke B.C.

To Whom It May Concern,

We the undersigned, vehemently oppose this "facility" to be installed, primarily due to health concerns these radiocommunication facility projects are linked, according to research.

We are in close proximity to the subject property and do not want it built, as it can affect our health & well being for countless years ahead.

As a matter of point, we truly doubt our concerns will be taken into consideration as we went through this same situation with a property we owned in North Sooke. Sooke council ignored our & many other landowners objections; the application was turned down once, but the applicant persevered & it was passed the second attempt by him. Having opportunities to express our opinions are basically a "formality" and a joke!

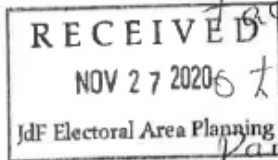
Mike & Mary Herring
Mary Herring

To

Nov 26/2020

CRD. Community Planning Office

Re: Proposed 45 m Radiocommunication
Facility @ Lot 1, Section 21,



Other District, Plan 17157, Except
Part in Plans 17314, 45873 and 47428
7908 West Coast Road, Sooke B.C.

Consider this my statement of
Strong objection to proposed application
File # LP000020.

- 1) Source of health exposure -
possible increase in chronic radiation
levels - has there been a health study
performed as part of this application,
if so, pls. provide.
- 2) future area and development and
future plans for this tower
- 3) Increase noise level from this tower
during and after completion
- 4) what is the negative impact
on property valuation for existing
property owners.

(5) Has a study been done on the impact of the environment and on the wildlife. Pls. provide.

(6) The volume of water run off is substantial on this family property and cascades down into the ocean at Kemp Lake Road. Has there been a study done on the effects to marine life. If so, pls. provide.

(7) There is a tower approx 4 blocks north of me up Kemp Lake Rd. Plus another one planned at Otter Point fire hall. I am very concerned about radiation levels coming from both north & south of me.

My grandmother purchased this property during the 40's and has been passed down to children, grandchildren and great grandchildren so that we have a better safe quality of life. This threatens this. Pls. reconsider. Thank you. Jorrs Truld.

A. Stenwall.



jdf info

From: Maureen Hunter
Sent: Wednesday, November 25, 2020 11:53 AM
To: jdf info
Cc: Emma Taylor
Subject: PROPOSED 45 M RADIOCOMMUNICATIONS FACILITY: LOT 1, SECTION 31, OTTER DISTRICT, PLAN 17157

To the Manager, Community Planning,

At the last CRD Land Use Committee an application to install a telecommunication tower behind the Otter Point Firehall was discussed and recommended to the CRD Board to proceed. I understand the next step to achieve final approval is to go before the CRD Board which convenes on December 9, 2020. Based upon the discussion and information provided by the CREST representative in attendance at the CRD Land Use Committee meeting, my understanding is that this tower will stand 40 meters high with an additional 8 meter spire in order to cover the area out as far as Shirley. It is also my understanding that this tower is capable of collocating with other providers as Rogers was originally planning to do so but backed out of the plan. This means the tower is capable of taking additional antennas.

In the application letter from Cypress Land Services they state that in researching collocation that the closest tower is located 2.5 km northeast of the proposed site and that this was too far from the area Freedom Mobile intends to service. My questions for the proponent are:

1. Is this proposed but yet unapproved tower at Otter Point Firehall the one to which they refer in their letter?
2. If so, given that the proposed tower is being installed specifically to provide reliable telecommunications as far out as Shirley, why can Freedom Mobile not take advantage of this structure, thus avoiding the risk of habitat destruction at 7908 West Coast Road? How far out does Freedom Mobile intend to service?

As the approval or failure of the application for the firehall tower is only two weeks away, I would hope the proponent would be willing to wait for that outcome and consider collocating their antennas on this tower.

Thank you for your consideration of these questions. I look forward to hearing a response.

