

REGIONAL DISTRICT OF NANAIMO

ELECTORAL AREA PLANNING COMMITTEE

TUESDAY, SEPTEMBER 10, 2013

6:30 PM

(RDN Board Chambers)

A G E N D A

PAGES

CALL TO ORDER

DELEGATIONS

MINUTES

3-4 Minutes of the regular Electoral Area Planning Committee meeting held Tuesday, July 9, 2013.

BUSINESS ARISING FROM THE MINUTES

COMMUNICATIONS/CORRESPONDENCE

DEVELOPMENT PERMIT APPLICATIONS

5-9 Development Permit Application No. PL2013-067 – Smith & Annand – Electoral Area 'G'.

10-15 Development Permit Application No. PL2013-090 and Request for Frontage Relaxation in Conjunction with Subdivision Application No. PL2013-050 – Linda and George Addison – 2610 Myles Lake Road, Electoral Area 'C'.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATIONS

16-23 Development Permit with Variance Application No. PL2013-092 – Chevron Canada Ltd. – 1660 Island Highway East, Electoral Area 'E'.

24-31 Development Permit with Variance Application No. PL2013-085 – Fern Road Consulting – 90 Lambert Lane, Electoral Area 'H'.

32-42 Development Permit with Variance Application No. PL2013-066 – Eliza Point – Fielding Road, Electoral Area 'A'.

DEVELOPMENT VARIANCE PERMIT APPLICATIONS

43-48 Development Variance Permit Application No. PL2013-084 – Bernard Thomson – 2938 Hillview Road, Electoral Area 'E'.

OTHER

- 49-58 Zoning Amendment Application No. PL2013-038 – Magnolia Enterprises Ltd. – 6996 Island Highway West, Electoral Area 'H'.
- 59-149 Proposed Rogers Communications Inc. Wireless Tower No. PL2013-086 – 891 Drew Road, Electoral Area 'G'.
- 150-160 Regulatory Amendments to Address Marihuana for Medical Purposes Regulations – Bylaws No. 500.387, 2013 and 1285.18, 2013 – *Staff to provide detailed presentation.*

ADDENDUM

BUSINESS ARISING FROM DELEGATIONS OR COMMUNICATIONS

NEW BUSINESS

ADJOURNMENT

REGIONAL DISTRICT OF NANAIMO

MINUTES OF THE ELECTORAL AREA PLANNING COMMITTEE MEETING
OF THE REGIONAL DISTRICT OF NANAIMO HELD ON
TUESDAY, JULY 9, 2013 AT 6:30 PM IN THE
RDN BOARD CHAMBERS

In Attendance:

Director J. Stanhope	Chairperson
Director A. McPherson	Electoral Area A
Director M. Young	Electoral Area C
Director J. Fell	Electoral Area F
Alternate	
Director F. Van Eynde	Electoral Area E
Director B. Veenhof	Electoral Area H

Regrets:

Director G. Holme	Electoral Area E
-------------------	------------------

Also in Attendance:

D. Trudeau	A/Chief Administrative Officer
J. Harrison	Director of Corporate Services
Jeremy Holm	Manager, Current Planning
R. Alexander	Gen. Mgr. Regional & Community Utilities
G. Garbutt	Gen. Mgr. Strategic & Community Development
M. O'Halloran	Legislative Coordinator
C. Golding	Recording Secretary

CALL TO ORDER

The Chairperson called the meeting to order and welcomed Alternate Director Van Eynde to the meeting.

DELEGATIONS

Dave Patterson, Fairwinds Community Association, re Lakes District and Schooner Cove Zoning Amendment Application Updates.

Mr. Patterson spoke regarding a zoning application made to the RDN, and requested that the Board take the Fairwinds re-zoning applications to a Public Hearing by November 2013. He also provided a petition of local residents conducted by the Fairwinds Community Association to request that a public hearing be held by November 2013.

OTHER

Lakes District and Schooner Cove Zoning Amendment Application Updates.

MOVED Director Van Eynde, SECONDED Director Fell, that the Board receive this report for information.

CARRIED

MOVED Director Van Eynde, SECONDED Director Fell, that the Board send correspondence to the property owner expressing support in principle of implementation of the Neighborhood Plans policies through the proposed zoning amendments and a commitment to finalize application review and presentation of bylaws to the Board for consideration in a timely manner.

CARRIED

ADDENDUM

COMMUNICATIONS/CORRESPONDENCE

David Patterson, Fairwinds Community Association, re Lakes District and Schooner Cove Zoning Amendment Application Updates.

MOVED Director Fell, SECONDED Director Van Eynde, that the correspondence from David Patterson, re Lakes District and Schooner Cover Zoning Amendment Application Updates be received for information.

CARRIED

ADJOURNMENT

MOVED Director Van Eynde, SECONDED Director Veenhof, that this meeting terminate.

CARRIED

TIME: 6:59 PM

CHAIRPERSON

CORPORATE OFFICER



RDN REPORT	
CAO APPROVAL	
EAP	✓
COW	
AUG 29 2013	
RHD	
BOARD	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: August 23, 2013

FROM: Robert Stover
Planning Technician

FILE: PL2013-067

SUBJECT: Development Permit Application No. PL2013-067 – Smith & Annand
Lot 12, District Lot 9, Newcastle District, Plan 11816
Electoral Area 'G'

PURPOSE

To consider an application for a Development Permit to address the placement of fill within the Hazard Lands Development Permit Area (DPA) on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Greg Smith and Dianne Annand in order to address the prior placement of fill within the Hazard Lands DPA on the subject property. The subject property is approximately 906 m² in area and is zoned Residential 2 (RS2) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

The subject property is currently unoccupied, and is bordered by residentially zoned properties to the south, east, and west, and McFeely Drive to the north. The subject property also lies within the Little Qualicum River Floodplain. This development permit application is intended to address the placement of fill on the property that was undertaken without a development permit. The works undertaken are subject to the Hazard Lands Development Permit Area as per "Electoral Area 'G' Official Community Plan Bylaw No. 1540, 2008".

Proposed Development

The applicants have applied for a Development Permit to address the prior placement of fill on the subject property within the Hazard Lands DPA that was undertaken without a development permit. According to the applicant's Geotechnical Engineer, the depth of fill ranges from 0.6m to 1.0 m with an average depth of 0.8m. In this case, the property is designated within the Hazard Lands DPA to address flood risk and a Hazard Lands Development Permit is required to address the placement of fill. The applicant has supplied a letter of rationale and a geotechnical hazard assessment prepared by Lewkowich Engineering Associates Ltd. and dated June 7, 2013 in support of the application. The applicants have indicated that the intention of placing fill on the property is to raise the grade of the lot in an effort to mitigate flood risk for future development of the property. Future construction of a dwelling unit on the property will require a subsequent development permit application with further geotechnical assessment.

ALTERNATIVES

1. To approve the Development Permit Application No. PL2013-067 subject to the conditions outlined in Attachment 2.
2. To deny the Development Permit Application No. PL2013-067.

LAND USE IMPLICATIONS

Development Implications

The geotechnical hazard assessment provided by the applicants addresses the implications of the placement of fill on the property in relation to Hazard Lands DPA and surrounding properties. While the applicant has no immediate plans to construct a home on the property, subsequent Hazard Lands Development Permit and further geotechnical assessment will be required prior to the issuance of a building permit on the subject property.

The geotechnical hazard assessment report provided by the applicants concludes that the subject property is geotechnically safe for the intended use, and the prior placement of fill will not lead to detrimental impacts on this property or adjoining lands. Staff recommends that the applicants be required to register a Section 219 covenant that registers the Lewkowich Engineering Associates Ltd. on the property title, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages to life and property as a result of potential geotechnical flood hazards.

Sustainability Implications

In keeping with RDN policy, staff have reviewed the development with respect to the placement of fill on the subject property. The geotechnical assessment concludes that the placement of fill will not alter the function of the floodplain nor have detrimental impacts on adjoining properties.

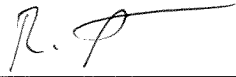
SUMMARY/CONCLUSIONS

The Regional District of Nanaimo has received an application from Greg Smith and Dianne Annand in order to address the prior placement of fill on the subject property that was undertaken without a development permit. The applicants have indicated that the purpose of placing fill on the property was to raise the grade of the lot in an effort to mitigate flood risk for future development of the site. The applicants have provided a letter of rationale, site plan, and a geotechnical hazard assessment report in support of the application. The assessment report concludes that the property is geotechnically safe, and the previous placement of fill will not lead to detrimental impacts on the subject property or adjoining properties. Any further land alteration or development of the property to accommodate a dwelling unit will require an additional development permit with further geotechnical assessment. Staff recommends that the applicants be required to register a Section 219 covenant that registers the Lewkowich Engineering Associates Ltd. on the property title, and includes a save harmless clause that releases the Regional District of Nanaimo from all losses and damages to life and property as a result of potential geotechnical flood hazards.

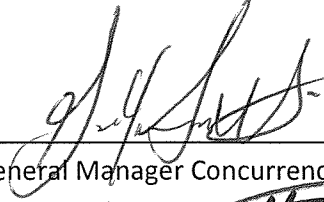
As the conclusions of the assessment report are consistent with the Hazard Lands DPA guidelines, staff support the application as submitted.

RECOMMENDATION

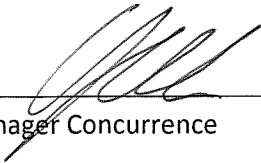
That Development Permit Application No. PL2013-067 to address the prior placement of fill on the subject property be approved subject to the Terms and Conditions outlined in Attachment 2.



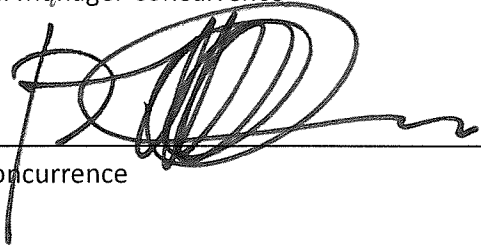
Report Writer



General Manager Concurrence

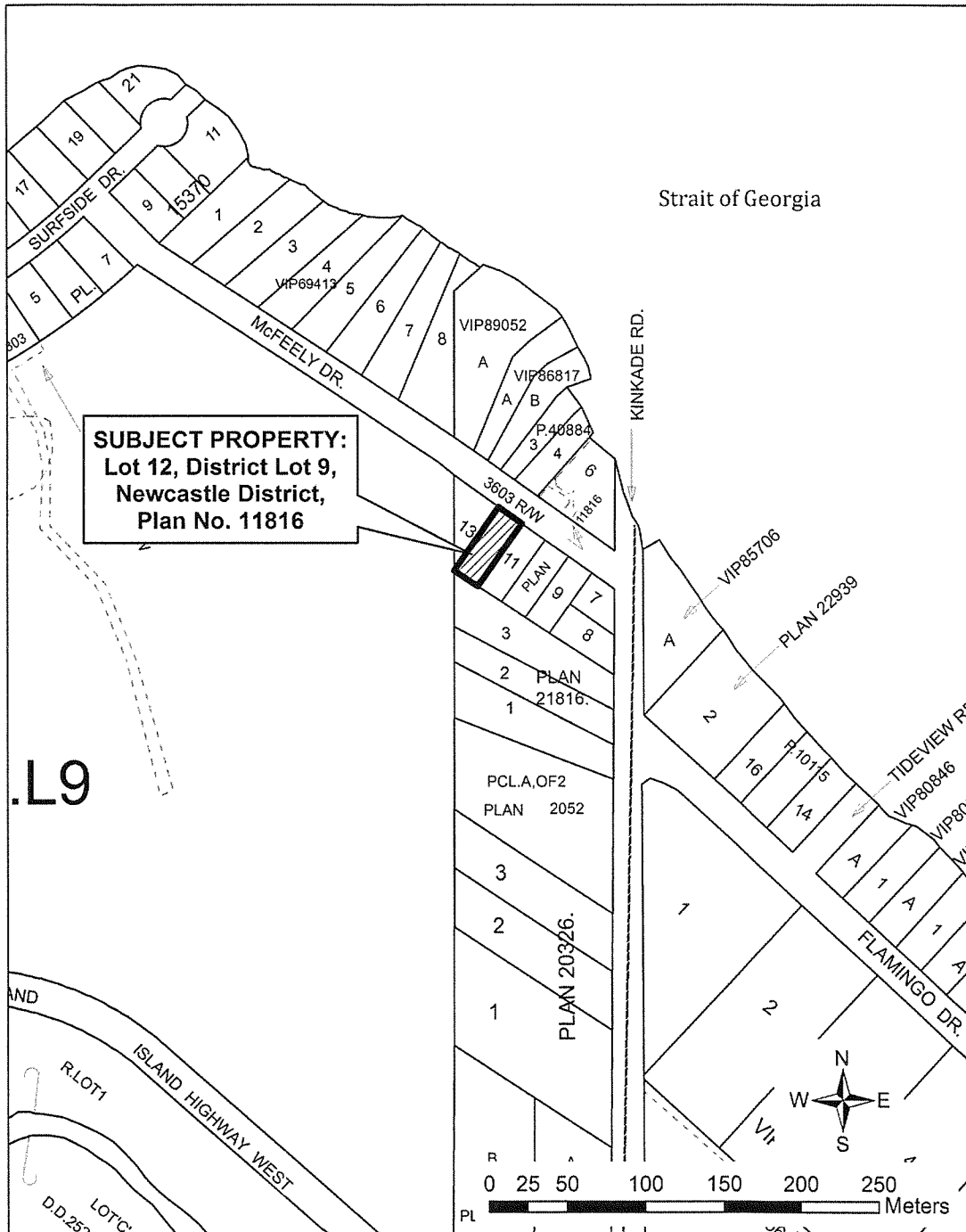


Manager Concurrence



CAO Concurrence

**Attachment 1
Subject Property Map**



Attachment 2
Terms and Conditions of Development Permit

The following sets out the terms and conditions of Development Permit Application No. PL2013-067:

Conditions of Approval

1. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.
2. The property owner shall obtain the necessary development permits prior to any construction undertaken on the lands.
3. The applicants shall be required, at the applicant's expense, to register a Section 219 covenant on the property title containing the Geotechnical Hazard Assessment prepared by Lewkowich Engineering Associates Ltd. and dated June 7, 2013. This covenant shall include a save harmless clause that releases the Regional District of Nanaimo from all losses and damages to life and property as a result of potential geotechnical and flood hazards.



RDN REPORT		#
CAO APPROVAL		
EAP	✓	
COW		
AUG 29 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
 Manager of Current Planning

DATE: August 22, 2013

FROM: Kristy Marks
 Planner

FILE: PL2013-090/PL2013-050

SUBJECT: Development Permit Application No. PL2013-090 and Request for Frontage Relaxation in Conjunction with Subdivision Application No. PL2013-050 – Linda & George Addison Lot 1, Section 7, Range 3, Cranberry District, Plan VIP68949 – 2610 Myles Lake Road Electoral Area 'C'

PURPOSE

To consider an application for a Development Permit and 10% minimum frontage relaxation in conjunction with a proposed four lot subdivision.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Linda and George Addison in conjunction with a proposed four lot subdivision, Application No. PL2013-050. The subject property is 8.71 ha in area and is zoned Rural 6 (RU6) Subdivision District 'D' (2.0 ha minimum parcel size) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". The property is surrounded by developed rural residential parcels to the north and east, Blind Lake and park land to the south and Resource Management Zoned land to the west (see Attachment 1 for location of subject property).

The proposed subdivision is subject to the following Development Permit Areas as per "Regional District of Nanaimo Arrowsmith Benson – Cranberry Bright Official Community Plan Bylaw No. 1148, 1999":

- Fish Habitat Protection;
- Watercourse Protection; and
- Environmentally Sensitive Features for Wetland Protection.

Proposed Development

The applicant is proposing a four lot subdivision with individual wells and septic disposal systems. Each of the proposed parcels will meet the minimum permitted parcel size pursuant to Bylaw No. 500, 1987 (see Attachment 2 for proposed plan of subdivision) and each parcel will be limited to one dwelling unit only.

Minimum 10% Perimeter Frontage Requirement

Proposed lots B, C, and D as shown on the plan of subdivision (Attachment 2) do not meet the minimum 10% perimeter lot frontage requirement pursuant to Section 944 of the *Local Government Act*. The applicant has requested approval of the RDN Board to reduce the frontage requirement as follows:

Proposed Lot No.	Required Frontage (m)	Proposed Frontage (m)	% Perimeter
B	64.8	58.35	9.0
C	86.2	11.5	1.3
D	66.8	10.0	1.4

ALTERNATIVES

1. To approve Development Permit Application No. PL2013-090, subject to the conditions outlined in Attachment 3; and the request for relaxation of the minimum 10% perimeter frontage requirement for proposed lots B, C, and D in conjunction with Subdivision Application No. PL2013-050.
2. To deny Development Permit Application No. PL2013-090 and the request for relaxation of the minimum 10% frontage requirement.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided a Riparian Areas Assessment (RAA) prepared by Aquaparian Environmental Consulting Ltd. dated May 17, 2012. This report establishes a 15 metre Streamside Protection and Enhancement Area (SPEA) for Blind Lake and the associated wetland and includes recommendations for the protection of the SPEA including sediment and erosion control measures and following Best Management Practices during land clearing and construction.

The applicant has also submitted a Biophysical Assessment prepared by Aquaparian Environmental Consulting Ltd. dated September 2012. This report outlines environmental regulations that apply to land clearing and construction of the proposed parcels and includes an overview of the biophysical characteristics and land use on site. In addition, the assessment contains recommendations for the clearing and construction phase of the proposed subdivision such as minimizing vegetation removal to building sites and driveways, avoiding land clearing during song bird nesting season, locating septic beds at least 30 metre from the edge of the lake, and covering any piles of topsoil that are located within 30 metre of the high water mark.

In response to rainwater management concerns raised by the Ministry of Environment during the Official Community Plan (OCP) and Regional Growth Strategy (RGS) amendment process the applicants have submitted a Dispersal Assessment prepared by Lewkowich Engineering Associates Ltd. dated February 1, 2013. This report includes recommendations for the design, construction and maintenance of dispersal trenches and sumps to ensure that rainwater dispersal does not negatively impact groundwater or receiving waters and that predevelopment flows will be maintained.

Development of the property in accordance with the recommendations contained in the Riparian Areas Assessment, Biophysical Assessment and Dispersal Assessment is included in the Terms and Conditions of Approval outlined in Attachment 3.

Inter-governmental Implications

The Ministry of Transportation & Infrastructure (MOTI) has reviewed the application and has issued a Preliminary Layout Approval (PLA) for the proposed subdivision. MOTI staff have advised that a 10 metre wide road dedication will be required along the northern edge of proposed lots A and B and that the Approving Officer is prepared to waive requirements to provide access to water as per Section 75(1)(c) of the *Land Title Act*.

Sustainability Implications

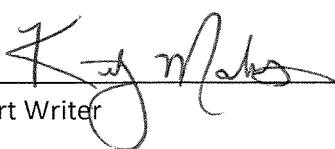
In keeping with Regional District of Nanaimo Board policy, staff reviewed the proposed development with respect to the "Regional District of Nanaimo Sustainable Development Checklist" and note that proposed development will allow infill development in accordance with the current zoning.

SUMMARY/CONCLUSION

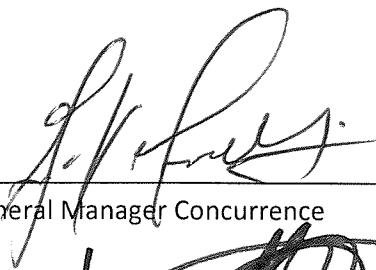
This is an application for a Development Permit and 10% minimum frontage relaxation in conjunction with a proposed four lot subdivision. The applicant has submitted a proposed plan of subdivision, Riparian Areas Assessment, Biophysical Assessment, and Dispersal Assessment in support of the application. Despite the reduced frontages, the applicant has confirmed that proposed lots B, C, and D contain adequate building sites outside the SPEA and will be able to accommodate the proposed residential use.

RECOMMENDATIONS

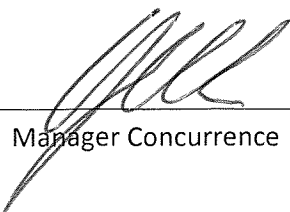
1. That Development Permit Application No. PL2013-090 in conjunction with a proposed four lot subdivision be approved subject to the conditions outlined in Attachment 3.
2. That the request to relax the minimum 10% perimeter frontage requirement for proposed lots B, C, and D in conjunction with Subdivision Application No. PL2013-050 be approved.



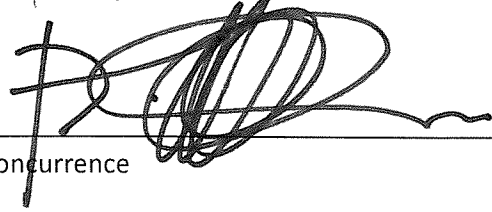
Report Writer



General Manager Concurrence

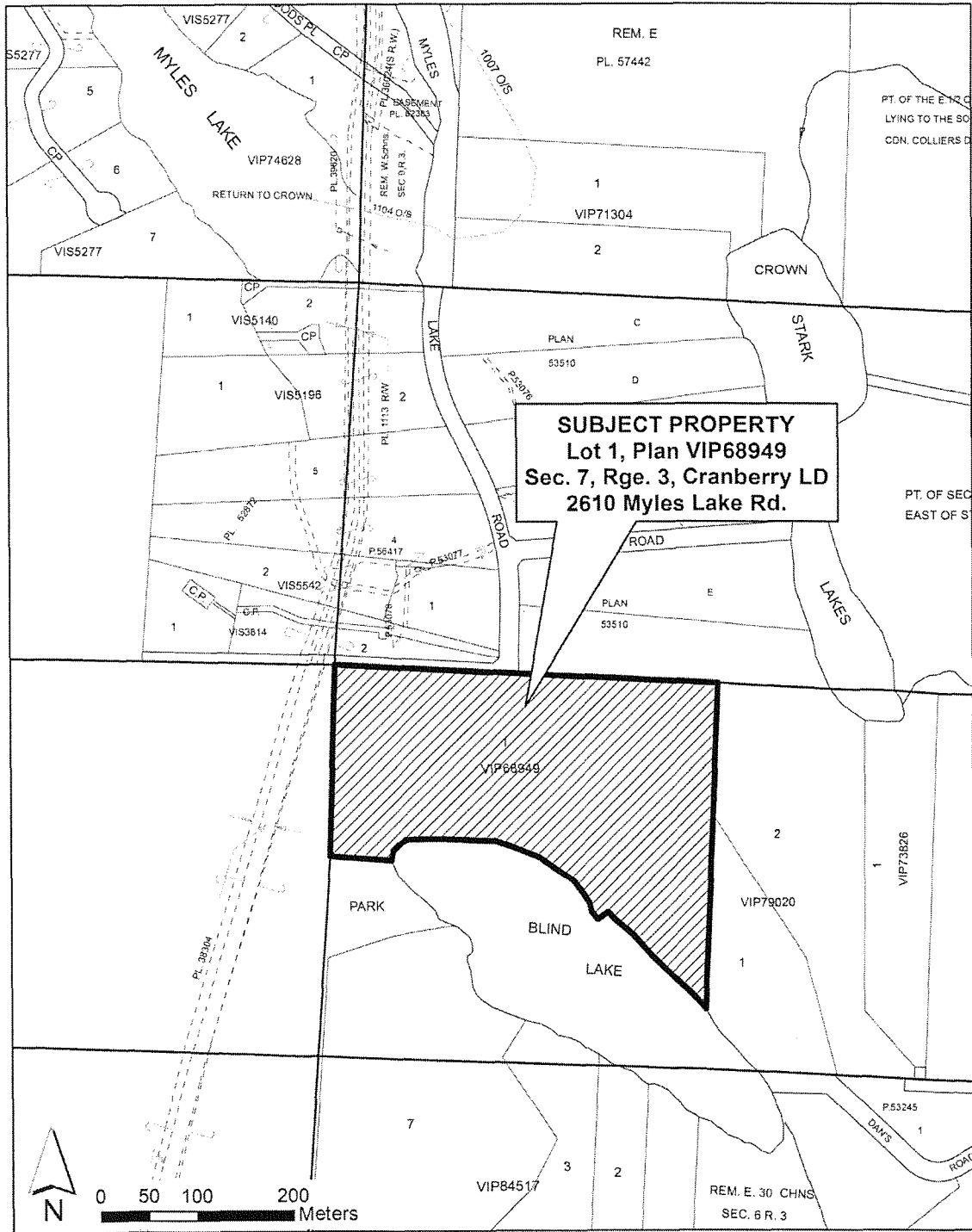


Manager Concurrence

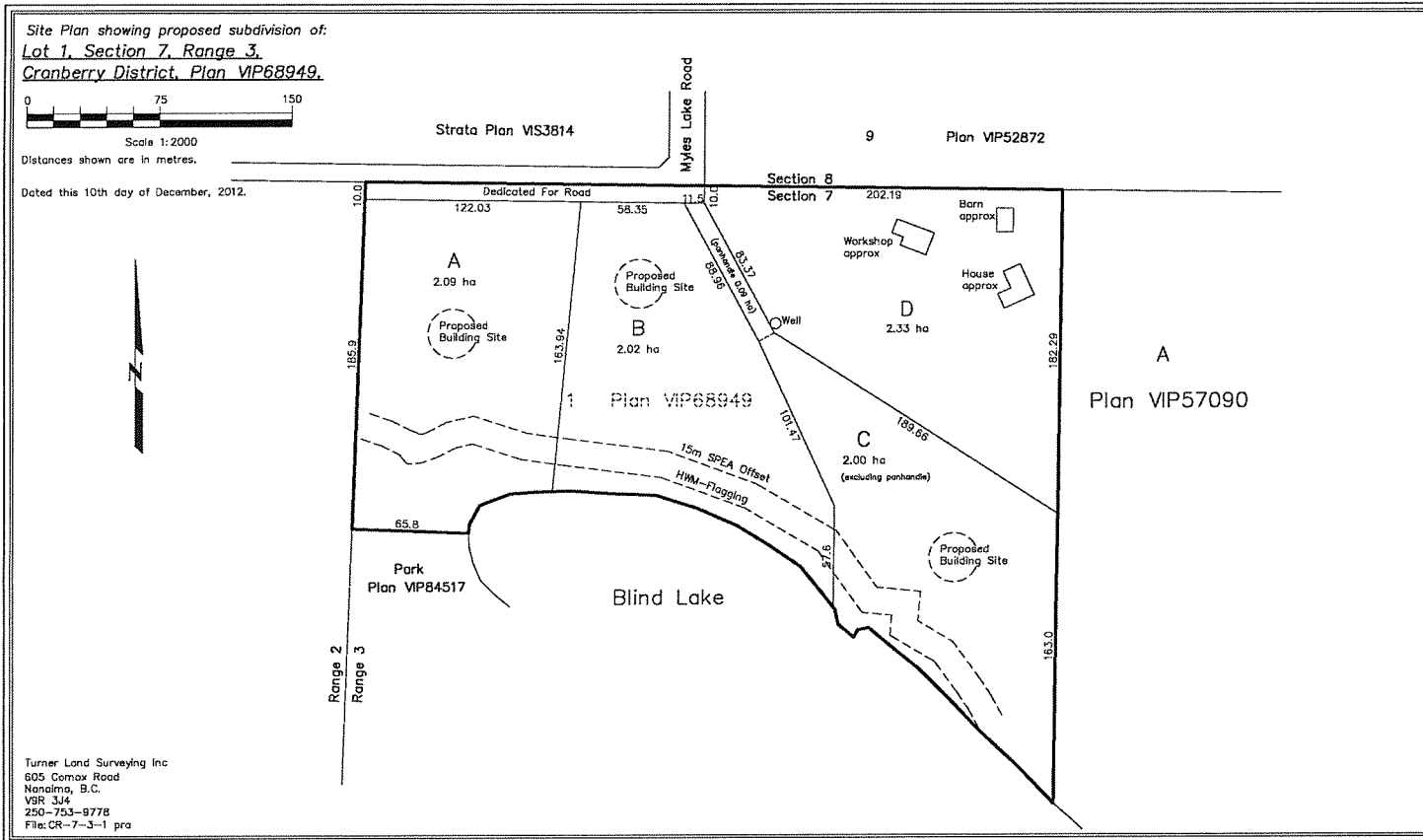


CAO Concurrence

Attachment 1 Subject Property Map



Attachment 2
 Proposed Plan of Subdivision



**Attachment 3
Terms and Conditions of Development Permit**

The following sets out the terms and conditions of Development Permit Application No. PL2013-090:

1. The subdivision shall be developed in general accordance with the four lot subdivision plan prepared by Turner Land Surveying Inc. dated December 2012 attached as Attachment 2.
2. The Lands shall be developed in accordance with the recommendations of the Riparian Areas Assessment prepared by Aquaparian Environmental Consulting Ltd. dated May 17, 2012.
3. The Lands shall be developed in accordance with the recommendations contained in the Biophysical Assessment prepared by Aquaparian Environmental Consulting Ltd. dated September 2012.
4. The Lands shall be developed in accordance with the recommendations contained in the Dispersal Assessment prepared by Lewkowich Engineering Associates Ltd. dated February 1, 2013.



RDN REPORT	
CAO APPROVAL	
EAP	<input checked="" type="checkbox"/>
COW	<input type="checkbox"/>
AUG 30 2013	
RHD	<input type="checkbox"/>
BOARD	<input type="checkbox"/>

MEMORANDUM

TO: Geoff Garbutt
General Manager, Strategic & Community Development

DATE: August 28, 2013

FROM: Jeremy Holm
Manager, Current Planning

FILE: PL2013-092

SUBJECT: Development Permit with Variance Application No. PL2013-092 – Chevron Canada Ltd. Lot 1, Of Amended Lot 167 (DD 66169-N), Nanoose District, Plan 9428 Except Parcel A (DD 80609-N) Thereof; And Except Part in Plan 19267 - 1660 Island Highway East Electoral Area 'E'

PURPOSE

To consider an application for a Development Permit with Variance to permit the development of an additional sign on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Chevron Canada Ltd. in order to permit additional signage on the subject parcel. The subject property is approximately 1.68 ha in area and is zoned Commercial 4 (CM4) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987".

The subject property is bound by rural parcels to the south, south east, south west and north; rural Agricultural Land Reserve (ALR) land to the west; and the Island Highway to the East (see Attachment 1). The property currently contains a Chevron Town Pantry and gas bar with an adjoining Triple O's White Spot restaurant with drive thru. Prior to Chevron Canada Ltd. and Triple O's White Spot occupying the parcel, the site was occupied by an Esso Gas Station and an A&W restaurant with drive thru.

The proposed development is subject to the following development permit areas as per the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005":

- Highway Corridor Protection
- Form and Character

A total of five development permits and variance permits have previously been issued for the site. Development Permit No. 0018, Development Variance Permit No. 9806, Development Permit No. 60708 and Development Permit No. 0206. Development Permit No. 0018 was issued in 2000 to permit the increase of the allowable signs on the subject parcel from two to six. Specifically, three fascia signs on the canopy which covers the gas bar, two signs on the main building exterior and one free standing sign adjacent to the highway were permitted. Additionally, the total canopy and exterior building sign area was increased to permit a maximum of 7.0 m². Development Variance Permit No. 9806, issued in 1998, permitted the siting of a large gnome structure. Development Permit No. 0206, issued in 2002, varied the size of the drive thru sign and permitted the illumination of one fascia sign and two incandescent gooseneck lamps.

In 2013, Development Permit with Variance Application PL2013-045 proposed additional variances to both the number of signs permitted on the parcel and to the allowable surface area of the existing free standing sign. However, the RDN Board, at its regular meeting held on July 23, 2013, did not approve the proposal. Subsequently, Chevron has submitted a new proposal that requests significantly less variance to both sign area and number of signs, and is also more consistent with the applicable development permit guidelines. With respect to the development permit area guidelines, the applicant has reduced the overall illumination of the site by removing the internal illumination of the gas bar canopy and replacing it with a small strip of soft indirect LED lighting.

The current application proposal does not include any changes to parking, landscaping and general site layout as these elements will remain consistent with previous approvals. The minor exterior alterations to the commercial buildings on the subject parcel are part of a rebranding effort and are also consistent with previously approved development permits. As such, this development permit with variance application addresses signage improvements and requested variances related to signage only.

Proposed Development and Variances

Attachment 4 illustrates the proposed signage which requires a variance. The applicant is proposing to increase the surface area and height of the existing free standing sign on the subject property to adequately advertise the Triple O's White Spot restaurant with drive thru located on the subject property. The border of the proposed manufactured metal sign is illuminated with a single neon tube and the centre circle portion is internally illuminated with fluorescent lamps. As a result of the type of lighting used and the design of the sign, the lumen (a measurement of light emitted per second) output of the proposed sign is very low and significantly less than the applicant's most recent proposal (PL2013-045). The applicant is proposing to increase the maximum surface area of the free standing sign from 11 m² to 25 m² and the height of the sign from an allowable 6.0 metres (Development Permit No. 0018) to 8.0 metres. The RDN Sign Bylaw No. 993, 1995 permits a maximum sign height of 4.0 metres.

