



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MARCH 17, 2020 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

AGENDA

1. **Call to Order**
2. **Adoption of Agenda**
3. **A. Public Participation (2 minutes per person totalling 10 minutes maximum)**
B. Opportunity for persons who consider they are affected by
 - i. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 and
 - ii. Inter-municipal TNS Business Licence Bylaw No.573, 2020

to make representations to Council.
4. **Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)**
 - A. SBA Canada (Tanya Elchuk and Darren Hird) – Cell Tower (Page 5)
5. **Review & Approval of Minutes of Prior Meetings**
 - A. Regular Council Meeting – March 3, 2020 (Page 7)
THAT the Regular Council Meeting Minutes of March 3, 2020 be approved, as circulated.
6. **Business Arising from the Minutes**
7. **Unfinished Business**
 - A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
104	September 17, 2019	G2: Letter from Minister of Public Safety re. Speeding on Sea to sky – Mayor McLaughlin following up with Mayor of Squamish and RCMP.	Mayor McLaughlin to provide a paragraph in the Village Update
114	March 3, 2020	R1: Karl Buhr – Wood Burning Appliances	Mayor McLaughlin to reply
115	March 3, 2020	R2: Andrea & Matthew Klas – Village lots	Mayor McLaughlin to reply

8. Reports

A. Staff

- i. CFO: Information Report - 2020 Preliminary Budget (Page 17)
THAT the report “2020 Preliminary Budget” be received for information purposes.
- ii. CAO: Request for Decision - Cell Tower License Agreement and Public Consultation Process (Page 35)
 - (1) THAT Council confirm the public consultation process for the SBA Canada cell tower proposal was carried out in accordance with the process approved by Council at the October 1, 2019 Council meeting;
 - (2) THAT the Telecommunications Tower Option and License Agreement be approved as amended to provide for the addition of subsection 6.3(a), effective as of the 17th day of March, 2020;
 - (3) THAT the Mayor and Corporate Officer be authorized to execute the said Telecommunications Tower Option and License Agreement, as amended;
 - (4) THAT the Chief Administrative Officer (CAO) be authorized to execute the draft Letter of Concurrence for SBA Canada to forward to Innovation, Science and Economic Development (ISED) Canada; and
 - (5) THAT the CAO be authorized to proceed with all associated steps required to give effect to the foregoing resolutions.
- iii. CAO: Information Report re: COVID-19 Virus (on table)

B. Mayor

- i. Mayor’s Report – Metro Climate Action Committee - Verbal Update

C. Council

D. Committees

- i. Curly Stewart Memorial Trust Fund Award Committee – Verbal Update

E. Emergency Services

- i. RCMP Monthly Report (Page 359)

9. Resolutions

10. Bylaws

- A. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 and Inter-municipal TNS Business Licence Bylaw No. 573, 2020. (Page 361)

(1) THAT Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 be adopted; and

(2) THAT Inter-municipal TNS Business Licence Bylaw No.573, 2020 be adopted.

- B. Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020 (Page 397)

THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020 be given three readings.

11. Correspondence

- A. List of Correspondence to March 12, 2020 (Page 429)

THAT the following actions be taken with respect to the correspondence:

12. New Business

13. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

- A. 2020 Budget Supplementals

THAT the Council considers that disclosure could reasonably be expected to harm the interests of the municipality if discussion regarding the acquisition, disposition or expropriation of land or improvements is held in open meeting.

- B. Citizen of the year and Citizen of Distinction Awards

- C. Human Resources/Labour Relations

- D. CAO Annual Review Format Discussion (Council Members)

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- c) labour relations or other employee relations;
- e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

Council does not anticipate reconvening the open meeting for any purpose other than to adjourn the meeting generally and report out if applicable.

[OR]

Council anticipates reconvening the open meeting to discuss the following item(s):

15. Reporting Out from Closed Portion of Meeting

16. Adjournment



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

DELEGATION REQUEST FORM

**Please forward your Delegation Request Form to the Village Office by
12:00 pm, the Thursday prior to the regular Council meeting.
Delegations may speak for a maximum of 10 minutes total.**

Today's Date: March 11, 2020 Council Meeting Date: March 17, 2020

SUBJECT OF DELEGATION I wish to speak before the Council regarding:

Addressing staff report re: Communications Tower

SUPPORTING MATERIAL I will provide additional information in advance of the Council meeting:
(by 12:00 pm the Thursday prior to the Council meeting so that the material can be included in Council package.)

ACTION. The specific action I would like Council to take is:

Per recommendations in staff report.

NAME AND ADDRESS OF SPEAKER FOR THE DELEGATION:

Name: Tanya Elchuk and Darren Hird

Signature: _____

Organization (if any): SBA Canada

Address: _____

Phone: _____ Fax: _____

Email: _____

Note: A telephone number (where a message can be left with a person or voicemail), fax number or email address is required so that we can contact you in a timely manner.

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

REGULAR MEETING OF THE COUNCIL OF THE VILLAGE OF LIONS BAY HELD ON TUESDAY, MARCH 3, 2020 at 7:00 PM COUNCIL CHAMBERS, 400 CENTRE ROAD, LIONS BAY

MINUTES

In Attendance:

Council: Mayor Ron McLaughlin
Councillor Neville Abbott
Councillor Fred Bain
Councillor Norm Barmeier
Councillor Jaime Cunliffe

Staff: Chief Administrative Officer Peter DeJong
Chief Financial Officer Pamela Rooke
Public Works Manager Nai Jaffer
Municipal Coordinator Karla Duarte (Recorder)

Delegations: 1

Public: 4

1. Call to Order

Mayor McLaughlin called the meeting to order at 7:03 p.m.

2. Adoption of Agenda

Moved/Seconded

THAT:

- (1) Item 8Avi – Metro Vancouver Residential Burning update be added;
- (2) Item 8Avii – Verbal update on Appraisals on Two Road Ends be added;
- (3) Item 8Aviii – Verbal Update on the Lions Bay Beach Park Renovation Project be added; and
- (4) The agenda be adopted, as amended.

CARRIED

3. Public Participation (2 minutes per person totalling 10 minutes maximum)

A. Ruth Simons

Ms. Simons expressed concern about the construction of the communications tower and questioned the proposed location and whether there have been any studies regarding location, revenue and environmental impacts.

B. Stephanie Beattie

Ms. Beattie spoke to the potential opportunity to build a bike park in Lions Bay. She noted that a good location would be at the top of Oceanview Road, past the gate, at the tip of the first switchback leading to the new Harvey Water Tank, as it would require less excavating and has good access within the Village. A bike park could be built for all ages and customized for local usage. She referenced Squamish and Bowen Island as good examples that have successfully implemented a bike park and should be covered under municipal insurance with the right signage. Upon questioning, she advised that the School District is not in favour of using school property for such use due to liability and other considerations.

C. Opportunity for persons who consider they are affected by

i. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 and

ii. Inter-municipal TNS Business Licence Bylaw No.573, 2020

to make representations to Council.

None

Audio 0:00:51

4. Public Delegation Requests Accepted by Agenda Deadline (10 minutes maximum)

A. Charlie Bradbury – Cell Tower

Charlie Bradbury presented a You Tube video dealing with concerns over 5G technology and millimeter waves. She also provided results of a survey that she implemented with 60 local responses and noted that although there were no obvious trends, several factors impact satisfaction with cell phone usage including providers, construction material of homes and sight lines to Bowen Island.

Council requested that the survey results be provided at the next meeting as part of the agenda package.

Audio 0:11:34

5. Review & Approval of Minutes of Prior Meetings

A. Regular Council Meeting – February 18, 2020

The following amendments to the draft minutes of the February 18, 2020 Regular Council meeting were identified:

Page 5, Item 7Aii – Revise the first sentence under the discussion to read “~~The expectation that~~ Whether the installation of an electric vehicle (EV) charging station will proceed only if it is fully funded by a grant:”

Moved/Seconded

THAT the Regular Council Meeting Minutes of February 18, 2020 be approved, as amended.

CARRIED

Audio 0:29:26

6. Business Arising from the Minutes

A. Village Update article on Bayview Drainage and Water Improvement Project (DWIP)

PMW Jaffer noted that an article would be published in the Village Update pending project funding.

B. Fire Hydrant maintenance project

PWM Jaffer confirmed that fire hydrant maintenance is done in the spring when flushing commences.

Audio 0:36:17

7. Unfinished Business

A. Follow-Up Action Items from Previous Meetings

#	Meeting Date	Description of Action Item	Action
104	September 17, 2019	G2: Letter from Minister of Public Safety re. Speeding on Sea to sky – Mayor McLaughlin following up with Mayor of Squamish and RCMP.	Mayor McLaughlin to provide a paragraph in the Village Update
107	January 14, 2020	Post Request for Expressions of Interest for the 2 vacancies on CSMTFA Committee – Expressions of Interest to be provided at the Feb 18 Council meeting for consideration	Completed
110	January 28, 2020	Volunteer Week Update by end of February 2020	Completed
112	February 18, 2020	G2: MP Patrick Weiler - Draft Science Assessment of Plastic Pollution – Mayor McLaughlin to publicize the link for submission of public comments	Completed
113	February 18, 2020	R2: Gillian Smith - Noise Reduction Pavement – Mayor McLaughlin to respond	Completed

B. Invitation to UNESCO and Idries Shah Foundation “World Tales” Short Story Competition (Tabled)

Councillor Abbott confirmed interest in helping form a judging panel and discussed ideas for the short story competition.

MOVED/SECONDED

THAT Councillor Abbott lead Council’s efforts to coordinate a resident volunteer judging panel for the UNESCO and Idries Shah Foundation “World Tales” Short Story Competition; and

THAT staff be directed to publish information regarding the competition in the Village Update.

CARRIED

Audio: 0:37:44

8. Reports

A. Staff

i. CFO: Council Remuneration

CFO Rooke provided detail on the Council Remuneration report that was provided with the agenda material.

MOVED/SECONDED

THAT the report “Council Remuneration” be received for information purposes.

CARRIED

Audio: 0:46:05

ii. CFO: 2020 Preliminary Budget

CFO Rooke provided details on the Preliminary Budget report that was provided with the agenda material and noted:

- the budget included a preliminary 3% tax increase and a 10% infrastructure levy on the updated tax amount
- the need to determine which projects should be prioritized for the 2020 budget

PWM Jaffer provided an overview on the following:

- the projects that have been completed, projects that are ongoing, projects for the 2020 budget discussion, and projects for the next five years.

Discussion ensued on:

- Capital projects and their priorities

- The eligibility of Oceanview Road Drainage for a grant
- Continued discussion on the priority of the IMP projects during the fall Strategic Planning sessions
- Bridge repairs on eight bridges
- Walkway to Lions Bay Beach Park
- Firehall expansion: design and drawing for this year

Staff were directed to include supplemental requests in the 2020 budget to be covered by a draw from surplus.

MOVED/SECONDED

THAT the report “2020 Preliminary Budget” be received for information purposes.

CARRIED

Audio: 0:46:59

iii. Council Resolution for UBCM EOC Grant

CAO DeJong presented information on the Union of British Columbia Municipalities (UBCM) Emergency Operating Centre (EOC) Grant and confirmed that it provides 100% funding for projects.

MOVED/SECONDED

THAT an application be submitted under the UBCM Community Emergency Preparedness Fund for an Emergency Operations Centre (EOC) stream grant for the purpose of funding the purchase of new equipment and technology assets to support and enhance the operation of an Emergency Operations Centre within the Village when required. Support for this project and overall grant management will be provided by the Village of Lions Bay.

CARRIED

Audio: 1:30:45

iv. Curly Stewart Memorial Trust Fund Award Committee Terms of Reference

The following amendments to the Curly Stewart Memorial Trust Fund Award Committee Terms of Reference were identified:

Page 3 – Delete the sentence “In the event of a tie, the Chair shall cast the deciding vote, but the dissenting views shall be minuted for Council.”

MOVED/SECONDED

THAT the amended Curly Stewart Memorial Trust Fund Award Committee Terms of Reference be adopted, as amended.

CARRIED

Audio: 1:34:05

v. PWM: 3 PRV Station Project Engineering Services

PWM Jaffer referenced the report provided with the agenda material and confirmed that the manner of pricing provided by the contractor is a standard methodology for such agreements.

MOVED/SECONDED

- (1) THAT Council award the 3 PRV Station Project Engineering Services to ISL Engineering and Land Services Limited in the amount of \$66,405.00; and
(2) THAT Council authorize the Mayor and Corporate Officer to execute contract documents substantially in the form attached.

CARRIED

Audio: 1:40:14

vi. CAO: Metro Vancouver Residential Wood Burning – verbal report

CAO DeJong provided an update on the phased-in approach of Metro Vancouver's residential wood burning restrictions and noted the prohibition of residential wood smoke emissions from unregistered devices during the period May 15-September 15 as part of the Phase 1 restrictions in 2021. A draft bylaw will be presented at the March 13th Metro Vancouver Climate Action Committee and Metro Vancouver will work with Lions Bay on an education and communication campaign in respect of the proposed transition to the new bylaw, with an extended end date for Lions Bay of 2032.

Council requested that flexibility on the Phase 1 restrictions in the proposed bylaw be provided as feedback to the Metro Vancouver Climate Action Committee.

MOVED/SECONDED

THAT the verbal report "Metro Vancouver Residential Wood Burning" be received for information purposes.

CARRIED

Audio: 1:44:04

vii. CAO: Surveys & Appraisals for two road ends – verbal update report

CAO DeJong provided an update on the surveys and appraisals for the two road ends and noted that a topographical survey for the Oceanview road end had been received and is awaiting a survey quote for the Brunswick Beach location. A report to Council will be provided once appraisals are received. The CAO also noted that several possibilities exist for development density for the Oceanview road end.

MOVED/SECONDED

THAT the verbal report "Surveys and Appraisals on Two Road Ends" be received for information purposes.

CARRIED

Audio: 1:51:44

viii. Verbal Update on the Beach Walkway Renovation Project

PWM Jaffer and CFO Rooke provided a verbal update regarding options for the Lions Bay Beach Park Revitalization Project during the budget discussion at Item 8Aii.

B. Mayor

None

C. Council

Councillor Barmeier provided an update on the concept drawings for the EV Charging station for information purposes.

D. Committees

None

E. Emergency Services

None

9. Resolutions

None

10. Bylaws

A. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020

CAO DeJong presented the Inter-municipal Business Licence Bylaw report and noted that data sharing is going to be administered by the Province. Per-vehicle costs are set up based on expected administration costs.

Council discussed the rate structure, the bylaw suspension process and how to encourage people to take up driving for a ride hailing company.

MOVED/SECONDED

THAT Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 be introduced and given three readings.

CARRIED

B. Inter-municipal TNS Business Licence Bylaw No.573, 2020

MOVED/SECONDED

THAT Inter-municipal TNS Business Licence Bylaw No.573, 2020 be introduced and given three readings; and

THAT persons who consider they are affected by Bylaws 572 and 573 be given an opportunity to make representations to Council during the Public Participation and Public Questions and Comments portions of the Council meeting on March 3

and during the Public Participation portion on March 17, 2020, prior to consideration of adoption of the bylaws by Council; and

THAT Council directs staff to publish the information regarding Bylaws 572 and 573 in the Village Update.

CARRIED

Audio: 2:04:15

11. Correspondence

A. List of Correspondence to February 27, 2020

Moved/Seconded

THAT the following actions be taken with respect to the correspondence:

- G1: Wilderness Committee – Climate Emergency - Received
- G2: Alzheimer Society of BC – Walk in a Box 2020 - Received
- G3: Howe Sound Community Forum – Climate Emergency Newsletter – Refer to Lions Bay Climate Action Committee
- G4: MP Patrick Weiler – Local Labour Market Areas - Received
- G5: LMLGA – Strata Premiums and deductibles - Received
- R1: Karl Buhr – Wood Burning Appliances – Mayor McLaughlin to reply
- R2: Andrea & Matthew Klas – Mayor McLaughlin to reply
- R3: Rose Dudley – Dog Bags and Collection – Further Response - Received
- R4: Gillian Smith – Noise reduction pavement - Received

CARRIED

Audio: 2:18:25

12. New Business

None

13. A. Public Questions & Comments (2 minutes on any topic discussed in this meeting)

None

B. Opportunity for persons who consider they are affected by

i. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 and

ii. Inter-municipal TNS Business Licence Bylaw No.573, 2020

to make representations to Council.

None

14. Closed Council Meeting

Proposed topics for discussion in the absence of the public:

A. Citizen of the Year and Citizen of Distinction Awards

B. 2020 Preliminary Budget

MOVED/SECONDED

THAT the Council considers that disclosure could reasonably be expected to harm the interests of the municipality if discussion regarding the acquisition, disposition or expropriation of land or improvements is held in open meeting.

CARRIED

C. Observations from the February ESS Monthly Meeting

MOVED/SECONDED

THAT the meeting be closed to the public on the basis of matters to be considered under the following sections of the *Community Charter*:

90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- b) personal information about an identifiable individual who is being considered for a municipal award or honour, or who has offered to provide a gift to the municipality on condition of anonymity;
- e) the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality;
- n) the consideration of whether a council meeting should be closed under a provision of this subsection or subsection (2).

CARRIED

The meeting was closed to the public at 9:43 p.m.

The meeting was re-opened to the public at 10:39 p.m.

15. Reporting Out From Closed Portion of Meeting

Mayor McLaughlin reported that during the Closed portion of the meeting, Council received and discussed the Citizen of the Year and Citizen of Distinction Awards report and a decision on successful recipient(s) will be made on March 17, 2020. The award(s) will be announced during Volunteer Week in April.

16. Adjournment

Moved/Seconded

THAT the meeting be adjourned.

CARRIED

The meeting was adjourned at 10:40 p.m.

Mayor

Corporate Officer

Date Approved by Council:

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Report to Council		
Title	2020 Preliminary Budget		
Author	Pamela Rooke	Reviewed By:	Peter DeJong
Date	March 12, 2020	Version	
Issued for	March 17, 2020 Regular Council Meeting		

RECOMMENDATION

THAT the report “2020 Preliminary Budget” be received for information purposes.

ATTACHMENTS

1. 2020 Preliminary Budget
2. Preliminary Capital and Supplemental Operating Requests

KEY INFORMATION

At the March 3 Council meeting, staff presented a fourth draft of the 2020 budget that included a proposed 3% tax increase and a 10% infrastructure levy on the tax amount. The attached budget includes the same tax increases along with some minor adjustments and an updated list of supplemental operating and capital requests. The purpose of the attached final draft is to allow Council one further opportunity to review the 2020 preliminary budget (including the proposed tax rate increase) before it is brought back to the next Council meeting as part of the 2020-2024 Five Year Financial Plan.

FOLLOW UP ACTION

Staff will be available to respond to any questions at the March 17, 2020 Council meeting. The 2020 budget will be brought back to the April 7, 2020 Council meeting as part of the 2020-2024 Five Year Financial Plan which will be presented for review and discussion. The Bylaw will also be presented for first and second readings.

The Village of Lions Bay

Preliminary Consolidated Operating Budget 2020

	2019 Budget	2020 Budget	Change	%
Revenues				
Taxation	1,550,775	1,593,541	42,766	2.8%
Infrastructure Levy	144,658	153,464	8,806	6.1%
Utility Fees and Rates	1,138,127	1,191,782	53,655	4.7%
Fees, Licenses and Permits	177,723	206,629	28,906	16.3%
Grants	2,413,179	670,855	(1,742,324)	-72.2%
Loan Proceeds	380,000	600,000	220,000	57.9%
Net Land Sales	2,353,539	500,000	(1,853,539)	-78.8%
Other Revenue	118,751	114,531	(4,220)	-3.6%
	8,276,752	5,030,802	(3,245,950)	-39.2%
Expenditures				
Administrative Services	1,230,426	1,280,834	50,408	4.1%
Council	66,726	69,617	2,891	4.3%
Emergency Management	53,476	50,517	(2,959)	-5.5%
Fire	326,705	323,185	(3,520)	-1.1%
Bylaw	38,974	38,497	(477)	-1.2%
Parks and Recreation	240,370	243,086	2,716	1.1%
Planning and Development	95,973	95,996	23	0.0%
Public Works	518,257	555,922	37,665	7.3%
Water Fund	957,180	1,086,323	129,143	13.5%
Sewer Fund	176,063	107,675	(68,388)	-38.8%
Solid Waste	190,258	195,594	5,336	2.8%
	3,894,408	4,047,246	152,838	3.9%
Surplus / (Deficit)	4,382,344	983,556		
Non-cash items included in Surplus/(Deficit)				
Add back amortization	736,618	788,813		
MFA Actuarial Gain on Debt	(26,901)	(30,481)		
	5,092,061	1,741,888		
Cash items NOT included in Surplus/(Deficit)				
Repayment of Debt Principal	(178,273)	(189,295)		
	4,913,788	1,552,594		
Capital Expenditures - Water		(1,006,070)		
Capital Expenditures - General		-		
Transfer from (to) Reserves:				
Gas Tax Funding		(59,117)		
Transfer from Surplus - Loan		62,232		
Transfer from Surplus - Re-budgets		233,670		
Transfer to Reserves - Net Land Sales		(500,000)		
Transfer to Reserves - Infrastructure Levy		(153,464)		
Water Surplus		(82,895)		
Sewer Surplus		(7,807)		
Solid Waste Surplus		(3,261)		
Cash Surplus		35,882		

**Village of Lions Bay
2020 Draft Budget**

Revenues

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Taxation							
General Municipal Property Tax	1,446,609	1,489,938	1,489,972	1,534,636	44,664	3.0%	1
Infrastructure Levy	-	144,658	144,658	153,464	8,806	6.1%	2
Parcel Taxes	10,585	10,585	10,585	10,585	-	0.0%	
Grants in Lieu	47,855	50,218	50,218	48,320	(1,898)	-3.8%	
	1,505,049	1,695,399	1,695,433	1,747,005	51,572	3.0%	
Utility Fees and Rates							
Water User Rates	837,613	879,494	879,494	925,126	45,632	5.2%	
Sewer User Rates	68,034	72,276	72,276	72,276	-	0.0%	
Solid Waste User Rates	183,570	186,697	186,357	194,380	8,023	4.3%	
	1,089,217	1,138,467	1,138,127	1,191,782	53,655	4.7%	
Fees, Licenses and Permits							
Building Permits	54,300	91,797	55,000	65,000	10,000	18.2%	
Temporay Use Permits	2,500	-	-	-	-	n/a	
Board Of Variance Application Fee	2,000	1,500	2,000	2,000	-	0.0%	
Secondary Suite Surcharge Fees	28,307	24,248	28,435	26,550	(1,885)	-6.6%	
Other Permits	(200)	3,205	1,150	1,150	-	0.0%	
Fire Training Programs	600	1,200	1,200	600	(600)	-50.0%	
Recreation Programs	3,124	3,552	2,600	2,600	-	0.0%	
Hall Rental	6,700	4,809	7,000	5,000	(2,000)	-28.6%	
In-Kind Revenue	2,750	-	-	-	-	n/a	
Boat Space Rentals	7,475	5,925	7,625	7,000	(625)	-8.2%	
Rental Agree - BC Ambulance	25,113	25,113	25,113	26,454	1,341	5.3%	
Parking Fines	10,238	22,356	10,000	18,000	8,000	80.0%	
Parking Passes - Other	1,760	1,320	1,400	2,650	1,250	89.3%	
Parking Meters	22,350	45,745	20,900	35,000	14,100	67.5%	
Dog Licences	3,900	3,150	4,000	3,500	(500)	-12.5%	
Filming Revenue	12,150	20,535	8,000	8,000	-	0.0%	

**Village of Lions Bay
2020 Draft Budget**

Revenues

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Tree Cutting Applications	600	675	500	500	-	0.0%	
Tax Information Charges	1,920	1,710	2,000	2,000	-	0.0%	
Miscellaneous	878	2,521	800	625	(175)	-21.9%	
	186,465	259,359	177,723	206,629	28,906	16.3%	
Grants							
Small Community Grant	296,118	296,642	295,000	295,000	-	0.0%	
CWWF Grant	75,532	1,641,372	1,961,229	303,838	(1,657,391)	-84.5%	3
Gas Tax Funding	59,264	118,381	118,381	59,117	(59,264)	-50.1%	
Provincial Government Grants	9,800	-	-	-	-	n/a	
Emergency Financial Assistance (EMBC)	110,553	-	-	-	-	n/a	
Other Grants	22,126	15,455	38,569	12,900	(25,669)	-66.6%	
	573,392	2,071,850	2,413,179	670,855	(1,742,324)	-72.2%	
Other Revenue							
External Borrowing	-	-	380,000	600,000	220,000	57.9%	4
Net Proceeds from Land Sales	-	1,810,716	2,353,539	500,000	(1,853,539)	-78.8%	
Insurance Proceeds	49,965	-	-	-	-	n/a	
Fire Department Callouts Highway	10,110	9,855	12,000	12,000	-	0.0%	
Donations to LB Fire Department	1,650	11,161	8,000	2,000	(6,000)	-75.0%	
Fire Fighter Day Revenue	15,324	20,091	20,000	20,000	-	0.0%	
Tax Penalties and Interest	25,873	22,194	23,250	21,250	(2,000)	-8.6%	
Admin Fees - Schools Taxes	2,966	3,037	2,800	3,000	200	7.1%	
MFA Actuarial Interest	23,456	26,901	26,901	30,481	3,580	13.3%	
Bank Return on Investment	33,517	62,379	25,300	25,300	-	0.0%	
Miscellaneous	13,178	40,190	500	500	-	0.0%	
Water/Sewer Connection Fees	1,200	13,891	-	-	-	n/a	
	177,240	2,020,416	2,852,290	1,214,531	(1,637,759)	-57.4%	
Total Revenues	3,531,363	7,185,490	8,276,752	5,030,802	(3,245,950)	-39.2%	

**Village of Lions Bay
2020 Draft Budget**

Revenues

2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%

Notes

Notes:

- 1 The revenue includes a 3% increase in the tax rate.
A 1% increase in taxation raises \$14,899.
- 2 The infrastructure levy is calculated as 10% of the current year's taxation.
- 3 The Clean Water Wastewater Fund (CWWF) grant revenue and related capital expense have been re-budgeted for 2020 as the project was not completed in 2019.
- 4 Further to the December 3, 2019 Council resolution, the Village submitted an application for the 2020 MFA Spring borrowing for water infrastructure (PRV's) which has been approved and will be funded in April.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Administration

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Amortization	321,477	-	452,031	452,031	-	0.0%	
Communications	51,787	56,317	56,250	61,500	5,250	9.3%	1
Fiscal Charges	5,657	11,408	6,250	11,450	5,200	83.2%	2
Insurance	34,755	37,258	38,157	42,508	4,351	11.4%	
Internal Allocations	(53,500)	(53,500)	(53,500)	(53,500)	-	0.0%	
Maintenance	3,978	5,451	7,500	7,500	-	0.0%	
Material, Supplies and Equipment	14,103	12,253	22,700	19,200	(3,500)	-15.4%	3
Professional Fees / Contract Services	106,547	68,314	137,800	133,100	(4,700)	-3.4%	4
Salaries and Benefits	524,670	472,143	541,788	585,595	43,807	8.1%	5
Sundry	1,770	1,504	3,600	3,600	-	0.0%	
Training / Professional Development	9,797	11,538	15,850	15,850	-	0.0%	
Utilities	1,878	1,764	2,000	2,000	-	0.0%	
	1,022,919	624,450	1,230,426	1,280,834	50,408	4.1%	

Notes:

- 1 Budget includes increases in the fees for our accounting software (MAIS).
- 2 Budget includes Moneris fees and Parklink parking fees.
- 3 Budget includes a \$4.2k re-budget for the purchase and installation of a fire proof safe for the Village office.

- 4 Budget is comprised of:

Legal Fees	35,000	
Contract Services - Minute Taking	3,000	
Audit Fees	39,000	
Grant Writing Services	10,000	
General Contract Services	4,000	
Asset Management - Phase 2 (re-budget)	26,500	Offset by 50% grant
Records Management (re-budget)	15,600	
	<u>133,100</u>	

- 5 Salaries include the new 3 day a week administrative assistant position approved by Council.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Council

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Council Communication	-	686	250	1,200	950	380.0%	1
Office Supplies	260	220	300	300	-	0.0%	
Council Chambers	8,591	39	1,100	-	(1,100)	n/a	
Professional Services	1,262	1,561	2,450	2,000	(450)	-18.4%	
Salaries and Benefits	43,868	50,328	50,876	51,667	791	1.6%	
Council Funded Events	4,072	3,141	5,750	8,500	2,750	47.8%	2
Election	2,420	-	-	-	-	n/a	
Conferences & Conventions	1,850	1,050	4,000	3,000	(1,000)	-25.0%	
Association Dues / Memberships	398	1,350	500	1,450	950	190.0%	3
Travel	2,050	743	1,500	1,500	-	0.0%	
	64,770	59,118	66,726	69,617	2,891	4.3%	

Notes:

- 1 Budget includes software licenses fees.
- 2 Budget includes an increase in funds for volunteer recognition as directed by Council.
- 3 Budget includes annual dues for UBCM and the Federation of Canadian Municipalities (FCM).

**Village of Lions Bay
2020 Draft Budget**

General Fund - Emergency Management

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	3,167	3,040	3,500	3,500	-	0.0%	
Search and Rescue	2,944	1,979	2,100	2,100	-	0.0%	1
Emergency Support Services (ESS)	524	1,379	5,205	4,350	(855)	-16.4%	2
Maintenance	11,656	4,188	6,800	7,850	1,050	15.4%	
Material, Supplies and Equipment	-	2,114	7,500	7,500	-	0.0%	3
Salaries and Benefits	-	19,095	25,871	21,442	(4,429)	-17.1%	4
Training / Professional Development	50	675	1,000	2,275	1,275	127.5%	5
Utilities	1,013	951	1,500	1,500	-	0.0%	
	19,355	33,421	53,476	50,517	(2,959)	-5.5%	

Notes:

- 1 Search and Rescue phone paid for by the Village and their share of facility maintenance.
- 2 Lions Bay Emergency Social Services (ESS) provides an annual budget to the Village for their expenses which are included in the budget. The Village reimburses ESS for the actual costs incurred.
- 3 Includes \$7,500 for EOC supplies, \$5,000 of which was re-budgeted from 2019.
- 4 Budget is for a part-time Emergency Planning Co-ordinator (2 days per week - one year contract) which commenced in August 2019 and will end in July 2020.
- 5 Includes JIBC courses for all staff.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Fire Department

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	45,567	47,863	53,700	51,250	(2,450)	-4.6%	
Fiscal Charges	96	148	125	175	50	40.0%	
Interest Payments	3,063	2,445	2,678	2,282	(396)	-14.8%	1
Insurance	14,905	15,382	15,130	17,164	2,034	13.4%	
Maintenance	54,153	49,876	50,450	51,500	1,050	2.1%	
Material, Supplies and Equipment	106,599	61,158	52,500	38,500	(14,000)	-26.7%	2
Salaries and Benefits	93,737	110,790	103,925	117,984	14,059	13.5%	3
Training / Professional Development	25,547	31,329	44,997	41,129	(3,868)	-8.6%	
Utilities	3,142	2,876	3,200	3,200	-	0.0%	
	346,809	321,866	326,705	323,185	(3,520)	-1.1%	

Notes:

- 1 Budget includes interest on the E-Comm radios capital lease.
- 2 Budget includes lower uniform purchases - 2019 budget included the purchase of fire jackets.
- 3 Budget includes increases to shift and callout payments for the volunteers to reflect actual time spent in 2019.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Bylaw Services

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	1,054	1,256	1,200	1,300	100	8.3%	
Material, Supplies and Equipment	1,419	3,878	3,250	3,250	-	0.0%	
Professional Fees / Contract Services	1,370	744	2,250	2,250	-	0.0%	1
Salaries and Benefits	29,766	27,011	29,774	31,697	1,923	6.5%	2
Training / Professional Development	-	-	2,500	-	(2,500)	-100.0%	
	33,609	32,888	38,974	38,497	(477)	-1.2%	

Notes:

- 1 Includes fees for collection agency and bylaw enforcement contract.
- 2 Budgeted for 3 days per week from May 17 to September 30 - 8 hours Friday, 14 hours Saturday, Sunday and stats.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Parks and Recreation

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	626	594	650	650	-	0.0%	
Grants	25,050	15,107	18,294	17,212	(1,082)	-5.9%	1
Insurance	290	20	500	250	(250)	-50.0%	
Maintenance	53,821	53,809	47,000	51,750	4,750	10.1%	2
Material, Supplies and Equipment	7,756	6,501	7,500	8,500	1,000	13.3%	3
Professional Fees / Contract Services	13,194	8,051	8,100	8,100	-	0.0%	4
Recreation Programs	2,740	3,117	2,300	2,300	-	0.0%	
Salaries and Benefits	156,311	130,430	147,776	147,074	(702)	-0.5%	
Training / Professional Development	-	-	1,250	1,250	-	0.0%	5
Utilities	5,272	4,709	7,000	6,000	(1,000)	-14.3%	
	265,059	222,338	240,370	243,086	2,716	1.1%	

Notes:

- 1 Budget includes the 2020 Municipal Grant requests.
- 2 Budget includes the cost for porta potties (unbudgeted in 2019) and repairs to the beach float.
- 3 Budget includes \$3k for two bear proof garbage cans.
- 4 Budget includes \$8,100 for invasive species eradication.
- 5 The 2019 budget included a Playground course for one staff which has been re-budgeted.

**Village of Lions Bay
2020 Draft Budget**

General Fund - Planning and Development

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	4,163	1,531	4,000	4,000	-	0.0%	
Professional Fees / Contract Services	15,308	4,374	48,500	48,000	(500)	-1.0%	1
Salaries and Benefits	28,366	30,602	39,973	40,996	1,023	2.6%	
Sundry	144	933	1,000	1,000	-	0.0%	
Training / Professional Development	2,301	1,027	2,500	2,000	(500)	-20.0%	
	50,282	38,466	95,973	95,996	23	0.0%	

Notes:

1 Budget is comprised of:

Building Inspection Services (vacation coverage)	2,000	
Communication Consultant (initiatives per strategic plan)	7,500	(re-budget)
Planning Consultants	25,000	(re-budget)
Charging Station Design	5,500	
Land Surveys	5,000	
Land Appraisals	3,000	
	<u>48,000</u>	

**Village of Lions Bay
2020 Draft Budget**

General Fund - Public Works

	2018 Actual	YTD Actual 2019	2019 Budget	2020 Budget	Change	%	Notes
Expenditures							
Communications	7,596	9,788	10,750	10,750	-	0.0%	
Interest Payments	16,649	18,562	22,551	18,514	(4,037)	-17.9%	
Insurance	13,392	22,762	23,586	21,752	(1,834)	-7.8%	
Internal Allocations	(15,000)	(15,000)	(15,000)	(15,000)	-	0.0%	
Maintenance	162,216	179,983	195,334	231,530	36,196	18.5%	1
Material, Supplies and Equipment	42,473	48,892	44,368	46,500	2,132	4.8%	
Professional Fees / Contract Services	25,780	17,818	23,500	17,500	(6,000)	-25.5%	2
Salaries and Benefits	190,536	188,071	200,668	205,776	5,108	2.5%	
Training / Professional Development	3,514	4,019	5,000	11,100	6,100	122.0%	3
Utilities	7,441	6,044	7,500	7,500	-	0.0%	
Total Expenditures	454,597	480,939	518,257	555,922	37,665	7.3%	

Notes:

- 1 The 2019 budget included \$67,745 to complete the work on the KG and one of the two BB railway grade crossings. The work was not completed and has been re-budgeted in 2020 along with funds for the second BB railway grade crossing. Staff have received updated budgets for the work (\$117,950) and have budgeted \$50,205 in 2020 to complete the three crossings (which must be upgraded by 2021).
- 2 Budget includes a \$5,000 re-budget for the balance of the Oceanview drainage study (ISL Engineering).
- 3 Budget includes several group courses for PW staff, including bucket truck and forklift training and occupational first aid.

Village of Lions Bay
2020 Budget - Proposed Capital and Supplemental Requests

Description	Amount	Notes
Operating		
Extend DEPC Contract:		
<i>Currently budgeted to end of July 2020 at 2 days per week</i>		
<i>Annual Cost of Position - 2 days per week - \$36,164</i>		
1 day per week to end of year (5 months)	7,573	
2 days per week to end of year (5 months)	add'l cost 7,573	
Extend to Jan - July 2021 - 1 day per week - in 5 Year Plan (\$10,548)		
Extend to Jan - July 2021 - 2 days per week - in 5 Year Plan (\$10,548)		
Building Inspection Services		
Training hours / BOABC Courses	to be discussed in closed	
	-	-
Increase in Bylaw Officer's Hours	6,000	
One extra eight hour day of bylaw enforcement during mid week throughout summer. <i>(addressed with PW deputization?)</i>		
Phase 3 Asset Management		
Phase 3 of the Asset management plan to be funded by a potential grant	to be discussed in closed	Expenditure Grant
	-	-
Total Operating Supplementals	<u>46,446</u>	

Tax Increase	Surplus	
3%	35,882	
3.75%	47,057	* Tax increase required to cover
4%	50,782	operating surplus

Village of Lions Bay

2020 Budget - Proposed Capital and Supplemental Requests

Description	Amount	Notes
Bayview Road Drainage and Water Improvement Project ICIP Grant Application submitted February 2020 - decision anticipated early 2021. If successful, staff will submit an application for MFA Borrowing for Fall 2021. If unsuccessful, could consider increasing borrowing to the remaining balance of Loan Authorization Bylaw (\$1.94 M).	to be discussed in closed -	Capital Expenditure ICIP Grant MFA Loan -
Lions Bay Beach Park Revitalization Project ICIP Grant Application submitted January 2019 - decision anticipated March 2020. If unsuccessful, funds available (thorough re-budgets and donations) to complete playground and kayak rack.	to be discussed in closed -	Capital Expenditure ICIP Grant Draw from Reserves -
3 PRV Station Project (Upper) Bayview Road PRV, Mountain Drive PRV and PRV next to LB Community School	to be discussed in closed -	Capital Expenditure Balance of CWWF Grant/Loan MFA Loan -
Kelvin Grove Wastewater Treatment Plant To be funded through a draw from sewer surplus and a parcel tax.	1,085,077 (200,000) (885,077) -	Capital Expenditure Sewer Surplus Parcel Tax Revenue -
Upper Bayview Survey and design of watermain, roads, and drainage	90,000	
Construction of Water Main Replacement on Creekview Place (constructed by staff)	65,000	
Survey, design and construction to upsize Water Main on Inlet/Outlet of Phase IV Tank (constructed by staff)	20,000	

Village of Lions Bay

2020 Budget - Proposed Capital and Supplemental Requests

Description	Amount	Notes
High Priority Bridge Repairs on Eight Bridges	99,500	
EV Charging Station	80,000	Capital Expenditure
Staff to apply for a grant for the project when the intake is released.	(60,000)	Grant
Currently, grants are covering 75% of project costs. Annual operating costs to be determined.	20,000	20,000
Lions Bay Avenue Stairs to Bus Stop	80,000	Capital expenditure
A Translink grant has been awarded (50% of cost to a maximum of \$40k)	(40,000)	TransLink Grant (awarded)
The project must be completed by 2021.	(40,000)	2019 re-budget
	-	-
Kelvin Grove Stairs to Beach	25,000	
	(25,000)	Draw from restricted land reserve
	-	-
Lions Bay Beach Park - Kayak Rack	20,000	
(could use re-budget to put towards Village's share of LBBP project if grant application is successful)	(20,000)	2019 re-budget
	-	-
Lions Bay Beach Park - Playground	40,000	
(could use funds to put towards Village's share of LBBP project if grant application is successful)	(40,000)	Fundraising
	-	-
Bike Park	5,000	
Consider: location, maintenance and upkeep, liability, budget sufficiency)		
Emergency Generator(s)	65,000	Capital expenditure
(Could use \$30k for one generator for office only)	(30,000)	2019 re-budget
	35,000	35,000
Septic Field - Klatt Building	45,000	

Village of Lions Bay

2020 Budget - Proposed Capital and Supplemental Requests

Description	Amount	Notes
Admin - Office Laptop (Replacement)	2,000	
PW - Various Road Paving (will request an additional \$125,000 in 2021 and 2022)	125,000 (88,000) <u>37,000</u>	Re-budget of prior years' unused funds
PW - Culvert replacements (minor)	25,000	
Fire Department - Burn Building	20,000 (20,000) <u>-</u>	Capital expenditure 2019 re-budget
Fire Capital:		
Turn-Out Gear	10,000	
Hose & Fittings	2,000	
SCBA	4,500	
Pagers	4,000	
IPADS for trucks	2,000	
Rip Run Router Setup Printer	3,000	
Security Cameras for Pit	1,500 (22,500) <u>4,500</u>	2019 re-budget of unspent capital
Fire Hall Expansion 2020 - design, building permit, tender, start process. Complete in 2021.	50,000	
Geohazard mitigation of Alberta Creek debris Flow Risk to Mountainview	tbd	
	<u>544,446</u>	
	35,882	Taxation (at 3%)
	508,564	Draw from Surplus
	<u>544,446</u>	

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Cell Tower License Agreement and Public Consultation Process		
Author	Peter DeJong	Reviewed By:	
Date	March 12, 2020	Version	
Issued for	March 17, 2020		

Recommendation:

- (1) THAT Council confirm the public consultation process for the SBA Canada cell tower proposal was carried out in accordance with the process approved by Council at the October 1, 2019 Council meeting;
- (2) THAT the Telecommunications Tower Option and License Agreement be approved as amended to provide for the addition of subsection 6.3(a), effective as of the 17th day of March, 2020;
- (3) THAT the Mayor and Corporate Officer be authorized to execute the said Telecommunications Tower Option and License Agreement, as amended;
- (4) THAT the Chief Administrative Officer (CAO) be authorized to execute the draft Letter of Concurrence for SBA Canada to forward to Innovation, Science and Economic Development (ISED) Canada; and
- (5) THAT the CAO be authorized to proceed with all associated steps required to give effect to the foregoing resolutions.

Attachments:

- (1) Telecommunications Tower Option and License Agreement, as amended;
- (2) Public Consultation Reference Document;
- (3) Telecommunications Tower Project Synopsis
- (4) SBA Canada Public Consultation Materials, Feedback and Responses;
- (5) Draft Letter of Concurrence for SBA Canada;
- (6) Health Canada Materials:



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- (a) Radiofrequency Energy and Safety (Presentation);
- (b) Everyday Things That Emit Radiation;
- (c) Cell Phones and Cell Phone Towers;
- (d) Safety Code 6: Health Canada's Radiofrequency Exposure Guidelines;
- (e) Understanding Safety Code 6;
- (f) Fact Sheet: What is Safety Code 6? Busting Myths;
- (g) 2015 Revisions to Safety Code 6;
- (h) Safety Code 6 (2015): Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 KHZ to 300 GHZ

Key Information:

Part A - Background

In August, 2017 the Municipality issued a request for proposals seeking to improve wireless telecommunications services for the Village of Lions Bay while limiting community impacts. SBA Canada was selected as the proponent best able to meet these objectives through co-location of various service providers on a tower to be built on Municipal lands. Over the following two years, Lions Bay and SBA staff, together with their respective legal counsel, worked through the requirements necessary in order to achieve a mutually satisfactory agreement.

On October 1, 2019, Council received a delegation presentation from SBA and a staff report presenting the Agreement and the proposed public consultation process to be undertaken. The minutes of that meeting document the following information and resolution passed by Council:

A. SBA Communications Corporation

Darren Hird, Territory Director – Western Canada, SBA Communications Corporation, led the review of a presentation and highlighted:

- Background of SBA Communications
- Requirement for increased network density due to the proliferation of wireless devices and data usage
- Indication that the demand for seamless wireless services, including bandwidth intensive mobile data and video, will continue to show strong growth in the future



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- SBA Communications services include site acquisition, tower construction and installation, leasing and maintenance.

CAO DeJong and Mr. Hird provided the following information in response to questions from Council:

- Avoiding visual distraction was one of the considerations in the selection of the tower location
- The remediation work and disposition of the material at the end of the useful life of the tower
- The ongoing maintenance will be sub-contracted to a qualified third-party by SBA Communications
- SBA Communications will assume liability during the construction of the tower
- The new tower will address the degrading connectivity in Lions Bay due to the demand for wireless service and bandwidth
- SBA Communications' expectation that the tower will achieve coverage throughout the Village
- Space on the tower will be provided free of charge to the Village and leased to major telecommunications carriers
- Public consultation will proceed following Council approval of the SBA Communications Telecommunications Tower Option and License Agreement
- Expectation that construction will commence in spring or summer 2020 and initial tenants will be in place by fall 2020
- Concern regarding radio-wave exposure will be addressed during the consultation by referring the public to Federal Government regulations
- Confirmation that SBA Communications will comply with the Village's building permit process.
- Likely to be a self-supporting lattice tower – can be painted to blend with trees

i. CAO: Telecommunications Tower Options and License Agreement

CAO DeJong referenced the report provided with the agenda material and highlighted the key terms of the Telecommunications Tower Option and License Agreement (Agreement).

CAO DeJong, Mr. Hird and PWM Jaffer provided the following information in response to questions from Council:



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

- The typical fee that would be paid by the first sublicensee
- SBA Communications has the option to renew the five-year term of the Agreement, up to five times, for a potential of 30 years
- The Village has the right to terminate the Agreement after 10 years
- The intention to provide coverage for all Village residents' wireless devices and the public traveling through Lions Bay
- The license fees to be paid to the Village is consistent with that paid to other municipalities.

Moved/Seconded

(1) THAT Council approve the Telecommunications Tower Option and License Agreement, subject only to any issues that arise out of the consultation process and any requisite Provincial approvals related to a small portion of the Access Road;

(2) THAT staff be directed to work with SBA to help coordinate the fulfillment of the consultation process by SBA, in accordance with federal regulations and the additional steps to be taken by SBA, as outlined in the Draft Public Consultation Reference Document (attachment 2); and

(3) THAT staff bring a report back to Council in due course outlining the results of the consultation process.

CARRIED

Part B – The Public Consultation Process

Information about the project and the consultation process was posted to the Municipality's website with rotating banner images linking to a web page with information from the Municipality and links to the applicant's materials and instructions on how to provide comments or questions to the applicant and the Municipality. Regular notices were also posted in the Village Update and on the official, and unofficial noticeboards in the Village. Newspaper notices were also posted in the North Shore News and Pique Newsmagazine and a direct mail drop was provided to all post boxes in Lions Bay and to 75 non-resident owner addresses. As well, a public Open House was held in the Village hall.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

The consultation process was carried out from November 1, 2019 through December 6, 2019, with responses and additional responses to and from the public completed by January 14, 2020. Attachment 3 to this report consists of the SBA Canada Public Consultation Materials, Feedback and Responses, the first 50 pages of which relate to the proposed project materials and the consultation process that was employed. Innovation, Science and Economic Development (ISED) Canada requirements for public consultation were far exceeded by the applicant at the request of the Municipality per the Council approved Public Consultation Reference Document (Attachment 2) and the detailed processes requested by staff.

Part C – Public Feedback and Responses

Pages 51 – 163 of Attachment 3 cover the feedback generally considered to be against the proposal, along with the responses from SBA to those persons. Concerns expressed included the following:

- a. contention that the public consultation process was fundamentally flawed
- b. lack of any assurances the tower will be populated by cellular service providers
- c. lack of any assurances there will be an improvement in cellular service coverage
- d. assertion that cell service in Lions Bay is not that bad and, to the extent that it's less than satisfactory, this is a relatively new phenomenon that should be correctable
- e. perception of relatively minor compensation for the Municipality
- f. proposed tower's location interfering with the natural views of the Lions
- g. potential to be a hazard to helicopter search and rescue flights
- h. potential impact to property values for those living nearby
- i. potential for environmental impacts on plants, birds and animals
- j. perceived inconsistency with the Village of Lions Bay OCP
- k. potential health implications to those living nearby

SBA provided responses to each of these concerns as set out in the materials. That information is highlighted below and supplemented with additional information:

a. Contention that the public consultation process was fundamentally flawed

As noted above, the applicant went over and above the process required by ISED in order to meet the level of consultation requested by the Municipality. The fact that they employed a consultant to undertake the public consultation process is irrelevant. The expectation that the project will provide better cell service is not misinformation. The



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

way these projects work for SBA is that wireless internet service providers (WISPs) are consulted about their potential interest in opportunities and SBA determines if there is a likely business case. If so, they negotiate with the landowner to obtain agreement on terms and simultaneously provide the WISPs with the coordinates. Those companies use this information combined with their own mapping tools to determine expected propagation results. If those results are positive, they confirm their interest, but cannot enter into Antenna Site Agreements until SBA has secured an option on the site. Each of the three major WISPs in this area have confirmed their interest based on their own preliminary propagation analyses. They don't share this information. The objective in Lions Bay is to have Telus (Bell), Rogers (Fido) and Freedom (Shaw) as the primary tenants on the tower.

b. Lack of any assurances the tower will be populated by cellular service providers

When this point was raised by a few residents, staff re-reviewed the License Agreement and determined that it could and should be strengthened in this respect. The result was a negotiated amendment to the Agreement in section 6.3 to add a new subsection (a):

6.3 Licensee shall have the right to freely sublicense space to third party Co-Locations within the License Area without obtaining the prior written consent of Licensors, provided:

- (a) **the top three (3) positions on the communications tower are reserved for cellular telecommunications providers and no other type of Co-Location is permitted without the prior written consent of the Licensors, which consent shall not be unreasonably withheld, conditioned or delayed;**
- (b) the Co-Locations comply with all obligations of the Licensee under this Agreement;
- (c) the Licensee shall retain all of its obligations under this Agreement in respect of any sublicense; and
- (d) the Licensee pays to the Licensors all Co-Location Fees payable in connection with the sublicense.

This is an example of the benefits to be derived from having an open, transparent, thorough and meaningful public consultation process.



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c. Lack of any assurances there will be an improvement in cellular service coverage

As a result of both the amendment to the Agreement and the confirmed interest of the major WISPs after their preliminary propagation analyses, there is good reason to expect that cellular service coverage will be vastly improved if the project goes forward.

d. Assertion that cell service in Lions Bay is not that bad and, to the extent that it's less than satisfactory, this is a relatively new phenomenon that should be correctable

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect residents, businesses, visitors, and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community. Additionally, cellular usage is consistently trending upwards - in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only. Moreover, as wireless usage continues to increase, the inability of existing infrastructure to keep up will begin to show more and more through degradation of the existing services. As the public feedback has pointed out, people are starting to notice these changes.

e. Perception of relatively minor compensation for the Municipality

The License Agreement provides for both monthly rent and a percentage fee. Together these provisions will likely result in an annual revenue stream of approximately \$25,000 per year, more or less. Over the maximum 30 year life of the Agreement, that amounts to \$750,000, more or less. Additionally, non-financial compensation includes the benefit of having space for "Village Equipment", including UBC equipment required for their long-term research of our watershed. The UBC Watershed Study is an important opportunity for the Village to engage in strategic water supply planning via a long-term hydrology study in cooperation with UBC. Automated collection and cellular transmission of data back to UBC is part of the intended Village Equipment on the tower and is part of the Municipality's intended "in kind" contribution to the project. It should also be noted that staff consulted with other municipalities to ensure that the negotiated compensation was comparable to other similar agreements.

f. Proposed tower's location interfering with the natural views of the Lions

Tower location for a place like Lions Bay is a challenging proposition. Logistically, it would function more efficiently from the waterfront but that was not expected to be an



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acceptable solution as most homes in Lions Bay have their views oriented toward Howe Sound – it is expected that very few will have a view of the tower from their homes. As well, there are only a few spots where one would see the tower driving along the Sea to Sky highway, just as people currently see the towers on top of Bowen Island, at Furry Creek, in Squamish above Alice Lake and on top of the iconic Black Tusk, to name several. It was originally anticipated that there might be a need for two towers: one near the Harvey Water Treatment Plant and one near the Magnesia Water Treatment Plant. It was ultimately determined to proceed first with Harvey as the preferred location in terms of land ownership, access and geographical aspect vis-à-vis the terrain above the Village with the expectation that a second tower will not be required at all or for a significant period of time. No other locations were considered.

g. Potential to be a hazard to helicopter search and rescue flights

The tower will not be constructed without approvals from both Transport Canada (TC) and NAV Canada (NAV) in place. Applications have been submitted to both with respect to the proposed project. SBA is anticipating no marking or lighting should be required as the proposed tower is not located within any flight path and does not exceed obstruction standards for the Vancouver International Airport, however, it will not be confirmed until the results of the review are issued by TC and NAV. Upon receipt, details regarding the approval shall be made available to the Municipality for publishing on their website, or upon request. Should safety be of further concern, upon consultation with TC/NAV Canada and the Municipality, SBA may consider the addition of a light to the tower. This light would be installed as per TC/NAV requirements and could include a “dish” underneath to direct the light upwards towards aircraft and minimizing visual impact from below. Aviation safety will not be compromised. Additionally, a cell tower would improve the prospect of 9-1-1 calls from cell phones on the mountain being transmitted to emergency service providers regardless of the caller’s cellular service provider.

h. Potential impact to property values for those living nearby

Determining the value of a property is dependent on many varying influences including (but not limited to) factors such as land use, location, accessibility, development and improvements. Due to the ever-changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. In fact, there is the same likelihood that property values can increase in a given area due



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to better wireless connectivity and the growing demand for “smart” technology, particularly if there is knowledge of the facts about health and safety related to cell towers.

i. Potential for environmental impacts on plants, birds and animals

The location is already cleared with developed road access thereby reducing the impact construction may have on the environment, including plants, birds and animals. There are no regulatory requirements for environmental impact assessments.

j. Perceived inconsistency with the Village of Lions Bay OCP

The proposed project is not contrary to the Village of Lions Bay Zoning Bylaw and has several considerations which are consistent with the Official Community Plan:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long-range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay’s emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the BlockWatch network. This is also an important step in bringing the Village’s operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission’s (CRTC) Next Generation 9-1-1 services.)

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services, including the ability to monitor the water system remotely.



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Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

k. Potential health implications to those living nearby

The concerns raised under this heading were numerous but based upon a variety of sources that do not measure up to the scientific review standards of Health Canada in relation to the Safety Code 6 guidelines, which recommend limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources. Those standards are addressed in greater detail below.

Included in the SBA materials at page 120 is the petition circulated by Charlie Bradbury, which included a survey of persons to whom the petition was circulated, asking various questions about their location, service provider, quality of reception, line of sight to Bowen Island's tower, and building materials of homes. The results of her survey were presented On Table at the March 3, 2020 Council meeting and can be found here: https://www.lionsbay.ca/sites/2/files/docs/meeting/other/200303_on_table_0.pdf along with her notes from the You Tube video she presented. Additional questions and comments were provided by Ms. Bradbury at the close of the public consultation period and responses can be found at page 158 of the SBA materials in respect of the numbered points raised, for the most part reiterating those concerns noted above as *a through k*.

There were also public comments in favour, some noting the benefits of improved service in terms of the expectation of not having dropped calls or the inability to even make calls from various dead spots throughout the community. Included in the latter category is the Deputy Fire Chief, who is concerned about public safety due to the issues currently experienced. Others noted the importance of being able to contact 9-1-1 and/or family members in an emergency, as well as the benefits of being able to better work from home, thereby spending more time with family instead of contributing to GHG emissions as a commuter. Another noted the importance of having provisions in the Agreement for Municipal uses and applauded the Municipality for forward thinking in that respect.



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Part D – Health Canada Materials

It should be noted that much of the discourse in the health-related materials referenced by concerned residents, including through videos (i.e. link to Bradbury materials above) and slideshow materials (eg: correspondence in this Agenda from Miranda Clark), actually relates to potential health risks arising from the manner in which cell phones, other wireless devices and everyday things that emit radiation are utilized in home, work and school environments. In many cases, including in relation to cell phones, these sources (and Health Canada) provide common sense advice on ways each individual can take steps to minimize their radiofrequency exposures to the extent they are concerned. Such tips include:

- Send a text instead of talking on the phone or use speakerphone or a headset
- Try to keep the phone away from your head and body when streaming or downloading
- Download music or movies and then use airplane mode to listen or watch
- Wait for a good signal – cell phones put out higher levels of RF energy to connect with cell towers when the signal is weak
- Avoid using your cell phone in a fast-moving vehicle as your phone puts out more RF energy to maintain connections as it switches from one cell tower to the next
- Don't carry your phone in your pocket or bra – use a backpack or purse
- Consider using wired internet services at home or the office
- Avoid using baby monitors, smart meters, and other smart home wireless devices
- Turn your phone off at night

Every individual and family has the freedom to implement these steps if they are concerned about the effects of RF energy in their homes and in their daily lives. The accumulation of these devices at home or work may have far greater impact than being hundreds of kilometers from a cell tower.

The attached Health Canada materials explaining the manner in which maximum exposure levels are determined for cell phones, cell towers and a variety of different devices are very thorough. Specific agencies within the Health Canada ministry which contributed to the formulation of the Safety Code 6 guidelines includes: the Consumer and Clinical Radiation Protection Bureau, the Environmental and Radiation Health Sciences Directorate, and the Healthy Environments and Consumer Safety Branch. These departments are all devoted to the safety and security of all Canadians' health in respect of Radio Frequency energy and



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other safety related issues. They regularly monitor and review scientific studies from around the world to ensure the bases upon which safety levels have been set are more than adequate to protect Canadians. They consider all peer-reviewed scientific studies and employ a weight-of-evidence approach.

A revised update to Safety Code 6 was prepared in 2013 to ensure that the most up-to-date and credible scientific studies on the potential effects of RF energy on human health are reflected in the code. An independent academic assessment of Health Canada's Safety Code 6 review was made by the Royal Society of Canada (RSC). The RSC is Canada's national academy which exists to promote Canadian research and scholarly accomplishment, to recognize academic and artistic excellence, and to advise governments, non-governmental organizations and Canadians on matters of public interest. With its well-known experience in convening expert panels to provide independent advice, notably to government on matters of public policy through its program of Expert Panel reports, the RSC was chosen as the most appropriate body to conduct the assessment of the Department's review of Safety Code 6.

Among the recommendations made by the RSC, it was suggested that the proposed reference levels in the draft Safety Code 6 be made slightly more restrictive in some frequency ranges to ensure larger safety margins for all Canadians, including newborn infants and children. This recommendation took into account recent dosimetry studies, one of which became available since Health Canada developed the draft update to Safety Code 6 examined by the RSC.

As noted in the materials, Health Canada received both scientific and non-scientific feedback, which is addressed in the section on the 2015 Revisions to Safety Code 6. Within Safety Code 6 a conservative approach has been used when establishing the thresholds for established adverse health effects and when the reference levels are derived for ensuring that external RF field levels do not exceed the basic restrictions within the body, worst-case exposure scenarios have also been applied. Therefore, an additional significant margin of protection has been applied to the reference levels. In respect of cell towers, Safety Code 6 provides scientifically rigorous protection residents.



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Part E – Cell Tower Benefits

Most of the benefits have been identified in the noted responses throughout this report. A summary of cell tower benefits is as follows:

- A cell tower in Lions Bay will address the increasing degradation of cellular connectivity due to the inexorable demand for seamless wireless services, including bandwidth intensive mobile data and video – without new infrastructure, such services will continue to deteriorate and the quality of life for residents will decline vis-à-vis neighbouring communities. Residents have clearly already begun to notice the changes.
- Support for connectivity of Lions Bay infrastructure through SCADA transmissions through the cellular network to Public Works staff, which monitor water and sewer systems 24 hours a day, 7 days a week, and rely on such systems to ensure the proper functioning of our infrastructure or the quick response in the event of malfunctions. Enhancement of such connectivity is a very important consideration for the Municipality in terms of ensuring the health and safety of its residents.
- A cell tower will provide the ability to support our strategic research agreement with UBC to study the long-term hydrology of our watershed in the face of climate change. Automated collection and cellular transmission of data back to UBC is part of the intended Village Equipment on the tower and is part of the Municipality's intended "in kind" contribution to the project.
- The negotiated Licence Agreement will provide for a secure revenue stream of about \$25,000/year, or about \$750,000 over the expected life of the Agreement.
- Revenue for the Municipality is one benefit of the location on Village land. Another benefit of the location is that it's high on a mountain behind the view corridors of most residents, whose views are primarily oriented to Howe Sound. Most people won't likely notice it unless they're on a ferry.
- Improved cellular service will enhance our ability to support our parking meter revenue, which relies upon a consistently sufficient cellular signal to process payments through the parking meters, something that has been problematic on a regular basis, detracting from potential revenues and adding to administrative costs in having to deal with customers who are having difficulty paying. The revenue was alluded to in a few of the



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resident responses as being more important than the revenue under the License Agreement.

- Under provincial legislation passed last spring, 10 per cent of new light-duty passenger vehicle sales in B.C. must be zero-emission vehicles by 2025, increasing to 30 per cent by 2030 and 100 per cent by 2040. The cellular technology required to process payments for parking meters is similar to what will be required to process payments for electricity at the charging station(s) we'll ultimately need, unless we're going to provide such services free to the user, which would mean taxation for residents. Without reliable cellular service, we will have great difficulty addressing this issue.
- Improved emergency services throughout Lions Bay and the surrounding area via better and more stable access to E911 calls made or attempted to be made via cell phone. Further, Next Generation 911 services (NG911) are coming soon and will require improved cellular infrastructure in order to function in Lions Bay. As well, most residents who have signed up for LBAAlert have opted to receive emails or text messages in the event of an emergency and the effectiveness of notifications will increase in line with improved connectivity.

These are important considerations for Council to consider in weighing the benefits and concerns in respect of proceeding with the cell tower project.

Options:

- (1) Approve the recommended resolutions set out at the beginning of this report. This would address the issues that have been identified and provide the Village with the benefits outlined above.
- (2) Amend the resolutions at the beginning of the report in some way prior to approval. There would not appear to be much latitude for amendments to these resolutions.
- (3) Approve the first resolution but decide not to approve the balance of the resolutions. This would require careful consideration of the reasons for deciding not to proceed with the project after providing conditional approval on October 1, 2019.



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(4) Direct staff in a manner other than as set out above.

Preferred Option: Option 1 is the staff recommendation based upon attaining the benefits set out in this report. There were certainly many sincere concerns raised during the public consultation process, but staff is of the opinion that most of those concerns have been satisfactorily addressed. It is acknowledged that residents may still harbour concerns notwithstanding the responses that have been provided, but overall the benefits appear to outweigh the negatives. Ultimately, Council must decide where the balance lies.

Financial Considerations: As set out in the report, the expected revenue is about \$25,000 per year for 30 years for a total of about \$750,000 over the life of the Agreement.

Legal Considerations: The License Agreement was thoroughly vetted by legal counsel who assisted with the negotiation and wording of it through an extended time period.

Follow Up Action: Per Council direction.

Communication Plan: Communication of Council's direction is anticipated to be through the Village Update.

TELECOMMUNICATIONS TOWER OPTION AND LICENSE AGREEMENT

THIS AGREEMENT made effective this _____ day of _____, 20~~19~~20

BETWEEN:

Village of Lions Bay
PO Box 141, 400 Centre Road
Lions Bay, BC V0N 2E0

(the "**Licensor**")

AND:

SBA Canada, ULC
Bureau 100, Rue 468 Saint-Jean
Montreal, QC H2Y 2S1

(the "**Licensee**")

WHEREAS:

A. The Licensor is the registered owner of lands known as the Harvey Creek Water Treatment Plant and Storage Tank site, located above Oceanview Road, Lions Bay, British Columbia and legally described as:

PID: 015-813-681

THAT PART OF DISTRICT LOT 6748 IN EXPLANATORY PLAN 11794 GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PART IN STATUTORY RIGHT OF WAY PLAN VAP20457

(the "**Lands**");

B. The Licensee is a federal corporation registered in British Columbia as an extra provincial company under number A0096028;

C. The Licensor wishes to improve wireless communication services within the Village of Lions Bay for the benefit of residents, visitors, municipal infrastructure, emergency services and watershed research;

D. The Licensee has requested, and the Licensor has agreed to grant, a non-exclusive license to use those portions of the Lands shown outlined as a heavy yellow line on the plan attached as Schedule "A" hereto (**the "License Area"**) to develop a self-support lattice or slip fit monopole multi-carrier telecommunications tower and install, operate and maintain telecommunications equipment to support multiple telecommunications providers, the Licensor's and others' telecommunications equipment and SCADA Systems in accordance with the terms and conditions set out in this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises, the mutual covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the parties, the parties agree as follows:

1.0 INTERPRETATION

1.1 In this Agreement:

- (a) **"Access Road"** means that portion of the Lands shown labelled and lined as a bold red line on the plan attached as Schedule "A", comprising approximately 700 linear metres;
- (b) **"Agreement"** means this agreement, including its recitals and schedules, as amended from time to time;
- (c) **"Applicable Law"** means any applicable law, including any statute, subordinate legislation or treaty, and any applicable guideline, code, directive, rule, standard, requirement, policy, order, judgment, injunction, award or decree of any legislative, executive, judicial or administrative body or person having or purporting to have jurisdiction in the circumstances;
- (d) **"Basic License Fee"** for the Initial Term means \$1,400.00 per month as of the Commencement Date, which amount shall be increased each year on the anniversary of the Commencement Date by:
 - (i) 3%, or
 - (ii) the average percentage increase in annual fees paid for Co-locations during the immediate preceding year of the Term,whichever is higher;
- (e) **"Co-location"** means a sublicense under which the Licensee permits telecommunications carriers and Wireless Internet Service Providers (**"WISPs"**) to locate Equipment on the Structures and within the License Area, but does not include the Licensor any Village Equipment ;
- (f) **"Co-location Fee"** means the gross revenue generated by the Licensee from any Co-locations;
- (g) **"COW"** is defined in section 3.1(a)(iii);
- (h) **"Commencement Date"** means the date that the Licensee exercises the Option;
- (i) **"Effective Date"** means the date first written above;

- (j) **"Equipment"** means cables, wires, optical fibres, generators, electronic and electric hardware, telecommunications equipment and other ancillary or incidental equipment including antennas and SCADA Systems;
- (k) **"Hazardous Substance"** means any material or substance that is controlled, regulated or restricted under Applicable Law including any material or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyl, (iv) radioactive material and (v) other substances commonly referred to as pollutants, contaminants or hazardous substances;
- (l) **"Initial Term"** is defined in section 7.17.1;
- (m) **"License Area"** means that portion of the Lands shown labelled and outlined in bold on the plan attached as Schedule "A", comprising approximately 2500 square metres;
- (n) **"License Fee"** means the Basic License Fee and Percentage License Fee;
- (o) **"Licensor Equipment"** means Village Equipment;
- (p) **"Option"** is defined in section 2.1;
- (q) **"Option Fee"** is defined in section 2.1;
- (r) **"Option Period"** is defined in section 2.1;
- (s) **"Percentage License Fee"** means twenty percent (20%) of a Co-location Fee;
- (t) **"Plans"** means the working drawings, plans, specifications and other design, construction and installation plans that describe in detail the Licensee's permitted use of the License Area, including the permitted location of the Structures and scope of work;
- (u) **"Renewal Term"** is defined in section 7.2;
- (v) **"Safety Code 6"** means the Consumer and Clinical Radiation Protection Bureau, Environmental and Radiation Health Sciences Directorate, Healthy Environments and Consumer Safety Branch, Health Canada, "Safety Code 6 (2015), Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz (2015)", as amended or replaced from time to time;
- (w) **"Safety Code 6 Audit"** means a radio frequency emission survey and audit, certified by a professional electrical engineer, evaluating whether the Equipment, and any other equipment on the Structures, is in compliance with human exposure guidelines set out in Safety Code 6 or is otherwise in compliance with Applicable Law;

- (x) **“SCADA System”** means supervisory control and data acquisition system, a system of software and hardware elements that monitor, gather, and process real-time data and allow control of industrial processes locally or at remote locations;
- (y) **“Structures”** means a wireless telecommunications transmitting and receiving facility that includes a communications tower or pole, antennas, cables, related structures and improvements, security fencing and gate, Equipment shelters and cabinets and which may include a temporary cell on wheels;
- (z) **“Term”** means the Initial Term and any Renewal Term, if any, unless this Agreement is earlier terminated;
- (aa) **“UBC”** means the University of British Columbia;
- (bb) **“Village Equipment”** means all Equipment belonging to and installed for the Licensor, UBC, or any emergency service provider, agency or dispatcher authorized by the Licensor to install, operate, maintain and store Equipment on the Structures or within the License Area; and
- (cc) **“Work”** means the construction, installation, operation, maintenance, repair, removal, replacement, relocation or modification of the Structures and any Equipment within the License Area and any task, effort or labour incidental thereto that does not result in any material change to the design, profile, provisioning or functionality of the Structures or such Equipment, whether individually, in the aggregate or cumulatively.

1.2 In this Agreement words importing the singular include the plural and vice versa, words importing any gender include all genders and words importing persons include individuals, corporations, limited and unlimited liability corporations, general and limited partnerships, associations, trusts, joint ventures and governmental authorities. The term “including” means “including without limiting the generality of the foregoing”.

2.0 Option.

2.1 For the sum of \$10,000 (**“Option Fee”**) paid to Licensor by Licensee and other good and valuable consideration, the Licensor hereby grants to the Licensee the exclusive and irrevocable option for one (1) year from the Effective Date (**the “Option Period”**) to occupy and use the License Area on the terms and conditions set forth below (**“Option”**). The Option Period may be extended for an additional one (1) year period upon written notification to the Licensor by the Licensee delivered to the Licensor prior to the end of the initial Option Period and payment of an additional Option Fee in the amount of \$10,000 within 30 days of delivery of such notice. If the Licensee is late in making such payment but the Licensor accepts the additional Option Fee, the Basic License Fee and written notice after the due date, the failure to make timely payment will be deemed waived and the Option will be extended.

- 2.2 Subject to section 2.3, the Licensee will be solely responsible for obtaining any necessary governmental licenses or authorizations required for the construction and use of the Structures on the License Area. The Licensors will cooperate with the Licensee during the Option Period and the Term with respect to the Licensee's efforts to obtain such governmental licenses or authorizations to construct and use the Structures within the License Area, including any modification(s) to the Structures or License Area or the addition(s) of Equipment to the Structures or Co-locations. The Licensors further agrees during the Option Period and the Term not to take any action that may adversely affect the Licensee's ability to obtain all of the governmental licenses or authorizations required for construction of the Structures.
- 2.3 The Licensee acknowledges and agrees that the Licensors may not fetter its discretion with respect to such matters as zoning approvals, development permits and building permits.
- 2.4 If the Licensee exercises the Option within the Option Period, then Licensee will be entitled to a credit for 25% of the Option Fee against the Basic License Fee due on the Commencement Date. The Licensee will not be entitled to any credit for any Option Fee paid if the Option Period is extended an additional one year period as contemplated under section 2.1.
- 2.5 The Licensee may exercise the Option by delivery of written notice to the Licensors in accordance with the notice provision specified herein. Upon the Licensee's exercise of the Option, the Initial Term (as defined in section 7.1) will commence.

3.0 Grant of License

- 3.1 Subject to the terms and conditions of this Agreement, the Licensors hereby grants to the Licensee a non-exclusive license:
- (a) for the Option Period to:
- (i) cross and re-cross the Access Road at all times with or without vehicles and equipment, for access to and from the License Area;
 - (ii) enter upon and use the License Area to conduct surveys, soil tests, environmental assessments, radio wave propagation measurements and any other tests or investigations necessary to determine if the surface and subsurface of the License Area are suitable for construction and operation of the Structures. If the Licensee, prior to completion of the Structures, determines that for any reason the surface or subsurface of the License Area is not suitable to construct and operate the Structures, then this Agreement, upon written notice given to the Licensors prior to completion of the Structures, will become null and void; provided that at the Licensee's sole expense the License Area will be promptly restored to its previous condition or better and provided further that the Licensee will deliver copies of all soil tests and investigation reports to the Licensors;

- (iii) install a temporary cell on wheels ("**COW**") on the License Area in a mutually agreed upon location to be determined by both parties acting reasonably and at such time as the need to place the COW occurs and to install and maintain such utility wires, cables, conduits and pipes over, under and along the Access Road to operate such COW; and
- (b) for the Term upon the Licensee's exercise of the Option to:
 - (i) install and maintain utility wires, cables, conduits and pipes over, under and along the Access Road;
 - (ii) enter upon and use the License Area to install, construct, operate, maintain, repair, remove and, to the extent permitted or required under this Agreement, replace or relocate Structures and utilize a trailer, shed or similar building as a temporary office or workspace;
 - (iii) enter upon and use the areas set forth in the attached Schedule A-1 as a temporary construction easement to accommodate any work required by Licensee or its sublicensees at the License Area, upon the condition that following the completion of such work, Licensee shall, at Licensee's sole cost and expense, promptly repair any damage to the temporary easement area arising from Licensee's use thereof;
 - (iv) subject to section 4.8, clear all trees, undergrowth or other obstructions and to trim, cut and keep trimmed and cut all tree limbs, undergrowth, or other obstructions within the License Area which may, in the reasonable opinion of the Licensee, interfere with or cause damage to the Structures;
 - (v) enter upon and use the License Area to install, operate, maintain, repair, remove and replace Equipment; and
 - (vi) enter into Co-locations; and

for no other purpose without the prior written consent of the Licensor.

- 3.2 If the Licensee installs a COW on the License Area during the Option Period, then the Licensee must exercise the Option. The Licensee will remove the COW from the License Area within ninety (90) days following the date that the Licensee completes construction of the Structures and installs associated power and utilities so that Equipment may be installed and operated on the Structures.
- 3.3 The Licensee may survey either or both the License Area and Access Road at the Licensee's cost and such survey of the License Area and Access Road will replace Schedule "A" as soon as it becomes available and is approved by the Licensor, such approval not to be unreasonably withheld, conditioned or delayed. In the event of any discrepancy between the description of the License Area contained herein and the survey, the survey will control.

- 3.4 As a condition of this Agreement, the Licenser reserves the right to use a portion of the Structures for Village Equipment at mutually agreeable locations on the Structures suitable to the purposes and efficient operation of such Equipment at no charge to the Licenser. Prior to installation of any Village Equipment, the Licenser shall provide an Equipment List and agree to Minimum Site Installation, Occupancy and Maintenance Requirements & Specifications similar to Schedules B and C attached to this Agreement. At its sole cost and expense, the Licenser shall be responsible for the installation of Village Equipment and shall be entitled to replace such Equipment, at its own cost, with Equipment of similar size and weight upon providing a satisfactory updated Schedule B to the Licensee.

Licensee shall permit Licenser to install Village Equipment at one mutually agreeable elevation on the tower, limited to ten (10) feet of vertical tower space at no charge to the Licenser. Prior to installation of any Village Equipment, Licenser agrees to execute an Antenna Site Agreement ("ASA"), substantially similar to the one attached hereto as Schedule "D". Licenser at Licenser's sole cost and expense shall be responsible for the installation of its antennas and equipment on the tower. Licenser shall be entitled to replace Village Equipment with equivalent equipment as stated above upon prior written amendment of the Schedule B. Any replacement of Licenser's initial equipment shall be installed at the sole cost and expense of Licenser.

- 3.5 Licenser further reserves to itself from the grant and the covenants made by it to the Licensee the right to grant other interests in the Lands, provided that the rights thereby granted do not unreasonably interfere with or disrupt the enjoyment of the Licensee's rights under this Agreement. Despite the foregoing, Licenser shall not grant, during the Initial Term or any Renewal Term of this Agreement, any interest or license in the Lands to a third party for the purpose of operating a commercial wireless communications facility or any similar competing use.

4.0 Performance of Work and Additional Equipment

- 4.1 The Licensee will not erect, install, construct, place or use any Structures or other works on the License Area except as approved in accordance with this Article 4.0.
- 4.2 The Licensee will design the Structures to:
- (a) minimize the visual, auditory and other impacts to the Village of Lions Bay and its residents;
 - (b) provide for ample capacity for Co-locations, as well as for Village Equipment; and
 - (c) meet Applicable Laws, including Federal CSA specifications (CSA-S37-01) and (CPC-2-0-03).
- 4.3 Unless otherwise expressly permitted by this Agreement, prior to commencing any Work, the Licensee must submit to the Licenser such Plans that describe in detail all aspects of the

proposed Work, including on-site drainage considerations and the nature, size and location of any proposed additional or replacement Equipment and the scope of work, as the Licenser may require.

- 4.4 The Licensee will obtain, at its sole cost, prior to commencing any Work, all necessary permits, licenses and other approvals, copies of which must be delivered to the Licenser, if requested, prior to commencement of the Work.
- 4.5 The Licensee agrees that all Work will be performed in a neat, responsible and workmanlike manner by qualified persons using generally accepted construction and engineering standards and consistent with such reasonable requirements as may be imposed by the Licenser. The Licensee further agrees that all Work will be performed in compliance with the Plans and Applicable Law, including, for greater certainty, all Safety Code 6 testing, reporting and other requirements. The Licensee will prominently label any Equipment with appropriate safety warnings as required by Safety Code 6 or otherwise by Applicable Law.
- 4.6 Where applicable and within sixty (60) days of installation, the Licensee will label each cable placed in the telecommunications pathway, in each telephone closet through which said cables pass, with identification information, including the name of the Licensee, floor where cable originates and floor where cable terminates and any other information as may be required by the Licenser. If Licenser provides Licensee with notice that Licensee has failed to label in accordance with the foregoing and Licensee has not cured such failure within sixty (60) days of receipt of such notice, then the Licenser will be entitled to retain the services of a reputable third-party contractor to conduct such labelling and the costs of same will be paid for by the Licensee forthwith upon receipt of the invoice from the Licenser therefor.
- 4.7 In performing any Work, the Licensee will cause no material inconvenience, impairment or nuisance to the Licenser or its operations on the Lands.
- 4.8 In performing the Work, the Licensee will not cut down any trees within the Access Road, License Area or elsewhere on the Lands without the Licenser's prior written consent.
- 4.9 Within sixty (60) days of completing any Work, the Licensee will, at its sole cost, restore the surface of the Lands, the License Area and the Access Road as nearly as possible to the condition they were in prior to commencement of the Work and repair any damage to any building or other structure that has occurred in connection with the Work or that is caused by the Licensee or any of its agents, representatives, employees, contractors, subcontractors or invitees. If requested by the Licenser, the Licensee will develop and implement, at its sole cost, a site mitigation and replanting plan that will sufficiently compensate for any and all impacts associated with the Work, which plan is subject to the written approval of the Licenser prior to implementation. Any such site mitigation and replanting plan will be limited to Work that occurs during the initial construction of the Structures. If the Licensee fails to fulfil its obligations under this section, then the Licenser may, in its sole discretion, restore and repair such damage and the Licensee will forthwith reimburse the Licenser of all reasonable costs and expenses incurred in such restoration and repair.

- 4.10 Given that the Access Road provides access for the Licensor's community water infrastructure, except for short periods of time with express consent of the Licensor, the Licensee and any Co-Locations must not, during the performance of any Work or otherwise, block access to or in any way obstruct, interfere with or hinder the use of the Access Road or any other access points or entranceways on the Lands. If such conditions occur, the Licensee must take corrective action immediately following notice by the Licensor of such condition, failing which the Licensor may use any methods at its disposal to remove the obstruction, at the expense of the Licensee.
- 4.11 The Licensee will be responsible for the satisfaction or payment of any liens for any provider of work, labour, material or services claiming by, through or under the Licensee. The Licensee will also indemnify, hold harmless and defend the Licensor against any such liens, including the reasonable fees of the Licensor's solicitors. All liens must be removed within five (5) business days of notice to the Licensee to do so. The Licensor may, at the cost of the Licensee, pay money into court to obtain removal of a lien if the Licensee fails to do so within such five (5) business day period and the Licensee will pay such cost to the Licensor forthwith, together with an administration fee equal to 15% of such cost and the reasonable fees of the Licensor's solicitors. The provisions of this section will survive expiration or termination of this Agreement.
- 4.12 The Licensee will be required to provide to the Licensor as-built drawings prepared by a professional engineer and in whatever format the Licensor requires depicting the Structures, their locations, method of installation and any other actual on-site conditions required by the Licensor, including on-site drainage facilities. Such as-built drawings must be updated and revised from time to time should any changes occur to the License Area, the Structures or Equipment. The as-built drawings must be provided in each case no later than sixty (60) days after the Licensor's written request. Any fees or other costs incurred by the Licensor in reviewing such as-built drawings will be paid by the Licensee. In addition to the foregoing, the Licensee must provide, upon the Licensor's request from time to time, a current wiring map showing all wiring locations and networks owned or used by the Licensee within the License Area.