Yours truly,

Maureen Hunter

jdf info

From: Amy Rubidge
Sent: Monday, November 23, 2020 9:36 AM
To: jdf info
Subject: Proposed cell tower

Good morning,

Thank you for the notification of this proposal. On behalf of myself and my family I would like to register a very definite 'No', in rejecting this proposal of a new cellular communications tower at 7908 West Coast Rd. My reasons are numerous and in no way meant as a personal slight against the landowners involved in the proposal:

- while there is considerable published documentation, even from Health Canada that cellular communication radiation has not been proven harmful to humans I am somewhat sceptical of this. I do understand the inverse square concept of signal strength reduction with distance, and the decades old established studies disproving the theory of 'cell towers causing cancer'. I also know that once established the tower may support additional strengths of output, other frequencies and purposes perhaps without consultation or limitation.
- in terms of community aesthetics I personally find individual cell towers a blight upon the landscape. I recognise that Island geography is such that more towers may be required for better coverage due to hills and valleys but frankly I would much prefer to see a hillside covered in trees than one marred by the image of a foreign metal tower and its attendant antenna and perhaps lights.
- I am not at all convinced that our neighbourhood need this tower nearly as much as either the landowners would like the income, or the cellular company would like the business. I am happy with my cellular provider, and have no problem receiving cell service where I live.
- I know that various cellular companies have canvased myself and many of my neighbours with various offers in hopes of being provided a location on which to situate their towers which I have rejected both because of my own concerns but also because I know most of my neighbours would not approve. It would be a slight to those who do not wish this in their back yards for me to endorse something that, while not on my property, would impact my neighbours as well.

Thank you

Amy Rubidge

jdf info

From: Al Wickheim
Sent: Monday, November 23, 2020 8:40 AM
To: jdf info
Subject: cell tower proposal for 7908 Westcoast Rd

Good morning,

Thank you for the notification of this proposal. On behalf of myself and my family I would like to register a very definite 'No', in rejecting this proposal of a new cellular communications tower at 7908 Westcoast Rd. My reasons are numerous and in no way meant as a personal slight against the landowners involved in the proposal:

- while there is considerable published documentation, even from Health Canada that cellular communication radiation has not been proven harmful to humans I am somewhat sceptical of this. I do understand the inverse square concept of signal strength reduction with distance, and the decades old established studies disproving the concept of 'cell towers causing cancer' I also know that once established the tower may support additional strengths of output, other frequencies and purposes perhaps without consultation or limitation.

- in terms of community aesthetics I personally find individual cell towers a blight upon the landscape. I recognise that Island geography is such that more towers may be required for better coverage due to hills and valleys but frankly I would much prefer to see a hillside covered in trees than one marred by the image of a foreign metal tower and its attendant antenna and perhaps lights.

- I am not at all convinced that our neighbourhood need this tower nearly as much as either the landowners would like the income, or the cellular company would like the business. While my cell phone service is sketchy at home, my landline service has served me well for dozens of years and I anticipate it will for years to come. When I do need cell service I just walk back to my cowfield and get 2 bars, enough for my purposes.

- I know that various cellular companies have canvased myself and many of my neighbours with various offers in hopes of being provided a location on which to situate their towers which I have rejected both because of my own concerns but also because I know most of my neighbours would not approve. It would be a slight to those who do not wish this in their back yards for me to endorse something that, while not on my property, would impact my neighbours as well.

- I recognise that cellular comm.s are here to stay and serve a valuable service, Further out WC Rd where landline service for urgent or emergency communications is scant or non-existent the concept has far more value to the public. Most people live in, or move to Otter Point for it's rural flavour, not to become city-fied with technology.

- I also question the motives of Telus for having removed virtually all of the 30+ pay phone booths between Sooke and Pt. Renfrew in the recent past, perhaps in an effort to 'force' this technology change upon the public.

Thank you

Al

Al Wickheim

jdf info

From: Laura Webb
Sent: Saturday, November 21, 2020 12:27 PM
To: jdf info
Subject: Proposed 45 m Radio Communication Facility a 7908 West Coast Rd.