ALTERNATIVES

1. To approve the Development Permit with Variance Application No. PL2013-092 subject to the conditions outlined in Attachments 2 to 4.
2. To deny the Development Permit with Variance Application No. PL2013-092.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided plans and detailed descriptions of all existing and proposed signs. With regards to development permit areas in respect to Form and Character and Highway Corridor Protection, the applicant proposes to maintain the site in accordance with previously issued development permits. The additional sign proposed is clustered with the existing free standing sign on the subject parcel in accordance with the development permit guidelines.

The Highway Corridor Protection Development Permit Guidelines encourage the use of a minimal amount of direct or indirect lighting to be effective. The current proposal contains the addition of a single illuminated sign. However, the current application proposes significantly less signs and illumination than the recently denied application PL2013-045. Moreover, the applicant has reduced the overall illumination associated with branding on the subject property. While the applicant has made efforts to ensure the signage is illuminated to an extent less than that proposed through previous Development Permit with Variance Application No. PL2013-045, the proposed signage is not consistent

with the DPA 'dark skies' guidelines. It should be noted, however, that the signage previously existing on the site was also not consistent with the DPA 'dark skies' guidelines.

As per Board Policy B1.5 (Development Variance Permit, Development Permit with Variance & Floodplain Exemption Application Evaluation), the applicant has taken measures to minimize the proposed variance with respect to reducing the number of proposed signs and the amount of illuminated sign surface area.

Sustainability Implications

There are no sustainability implications identified.

Inter-governmental Implications

Ministry of Transportation and Infrastructure has requested the free standing sign pole to be engineered to withstand potential negative impacts in the event of high winds. This recommendation will be addressed at the time of building permit application should the Board choose to issue the Development Permit with Variance.

Public Consultation Process

Pending the Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within a 50.0 metres of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

SUMMARY/CONCLUSIONS

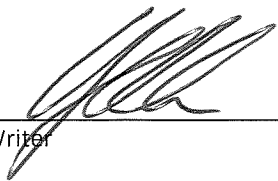
This is an application for a Development Permit with Variance to permit the increase of surface area and height of the existing free standing sign on the subject property. The applicant has submitted a site plan indicating the location of the sign as well visual representation of the sign's dimensions and composition (Attachments 3 and 4).

In staff's assessment, this proposal generally is consistent with the guidelines of the "Regional District of Nanaimo Nanoose Bay Official Community Plan Bylaw No. 1400, 2005" Form and Character Development Permit Area in that the signage is clustered in relation to uses on the site. Additionally, in staff's assessment, the applicant's proposal is generally consistent with the guidelines of the Highway Corridor Protection Development Permit Area. While the additional sign area is illuminated and the Development Permit guidelines encourage the use of a minimal amount of direct or indirect lighting to be effective, the applicant has made efforts to reduce the amount of overall illuminated signs on the site as well as minimize the amount of variance required with regard to their previous application.


Development Permit with Variance application PL2013-092 proposes additional variances to the sign bylaw in order to increase the allowable surface area and maximum height of the existing free standing sign. In staff's assessment the applicant has taken substantial measures to minimize the proposed variance.

RECOMMENDATIONS

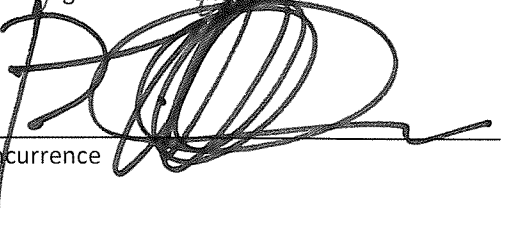
1. That staff be directed to complete the required notification; and
2. That Development Permit with Variance Application No. PL2013-092 to permit additional signage on the subject property is approved subject to the conditions outlined in Attachments 2 to 4.



Report Writer

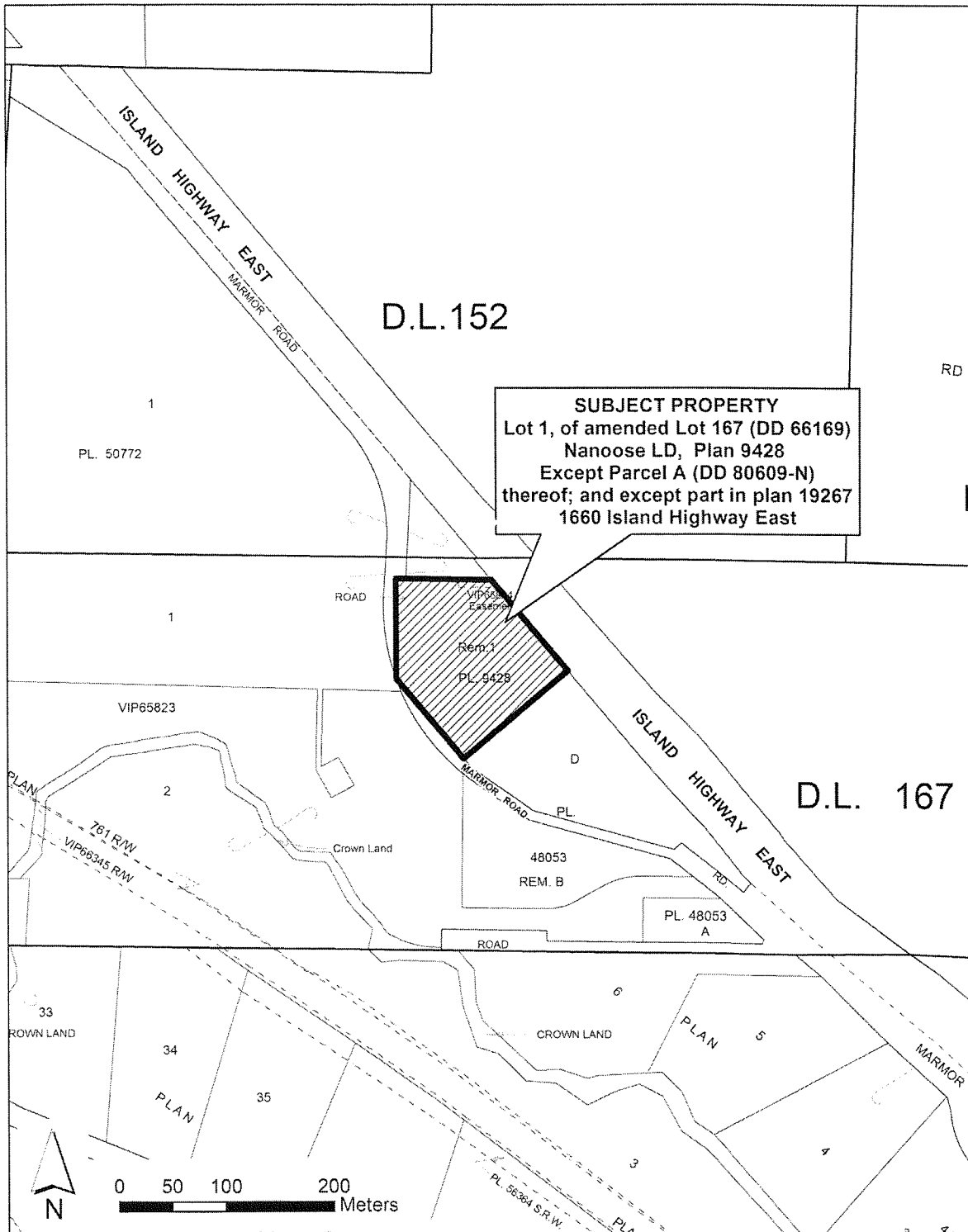


General Manager Concurrence



CAO Concurrence

Attachment 1
Location of Subject Property



**Attachment 2
Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance Application No. PL2013-092:

Bylaw No. 993, 1995 Variances:

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

1. Section 5 c) is hereby varied in order to increase the maximum surface area of a sign from 11 m² to 24.9 m² for the existing free standing sign.
2. Section 5 c) is hereby varied in order to increase the maximum allowable sign height to 8.0 metres (112.22 metre geodetic elevation) for the existing free standing sign.

Conditions of Approval:

1. The proposed sign addition shall be sited and displayed in accordance with the Site Plan and sign diagrams attached as Attachments 3 and 4.
2. The proposed sign materials and illumination methods are consistent with those stated in Attachments 3 and 4.
3. The landscaping shall be maintained in accordance Development Permit No. 0018.
4. The existing gnome structure shall be sited in accordance with Development Variance Permit No. 9806.
5. The subject property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

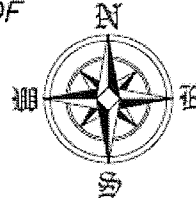
Attachment 3
Site Plan Detail/Free Standing Sign Location

**B.C. LAND SURVEYORS CERTIFICATE OF LOCATION
SHOWING SIGN LOCATION ON PART OF LOT 1
OF AMENDED LOT 167 (DD 66169-N)
NANOOSE DISTRICT PLAN 9428
EXCEPT PARCEL A (DD 80609-N) THEREOF
AND EXCEPT PART IN PLAN 19267
PID No: 005-300-746**

CIVIC ADDRESS :
1660 EAST ISLAND HIGHWAY
NANOOSE BAY VANCOUVER ISLAND, BC

SCALE 1: 250 (metric)

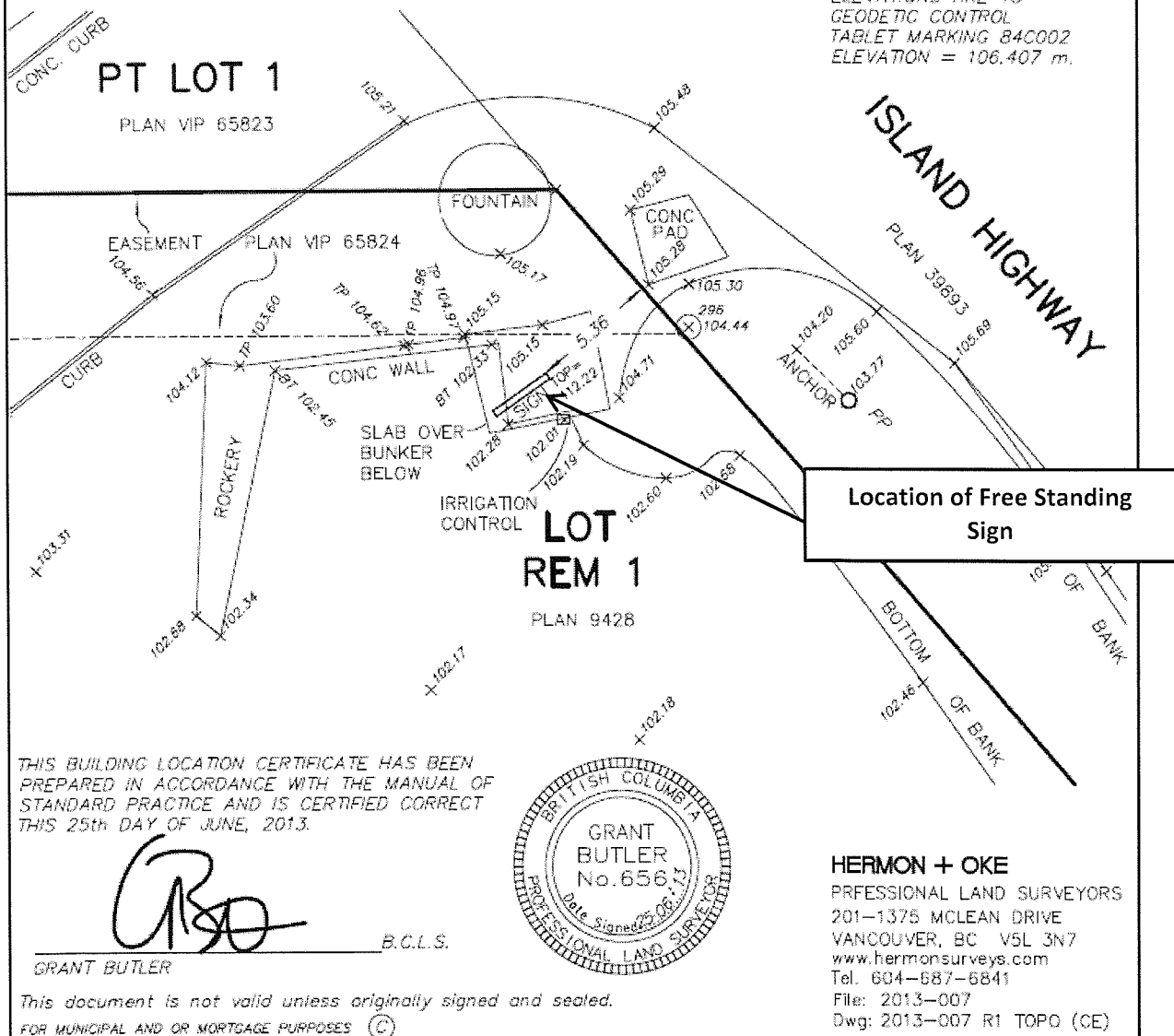
PREPARED FOR: CHEVRON



Lot dimensions and clearances according to FIELD SURVEY AND PLAN 48053
This plan was prepared for inspection purposes and is for the exclusive use of our client. The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made or actions taken based on this document. This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners. All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

NOTES:

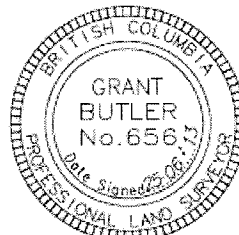
ELEVATIONS ARE TO
GEODETIC CONTROL
TABLET MARKING B4C002
ELEVATION = 106.407 m.



THIS BUILDING LOCATION CERTIFICATE HAS BEEN PREPARED IN ACCORDANCE WITH THE MANUAL OF STANDARD PRACTICE AND IS CERTIFIED CORRECT THIS 25th DAY OF JUNE, 2013.

B.C.L.S.

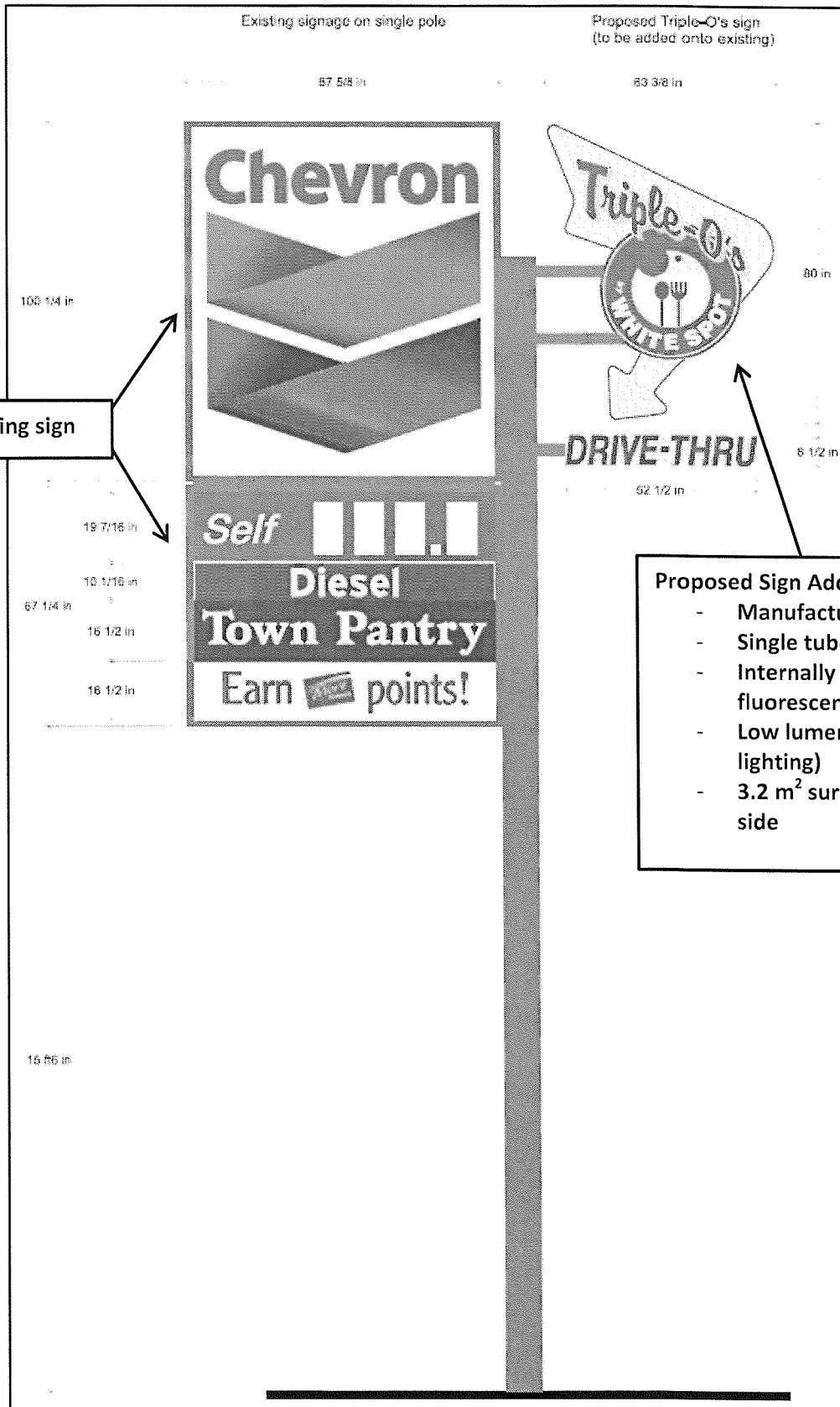
GRANT BUTLER



HERMON + OKE
PROFESSIONAL LAND SURVEYORS
201-1375 MCLEAN DRIVE
VANCOUVER, BC V5L 3N7
www.hermonsurveys.com
Tel. 604-687-6841
File: 2013-007
Dwg: 2013-007 R1 TOPO (CE)

This document is not valid unless originally signed and sealed.
FOR MUNICIPAL AND OR MORTGAGE PURPOSES (C)

Attachment 4
Proposed Sign Addition and Variance



Existing free standing sign

- Proposed Sign Addition:**
- Manufactured metal
 - Single tube neon border
 - Internally illuminated fluorescent centre circle
 - Low lumen output (soft lighting)
 - 3.2 m² surface area per side



RDN REPORT		###
CAO APPROVAL		
EAP	✓	
COW		
AUG 30 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: August 26, 2013

FROM: Robert Stover
Planning Technician

FILE: PL2013-085

SUBJECT: Development Permit with Variance Application No. PL2013-085 – Fern Road Consulting Lot 4, District Lot 85, Newcastle District, Plan VIP56628 – 90 Lambert Lane Electoral Area 'H'

PURPOSE

To consider an application for a Development Permit with Variance to allow for the construction of a dwelling unit on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Fern Road Consulting Ltd. on behalf of Jacob & Bonnie Grin to permit the construction of a dwelling unit. The subject property is approximately 0.225 hectares in area and is zoned Residential 2 (RS2) pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (Bylaw No. 500).

The property is currently vacant and is bordered by Lambert Lane to the south, and residentially zoned properties along the remaining lot boundaries. The subject property is bisected by a named watercourse, Wildwood Creek, which lies within a ravine. A covenant is registered on the property title that prohibits the placement of structures within 5.0 metres of the top of the ravine bank. Additionally, Bylaw No. 500 establishes watercourse setbacks that prohibit placement of structures within 9.0 metres horizontal distance from the top of the first significant and regular break in a slope adjacent to watercourses.

The proposed development is also subject to the Fish Habitat Protection Development Permit Area (DPA) pursuant to “Electoral Area ‘H’ Official Community Plan Bylaw No. 1335, 2003.

Proposed Development and Variances

The applicants are proposing to construct a dwelling unit on the subject property within the Fish Habitat Protection Development Permit Area (DPA). Additionally, the applicants are requesting a variance to watercourse setbacks; in this case, the setback from the top of the first significant and regular break in the slope along the watercourse is requested to be varied from 9.0 metres to 6.8 metres (see Attachment 3).

When factoring in the no build covenant area, required watercourse setback from the top of bank, and required 8.0 metre setback from the front property line, the subject property contains a limited potential building envelope for a dwelling unit. As such, the applicants are requesting a variance to relax the required watercourse setback from 9.0 metres to 6.8 metres to accommodate the proposed dwelling unit.

ALTERNATIVES

1. To approve the Development Permit with Variance Application No. PL2013-085 subject to the conditions outlined in Attachments 2 to 4.
2. To deny the Development Permit with Variance Application No. PL2013-085.

LAND USE IMPLICATIONS

Development Implications

The applicants are requesting a variance to relax watercourse setbacks as outlined in Bylaw No. 500. Additionally, the applicants are proposing to construct a dwelling unit within the Fish Habitat Protection DPA. The location of the proposed dwelling unit and elevation drawings are shown on Attachment 3. The dwelling unit is proposed as a single storey building as shown on Attachment 4.

In accordance with the Fish Habitat Protection DPA guidelines, the applicants have provided a Riparian Areas Regulation Assessment Report, prepared by Steve Toth and dated March 26, 2012 in support of the application. The report establishes a Streamside Protection and Enhancement Area (SPEA) setback of 10.4 metres from the high water mark of Wildwood Creek. When factoring in the topography of the ravine, the SPEA setback lies approximately at the top of ravine bank; the dwelling unit is proposed to be constructed 6.8 metres from the top of the bank. While the report does not include any requirements for environmental monitoring during construction of the dwelling, it does include measures for protecting and maintaining the SPEA. These measures include marking the SPEA boundary with wooden stakes, and ensuring proper stormwater management techniques to prevent excess runoff into the ravine. Adherence to these measures will be made a condition of approval for this Development Permit with Variance.

Additionally, the applicants have provided a Geotechnical Report, prepared by Darron Clark of Lewkowich Engineering Associates Ltd. and dated July 19, 2013. The report reviewed the location of the proposed dwelling unit in relation to the ravine bank and recommends a setback of 5.5 metres from the top of the ravine bank. The report concludes that the proposed building site is considered geotechnically safe for the proposed use.

The geotechnical report associated with the 5.0 metre covenant area was undertaken in 1992, and concluded that if the recommendations given at that time would be considered safe if construction was completed within two years. The 1992 report also states that if there was to be a delay in construction beyond two years from the date of the report, a reassessment of stability conditions should

be undertaken prior to construction. As the geotechnical assessment provided by the applicants recommends a setback of 5.5 metres from the top of bank, it is recommended that the report and a new covenant be registered on title to reflect the updated setback recommendation.

Sustainability Implications

In keeping with RDN policy, staff have reviewed the sustainability implications of the application. The Biologist's Assessment Report supplied by the applicants recommends measures for preserving the SPEA; adhering to these measures will be a condition of approval of this Development Permit. Additionally, staff note that the subject property is serviced with a community water connection.

Public Consultation Process

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

SUMMARY/CONCLUSIONS

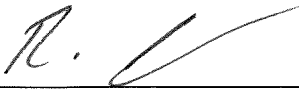
This is an application for a Development Permit with Variance to vary the minimum watercourse setback from 9.0 metres to 6.8 metres for construction of a proposed dwelling unit within the Fish Habitat Development Permit Area. The subject property contains a watercourse within a ravine; Bylaw No. 500 requires a minimum setback of 9.0 metres from the top of bank along watercourses. Additionally, there is a no build covenant area that restricts the placement of structures within 5.0 metres from the top of the ravine bank. As the watercourse setbacks and covenant area restrict the building envelope on the front portion of the property, the applicants are requesting a variance to relax the required watercourse setback from 9.0 metres to 6.8 metres for a proposed dwelling unit.

The applicants have provided a Biologist's Assessment which establishes a 10.4 metres SPEA setback from the high watermark of the creek. When factoring in the ravine embankment, this SPEA lies at approximately the top of the bank. The Biologist's Assessment also outlines measures for protecting and maintaining the SPEA. These measures include marking the SPEA boundary, and ensuring proper stormwater management practices. Adherence to these measures will be a condition of approval of this application. The Geotechnical Assessment provided by the applicants recommends a setback of 5.5 metres from the top of the embankment; the assessment also concludes that the proposed building site is considered geotechnically safe. As outlined on the applicant's site plan, the proposed dwelling unit location lies outside of the SPEA setback, and greater than 5.5 metres from the top of bank as recommended by the Geotechnical Assessment. It is recommended that the updated geotechnical report and a new covenant be registered on title to reflect the 5.5 metre setback outlined in the assessment.

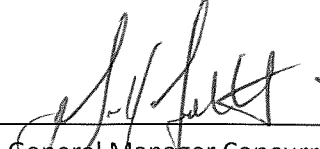
Given the conclusions of the professionals' reports, and constraints on the property created by the watercourse, no build covenant area, and watercourse setbacks, staff recommends that the Board approve this Development Permit with Variance application pending the outcome of public consultation.

RECOMMENDATION

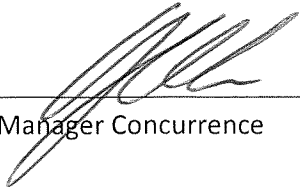
That Development Permit with Variance Application No. PL2013-085 to permit the construction of a dwelling unit be approved subject to the conditions outlined in Attachments 2 to 4.



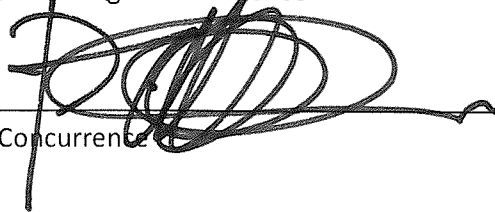
Report Writer



General Manager Concurrence

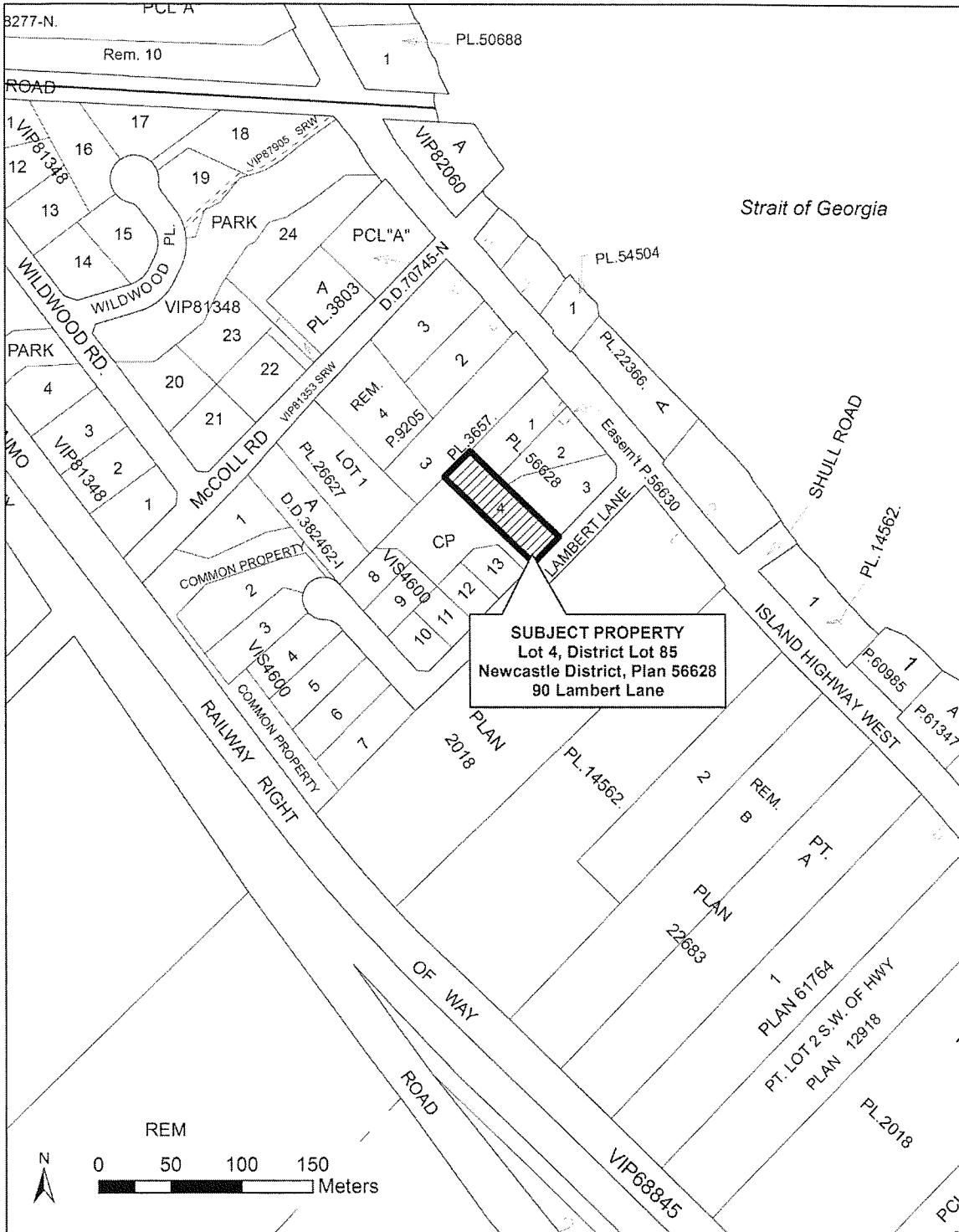


Manager Concurrence



CAO Concurrence

**Attachment 1
Subject Property Map**



**Attachment 2
Terms and Conditions of Permit**

The following sets out the terms and conditions of Development Permit with Variance Application No. PL2013-085:

Bylaw No. 500, 1987 Variances:

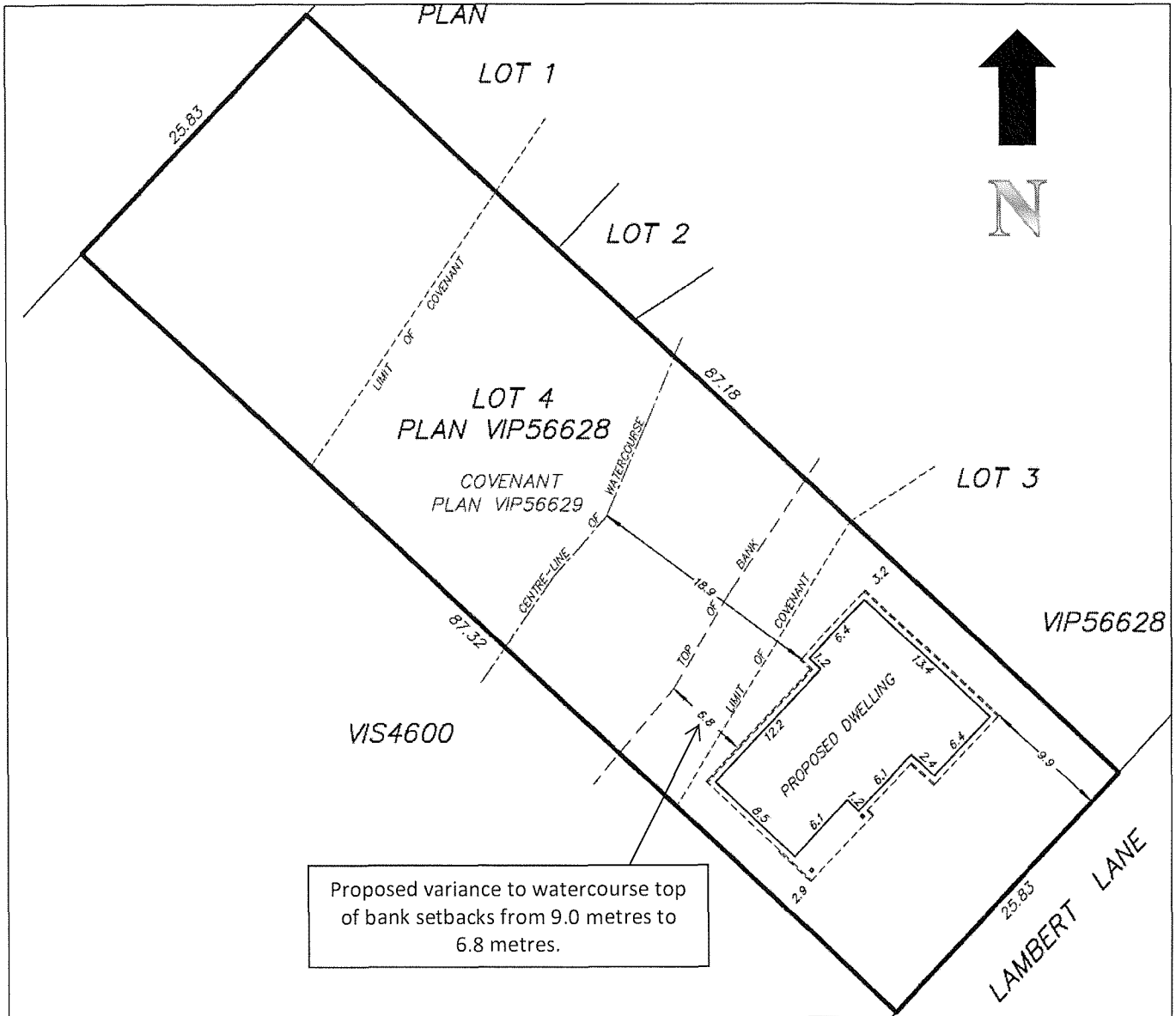
With respect to the lands, "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" is varied as follows:

1. **Section 3.3 8 b ii) – Setbacks – Watercourses**, be varied by relaxing the minimum required setback from the first significant and regular break in the slope from 9.0 metres to 6.8 metres for a proposed dwelling unit as shown on Attachment 3.