5.0 Representations and Warranties

- 5.1 The Licensor represents and warrants to the Licensee that the Licensor has the full right, power and authority to enter into this Agreement.
- 5.2 The Licensee represents and warrants to the Licensor that the Licensee has the full right, power and authority to enter into this Agreement.
- 5.3 The Licensor makes no representation or warranty that the License Area or any other part of the Lands are suitable for the Licensee's use or purposes and the Licensor accepts no responsibility if the Access Road or License Area are not suitable. The Licensee is deemed to have satisfied itself in all respects regarding the suitability of the Access Road and License Area, including completing comprehensive site inspections, and accepts the same "as is, where is". The Licensor is under no obligation to perform any work or provide any materials

to prepare or facilitate use of the Access Road, License Area or any other part of the Lands for the Licensee.

6.0 Assignment and Co-locations

- 6.1 Licensee is expressly permitted to assign or transfer its rights under this Agreement to entities controlling, controlled by or under common control with Licensee, as part of a sale of all or substantially all of its assets, or to its lender in connection with financing. Upon such assignment, Licensee shall be relieved of all liabilities and obligations under this Agreement. Any transfer of this Agreement by merger, consolidation or liquidation or any change in the ownership of, or power to vote, the majority of its outstanding voting stock shall not constitute an assignment for the purposes of this paragraph.
- 6.2 Except as provided in section 6.1, Licensee may not assign this Agreement without the prior written consent of Licenser, which consent will not be unreasonably withheld, conditioned or delayed. Reasonable withholding of consent may include, but is not limited to, assignment to a large telecommunications carrier or WISP. The Licenser may attach conditions to its consent, including but not limited to the right to charge additional fees.
- 6.3 Licensee shall have the right to freely sublicense space to third party Co-Locations within the License Area without obtaining the prior written consent of Licenser, provided:

(a) the top three (3) positions on the communications tower are reserved for cellular telecommunications providers and no other type of Co-Location is permitted without the prior written consent of the Licenser, which consent shall not be unreasonably withheld, conditioned or delayed;

(a)(b) such the Co-Locations comply with all obligations of the Licensee under this Agreement;

(b)(c) the Licensee shall retain all of its obligations under this Agreement in respect of any sublicense; and

(c)(d) the Licensee pays to the Licenser all Co-Location Fees payable in connection with the sublicense.

- 6.4 Licensor may not assign the Rent or this Agreement or any rights hereunder, or grant any interest in any portion of the License Area, without the prior written consent of Licensee, in Licensee's sole and absolute discretion.

7.0 Term

- 7.1 Unless earlier terminated in accordance with this Agreement, the term of this Agreement will be five (5) years commencing on the Commencement Date **(the "Initial Term")**.
- 7.2 Subject to section 7.4, the Licensee will have the option to renew this Agreement by providing the Licensor with at least six (6) months (but not more than twelve (12) months) notice in writing prior to the expiry of the term and provided that the Licensee is not in default of any terms or conditions of this Agreement, the Licensee may renew the term of this Agreement up to a maximum of five (5) times for five (5) additional periods of five (5) years each **(the "Renewal Terms")** on the same terms and conditions contained in this Agreement except that there will be no further options to renew following the five (5) additional periods of five (5) years each described in this section 7.2.
- 7.3 The Percentage License Fee will remain the same during any Renewal Term.
- 7.4 Any Renewal Term pursuant to section 7.2 will be conditional upon the Licensee delivering to the Licensor, prior to expiry of the Initial Term, or any Renewal Term preceding the subject Renewal Term, a satisfactory Safety Code 6 Audit and a satisfactory structural audit of the Structures and any Equipment thereon certified by a professional structural engineer, together with a complete Equipment inventory. If the Licensee fails to deliver such audits or if such audits show the Equipment is not in compliance with Safety Code 6 or identify any concerns with respect to load, other structural matters or any other matter of concern, any agreement to grant the subject Renewal Term will be void and of no effect and this Agreement will terminate at the expiry of the Initial Term or subsequent Renewal Term preceding the subject Renewal Term.

8.0 Fees and Taxes

- 8.1 During the Term the Licensee will pay to the Licensor:
- (a) in advance on a quarterly basis commencing on the Commencement Date, and on a monthly basis thereafter, the Basic License Fee; and
 - (b) in addition to the Basic License Fee, in each year of the Term the Licensee also agrees to pay to Licensor the Percentage License Fees obtained from Co-location sublicensees in the License Area, beginning with the second (2nd) Co-location sublicensee. The Percentage License Fees shall be payable one month in arrears at the end of each calendar month upon Licensee's receipt of sublicense fee payments from its sublicensees. Licensee shall provide Licensor with a monthly summary report listing the sublicensees on the Structures and the second and subsequent sublicensees' monthly fees. If a sublicensee does not pay its monthly fees as they

come due, Licensee shall use commercially reasonable efforts to pursue collection of same and, if Licensee collects all or any portion of such delinquent sublicensee monthly fees, Licensee will pay Licensors the applicable Percentage License Fee within thirty (30) days of Licensee's receipt thereof. In the event the first (1st) sublicensee is no longer a tenant on the Structure, the second (2nd) sublicensee who collocated on the Structure will take the place of the first (1st) sublicensee for purposes of being excluded from the Percentage License Fees to be paid under this section; and

- (c) in the event that a sublicensee is no longer a sublicensee on the Structure (the "**Former Sublicensee**"), a sublicensee that replaces the Former Sublicensee collocating on the Structure will take the place of the Former Sublicensee for the purpose of determining the Percentage License Fee for that sublicensee.

- 8.2 In addition to the License Fees payable under section 8.1, the Licensee shall also pay all Goods and Services Tax ("**GST**"), as applicable, in respect of the License Fees. The Licensee's GST Number is 83052 6166 RT0001.
- 8.3 The Licensee will provide the Licensors with such information about any Co-locations and Co-location Fees as the Licensors may reasonably require in order to account for and reconcile the calculation of the Percentage Fees.
- 8.4 The Licensee will pay the License Fees to the Licensors at the place and in the manner the Licensors designate to the Licensee in writing.
- 8.5 If the Initial Term or any Renewal Term does not begin on the first day or end on the last day of a month, then the Basic License Fee for that partial month will be prorated by multiplying the monthly Basic License Fee by a fraction, the numerator of which is the number of days of the partial month included in the Initial Term or Renewal Term and the denominator of which is the total number of days in the full calendar month.
- 8.6 If the License Fees are not paid when due under this Agreement, the Licensee will pay interest on past due amounts at the rate of 1.5% per month, being 18% per annum.

9.0 Maintenance and Services

- 9.1 During the Option Period and Term, the Licensee will maintain the License Area, Structures and Equipment in good condition and state of repair in accordance with the highest safety standards.
- 9.2 Except insofar as the Licensee is made responsible by this Agreement, the Licensors will maintain the Access Road in good condition and state of repair.
- 9.3 The Licensee acknowledges and agrees that the Access Road may be subject to maintenance activities including ditch cleaning, vegetation management and snow clearing, which may affect access to the License Area.

- 9.4 The License Fee does not include, and the Licensee will pay, the cost of electricity, gas, telephone service or other public utilities supplied, delivered, provided or otherwise made available to the License Area. The Licensee, at its sole expense, will be responsible for supplying electricity to the License Area and installing a separately metered electrical source for the operation of the Equipment or, if such separate metering is not possible, for installing a submeter to measure the Licensee's electrical consumption, in which case the Licensee will pay upon receipt the Licensor's invoices for such electrical power based on submeter readings and the actual rates charged by the local electrical utility, to which the Licensor may add an administration fee of 10%.
- 9.5 The Licensor has no obligation or responsibility to provide emergency or "backup" power to the Licensee and the Licensee acknowledges that any such provision of emergency or "backup" power will be the sole responsibility of the Licensee.
- 9.6 The Licensee covenants to pay all taxes and fees or rates assessed in respect of the Structure, the Equipment (other than the Village Equipment) and the Licensee's use and occupation of the License Area, including any increase in real property taxes on the Lands due to the presence of the Structures or the operations of the Licensee on the License Area or Access Road.

10.0 Maintenance of Equipment and License Area

- 10.1 The Licensee will maintain the Structures and the Equipment in proper operating condition and in good repair in accordance with sound engineering standards, and to the full satisfaction of the Licensor.
- 10.2 The Licensee will maintain the License Area in a neat and tidy condition and will not keep or leave any waste paper, garbage, ashes, debris, waste or other objectionable material within, on or at the License Area.
- 10.3 The Licensor and its agents, employees, and contractors shall have access to the License Area at all reasonable times upon providing reasonable prior notice to Licensee, or notice of entry as soon as possible in the event of an emergency. Licensor's access shall be limited to that which is necessary to carry out its operations on the License Area or access to and maintenance of any Village Equipment. .
- 10.4 If the Licensor determines that the Structures or the Equipment is in a dangerous or unsafe condition, then the Licensor may require the Licensee to cause the same to be inspected by the Village of Lions Bay's building inspector or by a qualified professional engineer, as may be applicable, and will comply with the directions of such inspector or engineer. If at any time the Structures or the Equipment is found to be in a dangerous or unsafe condition, then the Licensee will promptly place the Structures or the Equipment, as applicable, in a safe condition as certified by the building inspector or engineer, failing which the Licensee will discontinue using such Structures or Equipment and will forthwith remove the Structures and Equipment from the Lands.

- 10.5 If the Licensee fails to maintain the Structures, the Equipment or the License Area as required by this Article 10.0 and the Licensee fails to rectify such deficiency within thirty (30) days following receipt of notice from the Licensor of such deficiency, or if the Licensee determines that rectification of such deficiency will reasonably require longer than thirty (30) days, such longer period, if any, that the Licensor consents to in writing in its sole discretion prior to the expiry of the thirty (30) day period, provided that the Licensee diligently and continuously prosecutes rectification of the deficiency at all times, the Licensor may, at its sole option, enter the License Area and take such actions as the Licensor may determine are necessary to remedy such deficiency and the Licensee will pay to the Licensor forthwith upon demand all costs and expenses incurred in respect thereof.

11.0 Compliance and Government Regulation

- 11.1 The Licensee will observe, conform to and abide by Applicable Law with respect to the siting, installation, management, operation, maintenance, conduct, control, condition or other matter in respect of the Structures, the Equipment and the Licensee's use of the Lands and will obtain and maintain in good standing all permits, consents and other approvals that are or may become required in respect of the Structures, the Equipment or the Licensee's use of the Lands. If at any time the Structures, the Equipment or the Licensee's use of the Lands does not comply with Applicable Law, the Licensee will take all necessary steps to promptly comply or will remove any non-compliant items or cease any non-compliant activities within thirty (30) days following receipt of written notice from the Licensor requiring the same.
- 11.2 Without limiting the generality of section 11.1, the Licensee will fully comply with all applicable Canadian Radio-Television and Telecommunications Commission ("CRTC"), Industry Canada, Workers' Compensation Board and Health Canada rules and regulations now existing or hereafter made relating to radio frequency emission levels and maximum permissible exposure, including, for greater certainty, Safety Code 6, and will follow the best practices for ensuring compliance with Safety Code 6 as set out in Health Canada's "Technical Guide for Interpretation and Compliance Assessment of Health Canada's Radiofrequency Exposure Guidelines", as may be amended or replaced from time to time.
- 11.3 The Licensee will deliver to the Licensor a Safety Code 6 Audit and a structural audit of the Structures and any Equipment thereon certified by a professional structural engineer, together with a complete inventory of the Equipment:
- (a) within ninety (90) days following the Commencement Date;
 - (b) within ninety (90) days following any addition, relocation or other change to the Structures or the Equipment; and
 - (c) on the later of every third anniversary of the Commencement Date or the third anniversary of any event referred to in section 11.3(b).
- 11.4 If the audits referred to in section 11.3(b) show that the Equipment is not in compliance with Safety Code 6 or that the Equipment directly or indirectly causes the Lands to not be in

compliance with Safety Code 6 or other Applicable Law, or if such audits identify any concerns with respect to load or other structural matters or any other matter of concern, the Licensee will promptly remedy any such non-compliance or concern in accordance with the Licensor's directions and at the Licensee's sole cost.

- 11.5 The Licensee will not place, store, use, manufacture, install, bring upon, create or release any Hazardous Substance in, on or from the Lands or permit any of the same without Licensor's prior written consent, except that Licensee's and Co-locations' use of generators is explicitly permitted, provided that each generator operator provides a spill response plan to the Licensor in respect of generator fuels. In the event that any unapproved Hazardous Substance is installed, brought upon, created within or released from the Lands by or on behalf of the Licensee, the Licensee will take action to cause the removal of same within twenty-four (24) hours of the Licensor's demand. The Licensee will indemnify and hold the Indemnified Parties, as defined in section 17.2, harmless from any claim, loss, cost, damage or expense, except for the negligence or willful misconduct of the Licensor or persons for whose conduct it is responsible, resulting from:
- (a) Licensee's breach of or non-compliance with this Agreement; or
 - (b) any release or alleged release of any Hazardous Materials at or from the License Area related to or resulting from the use and occupation of the License Area or any act or omission of the Licensee or any person for whom it is in law responsible, including any Co-Locations sublicensed under section 6.3.
- 11.6 The Licensee will, at its sole expense, cause environmental site assessments (or such other environmental testing as may reasonably be required by the Licensor) of the License Area to be conducted by a qualified independent assessor within thirty (30) days of the Commencement Date and, provided that Licensor makes a written request for same to Licensee, within ninety (90) days after the expiration or termination of this Agreement. Copies of such assessments shall be delivered to the Licensor as soon as they are available. If during the Term the Licensor believes that the Licensee or any person authorized by the Licensee to be on the Lands has placed, stored, used, manufactured, installed, brought upon, created or released any unapproved Hazardous Substance in, on or from the Lands or permitted any of the same, or has otherwise caused any contamination or damage to the Lands, then the Licensor may cause an environmental site assessment to be conducted and the Licensee will pay for the costs of such assessment.
- 11.7 Without limiting any of its other obligations under this Agreement, the Licensee will be solely responsible for any environmental contamination or damage to the Lands identified in any environmental site assessment or other comparable report as having been caused or contributed to by the Licensee or any person authorized by the Licensee to be on the Lands and will pay, at its sole expense, for any remediation costs or other fees, expenses or penalties related thereto. This section will survive the expiration or termination of this Agreement.

12.0 Licensee's Additional Covenants

12.1 The Licensee further covenants and agrees that at all times throughout the Term, the Licensee will:

- (a) use the License Area, the Access Road and the Lands only for the purposes set out in this Agreement;
- (b) access the License Area only by the Access Road and contribute towards the costs of maintaining the Access Road and any drainage ditching, culverts or gates as determined by the Licensors;
- (c) work cooperatively with the Licensors to address any security related issues regarding the Licensee's access to and use of the License Area;
- (d) within thirty (30) days following the Licensors' request, provide to the Licensors such information as the Licensors request regarding the Licensee's telecommunication systems or facilities at the License Area and the frequencies used;
- (e) not do or omit to do or permit to be done or omitted anything upon or within or with respect to the License Area which will be or would result in a nuisance;
- (f) install and maintain, at the Licensee's sole cost, security fencing and a gate around the License Area of a standard reasonably acceptable to the Licensors and provide the Licensors and any third parties approved by the Licensors with keys to the lock on the gate;
- (g) install and maintain on the Structure, at the Licensee's sole cost, a security camera capable of both facial and license plate recognition, with sufficient memory storage capacity for 30 days, downloadable by the Licensors to a notebook computer at ground level; and
- (h) not post, place or maintain any signs anywhere upon the Lands or the Equipment unless required by Applicable Law or this Agreement, the size, style and wording of such signs to be subject to the Licensors' approval.

13.0 Insurance

13.1 Unless otherwise agreed in writing with the Licensors, the Licensee will maintain in force, at its sole expense, during the Option Period and the Term in form and content satisfactory to the Licensors:

- (a) a policy of Commercial General Liability Insurance issued by an insurer acceptable to the Licensors, acting reasonably, insuring the Licensee and, as additional insured, the Indemnified Parties, UBC and any additional parties that the Licensors may designate by written notice (the "**Additional Insured**") against claims by any person for personal injury, death, property loss or damage, and third party liability or public liability claims

arising from any accident or occurrence arising from the Licensee's use or occupation of the Lands under this Agreement or otherwise in connection with this Agreement, including damage or loss to the Lands and any property of the Additional Insureds and for injury or death of the Additional Insureds as well as for any injury or loss suffered by any of the sublicensees or other occupants of the Lands, with coverage in an amount of not less than Ten Million (\$10,000,000.00) Dollars per occurrence . Umbrella insurance may be used to achieve the required insured limit;

- (b) a policy of environmental contamination and pollution legal liability insuring both the Licensee and the Additional Insured, as defined in section 13.1(a) of this Agreement, against any and all damages, costs, liabilities and expenses arising out of or resulting from the gradual or sudden discharge or release of Hazardous Substances from the operations of the Licensee, Co-locations or the Additional Insured within the Lands into the environment. This policy shall have per incident coverage in an amount of at least Ten Million Dollars (\$10,000,000.00) and shall remain in effect for the duration of the Agreement, with an extended discovery/reporting period of at least twelve (12) months post expiry;
 - (c) contingent employers' liability insurance;
 - (d) all risks property insurance covering liability for damage to property in its care custody and control, in such reasonable amounts as the Licensor requires; and
 - (e) all risks property insurance on the Licensee's Equipment on a full replacement cost basis with a waiver of subrogation against the Licensor.
- 13.2 The Licensee's general liability insurance must contain owners' and contractors' protective coverage, contractual liability coverage including coverage for the Licensee's indemnity obligations under this Agreement, a cross liability and severability of interests clause, must be written on an occurrence basis and provide protection against economic and consequential loss. The Licensee's insurance described in section 13.1 must contain provisions providing that the insurance will be primary insurance with any other insurance maintained by the Licensor being excess and non-contributing with the insurance of the Licensee. Each of the Licensee's liability insurance policies must be endorsed to require at least thirty (30) days prior written notice of any material change, expiration, or cancellation of the policy to be given to the Licensor.
- 13.3 Before entering on any part of the Lands for the purpose of installation or operation of any of the Equipment, the Licensee must provide the Licensor with insurance certificates in a form, detail and content satisfactory to the Licensor confirming that the coverage's and policies required to be maintained by the Licensee as provided in section 13.1 above are in full force and effect and requiring at least thirty (30) days prior written notice of any policy cancelation during the policy term. On each anniversary of the Commencement Date the Licensee will provide to the Licensor updated and current certificates that satisfy the above stipulated requirements.

- 13.4 The Licensee must require all of its contractors, subcontractors and parties to any Co-locations to maintain, and to add the Licenser as an additional insured to, builder's risks, all risks and contractor's general liability insurance, including completed operations coverage, and such other insurance as may be required by the Licenser, in such amounts, in such forms and issued by such insurers as are approved by the Licenser acting reasonably.
- 13.5 The Licensee will not do, permit to be done, or omit to do anything within the Lands that will cause or have the effect of causing the cost of insurance for the Lands or any part of the Lands to be increased, whether such insurance has been taken out by the Licenser or by any other tenant or occupant of the Lands. If the Licenser's insurance rate is thereby increased, the Licensee will forthwith pay to the Licenser the amount of the increased premium.
- 13.6 The Licensee agrees that it will be the "Prime Contractor" for purposes of the *Workers Compensation Act* (British Columbia) for all Work conducted in connection with its use of the License Area or the Lands and will be solely responsible for the coordination of health and safety activities related to such Work.

14.0 Interference

- 14.1 Where there are existing radio frequency user(s) on the Lands, Licenser will provide Licensee, upon execution of this Agreement, with a list of all existing and intended radio frequency user(s) through Village Equipment on the Lands to allow Licensee to evaluate the potential for interference. Licensee warrants that its use of the License Area will not interfere with existing radio frequency user(s) on the Lands so disclosed by Licenser, as long as those existing radio frequency user(s) operate and continue to operate within their respective frequencies and in accordance with all applicable laws and regulations.

15.0 Relocation

- 15.1 In the event that the Licenser requires the space occupied by the Structures and Equipment for its *bona fide* operational purposes prior to the expiry of the Term, the Licenser may determine, acting reasonably, whether there is a suitable location upon the Lands, or upon other lands under its control, to relocate such Structures.
- 15.2 If the Licenser determines that there is a suitable alternate location for the Structures and Equipment, then the Licenser will provide the Licensee with written notice of the requirement to relocate and setting out the particulars of the offer to relocate to the alternate location. Any proposed relocation will be at Licenser's sole cost and expense, except as pertains to Co-location Structures and Equipment, the relocation of which will be at the cost and expense of those Co-locations. The Licensee will have sixty (60) days to accept such offer after which time it will be deemed to have declined such offer. If accepted, the relocation will be completed as soon as practicable but, in any event, within twelve (12) months after acceptance of the offer. During the relocation, Licensee's access and beneficial use and enjoyment of the License Area shall not be interrupted, obstructed or materially affected, nor shall the utility services to the License Area be interrupted.

- 15.3 If the Licensor does not offer an alternate location or if the Licensee declines or is deemed to decline an offer to relocate, the Licensor may terminate this Agreement upon six (6) months written notice to the Licensee.
- 15.4 Upon termination of this Agreement pursuant to this Part, the rights and obligations set out in sections 17.2 and 17.3 will apply and, for greater certainty, the Licensor will not be liable for any loss, damage or expense whatsoever with respect to such termination.

16.0 Limitation of Liability, Indemnity and Release

- 16.1 Except for wilful misconduct or wilful negligence, Licensor will not be liable for any loss, damage or injury of any nature whatsoever, including injury resulting in death and any interference, inconvenience, damage or loss to the Structures, Equipment or any other property, resulting or arising from or in connection with the Licensee's use of the License Area or the Access Road or in any way relating to this Agreement or the grant of the license hereunder.
- 16.2 The Licensee will indemnify and hold harmless the Licensor and its respective elected officials, directors, officers, employees, volunteers, contractors, agents and representatives (the "**Indemnified Parties**") from and against any and all liabilities, actions, claims, demands, proceedings, suits, losses, damages, costs (including legal fees and court costs) and expenses of whatever kind (including in respect of death, injury, loss or damage to any person or property) arising directly or indirectly from:
- (a) any misrepresentation, breach, violation or non-performance of any warranty, term, covenant, condition or obligation of the Licensee set out in this Agreement;
 - (b) the use or occupation of the Lands by the Licensee or its directors, officers, employees, contractors, agents, representatives, sublicensees or invitees or any other persons authorized by the Licensee to be on the Access Road, the License Area or the Lands, including from the construction, installation, operation, maintenance, repair, removal or other action or omission in respect of the Structures, the Equipment or any other equipment on or in the Lands or from the failure of the Structures, the Equipment or any other such equipment; and
 - (c) the grant by the Licensor of the license under this Agreement

and, for greater certainty, this indemnity includes any claims or demands made by any parties to any Co-locations and any customers of the Licensee or the Co-locations, any users of the Structures or the Equipment or any person allegedly affected by the Structures, the Equipment or the Licensee's use of the Lands.

- 16.3 The Licensee hereby releases the Indemnified Parties from all claims of the Licensee for loss, damage or injury of any nature whatsoever or howsoever caused to any person or property at any time during or after the Term arising from the grant of the license under this Agreement, the Licensee's use of the License Area or the installation, management,

maintenance, control or other activity of the Licensee in respect of the Structures or the Equipment, except to the extent such loss, damage or injury results from the negligence or wilful misconduct of the Licensor.

16.4 Except for wilful misconduct or wilful negligence, neither Licensor nor Licensee will in any event be liable in damages for special, incidental, indirect or consequential losses, including loss of revenue, loss of profits, loss of business opportunity or loss of use of any facilities or property, resulting from any cause whatsoever, including failure or interruption in a supply of electricity or other utility, fire, severe conditions, geohazards or natural disasters, and each party, and anyone claiming by or through them, expressly waives all claims for such damages.

16.5 The Licensee expressly acknowledges:

- (a) having reviewed the Cordilleran Report in respect of geohazards in and around the Village of Lions Bay; and
- (b) that any mitigation of risks potentially affecting the License Area are the sole responsibility of the Licensee.

16.6 The provisions of this Article 16.0 will survive expiration or termination of this Agreement.

17.0 Termination

17.1 This Agreement may be terminated as follows:

- (a) by the written agreement of the parties;
- (b) by the Licensor:
 - (i) upon twelve (12) months written notice to the Licensee, provided that at least one Renewal Term has occurred;
 - (ii) upon written notice to the Licensee if the Licensee fails to pay the License Fee or any other amount payable under this Agreement when due and such failure continues for fifteen (15) days after delivery of written notice thereof from the Licensor;
 - (iii) upon written notice to the Licensee if the Licensee breaches or fails to observe or perform any of its covenants or agreements under this Agreement and such breach is not cured by the Licensee within thirty (30) days (or 72 hours in the case of a failure to insure) after delivery of written notice thereof from the Licensor or if the Licensee determines that the cure of such breach or failure will reasonably require longer than thirty (30) days, such longer period, if any, that the Licensor consents to in writing prior to the expiry of the thirty (30) day period, such consent not to be unreasonably withheld, provided that the

Licensee diligently and continuously proceeds to cure the breach or failure at all times;

- (iv) upon written notice to the Licensee if the Licensee becomes insolvent, ceases to do business as a going concern, is adjudged a bankrupt, made subject to the appointment of a receiver or receiver-manager, makes a general assignment for the benefit of creditors, seeks the protection of any legislation for the benefit of bankrupt or insolvent debtors or commences winding up or liquidation proceedings;
 - (v) upon written notice to the Licensee if, by reason of fire or other event, the License Area is damaged or destroyed and, in the opinion of the Licensor acting reasonably, the License Area is no longer suitable for use as contemplated by this Agreement;
 - (vi) upon written notice to the Licensee if the Licensee's permission to provide telecommunications services is revoked or suspended by any governing entity authorized to permit or regulate the Licensee's provision of such services; or
 - (vii) in accordance with sections 15.2 or 15.3; and
 - (viii) in the event the Licensor terminates this Agreement under sections 17.1(b)(ii), (iii) or (iv), all amounts owing by the Licensee for the balance of the Term then in effect shall become due and owing to the Licensor; or
- (c) by the Licensee:
- (i) upon twelve (12) months written notice to the Licensor, provided that at least one Renewal Term has occurred; or
 - (ii) upon written notice to the Licensor if the Licensee fails to obtain and secure all necessary consents, approvals, permits and authorizations of Canadian Radio-television and Telecommunications Commission (CRTC), Industry Canada, the Department of Transport or of the Village of Lions Bay or other local authority where the Lands are situate and other governmental authorities having jurisdiction with respect to the location, construction, operation or use of the Structures and Equipment,

provided that in such event there will be no adjustment to the License Fee paid by the Licensee for that year.

17.2 Upon expiration of the Term or earlier termination of this Agreement for any reason, the Licensee will, at its sole cost:

- (a) immediately deactivate, decommission or otherwise cease operation of the Equipment;

- (b) subject to subsection 17.2(e), promptly remove the Structures, the Equipment and any other property of the Licensee from the License Area, such removal not to interfere with or otherwise damage the Lands, the Village Equipment or any property or operations of the Licensor or any property or operations of other occupants of the Lands;
 - (c) repair any damage to the Lands caused by the Licensee's use and occupation thereof;
 - (d) restore the License Area, and any other affected areas of the Lands, to its original condition prior to the installation of the Structures and the Equipment; and
 - (e) if the Licensor determines that any underground electrical line or other Equipment or Structures in the License Area or Lands are necessary for the continued operation and maintenance of either the Licensor's or a third party's telecommunications or other equipment, execute any document as deemed necessary by the Licensor to assign ownership of such Equipment or Structures, or both, to the Licensor or to such other party or parties that the Licensor designates at no cost to the Licensor.
- 17.3 Upon Licensor's written request, the Licensee will provide to the Licensor a report of a qualified professional engineer confirming completion of the removal, repair and restoration in accordance with section 17.2. If the Licensee fails to deactivate or decommission any Equipment, remove any property or repair or restore any lands as required pursuant to section 17.2, or fails to fully and adequately do so to the Licensor's satisfaction within one hundred twenty (120) days after the expiration or termination of this Agreement:
- (a) the Licensee will pay to the Licensor a monthly penalty in an amount equal to two (2) times the License Fee (as prorated on a monthly basis) prevailing immediately prior to the expiry of the Term until such time as such deactivation, decommissioning, removal, repair or restoration is fully and adequately completed; and
 - (b) the Licensor may, at its sole option and without further notice, enter the License Area and deactivate or decommission such Equipment, take possession and remove such property or complete such repairs or restorations and the Licensee will pay to the Licensor forthwith upon demand all costs and expenses incurred in respect thereof.
- 17.4 Unless otherwise expressly provided in this Agreement, expiry or termination will not affect any obligations or liabilities arising under this Agreement prior to such expiry or termination or those obligations or liabilities that expressly survive such termination.
- 17.5 Unless otherwise expressly provided herein, in addition to all other rights or remedies the Licensor may have under this Agreement or by law, if the Licensee defaults in any of its obligations under this Agreement, the Licensor may, at its option, perform any such obligation after five (5) days' written notice to the Licensee (or without notice in case of an emergency) and in such event the costs of performing such obligation and all the Licensor's overhead and related supervision charges will be payable by the Licensee to the Licensor on demand,

together with interest at the rate of 5% per annum in excess of the minimum lending rate to prime commercial borrowers from time to time current at any of the five largest Canadian chartered banks designated by the Licensors from the date of the performance of such obligation by the Licensors until the date of payment to the Licensors.

18.0 No Tacit Renewal or Extension

- 18.1 If the Licensee continues to use the License Area after the expiration of the Term without the execution of a new license agreement and the Licensors accept payment from the Licensee in respect of its use of the License Area, there will be no tacit renewal or extension of this Agreement and the Licensee will be deemed to be entitled to use the License Area on a month to month basis at a monthly license fee equal to two (2) times the License Fee (as prorated on a monthly basis) prevailing immediately prior to the expiry of the Term, such fee to be paid in advance, and otherwise upon the same terms and conditions applicable on the date of expiry (so far as applicable to a monthly license arrangement), except that the option to renew will not apply and the Agreement may be terminated by the Licensors upon one (1) month's written notice to the Licensee.

19.0 Ownership and Responsibility for Structures

- 19.1 This Agreement is subject to the Licensors having the right to install and maintain the Village Equipment on the Structures, and in accordance with section 3.4 of this Agreement.
- 19.2 Subject to subsection 17.2(e) and except for any Village Equipment or other Equipment installed by or on behalf of the Licensors on the Lands, the Structures and the Equipment will at all times remain the property of the Licensee notwithstanding that such items may be annexed or affixed to the Lands and will at any time and from time to time be removable in whole or in part by the Licensee, provided that the provisions of this Agreement regarding removal of the Licensee's property and restoration of the Lands are fully complied with by the Licensee.

20.0 Notice

- 20.1 Any demand, notice or other communication (**each, a "Notice"**) to be given in connection with this Agreement must be given in writing and by personal delivery, by registered mail or by electronic means of communication addressed to the recipient as follows:

- (a) If to the Licensors:

Village of Lions Bay
PO Box 141, 400 Centre Road
Lions Bay, BC V0N 2E0

Attention: Chief Administrative Officer

Email: cao@lionsbay.ca; reception@lionsbay.ca

(b) If to the Licensee:

SBA Canada, ULC

Bureau 100, Rue 468 Saint-Jean
Montreal, QC H2Y 2S1

Attention:

with a copy to:

SBA Canada, ULC
8051 Congress Avenue
Boca Raton, Florida
USA, 33487-1307
Re:

Attention: Site Administration
Phone # - (800) 487-7483

or to such other address as may be specified by a party by written notice to the other party.

- 20.2 Any Notice given by personal delivery will be deemed to have been given on the actual date of delivery and, if given by registered mail, on the 4th business day after mailing and, if given by electronic means of communication, on the day of transmittal thereof if given during the normal business hours of the recipient and on the next business day if given after such business hours. If the party giving any Notice knows or ought reasonably to know of any difficulties with the postal system that might affect the delivery of mail, any such Notice may not be mailed but must be given by personal delivery or by electronic communication.

21.0 Intent

- 21.1 The parties acknowledge that this Agreement is a license and not a lease and nothing contained herein will be deemed or construed as creating a "landlord-tenant" relationship and the Licensee will not be entitled to avail itself of any rights afforded by law to tenants. No partnership, joint venture or any agency relationship is created or intended to be created between the Licensor and the Licensee. Without limiting the foregoing, the Licensee acknowledges that the rights granted under this Agreement do not constitute any title or interest or estate in land and do not entitle the Licensee to exclusive use or possession of the License Area. The Licensee may not register or record this Agreement or any memorandum thereof or any encumbrance against title to the Lands in any land title or registry office. The Licensee must ensure its Co-location agreements are consistent with the provisions of this agreement generally and this section in particular.
- 21.2 The Licensee's rights under this Agreement are at all times subject to the Licensor's rights and interests as the licensor of the License Area. The Licensee acknowledges and agrees that the

Licensor may use the License Area at any time for any purpose relating to the conduct of the Licensor's business and for operating and maintaining the Licensor's works and facilities on the Lands, including the Village Equipment, or on adjacent lands. The Licensor may grant to other persons the right to occupy and use the License Area and the Licensee will not interfere with the rights of those persons to enter onto and use the License Area, provided however, that the Licensor will not permit others, by way of radio interference or physical obstruction, to interfere with or impair the quality of the telecommunications services being rendered by the Licensee from the License Area.

22.0 Interpretation

- 22.1 Each party and its legal counsel have reviewed and had the option to revise this Agreement. The normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party will not be employed in the interpretation of this Agreement or of any amendments or exhibits to this Agreement.
- 22.2 Each of the parties will from time to time execute and deliver all such further documents and instruments and do all acts and things as the other party may reasonably require to carry out effectively or better evidence or perfect the full intent and meaning of this Agreement.
- 22.3 Headings of articles, sections and subsections are for convenient reference only and will not be deemed to limit, construe, affect, modify or alter the meaning of the sections or subsections.
- 22.4 If any provision of this Agreement is determined by any court of competent jurisdiction to be illegal or unenforceable, that provision will be severed from this Agreement and the remaining provisions will continue in full force and effect so long as the economic or legal substance of the transactions contemplated hereby are not affected in any manner materially adverse to either party.
- 22.5 No amendment to this Agreement will be valid or binding unless set forth in writing and duly executed by both of the parties. No waiver of any breach of any provision of this Agreement will be effective or binding unless made in writing and signed by the party purporting to give the same and, unless otherwise provided, will be limited to the specific breach waived.
- 22.6 The Schedules identified in this Agreement are incorporated herein by reference and made a part hereof. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and cancels and supersedes any prior understandings and agreements between the parties with respect thereto. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express or implied, between the parties other than as expressly set forth in this Agreement.
- 22.7 Time is of the essence with respect to the Licensee's and Licensors' obligations under this Agreement.
- 22.8 This Agreement:

- (a) will enure to the benefit of and be binding upon the respective successors and permitted assigns of the parties;
- (b) is governed by and will be construed in accordance with the laws of the Province of British Columbia.
- (c) may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument.
- (d) may be executed by the parties and transmitted by email or other electronic means capable of producing a written copy and if so executed and transmitted, this Agreement will be for all purposes as effective as if the parties had delivered and executed an original agreement.

IN WITNESS WHEREOF authorized representatives of the parties have duly executed this Agreement as of the date first above written.

Village of Lions Bay, by its authorized signatories:

Name:

Title:

Name:

Title:

SBA Canada, ULC, by its authorized signatories:

Name:

Title:

Name:

Title:

SCHEDULE "A"

License Area and Access Road

SCHEDULE "A-1"

Temporary Construction Easements

SCHEDULE "B"

Village Equipment

SCHEDULE "C"

Installation Requirements and Specifications

SCHEDULE "D"

Antenna Site Agreement for Village Equipment

Schedule A

License Area and Access Road



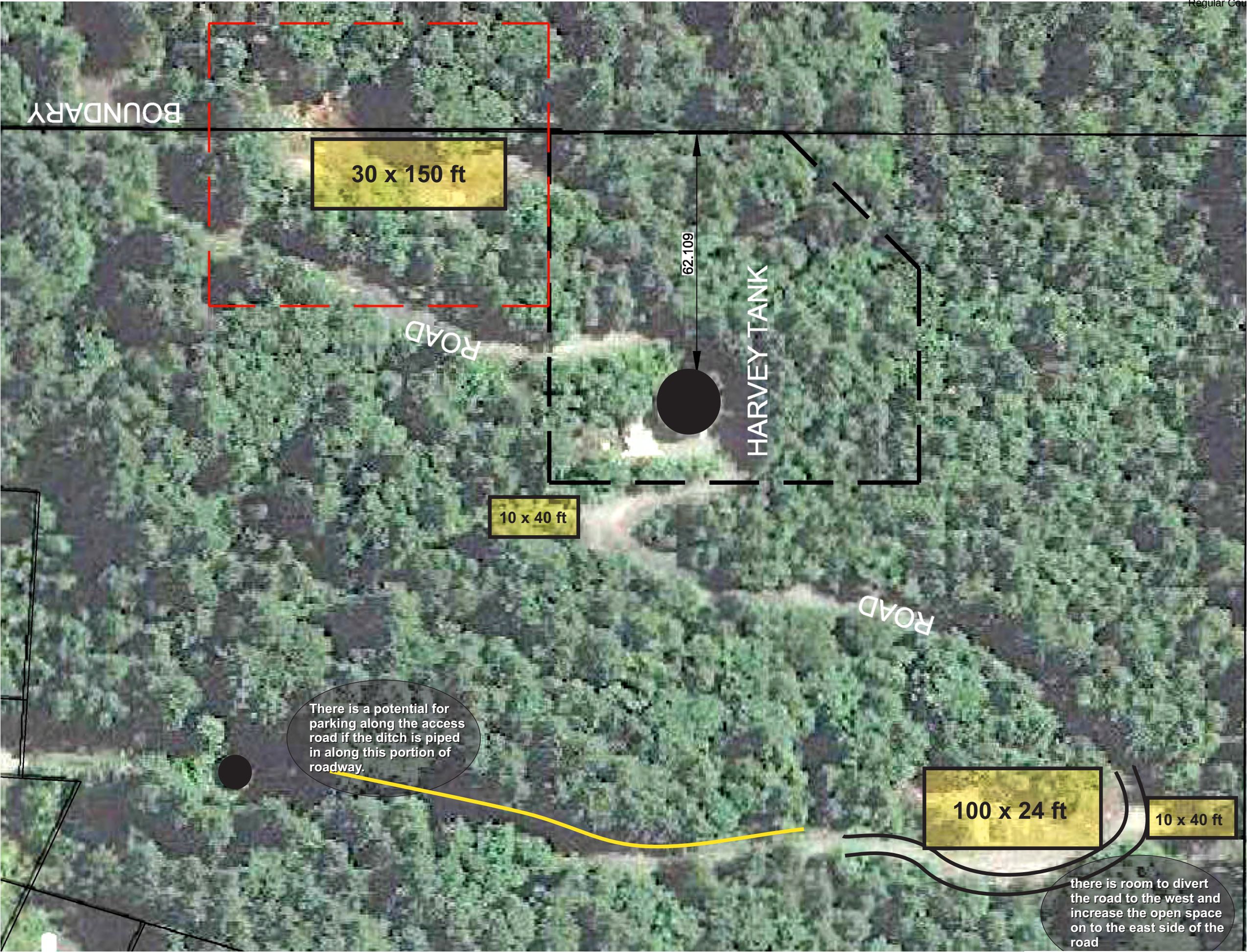


EXHIBIT B ANTENNA AND EQUIPMENT LIST

Antenna(s):

Quantity:

Type:

Manufacturer:

Model:

Dimensions:

Weight:

Mounting:

Base of the antenna:

At approximately the _____' height level

Centerline of the antenna:

At approximately the _____' height level

Tip of the antenna:

At approximately the _____' height level

Orientation:

____°, ____° & ____°

Downtilt:

____°

Mount Type:

Cable:

Number of Lines:

Type:

Size:

Dish:

Quantity

Manufacturer:

Model:

Dimensions / Weight:

Orientation:

Mount:

At approximately _____' height level.

Type Mount:

Cable Type / Size:

GPS Receiver:

Quantity:

Manufacturer:

Model:

Dimensions:

Mount Location:

Cable/Mount:

Ground Space Requirements:

Tenant provided Shelter:

Dimensions:

Type Shelter:

Existing Shelter Space:

Dimensions Needed:

Transmitter:

Quantity:

Manufacturer:

Model:

Power Output (Watts):

Transmitter Cabinet:

Quantity:

Manufacturer:
Model:
Dimensions:
Weight:

Frequencies:

Transmit: MHz
Receive: MHz

ERP:

Transmitter Operating Power:

Generator:

EXHIBIT C

MINIMUM SITE INSTALLATION, OCCUPANCY AND MAINTENANCE REQUIREMENTS AND SPECIFICATIONS

Pre-Installation Standards

1. Prior to installation, Tenant must provide Owner with complete plans for approval, including list of proposed Equipment and subcontractors. No work may be performed until approval has been given and all criteria have been met. All Equipment must be placed in approved locations only, and Owner must approve any changes before the installation begins. Tenant must notify Owner for approval of any significant changes to the equipment referenced including, but not limited to, any addition or change in operating frequency(s), change in transmitter power levels or addition or removal of equipment. The Owner or its representative shall have the right to be on site during any work on the Site.

Installation

2. (a) The following minimum protective devices must be properly installed:
 - (1) Lightning arrestors in feed-line at wall feed-through ports (SBA multi-tenant buildings). (mobile operators install jumpers to extend/connect to cabinet like enclosures).
 - (2) Surge protectors in any AC & phone line circuit.
 - (3) Transmitter RF shielding. (Must be in place during operation)
 - (4) Isolator/harmonic filter. (Must be in place during operation)
 - (5) Duplexer or cavity band-pass filter. (Must be in place during operation)
- (b) Installations will be completed in a neat, clean, and professional manner.
- (c) Tower riggers must be listed on the Owner's approved tower rigger list.
- (d) All work at the Site will be in compliance with prevailing Owner, Industry Canada and Health Canada standards.
- (e) 'Site Specific' instructions may apply in addition to these general Minimum Site Specifications.
- (f) Non-compliant installations shall be resolved at the Tenant's expense within thirty days of notification.
- (g) All equipment shall be licensed and operated in full compliance with all Industry Canada and other governmental authority rules and regulations, as applicable.
- (h) All Equipment, including transmitters, duplexers, isolators and multi-couplers, must be housed in a metal cabinet or rack mounted. No control stations or inverted transmit/receive frequency pairs are allowed on repeater sites.
- (i) All equipment cabinets will be identified with a typed label under plastic on which the Tenant's name, address, 24 hour phone number, call sign, and frequencies will be inscribed,
- (j) Unsealed batteries (lead acid, maintenance free lead / acid) are not permitted in Owner Sites. All sealed batteries must be properly mounted and installed according to the manufacturers' specifications including proper containment.
- (k) All transmission lines entering the shelter must be 1/2" Heliax/Wellflex or better via a wall feed-through plate and must terminate in a properly installed lightning arrestor with an ID tag within 12 inches of the termination of the feeder cable at both ends, at the entrance to the building, at repeater or base station cabinet, and at the multi-coupler/combiner ports.
- (l) Solid outer shield cable such as Superflex or Heliax/Wellflex must be used for all intercabling outside the cabinet. Under no circumstances will the use of foil shielded or braided RF cable (e.g; RGB) be permitted outside the cabinet except for RG-6 quad shield cable installed on satellite receive only systems.
- (m) All antenna, power and phone cables will be routed and properly supported to the base station in a neat manner using routes provided for that purpose. Tenant will provide individual Transient

(SAD) surge protection to each circuit used. All phone lines will have (SAD) transient surge protection installed. All wiring and installation will be by means of clamping or strapping and in no event will any members or other parts of the tower be drilled, welded, punched or otherwise mutilated or altered.

- (n) All Tenants are to obtain power from the power panel and/or AC receptacle provided for their specific use.
- (o) Equipment shall be grounded to the Site grounding system. All outside RF equipment cabinets must be grounded to the Site ground system using #2 solid tinned wire with cadweld, silver solder connections, or 2 hole lugs with Burndy type compression fittings. All inside RF equipment cabinets must be grounded to the Site ground system using #2, or #6 green jacketed stranded wire with silver solder connections, or 2 hole lugs with Burndy type compression fittings.
- (p) Cadwelding to the tower or drilling holes in any tower member is NOT permitted, unless approved in writing by Owner.
- (q) All antenna lines will be electrically bonded to the tower at the antenna and at the bottom of the tower using grounding kits installed per manufacturer specifications and all antenna brackets must be pre-approved. All antenna lines entering the Site will have COAX center pin lightning protection installed within two feet from the entry port and grounded to master ground bar in the Site ground system.
 - (i) Monitor speakers will be disabled except when maintenance is being performed.
- (r) Interior cable runs shall be made in a neat and professional manner. Loosely hung or excessively coiled cables are not permitted.
- (s) Appropriate cable cushions shall be used on each tower. When the use of cable cushions is not possible, black nylon tie-wraps or other insulated clamps or strapping shall be used. The use of copper ties or similar metal strapping is not permitted.
- (t) Spray-in foam filler is not permitted for filling conduit holes in wall feed-throughs.
- (u) Entry boots appropriate for each building shall be used. Microflect boots shall be used on those buildings with Microflect entry panels.
- (v) All ferrous metals located outside of the building or on the tower will be either stainless steel or hot dipped galvanized, not plated or cold galvanizing. Painted towers will require the painting of feed-lines by the Tenant, unless installed by Owner, prior to or before completion of the install. All transmission lines are to be secured with factory hoist grips every 150' and secured to the tower or cable ladder with stainless steel and/or hot dipped galvanized hardware. Plastic wraps and/or bandit type hangers will not be accepted.
- (w) All transmitters shall include a harmonic filter, either low-pass or band-pass, as equipped from the manufacturer.
- (x) To reduce the possibility of interference, the standards below are minimums required by the Tenant. Additional protective equipment may be required by Owner in the event of interference.

Minimum Transmitter Protection Standards

Frequency Range	Minimum of reverse isolation required (isolator)	Bandpass cavity minimum attenuation (1 MHz from TX Frequency)
25-54 MHz	20 dB	30 dB
66-88 MHz	25 dB	20 dB
88-108 MHz	25 dB	25 dB
130-225 MHz	50 dB	25 dB
400-512 MHz	50 dB	15 dB
806-960 MHz	50 dB	15 dB

Hybrid transmitter combining will have a band pass filter installed on the output with the following attenuation at 1 MHz from the transmit frequency: UHF/800/900 MHz- 15 dB. Multi-frequency transmitter filtering must be approved by engineering.

General

3. Tenant must comply with any applicable instructions regarding any Site security system.

- (a) Gates will remain closed at all times unless entering or exiting the premises. When leaving the shelter, ensure that all doors are locked and, if there is a security system, it is armed.
- (b) Any tower elevator may be used only after receiving proper instruction on its use, signing a waiver and receiving authorization from the Owner.
- (c) This Agreement does not guarantee parking space. If space is available, park only in the designated areas. Do not park so as to block any ingress or egress except as may be necessary to load or unload equipment. Parking is for temporary use while working at the Site.
- (d) Do not adjust or tamper with thermostats or HVAC systems.
- (e) Access to the shelter roof is restricted to authorized maintenance personnel.

SBA CANADA FORM OF ANTENNA SITE AGREEMENT

1. **Premises and Use.** **SBA CANADA, ULC**, a federal corporation registered in British Columbia as an extra provincial company under number A0096028 ("**Owner**") grants a license to Village of Lions Bay ("**Tenant**"), at the Owner's Tower site described below: Tower antenna space; Ground space for placement of Pad or Shelter ("**Shelter**") for Tenant's base station equipment consisting of approximately _____ square meters; and space required for Tenant's cable ladders, cable runs and cable bridges to connect telecommunications equipment and antennas, in the location shown on Exhibit A, together with reasonable access thereto and to the appropriate, in the discretion of Tenant, source of electric and telephone facilities (collectively, the "**Site**"). The Site will be used by Tenant for the purpose of installing, removing, replacing, modifying, maintaining and operating, at its expense, a telecommunications service system facility consisting of the antenna(s) and related equipment set forth or provided for on Exhibit B, which may include equipment owned and/or operated by the Tenant, the University of British Columbia, or any emergency service provider, agency or dispatcher so authorized by the Tenant (the "**Equipment**"). Tenant shall be entitled to replace the Equipment with equivalent equipment upon a written amendment of the Exhibit B. If Tenant desires to place equipment on the Site in addition to that listed on Exhibit B, Owner and Tenant will negotiate the placement of the additional equipment and the associated increased rent. The placement of substitution equipment in accordance with Section 9 shall not constitute additional equipment unless the same shall utilize additional space or capacity. Tenant will use the Site in a manner which will not unreasonably disturb the occupancy of Owner's other tenants.

2. **Term.** The "Initial Term" of this Agreement shall be five (5) years beginning on the date set forth below ("**Commencement Date**") and terminating on the fifth anniversary of the Commencement Date. This Agreement will automatically renew for five (5) additional terms (each a "**Renewal Term**") of five (5) years each, unless Tenant provides notice of its intention not to renew not less than one hundred and twenty (120) days prior to the expiration of the Initial Term or any Renewal Term.

COMMENCEMENT DATE: The earlier of (i) the date Tenant commences the installation of its Equipment on the Site or (ii) the date in which the Site is Substantially Complete and ready for Tenant's occupancy. For the purposes hereof, "Substantially Complete" shall mean the Site is available and ready for Tenant to commence the construction and installation of its Equipment except for punchlist items.

3. **Rent.** Beginning on the Commencement Date rent will be paid in equal monthly installments of Zero {00566770; 3 }

Initials: _____ Owner Initials: _____
Date

and 00/100 Canadian Dollars (\$0.00) ("**Rent**"), in advance, due on the first day of each month, partial months to be prorated on a thirty (30) day month. Rent will be increased annually on the anniversary of the Commencement Date (during the Initial and all Renewal Terms) by 5% of the monthly rate in effect for the prior year. This Agreement shall be effective on the date last executed by the parties.

4. **Security Deposit.** Intentionally Omitted.

5. **Title and Quiet Possession.** Owner represents and agrees (a) that it is in possession of the Site as licensee under the Telecommunications Tower Option and License Agreement between the parties ("**License**"); (b) that if applicable, upon request from Tenant, Owner will provide to Tenant a copy of the License with financial and other confidential terms redacted; (c) that it has the right to enter into this Agreement; (d) that the person signing this Agreement has the authority to sign; and (e) that Tenant is entitled to the quiet possession of the Site subject to zoning and other requirements imposed by governmental authorities, any easements, restrictions, or encumbrances of record throughout the Initial Term and each Renewal Term so long as Tenant is not in default beyond the expiration of any cure period. Notwithstanding anything to the contrary contained in this Agreement, if the Site is subject to a License, either party may terminate this Agreement without further liability upon the termination or expiration of Owner's right to possession of the Site under the License. Owner will not do, attempt, permit or suffer anything to be done which could be construed to be a violation of the License.

6. **Assignment/Subletting.** Tenant may not assign or transfer this Agreement without the prior written consent of Owner, which consent will not be unreasonably withheld, delayed or conditioned. However, Tenant may assign without the Owner's prior written consent to any party controlling, controlled by or under common control with Tenant provided that the assuming party has comparable credit quality to that of Tenant. Tenant may not sublicense this Agreement. In no event will Tenant be relieved of any obligations or liability hereunder.

7. **Access and Security.** Tenant will have the reasonable right of access to the Tower where its Equipment is located; provided that Tenant must give Owner forty-eight (48) hours prior notice. Tenant will have unrestricted access twenty-four (24) hours a day seven (7) days a week to its Pad or Shelter. In the event of an emergency situation which poses an immediate threat of substantial harm or damage to persons and/or property (including the continued operations of Tenant's telecommunications equipment) which requires entry on the Tower, Tenant

may enter same and take the actions that are required to protect individuals or personal property from the immediate threat of substantial harm or damage; provided that promptly after the emergency entry and in no event later than twenty-four (24) hours, Tenant gives telephonic and written notice to Owner of Tenant's entry onto the Site.

8. **Notices.** All notices sent with respect to this Agreement shall be in writing and delivered to the other party via registered mail, return receipt requested, reputable overnight delivery service, or be electronic means of communication. Notices shall be deemed to have been delivered upon the actual, verifiable date of receipt or refusal of delivery thereof by the recipient party. The current addresses of the parties to which such notices should be sent are as follows:

Tenant: Village of Lions Bay
PO Box 141, 400 Centre Road
Lions Bay, BC V0N 2E0
Attn: Chief Administrative Officer
Email: cao@lionsbay.ca;
reception@lionsbay.ca

Owner: SBA Canada, ULC
468, rue Saint-Jean, bureau 100
Montreal, Quebec
H2Y 2S1 Canada
Attn.: President
RE: (Site Name)/(Site ID)

With a
Copy to: SBA Canada, ULC
8051 Congress Avenue
2nd Floor
Boca Raton, FL 33487 - 1307
Attn: Site Administration
RE: (Site Name)/(Site ID)

Rental
Payments: SBA Canada, ULC
Lock Box #M40067C
Case Postale 40067 Succursale Centre-Ville
Montreal, Quebec H3C OK1
RE: (Site Name)/(Site ID)

9. **Installation and Improvements.** Prior to installing or allowing any Equipment to be installed at the Site or making any changes, modifications or alterations to such Equipment, Tenant, at its expense, will obtain all required approvals and will submit to Owner plans, specifications and proposed dates of the planned installation or other activity, for Owner's approval which approval will not be unreasonably withheld, including, if requested by Owner, a tower loading study and/or an intermodulation study performed and certified by an independent licensed professional engineer. The approved plans will be

deemed incorporated into this Agreement. All installation of or other work on Tenant's Equipment on the Tower will be at Tenant's sole expense. All installations, operation and maintenance of Equipment must be in accordance with Owner's policies set forth in C. Owner reserves the right to prohibit operation of any Equipment it reasonably deems to be improperly installed, unsafe or not included in the installation design plan. Owner agrees to cooperate with Tenant's reasonable requests, at Tenant's expense, with respect to obtaining any required zoning approvals for the Site and any improvements. Upon termination or expiration of this Agreement, Tenant shall remove its Equipment and improvements and will restore the Site to the condition existing on the Commencement Date, except for ordinary wear and tear and insured casualty loss. If Tenant fails to remove its Equipment as specified in the preceding sentence, Tenant's Equipment will be subject to disconnection, removal, and disposal by Owner. If Tenant's Equipment remains on the Site after the termination or expiration date (even if it has been disconnected), Tenant will pay to Owner a hold-over fee equal to two hundred percent (200%) of the then-effective monthly Rent, prorated from the effective date of termination to the date the Equipment is removed from the Site. Owner will have the right (but not the obligation) to disconnect and remove Equipment from the Site. If, after the termination date, Owner disconnects and removes Equipment, Tenant will pay to Owner upon demand three hundred percent (300%) of the disconnection, removal and storage expenses incurred by or on behalf of Owner. If the Equipment is not reclaimed by Tenant within forty-five (45) days of its removal from the Site, Owner has the right to sell the Equipment and deduct therefrom any amounts due under this Agreement, returning the remainder to Tenant. Upon written notice by Owner to Tenant not less than five (5) business days beforehand, unless such notice can not reasonably be provided in which event Owner will give Tenant the earliest possible reasonable notice, Tenant will cooperate with Owner in rescheduling its transmitting activities, reducing power, or interrupting its activities for limited periods of time in the event of an emergency or in order to permit the safe installation of new equipment or new facilities at the Site or to permit repair to facilities of any user of the Site or to the related facilities.

10. **Compliance with Laws.** Tenant agrees to take the Site in strictly "as is" condition. Owner represents that the Site of the Owner and all improvements located thereon, are in substantial compliance with building, life/safety, disability and other laws, codes and regulations of applicable governmental authorities. Tenant will substantially comply with all applicable laws relating to its possession and use of the Site and its Equipment. Upon request by Owner, Tenant will produce satisfactory evidence that all Equipment installed at the Site complies with all

applicable regulations pertaining to radio-frequency radiation standards and is licensed with all applicable governmental authorities, including Industry Canada. Owner accepts responsibility for the Site's compliance with all tower or building marking and lighting regulations promulgated by Transport Canada or NAVCANADA, as applicable. Owner represents and warrants that the Site complies with all applicable tower or building marking or lighting regulations promulgated by Transport Canada or NAVCANADA. Owner agrees that Tenant may install, at Tenant's sole cost and expense as required for Tenant's Equipment, a tower lighting alarm monitoring system (including, but not limited to, commercial power and a dedicated surveillance telephone line) to monitor the status of the tower/building lighting. Owner shall be solely responsible for reporting any lighting outages or malfunctions to the appropriate governmental authorities. Tenant's installation of such tower/building lighting alarm monitoring system will not relieve Owner of its primary responsibility for compliance with all applicable tower or building marking and lighting requirements. If Tenant installs a temporary generator as described above or contracts with Owner to place a permanent generator at the Site, (i) Owner and Tenant acknowledge that Tenant must comply with all applicable laws and regulations concerning the installation, operation, maintenance and removal of Tenant's generator and/or back up power supply including but not limited to obtaining any and all necessary government approvals and permits, and (ii) Tenant agrees to indemnify, defend and hold harmless Owner for any and all costs, claims, administrative orders, causes of action, fines and penalties which arise out of the installation, operation, maintenance and removal of the generator and or back up power supply used solely by Tenant, and (iii) Upon request of Owner, Tenant agrees to provide Owner with all relevant information concerning the Tenant's generator and/or back up power supply necessary for Owner to comply with any reporting obligations for which Owner may be responsible.

11. **Insurance.** Tenant will cause to be procured and maintained a public liability policy, with limits of not less than \$1,000,000 for bodily injury, \$1,000,000 for property damage, \$2,000,000 aggregate, which minimum Owner may require adjusting at each renewal term, with a certificate of insurance to be furnished to Owner within thirty (30) days of execution of this Agreement and prior to performing any work. Such policy will provide that cancellation will not occur without at least fifteen (15) days prior written notice to Owner. Tenant will cause Owner, and the Village of Lions Bay if applicable, to be named as an additional insured on such policy.

12. **Interference.** Tenant will provide Owner, upon execution of this Agreement, with a list of all existing and intended radio frequency user(s) through the Equipment on the Site to allow Owner to evaluate the

potential for interference. Tenant shall provide Owner with a list of frequencies to be used at the Site prior to putting said frequencies into operation. If interference occurs which involves Tenant, Owner may require that an intermodulation study be conducted.

13. **Utilities.** Tenant will pay for all utilities used by it at the Site and Tenant will install its own electric meter. Tenant will be responsible directly to the appropriate utility companies for all utilities required for Tenant's use of the Site. However, Owner agrees to cooperate with Tenant, at Tenant's expense, in its efforts to obtain utilities from any location provided by the Owner or the servicing utility. Temporary interruption in the power provided by the facilities will not render Owner liable in any respect for damages to either person or property nor relieve Tenant from fulfillment of any covenant or agreement hereof. If any of Tenant's communications Equipment fails because of loss of any electrical power, and the restoration of the electrical power is within the reasonable control of Owner, Owner will use reasonable diligence to restore the electrical power promptly, but will have no claim for damages on account of an interruption in electrical service occasioned thereby or resulting therefrom.

14. **Relocation Right.** If determined necessary by Owner to relocate the tower, Owner will have the right to relocate the telecommunications facility of Tenant, or any part thereof, to an alternate tower location ("**Relocation Site**") on Owner's property; provided, however, that such relocation will (i) be at Tenant's sole cost and expense, (ii) not unreasonably result in any interruption of the communications service provided by Tenant on Owner's property, and (iii) not impair, or in any manner alter, the quality of communications service provided by Tenant on and from Owner's property. Owner will exercise its relocation right by delivering written notice to Tenant. In the notice, Owner will propose an alternate site on Owner's property to which Tenant may relocate its Equipment. Tenant will have sixty (60) days from the date it receives the notice to evaluate Owner's proposed Relocation Site, during which period Tenant will have the right to conduct tests to determine the technological feasibility of the proposed Relocation Site. Failure to respond in writing within the sixty (60) day period will be deemed an approval. If Tenant disapproves such Relocation Site, then Owner may thereafter propose another Relocation Site by notice to Tenant in the manner set forth above. Tenant's disapproval of a Relocation Site must be reasonable. Tenant will have a period of ninety (90) days after completion of the Relocation Site to relocate its Equipment at Tenant's expense to the Relocation Site. Owner and Tenant hereby agree that the Relocation Site (including the access and utility right-of-way) may be surveyed by a licensed surveyor at the sole cost of Tenant, and such survey will then supplement Exhibit A and become a part hereof.

15. **Termination by Tenant.** Tenant may terminate this Agreement at any time by notice to Owner without further liability if (i) Owner fails to have proper possession of the Site or authority to enter into this Agreement; (ii) Tenant does not obtain, after making diligent efforts, all permits or other approvals (collectively, "**approval**") required from any governmental authority or any easements required from any third party to operate the telecommunications system facility, or if any such approval is canceled, expires, is withdrawn or terminated by such governmental authority or third party following Tenant's diligent efforts to maintain such approval; or (iii) on Tenant providing Owner with not less than 30 days' notice of termination.

16. **Default.** If the Rent or other amount due hereunder is not paid in accordance with the terms hereof, Tenant will pay interest on the past due amounts at the lesser of (i) the rate of one and one-half percent (1.5%) per month, or (ii) the maximum interest rate permitted by applicable law. If either party is in default under this Agreement for a period of (a) ten (10) days following receipt of notice from the non-defaulting party with respect to a default which may be cured solely by the payment of money, or (b) thirty (30) days following receipt of notice from the non-defaulting party with respect to a default which may not be cured solely by the payment of money, then, in either event, the non-defaulting party may pursue any remedies available to it against the defaulting party under applicable law, including, but not limited to, the right to terminate this Agreement. Further, Owner may accelerate and declare the entire unpaid Rent for the balance of the existing Term to be immediately due and payable forthwith. If the non-monetary default may not reasonably be cured within a thirty (30) day period, this Agreement may not be terminated if the defaulting party commences action to cure the default within such thirty (30) day period and proceeds with due diligence to fully cure the default.

17. **Indemnity.** Except for wilful misconduct or wilful negligence, Tenant will not be liable for any loss, damage or injury of any nature whatsoever, including injury resulting in death and any interference, inconvenience, damage or loss to the Site, the Equipment or any other property, resulting or arising from or in connection with this Agreement. Except for wilful misconduct or wilful negligence, neither Tenant nor Owner will in any event be liable in damages for special, incidental, indirect or consequential losses, including loss of revenue, loss of profits, loss of business opportunity or loss of use of any facilities or property, resulting from any cause whatsoever, including failure or interruption in a supply of electricity or other utility, fire, severe conditions, geohazards or natural disasters, and each party, and anyone claiming by or through them, expressly waives all claims for such damages. Except for its own acts of wilful misconduct or wilful negligence, Owner will have no

liability for any loss or damage due to personal injury or death, property damage, loss of revenues due to discontinuance of operations at the Site, libel or slander, or imperfect or unsatisfactory communications experienced by the Tenant for any reason whatsoever.

18. **Hazardous Substances.** Owner represents that it has no knowledge of any substance, chemical or waste (collectively, "**substance**") on the Site that is identified as hazardous, toxic or dangerous in any applicable federal, provincial or municipal law, regulation, rule, order or guideline (collectively, "**Environmental Laws**"), beyond levels of concentration permitted by the applicable Environmental Laws. Tenant or Owner will not introduce or use any such substance on the Site in violation of any applicable Environmental Law, or permit any discharge or release of such substance on the Site.

19. **Liens.** Tenant will not permit any mechanics, materialman's, construction or other liens to stand against the Site for any labor or material furnished by Tenant in connection with work of any character performed on the Site by or at the direction of the Tenant. In the event that any notice of lien will be filed or given, Tenant will, within thirty (30) days after the date of filing cause the same to be released or discharged by either payment, deposit, or bond. Owner will be indemnified by Tenant from and against any losses, damages, costs, expenses, fees or penalties suffered or incurred by Owner on account of the filing of the claim or lien.

20. **Casualty or Condemnation.** In the event of any damage, destruction or condemnation or expropriation of the Site, or any part thereof, not caused by Tenant that renders the Site unusable or inoperable, Owner will have the right, but not the obligation, to provide an alternate location, whether on the same Site or another Site, or to terminate this Agreement within thirty (30) days after the damage, destruction, condemnation or expropriation. If Owner does not terminate this Agreement: (i) the Rent payable hereunder will be reduced or abated in proportion to the actual reduction or abatement of use of the Site by Tenant; and (ii) Owner will make any necessary repairs to the Site caused by the damage or destruction and will be entitled to use any and all insurance proceeds to pay for any repairs. In the event Owner has not proceeded to repair, replace or rebuild the Site within sixty (60) days after the damage or destruction, after giving thirty (30) days written notice and Owner's failure to comply within that time frame, then Tenant may terminate this Agreement. Owner will in no event be liable to Tenant for any damage to or loss of Tenant's Equipment, or loss or damage sustained by reason of any business interruption suffered by reason of any condemnation or expropriation, act of God, by Tenant's act or omission, or Tenant's violation of any of the terms,

covenants or conditions of this Agreement, (unless caused solely by Owner's intentional misconduct or gross negligence). The terms and conditions of this Section 20 shall survive the termination of this Agreement. Owner acknowledges that Tenant may have certain emergency procedures that Tenant may desire to implement, including the temporary location of a cell on wheels on the Site, in the event of a casualty. To the extent possible, Owner will cooperate with Tenant in Tenant's implementation of its emergency responses as the same may exist from time to time.

21. **Confidentiality.** Except as required by applicable law, Tenant agrees not to discuss publicly, advertise, nor publish in any newspaper, journal, periodical, magazine, or other form of mass media, the terms or conditions of this Agreement or the underlying License. Doing so shall constitute a default under this Agreement immediately. It is agreeable that Tenant will not discuss terms and conditions with any parties not directly involved with this Agreement.

22. **Miscellaneous.**

(a) This Agreement applies to and binds the heirs, successors, executors, administrators and assigns of the parties to this Agreement;

(b) This Agreement is governed by the laws of the Province in which the Site is located;

(c) Subject to section 22(h) herein, this Agreement (including the Exhibits) constitutes the entire Agreement between the parties concerning the Site and supersedes all prior written and verbal agreements, representations, promises or understandings between the parties. Any amendments to this Agreement must be in writing and executed by both parties;

(d) If any provision of this Agreement is invalid or unenforceable with respect to any party, the remainder of this Agreement or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, will not be affected and each provision of this Agreement will be valid and enforceable to the fullest extent permitted by law;

(e) The prevailing party in any action or proceeding in court or mutually agreed upon arbitration proceeding to enforce the terms of this Agreement is entitled to receive its reasonable legal fees and other reasonable enforcement costs and expenses from the non-prevailing party;

(f) Failure or delay on the part of Tenant or Owner to exercise any right, power, or privilege hereunder will not operate as a waiver thereof; waiver of a breach of any provision hereof under any circumstances will not constitute a waiver of any subsequent breach of the provision, or of a breach of any other provision of this Agreement; and

(g) Tenant agrees and acknowledges that, in conjunction with other entities which may transmit from the Site, if necessary due to applicable RF emission standards and upon reasonable notice, Tenant shall reduce power or terminate station operations to {00566770; 3 }

SBA Canada 10.15.15

Initials: _____ Owner Initials: _____
Date

prevent possible overexposure of worker to RF radiation.

(h) This Agreement is made concurrently with the License described herein and in case of any ambiguity or discrepancy with the License, the License shall govern.

(i) The following Exhibits are attached to and made a part of this Agreement: Exhibit "A" (Site Description), "B" (Antenna and Equipment List), and "C" (Minimum Installation, Occupancy, etc.).

Site ID:
Site Name:

Tenant Site ID:
Regular Council Meeting - March 17, 2020 - 90 of 456
Tenant Site Name:

TENANT:

Village of Lions Bay

G.S.T. & HST Nos: _____

By: _____

P.S.T. or Q.S.T. No: _____

Peter DeJong
Chief Administrative Officer

Title: _____

Address: PO Box 141, 400 Centre Road
Lions Bay, BC, V0N 2E0

Date: _____

Witness: _____

Witness: _____

OWNER: SBA CANADA, ULC, an Alberta Unlimited Liability Company

G.S.T. & HST Nos: 83052 6166 RT0001

By: Serge Charron

P.S.T. or Q.S.T. No: 1213001074 TQ0001

Title: Director – Site Operations

Address: 468, rue Saint-Jean, bureau 100
Montreal, Quebec
H2Y 2S1 Canada

Date: _____

Witness: _____

Witness: _____

EXHIBIT A SITE DESCRIPTION

Site located at: The vicinity of Harvey Creek Water Treatment Plant and Storage Tank, situated in the Municipality of Lions Bay, Province of British Columbia

Legal Description: A portion of the lands legally described as:

PID: 015-813-681
THAT PART OF DISTRICT LOT 6748 IN EXPLANATORY PLAN 11794 GROUP 1
NEW WESTMINSTER DISTRICT EXCEPT PART IN STATUTORY RIGHT OF WAY
PLAN VAP20457

Tower Site:

NAD 83 –

Latitude: 49° 27' 18.54"N

Elevation : 299.97 m (ground)

Longitude: 123° 13' 42.70"W

NAD 27 –

Latitude: 49° 27' 19.16"N

Elevation : 299.97 m (ground)

Longitude: 123° 13' 37.91"W

EXHIBIT B ANTENNA AND EQUIPMENT LIST

Antenna(s):

Quantity:

Type:

Manufacturer:

Model:

Dimensions:

Weight:

Mounting:

Base of the antenna:

Centerline of the antenna:

Tip of the antenna:

Orientation:

Downtilt:

Mount Type:

Cable:

Number of Lines:

Type:

Size:

At approximately the _____' height level

At approximately the _____' height level

At approximately the _____' height level

____°, ____° & ____°

____°

Dish:

Quantity

Manufacturer:

Model:

Dimensions / Weight:

Orientation:

Mount:

Type Mount:

Cable Type / Size:

At approximately _____' height level.

GPS Receiver:

Quantity:

Manufacturer:

Model:

Dimensions:

Mount Location:

Cable/Mount:

Ground Space Requirements:

Tenant provided Shelter:

Dimensions:

Type Shelter:

Existing Shelter Space:

Dimensions Needed:

Transmitter:

Quantity:

Manufacturer:

Model:

Power Output (Watts):

Transmitter Cabinet:

Quantity:

Manufacturer:

Model:

Dimensions:

Weight:

Site ID:
Site Name:

Tenant Site ID:
Regular Council Meeting - March 17, 2020 - 93 of 456
Tenant Site Name:

Frequencies:

Transmit: MHz
Receive: MHz

ERP:

Transmitter Operating Power:

Generator:

EXHIBIT C

MINIMUM SITE INSTALLATION, OCCUPANCY AND MAINTENANCE REQUIREMENTS AND SPECIFICATIONS

Pre-Installation Standards

1. Prior to installation, Tenant must provide Owner with complete plans for approval, including list of proposed Equipment and subcontractors. No work may be performed until approval has been given and all criteria have been met. All Equipment must be placed in approved locations only, and Owner must approve any changes before the installation begins. Tenant must notify Owner for approval of any significant changes to the equipment referenced including, but not limited to, any addition or change in operating frequency(s), change in transmitter power levels or addition or removal of equipment. The Owner or its representative shall have the right to be on site during any work on the Site.

Installation

2. (a) The following minimum protective devices must be properly installed:
 - (1) Lightning arrestors in feed-line at wall feed-through ports (SBA multi-tenant buildings). (mobile operators install jumpers to extend/connect to cabinet like enclosures).
 - (2) Surge protectors in any AC & phone line circuit.
 - (3) Transmitter RF shielding. (Must be in place during operation)
 - (4) Isolator/harmonic filter. (Must be in place during operation)
 - (5) Duplexer or cavity band-pass filter. (Must be in place during operation)
- (b) Installations will be completed in a neat, clean, and professional manner.
- (c) Tower riggers must be listed on the Owner's approved tower rigger list.
- (d) All work at the Site will be in compliance with prevailing Owner, Industry Canada and Health Canada standards.
- (e) 'Site Specific' instructions may apply in addition to these general Minimum Site Specifications.
- (f) Non-compliant installations shall be resolved at the Tenant's expense within thirty days of notification.
- (g) All equipment shall be licensed and operated in full compliance with all Industry Canada and other governmental authority rules and regulations, as applicable.
- (h) All Equipment, including transmitters, duplexers, isolators and multi-couplers, must be housed in a metal cabinet or rack mounted. No control stations or inverted transmit/receive frequency pairs are allowed on repeater sites.
- (i) All equipment cabinets will be identified with a typed label under plastic on which the Tenant's name, address, 24 hour phone number, call sign, and frequencies will be inscribed,
- (j) Unsealed batteries (lead acid, maintenance free lead / acid) are not permitted in Owner Sites. All sealed batteries must be properly mounted and installed according to the manufacturers' specifications including proper containment.
- (k) All transmission lines entering the shelter must be 1/2" Heliac/Wellflex or better via a wall feed-through plate and must terminate in a properly installed lightning arrestor with an ID tag within 12 inches of the termination of the feeder cable at both ends, at the entrance to the building, at repeater or base station cabinet, and at the multi-coupler/combiner ports.
- (l) Solid outer shield cable such as Superflex or Heliac/Wellflex must be used for all intercabling outside the cabinet. Under no circumstances will the use of foil shielded or braided RF cable (e.g; RGB) be permitted outside the cabinet except for RG-6 quad shield cable installed on satellite receive only systems.
- (m) All antenna, power and phone cables will be routed and properly supported to the base station in a neat manner using routes provided for that purpose. Tenant will provide individual Transient (SAD) surge protection to each circuit used. All phone lines will have (SAD) transient surge protection installed. All wiring and installation will be by means of clamping or strapping and in no event will any members or other parts of the tower be drilled, welded, punched or otherwise mutilated or altered.
- (n) All Tenants are to obtain power from the power panel and/or AC receptacle provided for their specific use.

- (o) Equipment shall be grounded to the Site grounding system. All outside RF equipment cabinets must be grounded to the Site ground system using #2 solid tinned wire with cadweld, silver solder connections, or 2 hole lugs with Burndy type compression fittings. All inside RF equipment cabinets must be grounded to the Site ground system using #2, or #6 green jacketed stranded wire with silver solder connections, or 2 hole lugs with Burndy type compression fittings.
- (p) Cadwelding to the tower or drilling holes in any tower member is NOT permitted, unless approved in writing by Owner.
- (q) All antenna lines will be electrically bonded to the tower at the antenna and at the bottom of the tower using grounding kits installed per manufacturer specifications and all antenna brackets must be pre-approved. All antenna lines entering the Site will have COAX center pin lightning protection installed within two feet from the entry port and grounded to master ground bar in the Site ground system.
 - (i) Monitor speakers will be disabled except when maintenance is being performed.
- (r) Interior cable runs shall be made in a neat and professional manner. Loosely hung or excessively coiled cables are not permitted.
- (s) Appropriate cable cushions shall be used on each tower. When the use of cable cushions is not possible, black nylon tie-wraps or other insulated clamps or strapping shall be used. The use of copper ties or similar metal strapping is not permitted.
- (t) Spray-in foam filler is not permitted for filling conduit holes in wall feed-throughs.
- (u) Entry boots appropriate for each building shall be used. Microflect boots shall be used on those buildings with Microflect entry panels.
- (v) All ferrous metals located outside of the building or on the tower will be either stainless steel or hot dipped galvanized, not plated or cold galvanizing. Painted towers will require the painting of feed-lines by the Tenant, unless installed by Owner, prior to or before completion of the install. All transmission lines are to be secured with factory hoist grips every 150' and secured to the tower or cable ladder with stainless steel and/or hot dipped galvanized hardware. Plastic wraps and/or bandit type hangers will not be accepted.
- (w) All transmitters shall include a harmonic filter, either low-pass or band-pass, as equipped from the manufacturer.
- (x) To reduce the possibility of interference, the standards below are minimums required by the Tenant. Additional protective equipment may be required by Owner in the event of interference.

Minimum Transmitter Protection Standards

Frequency Range	Minimum of reverse isolation required (isolator)	Bandpass cavity minimum attenuation (1 MHz from TX Frequency)
25-54 MHz	20 dB	30 dB
66-88 MHz	25 dB	20 dB
88-108 MHz	25 dB	25 dB
130-225 MHz	50 dB	25 dB
400-512 MHz	50 dB	15 dB
806-960 MHz	50 dB	15 dB

Hybrid transmitter combining will have a band pass filter installed on the output with the following attenuation at 1 MHz from the transmit frequency: UHF/800/900 MHz- 15 dB. Multi-frequency transmitter filtering must be approved by engineering.

General

- 3. Tenant must comply with any applicable instructions regarding any Site security system.
 - (a) Gates will remain closed at all times unless entering or exiting the premises. When leaving the shelter, ensure that all doors are locked and, if there is a security system, it is armed.
 - (b) Any tower elevator may be used only after receiving proper instruction on its use, signing a waiver and receiving authorization from the Owner.
 - (c) This Agreement does not guarantee parking space. If space is available, park only in the designated areas. Do not park so as to block any ingress or egress except as may be necessary to load or unload equipment. Parking is for temporary use while working at the Site.
 - (d) Do not adjust or tamper with thermostats or HVAC systems.
 - (e) Access to the shelter roof is restricted to authorized maintenance personnel.

Industry Canada's Default Public Consultation Process

Proponents must follow Industry Canada's Default Public Consultation Process where the local land-use authority does not have an established and documented public consultation process applicable to antenna siting.

Industry Canada's default process has three steps whereby the proponent:

- provides written notification to the public, the land-use authority and Industry Canada of the proposed antenna system installation or modification (i.e. public notification);
- engages the public and the land-use authority in order to address relevant questions, comments and concerns regarding the proposal (i.e. responding to the public); and
- provides an opportunity to the public and the land-use authority to formally respond in writing to the proponent regarding measures taken to address reasonable and relevant concerns (i.e. public reply comment).

Public Notification

Proponents must ensure that the local public, the land-use authority and Industry Canada are notified of the proposed antenna system. As a minimum, proponents must provide a notification package (see Appendix 1) to the local public (including nearby residences, community gathering areas, public institutions, schools, etc.), neighbouring land-use authorities, businesses, and property owners, etc. located within a radius of three times the tower height. The radius is measured from the outside perimeter of the supporting structure. For the purpose of this requirement, the outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc.

Public notification of an upcoming consultation must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The notice must be sent by mail or be hand delivered. The face of the package must clearly reference that the recipient is within the prescribed notification radius of the proposed antenna system.

The foregoing processes are mandatory, but SBA plans to follow a process that is in line with the Village of Lions Bay's desire to achieve:

A level of community consultation which is over and above what is required at law, one that resonates with the community as being open, transparent, thorough and meaningful, but which is not unreasonable for SBA to undertake.

SBA proposes to expand this mandated radius to encompass most of the community and will work with the Municipality to determine an appropriate mailing list.