CRD: We own property at . We do not believe this is the correct location for this tower. The site is subject to very high winds from Juan de Fuca strait plus we are on an earthquake fault. The area is also a very high fire risk during the dry spells were are receiving more each year. The tower site is being built on a very sensitive ecosystem with mature trees and bird nesting which would all be destroyed. We are completely against this tower and hope it does NOT get built.
Laura & Neil Webb

18-Nov-2020

Juan De Fuca Community Planning
#3 – 7450 Butler Road
Sooke, BC V9Z 1N1

SENT VIA EMAIL: jdfinfo@crd.bc.ca

Attention: Mr. Ian Lawrence, Manager – Community Manager

**RE: Proposed 45m Radio Communications Facility
Lot 1, Section 31, Otter District, Plan 17157 Except Part in Plans 17314, 45873 & 47428,
7908 West Coast Rd.**

I am in receipt of the letter dated 5th November 2020, regarding the subject matter. I will not provide my consent for such development that is neighbouring our family land located at:

Consider this my statement of concern to object to the referenced proposal. I strongly suggest that CRD assess other more remote locations for such a development and cancel this project for this proposed location immediately.

I object for the following reasons:

- Noise – this will increase noise from the traffic to construct it, and after the development is in place, as cell towers put out microwave radiation noise frequencies.
- Electromagnetic Radiation Spectrum Energy/Waves – cell towers are proven to radiate energy causing possible negative health impacts, within a certain proximity of local residence. This is within a few meters of the local family land, and thus will be the consequence of such.
- Optically Unfavorable – this is an optically unpleasant structure as a view from the neighbouring family land parcel
- Decrease in Land Valuation – this will lower the family land valuation for sale purposes.
- Emergency Response Plan (ERP) – No emergency response plan was provided from CRD with this proposed development package to review and ensure safety of the general public during the construction phase and thereafter.
- Negative Impact to local Wildlife – This will impact the local wildlife in the area with regards to the construction of the tower and thereafter, with extra noise and development in a treed wildlife landscape.
- Is there plans for further development to the project, after this would be approved?

Regards,



Mr. Derry Wright

jdf info

From: Maureen Hunter
Sent: Tuesday, November 17, 2020 3:11 PM
To: jdf info
Cc: Emma Taylor; isabel brown; 'Betty Poznansky'; 'Ann-Marie St. Laurent'; laurie mcneil
Subject: PROPOSED 45 M RADIOCOMMUNICATIONS FACILITY: LOT 1, SECTION 31, OTTER DISTRICT, PLAN 17157

To the Manager, Community Planning,

As a resident in the near vicinity of the subject area, I am in receipt of the invitation for public input for the proposal noted above. I wish to submit comments and questions for response by the proponent as part of this application for development.

1. The Community Impact Statement completed by the proponent as part of their initial application includes a question about whether any hazardous or environmentally sensitive areas have been identified in proximity to the proposed location. The proponent answered "No" to this question. **As it is clearly an environmentally sensitive area can we assume that the proponent will have to show how it will protect the environment and identify exactly the extent to which it will impact the area?**
2. Further to the last point, **specifically what measures will be taken to ensure that trees which provide nesting for birds are protected and that construction will not be conducted during nesting periods?**
3. The diagrams of the proposed site show dimensions of the installation. However, it does not indicate how far beyond the footprint of the installation the land must be cleared. History has shown that trees near towers have been known to cause risk due to fire. **How wide a perimeter beyond the base of the installation will need to be created to prevent risk?**
4. **Does the tower emit noise?** The installation must conform to Health Canada Safety Code 6, however, this addresses radiofrequency Electromagnetic Fields emissions. **If the tower generates noise, what is the potential risk to neighbouring human residents and to the wildlife in the area?**
5. With respect to Safety Code 6, **how will we know the tower conforms to the requirements upon installation and on an ongoing basis? How is this monitored?**
6. **Has there been evidence of installations of cell towers and their inherent EMF emissions negatively affecting property values of neighbouring sites?**
7. This site is subject to very high winds from the Juan de Fuca strait. According to Natural Resources Canada, southwestern B.C. is one of the most seismically active regions in the world and we have approximately 400 quakes a year from the north end of Vancouver Island to Seattle Washington. This past summer we experienced high risk of fire during dry spells. **Who approves the safety of the physical structure? What measures would be taken to mitigate these risks with the construction and materials of the tower?**

I look forward to receiving a response to the above and subsequently to attending a future information session pertaining this project.