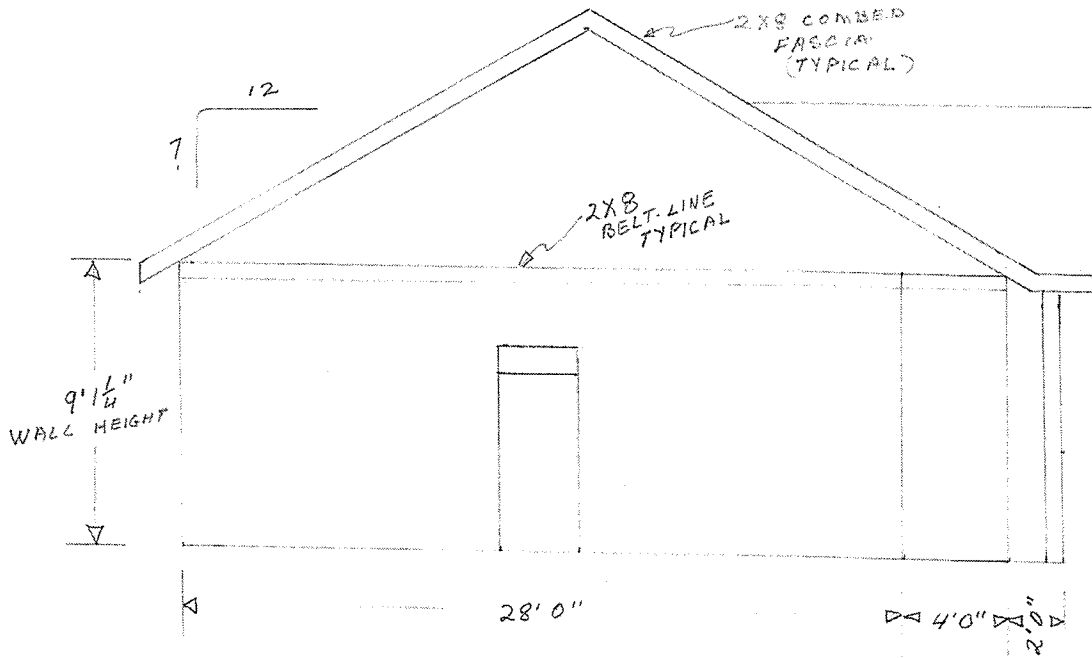
Conditions of Approval:

1. The proposed development shall be completed in accordance with the Survey Plan prepared by Sims Associates, and attached as Attachment 3.
2. The proposed development shall be completed in compliance with the Measures to Protect and Maintain the SPEA as outlined in the Biologist's Assessment completed by Steve Toth and dated March 26, 2012.
3. The applicant shall register a Section 219 Restrictive Covenant to include the recommended 5.5 metre no build setback from the top of bank as outlined in the geotechnical assessment report prepared by Lewkowich Engineering Associates Ltd. and dated July 19, 2013.
4. The property owner shall obtain the necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Attachment 3
Proposed Site Plan and Variances

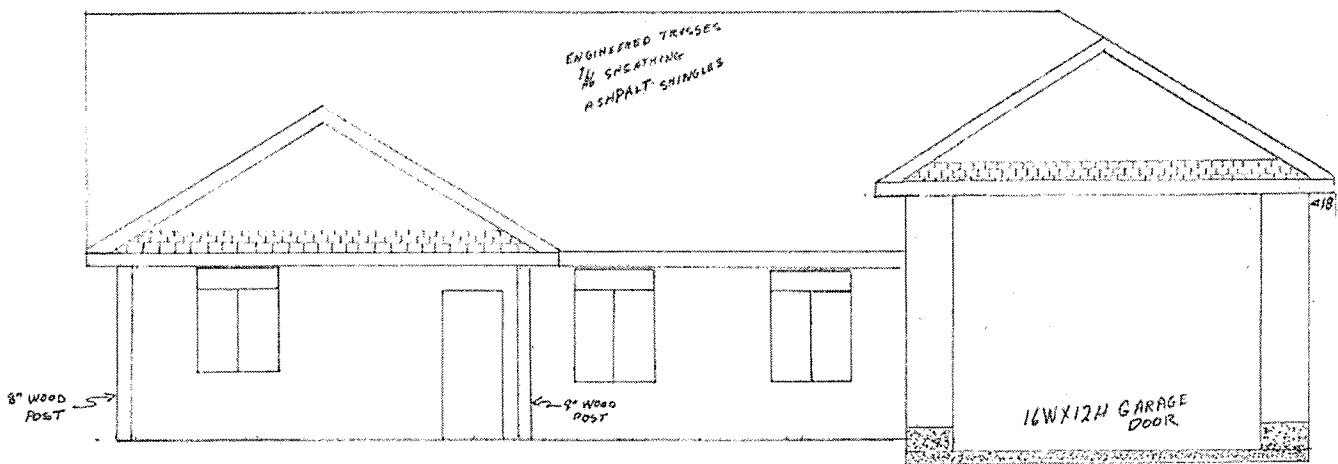


Attachment 4
Building Elevations



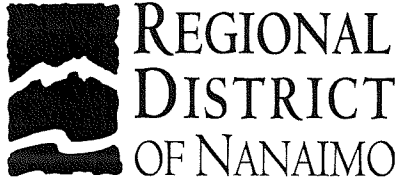
SCALE 1/4" = 1' 0"

LEFT SIDE ELEVATION



SCALE 1/4" = 1' 0"

FRONT ELEVATION



RDN REPORT		#
CAO APPROVAL		
EAP	✓	
COW		
SEP 03 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
Manager of Current Planning

DATE: August 29, 2013

FROM: Angela Buick
Planner

FILE: PL2013-066

SUBJECT: Development Permit with Variance Application No. PL2013-066 – Eliza Point
Lot 2, Section 14, Range 6, Cranberry District, Plan 7832
Fielding Road - Electoral Area 'A'

PURPOSE

To consider an application for a Development Permit with Variance to permit the development of a new industrial building with accessory uses.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Richard Buckles on behalf of Eliza Point Holdings Ltd. for a Development Permit with Variance to allow the construction of a new industrial building with accessory sales, display, storage and office spaces on an existing industrial property on Fielding Road (see Attachment 1 for location of subject property).

The subject property is approximately 1.4 ha in area and is zoned Industrial 1 within Subdivision District 'F' (IN1F) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987." The property, which is currently vacant, is bound by Fielding Road to the west, residential acreages to the north and east, and industrial designated lots to the south.

The proposed development is subject to the South Wellington Industrial - Commercial Development Permit Area (DPA) as per the "Regional District of Nanaimo Electoral Area 'A' Official Community Plan Bylaw No. 1620, 2011".

Proposed Development

The proposed development includes the construction of a new industrial building with accessory sales, display, storage and office spaces. The building includes three drive through bays, two exterior wash bays, one drive through lube bay, one service bay, one fabrication shop area, one dwelling unit, accessory sales display, sales offices, and storage area. The development will be serviced by one existing well, rainwater catchment for re-use in the wash bays and an on-site septic system.

ALTERNATIVES

1. To approve the Development Permit with Variance Application No. PL2013-066 for the development of an industrial building and accessory uses subject to the conditions outlined in Attachment 2.
2. To deny the Development Permit with Variance Application No. PL2013-066.

LAND USE IMPLICATIONS

Development Implications

The applicant has submitted site plans, building elevations, landscaping plans, servicing reports, environmental assessments, and signage details to address the Development Permit (DP) guidelines.

In terms of groundwater protection, an assessment report prepared by Lewkowich Engineering Associates Ltd., dated August 19, 2013 concludes that the existing well can supply the anticipated water demand without impacting adjacent properties, and that the proposed development will not negatively impact the aquifer. Development in accordance with this report is noted as a condition of approval in Attachment 2.

A report prepared by R.E.B Development Services and dated August 21, 2013 concludes that the proposed rainwater management system will maintain pre-development flows and ensure any contaminants are treated on-site before discharge. The system includes features such a naturally vegetated depression at the eastern portion of the lot, two 9500 litre rainwater harvesting tanks to collect all roof drainage for use in landscaping irrigation, wash down bays and potentially additional uses such as toilets and external hoses. The system will also include an oil/water separator. The plan will reserve space to install a third tank as needed (see Attachment 3 – Site Plan). The applicant will be required to develop the site in accordance with the Engineer's report and register a Section 219 restrictive covenant containing an operations and maintenance schedule as recommended by the Engineer (see Attachment 2 - Conditions of Approval).

The proposed industrial building (approximately 1,252 m² in floor area) is located in the western portion of the property, and is a pre-fabricated pre-engineered building with fiber insulated walls and corrugated metal siding. The office/sales and dwelling unit portion of the building are proposed to be wood frame construction. The office and sales display entrance area will be constructed of post and beam with curtain walls. (see Attachments 3 and 4 for Site Plan and Building Elevations).

The applicant also proposes one freestanding sign at the entrance of the site and one fascia sign above the entrance of the proposed industrial building (see Attachment 5). Both signs are well integrated with the building design and the signs dimensions comply with the RDN Sign Bylaw No. 993, 1995.

In accordance with the DP guidelines, the parking and loading areas are generally located to the rear of the building where possible and are well screened by landscaping and topography from view of the Trans-Canada Highway. Number of parking and loading spaces are provided in accordance with the zoning bylaw requirements based on the requirements for heavy equipment display land use.

The proposed landscaping plan includes native and drought tolerant vegetation, well suited to the site conditions, to be planted in accordance with the DP guidelines. A 5.0 metre wide buffer with trees, shrubs and groundcover is proposed along Fielding Road which is consistent with the DPA guidelines. A continuous landscape buffer of 2.0 metres will be provided adjacent to the northern residential property. The rear lot line is buffered with natural landscaping as well as a large detention pond where there will be a raised berm constructed around the pond (Attachment 6). Garbage and recycling containers will be located at the rear of the main building which will be screened by landscaping on the southern portion. This will provide adequate screening from neighbouring properties and street view (see Attachment 3 - Site Plan). The applicant has provided a landscaping security deposit for materials and labour in the amount of \$19,170.10.

Proposed Variance

The height of the proposed building is 7.92 metres as measured from finished grade. As RDN calculates height based on the natural grade, the total calculated height of the building will be greater than the 8.0 metres permitted in the zone. It is not feasible to reduce the actual height of the building itself as the building must accommodate large forestry machinery and equipment, therefore the applicant has requested to vary the maximum building height from 8.0 metres to 9.0 metres for the proposed industrial building.

Given that the variance would not negatively impact the streetscape, the environment or the function of the subject property and adjoining lands, staff support the requested variance.

Environmental Implications

The proposed industrial building and accessory uses will be serviced by an on-site Type III sewerage system. VIHA staff has confirmed they do not have any concerns with the proposed development. The applicant has received Source Approval from VIHA for Well Number 27326. The Engineer has also advised that the location of the proposed sewerage system will not negatively impact the existing well, and that well number 26092 and 26093 be decommissioned to avoid contamination.

The RDN Engineering Department has reviewed the reports on the existing well and has no concerns with the proposed development. The preliminary hydrogeological report prepared by Lewkowich has recommended two of the three existing wells be decommissioned. Completion of these improvements will be required prior to building occupancy as outlined in the Conditions of Approval in Attachment 2.

Intergovernmental Implications

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the proposed development and confirmed that it does not have any concerns. An access permit was issued by MOTI on August 23, 2013 for the proposed development.

Sustainability Implications

The applicants have completed an RDN Sustainable Development Checklist and identified several sustainability aspects for the proposed development such as:

- The development of an existing industrial;
- Rainwater catchment and re-use in irrigation and vehicle washing;
- Energy efficient lighting, space heating and HVAC systems are included in the building designs;
- Native and drought tolerant plants and low drip irrigation system to minimize water demand;

Public Consultation Process

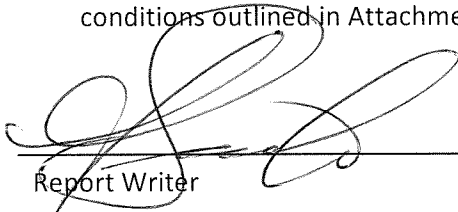
Pending the Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Approvals and Notification Procedures Bylaw No. 1432, 2005", property owners and tenants of parcels located within 50 metres of the subject property will receive a direct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

SUMMARY/CONCLUSIONS

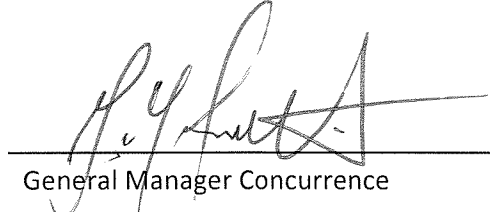
This is an application for a Development Permit with Variance to permit the construction of an industrial building and an accessory uses within the subject property. The applicant proposes to increase the maximum building height from 8.0 metres to 9.0 metres to accommodate forestry equipment and machinery within the building. The applicant has submitted site plans, building elevations, landscaping plans, servicing reports, environmental assessments, and signage details to address the Development Permit (DP) guidelines. The proposed development is consistent with the guidelines of the South Wellington Industrial Commercial Development Permit Area, and the proposed variance will not impact views from adjoining properties and will not negatively impact the aesthetic, functional or environmental characteristics of the property or adjacent properties. Therefore, staff recommends that the Board approve the proposed Development Permit with Variance No. PL2013-066 pending the outcome of public notification.

RECOMMENDATIONS

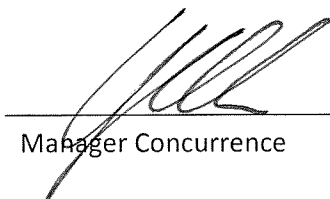
1. That staff be directed to complete the required notification.
2. That Development Permit with Variance Application No. PL2013-066 be approved subject to the conditions outlined in Attachments 2 to 7.



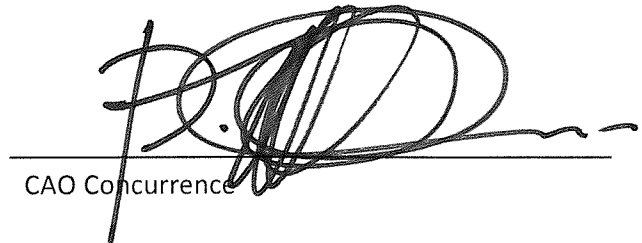
Report Writer



General Manager Concurrence

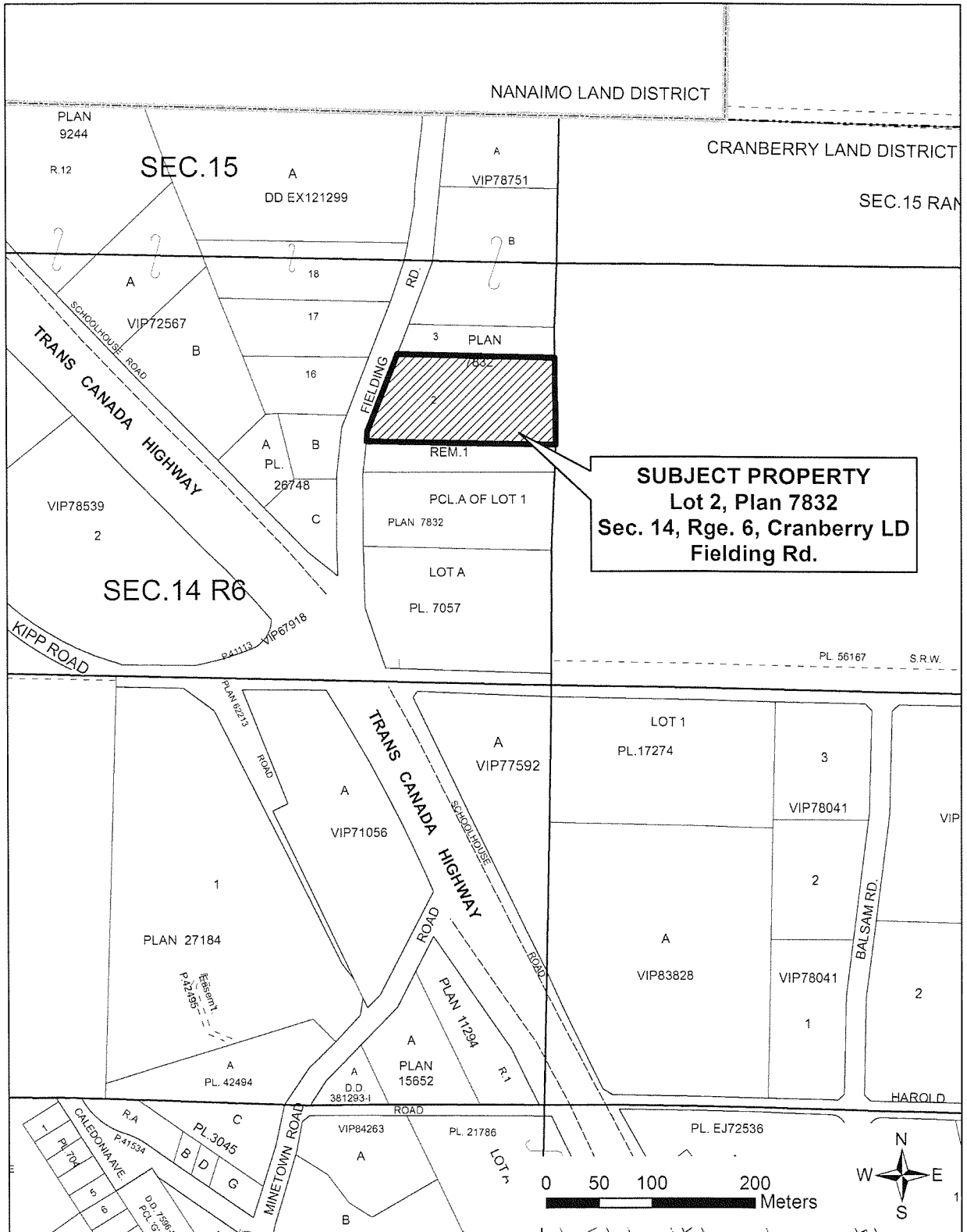


Manager Concurrence



CAO Concurrence

Attachment 1 Subject Property Map



Attachment 2 Conditions of Approval

The following conditions are to be completed as part of Development Permit with Variance Application No. PL2013-066:

Bylaw No. 500, 1987 - Variance

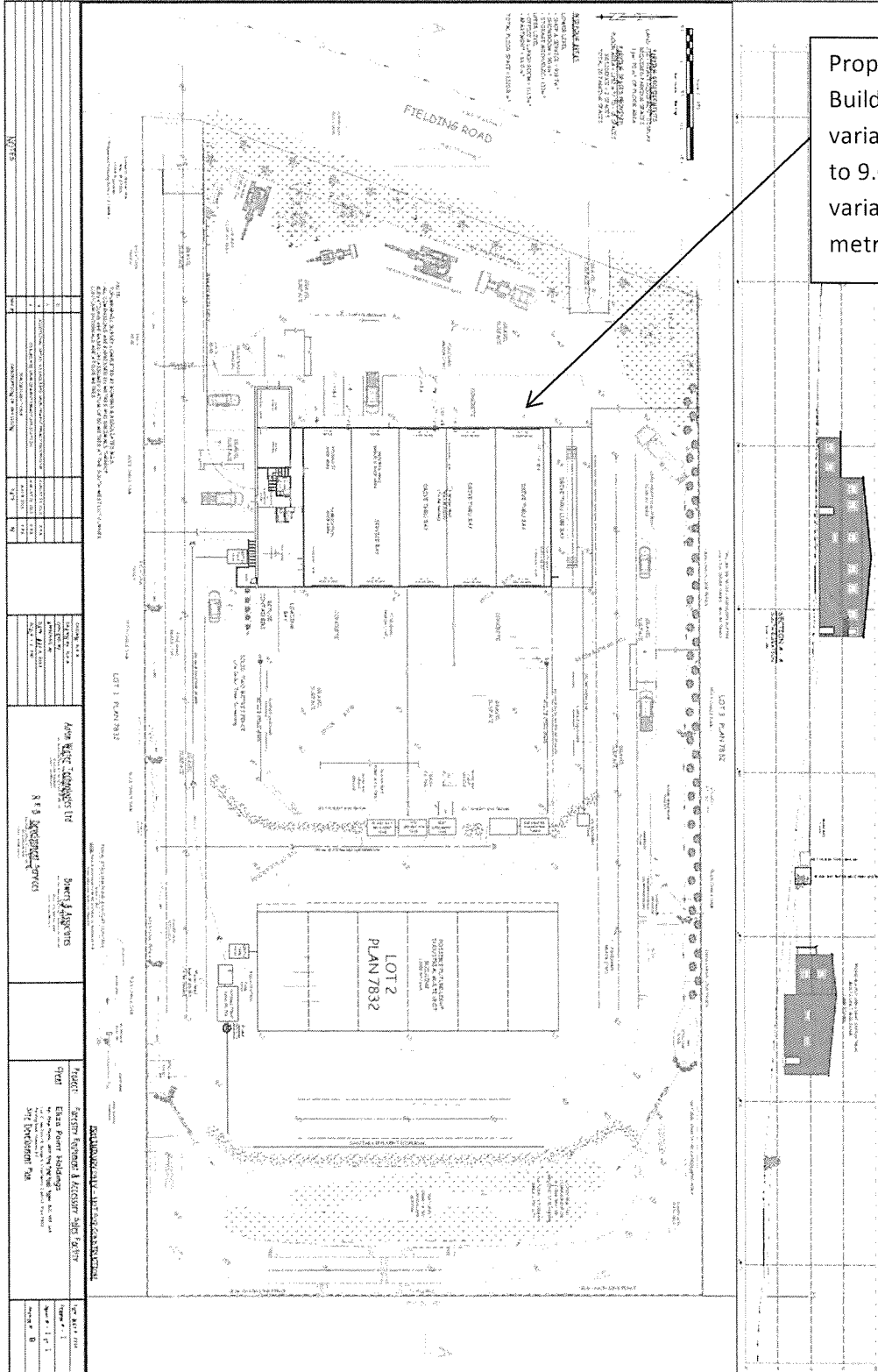
The applicant proposes to vary the following regulations from the "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987":

- **Section 3.4.31 – Maximum Number and Size of Buildings and Structures** to increase the maximum building height from 8.0 metres to 9.0 metres for a portion of the proposed industrial building (as shown on Attachment 3 & 4).

Conditions of Approval

1. The subject property shall be developed generally in accordance with the site plan prepared by R.E.B Development Services. dated August 23, 2013, attached as Attachment 3.
2. The applicant shall provide a minimum of twenty (20) off-street parking spaces, including one loading space, developed in accordance with the requirements of "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987" Schedule '3B' Off-Street Parking & Loading Spaces and as illustrated on the Site Plan prepared by R.E.B Development Services dated August 23, 2013, attached as Attachment 3.
3. The proposed buildings shall be constructed generally in accordance with the elevations drawings prepared by R.E.B. Development Services, dated August 23, 2013 attached as Attachment 4.
4. The subject property shall be developed in accordance with the preliminary hydrogeological assessment prepared by Lewkowich Engineering Associates Ltd. dated August 19, 2013.
5. The proposed development shall be landscaped in accordance with the landscaping plan prepared by Victoria Drakeford, dated June 12, 2013, attached as Attachment 6.
6. The proposed fascia sign and freestanding sign shall be constructed and sited in accordance with the plans submitted by the applicant (Attachments 3, 4 and 5), and in accordance with "Regional District of Nanaimo Sign Bylaw No. 993, 1995".
7. The subject property shall be developed in accordance with the Storm Water Management Report prepared by R.E.B Development Services, dated August 21, 2013. Prior to issuance of the development permit, the applicant shall register a Section 219 restrictive covenant containing the maintenance schedule and a commitment to maintain the sedimentation, oil, water, and grease separator or other containment system as per the Engineer's recommendations in this Report.
8. The applicant shall decommission well number 26092 and 26093, prior to building occupancy.
9. The subject property owner shall obtain all necessary permits for construction in accordance with Regional District of Nanaimo Building Regulations.

Attachment 3 Proposed Site Plan



Proposed Industrial Building with height variance from 8.0 metres to 9.0 metres; requested variance to be 9.0 metres.

Attachment 4
 Building Elevations

Proposed building height
 7.9 metres

WEST ELEVATION
 Scale: 1/200

SOUTH ELEVATION
 Scale: 1/200

NORTH ELEVATION
 Scale: 1/200

EAST ELEVATION
 Scale: 1/200

PROPOSED SITE SIGNAGE

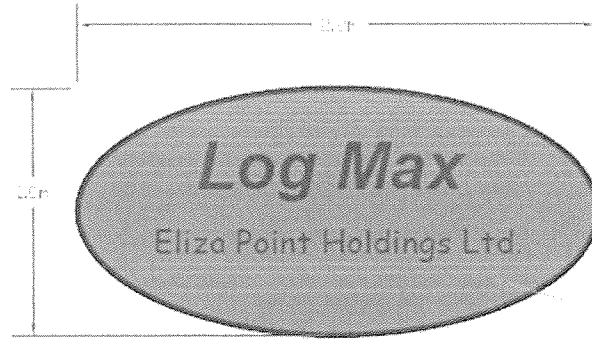
Forestry Equipment & Accessory Sales Facility
 Eliza Point Holdings
 4000 Eliza Point Road, Eliza Point, BC V0J 2R0
 2500 Eliza Point Road, Eliza Point, BC V0J 2R0
 4000 Eliza Point Road, Eliza Point, BC V0J 2R0

BUILDING ELEVATIONS
 Sept. 19/12 to 20/12
 R. E. B. Development Services
 2500 Eliza Point Road, Eliza Point, BC V0J 2R0

PRELIMINARY ONLY - NOT FOR CONSTRUCTION

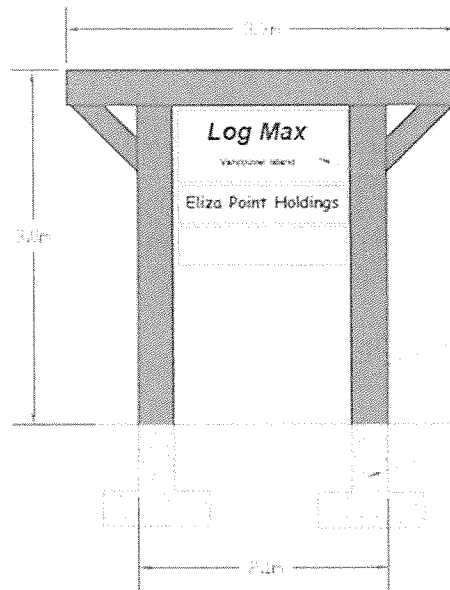
Proposed sign

**Attachment 5
 Sign Details**



LEXAN SIGN PANEL
 AREA = 7.2 m²

PROPOSED BUILDING SIGN
 SCALE 1:25



LEXAN SIGN PANELS
 Large = 1.42m x 0.65 m = 0.92 m²
 Small = 1.42m x 0.325 m = 0.46 m²

HEAVY TIMBER SIGN
 STRUCTURE

APPROVED CONCRETE
 FOUNDATIONS

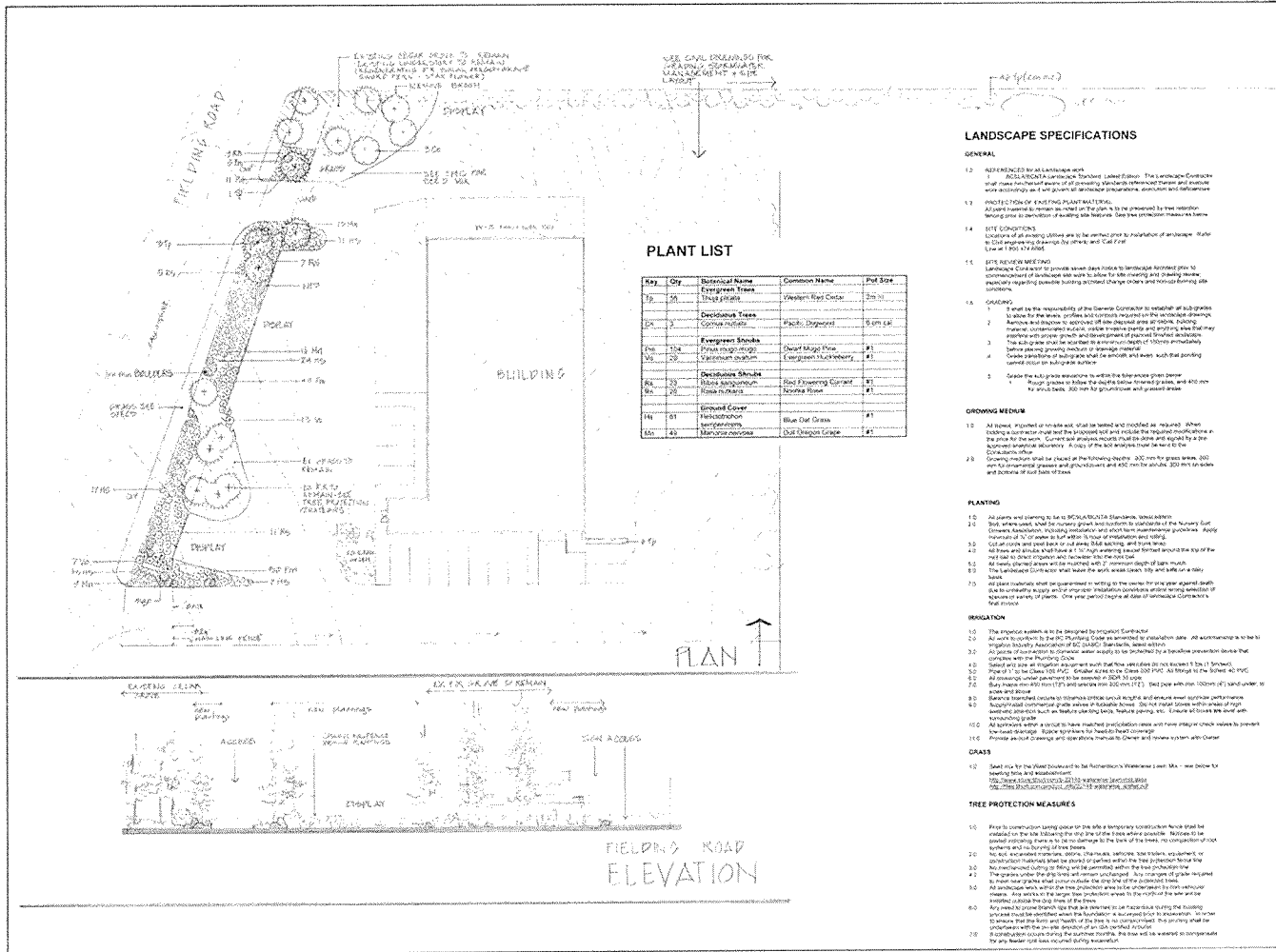
PROPOSED SITE SIGN
 SCALE 1:50

**Forestry Equipment &
 Accessory Sales Facility**

Eliza Point Holdings
 40100 Eliza Point Road, Eliza, B.C. V0C 1A0
 Lot 2, Section 24, Range 6, T16S, R20E, Okanogan District
 Okanogan County, Washington

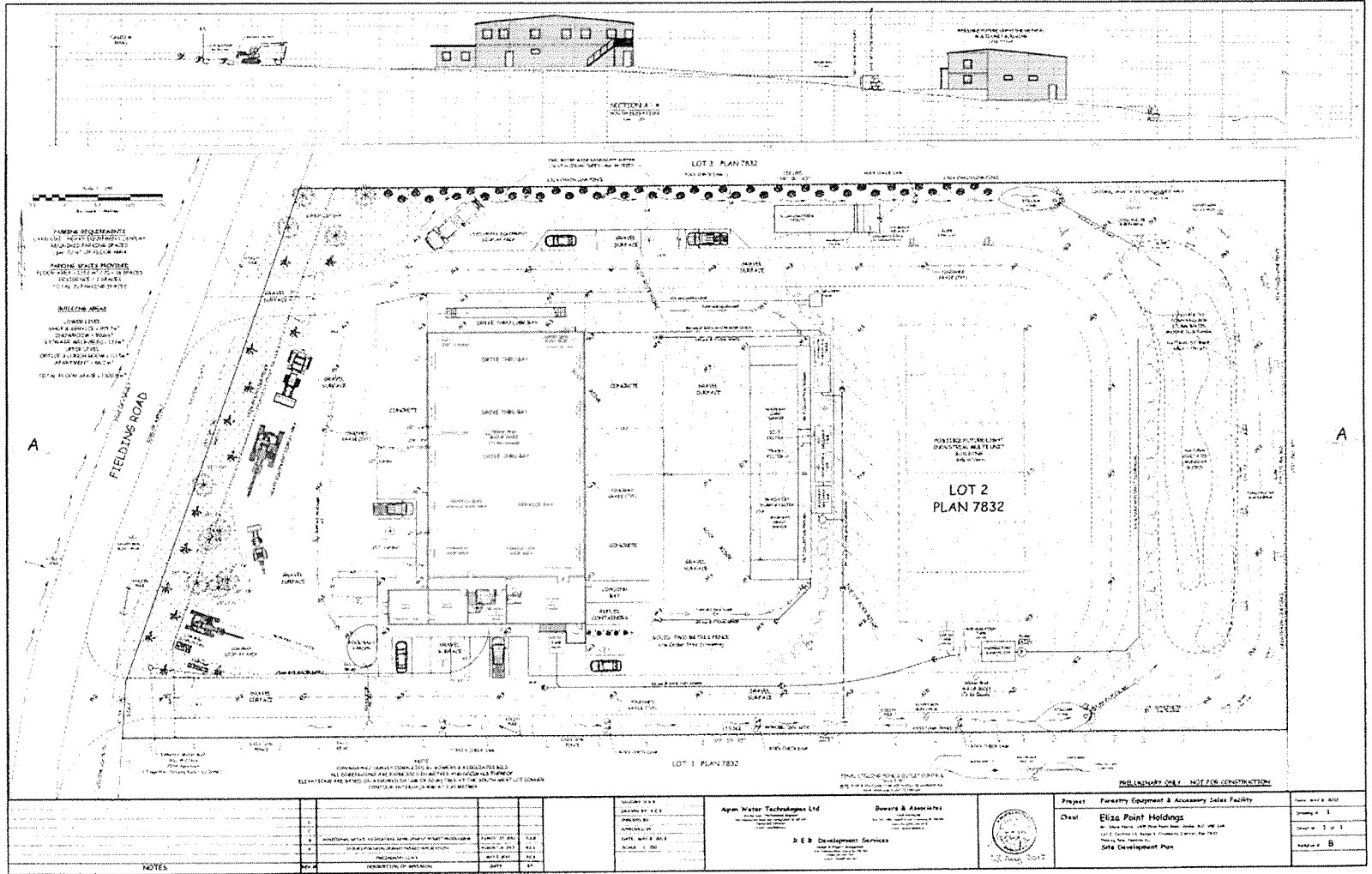
SITE & BUILDING SIGNAGE

Attachment 6
Landscaping Plan

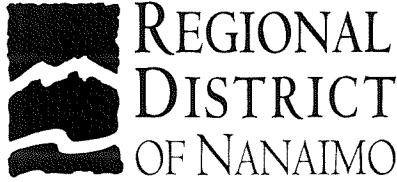


DATE	2013-08-29
DRAWN BY	W. K. JONES
CHECKED BY	W. K. JONES
DATE	2013-08-29
DESIGNER	W. K. JONES
APPROVED BY	W. K. JONES
DATE	2013-08-29
PROJECT	UNIVERSITY EQUIPMENT & ACCESSORY SALES FACILITY
PROJECT NUMBER	170-213-066
DRAWING NUMBER	L1

Attachment 7
 Storm Water Management Plan



<p>NOTES</p>		<p>REVISIONS</p>		<p>DATE</p>		<p>BY</p>		<p>APPROVED BY</p>		<p>DATE</p>		<p>BY</p>	
<p>1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.</p>		<p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p>3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p>4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p>5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p>6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>		<p>7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.</p>	



RDN REPORT		#
CAO APPROVAL		
EAP	<input checked="" type="checkbox"/>	
COW		
AUG 30 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
Manager of Current Planning

DATE: August 28, 2013

FROM: Kristy Marks
Planner

FILE: PL2013-084

SUBJECT: Development Variance Permit Application No. PL2013-084 – Bernard Thomson
Lot 3, District Lot 117, Nanoose District, Plan 18343
2938 Hillview Road
Electoral Area ‘E’

PURPOSE

To consider an application for a Development Variance Permit to legalize the siting of an existing non-conforming deck and stairs on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from Chris Gulliver on behalf of Bernard Thomson to reduce the setback from the interior side lot lines (east and west) to legalize the siting of an existing non-conforming deck and stairs on the subject property. The property is approximately 1902 m² (0.19 ha) in area and is zoned Residential 1 (RS1) pursuant to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” (see Attachment 1 for location of subject property). The property is bordered by residential parcels to the east and west, Hillview Road to the north and resource lands to the south.