It is the proponent's responsibility to ensure that the notification provides at least 30 days for written public comment.

In addition to the minimum notification distance noted above, in areas of seasonal residence, the proponent, in consultation with the land-use authority, is responsible for determining the best manner to notify such residents to ensure their engagement.

Although this may not be relevant SBA shall discuss with Lions Bay staff to ensure this is satisfied to the extent feasible.

In addition to the public notification requirements noted above, proponents of an antenna system proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area. Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

As the proposed tower will be higher than 30 m, ads must go in a local newspaper for 2 consecutive weeks. In addition, SBA will work with Lions Bay staff to provide notice through the Village Update eNewsletter and any Municipal notice boards that may be available to help ensure full transparency.

All other Industry Canada criteria, such as responding to the Public and Public Reply Comments, will be followed as such criteria are comprehensive.

Assuming Council is in favour, SBA will also hold an open house to allow residents to come and learn about the project and ask questions as part of the consultation process.

Telecommunications Tower Project Synopsis

In March, 2017 Council passed the following resolution unanimously:

THAT staff move forward with an RFP to explore the installation of a cell tower on Village of Lions Bay property, which would also address municipal needs for the SCADA system.

One of the key reasons for pursuing this project on Municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower siting, construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

In August, 2017 the Municipality issued a request for proposals seeking to improve wireless telecommunications services for the Village of Lions Bay while limiting community impacts. SBA Canada was selected as the proponent best able to meet these objectives through co-location of various service providers (eg: Telus, Rogers, Bell, etc.) on a tower to be built on Municipal lands.

On October 1, 2019, Council approved a license agreement with SBA, subject only to any issues that arise out of the consultation process and any requisite Provincial approvals related to a small portion of the Access Road. Benefits of the project include the following:

- An expectation that cellular services will be improved throughout the Village. It has long been identified that cellular reception is poor in many areas of the Village with lack of service and dropped calls a regular occurrence. Of course, if a resident's cellular provider does not rent space on the tower, then they won't see an improvement in their cellular reception.
- Improved emergency services throughout Lions Bay and the surrounding area via better and more stable access to E911 calls made or attempted to be made via cell phone. As well, most residents who have signed up for LBAAlert have opted to receive emails or text messages in the event of an emergency and the effectiveness of notifications will increase in line with improved connectivity.
- SBA to pay Municipality \$10,000 for a 1 year option under the License Agreement to confirm that the site on Municipal land above the Harvey Water Tank will be suitable for a cell tower and that they can meet all federal requirement to erect and operate it.

- SBA to pay Municipality rent of \$1400/month with an annual increase of 3%, or the average fee increase paid by the sublicensees renting space on the tower, whichever is greater.
- SBA to also pay Municipality a Percentage Fee of 20% in respect of sublicense fees paid by all but the first sublicensee.
- The Municipality is provided with free space on the tower for Equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality (Village Equipment).
- The Initial Term is for a period of five (5) years with an option to renew the five year term up to five times, for a total potential License period of thirty (30) years. This provides stability of service infrastructure for many years to come, along with a secure revenue stream for the Municipality.
- Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

Naturally, there are considerations which may mitigate the benefits noted above. They include:

- A tall, man-made tower structure standing above the surrounding tree line will be noticeable and detract from views of the mountains above. Functionally, such towers work best at the bottom of a slope casting their signal upwards, but that would likely be an unacceptable detracting from the views most residents have looking down on the Village and the waters of Howe Sound. Having it at the top of the slope helps mitigate the view issue.
- The inability to use the proposed site for another use. However, at this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future.
- Health considerations are sometimes raised when telecommunications towers are being proposed. Strict safety parameters are part of the federal government regulatory process. As well, Vancouver Coastal Health has provided information on their website regarding this subject at: <http://www.vch.ca/public-health/health-topics-a-z/topics/cell-tower-technology>



January 21, 2020

Email: TanyaElchuk@synergyland.ca

Village of Lions Bay

PO Box 141, 400 Centre Road
Lions Bay, British Columbia, V0N 2E0
Phone: (604) 921-9333

Attention: Peter DeJong, BA, LLB, CRM, Chief Administrative Officer

**Re: SBA Canada, ULC, Proposed 60m Self Support Telecommunications Tower
Submission Package & Request for Concurrence**

On behalf of SBA Canada, ULC (SBA), Synergy Land Services Ltd. (Synergy) is pleased to provide this submission package to the Village of Lions Bay for consideration in their decision regarding the grant of concurrence to SBA to proceed with construction of the above noted telecommunications tower.

This tower was proposed by SBA in response to the Municipality's Request for Proposal (RFP) which entertained ideas from industry service providers to improve wireless services to its residents while managing the impacts of new infrastructure on the community.

The enclosed documentation details and supports SBA's responsibility to successfully conduct local consultation regarding the above noted project, to the satisfaction of the Village of Lions Bay and the requirements set out by Innovation, Science and Economic Development Canada (ISED).

Enclosed in this package is as follows:

1. Participant Public Consultation Tracker (including):
 - Public Consultation Outline Detailing ISED and Municipal Requirements
 - Public Consultation Tracker – Participant Info, Comments /Concerns, Categories, Dates etc...
 - Results Summary – Breakdown of Results in Numbers
2. Information Packages circulated to:
 - The Municipality (via email)
 - ISED (via email)
 - Residents within the Community (Approx. 750+ generic notifications prepared and stuffed in envelopes for the Municipality to distribute)
3. Bulletin Poster and photos (x5) documenting locations where they were displayed
4. Newspaper Ad Tearsheets (x2)
5. Email links (x2) to Village Update containing information package Nov 1 & 15, 2019
6. Open House Materials
 - Open House Notice included with Information Package distribution
 - Open House Presentation Story Boards
 - Sign In Sheet & Questionnaires
7. Sketch & Survey Drafts
8. Property Title
9. Full Participant Correspondence comprised of emails strands & documents including formal responses to comments/concerns for parties Against, In Favour & Neutral (Each category will be sent under separate cover as the information contained is too large to be included in this correspondence.)

As per ISED's CPC 2-0-03 CPC-2-0-03, [Radiocommunication and Broadcasting Antenna Systems](#) – "Depending on the land-use authority's own process, conclusion of local consultation may include such steps as obtaining final concurrence for the proposal via the relevant committee, a letter or report acknowledging that the relevant municipal process or other requirements have been satisfied, or other valid indication, such as the minutes of a town council meeting indicating LUA approval."

As such, on behalf of our client, SBA, upon review and approval of this submission package, we respectfully request confirmation from the Village of Lions Bay that local consultation and the municipal process regarding the above noted project has been satisfactorily concluded by provision of Letter of Concurrence regarding the same.

Thank you for your consideration. Please feel free to contact our office should you have any questions or comments or require further information with respect to the enclosed.

Regards,

Synergy Land Services Ltd.
On behalf of **SBA Canada, ULC**

Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

Municipality: Village of Lions Bay

Written Policy: No

ISED Default

Minimum notification radius of 3x tower height
30 days for public comment
New Paper Ad for towers over 30m

**Default is covered as per muni requested process below*

PC Start Date

Friday, Nov 1, 2019

PC Close Date

Friday Dec 6, 2019 - Must allow 30 days. (Requirement met - allowed 36 days)

Responses to Participants Sent

December 17, 2019 - Must be sent within 60 days of receipt. (Requirement met - 60 days had not expired since start of consultation)

Additional Responses Close Date

January 14, 2020 - Must allow 21 days (Requirement met - allowed 28 days in consideration of interruption due to Christmas break)

Municipality Requested Consultation

October 23, 2019 - All materials to be submitted to the Municipality by this date for review - *Approved - October 24, 2019*

Submit Info Package & Notices to Muni for approval prior to circulation

Mail-Outs

Approx. 750+ generic notifications to be prepared and stuffed in envelopes for the muni to distribute

2 "Official" Notice Boards

Village Office/Hall Complex
PO Box Mailroom

Submission Deadline

Wed, Oct 30 - *Sent via courier Tuesday Oct 29, 2019*

Circulation Day

Fri, Nov 1

Submission Deadline

Wed, Oct 30 - *Submitted via email Friday Oct 25, 2019*

Circulation Day

Fri, Nov 1

Wed, Oct 30 - *Submitted via email Friday Oct 25, 2019*

Fri, Nov 1

5-6 "Unofficial" notice boards

Muni will locate them and make sure to place notices at these boards too

Municipal Website

- Rotating banner image on Home page during consultation period
- Webpage with suitable location for muni info re. project and SBA info as desired and per any regulatory notice requirements

Submission Deadline

Wed, Oct 30 - *Submitted via email Friday Oct 25, 2019*

Circulation Day

Fri, Nov 1

Submission Deadline

Friday, October 25 - *Submitted via email Friday Oct 25, 2019*

Circulation Day

Friday, Nov 1

News Paper Ads

North Shore News

Submission Deadline

Friday, October 25 (by 4pm) - *Submitted via email Friday Oct 25, 2019*

Circulation Day

Friday Nov 1, 2019

Pique News Magazine

Friday, October 25 (by 4pm) - *Submitted via email Friday Oct 25, 2019*

Thursday October 31, 2019

News Letter Village Update

A week prior to circulation - *Submitted via email Friday Oct 25, 2019*

Every Friday (E-Blaster reminders will also be sent by the municipality on Nov 15 & Nov 29)

Open House

Boughton Hall, 400 Centre Road, Lions Bay

Time & Date

Thursday Nov 21, 2019 - 5pm - 7pm

Complaint Categories																
Location	Health & Safety	Environ-mental	Proximity to Residences	Property Values	Coverage	Visual Aesthetics	Technical	Other	Date Received	Acknowledgement Receipt Sent (must be in writing within 14 days)	Response Deadline (must be in writing within 60 days of receipt of complaint)	Date Replied (must be in writing within 60 days)	Replied via:	LL Cut off for Additional Response (21 days from date of response +7 due to xmas = 28 days)	Additional Correspondence Yes - See Notes No	Additional Info / Comments
X									1-Nov-19	1-Nov-19	31-Dec-19	1-Nov-19	Email	22-Nov-19		
X						X			5-Nov-19	11-Nov-19	4-Jan-20	17-Dec-19	Email	14-Jan-20	Yes - See Notes	Dec 17, 2019: Received additional comments via email. Still not happy with location and visual aesthetics. Jan 10, 2020: Synergy provided further response via email.
X	X				X	X			5-Nov-19	11-Nov-19	4-Jan-20	17-Dec-19	Email	14-Jan-20		
	X					X			9-Nov-19	13-Nov-19	8-Jan-20	17-Dec-19	Email	14-Jan-20		
X	X		X	X	X	X	X		15-Nov-19	19-Nov-19	14-Jan-20	17-Dec-19	Email	14-Jan-20	Yes - See Notes	***Please note that this participant feedback included a petition in opposition of the tower which she also submitted to council. Jan 14, 2020: Participant emailed and outlined further concerns and requested additional feedback. Jan 16, 2020: Synergy replied via email, confirmed that her comments would go on record.
X						X	X		21-Nov-19	N/A	N/A	N/A	N/A	N/A	N/A	
X						X		X	25-Nov-19	26-Nov-19	24-Jan-20	17-Dec-19	Email	14-Jan-20		
									22-Nov-19	26-Nov-19	21-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	26-Nov-19	20-Jan-20	17-Dec-19	Email	14-Jan-20		
	X	X		X	X	X		X	21-Nov-19	26-Nov-19	20-Jan-20	17-Dec-19	Email	14-Jan-20	Yes - See Notes	Jan 11, 2020: Participant emailed and expressed dissatisfaction with our response to her inquiries. She also mentioned that she has no interest in hearing from outsiders as to what is and isn't good for her village, and that she merely cc'ed to Synergy in order that her comments be placed on record. Jan 16, 2020 - Synergy replied via email in with additional feedback to each item detailed by the participant.
									21-Nov-19	26-Nov-19	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	26-Nov-19	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									27-Nov-19	29-Nov-19	26-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		

									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	Unable to Respond	N/A	N/A		unable to read writing to make out email address, attempted to send thank-you email however it bounced back
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
	X						X		21-Nov-19	N/A	N/A	17-Dec-19	hiscascadia@gmail.com	14-Jan-20		
	X	X							21-Nov-19	N/A	N/A	17-Dec-19	hiscascadia@gmail.com	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
									21-Nov-19	N/A	20-Jan-20	17-Dec-19	Email	14-Jan-20		
	X			X		X			29-Nov-19	2-Dec-19	28-Jan-20	17-Dec-19	Email	14-Jan-20		
X		X	X		X				29-Nov-19	2-Dec-19	28-Jan-20	17-Dec-19	Email	14-Jan-20	Yes - See Notes	Jan 9, 2020: Participant sent email advising that they were not satisfied with response. Jan 14, 2020: Synergy replied via email in attempt to provide further clarity with respect to original feedback.
									5-Dec-19	6-Dec-19	3-Feb-20	17-Dec-19	Email	14-Jan-20		
X	X			X	X	X			6-Dec-19	6-Dec-19	4-Feb-20	17-Dec-19	Email	14-Jan-20		

Open House Attendees	
(As per sign in sheet)	23
Total Participant Feedback Collected	
(Including those submitted in writing at Open House)	31
Participant Comments Collected "In Favour"	18
Participant Comments Collected "Against"	12
Participant Comments Collected "Neutral"	1
Number of Concerns/Comments from those "Against" regarding the following categories	
Location	7
Health & Safety	8
Environmental	3
Proximity to Residences	2
Property Values	4
Coverage	5
Visual Aesthetics	9
Technical	3
Other	2

***Please note participant information noted above does not contain the feedback provided in the petition in opposition to the tower submitted by Charlie Bradbury Dec 6, 2019. We are unable to effectively respond to, or consider comments where names are excluded and contact information is not provided. However, a response addressing all topics of concern identified in the petition was provided to Ms. Bradbury as the party who submitted the petition. The petition was provided to Council by Ms. Bradbury and is also included with her materials as part of this submission package for the Municipality's review and consideration as part of their decision making process.

Friday November 1, 2019

Public Open House:

Thursday, November 21, 2019, From 5pm-7pm
Broughton Hall, 400 Centre Road, Lions Bay, BC

To: Property Owner/Current Resident

Re: Proposed SBA Canada, ULC Telecommunications Facility
Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC (Shown in the Location Sketch below)
SBA File: BC70057-B

Background and Purpose

The Village of Lions Bay (the "Municipality") is interested in the utilization of Municipality-owned Lands for the building and operation of telecommunications towers. The Municipality's objective is to work with industry service providers to improve wireless services to its residents while managing the impacts of new infrastructure on the community. To achieve this, the Municipality issued a Request for Proposal (RFP) entertaining ideas from interested parties. SBA responded to the Municipality's RFP, and working together, a mutually suitable location for the requested tower was selected. The purpose of this package is to notify residents about this proposal and to provide information about the subject facility.

SBA Canada, ULC (SBA) is a first choice provider and leading owner and operator of wireless communications infrastructure in Canada. SBA generates revenue from two primary businesses, site leasing and site development services. The primary focus of the Company is the leasing or licensing of antenna space on its multi-tenant towers to a variety of wireless service providers under long-term contracts. Our business is built on tower sharing and co-location, and SBA proactively promotes the SBA portfolio of sites to all Canadian wireless service providers for planning networks and new antenna site locations. As an independent provider of wireless infrastructure, SBA will:

- Ensure that communication towers and sites are not unnecessarily duplicated
- Offer an attractive value proposition for wireless operators and broadcasters
- Maintain municipal Land-Use Authority and Innovation, Science and Economic Development Canada (ISED) (formerly Industry Canada) liaison, as appropriate, to facilitate the tower siting process

SBA's Proposal and Subject Location

SBA is proposing to build a 60m self-support lattice telecommunications tower on a portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant, in the Village of Lions Bay, BC (NAD 83 - Latitude 49°27'18.54"N, Longitude 123°13'42.70"W). The tower shall be painted dark green to match the surrounding foliage as requested by the Municipality. All of the equipment necessary to operate this facility will reside within an equipment compound on site. The 15m x 15m compound will be secured with a chain-link fence. The site will be accessed off of an existing access road connected to Oceanview Road. The subject location of the telecommunications site is on a portion of the property legally described as *That Part of District Lot 6748 In Explanatory Plan 11794 Group 1 New Westminster District except Part in Statutory Right of Way Plan VAP20457. Parcel Identifier: 015-813-681* (the "Lands").

Location Sketch



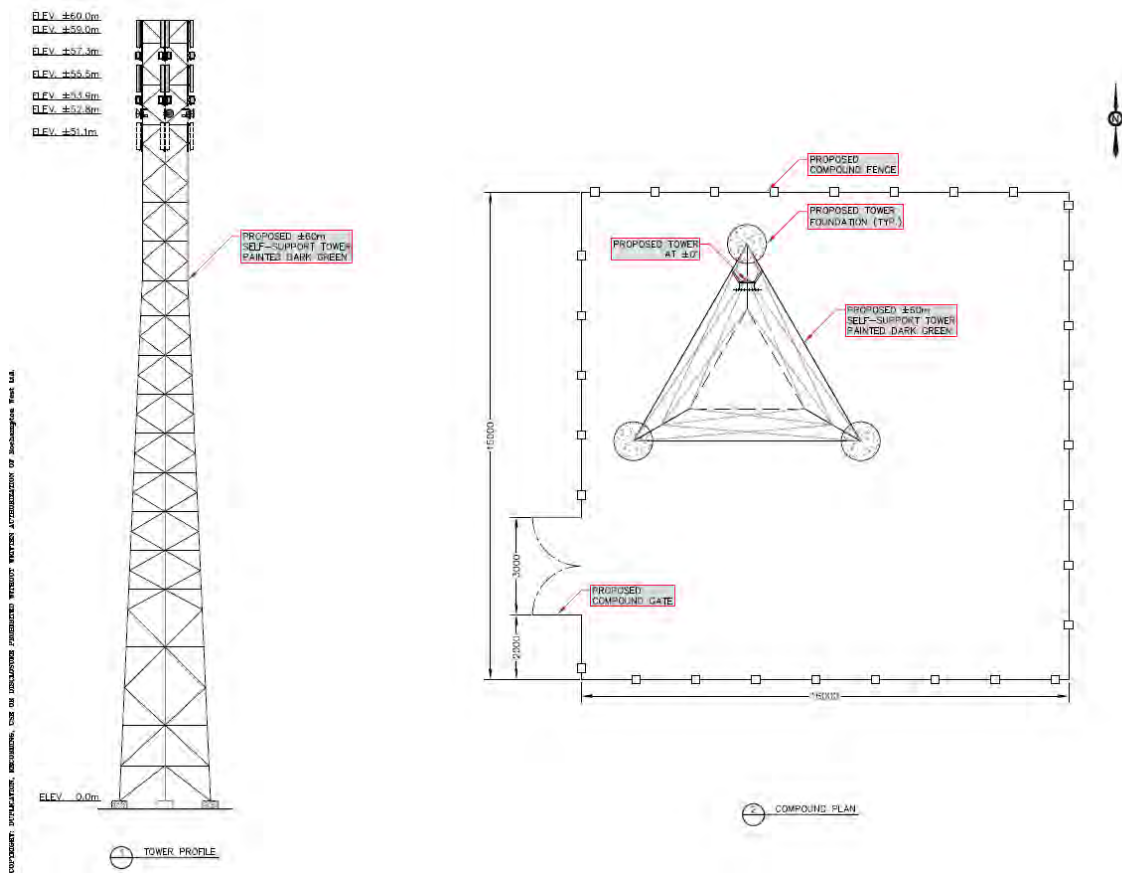


Photo Simulations: (Artist Rendering Only, Installation of final project may not be exactly as shown)



As directed by the Municipality, the proposed tower is intended to limit community impacts and promote co-location onto the proposed tower for multiple wireless services providers. SBA will welcome future tower sharing opportunities onto the proposed tower as per the ISED guidelines. SBA will respond to all requests to share in a timely fashion and will negotiate in good faith to facilitate sharing where feasible, following standard co-location procedures.

Before building a new antenna-supporting structure, ISED requires that a proponent (SBA) first explore the following options:

- Consider sharing an existing antenna system, modifying or replacing a structure if necessary;
- Locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

During the site selection process for the proposed facility, SBA, in partnership with the Municipality, determined that there are no suitable co-locate opportunities within close proximity to the proposed location. The closest telecommunications facilities belong to Rogers and TELUS and are approximately 8km south east of SBA's proposed telecommunications facility.

Among the factors considered during the site selection process are expected usage patterns of wireless service, local terrain, interaction with existing radio base stations, and line of sight requirements for high quality communication. Each site that is investigated must go through an internal review by radio frequency, transmission and civil engineering groups in order to qualify. The equipment to be installed on the proposed tower shall be determined by each respective provider upon approval of installation and subject to the above noted criteria.

Transport Canada and NAV Canada Requirements

The structure will be marked in accordance with the Department of Transportation Canada (TC) and NAV Canada (NAV) requirements. Based on an internal aeronautical study, SBA is anticipating no marking or lighting should be required as the proposed tower is not located within any flight path and does not exceed obstruction standards for the Vancouver International Airport. Applications have been submitted to both TC and NAV to obtain formal approval / comments with respect to the proposed project, and upon receipt, shall be made available to the Municipality for publishing on their website, or upon request.

Structural Considerations

SBA attests that the proposed telecommunication facility described in this notification package will be constructed using good engineering practices to the standards of the National Building Code.

Environmental Health Standards/ Safety Code 6 Guidelines

Innovation, Science and Economic Development Canada requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the CEAA (Canadian Environmental Assessment Act) and local environmental assessment requirements where required by the CEAA.

SBA attests that the radio antenna system described in this notification does not qualify as a Designated Project under the Canadian Environmental Assessment Act and is excluded from environmental assessment under the Canadian Environmental Assessment Act.

Innovation, Science and Economic Development Canada manages the radio communications spectrum in Canada. Among other requirements, Innovation, Science and Economic Development Canada requires cellular telecommunications facilities to comply with guidelines established by Health Canada in order to protect people who live or work near these facilities.

These Health Canada safety guidelines are outlined in their 'Safety Code 6' document and are among the most stringent in the world. All SBA facilities meet or exceed these standards. SBA attests that the radio installation described in this notification package, will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

Innovation, Science and Economic Development Canada has exclusive jurisdiction over the placement of wireless telecommunications facilities, and it requires service providers to consult with the municipality and the general public regarding new installations. The municipal consultation process is intended to provide an opportunity to address land use concerns while respecting federal jurisdiction over the installation and operations of telecommunications systems. Any inquiries that are received as a result of this notification will be logged and submitted to the Village of Lions Bay and Innovation, Science and Economic Development Canada as part of SBA's application for concurrence. **Innovation, Science and Economic Development Canada – General Information**

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

1. SBA Canada, ULC

c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca

2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office

13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca

3. Village of Lions Bay

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

Should you have any specific questions or comments regarding SBA Canada, ULC's proposal, please feel welcome to contact those listed above prior to **December 6, 2019**.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist



PUBLIC OPEN HOUSE

Synergy Land Services Ltd., on behalf of SBA Canada, ULC (SBA), invites members of the public to attend an Open House regarding a proposed telecommunications tower. The objective of the Open House is to introduce the SBA proposed tower and to seek input from the public regarding potential impacts.

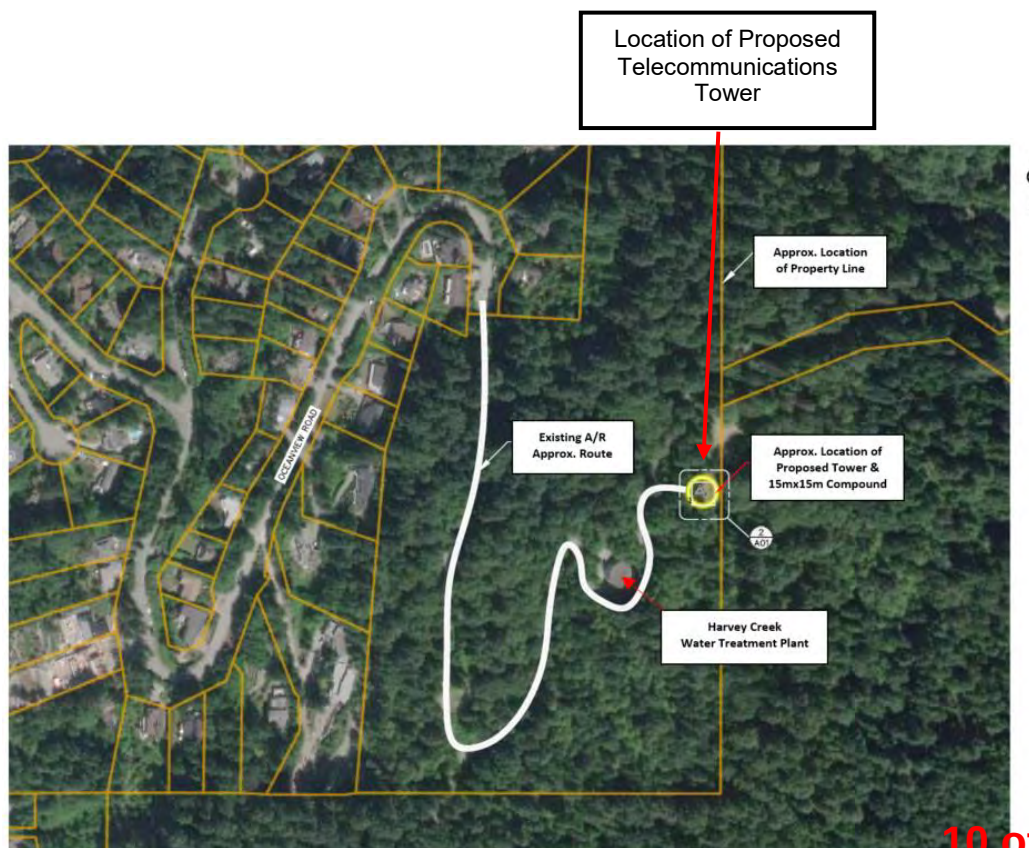
As part of this commitment to providing service to all of its customers, SBA is proposing to build a 60 meter self-support lattice telecommunications tower on Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC. SBA has identified the coverage area based on customer input and the proposed site will satisfy the demand for improved service in the area.

Place: Broughton Hall
400 Centre Road
Lions Bay, BC

Date: November 21, 2019

Time: 5:00PM to 7:00PM

Can't attend in person or require additional information? Please contact Tanya Elchuk, Team Lead – Telecommunications, with Synergy Land Services Ltd. at (403) 283-4400 or by email at tanyaelchuk@synergyland.ca.





PUBLIC OPEN HOUSE

Synergy Land Services Ltd., on behalf of SBA Canada, ULC (SBA), invites members of the public to attend an Open House regarding a proposed telecommunications tower. The objective of the Open House is to introduce the SBA proposed tower and to seek input from the public regarding potential impacts.

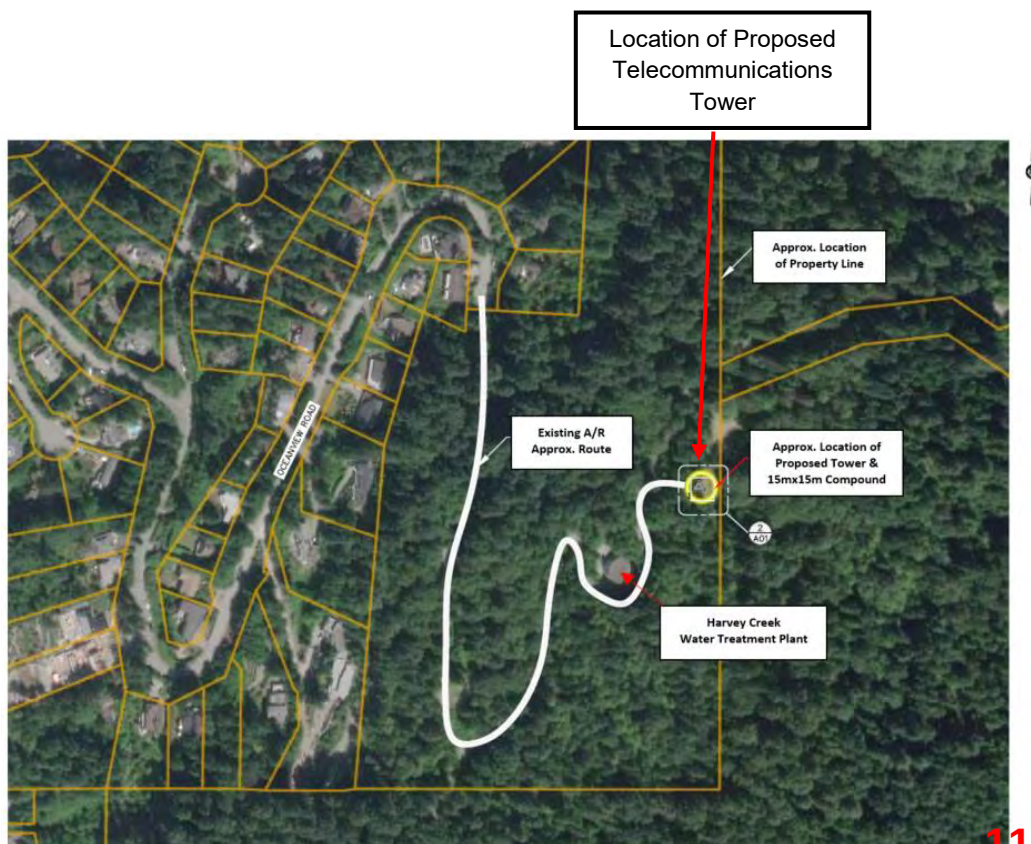
As part of this commitment to providing service to all of its customers, SBA is proposing to build a 60 meter self-support lattice telecommunications tower on Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC. SBA has identified the coverage area based on customer input and the proposed site will satisfy the demand for improved service in the area.

Place: Broughton Hall
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Can't attend in person or require additional information? Please contact Tanya Elchuk, Team Lead – Telecommunications, with Synergy Land Services Ltd. at (403) 283-4400 or by email at tanyaelchuk@synergyland.ca.



Welcome to the Public Open House

**SBA representatives are on-site
to answer your questions and
receive your feedback.**

**Please sign in and provide us
your comments.**

Who We Are

SBA Communications Corporation (SBA) is an independent owner and operator of wireless communications infrastructure – that includes towers, buildings, rooftops, distributed antenna systems (DAS) and small cells. SBA supports wireless technologies that keep people, businesses and municipalities connected.

Our Industry

Nonstop growth in the number of mobile users, devices, apps, and especially the demand for mobile video will continue to create the need for higher speed wireless services and more bandwidth. Telecommunication carriers are increasing network capacity to meet the demands of mobile customers by building out or densifying their networks through the implementation of cell towers, antenna placements on buildings and rooftops, DAS and small cells – this is exactly what we do at SBA – **Building Better Wireless®**.

Site Leasing

We lease antenna space on our multi-tenant towers and other structures to a variety of radio network users, including mobile phone operators, internet providers, broadcasters, police services, utilities and municipalities under long-term lease contracts.

Site Development

We can assist wireless service providers and operators in developing their own networks through site acquisition, municipal approval, construction and equipment installation. In addition, SBA works with property owners and municipalities to strategically develop and monetize the wireless infrastructure

The Village of Lions Bay (the “Municipality”) is interested in the utilization of Municipality-owned Lands for the building and operation of telecommunications towers.

The Municipality’s objective is to work with industry service providers to improve wireless services to its residents while managing the impacts of new infrastructure on the community.

To achieve this, the Municipality issued a Request for Proposal (RFP) entertaining ideas from interested parties.

SBA responded to the Municipality’s RFP, and working together, a mutually suitable location for the requested tower was selected.

Proposed Tower Location

Regular Council Meeting - March 17, 2020 - 114 of 456



SBA is proposing to build a 60m self-support lattice telecommunications tower on a portion of Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC.

All of the equipment necessary to operate this facility will reside within an equipment compound on site. The 15m x 15m compound will be secured with a chain-link fence. SBA will be accessing the site off an existing access road connected to Oceanview Road.

PROJECT IDENTIFIER: BC70057

TOWER LOCATION: A portion of the Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay

COORDINATES: NAD 83,
Latitude 49, 27'18.54"N,
Longitude 123, 13'42.70"W

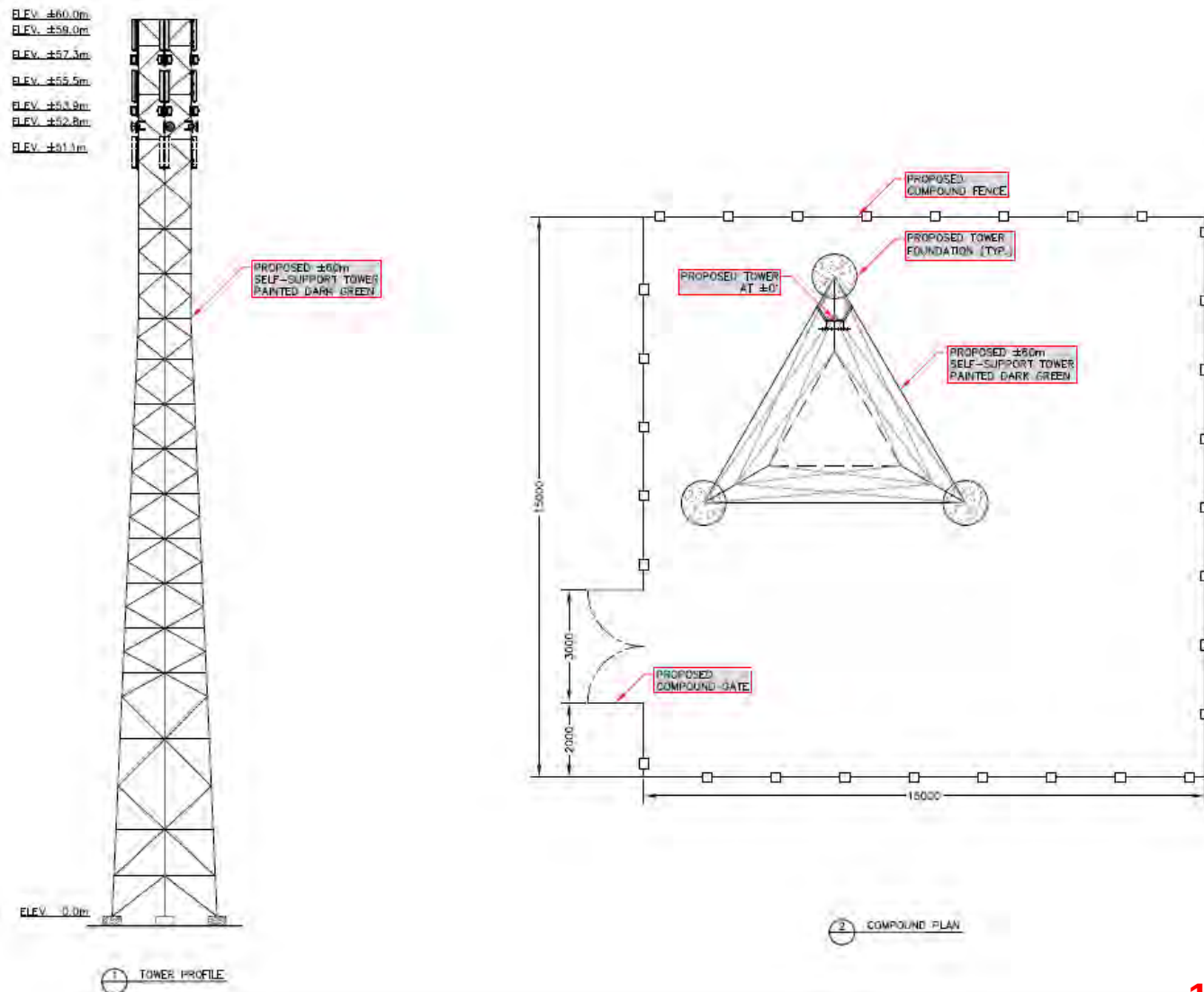


LEGAL: A portion of "That Part of District Lot 6748 In Explanatory Plan 11794 Group 1 New Westminster District except Part in Statutory Right Of Way Plan VAP20457. Parcel Identifier: 015-813-681" (the "Lands").

15 of 189

Proposed Tower Profile & Compound Plan

Regular Council Meeting - March 17, 2020 - 115 of 456



As directed by the Municipality, the proposed tower is intended to limit community impacts and promote co-location onto the proposed tower for multiple wireless services providers. SBA will welcome future tower sharing opportunities onto the proposed tower as per the ISED guidelines. SBA will respond to all requests to share in a timely fashion and will negotiate in good faith to facilitate sharing where feasible, following standard co-location procedures.

Before building a new antenna-supporting structure, ISED requires that a proponent (SBA) first explore the following options:

- Consider sharing an existing antenna system, modifying or replacing a structure if necessary;
- Locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

During the site selection process for the proposed facility, SBA, in partnership with the Municipality, determined that there are no suitable co-locate opportunities within close proximity to the proposed location. The closest telecommunications facilities belong to Rogers and TELUS and are approximately 8km south east of SBA's proposed telecommunications facility.

Among the factors considered during the site selection process are expected usage patterns of wireless service, local terrain, interaction with existing radio base stations, and line of sight requirements for high quality communication. Each site that is investigated must go through an internal review by radio frequency, transmission and civil engineering groups in order to qualify. The equipment to be installed on the proposed tower shall be determined by each respective provider upon approval of installation and subject to the above noted criteria.

Before



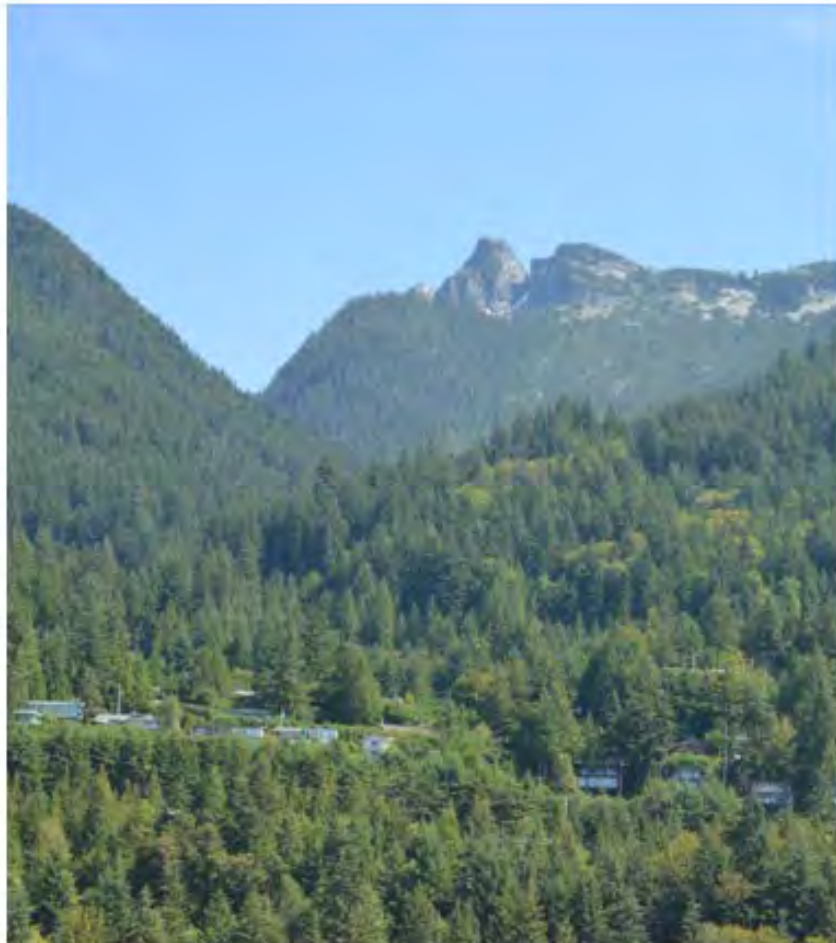
After



Proposed Tower

Photo Simulations: (Artist Rendering Only, installation of final project may not be exactly as shown)

Before



After



Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources.

Health Canada scientists monitor the scientific literature on this issue on an ongoing basis. Safety Code 6 is reviewed on a regular basis to verify that the guideline provides protection against all known potentially harmful health effects.

SBA ensures that the proposed structure will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public including any combined effects of nearby installations within the local radio environment.

NAV Canada (NAV) and The Department of Transportation Canada (TC) are the federal agencies responsible for determining the impact of structures on air navigation systems. These federal agencies also determine whether any marking or lighting requirements are necessary on proposed structures.

The proposed structure will be marked in accordance with the TC and NAV requirements. Based on an internal aeronautical study, SBA is anticipating no marking or lighting should be required as the proposed tower is not located within any flight path and does not exceed obstruction standards for the Vancouver International Airport. Applications have been submitted to both TC and NAV to obtain formal approval / comments with respect to the proposed project, and upon receipt, shall be made available to the Municipality for publishing on their website, or upon request.

Following the Land-use Authority Process

Proponents must follow the land-use consultation process for the siting of antenna systems, established by the land-use authority, where one exists.

In the event that a land-use authority's existing process has no public consultation requirement, proponents must then fulfill the public consultation requirements contained in Industry Canada's Default Public Consultation Process.



Industry Canada's default process has three steps whereby the proponent (SBA):

1. Provides written notification to the public, the land-use authority (LUA) and Industry Canada (IC) of the proposed antenna system installation or modification
2. Engages the public and the LUA in order to address relevant questions, comments and concerns regarding the proposal; and
3. Provides an opportunity to the public and the LUA to formally respond in writing to the proponent regarding measures taken to address reasonable and relevant concerns

Public Notification

- Proponents must ensure that the local public, the LUA and IC are notified within a minimum radius of three times the tower
- Provides at least 30 days for written public comment
- In addition to the minimum notification distance, in areas of seasonal residence, the proponent, in consultation with the LUA, is responsible for determining the best manner to notify such residents to ensure their engagement
- Proponents of an antenna system proposed to be 30m or more in height must place a notice in a local community newspaper

Responding to the Public

If the local public or LUA raises a question, comment or concern relating to the antenna system as a result of the public notification process, then the proponent is required to:

- Respond to the party in writing within **14 days** acknowledging receipt of the question, comment or concern
- Address in writing all reasonable and relevant concerns within **60 days** of receipt

Public Reply Comments

- The proponent must clearly indicate that the party has **21 days** from the date of the correspondence to reply to the response.
- The proponent must also keep a record of all correspondence/discussions that occurred within the **21-day** public reply comment period. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.

Concluding Land-use Authority Consultation

The proponent may only commence installation/modification of an antenna system after the consultation process has been completed by the land-use authority, or Industry Canada confirms concurrence with the consultation portion of this process, and after all other requirements under this process have been met.

November 21, 2019

Public Meeting Attendance SBA

BC70057 - Lions Bay 60m Self-Support Lattice

Telecommunications Tower Proposal



#	Name	Address
1	KARL BUHE	530 UPPER BAYVIEW
2	BRIAN ULRICH	330 OCEANVIEW RD.
3	NEVILLE BROTT	125 SUNSET PL
4	TRUDI LUTHEY	414 CROSSCREEK RD.
5	Mr Stone	35 LIONS BAY AVENUE
6	Deirdre/Fred Bain	335 Bayview Rd.
7	Tony Cox	90 Cloudview Place
8	Condon McKee	110 Panorama Road.
9	Eric Halstrom	185 Mountain Drive
10	JAMIE WILKIE	15 PERIWINKLE PLACE
11	Peter De Jong	400 Centre Rd (Village office)
12	Heather Monahan	155 Highway Place Lions Bay
13	Susan Loutlet	400 Crosscreek Rd.
14	Charlotte Smerdon	200 Lions Bay Ave.
15	Michael Broughton	170 Lions Bay Ave.
16	Fred Loutlet	50 Sunset Lions Bay
17	Ken McLaughlin	375 Oceanview Road, LB
18	Perry McLaughlin	375 Oceanview Road Lions Bay
19	Danella Rookie	400 Centre Rd (Village office)
20	Beata Tolukard	105 TIDEWATER WAY, LIONS BAY
21	DEZAR YCRA	
22	C. H. W.	300 Oceanview Rd. LB.
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Will it improve our internet

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Collette Efnia
(Please print clearly)

Mailing address:

Box [redacted] Lions Bay
V0N 2C0

Email address:

[redacted]



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes ☐ No

2. Do you feel this is an appropriate location for the site in this area?

☐ Yes ☒ No

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

☐ Yes ☒ No

NO!
THIS IMAGE HAS BEEN CREATED USING GUESSWORK AND PRESENTS THE BEST CASE SCENARIO, NOT THE WORST. UNLESS SOMEONE IS PREPARED TO SAY, BEYOND ANY DOUBT THAT THIS VISUAL REPRESENTATION IS 100% ACCURATE, IT IS NOTHING BUT MISLEADING. IT DOES NOT INCLUDE THE EQUIPMENT ESSENTIAL TO MAKE THE TOWER FUNCTIONAL FOR A CELL NETWORK, IT WAS NOT PLACED USING SCANS OF THE ~~TOPOGRAPHY~~ TOPOGRAPHY, MERELY GUESSED HEIGHT + POSITION USING GPS COORDINATES.

Additional comments:
Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Charlotte Snodgrass
(Please print clearly)

Mailing address:

Email address:



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☐ Yes

☒ No

2. Do you feel this is an appropriate location for the site in this area?

☐ Yes

☒ No

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

☐ Yes

☒ No

*need exact building information
needs to be accurate if forests undisturbed*

Additional comments:

*emissions from FMR breaks down nucleus
through membrane which alters cells
causing all sorts of health issues!!
Will it have medical issues? I'm after effects
from cellular damage due to tower in community*

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

HEATHER MOSSAKOWSKI
(Please print clearly)

Mailing address:

*P.O. Box [redacted]
LIONS BAY B.C.*

Email address:

[redacted]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Fire Department, SAR
Hikers,

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Rudy Luethy
(Please print clearly)

Mailing address:

Box [REDACTED] Lions Bay, B.C.

Email address:

[REDACTED]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Fire Department. Public Works

SAR

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name: TRUOI LUETHY
(Please print clearly)

Mailing address: Box [REDACTED] LIONS BAY, B.C.

Email address: [REDACTED]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

FREQUENT CELLULAR OUTAGES

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Thomas Podor
(Please print clearly)

Mailing address:

432 CROSSCREEK Rd
Lions Bay BC V0N 2E0

Email address:



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☐ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name: Andrew Dorocicz
(Please print clearly)

Mailing address: 434 Crosscreek Rd.
Lions Bay, B.C. V0N 2E0

Email address: [REDACTED]



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

**Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal**

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Cassandra Pactor
(Please print clearly)

Mailing address:

432 CROSSCREEK ROAD LIONS BAY BC
VAN 7E0 P0 BOX [REDACTED]

Email address:

[REDACTED]



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

(Please print clearly)

Mailing address:

430 Crosscreek Rd. Lions Bay BC.

Email address:



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility BC70057 - Lions Bay 60m Self-Support Lattice Telecommunications Tower Proposal

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

☒ Yes ☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes ☐ No
I rely on your assurance that
the health effects are
acceptable

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

☒ Yes ☐ No

As long as it's obscured as much as
possible. Hopefully, no lights?

Additional comments:

I like: improved cell signal, the
royalty, the site for public works
radio repeater, the radio, fire
radio, data mesh network

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

KARL BUHR

(Please print clearly)

Mailing address:

Email address:

[REDACTED]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please save us from terrible cell phone service.
It is a health and safety issue which impacts
our children and pets the most.

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Eric Halstrom

(Please print clearly)

Mailing address:

185 Mountain Drive Lions Bay

Email address:

[REDACTED]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility BC70057 - Lions Bay 60m Self-Support Lattice Telecommunications Tower Proposal

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

☐ Yes

☒ No

2. Do you feel this is an appropriate location for the site in this area?

☐ Yes

☒ No

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

☐ Yes

☒ No

Additional comments:

We are concerned for the danger to the health of residents known to be caused by this technology & do not want it to be constructed.

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Mr. J. Stone
(Please print clearly)

Mailing address:

[Redacted Address] Lions Bay, B.C.
V0N 2E0

Email address:

[Redacted Email Address]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☐ Yes

☒ No

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

☐ Yes

☒ No

Additional comments:

disagree with the tower
going into Lions Bay
to damage to health, animals
plants & trees.

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

S. Laufer.
(Please print clearly)

Mailing address:

Box [REDACTED] Lions Bay BC V2N 2E0

Email address:



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Susan Currie
(Please print clearly)

Mailing address:

P.O. Box [REDACTED] Lions Bay, BC
V0N 2E0

Email address:

[REDACTED]



Open House Questionnaire

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Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Fred Leitz
(Please print clearly)

Mailing address:

PO Box [REDACTED]
Lions Bay BC

Email address:

[REDACTED]



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Gioanna Rheumer
(Please print clearly)

Mailing address:

Po Box [REDACTED] Lions Bay BC V0N 2E0

Email address:

[REDACTED]



1 SITE PLAN



CLIENT:



CARRIER:

5			
4			
3			
2			
1			
0	LS	ISSUED FOR APPROVAL	17 OCT 19
NO.	BY	DESCRIPTION	DATE



ROEHAMPTON

WEST

1112 WEST PENDER ST,
SUITE 908
VANCOUVER, BC V6E 2S1
TEL. (778)300-1233
VANCOUVER - EDMONTON - CALGARY

LOCATION:
HARVEY CREEK, LIONS BAY, B.C.

TITLE:
SITE PLAN

PROJECT NAME:
NEW TOWER

41 of 189

DWG. NO:
BC/0057-B A00

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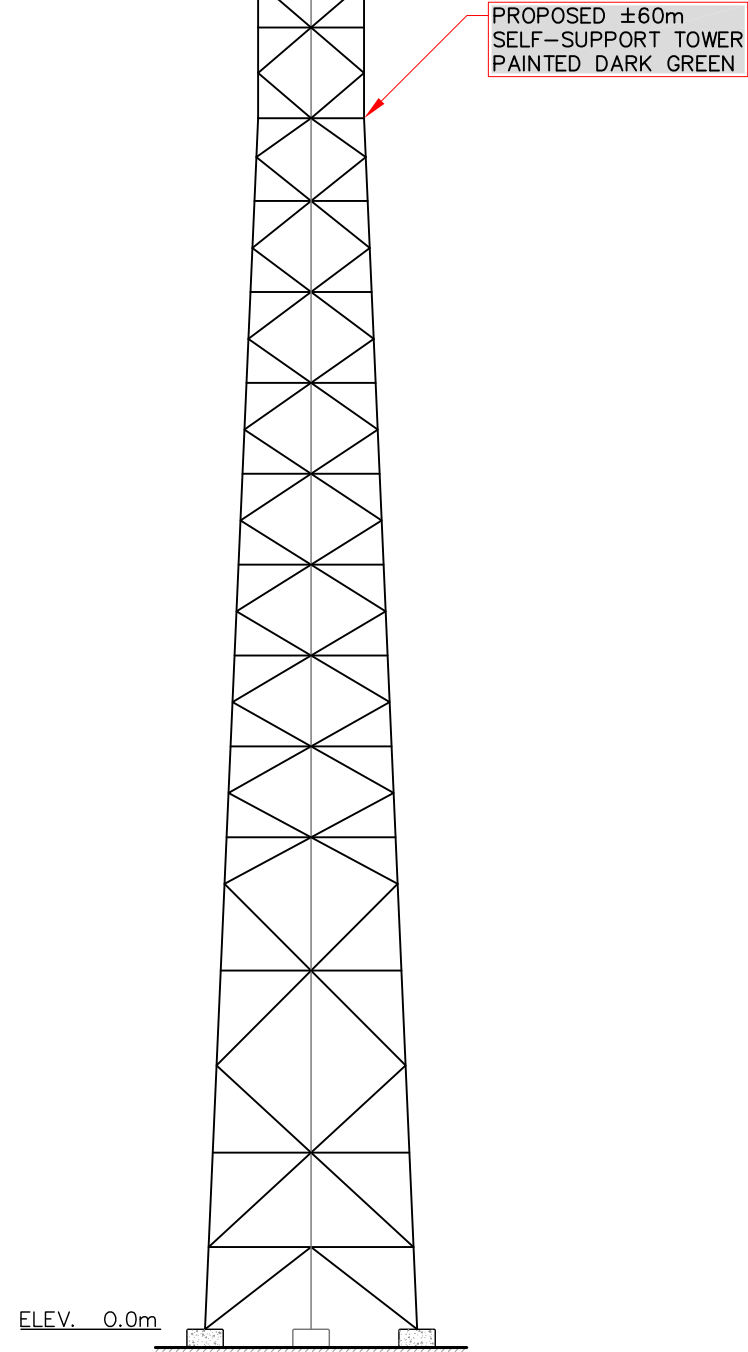
ELEV. ±60.0m
ELEV. ±59.0m

ELEV. ±57.3m

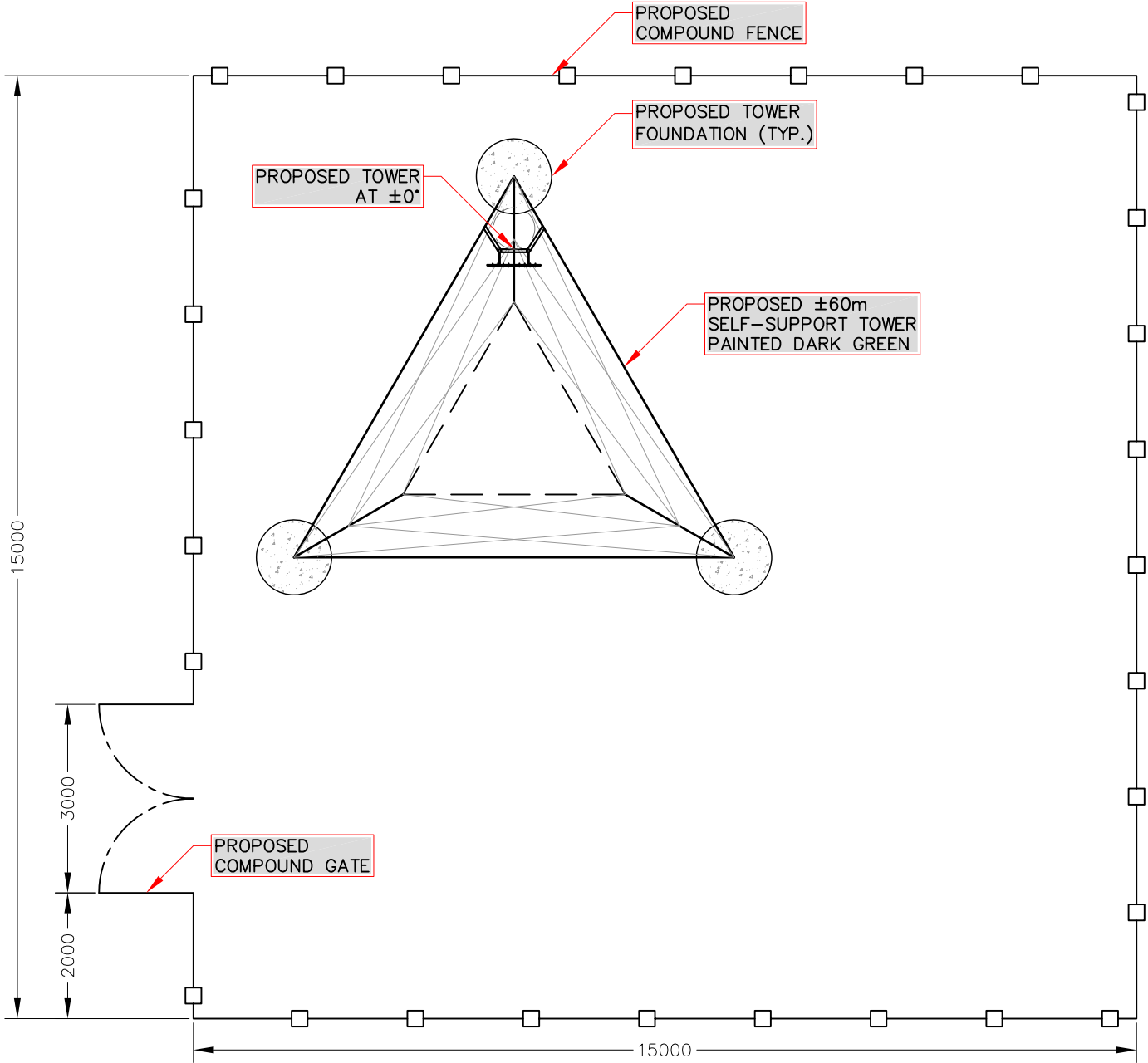
ELEV. ±55.5m

ELEV. ±53.9m
ELEV. ±52.8m

ELEV. ±51.1m



1 TOWER PROFILE



2 COMPOUND PLAN

CLIENT:



CARRIER:

5			
4			
3			
2			
1			
0	LS	ISSUED FOR APPROVAL	17 OCT 19
NO.	BY	DESCRIPTION	DATE

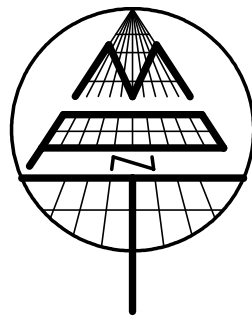


**ROEHAMPTON
WEST**
1112 WEST PENDER ST,
SUITE 908
VANCOUVER, BC V6E 2S1
TEL. (778)300-1233
VANCOUVER - EDMONTON - CALGARY

LOCATION:
HARVEY CREEK, LIONS BAY, B.C.

TITLE:
TOWER PROFILE & COMPOUND PLAN

PROJECT NAME: NEW TOWER	PROJECT NO: BC70057-B	DWG. NO: A01

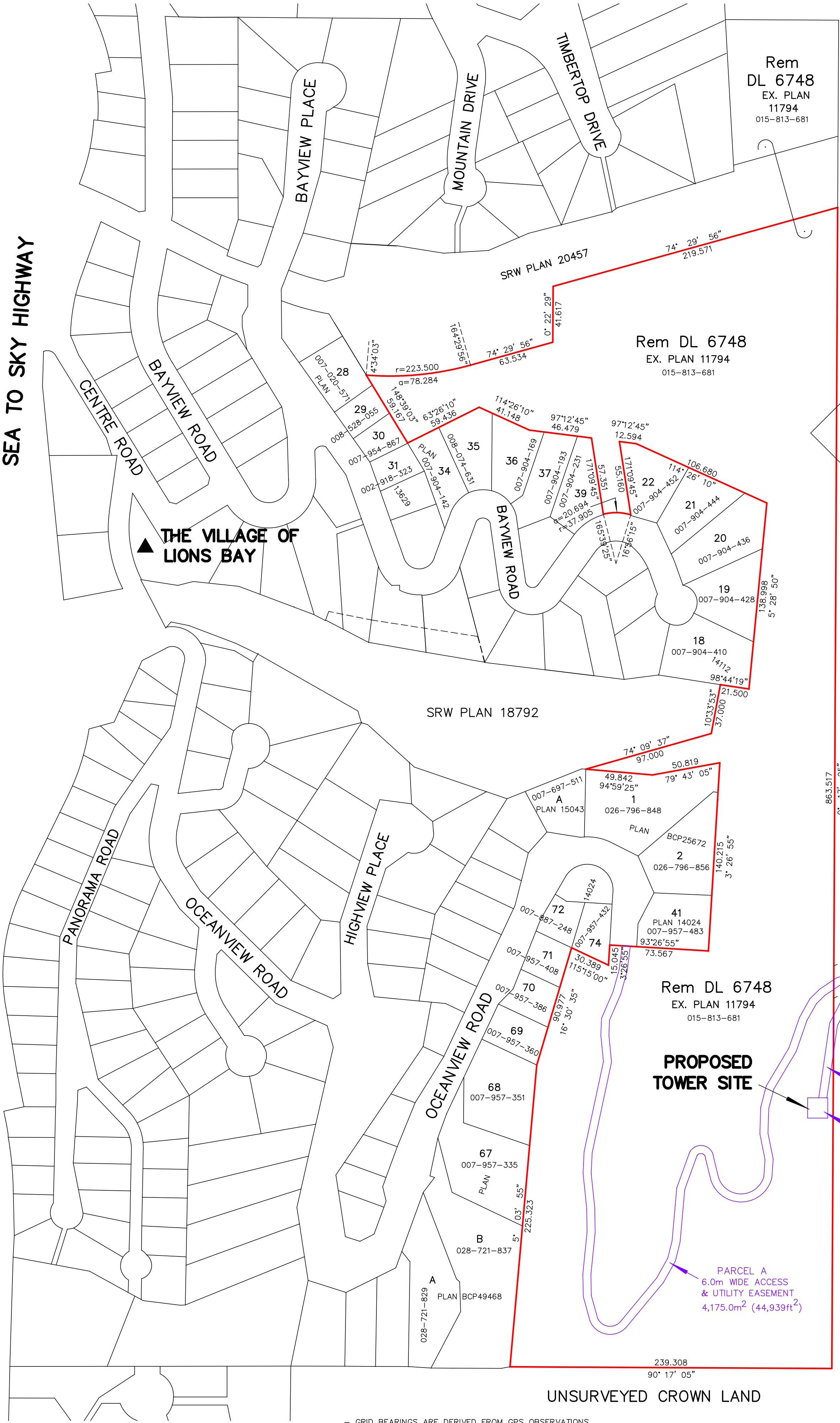


SCALE 1:2000
ALL DIMENSIONS ARE IN METRES

DRAFT

SEA TO SKY HIGHWAY

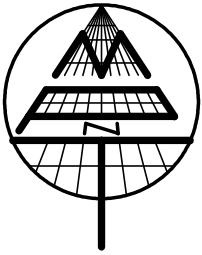
SEA TO SKY HIGHWAY



- GRID BEARINGS ARE DERIVED FROM GPS OBSERVATIONS.
- LOT DIMENSIONS ARE DERIVED FROM THE LAND TITLE OFFICE RECORDS.

4		
3	01 APR, 2019	18861-001-TPG-003.DWG
2	28 JAN, 2019	18861-001-TPG-002.DWG
1	8 NOV, 2018	18861-001-TPG-001.DWG
No.	DATE	REVISION

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MATSON PECK & TOPLISS
SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY,
RICHMOND, B.C. V7A 5H7
TELEPHONE (604) 270 9331

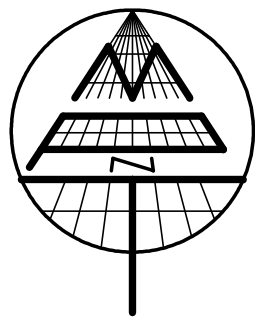


SBA CANADA, ULC
SITE PLAN
BC70057-B, HARVEY CREEK WATER TREATMENT PLANT
400 CENTRE ROAD (BOX 141), LIONS BAY, BC V0N 2E0

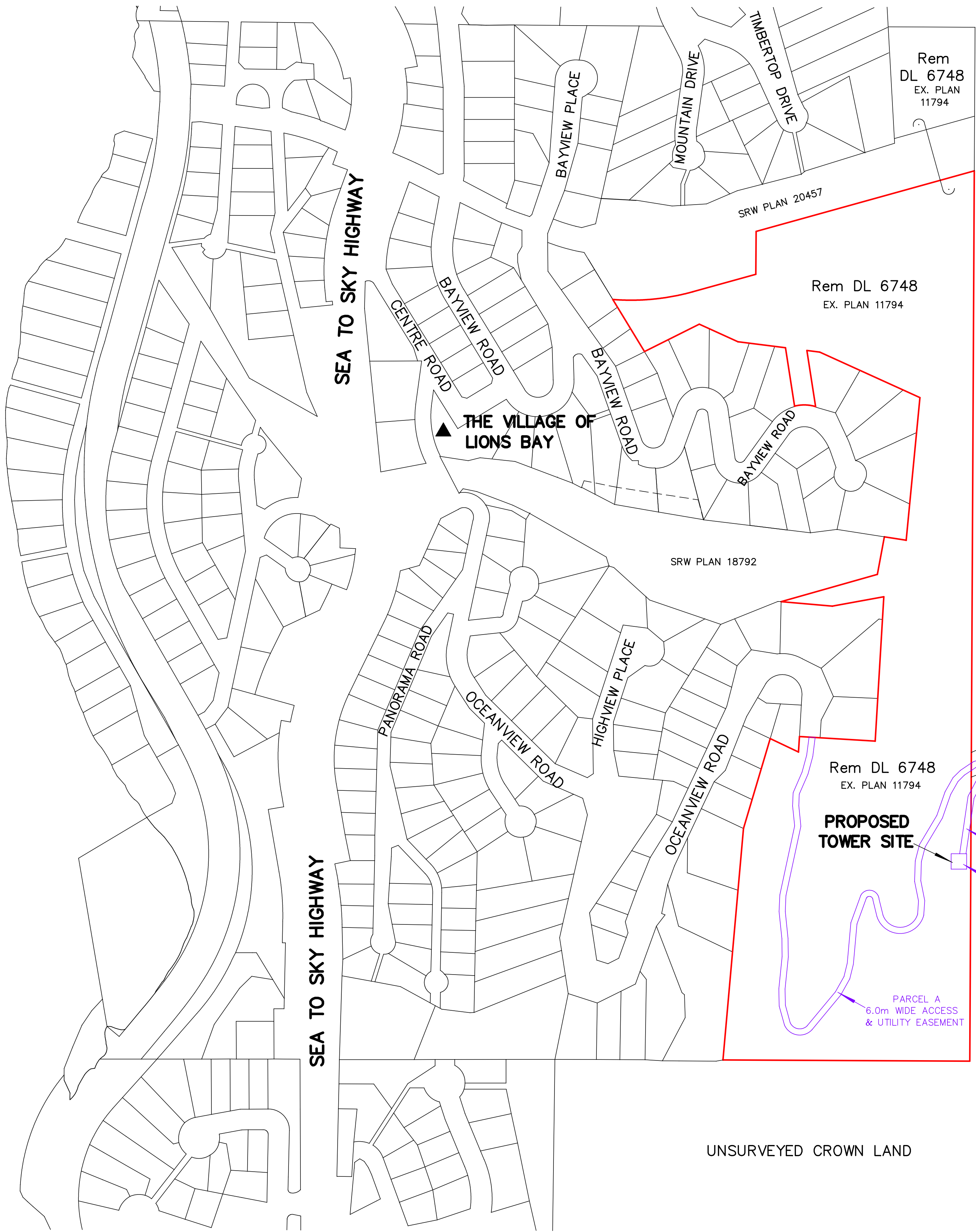


SURVEYED: 28 JAN, 2019	JOB No. 18861
DRAWN: ML	SCALE 1:2000
CHECKED: WPW	DATE: 01 APR, 2019
SHEET 1 OF 4	REVISION 2

DRAWING No.
1

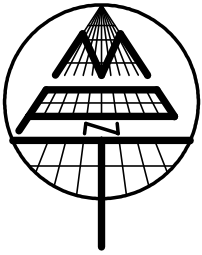


SCALE 1:2500
ALL DIMENSIONS ARE IN METRES



No.	DATE	REVISION
4		
3	01 APR, 2019	18861-001-TPG-003.DWG
2	28 JAN, 2019	18861-001-TPG-002.DWG
1	8 NOV, 2018	18861-001-TPG-001.DWG

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SURVEYORS & ENGINEERS
#320 - 11120 HORSESHOE WAY,
RICHMOND, B.C. V7A 5H7
TELEPHONE (604) 270 9331



SBA CANADA, ULC
VICINITY MAP
BC70057-B, HARVEY CREEK WATER TREATMENT PLANT
400 CENTRE ROAD (BOX 141), LIONS BAY, BC V0N 2E0



SURVEYED: 28 JAN, 2019	JOB No. 18861
DRAWN: ML	SCALE 1:2500
CHECKED: WPW	DATE: 01 APR, 2019
SHEET 3 OF 4	REVISION 2

DRAWING
No.

3

METES AND BOUNDS DESCRIPTIONS:

(1) ACCESS AND UTILITY EASEMENT – PARCEL A
PARCEL A (REMAINDER DISTRICT LOT 6748, EXPLANATORY PLAN 11794)
All that part of That Part of District Lot 6748 in Explanatory Plan 11794 Group 1 New Westminster District Except Part in Statutory Right of Way Plan VAP20457
Commencing at the southwest corner of Lot 41, Plan 14024:
–thence westerly 273° 26’ 55”, a distance of 4.791 metres to the point of commencement;
–thence 187° 12’ 48”, a distance of 18.645 metres;
–thence 185° 25’ 55”, a distance of 17.708 metres;
–thence 203° 23’ 08”, a distance of 21.120 metres;
–thence 182° 27’ 11”, a distance of 11.246 metres;
–thence 174° 11’ 58”, a distance of 20.007 metres;
–thence 192° 06’ 15”, a distance of 68.943 metres;
–thence 182° 43’ 59”, a distance of 15.234 metres;
–thence 174° 01’ 03”, a distance of 26.141 metres;
–thence 179° 15’ 31”, a distance of 18.162 metres;
–thence 185° 48’ 46”, a distance of 31.292 metres;
–thence 178° 52’ 17”, a distance of 15.638 metres;
–thence 164° 29’ 54”, a distance of 17.691 metres;
–thence, southerly and easterly on a curve to the left of radius 10.163 metres, an arc distance of 20.032 metres;
–thence northerly and easterly 39° 42’ 02”, a distance of 42.626 metres;
–thence 29° 11’ 32”, a distance of 16.829 metres;
–thence 13° 56’ 01”, a distance of 13.340 metres;
–thence 5° 04’ 17”, a distance of 39.445 metres;
–thence 19° 46’ 29”, a distance of 27.886 metres;
–thence, northerly and easterly on a curve to the right of radius 9.440 metres, an arc distance of 24.498 metres;
–thence southerly and easterly 166° 19’ 03”, a distance of 15.801 metres;
–thence, southerly and easterly on a curve to the left of radius 17.604 metres, an arc distance of 44.963 metres;
–thence northerly and easterly 3° 58’ 41”, a distance of 12.615 metres;
–thence 348° 42’ 47”, a distance of 19.521 metres;
–thence 1° 41’ 24”, a distance of 19.711 metres;
–thence 14° 29’ 48”, a distance of 16.405 metres;
–thence 30° 47’ 39”, a distance of 32.910 metres;
–thence 19° 08’ 28”, a distance of 24.272 metres;
–thence 29° 32’ 39”, a distance of 15.781 metres;
–thence 45° 16’ 55”, a distance of 10.083 metres;
–thence 56° 08’ 11”, a distance of 12.646 metres;
–thence 180° 17’ 25”, a distance of 7.250 metres;
–thence 236° 08’ 11”, a distance of 8.005 metres;
–thence 225° 16’ 55”, a distance of 8.683 metres;
–thence 209° 32’ 39”, a distance of 14.406 metres;
–thence 199° 08’ 28”, a distance of 24.338 metres;
–thence 210° 47’ 39”, a distance of 32.663 metres;
–thence 194° 29’ 48”, a distance of 14.873 metres;
–thence 181° 41’ 24”, a distance of 18.355 metres;
–thence 168° 42’ 47”, a distance of 19.642 metres;
–thence 183° 58’ 41”, a distance of 13.975 metres;
–thence, southerly and westerly on a curve to the right of radius 23.604 metres, an arc distance of 61.188 metres;
–thence northerly and westerly 346° 19’ 03”, a distance of 16.578 metres;
–thence, northerly and westerly on a curve to the left of radius 3.440 metres, an arc distance of 9.013 metres;
–thence southerly and westerly 199° 46’ 29”, a distance of 26.699 metres;
–thence 185° 04’ 17”, a distance of 39.136 metres;
–thence 193° 56’ 01”, a distance of 14.609 metres;
–thence 209° 11’ 32”, a distance of 18.184 metres;
–thence 219° 42’ 02”, a distance of 43.318 metres;
–thence, southerly and westerly on a curve to the right of radius 16.163 metres, an arc distance of 32.553 metres;
–thence northerly and westerly 344° 29’ 54”, a distance of 18.857 metres;
–thence 358° 52’ 17”, a distance of 16.758 metres;
–thence 5° 48’ 46”, a distance of 31.313 metres;
–thence 359° 15’ 31”, a distance of 17.544 metres;
–thence 354° 01’ 03”, a distance of 26.323 metres;
–thence 2° 43’ 59”, a distance of 16.183 metres;
–thence 12° 06’ 15”, a distance of 68.490 metres;
–thence 354° 11’ 58”, a distance of 19.495 metres;
–thence 2° 27’ 11”, a distance of 12.788 metres;
–thence 23° 23’ 08”, a distance of 21.812 metres;
–thence 5° 25’ 55”, a distance of 16.860 metres;
–thence 7° 12’ 48”, a distance of 17.820 metres;
–thence 93° 26’ 55”, a distance of 6.013 metres more or less to the point of commencement.

The said portion containing by admeasurement an area of 4,175.0 square metres (44,939 square feet) more or less.

LEGAL DESCRIPTION:

PID NO. 015–813–681
THAT PART OF DISTRICT LOT 6748 IN EXPLANATORY PLAN 11794 GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PART IN STATUTORY RIGHT OF WAY PLAN VAP20457

OWNER:

THE VILLAGE OF LIONS BAY

????? TITLE INSURANCE COMPANY COMMITMENT NO. ??????????????????

I HEREBY CERTIFY TO SBA CANADA, ULC, AND ?????? TITLE INSURANCE COMPANY, THE FOLLOWING:
THIS SURVEYOR HAS RECEIVED AND REVIEWED THAT CERTAIN TITLE COMMITMENT NO. ?????????????????? ISSUED BY ??? TITLE INSURANCE COMPANY WITH AN EFFECTIVE DATE OF _____, WHICH PROPOSES TO INSURE THE LANDS DESCRIBED UNDER ITS SCHEDULE A.

THIS SURVEYOR KNOWS OF HIS OWN KNOWLEDGE THAT THE LANDS DESCRIBED UNDER SAID SCHEDULE A OF THE TITLE COMMITMENT CONTAIN OR INCLUDE THE LANDS DESCRIBED IN AND DEPICTED IN THIS SURVEY.

THIS SURVEYOR FURTHER KNOWS OF HIS OWN KNOWLEDGE THAT THE EASEMENTS OF RECORD AND IDENTIFIED UNDER SCHEDULE ____ OF SAID TITLE COMMITMENT ENCUMBER THE LANDS DESCRIBED ON THIS SURVEY.

CERTIFIED CORRECT THIS 01ST OF APRIL, 2019

WILLIAM P. WONG, BRITISH COLUMBIA LAND SURVEYOR (#697)

(2) TOWER LEASE AREA – PARCEL B
PARCEL B (REMAINDER DISTRICT LOT 6748, EXPLANATORY PLAN 11794)

All that part of That Part of District Lot 6748 in Explanatory Plan 11794 Group 1 New Westminster District Except Part in Statutory Right of Way Plan VAP20457

Commencing at the southwest corner of Lot 41, Plan 14024:
–thence southerly and easterly 131° 30’ 29”, a distance of 169.661 metres to the point of commencement;
–thence 90° 00’ 00”, a distance of 15.000 metres;
–thence 180° 00’ 00”, a distance of 15.000 metres;
–thence 270° 00’ 00”, a distance of 15.000 metres;
–thence 0° 00’ 00”, a distance of 15.000 metres more or less to the point of commencement.

The said portion containing by admeasurement an area of 225.0 square metres (2,422 square feet) more or less.

(3) ACCESS AND UTILITY EASEMENT – PARCEL C
PARCEL C (REMAINDER DISTRICT LOT 6748, EXPLANATORY PLAN 11794)

All that part of That Part of District Lot 6748 in Explanatory Plan 11794 Group 1 New Westminster District Except Part in Statutory Right of Way Plan VAP20457

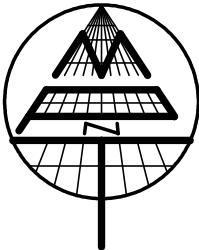
Commencing at the southwest corner of Lot 41, Plan 14024:
–thence southerly and easterly 109° 15’ 19”, a distance of 155.106 metres to the point of commencement;
–thence 180° 17’ 25”, a distance of 28.000 metres;
–thence 188° 19’ 30”, a distance of 33.643 metres;
–thence 270° 00’ 00”, a distance of 6.064 metres;
–thence 8° 19’ 30”, a distance of 56.284 metres;
–thence 27° 36’ 45”, a distance of 6.317 metres more or less to the point of commencement.

The said portion containing by admeasurement an area of 310.4 square metres (3,341 square feet) more or less.

(4) ACCESS AND UTILITY EASEMENT – PARCEL D
PARCEL D (UNSURVEYED CROWN LAND)

All that part of That Part of Unsurveyed Crown Land
Commencing at the southwest corner of Lot 41, Plan 14024:
–thence southerly and easterly 99° 30’ 46”, a distance of 148.608 metres to the point of commencement;
–thence 56° 08’ 11”, a distance of 1.457 metres;
–thence, northerly and easterly on a curve to the right of radius 9.096 metres, an arc distance of 21.799 metres;
–thence 201° 28’ 25”, a distance of 7.011 metres;
–thence 207° 36’ 45”, a distance of 20.736 metres;
–thence 188° 19’ 30”, a distance of 20.743 metres;
–thence 0° 17’ 25”, a distance of 28.000 metres;
–thence 27° 36’ 45”, a distance of 15.117 metres;
–thence 21° 28’ 25”, a distance of 6.242 metres;
–thence, northerly and westerly on a curve to the left of radius 3.096 metres, an arc distance of 7.109 metres;
–thence 236° 08’ 11”, a distance of 5.442 metres;
–thence 0° 17’ 25”, a distance of 7.250 metres more or less to the point of commencement.

The said portion containing by admeasurement an area of 295.3 square metres (3,179 square feet) more or less.

4			© COPYRIGHT MATSON PECK & TOPLISS SURVEYORS & ENGINEERS #320 – 11120 HORSESHOE WAY, RICHMOND, B.C. V7A 5H7 TELEPHONE (604) 270 9331 	SBA CANADA, ULC  NOTES AND LEGAL DESCRIPTIONS BC70057–B, HARVEY CREEK WATER TREATMENT PLANT 400 CENTRE ROAD (BOX 141), LIONS BAY, BC V0N 2E0	SURVEYED: 28 JAN, 2019	JOB No. 18861	DRAWING No. 4
3	01 APR, 2019	18861–001–TPG–003.DWG			DRAWN: ML	SCALE	
2	28 JAN, 2019	18861–001–TPG–002.DWG			CHECKED: WPW	DATE: 01 APR, 2019	
1	8 NOV, 2018	18861–001–TPG–001.DWG			SHEET 4 OF 4	REVISION 2	
No.	DATE	REVISION					

TITLE SEARCH PRINTRegular Council Meeting - March 17, 2020 - 146 of 456
2019-10-18, 11:26:56

File Reference: 19-08146 DD

Requestor: Drew Dureault

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Title Issued Under	SECTION 188 LAND TITLE ACT
Land Title District Land Title Office	VANCOUVER VANCOUVER
Title Number From Title Number	GE17330 B44823
Application Received	1991-03-07
Application Entered	1991-03-08
Registered Owner in Fee Simple Registered Owner/Mailing Address:	THE VILLAGE OF LIONS BAY NO ADDRESS ON FILE FOR THIS OWNER
Taxation Authority	Lions Bay, Village of
Description of Land Parcel Identifier: Legal Description:	015-813-681 THAT PART OF DISTRICT LOT 6748 IN EXPLANATORY PLAN 11794 GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PART IN STATUTORY RIGHT OF WAY PLAN VAP20457
Legal Notations	RE: PARAGRAPHS (E), (F) AND (K) OF SECTION 23(1) LAND TITLES ACT, SEE DF M60920 FILED 25/07/1984 SUBJECT TO PROVISOS, SEE CROWN GRANT 467120L
Charges, Liens and Interests	NONE
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

-- This email has reached Synergy Land Services via an external source --

Exercise caution when clicking any links or opening any attachments.

Great update from the municipality - see below!