Yours truly,

Maureen Hunter

jdf info

From: isabel brown [REDACTED]
Sent: Friday, November 06, 2020 10:33 AM
To: jdf info
Subject: Re Proposed 45 m RADIO COMMUNICATIONS FACILITY at 7908 West Coast Rd.

As property owner of 29-7871 West Coast Rd that is within 500 meters of the subject site, I wish to register my strong disapproval of a radio communications tower being erected at this location.

Yours truly
Dorothy Isabel Brown

[REDACTED]

Appendix D: Applicant's Response Letter

Hi Allison and James,

Thank you for providing us your comments of support regarding the proposed wireless communications facility at 7908 West Coast Road. We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Sincerely,

Tawny Verigin
Cypress Land Services Inc.
Agents for Freedom Mobile Inc.

Ms. Rubidge,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

While we appreciate that some community members do not want the installation and you are happy with your providers service. That said, Freedom Mobile has emerged as Canada's fourth national carrier, a key objective government's goal of creating more competition in the wireless market, which results in lower rates for families, students and small businesses, more choice for citizens to meet their wireless needs.

Freedom has made an effort to minimize any view of the tower from homes in the area by placing it in a mature treed area. It's not uncommon for residential homes to have view of antenna on the top of a tower or building. Freedom believes this revised proposal is reasonable and necessary in order to adequately services the community. Please also know that an application has been submitted to Transport Canada - their assessment has determined that no lighting or marking is required.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

A. Stenvall,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road. Please find individual responses to your questions below:

1. Source of health exposure - possible increase in chronic radiation levels - has there been a health study performed as part of this application, if so, pls provide.

Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

2. Future area and development and future plans for this tower.

We will request CRD to provide any information on this topic. the tower itself will be used for communication and may be upgraded from time to time.

3. Increased noise level from this tower during and after completion.

There will be no notable noise from the tower other than a fan at the base of the tower used to cool a small equipment cabinet.

4. What is the negative impact on property valuation for existing property owners?

Freedom Mobile does not believe that there is conclusive evidence to suggest that telecommunications facilities have negative impacts on property values. We do, however; make all reasonable efforts to site towers in locations that minimize their visual impact on surrounding properties. For the subject site, the tower is proposed to be situated amongst mature forested stands of trees. This places the tower over 100m away from the nearest residence and in a location where trees will provide screening. It is also worth noting that improved wireless services are of benefit to community members which enables them to stay connected to friend and family, conduct business and call for assistance in times of emergency.

5. Has a study been done on the impact of the environment and on the wildlife. Pls provide.

Not yet.

6. The volume of water run off is substantial on this family property and cascades down into the ocean at Kemp Lake Road. Has there been a study done on the effects to marine life? If so, pls provide.

No study has been completed or contemplated. The installation of the tower and foundation will have an insignificant impact to the run off of this property given the size of the land impacted. The footprint of the facility is smaller than a typical home in the area and will primarily be permeable surfaces within the disturbed area. , however, Freedom Mobile confirms that the installation is excluded from environmental assessment under the Canadian Environmental Assessment Act. Any municipal environmental regulations will be followed.

7. There is a tower approx. 4 block north of me up Kemp Lake Rd. plus another one planned at Otter Point Fire Hall. I am very concerned about radiation levels coming from both north and south of me. My grandmother purchased this property during the 40's and has been passed down to children and grandchildren and great grandchildren so that we have a better safe quality of life. This threatens this. pls reconsider.

Again, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Mr. Wickeim,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

While we appreciate that some community members do not want the installation and you are happy with your providers service. That said, Freedom Mobile has emerged as Canada's fourth national carrier, a key objective government's goal of creating more competition in the wireless market, which results in lower rates for families, students and small businesses, more choice for citizens to meet their wireless needs.

Freedom has made an effort to minimize any view of the tower from homes in the area by placing it in a mature treed area. It's not uncommon for residential homes to have view of antenna on the top of a tower or building. Freedom believes this revised proposal is reasonable and necessary in order to adequately services the community. Please also know that an application has been submitted to Transport Canada - their assessment has determined that no lighting or marking is required.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Ms. Stenvall,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road. Please find individual responses to your questions below:

1. Fire - what precautions will be taken? - putting a lightening rod in a extremely dry forest just seems crazy.

A lightning rod is a metal rod mounted on a structure and intended to protect the structure from a lightning strike.