The subject property contains a dwelling unit, constructed under a building permit issued in 1991, and two small accessory buildings. The deck and associated stairs were constructed around the same time as the dwelling, approximately twenty years ago, without a building permit. The RDN received a complaint regarding the deck in June 2013 from a neighbour when the owner resurfaced the deck. The complainant expressed concern that the deck and stairs were too close or possibly encroaching over the property line. Subsequently, the owner hired a surveyor to confirm that the existing deck and stairs are located on his property but are located within the interior side lot line setbacks to the east and west. The applicant is now requesting a variance to legalize the siting of this long standing, non-conforming structure.

Proposed Variance

The applicant proposes to reduce the setback from the interior side lot line to the east from 2.0 metres to 0.16 metres and from the interior side lot line to the west from 2.0 metres to 0.86 metres to legalize the siting of the existing deck and stairs (see Attachment 2 for site plan). If the variances are approved,

the applicant will be required to obtain the necessary building permit for the deck and stairs. The existing shed shown on the site plan is also within the 2.0 metre setback however, given that it is less than 3.0 metres in height and less than 10 m² in floor area it is not required to meet setbacks and does not require a building permit.

ALTERNATIVES

1. To approve the Development Variance Permit Application No. PL2013-084 subject to the conditions outlined in Attachments 2 and 3.
2. To deny the Development Variance Permit Application No. PL2013-084.

LAND USE IMPLICATIONS

Development Implications

The applicant has indicated that the existing deck and stairs have been in place for approximately twenty years and that they recently completed a renovation to replace the decking which was in poor condition. The deck wraps around the entire single story log home and include two sets of stairs at the front of the house and a set of stairs at the back that lead to the upper portion of the property where the small shed is located.

Approval of the requested variances would allow for the continued use of an existing, longstanding structure. The applicant has provided two letters of support from the property owners to the west at 2934 Hillview Rd and across the street at 2941 Hillview Rd confirming that they have no concerns with the deck or requested variances. If the variances are approved the applicant will be required to obtain a building permit and complete any required modifications to meet the BC Building Code to the satisfaction of the RDN Building Services Department in order to legalize the structure.

Sustainability Implications

Staff have reviewed the proposed development with respect to the "Regional District of Nanaimo Sustainable Development Checklist" and note that the proposed variance would allow the owner to maintain the existing longstanding structure in its current location.

Public Consultation Process

As part of the required public notification process, pursuant to the *Local Government Act*, property owners and tenants located within a 50.0 metre radius, will receive a direct notice of the proposal, and will have an opportunity to comment on the proposed variance, prior to the Board's consideration of the application.

SUMMARY/CONCLUSIONS

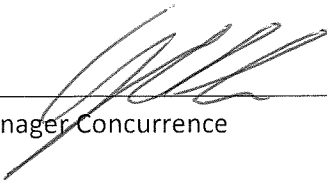
This is an application for a development variance permit to reduce the minimum interior side lots lines to the east and west, to legalize the siting of an existing longstanding deck and stairs. The applicant has submitted a site plan, letters of support and sufficient rationale in support of the application. Given that the variances would allow for the continued use of an existing twenty year old structure which until June of this year had not been the subject of any complaints, staff recommends the Board approve the requested variances pending the outcome of public notification.

RECOMMENDATIONS

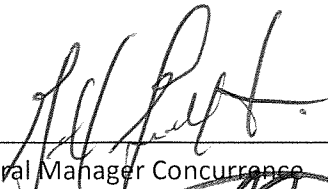
1. That staff be directed to complete the required notification.
2. That Development Variance Permit Application No. PL2013-084 to reduce the minimum setback from the interior side lot line to the east from 2.0 m to 0.16 m and from the interior side lot line to the west from 2.0 metres to 0.86 metres for the existing deck and stairs be approved subject to the conditions outlined in Attachments 2 and 3.



Report Writer



Manager Concurrence

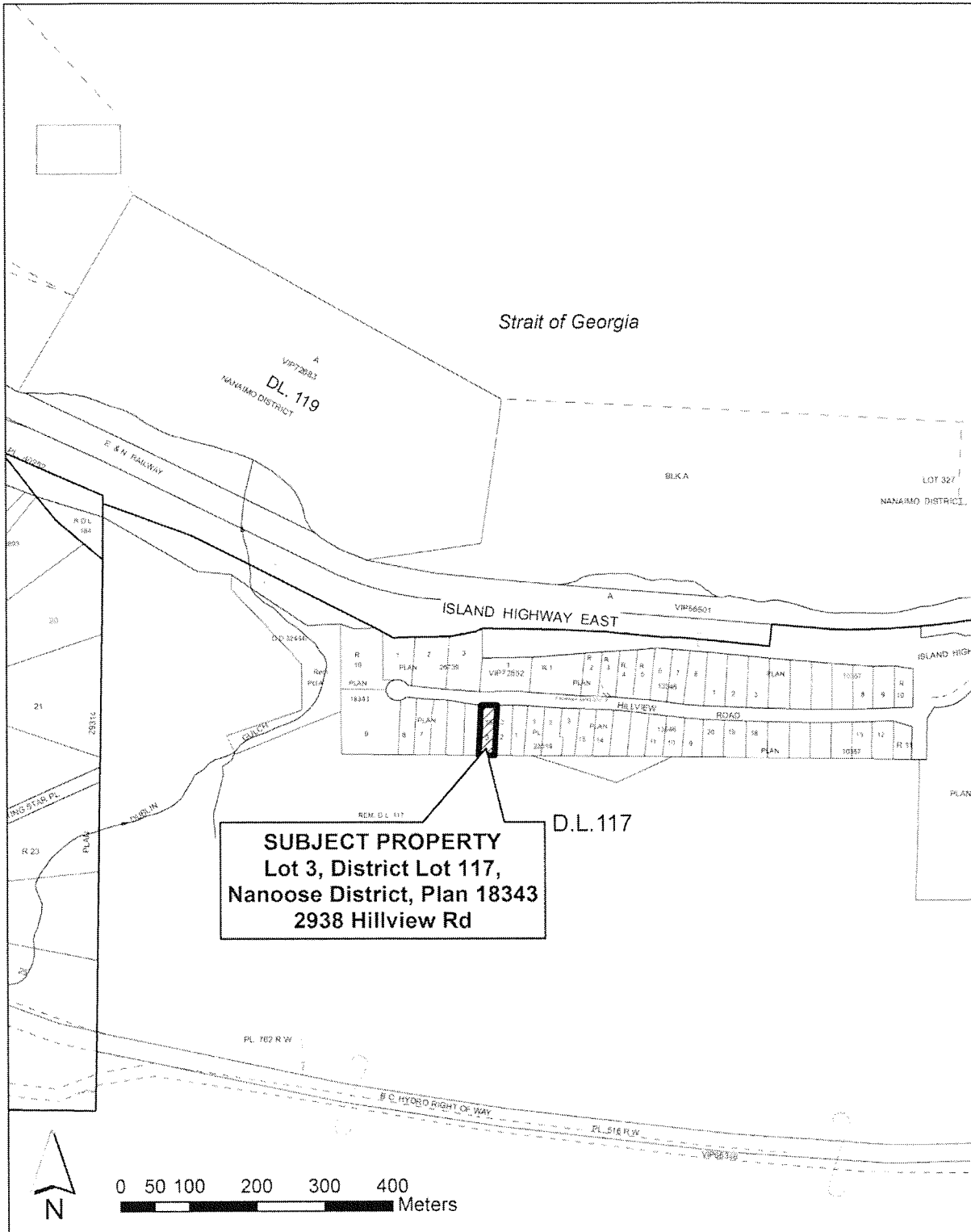


General Manager Concurrence

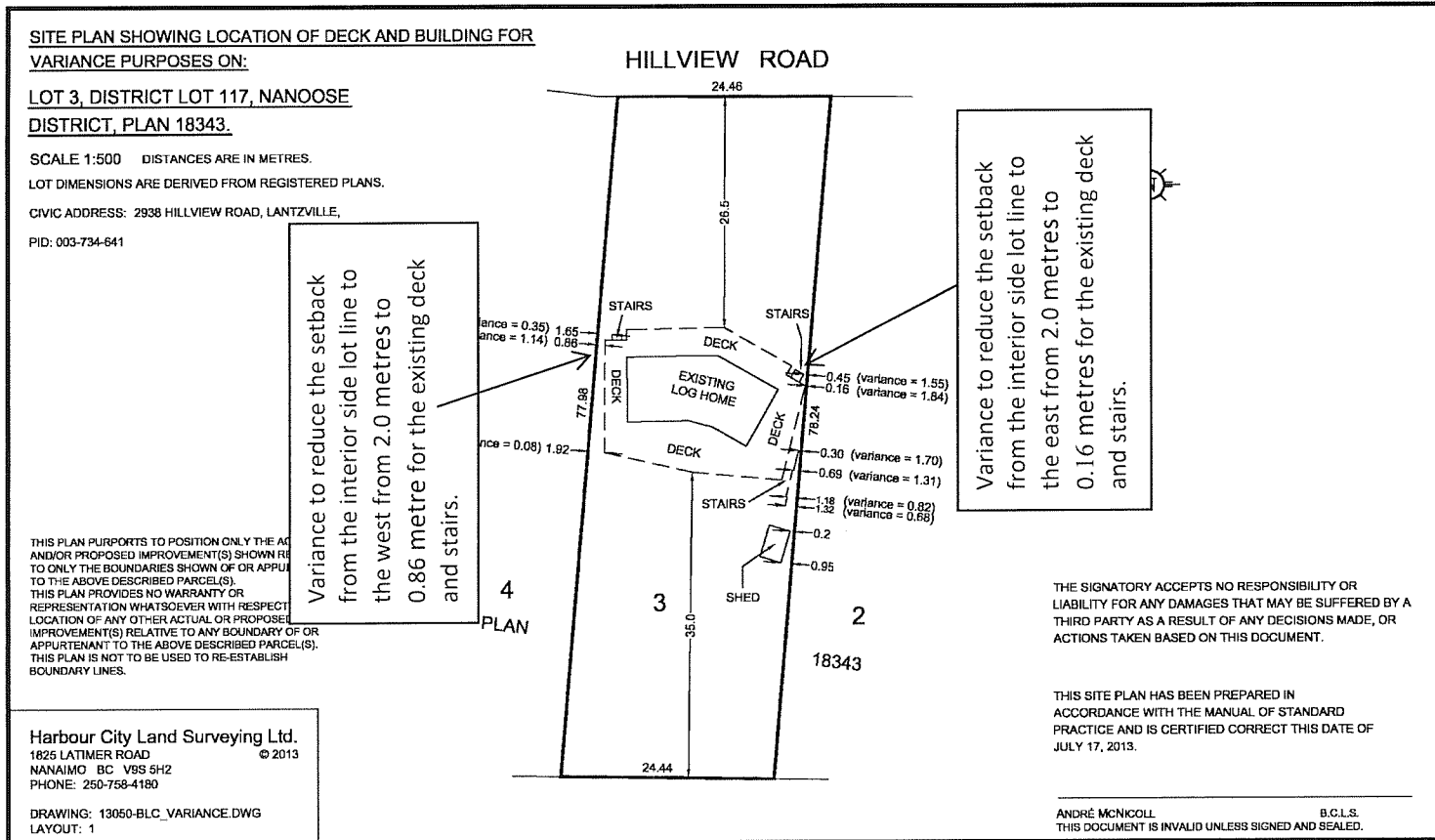


CAO Concurrence

Attachment 1
Subject Property Map



Attachment 2
 Site Plan



Attachment 3
Terms and Conditions of Development Variance Permit

The following sets out the terms and conditions of Development Variance Permit Application No. PL2013-084:

Bylaw No. 500, 1987 - Variances

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

Section 3.4.61 Minimum Setback Requirements to reduce the minimum setback from the interior side lot line to the east from 2.0 metres to 0.16 metres and to the west from 2.0 metres to 0.86 metres for an existing deck and stairs as shown on Attachment 2.

Conditions of Approval

1. The deck and stairs shall be sited in accordance with the site plan prepared by Harbour City Land Surveying Ltd. dated July 17, 2013, attached as Attachment 2.
2. The applicant shall obtain the necessary building permit for the existing deck and stairs.



RDN REPORT		###
CAO APPROVAL		
EAP	✓	
COW		
AUG 29 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
 Manager, Current Planning

DATE: August 27, 2013

FROM: Tyler J. Brown
 Planner

FILE: PL2013-038

SUBJECT: Zoning Amendment Application No. PL2013-038 – Magnolia Enterprises Ltd.
 Lot 1, District Lot 36. Newcastle District, Plan VIP80074 – 6996 Island Highway West
 Electoral Area 'H'

PURPOSE

To consider an application to amend the zoning for the subject property located at 6996 Island Highway West in the Bowser Village Centre, in Electoral Area 'H,' to permit the additional use of 'emergency services' within the existing Bowser Village Comprehensive Development (CD6) zone along with general bylaw amendments pertaining to public utility use and emergency services.

BACKGROUND

The Regional District of Nanaimo (RDN) has received a Zoning Amendment Application from Magnolia Enterprises Ltd. to rezone the subject property to permit the additional use of emergency services. The property is approximately 4.8 ha in area and is bordered by a developed commercial zone to the east, rural and residential parcels to the west; undeveloped crown land (proposed site for seniors housing) to the south and the Island Highway to the north (see Attachment 1 for subject property map).

The subject property is currently split-zoned CD6 and Residential 2 (RS2) pursuant to "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987". Two buildings have previously been erected on the CD6 portion of the subject property to house commercial space and a library. A third building is proposed on the eastern portion of the CD6 zone to be used as an ambulance station. The RS2 portion of the property is undeveloped.

The proposed development is subject to both the "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" Environmentally Sensitive Features Development Permit Area (DPA) for Aquifer Protection and the Bowser Village Centre. If the zoning amendment application is approved, the applicant will be required to obtain a development permit prior to further development of the parcel.

Proposed Development

The applicant proposes to amend the existing CD6 zone to permit emergency services to allow the construction of an ambulance station on the CD6 portion of the subject property. To accommodate the siting of the proposed ambulance station the bylaw amendment includes allowance for the common interior side lot line to be reduced to zero if the adjoining parcel is zoned industrial or commercial. This allowance is comparable to the adjacent eastern parcel, which is zoned Commercial 4 and occupied by

Tomms Food. The subject property is serviced by an on-site sewage disposal system and community water is provided by Bowser Waterworks District.

The Amendment Bylaw (Attachment 3) further includes general amendments by introducing a new definition, emergency services, and modifying the existing public utility use definition. If approved, the Amendment Bylaw would clarify the definition of public utility use to include police, fire and ambulance emergency services as permissible uses. The general amendments are necessary as they relate to and provide support for the proposed ambulance station and accessory temporary living accommodations for emergency service personnel.

ALTERNATIVES

1. To proceed with Zoning Amendment Application No. PL2013-038, grant first and second reading of the Amendment Bylaw and proceed to public hearing.
2. To not proceed with the Bylaw readings and public hearing.

LAND USE IMPLICATIONS

Official Community Plan

The subject property is designated "Bowser Village Commercial Mixed Use" pursuant to Bowser Village Center Plan contained within the "Regional District of Nanaimo Electoral Area 'H' Official Community Plan Bylaw No. 1335, 2003" (OCP). The Bowser Village Commercial Mixed Use objectives supports the building of compact and complete communities with a wide array of public services. The proposed amendment to facilitate the construction of an ambulance station is consistent with OCP policy. An OCP amendment is therefore not required.

Zoning Implications

The applicant proposes the addition of emergency services to the existing CD6 zone which currently permits: retail store, office, personal service use, tourist store, recreation facility (excluding pool hall, bowling alley, curling, roller rink and swimming pool), and multiple dwelling unit development. The proposed Amendment Bylaw also includes a minor modification to the existing public utility use definition and the addition of a new definition: emergency services. The proposed definition changes would apply to all Electoral Areas to which Bylaw 500 applies (see Attachment 3 for the proposed "Regional District of Nanaimo Amendment Bylaw No. 500.386, 2013").

During the review of this application, staff determined that amendments to definitions in Bylaw 500 are required. To clarify the public utility use definition, staff propose to modify the existing definition to include emergency services. Additionally, the creation of a new definition, emergency services, would provide for emergency services as a use on its own or within all zones that permit public utility use. The proposed emergency services definition also provides for accessory temporary living accommodation for emergency services personnel.

To better accommodate the siting of the proposed ambulance station, the bylaw amendment includes allowance for the common interior side lot line of the CD6 zone to be reduced to zero if the adjoining parcel is zoned industrial or commercial.

Development Implications

The proposed site plan illustrates the two existing buildings and the proposed ambulance station (see Attachment 4 for the proposed site plan). The zoning permits 25% parcel coverage and a floor area ratio (FAR) of 0.50. The applicant has demonstrated that the proposed structure will not exceed either of these values. MOTI has indicated that direct access to Highway 19A will not be permitted and that the existing commercial driveway will require a valid access permit due to the change of use.

Public Consultation Implications

A Public Information Meeting (PIM) was waived for the proposed zoning amendment application. If the proposed application receives first and second reading, the proposal will then proceed to public hearing pursuant to Section 890 of the *Local Government Act*.

Environmental Implications

Prior to final adoption, to address sewage disposal considerations, the applicant is to submit a letter or report of assurance regarding waste water capacity; and must obtain a filing for on-site sewage from the Vancouver Island Health Authority. The Ministry of Transportation and Infrastructure (MOTI) has indicated that no additional drainage is to be directed to the Ministry's drainage system. If the zoning amendment application is approved, surface and storm water drainage will be addressed through the development permit process.

Sustainability Implications

The Bowser Village Commercial Mixed Use objective supports the building of compact and complete communities. The proposed development will further intensify servicing within the Bowser Village. The Bowser Village Centre Plan sustainability Principle 1 states that consideration be given to emergency response infrastructure and capabilities. The proposed development will support increasing the density of services in the village center as well as increase the emergency response capacity of the local community and surrounding area.

Inter-governmental Implications

MOTI has reviewed the proposed development and have indicated they have no objections to the proposed zoning amendment. MOTI staff have advised that a valid access permit will be required due to the change of use, all buildings and structures are to meet or exceed a 4.5 metre setback and no additional drainage is to be directed to the Ministry's drainage system. Additionally, MOTI has stated that direct access to Highway 19A will not be permitted. MOTI must approve of the zoning amendment bylaw prior to the Board's consideration for adoption as the subject property is within 800 metres of a controlled access highway.

The Vancouver Island Health Authority (VIHA) has reviewed the proposed development and has advised that filing for on-site sewage disposal is required. Bowser Waterworks District has indicated that community water is able to service the site.

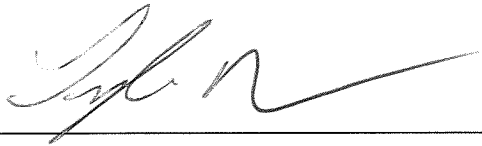
SUMMARY/CONCLUSION

The applicant proposes to rezone the subject property in order to add the additional use of emergency services to permit the development of an ambulance station. In addition, the proposed bylaw would modify the public utility use definition and introduce a new definition: emergency services. The proposed development is consistent with the Bowser Village Centre Plan. The applicant has demonstrated that there is adequate site area and servicing to support the proposed use. Therefore,

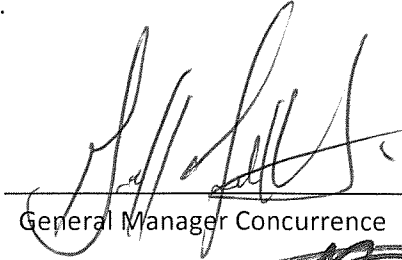
staff recommends that "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013" proceed for first and second reading and to public hearing.

RECOMMENDATIONS

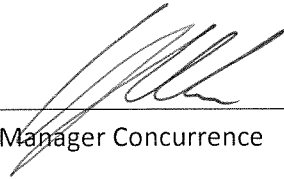
1. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013", be introduced and read two times.
2. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013", be chaired by Director Veenhof or his alternate.
3. That the conditions set out in Attachment 2 of the staff report be completed prior to Bylaw No. 500.386, 2013 being considered for final adoption.



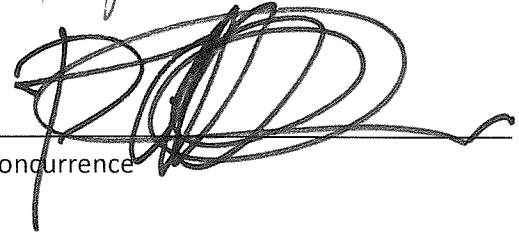
Report Writer



General Manager Concurrence

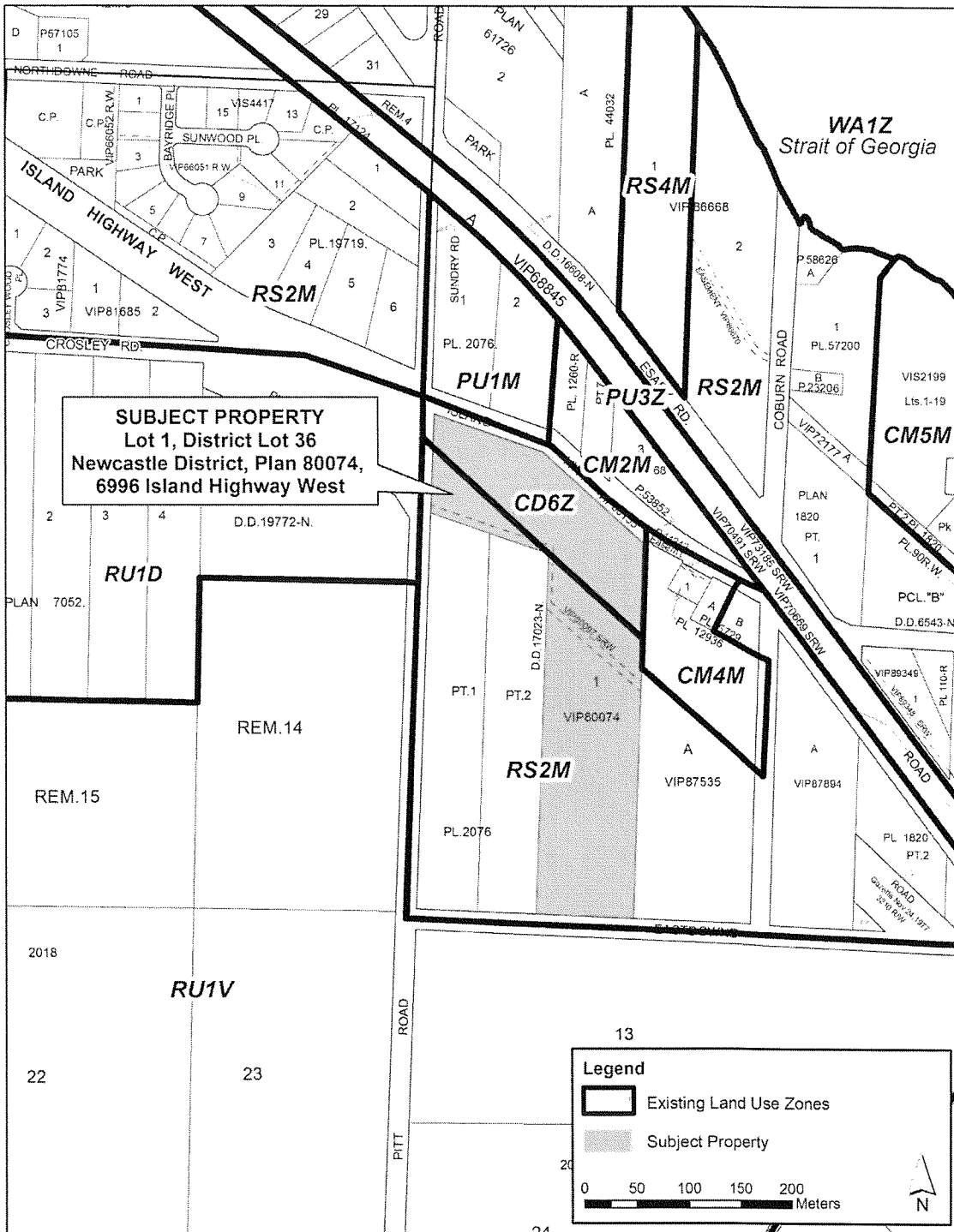


Manager Concurrence



CAO Concurrence

Attachment 1
Location of Subject Property



**Attachment 2
Condition of Zoning Amendment**

The following is required prior to the "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013" being considered for adoption:

Conditions of Approval

1. The applicant is to obtain a filing for on-site sewage from the Vancouver Island Health Authority prior to final adoption.

**Attachment 3
Proposed Amendment Bylaw No. 500.386, 2013**

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500.386

**A Bylaw to Amend "Regional District of Nanaimo
Land Use and Subdivision Bylaw No. 500, 1987"**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.386, 2013".
- B. "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987", is hereby amended as follows:
 1. Under **PART 2, INTERPRETATION, DEFINITIONS** by adding the following definitions in alphabetical order:

"emergency services means the non-commercial use of land, buildings and structures for fire, police and ambulance services and may include temporary living accommodations for emergency service personnel."
 2. Under **PART 2, INTERPRETATION, DEFINITIONS** by modifying the following definition:

"public utility use means the use of land, buildings or structures for the provision of community water or sewer services, park, public access, pipelines, electric and telephone service, emergency services, government office or cemetery."
- C. "Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987 - **PART 3 LAND USE REGULATIONS, Section 3.4.105 Bowser Village Comprehensive Development Zone**", is hereby amended as follows:
 1. By adding the following under Permitted Uses and after g) multiple dwelling units:

"h) emergency services"
 2. By adding the following under Minimum Setback Requirements after All lot lines 5.0 metres:

"except where:
 - a) The adjoining parcel is zoned industrial or commercial then the setback from the common interior side lot line may be reduced to zero."

Introduced and read two times this ___ day of _____ 20__

Public Hearing held this ___ day of _____ 20__

Read a third time this ___ day of _____ 20__

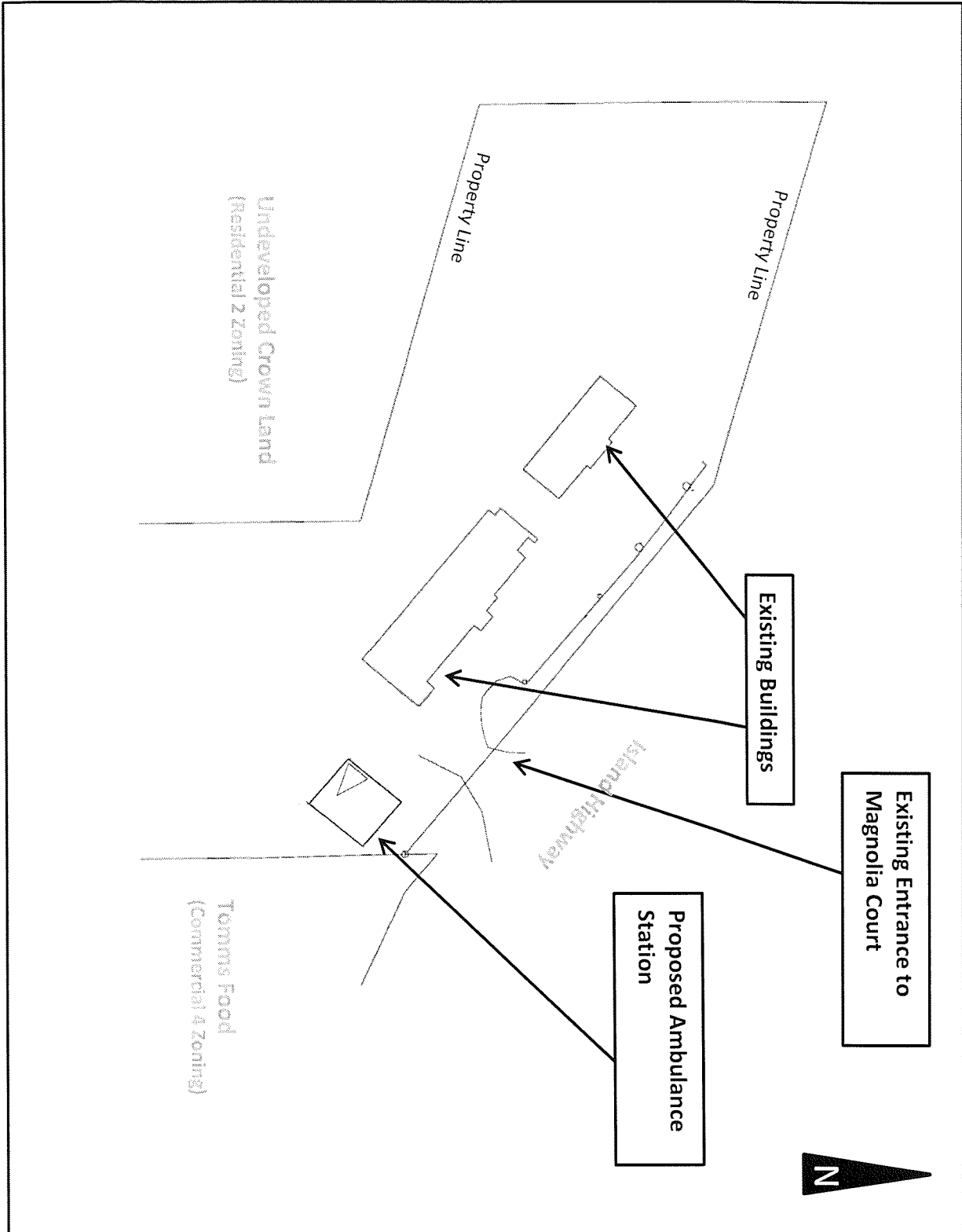
Approved by the Minister of Transportation and Infrastructure pursuant to the **Transportation Act** this
_____ day of _____ 201__.