Thanks,

Melissa Yu

Site Development Manager, New Builds Canada

Directeur, Développement de sites - Canada

[514.656.5233](tel:514.656.5233) x1954 + T

[514.303.0697](tel:514.303.0697) + F

[514.975.3973](tel:514.975.3973) + C

Begin forwarded message:

From: The Village of Lions Bay <epost@lionsbay.ca>

Date: November 1, 2019 at 7:30:10 PM EDT

To: Melissa Yu <MYu@sbsite.com>

Subject: [External] Village Update

Reply-To: epost@lionsbay.ca



PUBLIC NOTICE
PROPOSED SBA CANADA, ULC RADIOCOMMUNICATIONS FACILITY
TELECOMMUNICATIONS TOWER

SBA Canada, ULC (SBA) is committed to providing Canadian communities high speed wireless service, therefore, SBA is proposing to build a 60m self-support lattice telecommunications tower on a portion of Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC. All of the equipment necessary to operate this facility will reside within an equipment compound on site. The 15m x 15m compound will be secured with a chain-link fence. SBA will be accessing the site off an existing access road connected to Oceanview Road.

As part of the public consultation process required by Innovation, Science and Economic Development Canada (ISED), and the Village of Lions Bay, SBA is inviting the public to comment on the proposed tower and location on or before the **December 6, 2019**. This tower will be fully compliant with ISED guidelines, as found under the CPC-2-0-03. The public is also invited to attend a public information meeting hosted by SBA to answer questions and gather public comments.

PROJECT IDENTIFIER: BC70057

TOWER LOCATION: A portion of the Municipality-owned lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay (shown in location sketch below).

COORDINATES: NAD 83, Latitude 49°27'18.54"N, Longitude 123°13'42.70"W

LEGAL: A portion of "That Part Of District Lot 6748 In Explanatory Plan 11794 Group 1 New Westminster District Except Part In Statutory Right Of Way Plan VAP20457. Parcel Identifier: 015-813-681" (the "Lands").

PUBLIC INFORMATION MEETING:

Broughton Hall
 400 Centre Road
 Lions Bay, BC

MEETING DATE:
 Thursday,
 November 21, 2019

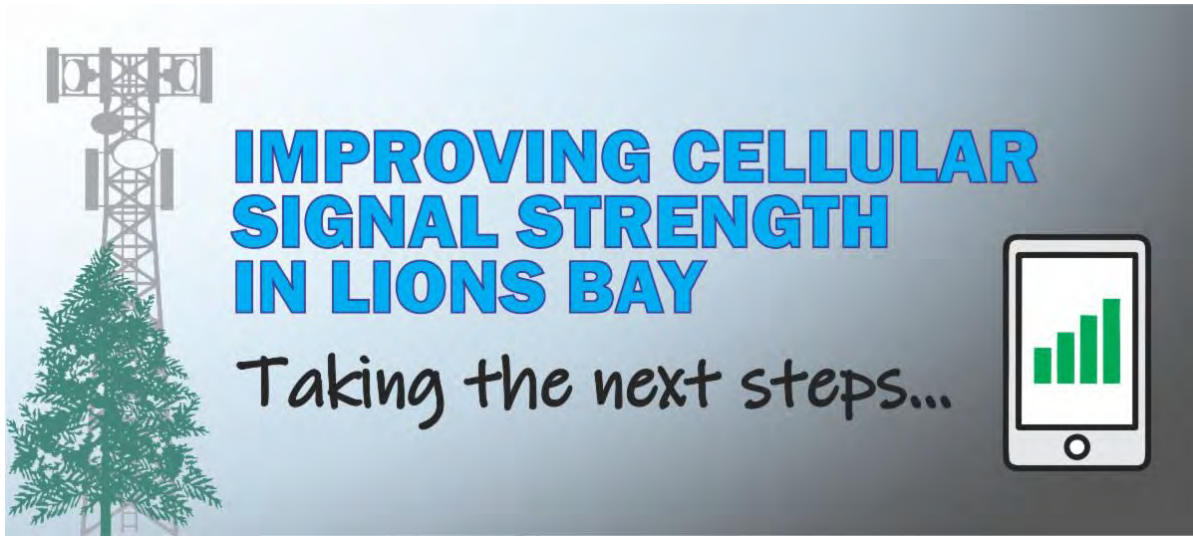
MEETING TIME:
 5:00pm to 7:00pm

ANY PERSON MAY
 comment by close of
 business day on
December 6, 2019
 with respect to this matter.

SBA Canada, ULC

c/o:
 Synergy Land Services Ltd.
 Tanya Elchuk
 Team Lead,
 Telecommunications
 200, 2710 17th Avenue SE
 Calgary, AB T2A 0P6
 Phone: (403) 283-4400
 Direct: (403) 930-3309
 Fax: (403) 283-8318
 E-mail: tanyaelchuk@synergyland.ca





Click [here](#) for updated information regarding the Telecommunications Tower project and the consultation process by the applicant, SBA Canada.

Residents are reminded the applicant will be hosting a **Public Information Meeting** at Broughton Hall on **Thursday, November 21, 2019 from 5 to 7 pm.**

From: Tanya Elchuk
To: [REDACTED] "ic.spectrumsurrey-surreyspectre.ic@canada.ca"; "cao@lionsbay.ca"; "[Ron McLaughlin](mailto:Ron%20McLaughlin%40lionsbay.ca)"; "councillor.abbott@lionsbay.ca"; "councillor.bain@lionsbay.ca"; "councillor.barmeier@lionsbay.ca"; "councillor.cunliffe@lionsbay.ca"
Subject: RE: Proposed Telecommunications Tower (SBA BC70057 Lion's Bay)
Date: Tuesday, December 17, 2019 11:10:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you presented below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: December 6, 2019 3:16 PM
To: 'Anke Berendes' [REDACTED]; ic.spectrumsurrey-surreyspectre.ic@canada.ca; cao@lionsbay.ca; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; councillor.abbott@lionsbay.ca; councillor.bain@lionsbay.ca; councillor.barmeier@lionsbay.ca; councillor.cunliffe@lionsbay.ca
Subject: RE: Proposed Telecommunications Tower

Good afternoon Anke and Sorin,

Firstly, we would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within 14 days acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within 60 days of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the

party has 21 days from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Anke Berendes [REDACTED]
Sent: December 6, 2019 3:06 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>; ic.spectrumsurrey-surreyspectre.ic@canada.ca; cao@lionsbay.ca; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; councillor.abbott@lionsbay.ca; councillor.bain@lionsbay.ca; councillor.barmer@lionsbay.ca; councillor.cunliffe@lionsbay.ca
Subject: Proposed Telecommunications Tower

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

To Mayor McLaughlin, Councillors, SBA Canada, and those it may concern,

We are writing to express our concerns regarding the proposed telecommunications tower(s) on Lions Bay Municipal land.

We are concerned about potential health implications to those living nearby.

We do not want an unsightly tower in the middle of the pristine and beloved view up to the Lions.

We would like to respect the strong concerns of some fellow villagers living near the proposed tower regarding the health of their families and impacted property values.

We understand that there is no guarantee of the tower being used as a cell tower, and no guarantee of marked or general improvements to cell service if it is used as a cell tower.

We understand that the village will only receive a relatively minor compensation for the use of municipal land.

For these reasons, we oppose the use of our municipal land for such telecommunications towers.

Sincerely,
Anke and Sorin Barabulea



December 17, 2019

Via Email: [REDACTED]

To: Anke and Sorin Barabulea**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Health & Safety
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Location / Rental Income
- Property Values

Health and Safety

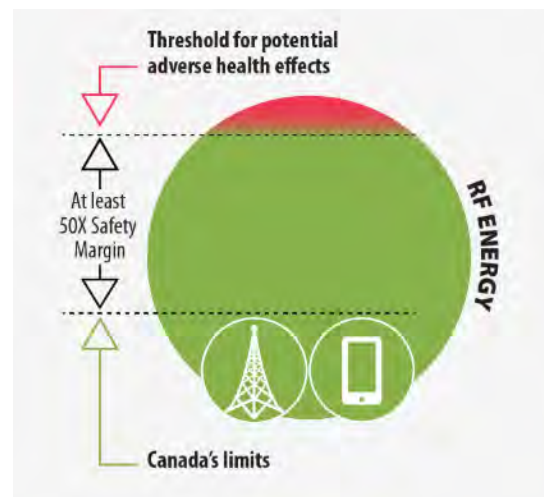
Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of "non-ionizing" radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.



SYNERGYLAND
SERVICES LTD.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

For more information please visit the following links:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the "next generation" of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomcommunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

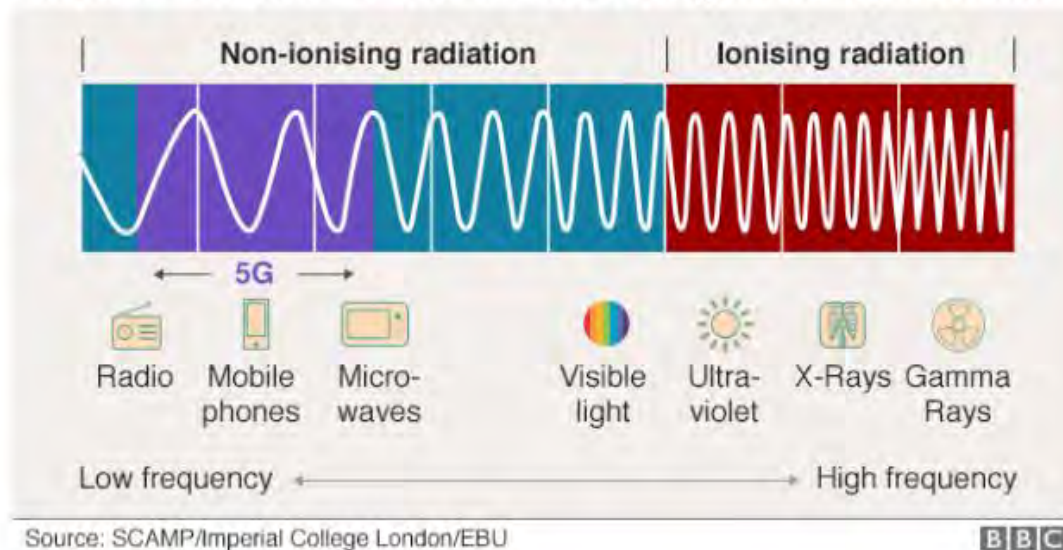
https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_gacces.html

Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum

There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information please visit the following links:**Setting the Record Straight on 5G Wireless & RF Safety**

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs. For this reason an "exact" graphic image of the proposed tower is impossible. An artist rendering of the proposed project was provided to give the community a general idea of the infrastructure imagined into the environment, and for clarity, each simulated image was marked with the comment *"Artist Rendering Only, Installation of final project may not be exactly as shown"*.

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Property Values

Determining the value of a property is dependent on many varying influences including (but not limited to) factors such as land use, location, accessibility, development and improvements. Due to the ever changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for "smart" technology.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@surrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED]
Cc: ["Peter DeJong"](#)
Subject: RE: Cell Tower (SBA BC70057 Lion's Bay)
Date: Friday, January 10, 2020 5:01:00 PM
Attachments: [REDACTED]

Good afternoon Brian,

Please see below for my feedback in blue with respect to your comments.

I have also re-attached the notification letter circulated to the community and the original response we provided to you for your easy reference.

Thank you for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Brian [REDACTED]
Sent: December 17, 2019 5:17 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: 'Peter DeJong' <cao@lionsbay.ca>
Subject: RE: Cell Tower (SBA BC70057 Lion's Bay)

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

I found the response to my question to be "form like" and "routine". I asked why they would not or could not be moved over from right under the mountains and you told me you are painting it green and that you had 2 locations and you chose that location over 2 locations.

Without a specific alternate location to consider it is difficult to reply in more detail however we can offer that moving the tower "over from right under the mountains" would affect the financial benefits of locating it on municipal lands and provide significant challenges with respect to access, terrain and coverage needs.

In addition to the financial benefits and landlord privileges the Village would enjoy with a tower placed at the Harvey Creek Water Treatment plant, the location is already cleared with developed access thereby reducing the impact construction may have on the environment, and is ideally located in proximity to the community to provide optimal coverage.

Did you read the question? Specifically what do you mean future tenants in your response? Are there going to be more towers in the same location? What is a "tenant"? are all the Cell telecoms

putting equipment here? Roger Bell Telus Mobility etc? will it grow and look ugly? What will a drawing of the expansion look like if this were the case? It may be better served in another location all together.

The primary focus of SBA is the leasing or licensing of antenna space on its multi-tenant towers to a variety of wireless service providers. "Tenants" refers to those service providers who will occupy the tower with their equipment. Only one tower is being proposed at this location. It is anticipated that this tower will be tenanted by 3 of the major wireless service providers along with the Municipality in respect of Village Equipment. Until preliminary processes are completed, no commitments can be secured. For this reason, specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs. For this reason an "exact" graphic image of the proposed tower and it's equipment is impossible. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. As previously noted, the tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

From: Tanya Elchuk <TanyaElchuk@synergyland.ca>

Sent: Tuesday, December 17, 2019 11:13 AM

To: [REDACTED]

Cc: Peter DeJong <cao@lionsbay.ca>

Subject: RE: Cell Tower (SBA BC70057 Lion's Bay)

Good morning,

Please find attached our response to the comments and concerns you presented below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk

Sent: November 9, 2019 9:48 AM

To: [REDACTED]

Cc: Peter DeJong <cao@lionsbay.ca>; Krista Moscato <KristaMoscato@synergyland.ca>

Subject: RE: Cell Tower

Good morning Brian,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is import to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. We will take your comments / questions into consideration and endeavor to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
c: 403-880-3141

From: Brian [REDACTED]
Sent: Tuesday, November 05, 2019 10:15 AM
To: Peter DeJong <cao@lionsbay.ca>
Subject: Cell Tower

My only comment is, up high in the bush is good, but move it over. Isn't there a better place than right under the picturesque view of the 2 mountains?

Glad to have better cell reception though.

Brian



December 17, 2019

Via Email: [REDACTED]

To: Brian @ Comtelit

Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project

Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC

SBA File: BC70057-B

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Location
 - Visual Aesthetics
-

Location

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Visual Aesthetics

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily. As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@surrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED] ["Peter DeJong"](#)
Cc: [REDACTED]
Subject: RE: Village Update - Proposed Communications Tower. (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 11:18:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 9, 2019 9:41 AM
To: 'Colin Craig' [REDACTED]; Peter DeJong <cao@lionsbay.ca>
Cc: [REDACTED] Krista Moscato <KristaMoscato@synergyland.ca>
Subject: RE: Village Update - Proposed Communications Tower.

Thank-you for passing this on Peter.

Good morning Colin,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is import to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question

2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. We will take your comments / questions into consideration and endeavor to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Colin Craig [REDACTED]
Sent: November 5, 2019 5:06 PM
To: Peter DeJong <cao@lionsbay.ca>
Cc: [REDACTED]
Subject: RE: Village Update - Proposed Communications Tower.

Hello Peter:
Yes you have my consent to forward my email input to the proponent – SBA Canada.
Regards,
Colin

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: Peter DeJong <cao@lionsbay.ca>
Sent: Tuesday, November 05, 2019 3:27 PM
To: Colin Craig <[REDACTED]>
Cc: [REDACTED]
Subject: RE: Village Update - Proposed Communications Tower.

Thank you for your comments Colin. At the end of the consultation process, all comments and correspondence will be provided to the Municipality for Council's consideration. But the consultation process is the proponent's (SBA Canada) and they are required to answer any questions and provide copies of correspondence received/sent to Innovation, Science and Economic Development (ISED) Canada. Therefore, I would like to forward your email to SBA so that it is included in the official record. Please confirm your consent. Thank you.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer

The Municipality of the Village of Lions Bay www.lionsbay.ca
PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 , Canada
Village Office (604) 921-9333 | Fax (604) 921-6643

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not binding on the Municipality of the Village of Lions Bay until contracted. Be aware that this email is the property of the Municipality and may not be disseminated in whole or part without consent. This email may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality. Conversely, be aware that any response to the sender may be subject to disclosure under a freedom of information request.

From: Lions Bay Reception
Sent: Tuesday, November 05, 2019 11:38 AM
To: Peter DeJong <cao@lionsbay.ca>
Subject: FW: Village Update - Proposed Communications Tower.

Hi Peter,

Here is the email from Colin Craig.

Shawna Driscoll
Administrative Assistant

From: Colin Craig [REDACTED]
Sent: Sunday, November 3, 2019 12:57 PM
To: Joan Hendriks [REDACTED]
Cc: Village of Lions Bay <epost@lionsbay.ca>
Subject: RE: Village Update - Proposed Communications Tower.

The Mayor and Council: re proposed communications tower.

What a god dammed eyesore – 60m (197') tall – way above the surrounding forest cover . 'view of the lions' or 'view of urban infrastructure'.

The tower may be painted green but all the technical items mounted on it will be aluminum or white and an eyesore.

Also a hazard to helicopter operations during rescues.

Not worth the loss even remotely.

Cell phone coverage isn't that bad in Lions Bay and not worth the loss of what Lions Bay is – a mountainside community devoid of industrial infrastructure (which this tower is).

Regards,

Colin

[REDACTED]

From: Joan Hendriks <[REDACTED]>

Sent: Saturday, November 02, 2019 4:45 PM

To: Colin Craig <colin.craig@cwca.ca>

Subject: Fwd: Village Update

Propose cell phone tower

----- Forwarded message -----

From: **The Village of Lions Bay** <epost@lionsbay.ca>

Date: Sat, Nov 2, 2019, 12:15 AM

Subject: Village Update

To: <[REDACTED]>



December 17, 2019

Via Email: [REDACTED]

To: Colin Craig

Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project

Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC

SBA File: BC70057-B

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Visual Aesthetics & Equipment on Tower
 - Aviation Safety
 - Need for Tower / Coverage & Meeting Lions Bay Community Plan Criteria
-

Visual Aesthetics & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

Aviation Safety

The tower will not be constructed without approvals from both Transport Canada (TC) and NAV Canada (NAV) in place. Applications have been submitted to both with respect to the proposed project.

SBA is anticipating no marking or lighting should be required as the proposed tower is not located within any flight path and does not exceed obstruction standards for the Vancouver International Airport, however, it will not be confirmed until the results of the review are issued by TC and NAV. Upon receipt, details regarding the approval shall be made available to the Municipality for publishing on their website, or upon request.

Should safety be of further concern, upon consultation with TC/NAV Canada and the Municipality, SBA may consider the addition of a light to the tower. This light would be installed as per TC/NAV requirements and could include a "dish" underneath to direct the light upwards towards aircraft and minimizing visual impact from below.

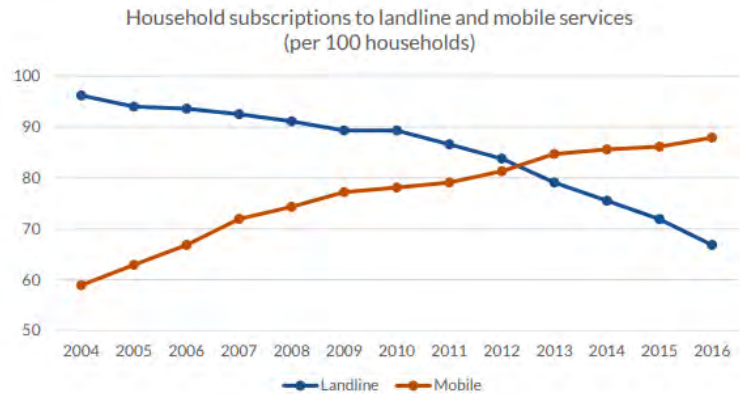
Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.



SYNERGYLAND
SERVICES LTD.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.



In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".

The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.

In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creatingasaferenvironmentforcanadiansbyenablinga_cces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@surrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED]
Cc: "mayor.mclaughlin@lionsbay.ca"; "council@lionsbay.ca"; "[Peter DeJong](#)"
Subject: RE: Cell Tower proposal (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 11:20:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 13, 2019 5:09 PM
To: [REDACTED]
Cc: 'mayor.mclaughlin@lionsbay.ca' <mayor.mclaughlin@lionsbay.ca>; 'council@lionsbay.ca' <council@lionsbay.ca>; Peter DeJong <cao@lionsbay.ca>; 'Nicole Dumas' <office@lionsbay.ca>
Subject: FW: Cell Tower proposal

Good afternoon Heather,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

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Please accept this email as formal acknowledgement of receipt of your communication. We will take your comments / questions into consideration and endeavor to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Nicole Dumas [<mailto:office@lionsbay.ca>]
Sent: November 12, 2019 10:05 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: FW: Cell Tower proposal

- - This email has reached Synergy Land Services via an external source - - Exercise caution when clicking any links or opening any attachments.

Hi Tanya,

Feedback for you....

Nicole Dumas
Executive Assistant

The Village of Lions Bay

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you'd notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not binding on the Municipality of the Village of Lions Bay ("Municipality") until contracted. This email is the property of the Municipality and may not be reproduced or further disseminated in whole or part without the Municipality's consent. It may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality.

From: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Sent: Saturday, November 9, 2019 4:59 PM
To: Heather Mossakowski <[REDACTED]> Council <council@lionsbay.ca>
Cc: Peter DeJong <cao@lionsbay.ca>; Nicole Dumas <office@lionsbay.ca>

Subject: Re: Cell Tower proposal

Thank you for your note Heather. It was a pleasure to speak with you at length earlier today. Your note has been copied to our staff and it will be forwarded to SBA and be part of our correspondence at our next Council meeting.

Nicole- if you would execute the advice to our resident it would be appreciated. Thank you.

Regards,

Ron

From: Heather Mossakowski
Sent: Saturday, November 9, 4:07 PM
Subject: Cell Tower proposal
To: Council

Dear Council,

Regarding the telecommunications tower proposal to be build above Harvey Creek Water tower Treatment Plant in the village of Lions Bay, I am against building a tower in this community.

Has this council made a proper evaluation of all information regarding health issues that may occur and affect residents of Lions Bay in a negative way? There is a lot of information regarding negative effects on health caused by cell towers, also one should expect that in future additional negative discoveries would appear.

Telecommunication towers represent a new field in industry, and there was not enough time to complete indepth studies on health issues. All possible health issues should be assessed before Village would agree to allow for construction. Presence of the tower brings an industrial aspect to otherwise tranquil, serene and natural Lions Bay.

Sincerely,
Heather Mossakowski



December 17, 2019

Via Email: [REDACTED]

To: Heather Mossakowski**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Health & Safety
- Visual Aesthetics

Health and Safety

Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

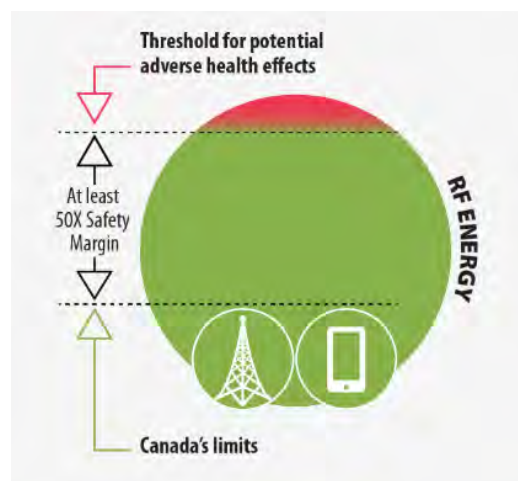
Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of "non-ionizing" radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).



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Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

Please visit the following websites for additional information:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the "next generation" of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information regarding NG911 please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creatingasaferenvironmentforcanadiansbyenablingaccs.html

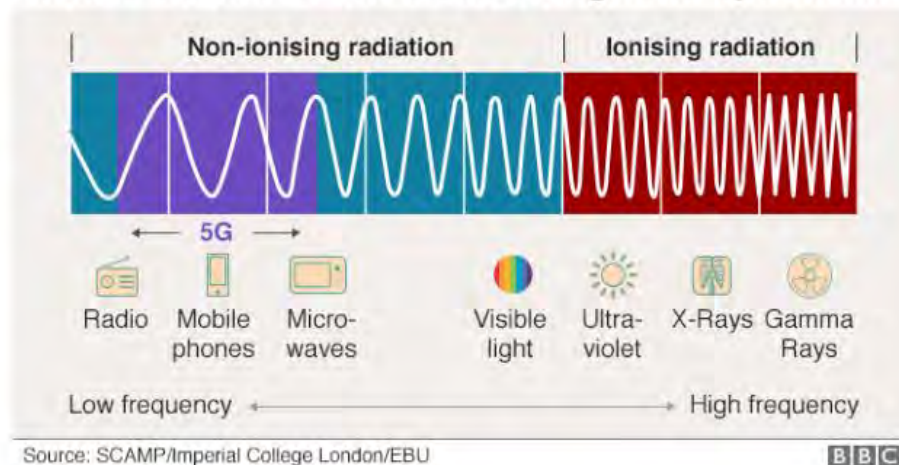
Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum



There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information regarding please visit the following links:

Setting the Record Straight on 5G Wireless & RF Safety

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

Visual Aesthetics

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.
Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@surrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Response to Lions Bay proposal. (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 11:22:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 26, 2019 10:49 AM
To: 'Michael P Broughton' <[REDACTED]>
Subject: RE: Response to Lions Bay proposal.

Hello Michael,

It was nice to meet you on Thursday.

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is import to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt

3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. We will take your comments / questions into consideration and endeavor to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Michael P Broughton [REDACTED]
Sent: November 25, 2019 9:13 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: Michael P Broughton <[REDACTED]>
Subject: Response to Lions Bay proposal.

- - This email has reached Synergy Land Services via an external source - - Exercise caution when clicking any links or opening any attachments.

Dear Tanya,

Thank you for the meeting Thursday. I have researched and thought more about the proposal and have come to the conclusion that it is a bad idea for Lions Bay.

There are too many unknowns and the negative 'knowns' outweigh any positives I identified on this project.

I have paid close attention to the towers and the dishes and antennae throughout the lower mainland and continue to find the tower proposed as unacceptable to the feel and flavour of Lions Bay and identified consistency over decades.

Our community has spent many many hours identifying a compass for the community in the form of the OCP. There is no room in the OCP as currently constituted to allow for this project to proceed.

I am an unconditional NO to this project.

Thank you, please see the response form attached.

Michael Broughton EdD
Broughton Consulting Group





December 17, 2019

Via Email: [REDACTED]

To: Michael Broughton**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

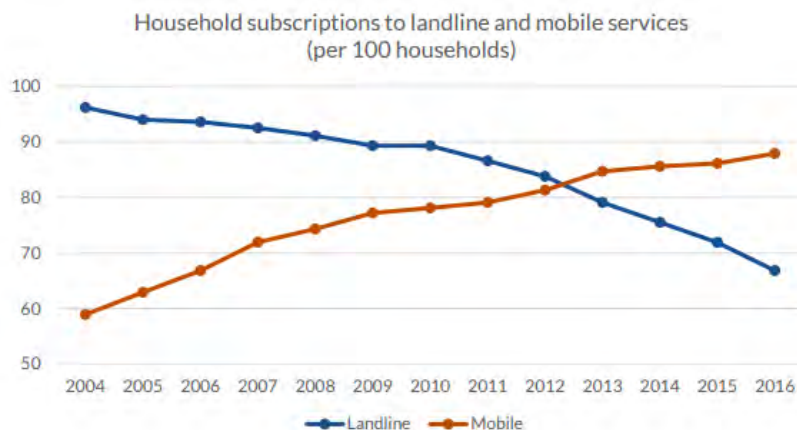
We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Location & Rental Income

Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.



In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".

The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.



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In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_a_cces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs.

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

1. SBA Canada, ULC

c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca

2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office

13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca

3. Village of Lions Bay

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☐ Yes

☒ No

- This tower will define Lions Bay visually from Howe Sound. Not consistent with our OCP dedication to a rural feel.

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

☐ Yes

☒ No

- painting green is ridiculous, it is a grid tower. The dishes + antennae are not known and will have a large presence.

Additional comments:

- There is no commitment to service for the watershed or hikers.
- The impact visually on Lions Bay is not acceptable.
- Where does this meet any criteria of our OCP (OFFICIAL COMMUNITY PLAN)?
- We should be focussing on high speed Internet.
- The small income from this is not material to the damage to the community.

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

MICHAEL BROUGHTON

(Please print clearly)

Mailing address:

Box [REDACTED] 190 LIONS BAY AVE
LIONS BAY, BC V0N 2B7

Email address:

[REDACTED]

From: Tanya Elchuk
To: [REDACTED]
Cc: [Ron McLaughlin](#); [Neville Abbott](#); [Fred Bain](#); [Norman Barmeier](#); [Jaime Cunliffe](#); ["Peter DeJong"](#)
Subject: RE: Proposed Cell Tower (SBA BC70057 Lions Bay)
Date: Tuesday, January 14, 2020 2:03:00 PM
Attachments: [REDACTED]

Good afternoon Penny,

I can confirm that your comments, including those below, will be included on record.

Thank-you again for participating in this process.

Kind Regards,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Penny Nelson [REDACTED]
Sent: January 11, 2020 2:40 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>
Subject: Re: Proposed Cell Tower (SBA BC70057 Lions Bay)

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Tanya,

With regards this very disappointing response, there is much I can say, however, as a starting point, I have no interest in hearing from outsiders as to what is and isn't good for our village. This is why in fact my email was addressed to Council, and merely cc'ed to you in order that it be placed on record.

But, in short, most of your response is spin, written with the sole aim of achieving your client's goal. You do not address some of the objections I raise and it looks like a lot of copying and pasting went into it. So I'm simply replying to some of the key points to place them on record.

I have to say I find it particularly arrogant that you reference our Official Community Plan, a document I participated in formulating along with many other residents, and that you spin the wording and spirit to suit your own purposes, for example, with regards stewardship of land that forms our green zones. Using land that is zoned for protection for a structure, especially for commercial purposes, is in fact completely contrary to the current zoning (OS1) of that land and the OCP.

It's zoned that way for a reason: the land is protected. You then go on to manipulate several other goals in the OCP in an effort to support your client's goal. Quite insulting, really.

To say we do not have a consultation process for a tower is disingenuous: public consultation, no matter what the issue, can and should be conducted in line with the 7 core values of public participation (see <https://www.iap2.org/mpage/Home>). In this particular instance, the process was fundamentally flawed in that it did not occur at the outset, and when it did occur, misinformation that a tower will provide better cell service for residents was disseminated both by you and our Village Update. The fact remains there is currently no guarantee that any cell providers will sign up to be on this tower or that, even if they do, that it will benefit all, some or no residents.

The white envelope placed in mailboxes containing the information you wanted seen by residents was not seen at all by one current councillor or the previous mayor, who are very engaged citizens, and hence who knows how many others who are less engaged and many more that simply didn't realise what it was. It looked like a piece of junk mail. It did not use the branding or format used very successfully earlier in 2019 to gauge public opinion on another issue, and subsequently used again on other local issues with greater success, I'm guessing, than your mailbox insert. But in any case, what was deposited in our mail boxes really was a bunch of spin and poorly presented. For example, the illustration of the tower was particularly inaccurate - the height, for one, and the complete absence of dishes and other equipment that would be required on the tower is not shown. And the denuded slope where you'd cut down our well-established forest to create your space is not shown either.

For the record, the North Shore News and the Whistler Pique are not local publications: neither covers news occurring in Lions Bay. Only a few copies of either are available in the store to a small number of residents if they choose to go and collect one and many land up in the paper recycling dumpster in the mail room, because they're not picked up at all. There is no community newspaper.

Our only source of information is the Village Update, controlled by staff in the office, and as I've already pointed out, it featured the same false promise of better cell service for residents. So all "information" provided fell short of being factual and unbiased, to the point of being dishonest in some instances.

The town hall you held was poorly attended by around 20 residents, some of whom were members of council there to observe. A number of the attendees were/are opposed to a tower. Subsequent to that, a petition signed by over 60 residents opposing the tower was delivered to council, which is three times the number that attended your town hall. Clearly opposition to the tower is significant.

So all in all, the entire consultation process has been flawed, and questionable.

Finally: Bad cell service is a relatively new phenomenon in Lions Bay. Which means providers had a way to deliver service without a tower here, but something changed. Also, depending on which provider one is using, you may or may not have a cell signal problem in Lions Bay, as commentary on local social media has pointed out.

Penny Nelson

On Tue, Dec 17, 2019 at 11:23 AM Tanya Elchuk <TanyaElchuk@synergyland.ca> wrote:

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 26, 2019 12:18 PM
To: 'Penny Nelson' [REDACTED] Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>
Subject: RE:

Good morning Penny,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt

3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. We will take your comments / questions into consideration and endeavor to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Penny Nelson [REDACTED]
Sent: November 21, 2019 12:42 PM
To: Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>; Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>
Cc: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject:

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

Council,

With regards the proposed use of Village land for a privately owned telecommunications tower, I would like to say that I am opposed to it for many reasons, even though, as a Telus customer, I have most definitely had problems with cell service for the past few years. **I would like to emphasise that we never used to have problems; this is relatively recent.**

Further, while I am in favour of generating revenue to boost our income, I am NOT in favour of selling our soul as a community for projects that are detrimental to the character of the Village or how we live, no matter what may be the case in other municipalities. There is always the option of cutting unnecessary expenditure.

Rental income from allowing the tower to be built on Village land is somewhat minimal in the greater scheme of things and I am sincerely hoping Council will ask: is it worth it?

The Top 7 reasons I am opposed to the erection of a telecommunications

tower on Village land

1. **We don't need a tower in our Village**

I am with Telus, the largest cell service provider in Western Canada. We used to have much better cell service in Lions Bay. The question is: what changed and why, and what are the cell service providers going to do about it? Since Lions Bay consumers used to enjoy good cell signals, this suggests there is an alternate way to deliver the service for which we pay so dearly without having to erect a tower on Village land. The onus to provide customers with cellular service lies with service providers, not the Village. Based on comments on Facebook, it would appear quite a number of residents do not experience cell signal issues at all: seemingly Fido customers do just fine. One could argue that it would be nice to have natural gas in Lions Bay, but that doesn't mean the Village should make it happen other than to advocate on behalf of residents. Ditto faster internet service, more bandwidth and optic fibre. A better solution might therefore be for Council to approach the CRTC on behalf of residents and request they investigate why cell service in Lions Bay has deteriorated in recent years in the same way Council has discussed issues with BC Hydro and Terasen.

2. **We don't need the money**

The minor amount of revenue that would be generated by this unwanted tower could easily be covered by reducing our staff costs (which have doubled from \$700,000+ to almost \$1.4 million, excluding consultants) and eliminating unnecessary expenditure (an entirely separate discussion, but hiring a graphic designer comes to mind, as does paying a resident "volunteer" for a depiction of the proposed beach park project. I think we're at around \$20,000 right there, and I don't even have the numbers we spent on new "no parking this side any time" signs to replace standard "no parking" signs, but I'm almost sure that might take us close to \$40,000).

3. **The science**

These towers pose a health risk to those living in close proximity, especially growing children. This has been documented for years and is not new information. I am also concerned about the impact on wildlife.

4. **The tower would forever destroy the natural beauty of the mountain**

In addition to those of us who live here because of the natural beauty around us, BC attracts millions of tourists from around the world who drive the Sea to Sky or travel on BC Ferries and enjoy the spectacular, world famous scenery. The pristine mountainside will be forever scarred if this tower is erected, especially once covered with dishes and other technical equipment. Even if they are painted green. I don't believe we have the moral right, as a Village, to compromise the world-famous scenery in which we live, and certainly many of us don't have the desire to do so either. I haven't even touched on the impact of flashing lights on the tower, both to humans and wildlife.

5. **A tower in close proximity to homes may impact property values**

Many buyers are well aware of the health impact of these towers, as they are of the effects of BC Hydro's pylons carrying high voltage lines, and will not buy homes close by. This is also common knowledge.

6. **The process is flawed**

a) This public consultation is being conducted by a consultancy that is being paid by the American company that will benefit financially from the proposed tower. They have a pecuniary interest in getting this done and are hence biased. Whatever is presented on Thursday will be designed to sway residents to go along with the idea. This is how it's

done.

b) The previous council did not consult with residents when the idea was initially being considered. Asking for input at this late stage is disingenuous.

c) To exacerbate (a) and (b), the severely slanted piece in the Village Update promised something that is not guaranteed at this time – better cell service, and does not disclose pertinent information. The piece did not mention:

- No cell service providers have signed up to be on the tower at this time
- Even if they do sign up, there is no guarantee at this time that service will be improved to all residents no matter where they may be in the Village, or some residents, or if residents would benefit at all – cell providers may simply use the tower to direct signals elsewhere.

At the end of the day, there was only one response to the RFP, from an American company. Is this not an indicator that Canadian cell service providers are not interested in erecting a tower here? Imagine the terrible PR they'd get for defacing one of "Beautiful, natural British Columbia's" most iconic tourist areas!

I ask again: is it worth it?

Penny Nelson



December 17, 2019

Via Email: [REDACTED]

To: Penny Nelson**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

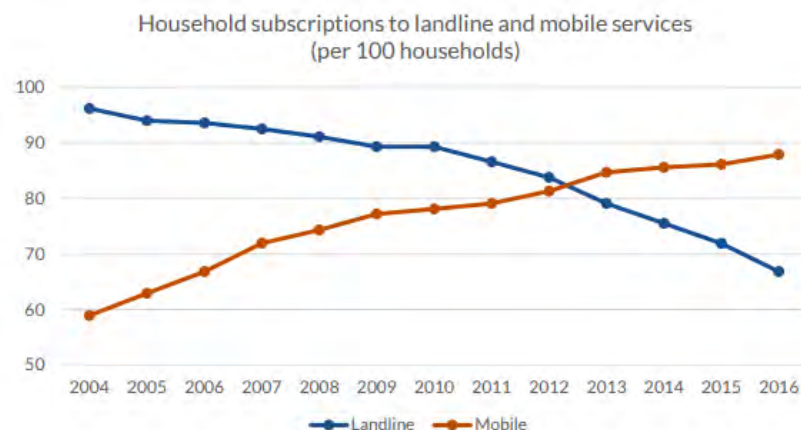
We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)
- Location & Rental Income
- Health & Safety
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Property Values
- Aviation Safety – Tower Lighting
- Public Consultation

Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.



In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".

The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.

In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creatingasaferenvironmentforcanadiansbyenablingacces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Health and Safety

Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of “non-ionizing” radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

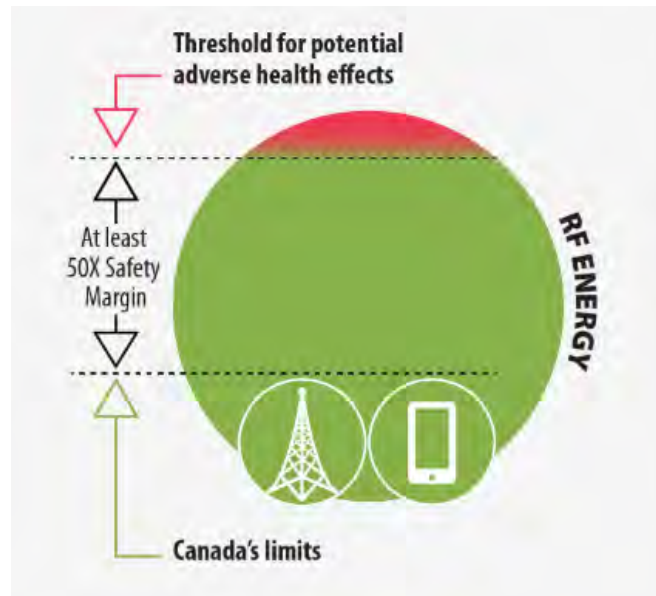
Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada’s own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Innovation, Science and Economic Development Canada (“ISED” formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.



Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

Please visit the following websites for additional information:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the “next generation” of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information regarding NG911 please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

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https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_gacces.html

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs.

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

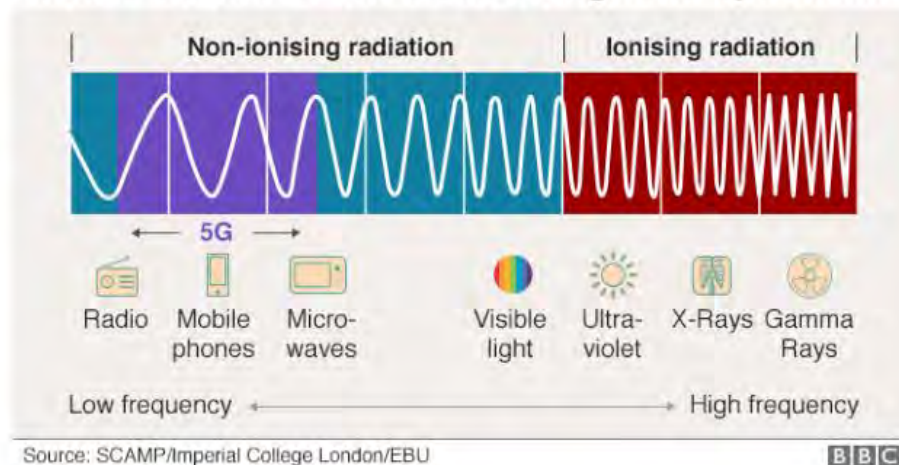
Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum



There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information regarding please visit the following links:

Setting the Record Straight on 5G Wireless & RF Safety

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

Property Values

Determining the value of a property is dependent on many varying influences including (but not limited to) factors such as land use, location, accessibility, development and improvements. Due to the ever changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for "smart" technology.



Aviation Safety - Tower Lighting

The tower will not be constructed without approvals from both Transport Canada (TC) and NAV Canada (NAV) in place. Applications have been submitted to both with respect to the proposed project.

SBA is anticipating no marking or lighting should be required as the proposed tower is not located within any flight path and does not exceed obstruction standards for the Vancouver International Airport, however, it will not be confirmed until the results of the review are issued by TC and NAV. Upon receipt, details regarding the approval shall be made available to the Municipality for publishing on their website, or upon request.

There are several options to tower marking and lighting that do not include flashing lights. SBA will consider these options, upon consultation and approval from TC/NAV Canada.

Public Consultation Process

Proponents must follow Innovation, Science and Economic Development Canada's (ISED's) Default Public Consultation Process where the local land-use authority does not have an established and documented public consultation process applicable to antenna siting.

As the Village of Lions Bay does not have a documented process with respect to telecommunications towers, SBA was obligated to follow ISED's Default Process. This process requires:

- Minimum notification radius of 3x tower height
- 30 days for public comment
- Newspaper Ad for towers over 30m

Further to the above, and at the request of the Village of Lion's Bay, additional measures over and above ISED's Default requirements were taken to engage the community as follows:

- Approx. 650 notifications packages circulated
- Bulletins on 4 Community Notice Boards
- Newspaper ads in both the Pique News Magazine & the North Shore News
- Weekly Notices in the Village Update - Email Newsletter
- Open House / Public Meeting November 21, 2019

Public consultation is ongoing as SBA is still in the process of reviewing and addressing all comments and questions submitted. SBA will only commence with installation of the proposed tower upon completion of this consultation process and concurrence from the Municipality is received.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

1. SBA Canada, ULC

c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca

2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office

13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca

3. Village of Lions Bay

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED]
Cc: "Peter DeJong"; "council@lionsbay.ca"
Subject: RE: Microwave Tower (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 11:26:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: December 2, 2019 11:14 AM
To: 'Rose Dudley' [REDACTED]
Cc: Peter DeJong <cao@lionsbay.ca>; council@lionsbay.ca
Subject: RE: Microwave Tower

Good morning Rose,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the

party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Rose Dudley [REDACTED]
Sent: November 29, 2019 11:36 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: Peter DeJong <cao@lionsbay.ca>; council@lionsbay.ca
Subject: Microwave Tower

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

Dear Tanya,

I was unable to attend the information meeting on the proposed construction tower above Oceanview Rd., but after doing some research on the possible effects of these towers, I am not in favour of such a move.

Because there have been no long-term studies on the possible health effects of such towers in neighbourhoods, I believe it is better to err on the side of caution.

We know that the incidence of cancer and other once rare diseases is growing at an alarming rate, and therefore I think that we should try to reduce the amount of radiation to which we are exposed, rather than add to it.

Apart from that, the money that is being offered to the village in order to erect something so hideous in the forest is insulting to say the least. Do we even know that this will not be visible to the residents at the top of Oceanview Road?

From my research, I have discovered that in other countries, homes close to power lines and microwave towers are very difficult to sell which results in a reduction in property values. This would be most unfair for those, like ourselves, who will be the closest to the proposed tower.

A petition against it is being circulated in the village which I have already signed, and I intend to encourage others to do likewise.

Yours, sincerely,
Rose Dudley



December 17, 2019

Via Email: [REDACTED]

To: Rose Dudley**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Health & Safety
- Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Location & Rental Income
- Property Values

Health and Safety

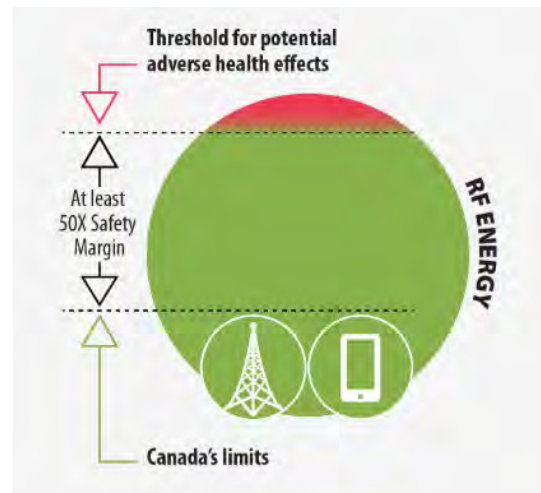
Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of "non-ionizing" radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.


SYNERGYLAND
SERVICES LTD.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

Please visit the following websites for additional information:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the "next generation" of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information regarding NG911 please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>



CRTC News Release June 1, 2017 Re: NG 9-1-1

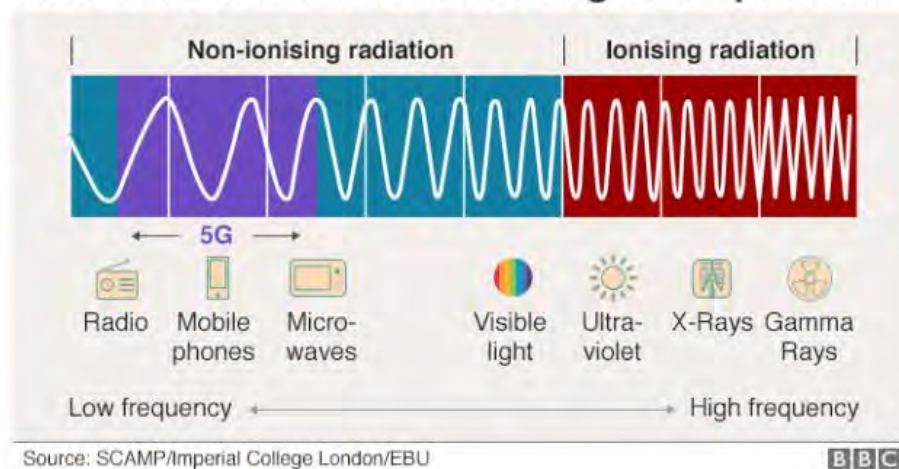
https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_5g.html

Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum

There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information regarding please visit the following links:**Setting the Record Straight on 5G Wireless & RF Safety**

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

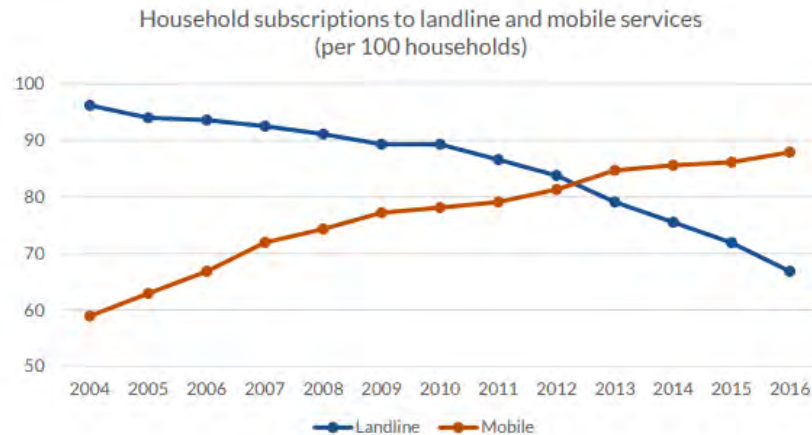
<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.

In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".



The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.

In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomcommunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creatingasaferenvironmentforcanadiansbyenablingacces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind. At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs.

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Property Values

Determining the value of a property is dependent on many varying influences including (but not limited to) factors such as land use, location, accessibility, development and improvements. Due to the ever changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for "smart" technology.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@surrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: [Lions Bay Reception](#)
To: [Lions Bay Reception](#)
Subject: FW: Lions Bay Cell Tower - final comments
Date: Tuesday, January 28, 2020 2:28:50 PM

From: [REDACTED]
Sent: Thursday, January 23, 2020 6:55 PM
To: Council <council@lionsbay.ca>
Subject: Fwd: Lions Bay Cell Tower - final comments

----- Forwarded message -----

From: [REDACTED]
Date: Thu, Jan 23, 2020 at 6:55 PM
Subject: Lions Bay Cell Tower - final comments
To: <TanyaElchuk@synergyland.ca>

Dear Ms. Elchuk and Village Council,

Thank you for clarifying answers to my questions. Here are my final thoughts:

Expressions of interest from Rogers, Telus and Freedom is not a confirmation of improved cellular service for Villagers. The lack of a feasibility study from any of the providers or the Federal Government means I have little confidence the location of this tower will result in the expected outcome of improved service.

A towering structure has different environment impacts compared to the footprint of the tower being used as storage space. There can be impacts to birds and possibly other wildlife that should be studied.

Due to above issues of concern I remain opposed to the tower.

Thank you,
Ruth Simons,
[REDACTED]
Lions Bay, B.C.
VON 2E0

-

From: [REDACTED]
To: [Tanya Elchuk](#)
Cc: [Council](#)
Subject: Response to Cell Tower concerns
Date: Thursday, January 9, 2020 8:44:19 PM

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Dear Tanya,

Thank you for your response on December 17th to my request for more information.

Given the timing with the holidays I am glad I had until January 14th to respond.

Unless I have missed something in your letter my questions have not been answered. In my December 5th comments I asked

1: Rationale for the tower - *Has there been any study done or survey by a cellular service provider? Do those providers agree this is the best location to improve service?*

You responded under the heading "Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)". You quoted what is known - the opportunity for watershed monitoring, the sections of our OCP and the benefits of technology that I am very familiar with.

You mention interest from cellular network providers has been strong and placement increases "likelihood" providers would place their equipment to serve the community. This response is vague, does not provide any additional information and not based on evidence the location will in fact improve service for all Lions Bay residents.

2. I asked if there has been an expressed need or interest from Nav Canada/Transport Canada or any other sources for this additional service tower? Is this tower enabling industry or other commercial activity in the region now or in the future? Will Lions Bay be enabling the further development of commercial transportation in Howe Sound in the future? I am assuming Village of Lions Bay would have no control over who leases space on the communications tower?

You have not answered this question as you do not know at this time who is leasing space on the tower, nor do you share information on which organizations have expressed interest.

3. My question repeats the concern about evidence this convenient location being offered by the Village is in fact the best location for improving service. You do not answer this question due to what I am assuming is a lack of study by any one particular service provider.

Further to 3, regarding Federal Government paying rent to the village if they deemed it necessary - this is not answered.

4. My question asking if other locations on the Sea to Sky have been targeted as being more ideal is not answered.

Further to 4 regarding environmental impacts you do not explain which regulatory authorities would be involved that will ensure environmental impacts are assessed? Is the Province of BC one of those authorities?

6. You have not answered this question which is likely a question for the Village Council.

Should I expect answers that may need to be provided by the Village to be included in your response or can I expect separate answers?

Based on the lack of new information and confidence the tower will result in improved cellular service in our home I would not support this tower at this time.

Thank you,

Ruth Simons

50 Lions Bay Avenue,

Lions Bay, B.C.

V0N 2E0



From: Tanya Elchuk
To: [REDACTED]
Cc: "Council"
Subject: RE: Cell Tower in Lions Bay (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 11:27:00 AM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: December 5, 2019 11:40 AM
To: [REDACTED]
Cc: Council <Council@lionsbay.ca>
Subject: RE: Cell Tower in Lions Bay

Good morning Ruth,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the

party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: [REDACTED]
Sent: December 5, 2019 11:03 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: Council <Council@lionsbay.ca>
Subject: Cell Tower in Lions Bay

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

Dear Ms. Elchuk and Village Council,

I was not able to make the November 21st public information meeting to ask questions. My comments are based on assumptions due to missing information in your package and from the Village report. Please direct me to where I could find further information if available to answer these questions:

1. Rationale for the tower: it is not clear in your communications as to how cellular service will be improved for the residents of Lions Bay by the placement of this tower above the residences. Many homes like ours have metal roofs and concrete. It is not clear which, if any, telecommunications companies have provided assurance this will improve our service, or have an interest in leasing space. The Village advertising "improving cellular service" is an assumption but there is no evidence to support that statement for Lions Bay residents so far. Has there been any study done or survey by a cellular service provider? Do those providers agree this is the best location to improve service?
2. I feel we need more transparency regarding other interests in this tower at this location. At this time is there an expressed need or interest from Nav Canada/Transport Canada or any other sources for this additional service tower? Is this tower enabling industry or other commercial activity in the region now or in the future? Will Lions Bay be enabling the further

development of commercial transportation in Howe Sound in the future? I am assuming Village of Lions Bay would have no control over who leases space on the communications tower?

3. If the placement of the communications tower is not ideal due to it being above all the homes, is it possible there could an alternative location on Crown Land beyond the municipal boundary? While perhaps easier to access by road, it is assumed Village of Lions Bay is financially benefiting. So far there is not enough information to confirm any benefits back in terms of improved cellular service for the very small amount of revenue.

3. If the Federal Government were to require a cellular tower on Municipal Land in Lions Bay would rent still be paid to the Village?

4. If the Federal Government were to require this communications tower could they, or would they be seeking a more optimal location? Have other locations along the Sea to Sky corridor been considered as there are other private lands that are not developed along the corridor that could provide better cellular service for Lions Bay residents. Has a feasibility study for the corridor for Bowyer, Gambier or Anvil Island been conducted?

4. There is no reference to environmental impacts, only health. Has any environmental impact assessment has been conducted at this site? Is there evidence of any impacts on bird population by these towers? Has any proximity to Bear dens been studied? Would there be any impact to species at risk? Who is studying or ensuring answers to these questions? How many trees would need to be permanently removed? Does this require Provincial approval due it bordering a potential timber harvesting area?

5. Is the visual of the tower in the picture to scale with the actual height of the trees?

6. Are there lower impact alternatives for monitoring the watershed? Is there more information available on this monitoring project so we could understand the benefits?

Based on the above questions and lack of information in the package I would not support this tower at this time.

Thank you,
Ruth Simons
50 Lions Bay Avenue,
Lions Bay, B.C.
V0N 2E0


From: Tanya Elchuk
To: [REDACTED]
Cc: Council; "Peter DeJong"
Subject: RE: Cell Tower in Lions Bay
Date: Tuesday, January 14, 2020 1:46:00 PM
Attachments: [REDACTED]

Good afternoon Ruth,

Thank-you for reaching out again.

In an effort to provide further clarity I have responded to your original email below (in red) as you have expressed that you were unsatisfied with the responses we originally submitted (attached) to your questions. We have also attached your most recent feedback for ease of reference.

Thank-you,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: [REDACTED]
Sent: December 5, 2019 11:03 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: Council <Council@lionsbay.ca>
Subject: Cell Tower in Lions Bay

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

Dear Ms. Elchuk and Village Council,

I was not able to make the November 21st public information meeting to ask questions. My comments are based on assumptions due to missing information in your package and from the Village report. Please direct me to where I could find further information if available to answer these questions:

1. Rationale for the tower: it is not clear in your communications as to how cellular service will be improved for the residents of Lions Bay by the placement of this tower above the residences. Many homes like ours have metal roofs and concrete. It is not clear which, if any, telecommunications companies have provided assurance this will improve our service, or have an interest in leasing space. The Village advertising "improving cellular service" is an assumption but there is no evidence to support that statement for Lions Bay residents so far. Has there been any study done or survey by a cellular service provider? Do those providers agree this is the best location to improve service? **The current location was primarily chosen as it's owned by Lions Bay. The location has existing roads**

and power nearby and the trees would hide a good portion of the tower. The alternative is a tower at waterfront sending the signals up the hill. This would be much less aesthetic. SBA has shared the coordinates with TELUS, Rogers and Freedom. They have all expressed interest but they will not commit until a tower agreement with the community is secured.

2. I feel we need more transparency regarding other interests in this tower at this location. – No At this time is there an expressed need or interest from Nav Canada/Transport Canada or any other sources for this additional service tower? – No Is this tower enabling industry or other commercial activity in the region now or in the future? – No Will Lions Bay be enabling the further development of commercial transportation in Howe Sound in the future? – No I am assuming Village of Lions Bay would have no control over who leases space on the communications tower? – The big Telcos are exactly the tenants SBA and the Village want as anchor tenants for the purpose of providing service to the community as per the RFP.

3. If the placement of the communications tower is not ideal due to it being above all the homes, is it possible there could an alternative location on Crown Land beyond the municipal boundary? While perhaps easier to access by road, it is assumed Village of Lions Bay is financially benefiting. So far there is not enough information to confirm any benefits back in terms of improved cellular service for the very small amount of revenue. – See response to No. 1.

3. If the Federal Government were to require a cellular tower on Municipal Land in Lions Bay would rent still be paid to the Village? – Typically compensation still goes to the landlord.

4. If the Federal Government were to require this communications tower could they, or would they be seeking a more optimal location? Have other locations along the Sea to Sky corridor been considered as there are other private lands that are not developed along the corridor that could provide better cellular service for Lions Bay residents. Has a feasibility study for the corridor for Bowyer, Gambier or Anvil Island been conducted? – No governmental agencies have requested this tower. As such, no feasibility study has been conducted in respect of other locations within Howe Sound to the best of our knowledge.

4. There is no reference to environmental impacts, only health. Has any environmental impact assessment has been conducted at this site? Is there evidence of any impacts on bird population by these towers? Has any proximity to Bear dens been studied? Would there be any impact to species at risk? Who is studying or ensuring answers to these questions? How many trees would need to be permanently removed? Does this require Provincial approval due it bordering a potential timber harvesting area? No environmental assessments were required at this location as it was already cleared was currently in use as an occasional materials storage area.

5. Is the visual of the tower in the picture to scale with the actual height of the trees? It is a photo simulation intended to show the location of the proposed tower. A generic typical tower painted green was inserted to aid with the visuals. It's approximate but not perfect.

6. Are there lower impact alternatives for monitoring the watershed? Is there more information available on this monitoring project so we could understand the benefits? The Municipality provided

the following: “The UBC Watershed Study is an important opportunity for the Village to engage in strategic water supply planning via a long-term hydrology study in cooperation with UBC. Automated collection and cellular transmission of data back to UBC is part of the intended Village Equipment on the tower and is part of the Municipality’s intended “in kind” contribution to the project. The lower impact methodology would involve having students access the monitoring equipment in situ and downloading data to a local device. This is time consuming and labour intensive, not to mention that it increases the possibility of error / data loss from inexperienced students trying to retrieve data. Without the data, there is no UBC watershed study – the data is what drive their models of the water system and allows for ‘ground truthing’ of the model’s results.”

Based on the above questions and lack of information in the package I would not support this tower at this time.

Thank you,
Ruth Simons
50 Lions Bay Avenue,
Lions Bay, B.C.
V0N 2E0
[REDACTED]



December 17, 2019

Via Email: [REDACTED]

To: Ruth Simons**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Location & Rental Income
- Environmental Impacts

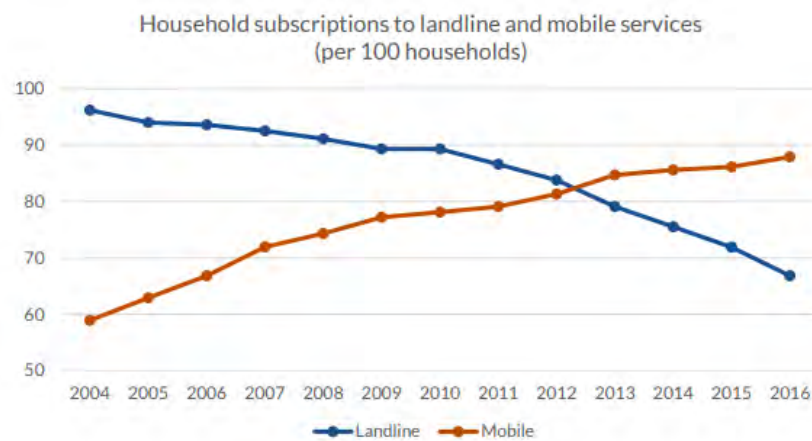
Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.

In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".

The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.



In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_a_cces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs. For this reason an "exact" graphic image of the proposed tower is impossible. An artist rendering of the proposed project was provided to give the community a general idea of the infrastructure imagined into the environment, and for clarity, each simulated image was marked with the comment "Artist Rendering Only, Installation of final project may not be exactly as shown".

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Environmental Impacts

With any new proposed development there are permits and studies required ahead of construction. This is also the same in the case of a telecommunications tower. Any required applications and associated studies will be conducted / submitted for review and approval to the appropriate regulatory body.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

1. SBA Canada, ULC

c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca

2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office

13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca

3. Village of Lions Bay

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

**- LIONS BAY RESIDENTS OPPOSED TO THE HARVEY
CREEK TOWER DEVELOPMENT-**

6TH DECEMBER, 2019

Charlie Bradbury
Box [REDACTED]
Lions Bay, BC
V0N 2E0

Friday 6th December, 2019

Village of Lions Bay
400 Centre Road,
Lions Bay, BC
V0N 2E0

Attn: Peter DeJong
Mayor McClaughlin
Councillor Abbott
Councillor Bain
Councillor Barmeier
Councillor Cunliffe
Tanya Elchuk – SBA Canada
Innovation, Science and Economic Development, Canada

Re: Proposed Harvey Creek Tower Development

Following on from my public input at the regular council meeting a few weeks ago, please find herewith the following documents in support of a request to reject the proposed Harvey Creek Tower Development.

1. SBA Public Open House Findings
2. Lions Bay Residents Opposed to Harvey Creek Tower
Development Petition
3. Survey
4. Final Comment.

- SBA PUBLIC OPEN HOUSE FINDINGS -

INFORMATION GATHERED AT THE TOWER OPEN HOUSE 21st NOVEMBER, 2019 AT LIONS BAY VILLAGE HALL.

I am sure there are plenty of opinions about the tower proposal on the lands above the Harvey Creek water treatment plant at the end of Oceanview Road, but as I see it these are the main areas of discussion.

- Safety
- Cell Service Improvement
- Aesthetic
- Rental Income

Safety is not something that can be adequately covered in an open house. With much divided opinion and a lack of long-term, independent study to reference I had no intention of asking safety related questions at this session. Instead I would focus on the aesthetic and cell service reception/improvement.

These are my findings from questions asked to Darren Hird, Territory Director, SBA Communications at the Public Open House, Lions Bay Village Hall, 21st November, 2019.

Regarding the 'Telecommunications Towers' (plural) referenced in the first paragraph of the Background and Purpose Document dated November 1st, I wanted to know if by having one tower, it would automatically open the way for others. No, not automatically, but if the tower placement at Harvey Creek does not fulfill the community's need, there may be the need for further towers by following the same process, probably on the other side of Lions Bay above the other creek, Magnesia.

This lead me to ask how SBA established the best placement for the tower; by doing some research such as driving around with a cell phone linked to each of the providers to establish where the dead zones were, perhaps?

SBA had not done any research. The placement for the tower was suggested by the Village based on a number of factors such as not being highly visible at the front of the village, access, and the location being on municipal property.

When I asked why SBA had not done any research, SBA said that is not what they do. SBA aren't cell providers, SBA are tower providers, they are a "Real Estate Investment Trust". Mr. Hird likened it to a condo development, you build the condos (tower) and people buy/rent the apartments (space).

The process was then explained further:

- Mr. Hird thinks there would be a maximum of 3 tenants.
- The tenants are first come, first served.
- The tenants may not necessarily be cell providers, the tenants could just as easily be Hydro, weather stations, cable providers.

There is no guarantee a cell provider would take up any lease, meaning we could allow this developer to put a tower up but there could be no improvement in cell service.

It also means that if a cell provider does take up a lease, it may not be your cell provider, so again, there could be no improvement in cell service..

With there having been no research in terms of optimum tower placement, if your cell provider does take up a lease and you are on the other side of the village, there could still be no improvement in cell service.

Next I wanted to know about the tower itself. I have a fundamental understanding of tower anatomy which is:

- The long skinny equipment at the top of the tower is the antenna that transmits a signal from the tower to your cell phone (the 'ping' you hear about in dramas).
- For the tower (and thus your cell phone) to connect to another tower or the cell network it needs one of two apparatus, fibre optic cable or a microwave dish. (Microwave dishes are about 6 feet wide).

I wanted to know why no dishes were pictured on the photo simulation and the response was that because SBA do not know who the tenants will be, SBA do not know what equipment would be necessary. I pointed out that this did not make sense because SBA had already assumed it to be a cell tower because SBA had included the skinny antennas on the simulation. Why not the dishes?

It appears that the equipment installed is decided upon by the tenant, not SBA. If a cell provider do lease the tower the cell provider would need to install either microwave dishes or fibre-optic cable. I wanted to know whether it would be likely that a cell provider would be prepared to join the fibre at the highway (assuming there would be a location to splice into it at the highway – a big assumption there BTW) and install cable all the way up Oceanview Road and then continue half way up the mountain to the tower, either above ground or underground, when a microwave dish would achieve the same effect for less money. The response I received was:

"It is possible."

I find it somewhat unlikely that a cell provider will dig up the road, or install above ground cable over such a long distance when a dish will do the job for far less cost, not for just 300-400 homes (assuming some homes change providers to connect with the on tower)... I therefore do not think this photo simulation is an accurate representation of the final outcome of this tower, it is possible it will have – up to 3 – dishes on there too.

Next I wanted to know about the scale accuracy of the tower in the photo simulation. If you check out the photo simulation in the above mentioned handout, you can see the tower (without the dishes), pride of place directly below the Lions/Sisters, at the very centre of the Lions Bay panorama, at the very centre of what makes Lions Bay, well, Lions Bay.

I have a professional background in computer graphics. If you take something computer generated (the tower in this case) and place it in a live action image, if the camera (real and virtual) used on each object is not the same, the scale on the combined image will not be accurate. The image the tower is composited into is a stock photo supplied by the village with no camera data provided. The tower has been placed in there using what, exactly, for scale? SBA could not say for sure how this image was produced but did use GPS coordinates to place the tower into this stock image. With no camera information to match to, nothing adjacent for scale and GPS coordinates to try to match to, I asked whether this was a 100% accurate simulation of the tower size and position.

I was told, [verbatim]:

“This is a rough guide for how the tower will look”.

I then gestured to the area beneath the image and said, “shouldn’t that be written right there, so the community is informed?”

It is impossible to say with any certainty whether the tower representation is entirely accurate in terms of scale or location, but without the dishes on the image it certainly seems to be presented as the best case scenario, as opposed to the worst case scenario (with dishes) which is just as probable.

Pictured overleaf are the cell towers we currently connect to on Bowen Island, with dishes and antenna. One of these also belongs to SBA. Note there is more than one tower? Some cell providers apparently do not like to share.... They can be forced to by the Government, however.



Thanks to ihikebc.com for the use of this image.

I then investigated whether, should the tower look vastly different to the one represented in the simulation and the one which many people will be basing their approval upon, would there be any come back possible for the village. The answer I got back was no.

I was planning to investigate whether any impact on nearby property values had been considered but I needed to leave. However I did find a survey conducted by Washington DC's The National Institute for Science, Law and Public Policy called "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" which – amongst other feedback – had the following results:-

- 94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it.
- 79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas.

My conclusion is:

- There is no supported research or guarantee that the placement of this tower would improve overall cell service.
- There is no guarantee if we allow SBA to erect said tower in Lions Bay that it will be tenanted by a cell provider.
- There is no guarantee that if a cell provider does lease the tower, that it is YOUR cell provider, you may have to change plans to benefit.
- Whatever tenants do take on the tower, it is likely that apparatus other than those represented on the simulation will be required, and over time as the tenants change, so presumably will the apparatus.
- We are reviewing the tower size and position on a simulation referred to as 'A Rough Guide'.
- If the tower does not match the current simulation, the community is unable to remedy.
- Lions Bay's iconic mountain panorama of a postcard worthy village nestled beneath the Lions/Sisters will be forever changed by this tower.
- Properties in the area are likely to become less desirable and their values change accordingly.

The rent we are eligible for from this tower is in the low \$20,000s. Lions Bay made over double that on parking fees alone last year.

Now, for my opinion. Even if I were for this tower, I would still struggle to see the benefits. This income does not warrant the risk to the community's wellbeing, to our biggest investment, or to our vistas, and especially when it may not be the one size fits all answer to some resident's cell service issues that we hope it might be. And if we need the money, we could get this cash from a film shoot.

If you object to this tower installation for the reasons stated above, or others, please sign this petition below ASAP, I plan to send it to the council 5th December, 2019.

<https://www.ipetitions.com/petition/lions-bay-residents-opposed-to-harvey-creek>

Charlie Bradbury

NB: You many notice that I only refer to this as a tower, not a telecommunications tower. This is because as there are currently no cell phone providers signed up for a tenancy, or a guarantee of any, it really is just a tower.

**- LIONS BAY RESIDENTS OPPOSED TO HARVEY CREEK
TOWER DEVELOPMENT PETITION -**

This petition has been live for a week and is accessible only by those with online access, with the initial reach via social media groups and private networks; it is a known challenge connecting with residents without a central designated platform for communication...

At the time of printing the petition had 63 signatures representing approximately 50-55 households or 10% of the residences.

Lions Bay Residents Opposed to Harvey Creek Tower Development.

About this petition

We, the undersigned, feel the risks to Lions Bay, should this tower be approved, to be too great.

We are concerned about the risks from a technology that has no long term study proving without a doubt it is safe, that in Europe, scientists and doctors are petitioning for a moratorium on its roll out, and has pages of anecdotal evidence professing to its danger.

A technology that we will not know for sure is not damaging, until it is too late.

How can we live under the style 'Splendour in Serenity' when Lions Bay's mountain panorama will be forever blighted by this tower? With no research based guarantees that cell reception will be improved we risk losing our legendary and iconic vistas based on an uncertainty.

Furthermore, with the income received from this tower installation being less than even half that generated by parking fees alone this year, Lions Bay doesn't need money from this source.

Lions Bay risks its residents' well being, it's biodiversity, vistas, property values and reputation with no guarantee of a significant cell service improvement, and we feel these risks are just too considerable for this project to proceed.

Signatures

1. Name: Charlie Bradbury on 2019-11-28 21:46:38
Comments:

2. Name: Stephanie Beattie on 2019-11-28 22:10:49
Comments:

3. Name: Anke Barabulea on 2019-11-28 22:19:12
Comments:

4. Name: emilie montgomery on 2019-11-28 22:34:09
Comments:

5. Name: Iva Liskova on 2019-11-28 23:11:10
Comments:

6. Name: Mandy Clark on 2019-11-29 01:38:33
Comments: I moved to Lions Bay specifically for the low EMF environment. I think it's a big mistake to put 5G into this area known for its natural environment.

7. Name: Rose Dudley on 2019-11-29 03:38:15
Comments: The dangers to our health of these towers is still under investigation and is therefore risky, the appearance is hideous, and any said benefits questionable. We don't need it.

8. Name: Barbara 3nns on 2019-11-29 03:50:12
Comments:

9. Name: Vanessa McLaughlin on 2019-11-29 04:03:40
Comments:

10. Name: Robin Spano on 2019-11-29 05:08:02
Comments: I took a long time to come to this position, but in the end, I would prefer to pay the extra \$15/year/resident in order to not have the health risk.

11. Name: [REDACTED] on 2019-11-29 15:43:17
Comments: I am 100% opposed to the erecting of any such tower in or around Lions Bay.

12. Name: Jamie Pike on 2019-11-30 00:37:12
Comments:

13. Name: Odette de Moor on 2019-11-30 04:30:48

Comments: I would definitely like better cell service. However, not at the risk of our health and animals living in the area.

-
14. Name: Deirdre McNeill on 2019-11-30 07:04:18
Comments: Boggles the mind. What are they thinking.
-
15. Name: Michael Porter on 2019-11-30 07:39:59
Comments:
-
16. Name: Anca Vlad on 2019-11-30 18:25:19
Comments:
-
17. Name: [REDACTED] on 2019-11-30 19:30:14
Comments: Do not want this tower to be built in or near Lions Bay.
-
18. Name: Bernadette Fischer on 2019-12-01 06:31:53
Comments: There is still no scientific evidence on the longterm safety living close by a 5G tower. Why putting economic growth on fist place as we should more care about our health and future generations. This means: No tower in Lionsbay. Be wise!
-
19. Name: Alan Farmer on 2019-12-01 10:27:59
Comments: Today it is wrong to despoil a natural habitat without considering more acceptable options
-
20. Name: Joanne Ronsley on 2019-12-01 21:34:31
Comments:
-
21. Name: Pat Smith on 2019-12-01 21:45:36
Comments: This tower would be a blighton the beauty & serenity of Lions Bay.
-
22. Name: Noelene on 2019-12-01 22:05:04
Comments:
-
23. Name: Helen Nogatch on 2019-12-02 03:08:17
Comments: I'm against a cell tower for both aesthetic and health reasons.
-
24. Name: Fiona Fourie on 2019-12-02 04:34:00
Comments:
-
25. Name: Claudia Dinu on 2019-12-02 06:46:01
Comments:
-

26. Name: Simon Hardy on 2019-12-02 09:13:46
 Comments: There are so many reasons outlined above and elsewhere why a tower in Lions Bay is a bad idea. If you do suffer bad cell coverage, it could be the result of many factors that an ugly and potentially dangerous tower in Lions Bay will never solve, including:
 - Trees and foliage. Excessive greenery harms your signal - especially pine trees, according to various sources.
 - Certain construction materials. Some of the worst offenders are solid wood, concrete and metal. Metal roofs can make a significant negative impact on your signal.
 - Your provider. Ask around. Coverage can vary a lot. Changing providers might completely solve your problem.
-
27. Name: John Phillips on 2019-12-02 18:48:10
 Comments: No assurance of improved cell phone service. Unsightly for the Village.
-
28. Name: Janet Tynan on 2019-12-02 21:40:53
 Comments:
-
29. Name: Mike Tynan on 2019-12-03 02:07:11
 Comments: No thanks.
-
30. Name: Anne Crosthwait on 2019-12-03 05:37:01
 Comments: cell phone isn't assured, unsightly and potentially unsafe. i need more information before i'd agree so NO Thanks.
-
31. Name: Tamara Leger on 2019-12-03 07:40:29
 Comments: This is ridiculous "ask" for a community with a densification of 532 homes, and limited amenities. Cripes! We don't even have street lights or stop signs. Put a 1st gen 5G cel tower in West Vancouver, on Bowen and in Squamish. Then we'll have coverage. If it's a cash grab, then scale back on office supplies, admin or Bylaw enforcement.
-
32. Name: Carol Langley on 2019-12-03 14:24:08
 Comments:
-
33. Name: Jessica Johnston on 2019-12-03 15:09:22
 Comments:
-
34. Name: Allisha Matthews on 2019-12-03 15:21:50
 Comments:
-
35. Name: LOUIS PETERSON on 2019-12-03 19:03:12
 Comments: The review article provided by Charlie Bradbury is comprehensive and thorough and I I fully support her rationale for questioning the wisdom of the proposed tower at this time. Much more research and homework needs to be done.

-
36. Name: Gail Craig on 2019-12-03 19:12:56
Comments: Too many unknowns about the cell benefits, the actual appearance of the tower when other equipment is attached to it, and whether a cell provider will even commit to a lease on the tower. More clarity is required please before the Village makes a commitment to this tower.
-
37. Name: Richard McLaughlin on 2019-12-04 02:09:38
Comments:
-
38. Name: Woori An on 2019-12-04 02:43:00
Comments:
-
39. Name: Rick Talbot on 2019-12-04 04:45:26
Comments:
-
40. Name: Herb Johnston on 2019-12-04 04:49:57
Comments: Residents should be informed of all the details of what a tower of this nature entails regarding finances, precise appearance, benefits and possible detrimental effects before the village agrees to permit the erection of the said tower. At this point in time I feel the tower should not be approved.
-
41. Name: Penelope on 2019-12-04 08:50:47
Comments:
-
42. Name: Sorin Barabulea on 2019-12-04 15:36:40
Comments:
-
43. Name: Leslie Nolin on 2019-12-04 17:51:17
Comments: The Science is there - this is not work the health risk. I lived in an area where power lines were abundant, so were brain tumors in children under 9... so was breast cancer ... not going to take a chance on an un-managed cash grab. Once its in, it will take forever to prove it as harmful.
-
44. Name: [REDACTED] on 2019-12-04 22:43:04
Comments: I do not feel this would be a benefit to the community period. The health risks are far too great to outweigh any small financial gain. We really do not even know what we are truly getting.
-
45. Name: [REDACTED] on 2019-12-04 22:45:01
Comments: We are strongly opposed to the Harvey Creek Tower development.
-
46. Name: Yulia McCutcheon on 2019-12-05 00:41:16
Comments:

-
47. Name: Bill Beattie on 2019-12-05 03:40:36
Comments:
-
48. Name: Heather Mossakowski on 2019-12-05 05:02:45
Comments:
-
49. Name: Carlota Castellon on 2019-12-05 06:12:57
Comments: We should safe the beauty of Lions Bay
-
50. Name: Carmen Sullivan on 2019-12-05 06:39:57
Comments:
-
51. Name: Robert Simons on 2019-12-05 15:22:26
Comments:
-
52. Name: Dale Martelli on 2019-12-05 22:38:53
Comments:
-
53. Name: John Dudley on 2019-12-06 04:48:08
Comments:
-
54. Name: Kerry-Jane McCullough on 2019-12-06 16:38:14
Comments:
-
55. Name: Dawn Mitchell on 2019-12-06 17:06:12
Comments:
-
56. Name: dave on 2019-12-06 18:58:19
Comments:
-
57. Name: Ashley Valleau on 2019-12-06 19:36:38
Comments:
-
58. Name: Paola Yawney on 2019-12-06 19:44:26
Comments:
-
59. Name: Lauren Gibson on 2019-12-06 20:23:37
Comments:
-
60. Name: Nicola Dudley on 2019-12-06 21:02:58
Comments:

61. Name: Charlene Richardson on 2019-12-06 23:03:34
Comments:

62. Name: Kim Thompson on 2019-12-07 00:44:38
Comments: Not worth it in my opinion!!! I hope they do not go ahead.

63. Name: Jurgen Franke on 2019-12-07 00:45:50
Comments:

- LIONS BAY CELL PHONE SERVICE SURVEY -

Two days ago I posted online an anonymous survey for Lions Bay Village residents to complete, to source relevant, actionable data concerning their cell phone service.

My initial glimpse at the findings seem to show much satisfaction for some cell providers and less satisfaction for others, leading me to wonder whether the issues some residents are experiencing may be alleviated by a change in cell phone plans. As yet, there seems less dissatisfaction than I was expecting when considering the lengths we seem prepared to go.

I do not intend to analyse the data from this survey for a few weeks so it may not contribute to the project's final approval or rejection, but it may help residents when choosing the best plan for Lions Bay.

However, I do believe a survey should have been executed at the beginning of the project to help establish whether a cell tower really was the most prudent way to proceed.

