

6. Radio Communication and Broadcasting Antenna Systems Application

a) LP000021 - Section 42, Otter District (2540 Aythre Way)

Iain Lawrence spoke to the staff report for the application received by Rogers Communications for a 45 m radio communication tower with attached antennas and satellite dishes for the purpose of expanding telecommunications services.

Iain Lawrence highlighted the subject property map, site plan and images showing properties within 500 m of the proposed tower site and the distance of the proposed tower site to the closest residential property, located beyond the eastern boundary of the subject property (343.20 m from the tower), and to the closest dwelling, located to the south of the subject property (350.19 m from the tower).

Iain Lawrence outlined the public consultation process required by the Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy.

Iain Lawrence directed attention to the submissions included in the supplementary agenda. It was advised that concerns that pertain to health and Health Canada's Safety Code 6 fall outside the scope of local government consultation.

The Chair confirmed that the application representatives were present.

Brian Gregg, representative for Rogers, stated:

- Rogers is working in partnership with the Province and with private property owners and First Nations to provide contiguous service from Sooke to Port Renfrew
- area has been historically under-served
- the Province is providing funding support for this initiative without which, the project would likely not be financially viable given the low density of cell traffic in the area
- tower sites in the service corridor will be linked
- tower sites are selected to be respectful of existing land uses and residences
- at this time, eight sites are being considered for this initiative

Gord Horth, Capital Region Emergency Telecommunications (CREST), responded to questions from the LUC advising that:

- CREST anticipates co-locating on five to eight towers of the proposed Rogers towers
- opportunity to co-locate will be determined once sites are secured
- CREST does not have the financial means to provide services without the opportunity to co-locate

Brian Gregg responded to a question from the public advising that twenty-one antennas for current and future technologies are anticipated for the subject tower.

Iain Lawrence responded to questions from the public and the LUC advising that:

- the CRD Board supports co-location for emergency service telecommunications
- the Juan de Fuca Radiocommunication and Broadcasting Antenna Systems Application Policy states that antenna systems are set back at least three times the height of the antenna system from existing adjacent dwellings
- the closest existing residence to the proposed tower is approximately 300 m away which is greater than the CRD Policy guideline of 135 m

The Chair reported that he visited the subject property. One house can be viewed from the subject location. The subject location is buffered by trees.

MOVED by Vern McConnell, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That a statement of concurrence be provided to Rogers Communications for the proposed 45 m radio communication and broadcasting antenna system on Section 42, Otter District Except That Part Lying 50 feet on Each Side of the Centre Line of the Right of Way Shown on Plan 121 RW and Except That Part in Plan EPP63580.

CARRIED

7. Development Permit with Variance Applications

a) DV000077 – Lot 3, Sections 45-A and 46-A, Highland District, Plan 22641 (6606 Mark Lane)

Iain Lawrence spoke to the staff report for the application for a development permit with variance to address the Steep Slope development permit (DP) guidelines and to vary the front yard setback requirement for the purpose of constructing an accessory building in the Community Residential - One (CR-1) zone.

Iain Lawrence highlighted the subject property map and site plan with proposed garage location. It was advised that the staff recommendation should note that the request is to reduce the front setback from 6 m to 1.3 m.

Iain Lawrence directed attention to the submissions of support included in the supplementary agenda.

The Chair confirmed that the applicant was not present.

MOVED by Vern McConnell, **SECONDED** by Sandy Sinclair that the Juan de Fuca Land Use Committee recommends to the Capital Regional District Board:

That Development Permit with Variance DV000077, for Lot 3, Sections 45-A and 46-A, Highland District, Plan 22641, to authorize construction in a Steep Slope Development Permit Area, and to vary the Comprehensive Community Plan for Willis Point, Bylaw No. 3027, Schedule B, Part III, Section 22(2)(d)(i) by reducing the front setback from 6 m to 1.3 m for construction of a carport be approved.

CARRIED

b) DV000079 – Lot 1, District Lot 155, Renfrew District, Plan 18813, Except that Part in Plans 31230 and VIP59413 (6402, 6410, and 6340 Cerantes Road)

Iain Lawrence spoke to the staff report for the application for a development permit with variance to address the Shoreline Protection development permit (DP) guidelines, to vary the maximum height of an accessory building, and to address the minimum required exterior side yard setback for the purpose of authorizing a two lot subdivision and construction of a garage.

Iain Lawrence highlighted the subject property map, proposed subdivision plan and site plan with variance. It was advised that the staff recommendation should state that the requested variance is to increase the maximum height of an accessory building from 4.8 m to 6.9 m, not 5.6 m as was noted in the staff report.

Iain Lawrence confirmed that no comments were received in response to the notice of intent mailed to adjacent property owners within 500 m of the subject property.

The Chair confirmed that the applicant was not present.