Adopted this ___ day of _____ 20__

Chairperson

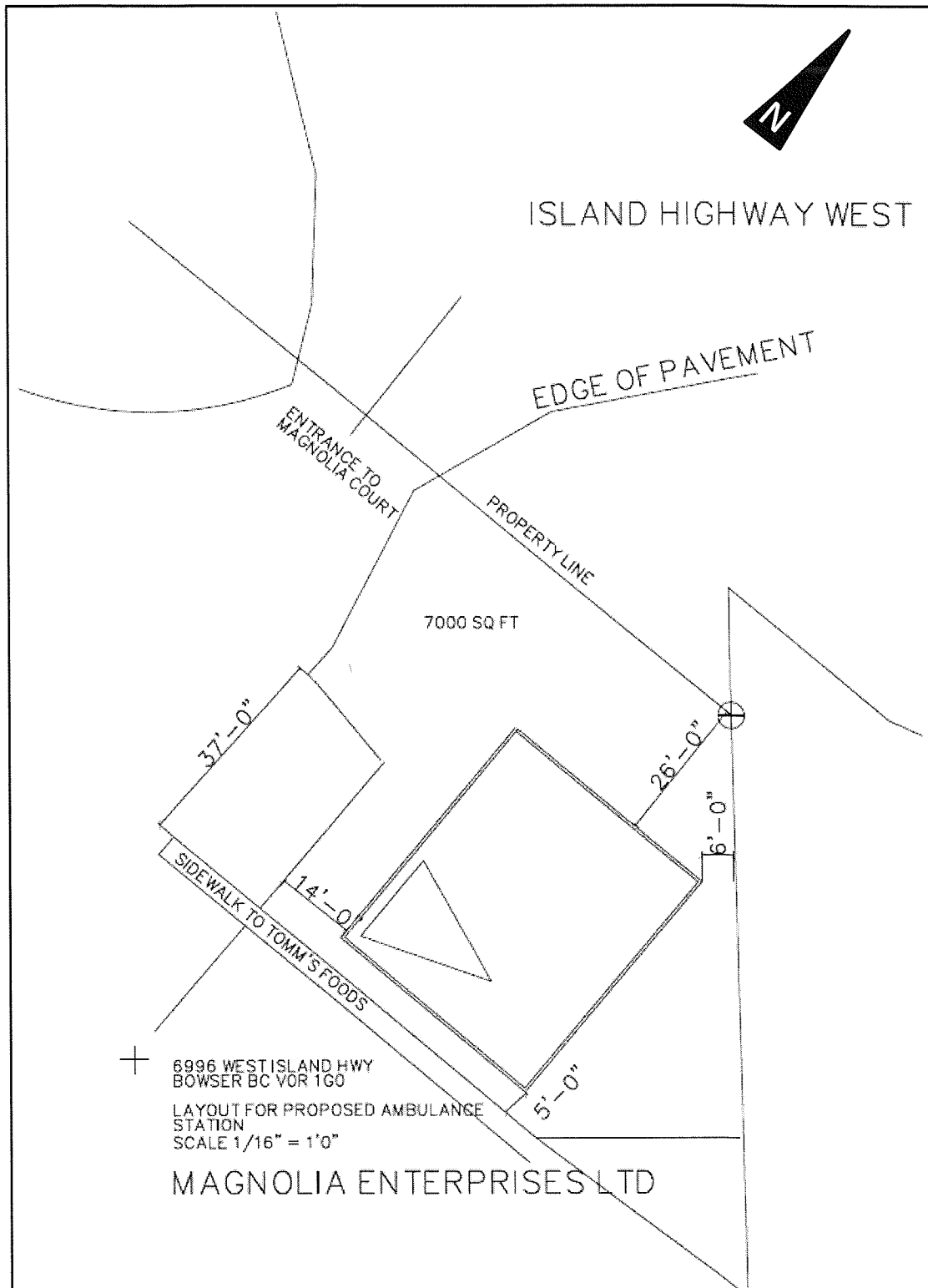
Corporate Officer

**Attachment 4
Proposed Site Plan**



Attachment 4

Proposed Site Plan/Ambulance Station





RDN REPORT		[Signature]
CAO APPROVAL		
EAP	<input checked="" type="checkbox"/>	
COW	<input type="checkbox"/>	
SEP 03 2013		
RHD	<input type="checkbox"/>	
BOARD	<input type="checkbox"/>	

MEMORANDUM

TO: Jeremy Holm
Manager, Current Planning

DATE: August 27, 2013

FROM: Tyler J. Brown
Planner

FILE: PL2013-086

SUBJECT: Proposed Rogers Communications Inc. Wireless Tower
Pt Lot A Lying S Of Swly Bdy Of E&N Rly On PI 7736F, District Lot 27, Nanoose District,
Plan 1300, Exc PI 25748 – 891 Drew Road
Electoral Area 'G'

PURPOSE

To receive information with respect to the proposed telecommunications tower on the subject property.

BACKGROUND

The Regional District of Nanaimo (RDN) has received correspondence and an information package from Standard Land Company Inc. (Standard Land) on behalf of Rogers Communications Inc. regarding the proposed installation of a telecommunications tower on the subject parcel (see Attachment 2). The letter requests that the Board pass the following resolution:

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

Proposed Tower

Rogers is proposing a 45 metre monopole tower structure on private land known as 891 Drew Road. The subject property is zoned Rural 1 (RU1) and is approximately 10.5 ha in area. Additionally, the subject parcel is located within the Agricultural Land Reserve. The tower is proposed to be sited at the northern portion of the parcel bordering Drew Road. The proponent's stated intention is to expand wireless coverage in the French Creek area to satisfy the increasing demand for cellular service and data intensive devices. Rogers has indicated that there are no existing antenna support structures or any other feasible alternatives that can be utilized in the area and as such a new antenna structure is required.

DISCUSSION

The technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government. Approval of any related antenna systems; including masts, towers and supporting structures, are under the mandate of Industry Canada. With regard to public health, Industry Canada refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines of both Health Canada and Industry Canada.

Industry Canada has an established procedure for the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land use authority and nearby residents if the proposed tower is to exceed 15 metres in height. Moreover, the proponent is required to address the public's questions, concerns and comments through Industry Canada's prescribed public consultation process.

With respect to this application, Rogers Communications Inc. states that they have fulfilled their obligations under the Industry Canada process. A timeline of the completed process is outlined on Page 1 of Attachment 2 and a copy of all public consultation materials is also found in Attachment 2. At the request of a local resident association, the proponent extended the consultation period by one week and spoke at the annual general meeting of the French Creek Residents Association. The RDN has received a signed petition of over fifty names and two letters from a family living nearby the proposed tower expressing opposition to the proposal. In addition to submissions to the RDN, Standard Land has received several comments in opposition to the proposal. At Staff's request, Standard Land has provided copies of those comments to the RDN.

Role of Local Government

As noted above, local government is referred applications for proposed towers greater than 15 metres in height and is provided the opportunity to comment on the proposal. Local government concerns and the applicant's response to those concerns are considered by Industry Canada as part of their review of the proposal. In this case, staff requested that the proponent contact the French Creek Resident's Association for their comment on the proposal as well as extend the notification area beyond that which is required by Industry Canada. The applicant complied with the first request but did not expand the notification area.

A local government may establish and develop a formal telecommunications antenna and tower siting protocol. At the August 23, 2011 regular Board meeting, in response to a telecommunications tower proposal in Electoral Area 'A,' the Board directed staff to develop a cell tower placement protocol. Staff have begun developing such a protocol, which is on the Current Planning 2013 Work Plan, and anticipate bringing a report to the Board in the fall on the issue. However, at the time of this report, the siting protocol has not been completed. While a siting protocol may serve as a guide to the siting of a tower and the consultation process, the federal government, through Industry Canada, retains the authority to approve telecommunication infrastructure. In addition, the RDN does not currently have policy in place that would provide guidance in issuing a positive or negative resolution in relation to the proposed tower siting. Given this and the highly technical nature of the issue and the fact that the decision on siting ultimately lies with Industry Canada, staff recommend providing no comment on the proposed tower siting.

ALTERNATIVES

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

The Regional District of Nanaimo opposes ROGERS COMMUNICATIONS INC. proposal to construct a wireless telecommunications facility at 891 Drew Road.
3. To provide no comment with respect to the proposed application.

LAND USE IMPLICATIONS

Development Implications

The applicant has provided site plans, detailed structure descriptions and the results of a visual impact study for the proposed telecommunications tower. Under federal regulations, the applicant is not required to comply with local zoning or any applicable development permit areas. Additionally, the applicant is not required to obtain a building permit for any essential telecommunications infrastructure.

Due to the proximity of the proposed structure to a nearby air strip, the applicant is required to fulfill Navigation Canada's lighting and visibility requirements. Therefore, the proposed structure will be illuminated. The applicant has indicated they will attempt to use minimally obtrusive lighting to lessen the nighttime impact on nearby residents.

Public Consultation Implications

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

Sustainability Implications

There are no sustainability implications identified.

Inter-governmental Implications

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


SUMMARY/CONCLUSIONS

The RDN has received correspondence from Standard Land Company Inc. (Standard Land) on behalf of Rogers Communications Inc. requesting Board concurrence for the proposed installation of a telecommunications tower on the subject parcel. The applicant has submitted to the RDN all information materials provided to the public and subsequent correspondence. Moreover, the applicant has performed a visibility impact study for the proposed tower and provided the results to the RDN.

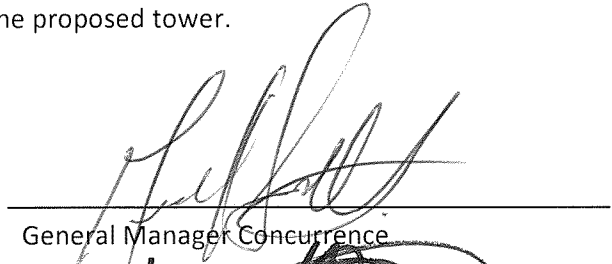
As outlined in this report, all telecommunications infrastructure is under the jurisdiction of Industry Canada. Additionally, the RDN does not currently have policy in place that would provide guidance in making either a positive or negative resolution on the proposed tower siting. The applicant has followed the Industry Canada default public consultation protocol.

RECOMMENDATION

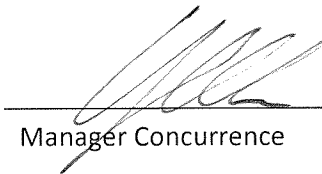
That the Board provide no comments with respect to the proposed tower.



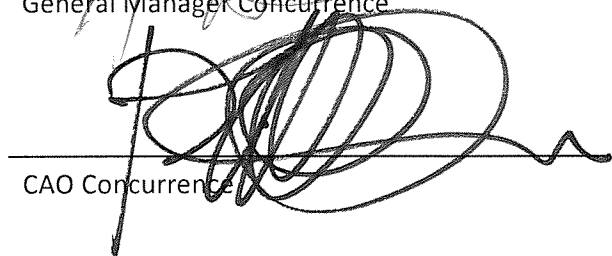
Report Writer



General Manager Concurrence

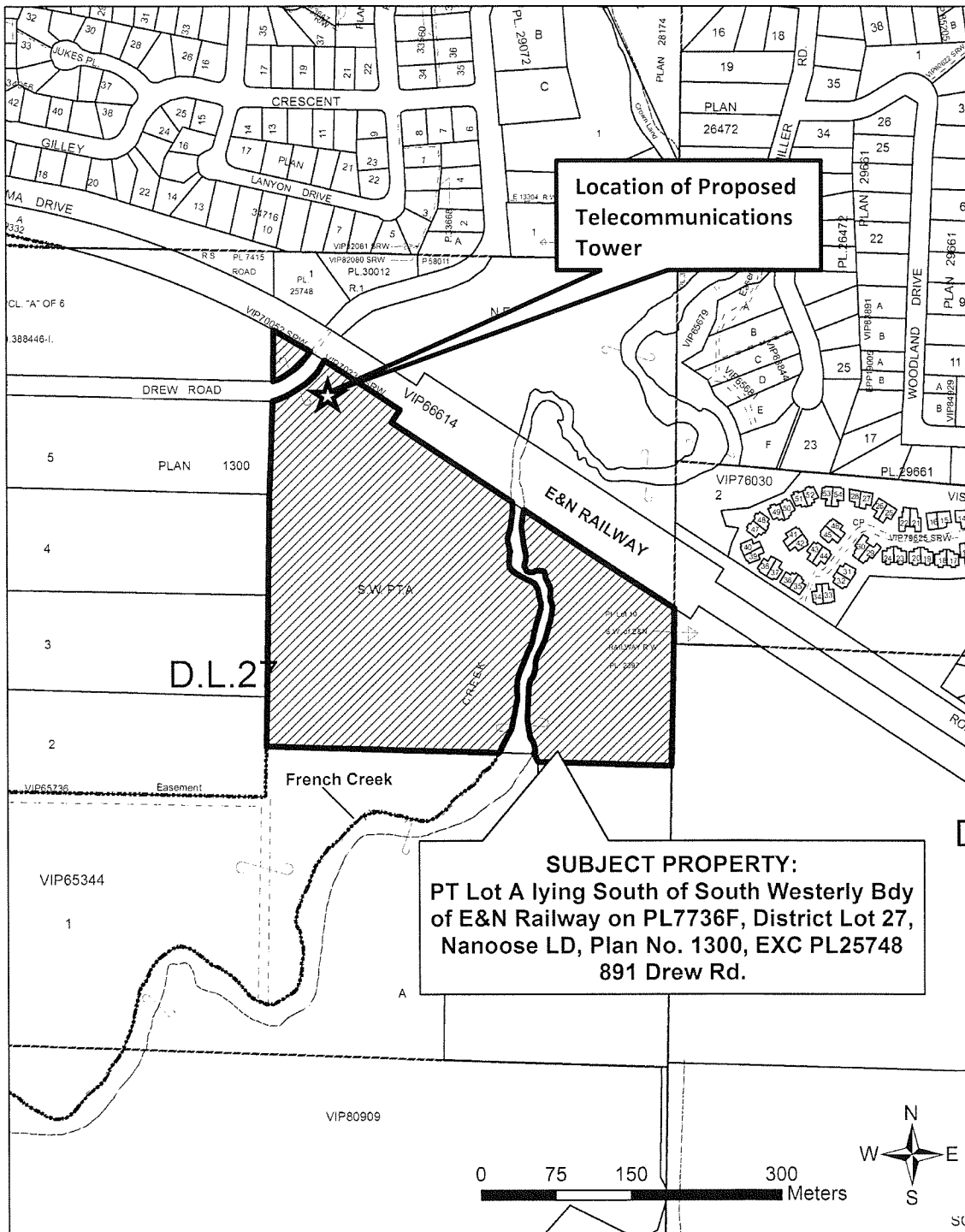


Manager Concurrence



CAO Concurrence

Attachment 1 Subject Property Map



Attachment 2
Information Package and Request for Concurrence



StandardLand

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

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

August 9, 2013

VIA COURIER

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

Dear Mr. Brown,

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

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

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

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

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

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

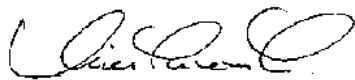
There is an increasing dependence on wireless products for personal, business and emergency purposes, and an improvement in service in French Creek would benefit the community. In response to the public’s demand for high quality wireless services, Rogers is proposing a telecommunications site.

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

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

Sincerely,

Standard Land Company Inc.
 Agents for Rogers



Kiersten Enemark
 Director, Land and Municipal Affairs (BC)

cc: Peter Leathley, Municipal Affairs Specialist (BC), Wireless Network Implementation West
 Rogers Communications Inc.

cc: Samuel Sugita, Municipal Affairs Specialist (BC), Standard Land Company Inc.

Appendix 1: Affidavits of Notification



StandardLand

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

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

August 9, 2013

VIA COURIER

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

Dear Mr. Brown,

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

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

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

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

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

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

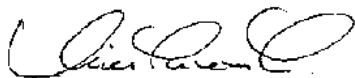
There is an increasing dependence on wireless products for personal, business and emergency purposes, and an improvement in service in French Creek would benefit the community. In response to the public’s demand for high quality wireless services, Rogers is proposing a telecommunications site.

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

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

Sincerely,

Standard Land Company Inc.
 Agents for Rogers



Kiersten Enemark
 Director, Land and Municipal Affairs (BC)

cc: Peter Leathley, Municipal Affairs Specialist (BC), Wireless Network Implementation West
 Rogers Communications Inc.

cc: Samuel Sugita, Municipal Affairs Specialist (BC), Standard Land Company Inc.



April 15, 2013

Dear Area Residents and Businesses:

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

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

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

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

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

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

Rogers Communications Inc.

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



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

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

Yes No

If not, what change do you suggest: _

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

Yes No

If not, what change do you suggest: _

4. Other Comments: _

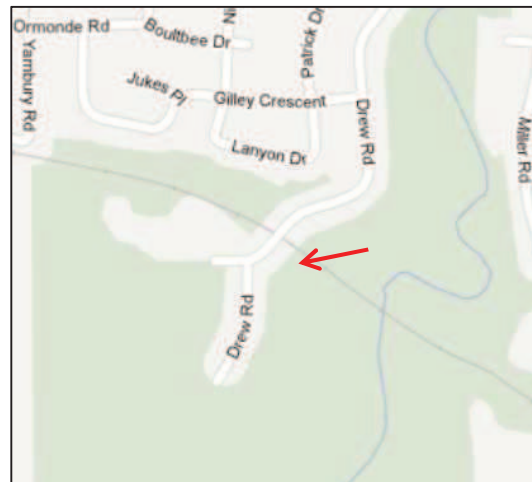
Tower Location

Name: _____

Address: _____

Telephone: _____

Email: _____



Thank you.





**Public Consultation Information Package
Wireless Communications Installation**

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

Contact

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

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

April 15, 2013

What is being proposed?

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

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

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

Where is the proposed tower site?

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



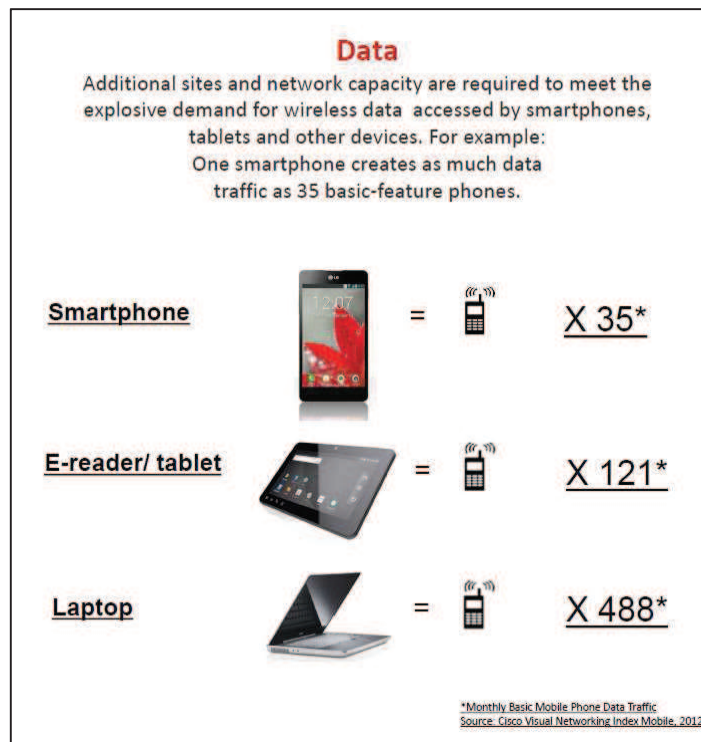
Why is this new structure required?

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

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

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

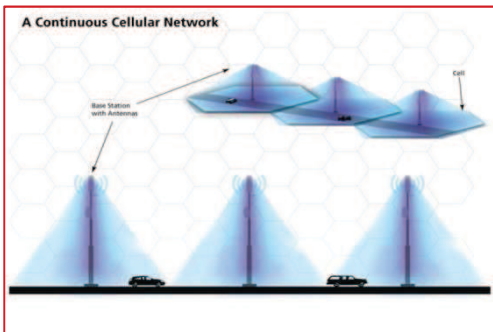
The table below illustrates how devices that transmit and receive data information need much more network capacity than standard mobile phones. For example, one Smartphone uses a wireless network as much as 35 standard mobile phones.



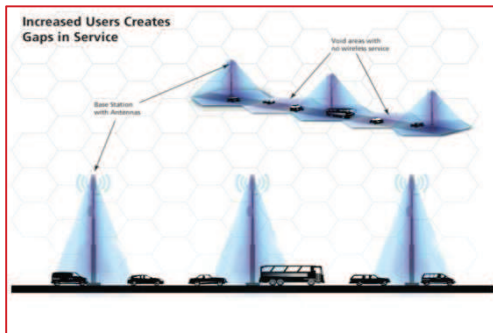
How do wireless networks work?

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

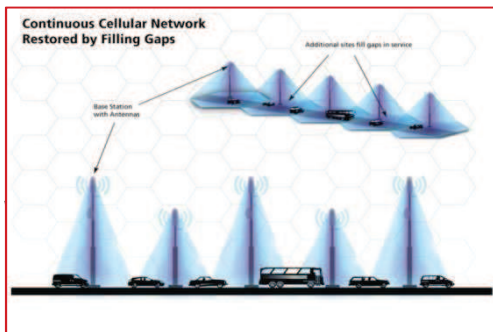
As more mobile phones and devices use the network, the “footprint” of service offered by a base station, like the proposed tower site, shrinks. This result is reduced coverage and gaps in service. Gaps in coverage can result in dropped calls and unreliable service. The drawings below illustrate how gaps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



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



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



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

What will the site look like?

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

Before Construction



After Construction



From Drew Road, looking southwest towards tower location.

Photo Simulation is a close representation and is for conceptual purposes only.

Best efforts have been made to represent the antenna accurately.

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

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

Before Construction



After Construction



Looking south on Lanyon Drive towards tower location.

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

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

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

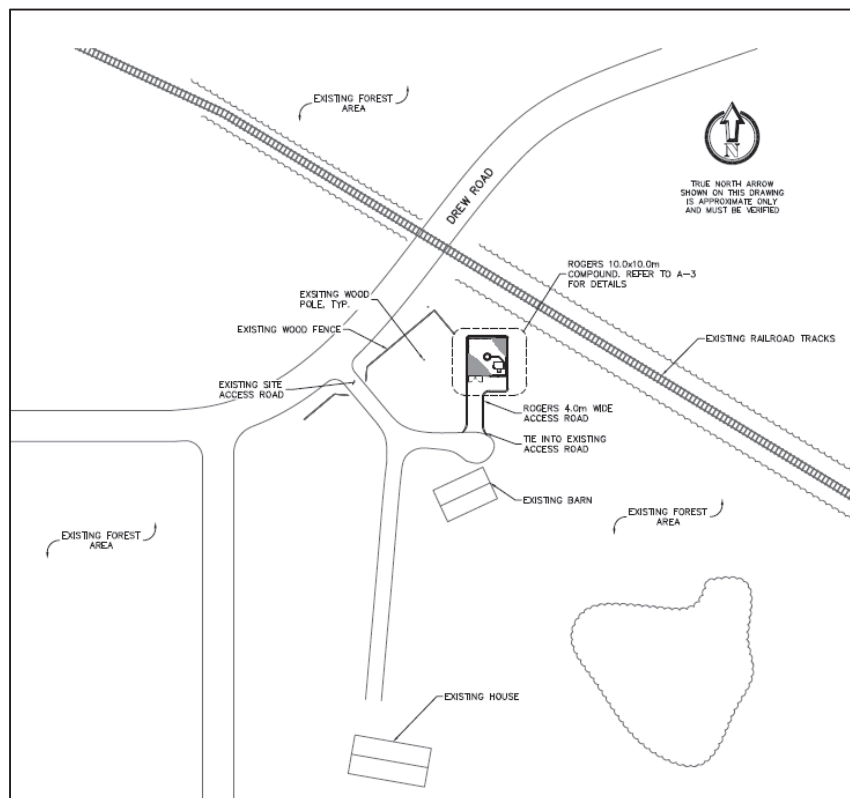
What will the area look like when it is finished?

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

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

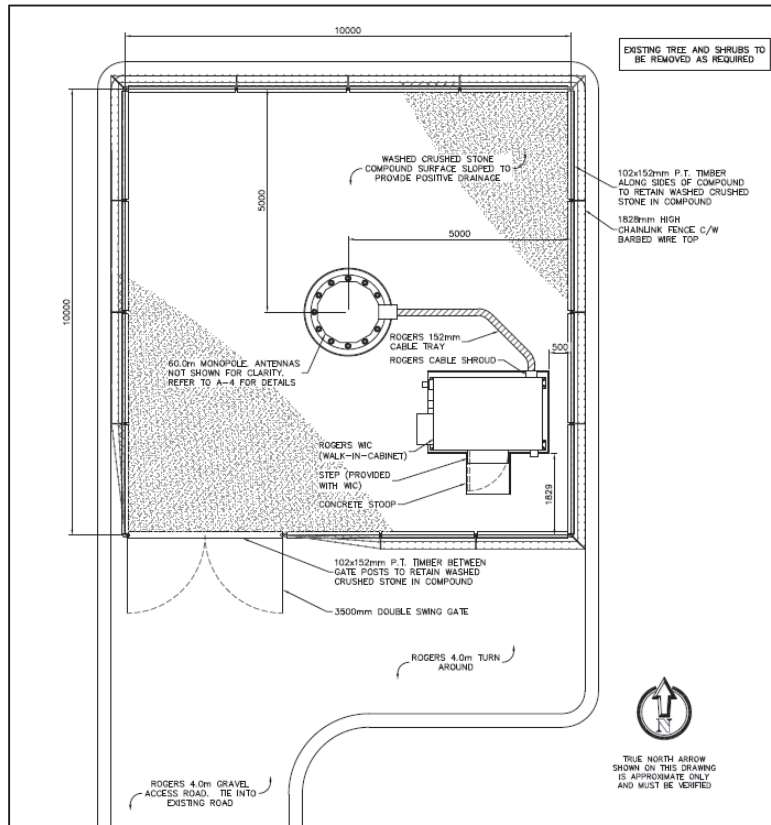
Access to the site will be by Drew Road. The secure site area will not be visible to the public. The property is already fenced and the Rogers compound will include an additional security fence that will be approximately 1.8 metres (6') in height. There will be a locked single access point and a silent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

Site Plan



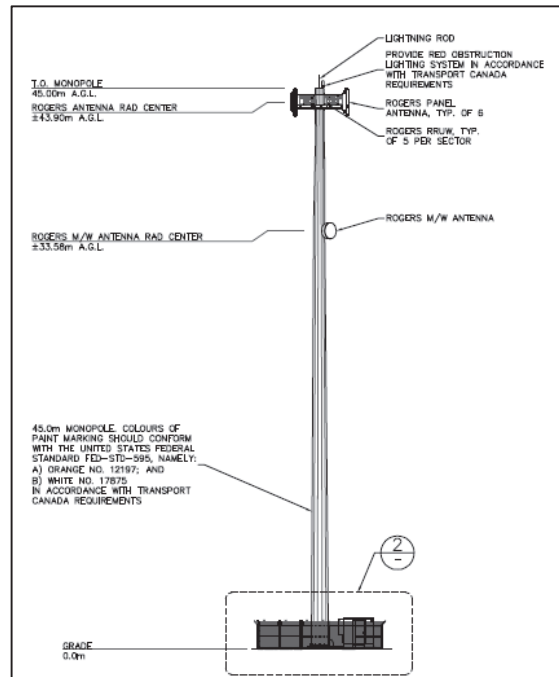
Note: not to scale.

Site Compound Layout



Note: not to scale.

Tower Elevation (South)



Note: not to scale.

What is the consultation and approval process and who is involved?

Industry Canada has the final authority to approve towers under the Radiocommunications Act. However, Industry Canada requires the proponent, in this case Rogers, to follow a community consultation process inviting the community to comment on the proposed tower site.

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

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

How safe is this tower?

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

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

Base stations, like this tower site, operate at a very low power. Typically, the maximum power density levels from tower structures over 30 metres are less than one percent (1%) of Health Canada's Safety Code 6 government safety standard at ground level. The power would be similar to that of a computer monitor or light bulb operating in a household when measured at ground level.

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

Health Canada's Safety Code 6 Compliance

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

Canadian Environmental Assessment Act

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

Engineering Practices

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

Transport Canada's Aeronautical Obstruction Marking Requirements

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

Where can I go for more information?

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

Telecommunication Systems

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

Public Consultation Guidelines

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

Safety Code 6

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

Vancouver Coastal Health

www.vch.ca/about_us/news/concerns_about_cell_phone_tower_radiation_addressed

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

Canadian Wireless Telecommunications Association

<http://www.cwta.ca>

BC Centre for Disease Control

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

RFCOM – University of Ottawa

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

Your role

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

Regional District of Nanaimo

Rogers has pre-consulted with the Regional District of Nanaimo to discuss appropriate site options and address any engineering challenges, such as gas lines, sewers, and upcoming projects, which could impact on the site positioning. Following consultation with the community, we will be sharing your feedback with the Regional District of Nanaimo.

Industry Canada

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

Land Use Consultant

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

Contact Information

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

Rogers Communications Inc.

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

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

Regional District of Nanaimo

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

Industry Canada

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

Appendix B: List of Recipients

Annette Owen
1326 Lanyon Drive
Parksville BC V9P 1W6

Roland Herbert Coons
Deborah Helen Coons
1340 Lanyon Drive
Parksville BC V9P 1W6

Owner / Occupant
882 Drew Road
Parksville BC V9P

Susan Jane McKillop
828 Kazan Avenue
Parksville BC V9P 2L9

Owner / Occupant
875 Drew Road
Parksville BC V9P 1X2

Patricia Elizabeth Hansen
1330 Lanyon Drive
Parksville BC V9P 1W6

Valerie D. Sorenson
891 Drew Road
Parksville BC V9P 1X2

Standard Land Company Inc.
610, 688 West Hastings Street
Vancouver BC V6B 1P1

Industry Canada Spectrum Management
Room 430, 1230 Government Street
Victoria BC V8W 3M4

Joe E Jantzi
Arline Karen Jantzi
896 Drew Rd
Parksville BC V9P 1X2

Martin William Henniger
Joy Darlene Henniger
1322 Lanyon Drive
Parksville BC V9P 1W6

Juliann Patricia Sinnott
Hugh John Sinnott
PO Box 398 Stn Main
Parksville BC V9P 2G5

Cheryl Donna Dunn
Phillip Lee Dunn
878 Drew Road
Parksville BC V9P 1X2

Hugh Russell Ashworth
Rosemary Joan Ashworth
879 Drew Road
Parksville BC V9P 1X2

Annette M. Bolten
Peter Bolten
1334 Lanyon Drive
Parksville BC V9P 1W6

Island Corridor Foundation
Doug Backhouse, Executive Director
PO Box 375 Stn Main
Parksville BC V9R 5L3


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

Rogers Communications Inc.
Peter Leathley
1600, 4710 Kingsway
Burnaby BC V5H 4W4

Affidavit of Standard Land Company Inc.

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

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



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

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



(Commissioner's Signature)

A Commissioner for Taking Affidavits for the Province of British Columbia

Cameron Martin Carruthers

A Commissioner for Taking Affidavits
for British Columbia
Standard Land Company Inc.
610 - 688 West Hastings Street
Vancouver, BC V6B 1P1
Tel: (604) 667-1119
Expires: June 30, 2013

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

Appendix A: Notification Letter



April 15, 2013

Dear Area Residents and Businesses:

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

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

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

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

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

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

Rogers Communications Inc.

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



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

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

Yes No

If not, what change do you suggest:_____

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

Yes No

If not, what change do you suggest:_____

4. Other Comments:_____

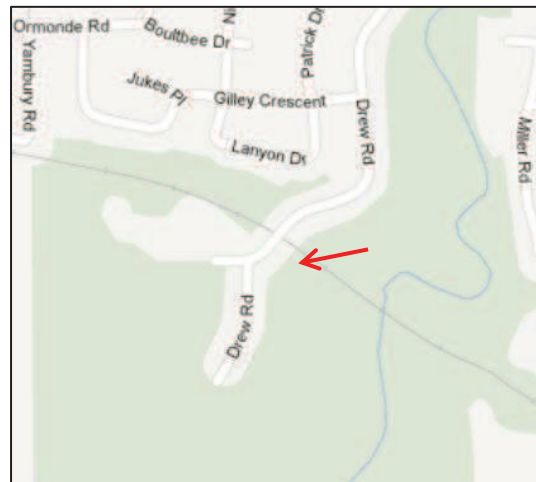
Tower Location

Name:_____

Address:_____

Telephone:_____

Email:_____



Thank you.





**Public Consultation Information Package
Wireless Communications Installation**

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

Contact

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

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

April 15, 2013

What is being proposed?

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

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

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

Where is the proposed tower site?