Lions Bay Cell Phone Coverage Survey

In an effort to truly understand the scope of the cell service currently available in Lions Bay, and what topographical, physical or technological variables may affect cell reception, please complete this anonymous survey.

I hope the outcome may show an advantage of one cell provider/device over another, and may give those that currently struggle with their cell service some reliable and actionable data that may lead to a resolve.

The results may show nothing of course, but a thorough understanding of the woes - and triumphs - is the only way to guide a successful outcome, and I believe this data gather should certainly have been conducted before initiating a commercial tower installation.

***1. Whereabouts in Lions Bay do you live?**

- ☐ Upper Kelvin Grove.
- ☐ Lower Kelvin Grove.
- ☐ Upper Oceanview Road. Highview Place intersection and above.
- ☐ Lower Oceanview Road. Highway to Highview Place Intersection.
- ☐ Below the Highway, South of Harvey Creek.
- ☐ Below the Highway, North of Harvey Creek.
- ☐ Above the Highway, between Harvey Creek and Alberta Creek.
- ☐ Above the Highway, North of Alberta Creek.
- ☐ Brunswick Beach.

***2. Do you use a smart phone?**

- ☒ Yes
- ☐ No

***3. Who is your cell provider?**

- ☐ Rogers
- ☐ Telus
- ☐ Fido
- ☐ Bell
- ☐ Koodoo
- ☐ Chatr
- ☐ Virgin
- ☐ Other (please specify)

***4. Using the options below, please identify your cell service reliability.**

- ☐ Excellent, I even get reliable service on the back country trails around Lions Bay.
- ☐ Excellent sound quality with no dropped calls ever.
- ☐ Excellent sound quality with the occasional dropped call.
- ☐ Excellent sound quality with dropped calls often.
- ☐ Sound quality sometimes sub-standard, but never dropped calls.
- ☐ Sound quality generally sub-standard, but never dropped calls.
- ☐ Sound quality generally sub-standard and always dropped calls.
- ☐ Generally satisfactory in certain parts of my home.
- ☐ Call quality is noticeably better / I can only use when outside my home.
- ☐ Totally unusable, I use Wifi calling when I'm at home.
- ☐ What's a cell phone?

***5. Do you get a better reception when outside your home?**

- ☐ Yes
- ☐ No

***6. What are the primary construction materials of your home?**

- ☐ Wood
- ☐ Concrete
- ☐ Other (please specify)

***7. Do you have a metal roof?**

- ☐ Yes
- ☐ No

***8. Is there a direct line of sight to Bowen Island (where our cell phone antennas currently connect) from anywhere in your home, or is it obstructed by terrain?**

- ☐ Yes - direct line of sight
- ☐ No - obstructed by terrain.

***9. Anything that you think may be relevant to this survey that you would like to add?**

FINAL COMMENT

1. **A survey conducted by Washington DC's The National Institute for Science, Law and Public Policy called "*Neighborhood Cell Towers & Antennas - Do They Impact a Property's Desirability?*" which - amongst other feedback - had the following results:-**

- *94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it.*
- *79% said under no circumstances would they ever purchase or rent a property within a few blocks of a cell tower or antennas.*

What are your plans for compensating nearby homeowners for the value their homes will drop as a result of the installation?

Homeowners who, like many potential property purchasers, also see desirability in the absence of such infrastructure, my research is yet to reveal any positives of living near a cell tower.

2. **I draw your attention to [Bylaw # 408, 2008, A bylaw to adopt the Official Community Plan](#) finally adopted on 6th April, 2009.**

Section 4.2 - Respecting Nature and Environment.

"Lions Bay owes much to its surroundings- the source of its water, its natural character, and the awe-inspiring views. Creeks, shoreline, and steep slopes are found within the Village. The community must fit within and coexist within its larger environment of forest and ocean by respecting these treasured resources.

The Village is surrounded by the 'green zone' designated by Metro Vancouver's Liveable Region

Strategic Plan (LRSP), as a long-term boundary for urban growth. The 'green zone' is intended to protect natural assets, including major parks, watersheds, and ecologically important areas.

In addition to this Crown Land 'green zone', the community has a number of green spaces, beaches and wilderness areas within Village boundaries which provide residents with high value access to nature only a few steps from their front doors.

The natural setting many of us cherish is to the largest extent found on the private lots throughout Lions Bay.

The Zoning By-law that is an outgrowth of the OCP Land Use Map should work towards ensuring preservation of the particular character described above.

New development along the Sea-to-Sky corridor will bring with it

increasing pressures on our natural environment, particularly as it affects the 'green zone' and the critical environmental services that this zone provides such as the supply and quality of our water. Control, preservation and protection of our green spaces, both inside and outside of existing community boundaries are critical for the future of Lions Bay."

Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Preservation and protection of our green spaces critical for the future of Lions Bay?'

3. Also see, Section 5.10 - Watershed/Environmental Protection

The Land Use Map defines areas for environmental protection. These include Crown lands on upper slopes, the watershed, the watercourses, and the shoreline.

These lands should be maintained in their natural form to protect Village safety and managed with an eye on good stewardship.

Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Maintaining lands in their natural form to protect Village safety and managed with an eye on good stewardship'?

4. Referencing [Zoning and Development Bylaw No. 520, 2017.](#)

By commanding an annual and ongoing rent, this tower installation can not be considered a municipality owned apparatus; it must therefore be deemed a commercial enterprise.

According to the above bylaw, commercial enterprises are permitted only in zones identified as C-1, C-2 and C-3.

Additionally, in the [Schedule A - Zoning and Development Bylaw No. 520, 2017 map on page 38,](#) the area currently intended for the commercial tower installation is within the section zoned as OS-1 Open Space Area.

The stated permitted uses for OS-1 zoned land are as follows.

OS-1 (Open Space Areas)

Permitted Uses

16.1 In an OS-1 zone the following uses and no others shall be permitted:

.1 Principal Uses, Buildings and Structures

- (a) community watershed management for protection of domestic water supplies;
- (b) natural areas;
- (c) recreation trails, including signage;
- (d) fire department training facility.

.2 Secondary Uses, Buildings and Structures

- (a) parking areas.

Area of Parcels

16.2 .1 The minimum parcel area shall be 16 hectares.

Compliance

3.2 Land shall not be used and buildings and structures shall not be constructed, altered, located or used except as specifically permitted by this bylaw.

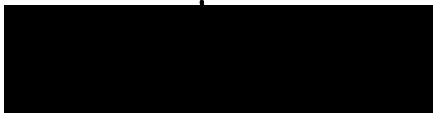
As the lands are not zoned for commercial enterprises, was it Council's intention to carry out a public consultation to amend the zoning of these lands to adhere with the bylaw?

The points that need very serious consideration before this project could possibly proceed are:

- A lack of research to guarantee cell service improvement.
- A lack of a guarantee of a cell phone provider tenancy.
- A potentially inaccurate tower and mountain image renderings referred to as '*A Rough Guide*'
- The **permanent** defacement of our incomparable and unique vistas.
- A reduction in house values and how that will be compensated.
- The possible long-term possible health risks and undeniable EMF exposure.
- The Official Community Plan vehemently forbids any development of these spaces.
- The Zoning Bylaw does not permit it.

I urge Council to reject this project, there are too many unknowns and plenty of residents that do not want it.

Thank you,

A black rectangular box redacting the signature of Charlie Bradbury.

Charlie Bradbury

Mayor McLaughlin and Councillors.

I'd like to use my 2 minutes to notify you to a growing movement within the village preparing to object to the cell tower installation above the Harvey Creek water tower. I will be making a more official response in due course but I'd like to briefly touch upon my personal feelings on the project.

16 years ago I was asked to come to Vancouver to help develop an industry here. A year later we had sold all our belongings, said goodbye to our families and moved here with our 2 cats. I went on to help grow an industry which is now estimated to be worth \$1B.

We found Lions Bay and purchased the one and only house we looked at. We hoped Lions Bay would give us the space and security we wanted to raise our family, close enough to a big city but a long way from big city problems.

After the birth of my second child, I chose to give-up my job to focus on the needs of my children, I wanted to be present and for them to grow up feeling supported.

The children are growing healthy, happy, smart and safe in their community. They know and chat happily to lots of neighbours and have a couple of surrogate grannies. They've gone through or are currently at

our school where I spend a great deal of my spare time working with all the children in the school garden.

Which gets me to here. How I feel about the cell tower planned for roughly 200m directly behind my house.

I feel betrayed.

I feel betrayed that I trusted Lions Bay to be the best place to raise these two fine boys.

I feel betrayed that we're considering risking the community's wellbeing for just \$20,000, when we made double that on parking just last year, on a technology which has a question mark over it's safety, a question that could take at least a generation to answer.

A technology that in Europe, scientists and doctors are petitioning for a moratorium on its rollout.

A technology that has pages and pages of anecdotal evidence professing to its danger.

The concern is that there is no long term study that proves without a doubt that this technology is safe. So we won't know for sure until it's too late.

How long can we continue to live under the style of 'Splendour in Serenity' when Lions Bay's iconic mountain panorama is forever blighted by this tower.

Lions Bay doesn't need money from this source.

Lions Bay doesn't need to take the risk.

We'll be creating a more formal response over the coming weeks and I will forward it on accordingly.

Thank you.



December 17, 2019

Via Email: [REDACTED]

To: Charlie Bradbury**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected, along with those you included in your petition, have been reviewed and taken into consideration by SBA.

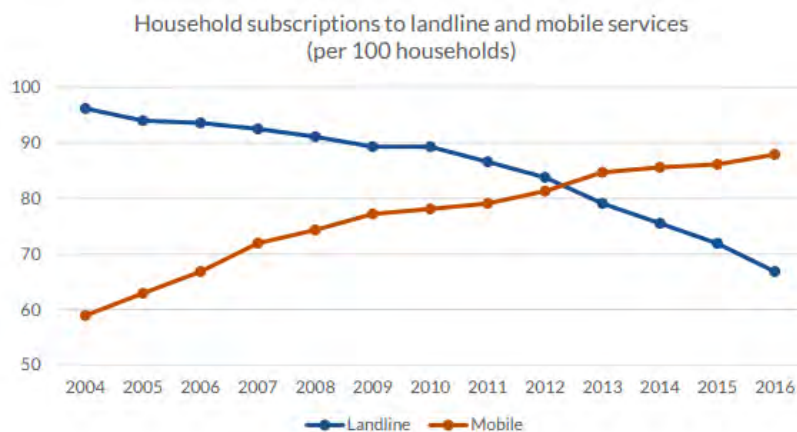
We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)
- Visual Aesthetics, Potential Tenants & Equipment on Tower
- Location & Rental Income
- Health & Safety
- Property Values

Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP)

It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay resulting in lack of service and dropped calls which negatively affect visitors, residents, businesses and emergency services on regular occurrence. Challenging terrain and lack of existing infrastructure on which to co-locate are just two of the challenges in providing effective wireless coverage to the community.

Additionally, cellular usage is consistently trending upwards. As per the CRTC's Communications Monitoring Report 2018, over the last decade, the percentage of households with landlines has decreased, while the percentage with mobile phones has increased. Fewer households are subscribing to both services – in 2016, almost a third (32.5%) of Canadian households were mobile-only households, and 11.4% were landline-only.



In an effort to explore options in addressing the mounting necessity for improved wireless coverage in the area, the Municipality put forth a Request for Proposal (RFP) entertaining "Telecommunications Tower and Wireless Services Opportunities".

The RFP was intended to open communication between industry infrastructure providers and the Municipality so as to plan for the orderly improvement of services which benefit the community while respecting community values. The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers.



SYNERGYLAND
SERVICES LTD.

In addition to improved cellular services, the proposed development will also support initiatives in line with the Village of Lions Bay Official Community Plan, including:

Watershed stewardship: The provision of free space on the tower for the UBC Watershed Research Project is an important consideration for the community. This is a long range study of our watershed and the effects of climate change on our future supply of potable water.

Strengthening community: Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks.

Ensuring a safe community: Technology improvements enhance the ability to send 911 calls and receive important messages via Lions Bay's emergency notification system, LB Alert. Cellular improvements can also enhance the operational capabilities of residential security systems and make it easier for residents to message each other via the Blockwatch network. *(This is also an important step in bringing the Village's operations closer to being able to implement the Canadian Radio-Television and Telecommunications Commission's (CRTC) Next Generation 9-1-1 services.)*

Providing effective services: Wireless communications provide additional capacity for the Municipality and its Public Works department to improve community services.

Meeting responsibilities in governance: There are several ways in which the foregoing considerations assist the Municipality in meeting its responsibilities. This includes addressing our obligations to reduce GHGs as part of our Climate Action initiatives as highlighted in section 9 of the OCP.

For more information please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_a_cces.html

Communications Monitoring Report

<https://crtc.gc.ca/pubs/cmr2018-en.pdf>

Visual Aesthetics, Potential Tenants & Equipment on Tower

As noted in the information package, SBA is proposing a 60m self-support lattice type tower. Reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design. The tower will be painted green to match the surrounding foliage and all future tenants will be encouraged to design their installations and color match their equipment with reduction to visual impact in mind.

At this time the specifics of the equipment to be mounted on the tower are unknown as future potential tenants will plan each installation to meet their individual needs. For this reason an "exact" graphic image of the proposed tower is impossible. An artist rendering of the proposed project was provided to give the community a general idea of the infrastructure imagined into the environment, and for clarity, each simulated image was marked with the comment *"Artist Rendering Only, Installation of final project may not be exactly as shown"*.

SBA has been reaching out to industry regarding the proposed project and interest from cellular network providers has been strong. Approval from the Municipality, will increase likelihood that these carriers shall enter into formal agreements with SBA for placement of their equipment in order to service the community.

Additionally, the Municipality is provided with free space on the tower for equipment belonging to the Village of Lions Bay, UBC (for watershed research), or any emergency provider, agency or dispatcher authorized by the Municipality.

Location / Rental Income

The Municipality proposed two locations in the Request for Proposal (RFP). The proposal at Harvey Creek Water Treatment Plant currently in circulation and an alternative option near the Magnesia Water Treatment Plant. The Municipality chose to proceed with the opportunity at Harvey Creek as it is fee simple owner of the land as opposed to a lease hold at the Magnesia opportunity.

One of the key reasons for pursuing this project on municipally owned land is so that the Municipality can exercise some control over the process and the benefits to be derived for the community. Due to the federal jurisdiction over cell tower construction and operation, such projects can, and sometimes do, move forward over the objections of Municipalities where the land hosting the tower is not controlled by the local government.

Use of Municipal lands enables the community to benefit financially from the project as well as through improvements to cellular services. This would not be the case if such a project were to be built on private or crown lands without Municipal approval, which is possible due to the federal jurisdiction over siting and operation of cellular towers.

At this time there is no other use proposed for these lands and nothing expected in that regard in the foreseeable future. The site is not particularly suitable for residential development and servicing it with water would be difficult given its elevation above the water treatment plant and the new Harvey Water Tank.

Health and Safety

Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of “non-ionizing” radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

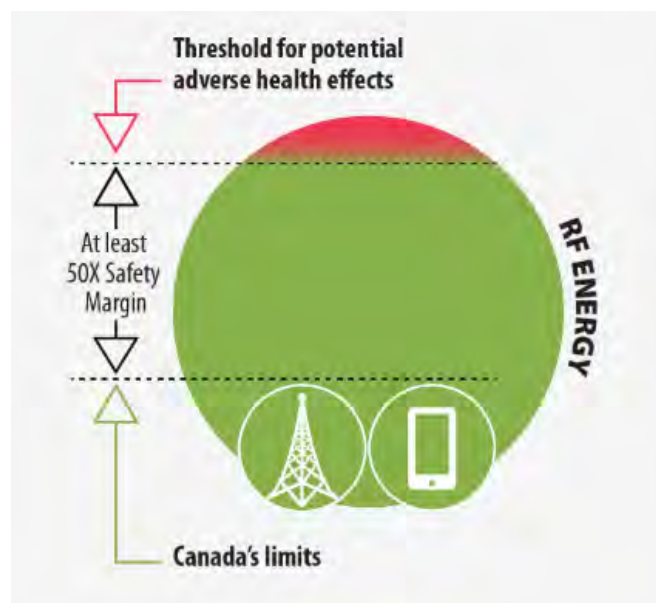
Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada’s own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Innovation, Science and Economic Development Canada (“ISED” formerly Industry Canada) requires that all antenna systems meet Health Canada’s limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.



Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

Please visit the following websites for additional information:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the “next generation” of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information regarding NG911 please visit the following links:

What's NG 9-1-1

<https://www.novacomcommunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creating_a_safer_environment_for_canadians_by_enabling_gacces.html



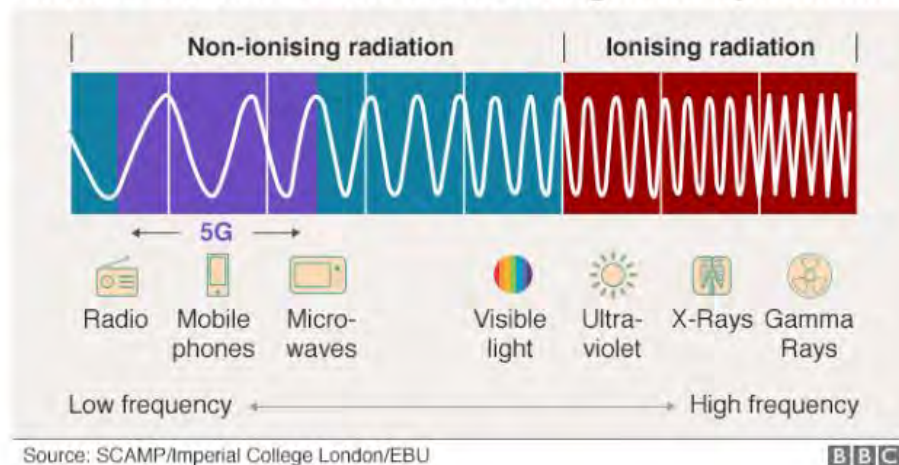
Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum



There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information regarding please visit the following links:

Setting the Record Straight on 5G Wireless & RF Safety

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Property Values

Determining the value of a property is dependent on many varying influences including (but not limited to) factors such as land use, location, accessibility, development and improvements. Due to the ever changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for “smart” technology.

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
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Site Acquisition Specialist
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Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrum@ic.gc.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

Charlie Bradbury
Box [REDACTED]
Lions Bay, BC
V0N 2E0

Tuesday 14th January 2020

Village of Lions Bay
400 Centre Road,
Lions Bay, BC
V0N 2E0

Attn: Peter DeJong
Mayor McClaughlin
Councillor Abbott
Councillor Bain
Councillor Barmeier
Councillor Cunliffe
Tanya Elchuk – SBA Canada
Innovation, Science and Economic Development, Canada

Re: Proposed Harvey Creek Tower Development – Feedback to SBA Responses
dated 17th December 2020

Thank you for your feedback on the document '*Lions Bay Residents Opposed to the Harvey Creek Tower Development*' dated 6th December, 2019.

I have reviewed the feedback and feel there are points in need of a response...

1. Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP):

"It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay..."

Where has this been identified, and by what means?

According to my survey, there seems to be poor reception in **some** areas of the Village with 34 out of 52 respondents seemingly contented with their service. Was it perhaps that the dissatisfied consumers were more vocal than those that were satisfied?

Without any meaningful research, how can SBA ensure that the citizens who currently have a less than perfect reception due to topographical/provider issues will be the ones that benefit from the tower's proposed placement? SBA stated that the proposed placement was based on suggestions from the Village and not on any community feedback or practical research.

2. *"The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers."*

Will 'promoting' be sufficient?

I would imagine the community would be more confident if we were **insisting upon** co-location between the multiple wireless service providers.

3. Watershed Stewardship:

Please detail how space on a cell tower will aid the UBC Watershed Research Project.

4. Strengthening Community:

"Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks."

Social Media leads to depression and isolation, not stronger community.

[Harvard Medical School](#)

We are a telecommuting family and rarely, if ever, experience communication issues.

5. Ensuring A Safe Community:

If LB Alert uses text messaging to operate, then service would only be improved for those who have the same carrier(s) as those which take on the tower. Please detail how this will help the community as a whole and not just those particular cell phone customers.

6. Providing effective services:

Wouldn't any communication issues among Public Works be more efficiently/inexpensively resolved with the purchase of a good two-way radio system?

7. Visual Aesthetics, Potential Tenants & Equipment on Tower

"An artist rendering of the proposed project was provided to give the community a general idea of the infrastructure imagined into the environment, and for clarity, each simulated image was marked with the comment "Artist Rendering Only, Installation of final project may not be exactly as shown"."

All my observations were based on the information provided at the Open House, this caption was not present/obvious on those displayed images.

Referring to my original point that the artist rendering does not include much of the apparatus necessary to make it function and is therefore inaccurate, I do not accept that until the tenant takes possession of the tower that their equipment needs remain undetermined. The carriers know they will need the network connectivity, be it with either fibre or microwave dishes, so they simply need to decide which they intend to pay for. Erring on the side of caution from an illustrative perspective, any image rendering should include the essential hardware that will make the tower functional. For this tower to serve the majority of the community it would need at least three providers; Rogers, Telus and Bell. A more accurate depiction of the final tower would include at the very least three dishes on a surveyed, camera accurate and topographically correct image with an explanatory caption stating that not all dishes may be required.

How can a community – that exalts in the magnificence of the mountains - sign off on a permanent and significant vista change without first being issued with an accurate portrayal of the final aspect? It's like approving a house design from the CAD render of only the framework, it just wouldn't happen.

8. Location / Rental Income

The proposed location for this commercial installation is in an OS1 zoned area:

The stated permitted uses for OS-1 zoned land are as follows.

OS–1 (Open Space Areas)

Permitted Uses

16.1 In an OS-1 zone the following uses and no others shall be permitted:

.1 Principal Uses, Buildings and Structures

- (a) community watershed management for protection of domestic water supplies;
- (b) natural areas;
- (c) recreation trails, including signage;
- (d) fire department training facility.

.2 Secondary Uses, Buildings and Structures
(a) parking areas.

This land is simply not zoned for any commercial enterprises.
For the project to continue it would necessitate a public consultation and rezoning of these lands to adhere with the bylaw.

9. Health and Safety, and 5G.

As 5G is an entirely new technology it lacks any long-term research supporting it as a perfectly benign technology. Until we have such research, my and many fellow citizen's concerns about the risks associated with the exposure of living in close proximity to a 5G tower will persist.

10. Property Values.

"...In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for "smart" technology."

Can you please provide your sources for this fact?

Today I called five local realtors from West Vancouver, North Vancouver and Deep Cove and asked them this same question.

"In your experience, does a cell tower near a house have a negative or positive effect on the property's value?"

Bar one realtor, who was reluctant to give a definitive answer either way, the general consensus was, and I quote, *"that it would not be considered a positive for resale"*.

11. The Petition.

Currently, according to online petition I set up in December, the number of Lions Bay Citizens that are against this tower number 71. I believe this now represents over 10% of Lions Bay's households. Here are a few of the comments:

Why would cell phone reception or small monetary gain be more important than the health of our families, and the health and wellness of our wildlife? There is enough evidence available to make a no thanks decision probably the safest bet. Please, no tower.

The Science is there - this is not work the health risk. I lived in an area where power lines were abundant, so were brain tumors in children under 9... so was breast cancer ... not going to take a chance on an un-managed cash grab. Once it's in, it will take forever to prove it as harmful.

I'm against a cell tower for both aesthetic and health reasons.

This tower would be a blight on the beauty & serenity of Lions Bay.

I would definitely like better cell service. However, not at the risk of our health and animals living in the area.

Questions that Remain Unanswered.

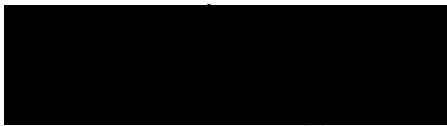
- Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Preservation and protection of our green spaces critical for the future of Lions Bay?' per Sec. 4.2, Bylaw #408, 2008.
- Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Maintaining lands in their natural form to protect Village safety and managed with an eye on good stewardship'? per Sec. 5.10, Bylaw #408, 2008.
- As the lands are not zoned for commercial enterprises, was it Council's intention to carry out a public consultation to amend the zoning of these lands to adhere with the bylaw # 520, 2017?

The points that still need consideration before this project could possibly proceed are:

- The need for research concerning placement to ensure substantial cell service improvement **throughout** the village.
- Cell phone provider commitment in principal prior to final approval.
- Survey and camera accurate tower and mountain image renderings showing all the necessary hardware to be community reviewed and approved before final approval.
- Community approval on the **permanent** change to our incomparable and unique vistas.
- The inevitable reduction in house values and how they will be compensated.
- The possible long-term possible health risks and undeniable EMF exposure.
- The Official Community Plan vehemently forbids any development of these spaces.
- The Zoning Bylaw does not permit it.

I continue to urge Council to reject this project, there are too many unknowns and even more residents that do not want it.

Thank you,



Charlie Bradbury



January 16, 2020

Via Email: [REDACTED]

To: Charlie Bradbury

Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project

Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC

SBA File: BC70057-B

Thank you for taking part in the public consultation process for the above noted project.

We would like to take the opportunity to respond to your feedback. Please see our responses in below in blue.

1. Need for Tower, Coverage Issues, & Village of Lions Bay' Official Community Plan Criteria (OCP):

"It has long been identified that cellular reception is poor in many areas of the Village of Lions Bay..."

Where has this been identified, and by what means?

According to my survey, there seems to be poor reception in **some** areas of the Village with 34 out of 52 respondents seemingly contented with their service. Was it perhaps that the dissatisfied consumers were more vocal than those that were satisfied?

Without any meaningful research, how can SBA ensure that the citizens who currently have a less than perfect reception due to topographical/provider issues will be the ones that benefit from the tower's proposed placement? SBA stated that the proposed placement was based on suggestions from the Village and not on any community feedback or practical research.

We are advised by the Municipality that there has long been a multitude of cellular service coverage issues throughout the Village and that this has affected residents and Village operational efficiencies in many ways and in many parts of the Village. It would appear that a full third of the persons who signed the Petition are not satisfied with their service coverage. In addition to the example noted in item 6 below, it has been established that wireless signal strength is poor around the central Municipal complex, with ramifications to daily and emergency services. Pay parking meters at the beach parks and the top of Sunset Drive regularly have connectivity issues which frustrate patrons of those areas and lead to administrative expense and loss of revenue. Similarly, potential future services such as pay per use electric vehicle charging stations will experience the same issues without improved connectivity. These issues will only be exacerbated without improved wireless infrastructure as use of wireless technologies continues to grow.

2. "The SBA proposal will limit community impacts by promoting shared space on the tower (co-location) for multiple wireless services providers."

Will 'promoting' be sufficient?

I would imagine the community would be more confident if we were **insisting upon** co-location between the multiple wireless service providers.

The federal government already insists upon co-location efforts between carriers to avoid multiple, single use towers. Innovation, Science & Economic Development Canada (ISED) requires that proponents first consider sharing existing antenna systems where possible. Placing a tower at this proposed location will oblige potential carriers interested in the area to explore the option of placement on this tower. Designing the tower to support multiple carriers will further hamper their ability to support reasoning as to why they should be allowed their own structure.



SYNERGYLAND
SERVICES LTD.

3. Watershed Stewardship:

Please detail how space on a cell tower will aid the UBC Watershed Research Project.

The Municipality provided the following: "The UBC Watershed Study is an important opportunity for the Village to engage in strategic water supply planning via a long-term hydrology study in cooperation with UBC. Automated collection and cellular transmission of data back to UBC is part of the intended Village Equipment on the tower and is part of the Municipality's intended "in kind" contribution to the project. The lower impact methodology would involve having students access the monitoring equipment in situ and downloading data to a local device. This is time consuming and labor intensive, not to mention that it increases the possibility of error / data loss from inexperienced students trying to retrieve data. Without the data, there is no UBC watershed study – the data is what drive their models of the water system and allows for 'ground truthing' of the model's results."

4. Strengthening Community:

"Improvements to technology provide more opportunities for residents to work from home via telecommuting and improve their connectivity to each other on social networks."

Social Media leads to depression and isolation, not stronger community. [Harvard Medical School](#)

We are a telecommuting family and rarely, if ever, experience communication issues.

How an individual, family, or business chooses to engage social media is personal preference. Providing improved access to it is our objective. Social Media can be useful tool by providing instant news alerts, breaking stories, traffic issues, sending safety messages, and increasing marketing exposure. Nowadays, business is not just confined to the office. Therefore it is important to have excellent mobile coverage across the board, regardless of whether you are on the move or stationary. The objective of the proposed tower is to service the community by delivering improved coverage and providing diversity with respect to cellular providers in the area.

5. Ensuring a Safe Community:

If LB Alert uses text messaging to operate, then service would only be improved for those who have the same carrier(s) as those which take on the tower. Please detail how this will help the community as a whole and not just those particular cell phone customers.

Lion's Bay Alert is only one of many ways to communicate emergencies in the area. It is specifically targeted for use by area residents. Short term visitors are not as likely to be signed up. It's also only a "one way" form of communication meant to inform of emergencies that could impact you or your family. Those visiting the area using signal from various carriers may rely on local media outlets and 911 alerts to obtain the same information. Furthermore, parties in distress will require reliable coverage to be able to communicate their need for help whether it's to 911, or even a neighbour. Feedback from Lions Bay first responders collected in response to this proposed tower, supports the need for improved services and strengthened communication in emergency situations.

Enhanced coverage from just one service provider can improve the odds of a cellular caller connecting with 911. Any cell phone with a signal can call 911, even if it's not activated. Any operational mobile phone with a signal can call 911, even if it's not associated with any carrier or network.

6. Providing effective services:

Wouldn't any communication issues among Public Works be more efficiently/inexpensively resolved with the purchase of a good two-way radio system?

That may be one possible solution, however Public Works not only needs to be reliably connected internally, but reliably connected externally to supporting parties to operate effectively. For this reason is important to keep up with technological advances in the area of communication. As well, the Municipality's water and other infrastructure is programmed via SCADA networks to communicate remotely with Public Works staff cellular devices so improved connectivity is important to the operational requirements of the Village.



7. Visual Aesthetics, Potential Tenants & Equipment on Tower

"An artist rendering of the proposed project was provided to give the community a general idea of the infrastructure imagined into the environment, and for clarity, each simulated image was marked with the comment "Artist Rendering Only, Installation of final project may not be exactly as shown"." All my observations were based on the information provided at the Open House, this caption was not present/obvious on those displayed images. Referring to my original point that the artist rendering does not include much of the apparatus necessary to make it function and is therefore inaccurate, I do not accept that until the tenant takes possession of the tower that their equipment needs remain undetermined. The carriers know they will need the network connectivity, be it with either fibre or microwave dishes, so they simply need to decide which they intend to pay for. Erring on the side of caution from an illustrative perspective, any image rendering should include the essential hardware that will make the tower functional. For this tower to serve the majority of the community it would need at least three providers; Rogers, Telus and Bell. A more accurate depiction of the final tower would include at the very least three dishes on a surveyed, camera accurate and topographically correct image with an explanatory caption stating that not all dishes may be required. How can a community – that exalts in the magnificence of the mountains - sign off on a permanent and significant vista change without first being issued with an accurate portrayal of the final aspect? It's like approving a house design from the CAD render of only the framework, it just wouldn't happen.

It is impossible at this time to provide an accurate description of the equipment that will be on the tower. Many reviews will be necessary by each prospective tenant before determining their needs; all of which will be influenced by what equipment is placed on the tower before their own. Some examples of such reviews include (but are not limited to):

- Radio Frequency and Transmission studies that will determine best positioning and number of antenna needed to provide optimal coverage
- Equipment types so as not to interfere with another tenant's signal
- Structure Analysis of the tower itself to determine load capabilities as equipment is added

The image displayed at the open house is the same as within the information package and included the disclaimer as to artist rendering only. It is a photo simulation intended to show the location of the proposed tower. A generic typical tower painted green was inserted to aid with the visuals. It represents the typical self-support tower built in Municipalities across Canada.

We maintain that we are committed to ensuring reasonable efforts to integrate the tower into the existing surroundings so as to minimize the visual impact have been incorporated into the proposed tower design.

8. Location / Rental Income

The proposed location for this commercial installation is in an OS1 zoned area:

The stated permitted uses for OS-1 zoned land are as follows.

OS-1 (Open Space Areas) Permitted Uses

16.1 In an OS-1 zone the following uses and no others shall be permitted:

- .1 Principal Uses, Buildings and Structures
 - (a) community watershed management for protection of domestic water supplies;
 - (b) natural areas;
 - (c) recreation trails, including signage;
 - (d) fire department training facility.
- .2 Secondary Uses, Buildings and Structures
 - (a) parking areas.

This land is simply not zoned for any commercial enterprises. For the project to continue it would necessitate a public consultation and rezoning of these lands to adhere with the bylaw.

The Municipality has provided the following:

With respect to zoning, the proposed use is a permitted infrastructure use under the terms of the zoning bylaw.

Uses Permitted in All Zones

4.2 The following *uses* and *structures* are permitted in all zones:

.1 *Principal Uses, Buildings and Structures*

- (a) community garden;
- (b) *environmental conservation* activities;
- (c) parks, playgrounds and recreational trails;
- (d) *infrastructure use*;

Infrastructure use means a *use* providing for the servicing of all or a portion of the *Municipality* with community water or sewer systems (including pump houses and sewage treatment plants), storm drainage systems, roads, community gas, electrical, telephone, broadcast transmission and similar public service facilities and equipment where such *use* is established by the *Municipality*, by another governmental body or by a company operating under a license or permit issued by a Provincial or Federal regulatory authority, and includes *public works yard*, maintenance *buildings* and offices.

9. Health and Safety, and 5G.

As 5G is an entirely new technology it lacks any long-term research supporting it as a perfectly benign technology. Until we have such research, my and many fellow citizen's concerns about the risks associated with the exposure of living in close proximity to a 5G tower will persist.

As stated in our original response, concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents.

There are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

10. Property Values.

"...In fact, there is the same likelihood that property values can increase in a given area due to better wireless connectivity and the growing demand for "smart" technology."

Can you please provide your sources for this fact? Today I called five local realtors from West Vancouver, North Vancouver and Deep Cove and asked them this same question.

"In your experience, does a cell tower near a house have a negative or positive effect on the property's value?" Bar one realtor, who was reluctant to give a definitive answer either way, the general consensus was, and I quote, "*that it would not be considered a positive for resale*".

While we respect the value of one's property is important, determining that value is dependent on many varying influences. Due to the ever changing nature of these variables, no definite link between telecommunication towers and decreasing property values can be established. It is even for this reason that ISED's CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems Guidelines for Public Consultation for Antenna Systems states that one of the concerns not considered relevant for consideration are the potential effects that a proposed antenna system will have on property values or municipal taxes.



11. The Petition.

Currently, according to online petition I set up in December, the number of Lions Bay Citizens that are against this tower number 71. I believe this now represents over 10% of Lions Bay's households. Here are a few of the comments:

Why would cell phone reception or small monetary gain be more important than the health of our families, and the health and wellness of our wildlife?

There is enough evidence available to make a no thanks decision probably the safest bet. Please, no tower.

The Science is there - this is not work the health risk. I lived in an area where power lines were abundant, so were brain tumors in children under 9... so was breast cancer ... not going to take a chance on an un managed cash grab.

Once it's in, it will take forever to prove it as harmful.

I'm against a cell tower for both aesthetic and health reasons.

This tower would be a blight on the beauty & serenity of Lions Bay.

I would definitely like better cell service. However, not at the risk of our health and animals living in the area.

Questions that Remain Unanswered.

- Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Preservation and protection of our green spaces critical for the future of Lions Bay?' per Sec. 4.2, Bylaw #408, 2008.
- Does the Council truly believe that a commercial tower installation fulfills their commitment of 'Maintaining lands in their natural form to protect Village safety and managed with an eye on good stewardship'? per Sec. 5.10, Bylaw #408, 2008.
- As the lands are not zoned for commercial enterprises, was it Council's intention to carry out a public consultation to amend the zoning of these lands to adhere with the bylaw # 520, 2017?

The points that still need consideration before this project could possibly proceed are:

The need for research concerning placement to ensure substantial cell service improvement throughout the village.

- Cell phone provider commitment in principal prior to final approval.
- Survey and camera accurate tower and mountain image renderings showing all the necessary hardware to be community reviewed and approved before final approval.
- Community approval on the permanent change to our incomparable and unique vistas.
- The inevitable reduction in house values and how they will be compensated.
- The possible long-term possible health risks and undeniable EMF exposure.
- The Official Community Plan vehemently forbids any development of these spaces.
- The Zoning Bylaw does not permit it.

As we have addressed the concerns noted from the petition within and the remaining comments are directed to Council, we will not remark further, however we will reinforce that the community's feedback is important to us and your comments collected, along with those included in your petition, will be submitted to the Municipality for consideration.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

1. SBA Canada, ULC

c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca

2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office

13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca

3. Village of Lions Bay

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Cell Tower for Lions Bay (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:34:00 PM

Good afternoon,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no concerns to be addressed, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day Tuesday January 14, 2020.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: Tanya Elchuk
Sent: November 26, 2019 12:24 PM
To: 'Ava Gartner' [REDACTED]
Subject: RE: Cell Tower for Lions Bay

Good morning Ava,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within 14 days acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within 60 days of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the

allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: Ava Gartner [REDACTED]
Sent: November 21, 2019 11:31 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Cell Tower for Lions Bay

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Hi Tanya,

I'm emailing in support of a new cell tower for lions bay.
Thanks

Ava Gartner
Lions Bay Fire Rescue

Sent from my iPhone

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Lions Bay cell tower (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:34:00 PM

Good afternoon,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no concerns to be addressed, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 26, 2019 11:09 AM
To: 'Duncan Rexworthy' [REDACTED]
Subject: RE: Lions Bay cell tower

Good morning Duncan,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question

2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Duncan Rexworthy [REDACTED]
Sent: November 22, 2019 7:32 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Lions Bay cell tower

- - This email has reached Synergy Land Services via an external source - -
Exercise caution when clicking any links or opening any attachments.

Hello

I've been a lions bay resident for 1.5 years now and I really enjoy our tight knit village.

I feel we really do need the proposed cell tower as I often get dropped phone calls or can't make them at all. We have dead spots through the community and I for one would really appreciate an upgrade.

Thank you for your time

Duncan Rexworthy

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: SBA Tower
Date: Monday, November 4, 2019 8:33:00 AM

Thank-you Hanson,

Feel free to reach out if anything else comes up.

Have a good day.

Tanya Elchuk
SYNERGY Land Services Ltd.
c: 403-880-3141

From: hansonlautravel [REDACTED]
Sent: November 2, 2019 9:21 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Re: SBA Tower

-- This email has reached Synergy Land Services via an external source --

Exercise caution when clicking any links or opening any attachments.

Tanya ELCHUK:

Sorry I could not figure out your name in my first email.

I have no more questions.

Best regards

Sent from my iPhone Hanson LAU

On Nov 1, 2019, at 3:06 PM, Tanya Elchuk <TanyaElchuk@synergyland.ca> wrote:

Good afternoon Hanson, (I hope I got your name correct. I had to go off your email address)

Thank-you for reaching out with your question. As per the Google Earth image below, the address you provided is approximately 1.61km north west of the proposed tower (site to site measurements or "as the crow flies" so to speak.)

I am sorry you will be unable to attend the open house, however I have attached an information package containing further details regarding the proposed project for your further information. Please feel free to reach with any further questions or comments upon its review.

<image003.jpg>

Regards,

Tanya Elchuk
SYNERGY Land Services Ltd.
c: 403-880-3141

-----Original Message-----

From: [REDACTED]
Sent: November 1, 2019 12:50 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>; Hanson LAU
[REDACTED]; Hanson LAU [REDACTED] Philip Wong
[REDACTED]
Subject: SBA Tower

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Dear TanyaElchuk:

We will not be able to make it to the Public Open House on 21 Nov 2019.

I wonder if you can answer this question =

How far is the proposed tower from the property located at 150 Mountain Drive, Lions Bay?

If you can show it on a map it would be perfect.

Thank you very much in anticipation.

Best regards

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Lions bay cell tower (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:35:00 PM

Good afternoon,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no concerns to be addressed, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 26, 2019 12:28 PM
To: 'Deputy Chief Neale Mullen' <[REDACTED]>
Subject: RE: Lions bay cell tower

Good morning Neale,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question

2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Deputy Chief Neale Mullen [REDACTED]
Sent: November 21, 2019 11:27 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Lions bay cell tower

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

I wanted to say that I support and look forwards to a cell tower in lions bay
I find reception very poor and unable to make calls most of the time inside a building
As the deputy chief of lions bay fire I think this is an important safety improvement for all

Neale Mullen
Deputy Chief
Lions Bay Fire Rescue

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Cell phone tower in Lions Bay (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:36:00 PM

Good afternoon,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no concerns to be addressed, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 26, 2019 12:24 PM
To: 'Randi Byrne' [REDACTED]
Subject: RE: Cell phone tower in Lions Bay

Good morning Randi,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

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Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Randi Byrne [REDACTED]
Sent: November 21, 2019 11:58 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Cell phone tower in Lions Bay

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Hi Tanya,

I wanted to provide my feedback on the proposed tower for Lions Bay. I want to provide my full support for the installation, as it's very important from a safety point of view, but also an economic point of view, if not environmental.

With current cell signals being as weak as they are, and our increasing reliance on cell phones as our only phone line, we run the risk of calls not getting to 911 or other family members (depending on the severity of the incident).

Likewise, a good cell signal means people are better able to work from home, increasing time with family, decreasing or carbon footprint, and making the community more desirable with its increased connectivity. Further, with the impending rollout of 5G networks, having a cell tower here will provide tier 1 connection capabilities not currently available through our wired options. 5G will also bring us services currently unavailable due to our current infrastructure. I say this based on my current work in the telecommunications industry.

Given my experience in the industry I can safely say I have no concerns with impacts from cellular waves on people or animals.

Regards,

Randi Byrne

From: Tanya Elchuk
To: [REDACTED]
Cc: ["Peter DeJong"](#)
Subject: RE: cellular tower (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:39:00 PM

Good afternoon Roel,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no additional concerns to be addressed other than the support you wish to offer the municipality, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day Tuesday January 14, 2020.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: [REDACTED]
Sent: December 6, 2019 11:39 AM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Cc: 'Peter DeJong' <cao@lionsbay.ca>
Subject: RE: cellular tower

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Thanks Tanya, for your response.

I have no concerns about radiation, but more the lockout of the village of the use of the tower and auxiliary systems. As indicated in my email, the village should have reasonable space for its use or other governmental agencies.

In my experience, sooner or later there will be a need for antennas for SCADA, Internet of things and emergency services.

Some wording in the contract between the village and tower owner should reflect that if the village wishes to pursue this.

I'm not privy about the current contract and the village position on this matter.

Regards

Roel

Roel Coert
470 Upper bay View Rd
Lions Bay
[REDACTED]

-----Original Message-----

From: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Sent: December 6, 2019 10:12 AM
To: [REDACTED]
Cc: Peter DeJong <cao@lionsbay.ca>
Subject: RE: cellular tower

Hi Roel,

Thank-you for reaching out to the municipality regarding this proposed project. I am just in receipt of your email as of last night. Other than tracking your support for the project I believe your feedback will be valuable and best addressed by the municipality however to keep everything cohesive, we will encompass it all into the formal review and response process. No that note, please allow me to comment as follows:

Firstly, thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within 14 days acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within 60 days of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: [REDACTED]
Sent: November 6, 2019 7:58 AM
To: Peter DeJong <cao@lionsbay.ca>
Subject: RE: cellular tower

Please forward my email to SBA.

Regards

Roel

-----Original Message-----

From: Peter DeJong <cao@lionsbay.ca>
Sent: November 5, 2019 3:19 PM
To: [REDACTED]
Subject: RE: cellular tower

Thank you for your comments Roel. The agreement and key benefits are outlined in the staff report brought to Council on October 1, 2019. See p. 41 at the following link:

https://www.lionsbay.ca/sites/2/files/docs/meeting/agenda/191001_rcm_package_1.pdf

The consultation process is the proponent's (SBA Canada) and they are required to answer any questions and provide copies of correspondence received/sent to Innovation, Science and Economic Development (ISED) Canada. Therefore, I would like to forward your email to SBA so that it is included in the official record. Please confirm your consent. Thank you.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer

The Municipality of the Village of Lions Bay www.lionsbay.ca PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 , Canada Village Office (604) 921-9333 | Fax (604) 921-6643

This email is intended only for the persons addressed and may contain confidential or privileged information. If you received this email in error, it'd be appreciated if you notify the sender and delete it. Statements and opinions herein are made by their authors in a personal capacity, and are not binding on the Municipality of the Village of Lions Bay until contracted. Be aware that this email is the property of the Municipality and may not be disseminated in whole or part without consent. This email may be exempt from disclosure under the British Columbia Freedom of Information and Protection of Privacy Act and other freedom of information or privacy legislation, and no admissible disclosure of this email can be made without the consent of the Municipality. Conversely, be aware that any response to the sender may be subject to disclosure under a freedom of information request.

-----Original Message-----

From: [REDACTED]
Sent: Monday, November 04, 2019 7:32 AM
To: Peter DeJong <cao@lionsbay.ca>
Subject: cellular tower

Good morning Mr de Jong,

LB is one of the few communities promoting wireless communication, which I applaud. I have been managing the telecom tower for the city of Coquitlam at the Austin works yard and mad recommendations for the tower in Campbell River as well.

Perhaps you would like to consider the following:

- o Negotiate some free space at different heights of the tower. Top of the tower would be best, ask for the proposed antenna layout plan
 - ECOM would certainly be interested having some telecom equipment
 - The village should be interested in wireless communication to its water tanks and pump stations (Scada, Internet of things)
- o Obtain some space in the communication shelter including a power option (16A 110V). Space for a locked cage to put in the village equipment (and perhaps Ecom)
- o Request a village 48f fibre optic cable to be installed as part of the cabling package in the ducts or poles (Not sure where the village SCADA terminates now, it could be at the works yard or city hall)
- o In the agreement with SBA ensure that the village is free to use the asset above without restrictions.

The above request won't cost SBA much, and they will pass it on to our (rich) incumbent telecom providers.

As a resident and municipal telecom expert, I would love to help (at no cost) to increase the village's options in the wireless space.

Sincerely,

Roel Coert
470 Upper Bayview Rd
Lions Bay

[REDACTED]

From: The Village of Lions Bay <epost@lionsbay.ca>
Sent: November 1, 2019 4:16 PM
To: [REDACTED]
Subject: Village Update

Proposed Telecommunication Tower; Unveiling of Memorial Cairn; Remembrance Day...

November 1, 2019

Your Weekly News & Updates

Updates from the Municipality

At the October 1st regular meeting, Council took the next steps in a plan to improve cellular connectivity within the Municipality by approving a licence agreement between SBA Canada and the Village of Lions Bay, subject to community consultation. This agreement enables SBA to complete their due diligence process for erecting a cellular tower on Municipal lands above the new Harvey Creek water tank. Through SBA, major cell providers will be able to co-locate upon the tower and offer enhanced connectivity to their customer bases. The licence agreement also facilitates free placement of Municipal equipment, including the UBC Watershed Study's stream flow monitoring equipment.

Immediately following on this page is the Public Notice from SBA, which includes reference to a Public Information Meeting they will be hosting at Broughton Hall on Thursday, November 21, 2019 from 5 to 7 pm. The full SBA Notification Package can be found http://r20.rs6.net/tn.jsp?f=0012wZ8V1MInSjqnBRKIwBFsrEtjzwcHZsmC1Z-Vd9ifs9mU7bVQYKMHokUDEvBU-tQsLzXFZbNDRtqD_yJdu70bPawoKj0mdo1B5lUsxBOeM5lKZ1B8lBj-FLYt7uwuy3tabKign43JM81CYD04w5DpQHeElluzTaL_joPnQjr2Tc7cqGG2fMtSsQ1lUiquLTBH7VT1BhVscKg5XQkFPbtcH-iXvs38xx-LgfCRGaHkug=&c=Ac7-Lt9CXiFtZJL8oY5Dxg7NWY9bVQrCaJlHrietrw5GVIBtp_heJA==&ch=HkBcpuf8UvgzyWGDZlPEeQV6oiI2tmium-p5_GcmCYwCB0F-26mc8Q==.

Note: All meetings take place in Council Chambers unless otherwise noted. The Village Office is open until 6:30 pm on Regular Council Meeting nights. Please check the Meeting Calendar for changes or cancellations.

COUNCIL & COMMITTEE MEETINGS

- Infrastructure Committee - Nov 4 at 7:00 pm • Regular Council Meeting - Nov 5 at 7:00 pm

http://r20.rs6.net/tn.jsp?f=0012wZ8V1MInSjqnBRKIwBFsrEtjzwcHZsmC1Z-Vd9ifs9mU7bVQYKMHgUSQ37hBkunSjP6VHjgJbvXq-HQCLvAvNuW9Z5Ueg6ssG5vNN5uW0x_0CuQNx7i25S-p7KbYKL8HEliE-BuluCjtwOfhOECvrDM2tfBU7wYUGn2OnFWWhI9hlDcx11-vXP67aDmgys3voR32MkaGRSRglErqpoGZF-9_hU4Ll&c=Ac7-Lt9CXiFtZJL8oY5Dxg7NWY9bVQrCaJlHrietrw5GVIBtp_heJA==&ch=HkBcpuf8UvgzyWGDZlPEeQV6oiI2tmium-p5_GcmCYwCB0F-26mc8Q==

What's happening in the community?

UNVEILING CEREMONY OF THE LIONS BAY MEMORIAL CAIRN

Mayor and Council invite you to take part in the Unveiling Ceremony of the Lions Bay Memorial Cairn

Date: Sunday, November 10, 2019
Place: in front of the Village Office
Time: 3:00 PM (rain or shine)

A Free Flu Shots Clinic will be available for the convenience of residents at the Lions Bay Community Hall, courtesy of Bay Pharmacy, Horseshoe Bay, and the Lions Bay Seniors Social Circle (604-921-7260):

Where: Council Chambers, 400 Centre Road, Lions Bay
Date: Friday, 1st November, 2019
From: 2:00 pm until 5:00 pm

Just remember to bring your care card. Come enjoy a tea while you wait!

Monday, November 11, 2019
Doors open at 9:30 am
Ceremony starts at 10:15 am (sharp)
Lions Bay Broughton Hall

Let us come together in the spirit of Remembrance. Please join us for refreshments following the service. Boxes of poppies are available at the Lions Bay Store, Lions Bay School and the Village Office. Volunteers are welcome; please email <mailto:tluehy@yahoo.ca>.

Mark your calendars! The 6th Annual Lions Bay Arts Christmas Fair is being held on Sunday, November 17th, 2019 and it's going to be a Ho Ho Jolly Affair!

Come join the fun 10am-2:30pm in Broughton Hall, 400 Centre Road, Lions Bay, bring the kids – it's free!

A piece of Lions Bay history...

Please visit Lions Bay Historical Society's http://r20.rs6.net/tn.jsp?f=0012wZ8V1MInSjqnBRKIwBFsrEtjzwcHZsmC1Z-Vd9ifs9mU7bVQYKMhRBPf5OMUjOnyasSavTJGQZSEsPMhE1bASadz54wHLbPZjVUMz57Ouz1kod0Mxfkd2O6YLP7rQhfUn8NTZZ-4O0WeDboifmqh7tHiBttHLHkNPrF84VLNTw=&c=Ac7-Lt9CXiFtZJL8oY5Dxg7NWy9bVQrCaJIHrietrw5GVIBtp_heJA==&ch=HkBcpuf8UvgzyWGDZIEeQV6oiI2tmium-p5_GcmCYwCB0F-26mc8Q== and http://r20.rs6.net/tn.jsp?f=0012wZ8V1MInSjqnBRKIwBFsrEtjzwcHZsmC1Z-Vd9ifs9mU7bVQYKMhRFBz7F6Ck5mwzUoUj2KJ-FG_qv2z4x_9MHXqUnb83QML7PdygElI5cFDW2Z2cCdaoOFHjwnk-vfabRWO_FbmKDa3cCHHnjdu0HDP0L3C-mB7brZuTmcCDyBn1-sS3Pw==&c=Ac7-Lt9CXiFtZJL8oY5Dxg7NWy9bVQrCaJIHrietrw5GVIBtp_heJA==&ch=HkBcpuf8UvgzyWGDZIEeQV6oiI2tmium-p5_GcmCYwCB0F-26mc8Q== page.

The Village of Lions Bay | 400 Centre Road, P.O. Box 141, Lions Bay, BC V0N 2E0 Canada

<https://visitor.constantcontact.com/do?p=un&m=001NEQYqRRWnDgSrdQuGTJAmA%3D&ch=b3826c00-5af0-11e8-983c-d4ae528442b5&ca=ba0546b2-6d76-479c-87ab-a99c77ccbde5>

<https://visitor.constantcontact.com/do?p=oo&m=001NEQYqRRWnDgSrdQuGTJAmA%3D&ch=b3826c00-5af0-11e8-983c-d4ae528442b5&ca=ba0546b2-6d76-479c-87ab-a99c77ccbde5> | <http://www.constantcontact.com/legal/about-constant-contact>

Sent by <mailto:epost@lionsbay.ca> in collaboration with

http://www.constantcontact.com/index.jsp?cc=nge&rmc=VF19_3GE

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Cell Tower (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:39:00 PM

Good afternoon,

Thank-you for the positive feedback regarding the above noted proposed project.

Please be advised that upon closing of the public consultation process, your comments, along with all others submitted, will be compiled and provided to the municipality for consideration in their decision regarding the future of this project.

As you have indicated no concerns to be addressed, we will consider this correspondence to be concluded unless otherwise notified within the time period detailed below.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day Tuesday January 14, 2020.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: Tanya Elchuk
Sent: November 26, 2019 11:14 AM
To: 'Simon Waterson' [REDACTED]
Subject: RE: Cell Tower

Good morning Simon,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within 14 days acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within 60 days of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking

comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

-----Original Message-----

From: Simon Waterson [REDACTED]
Sent: November 21, 2019 3:10 PM
To: Tanya Elchuk <TanyaElchuk@synergyland.ca>
Subject: Cell Tower

- - This email has reached Synergy Land Services via an external source - -

Exercise caution when clicking any links or opening any attachments.

Good afternoon

Cell reception in Lions Bay is awful. I'm in favour of a new Cell Tower or any measure to improve the signal strength.

Kind regards

Simon Waterson

From: Tanya Elchuk
To: [REDACTED]
Subject: RE: Proposed SBA Telecommunications Tower at Lions Bay (SBA BC70057 Lions Bay)
Date: Tuesday, December 17, 2019 12:45:00 PM
Attachments: [REDACTED]

Good morning,

Please find attached our response to the comments and concerns you submitted for consideration regarding the above noted project.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.

Tanya Elchuk
SYNERGY Land Services Ltd.
d: 403-930-3309

From: Tanya Elchuk
Sent: November 29, 2019 1:41 PM
To: [REDACTED]
Subject: Proposed SBA Telecommunications Tower at Lions Bay

Good afternoon Tony,

Firstly, We would like to thank you for taking part in the public consultation process for the above noted project. The community's feedback is important to us and the comments collected will be reviewed and taken into consideration by SBA.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, comments or concerns relating to the antenna system as a result of the public notification process shall be addressed by the proponent (Synergy Land on behalf of SBA) within the timeline defined below:

1. Respond to the party in writing within **14 days** acknowledging receipt of the question
2. Address in writing all reasonable and relevant concerns within **60 days** of receipt
3. In the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response

Please accept this email as formal acknowledgement of receipt of your communication. At this time we are taking comments / questions into consideration and are committed to provide a formal response in writing within the allotted 60 days.

In the interim, I can also be available via phone if you feel a one on one conversation would be beneficial.

Thank-you again for your participation in this process.

Sincerely,

Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist
SYNERGY Land Services Ltd.

200, 2710 – 17 Avenue SE

Calgary, AB T2A 0P6

o: 403-283-4400

d: 403-930-3309

c: 403-880-3141

e: tanyaelchuk@synergyland.ca

www.synergyland.ca

This message and any documents attached hereto, are intended only for the addressee and may contain privileged or confidential information. Any unauthorized disclosure is strictly prohibited. If you have received this message in error, please notify us immediately and delete the original message. Thank you.



December 17, 2019

Via Email: [REDACTED]

To: Tony Cox**Re: Proposed SBA Canada, ULC Telecommunications Facility - Response to Comments/Concerns Submitted with Respect to Proposed Project****Location: A portion of the Municipality-owned Lands above the Harvey Creek Water Treatment Plant in the Village of Lions Bay, BC****SBA File: BC70057-B**

Thank you for taking part in the public consultation process for the above noted project.

The community's feedback is important to us and your comments collected have been reviewed and taken into consideration by SBA.

We would like to take the opportunity to respond to your feedback. Your comments and concerns, as we understand them, are summarized as follows:

- Health & Safety

Health and Safety

Concerns have been noted regarding this project with respect to proximity of the proposed telecommunication tower to the community and the perceived health risks that would be potentially visited on area residents. This is a common and understandable concern anytime a new cell tower is proposed.

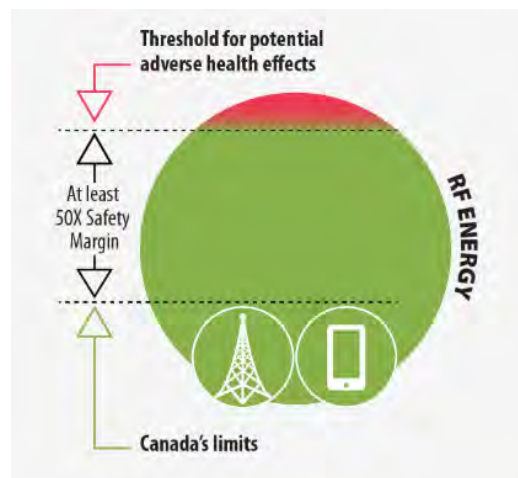
Telecommunications towers transmit and receive radio-frequency (RF) signals or energy in order to connect with the cell phones and other mobile devices in the network. RF energy from telecommunication towers is a form of "non-ionizing" radiation, which means it is not strong enough to break chemical bonds. Common sources of RF exposure include cell phones, cordless telephones, FM radio transmitters, baby monitors, Wi-Fi routers, and of course cell towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians. The exposure limits set in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research. The code is periodically revised to reflect new knowledge in the scientific literature.

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

Health Canada does not consider cell towers dangerous to the public, including groups typically more sensitive to environmental agents (young children, elderly). The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).



Innovation, Science and Economic Development Canada ("ISED" formerly Industry Canada) requires that all antenna systems meet Health Canada's limits on the amount of RF energy that can be present in areas

to which the public has access. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

Health Canada maintains these RF levels are safe for all members of the public. Please reach out to them directly if you require further information on the subject.

Please visit the following websites for additional information:

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

FAQ on Radio Frequency Energy & Health

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>

Fact Sheet: What is Safety Code 6?

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>

Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/safety-code-6-health-canada-radiofrequency-exposure-guidelines-environmental-workplace-health-health-canada.html>

Facts About Towers

http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf11435.html

Health & Safety - Next Generation 9-1-1 (NG911)

NG911 is the "next generation" of the 911 system. It will be a more enhanced system designed to be faster, more reliable and able to accept more than just voice calls. Upon implementation, some of the most notable enhancements to the current 911 calling system will include:

- The ability for people to text and send photos and videos to 911 (such as photos of fleeing suspects, medical information, or critical situations where it's a lot safer to communicate via text instead of voice)
- Better location-tracking so that call-takers can locate persons more quickly (ability to identify the location of lost or injured hikers)
- Faster transmission of files like building floor plans and enable the 911 call response teams to share information for faster emergency response

There are numerous examples of how emergencies can (or could have been) improved by these capabilities.

This transition isn't optional. It's mandatory, as set forth by the Canadian Radio-Television and Telecommunications Commission (CRTC). In June 2017, they directed all telephone companies to update their networks in order to be ready to provide NG911 services.

The evolution to NG911 is expected to occur gradually over a number of years.

- It will start with the CRTC and telephone companies collaborating to prepare the networks so that they are capable of carrying NG911 traffic to the emergency call centres.
- The next step will be for provincial, territorial and municipal governments to work with their emergency call centres to get their operations ready for NG911 services.

For more information regarding NG911 please visit the following links:

What's NG 9-1-1

<https://www.novacomunications.com/2019/05/30/whats-next-generation-911-everything-you-need-to-know/>

Next Generation 9-1-1 (NG9-1-1)

<https://crtc.gc.ca/eng/phone/911/gen.htm>

CRTC News Release June 1, 2017 Re: NG 9-1-1

https://www.canada.ca/en/radio-television-telecommunications/news/2017/06/the_crtc_is_creatingasaferenvironmentforcanadiansbyenablingaccs.html

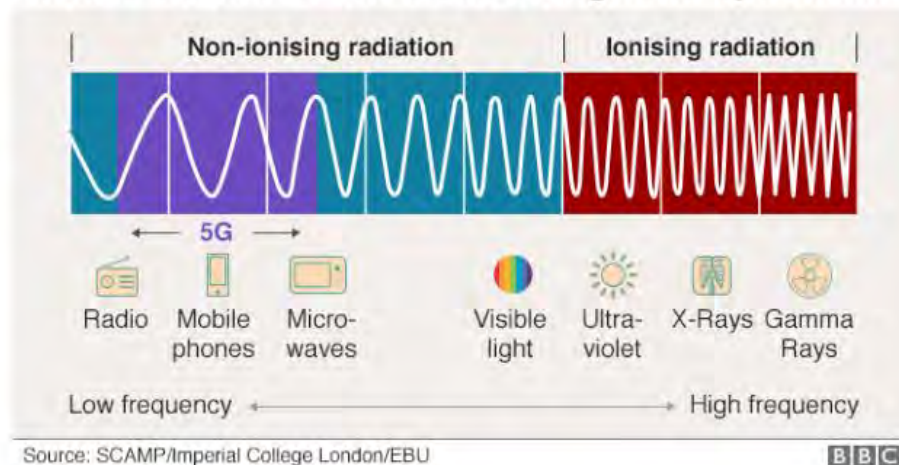
Health & Safety – 5G

5G will be an entirely new, flexible network that will interface with all existing and evolving generations of wireless technology to come. 5G will be a game changer in wireless telecommunications, ushering in a network for future generations with more devices, faster communication, and higher speeds.

The radio wave band used for telecommunication networks is non-ionising. Non-ionizing radiation is relatively low-energy radiation that doesn't have enough energy to ionize atoms or molecules. It's located at the low end of the electromagnetic spectrum. Non-ionizing radiation sources include power lines, microwaves, radio waves, infrared radiation, visible light and lasers.

We're surrounded by electromagnetic radiation all the time - from television and radio signals, as well as from a whole range of technologies, including mobile phones, and from natural sources such as sunlight.

Where 5G fits in the electromagnetic spectrum



There is an increasing amount of misinformation circulating on the Internet and through other channels about possible harmful effects from 5G mobile wireless networks. Contrary to these claims, there are no established health risks from the radiofrequency waves used in 5G networks in accordance with applicable safety standards. This includes Health Canada's existing Safety Code 6 Radio Frequency Exposure Guidelines.

For more information regarding please visit the following links:

Setting the Record Straight on 5G Wireless & RF Safety

https://www.5gcc.ca/wp-content/uploads/2019/08/CWTA_5G-Wireless-and-RF-Safety_EN_2019.08.07.pdf

Does 5G Pose Health Risks? - BBC News

<https://www.bbc.com/news/world-europe-48616174>

What is 5G?

<https://www.ic.gc.ca/eic/site/069.nsf/eng/00077.html>

Radio Frequency Energy & Safety

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>

5G Council of Canada - Resources

<https://www.5gcc.ca/resources/>

Communications Research Centre Canada

<https://www.ic.gc.ca/eic/site/069.nsf/eng/home>

In Closing

We hope this additional information serves to inform and address your comments and concerns satisfactorily.

As per Innovation, Science and Economic Development (ISED) Canada's CPC 2-0-03: Radio Communications & Broadcasting Antenna Systems, you are entitled to 21 days from the date of the correspondence to reply however given the holiday falling within this period we are adding an extra 7 days to this timeline, for a total of 28 days. Closing date for acceptance of further response to this correspondence shall be end of day **Tuesday January 14, 2020**.

Thank-you again for your participation in this process.
Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC



Tanya Elchuk
Team Lead, Telecommunications
Site Acquisition Specialist

General information regarding telecommunications systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).

Contacts

- 1. SBA Canada, ULC**
c/o: Synergy Land Services Ltd.
Tanya Elchuk – Team Lead, Telecommunications
Site Acquisition Specialist
200, 2710 17th Avenue SE
Calgary, AB T2A 0P6
Phone: (403) 283-4400
Direct: 403-930-3309
Fax: (403) 283-8318
E-mail: TanyaElchuk@synergyland.ca
- 2. Innovation, Science and Economic Development Canada – Spectrum Management Lower Mainland District Office**
13401 – 108 Avenue, Suite 1700
Surrey BC V3T 5V6
Phone: (604) 586-2521
Fax: (604) 586-2528
Email: ic.spectrumsurrey-surreyspectre.ic@canada.ca
- 3. Village of Lions Bay**
Peter DeJong, BA, LLB, CRM
Chief Administrative Officer
Phone: (604) 921-9333
Fax: (604) 921-6643
Email: cao@lionsbay.ca



Open House Questionnaire

Please either send by Fax to (403) 283-8318, mail to SBA Canada, ULC (C/O Synergy Land Services Ltd.) at 200, 2710 17 Avenue SE, Calgary, AB T2A 0P6, via hand at the open house or via email at TanyaElchuk@synergyland.ca.

Proposed SBA Canada, ULC Telecommunications Facility
BC70057 - Lions Bay 60m Self-Support Lattice
Telecommunications Tower Proposal

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

☒ Yes

☐ No

2. Do you feel this is an appropriate location for the site in this area?

☒ Yes

☐ No

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

☒ Yes

☐ No

Additional comments:

There seems to be some concerns regarding health risks
re. Radiation.
I was unable to reach the site suggested by SBA
covering this topic

Please provide your name and full email and/or mailing address. This information will not be used for marketing purposes. However, your comments will be forwarded to the Village of Lions Bay officials for the purpose of informing the Municipality's process of commenting on land use issues related to the proposed tower.

Name:

Tony Cox
(Please print clearly)

Mailing address:

P.O. Box [redacted] - Lions Bay BC V0N 2E0

Email address:

[redacted]



Via Email: cao@lionsbay.ca

Village of Lions Bay
Box 141, 400, Centre Road
Lions Bay, BC V0N 2E0

Attention: Peter DeJong, Chief Administrative Officer

RE: SBA BC70057-B Proposed SBA Canada, ULC Telecommunications Facility

**Location: A portion of the Municipality-owned Lands above the Harvey Creek
Water Treatment Plant in the Village of Lions Bay, BC**

Letter of Concurrence

On behalf of our client, SBA Canada, ULC (SBA), we respectfully request confirmation from the municipality that local consultation and the municipal process regarding the above noted project has been satisfactorily concluded by execution of statement of the acknowledgment below.

Acknowledgment of Concurrence

The Village of Lions Bay hereby acknowledges that SBA Canada, ULC has conducted and completed, to its satisfaction, public consultation regarding the above noted project in accordance with the Public Consultation Reference Document approved by Council on October 1, 2019.

By resolution dated March 17, 2020, the Council of the Village of Lions Bay grants concurrence to SBA to proceed with installation under the terms and conditions contained within the Telecommunications Tower Option and License Agreement, as amended and made effective the 17th day of March, 2020.

Accepted and agreed to this ___ day of _____, 2020.

Signature

Name

Position

Thank-you for your co-operation in this matter.

Regards,

Synergy Land Services Ltd.
On behalf of SBA Canada, ULC,

Tanya Elchuk
Team Lead, Telecommunications Site Acquisition Specialist

Radiofrequency Energy and Safety



What you need to know about radiofrequency energy and safety

[What is radiofrequency \(RF\) energy?](#)

[Why is RF energy important?](#)

[Can RF energy affect your health?](#)

[How does the Government of Canada protect you?](#)

[What amount of RF exposure is considered safe?](#)

[Are the Canadian limits the same for all wireless devices and antenna installations?](#)



What is radiofrequency (RF) energy?

RF energy, also referred to as “RF emission,” “RF wave” or “RF field,” is one form of electromagnetic energy that is part of the electromagnetic spectrum. There are both natural and human-made sources of electromagnetic energy.

Examples of natural sources of electromagnetic energy:



Earth’s natural field (which makes a compass point to North)



Visible light



Lightning

Examples of human-made sources of electromagnetic energy:



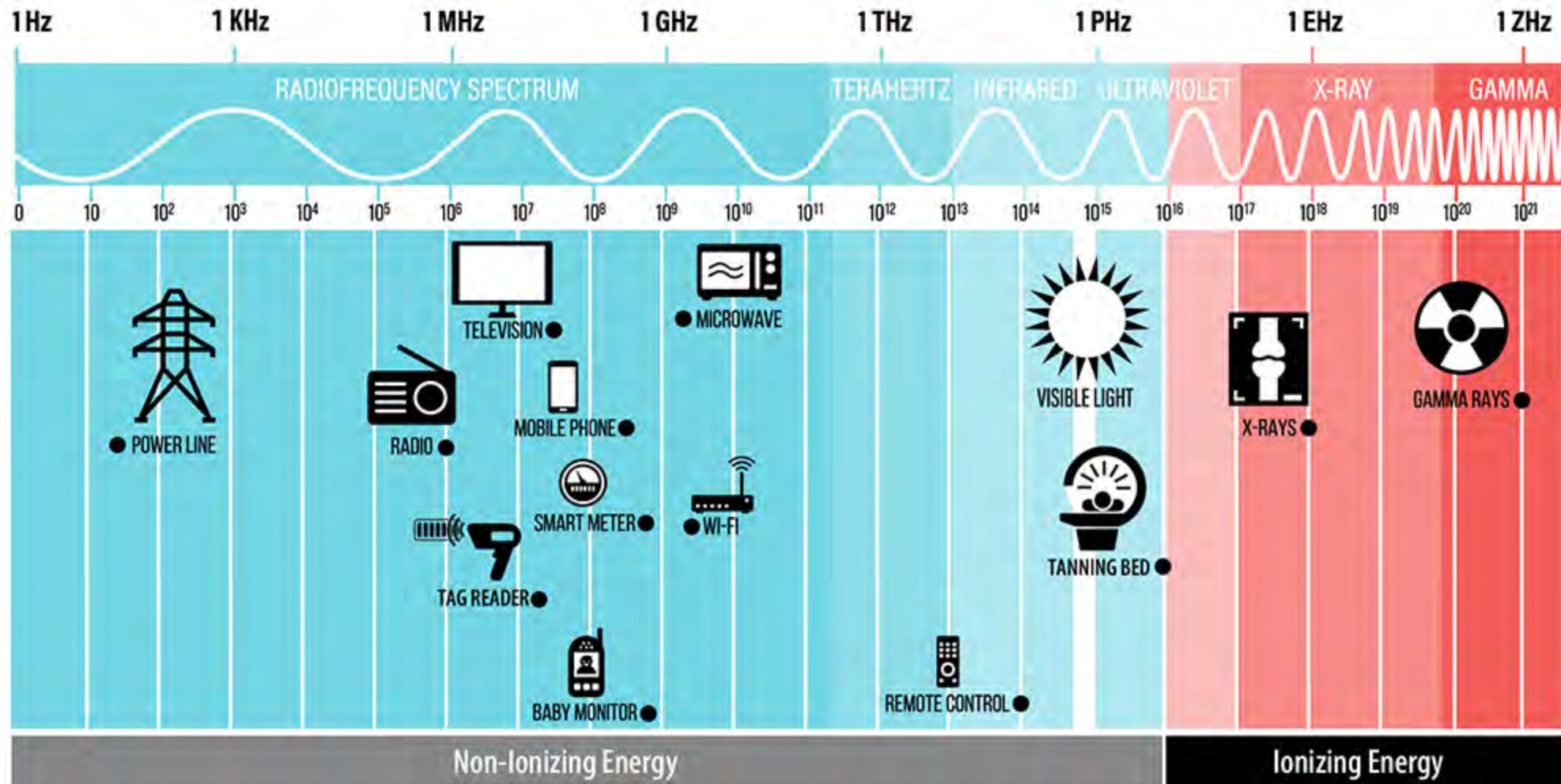
Electric appliances such as microwaves



Wireless devices (cell phones, Wi-Fi, Bluetooth)



Commercial broadcasting (AM/FM radio & TV)



Electromagnetic spectrum - Electromagnetic spectrum is the range of frequencies produced by all sources of electromagnetic energy. The diagram illustrates where common equipment operates in a specific frequency range starting from a powerline, moving through radiofrequency spectrum to phones and ending with X-rays and gamma rays.

What is non-ionizing energy?

Non-ionizing energy is electromagnetic energy that does not break down the bonds between atoms and molecules, which means it does not break down chemical bonds within cells and tissues. Examples of non-ionizing energy include visible light and RF energy used in wireless communication.

What is ionizing energy?

Ionizing energy is electromagnetic energy that may have enough energy to break down the bonds between atoms and molecules. Examples of ionizing energy include X-rays and gamma rays, which are both used in some medical treatments under medical supervision.

Why is RF energy important?



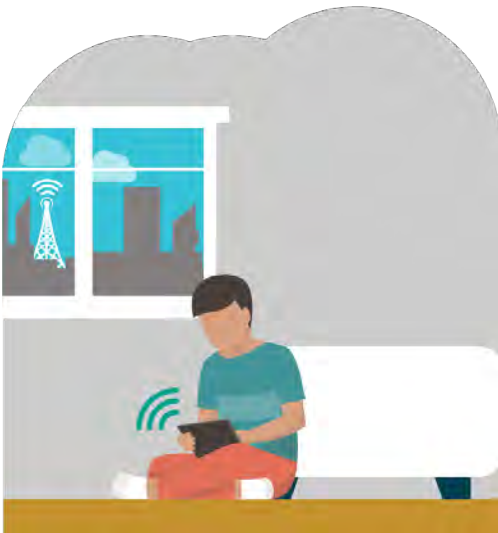
Almost every area of your day-to-day life uses RF energy. It delivers your morning news through wireless services such as broadcasting (AM and FM radio, TV); lets you place your coffee order through your cell phone; protects you by providing communication for emergency services (police, fire, ambulance); and keeps you connected through the operation of wireless consumer devices such as Wi-Fi, baby monitors and cordless phones.

Can RF energy affect your health?

Although we most often think of RF energy as coming from modern-day technologies, exposure to electromagnetic fields in everyday life is not new. Human-made sources of electromagnetic fields have increased in the past century with the development of technology and radio communications, but natural electromagnetic energy has always been around.

Scientists have been studying the health effects of RF energy for decades. Many international studies on this issue have concluded that effects associated with exposure to RF energy depend on the frequency range. For example, higher frequency ranges may result in tissue heating, while short-term exposure from lower frequency ranges may produce nerve stimulation like a tingling sensation. The Government of Canada has established RF exposure limits to prevent these effects from occurring.

How does the Government of Canada protect you?



The Government of Canada is committed to protecting the health and safety of Canadians from environmental risks, including those posed by overexposure to RF energy.

Canada's approach to RF exposure safety is among the most stringent in the world. The Government of Canada continuously monitors the research and scientific literature on the health effects of RF exposure to ensure that Canadian limits are consistent with the current scientific consensus to prevent potential adverse health effects.

Health Canada's role

Health Canada's guidelines on safe human exposure to RF energy, also referred to as [Safety Code 6](#), present recommended exposure limits. These limits are set well below the levels of all known potential adverse health effects and provide protection for all age groups, including children, on a continuous basis (24 hours a day, seven days a week). This means that if anyone, including a small child, was exposed to RF energy from multiple sources within the Safety Code 6 limits for 24 hours a day, 365 days a year, there would be no adverse health effects.

Health Canada continuously monitors the research on this issue and revises its recommendations as needed to continue to provide protection for all Canadians. Health Canada also ensures that RF exposure limits are consistent with science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand).

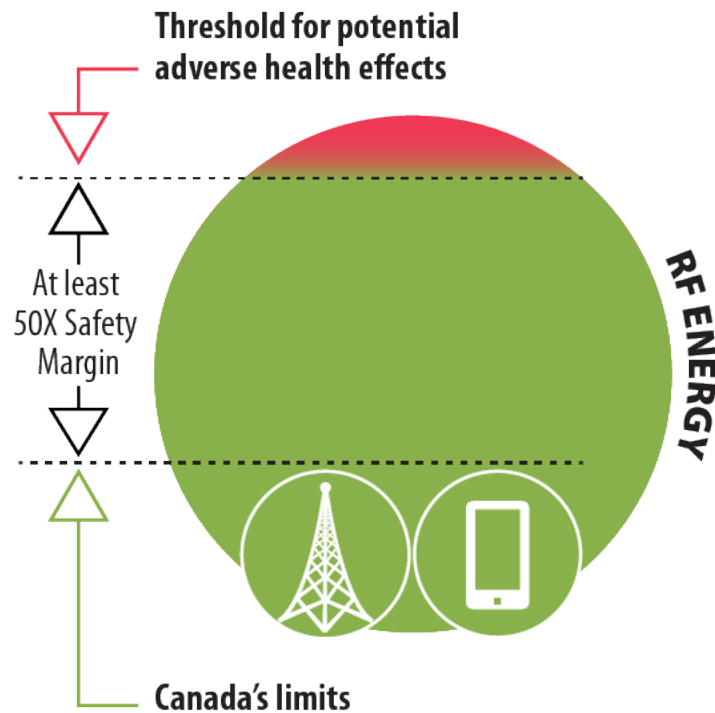
Innovation, Science and Economic Development Canada's role - Innovation, Science and Economic Development Canada (ISED) has adopted Health Canada's Safety Code 6 as the Canadian RF exposure limits for wireless devices and their associated infrastructure. ISED's regulatory framework, including market surveillance, compliance audits and enforcement procedures, provides safeguards to protect Canadians against overexposure from wireless devices and antenna installations.



Wireless devices must meet the RF exposure requirements at all times and be certified before they can be sold in Canada. Anyone who manufactures, imports, distributes, sells or leases wireless devices in Canada must comply with ISED's regulations. ISED also maintains a market surveillance program, which audits and evaluates a sampling of wireless devices currently on the Canadian market on an ongoing basis. The market surveillance program helps to ensure that wireless devices available to Canadians continue to meet the RF exposure requirements.

Antenna installations must also meet RF exposure requirements. ISED routinely audits these installations to make sure they comply with Safety Code 6 limits.

What amount of RF exposure is considered safe?



Description of figure

Exposure to RF energy below the Canadian limits is safe. The limits are set far below the threshold (at least 50-fold safety margin) for all known established adverse health effects. Health Canada has incorporated several tiers of precaution into the limits to ensure safety, including a conservative threshold for the occurrence of adverse health effects, the use of worst-case exposure scenarios and an additional safety margin beyond the threshold.

Are the Canadian limits the same for all wireless devices and antenna installations?

The limits for wireless devices (e.g. cell phones, Wi-Fi enabled devices and other consumer portable devices) and antenna installations on towers are different.

The limits established for wireless devices are known as localized limits. Since these devices are used within a few millimetres from the body or on the body, only a localized portion of the body (head, torso, limbs) is exposed to the RF energy.

The limits established for antenna installations are known as whole body limits. Antenna installations on towers are generally found at a distance from a person's body, which results in the entire body being exposed to RF energy. Therefore, the applicable limits are different.

Wireless devices

There are two main categories of wireless devices:



Wireless devices used close to the body

(cell phones, tablets and wearables)

1. Wireless devices used close to the body

What is nerve stimulation? Nerve stimulation is a tingling sensation resulting from exposure to RF energy levels well above the Canadian limits.