2. Water run off - all run off goes to the ocean. What are the implications? Also to wildlife the installation of the tower and foundation will have an insignificant impact to the run off of this property given the size of the land impacted.

The footprint of the facility is smaller than a typical home in the area and will primarily be permeable surfaces within the disturbed area.

3. Will this facility make any noise? i.e. humming

There will be no notable noise from the tower other than a fan located at the base of the tower on an equipment cabinet.

4. Will lights be an issue?

An application has been submitted to Transport Canada - their assessment has determined that no lighting or marking is required.

5. Property value - Properties in Colwood were devalued by 7% to 9% because of tower there. Why should I suffer so they can profit, also property owners don't even live here so how much would my property be devalued?

Freedom Mobile does not believe that there is conclusive evidence to suggest that telecommunications facilities have negative impacts on property values. We do, however; make all reasonable efforts to site towers in locations that minimize their visual impact on surrounding properties. For the subject site, the tower is proposed to be situated amongst mature forested stands of trees. This places the tower over 100m away from the nearest residence and in a location where trees will provide screening. It is also worth noting that improved wireless services are of benefit to community members which enables them to stay connected to friend and family, conduct business and call for assistance in times of emergency.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Ms. Brown

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

While we appreciate that some community members do not want the installation Freedom Mobile has emerged as Canada's fourth national carrier, a key objective government's goal of creating more competition in the wireless market, which results in lower rates for families, students and small businesses, more choice for citizens to meet their wireless needs.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Mr. Derry Wright,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road. Please find individual responses to your questions below:

- Noise - this will increase noise from the traffic to construct it, and after the development is in place, as cell towers put out microwave radiation noise frequencies.
- There will be no notable noise from the tower other than a fan on the equipment box at the base of the tower. Once constructed the facility typically operates itself. There will be no increase to traffic.
- Electromagnetic Radiation Spectrum Energy/Waves - cell towers are proven to radiate energy causing possible negative health impacts, within a certain proximity of local residence. This is within a few meters of the local family land, and thus will be the consequence of such.
- Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.
- Optically Unfavorable - this is an optically unpleasant structure as a view from the neighbouring family land parcel
- Freedom has made an effort to minimize any view of the tower from homes in the area by placing it in a mature treed area. the majority of the structure will be screened by mature trees in all directions. It's not uncommon for residential homes to have view of antenna on the top of a tower or building. Freedom believes this revised proposal is reasonable and necessary in order to adequately services the community. Please also know that an application has been submitted to Transport Canada - their assessment has determined that no lighting or marking is required.
- Decrease in Land Valuation - this will lower the family land valuation for sale purposes.
- Freedom Mobile does not believe that there is conclusive evidence to suggest that telecommunications facilities have negative impacts on property values. We do, however; make all reasonable efforts to site towers in locations that minimize their visual impact on surrounding properties. For the subject site, the tower is proposed to be situated amongst mature forested stands of trees. This places the tower over 100m away from the nearest residence and in a location where trees will provide screening. It is also worth noting that improved wireless services are of benefit to community members which enables them to stay connected to friend and family, conduct business and call for assistance in times of emergency.
- Emergency Response Plan (ERP) - No emergency response plan was provided from CRD with this proposed development package to review and ensure safety of the general public during the construction phase and thereafter.

-We will request CRD to provide any information on this topic. That said, the facility will have security fencing installed once constructed to maintain public safety.

- Negative Impact to local Wildlife - This will impact the local wildlife in the area with regards to the construction of the tower and thereafter, with extra noise and development in a treed wildlife landscape.

Freedom Mobile confirms that the installation will not pose physical harm to local wildlife. It anticipated that only 2 trees will be removed and the footprint of the facility is smaller than a typically residential home.

- Is there plans for further development to the project, after this would be approved?