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



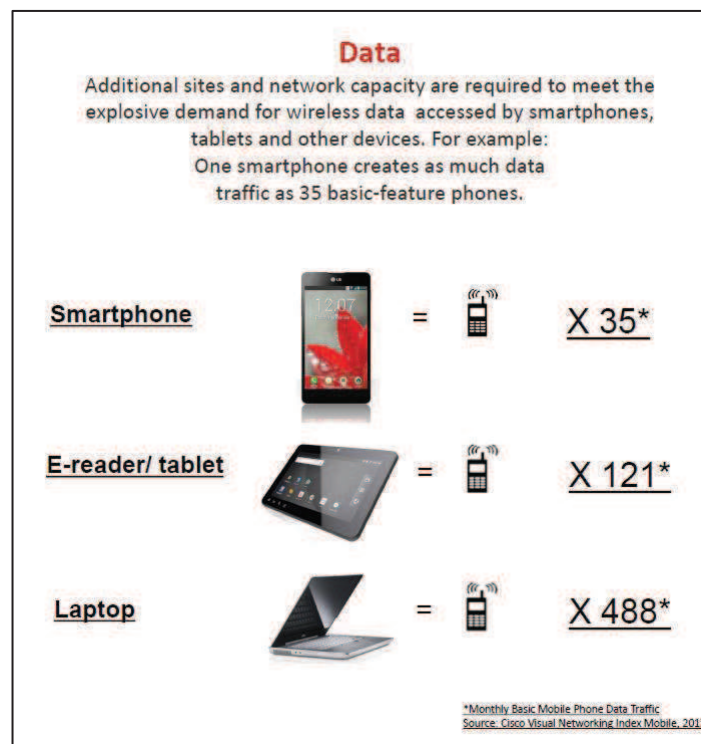
Why is this new structure required?

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

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

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

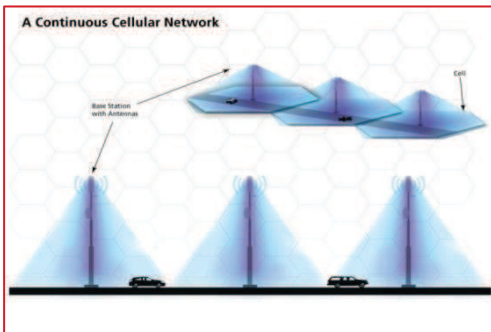
The table below illustrates how devices that transmit and receive data information need much more network capacity than standard mobile phones. For example, one Smartphone uses a wireless network as much as 35 standard mobile phones.



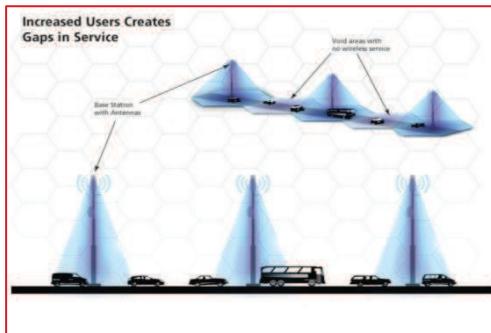
How do wireless networks work?

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

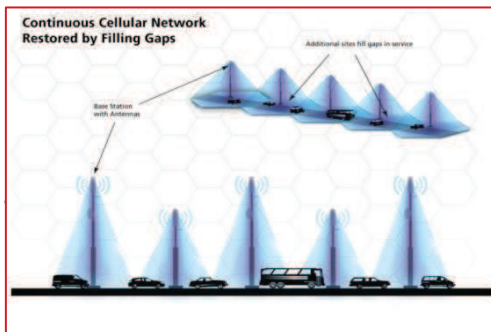
As more mobile phones and devices use the network, the “footprint” of service offered by a base station, like the proposed tower site, shrinks. This result is reduced coverage and gaps in service. Gaps in coverage can result in dropped calls and unreliable service. The drawings below illustrate how gaps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



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



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



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

What will the site look like?

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

Before Construction



After Construction



From Drew Road, looking southwest towards tower location.

Photo Simulation is a close representation and is for conceptual purposes only.

Best efforts have been made to represent the antenna accurately.

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

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

Before Construction



After Construction



Looking south on Lanyon Drive towards tower location.

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

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

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

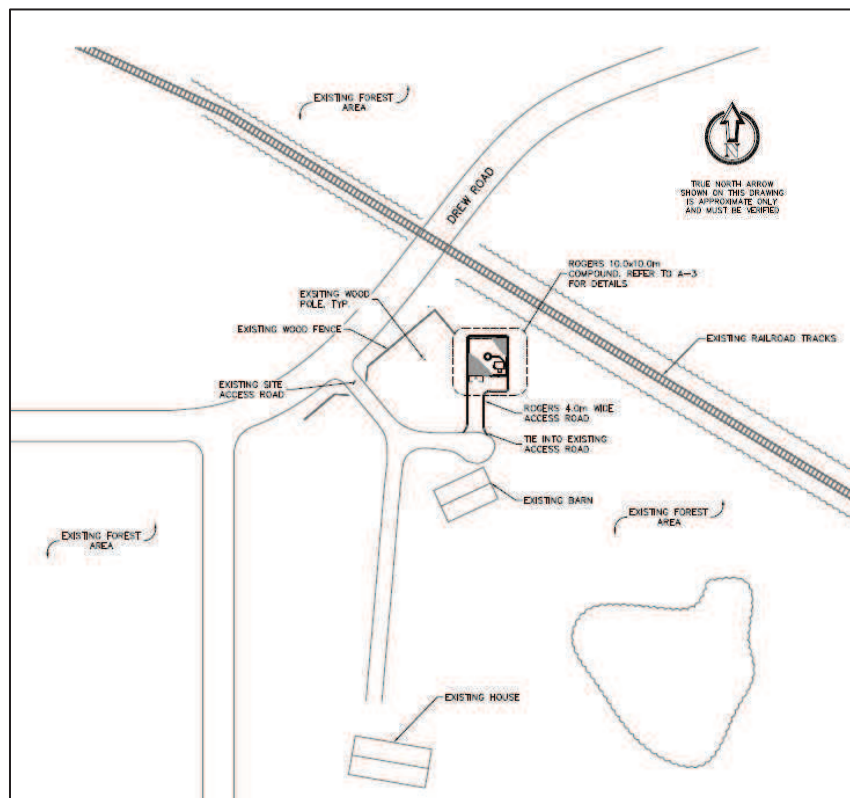
What will the area look like when it is finished?

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

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

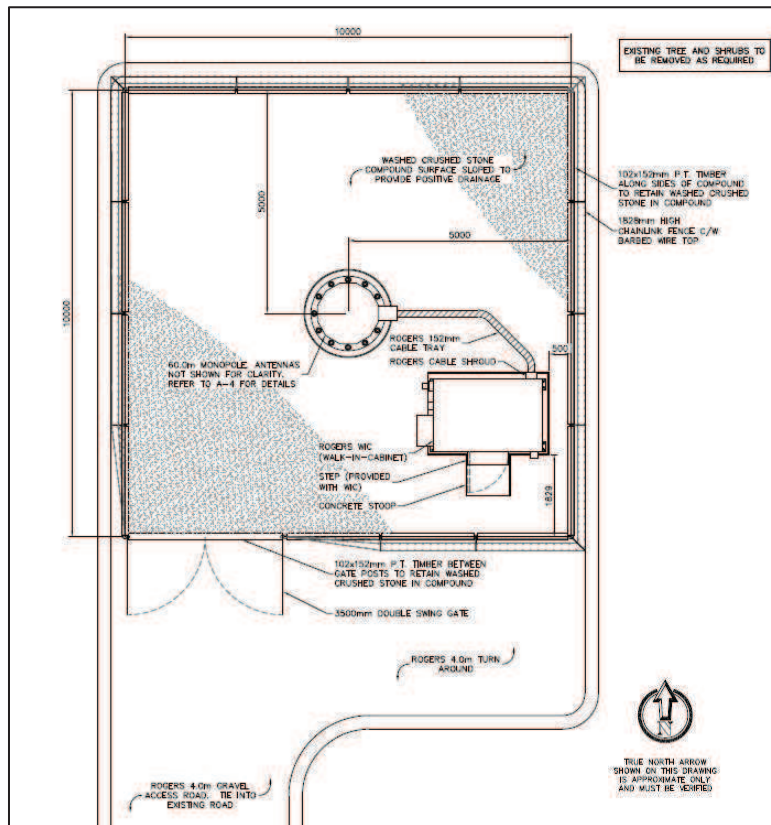
Access to the site will be by Drew Road. The secure site area will not be visible to the public. The property is already fenced and the Rogers compound will include an additional security fence that will be approximately 1.8 metres (6') in height. There will be a locked single access point and a silent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

Site Plan



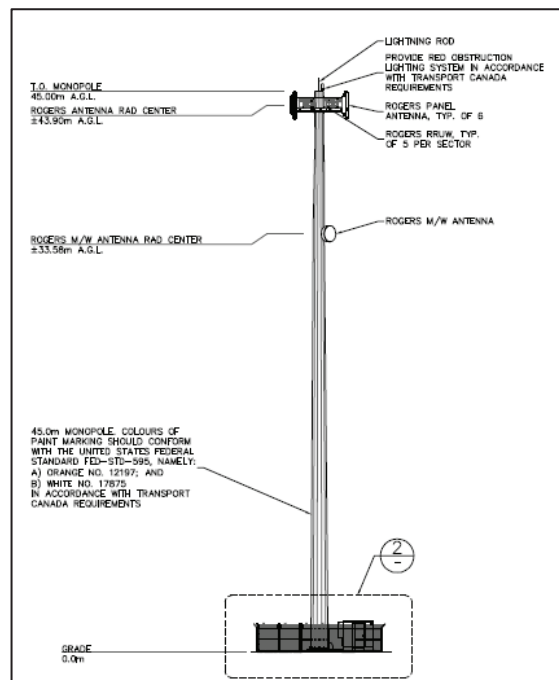
Note: not to scale.

Site Compound Layout



Note: not to scale.

Tower Elevation (South)



Note: not to scale.

What is the consultation and approval process and who is involved?

Industry Canada has the final authority to approve towers under the Radiocommunications Act. However, Industry Canada requires the proponent, in this case Rogers, to follow a community consultation process inviting the community to comment on the proposed tower site.

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

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

How safe is this tower?

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

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

Base stations, like this tower site, operate at a very low power. Typically, the maximum power density levels from tower structures over 30 metres are less than one percent (1%) of Health Canada's Safety Code 6 government safety standard at ground level. The power would be similar to that of a computer monitor or light bulb operating in a household when measured at ground level.

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

Health Canada's Safety Code 6 Compliance

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

Canadian Environmental Assessment Act

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

Engineering Practices

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

Transport Canada's Aeronautical Obstruction Marking Requirements

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

Where can I go for more information?

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

Telecommunication Systems

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

Public Consultation Guidelines

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

Safety Code 6

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

Vancouver Coastal Health

www.vch.ca/about_us/news/concerns_about_cell_phone_tower_radiation_addressed

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

Canadian Wireless Telecommunications Association

<http://www.cwta.ca>

BC Centre for Disease Control

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

RFCOM – University of Ottawa

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

Your role

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

Regional District of Nanaimo

Rogers has pre-consulted with the Regional District of Nanaimo to discuss appropriate site options and address any engineering challenges, such as gas lines, sewers, and upcoming projects, which could impact on the site positioning. Following consultation with the community, we will be sharing your feedback with the Regional District of Nanaimo.

Industry Canada

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

Land Use Consultant

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

Contact Information

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

Rogers Communications Inc.

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

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

Regional District of Nanaimo

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

Industry Canada

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

Appendix B: List of Recipients

Joseph G Luterbach
895 Drew Road
Parksville BC V9P 1X2

Rudolph H Byrtus
1318 Lanyon Drive
Parksville BC V9P 1W6

Michael James Simpson
Anne Claire Panichelli
872 Drew Road
Parksville BC V9P 1X2

Peter Boyd Dunfield
Po Box 1812 Stn Main
Parksville BC V9P 2H6

Owner and/ or Occupant
1344 Lanyon Drive
Parksville BC

Susan Jane McKillop
828 Kazan Avenue
Parksville BC V9P 2L9

Regional District of Nanaimo
Board of Directors
6300 Hammond Bay Road
Nanaimo BC V9T 6N2

Appendix 2: Newspaper Notice

TOLL FREE 1-855-310.3535

bcclassified.com

fax 250.248.4655 email classified@pqbnews.com

\$2998 SELL YOUR STUFF!
Private Party Merchandise Ad
1" PHOTO + 5 LINES
(99¢ extra lines) Runs till it sells, up to 8 weeks!

Choose any:

2 Black Press Community Newspapers!

Add any other paper for only \$9.99 each +tax

BONUS!
We will upload your ad to

UsedPQB.com

FREE!
Ask us for more info.

LEADER PICTORIAL **Gazette Chronicle** **THE PARKSVILLE QUALICUM BEACH NEWS** **ALBERNI VALLEY NEWS** **BULLETIN** **NEWS** **COMOX VALLEY RECORD** **CAMPBELL RIVER MIRROR** **GAZETTE**

Parksville Qualicum News

Deadlines:

Tuesday Edition
Word Ads: Thursday 5 pm
Display Ads: Thursday 5 pm

Friday Edition

Word Ads: Tuesday 1 pm
Display Ads: Tuesday 10:30 am

MAJOR CATEGORIES IN ORDER OF APPEARANCE
FAMILY ANNOUNCEMENTS
COMMUNITY ANNOUNCEMENTS
TRAVEL
CHILDREN EMPLOYMENT
PERSONAL SERVICES
BUSINESS SERVICES
PETS & LIVESTOCK
MERCHANDISE FOR SALE
REAL ESTATE
RENTALS
AUTOMOTIVE
MARINE

AGREEMENT

It is agreed by any Display or Classified Advertiser requesting space that the liability of the paper in the event of failure to publish an advertisement shall be limited to the amount paid by the advertiser for that portion of the advertising occupied by the incorrect item only and that there shall be no liability in any event beyond the amount paid for such advertisement. The publisher shall not be liable for slight changes or typographical errors that do not lessen the value of an advertisement.
bcclassified.com cannot be responsible for errors after the first day of publication of any advertisement. Notice of errors on the first day should immediately be called to the attention of the Classified Department to be corrected for the following edition. bcclassified.com reserves the right to revise, edit, classify or reject any advertisement and to retain any answers directed to the bcclassified.com Box Reply Service and to repay the customer for the sum paid for the advertisement and box rental.

DISCRIMINATORY LEGISLATION

Advertisers are reminded that Provincial legislation forbids the publication of any advertisement which discriminates against any person because of race, religion, sex, colour, nationality, ancestry or place of origin, or age, unless the condition is justified by a bona fide requirement for the work involved.
COPYRIGHT
Copyright and/or properties subsist in all advertisement and in all other material appearing in this edition of bcclassified.com. Permission to reproduce wholly or in part and in any form whatsoever, particularly by a photographic or offset process in a publication must be obtained in writing from the publisher. Any unauthorized reproduction will be subject to recourse in law.

Advertise across Vancouver Island in the 17 best-read community newspapers.

ON THE WEB:

bcclassified.com



FAMILY ANNOUNCEMENTS

DEATHS

Dawson, Douglas Hart
May 19, 1938 - April 14, 2013



Douglas Hart Dawson (May 19, 1938 - April 14, 2013) Doug passed away peacefully at Victoria Hospice, after a very long and brave battle with Parkinson's Disease. Doug was predeceased by his loving wife of 46 years, Louise, his parents Richard and Christine, brothers Richard and Alan, and sister Pearl. He is survived by children Cathy (Doug) of Victoria, BC and Kevin (Pam) of Rigaud, QC and his grandson Sam of Rigaud, QC. He will be missed by many friends in Hudson, QC and Parksville, BC, colleagues and business acquaintances worldwide as well as extended family in Ontario, Manitoba, Alberta, BC, and England. A special thanks to Doug's friend Bill who visited him every week. Many thanks and big hugs to the staff at Halliday House (Catherine, Caroline(s), Gayla, Jennifer, Jessica, Judith, Irene, Millie, Sue, Wendy) who loved and cared for Doug. Held his hand, comforted him, and gave him dignity. They were like family to him and he adored them with all his heart. And finally, to all the nurses and doctors at NRGH and those at Victoria Hospice who cared for him in the end. In lieu of flowers, please make a donation in Doug's name to Halliday House.
Address: 188 McCarter Street, Parksville, BC, V9p 2G6. A celebration of life will take place at Halliday House on Saturday, April 20 at 12:30pm.

FAMILY ANNOUNCEMENTS

DEATHS

Happy Birthday to Lil' Darlin' Andrea
Lots of Love from Keep Kissing



PLACES OF WORSHIP

QUALICUM BAPTIST CHURCH

600 Beach Road
Qualicum Beach

WORSHIP SUNDAYS 10:30

"DESTRUCTIVE DOCTRINES"
(PETER 2:1-3)



God still heals and is the kindest person you'll ever meet!

Join us on Sundays 6:30pm

At the Salvation Army Church on the Alberni Highway, near the Rod & Gun.

All welcome! More info at:
www.jerichoroad-church.com

FAMILY ANNOUNCEMENTS

CELEBRATIONS

RONALD McDONALD HOUSE BC
Help Tomorrow's Families Today—leave a gift in your will.
legacy@rmhbc.ca

COMMUNITY ANNOUNCEMENTS

COMING EVENTS

BRADLEY CENTRE Members & guests. Pancake Breakfast April 21, 2013. 8:30-11:30 am

CALL FOR ENTRIES 11TH ANNUAL

Kithy Coleman Woodland Art & Bloom Festival. Fine Art and Quality Crafts Presented in a spectacular outdoor setting. Juried Show. May 18, 19, 20 Applications for Artists are available at woodlandgardens.ca 250-338-6901

LOOKING FOR Artisans for the Parksville Beach Festival's Art in the Park event July 27 & 28 (11am-5pm). \$50 for 2 days or \$30 for 1. Register online at www.parksvillebeachfest.ca

INFORMATION

DID YOU KNOW? BBB is a not-for-profit organization committed to building relationships of trust in the marketplace. Look for the 2013 BBB Accredited Business Directory Edition on your Black Press Community Newspaper website at www.blackpress.ca. You can also go to <http://vi.bbb.org/directory/> and click on the 2013 BBB Accredited Business Directory

IF YOU WANT TO DRINK STOP your business. Want to STOP, we can help. Alcoholics Anonymous. 1-800-883-3968

WE'RE ON THE WEB

bcclassified.com

FAMILY ANNOUNCEMENTS

IN MEMORIAM/GIFTS

Your gift to the **Heart and Stroke Foundation** will help support life saving research and education in heart disease and stroke.
To donate in Memory or In Honour:
www.heartandstroke.bc.ca
Tel: 250-754-5274
Mail to:
PO Box 730,
Parksville, BC V9P 2G8



WELCOME WAGON
SINCE 1930
NEW to the area? Call for your **FREE** package of info, gifts & greetings.
Bev: 250-248-4720 PV
Ann: 250-248-3390 QB
Pat: 250-248-7119 PV
The most Famous Baskets in the World!
www.welcomewagon.ca

LOST AND FOUND

FOUND: KEYS: 6 keys with 4 distinguishing jobs on it. Call Community Policing Office at (250)752-2949 to claim.

LOST: DARK brown leather wallet on Sat. April 6th, between the News and Cha Cha Java Coffee house. If found please call 250-739-3311



LOST SINCE March 1st, from Dingo Rd, Coombs. My name is Lexx. I have a tattoo in my right ear with the numbers WC2S, and I am neutered. If you see me, please call: 250-248-5095 or the Mid-Isle Veterinary Hospital: 250-752-8969

TRAVEL

GETAWAYS

LONG BEACH - Ucluelet - Deluxe waterfront cabin, sleeps 6. BBQ. Spring Special. 2 nights \$239 or 3 nights \$299. Pets Ok. Rick 604-306-0891

YOUR COMMUNITY, YOUR CLASSIFIEDS
bcclassified.com
1-855-310-3535

LEGALS

PROPOSED ROGERS TELECOMMUNICATIONS FACILITY 45 METRE MONOPOLE STRUCTURE

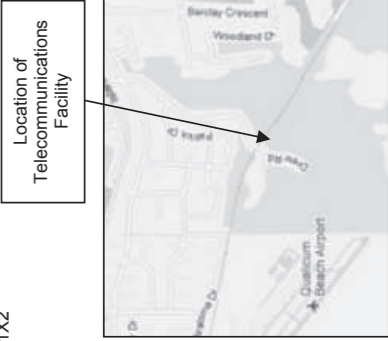
PROPOSED STRUCTURE: As part of the public consultation process required by Industry Canada, Rogers is inviting the public to comment on a proposed telecommunications facility consisting of a 45 metre monopole tower and ancillary radio equipment.

LOCATION: 891 Drew Road, Parksville, BC V9p 1X2 (PID: 007-561-547).

COORDINATES: Lat: 49° 20' 21.15", Long: -124° 22' 52.61"

ANY PERSON may comment by close of business day on May 25, 2013 with respect to this matter.

ROGERS CONTACT: Further information can be obtained by contacting Kiersten Enemark Standard Land Company Inc. Agents for Rogers Suite 610 - 688 West Hastings Street Vancouver, BC V6B 1P1
Tel: 1 (877) 687-1102
Fax: (604) 687-1339
Email: commentsbc@standardland.com



LEGALS



Veronica "Ronnie" Joan Connor
Oct 11th 1922 - April 13th 2013

Ronnie passed away peacefully at the palliative care facility in Nanaimo in her 91st year. Predeceased by her husband, Jack; brother, John; and sister, Sheila. She is survived by her sister, Mary. Dearly beloved by her son, Paul (Gillian) Connor (Cydney), and granddaughter, Jacquie (Patrick) Hole. Whether in Bomber Command in the WAAF or in post-war Palestine where she met her husband Jack, or later as a secretary/bookkeeper, Ronnie always had class and fashionable poise, balancing hard work with fun and laughter.

Ronnie and Jack retired to Qualicum from England in 1988 and enjoyed their family, golf, bridge and friends until Jack was cruelly affected by a stroke. Ronnie then became a leader in the Stroke Recovery Club until Jack's death in 2005. Unfortunately she too suffered a stroke in the same year and regardless of her struggles she remained at home at the Gardens and took great comfort in her family, friends and caregivers.

The family would like to thank the staff at Halliday House, the Gardens, and particularly Mary, Joan, Angela, Terry and Dorene for their love and support.
A Funeral Mass will be held at the Catholic Church of the Ascension, 887 Wembley Road, Parksville on Friday April 26th at 1:00 pm. Reception to follow.

In lieu of flowers, please consider a donation in Ronnie's memory to the local stroke recovery club.
To send a condolence to the family please visit www.yatesfuneral.ca

YATES FUNERAL SERVICE & CREMATORIUM
(250-248-5859) in care of arrangements.

Appendix 3: Site Selection Map

RDN Water Works & Tank
No willing Landlord

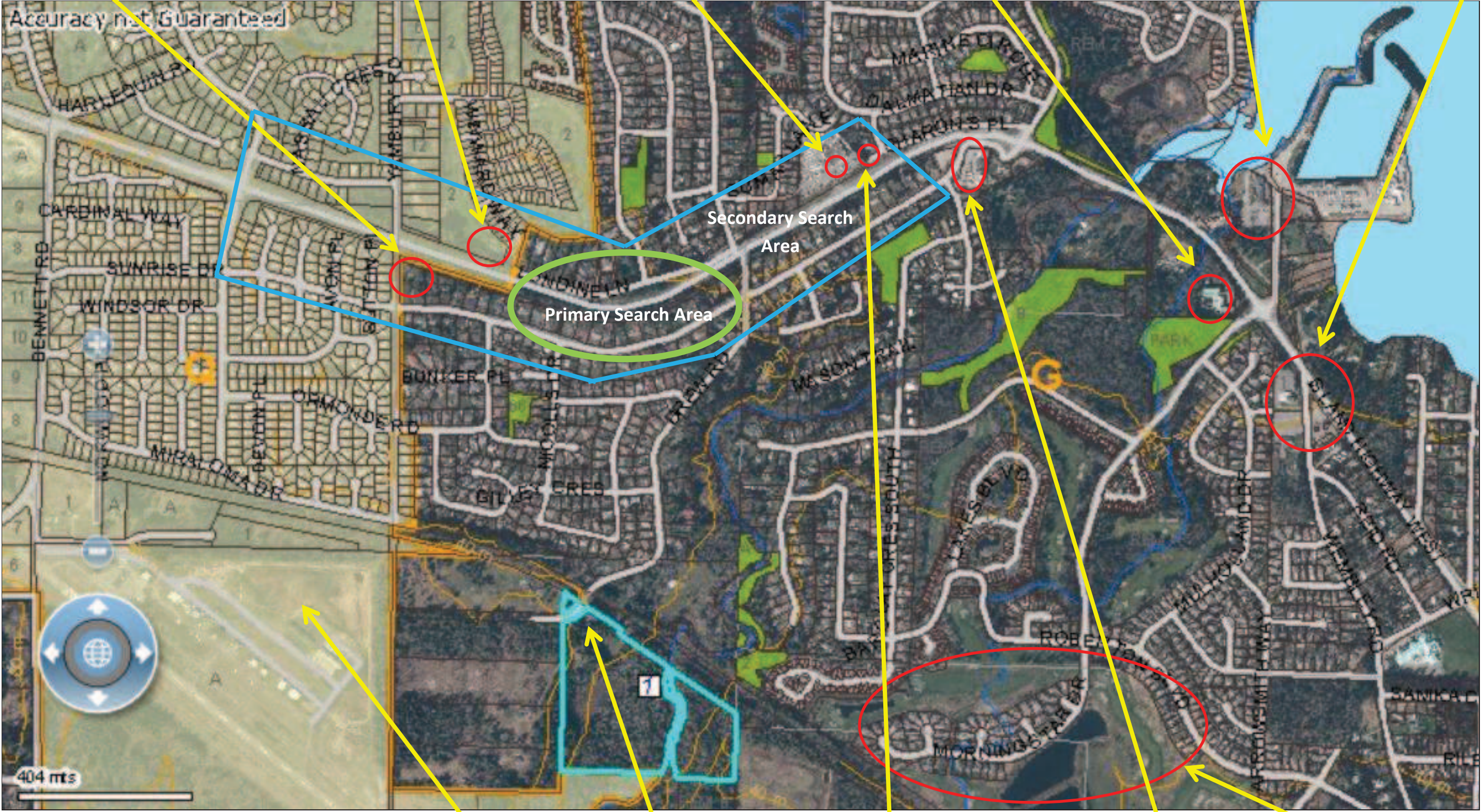
Edge of Eaglecrest Golf Club
Access Issues & Impact to Golf Club

Commercial Property
No willing Landlord

Sewage Treatment Facility
Will not provide coverage requirements

Harbour Authority
Will not provide coverage requirements.

Church Properties
Will not provide coverage requirements.



Site Selection Process
(Rogers file W3030)

Airport
No willing Landlord

Proposed Site Location

Church
No willing Landlord

Windsor Lumber
No willing Landlord

Morningstar Golf Club
Out of Search Area

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

Response to Notification Tracking Report French Creek W3030							
Name of Resident	Contact Information	Message Received	E-mail, Letter or Voice Message	Comment or Question	Areas for Response	Response to Comment or Question	Response sent to Resident (date)
Bolton Household	1334 Lanyon Drive Parksville, BC V9P 1W6	26-Apr-13	Letter	Please see original letter document. Summary: 1. Opposed to proposal; 2. Low pollution/ clean/ organic lifestyle; 3. Alternative locations, reasoning for not using alternative properties; 4. Other sites need to be examined - list of suggested properties. 5. Health concerns; 6. Tree screening may not be indefinite; 7. Property values negatively affected; 8. Wireless towers inappropriate in rural setting; 9. Residents within 200 metres of towers should be received compensation; 10. Present and future agricultural uses need to be addressed; 11. Mental health affected.	- Visibility; - Alternative locations; - Health and Safety.	Response letter to all comments and concerns was provided, including explanation and map of all acquisition efforts for suggested list (see Appendix 3: Site Selection Map). Questions and Answers Sheet and Visibility Study mailed.	8-May-13 28-Jun-13
Mike Simpson	mikonttransport@hotmail.com	13-May-13	Phonecall	Alternative Locations.	- Alternative Locations.	SLC to provide further information and research. Questions and Answers Sheet and Visibility Study mailed.	14-May-13 (Email) 28-Jun-13
(As above)	822 Drew Road Parksville, BC mikonttransport@hotmail.com	11-Jun-13 (2nd contact)	Comments Sheet	See original comments sheet. Summary: Currently happy with service. Tower should not be in a 'neighbourhood'. Put somewhere else, not in favour of tower.	- Alternative Locations. - Residential Location.	As above.	
Hugh and Juliann Sinnott	882 Drew Road Parksville, BC V9P 1X2	15-May-13	Email	Please see original email document. Summary: 1. Opposition to proposal; 2. 90m from front door, towering 25m above the trees; 3. Painted red and white, this will light up the area at night; 4. Residential Country area; 5. Devaluation of property value; 6. Natural area diminished; 7. Photo sim does not show the tower realistically.	- Visibility; - Paint and light; - Photo sim does not display the tower correctly.	Questions and Answers Sheet and Visibility Study mailed.	28-Jun-13
Rod Campbell	Greenwood Way, Parksville	16-May-13	Phone call	In support of a tower. He would like to see improved service.		Supportive due to increase in service.	
Elizabeth Senior	at 873 Lake Boulevard	16-May-13	Phone call	In support of a tower. She would like to see improved service.		Supportive due to increase in service.	
Hugh Ashworth	879 Drew Road Parksville, BC V9P 1X2	17-May-13	Comments Sheet	See original comments sheet. Currently happy with wireless service. Not an appropriate location. Move to a more remote location. Antenna is within 80 ft of property. On ALR land.	- Visibility; - Location; - ALR land.	Questions and Answers Sheet and Visibility Study mailed.	28-Jun-13

Philip and Cheryl Dunn & Richard and Carol Stanhope.	878 Drew Road & 846 Drew Road	26-May-13	Letter	See original letter. Summary: 1. Opposed to proposal; 2. The previous location suggested was in a residential area, this proposal is still in a residential area. 3. Compensation within the immediate distance of the tower, due to property values being decreased; 4. This tower could expand; 5. Health concerns; 6. Trees that are shown on photo sim could be removed by owner and create more visibility.	- Visibility; - Residential area (no better than previous proposal); - Health and Safety; - Property Values.	Responded to concerns and questions, addressing: proximity to residents; health and safety and monopole with smallest footprint. Questions and Answers Sheet and Visibility Study mailed.	30-May-13 28-Jun-13
Michael Jessen	1266 Jukes Place Parksville, BC V9P 1W5	22-May-13	Comments Sheet	See original comments sheet. Currently happy with wireless service (use phone only in emergencies). Seems a strange location with 'dense demand' only on one side of tower. Not really opposed (but could have a negative effect on property value). Neither 'for' nor 'against' appearance of proposed tower. Could there distribution technologies, in the midst of dense housing. Could be a sales feature when selling house (unclear: service?).	- Could be placed amongst more dense population. - Note: unclear as to whether any questions are posed that require answer.	Questions and Answers Sheet and Visibility Study mailed.	28-Jun-13
Erica Mustard	1114 Wellington Drive Parksville, BC	28-May-13	Phonecall	In support of tower as would provide better service for business.	Supportive due to increase in service.	Phonecall conversation took place. Questions and Answers Sheet and Visibility Study mailed.	24-May-13 28-Jun-13

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



QUESTIONS & ANSWERS

Proposed Telecommunications Tower 891 Drew Road, Parksville

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

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

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

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

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

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

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

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

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

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

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

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



Is this tower going to lower my property value?

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

What other tower locations have Rogers considered?

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

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

Should the community be concerned about health?

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

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

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

What can the community do now?