What is Specific Absorption Rate (SAR)? Specific Absorption Rate (SAR) is the rate of RF energy absorbed in the body (in a volume of tissue) when a wireless device is in close proximity. SAR is expressed in units of watts per kilogram (W/kg). ISED requires that all wireless devices sold in Canada comply with established SAR limits.

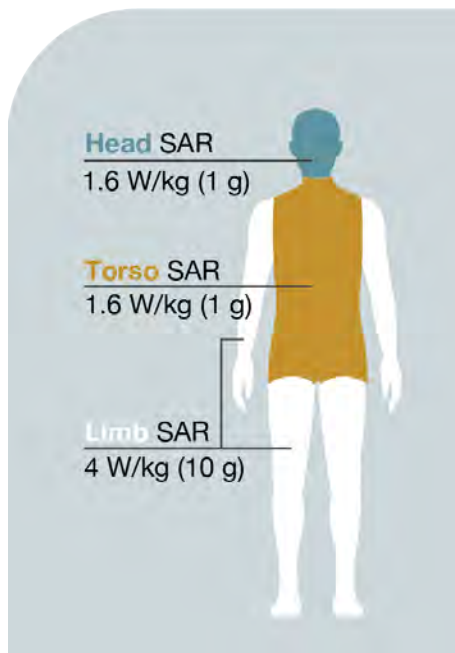
What is power density? Power density is the amount of electromagnetic energy in a given area, typically expressed in units of watts per square metre (W/m^2).

Wireless devices used close to the body are referred to as portables or wearables. These devices are tested against different limits depending on their operating frequency, which may include more than one type of evaluation.

- **Below 10 MHz:** devices are tested against electric and magnetic field strength limits to avoid nerve stimulation. Examples of devices that fall under this category are wireless charging devices, metal detectors, electronic cards, tag readers and anti-shoplifting detector panels installed at doors of stores.
- **Between 100 kHz and 6 GHz:** devices are tested against Specific Absorption Rate (SAR) limits to avoid tissue heating. Most portables and wearables currently available in Canada, such as cell phones, tablets and smart watches, fall under this category.
- **Above 6 GHz:** devices are tested against power density limits to avoid tissue heating. Very few portable/wearable devices fall under this category, but these types of devices will increase as 5G technology is deployed in Canada.

For more information about the Canadian limits, refer to RSS-102, [Radio Frequency \(RF\) Exposure Compliance of Radiocommunication Apparatus \(All Frequency Bands\)](#) or [Safety Code 6](#).

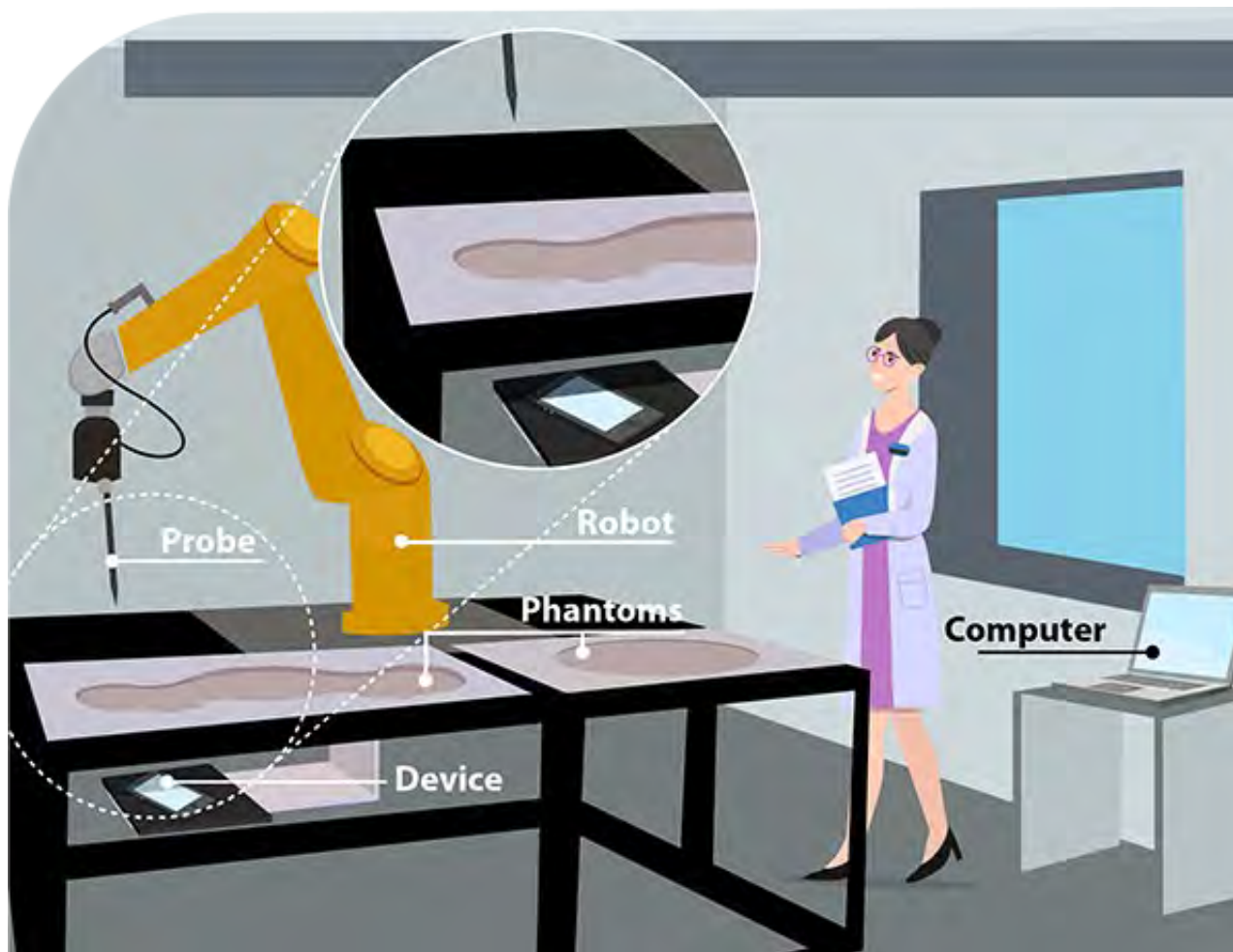
Want to learn more about SAR? What are the SAR limits?



This figure shows Canada's SAR limits for different parts of the human body. The head and torso have a SAR limit of 1.6 W/kg in 1g of tissue and the limbs have a SAR limit of 4 W/kg in 10 g of tissue. Canada's SAR limits are measured against absorption levels to the head, torso and limbs. For more information about the SAR limits, refer to RSS-102, [Radio Frequency \(RF\) Exposure Compliance of Radiocommunication Apparatus \(All Frequency Bands\)](#) or [Safety Code 6](#).

Are SAR limits the same around the world? Canada and the United States have the same SAR limits. However, other countries, such as Australia and those in the European Union, have adopted limits recommended by the [International Commission on Non-Ionizing Radiation Protection's](#) (ICNIRP) guidelines, which are less strict.

How are SAR measurements determined? A specialized laboratory measurement system is required to perform SAR measurements.



The measurement system includes a precision robot, device positioner, probe, sensor, specialized computer software and phantoms. Phantoms are specially designed containers, which are filled with a liquid that simulates the properties of the human body. Different phantoms are used to test the impact on each type of body part: head, torso and limbs for which SAR limits are defined.

Two main configurations, head and torso, are generally tested during SAR measurements. The measurement procedures are described in ISED's technical standards, which are based on recognized international testing procedures that have been adopted by most countries around the world. The simplified measurement steps are as follows:

- The wireless device is positioned directly against a simulated human head or at a separation distance (compliance distance) of a simulated human body (torso).
- The wireless device is switched on to transmit continuously at full power.
- The precision robot moves a probe inside the simulated head or torso to find the spot with the highest RF energy produced by the wireless device.
- The data is collected and converted into a SAR (W/kg) value.
- The test is repeated for different orientations, configurations, operating frequencies and technologies featured by the wireless device.
- The maximum level measured is recorded as the SAR value for the head, torso or limb.

The required SAR tests for modern wireless devices such as smartphones can take between several weeks and several months.

Are wireless devices with lower SAR values considered safer?

No. As long as the device's SAR value is below the Canadian limits, a lower SAR value does not indicate an increase in safety for the user. Different portable/wearable devices will have different SAR values based on their design; however, all must meet Canada's SAR limits, which are well below any level that could cause adverse health effects.

Does the SAR level of a cell phone change when in use?

Yes. When cell phones or similar wireless devices are tested, they are switched on to transmit at full power for the duration of the test. In reality, cell phones operate at much lower power levels, to preserve battery life, maximize call time and optimize network performance. In normal day-to-day use, a cell phone produces much lower SAR levels than those measured during laboratory testing.

How should I be using my cell phone or other wireless devices? What does compliance distance mean?

ISED requires cell phone manufacturers and other wireless devices to provide information to users on the minimum compliance distance to maintain between the cell phone or wireless product and the body (torso). This distance is usually between 0 mm and 15 mm. This compliance distance often represents the distance created by a phone holder or clothing. This compliance distance allows for better signal reception because the cell phone is used away from the body and meets the SAR requirements.

If the specified compliance distance is not respected by the user, it is possible that the cell phone is being used in a non-compliant way. However, this does not compromise safety as the Canadian limits have safety margins of at least 50-fold. Furthermore, during SAR testing, cell phones are switched on to transmit at full power, which represents a worst-case scenario in terms of exposure to RF energy.

Cell phones can always be used directly against the ear without any compliance distance. This is because the cell phone is designed to keep the antenna far enough away from the head to meet SAR limits and to operate most efficiently.

How can I maintain the recommended minimum compliance distance? You can choose an accessory such as a case, belt clip, or holster approved by the manufacturer of the wireless device.

Am I at risk if I place my cell phone directly in my pocket and forget about the recommended compliance distance?

Clothing, cell phone covers, belt clips or holsters provide a separation for wireless devices. However, it is important to check the user manual for the minimum compliance distance. ISED's technical standards for wireless device safety testing are among the most stringent in the world. For example, cell phones are tested at full power for the duration of the test, whereas during normal day-to-day use cell phones operate at much lower power levels. As well, the Canadian limits incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects. Therefore, cell phones are still considered safe when carried in your pocket.

Where can I find SAR values and compliance distance for my wireless devices? Information regarding SAR values and compliance distance for your wireless device can be found in the following locations:

- the user manual
- device settings
- on the manufacturer's website (or by directly contacting the manufacturer)
- on ISED's website using the [Radio Equipment List](#) search tool

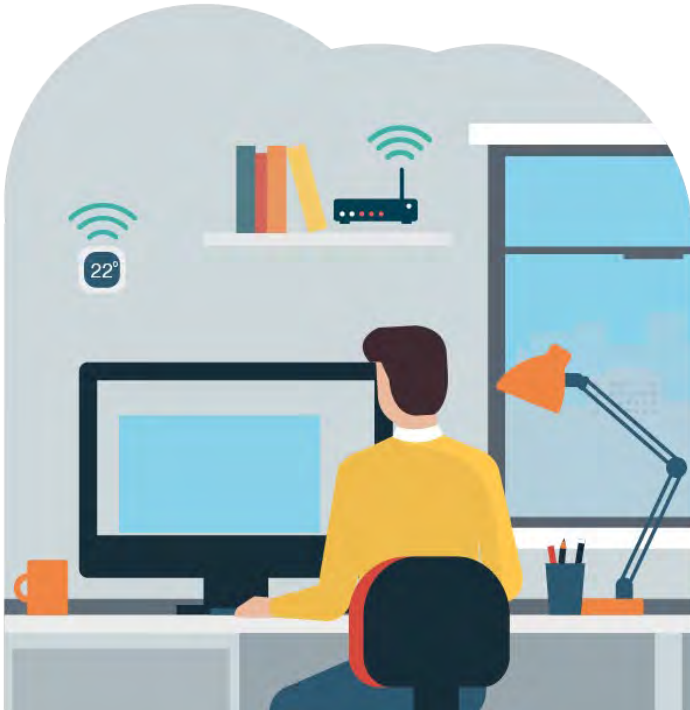
Radio Equipment List search for SAR value or compliance distance

You can find the SAR value or the compliance distance of your cell phone or other portable/wearable wireless product by entering the **IC Certification Number** in the Government of Canada [Radio Equipment List](#) search tool. The IC certification number is an alphanumeric code assigned to wireless products certified for use in Canada and is typically:

- printed on a label or embossed somewhere on the case or behind the battery compartment of the device
- printed on the packaging box of the product
- identified in the wireless device's settings option

When you select the model number of your product in the Radio Equipment List search tool, the applicable SAR value or compliance distance for your certified wireless product will be displayed in the appropriate section under RF Exposure Results.

Wireless devices used away from the body



Wireless devices used away from the body

(Wi-Fi routers, home monitoring systems and smart meters)

Devices such as Wi-Fi routers, baby monitors, smart meters, etc. are not evaluated for SAR, since they are intended to be used away from the body (more than 20 cm). The RF energy levels generated by these devices are determined and compared to the Canadian limits.

ISED conducted an extensive [study](#) to measure RF exposure levels from multiple Wi-Fi routers and Wi-Fi-enabled laptops in a simulated classroom setting. The study confirmed that in environments such as schools, workplaces, and public and private spaces, the RF exposure levels from these wireless devices was significantly below the Canadian limits.

Want to learn more about Canada's limits?

Canada's limits for devices meant to be used far from the body are specified in to RSS-102, [Radio Frequency \(RF\) Exposure Compliance of Radiocommunication Apparatus \(All Frequency Bands\)](#) or [Safety Code 6](#).

Are the limits the same around the world?

Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

What do I need to know when using a device that is used far from the body? What is compliance distance?

ISED requires manufacturers of wireless devices to provide information to users on the minimum compliance distance to maintain between the wireless product and individuals.

Information regarding the compliance distance can be found:

- in the user manual
- device settings
- on the manufacturer's website (or by directly contacting the manufacturer)
- on ISED's website using the Radio Equipment List search tool

What if I forget about the minimum separation listed in the user guide? Am I at risk?



The compliance distance provided for typical wireless devices is usually very low compared to real-life installations. For instance, a compliance distance of a few hundred millimetres may be reported for a wireless (Wi-Fi) router; however, for home installation a person is typically located further away from the router.

The compliance distance for wireless devices far from the body is determined by having the device turned on at maximum power for continuous transmission. During normal day-to-day use, they operate at much lower power levels. This compliance distance represents the worst-case scenario. As well, the Canadian limits provide a safety margin of at least 50-fold against the occurrence of all established adverse health effects associated with exposure to RF energy. Therefore, wireless devices used far from the body would still be safe when a person is closer than the minimum compliance distance found in the user manual.

Towers and antenna installations



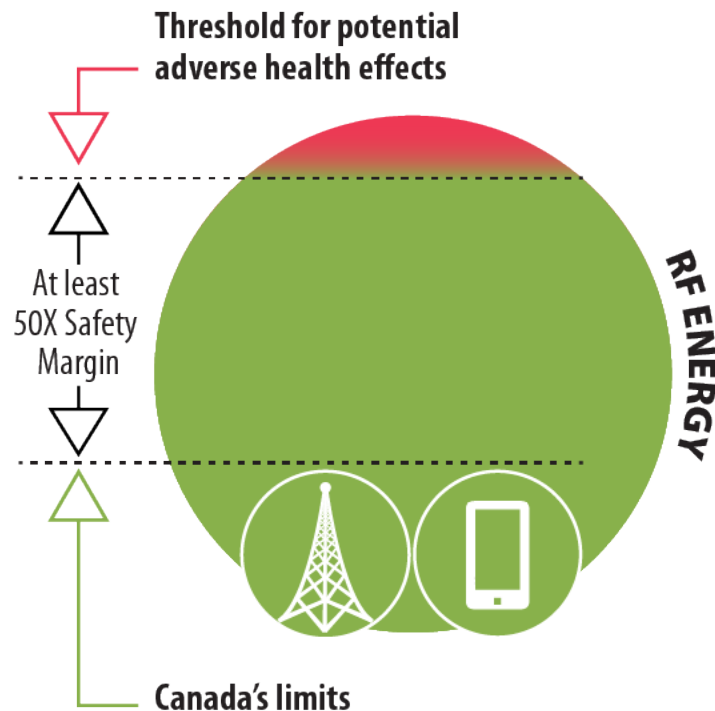
Canadians want faster and more accessible service so they can reliably use their wireless devices to keep in touch with loved ones and stay informed. Businesses, emergency services and air navigation systems also depend on radiocommunication and wireless services 24 hours a day. Newer technological advancements, such as 5G, are being designed to meet current and future demands including the very large growth in data and connectivity of today's modern society, the Internet of things (IoT) with its ubiquity of connected devices, and tomorrow's innovations. All these services require towers and antenna installations located in the right places. For more information about towers, visit [Facts about towers](#).

How we keep you safe

ISED requires that all antenna systems meet Canadian limits on the amount of RF energy that can be present in areas to which the public has access. This means complying with the regulatory requirements and process established in the antenna siting procedures, CPC-2-0-03, [Radiocommunication and Broadcasting Antenna Systems](#) before an installation is approved. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

To monitor ongoing compliance, ISED conducts various antenna installations audit programs.

What are Canada's limits for antenna installations?



Canada's limits for antenna installations come from Health Canada's [Safety Code 6](#).

This figure shows the Canadian limits that incorporate a safety margin of at least 50-fold from the threshold for possible adverse health effects.

Are the limits the same around the world? Canada's limits are consistent with the science-based limits used in other parts of the world (e.g. the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects resulting from RF exposure.

How is the safety of antenna installations evaluated? To ensure ongoing regulatory compliance with the Canadian limits, ISED has developed many tools to help operators evaluate their sites:

- A tool to assess compliance of simple antenna installation is provided in TN-261, [Safety Code 6 \(SC6\) Radio Frequency Exposure Compliance Evaluation Template \(Uncontrolled Environment Exposure Limits\)](#)
- Measurements procedures are provided in GL-01, [Guidelines for the Measurement of Radio Frequency Fields at Frequencies From 3 kHz to 300 GHz](#)
- Requirements for proper signage and access controls around antenna installations are provided in CPC-2-0-20, [Radio Frequency \(RF\) Fields — Signs and Access Control](#)

Specialized software can also perform analyses (theoretical predictions) of the RF energy at antenna installations. These analyses performed by the antenna installations operators are provided to ISED to demonstrate compliance with the Canadian limits.

Which factors influence exposure levels?

Many factors determine the total RF levels a person may be exposed to near an antenna installation. The most important factors are:

- power
- distance from the antenna

The signal power plays a significant role on the RF exposure levels generated by the antenna installation. The lower the operating power of an antenna installation, the lower the RF exposure levels will be.

Furthermore, as the distance increases from the antenna installation, the RF energy diminishes very quickly. In other words, RF exposure levels will be lower farther away from an antenna installation.

What do I need to know to ensure RF exposure safety near antenna installations?

Certain high-power antenna installations, typically found away from populated areas or in areas difficult to access, require signage and physical barriers such as fences. The presence of these access control mechanisms is to restrict access and inform the public.

What are small cells?

Small cells are physically smaller radio installations that can complement larger radio installations to improve coverage, add capacity, and support new services and user experiences.

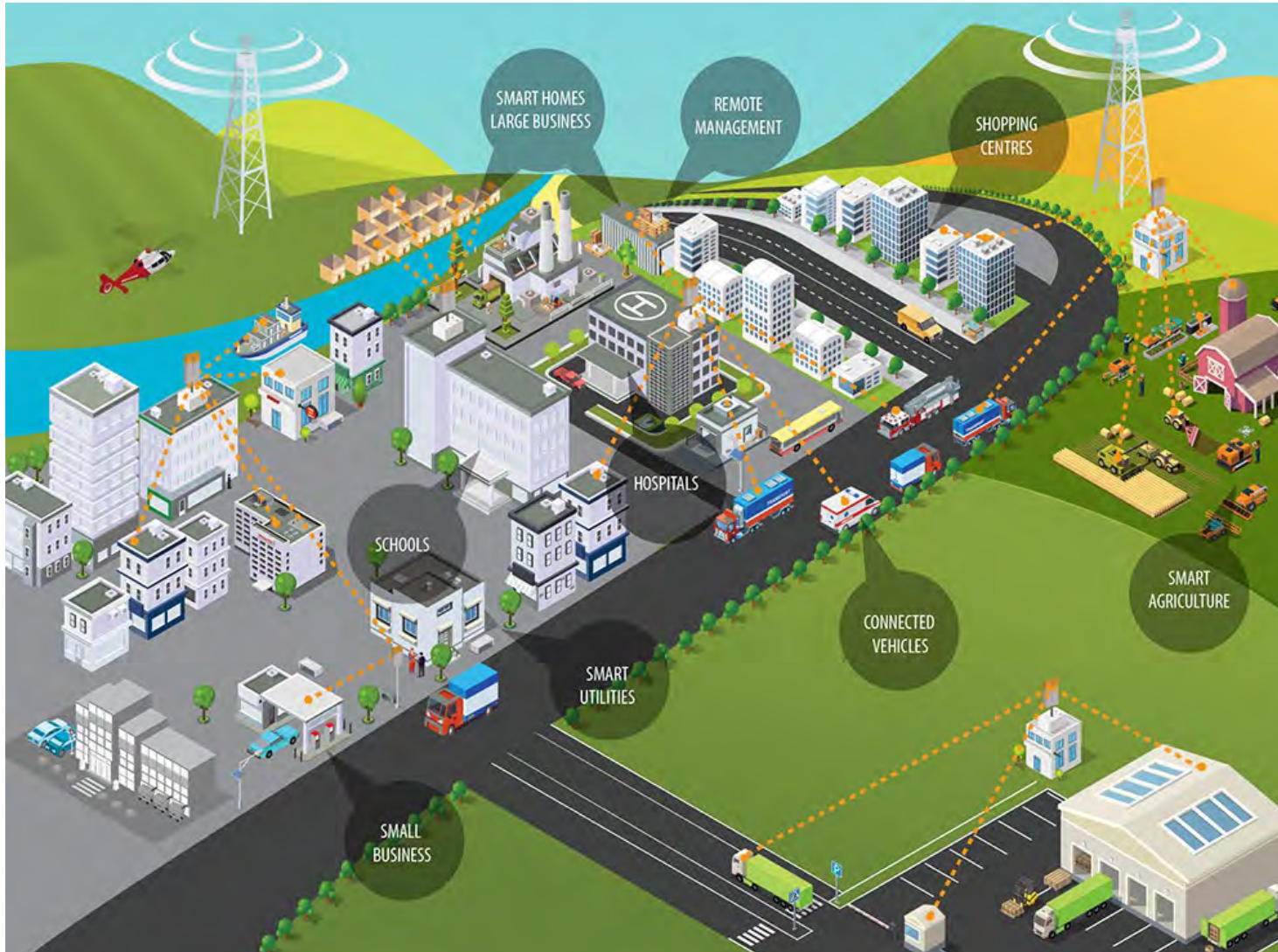
There are various types of small cell with varying power ranges. The smallest are for indoor use (sometimes referred to as femtocells) operating on power levels similar to Wi-Fi routers. The largest are for outdoor use and typically consist of a small equipment cabinet and small antennas. The largest are often located on existing facilities like street lights, power utility poles and buildings. Small cells must comply with the same limits that apply to other antenna installations.



What is 5G?

5G is the 5th generation of wireless technology, a significant evolution of today's 4G LTE wireless networks. 5G will provide the infrastructure to allow for more data and connectivity, the Internet of things with billions of connected devices, and tomorrow's innovations in various fields such as healthcare, public safety, transportation, agriculture, and smart cities. 5G will operate in both the lower frequency spectrum (below 6 GHz) as well as at higher frequencies called millimetre wave spectrum (above 6 GHz).

5G should not be confused with Wi-Fi operated in the 5 GHz frequency band as they are different wireless technologies.



RF safety requirements for 5G

The current Canadian limits already cover the frequency ranges that will be used by 5G devices and antenna installations.

Similar to current wireless devices and installations, 5G devices will need to meet RF exposure requirements before they can be sold in Canada. Antenna systems operators using 5G technology will continue to have the same RF exposure compliance obligations. Furthermore, compliance with RF exposure requirements will continue to be an ongoing obligation.

Date modified:

2019-02-14

Everyday things that emit radiation

Learn about common products and devices that give off radiation.

Services and information

[Hand-held lasers and laser pointers](#)

Lasers, laser pointers, milliwatt, mW, hand-held, laser classifications, laser injury, toy lasers, battery-powered laser, laser diode, importing lasers, selling lasers, restricted lasers, use of hand-held lasers, use of hand-held lasers near airports, who should use hand-held lasers.

[Airport full-body scanners](#)

Safety of airport scanners, radiation from scanners, airport scanners, radiofrequency, airport scanners in Canada.

[Tanning beds and lamps](#)

Tanning bed, tanning, base tan, tanning salon, artificial tanning, dangers of tanning, reduce your risk, are tanning beds safe, tanning effects on health, cancer and tanning beds, dangers of tanning beds, tanning equipment and UV, artificial UV, ultraviolet radiation, labelling of tanning beds, myths about tanning beds, tanning equipment guidelines.

[Smart meters](#)

Meters, smart meters, health risks of smart meters, wireless device, smart meters and radiation, smart meters and radiofrequency energy, smart meter emissions, safety of hydro meters, dangers of smart meters, Safety Code 6.

[Power lines and electrical appliances](#)

Power lines, electric and magnetic fields, extremely low frequency, EMF at ELF, living near power lines, health effect from power lines, power lines and your home, power lines and schools, Canadian exposure to power lines, radiation exposure to electrical appliances, reduce your risk.

[Wi-Fi](#)

Wi-Fi, Wi-Fi equipment, health risks of Wi-Fi, Minimizing your exposure, Wi-Fi in schools.

[Compact fluorescent lamps](#)

CFL, compact fluorescent lamps, energy efficient bulbs, clean up a broken bulb safely, radiation from compact fluorescent lamps.

[Wind turbines](#)

Wind energy, turbines, turbine noise, living near turbines, safety of turbines, living near turbines, sound, wind turbine noise study, health noise study.

[Cell phones and cell phone towers](#)

Cell phones, cellular device, base station, towers, living near towers, radiation from towers, safety of towers, safety of cell phones, how to safely use cell phones, cell phones and health, exposure to cell towers, exposure to cell phones.

[Personal stereo systems](#)

iPad, iPod, iPhone, cd player, mp3 player, headphones, Bluetooth headphones, stereo, radio, portable radio, volume of music, how loud is too loud, volume of iPad, volume of mp3 player, tablets, hearing loss from music, ear buds and noise, hearing loss from headphones.

[Airplanes](#)

Aircraft noise, living near airports, health effects from aircraft noise, aircraft noise and your health.

[Microwave ovens](#)

Microwave oven, microwaves, safety of microwave, microwave efficiency, microwave radiation, microwave leakage, microwaves and pacemakers, microwave standard, microwave food safety.

Contributors

- [Health Canada](#)

Date modified:
2019-10-28

Cell phones and cell phone towers

With cell phones being used every day in Canada, questions have been raised about their safety. Some members of the public have also expressed concern about the possible health effects of living near cell phone towers.

On this page: [Date modified: 2019-10-21]

- [About cell phones and cell phone towers](#)
- [Health risks](#)
- [Minimizing your exposure](#)
- [Government of Canada's role](#)
- [More information](#)

About cell phones and cell phone towers

The radiofrequency fields given off by cell phones and cell phone towers is a type of non-ionizing radiation. It is similar to the type of energy used in AM/FM radio and TV broadcast signals. Unlike ionizing radiation (as emitted by X-ray machines), RF energy from cell phones and other wireless devices cannot break chemical bonds in your body.

Cell phones and cell phone towers in Canada must meet regulatory requirements that limit human exposure to RF energy. Cell phones emit low-levels of radiofrequency (RF) energy, some of which is absorbed into your body. The amount of RF energy you absorb depends on many factors, such as how close you hold the cell phone to your body and the strength of the signal.

Cell phones are designed to operate at the minimum power necessary to connect and maintain a quality call. Cell phones send and receive radio signals from a network of fixed, low-power, cell phone towers (or base stations). These towers are usually located on rooftops, towers and utility poles. The transmitting power of a cell phone varies, depending on the type of network and its distance from the cell phone tower. The power generally increases the further you move away from the nearest cell phone tower.

Health risks

The number of cell phone users in Canada rose from 100,000 in 1987 to more than 24 million by the end of 2010. To meet the demand for new wireless services, cell phone towers have been put up across the country.

There are a small number of epidemiology studies that have shown brain cancer rates may be elevated in long-term/heavy cell phone users. Other epidemiology studies on cell phone users, laboratory studies and animal cancer studies have not supported this association.

In 2011, the [International Agency for Research on Cancer \(IARC\)](#) classified RF energy as "possibly carcinogenic to humans". The IARC classification of RF energy reflects the fact that some limited evidence exists that RF energy might be a risk factor for cancer. However, the vast majority of scientific research to date does not support a link between RF energy exposure and human cancers. At present, the evidence of a possible link between RF energy exposure and cancer risk is far from conclusive and more research is needed to clarify this "possible" link. Health Canada is in agreement with both the World Health Organization and IARC that additional research in this area is warranted.

Although the RF energy from cell phones poses no confirmed health risks, cell phone use is not entirely risk-free. Studies have shown that:

- Using cell phones or other wireless devices can be distracting. Your risk of serious injury may increase if you use these devices while driving, walking, cycling, or doing any other activity that requires concentration for personal safety.
- Cell phones may interfere with medical devices such as cardiac pacemakers, defibrillators, and hearing aids.
- Cell phones may also interfere with other sensitive electronic equipment, such as aircraft communication and navigation systems.

With respect to cell phone towers, as long as exposures respect the limits set in Health Canada's guidelines, there is no scientific reason to consider cell phone towers dangerous to the public.

Minimizing your exposure

Health Canada reminds cell phone users that they can take practical measures to reduce their RF exposure by:

- limiting the length of cell phone calls
- using "hands-free" devices
- replacing cell phone calls with text messages

Health Canada also encourages parents to take these measures to reduce their children's RF exposure from cell phones since children are typically more sensitive to a variety of environmental agents.

Precautions to limit exposure to RF energy from cell phone towers are unnecessary because exposure levels are typically well below those specified in health-based exposure standards.

The Government of Canada's role

Health Canada has developed guidelines for safe human exposure to RF energy. The current version of these exposure guidelines is specified in a document called: [Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz - Safety Code 6 \(2015\)](#).

The limits specified in these guidelines are based on an ongoing review of published scientific studies on the health impacts of RF energy. Using data from these studies, Health Canada set the general public exposure limits 50 times lower than the threshold for potentially adverse health effects.

Cell phones are regulated by [Innovation Science and Economic Development](#) Canada (ISED). This department also oversees the licensing and placement of cell phone towers, considers the effects on the environment and local land use before towers are installed, and ensures that these towers comply with regulatory requirements. ISED has adopted part of Health Canada's RF exposure guidelines to protect the general public by ensuring that exposure from cell phones and cell phone towers do not exceed the specified limits.

Health Canada continues to monitor the science regarding RF exposure and would take action if future research establishes that RF energy exposure poses a health risk to Canadians.

More information

- [Electromagnetic Fields](#)
- [Radio Standards Specification 102](#)
- [Radiofrequency energy and safety](#)
- [Client Procedures Circular CPC-2-0-03](#)
- [RF exposure guidelines \(Safety Code 6\)](#)
- [Electromagnetic fields and public health - mobile phones](#)
- [Electromagnetic fields and public health - base stations and wireless technologies](#)
- [Radiofrequency electromagnetic fields as possibly carcinogenic to humans news release](#)

Safety Code 6: Health Canada's Radiofrequency Exposure Guidelines

Health Canada's mandate regarding human exposure to radiofrequency electromagnetic energy from wireless devices is to carry out research into possible health effects, monitor the scientific literature related to such effects, and develop exposure guidelines. The current version of these exposure guidelines is specified in a document entitled: *Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz - Safety Code 6 (2015)*. This code is accompanied by the Technical Guide for Interpretation and Compliance Assessment of Health Canada's Radiofrequency Exposure Guidelines, to assist users in understanding and assessing the safety of electromagnetic exposures in working and living environments.

Safety Code 6 (2015)

The exposure limits in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research. The code is periodically revised to reflect new knowledge in the scientific literature. The current version of Safety Code 6 reflects the scientific literature published up to August 2014 and replaces the previous version published in 2009.

[Safety Code 6 - Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz \(2015\)](#)

Health Canada reminds all Canadians that their health is protected from radiofrequency fields by the human exposure limits recommended in Safety Code 6. Health Canada has established and maintains a general public exposure limit that incorporates a wide safety margin and is therefore far below the threshold for potentially adverse health effects. The Department continues to monitor and analyze scientific research on this issue and should new scientific evidence arise demonstrating that exposure to radiofrequency fields poses a health risk to Canadians, Health Canada will take the appropriate action to safeguard the health of Canadians.

Safety Code 6 - Royal Society of Canada Review and 2014 Public Consultation

To ensure that it continues to provide protection against all known adverse human health effects of radiofrequency fields, Safety Code 6 is reviewed on a regular basis. In 2013, Health Canada contracted the Royal Society of Canada (RSC) to ensure that the results of emerging research related to the safety of radiofrequency energy were reflected in the review of Safety

Code 6. A link to the report of the Expert Panel of the RSC, as well as Health Canada's statement in response to the Panel's recommendations, are provided below.

Between May 16 and July 15, 2014, Health Canada undertook a 60-day public consultation period on proposed revisions to Safety Code 6. Further information on the consultation, as well as a Summary of Consultation Feedback, are provided below.

- [Health Canada Consultation on the Proposed Changes to Safety Code 6](#)
 - [Summary of Consultation Feedback](#)
- [Understanding Safety Code 6](#)
- [Report of the Royal Society of Canada's Expert Panel](#)
- [Facts on the protection provided by the guidelines in Safety Code 6.](#)

Technical Guide

[Technical Guide for Interpretation and Compliance Assessment of Health Canada's Radiofrequency Exposure Guidelines](#) contains technical information for guiding individuals or groups in their understanding of Health Canada's radiofrequency exposure guidelines, commonly known as Safety Code 6 (2015), and provides recommended best practices for ensuring compliance with the maximum exposure levels for controlled and uncontrolled environments. Information regarding survey methods and examples of calculations for the basis of assessing exposure levels are also provided.

Date modified:

2019-05-28

Understanding Safety Code 6

The Government of Canada is committed to protecting the health and safety of Canadians from environmental risks, including those posed by exposure to radiofrequency (RF) electromagnetic fields - the kind of energy given off by various electronic devices such as cell phones and Wi-Fi, as well as broadcasting antennae and cell phone towers.

The purpose of Safety Code 6 is to establish safety limits for human exposure to RF fields in the frequency range from 3 kHz to 300 GHz. The safety limits in this code apply to all individuals working at, or visiting, federally regulated sites. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources.

The Code is divided into two sections. The first section is an introduction that provides an overview of the purpose and rationale of the Code, specifically outlining what electromagnetic radiation is and where RF fields fall within the electromagnetic radiation spectrum. The introduction also provides a high level synopsis of what the literature indicates with respect to the health impacts from human exposure to RF fields and how these health effects have been used in the establishment of the exposure limits within Safety Code 6.

The second and most significant section of the Code provides details on what the exposure limits are. The exposure limits are specified as "basic restrictions" (exposure limits within the body) and "reference levels" (exposure limits outside the body). The Code concludes with definitions of key terms used throughout the Code and a list of the key literature or reference materials used in the revisions to the Code.

While Health Canada recommends limits for safe human exposure, Health Canada does not regulate the general public's exposure to electromagnetic RF fields. However, many provinces and territories apply the exposure limits in Safety Code 6 for general public exposure. Wireless devices and their associated infrastructure (such as cell towers) are regulated by Industry Canada, and are required to comply with Safety Code 6.

Health Canada scientists monitor the scientific literature on this issue on an ongoing basis. Safety Code 6 is reviewed on a regular basis to verify that the guideline provides protection against all known potentially harmful health effects.

When developing the exposure limits in Safety Code 6, Health Canada considers all peer-reviewed scientific studies. The exposure limits in Safety Code 6 are set well below the lowest

exposure level (threshold) at which any scientifically-established, adverse health effect occurs and take into account the total exposure from all sources of RF energy.

Canada's limits are consistent with the science-based standards used in other parts of the world (e.g., the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects from RF energy.

Reviewing Scientific Evidence on Safety Code 6

Safety Code 6 is reviewed on a regular basis to verify that the guideline provides protection against all known potentially harmful health effects. Health Canada employs a weight-of-evidence approach when reviewing scientific evidence that may have an impact on Safety Code 6. The weight-of-evidence approach takes into account both the quantity of studies and, more importantly, the quality of those studies.

Poorly conducted studies (e.g. inadequate exposure evaluation, lack of appropriate control samples or inadequate statistical analysis), receive relatively little weight, while properly conducted studies (e.g. all controls included, appropriate statistics, complete exposure evaluation) receive more weight.

International Standards

The limits in Safety Code 6 are science-based exposure limits that are consistent with the science-based standards used in other parts of the world, including the United States, the European Union, Japan, Australia and New Zealand.

Large safety margins have been incorporated into these limits to provide a significant level of protection for the general public and personnel working near RF sources.

Internationally, a few jurisdictions (cities, provinces or countries) have applied more restrictive limits for RF field exposures from cell towers, although there is no scientific basis to support the need for such restrictive limits. Additionally, in many instances these more restrictive limits are not applied to other wireless devices in these same jurisdictions.

Safety Code 6 protects all Canadians

The Safety Code 6 limits for human exposure to RF fields are designed to provide protection for all age groups, including children, on a continuous (24 hours a day/seven days a week) basis.

This means that if someone, including a small child, were to be exposed to RF fields from multiple sources for 24 hours a day, 365 days a year, within the Safety Code 6 limits, there would be no adverse health effects. Safety Code 6 exposure limits are not device specific, but the limits do take into account the total exposure from all sources of RF fields. Health Canada scientists have concluded (and the Royal Society of Canada has agreed) on the basis of current scientific data, that no adverse health effects will occur from exposure to RF fields at the levels permitted by Safety Code 6.

Health Canada reminds all Canadians that their health is protected from RF fields by the human exposure limits recommended in Safety Code 6. The current Safety Code establishes and maintains a human exposure limit that is far below the threshold for potentially adverse health effects. The limits in Safety Code 6 provide protection against all known adverse health effects for all individuals.

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Fact Sheet - What is Safety Code 6?

The Government of Canada is committed to protecting the health and safety of Canadians from environmental risks, including those posed by exposure to radiofrequency (RF) electromagnetic energy - the kind of energy given off by various electronic devices such as cell phones and Wi-Fi, as well as broadcasting and cell phone towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources.

Health Canada scientists monitor the scientific literature on this issue on an ongoing basis. Safety Code 6 is reviewed on a regular basis to verify that the guideline provides protection against all known potentially harmful health effects.

While Health Canada recommends limits for safe human exposure, Health Canada does not regulate the general public's exposure to electromagnetic RF energy. However, many provinces and territories apply the exposure limits in Safety Code 6 for general public exposure. Wireless devices and their associated infrastructure (such as cell towers) are regulated by Industry Canada, and are required to comply with Safety Code 6.

Canada's limits are consistent with the science-based standards used in other parts of the world (e.g., the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects from RF energy.

Busting Myths on Safety Code 6

Myth: Safety Code 6 limits only provide protection based on limited exposure for healthy adults. The guideline does not account for vulnerable populations such as children or people with electro hypersensitivity disorder.

Fact: Even a small child, following continuous exposure from multiple sources of RF energy, would not experience adverse health effects provided that the exposure limits set in Safety Code 6 are respected.

The Safety Code 6 limits for human exposure to RF energy are designed to provide protection for all age groups, including children, on a continuous (24 hours a day/seven days a week) basis.

This means that if someone, including a small child, were to be exposed to RF energy from multiple sources for 24 hours a day, 365 days a year, within the Safety Code 6 limits, there would be no adverse health effects.

A number of people have described an assortment of health symptoms that they attribute to exposure to electromagnetic fields. While the symptoms attributed to electro hypersensitivity conditions are real, scientific evidence has failed to demonstrate that they are caused by exposure to electromagnetic fields.

Myth: Frequent users of cell phones, such as children and teenagers, are at an increased risk of adverse health effects caused by exposure to RF energy.

Fact: There is no evidence that children and teenagers are at increased risk when Safety Code 6 exposure limits are respected.

The limits set out in Health Canada's Safety Code 6 are designed to protect people, of all ages and sizes, from all forms of exposure to RF energy, including continuous exposure (24 hours a day, seven days a week).

Given that cell phones are used frequently and in close proximity to the body, [Health Canada provides additional guidance to concerned cell phone users so that they may take practical measures to reduce their exposure to RF energy](#). These measures include limiting the length of cell phone calls, using hands-free devices, and replacing cell-phone calls with texting.

While there is no evidence that children and teenagers are at increased risk, Health Canada encourages parents to limit their children's use of cell phones, as children are often at increased risk from a variety of environmental factors.

Myth: Many countries have limits 100 times lower than Safety Code 6. This must mean Safety Code 6 doesn't protect my health.

Fact: Canada's limits are consistent with the science-based standards used in other parts of the world, including the United States, the European Union, Japan, Australia and New Zealand.

The limits in Safety Code 6 are science-based exposure limits that are consistent with the science-based standards used in other parts of the world, including the United States, the European Union, Japan, Australia and New Zealand. Large safety margins have been incorporated into these limits to provide a significant level of protection for the general public and personnel working near RF sources.

When developing the exposure limits in Safety Code 6, Health Canada considers all peer-reviewed scientific studies. The exposure limits in Safety Code 6 are set well below the lowest exposure level (threshold) at which any scientifically-established, adverse health effects occur and take into account the total exposure from all sources of RF energy. Health Canada scientists have concluded, on the basis of current scientific data, that no adverse health effects will occur from exposure to RF energy at the levels permitted by Safety Code 6.

Internationally, a few jurisdictions (cities, provinces or countries) have applied more restrictive limits for RF field exposures from cell towers, although there isn't scientific evidence to support the need for such restrictive limits. Additionally, in many instances these more restrictive limits are not applied to other wireless devices in these same jurisdictions.

Myth: Health Canada ignores certain studies, especially those that show adverse health effects resulting from exposure to RF energy.

Fact: When developing the exposure limits in Safety Code 6, Health Canada scientists consider all peer-reviewed scientific studies and employ a weight-of-evidence approach.

The weight-of-evidence approach takes into account both the quantity of studies on a particular endpoint (whether adverse or no effect), and, more importantly, the quality of those studies.

Poorly conducted studies (e.g. inadequate exposure evaluation, lack of appropriate control samples or inadequate statistical analysis), receive relatively little weight, while properly conducted studies (e.g. all controls included, appropriate statistics, complete exposure evaluation) receive more weight.

Myth: Safety Code 6 is based only on preventing thermal (heating) effects and doesn't consider other harmful non-thermal/biological effects.

Fact: Health Canada scientists consider all peer-reviewed scientific studies and consider many different potential health effects including thermal, non-thermal and biological effects.

When developing the exposure limits in Safety Code 6, Health Canada scientists consider all peer-reviewed scientific studies (which includes thermal, non-thermal and biological effects) and employ a weight-of-evidence approach.

At frequencies **below** 10 megahertz (MHz), the first effect to be experienced is non-thermal nerve stimulation (a tingling sensation). Therefore, the exposure limits in Safety Code 6 are set below the level at which such effects occur.

At frequencies **above** 10 MHz, the first scientifically-established effect to occur is heating. Numerous international expert panel reviews on this issue have reached the same conclusion. The exposure limits in Safety Code 6 for frequencies above 10 MHz are therefore set below the level at which heating (thermal effects) could occur. Harmful non-thermal/biological effects at levels below the limits in Safety Code 6 have not been scientifically established.

Myth: I live and work in a major city, so I am constantly exposed to RF energy, all the time. Safety Code 6 does not account for the cumulative effects of this exposure to RF energy.

Fact: Canadians are protected from the cumulative effects of RF energy when Safety Code 6 is respected.

Safety Code 6 exposure limits are not device-specific, but the limits do take into account the total exposure from all sources of RF energy. Health Canada scientists have concluded, on the basis of current scientific data, that no adverse health effects will occur from exposure to RF energy at the levels permitted by Safety Code 6.

Myth: Safety Code 6 does not protect my health, as it's based on an exposure time of only six minutes. Given our constant exposure to RF energy, especially in urban environments, this is not enough.

Fact: Canadians are protected from continuous exposure to multiple sources of RF energy when Safety Code 6 is respected.

The limits for human exposure to RF energy are designed to provide protection for all age groups, including children, on a continuous (24 hours a day/seven days a week) basis. This means that if someone, including a child, were to be exposed to RF energy from multiple sources for 24 hours a day, 365 days a year, within the Safety Code 6 limits, that person would experience no adverse health effects.

The six minute time-averaging period specified in Safety Code 6 is used as a reference period against which to make a comparison between the measured RF energy levels and the limits in Safety Code 6.

This reference period is not a maximum exposure time. It means that the levels of RF energy from *all sources combined* shall not exceed the exposure limits in Safety Code 6 in *any* six-minute time period throughout the day.

Myth: The International Agency for Research on Cancer (IARC) classified radiofrequency energy as potentially carcinogenic. This means that I will get cancer due to my exposure to RF energy.

Fact: The IARC did not find a direct link between RF energy exposure and cancer.

In 2011, the International Agency for Research on Cancer (IARC), which is part of the World Health Organization, classified radiofrequency electromagnetic fields as possibly carcinogenic to humans (Group 2B), based on an increased risk for glioma, a malignant type of brain cancer, associated with wireless phone use. However, the vast majority of research to date does not support a link between RF energy exposure and cancers in humans.

Health Canada is in agreement with the World Health Organization that additional research in this area is warranted.

On October 4, 2011, Health Canada updated its advice to cell phone users on practical ways of reducing exposure to RF energy from these devices. This advice pertains only to cell phone use, and not to RF energy exposure from Wi-Fi devices, since the intensity and distribution of the RF energy absorbed within the body from these devices are very different.

[Health Canada's advice to cell phone users.](#)

Myth: Because Health Canada regularly reviews Safety Code 6, it must mean the current Code doesn't offer me enough protection.

Fact: The exposure limits recommended in Safety Code 6 protect the health of Canadians.

To ensure that it continues to provide protection against all known adverse human health effects of RF fields, Safety Code 6 is reviewed on a regular basis.

Health Canada reminds all Canadians that their health is protected from RF fields by the human exposure limits recommended in Safety Code 6. Health Canada has established and maintains a general public exposure limit that incorporates a wide safety margin and is therefore far below the threshold for potentially adverse health effects. The Department continues to monitor and analyze ongoing scientific research on this issue and should new scientific evidence arise demonstrating that exposure to RF fields poses a health risk to Canadians, Health Canada will take the appropriate action to safeguard the health of Canadians.

Date modified:

2015-09-25

2015 Revisions to Safety Code 6: Summary of Consultation Feedback

Background - Updating Safety Code 6

Health Canada's mandate regarding human exposure to radio-frequency (RF) electromagnetic energy from wireless equipment is to carry out research into possible health effects, monitor the scientific literature related to such effects, and develop exposure guidelines such as the *Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz - Safety Code 6*. While Health Canada sets exposure limits for RF energy in federal settings, it does not regulate exposure to RF energy for the general public. Industry Canada is the federal agency responsible for regulating wireless communications equipment (e.g. cell phones, cell sites, smart meters, Wi-Fi) in Canada. To ensure that public exposures fall within acceptable guidelines, Industry Canada has developed regulatory standards that require compliance with the human exposure limits outlined in Safety Code 6.

Health Canada scientists monitor the scientific literature on this issue on an ongoing basis and Safety Code 6 is periodically updated to take into account recent scientific data from studies carried out worldwide. The limits recommended for general public exposure to RF energy are designed to provide protection for all age groups, including infants and children, on a continuous basis. When developing the exposure limits in Safety Code 6, Health Canada scientists consider all peer-reviewed scientific studies and employ a weight-of-evidence approach. The weight-of-evidence approach takes into account both the quantity of studies on a particular endpoint (whether adverse or no effect), and, more importantly, the quality of those studies. Poorly conducted studies (e.g. inadequate exposure evaluation, lack of appropriate control samples or inadequate statistical analysis), receive relatively little weight, while properly conducted studies (e.g. all controls included, appropriate statistics, complete exposure evaluation) receive more weight. On the basis of this approach, Health Canada scientists have established limits for safe human exposure to RF energy that are based on the best available scientific evidence and that incorporate a wide margin of safety.

A revised update to Safety Code 6 was prepared in 2013 to ensure that the most up-to-date and credible scientific studies on the potential effects of RF energy on human health are reflected in the code. Health Canada had proposed changes to Safety Code 6 based on the latest available scientific evidence, improved modeling of the interaction of RF fields with the human body and to align with exposure limits specified by the International Commission on Non-ionizing Radiation Protection (ICNIRP). These changes were to ensure that wide safety margins are maintained to protect the health and safety of all individuals, including children.

Further to the House of Commons Standing Committee on Health recommendations published in December 2010, Health Canada contracted the Royal Society of Canada (RSC) to review the results of emerging research relating to the safety of RF energy on human health to ensure it is reflected in the revised Safety Code 6 through a formalized expert panel process. The Expert Panel of the RSC released their review in March 2014, concluding that, in the view of the Panel, there are no established adverse health effects at exposure levels below the proposed limits. Among the recommendations made by the RSC, it was suggested that the proposed reference levels in the draft Safety Code 6 be made slightly more restrictive in some frequency ranges to ensure larger safety margins for all Canadians, including newborn infants and children. This recommendation took into account recent dosimetry studies, one of which became available since Health Canada developed the draft update to Safety Code 6 examined by the RSC. Feedback received from the RSC as a result of their Expert Panel review has been incorporated into the latest revised Safety Code 6.

Public Consultation and Feedback

Health Canada is committed to transparency and openness in its decision-making process and is aware of public interest in issues related to RF energy. Between May 16 and July 15, 2014, Health Canada undertook a 60-day public consultation period for the proposed revisions to Safety Code 6. The Department welcomed feedback from interested Canadians and stakeholders, however, given the scientific basis of the Guideline, only feedback of a technical/scientific nature could be considered in the finalization of Safety Code 6.

During the 60-day consultation period, over 450 submissions were received from various respondents. A breakdown of the respondent profile is provided in the following table:

Table 1. Respondent Profile

* Note that some respondents provided multiple submissions

Respondent Type	Number of Respondents *
Individuals	284
Manufacturers	2
Industry Associations	6
Educational Boards/Institutions	1
Utilities	1
Environmental Health Awareness Groups	6
Other Organizations	1

While only feedback of a scientific nature was solicited through the consultation, nearly one-third of the comments and references received were non-scientific in nature, such as personal accounts, websites, blogs, and media stories. In the interest of openness and transparency, Health Canada is responding to both scientific and non-scientific comments received.

Health Canada wishes to thank the many interested individuals and organizations for their time and effort in consideration of this issue.

The following summary should be read in conjunction with additional material available on the Health Canada website, [Understanding Safety Code 6](#), and [Fact Sheet - What is Safety Code 6?](#).

A. Scientific Feedback

Technical comments received can be organized in the following themes:

1. Consideration of Specific Scientific Studies
2. Harmonization of the Peak Specific Absorption Rate (SAR) Limits in Safety Code 6 with Existing Standards
3. Low Frequency Magnetic Field Reference Levels
4. Other Scientific Feedback

1. Consideration of Specific Scientific Studies

A large number of submissions raised concerns suggesting Health Canada had not considered all of the relevant scientific literature when updating Safety Code 6.

A large number of consultation respondents provided Health Canada with scientific literature for consideration. Department officials have reviewed all scientific studies submitted from the public consultation process. Health Canada has also considered other studies in the scientific literature which were not submitted during the public consultation process, including both original studies that meet quality standards along with recent reviews of this literature by several national health agencies and organizations such as the World Health Organization (WHO), France's Agency for Food, Environmental and Occupational Health & Safety (ANSES), the United Kingdom's Advisory Group on Non-Ionizing Radiation (AGNIR), the European Commission's Scientific Committee on Emerging Newly Identified Health Risks (SCENIHR) and the International Commission on Non-ionizing Radiation Protection (ICNIRP).

While Safety Code 6 (2015) references a number of large international reviews of the scientific literature, the Code is intended as an exposure guideline and not a scientific review article and accordingly, most individual scientific studies are not referenced in the Code. However, this

does not mean that Health Canada did not consider all relevant scientific information when deriving the science-based exposure limits in Safety Code 6.

It is important to note that when thousands of research studies are conducted on any test agent (e.g. RF fields), statistical chance dictates that a small number of studies (even if conducted properly) will demonstrate a 'false positive' or 'false negative' result. Furthermore, studies with inappropriate study design or methodology can lead to erroneous results that are scientifically meaningless. It is for these reasons that the scientific literature on a given test agent must be evaluated both for the quality of the studies conducted but also for the strength of the evidence. Such analysis must consider all relevant properly conducted studies on the test agent. While some studies have reported biological effects or adverse health effects of RF fields at levels below the limits in Safety Code 6, these studies only form part of the dataset and do not represent the prevailing line of scientific evidence in these respective areas. Similar conclusions have been reported in recent reviews of the scientific evidence by national and international health authorities.

2. Harmonization of the Peak Specific Absorption Rate (SAR) Limits in Safety Code 6 with Existing Standards

A number of comments received suggested that Health Canada should harmonize Safety Code 6 with international standards developed by the Institute of Electrical and Electronics Engineers (IEEE) or the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

Specific absorption rate (SAR) is a measure of the rate at which energy is absorbed by the human body when exposed to RF electromagnetic fields. The limit specified by ICNIRP (1998) and IEEE C95.1 (2005), for the uncontrolled environment, is 2.0 W/kg within any 10 g of tissue for the head, neck and trunk. The corresponding peak spatially-averaged SAR limit in Health Canada's Safety Code 6 is specified as 1.6 W/kg within any 1 g of tissue for the head, neck and trunk. Health Canada has considered these comments, but has retained the more restrictive limits as they provide more protection against the occurrence of small regions with thermal hotspots. Furthermore, there remains uncertainty regarding the possible long-term health risks associated with cell phone use. Therefore, the basic restriction for the peak spatially-averaged SAR limit in Safety Code 6 (2015) will remain unchanged at 1.6 W/kg within any 1 g of tissue to maintain an additional margin of safety.

Furthermore, the choice of a 1.6 W/kg within any 1 g of tissue SAR limit is consistent with the SAR limit utilised in the United States by the Federal Communications Commission (FCC).

3. Low Frequency Magnetic Field Reference Levels

Comments were received suggesting that the low frequency reference levels for magnetic fields (3 kHz to 10 MHz) proposed in Safety Code 6 were overly restrictive.

Typical devices that utilize this low frequency bandwidth are induction cooktops, AM radio, and electronic article surveillance (EAS) technologies. Based upon analysis of the technical comments received during the public consultation process, Health Canada re-calculated the reference levels of the magnetic field range (3 kHz to 10 MHz) to make sure they were aligned with internal quantities i.e., basic restrictions, on which the reference levels were based. Health Canada concluded that there was scientific merit to the comment stating that the proposed reference levels did not correspond to their equivalent basic restrictions. As such, Health Canada has corrected the magnetic field strength reference levels to correspond with the basic restrictions, resulting in uncontrolled- and controlled-environment reference levels of 90 and 180 A/m, respectively.

4. Other Scientific Feedback

Numerous submissions were received on other technical aspects:

- Consideration of non-thermal effects
- Clarification of six minute averaging time
- Cumulative effects from multiple RF sources
- Comparison to more restrictive standards adopted internationally
- RF energy as a possible carcinogen

These concerns have been previously addressed by Health Canada in the documents [Understanding Safety Code 6](#) and [Fact Sheet - What is Safety Code 6?](#) as supplementary information material for the consultation process. Health Canada's response on these technical aspects is contained within these documents.

B. Non-Scientific Feedback

In addition to the scientific feedback received, several non-scientific submissions were received, including comments that sought clarification on the purpose and methodology applied used in deriving Safety Code 6. Such comments related to:

1. Application of Safety Code 6
2. Safety Code 6 and medical devices
3. Relevancy of a 200 lb mannequin to children or women

4. Recognition of electromagnetic hypersensitivity
5. International scientific best practices
6. The Royal Society of Canada's Expert Panel
7. Regulations on cell tower placements, public Wi-Fi installation, and smart meter installation
8. Application of the precautionary principle

1. Application of Safety Code 6

Some comments received revealed misunderstandings related to the scope and application of Safety Code 6. Specifically, comments questioned Health Canada's enforcement of the Code as a regulatory instrument and/or its applicability in relation to the placement of wireless devices (e.g., smart meters, Wi-Fi, cellular towers) in Canada.

Safety Code 6 is a guideline, based on scientific evidence, which recommends limits for safe human exposure to RF electromagnetic energy in the frequency range of 3 kHz to 300 GHz. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources. The safety limits in this code apply to all individuals working at, or visiting, federally regulated sites. Safety Code 6 itself is not a regulation; it is a health and safety guideline. Other federal departments (e.g., Industry Canada, National Defence, Employment and Social Development - Labour Program) and provinces/territories may adopt and/or enforce all or parts of Safety Code 6 under their respective regulatory authorities.

2. Safety Code 6 and medical devices

Comments suggested that Safety Code 6 should provide protection to cover exposures from all devices that emit RF fields, including medical devices.

Safety Code 6 does not cover deliberate exposure of RF energy to medical patients or personal operating magnetic resonance imaging (MRI) or other RF-emitting medical equipment. Such protections are already provided by adherence to international guidelines or by guidelines published by provincial health ministries.

In Canada, medical devices are regulated under the *Food and Drugs Act*. A list of standards recognised by Health Canada for electromedical devices is available at:

http://www.hc-sc.gc.ca/dhp-mps/md-im/standards-normes/md_rec_stand_im_norm_lst-eng.php#a26

3. Relevancy of a 200 lb mannequin to children or women

Comments suggested that Safety Code 6 is based on the use of a 200 lb mannequin, representative of an adult male, which does not relate to exposures by children or women.

The Safety Code 6 limits for human exposure to RF energy are designed to provide protection for all age groups, including children, on a continuous (24 hours a day/seven days a week) basis. Full consideration of adverse health effects and dosimetry for various body sizes and ages (including infants and children) were considered when developing Safety Code 6. This means that if someone, including a small child, were to be exposed to RF energy from multiple sources for 24 hours a day, 365 days a year, within the Safety Code 6 limits, there would be no adverse health effects. The use of a 200 lb mannequin (often used for assessing the compliance of cell phones) is unrelated to the development of the human exposure limits in Safety Code 6.

4. Recognition of electromagnetic hypersensitivity

Comments received provided details of suffering from symptoms attributed to Electromagnetic Hypersensitivity (EHS) disorder, specifically requesting recognition of this disorder for the purpose of revising Safety Code 6.

A number of people have described an assortment of health symptoms that they attribute to exposure to electromagnetic fields. Health Canada agrees with the World Health Organization's (WHO) position that the symptoms described by those reportedly suffering from EHS, also known as idiopathic environmental intolerance attributed to electromagnetic fields (IEI-EMF), are real, but that scientific evidence has failed to demonstrate that the EHS symptoms are caused by electromagnetic fields.

5. International scientific best practices

Comments received specifically requested that Health Canada follow international scientific best practices in its review of Safety Code 6.

The scientific approach used to establish the exposure limits in Safety Code 6 is comparable to that employed by other international health agencies and standards bodies, such as the International Committee on Non-Ionizing Radiation Protection (ICNIRP) and the Institute of Electrical and Electronic Engineers (IEEE). As such, the basic restrictions in Safety Code 6 are based on the best available scientific evidence and are consistent with those adopted by most other nations, since all science-based, standard-setting bodies use the same scientific data.

In 2006, the WHO published a document entitled [Framework for Developing Health-based EMF Standards](#). The Framework provides advice on how to develop science-based limits that will protect the health of the population from exposure to electromagnetic fields (EMFs). Health Canada's approach is consistent with this Framework.

6. The Royal Society of Canada Expert Panel

Comments received pertained to the Royal Society of Canada's Expert Panel process.

The Royal Society of Canada (RSC) is Canada's national academy which exists to promote Canadian research and scholarly accomplishment, to recognize academic and artistic excellence, and to advise governments, non-governmental organizations and Canadians on matters of public interest. With its well-known experience in convening expert panels to provide independent advice, notably to government on matters of public policy through its program of Expert Panel reports, the RSC was chosen as the most appropriate body to conduct the assessment of the Department's review of Safety Code 6.

Health Canada is aware of concerns raised with regards to the Expert Panel selection process. The RSC has detailed conflict of interest guidelines to support decision-making respecting individuals' participation on expert panels. Prospective panelists are required to complete declaration forms outlining any issues that might give rise to a real, apparent or potential conflict of interest in relation to their official duties. Specific considerations are given to the following categories: individual economic impact; proprietary information; public statements and positions; access to government information; reviewing one's own work; and employment by a sponsoring agency. Conflict of interest policies often acknowledge that the existence of such considerations does not in itself establish that the individual is in conflict. All queries regarding this process should be made directly to the RSC.

7. Regulations on cell tower placements, public Wi-Fi installation, & smart meter installation

Comments received requested Health Canada's involvement in the location of cellular phone towers, the placement of Wi-Fi in public places, and the installation of Smart Meters.

Industry Canada is the federal agency responsible for regulating wireless communications equipment (e.g. cell phones, cell sites, smart meters, Wi-Fi) in Canada. The placement of Wi-Fi in non-federally regulated workplaces (e.g., schools, restaurants, public areas) is regulated under provincial/territorial regulations, or, in some provinces, by delegated authority to municipalities. While smart meter technology is regulated by Industry Canada, such

installations are provincially/territorially regulated. Health Canada does not have any mandate regarding such placements.

8. Application of the precautionary principle

Comments received suggested that the precautionary principle be applied to the human exposure limits in Safety Code 6, including reductions of 100 to 1000 times.

Health Canada, as with other federal departments and several regulatory agencies worldwide, applies the precautionary principle as a public policy approach for risk management of possible, but unproven, risks to health. A precautionary approach to decision-making emphasizes the need to take timely and appropriately preventative action, even in the absence of a full scientific demonstration of cause and effect.

The precautionary principle is not a tool for risk assessment. Risk assessments consider all data available in the scientific literature and focus on effects which scientists consider most relevant for human health and based on such an evaluation the Department will take action as required. In the case of electromagnetic fields, there is sufficient evidence supported internationally to show that adherence to the recommended levels of exposure in Safety Code 6 will not cause harm to health.

Within Safety Code 6 a conservative approach has been used when establishing the thresholds for established adverse health effects (whether nerve stimulation or tissue heating). At the threshold for the occurrence of these effects, only mild alterations from homeostasis would occur that do not result in any known long-term or cumulative adverse health consequences. Thus, the threshold effects to be avoided are of minimal health significance and are of a conservative nature. When the basic restrictions are applied to provide safety margins from the occurrence of these effects, additional conservative measures are also applied. A 10-fold reduction is applied for the avoidance of nerve stimulation, while a 50-fold reduction is applied for the avoidance of thermal effects in the uncontrolled environment. Furthermore, when the reference levels are derived for ensuring that external RF field levels do not exceed the basic restrictions within the body, worst-case exposure scenarios have also been applied. Factors such as worst-case body size relative to a given frequency (including adult and child body sizes), orientation of the fields to the body, body posture and prolonged exposure in the same position have been applied for deriving the reference levels. These exposure scenarios are considered to be extremely unlikely to occur under any circumstance in either controlled or uncontrolled environments for either adults or children. Therefore, an additional significant margin of protection has been applied to the reference levels.

[Date modified: 2015-06-05]

Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz

**Consumer and Clinical Radiation Protection Bureau
Environmental and Radiation Health Sciences Directorate
Healthy Environments and Consumer Safety Branch
Health Canada
Safety Code 6 (2015)**

Preface

This document is one of a series of safety codes prepared by the Consumer and Clinical Radiation Protection Bureau, Health Canada. These safety codes specify the requirements for the safe use of, or exposure to, radiation emitting devices. This revision replaces the previous version of Safety Code 6 (2009).

The purpose of this code is to establish safety limits for human exposure to radiofrequency (RF) fields in the frequency range from 3 kHz to 300 GHz. The safety limits in this code apply to all individuals working at, or visiting, federally regulated sites. These guidelines may also be adopted by the provinces, industry or other interested parties. The Department of National Defence shall conform to the requirements of this safety code, except in such cases where it considers such compliance to have a detrimental effect on its activities in support of training and operations of the Canadian Forces. This code has been adopted as the scientific basis for equipment certification and RF field exposure compliance specifications outlined in Industry Canada's regulatory documents (1-3), that govern the use of wireless devices in Canada, such as cell phones, cell towers (base stations) and broadcast antennas. Safety Code 6 does not apply to the deliberate exposure for treatment of patients by, or under the direction of, medical practitioners. Safety Code 6 is not intended for use as a product performance specification document, as the limits in this safety code are for controlling human exposure and are independent of the source of RF energy.

In a field where technology is advancing rapidly and where unexpected and unique exposure scenarios may occur, this code cannot cover all possible situations. Consequently, the specifications in this code may require interpretation under special circumstances. This interpretation should be done in consultation with scientific staff at the Consumer and Clinical Radiation Protection Bureau, Health Canada.

The safety limits in this code are based on an ongoing review of published scientific studies on the health impacts of RF energy and how it interacts with the human body. This code is periodically revised to reflect new knowledge in the scientific literature and the exposure limits may be modified, if deemed necessary.

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1. Introduction

Electromagnetic radiation is emitted by many natural and man-made sources and is a fundamental aspect of our lives. We are warmed by electromagnetic radiation emitted from the sun and our eyes can detect the visible light portion of the electromagnetic spectrum. Radiofrequency (RF) fields fall within a portion of the electromagnetic spectrum with frequencies ranging from 3 kHz to 300 GHz, below that of visible light and above that of extremely low frequency electromagnetic fields. RF fields are produced by many man-made sources including cellular (mobile) phones and base stations, television and radio broadcasting facilities, radar, medical equipment, microwave ovens, RF induction heaters as well as a diverse assortment of other electronic devices within our living and working environments.

A number of biological effects and established adverse health effects from acute exposure to RF fields have been documented (4-9). These effects relate to localized heating or stimulation of excitable tissue. The specific biological responses to RF fields are generally related to the rate of energy absorbed or the strength of internal electric fields (voltage gradients) and currents. The

rate and distribution of RF energy absorption depend strongly on the frequency, strength and orientation of the incident fields as well as the body size and its constitutive electrical properties (dielectric constant and conductivity). Absorption of RF energy is commonly described in terms of the specific absorption rate (SAR), which is a measure of the rate of energy deposition per unit mass of body tissue and is usually expressed in units of watts per kilogram (W/kg). Based on a large amount of scientific knowledge, national and international exposure limits have been established to protect the general public against all adverse effects associated with RF field exposures (10-14).

The exposure limits specified in Safety Code 6 have been established based upon a thorough evaluation of the scientific literature related to the thermal and non-thermal health effects of RF fields. Health Canada scientists consider all peer-reviewed scientific studies, on an ongoing basis, and employ a weight-of-evidence approach when evaluating the possible health risks of exposure to RF fields. This approach takes into account the quantity of studies on a particular endpoint (whether adverse or no effect), but more importantly, the quality of those studies. Poorly conducted studies (e.g. those with incomplete dosimetry or inadequate control samples) receive relatively little weight, while properly conducted studies (e.g. all controls included, appropriate statistics, complete dosimetry) receive more weight. The exposure limits in Safety Code 6 are based upon the lowest exposure level at which any scientifically established adverse health effect occurs. Safety margins have been incorporated into the exposure limits to ensure that even worst-case exposures remain far below the threshold for harm. The scientific approach used to establish the exposure limits in Safety Code 6 is comparable to that employed by other science-based international standards bodies (15-16). As such, the basic restrictions in Safety Code 6 are similar to those adopted by most other nations, since all science-based, standard-setting bodies use the same scientific data. It must be stressed that Safety Code 6 is based upon established adverse health effects and should be distinguished from some municipal and/or national guidelines that are based on socio-political considerations.

In the following sections, the maximum exposure levels for persons in both controlled and uncontrolled environments are specified. These levels shall not be exceeded.

1.1 Purpose of the code

The purpose of this code is to specify maximum levels of human exposure to RF fields at frequencies between 3 kHz and 300 GHz, to prevent adverse human health effects in both controlled and uncontrolled environments.

In this code, controlled environments are defined as those where all of the following conditions are satisfied:

1. the RF field intensities in the controlled area have been adequately characterized by means of measurements or calculation,
2. the exposure is incurred by persons who are aware of the potential for RF exposure and are cognizant of the intensity of the RF fields in their environment and,
3. the exposure is incurred by persons who are aware of the potential health risks associated with RF field exposures and can control their risk using mitigation strategies.

Situations that do not meet all the specifications above are considered to be uncontrolled environments. Uncontrolled environments are defined as areas where either insufficient assessment of RF fields has been conducted or where persons who are allowed access to these areas have not received proper RF field awareness/safety training and have no means to assess or, if required, to mitigate their exposure to RF fields.

2. Maximum Exposure Limits

The scientific literature with respect to possible biological effects of RF fields has been monitored by Health Canada scientists on an ongoing basis. Since the last version of Safety Code 6 was published (2009), a significant number of new studies have evaluated the potential for acute and chronic RF field exposures to elicit possible effects on a wide range of biological endpoints including: human cancers; 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 among others. Numerous authoritative reviews have summarized the current literature (4-8, 17-40).

Despite the advent of numerous additional research studies on RF fields and health, the only established adverse health effects associated with RF field exposures in the frequency range from 3 kHz to 300 GHz relate to the occurrence of tissue heating and nerve stimulation (NS) from short-term (acute) exposures. At present, there is no scientific basis for the occurrence of acute, chronic and/or cumulative adverse health risks from RF field exposure at levels below the limits outlined in Safety Code 6. The hypotheses of other proposed adverse health effects occurring at levels below the exposure limits outlined in Safety Code 6 suffer from a lack of evidence of causality, biological plausibility and reproducibility and do not provide a credible foundation for making science-based recommendations for limiting human exposures to low-intensity RF fields.

This safety code provides guidance for the avoidance of adverse human health effects resulting from exposure to RF fields, in terms of basic restrictions and/or reference levels. Basic restrictions are exposure indices within the body that should not be exceeded. These exposure

indices are directly linked to established adverse health effects. The basic restrictions in this safety code are specified in terms of: a) internal electric field strength; and b) the rate of RF energy absorption (SAR). Since measurements of the SAR or internal electric field strength are often difficult to perform, reference levels for maximum human exposure to RF fields have also been specified in this safety code. The reference levels are specified in terms of unperturbed, externally applied electric- and magnetic-field strength, power density and in terms of electric currents in the body occurring from either induction or contact with energized metallic objects. They were established using dosimetric analyses that determined the levels of externally applied field strengths that would produce the basic restrictions within the body. While compliance with the basic restrictions is required, non-compliance with the reference levels does not necessarily mean that the basic restrictions are not respected. In such cases, additional measurements or calculations may be required to assess compliance.

For frequencies from 3 kHz to 10 MHz, NS from induced electric fields within the body must be avoided. Experimental studies have demonstrated that electric and magnetic field exposures can induce internal electric fields (voltage gradients) within biological tissue which, if sufficiently intense, can alter the "resting" membrane potential of excitable tissues resulting in spontaneous depolarization of the membrane and the generation of spurious action potentials (5, 10, 11, 13, 14, 35, 41). Basic restrictions for the avoidance of NS are specified in this safety code in terms of maximum internal electric field strength within the body.

For frequencies from 100 kHz to 300 GHz, tissue heating can occur and must be limited. Basic restrictions have been specified in this safety code for RF field exposures in the 100 kHz to 6 GHz frequency range, in terms of maximum whole-body SAR (averaged over the whole-body) and peak spatially-averaged SAR, (averaged over a small cubical volume). For frequencies above 6 GHz, RF energy absorption occurs predominantly in surface tissues (e.g. upper layers of skin) and the use of maximum SAR limits, either whole-body or averaged over a cubical volume, is not appropriate. In lieu of basic restrictions, reference levels are specified for maximum unperturbed, externally applied electric- and magnetic-field strengths and in terms of power density, for the avoidance of thermal effects.

Studies in animals, including non-human primates, have consistently demonstrated a threshold effect for the occurrence of behavioural changes and alterations in core body temperature of $\sim 1.0^{\circ}\text{C}$, at a whole-body average SAR of $\sim 4 \text{ W/kg}$ (5-8, 11, 12, 14, 36). Thermoregulatory studies in human volunteers exposed to RF fields under a variety of exposure scenarios have provided supporting information on RF field induced thermal responses in humans (42). This information forms the scientific basis for the basic restrictions on whole-body average SAR in Safety Code 6. To ensure that thermal effects are avoided, safety factors have been incorporated into the

exposure limits, resulting in whole-body-averaged SAR limits of 0.08 and 0.4 W/kg in uncontrolled- and controlled-environments, respectively.

Basic restrictions on peak spatially-averaged SAR have also been established in Safety Code 6 to avoid adverse thermal effects in localized human tissues (hot-spots). The peak spatially-averaged SAR limits reflect the highly heterogeneous nature of typical RF field exposures and the differing thermoregulatory properties of various body tissues. The peak spatially-averaged SAR limits pertain to discrete tissue volumes (1 or 10 g, in the shape of a cube), where thermoregulation can efficiently dissipate heat and avoid changes in body temperature that are greater than 1°C. As such, the peak spatially-averaged SAR limits for exposures in controlled environments are 20 W/kg for the limbs and 8 W/kg for the head, neck and trunk. For exposures in uncontrolled environments, the peak spatially-averaged SAR limits are 4.0 W/kg for the limbs and 1.6 W/kg for the head, neck and trunk.

For frequencies from 100 kHz to 10 MHz, since either NS or thermal effects could occur, depending upon the exposure conditions (frequency, duty cycle, orientation), basic restrictions for both internal electric field strength and SAR (whole-body and peak spatially-averaged) must be simultaneously respected. Safety Code 6 also specifies reference levels in the 3 kHz to 110 MHz frequency range, in terms of induced- or contact-currents (mA), for the avoidance of perception (nerve stimulation), shocks or burns (4, 6).

While the biological basis for the basic restrictions specified in this safety code has not changed since the previous version (2009), the reference levels have been updated to either account for dosimetric refinements in recent years (43-64) or where feasible, to harmonize with those of ICNIRP (10-11).

To determine whether the maximum exposure levels are exceeded, full consideration shall be given to such factors as:

1. nature of the exposure environment (controlled or uncontrolled environment);
2. temporal characteristics of the RF source (including ON/OFF times, duty factors, direction and sweep time of the beam, etc...);
3. spatial characteristics between the exposure source and target (i.e. near-field exposures, whole body or parts thereof);
4. uniformity of the exposure field (i.e. spatial averaging).

Where comparison is to be made to the SAR-based basic restrictions and/or reference levels at frequencies in the 100 kHz - 300 GHz range, higher exposure levels may be permitted for short durations of time under certain circumstances. For these situations, the field strengths, power

densities and body currents averaged over any one tenth-hour reference period (6 minutes) shall not exceed the limits outlined in Sections 2.1 and 2.2.

SI units are used throughout this document unless specified otherwise.

2.1 Basic Restrictions

2.1.1 Internal Electric Field Strength Limits (3 kHz - 10 MHz)

Limits for internal electric field strength are intended to prevent the occurrence of NS. At frequencies between 3 kHz and 10 MHz, basic restrictions for internal electric field strength in excitable tissues (Table 1) shall not be exceeded. For conditions where the determination of internal electric field strength is not possible or practical (e.g. by measurement or modelling), external unperturbed field strength assessment shall be carried out and the reference levels outlined in Section 2.2 shall be respected.

Table 1. Internal Electric Field Strength Basic Restrictions (3 kHz - 10 MHz)

Condition	Internal Electric Field Strength (V/m) (in any excitable tissue)
Frequency, f , is in Hz. Instantaneous, root mean square (RMS) values apply. In the case of RF fields with amplitude modulation, then RMS values during the maximum of the modulation envelope shall apply.	
Controlled Environment	$2.7 \times 10^{-4}f$
Uncontrolled Environment	$1.35 \times 10^{-4}f$

2.1.2 Specific Absorption Rate Limits (100 kHz - 6 GHz)

The SAR is a measure of the rate at which electromagnetic energy is absorbed in the body. Basic restrictions for SAR are intended to prevent the occurrence of thermal effects from RF energy exposure on the body. At frequencies between 100 kHz and 6 GHz, the SAR limits (Table 2) take precedence over field strength and power density reference levels (Section 2.2) and shall not be exceeded.

The SAR should be determined for situations where exposures occur at a distance of 0.2 m or less from the source. In all cases, the values in Table 2 shall not be exceeded. For conditions where SAR determination is impractical, external unperturbed field strength or power density measurements shall be carried out and the limits outlined in Section 2.2 shall be respected.

Table 2. Specific Absorption Rate Basic Restrictions (100 kHz - 6 GHz)

Condition	SAR Basic Restriction (W/kg) ^{Table 2 footnote 2}	
	Uncontrolled Environment	Controlled Environment
Table 2 footnotes		
Table 2 footnote 1		
Defined as a tissue volume in the shape of a cube.		
Return to the first table 2 footnote 1 referrer		
Table 2 footnote 2		
Averaged over any 6 minute reference period.		
Return to table 2 footnote 2 referrer		
The SAR averaged over the whole body mass.	0.08	0.4
The peak spatially-averaged SAR for the head, neck and trunk, averaged over any 1 g of tissue ^{Table 2 footnote 1}	1.6	8
The peak spatially-averaged SAR in the limbs, averaged over any 10 g of tissue ^{Table 2 footnote 1}	4	20

2.1.3 Frequencies from 6 GHz - 300 GHz

For frequencies above 6 GHz, energy deposition occurs predominantly in the uppermost layers of superficial tissues (e.g. skin, cornea). In this case, power density is a more appropriate exposure limit metric. Therefore, for the frequency range from 6 GHz to 300 GHz, the incident unperturbed power density and its derived electric- and magnetic-field strengths (assuming a free-space impedance of 377 ohms) form the basic restriction in this safety code (Section 2.2.2) and shall not be exceeded.

2.2 Reference Levels

In practice, direct measurements of internal electric fields or SAR are often only feasible under laboratory conditions. Therefore, reference levels are specified in this safety code in terms of external unperturbed electric and magnetic field strength, power density, as well as induced

and contact currents. In the far-field zone of an electromagnetic source, electric field strength, magnetic field strength and power density are interrelated by simple mathematical expressions, where any one of these parameters defines the remaining two. In the near-field zone, both the unperturbed electric- and magnetic-field strengths shall be measured, since there is no simple relationship between these two quantities. Instrumentation for the measurement of magnetic fields at certain frequencies may not be commercially available. In this case, the electric field strength shall be measured and used for assessing compliance with the reference levels in this code.

2.2.1. Electric and Magnetic Field Strength (3 kHz - 10 MHz)

To ensure compliance with the basic restrictions outlined in Section 2.1, at frequencies between 0.003 MHz and 10 MHz, both the NS- and SAR-based reference levels for electric- and magnetic-field strength must be complied with simultaneously at frequencies where reference levels for both apply.

Table 3. Electric Field Strength Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (E_{RL}), (V/m, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	

Frequency, f , is in MHz. The precise frequencies at which SAR-based electric field strength reference levels for Uncontrolled and Controlled Environments begin are 1.10 MHz and 1.29 MHz, respectively.

Table 3 footnotes

Table 3 footnote 1

At no point in time shall the RMS values for electric fields exceed the reference levels with an instantaneous reference period. In the case of RF fields with amplitude modulation, the RMS value during the maximum of the modulation envelope shall be compared to the reference level.