-the site will be monitored on an ongoing basis, and upgraded as new technologies become available.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Mr. & Mrs. Herring,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Mr. & Mrs. Webb

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

While we appreciate that some community members do not want the installation Freedom Mobile has emerged as Canada's fourth national carrier, a key objective government's goal of creating more competition in the wireless market, which results in lower rates for families, students and small businesses, more choice for citizens to meet their wireless needs. Freedom has made an effort to minimize any view of the tower from homes in the area by placing it in a mature treed area. It's not uncommon for residential homes to have view of antenna on the top of a tower or building. Freedom believes this revised proposal is reasonable and necessary in order to adequately services the community.

Regarding you concerns for high wind and an earthquake fault, Freedom Mobile confirms that the antenna structure will apply good engineering practices including, structural adequacy during construction.

You also mentioned concerns of fire risk. The tower will be equipped with a lightning rod which is intended to protect the structure from a lightning strike. Its important to remember that in times of natural disasters such as wind storms, earthquakes and fires it key to have emergency communications in place. This tower will be a key component the communities emergency communications in times of need.

You also mentioned concerns of a very sensitive ecosystem with mature trees and bird nesting which would all be destroyed. Freedom Mobile confirms that the installation is excluded from environmental assessment under the Canadian Environmental Assessment Act. Any municipal environmental regulations will be followed. That said, towers are commonly located in forested areas and coexist with natural ecosystems.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Ms. Hunter,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road. Please find individual responses to your questions below:

1. The Community Impact Statement completed by the proponent as part of their initial application includes a question about whether any hazardous or environmentally sensitive areas have been identified in proximity to the proposed location. The proponent answered "No" to this question. As it is clearly an environmentally sensitive area can we assume that the proponent will have to show how it will protect the environment and identify exactly the extent to which it will impact the area?

Freedom Mobile confirms that the installation is excluded from environmental assessment under the Canadian Environmental Assessment Act. Any municipal environmental regulations will be followed.

2. Further to the last point, specifically what measures will be taken to ensure that trees which provide nesting for birds are protected and that construction will not be conducted during nesting periods?

The site will be constructed outside of nesting season as required. for the most part the footprint of the facility is smaller than a residential home. There are a couple of trees (likely just two) will need to be removed but the tower is sited to take advantage of existing access.

3. The diagrams of the proposed site show dimensions of the installation. However, it does not indicate how far beyond the footprint of the installation the land must be cleared. History has shown that trees near towers have been known to cause risk due to fire. How wide a perimeter beyond the base of the installation will need to be created to prevent risk?

Only the immediate area for the facility will be cleared and will only result in approx. 2 trees will to be removed. The tower will be equipped with a lightning rod which is intended to protect the structure from a lightning strike. We will not be clearing an area around the compound/facility.

4. Does the tower emit noise? The installation must conform to Health Canada Safety Code 6, however, this addresses radiofrequency Electromagnetic Fields emissions. If the tower generates noise, what is the potential risk to neighbouring human residents and to the wildlife in the area?

There will be no notable noise from the tower. There is a small hvac system attached to the cabinet at the base of the tower. The noise generated would be comparable to a residential air conditioner when running from time to time in summer months.

5. With respect to Safety Code 6, how will we know the tower conforms to the requirements upon installation and on an ongoing basis? How is this monitored?

Any new equipment added to the tower will trigger a new SC6 review. Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have

reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

6. Has there been evidence of installations of cell towers and their inherent EMF emissions negatively affecting property values of neighbouring sites?

Freedom Mobile does not believe that there is conclusive evidence to suggest that telecommunications facilities have negative impacts on property values. We do, however; make all reasonable efforts to site towers in locations that minimize their visual impact on surrounding properties. For the subject site, the tower is proposed to be situated amongst mature forested stands of trees. This places the tower over 100m away from the nearest residence and in a location where trees will provide screening. It is also worth noting that improved wireless services are of benefit to community members which enables them to stay connected to friend and family, conduct business and call for assistance in times of emergency.

7. This site is subject to very high winds from the Juan de Fuca strait. According to Natural Resources Canada, southwestern B.C. is one of the most seismically active regions in the world and we have approximately 400 quakes a year from the north end of Vancouver Island to Seattle Washington. This past summer we experienced high risk of fire during dry spells. Who approves the safety of the physical structure? What measures would be taken to mitigate these risks with the construction and materials of the tower?