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





View 1 – Facing West from Drew Road

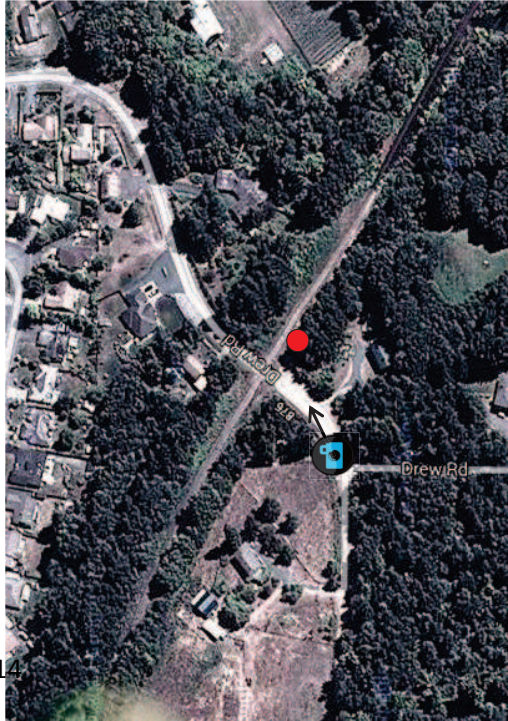


Legend
● = Tower Location



View 2 – View Northwest from Drew Road

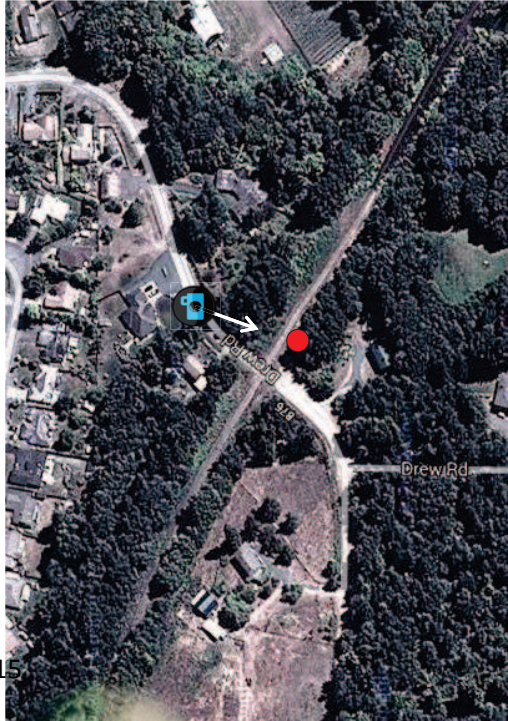
11



Legend
● = Tower Location



View 3 – View South from Drew Road



Legend
● = Tower Location



View 4 – View Southwest from Drew Road



Legend
● = Tower Location



View 5 – View South from Drew Road

11



Legend
● = Tower Location



View 6 – View South from Drew Road

11

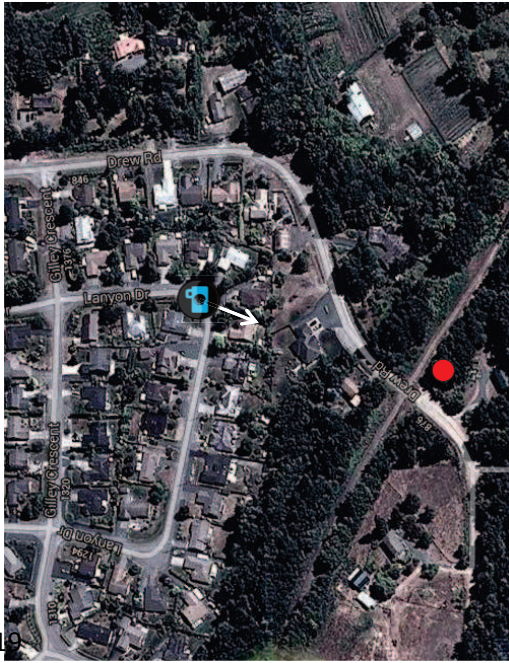


Legend
● = Tower Location



View 7 – View Southwest from Lanyon Drive

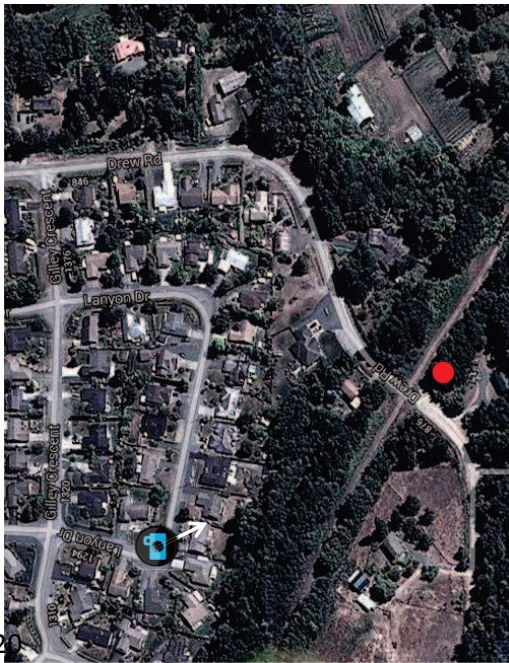
11



Legend
● = Tower Location



View 8 – View Southeast from Lanyon Drive

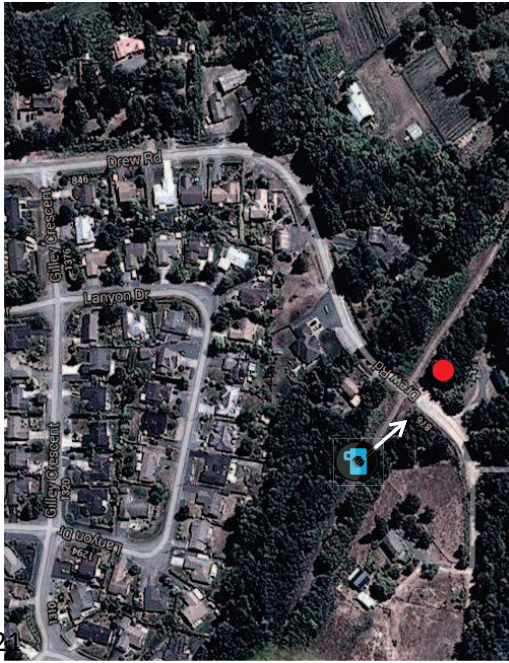


Legend
● = Tower Location



View 9 – View Southeast from railway

12

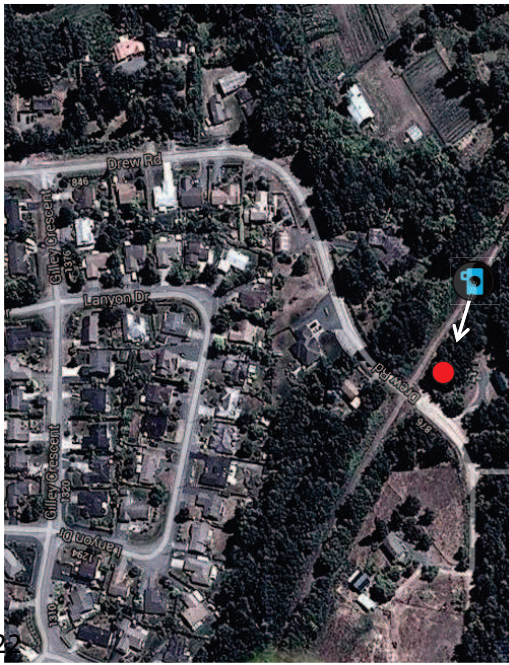


Legend
● = Tower Location



View 10 – View Southwest from railway

12



Legend
● = Tower Location

Appendix 6: Sample Resolution

Resolution

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED THAT:

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

**Attachment 3
Public Submissions and Applicant's Response**

To: K. ENEMARK



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

We use flip phone primarily for emergency use and while travelling

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

Yes No

If not, what change do you suggest:

Seems very strange location with "dense" demand only on one side of tower

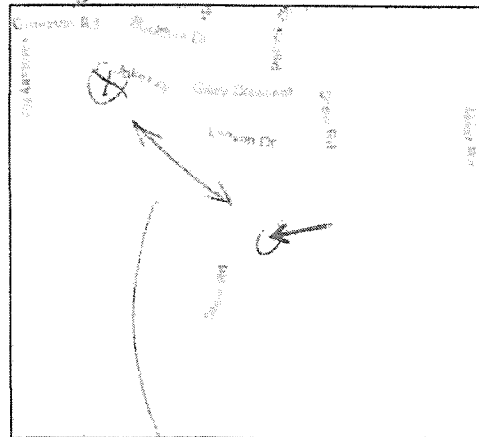
3. Are you satisfied with the proposed appearance / design of the proposed tower?

Yes No

If not, what change do you suggest:

Appearance not a problem for us but we recognize it could negatively affect value properties near the tower. One would think there are better locations for the tower or other distribution technologies that could be placed in midst of denser housing.

Name: MICHAEL JESSEN
Address: 1266 JUKES RD
PARKSVILLE V8P1W5
Telephone: 250-752-4579
Email: _____

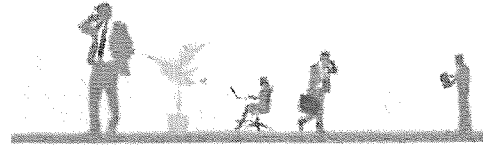


Could be a sales feature when we come to sell our house.

Thank you.

422 m.

MAY 15/2013



To: K. ENR. MARK



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

We use flip phone primarily for emergency use and while travelling

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

Yes No

If not, what change do you suggest:

Seems very strange location with "dense" demand only on one side of tower

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

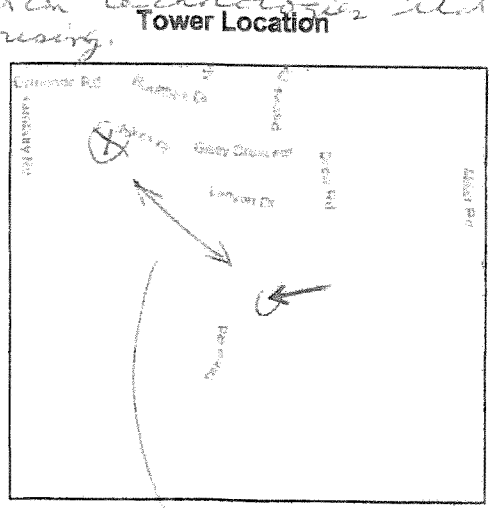
Yes No

If not, what change do you suggest:

Appearance not a problem for us but we recognize it could negatively affect value properties near the tower. One would think there are better locations for the tower or other distribution technologies that could be placed in midst of denser housing.

4. Other Comments:

Name: MICHAEL JESSEN
Address: 1266 JUKES Rd
PARKSVILLE V8P 1W5
Telephone: 250-752-4579
Email: _____

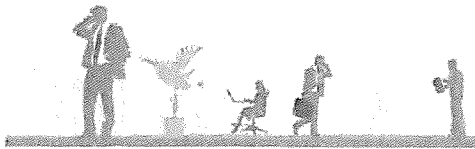


422 m.

Could be a sales feature when we come to sell our house.

Thank you.

MAY 15/2013



Brown, Tyler

From: Kiersten Enemark
Sent: Tuesday, May 28, 2013 11:24 AM
To: CommentsBC
Subject: W3030 - French Creek: Call

Please note in our tracking sheet that I spoke to Erica Mustard of 1114 Wellington Drive who has a business and is in support of the tower that would be providing better wireless service.

Kiersten Enemark

Director, Land and Municipal Affairs

Standard Land Company Inc.

Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1

T: 604.687.1119 | F: 604.687.1339 | C: 778.991.4633 | TF: 1.866.858.1116

E: kierstene@standardland.com Website: www.standardland.com

Disclaimer: The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you received this in error, please contact the sender and delete or destroy this message and any copies.



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

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

Yes No

If not, what change do you suggest:

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

Yes No

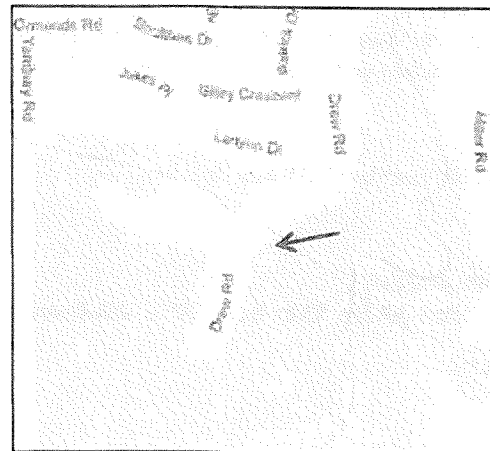
If not, what change do you suggest:

4. Other Comments:

THIS ANTENNA is within 80 ft of our property. This Area is in the ALR.

Tower Location

Name: HUGH ASHWORTH
Address: 879 DREW ROAD
PARKSVILLE, V9P1X2
Telephone: 250-752-0889
Email: hasth1@yahoo.ca



Thank you.



Brown, Tyler

From: Kiersten Enemark
Sent: Thursday, May 09, 2013 3:03 PM
To: hasr1@yahoo.com
Cc: CommentsBC; Peter Leathley
Subject: Community Consultation, Proposed Rogers Tower

Hello Mr. and Mrs. Ashworth,

I just wanted to reach out to let you know that the issues that were brought up last night we would like to circle back with the Radio Frequency Engineering team and see what options there may be. I have listed some of the issues, and just wanted to check with you to see if there's anything else that should be addressed? In your meeting with your neighbours with the petition, were there any other issues of concern or interest?

Questions from the Community

1. What can Rogers do to reposition the tower to provide a greater distance to the residential properties?
2. Can Rogers use the BC Hydro transmission towers to the south instead of building a new tower?
3. What would be the level of EMF energy to the closest residential property?
4. Would there be lower EMF emissions with two smaller towers instead of one tall tower?
5. What about property values?
6. What is the purpose of the proposed Rogers tower? How exactly is it going to benefit the French Creek community?

I appreciate your help, and hope to have some for definite answers next week. In the meantime, if you have any questions or issues, please don't hesitate to contact me.

Regards,

Kiersten Enemark
Standard Land Company Inc.
Agent to Rogers Communications Inc.

Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | C: 778.991.4633 | TF: 1.866.858.1116
E: kierstene@standardland.com Website: www.standardland.com

Disclaimer: The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you received this in error, please contact the sender and delete or destroy this message and any copies.



QUESTIONNAIRE & INPUT FORM

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

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

Yes No If no, what areas require improved service?

MY PHONE WORKS FINE / IM NOT A ROGERS CUSTOMER

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

Yes No

If not, what change do you suggest:

WHY NOT PUT IT SOMEWHERE THATS NOT NEAR A NEIGHBOURHOOD

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

Yes No

If not, what change do you suggest:

NOT AT ALL! IT NEEDS TO GO SOMEWHERE ELSE.

4. Other Comments:

I HAVE TALKED TO MY NEIGHBOURS ON DREW RD AND WERE NOT INTERESTED IN HAVING YOUR TOWER HERE AT ALL!

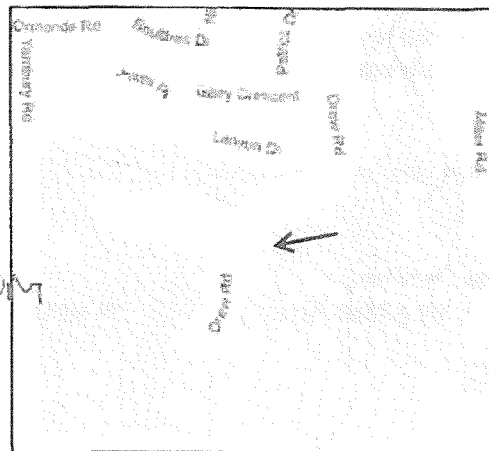
Name: MIKE SIMPSON

Address: 892 DREW RD

PARKSVILLE BC

Telephone: 250-616-7647

Email: MIKONTRANSPORT@HOTMAIL.COM



Thank you.



Brown, Tyler

From: Kiersten Enemark
Sent: Tuesday, May 14, 2013 12:15 PM
To: mikontransport@hotmail.com
Cc: CommentsBC
Subject: Proposed Rogers Tower, Drew Road (W3030 - French Creek)

Hi Mike,

Thank you for your call yesterday. Please know following our meeting last week, we have circled back to the Rogers Radio Frequency engineers to investigate alternative locations for the Rogers equipment, as well as respond to the other questions we received during the residents meeting on May 8th. We hope to have additional information available in the next week or so. I'll be sure to keep you informed.

Regards,

Kiersten Enemark
Standard Land Company Inc.
Agent to Rogers

Suite 610, 688 West Hastings Street | Vancouver, BC V6B 1P1
T: 604.687.1119 | F: 604.687.1339 | C: 778.991.4633 | TF: 1.866.858.1116
E: kierstene@standardland.com Website: www.standardland.com

Disclaimer: The information transmitted is intended only for the addressee and may contain confidential, proprietary and/or privileged material. Any unauthorized review, distribution or other use of or the taking of any action in reliance upon this information is prohibited. If you received this in error, please contact the sender and delete or destroy this message and any copies.

Brown, Tyler

From: hjsinnott@shaw.ca
Sent: Wednesday, May 15, 2013 4:23 PM
To: CommentsBC
Subject: proposed wireless communication installation #W3030

To whom it may concern

This e-mail is to put on record my absolute 100% opposition to the wireless communication tower proposed to be erected at 891 Drew Rd . Parksville BC V9P 1X2 (Rogers site W3030)

This tower will be approximately 90m from my front door and will be the first thing one sees towering some 25m above the 20m tall trees.It will be painted red and white due to its proximity to the air port ,so will be a blight on the natural property surrounding this residential country area .At night the nightmare will be even worse as the flashing red lights on the tower will reflect and shine into our front windows,which are our bedroom and main living room, with no let up .The real or perceived health hazards are not an issue with us but combined with the aforementioned issues, there is a definite devaluation of our property which, while hard to estimate ,will very obviously be negative ,which I consider highly unfair.

To understand what is being proposed I have been and looked at other similar towers and at night ,especially,the continuously flashing light is very intrusive,as well as in day time, the top of the tower is more than I want to see towering above the tree line so close to residences. My wife and I along with our neighbours moved to this area as it was still in much of its natural state and to have that diminished by such an intrusive item, with us having no other choice but to move, is unfair to say the least .This is one of those times where" The cure is worse than the disease" It is not necessary to have EVERY area with perfect wireless reception as there are other ways of curing this problem for those who have an issue with it .Finally I must comment on the information sheet Rogers put out .On the page titled "**What will the site look like**" I find it bordering on insulting as the people immediately affected ,to which this info was sent,all commented saying does Rogers really think we are that stupid when we see the photograph for illustration was taken way back down Drew Rd and around the first bend.OF COURSE IT LOOKS SMALL AND UNOBTRUSIVE FROM THAT DISTANT VANTAGE POINT.

While I am not sure how to stop this process without resorting to lawyers my hope is that those who do make these decisions will look hard at what detrimental effect this will have on the immediate area and find another solution.

Yours sincerely

Hugh and Juliann Sinnott
882 Drew Rd
Parksville V9P1X2
250-594-8822

Brown, Tyler

From: Kiersten Enemark
Sent: Wednesday, May 15, 2013 4:32 PM
To: 'hjsinnott@shaw.ca'; CommentsBC
Subject: RE: proposed wireless communication installation #W3030

Dear Hugh and Juliann,

Thank you for taking the time to forward your comments regarding the proposed telecommunications tower located at 891 Drew Road, Parksville.

We would like to provide you a full response after taking the time to consider all your points. Please know we are investigating alternative tower locations both on the property as well as on other properties in order to address concerns we're received regarding visibility from you and others in the neighborhood.

We appreciate your feedback and hope to fully address your issues and concerns shortly.

Regards,

Kiersten Enemark
Standard Land Company
Agent to Rogers

From: hjsinnott@shaw.ca [<mailto:hjsinnott@shaw.ca>]
Sent: Wednesday, May 15, 2013 4:23 PM
To: CommentsBC
Subject: proposed wireless communication installation #W3030

To whom it may concern

This e-mail is to put on record my absolute 100% opposition to the wireless communication tower proposed to be erected at 891 Drew Rd . Parksville BC V9P 1X2 (Rogers site W3030)

This tower will be approximately 90m from my front door and will be the first thing one sees towering some 25m above the 20m tall trees.It will be painted red and white due to its proximity to the air port ,so will be a blight on the natural property surrounding this residential country area .At night the nightmare will be even worse as the flashing red lights on the tower will reflect and shine into our front windows,which are our bedroom and main living room, with no let up .The real or perceived health hazards are not an issue with us but combined with the aforementioned issues, there is a definite devaluation of our property which, while hard to estimate ,will very obviously be negative ,which I consider highly unfair.

To understand what is being proposed I have been and looked at other similar towers and at night ,especially,the continuously flashing light is very intrusive,as well as in day time, the top of the tower is more than I want to see towering above the tree line so close to residences. My wife and I along with our neighbours moved to this area as it was still in much of its natural state and to have that diminished by such an intrusive item, with us having no other choice but to move, is unfair to say the least .This is one of those times where "The cure is worse than the disease" It is not necessary to have EVERY area with perfect wireless reception as there are other ways of curing this problem for those who have an issue with it .Finally I must comment on the information sheet Rogers put out .On the page titled "What will the site look like" I find it bordering on insulting as the people immediately affected ,to which this info was sent,all

commented saying does Rogers really think we are that stupid when we see the photograph for illustration was taken way back down Drew Rd and around the first bend.OF COURSE IT LOOKS SMALL AND UNOBTRUSIVE FROM THAT DISTANT VANTAGE POINT.

While I am not sure how to stop this process without resorting to lawyers my hope is that those who do make these decisions will look hard at what detrimental effect this will have on the immediate area and find another solution.

Yours sincerely

Hugh and Juliann Sinnott

882 Drew Rd

Parksville V9P1X2

250-594-8822

April 26th 2013

to: Roger's Communications & "Kiersten Enemark"

cc Industry Canada [1230 Government Street, Victoria BC]



Dear Reviewers of Consultation feedback.

Our Household of Five people, three children/young teens, are submitting a rejection of this proposed Wireless Tower on #891 Drew Road, Parksville BC, Vancouver Island.

We live only two/three properties backyard away from this proposed site, well within the inadequate 135 meters radius, so we are very much affected and shocked at this proposal.

We have established our household and clean organic, low pollution quiet lifestyle here on Lanyon Drive since 1996.

It is important that you read and record our objections and comply wish our rejection and that Roger's strives to find a better site, as suggested in the following lines.

1/ The preamble supplied to us [via Canada post] & Kiersten Enemark/Peter Leathley *fails to disclose the reasons* given by other approached property owners along HWY19A.

This report indicates too that the main user-group[s] of the "needed increase" in wireless transmissions live/work In these properties/businesses.

We would submit that the reasons given but not disclosed to us may apply in principal at the very least to our location and objections here as well.

2/We do not believe that all possible sites closer to HWY19A and growing user-groups have not been fully approached nor exhausted in your attempts to site this tower/need.

Considering from your preamble, that the "RDN [Regional District of Nanaimo] will approve the project", a number of other more suitable sites do exist without effecting nearby established long-residents:

a- Yambury/Sunrise road RDN Property Water Works & Tank structure that is already fenced in and secure and parallels the highway.

b- RDN managed & owned French Creek Sewage treatment facility HWY19A/Lee road, & adjoining acreages

c- Nearby HWY19A Regional Director Area "G" Joe Stanhope's private-acreage

d- Eagle Crest Golf Course near the HWY19A & recent water-works well drillings.

e- Morning Star Golf Course on higher grounds to the west of HWY19A

f-French Creek Harbour Authority & Properties, very close to the anticipated increased user groups.

g- The combined Church Properties on Wembley Road/HWY19A.

3/Our Household *will not benefit* from these services of the proposed wireless tower; we do not use these devices.

4/ Our household has three young people living here, Health issues include the uncertainty of unlimited long term exposure to low-radiation exposure on the human body & nervous system. Combined with other background sources not in our control and relatively recent in all our lives, the accumulation passes the acceptable overall thresholds of safety.

The adults in our household work extensively in personal health care settings, and we witness daily the effects of nervous-system diseases, and *we do not accept the risks* of a wireless tower so close to us. It is unacceptable.

Safety Code "6" is not stringent enough and does not meet the needs of proving the technology as profoundly safe.

5/*There is no guarantee* that the "screening tall trees" will remain in perpetuity nor will be replaced nor increased in numbers, and any covenant that could be proposed are not permanent guarantees either.

6/Our ambience and property values will be forever disturbed.

We already have to tolerate overhead transmission poles/wires in our front yard views and transformer poles, our back yard day& night ambience would be permanently affected to the negative, and we do not want any added night time lighting/flashing in our viewscapes.

We live in a rural/residential setting.

Wireless transmission towers are inappropriate here.

7/All residents within any wireless towers of 200 meters radius *should be receiving* annual compensations and property & health devaluation compensation. This obviously is not happening here?

8/ Detrimental effects on neighboring present and future Agricultural users and the questions surrounding long term exposures to this wireless source are not addressed here. That is not right.

9/ Our mental well being is negatively affected by this proposed Tower.

To sum up, after these brief concise 9-points, this proposed Wireless Tower for 891 Drew Road, Parksville BC V9P 1X2, is unacceptable, and the Roger's /Enemark effort needs to focus on the suggested option-sites as spelled out in line #2 .

The Five [5] occupants of 1334 Lanyon Drive, Parksville BC, V9P1W6, reject & oppose this proposed site.

[with all due respect, please try very hard locating elsewhere, at least 400/500 meters from our residence.]

Peter Bolten
Annette M. Bolten
David Bolten
Heather Bolten
Andrea Bolten.

*Pete Bolte
Annette Bolten*

April 26th 2013

250-738-0519 [unlisted].

n.b. May 02. 2013 = Today we noted that a placement site-marking Balloon is tethered over the proposed site and is clearly very high & imposing beyond the original stated parameters & photo, a shocking sight on the view scope. We very much reject this Tower-proposal.



StandardLand

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

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

May 8, 2013

VIA Email: bolten5@shaw.ca

Peter and Annette Bolten
1334 Lanyon Drive
Parksville, British Columbia
V9P 1W6

Dear Mr. Bolten,

Thank you for participating in the public consultation process in consideration of a telecommunications tower at 891 Drew Road. Please find below answers to your questions.

Question

The preamble supplied to us [via Canada post] & Kiersten Enemark/ Peter Leathley *fails to disclose the reasons* given by other approached property owners along HWY19A. This report indicates too that the main user-group[s] of the "needed increase" in wireless transmissions live/work in these properties/businesses. *We would submit* that the reasons given but not disclosed to us may apply in principal at the very least to our location and objections here as well.

Response

The purpose of the telecommunications tower is to improve wireless service to the commercial areas but also the residential communities located north and south along Highway 1. Rogers Radio Frequency Engineers identify a specific area to locate equipment and determine the height required to improve the network.

In determining an appropriate location, many factors must be considered, including local terrain, interaction with existing radio base stations, line-of-site requirements, land-use criteria, construction viability (i.e. access to power) and the ability to find a property owner who is willing to enter into a long-term agreement.

Rogers approached a number of property owners within the area specified by the RF Engineer to locate the equipment. Unfortunately, an appropriate site was not found in proximity to the highway for a variety of reasons. As a result, Rogers looked further south, away from the highway for an appropriate tower location, preferably away from dense residential neighbourhoods. The proposed location is a result of that investigation.

Question

We do not believe that all possible sites closer to HWY19A and growing user-groups have not been fully approached nor exhausted in your attempts to site this tower/need. Considering from your preamble, that the "RDN [Regional District of Nanaimo] will approve the project", a number of other more suitable sites do exist without effecting nearby established long-residents:

Question

Yambury/Sunrise road RDN Property Water Works & Tank structure that is already fenced in and secure and parallels the highway.

Response

Please know that Rogers did approach the RDN and proposed using the property for the tower. The RDN did not want to pursue an agreement with Rogers for the use of land.

Question

RDN managed & owned French Creek Sewage treatment facility HWY19A/ Lee road, & adjoining acreages

Response

Please know that location is too far east and would only serve a portion of the residential areas. A tower at that location would only partially satisfy Rogers' coverage requirements.

Question

Nearby HWY19A Regional Director Area "G" Joe Stanhope's private-acreage.

Response

We do not know that location.

Question

Eagle Crest Golf Course near the HWY19A & recent water-works well drillings.

Response

Please know that location is too far west. A tower at that location would only partially satisfy Rogers' coverage requirements.

Question

Morning Star Golf Course on higher grounds to the west of HWY19A.

Response

Please know that location is too far southeast and won't provide service to the residential communities to the north of Highway 1. A tower at that location would only partially satisfy Rogers' coverage requirements.

Question

French Creek Harbour Authority & Properties, very close to the anticipated increased user groups.

Response

Please know that location is too far northwest and would not provide adequate service to the residential areas to the southwest. A tower at that location would only partially satisfy Rogers' coverage requirements.

Question

The combined Church Properties on Wembley Road/HWY19A.

Response

Please know Rogers approached the Church and proposed using the property for the tower. The Church did not want to pursue an agreement with Rogers for the use of land

Question

Our Household *will not benefit* from these services of the proposed wireless tower; we do not use these devices.

Response

We acknowledge your comment. While we respect your choice not to use wireless devices, please know half of all phone connections in Canada are now wireless and depend on reliable service.

Question

Our household has three young people living here, Health issues include the uncertainty of unlimited long term exposure to low-radiation exposure on the human body & nervous system. Combined with other background sources not in our control and relatively recent in all our lives, the accumulation passes the acceptable overall thresholds of safety. The adults in our household work extensively in personal health care settings, and we witness daily the effects of nervous-system diseases, and *we do not accept the risks* of a wireless tower so close to us. It is unacceptable. Safety Code "6" is not stringent enough and does not meet the needs of proving the technology as profoundly safe.

Safety Code 6 is based on current, accepted scientific data that sets out restrictions and limits for exposure to all radio frequencies, electric and magnetic field strengths. While the most recent review confirms Health Canada will continue to refer to long-term studies, after a decade of additional research, there is still no conclusive evidence of adverse effects on health at exposure levels below the current Canadian guidelines.

Question

There is no guarantee that the "screening tall trees" will remain in perpetuity nor will be replaced nor increased in numbers, and any covenant that could be proposed are not permanent guarantees either.

Response

We acknowledge your comment. We would also like to point out that most of the tower is screened by the mature trees that line the neighbouring railway corridor. At this time, we are not aware of any plans to development the railway corridor.

Question

Our ambience and property values will be forever disturbed. We already have to tolerate overhead transmission poles/wires in our front yard views and transformer poles, our back yard day& night ambience would be permanently affected to the negative, and we do not want any added night time lighting/flashing in our viewscapes. We live in a rural/residential setting. Wireless transmission towers are inappropriate here.

Response

Please know that as demand for wireless devices grow, telecommunications companies, like Rogers, need to add equipment to meet that demand. As residents use their wireless devices in

their homes on a day-to-day basis, additional service needs to be added in and around residential areas. Rogers has attempted to find a location where the tower will be mostly screened from view due to the buffer of mature trees. In response to your message, Rogers will investigate lighting that will aim upwards, away from the ground, in order to minimize its effects.

With respect to property values, we understand some residents may have concerns. However there are many factors that affect house prices and there has not been a direct correlation - - positively or negatively - - between the location of a tower and property value presence of a tower. Antenna installations are found everywhere across Canada. In fact, in dense urban areas, there are antenna installations in all zones, as the equipment is located in areas where service is required.

Question

All residents within any wireless towers of 200 meters radius *should be receiving* annual compensations and property & health devaluation compensation. This obviously is not happening here?

Response

To confirm, residents will not be receiving compensation for the proposed tower installation.

Question

Detrimental effects on neighboring present and future Agricultural users and the questions surrounding long term exposures to this wireless source are not addressed here. That is not right.

Response

The proposed tower is in the Agricultural Land Reserve. Please know telecommunications equipment is a permitted use providing the area the equipment occupies is less than 100m². Please know the proposed tower is in compliance with the ALR regulation. It is not unusual to find a telecommunication tower on agricultural lands across Canada.

Question

Our mental wellbeing is negatively affected by this proposed Tower.

Response

We are sorry you feel that your mental wellbeing is being negatively affected by the tower.

Following Industry Canada's consultation process, please know we welcome any additional comments for a further 21 days from receiving this response. Please know your letter will be shared with the Regional District of Nanaimo and Industry Canada as part of the consultation process.

Sincerely,
Standard Land Company Inc.
Agents for Rogers.



Kiersten Enemark
Director, Land and Municipal Affairs (BC)

Cc: Peter Leathley, Municipal Affairs Specialist (BC), Rogers Communications Inc. Network Implementation West

May 26, 2013

Rogers Communications Inc.
c/o Standard Land Company Inc.
610 – 688 West Hastings Street
Vancouver, BC V6R 1P1

Attention: Kiersten Enemark

This letter is to put on record our absolute opposition to the wireless communication tower proposed to be erected at 891 Drew Road, Parksville, BC (Rogers site W3030).

The first proposed site for your communication tower was rejected in Qualicum Beach because it would be in a residential area. Therefore, as you drove down Drew Road to your proposed site at 891 Drew Road, did you not notice that there are residential homes here? This IS a residential area!!!! Can you explain to us what the difference is between the residential area that was not suitable for the tower in Qualicum Beach versus our residential area where you have proposed a new site?

Are you prepared to compensate everyone within the distance of the tower? All of our homes and property values are going to decrease immensely. As it stands now your tower is going to be standing above all our properties with red lights flashing 24/7.

There is no guarantee that this tower will not expand, and the residents of French Creek do not want this tower reserected in the area at your proposed site. As well health hazards from a wireless communication tower are as yet unknown and could be hazardous. Our area has older people living here as well as young children.

The trees you photographed are not on the site of the proposed tower. If those trees were to be removed by the owner, the tower will be in full view.

We strongly suggest that you re examine this site and find an appropriate site that does not affect any residential properties. We propose that you find another site for your communication tower.