[Return to table 3 footnote 1 referrer](#)

Table 3 footnote 2

Table 3. Electric Field Strength Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (E_{RL}), (V/m, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	

For exposures shorter than the reference period, field strengths may exceed the reference levels, provided that the time average of the squared value of the electric field strength over any time period equal to the reference period shall not exceed E_{RL}^2 . For exposures longer than the reference period, including indefinite exposures, the time average of the squared value of the electric field strength over any time period equal to the reference period shall not exceed E_{RL}^2 .

[Return to table 3 footnote 2 referrer](#)

0.003 - 10	NS	83	170	Instantaneous Table 3 footnote 1
1.0 - 10	SAR	$87 / f^{0.5}$	$193 / f^{0.5}$	6 minutes Table 3 footnote 2

Table 4. Magnetic Field Strength Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (H_{RL}), (A/m, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	

Frequency, f , is in MHz.

Table 4 footnotes

Table 4 footnote 1

At no point in time shall the RMS values for magnetic fields exceed the reference levels with an instantaneous reference period. In the case of RF fields with amplitude modulation, the RMS value during the maximum of the modulation envelope shall be compared to the reference level.

[Return to table 4 footnote 1 referrer](#)

Table 4 footnote 2

Table 4. Magnetic Field Strength Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (H_{RL}), (A/m, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	
For exposures shorter than the reference period, field strengths may exceed the reference levels, provided that the time average of the squared value of the magnetic field strength over any time period equal to the reference period shall not exceed H_{RL}^2. For exposures longer than the reference period, including indefinite exposures, the time average of the squared value of the magnetic field strength over any time period equal to the reference period shall not exceed H_{RL}^2. Return to table 4 footnote 2 referrer				
0.003 - 10	NS	90	180	Instantaneous Table 4 footnote 1
0.1 - 10	SAR	$0.73 / f$	$1.6 / f$	6 minutes Table 4 footnote 2

Notes for Tables 3 and 4:

1. Where external electric (at all applicable frequencies) or magnetic (at frequencies at or above 100 kHz) field strengths are spatially non-uniform, comparison to the reference levels shall be made after spatially averaging the field strengths over the vertical extent of the human body. Where comparison is to be made to the reference levels based on NS in Tables 3 and 4, spatial averaging is with respect to the sample values of the field strengths. Where comparison is to be made to the reference levels based on SAR in Tables 3 and 4, spatial averaging is with respect to the square of the sample values of the field strengths.
2. Where external magnetic field strengths are spatially non-uniform and are below 100 kHz, the spatial peak magnetic field strength over the vertical extent of the human body shall be compared to the reference levels in Table 4 (i.e. magnetic field strengths shall not be spatially-averaged at frequencies below 100 kHz).
3. For simultaneous exposure to multiple frequencies and where comparison is to be made to the reference level based on NS, each of the field strength frequency component amplitudes shall be divided by the corresponding field strength reference level for that frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as $\sum (E_i/E_{RL}) \leq 1$ for electric field strength or $\sum (H_i/H_{RL}) \leq 1$ for magnetic field strength.

4. For simultaneous exposure to multiple frequencies and where comparison is to be made to the reference level based on SAR, each of the squares of the field strength frequency component amplitudes shall be divided by the square of the corresponding field strength reference level for that frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as $\sum (E_i/E_{RL})^2 \leq 1$ for electric field strength or $\sum (H_i/H_{RL})^2 \leq 1$ for magnetic field strength.
5. For localized exposure of the limbs, the reference levels for magnetic field strength may be exceeded provided that the basic restrictions in Table 1 are respected within the limbs.

2.2.2. Electric Field Strength, Magnetic Field Strength and Power Density (10 MHz - 300 GHz)

To ensure compliance with the basic restrictions outlined in Section 2.1, at frequencies between 10 MHz and 300 GHz, the reference levels for electric- and magnetic-field strength and power density must be complied with.

Table 5. Reference Levels for Electric Field Strength, Magnetic Field Strength and Power Density in Uncontrolled Environments

Frequency (MHz)	Electric Field Strength (E_{RL}), (V/m, RMS)	Magnetic Field Strength (H_{RL}), (A/m, RMS)	Power Density (S_{RL}), (W/m ²)	Reference Period (minutes)
Frequency, f , is in MHz.				
10 - 20	27.46	0.0728	2	6
20 - 48	$58.07 / f^{0.25}$	$0.1540 / f^{0.25}$	$8.944 / f^{0.5}$	6
48 - 300	22.06	0.05852	1.291	6
300 - 6000	$3.142 f^{0.3417}$	$0.008335 f^{0.3417}$	$0.02619 f^{0.6834}$	6
6000 -15000	61.4	0.163	10	6
15000 - 150000	61.4	0.163	10	$616000 / f^{1.2}$
150000 - 300000	$0.158 f^{0.5}$	$4.21 \times 10^{-4} f^{0.5}$	$6.67 \times 10^{-5} f$	$616000 / f^{1.2}$

Table 6. Reference Levels for Electric Field Strength, Magnetic Field Strength and Power Density in Controlled Environments

Frequency (MHz)	Electric Field Strength (E_{RL}), (V/m, RMS)	Magnetic Field Strength (H_{RL}), (A/m, RMS)	Power Density (S_{RL}), (W/m ²)	Reference Period (minutes)
Frequency, f , is in MHz.				
10 - 20	61.4	0.163	10	6
20 - 48	$129.8 / f^{0.25}$	$0.3444 / f^{0.25}$	$44.72 / f^{0.5}$	6
48 - 100	49.33	0.1309	6.455	6
100 - 6000	$15.60 f^{0.25}$	$0.04138 f^{0.25}$	$0.6455 f^{0.5}$	6
6000 - 15000	137	0.364	50	6
15000 - 150000	137	0.364	50	$616000 / f^{1.2}$
150000 - 300000	$0.354 f^{0.5}$	$9.40 \times 10^{-4} f^{0.5}$	$3.33 \times 10^{-4} f$	$616000 / f^{1.2}$

Notes for Tables 5 and 6:

1. For exposures shorter than the reference period, field strengths may exceed the reference levels, provided that the time average of the squared value of the electric or magnetic field strength over any time period equal to the reference period shall not exceed E_{RL}^2 or H_{RL}^2 , respectively. For exposures longer than the reference period, including indefinite exposures, the time average of the squared value of the electric or magnetic field strength over any time period equal to the reference period shall not exceed E_{RL}^2 or H_{RL}^2 , respectively.
2. Where exposure is estimated in terms of power density and for exposures shorter than the reference period, power density levels may exceed the reference levels provided that the time average of the power density over any time period equal to the reference period shall not exceed S_{RL} . For exposures longer than the reference period, including indefinite exposures, the time average of the power density over any time period equal to the reference period shall not exceed S_{RL} .
3. Spatially non-uniform external field strengths or power density can be spatially averaged, provided the sampling scheme applied ensures that none of the basic restrictions are exceeded at spatially-averaged exposures equal to the reference level. If spatial averaging is not applied, the spatial peak field strength shall be compared to the reference levels. In the case of field strengths, spatial averaging is with respect to the

squared values of the field strength samples while for power density, spatial averaging is with respect to the power density samples.

4. For simultaneous exposure to multiple frequencies and where exposure is estimated in terms of power density, each of the power density frequency component amplitudes shall be divided by the corresponding reference level for that frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as: $\sum (S_i/S_{RL}) \leq 1$.
5. For simultaneous exposure to multiple frequencies and where exposure is estimated in terms of field strength, each of the squares of the field strength frequency component amplitudes shall be divided by the square of the corresponding field strength reference level for that frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as $\sum (E_i/E_{RL})^2 \leq 1$ for electric field strength or $\sum (H_i/H_{RL})^2 \leq 1$ for magnetic field strength.
6. For pulsed RF field exposures estimated in terms of power density, the time-averaged power density, averaged over any time period equal to the reference period, shall not exceed S_{RL} and the power density, as averaged over the pulse width, shall not exceed 1000 times the reference level, S_{RL} .
7. For pulsed RF field exposures estimated in terms of field strength, the time average of the squared value of the electric or magnetic field strength over any time period equal to the reference period shall not exceed E_{RL}^2 or H_{RL}^2 . In addition, the time average of the squared value of the electric or magnetic field strength, as averaged over the pulse width, shall not exceed 1000 times E_{RL}^2 or H_{RL}^2 , respectively. Therefore, the RMS electric or magnetic field strength, determined over the pulse, shall not exceed 32 times E_{RL} or H_{RL} , respectively.

2.2.3. Induced and Contact Current (3 kHz - 110 MHz)

Induced current is defined as the current flowing through a single foot to ground in a free-standing body (no contact with conductive objects) exposed to an electric field. Where assessment is made of the current flowing through both feet, the result shall be compared to twice the reference level for a single foot.

Contact current is defined as the total current flowing through the body to ground resulting from finger-touch contact with a conductive object insulated from the ground that has been energized in an electric field. Conversely, it can be defined as the total current flowing in an insulated body that has been energized in an electric field and is in finger-touch contact with a grounded conductive object. The current path in the body is from point of touch to ground through the feet. The total current can be assessed anywhere along the path of flow.

Table 7. Induced Current Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (I_{RL}) through a single foot, (mA, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	
Frequency, f , is in MHz.				
Table 7 footnotes				
Table 7 footnote 1				
At no point in time shall the RMS values for induced currents exceed the reference levels with an instantaneous reference period. In the case of currents with amplitude modulation, the RMS value during the maximum of the modulation envelope shall be compared to the reference level.				
Return to table 7 footnote 1 referrer				
Table 7 footnote 2				
For exposures shorter than the reference period, currents may exceed the reference levels, provided that the time average of the squared value of the current over any time period equal to the reference period shall not exceed I_{RL}^2 . For exposures longer than the reference period, including indefinite exposures, the time average of the squared value of the current over any time period equal to the reference period shall not exceed I_{RL}^2 .				
Return to table 7 footnote 2 referrer				
0.003 - 0.4	NS	$100 f$	$225 f$	Instantaneous Table 7 footnote 1
0.4 - 110	SAR	40	90	6 minutes Table 7 footnote 2

Table 8. Contact Current Reference Levels

Frequency (MHz)	Reference Level Basis	Reference Level (I_{RL}), (mA, RMS)		Reference Period
		Uncontrolled Environment	Controlled Environment	

Frequency, f , is in MHz.

Table 8 footnotes

Table 8 footnote 1

At no point in time shall the RMS values for contact currents exceed the reference levels with an instantaneous reference period. In the case of currents with amplitude modulation, the RMS value during the maximum of the modulation envelope shall be compared to the reference level.

[Return to the first table 8 footnote 1 referrer](#)

Table 8 footnote 2

For exposures shorter than the reference period, currents may exceed the reference levels, provided that the time average of the squared value of the current over any time period equal to the reference period shall not exceed I_{RL}^2 . For exposures longer than the reference period, including indefinite exposures, the time average of the squared value of the current over any time period equal to the reference period shall not exceed I_{RL}^2 .

[Return to table 8 footnote 2 referrer](#)

0.003 - 0.10	NS	200 f	400 f	Instantaneous Table 8 footnote 1
0.10 - 10	SAR	20	40	Instantaneous Table 8 footnote 1
10 - 110	SAR	20	40	6 minutes Table 8 footnote 2

Notes for Tables 7 and 8:

1. For simultaneous exposure to multiple frequencies and where comparison is to be made to the reference level based on NS, each of the induced- or contact-current frequency component amplitudes shall be divided by the corresponding reference level for that

frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as $\sum (I_i/I_{RL}) \leq 1$.

2. For simultaneous exposure to multiple frequencies and where comparison is to be made to the reference level based on SAR, each of the squares of the induced- or contact-current frequency component amplitudes shall be divided by the square of the corresponding reference level for that frequency, and the sum of all these ratios shall not exceed unity. This may be expressed as $\sum (I_i/I_{RL})^2 \leq 1$.
3. For pulsed induced- or contact-currents where a 6 minute reference period applies, the time average of the squared value of the induced- or contact-currents over any time period equal to the reference period shall not exceed I_{RL}^2 . In addition, the time average of the squared value of the induced- or contact-current, as averaged over the pulse width, shall not exceed 1000 times the reference level I_{RL}^2 . Therefore the RMS value of the induced- or contact-current, determined over the pulse, shall not exceed 32 times the reference level I_{RL} .

Abbreviations

A	ampere
EEG	electroencephalogram
E_i	electric field strength frequency component amplitude (RMS)
E_{RL}	electric field strength reference level
g	gram
GHz	gigahertz
H_i	magnetic field strength frequency component amplitude (RMS)
H_{RL}	magnetic field strength reference level
ICNIRP	International Commission on Non-Ionizing Radiation Protection
I_i	current frequency component amplitude (RMS)
I_{RL}	

	current reference level
kg	kilogram
kHz	kilohertz
m	metre
mA	milliampere
MHz	megahertz
mm	millimetre
NS	nerve stimulation
RMS	root mean square
RF	radiofrequency
SAR	specific absorption rate
SI	International System of Units
S_i	power density frequency component amplitude
S_{RL}	power density reference level
V	volt
W	watt

Definitions

basic restrictions

Maximum allowable internal electrical quantities in the body, arising from exposure to incident external fields, that prevent the occurrence of all established adverse health effects.

contact current

The total current flowing through the body to ground resulting from finger-touch contact with an insulated conductive object that has been energized in an electric field, or from an insulated body that has been energized in an electric field and is in finger-touch contact with a grounded conductive object.

controlled environment

An area where the RF field intensities have been adequately characterized by means of measurement or calculation and exposure is incurred by persons who are: aware of the potential for RF field exposure, cognizant of the intensity of the RF fields in their environment, aware of the potential health risks associated with RF field exposure and able to control their risk using mitigation strategies.

electric field

A vector quantity assigned to any point in space where the magnitude and direction of the force that would be experienced by a hypothetical test charge, is defined.

electromagnetic radiation

A form of energy emitted by accelerating electric charges, that exhibits wave-like behavior as it travels through space.

far-field zone

The space beyond an imaginary boundary around an antenna, where the angular field distribution begins to be essentially independent of the distance from the antenna. In this zone, the field has a predominantly plane-wave character.

field strength

The magnitude of the electric or magnetic field, normally a root-mean-square (RMS) value.

frequency

The number of cycles in the variation of the amplitude of an electromagnetic wave within one second, expressed in units of hertz (Hz).

general public

Individuals of all ages, body sizes and varying health status, some of whom may qualify for the conditions defined for the controlled environment in certain situations.

induced current

The current flowing through one foot to ground in a free-standing human body (no contact with a conductive object) exposed to an electric field.

limbs

Extremities distal from the shoulder and hip joints, which do not include the gonads.

magnetic field

A vector quantity assigned to any point in space where the magnitude and direction of the force that would be experienced by a hypothetical test charge-in-motion, is defined.

A magnetic field exerts a force on charges only if they are in motion, and charges produce magnetic fields only when they are in motion.

near-field zone

A volume of space close to an antenna or other radiating structure, in which the electric and magnetic fields do not have a substantially plane-wave character, but vary considerably from point to point at the same distance from the source.

non-thermal effects

Biological effects resulting from exposure to RF fields, that are not due to tissue heating.

power density

The rate of flow of electromagnetic energy per unit area usually expressed in W/m^2 or mW/cm^2 or $\mu\text{W/cm}^2$.

radiofrequency (RF)

A rate of oscillation in the range of about 3 kHz to 300 GHz, which corresponds to the frequency of radio waves typically used in radio communications.

reference level

An easily measured or calculated quantity (i.e. externally applied electric field strength, magnetic field strength and power density or resulting body current), that when respected, ensures compliance with the underlying basic restrictions in Safety Code 6.

reference period

A time period used for averaging temporally non-uniform RF field exposures, for comparison with the exposure limits in Safety Code 6. The reference periods specified in Safety Code 6 are based upon the established adverse health effects to be avoided and the time required for those responses to occur. The reference period is not a maximum exposure time.

RMS (root mean square)

As applied to a set of data, it is the square root of the average of the square of the data values.

safety

The absence of established adverse health effects caused by RF field exposure.

specific absorption rate (SAR)

A measure of the rate at which energy is absorbed by the body (or a discrete tissue volume) when exposed to a radiofrequency (RF) field. SAR is expressed in units of watts per kilogram (W/kg), and can be calculated from the product of the tissue conductivity (S/m) and the square of the RMS electric field strength induced in the tissue (V/m), divided by the mass density (kg/m^3) of the tissue.

thermal effects

Biological effects resulting from heating of the whole body or of a localized region due to exposure to RF fields, where a sufficient temperature increase has occurred that results in a physiologically significant effect.

uncontrolled environment

An area where any of the criteria defining the controlled environment are not met.

References

1. Industry Canada. General Requirements and Information for the Certification of Radio Apparatus, Radio Standards Specifications (RSS-Gen), Spectrum Management and Telecommunications.
2. Industry Canada. Radio Frequency (RF) Exposure Compliance of Radiocommunication Apparatus (All Frequency Bands), Radio Standards Specifications (RSS-102), Spectrum Management and Telecommunications.
3. Industry Canada. *Radiocommunication and Broadcasting Antenna Systems*, Issue 4, Client Procedures Circular (CPC-2-0-03), Spectrum Management and Telecommunications.
4. World Health Organization (WHO). Extremely Low Frequency Fields, Environmental Health Criteria 238. Geneva, Switzerland, 2007. ISBN 9789241572385.
5. World Health Organization (WHO). Electromagnetic Fields (300 Hz to 300 GHz), Environmental Health Criteria 137. Geneva, Switzerland, 1993. ISBN 9241571373.
6. International Commission on Non-Ionizing Radiation Protection (ICNIRP). Exposure to high frequency electromagnetic fields, biological effects and health consequences (100 kHz-300 GHz). Munich, Germany, 2009. ISBN 9783934994102.
7. Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR). Possible Effects of Electromagnetic Fields (EMF) on Human Health. European Commission, Health & Consumer Protection DG, Directorate C: Public Health and Risk Assessment. Brussels, Belgium, 2007.
8. Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR). Health Effects of Exposure to EMF. European Commission, Health & Consumer Protection DG, Directorate C: Public Health and Risk Assessment. Brussels, Belgium, 2009.
9. Advisory Group on Non-ionising Radiation (AGNIR). Health Effects from Radiofrequency Electromagnetic Fields (RCE 20). Chilton, United Kingdom, 2012. ISBN 9780859517140.
10. International Commission on Non-Ionizing Radiation Protection (ICNIRP). Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz to 100 kHz). Health Phys. 99:818-836, 2010.

11. International Commission on Non-Ionizing Radiation Protection (ICNIRP). Guidelines for limiting exposure to time-varying electric, magnetic, and electromagnetic fields (up to 300 GHz). *Health Phys.* 74:494-522, 1998.
12. International Commission on Non-Ionizing Radiation Protection (ICNIRP). Statement on the "Guidelines for limiting exposure to time-varying electric, magnetic, and electromagnetic fields (up to 300 GHz)". *Health Phys.* 97:257-258, 2009.
13. Institute of Electrical and Electronic Engineers (IEEE). IEEE C95.6-2002 Standard for Safety Levels with Respect to Human Exposure to Electromagnetic Fields, 0-3 kHz. New York, USA, 2002.
14. Institute of Electrical and Electronic Engineers (IEEE). IEEE C95.1-2005 Standard for Safety Levels with Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 kHz to 300 GHz. New York, USA, 2005.
15. World Health Organization (WHO). Framework for developing health-based EMF standards. Geneva, Switzerland, 2006. ISBN 9241594330.
16. International Commission on Non-Ionizing Radiation Protection (ICNIRP). Statement: General approach to protection against non-ionizing radiation. *Health Phys.* 82:540-548, 2002.
17. International Agency for Research on Cancer (IARC). Non-Ionizing Radiation, Part 2: Radiofrequency Electromagnetic Fields, IARC Monograph, volume 102. Lyon, France, 2013. ISBN 9789283213253.
18. Krewski D, Glickman BW, Habash RW, Habbick B, Lotz WG, Mandeville R, Prato FS, Salem T, Weaver DF. Recent advances in research on radiofrequency fields and health: 2001-2003. *J. Toxicol. Environ. Health B Crit. Rev.* 10:287-318, 2007.
19. Habash RW, Elwood JM, Krewski D, Lotz WG, McNamee JP, Prato FS. Recent advances in research on radiofrequency fields and health: 2004-2007. *J. Toxicol. Environ. Health B Crit. Rev.* 12:250-288, 2009.
20. Valberg PA, van Deventer TE, Repacholi MH. Workgroup report: base stations and wireless networks-radiofrequency (RF) exposures and health consequences. *Environ. Health Perspect.* 115:416-424, 2007.
21. Moulder JE, Foster KR, Erdreich LS, McNamee JP. Mobile phones, mobile phone base stations and cancer: a review. *Int. J. Radiat. Biol.* 81:189-203, 2005.
22. Verschaeve L. Genetic damage in subjects exposed to radiofrequency radiation. *Mutat. Res.* 681:259-270, 2009.
23. Vanderstraeten J and Verschaeve L. Gene and protein expression following exposure to radiofrequency fields from mobile phones. *Environ. Health Perspect.* 116:1131-1135, 2008.
24. McNamee JP, Chauhan V. Radiofrequency radiation and gene/protein expression: A review. *Radiat. Res.* 172:265-287, 2009.

25. Cook CM, Saucier DM, Thomas AW, Prato FS. Exposure to ELF magnetic and ELF-modulated radiofrequency fields: the time course of physiological and cognitive effects observed in recent studies (2001-2005). *Bioelectromagnetics* 27:613-627, 2006.
26. D'Andrea JA, Chou CK, Johnston SA, Adair ER. Microwave effects on the nervous system. *Bioelectromagnetics Suppl.* 6:S107-147, 2003.
27. D'Andrea JA, Adair ER, de Lorge JO. Behavioural and cognitive effects of microwave exposure. *Bioelectromagnetics Suppl.* 6:S39-62, 2003.
28. McNamee JP and Bellier PV, "Cytogenetic and Carcinogenetic Effects of Exposure to Radiofrequency Radiation" In: "Chromosomal Alterations: Methods, Results and Importance in Human Health". Obe, Günter; Vijayalaxmi (Eds.) Springer, New York, USA, 2007. ISBN 9783540714132.
29. Jauchem JR. Effects of low-level radio-frequency (3kHz to 300GHz) energy on human cardiovascular, reproductive, immune, and other systems: a review of the recent literature. *Int. J. Hyg. Environ. Health.* 211:1-29, 2008.
30. Rubin GJ, Das Munshi J, Wessely S. Electromagnetic hypersensitivity: a systematic review of provocation studies. *Psychosom. Med.* 67:224-232, 2005.
31. Rubin GJ, Nieto-Hernandez R, Wessely S. Idiopathic environmental intolerance attributed to electromagnetic fields (formerly 'electromagnetic hypersensitivity'): An updated systematic review of provocation studies. *Bioelectromagnetics* 31:1-11, 2010.
32. Rösli M. Radiofrequency electromagnetic field exposure and non-specific symptoms of ill health: a systematic review. *Environ. Res.* 107:277-287, 2008.
33. Rösli M, Hug K. Wireless communication fields and non-specific symptoms of ill health: a literature review. *Wien. Med. Wochenschr.* 161: 240-250, 2011.
34. Rösli M, Frei P, Mohler E, Hug K. Systematic review on the health effects of exposure to radiofrequency electromagnetic fields from mobile phone base stations. *Bull. World Health Organ.* 88:887-896F, 2010.
35. Reilly JP. *Applied Bioelectricity: From Electrical Stimulation to Electropathology.* Springer, New York, USA, 1998. ISBN 0387984070.
36. D'Andrea JA, Ziriak JM, Adair ER. Radio frequency electromagnetic fields: mild hyperthermia and safety standards. *Prog. Brain Res.* 162:107-135, 2007.
37. Agence nationale de sécurité sanitaire de l'alimentation, de l'environnement et du travail (Anses). *Radiofréquences et santé : Mise à jour de l'expertise.* Maisons-Alfort, France, 2013.
38. Norwegian Institute of Public Health. *Low-level radiofrequency electromagnetic fields - an assessment of health risks and evaluation of regulatory practice (English summary).* Oslo, Norway, 2012. ISBN 9788280825100.
39. Scientific Committee on Emerging and Newly Identified Health Risks (SCENIHR). *Preliminary opinion on Potential health effects of exposure to electromagnetic fields*

- (EMF). European Commission, Health & Consumers Directorate C: Public Health. Luxembourg, 2013. ISBN 9789279301346.
40. Swedish Radiation Health Authority (SSM). Eighth report from SSM:s Scientific Council on Electromagnetic Fields. Stockholm, Sweden, 2013. Report number: 2013:19, ISSN: 2000-0456.
 41. So PP, Stuchly MA, Nyenhuis JA. Peripheral nerve stimulation by gradient switching fields in magnetic resonance imaging. *IEEE Trans. Biomed. Eng.* 51:1907-1914, 2004.
 42. Adair ER, Black DR. Thermoregulatory responses to RF energy absorption. *Bioelectromagnetics Suppl.* 6:S17-S38, 2003.
 43. Conil E, Hadjem A, Lacroux F, Wong MF, Wiart J. Variability analysis of SAR from 20 MHz to 2.4 GHz for different adult and child models using finite-difference time-domain. *Phys. Med. Biol.* 53:1511-1525, 2008.
 44. Kühn S, Jennings W, Christ A, Kuster N. Assessment of induced radio-frequency electromagnetic fields in various anatomical human body models. *Phys. Med. Biol.* 54:875-890, 2009.
 45. Nagaoka T, Kunieda E, Watanabe S. Proportion-corrected scaled voxel models for Japanese children and their application to the numerical dosimetry of specific absorption rate for frequencies from 30 MHz to 3 GHz. *Phys. Med. Biol.* 53:6695-6711, 2008.
 46. Gandhi OP, Chen JY, Riazi A. Currents induced in a human being for plane-wave exposure conditions 0-50 MHz and for RF sealers. *IEEE Trans. Biomed. Eng.* 33:757-767, 1986.
 47. Tofani S, d'Amore G, Fiandino G, Benedetto A, Gandhi OP, Chen JY. Induced foot-currents in humans exposed to VHF radio-frequency EM fields. *IEEE Trans. Electromagn. Compat.* 37:96-99, 1995.
 48. Kaune WT, Guttman JL, Kavet R. Comparison of coupling of humans to electric and magnetic fields with frequencies between 100 Hz and 100 kHz. *Bioelectromagnetics* 18:67-76, 1997.
 49. Bakker JF, Paulides MM, Neufeld E, Christ A, Chen XL, Kuster N, van Rhoon GC. Children and adults exposed to low-frequency magnetic fields at the ICNIRP reference levels: theoretical assessment of the induced electric fields. *Phys. Med. Biol.* 57:1815-1829, 2012.
 50. Gandhi OP, Chatterjee I, Wu D, Gu YG. Likelihood of high rates of energy deposition in the human legs at the ANSI recommended 3-30 MHz RF safety levels. *Proc. IEEE* 73:1145-1147, 1985.
 51. Gandhi OP, Chatterjee I. Radio-frequency hazards in the VLF to MF band. *Proc. IEEE* 70:1462-1464, 1982.

52. Bernhardt JH. The establishment of frequency dependent limits for electric and magnetic fields and evaluation of indirect effects. *Radiat. Environ. Biophys.* 27:1-27, 1988.
53. Dimbylow PJ. The calculation of induced currents and absorbed power in a realistic, heterogeneous model of the lower leg for applied electric fields from 60 Hz to 30 MHz. *Phys. Med. Biol.* 33:1453-1468, 1988.
54. Dimbylow PJ. The calculation of localised SAR in a 2 mm resolution anatomically realistic model of the lower leg. *Radiat. Prot. Dosimetry* 72:321-326, 1997.
55. Dimbylow PJ. The relationship between localised SAR in the arm and wrist current. *Radiat. Prot. Dosimetry* 95:177-179, 2001.
56. Dimbylow PJ. Fine resolution calculations of SAR in the human body for frequencies up to 3 GHz. *Phys. Med. Biol.* 47:2835-2846, 2002.
57. Dimbylow PJ. The calculation of SAR from limb current in the female voxel phantom, NAOMI. *Radiat. Prot. Dosimetry* 121:236-239, 2006.
58. Dimbylow P. Development of the female voxel phantom, NAOMI, and its application to calculations of induced current densities and electric fields from applied low frequency magnetic and electric fields. *Phys. Med. Biol.* 50:1047-1070, 2005.
59. Dimbylow P, Bolch W. Whole-body-averaged SAR from 50 MHz to 4 GHz in the University of Florida child voxel phantoms. *Phys. Med. Biol.* 52:6639-6649, 2007.
60. Chatterjee I, Wu D, Gandhi OP. Human body impedance and threshold currents for perception and pain for contact hazard analysis in the VLF-MF band. *IEEE Trans. Biomed. Eng.* 33:486-494, 1986.
61. Findlay RP, Lee AK, Dimbylow PJ. FDTD calculations of SAR for child voxel models in different postures between 10 MHz and 3 GHz. *Radiat. Prot. Dosimetry* 135:226-231, 2009.
62. Lee AK, Choi HD. Determining the influence of Korean population variation on whole-body average SAR. *Phys. Med. Biol.* 57:2709-2725, 2012.
63. Dimbylow P, Bolch W, Lee C. SAR calculations from 20 MHz to 6 GHz in the University of Florida newborn voxel phantom and their implications for dosimetry. *Phys. Med. Biol.* 55:1519-1530, 2010.
64. Hirata A, Yanase K, Laakso I, Chan KH, Fujiwara O, Nagaoka T, Watanabe S, Conil E, Wiart J. Estimation of the whole-body averaged SAR of grounded human models for plane wave exposure at respective resonance frequencies. *Phys. Med. Biol.* 57:8427-8442, 2012.

Date modified:

2019-08-13

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Royal Canadian Mounted Police
Gendarmerie royale du Canada

Security Classification/Designation
Classification/désignation sécuritaire

Unclassified

Inspector Kara TRIANCE
OIC Sea to Sky RCMP
1000 Finch Drive
Squamish, BC
V8B 0M5

Your File Votre référence

Village of Lions Bay
400 Centre Road
Lions Bay, BC
V0N 2E0

Our File Notre référence

2020-03-05

To Whom it May Concern,

Lions Bay Activity Report
Report period: January and February 2020

The following is a list describing Calls for Service to the RCMP from in and around the area of Lions Bay.

HWY 99 (within boundaries of Lions Bay):

Traffic - Moving / Non-Moving / Insurance Violations x 16
Impaired Driving Investigations x 2
Collision - Damage Over / Under \$10000 / Non-fatal / Fatal x 3
Prevention of Collision (debris, stalled vehicles, animals, pedestrians on shoulder) x 5
Parking Violations x 0
Other remaining call types x 2

28 Calls for Service

Lions Bay Village:

Cause Disturbance / Breach of Peace x 2
911 - False / Abandoned x 3
False Alarms x 1
Stranded Person - location known x 0
Theft of Vehicle / Theft from Motor Vehicle x 1
Theft Under / Over \$5000 x 0
Break and Enter Residence / Business x 1
Mischief x 1
Bylaw x 1
Other investigations x 13 (of which 3 lost property reports)

23 Calls for Service

Total = 51

Should you have any questions, please do not hesitate to contact the Squamish RCMP Detachment at (604)892-6100.

Kind regards,

Knr

K. (Kara) TRIANCE, O.3086 (Insp)
OIC Sea to Sky RCMP

/hm

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THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Ride Hailing – Inter-Municipal Business License (IMBL) Bylaws		
Author	Peter DeJong	Reviewed By:	
Date	March 11, 2020	Version	
Issued for	March 17, 2020 Council Meeting		

Recommendation:

- A. THAT Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020 be adopted; and
- B. THAT Inter-municipal TNS Business Licence Bylaw No.573, 2020 be adopted.

Attachments:

1. Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020;
2. Inter-municipal TNS Business Licence Bylaw No.573, 2020;
3. IMBL Report FAQs;

Key Information:

Bylaws 572 and 573 were given three readings at the March 3, 2020 regular Council meeting and opportunities were provided for public feedback regarding the bylaws. At the February 4, 2020 Council meeting, staff brought forward a Direction Request report outlining the opportunity to participate in an Inter-municipal Business Licence scheme for ride hailing Transportation Network Services that have been or will be approved by the Passenger Transportation Board. The IMBL will streamline the licensing process across the region and allow ride-hailing companies to operate in all participating municipalities with a single business licence.

The terms of the IMBL were developed collectively by the participating municipalities in a fast-tracked process convened by TransLink at the direction of the Mayors' Council December 12, 2019. Participants in the IMBL are as follows:

Inter-municipal TNS Business Licence Participating Municipalities



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1. Bowen Island Municipality
2. City of Abbotsford
3. City of Burnaby
4. City of Chilliwack
5. City of Coquitlam
6. City of Delta
7. City of Maple Ridge
8. City of Port Moody
9. City of Richmond
10. City of Surrey
11. District of Squamish
12. Resort Municipality of Whistler
13. The City of Pitt Meadows
14. The City of Vancouver
15. The Corporation of the City of Langley
16. The Corporation of the City of New Westminster
17. The Corporation of the City of North Vancouver
18. The Corporation of the City of Port Coquitlam
19. The Corporation of the City of White Rock
20. The Corporation of the District of North Vancouver
21. The Corporation of the District of West Vancouver
22. The Corporation of the Township of Langley
23. Village of Anmore
24. Village of Harrison Hot Springs
25. Village of Lions Bay

IMBL Administrative Program Cost:

Estimated Year 1 Total Cost: \$140,000

Direct and indirect costs and investments Include:

- Privacy Management
- Legal Services
- Policy Development
- Corporate Overhead, Materials and Rent
- Licence processing including fee administration and reconciliation



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The City of Vancouver will retain licence fee revenue sufficient to recover IMBL administrative program costs. Any remaining funds will be distributed among participating municipalities based on the percent of total regional pick-ups and drop-offs that occur within each of their boundaries.

Licensing Authority: The City of Vancouver will be the licensing authority for the IMBL which means that ride-hailing companies will need to purchase the licence from the City of Vancouver. The licence will allow companies to operate in all participating Region 1 municipalities.

Licence Fee: The annual IMBL fee will be \$155 per company plus vehicle fees of

- \$150 per standard vehicle
- \$30 per zero-emission vehicle
- \$0 per wheelchair accessible vehicle.

The proposed fees are set to be program cost recoverable and not to be prohibitive for companies.

Licence fee revenue will be shared among participating municipalities. The City of Vancouver will first retain funds sufficient to recover costs for set-up and administration of the licence program as set out above and remaining revenues will be shared based on the percent of total regional pick-ups and drop-offs that occur within each municipality. The information on pick-ups and drop-offs occurring in each municipality will be provided by the licensees.

Licence Conditions: Companies will be required to comply with the municipal by-laws and regulations of each participating municipality. Each municipality retains authority to enforce its own by-laws, for example street and traffic regulations, and also to suspend or cancel an IMBL. Staff in participating municipalities have established a shared protocol for escalating enforcement and have agreed to communicate enforcement actions between each other prior to any municipality considering suspension or cancellation of a licence.

Because the terms of the proposed ride-hailing IMBL were developed on a compressed timeline, they should be considered as interim. Staff of participating municipalities will continue to collaborate over the coming months on opportunities for future refinement. For example, there may be additional opportunities to encourage wheelchair accessible or zero



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emission vehicles, and to adjust the licence fee structure. As more companies are licensed and staff better understand the true costs for licensing and for monitoring industry impacts, such changes can be considered.

Provincial legislation in force since September 2019 has reduced the municipal authority to regulate Passenger Directed Vehicles (PDV) such as taxis, limousines, ride-hailing vehicles. The Province now has sole authority to regulate company fleet size and operational boundaries, to set vehicle standards, and to issue driver Chauffeur Permits. While the province's new regulations surrounding PDV activities limit the role of municipalities in establishing local regulations, municipalities retain authority to:

- Issue business licences;
- Set business licence requirements; and
- Regulate business activities, such as street and curb use and pick-up and drop-off locations, through bylaws.

The Province regulates Passenger Directed Vehicles through the *Passenger Transportation Act*, the *Motor Vehicle Act*, and the *Commercial Transportation Act*. Companies that operate passenger directed transportation services are licensed by the independent, provincially appointed BC Passenger Transportation Board (PTB). Municipalities may issue business licences to companies once those companies have been licensed by the PTB.

The PTB has the authority to determine operating boundaries, and has established a regional approach to ride hailing that allows companies to operate across municipal boundaries. Vancouver is part of Region 1 (*Whistler-Lower Mainland*) comprised of 32 municipalities. In October 2019 Council directed staff to work with other Region 1 municipalities and with TransLink to develop a region-wide inter-municipal business licence (IMBL) for ride-hailing that could replace or complement the Vancouver licence.

An IMBL is a business licence that allows mobile businesses to operate across participating municipalities with the purchase of one licence. An IMBL is formed through common by-laws enacted by each participating municipality. The IMBL Agreement By-law allows municipalities to enter into agreement with the partner municipalities. It addresses terms such as the licence fee, revenue sharing formula and distribution, and overall administration of the licence. The second by-law, the IMBL by-law, is the formal mechanism through which the IMBL is



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implemented in each municipality and sets out the various terms and conditions that apply to the IMBL across the participating municipalities.

When implementing an IMBL participating municipalities work together to determine:

- the types of businesses eligible to be covered under the particular IMBL (e.g. trades/construction);
- how much to charge for an IMBL;
- the model for collecting and sharing revenue from the sales of the IMBL (e.g. seller retains revenue from sales or cost sharing among jurisdictions); and
- the terms of the by-law to be enacted by each participating municipality.

In Region 1, there are four existing sub-regional IMBL groups: Fraser Valley, Metro West, North Shore and Tri-Cities that cover mobile businesses such as trades, construction, and catering. None of these existing IMBLs apply to vehicles for hire or any other transport services.

The process of developing an IMBL generally takes six months to a year. For ride-hailing, a year-long process carried the risk that a patchwork of municipal licensing frameworks would emerge and have a potentially negative impact on the regional roll-out of the industry. On December 12, 2019 the Mayors' Council on Regional

Transportation directed TransLink to facilitate an expedited IMBL development process with Region 1 municipalities with agreement on by-law terms by January 31, 2020.

Region 1 municipalities commenced work in late December 2019. An IMBL Working Group was established and met weekly throughout the month of January 2020 to develop the proposal for an IMBL for ride-hailing. The proposed IMBL by-laws establish licensing authority; licence fee and structure; licence conditions; and licence fee revenue sharing among participating municipalities (Appendix A and Appendix B). They represent the outcome of two-thirds majority based voting undertaken by the IMBL Working Group members. Staff advocated and voted for licence terms and conditions that reflected the Council approved licensing framework from October 2019, which considered the City's Climate Emergency Response, Transportation 2040, and principles for ride-hailing regulation.

Participating municipalities will bring reports to their Councils in February and March 2020 recommending approval of the by-laws as presented. If approved, the IMBL will take effect on



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April 1, 2020. For any participating municipalities that enact the by-law after April 1, 2020, the licence will take effect in that municipality on the day of enactment.

Given the expedited process for development, the terms of the by-law should be understood as interim. Participating municipalities will assess the effectiveness of the licence over the coming months, as more companies are licensed and operating.

Strategic Analysis

The draft IMBL by-laws establish the following:

Licensing Authority

The City of Vancouver will be the licensing authority for the IMBL which means that ride-hailing companies will need to purchase the licence from the City of Vancouver. The licence will allow companies to operate in all participating Region 1 municipalities.

Given the expedited timeframe to develop a licencing scheme, the working group agreed that the City of Vancouver is well positioned for this role as it has developed an infrastructure to support tracking and issuing TNS business licences.

Licence Fee and Structure

The annual licence fee will be a company fee of \$155 plus per vehicle fees of

- \$150 for each vehicle
- \$30 for each zero emission vehicle
- \$0 for each wheelchair accessible.

The discounted fee for zero emission vehicles provides a meaningful incentive while acknowledging that these vehicles do have an administrative cost and physical impact on streets. Wheelchair accessible vehicles are understood to be more expensive to purchase and maintain than non-accessible vehicles, and municipalities want to encourage their participation in ride-hailing as much as possible. Therefore, a \$0 per vehicle fee is proposed.

Licence fees are to be pro-rated to align with the City of Vancouver's calendar licensing structure.

Companies will self-report monthly all new vehicles operating under their licence, and whether they are standard, zero emission or wheelchair accessible. Once a vehicle has been reported and the associated fee paid, the vehicle may operate for the remainder of the calendar year.



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The per vehicle fee structure was agreed upon as it can be implemented immediately; it enables incentives for specific vehicle types; and it is equitable among companies of all fleet sizes.

The per vehicle fee of \$150 was set with the aim of achieving administrative program cost recovery (Appendix D), and recovery of costs to participating municipalities associated with monitoring business activity and impacts in their communities. Because ride-hailing is a new business type the full costs of licensing and monitoring are not yet known. The licence fee is comparable to licensing fees in other Canadian jurisdictions such as the City of Calgary.

Licence Fee Revenue Sharing

Licence fee revenue will be shared among participating municipalities. The City of Vancouver will first retain funds sufficient to recover costs for set-up and administration of the licence program, (Appendix D) and remaining revenues will be shared based on the percent of total regional pick-ups and drop-offs that occur within each municipality.

Year 1 of the IMBL program includes set-up costs that are expected to fall in subsequent years as the program is regularized. At the end of each licence year, the City of Vancouver will provide participating municipalities with a year-end account of costs, and revenue to be shared.

Licence Requirements

Companies will be required to comply with the municipal by-laws and regulations of each participating municipality.

Each participating municipality will retain authority to enforce its own by-laws, for example street and traffic regulations, and also to suspend or cancel an IMBL. Because suspension or cancellation of a licence would affect all participating municipalities, staff in participating municipalities will establish a shared protocol for escalating enforcement prior to any municipality considering suspension or cancellation. This protocol will include communicating with the Provincial Registrar and Passenger Transportation Branch about on-going concerns with a company or vehicle.

The Province will be enforcing compliance with provincial regulations and licence conditions. Field investigations will be carried out by the Commercial Vehicle Safety and Enforcement (CVSE) Branch; the Registrar of the Passenger Transportation Branch is authorized to investigate and audit companies for issues including compliance with licence conditions and public safety. At this time, the number of provincial enforcement staff that will be assigned to address potential issues in [Vancouver] is not available.

Monitoring Industry Impacts – Access to Data



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Access to detailed trip data is critical for municipalities in understanding the impact of ride-hailing in their communities at both the system-wide and street levels. At the system-wide level it will assist in identifying changes in travel mode share like transit use, cycling and walking. At the street level it can be used to establish solutions to mitigate safety concerns and congestion impacts such as identification of ride-hailing pick-up and drop-off zones. It can also highlight locations that may require enforcement attention.

The BC Passenger Transportation Branch requires comprehensive vehicle and trip data from companies. In early February, the Province confirmed that municipalities will be able to access these data on a regular, on-going basis through a Partnership Agreement with the Passenger Transportation Branch. Consequently, detailed trip data will not be a requirement of the IMBL; municipalities will benefit from access to provincial data, and companies will benefit from not having to duplicate data submission efforts.

As a condition of the IMBL, licenced ride-hailing companies will still be required to report the total number of pick-ups and drop-offs occurring in each participating municipality so as to enable the City of Vancouver to calculate the share of revenue owed to each participating municipality.

Public/Civic Agency Input

The working group held an industry information session on January 22, inviting the 17 TNS operators who had applied to the PTB to operate in Region 1 at that time. Participants were informed about the proposed IMBL framework, including specifics, such as fee structure and data requirements. At the time of the consultation, the proposed IMBL included data submission requirements that have since been removed. Fifteen of the applicants invited sent representatives.

In addition to the comments given during the information session, three companies submitted written comments following the session. The working group reviewed and considered all comments submitted.

The TNS industry representatives were generally appreciative of the expedited IMBL process, particularly as two of the applicants received PTB approval during the process and had a more urgent need for an IMBL.



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The key concerns heard by the working group were:

1. Fee structure and smaller operators: The working group heard concerns that the fee structure disadvantaged smaller operators who are less able to absorb the per-vehicle charges compared to larger operators.
2. Fee structure and TNS fluidity: The working group heard concerns that the way that fees are charged – based on vehicles that sign on with the company rather than number of vehicles in operation – do not match the fluid nature of the ride-hailing industry which tends to have high driver turnover.
3. Data requirements and granularity: The working group also heard concerns about the level of granularity required for data submissions, with respect to customer privacy.

The working group will take key concerns 1 and 2 under advisement and consider options to address these concerns as part of the ongoing development of a permanent IMBL. The concerns are significant enough and industry perspectives varying enough that further work and consultation is required, and was not possible prior to the January 31 deadline for the interim IMBL.

Regarding data requirement concerns, the working group has since determined that detailed data submission will not be required as part of the IMBL. Municipalities will access provincially collected data through a Partnership Agreement with the Provincial Transportation Branch.

Implications/Risks

Bylaw provisions not supported by Council

The terms proposed in the Inter-Municipal Business Licence for ride-hailing have been developed and agreed to by staff from the municipalities that participated in the Working Group. Should Council seek to amend terms of the bylaws at this time, further consultation with all participating municipalities would be required. Consequently, the proposed effective date for implementation of the licence, April 1, 2020, would likely be delayed.

The IMBL will be effective in all participating municipalities that adopt the bylaws and enter into agreement. If Council chooses not to support the proposed bylaws as presented, the Village of Lions Bay will not be included as a participant in the IMBL. Ride-hailing companies holding the licence will not be able to operate under that licence in Lions Bay. As a result, residents may not be able to access regionally integrated ride-hailing services.



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Financial

Year one (2020) set up and administration of the proposed Inter-Municipal Business Licence is estimated to cost the City of Vancouver \$140,000. It is anticipated that these costs will be recovered through licence fee revenue. Should year one licence fee revenue be insufficient for cost recovery, the City will seek to recover outstanding costs from future year IMBL revenues.

Included in the administrative costs is the addition of one half-time licence clerk at an approximate cost of \$33,000 per year.

The City of Vancouver will obtain a share of the licence fee revenue that remains once administrative program costs have been recovered. That share will be based on Vancouver's proportion of regional pick-ups and drop-offs and will be used to offset costs related to monitoring industry impacts in the municipality.

Environmental

Based on evidence from other jurisdictions, the introduction of ride-hailing (TNS) could adversely impact municipal streets and increase vehicle kilometres travelled by private vehicles. Other jurisdictions report the following impacts in their communities:

- While many trips taken with a TNS vehicle substitute trips that passengers would have otherwise driven themselves, travel surveys indicate that between 42% and 61% of urban TNS users would have taken transit, walked, biked, or not taken the trip at all if TNS services had not been available;
- Up to 50% of the vehicle kilometres travelled by TNS vehicles carry no passengers at all, resulting in "deadhead" kilometres TNS drivers travel while looking for patrons; this increases congestion and greenhouse gas emissions associated with transportation.
- In August 2019, Uber and Lyft shared some of their own data which indicated that ride-hailing accounted for 1.7% up to 13.4% of all vehicle kilometres travelled (VKT) in core urban areas and between 1.0% and 2.9% in suburban areas.

The impacts of the introduction of ride-hailing in [Vancouver] and the Lower Mainland will be better understood once the City and region have access to ride-hailing trip data.



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Legal

Section 59(2) of the Community Charter applies in the circumstances of business regulation and therefore persons who consider themselves affected by the bylaws must be given an opportunity to be heard before Council adopts the bylaws. This may be done in the form, manner and times Council considers to be reasonable. In addition to specifically noting the opportunity on this agenda, Council is requested to endorse the methodology recommended at the outset of this report, effectively providing for an additional opportunity near the end of this meeting and at the beginning of the next meeting. Of course, the public may also provide correspondence to be included in the next Council meeting agenda.

Next Steps:

Several communities have passed preliminary readings of the bylaws with enactment expected in March. Should adoption be approved by Council and by other participating municipalities, then City of Vancouver staff are prepared to issue IMBL licences on April 1, 2020; prepare invoices; and set-up revenue distribution.

The IMBL terms were developed on an expedited time frame; staff will work with participating municipalities to monitor its effectiveness and consider refinement of terms. For example, there may be opportunities to further encourage wheelchair accessible or zero emission vehicles. Industry representatives requested a fee structure that more accurately reflects their business model such as a monthly fee based on active vehicles. As more companies are licensed and staff come to better understand the costs for licensing and for monitoring industry impacts, such changes may be considered.

The PTB has announced that it will review its regulations with regard to taxi operating areas, but taxis cannot be considered for an IMBL at this time as the PTB restricts their operations to be within municipal boundaries.

Communication:

Staff will report adoption of the Bylaw to the City of Vancouver and monitor progress on the effectiveness of the program and driver participation in the Village of Lions Bay.

PDJ

**INTER-MUNICIPAL TNS BUSINESS LICENCE AGREEMENT
BYLAW NO. 572, 2020**

**A Bylaw to enter into an agreement among the Participating Municipalities
regarding an Inter-municipal Transportation Network Services Business Licence Scheme**

THE COUNCIL OF THE VILLAGE OF LIONS BAY, in public meeting, enacts as follows:

1. Council hereby authorizes the Village of Lions Bay to enter into an Agreement with the Participating Municipalities in substantially the form and substance of the Agreement attached to this Bylaw as Schedule A, and also authorizes the Mayor and the Corporate Officer to execute the Agreement on behalf of the Village of Lions Bay, and for the Corporate Officer to deliver it to the Participating Municipalities on such terms and conditions as the Corporate Officer deems fit.
2. This Bylaw is to come into force and take effect on the date of its enactment.
3. This Bylaw is to be cited as the "Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020".

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME

March 3, 2020
March 3, 2020
March 3, 2020

ADOPTED

March 17 , 2020

Mayor

Corporate Officer

**Certified a true copy of Inter-municipal TNS Business Licence Agreement Bylaw No.572, 2020,
as adopted.**

Corporate Officer

Schedule A

Inter-municipal TNS Business Licence Agreement

WHEREAS the City of Abbotsford, the Village of Anmore, the Bowen Island Municipality, the City of Burnaby, the City of Chilliwack, the City of Coquitlam, the City of Delta, the Village of Harrison Hot Springs, the Corporation of the City of Langley, the Corporation of the Township of Langley, the Village of Lions Bay, the City of Maple Ridge, the Corporation of the City of New Westminster, the Corporation of the City of North Vancouver, the Corporation of the District of North Vancouver, the City of Pitt Meadows, the Corporation of the City of Port Coquitlam, the City of Port Moody, the City of Richmond, the District of Squamish, the City of Surrey, the City of Vancouver, the Corporation of the District of West Vancouver, the Resort Municipality of Whistler, and the Corporation of the City of White Rock (the "*Participating Municipalities*"), wish to permit transportation network services ("*TNS*") businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

NOW THEREFORE the *Participating Municipalities* agree as follows:

1. The *Participating Municipalities* agree to establish an *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, pursuant to section 14 of the *Community Charter* and section 192.1 of the *Vancouver Charter*.

2. The *Participating Municipalities* will request their respective municipal Councils to each ratify this Agreement and enact a by-law to implement an *Inter-municipal TNS Business Licence* scheme effective April 1, 2020 if this Agreement is ratified and a by-law is enacted prior to or on April 1, 2020, or upon the date of enactment if this Agreement is ratified and a by-law is enacted after April 1, 2020.

3. In this Agreement:

"*Accessible Vehicle*" means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

"*Administrative Costs*" means the direct and indirect costs and investments attributable to setting up and administering the *Inter-municipal TNS Business Licence* scheme, including wages, materials, corporate overhead and rent;

"*Business*" has the same meaning as in the *Community Charter*;

"*Community Charter*" means the Community Charter, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

"*Inter-municipal TNS Business*" means a *TNS Business* that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

"*Inter-municipal TNS Business Licence*" means a business licence which authorizes an *Inter-municipal TNS Business* to be carried on within the jurisdictional boundaries of any or all of the *Participating Municipalities*;

"*Inter-municipal TNS Business Licence By-law*" means the by-law adopted by the Council

of each *Participating Municipality* to implement the *Inter-municipal TNS Business Licence* scheme contemplated by this Agreement;

“*Mobility Aid*” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“*Municipal Business Licence*” means a licence or permit, other than an *Inter-municipal TNS Business Licence*, issued by a *Participating Municipality* that authorizes a *Business* to be carried on within the jurisdictional boundaries of that *Participating Municipality*;

“*Participating Municipality*” means any one of the *Participating Municipalities*;

“*Premises*” means one or more fixed or permanent locations where the *TNS Business* ordinarily carries on *Business*;

“*TNS Business*” means a person carrying on the business of providing *Transportation Network Services*;

“*Transportation Network Services*” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“*Vancouver Charter*” means the *Vancouver Charter*, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

“*Zero Emission Vehicle*” means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

4. Subject to the provisions of the *Inter-municipal TNS Business Licence By-law*, each *Participating Municipality* will permit a *TNS Business* that has obtained an *Inter-municipal TNS Business Licence* to carry on the *Business* of providing *Transportation Network Services* within that *Participating Municipality* for the term authorized by the *Inter-municipal TNS Business Licence* without obtaining a *Municipal Business Licence* for the *TNS Business* in that *Participating Municipality*.

5. All *Inter-municipal TNS Business Licences* will be issued by the City of Vancouver.

6. The City of Vancouver may issue an *Inter-municipal TNS Business Licence* to a *TNS Business* if the *TNS Business* is an *Inter-municipal TNS Business* and meets the requirements of the *Inter-municipal TNS Business Licence By-law*, in addition to the requirements of the City of Vancouver's License By-law No. 4450.

7. Notwithstanding that a *TNS Business* may hold an *Inter-municipal TNS Business Licence* that would make it unnecessary to obtain a *Municipal Business Licence* for the *TNS Business* in the *Participating Municipalities*, the *TNS Business* must still comply with all orders and regulations under any municipal business licence by-law in addition to those under any other by-laws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the *TNS Business* carries on *Business*.

8. Any *Participating Municipality* may require that the holder of an *Inter-municipal TNS Business Licence* also obtain a *Municipal Business Licence* for any *Premises* that are maintained by the licence holder within the jurisdiction of the *Participating Municipality*.

9. The annual *Inter-municipal TNS Business Licence* fee is \$155, plus \$150 for each vehicle operating under the authority of the *Inter-municipal TNS Business*, except that the per vehicle fee for *Zero Emission Vehicles* will be \$30, and there will be no per vehicle fee charged for *Accessible Vehicles*. Any fees paid by an applicant to any *Participating Municipality* for a *Municipal Business Licence* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence* that are not refunded by that *Participating Municipality* will be credited against the initial *Inter-municipal TNS Business Licence* fee owing under this section 9.

10. The fee for any additional vehicles that begin operating under the authority of an *Inter-municipal TNS Business License* holder after the annual license fee is paid will be the per vehicle fee set out in section 9, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

11. The City of Vancouver will distribute the revenue generated from *Inter-municipal TNS Business Licence* fees amongst all *Participating Municipalities* based on the City of Vancouver retaining an amount to cover its *Administrative Costs*, with the remaining fees to be distributed proportionally to the *Participating Municipalities*, including the City of Vancouver, based on the number of pick-ups and drop-offs in that *Participating Municipality*. The City of Vancouver will provide the other *Participating Municipalities* with an itemized accounting of the fees collected and disbursed, including an accounting of its *Administrative Costs*, at the time it distributes the remaining fees to those *Participating Municipalities*.

12. If the revenue generated from *Inter-municipal TNS Business Licence* fees in the initial year is insufficient to cover the *Administrative Costs* relating to the initial set up of the scheme, then the City of Vancouver may retain such portion of the *Inter-municipal TNS Business Licence* fees collected in the subsequent year or years as is necessary to reimburse the City of Vancouver for such initial *Administrative Costs*, until the full amount has been recovered.

13. Any revenue payable to a *Participating Municipality* in the initial year will be offset by any fees collected and not refunded by that *Participating Municipality* for a *Municipal Business License* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence*, and if the fees collected by the *Participating Municipality* exceed the amount owing to that *Participating Municipality*, then that *Participating Municipality* shall remit the difference to the City of Vancouver for inclusion in the revenue distribution set out above.

14. The revenue generated from *Inter-municipal TNS Business Licence* fees collected from January 1 to December 31 inclusive that is to be distributed to the *Participating Municipalities* in accordance with section 11, including the fees collected for any additional vehicles under section 10, will be distributed by the City of Vancouver by February 28 of the year following the year in which fees were collected.

15. The length of term of an *Inter-municipal TNS Business Licence* is 12 months, except that the length of term of the initial *Inter-municipal TNS Business Licence* issued to an *Inter-municipal TNS Business* by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the *Inter-municipal TNS Business Licence* with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying

the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

16. An *Inter-municipal TNS Business Licence* will be valid within the jurisdictional boundaries of all of the *Participating Municipalities* until its term expires, unless the *Inter-municipal TNS Business Licence* is suspended or cancelled. If a *Participating Municipality* withdraws from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities* in accordance with the *Inter-municipal TNS Business Licence By-law*, then the *Inter-municipal TNS Business Licence* will cease to be valid within the jurisdictional boundary of that former *Participating Municipality*.

17. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and suspend an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to suspend a business licence under the *Community Charter* or *Vancouver Charter* or under the business licence by-law of the *Participating Municipality*. The suspension will be in effect throughout all of the *Participating Municipalities* and it will be unlawful for the holder to carry on the *Business* authorized by the *Inter-municipal TNS Business Licence* in any *Participating Municipality* for the period of the suspension.

18. A *Participating Municipality* may exercise the authority of the of the City of Vancouver as the issuing municipality and cancel an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to cancel a business licence under the *Community Charter* or *Vancouver Charter* or the business licence by-law of the *Participating Municipality*. The cancellation will be in effect throughout all of the *Participating Municipalities*.

19. The suspension or cancellation of an *Inter-municipal TNS Business Licence* under section 17 or 18 will not affect the authority of a *Participating Municipality* to issue a *Municipal Business Licence*, other than an *Inter-municipal TNS Business Licence*, to the holder of the suspended or cancelled *Inter-municipal TNS Business Licence*.

20. Nothing in this Agreement affects the authority of a *Participating Municipality* to suspend or cancel any *Municipal Business Licence* issued by that municipality or to enact regulations in respect of any category of *Business* under section 15 of the *Community Charter* or sections 272, 273, 279A, 279A.1, 279B, and 279C of the *Vancouver Charter*.

21. A *Participating Municipality* may, by notice in writing to each of the other *Participating Municipalities*, withdraw from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, and the notice must:

- (a) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of *Inter-municipal TNS Business Licences*, which date must be at least 6 months from the date of the notice; and
- (b) include a certified copy of the municipal Council resolution or by-law authorizing the municipality's withdrawal from the *Inter-municipal TNS Business Licence* scheme.

22. Nothing contained or implied in this Agreement shall fetter in any way the discretion of the Councils of the *Participating Municipalities*. Further, nothing contained or implied in this

Agreement shall prejudice or affect the *Participating Municipalities'* rights, powers, duties or obligations in the exercise of their functions pursuant to the *Community Charter*, *Vancouver Charter*, or the *Local Government Act*, as amended or replaced from time to time, or act to fetter or otherwise affect the *Participating Municipalities'* discretion, and the rights, powers, duties and obligations under all public and private statutes, by-laws, orders and regulations, which may be, if each *Participating Municipality* so elects, as fully and effectively exercised as if this Agreement had not been executed and delivered by the *Participating Municipalities*.

23. Despite any other provision of this Agreement, an *Inter-municipal TNS Business Licence* granted in accordance with the *Inter-municipal TNS Business Licence Bylaw* does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the *Participating Municipalities*. Furthermore, a business licence granted under any other inter-municipal *TNS Business* licence scheme is deemed not to exist for the purposes of this Agreement even if a *Participating Municipality* is a participating member of the other inter-municipal *TNS Business* licence scheme.

24. This Agreement may be executed in several counterparts, each of which shall be deemed to be an original, and may be delivered by email or facsimile transmission, and each such counterpart, howsoever delivered, shall be deemed to be an original. Such counterparts together shall constitute one and the same instrument, notwithstanding that all of the *Participating Municipalities* are not signatories to the original or the same counterpart.

25. In the event that the municipal Council of a *Participating Municipality* other than the City of Vancouver does not ratify this Agreement, then that municipality will not be considered a *Participating Municipality* for the purposes of this Agreement, and the terms and conditions of this Agreement shall be effective as among the other *Participating Municipalities*.

Signed and delivered on behalf of the *Participating Municipalities*, the Councils of each of which have, by By-law, ratified this Agreement and authorized their signatories to sign on behalf of the respective Councils, on the dates indicated below.

The City of Abbotsford

Mayor _____

Corporate Officer _____

Date _____

Village of Anmore

Mayor _____

Corporate Officer _____

Date _____

Bowen Island Municipality

Mayor _____

Corporate Officer _____

Date _____

City of Burnaby

City Clerk _____

Date _____

City of Chilliwack

Mayor _____

Corporate Officer _____

Date _____

City of Coquitlam

Mayor _____

City Clerk _____

Date _____

City of Delta

Mayor _____

City Clerk _____

Date _____

Village of Harrison Hot Springs

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the City of Langley

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the Township of Langley

Mayor _____

Township Clerk _____

Date _____

Village of Lions Bay

Mayor _____

Corporate Officer _____

Date _____

City of Maple Ridge

Presiding Member _____

Corporate Officer _____

Date _____

The Corporation of the City of New Westminster

Mayor

City Clerk

Date

The Corporation of the City of North Vancouver

Mayor _____

City Clerk _____

Date _____

The Corporation of the District of North Vancouver

Mayor _____

Municipal Clerk _____

Date _____

The City of Pitt Meadows

Mayor _____

Corporate Officer _____

Date _____

The Corporation of the City of Port Coquitlam

Mayor _____

Corporate Officer _____

Date _____

City of Port Moody

Mayor _____

Corporate Officer _____

Date _____

The City of Richmond

Chief Administrative Officer

General Manager

Corporate and Financial Services

Date

District of Squamish

Mayor

Corporate Officer

Date

City of Surrey

Mayor

City Clerk

Date

The City of Vancouver

Director of Legal Services

Date

The Corporation of the District of West Vancouver

Mayor

Corporate Officer

Date

Resort Municipality of Whistler

Mayor _____

Municipal Clerk _____

Date _____

The Corporation of the City of White Rock

Mayor _____

Director of Corporate Administration _____

Date _____

**INTER-MUNICIPAL TNS BUSINESS LICENCE
BYLAW NO. 573, 2020**

**A Bylaw to enter into an
Inter-municipal Transportation Network Services Business Licence Scheme**

WHEREAS the municipalities that have entered or will enter into the *Inter-municipal TNS Business Licence Agreement* (the "*Participating Municipalities*") wish to permit licensed transportation network services ("*TNS*") businesses to operate across their jurisdictional boundaries thereby eliminating the need to obtain a separate municipal business licence in each jurisdiction;

AND WHEREAS each of the *Participating Municipalities* has or will adopt a similar by-law to implement the *Inter-municipal TNS Business Licence* scheme;

NOW THEREFORE THE COUNCIL OF THE VILLAGE OF LIONS BAY, in public meeting, enacts as follows:

1. There is hereby established an *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, pursuant to section 14 of the *Community Charter* and section 192.1 of the *Vancouver Charter*.

2. In this By-law:

"Accessible Vehicle" means a motor vehicle designed and manufactured, or converted, for the purpose of transporting persons who use mobility aids;

"Business" has the same meaning as in the *Community Charter*;

"Community Charter" means the *Community Charter*, S.B.C. 2003, c. 26, as may be amended or replaced from time to time;

"Inter-municipal TNS Business" means a *TNS Business* that has been licensed to operate in the Region 1 operating area by the Passenger Transportation Board;

"Inter-municipal TNS Business Licence" means a business licence which authorizes an *Inter-municipal TNS Business* to be carried on within the jurisdictional boundaries of any or all of the *Participating Municipalities*;

“Mobility Aid” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Municipal Business Licence” means a licence or permit, other than an *Inter-municipal TNS Business Licence*, issued by a *Participating Municipality* that authorizes a *Business* to be carried on within the jurisdictional boundaries of that *Participating Municipality*;

“Participating Municipality” means any one of the *Participating Municipalities*;

“Premises” means one or more fixed or permanent locations where the *TNS Business* ordinarily carries on *Business*;

“TNS Business” means a person carrying on the business of providing *Transportation Network Services*;

“Transportation Network Services” has the same meaning as in the *Passenger Transportation Act*, S.B.C 2004, c. 39, as may be amended or replaced from time to time;

“Vancouver Charter” means the *Vancouver Charter*, S.B.C. 1953, c. 55, as may be amended or replaced from time to time; and

“Zero Emission Vehicle” means a motor vehicle that is exclusively propelled by electricity or hydrogen from an external source.

3. Subject to the provisions of this By-law, each *Participating Municipality* will permit a *TNS Business* that has obtained an *Inter-municipal TNS Business Licence* to carry on the *Business* of providing *Transportation Network Services* within that *Participating Municipality* for the term authorized by the *Inter-municipal TNS Business Licence* without obtaining a *Municipal Business Licence* for the *TNS Business* in that *Participating Municipality*.

4. All *Inter-municipal TNS Business Licences* will be issued by the City of Vancouver.

5. The City of Vancouver may issue an *Inter-municipal TNS Business Licence* to a *TNS Business* if the *TNS Business* is an *Inter-municipal TNS Business* and meets the requirements of this By-law, in addition to the requirements of the City of Vancouver’s License By-law No. 4450.

6. Notwithstanding that a *TNS Business* may hold an *Inter-municipal TNS Business Licence* that would make it unnecessary to obtain a *Municipal Business Licence* for the *TNS Business* in the *Participating Municipalities*, the *TNS Business* must still comply with all orders and regulations under any municipal business licence by-law in addition to those under any other by-laws, regulations, or provincial or federal laws that may apply within any jurisdiction in which the *TNS Business* carries on *Business*.

7. Any *Participating Municipality* may require that the holder of an *Inter-municipal TNS Business Licence* also obtain a *Municipal Business Licence* for any *Premises* that are maintained by the licence holder within the jurisdiction of the *Participating Municipality*.

8. The annual *Inter-municipal TNS Business Licence* fee is \$155, plus \$150 for each vehicle operating under the authority of the *Inter-municipal TNS Business*, except that the per vehicle fee for *Zero Emission Vehicles* will be \$30, and there will be no per vehicle fee charged for *Accessible Vehicles*. Any fees paid by an applicant to any *Participating Municipality* for a *Municipal Business Licence* for the *TNS Business* prior to the availability of the *Inter-municipal TNS Business Licence* that are not refunded by that *Participating Municipality* will be credited against the initial *Inter-municipal TNS Business Licence* fee owing under this section 8.

9. The fee for any additional vehicles that begin operating under the authority of an *Inter-municipal TNS Business License* holder after the annual license fee is paid will be the per vehicle fee set out in section 8, pro-rated by dividing the applicable annual per vehicle fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

10. The length of term of an *Inter-municipal TNS Business Licence* is 12 months, except that the length of term of the initial *Inter-municipal TNS Business Licence* issued to an *Inter-municipal TNS Business* by the City of Vancouver may be less than 12 months in order to harmonize the expiry date of the *Inter-municipal TNS Business Licence* with the calendar year, in which case the annual fee will be pro-rated by dividing the applicable annual license fee by 12 and multiplying the resulting number by the number of months remaining in that calendar year, including any partial months which will be counted as whole months.

11. An *Inter-municipal TNS Business Licence* will be valid within the jurisdictional boundaries of all of the *Participating Municipalities* until its term expires, unless the *Inter-municipal TNS Business Licence* is suspended or cancelled. If a *Participating Municipality* withdraws from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities* in

accordance with this By-law, then the *Inter-municipal TNS Business Licence* will cease to be valid within the jurisdictional boundary of that former *Participating Municipality*.

12. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and suspend an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to suspend a business licence under the *Community Charter* or *Vancouver Charter* or under the business licence by-law of the *Participating Municipality*. The suspension will be in effect throughout all of the *Participating Municipalities* and it will be unlawful for the holder to carry on the *Business* authorized by the *Inter-municipal TNS Business Licence* in any *Participating Municipality* for the period of the suspension.

13. A *Participating Municipality* may exercise the authority of the City of Vancouver as the issuing municipality and cancel an *Inter-municipal TNS Business Licence* in relation to conduct by the holder within the *Participating Municipality* which would give rise to the power to cancel a business licence under the *Community Charter* or *Vancouver Charter* or the business licence by-law of the *Participating Municipality*. The cancellation will be in effect throughout all of the *Participating Municipalities*.

14. The suspension or cancellation of an *Inter-municipal TNS Business Licence* under section 12 or 13 will not affect the authority of a *Participating Municipality* to issue a *Municipal Business Licence*, other than an *Inter-municipal TNS Business Licence*, to the holder of the suspended or cancelled *Inter-municipal TNS Business Licence*.

15. Nothing in this By-law affects the authority of a *Participating Municipality* to suspend or cancel any *Municipal Business Licence* issued by that municipality or to enact regulations in respect of any category of *Business* under section 15 of the *Community Charter* or sections 272, 273, 279A, 279A.1, 279B, and 279C of the *Vancouver Charter*.

16. A *Participating Municipality* may, by notice in writing to each of the other *Participating Municipalities*, withdraw from the *Inter-municipal TNS Business Licence* scheme among the *Participating Municipalities*, and the notice must:

- (a) set out the date on which the withdrawing municipality will no longer recognize the validity within its boundaries of *Inter-municipal TNS Business Licences*, which date must be at least 6 months from the date of the notice; and

- (b) include a certified copy of the municipal Council resolution or by-law authorizing the municipality's withdrawal from the *Inter-municipal TNS Business Licence* scheme.

17. The invalidity or unenforceability of any provision of this By-law shall not affect the validity or enforceability of any other provisions of this By-law and any such invalid or unenforceable provision shall be deemed to be severable.

18. Despite any other provision of this By-law, an *Inter-municipal TNS Business Licence* granted in accordance with this By-law does not grant the holder a licence to operate in any jurisdiction other than within the jurisdictional boundaries of the *Participating Municipalities*.

19. A business licence granted under any other inter-municipal *TNS Business* licence scheme is deemed not to exist for the purposes of this By-law, even if a *Participating Municipality* is a participating member of the other inter-municipal *TNS Business* licence scheme.

20. This Bylaw is to be cited as the "Inter-municipal TNS Business Licence Bylaw No.573, 2020".

READ A FIRST TIME
READ A SECOND TIME
READ A THIRD TIME

March 3, 2020
March 3, 2020
March 3, 2020

ADOPTED

March 17, 2020

Mayor

Corporate Officer

Certified a true copy of Inter-municipal TNS Business Licence Bylaw No.573, 2020, as adopted.

Corporate Officer

IMBL Report FAQs

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Provincial Regulations and Licences

1. What licence do companies need from the PTB?
 - a. Companies must also hold a Provincial Transportation Network Service (TNS) licence from the Passenger Transportation Board
2. When did the PTB start accepting applications?
 - a. September 3, 2019
3. How many companies have applied to PTB for Region 1?
 - a. 17 as of February 21
4. How many companies are licensed by the PTB for Region 1?
 - a. Five: Kabu, Whistle, Apt Rides, Lyft, Uber
5. How many vehicles do we expect in the region?
 - a. We do not know how many vehicles to expect. The City of Calgary is a Canadian jurisdiction with similar commercial driver training requirements and we understand they have roughly 4000 ride-hailing vehicles on the road.

Municipal Authority to Regulate

1. Can we use the IMBL to limit the number of ride-hailing vehicles per company?
 - a. No. Province has authority over fleet size.
2. Can we use the IMBL to set driver training requirements?
 - a. The Province has sole authority over driver requirements
3. Can we use the IMBL to require driver background checks?
 - a. The Province has sole authority over driver requirements
4. Can we use the IMBL to require zero emission or wheelchair accessible fleets?

- a. The Province has authority to regulate fleet size and composition.
5. Can we use the IMBL to set vehicle standards like age or mechanical inspection?
 - a. The Province has a maximum age allowance of 10 years for ride-hailing vehicles. Municipalities cannot set age limits that are more restrictive.
6. Can we use the IMBL to set minimum fares?
 - a. The Province has authority over fare rates.
7. Can we require companies to have car seats for children?
 - a. Safety requirements are regulated by the Province.

See *Supplemental Materials* at end for details of Provincial regulatory authority.

Inter-Municipal Business Licence

BY-LAW AMENDMENTS

1. Can amendments to the by-law be made today?
 - a. The IMBL requires all participating municipalities to adopt a common by-law. That means any amendment requested by Council today would have to be brought back to the WG for consideration. That would disrupt the planned timing of 25 Councils considering the IMBL in February, to reconvene the Working Group members and reach agreement on amended terms. The April 1 effective date would be jeopardized.
 - b. The proposed IMBL is considered interim by the Working Group members; staff are committed to working with municipal partners on a permanent IMBL; there will be opportunities to consider refinements to the terms during that process.

WORKING GROUP/PARTICIPATING MUNICIPALITIES

1. How many municipalities were eligible? How many are taking the report to Council?
 - a. 32 (includes TFN) municipalities are eligible
 - b. 25 are taking the report to Council
2. Why did 7 other municipalities not join?
 - a. All eligible municipalities were contacted for participation in the WG process; not all participated in the process to develop the by-laws or to take them forward.
3. Can they join later? How will ride-hailing be licensed in those communities?
 - a. The next opportunity will be the permanent IMBL
 - b. In the meantime those municipalities can:
 - i. issue their own business licences
 - ii. choose to allow the companies to operate without a business licence
4. Why was Mission not included?
 - a. All eligible municipalities were contacted for participation in the WG process
5. What happens if a Council listed on the Agreement doesn't approve the IMBL?
 - a. That municipality would not be a participating municipality for the purposes of the IMBL.
 - b. Ride-hailing companies would not be allowed to operate in that city under the IMBL

- c. The city would have the option of issuing its own municipal business licence
- d. The city can choose to allow companies to operate without a business licence
- 6. What happens if I want to take a ride to a municipality that did not adopt the IMBL?
 - a. For the consumer, there is no impact. Companies with PTB licences to operate in Region 1 may do so in any Region 1 municipality. It is up to the city whether they want to issue the company a municipal business licence, or choose to allow companies to operate without municipal business licences.

LICENSING AUTHORITY

- 1. Why is there only one licensing authority? Why is Vancouver the sole licensing authority?
 - a. Under the short time-frame of the process to develop bylaws, the WG decided that Vancouver should be the sole licensing authority because it had a licensing framework in place.
 - b. When the process started WG members anticipated companies would submit detailed trip and vehicle data on a monthly basis as part of the IMBL and not all participating municipalities have the capacity to accept, store, and distribute the data.
 - c. There will be a limited number of companies operating in the Region

FEES

- 1. Why did you settle on these fees? If data collection, storage and distribution are no longer part of the administration of the IMBL, why is the fee per vehicle so high, \$150? Isn't this going to be too expensive for companies?
 - a. Licensing fees aim to recover the costs for Vancouver to administer this program, and for other cities to monitor ride-hailing in their municipalities. They are not meant to be prohibitive for the ride-hailing companies. Because ride-hailing is a new business the full costs of licensing and monitoring are not yet known. Our fees are comparable to licensing fees in other Canadian jurisdictions such as the City of Calgary (about \$229/driver), and were decided by all members of the working group.
 - b. The \$150 IMBL per vehicle allows the vehicle to operate across Region 1; the overall cost for companies is much lower than if a company had to purchase licenses in each Region 1 municipality.
 - c. The fees are pro-rated over the calendar year; \$13/month (rounded up from \$12.50)
- 2. How did you calculate the cost to administer the IMBL?
 - a. Estimated Year 1 Total Cost: \$140,000
Direct and indirect costs and investments from COV Include:
 - Privacy Management
 - Legal Services
 - Policy Development
 - Corporate Overhead, Materials and Rent
 - Licence processing including fee administration and reconciliation
 - b. Costs to participating municipalities for monitoring the impact of industry are not fully known at this time.
- 3. What feedback did you get from companies about the \$150 fee?

- a. We heard from smaller companies that the \$150 fee is somewhat high. Licensing fees aim to recover the costs for Vancouver to administer this program, and for other cities to monitor ride-hailing in their municipalities. They are not meant to be prohibitive for the ride-hailing companies. Because ride-hailing is a new business the full costs of licensing and monitoring are not yet known. Our fees are comparable to licensing fees in other Canadian jurisdictions such as the City of Calgary (about \$229/driver), and were decided by all members of the working group.
4. If we want to encourage ZEV, why are they not discounted to \$0 vehicle fee?
 - a. The \$30 fee is a significant discount from the \$150 standard vehicle fee; it acknowledges that these vehicles do have an impact on the street, and an administrative cost.
5. Did you consider different fee structures, such as a tiered structure with a maximum fee? The report says the companies wanted a fee structure that more accurately reflects the fluidity of their business. Did you consider that?
 - a. Given the compressed timeline for achieving bylaw terms, the Working Group agreed to use the fee structure Vancouver already has in place. Namely a per vehicle fee. The fee is pro-rated.
 - b. The per vehicle fee allows for discounts to encourage wheelchair accessible and ZEV.
 - c. The fee structure may be a subject for further consideration in development of the permanent IMBL.
6. Did you consider per trip fees?
 - a. Per trip fees cannot make up the cost of a licence; the licence fees should cover the costs of administering the licence and monitoring impacts of the industry
 - b. The inability to charge per trip fees was confirmed to the WG by provincial representatives.
7. If companies purchase the IMBL but have already paid business licence fees in individual municipalities will they be paying twice to operate in those municipalities?
 - a. No. Any licence fees paid to an individual municipality can be applied to the IMBL.
8. What happens between now and when the IMBL becomes effective? Do municipalities have to purchase licences in individual municipalities for 6 weeks?
 - a. Cities can choose to not require companies to have a business licence in the interim, until the IML is available
 - b. Cities can require companies to purchase a municipal BL for the interim; fees paid will be credited against the IMBL.

DATA

9. The report says staff expect access to Provincially collected data. What is the status of the Partnership Agreement?
 - a. Staff are connected with the Province and are working to ensure data access will be sufficient for industry monitoring purposes.
10. How will we be able to use the data that is collected by the Province?
 - a. Staff are connected with the Province and are working to ensure data access will be sufficient for industry monitoring purposes. This includes verification of monthly report on number of vehicles and on total pick-ups and drop-offs in the

each participating municipality (IMBL licence requirements for purpose of licence fee invoicing and revenue sharing). The data can also be used to assess street level activity such as identification of high activity areas that might require new pick-up and drop-off zones, or may require on the ground attention from Street Use enforcement staff. It can also be used to assess larger system wide impacts such as shifts in mode share.

11. In the data collected by the Province, will the Municipality be able to access data on driver wages to ensure that ride-hailing drivers can make a living wage?
 - a. The Province are collecting these data; staff can inquire as to whether we can access that data.
12. Can we make submission of wage data a requirement of the IMBL?
 - a. Staff would have to review our authority to do so.
13. Are ride-hailing companies still going to submit monthly data to the City of Vancouver?
 - a. The number and type of vehicles – for licence fee invoicing purposes
 - b. The total pick-ups and drop-offs in each municipality for licence fee redistribution purposes

OTHER IMBL REQUIREMENTS

1. Did the Working Group consider requirements for vehicle identification?
 - a. The Province has established vehicle identification requirements.
2. Do cities have authority to set requirements for vehicle identification?
 - a. Municipal authority in this area is unclear.
3. Other questions related to Provincial jurisdiction:
 - a. The Province will be reviewing all ride-hailing regulations in 2022. We anticipate the opportunity for municipalities to provide input at that time.
4. What issues has the WG identified for review during development of the permanent IMBL?
 - a. The WG will monitor the industry to identify areas for consideration
 - b. We heard from stakeholders that they would like a fee structure that reflects the fluidity of their driver/vehicle pool so that is an item the WG is likely to consider
5. The Mayors' Council recommended harmonization of taxi fees with ride-hailing fees. How is that addressed in the IMBL?
 - a. Taxis are not included in the IMBL; they are licensed by individual municipalities. Each municipality will have to decide whether they want to harmonize the licence fees.
6. Does the IMBL address caps on the number of taxis?
 - a. Fleet size for all PDVs is under authority of the Province.
7. Does the IMBL address taxi boundaries?
 - a. Operating service areas for all PDVs are under authority of the Province.