Freedom Mobile confirms that the antenna structure will apply good engineering practices including, structural adequacy during construction. The structure takes into consideration historical weather conditions such as winds.

1. Is this proposed but yet unapproved tower at Otter Point Firehall the one to which they refer in their letter?

No this is a separate project.

2. If so, given that the proposed tower is being installed specifically to provide reliable telecommunications as far out as Shirley, why can Freedom Mobile not take advantage of this structure, thus avoiding the risk of habitat destruction at 7908 West Coast Road? How far out does Freedom Mobile intend to service?

The Otter Point fire hall is too far from the area Freedom Mobile intends to service (over 2.5 km away) so unfortunately cannot be considered for collocation at this time. The proposed tower will provide service within approximately a few kilometers of the proposed location.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Ms. Morton,

Thank you for providing your feedback regarding the proposed Freedom Mobile wireless site at 7908 West Coast Road.

Please know, the radio frequency power output of the proposed antennas is very low. Freedom Mobile relies on experts to set standards for safety and we comply with these standards. In Canada, Health Canada is the expert and has established Safety Code 6 (SC6). It is their job to ensure public safety relative to radio frequency emissions. Safety Code 6 was updated in 2015 based on all credible science in this field done around the world. It is considered by Health Canada to be current and valid for protecting the health and safety of all Canadians. The limits specified in Health Canada's radio frequency exposure guidelines are based upon review of thousands of peer-reviewed scientific studies of the health impacts of RF energy. SC6 take into consideration the existing EMF energy in the calculations. Telecommunication operators propose to locate antennas where service is needed – providing access to 911 and other wireless services in areas that do not currently have reliable service or that need enhanced service. As long as the site conforms to SC6, there is no cause for concern. Freedom Mobile is required to follow the limits of Safety Code 6 but does not hold ownership of the regulation itself. As a result, for any questions regarding the research behind Safety Code 6 regulation, we encourage those in the community to contact Health Canada at: ccrpb-pcrpcc@hc-sc.gc.ca.

While we appreciate that some community members do not want the installation and you are happy with your providers service. That said, Freedom Mobile has emerged as Canada's fourth national carrier, a key objective government's goal of creating more competition in the wireless market, which results in lower rates for families, students and small businesses, more choice for citizens to meet their wireless needs.

Freedom has made an effort to minimize any view of the tower from homes in the area by placing it in a mature treed area. It's not uncommon for residential homes to have view of antenna on the top of a tower or building. Freedom believes this revised proposal is reasonable and necessary in order to adequately services the community.

We appreciate your feedback and will share your comments with the Juan de Fuca Community Planning for consideration. Should you have additional comments, please respond within the next 21 days.

Best regards,

Tawny Verigin
Cypress Land Services Inc.
Agent to Freedom Mobile Inc.

Appendix E: Evaluation Criteria

Evaluation Criteria:

The CRD Board may consider the following when reviewing an application for an antenna system:

1. Rationale for proposed location;
2. Proximity to residential uses, institutions and public lands;
3. Visibility and measures to integrate the antenna system into the local surroundings;
4. Security measures;
5. Alternatives and/or mitigation measures;
6. Hazardous areas;
7. Environmentally sensitive areas;
8. Transport Canada's aeronautical safety requirements;
9. Referral responses including compliance with BC Building Code, if applicable;
10. Comments received through public notification;
11. Potential impact on the community if the application is approved.
12. Designs that address the following guidelines:
 - i) antenna systems are as unobtrusive and inconspicuous as possible;
 - ii) the visual aesthetic impacts on the community is minimized;
 - iii) landscaping or screening is incorporated;
 - iv) displays of any type of lighting are avoided except where required by Transport Canada. Where lighting is proposed for security reasons, it shall be shielded from adjacent properties and kept to a minimum intensity by being of capped, downward facing and motion-sensory designs;
 - v) antenna systems are set back at least three times the height of the antenna system from adjacent dwellings. The CRD may request a different setback due to factors such as buffering topography and vegetation, transportation and utility corridors, watercourses, or public comments.