Thank you

Philip & Cheryl Dunn
878 Drew Road
Parksville, BC

and

Richard & Carol Stanhope
846 Drew Road
Parksville, BC

cc: Industry Canada
Vancouver Island District Office
1230 Government Street
Victoria, BC V8W 3M4

cc: Regional District of Nanaimo
Current Planning Department
6300 Hammond Bay Road
Nanaimo, BC V9T 6N2

Health Concerns About Cellular Phone Transmission Antennae and Base Stations

In 2005, in response to community concerns and after reviewing the evidence, the Vancouver Coastal Health Chief Medical Health Officer concluded that the installation of cellular antennae in the community did not create health risks for the public, and that Health Canada's Safety Code 6 provided an appropriate level of protection. At that time, the Chief Medical Health Officer also committed to undertake periodic reviews of the evidence and to provide public updates as necessary. The Chief Medical Health Officer provides the following updated evidence review and associated conclusions:

Background on Cellular Transmission Technology

The original cellular (analog) technology uses the radiofrequency part of the electromagnetic spectrum between 800-900 MHz (near the FM/TV, AM Radio bands and cordless telephone frequencies). The newer digital technology uses the frequency bands of 800-900 MHz and 1800-2200 MHz and relies on antennae of significantly less power than the analog system, emitting significantly lower radiofrequency (RF) radiation. Cellular communication operates through a network of base stations that transmits and receives signals. The area covered by a base station is called a cell – giving rise to the name cell phone. The number of base stations (cells) in an area varies, depending on the concentration of cell phone users. For example, compared to smaller communities, the number of base stations is greater in populated urban centres, with many cell phone users. Each base station consists of signal processing equipment, power supply, and one or more antennae. The antennae are the most visible parts of base stations. However, a network of many lower powered based stations may result in lower levels of RF radiation exposure to the public compared to a network that uses a few higher powered base stations covering the same area. This is because the power required to communicate between a cell phone and base station increases as the distance between the cell phone and the base station increases.

To meet the demand for service, increasing numbers of cellular base stations have been installed across the country. However, it is not easy for the public to access information on the number, types, and locations of cellular base stations in their community. This difficulty has contributed to public concerns regarding potential harm from these installations.

Health Risks

The study of RF radiation and its possible effect on health is growing steadily. Since the last report in 2005, reviews from recognized scientific organizations include the International Commission on Non-Ionizing Radiation Protection (ICNIRP) 2009 Review, the European Commission Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR) 2009 Review, the Swedish Radiation Safety Authority, SSM, Independent Expert Group on Electromagnetic Fields 2009 Report, and the Health Canada Safety Code 6 revised in 2009. The scientific consensus remains unchanged: radiation from cellular base stations is far too low to cause adverse health effects in the community. The current Canadian (Safety Code 6 revised 2009) and international standards such as ICNIRP provide significant safety margins for public exposure to RF.

Conclusions At A Glance

1. The international scientific consensus remains unchanged: radiation from cellular base stations is far too low to cause adverse health effects in the community.
2. There is no public health benefit from prudent avoidance regarding base stations.
3. Telecommunication regulators and the industry need to be explicitly transparent in engaging communities and providing access to monitoring data to show compliance with expected standards.

In Safety Code 6 (2009), Health Canada states:

"The scientific literature with respect to possible biological effects of RF energy has been monitored by Health Canada scientists on an ongoing basis since the last version of Safety Code 6 was published in 1999. During this time, a significant number of new studies have evaluated the potential for acute and chronic RF energy exposures to elicit possible effects on a wide range of biological endpoints including: human cancers (epidemiology); rodent lifetime mortality; tumor initiation, promotion and co-promotion; mutagenicity and DNA damage; EEG activity; memory, behaviour and cognitive functions; gene and protein expression; cardiovascular function; immune response; reproductive outcomes; and perceived electromagnetic hypersensitivity (EHS) among others. Numerous authoritative reviews have summarized this literature.

Despite the advent of thousands of additional research studies on RF energy and health, the predominant adverse health effects associated with RF energy exposures in the frequency range from 3 kHz to 300 GHz still relate to the occurrence of tissue heating and excitable tissue stimulation from short-term (acute) exposures. At present, there is no scientific basis for the premise of chronic and/or cumulative health risks from RF energy at levels below the limits outlined in Safety Code 6. Proposed effects from RF energy exposures in the frequency range between 100 kHz and 300 GHz, at levels below the threshold to produce thermal effects, have been reviewed. At present, these effects have not been scientifically established, nor are their implications for human health sufficiently well understood. Additionally, a lack of evidence of causality, biological plausibility and reproducibility greatly weaken the support for the hypothesis for such effects. Thus, these proposed outcomes do not provide a credible foundation for making science-based recommendations for limiting human exposures to low-intensity RF energy."

Critics of Safety Code 6 have challenged the adequacy of the Canadian standard to protect the public from effects other than those resulting from the thermal heating of cells in the body. However, when scientifically sound methods are used to assess the evidence, Health Canada's conclusions are consistent with the conclusions reached by other credible scientific bodies. In its review of evidence in 2009, the ICNIRP states:

"It is the opinion of ICNIRP that the scientific literature published since the 1998 guidelines has provided no evidence of any adverse effects below the basic restrictions and does not necessitate an immediate revision of its guidance on limiting exposure to high frequency electromagnetic fields. The biological basis of such guidance remains the avoidance of adverse effects such as "work stoppage" caused by mild wholebody heat stress and/or tissue damage caused by excessive localized heating (D'Andrea et al. 2007). With regard to non-thermal interactions, it is in principle impossible to disprove their possible existence but the plausibility of the various non-thermal mechanisms that have been proposed is very low. In addition, the recent in vitro and animal genotoxicity and carcinogenicity studies are rather consistent overall and indicate that such effects are unlikely at low levels of exposure. Therefore, ICNIRP reconfirms the 1998 basic restrictions in the frequency range 100 kHz–300 GHz until further notice."

Similarly, SCENIHR of the European Commission in its 2009 review states:

"It is concluded from three independent lines of evidence (epidemiological, animal and in vitro studies) that exposure to RF fields is unlikely to lead to an increase in cancer in humans. However, as the widespread duration of exposure of humans to RF fields from mobile phones is shorter than the induction time of some cancers, further studies are required to identify whether considerably longer-term (well beyond ten years) human exposure to such phones might pose some cancer risk.

Regarding non-carcinogenic outcomes, several studies were performed on subjects reporting subjective symptoms. In the previous opinion, it was concluded that scientific studies had failed to provide support for a relationship between RF exposure and self reported symptoms. Although an association between RF exposure and single symptoms was indicated in some new studies, taken together, there is a lack of consistency in the findings. Therefore, the conclusion that scientific studies have failed to provide support for an effect of RF fields on self-reported symptoms still holds. Scientific studies have indicated that a placebo effect (an adverse non-specific effect that is caused by expectation or belief that something is harmful) may play a role in symptom formation. As in the previous opinion, there is no evidence supporting that individuals, including those attributing symptoms to RF exposure, are able to detect RF fields. There is some evidence that RF fields can influence EEG patterns and sleep in humans. However, the health relevance is uncertain and mechanistic explanation is lacking. Further investigation of these effects is needed. Other studies on functions/aspects of the nervous system, such as cognitive functions, sensory functions, structural stability, and cellular responses show no or no consistent effects. Recent studies have not shown effects from RF fields on human or animal reproduction and development. No new data have appeared that indicate any other effects on human health."

In its 2009 Report, the Independent Expert Group of the Swedish Radiation Safety Authority SSM concludes regarding cancer and transmitters:

"The majority of studies on cancer among people who are exposed to RF from radio- or TV-transmitters or from mobile phone base stations have relied on too crude proxies for exposure to provide meaningful results. Indeed, only two studies, both on childhood leukaemia, have used models to assess individual exposure and both of those provide evidence against an association. One cannot conclusively exclude the possibility of an increased cancer risk in people exposed to RF from transmitters based on these results. However, these results in combination with the negative animal data and very low exposure from transmitters make it highly unlikely that living in the vicinity of a transmitter implicates an increased risk of cancer."

Regarding electromagnetic hypersensitivity, the SSM expert group writes:

"While the symptoms experienced by patients with perceived electromagnetic hypersensitivity are very real and some subjects suffer severely, there is no evidence that RF exposure is a causal factor. In a number of experimental provocation studies, persons who consider themselves electrically hypersensitive and healthy volunteers have been exposed to either sham or real RF fields, but symptoms have not been more prevalent during RF exposure than during sham in any of the experimental groups. Several studies have indicated a placebo effect, i.e. an adverse effect caused by an expectation that something is harmful. Associations have been found between self-reported exposure and the outcomes, whereas no associations were seen with measured RF exposure."

Canadian Exposure Assessments

In 1997, Health Canada conducted a survey of radiofrequency radiation from cellular base stations in and around 5 schools in Vancouver, in response to the concerns raised by nearby residents earlier that year. The measurements revealed that:

- The highest level of electromagnetic radiation from a PCS antenna (across the street) was more than 6,000 times below the Safety Code 6 levels.
- In three of the schools the levels of radiation from all PCS digital antenna were actually lower than the normal AM and FM radio signals that have been in the area for decades.

In 2003, Health Canada released the results of comprehensive ground level RF measurements representative of human exposures near base stations within the Regional Municipality of Ottawa. The highest power density measured was 3000 times below Safety Code 6. Health Canada considers these measurements as likely representative of levels in other Canadian urban areas.

In 2010, the Public Health Department of the Health and Social Services Agency of Montreal was asked to assess two cell phone base station sites located near schools in Outremont, an urban residential neighbourhood. One location has 12 antennae (130 m to 145 m away respectively from two primary schools) and the other has three (50 m from a high school). The investigation team estimated that the level of exposure to students would be over 5000 times below Safety Code 6 inside the school and over 1000 times below Safety Code 6 on school playgrounds and adjacent streets. The team also reviewed the scientific literature on the subject and concluded that:

"The results of numerous scientific studies conducted to date do not argue in favour for a causal relation between RF exposure and health impact at exposure commonly encountered, whether cancer or more general symptoms. Moreover, no mechanism of action of RF on cells or human and animal tissues has been shown. However, due to uncertainties still present in this area of research, health agencies recommend further studies in some promising avenues (e.g. for cell phone users). As for cellular antennae, given the very low exposure levels and research results to date, most experts believe it is unlikely that this exposure, well below the limits allowed, can cause effects on the health of the population."

In May 2011, the International Agency for Research on Cancer (IARC) placed radio frequency electromagnetic fields in its group 2B classification – possibly carcinogenic to humans. IARC defines group 2B as a category used

"for agents for which there is limited evidence of carcinogenicity in humans and less than sufficient evidence of carcinogenicity in experimental animals. It may also be used when there is inadequate evidence of carcinogenicity in humans but there is sufficient evidence of carcinogenicity in experimental animals. In some instances, an agent for which there is inadequate evidence of carcinogenicity in humans and less than sufficient evidence of carcinogenicity in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data."

Agents in Group 2B are not proven carcinogens. Details of the IARC review is expected to be published in July 2011. In the meantime, the IARC does make it clear that the primary reason for the Group 2B classification relates to uncertainty regarding long term heavy cell phone use and certain rare brain cancer. The type of radio frequency exposure of concern is associated with using the cell phone close to the ear. As stated above, the energy of radio frequency field from cell phone base stations experienced by the general public is thousands of times lower than from a cell phone near the head. The IARC conclusion therefore does not alter the assessment for radio frequency exposure due to cell phone base stations.

“Prudent Avoidance”

The practice of “prudent avoidance” has been advocated by some in their opposition to specific location of cellular base stations in the vicinity of schools, child care centres or residential buildings. “Prudent avoidance” in these situations does not result in any increased level of protection. It would be difficult, if not impossible, to “prudently avoid” some level of exposure to RF fields in an urban setting, whether it be from AM, FM, TV or cellular phones. The Medical Health Officer concludes that scientific evidence provides no basis for recommending prudent avoidance with respect to cellular base stations. There is no public health benefit. In fact, prudent avoidance ignores the reality that the area immediately below an antenna has the lowest RF levels.

Community Consultation and Public Access to Information

Despite reassuring evidence, some members of the public remain concerned about the presence of cell phone antennae and base stations. Telecommunications regulators and industry can do a better job in providing information (particularly about base station types and locations), as well as providing meaningful opportunities for public consultation when planning base stations. Industry Canada in 2009 established public and local government consultation guidelines for permit applications for mobile phone base stations. The requirement for consultation unfortunately applies only to antennae 15 metres or higher. There are a number of practices the telecommunications regulators and industry can implement to mitigate public concerns. These include:

- Meaningful discussion with communities.
- Clear and publicly accessible supporting documents when deploying base stations.
- Greater consideration for site sharing, where possible.
- Greater consideration for sensitive location and design.
- Improved public access to information on network compliance with Safety Code 6.
- Prompt response to community enquiries about base stations.
- Periodic but systematic and comprehensive measurements of population level exposure to RF to monitor trends.

Conclusion

As has Health Canada, the Chief Medical Health Officer concludes that, in light of the current scientific understanding of the risks of RF exposures to the public, the installation of base stations and cellular antennae in the community do not pose an adverse health risk and Safety Code 6 provides an appropriate level of protection. However, public engagement by telecommunication regulators and industry concerning the installation of base stations and antennae needs improvement.

The Chief Medical Health Officer will continue to monitor new scientific knowledge in this area and will provide updates when necessary.

Chief Medical Health Officer

Brown, Tyler

From: Kiersten Enemark
Sent: Thursday, May 30, 2013 1:15 PM
To: Cheryl; CommentsBC
Subject: RE: Roger site W3030
Attachments: BC MHO Statement June 2011.pdf

Dear Cheryl and Philip Dunn, Carol and Richard Stanhope,

Thank you for your letter received May 26th in regards to the proposed Rogers tower at 891 Drew Road, Parksville.

In your message, you expressed concern with the proximity of the tower to residential properties. Please know we are currently investigating alternative locations on the property as well as on other properties in order to mitigate the visibility of the tower itself. The proposed property is lined with mature trees along the railway corridor. As the trees along the railway will screen most of the tower, our hope is to move it further away so that the mature trees screen most if not all of the tower from most views from the residential areas. We found locations south of the railway more appropriate than dense residential areas to the north mainly due to the large parcels of land, the agrarian use of lands, and the mature trees that could be used to screen the tower. Rogers needs to locate its equipment where service is in need of improvement. In this case, Rogers is seeking to improve 4G high speed wireless service to the residential areas of Parksville.

In your message, you expressed concern for your health. Please know the proposed tower will be operating within the safety guidelines set by Health Canada called Safety Code 6 that is based on current, accepted scientific data that sets out restrictions and limits for exposure to all radio frequencies, electric and magnetic field strengths. Health experts in BC have studied the effect of EMF energy, and have stated there is no evidence of adverse health effects from telecommunication towers. I am attaching a statement from the Vancouver Coastal Health that may be of interest to you.

To confirm, the proposed tower is a monopole tower that uses the smallest footprint. Due to this design, it is unlikely that the tower will expand. If significant changes are ever needed in the future, consultation with the District would be required.

Following Industry Canada's consultation process, please know we welcome any additional comments for a further 21 days from receiving this response. Please know your letter will be shared with the Regional District of Nanaimo and Industry Canada as part of the consultation process.

Regards,

Kiersten Enemark
Standard Land Company
Agent to Rogers



RDN REPORT		PH
CAO APPROVAL		
EAP	<input checked="" type="checkbox"/>	
COW		
SEP 04 2013		
RHD		
BOARD		

MEMORANDUM

TO: Jeremy Holm
Manager of Current Planning

DATE: August 30, 2013

FROM: Robert Stover
Planning Technician

FILES: 3900-20-500.387
3900-20-1285.18

SUBJECT: Regulatory Amendments to Address Marihuana for Medical Purposes Regulations

PURPOSE

To present to the Regional District of Nanaimo (RDN) Board a number of proposed amendments to zoning bylaws to address the Marihuana for Medical Purposes Regulations.

BACKGROUND

In response to concerns raised by a delegation regarding odour created by licensed medical marihuana grow operations at its June 25th, 2013 meeting, the Board approved the following motion:

“MOVED Director Veenhof, SECONDED Director Young, that staff be directed to prepare a report on the zoning implications as it relates to the new regulations on the licensed production of medical marihuana for the Board’s consideration.”

In December of 2012, Health Canada announced proposed changes to Federal Legislation surrounding the production and distribution of medical marihuana. The new Marihuana for Medical Purposes Regulations (MMPR), which models the production of medical marihuana on the production of other prescription drugs, seeks to address concerns surrounding abuse of the current regime (Marihuana Medical Access Regulation or MMAR and Marihuana Medical Access Program or MMAP), which allows licensed individuals to produce medical marihuana within residential dwellings by:

- Establishing a license system for commercial production and distribution of dried marihuana for medical purposes;
- phasing out Health Canada’s role in the production and distribution of marihuana and establishing a system whereby individuals can be prescribed marihuana through health practitioners;
- addressing health and safety concerns by eliminating the ability for individuals to produce marihuana in their homes. Under MMPR, individuals will be required to register with a Licensed Producer for access to medical marihuana;

- requiring the cultivation, packaging, labeling, shipping and distribution of dried marihuana within approved facilities by Licensed Producers. These facilities are subject to security requirements and inspections as established by Health Canada;
- Licensed Producers will distribute medical marihuana to licensed clients via secure couriers. Store fronts, retail outlets and the face-to-face sale of medical marihuana will not be permitted under MMPR;
- facilities for medical marihuana production are subject to specific requirements for physical security, video surveillance, and air filtration as outlined in the MMPR.

The new MMPR came into force in June of 2013, and is running concurrently with existing regulations until March 31, 2014, at which time the MMAR and associated MMAP will be repealed. After March 31, 2014, Health Canada will cease production and distribution of medical marihuana, and individuals will be required to procure medical marihuana from a Licensed Producer. Health Canada will cease to accept new applications under the current regime as of October 1st, 2013. However, licenses granted under the current regime can be renewed until March 31st, 2014.

During this transition phase to the new MMPR, interested parties may apply to Health Canada for a producer's license. In order to become a Licensed Producer, applicants must meet a number of security clearance criteria for employees, as well as physical security requirements for the production site. These requirements will be confirmed via a pre-license inspection by Health Canada. Prior to submitting an application to become a Licensed Producer of medical marihuana, applicants must provide written notice to local police, fire, and government authorities of their intent to apply for a producer's license. To date, the RDN has received four notices of intent to apply for a Producer's License under MMPR.

ALTERNATIVES

1. To give first and second reading to the amendment bylaws as submitted.
2. To provide staff with alternative direction to prepare land use regulation amendments to bylaws 1285 and 500 to address MMPR.

LAND USE IMPLICATIONS

While the new Marihuana for Medical Purposes Regulations do not permit the production of medical marihuana within residential dwellings, there are no specific provisions within the MMPR with respect to regulating the siting or scale of medical marihuana production facilities.

Regional District of Nanaimo zoning bylaws do not currently include provisions to expressly permit the use of lands for production of medicinal marihuana under the current regime or MMPR. Prohibiting production of medical marihuana in residential dwellings under the current set of regulations carries implications for reasonable access to legally sourced medical marihuana under the *Canadian Charter of Rights and Freedoms*. The proposed changes to distribution of medical marihuana via bonded courier in the MMPR are an effort to address issues surrounding reasonable access under the *Charter*, while addressing the security and safety concerns attached to licensed grow-ops in residential dwellings.

Many of the rural properties in the RDN are within the Agricultural Land Reserve (ALR). These lands are subject to the *Agricultural Land Commission Act* and associated regulations, which take precedence over local government bylaws for some aspects of agricultural use.

The Provincial Agricultural Land Commission (ALC) recently published an information bulletin which seeks to clarify the ALC's position on medical marihuana production on lands within the ALR. An excerpt of this bulletin follows:

Section 1 of the Agricultural Land Commission Act defines "farm use" as:

An occupation or use of land for farm purposes, including farming of land, plants and animals and any other similar activity designated as farm use by regulation, and includes a farm operation as defined in the Farm Practices Protection (Right to Farm) Act.

Based on the above definition, if a land owner is lawfully sanctioned to produce marihuana for medical purposes, the farming of said plant in the Agricultural Land Reserve (ALR) is permitted and would be interpreted by the Agricultural Land Commission as being consistent with the definition of "farm use" under the ALC Act.

Notwithstanding the farming of land for the production of medical marijuana, not all activities associated with its production would necessarily be given the same "farm use" consideration. A building such as a greenhouse building solely used to produce medical marijuana may be different than a building complete with business offices and research and development facilities, or other associated facilities or infrastructure. Although these uses in some instances may be considered accessory to a farm use, this determination is contingent on the uses being necessary and commensurate with the primary function of the property/building to produce an agricultural product."

As the ALC and the Provincial Ministry of Agriculture view the production of medical marihuana as being consistent with the definition of "farm use" as outlined in the *Agricultural Land Commission Act*, local government bylaws cannot prohibit medical marihuana production use on lands within the ALR. Notwithstanding this, local government bylaws may regulate the use by establishing siting requirements for structures associated with the production of medical marihuana. However, a local government cannot regulate the use to the point of prohibition.

In light of the recent influx in notices of intent to pursue a Producer's License under MMPR, and the lack of clear regulation currently in place to accommodate the use, staff are proposing a series of amendments to RDN Zoning Bylaws to regulate the siting of medical marihuana facilities production ahead of the full implementation of MMPR in April of 2014. Staff recommend the Board provide direction to proceed with the preparation of regulatory amendments, whether, or not the Board is prepared to support the amendments as proposed in this report. This would ensure that the RDN Board could choose to withhold Building Permits for a maximum of 90 days under the provisions of Section 929 of the *Local Government Act* for a use that is inconsistent with proposed regulatory amendments.

Zoning Considerations

Regional District of Nanaimo zoning bylaws do not include provisions that expressly permit the use of lands for medical marihuana production. Given that the Provincial Ministry of Agriculture and the ALC have determined that production of marihuana under the MMPR constitutes a “farm use” under the ALC regulations, local government bylaws cannot prohibit, though they can regulate, the use of lands within the ALR for medical marihuana production. The proposed amendments that follow will provide clarity with regard to where medical marihuana production use is permitted, will ensure regulatory consistency within the RDN by applying similar approaches to amendments within zoning Bylaws 500 and 1285, and will address concerns surrounding safety and odour issues associated with medical marihuana production on small residential properties. The amendments proposed for Bylaw 500 would result in medical marihuana production under MMPR being permitted on ALR lands. The amendments proposed for Bylaw 1285 would result in medical marihuana production under MMPR being permitted on lands within the A-1 zone, the vast majority of which are within the ALR.

The new MMPR is intended to treat medical marihuana production in a similar manner to the manufacture of prescription drugs and prohibit the production of medical marihuana within residential dwellings. In order to be consistent with both the intent of the new MMPR and recognize the authority of the *Agricultural Land Commission Act*, staff are recommending the Board consider the following amendments to “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987” and “Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”:

Bylaw 500 (See Attachment 1 for draft Bylaw 500.387):

- Define **Medical Marihuana Production**: *means the cultivation and production of medicinal marihuana wholly within a facility as permitted under the **Marihuana for Medical Purposes Regulations (MMPR)**, and any subsequent regulations or acts which may be enacted henceforth;*
- amend the Home Based Business Guidelines to clarify that medical marihuana production is prohibited as a home based business use;
- amend the definition of “Agriculture” to exclude medical marihuana production on lands not within the Agricultural Land Reserve;
- amend Section 14 of the General Regulations to include medical marihuana production under farm use regulations;
- establish a 30 metre setback from property lines for structures used for medical marihuana production use to be consistent with the Ministry of Agriculture’s guide for bylaw development in farming areas with regard to intensive agriculture.

Bylaw 1285 (See Attachment 2 for draft Bylaw 1285.18):

- Define **Medical Marihuana Production**: *means the cultivation and production of medicinal marihuana wholly within a facility as permitted under the **Marihuana for Medical Purposes Regulations (MMPR)**, and any subsequent regulations or acts which may be enacted henceforth;*
- amend the definition of “Farm Use” to exclude medical marihuana production;
- amend the Home Based Business Guidelines to clarify that medical marihuana production is prohibited as a home based business use;
- amend the General Regulations of Bylaw 1285 to prohibit medical marihuana production use on all lands except where expressly permitted;

- amend the General Regulations of Bylaw 1285 to establish a 30 metre setback from property lines for structures associated with medical marihuana production use;
- amend the A-1 zone to permit medical marihuana production use.

These amendments would address issues surrounding security and odour problems associated with the use of small residential parcels for medical marihuana production under the new MMPR, and would ensure that the zoning bylaws are consistent with the ALC's position regarding use of ALR lands for the production of medical marihuana. Additionally, the 30 metre setback requirement for buildings associated with medical marihuana production would be consistent with the Ministry of Agriculture's guidelines for bylaw development in farming areas for intensive agriculture.

In order to ensure RDN regulations address the MMPR in a timely manner that will be clear to those interested in applying for production licenses under MMPR, staff have prepared draft amendment bylaws for the Board's consideration. Subsequent bylaw amendments, such as to permit medical marihuana production on Industrial zoned lands for example, could be considered after a period of time in order to evaluate the impacts that the new MMPR has had on both a regional and provincial level.

Policy Implications

The proposed amendments to Bylaw No. 500 and Bylaw No. 1285 are required to ensure that RDN zoning bylaws are consistent with the provisions of the new MMPR, while recognizing the authority outlined in the ALC Act. Staff have also evaluated the proposed amendments to ensure they are consistent with the policies outlined in each of the Electoral Area Official Community Plan (OCP) documents.

While medical marihuana production as proposed under the MMPR does not fit the traditional idea of agriculture, it is acknowledged by the ALC as a "Farm Use" and serves to meet a legitimate commercial demand for a Federally recognized controlled substance. The Regional District of Nanaimo Agricultural Area Plan, Regional Growth Strategy, and Board Strategic Plans all support the creation of a diverse and vibrant economy and include specific policy support for the agricultural economy of the region.

Public Consultation Implications

Should the Board approve first and second reading of the proposed amendment bylaws a public hearing will be required prior to the Board's consideration of third reading. In order to provide a centrally located venue for a public hearing and to allow for the timely consideration of the proposed bylaws, staff have tentatively booked the Bradley Centre for October 9, 2013.

Intergovernmental Implications

Staff have referred the proposed amendments to neighbouring local governments, member municipalities, local fire and law enforcement authorities for comment. None of the organizations contacted through referral expressed concerns regarding the proposed bylaw amendments.

The approach outlined above is generally consistent with the approach taken by local governments who have brought forward regulations to address the MMPR. While some local governments have made zoning bylaw amendments to permit medical marihuana production in industrial zones, the majority of local governments with proposed amendments in relation to MMPR will permit medical marihuana production on lands within the ALR in a manner consistent with the ALR regulations.

SUMMARY

Recent changes to Federal Legislation surrounding the production and distribution of medical marihuana will have implications for local government from a land use perspective. The new regulation, Marihuana for Medical Purposes Regulations (MMPR), aims to address public health and safety concerns by moving medical marihuana production out of private dwellings and into more secure production facilities.

When the current set of regulations are repealed on March 31, 2014, the Federal Government will cease to produce and distribute medicinal marihuana and production of medical marihuana within residential dwellings will no longer be allowed under Federal Legislation. The new MMPR establishes a process by which interested parties can apply for a Producer's License to produce medical marihuana within facilities that have met Health Canada's security and quality control criteria. The cultivation, packaging, production and distribution is required to take place wholly indoors, and these facilities are subject to Health Canada inspection prior to a Producer's License being issued.

Individuals who have a prescription will be required to obtain medicinal marihuana through a licensed producer via a secure courier. Store fronts and retail space for sale of medicinal marihuana are not permitted under the MMPR and the new regulations prohibit the production of medicinal marihuana within a residential dwellings. The Provincial Agricultural Land Commission has indicated that medical marihuana production is considered a 'farm use' as defined by the *ALC Act* and associated regulations. As such, the use cannot be prohibited on ALR land, but may be regulated by local government bylaws.

Staff are recommending zoning bylaw amendments that will define medical marihuana production, prohibit the use as a home based business, and permit it as a use exclusively on lands within the Agricultural Land Reserve with Bylaw 500 and on lands zoned A-1 within Bylaw 1285.

Structures necessary for medicinal marihuana production would be subject to a 30 metre setback which is consistent with Ministry of Agriculture guidelines for establishment of bylaws for intensive agriculture. Member municipalities, local fire departments and law enforcement agencies have been contacted via referral, and all respondents have indicated that they have no specific concerns with the proposed amendments to RDN zoning bylaws.

In reviewing the proposed bylaw amendments, staff have determined that the recommended amendments are consistent with RDN policy. As such, staff support the proposed bylaw amendments as presented. Staff recommend the Board support the proposed bylaw amendments in order to address the MMPR in a timely manner and that will provide clarity and certainty where medical marihuana production facilities are permitted. Staff further recommend that zoning regulations related to MMPR be reviewed in one year's time to allow the Board to consider whether further regulatory amendments are required following full transition to the MMPR from the current regime after March 31, 2014.

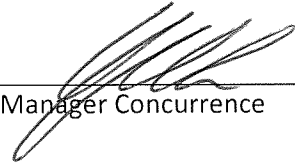
RECOMMENDATIONS

1. That the Board direct staff to prepare land use regulation amendments to address the Marihuana for Medical Purposes Regulations in order to limit the location of medical marihuana production facilities to parcels in the ALR for Bylaw 500, and to parcels within the A-1 zone for Bylaw 1285 and having setbacks from adjoining uses and public land to provide a reasonable buffer.
2. That "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.387, 2013", be introduced and read two times.


3. That the Public Hearing on "Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.387, 2013", be chaired by Chairperson Stanhope or his alternate.
4. That "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285.18, 2013", be introduced and read two times.
5. That the Public Hearing on "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285.18, 2013", be chaired by Director Fell or his alternate.



Report Writer



Manager Concurrence



General Manager Concurrence



CAO Concurrence

Attachment 1

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 500.387

A Bylaw to Amend Regional District of Nanaimo

Land Use and Subdivision Bylaw No. 500, 1987

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

A. This Bylaw may be cited as “Regional District of Nanaimo Land Use and Subdivision Amendment Bylaw No. 500.387, 2013”.

B. The “Regional District of Nanaimo Land Use and Subdivision Bylaw No. 500, 1987”, is hereby amended as follows:

1. Under **PART 2, INTERPRETATION, DEFINITIONS** by inserting the following into the sixth line of the first paragraph of the definition of “agriculture” after “but excludes animal care”:

“, medical marihuana production except on lands located within the agricultural land reserve,”

2. By adding the following definition after the definition of “medical health officer”:

“medical marihuana production means the cultivation and production of medical marihuana wholly within a facility as permitted under the *Marihuana for Medical Purposes Regulations (MMPR)*, and any subsequent regulations or acts which may be enacted henceforth.”

3. Under **PART 3, LAND USE REGULATIONS, SECTION 3.3 GENERAL REGULATIONS** by adding the following new text to Section 3.3.12 b) xxviii):

“xxix) medical marihuana production”

4. Under **PART 3, LAND USE REGULATIONS, SECTION 3.3 GENERAL REGULATIONS** by adding the following new text to Section 3.3.14:

“14) Farm Use Regulations

On lands located within the Agricultural Land Reserve the following activities are permitted farm uses in accordance with the Agricultural Land Reserve Use, Subdivision and Procedure Regulation and are subject to the following regulations:

c) Medical Marihuana Production

Medical Marihuana Production is permitted on land located within the Agricultural Land Reserve if:

i) The production of medical marihuana is contained wholly within licensed facilities as permitted by the Marihuana for Medical Purposes Regulation (MMPR).

- ii) The minimum setback for all structures associated with medical marihuana production is 30.0 metres from all property lines. "

Introduced and read two times this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

Corporate Officer

Attachment 2

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1285.18

**A Bylaw to Amend Regional District of Nanaimo
Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002**

The Board of the Regional District of Nanaimo, in open meeting assembled, enacts as follows:

- A. This Bylaw may be cited as "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Amendment Bylaw No. 1285.18, 2013".
- B. The "Regional District of Nanaimo Electoral Area 'F' Zoning and Subdivision Bylaw No. 1285, 2002", is hereby amended as follows:
 1. Under **SECTION 2, GENERAL REGULATIONS, 2.4 Prohibited Uses** by adding the following text after Section 2.4 s):

"t) medical marihuana production."
 2. Under **SECTION 2, GENERAL REGULATIONS, 2.9 Setbacks** by adding the following text after Section 2.9 c):

"d) All buildings and structures used for medical marihuana production shall be setback a minimum of 30 metres from all lot lines."
 3. Under **SECTION 2, GENERAL REGULATIONS, 2.15 Home Based Business – Regulations** by adding the following text after Section 5 p):

"q) medical marihuana production."
 4. Under **SECTION 4, ESTABLISHMENT OF ZONES, 4.1 A-1 – Agriculture 1** by adding the following text after Section 4.1.1 b) Farm Use:

"c) Medical Marihuana Production"
 5. Under **SECTION 4, ESTABLISHMENT OF ZONES, 4.1 A-1 – Agriculture 1** by inserting the following into Section 4.1.3 Regulation Table after "g) Minimum Setback of all buildings or structures":

"used for medical marihuana production"
 6. Under **SECTION 5, DEFINITIONS** by inserting the following text at the end of the definition of "farm use":

"and excludes medical marihuana production;"

7. Under **SECTION 5, DEFINITIONS** by adding the following definition after the definition of "Marshalling Yard":

"Medical Marihuana Production means the cultivation and production of medical marihuana wholly within a facility as permitted under the ***Marihuana for Medical Purposes Regulations (MMPR)***, and any subsequent regulations or acts which may be enacted henceforth."

Introduced and read two times this ___ day of _____ 20XX.

Public Hearing held this ___ day of _____ 20XX.

Read a third time this ___ day of _____ 20XX.

Approved by the Minister of Transportation and Infrastructure pursuant to the *Transportation Act* this ___ day of _____ 20XX.

Adopted this ___ day of _____ 20XX.

Chairperson

Corporate Officer