ENFORCEMENT

1. How will municipalities be able to enforce local by-laws?
 - a. Each participating municipality will retain authority to enforce its own by-laws, for example street and traffic regulations;
 - b. Staff will work with companies to ensure compliance with street use and licence by-laws. The Municipality has a number of tools to pursue by-law compliance which

includes on-street enforcement through Bylaw Enforcement Officers, Licensing Orders, fines, business licence suspensions and prosecution.

2. How will we be able to verify the number of vehicles reported for licensing purposes is correct? How will we be able to verify the number of pick-ups and drop-offs reported for our municipality is correct?
 - a. The City of Vancouver expects to enter the Partnership Agreement with the Passenger Transportation Branch that will allow us to access the trip and vehicle data the province collects as a condition of the provincial licence. These data can be used to verify number of vehicles and pick-up and drop-offs per municipality.
3. Will other municipalities be able to suspend or cancel a company's IMBL?
 - a. All municipalities retain authority to suspend or cancel an IMBL. Because suspension or cancellation of a licence would affect all participating municipalities, staff in participating municipalities will establish a shared protocol for escalating enforcement prior to any municipality considering suspension or cancellation. This protocol will include communicating with the Provincial Registrar and Passenger Transportation Branch about on-going concerns with a company or vehicle.

SUPPLEMENTAL MATERIALS**Supplement: Provincial Regulations Tables****Table 1. *Passenger Transportation Act and Regulations***

New Definitions	
Passenger Directed Vehicle (PDV)	a commercial passenger vehicle, when the vehicle is operated to or from locations determined by or on behalf of the passengers (includes taxis, limousines, shuttle buses, and ride-hailing vehicles)
Transportation Network Service (TNS)	services respecting the connection of drivers of passenger directed vehicles with passengers who hail and pay for the services through the use of an online platform
Changes to municipal regulatory authority	
Supply and prohibition of PDVs	Municipalities cannot regulate supply; cannot prohibit provincially approved vehicles from operating within municipal boundaries
Driver background checks	Province will determine driver criminal & driver record check requirements and issue Chauffeur Permits
Insurance	
ICBC Authority	ICBC is authorized to develop new insurance products for Passenger Directed Vehicles and companies
Data submission required	
Taxi and TNS	Must submit data to the Passenger Transportation Board; data may include trip rates, wait times, pick up and drop off locations and times
Driver requirements - all Passenger Directed Vehicle drivers including ride-hailing	
Driver's Licence	BC issued Class 4 licence
Provincial Record Check	Annual police information check with Vulnerable Sector Search and driver abstract (record of driving infractions)
Licensee (company) requirements – All PDV and TNS	
Driver identity	Ensure identity of driver matches criminal record check; may issue record check certificate
National Safety Code	Obtain National Safety Code which requires company to: ensure drivers are properly licensed; monitor hours of driver service; ensure vehicles are mechanically sound
Vehicle safety requirements	
Mechanical Inspections, all PDVs	Annual mechanical inspection required; semi-annual if 40,000 or more km per year
Vehicle Age – TNS vehicles	Vehicles must be 10 years old or newer
Taxi & Limousine	No minimum age, however new fleet must be low emissions
Licence fees	
TNS	\$5,000 annual + \$0.30 fee per trip made by non-accessible vehicles
Taxi & Limousine	\$100 per vehicle fee annually

SUPPLEMENTAL MATERIALS

Enforcement & Fines	
All PDV	Audit and inspection is a PTB function Fines increased to a maximum of \$5,000/day for drivers and \$100,000/day for unlicensed companies

Table 2. Passenger Transportation Board Licence Conditions

Licence Condition	TNS	Taxi & Limousine
Company fleet size	unrestricted fleet size	current fleet sizes; application required for additional vehicles
Company service boundary	See Table 3 below	existing service boundaries maintained
Vehicle identification	Determined by PTB	Determined by PTB
Fare rates	Total fare may not be lower than Taxi flag drop rate;	rates set by Passenger Transportation Board, unchanged;
Data submission	See Appendix H	See Appendix H

Table 3. Passenger Transportation Board TNS Service Boundaries

Region 1: Lower Mainland, Whistler	Region2: Capital	Region 3: Vancouver Island, excluding CRD	Region 4: Okanagan- Kootenay Boundary-Cariboo	Region 5: BC North Central & other regions of BC
• Metro Vancouver • Fraser Valley • Squamish-Lillooet	• Capital Regional District	• Cowichan Valley • Nanaimo • Comox Valley • Alberni-Clayoquot • Strathcona • Mt. Waddington • Qathet (Powell River)	• Okanagan-Similkameen • Central Okanagan • North Okanagan • Kootenay Boundary • Shuswap Cariboo • Thompson-Nicola • Columbia	• Fraser-Fort George • Bulkley Nechako • Kitimat-Stikine • Peace River • Northern Rockies • North Coast • Island Trust • Sunshine Coast



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Type	Request for Decision		
Title	Council Procedures Bylaw No. 575, 2020, Amendment Bylaw No. 575, 2020		
Author	Karla Duarte	Reviewed By:	Peter DeJong
Date	March 13, 2020	Version	1
Issued for	March 17, 2020 Regular Council Meeting		

Recommendation:

(1) THAT Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020 be given three readings.

Attachments:

- (1) Draft Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020
- (2) Draft Consolidation of Council Procedures Bylaw No. 476, 2015, as amended

Key Information:

The following outlines the reasons for amending Council Procedures Bylaw No. 476, 2015:

- Section 8 (2) (a) is amended to provide Council with greater flexibility in setting the annual schedule of Regular Council Meeting dates
- Section 11 (3) of the Procedures Bylaw is amended to clarify the number of Council Members that can participate in a meeting by means of electronic or other communication facilities if they are unable to attend a Regular or Special Council Meeting or a Council Strategy Committee (CSC) Meeting.
- Section 18 (3) of the Procedures Bylaw is amended to correct the section it refers to.
- Section 34 (9) (b) of the Procedures Bylaw is amended to correct the section it refers to.

Options:

- (1) Give the bylaw three readings;
- (2) Amend the bylaw, and then give it three readings;
- (3) Send the bylaw back to staff with other instructions.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY

Preferred Option: Give the bylaw three readings.

Legal Considerations: Section 124 (3), together with section 94, require proposed amendments to a procedure bylaw to be advertised through publication over two consecutive weeks.

Follow Up Action and Communication Plan: If the bylaw is given three readings, notice will be published in a newspaper circulated locally, as well as the Village Update, over two consecutive weeks and come back for consideration of adoption on April 7th, 2020 at the Regular meeting of Council.



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020

Adopted:

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0
Phone: 604-921-9333 Fax: 604-921-6643
Email: office@lionsbay.ca Web: www.lionsbay.ca

Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020

The Council of the Village of Lions Bay, in open meeting assembled, enacts as follows:

1. This bylaw may be cited for all purposes as “Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020”.
2. Section 8 (2) (a) of Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020 (the “Procedures Bylaw”) is amended by striking the words: “on the first and third Tuesday of” and substituting therefore the words: “at least once”.
3. Section 11 (3) of the Procedures Bylaw is amended by striking the number “2” and substituting the number “4”.
4. Section 18 (3) of the Procedures Bylaw is amended by striking the number “(3)” and substituting the number “(4)”.
5. Section 34 (9) (b) of the Procedures Bylaw is amended by striking the number “35” and substituting the number “34”.

READ A FIRST TIME

March 17, 2020

READ A SECOND TIME

March 17, 2020

READ A THIRD TIME

March 17, 2020

ADOPTED

2020

Mayor

Corporate Officer

Certified a true copy of Council Procedures Bylaw No. 476, 2015, Amendment Bylaw No. 575, 2020, as adopted.

Corporate Officer



THE MUNICIPALITY OF THE VILLAGE OF LIONS BAY



Council Procedures Bylaw No. 476, 2015

Office Consolidation

This document is an office consolidation of Council Procedures Bylaw No. 476, 2015 with subsequent amendments adopted by the Village of Lions Bay.

All persons making use of this consolidation are reminded that it has no Council sanction, that amendments have been incorporated only for convenience of reference, and that for all purposes of interpretation and application, the original bylaws should be consulted. The Village of Lions Bay will, in no event, be liable or responsible for damages of any kind arising out of the use of this consolidation.

This is not the official version Council Procedures Bylaw No. 476, 2015, as amended, nor is it admissible in a court of law. For such purposes, official certified copies of the original bylaws can be obtained from the Village Office or by contacting us at: admin@lionsbay.ca

List of Amending Bylaws

Bylaw No.	Section	Description	Adopted
529	All	Various amendments	July 4, 2017
~~575~~	~~Alls.2~~ ~~s.3~~ ~~s.4 & 5~~	~~Various amendments~~ Council Meeting Schedule Electronic Meetings Sundry clerical amendments	

Bylaw No. 476, 2015 Council Procedures 2015

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**THE VILLAGE OF LIONS BAY
BYLAW NO. 476**

Council Procedures

The Council of the Municipality of the Village of Lions Bay deems it expedient to provide for Council meeting and Committee meeting procedures pursuant to the Community Charter Council, in open meeting assembled, enacts as follows:

PART 1 – INTRODUCTION

TITLE

1. This Bylaw may be cited as the “COUNCIL PROCEDURES BYLAW NO. 476, 2015”.

SEVERABILITY

2. If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed portion.

PREVIOUS BYLAW REPEAL

3. Council Procedures Bylaw No. 453, 2012 is hereby repealed.

DEFINITIONS

4. In this Bylaw:

“Chair” means the Council Member identified to preside over Council proceedings;

“Committee” means a standing, select, or other Committee of Council, but does not include the Council Strategy Committee (CSC);

“Corporate Officer” means the Chief Administrative Officer of the Village or his or her delegate;

“Correspondence” means documentation submitted to the Village, either electronically or in hard copy, which:

- (a) is addressed specifically to Council or a majority of Council Members; or
- (b) that the Corporate Officer determines, based on the content, should be included as Council Correspondence.

“Committee Member” means a member of a Committee, as appointed by Council or the Mayor;

“Committee Meeting” means a meeting of a Select or Standing Committee of Council;

“Council” means the Council of the Village of Lions Bay;

“Council Meeting” means an Inaugural, Regular or Special Council Meeting, as the context requires;

“Council Member” means a member of Council, being the Mayor or a Councillor;

“Council Strategy Committee (CSC)” means a Committee of all council members, of which the Mayor and all Councillors are members for the purpose of strategic goal planning;

[Amended by Bylaw No. 529, 2017]

“Councillor” means a Council Member of the Village of Lions Bay, excluding the Mayor;

“Inaugural Council Meeting” means the Council Meeting at which the Mayor and Councillors elected at the most recent general local election are sworn in;

“Mayor” means the Mayor, but not the Acting Mayor, of the Village;

“Motion” means a formal proposal made by a Council Member at a Council Meeting whereby Council approves or orders a specified course of action;

“Municipal Hall” means the Village of Lions Bay Office located at 400 Centre Road, Lions Bay, BC, V0N 2E0;

“Point of Information” means the procedure pursuant to which a Council Member may ask the Chair to require further information on the subject being debated;

“Point of Order” means a procedure by which a Council Member interrupts another speaker to ask the Chair to rule on a procedural matter immediately;

“Public Notice Posting Places” means the notice boards at the Municipal Hall and Village post office as well as the Village website;

“Quorum” means:

- (a) in the case of Council, a majority of the number of Council Members of which the Council consists under the Community Charter; and
- (b) in the case of a Committee or other body, a majority of the voting Committee Members appointed.

“Recorder” means the staff member, contractor, Council Member or Committee Member assigned to take the minutes at a Council Meeting or Committee Council Meeting;

“Regular Council Meeting” means a Council Meeting of the Council, other than a Special or Inaugural Council Meeting, held under Part 2;

“Special Council Meeting” means a Council Meeting of the Council, other than a Regular or Inaugural Council Meeting, held under Part 2;

“Village” means the Municipality of the Village of Lions Bay;

“Village Website” means the information resource found at an internet address provided by the Village.

INTERPRETATION

5. Reference in this Bylaw to:

- (1) A numbered Section or Part is a reference to the correspondingly numbered Section or Part of this Bylaw.
- (2) The plural is to be considered to be a reference also to the singular, unless the context otherwise requires.
- (3) A resolution or vote of Council is a reference to a resolution or vote passed by the affirmative vote of a majority of Council Members present and entitled to vote on the matter except as otherwise provided by the Community Charter or this or any other Bylaw of the Village.

APPLICATION OF RULES OF PROCEDURE

6.
 - (1) The provisions of this Bylaw govern the proceedings of Council, CSC and all standing and select Committees of Council, as applicable.
 - (2) In cases not provided for under this Bylaw, the New Robert's Rules of Order, 11th edition, apply to the proceedings of Council, CSC, and Committees to the extent they are:
 - (a) applicable in the circumstances; and
 - (b) not inconsistent with provisions of this Bylaw or the Community Charter.

PART 2 – COUNCIL MEETINGS

INAUGURAL MEETING

7.
 - (1) Following a general local election, the Inaugural Council Meeting must be held on the first Tuesday in the month following a general election.

- (2) If a Quorum of Council Members elected at the general local election has not taken office by the date of the Council Meeting referred to in Section 7(1), the first Council Meeting must be called by the Corporate Officer and held as soon as reasonably possible after a Quorum has taken office.

TIME AND LOCATION OF MEETINGS

8. (1) All Council Meetings must take place within the Council Chambers of the Municipal Hall except when Council resolves to hold Council Meetings elsewhere. Except in the case of a Council Meeting outside Municipal boundaries, Council may pass a Resolution to hold a Council Meeting outside of Municipal Hall at the commencement of that Council Meeting. Meetings, hearings or other proceedings referred to in Section 134.1 (1) may be held outside the boundaries of the Village of Lions Bay.

[Amended by Bylaw No. 529, 2017]

- (2) Regular Council Meetings must:

- (a) be held ~~on the first and third Tuesday of~~ at least once each month, excepting August;

[Amended by Bylaw No. 575, 2020]

- (b) begin at 7:00 p.m.; and

- (c) be adjourned by 10:00 p.m. on the day scheduled for the Council Meeting unless Council resolves to proceed beyond that time in accordance with Section 40(1).

- (3) Regular Council Meetings may:

- (a) be cancelled by a resolution of Council, provided that two consecutive Council Meetings are not cancelled; or

- (b) be rescheduled to a different day, time and place by Council resolution, provided the Corporate Officer is given at least 2 days written notice.

[Amended by Bylaw No. 529, 2017]

- (4) When a Regular Council Meeting date is cancelled or rescheduled pursuant to section 8(3) notice shall be provided in accordance with Sections 9(2) and 9(3).

[Amended by Bylaw No. 529, 2017]

NOTICE OF REGULAR COUNCIL MEETINGS

9. (1) The Corporate Officer must, at Public Notice Posting Places, annually before January 15 post a schedule of the dates, times and places of Regular Council Meetings.
- (2) The Council may cancel or reschedule a Regular Council Meeting under Section 8 (3) or call a Special Council Meeting under Section 10. The Corporate Officer must, as soon as practicable;

- (a) post a notice at the Public Notice Posting Places which indicates revisions to the date, time and place of a Regular Council Meeting or cancellation of a Regular Council Meeting; and
 - (b) revise the schedule referred to in Section 9(1).
- (3) Subject to Section 9(2) the Corporate Officer must give public notice of a Regular Council Meeting at least 24 hours before the date of the Council Meeting.
- (4) If the agenda for a Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the Community Charter on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed. Nothing herein precludes Council from passing a resolution to close a Regular Meeting and stating the basis for doing so, notwithstanding failure to provide advance notice.

[Amended by Bylaw No. 529, 2017]

NOTICE OF SPECIAL MEETINGS

10. (1) A Special Council Meeting may be called in compliance with applicable enactments.
- (2) Except where notice of a Special Council Meeting is waived by unanimous vote of all Council Members as required under the Community Charter, a notice of the date, time, and place of a Special Council Meeting must be given at least 24 hours before the time of Council Meeting by:
- (a) posting a copy of the notice at the Public Notice Posting Places;
 - (b) leaving one copy of the notice for each Council Member in the Council Member's mailbox at Municipal Hall; and
 - (c) contacting each Council Member by telephone (or leaving a recorded message) or by email to their municipal email address.
- (3) The notice under Section 10(2) must describe in general terms the purpose of the Council Meeting.
- (4) If the agenda for the Special Council Meeting contains a proposed resolution to close all or part of that Council Meeting to the public, the notices must state the basis under the Community Charter on which all or part of the Council Meeting is to be closed, but the notice must not otherwise describe the matter in respect of which all or part of the Council Meeting is to be closed. Nothing herein precludes Council from passing a resolution to close a Special Meeting and stating the basis for doing so, notwithstanding failure to provide advance notice.

[Amended by Bylaw No. 529, 2017]

ELECTRONIC MEETINGS

11. (1) Provided the conditions set out in the Community Charter are met:
- (a) a Special Council Meeting may be conducted by means of electronic or other communication facilities;
 - (b) a Council or Committee Member who is unable to attend at a Regular or Special Council Meeting or a CSC Meeting, as applicable, may participate, including voting, in the Meeting by means of electronic or other communication facilities.
- (2) The chair at a Regular or Special Council Meeting, or CSC Meeting, must not participate electronically.
- (3) No more than ~~2~~ 4 Council Members or Committee Members at one time may participate at a Meeting under Section 11(1)(b).
-[Amended by Bylaw No. 575, 2020]
- (4) A Regular or Special Council Meeting or CSC Meeting will not be cancelled due to the unavailability, failure or malfunction of electronic or communications facilities, as long as a Quorum still exists.
- (5) Staff, consultants and other invited persons may participate at a meeting under Section 11.
[Amended by Bylaw No. 529, 2017]

ANNUAL MEETING

12. The Corporate Officer must give notice of the Council Meeting or other public meeting in respect of which Council has resolved to consider:
- (a) the annual report prepared under the Community Charter; and
 - (b) submissions and questions from the public;
- By giving public notice by:
- (a) posting notice of the date, time and place of such meeting in the Public Notice Posting Places; and
 - (b) publishing notice of the date, time and place of such meeting in accordance with the Community Charter.

PART 3 - DESIGNATION OF MEMBER TO ACT IN PLACE OF MAYOR

13. Annually at the Inaugural Council Meeting, Council must, from amongst the Council Members, designate Councillors to serve as the Council Member responsible for acting in the place of the Mayor ("Acting Mayor") when the Mayor is absent or otherwise unable to act or when the office of Mayor is vacant.
14. Each Councillor designated under Section 13 must fulfill the responsibilities of the Mayor in his or her absence and has the same powers and duties as the Mayor in relation to the applicable matter.
15. If both the Mayor and the Council Member designated under Section 13 are absent from the Council Meeting, the Council Members present must choose a Councillor to preside at the Council Meeting.

PART 4 – COUNCIL PROCEEDINGS

COMMUNITY CHARTER PROVISIONS

16. Matters pertaining to Council proceedings are governed by the Community Charter including those provisions found in Division 3 of Part 4 and Division 2 of Part 5.

ATTENDANCE OF PUBLIC AT MEETINGS

17.
 - (1) Except where the provisions of Section 90 of the Community Charter apply, all Council Meetings must be open to the public.
 - (2) Before closing a Council Meeting or part of a Council Meeting to the public, Council must pass a resolution in a public Council Meeting in accordance with Section 92 of the Community Charter.
 - (3) This section applies to all Council Meetings of the bodies referred to in Section 93 of the Community Charter, including without limitation:
 - (a) Council Strategy Committee;
 - (b) Standing and Select Committees;
 - (c) Parcel Tax Review Panel; and
 - (d) Board of Variance.
 - (4) Despite Section 17(1), the Mayor, or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13, may expel or exclude from a Council Meeting a person in accordance with Section 27(4) of this bylaw.

MINUTES OF MEETINGS TO BE MAINTAINED AND AVAILABLE TO PUBLIC

18. (1) Minutes of the proceedings of Council must:
- (a) be legibly recorded, with decisions and action items clearly noted;
 - (b) generally reflect the nature of business which occurred;
 - (c) be certified as correct by the Corporate Officer; and
 - (d) be signed by the Mayor, or other Council Member presiding at the Council Meeting, and the Corporate Officer once adopted by Council.
- (2) Verbatim transcription of statements and commentary will not be captured in the official minutes. Persons addressing Council, either as a Delegation or during participatory periods of the Council Meeting, may provide the Recorder with a transcript of their comments at the Council Meeting, for inclusion with the filing of the official Agenda package. Documents will not be received after the Council Meeting has concluded.
- (3) Subject to Section 18(3), (4), and in accordance with the Community Charter, minutes of the proceedings of Council must be open for public inspection at the Municipal Hall during its regular office hours.
- [Amended by Bylaw No. 575, 2020]
- (4) Section 18(3) does not apply to minutes of a meeting or that part of a meeting from which persons were excluded under Section 90 of the Community Charter.
- (5) Council Meetings and CSC Meetings other than portions closed pursuant to Section 90 of the *Community Charter*, shall be audio recorded and posted to the municipal website as an audio file. Recordings of other meetings shall not be made public and are strictly for the assistance of the recording secretary.

[Amended by Bylaw No. 529, 2017]

CALLING MEETING TO ORDER

19. (1) As soon after the time specified for a Council Meeting as there is a Quorum present, the Chair must call the Council Meeting to order.
- (2) If a Quorum of Council is present but neither the Mayor nor the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 attend within 15 minutes of the scheduled time for a Council Meeting:
- (a) the Corporate Officer must call to order the Council Members present; and
 - (b) the Council Members present must choose a Council Member to preside at the Council Meeting until:
 - i) either the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives; or

ii) the end of the Council Meeting.

- (3) If the Mayor or the Councillor designated as the Council Member responsible for acting in the place of the Mayor under Section 13 arrives after commencement of a Council Meeting, he or she will assume the role of Chair upon arrival.

ADJOURNING MEETING WHERE NO QUORUM

20. If there is no Quorum of Council present within 15 minutes of the scheduled time for a Regular Council Meeting the Corporate Officer must:
- (a) record the names of the Council Members present and those absent and adjourn the Council Meeting until the next scheduled Council Meeting; and
 - (b) place all business on the agenda that is not dealt with at that Regular Council Meeting on the agenda for the next Regular Council Meeting.
21. If a Quorum of Council is lost during a Council Meeting, the Corporate Officer must record the names of the Council Members present and those absent, and temporarily adjourn the Council Meeting until a Quorum is present. If a Quorum does not reconvene, Section 20 will apply.

AGENDA

22. (1) Prior to each Council Meeting, the Corporate Officer must prepare an agenda setting out all the items for consideration at that Council Meeting, noting the options and recommendations, if any, for each item on the agenda.
- (2) The deadline for submissions to the Corporate Officer of items for inclusion on the Council Meeting agenda must be noon on the Thursday prior to the Council Meeting. Electronic submissions are to be emailed to agenda@lionsbay.ca.
- (3) The Corporate Officer must make the agenda available to the Council Members and the public at least 24 hours before a regular Council Meeting, except with respect to any part of the meeting that is closed to the public, in which case the agenda shall only be provided to Council members.
- [Amended by Bylaw No. 529, 2017]
- (4) Council must not consider any matters not listed on the agenda unless a new matter for consideration is properly introduced as a late item pursuant to Section 24.

ORDER OF PROCEEDINGS AND BUSINESS

23. (1) Unless otherwise resolved by Council, the agenda for all Regular Council Meetings contains the following matters in the order in which they are listed below:
- (a) Adoption of Agenda
 - (b) Public Participation
 - (c) Delegations (requests to address Council)

- (d) Receipt and Approval of Minutes
- (e) Business Arising from the Minutes
- (f) Unfinished Business
- (g) Reports
- (h) Resolutions
- (i) Bylaws
- (j) Correspondence
- (k) New Business
- (l) Public Questions & Comments
- (m) Closed Council Meeting (when applicable)
- (n) Reporting Out from Closed Meeting (when applicable)
- (o) Adjournment

[Amended by Bylaw No. 529, 2017]

- (2) Particular business at a Council Meeting must in all cases be taken in the order in which it is listed on the agenda unless otherwise resolved by Council.

LATE ITEMS

- 24. (1) An item of business not included on the agenda must not be considered at a Council Meeting unless introduction of the late item is approved by Council at the time the agenda is approved.
- (2) If Council makes a resolution under Section 24(1), information pertaining to late items must be distributed to the Council Members and the Recorder.

VOTING AT MEETINGS

- 25. (1) The following procedures apply to voting at Council Meetings:
 - (a) when debate on a matter is closed, the Chair must put the matter to a vote of Council Members. For the purpose of this section and subsequent sections 'put' or 'putting' refers to putting the Motion to a vote.
 - (b) when Council is ready to vote, the Chair must put the matter to a vote by stating:

"All in favour?" and then "Opposed?" Council Members will indicate their preference by show of hands when the question is called.
 - (c) when the Chair is putting the matter to a vote under Sections 25(1)(a) and (b) a Council Member must not:
 - (i) cross or leave the room, or
 - (ii) interrupt the voting procedure under Section 25(1)(b) unless the interrupting Council Member is raising a Point of Order;

- (d) after the Chair puts the question to a vote under Section 25(1)(b), a Council Member must not speak to the question or make a Motion concerning it;
 - (e) the Chair's decision about whether a question has been finally put is conclusive;
 - (f) whenever a vote of Council on a matter is taken, each Council Member present shall signify their vote by raising their hand; and
 - (g) the Chair must declare the result of the voting by stating whether the Motion has been carried or not.
26. Abstention from voting and tie votes are deemed to affect voting as follows:
- (a) Any Council Member present who does not indicate their objection shall be deemed to have voted in the affirmative on the question; and
 - (b) If the votes of the Council Members present at a Council Meeting at the time of the vote are equal for and against a Motion, the Motion is defeated.

PUBLIC PARTICIPATION

27. (1) Council shall hold a ten minute public participation period or until speakers have concluded, whichever comes first, at the beginning of each Council Meeting, except the Inaugural Meeting.
- (2) Members of the public shall address their questions through the Chair who shall answer if possible, or refer to another Council Member or to staff for answer or subsequent research.
- (3) Each address must be limited to two minutes.
- (4) All persons addressing Council are expected to adhere to the Public Guidelines which are appended to this Bylaw.

DELEGATIONS

28. (1) A maximum of three (3) delegations will be permitted at a Regular Council Meeting. Council may, by unanimous decision, allow additional delegations if the subject matter is deemed to be urgent or time-sensitive.
- (2) Council may, by resolution, allow an individual or a delegation to address Council at a Council Meeting on any subject within the jurisdiction of Council provided written application on a prescribed form has been received by the Corporate Officer by noon on the Thursday prior to the Council Meeting. Each address must be limited to ten minutes unless a longer period is agreed to by unanimous vote of those Council Members present.
- (3) Where written application has not been received by the Corporate Officer as prescribed in Section 28(2), an individual or delegation may address the Council Meeting if approved by

- the unanimous vote of the Council Members present provided the maximum number of delegations has not been met.
- (4) Council must not permit a delegation to address a Council Meeting of the Council:
 - (a) regarding a bylaw in respect of which a public hearing has been held, where the public hearing is required under an enactment as a pre-requisite to the adoption of the bylaw;
 - (b) if the purpose is to address an issue which is before the courts or on which Council has authorized legal action; or
 - (c) if the purpose or subject of the delegation is beyond the jurisdiction of Council; except as otherwise permitted by Council.
 - (5) The Corporate Officer may schedule delegations to another Council Meeting or advisory body as deemed appropriate according to the subject matter of the delegation or if the maximum delegations has been reached for the Council Meeting.
 - (6) The Corporate Officer may refuse to place a delegation on the agenda if the issue is not considered to fall within the jurisdiction of Council. If the delegation wishes to appeal the Corporate Officer's decision, the information must be distributed under separate cover to Council for their consideration.
 - (7) Delegation requests must include:
 - (a) the full particulars of the subject matter;
 - (b) the proposed action, within the jurisdiction of the Village, which the delegation wishes the Village to take in response to the submission;
 - (c) the names and addresses of the person(s) or the organization comprising the delegation; and
 - (d) the name, address and telephone number of the designated speaker(s).

[Amended by Bylaw No. 529, 2017]

CORRESPONDENCE

- 29. Any person wishing his or her Correspondence to be received by Council at a regular Council Meeting shall provide it in accordance with the deadline noted in section 22(2).

POINTS OF ORDER

- 30. (1) Without limiting the Chair's duty under the Community Charter, the Chair must apply the correct procedure to a Motion:
 - (a) if the Motion is contrary to the rules of procedure in this Bylaw, and

- (b) whether or not another Council Member has raised a Point of Order in connection with the Motion.
- (2) When the Chair is required to decide a Point of Order:
 - (a) the Chair must cite the applicable rule or authority if requested by another Council Member;
 - (b) another Council Member must not question or comment on the rule or authority cited by the Chair under Section 30(2)(a); and
 - (c) the Chair may reserve the decision until the next Council Meeting.

CONDUCT AND DEBATE

- 31. (1) A Council Member may speak to a question or Motion at a Council Meeting only if that Council Member first addresses the Chair.
- (2) Council Members must address the Chair by that person's title of Mayor, Acting Mayor, or Councillor.
- (3) Council Members must address other non-presiding Council Members by the title Councillor.
- (4) No Council Member may interrupt a Council Member who is speaking except to raise a Point of Order.
- (5) If more than one Council Member speaks the Chair must call on the Council Member who, in the Chair's opinion, first spoke.
- (6) Council Members who are called to order by the Chair:
 - (a) must immediately stop speaking;
 - (b) may explain their position on the Point of Order; and
 - (c) may appeal to Council for its decision on the Point of Order in accordance with Section 132 of the Community Charter.
- (7) Council Members speaking at a Council Meeting:
 - (a) must use respectful language;
 - (b) must not use offensive gestures or signs;
 - (c) must speak only in connection with the matter being debated;

- (d) may speak about a vote of Council only for the purpose of making a Motion that the vote be rescinded; and
- (e) must adhere to the rules of procedure established under this Bylaw and to the decisions of the Chair and Council in connection with the rules and points of order.
- (8) If a Council Member does not adhere to Section 31(7), the Chair may order the Council Member to leave their seat, and, if the Council Member refuses to leave, the Chair may cause the Council Member to be removed by a peace officer from their seat.
- (9) A Council Member may require the question being debated at a Council Meeting to be read at any time during the debate if that does not interrupt another Council Member who is speaking.
- (10) The following rules apply to limit speech on matters being considered at a Council Meeting:
 - (a) A Council Member may speak more than twice in connection with the same question only:
 - (i) with the permission of Council; or
 - (ii) if the Council Member is explaining a material part of a previous speech without introducing a new matter; or
 - (iii) to ask a question pertinent to the matter under debate.
 - (b) A Council Member who has made a substantive Motion to Council may reply to the debate;
 - (c) A Council Member who has moved an amendment, the previous question, or an instruction to a Committee may not reply to the debate;
 - (d) A Council Member may speak to a question, or may speak in reply, for longer than a total time of 5 minutes only with the permission of Council.

MOTIONS GENERALLY

- 32. (1) Council may debate and vote on a Motion only if it is first moved by one Council Member and then seconded by another.
- (2) A Motion that deals with a matter that is not on the agenda of the Council Meeting at which the Motion is introduced may be introduced with a unanimous affirmative vote of Council.
- (3) A Council Member may make only the following Motions when Council is considering a question:
 - (a) to approve minutes;

- (b) to refer to a Committee;
- (c) to amend;
- (d) to lay on the table;
- (e) to postpone indefinitely;
- (f) to postpone to a certain time;
- (g) to move the previous question;
- (h) to adjourn.

[Amended by Bylaw No. 529, 2017]

- (4) A Motion made under Sections 32(3)(d) to (h) is not amendable or debatable.
- (5) Council must vote separately on each distinct part of a question that is under consideration at a Council Meeting if requested by a Council Member.

MOTION FOR THE MAIN QUESTION

- 33. (1) In this section "main question", in relation to a matter, means the Motion that first brings the matter before the Council.
- (2) At a Council Meeting, the following rules apply to a Motion for the main question, or for the main question as amended:
 - (a) if a Council Member moves to put the main question, or the main question as amended, to a vote, that Motion must be dealt with before any other amendments are made to the Motion on the main question; and
 - (b) if the Motion for the main question, or for the main question as amended, is decided in the negative, Council may again debate the question, or proceed to other business.

AMENDMENTS GENERALLY

- 34. (1) A Council Member may, without notice, move to amend a Motion that is being considered at a Council Meeting.
- (2) An amendment may propose removing, substituting for, or adding to the words of an original Motion.
- (3) A proposed amendment must be decided or withdrawn before the Motion being considered is put to a vote unless there is a call for the main question.
- (4) An amendment may be amended once only.
- (5) No Motion to amend a Motion may be made if the amendment negates the Motion which would be amended.
- (6) If any Council Member states that a proposed amendment to a Motion would negate that Motion, the Chair must immediately rule whether that would be the case. The ruling may be appealed to Council as if the ruling were on a Point of Order.

- (7) An amendment that has been defeated by a vote of Council cannot be proposed again at a given Council Meeting.
- (8) A Council Member may propose an amendment to an adopted amendment.
- (9) The Chair must put the main question and its amendments in the following order for the vote of Council:
 - (a) a Motion to amend a Motion amending the main question;
 - (b) a Motion to amend the main question, or an amended Motion amending the main question if the vote under Section ~~35~~34(9)(a) is positive; [Amended by Bylaw No. 575, 2020]
 - (c) the main question.

RECONSIDERATION OF AN ADOPTED OR APPROVED BYLAW, RESOLUTION OR PROCEEDING

- 35. (1) Without limiting the authority of the Council to reconsider a matter:
 - (a) the Mayor may require the Council to reconsider and vote again on a matter that was the subject of a vote; and
 - (b) a Council Member who voted in the majority with respect to a matter may move that the Council reconsider and vote again on the matter, provided that the Council shall not reconsider and vote again on the matter unless the motion for reconsideration is passed.
- (2) As restrictions on the authority under section 35 (1):
 - (a) the Mayor, or Council Member who voted in the majority, may only initiate a reconsideration under this section at the same Council meeting as the vote took place or within 30 days of that meeting; and
 - (b) a matter may not be reconsidered under this section if:
 - (i) it has had the approval of the electors or the assent of the electors and was subsequently adopted by the Council; or
 - (ii) there has already been a reconsideration under this section in relation to the matter.
- (3) On a reconsideration under section 35 (1), the Council:

- (a) shall deal with the matter as soon as convenient;
 - (b) shall consider whether any contracts have been entered into or legal positions adopted as a result of the original decision; and
 - (c) has the same authority it had in its original consideration of the matter, subject to the same conditions that applied to the original consideration.
- (4) If the original decision was the adoption of a bylaw or resolution and that decision is rejected on reconsideration:
- (a) the bylaw or resolution is of no effect and is deemed to be repealed; and
 - (b) the rejected bylaw or resolution shall not be reintroduced for further reconsideration by the Council for a period of six (6) months, except upon an affirmative vote of the Council of at least two-thirds (2/3) of the votes cast.
- (5) Where a person is entitled under an enactment to have the Council reconsider a matter that has been decided pursuant to a delegation of authority by the Council:
- (a) the person may invoke this right by
 - (i) giving written notice of the request for reconsideration to the Corporate Officer within 30 days of the impugned decision, and
 - (ii) setting out in the request for reconsideration,
 - (A) the name of the delegate who made the decision, the date of the decision and the decision made;
 - (B) the factual details of the matter decided by the delegate;
 - (C) the bases upon which the Council should reconsider the decision and a clear statement as to the decision sought from the Council;
 - (D) any other information or documents which the person seeking reconsideration considers relevant; and
 - (E) whether the person wishes to speak to the matter upon reconsideration by the Council, in which case the person shall have no more than 10 minutes allotted;

- (b) the Corporate Officer shall, upon receipt of a request for reconsideration pursuant to this section:
 - (i) subject to Section 22 (2), set the matter down on the Agenda of the following Regular Meeting, to be heard following any Delegations appearing before the Council on that date, if any;
 - (ii) provide public notice of the request for reconsideration of the decision by the Council, if the original decision of the delegate required that public notice be given;
 - (iii) obtain from the delegate who rendered the decision and provide to the Council and to the person requesting reconsideration:
 - (A) the factual details of the matter decided by the delegate,
 - (B) the bases upon which the delegate rendered the decision; and
 - (C) any other information or documents which the delegate considers relevant to the original decision;
- (c) the Corporate Officer is not required to provide copies of information or documents under Section 23 (5) (b) (iii) to the person requesting reconsideration where such information has previously been provided to the person requesting reconsideration.
- (d) the Council shall:
 - (i) receive all of the information submitted for reconsideration pursuant to this section;
 - (ii) if requested, hear any oral submissions of the person requesting reconsideration or his or her agent or legal counsel;
 - (iii) be entitled to ask, through the Chair of the meeting, any questions of the person or of the delegate who rendered the original decision;
 - (iv) unless an adjournment is required for the purpose of obtaining legal counsel, forthwith decide the matter; and
 - (v) provide the person with oral reasons for the decision, from which there shall be no appeal, subject only to a contrary act or regulation.
- (e) Following reconsideration, the Council may confirm the decision of the delegate, or set aside the decision of the delegate and substitute the decision of the Council.

[Amended by Bylaw No. 529, 2017]

PRIVILEGE

36. (1) In this section, a matter of privilege refers to any of the following Motions:
- (a) to fix the time to adjourn;
 - (b) to adjourn;
 - (c) to recess;
 - (d) to raise a question of privilege of the Council; and
 - (e) to raise a question of privilege of a Council Member.
- (2) A matter of privilege must be immediately considered when it arises at a Council Meeting.
- (3) For the purposes of Section 36(2), a matter of privilege listed in Section 36(1) has precedence over those matters listed after it.

PUBLIC QUESTIONS & COMMENTS

37. During Public Questions and Comments, a person may address Council for a maximum of two minutes on a topic/topics which have already been subject to discussion at the Council Meeting.
38. A question may be referred by Council to staff for subsequent response. In special circumstances Council may permit, by resolution, a person to address Council with a public question or comment earlier in the Council Meeting.
39. Section 27(4) applies during Public Questions & Comments.

ADJOURNMENT

40. (1) Council may continue a Council Meeting:
- (a) from 10:00 p.m. to 10:30 p.m. only by an affirmative vote of a majority of the Council Members present; and
 - (b) from 10:30 p.m. to another specified time only by a unanimous vote of all Council Members present.
- (2) A Motion to adjourn either a Council Meeting or the debate at a Council Meeting is always in order if that Motion has not been preceded at that Council Meeting by the same Motion.
- (3) Section 40(2) does not apply to either of the following Motions:

- (a) a Motion to adjourn to a specific day; or
- (b) a Motion that adds an opinion or qualification to a preceding Motion to adjourn.

PART 5 – BYLAWS

COPIES OF PROPOSED BYLAWS TO COUNCIL MEMBERS

- 41. A proposed bylaw may be introduced at a Council Meeting only if a copy of it has been delivered to each Council Member at least 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement, including by way of unanimous adoption of it in the agenda.

FORM OF BYLAWS

- 42. A bylaw introduced at a Council Meeting must:
 - (1) be printed;
 - (2) have a distinguishing name;
 - (3) have a distinguishing number;
 - (4) contain an introductory statement of purpose; and
 - (5) be divided into sections.

BYLAWS TO BE CONSIDERED SEPARATELY OR JOINTLY

- 43. Council must consider a proposed bylaw at a Council Meeting either:
 - (1) separately when directed by the Chair or requested by another Council Member; or
 - (2) jointly with other proposed bylaws in the sequence determined by the Chair.

READING AND ADOPTING BYLAWS

- 44.
 - (1) The Chair of a Council Meeting may request the Corporate Officer to provide a verbal synopsis of each proposed bylaw reading.
 - (2) The readings of the bylaw may be given by stating its title and object.
 - (3) A proposed bylaw may be debated and amended at any time during the first three readings unless prohibited by the Community Charter.

- (4) Subject to Section 882 of the Local Government Act, each reading of a proposed bylaw must receive the affirmative vote of a majority of the Council Members present.
- (5) In accordance with the Community Charter Council may give up to three readings to a proposed bylaw at the same Council Meeting.
- (6) Subject to this bylaw and any enactments, Council may give up to three readings of a bylaw in a single Motion.
- (7) Unless expressly authorized by statute, Council may not adopt a bylaw at the same Council Meeting at which it gives third reading.
- (8) Despite Section 135(3) of the Community Charter and in accordance with Section 890(9) of the Local Government Act Council may adopt a proposed official community plan or zoning bylaw at the same Council Meeting at which the plan or bylaw passed third reading.

RECONSIDERATION OF PART OR ALL OF A BYLAW

- 45. Subject to applicable enactments, Council may by resolution, rescind the most recent reading of a proposed bylaw, other than first reading, and then give the proposed bylaw that reading with or without amendment.

BYLAWS MUST BE SIGNED

- 46. After a bylaw is adopted, it must be signed by the Corporate Officer and the Chair of the Council Meeting at which it was adopted. The Corporate Officer must then have the bylaw placed in the Village's records for safekeeping.

PART 6 – RESOLUTIONS COPIES OF RESOLUTIONS TO COUNCIL MEMBERS

- 47. A resolution may be introduced at a Council Meeting only if a copy of it has been delivered to each Council Member at least 24 hours before the Council Meeting, or all Council Members unanimously agree to waive this requirement.

FORM OF RESOLUTION

- 48. A resolution introduced at a Council Meeting must be printed and have a distinguishing number.

INTRODUCING RESOLUTIONS

- 49. The Chair may:
 - (a) have the Corporate Officer read the resolution; and
 - (b) request a Motion that the resolution be introduced.

PART 7 – COUNCIL STRATEGY COMMITTEE

GENERAL PROVISIONS

50. A Council Strategy Committee is a Committee of which the Mayor and all Councillors are members. All members of the Council Strategy Committee must be Council Members.
51. Council Strategy Committee Council Meetings will be held in the Municipal Hall Council Chambers unless otherwise resolved by Council.
52. The applicable rules of procedure as set out in this bylaw shall apply to Council Strategy Committee Council Meetings.

PART 8 – COMMITTEES

COMMITTEE MEETING PROCEDURES

53. At all meetings of Standing Committees established by the Mayor and Select or other Committees established by the Council, the applicable Rules of Procedure, as set out in this Bylaw, shall apply.

DUTIES & AUTHORITY

54. Committees will undertake review into matters as directed by Council.
55. Unless the following matters are established by the Mayor or by Council, Committees are required to establish as soon as practicable once the Committee has been struck and member appointments made:
 - (a) a Committee Terms of Reference in accordance with the purposes for which the Committee was established;
 - (b) a monthly or annual meeting schedule; and
 - (c) for standing or select committees, an elected official as the Chair of the Committee.

[Amended by Bylaw No. 529, 2017]
56. Committees operate exclusively in an advisory capacity by making recommendations to Council. Committees do not have the authority to direct staff nor to authorize expenditures or enter into contracts or agreements on behalf of the Village.

NOTICE OF MEETINGS

57. Committees are required to give public notice of meetings by posting a copy of the agenda in the Public Notice Posting Place at least 24 hours in advance of each Committee meeting.

MINUTES OF MEETINGS

58. Minutes of the proceedings of a Committee must be:
- a) legibly recorded;
 - b) certified as correct by Committee consensus;
 - c) signed by the Committee Chair once adopted; and
 - d) open for public inspection in accordance with section 97(1)(c) of the Community Charter.

PUBLIC PARTICIPATION

59. Section 27(4) of this Bylaw shall apply to public participation at Committee meetings.

MAYOR A MEMBER OF ALL COMMITTEES

60. The Mayor is an ex-officio member of all Committees and is a voting member to the Committees of which the Mayor is appointed.

PART 9 – GENERAL

IRREGULARITY

61. The failure of Council to observe the provisions of this bylaw does not affect the validity of resolutions passed or bylaws enacted by Council.

WAIVER

62. Where all Council Members are present at a Council Meeting, the absence of a call for such a Council Meeting or failure to give notice to all or any Council Member will not render the Council Meeting invalid if the unanimous consent of those Council Members present is obtained prior to transacting any business.

PART 10 – SCHEDULES

Schedule A: Public Guidelines

NOTICE given in accordance with sections 94 and 124(3) of the Community Charter by way of posting notices in the Public Notice Posting Places on December 17, 2014.

READ A FIRST TIME	January 6, 2015
READ A SECOND TIME	May 5, 2015
READ A THIRD TIME	June 2, 2015
RESCINDED THIRD READING	June 16, 2015
READ A THIRD TIME	July 7, 2015
ADOPTED	July 21, 2015

Mayor

Corporate Officer

**Certified a true copy of
Bylaw No. 476, 2015 as adopted.**

Corporate Officer

SCHEDULE A:

Public Guidelines

Speakers wishing to take part in Public Participation and Public Question periods must enter their name onto the Speakers' List prior to the commencement of the Council Meeting.

Council will begin and end Council Meetings with public participation of up to ten minutes each, with each person who wishes to speak allocated a maximum of two minutes.

The Council Member or staff member responsible for timing speakers will provide approximately 30 seconds' notice to the speaker.

When the timer sounds, the speaker may complete their sentence within a few seconds, and then must leave the podium. Any questions asked during the two minute segment will be captured by the Recorder.

A respectful decorum is expected at all Council Meetings and Committee Meetings.

A person acting improperly may be asked to leave the Council Meeting, consistent with Section 133 of the *Community Charter*.

Expulsion from Council Meetings

133 (1) If the person presiding at a Council Meeting considers that another person at the Council Meeting is acting improperly, the person presiding may order that the person is expelled from the Council Meeting.

(2) If a person who is expelled does not leave the Council Meeting, a peace officer may enforce the order under subsection (1) as if it were a court order.

VILLAGE OF LIONS BAY

Incoming Correspondence - March 17, 2020

General Correspondence:

- G1: UBCM resolutions process (Page 1)
- G2: Forest Enhancement Society of BC Accomplishments (Page 2)
- G3: Dennis Dugas - Provincial Funding for Emergency and Fire Equipment (Page 3)
- G4: RCBC - 46th Conference on Circular Economy (Page 11)
- G5: City of New Westminster - Requesting support for a National Pharmacare Program (Page 12)

Resident Correspondence:

- R1: Stephanie Beattie - bike park (Page 15)
- R2: Myron Loutet - Municipal Focus (Page 17)
- R3: Karl Buhr - Wood Burning Stoves (Page 18)
- R4: Meighan Jury - Oceanview/Highview Road End (Page 20)
- R5: Mandy Clark - Cell Tower (Page 22)
- R6: Craig Doherty - Delivery Services (Page 24)

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March 4, 2020

To: Chair and Board
Chief and Council
Mayor and Council

Re: UBCM Resolutions Process

In response to member feedback, the UBCM Executive is undertaking a review of the resolutions process. This will include consultation with members at Area Association spring conferences, and a subsequent report to the membership at the 2020 Annual Convention. While the review progresses, the Executive has committed to exercise their existing authority more fully, and apply greater rigour to the screening and vetting of resolutions submitted to UBCM for 2020.

With the understanding that a resolutions process review is already underway, the Resolutions Committee of the UBCM Executive has identified measures that UBCM can implement in the immediate term to streamline the process and address the number and repetitiveness of resolutions. In 2020, the Committee will seek to:

- Identify more directly the resolutions that address issues of priority to the membership, and ensure that debate of these priority issues takes place early on.
- Be more firm in sending resolutions back to the sponsor if resolutions do not meet UBCM criteria for format, clear writing, factual information, or relevance to local government administration or operations.
- Standardize language to be gender neutral and, where applicable, refer to local governments or First Nations rather than municipalities or regional districts. The goal is to avoid using debate time to make such amendments.
- Combine similar resolutions, without losing or changing their intent.
- Offer further education and support to members on writing clear, effective resolutions.
- Work more closely with Area Associations to improve the quality of resolutions debated at their spring conventions.

These streamlining measures could affect resolutions that your community submits to Area Associations or to UBCM this year.

Please feel free to contact Reiko Tagami, Policy Analyst (rtagami@ubcm.ca or 604 270 8226 ext. 115), with questions about resolutions streamlining, or the resolutions process review.

Sincerely,

A handwritten signature in black ink, appearing to read "Maja Tait".

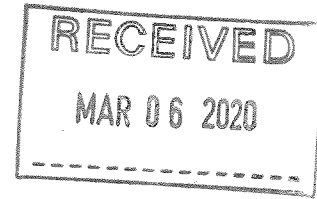
Maja Tait
UBCM President

A handwritten signature in black ink, appearing to read "Claire Moglove".

Claire Moglove
Chair, Resolutions Committee



Forest Enhancement
Society of British Columbia



March 2, 2020

Re: Forest Enhancement Society of BC Accomplishments Update

Dear Mayor and Council of Lions Bay (Village),

British Columbians are concerned about climate change along with other environmental, social, and economic concerns. We want to know what our governments are doing to protect communities from wildfire risk, improve wildlife habitat, reduce greenhouse gases, expand the bio-economy, and enhance B.C.'s forests. The enclosed Forest Enhancement Society of BC (FESBC) Accomplishments Update provides a snapshot of the huge amount of work underway in a vast number of communities across British Columbia to address some of these concerns. We hope that you will find this update informative and will share this with your constituents, who we hope are pleased to see real-life projects happening around the province and often close to where they live.

Our forests are a heritage that defines our province. Managed properly, our forests provide important social, economic, and environmental benefits to all British Columbians, in both rural and urban areas. Investing in our forests can enhance the benefits they provide and help to protect them for future generations. As an example, FESBC recently announced \$30 million in grants for 42 new forest fibre utilization projects where First Nations, community forests, and B.C. companies will be using debris piles of wood fibre that would otherwise be slash burned. These piles will instead be chipped and converted to electricity, heat energy, and a variety of pulp products, adding value to this fibre and helping to achieve B.C.'s and Canada's climate change targets.

We can achieve social, environmental, and economic aspirations of British Columbians by investing in forests to reduce our carbon footprint, reduce wildfire risks, enhance habitat, and create jobs. This is a win-win-win on all fronts.

FESBC will be sending you a more comprehensive Accomplishments Report later this year. If you are interested in further information, please visit our website www.fesbc.ca or connect with our Executive Director Steve Kozuki at skozuki@fesbc.ca or 1.778.765.0938.

Wayne Clogg, RPF
Board Chair, Forest Enhancement Society of BC

007- MC

From: [Municipal](#)
To: [Lions Bay Office](#)
Subject: Provincial Funding for Emergency / Fire Equipment Small Communities
Date: Wednesday, March 11, 2020 9:57:30 AM
Attachments: [Resolution 2017-B61 Follow Up.pdf](#)
[Insurance Premium Tax 2020.pdf](#)

From: Dennis Dugas <ddugas@porthardy.ca>
Sent: Tuesday, March 10, 2020 3:12 PM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Subject: FW: Provincial Funding for Emergency / Fire Equipment Small Communities

Hello Mayor McLaughlin :

Ron I am sending you this email to get you and your councils support to form a coalition of Small Communities to get our voice heard at the Provincial Government level. It is time that Small Communities in our Province make our voices heard loud and clear that we can not sustain Fire Protection services without Provincial financial support.

The Insurance Premium Tax (information attached) is still being collected in BC for House Insurance and Vehicle Insurance at a rate of 4.4% which I would estimate as being in the billions?

Within BC there are 5 Area Associations and we need to get the Small Communities to set up coalitions in each UBCM Association area to address this issue so it can become a main topic at the UBCM convention in the Fall.

I hope with your support you can help spearhead this topic at your LMLGA Conference on May 6-8 in Whistler. I am reaching out to as many Mayors as I can with in your LMLGA area and to the other BC Associations to get the ball rolling.

With the upcoming Provincial election not far away it is a good time to put pressure on the government but we need numbers to do that.

Your comments and suggestions sent back to me will be greatly appreciated and please let me know if you received this email.

As we say “ Together we are Stronger “.

Regards

Dennis Dugas (D2)

District of Port Hardy Mayor



January 13, 2020

Mayor Dennis Dugas
District of Port Hardy
Box 68
Port Hardy, BC V0N 2P0



RE: Resolution 2017-B61 Follow Up

Dear Mayor Dugas,

Thank you for your letter dated January 8 regarding resolution 2017-B61 – Funding for Fire Equipment.

As you noted, this resolution was endorsed by the UBCM membership in 2017 and conveyed to the Province. UBCM would have shared the provincial response with Port Hardy's council of the day.

The UBCM Executive assess the provincial responses received each year to determine where UBCM might best focus our resources regarding follow up and further work with the province on resolutions. The Executive determined that 2017-B61 best fit in the category of monitoring the Province's progress on the issues raised and to provide input if required.

For your reference, enclosed is a copy of 2017-B61, the resolutions committee comments and the provincial response. As noted in the resolutions committee comments the request in 2017-B61 is in keeping with previous member requests.

"The Committee notes, however, that members have consistently endorsed resolutions seeking sources of funding for first responder supplies and equipment (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40). Based on this member feedback, during the negotiation of the renewed Gas Tax Agreement (2014) UBCM advocated, unsuccessfully, for the inclusion of emergency response infrastructure as an eligible expense within the Gas Tax Agreement."

In 2014, UBCM attempted to have fire-fighting equipment included as an eligible expense under the Gas Tax Agreement. While unsuccessful, this is the type of advocacy work that UBCM does on behalf of our members to move forward the requests contained in endorsed resolutions.



-2-

Our members are also encouraged to advocate for their endorsed resolutions. Should Port Hardy wish to take further steps to see the request contained in resolution 2017-B61 adopted, we would recommend they reach out to, for example, their local MLA, the Minister of Finance and the Minister of Forests, Lands, Natural Resource Operations and Rural Development to let them know that this is still an issue they would like to see action on. You may also want to reference the other endorsed resolutions on this topic (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40), so the Province understands that this is a long-standing policy position of the members of UBCM.

For your information, all of the resolutions considered at each UBCM convention, and the responses we receive, are posted to our searchable resolutions database, available here: <https://www.ubcm.ca/resolutions/default.aspx>

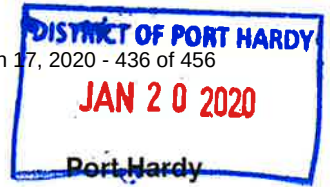
Should you have any questions, please contact myself or Jamee Justason, Resolutions and Policy Analyst, at 604-270-8226 Ext. 100 or jjustason@ubcm.ca

Yours truly,

A handwritten signature in black ink, appearing to read "Maja Tait".

Maja Tait
UBCM President

Enclosure



2017 B61 Funding for Fire Equipment

Whereas communities are required to provide essential services including fire safety, and emergency vehicles and equipment for fire safety are costly;

And whereas grants for emergency equipment have all but disappeared since the early 2000's, with small communities required to fund 100 per cent of emergency equipment through taxation:

Therefore be it resolved that UBCM request the Province of British Columbia to create grants for emergency vehicles and equipment and make them available to **all local governments** at a cost share of no less than 50 per cent.

Convention Decision: **Endorsed as Amended**

Provincial Response

Ministry of Public Safety & Solicitor General

The Province of British Columbia is committed to advocate on behalf of UBCM and BC local governments that, in addition to disaster mitigation, emergency preparedness be an eligible category for local government projects under the Gas Tax Agreement.

Provincial officials will discuss with their federal counterparts the eligibility of this type of capital purchase in the development of the Rural and Northern Communities Infrastructure stream, part of the federal government's Investing in Canada Plan.

Although local governments are not eligible to receive Community Gaming Grants, not-for-profit organizations delivering emergency services to communities may be eligible to apply for funding through the Public Safety Sector or the Capital Projects Sector of the Community Gaming Grants Program.

UBCM has launched the \$32 million Community Emergency Preparedness Fund, funding for which was announced by the Province in March 2017. The fund is not intended to support local government's emergency management capital costs; however, it is intended to support enhanced preparedness and resilience as key elements of a local government's emergency program. As such, some emergency equipment purchases may qualify for funding consideration.

Other Response

Resolutions Committee Comments

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution asking the Province to establish a grant funding program for local governments with population under 100,000, that would provide at least 50% provincial funding towards emergency vehicles and equipment.

The Committee notes, however, that members have consistently endorsed resolutions seeking sources of funding for first responder supplies and equipment (2014-B15, 2012-B10, 2010-B6, 2000-B15, 1993-A5, 1993-B40). Based on this member feedback, during the negotiation of the renewed Gas Tax Agreement (2014) UBCM advocated, unsuccessfully, for the inclusion of emergency response infrastructure as an eligible expense within the Gas Tax Agreement.

The Resolutions Committee would observe that resolutions that set population limits have been divisive amongst the UBCM membership. Local governments of all sizes—not only smaller municipalities or regional districts—are faced with bearing the full costs of emergency equipment. The Committee would propose an amendment to acknowledge this reality.

The Committee would also note that, following a March 2017 provincial announcement, UBCM will be

administering the new \$32 million Community Emergency Preparedness Fund. This new funding program will include a funding stream that focusses on building capacity for Emergency Social Services teams through new equipment, training and volunteer recruitment/retention.



B.C.'s Insurance Premium Tax: potential revenue source for local fire services

PROBLEM

Rising costs are making it increasingly difficult for B.C. communities to fund fire services. The provincial government provides limited support for community firefighting, and refuses to share revenue from the 4.4% Insurance Premium Tax, which was originally created to fund fire protection.

BACKGROUND

A clear historic link exists between B.C.'s Insurance Premium Tax and the fire insurance premium tax the provincial government introduced in 1921 to offset the costs of the Office of the Fire Marshal, which at the time conducted fire investigations, training and code enforcement.

Over the years, the province has expanded the IPT's reach to include automobile insurance and the entire property insurance premium (not just fire insurance), and made legislative changes to sever the link between collection of the tax and payment for fire services. However, the province re-established that link in 2004, when it raised the IPT from 4% to 4.4% to pay for forest firefighting.

B.C.'s Insurance Premium Tax is the highest in Canada, yet it offers negligible support for community firefighting. The IPT is forecast to raise \$362 million in 2007/08 (more than double what it raised in 1999). Meanwhile, the only direct provincial contribution today towards community firefighting is through the Office of the Fire Commissioner, a governance-oriented body that received \$2.39 million in 2007/2008 (less than 1% of the IPT's revenue).

In Canada, responsibility for fire suppression falls to municipalities, which rely on property taxes for funding. B.C. municipalities collect more than \$397 million per year in property taxes to pay for firefighting, safety inspections and fire investigations.

As fire protection costs have continued to rise, provincial funding to municipalities has dwindled. After consistent reductions to unconditional provincial grants to municipalities over the years, the province stopped providing these grants altogether in 2006 to cities of more than 19,000 people (small communities still receive some support, but below 1998 levels). In addition, the province has gradually assigned to B.C. municipalities many former duties of the Office of the Fire Commissioner – such as safety inspections and fire investigations – without additional provincial funding.

While Insurance Premium Taxes are common across Canada, some provinces and territories provide higher levels of support for community fire services than seen in B.C. The United States also has examples of insurance premium taxes that help offset local fire service costs.

Lobbying by the Fire Chiefs' Association of B.C., the Union of B.C. Municipalities and individual municipalities and regional districts has so far failed to convince the provincial government to re-examine the issue or acknowledge the link between the IPT and funding for community fire services.

Interestingly, the province successfully used a similar argument – the moral link between tax collection and disbursement – in applying for federal funding (such as the gasoline tax).

Legal advice has also shown the merits of possible constitutional challenges related to either the argument that the IPT is discriminatory because it imposes a tax on property owners that other provincial taxpayers do not have to pay, or that the negative effect of diverting the revenue away from fire services outweighs the benefits of applying it as general revenue.

KEY CONCERNS

- **Safety:** Rising costs are forcing communities to make cuts that could negatively impact fire services.
- **Fairness:** In essence, B.C. property owners are paying for the same service twice – once through their property taxes, and again through a tax that was originally intended to pay for fire services. When a tax is collected from a defined group of people for a defined purpose, there is a moral obligation to spend the revenue on that purpose.

¹ *Fire Marshal Act 1921*

Section 32

1. For the purpose of defraying the expenses of administration under this Act, including the salaries of the Fire Marshal and his staff, every company (as defined by the "British Columbia Fire Insurance Act") transacting the business of fire insurance in the Province shall contribute each year a sum to be fixed by the Lieutenant Governor in Council according to such rate as in his opinion will be sufficient to meet the actual expenses of administration under this Act, but not exceeding in any year one-third of one per cent of all premiums or assessments (less return premiums or assessments and reinsurance premiums) paid or payable to such company on risks within the Province, and calculated on the business of the preceding calendar year as reported to the Superintendent, and such contribution shall be in addition to any other fee or tax payable by the company under any other Act: Provided that where the company is not licensed under the "British Columbia Fire Insurance Act" the contribution prescribed by this section shall be made by each insured paying a sum fixed as aforesaid, calculated according to the premium or assessment paid by him to the company during the preceding calendar year.
2. Every company and insured shall, on or before the first day of March in each year, pay to the Superintendent the amount so due from it or him, and the provisions of the "Taxation Act," or, in the absence of appropriate provisions, such provisions as may be adopted by the regulations for the purpose of enforcing payment of any such amount, shall apply in each case.
3. The Superintendent shall pay into the Provincial Treasury all Money received by him under this Act, and shall keep a separate account showing the moneys so received and the moneys expended in administration under this Act, in such a manner as may be required.
4. The salaries of the Fire Marshal and his staff and all expenses of administration under this Act shall, in the absence of a special vote of the Legislature available therefore, be paid by the Minister of Finance out of the Consolidated Revenue Fund.

² *Fire Services Act 1979*

Section 48

1. To defray administration expenses under this Act, including the salaries of the fire commissioner and his staff, each insurance company transacting fire or automobile insurance business in the Province and each person whose property in the Province is insured for a fire hazard with an insurance company not licensed under the *Insurance Act*, shall contribute each year, in addition to all other fees or taxes payable under any other Act, a sum to be fixed by the Lieutenant Governor in Council according to a rate he believes will be sufficient with the money available under section 52 to meet actual administration expenses.
2. The sum fixed for an insurance company shall not exceed in any year 1% of the aggregate of the premiums or assessments, or their portions, paid or payable to the company for a fire hazard on property in the Province, less return premiums, assessments and reinsurance premiums, calculated on the business of the preceding calendar year as reported to the superintendent.
3. The sum fixed for a person whose property is insured with an unlicensed company shall not exceed in any year 1% of each premium or assessment paid or payable by him, or premium note given or mutual or other liability assumed by him for a fire hazard under each insurance contract with an unlicensed company during the current calendar year, less return premiums, assessments and other similar rebates, as shown by his returns to the superintendent.

Section 49

Each insurance company shall pay to the Commissioner of Income Tax at Victoria the contribution due from it at the same time and manner as the tax under the *Insurance Premium Tax Act*. Each insured person shall pay to the superintendent his contribution in the same manner and time as the tax imposed on him by the *Insurance Act*.

Section 50

Salaries and expenses necessarily incurred in the administration of this Act shall, in the absence of a vote of the Legislature for that purpose, be paid out of the consolidated revenue fund. If the money collected under this Act is in any year less than the salaries and expenses, the Lieutenant Governor in Council may fix a further sum, subject to the limitation in section 48, to be contributed by the persons and in the manner set out in that section, to meet the deficiency.

Section 51

1. The fire commissioner shall keep an account of the money expended in the administration of this Act, and shall furnish the Lieutenant Governor in Council with the information he may require to fix the rate of contribution under section 48 or 50.
2. The superintendent shall keep an account of the amounts received by him under section 49 or 50, and on request shall furnish the fire commissioner with a statement of them.

Section 52

All license and other fees, money and fines collected or recovered under this Act or regulations shall be accounted for as part of the consolidated revenue fund.

³ *Fire Services Amendment Act, 1982*

Chapter 49

Her MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

1. Sections 48 and 49 of the *Fire Services Act*, R.S.B.C. 1979 c.133, are repealed and the following substituted:

Imposition of tax

48. (1) In this section, 'commissioner' means commissioner as defined in the *Insurance Premium Tax Act*.
 (2) An insurance company transacting the business of fire insurance in the Province shall pay to the commissioner a tax equal to the portion prescribed by the Lieutenant Governor in Council of the aggregate of the premiums and assessments received or receivable by the company in 1983 or any subsequent calendar year for policies insuring property situated in the Province, other than automobiles, after deducting the following:
 - (a) premiums or assessments on property reinsurance ceded to the company by other insurance companies licensed or authorized by permit under the *Insurance Act* to transact business in the Province;
 - (b) property insurance premiums or assessments returned;
 - (c) the cash value of dividends paid or credited to property insurance policy holders.
- (3) A person whose property is insured against a fire hazard with an insurance company that is not licensed under the *Insurance Act* shall pay to the superintendent a tax equal to the portion prescribed by the Lieutenant Governor in Council of the
 - (a) premium or assessment paid or payable,
 - (b) premium note given, or
 - (c) mutual or other liability assumed
 by the person for property insurance under each insurance contract with an unlicensed insurance company in 1983 or any subsequent calendar year.

Application of *Insurance Premium Tax Act* and *Insurance Act*

49. (1) Subject to this section, the *Insurance Premium Tax Act* applies in respect of the tax payable under section 48
 (2) Commencing on January 1, 1983, section 4.1 of the *Insurance Premium Tax Act* applies to an insurance company whose tax payable, under section 48 of this Act, in the preceding calendar year exceeded \$25,000
 (3) Part 9 of the *Insurance Act* applies in respect of the tax payable under section 48 (3).
2. Section 50 is repealed.
3. Section 51 is amended
 - (a) in subsection (1) by striking out "of contribution under section 48 or 50" and substituting "of tax under section 48", and
 - (b) in subsection (2) by striking out "section 49 or 50" and substituting "section 48"

March 2, 2020



Suite 10
119 West Pender St
Vancouver, BC
V6B 1S5
Canada

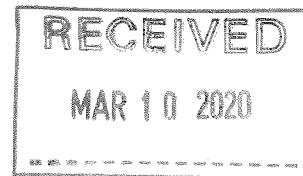
phone:
(604) 683-6009

fax:
(604) 683-7255

email:
rcbc@rcbc.ca

web:
www.rcbc.ca

Mayor Ron McLaughlin and Council
Village of Lions Bay
P.O. Box 141 - 400 Centre Road
Lions Bay, BC V0N 2E0
Canada



Dear Mayor Ron McLaughlin and Council:

Re: Recycling Council of British Columbia's (RCBC) 46th Annual Conference on Circular Economy

Established in 1974 as Canada's first non-profit waste prevention organization, RCBC is at the forefront of collaborating with businesses and local governments to promote both a sustainable environment and economy throughout the regions of our province.

This year's conference theme - **2020 Foresight: Transforming Tomorrow** – is set to run June 10 - 12, 2020 in Whistler, B.C. Of particular note is our keynote speaker, Vancouver Economic Commission (VEC) Director Bryan Buggie. With the knowledge that the transition to a low-carbon circular economy is a massive economic opportunity, Bryan shares his thoughts on the progressive municipal, provincial and federal priorities related to climate change and regional economic development. You'll hear how Vancouver's integrated Greenest City Action Plan, Renewable City 2050, and Zero Waste 2040, fit within Vancouver's business community and how similar initiatives can be applied to other regions. Bryan outlines how the VEC is accelerating the transition by supporting innovation, trade, investment and the move to a circular economy.

Programming for RCBC 2020, www.rcbcconference.ca, will also include:

- extended producer responsibility
- provincial & federal plastics initiatives
- compostable plastics
- youth-led sustainability initiatives

As well, we plan to address a variety of waste, recycling, and diversion-related issues your council may be facing now or in the near future. We provide a three-day experience of policy development workshops, presentations, and opportunities to network with professionals and area experts to become better informed. Representatives from BC's industry stewards (eg. RecycleBC and Return-It), are attending, as well as the BC Ministry of Environment.

Our public policy work includes a Government Caucus Round Table to identify areas of policy priority on the Wednesday afternoon of June 10. So please join us at Canada's longest running sustainability event, the annual RCBC Conference on Circular Economy, now in its 46th year.

Thank you for your continued support. Let us keep working together to make a waste-free province through the application of sustainable circular economy principles. If you have any questions, you can reach me at 604-683-6009 ext. 307 or at brock@rcbc.ca.

Sincerely,

Brock Macdonald
Chief Executive Officer

From: [Municipal](#)
To: [Lions Bay Office](#)
Subject: Requesting support for a National Pharmacare Program
Date: Wednesday, March 11, 2020 10:26:50 AM
Attachments: [image001.png](#)
[City of New Westminster letter to Federal Gov't re National Pharmacare Program.pdf](#)

From: Gillian Day <gday@newwestcity.ca>
Sent: Monday, March 9, 2020 12:34 PM
To: External-Clerks <Clerks@newwestcity.ca>
Subject: Requesting support for a National Pharmacare Program

To all Mayors and Councillors in BC,

At a meeting on February 24, 2020, New Westminster City Council resolved:

THAT the City of New Westminster write a letter calling on the Federal Government to work with the provinces and territories to develop and implement a Universal Public National Pharmacare program as a top priority; and

THAT this letter be forwarded to all BC municipalities asking to write expressing their support for a National Pharmacare Program.

Please find the letter attached.

Thank you,

Gillian Day | Agenda Secretary
T 604.527.4612 | E gday@newwestcity.ca

🏛️ City of New Westminster | Legislative Services
511 Royal Avenue, New Westminster, BC V3L 1H9
www.newwestcity.ca

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Jonathan X. Côté
Mayor

March 9, 2020

The Right Honourable Justin Trudeau, P.C., M.P.
Prime Minister of Canada
Langevin Block
Ottawa, ON K1A 0A2

Dear Prime Minister:

Re: National Pharmacare Program

At a meeting of New Westminster City Council held on February 24, 2020, Council passed the following motion regarding a National Pharmacare Program:

WHEREAS the City of New Westminster recognizes the importance of healthy citizens as the foundation of a healthy, engaged and economically vibrant community;

AND WHEREAS over 3 million Canadians, including many in our local communities, don't take medicines prescribed by their doctors because they can't afford them;

AND WHEREAS Canada is currently the only country with a National Medicare Program that does not have a National Pharmacare Program;

AND WHEREAS the risk of having no insurance for medicines is high among lower income Canadians which includes the service industry, as well as precarious and seasonal workers;

AND WHEREAS studies show that adding a National Pharmacare Program to our National Health Care System would lower costs to businesses by over \$8 billion per year;

AND WHEREAS recent research confirms that these gains can be achieved with little or no increase in public investment;

AND WHEREAS municipal government expenses for employee benefits would be significantly reduced by a National Pharmacare Program;

AND WHEREAS a national prescription drug formulary would support better quality prescribing, including reducing dangerous and inappropriate prescribing, especially to Canadian seniors;

AND WHEREAS a National Pharmacare plan is a sound policy, both economically and socially;

THEREFORE BE IT RESOLVED

THAT the City of New Westminster write a letter calling on the Federal Government to work with the provinces and territories to develop and implement a Universal Public National Pharmacare program as a top priority.

We appreciate your consideration of this important matter.

Yours truly,



Jonathan X. Cote
Mayor

Cc: The Honourable Patty Hajdu, Minister of Health
All BC Municipalities

From: [Municipal](#)
To: [Lions Bay Office](#)
Subject: FW: Thank you --- Bike Park
Date: Tuesday, March 10, 2020 1:13:10 PM

From: Stephanie Beattie <[REDACTED]>
Sent: Tuesday, March 10, 2020 10:15 AM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Cc: Municipal <agenda@lionsbay.ca>; Peter DeJong <cao@lionsbay.ca>
Subject: Re: Thank you --- Bike Park

Thank you Ron - I appreciate your support and feedback.

In terms of budget, it would be amazing if we could get local businesses on board to support signage or fence material. Otherwise it can be very basic some good old fashioned volunteers with shovels and a bobcat could do wonders! It would definitely be beneficial to have another outlet for the kids in the village - not only attracting new families but also supporting a healthy lifestyle ... and showing kids even how to ride a bike!

Thanks!
Steph

On Mar 10, 2020, at 9:23 AM, Ron McLaughlin <mayor.mclaughlin@lionsbay.ca> wrote:

Hi Shawna and Karla. Please place this item into correspondence for the next Council meeting. Thank you.

Good morning Stephanie.

Your playground information and contact were very much appreciated. Thank you.

Appearing to represent the budget request for the subject was also much appreciated as it brought to life the request. Presuming your concurrence I have placed our exchange into correspondence as a refresher on the request. There are about \$500K of requests which will be semi-finalized next week and readings will begin the first meeting of the month to formalize the budget. I will advise you later next week if the Bike Park made the cut.

Regards,

Ron McLaughlin

Mayor

The Village of Lions Bay

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada

Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: Stephanie Beattie <[REDACTED]>
Sent: Tuesday, March 3, 2020 8:43 PM
To: Ron McLaughlin
Subject: Thank you

Hi Ron,

Thank you for allowing me the opportunity to speak about the bike park this evening. I wanted to have a few more pieces of information but I'm certain most people understood the concept. It won't be a huge expense especially if we are able to use the Lions Bay works yard machinery (a bit of a fun project for the team...rather than unclogging drains or water mains!) - it should realistically take a weekend to build and then fine tune over a few other "work party" dates. Ideally some signage could be posted with the rules of the park, perhaps we could ask if any local businesses may like to sponsor these signs (real estate, store etc.) A picnic table and garbage/recycling bins would be a nice addition as well.

I hope this moves forward, there are a lot of people in Lions Bay who have lost faith in this project over years prior and I'd like to surprise them with a park this spring! Kids need more outlets to play in the village, I think this is an ideal addition to the community. We're the start of the Sea to Sky biking corridor....

Thank you Ron and please don't hesitate to let me know if you have any questions or concerns.

Stephanie
[REDACTED]

From: [Municipal](#)
To: [Lions Bay Office](#)
Subject: Keep water and infrastructure as priority one
Date: Tuesday, March 10, 2020 1:23:21 PM

From: Myron Loutet <[REDACTED]>
Sent: Wednesday, March 4, 2020 4:55 PM
To: Council
Cc: Peter DeJong
Subject: Keep water and infrastructure as priority one

Mayor, Council, and Staff,

I'm a long term resident of Lions Bay and have seen many changes in municipal focus. Some good and some not so good.

I would like to commend the current municipal administration on keeping their focus on priority one; water and infrastructure improvements for our community.

Yours truly

Myron Loutet

Sent from my iPhone

From: [Municipal](#)
To: [Lions Bay Office](#)
Subject: Shared from BBC News
Date: Thursday, March 12, 2020 10:57:58 AM

From: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Sent: Wednesday, March 11, 2020 8:40 PM
To: Buhr Karl [REDACTED]; Municipal <agenda@lionsbay.ca>
Subject: Fw: Shared from BBC News

Hi Karla - for correspondence please.

Hi Karl. It was good to chat today. Thank you for your thoughts and advice on a few matters.

Attached is the email you sent that I am responding to.

I know I speak on behalf of Council that the effects of wood smoke are not good and we need to change. If the fourth coming Climate Action Committee recommendation is confirmed by the Directors I hope that Metro lives up to their promise of making us the poster child for education and change.

Regards,

Ron McLaughlin

Mayor

The Village of Lions Bay

PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0, Canada
Tel: (604) 921-9333 | Cell: (604) 353-7138 | www.lionsbay.ca

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From: [REDACTED]
Sent: Friday, February 14, 2020 1:37 PM

To: Council <council@lionsbay.ca>
Cc: Municipal <agenda@lionsbay.ca>
Subject: Shared from BBC News

Hello Council,

As you know, I believe a rethink is needed on your recent policy actions on smoke-producing open fireplaces and inefficient wood appliances. I'd be interested to know which of you after reading the article below still think woodsmoke is benign, and that Lions Bay needs no improvement. Even with Lions Bay kids exposed for their first say 18 years, and all winter, not only during wildfire episodes?

<https://www.bbc.com/news/science-environment-51313538> .

Regards,

Karl

From: [Peter DeJong](#)
To: [REDACTED]
Cc: [Council](#); [Lions Bay Office](#); [Municipal](#)
Subject: Oceanview/Highview Road End
Date: Sunday, March 8, 2020 11:44:49 PM

Hello Meighan:

As noted in the Mayor's Message on Friday, we are still in the exploratory stages for both this road end and the portion of Esplanade in Brunswick Beach alluded to by Mayor McLaughlin. The intention here is to determine the potential for creating one or more parcels for the Oceanview/Highview road end and what potential use or uses might be feasible for the land. Any change in use from an RS-1 zoning would require a public hearing.

Investigating this and other land opportunities has been on Council's Strategic Plan for some time and there were previous discussions with the home owners above this road end to explore any potential interest they may have had in expanding their lots.

Once further inquiries have been made and potential options determined and appraised, the matter will come back to Council for review and I would expect there to be an opportunity for public input. Of course, you may wish to make your views known to Council at any time via correspondence or in person at a Council meeting, but it may be an idea to wait for us to complete our preliminary investigations. Please let me know if you have any questions. Thank you.

Peter DeJong, BA, LLB, CRM
Chief Administrative Officer

The Municipality of the Village of Lions Bay www.lionsbay.ca
PO Box 141, 400 Centre Road, Lions Bay, BC V0N 2E0 , Canada
Village Office (604) 921-9333 | Fax (604) 921-6643

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From: Meighan Jury [REDACTED]
Sent: Friday, March 6, 2020 8:25 PM
To: Lions Bay Office <office@lionsbay.ca>; Council <council@lionsbay.ca>
Subject: Highview / Oceanview

Hello,

Further to the following bulletin point -

"Asset Sales – A topographical survey has been done on the piece of excess road right of way at Oceanview/Highview"

I would like to request more information on the survey outcomes and the villages intention for this property.

Thank you,
Meighan

Sent from my iPhone

March 5, 2020

To whom it may concern,

I am writing today as a new member of the Lions Bay Community and as a mother of an 8-year old boy who is currently attending Lions Bay School. His name is Nicholas and he is immune compromised. His health is an ongoing issue for our family and has played a significant roll into the purchase of our home in the Lions Bay area last year. There is considerable evidence that EMF radiation harms the human genome, and as such, we chose an area without a celltower to move to when we decided to sell and leave our last property.

By way of background, I would like you to know that I worked in the broadcast /telecommunications industry for more than 25 years; most recently in a sales management capacity. I understand and am empathetic to how the telecommunications industry makes its money. I also understand that the cell tower will increase revenues for Lions Bay Municipality to help pay for essential services in our community. However, I strongly assert that increased EMF exposure is dangerous and something we can collectively do without.

There is significant evidence that electromagnetic radiation suppresses the immune function and allows bad bacteria to proliferate in the human host. Thomas Rau, MD of the renowned Swiss Paracelsus Clinic stated in a recent interview on ElectromagneticHealth.org: "Cultures of normal human endogenous bacterial cultures grow much less when exposed to EMR. They grow less when they are around a mobile phone, a tower or cordless phone. Growing less good bacteria in your body, means you will have an overgrowth of bad bacteria that can result in things like Lyme disease. Especially from the east coast of the USA, we have many patients with Lyme."

Lyme-literate doctor Dietrich Klinghardt, MD contends that the same happens with mold. He says, "A Swiss mold researcher once conducted some simple experiments to measure the virulence and presence of mold and mold toxins in high EMF environments. He exposed molds to a Wi-Fi router and found that the production of mycotoxins was dramatically increased by the energetic frequencies. The virulence of the mold toxins also increased 600-fold."

Many studies that show the detrimental effects of EMFs upon the body, especially in young children ([see PDF from University of Berkley California enclosed](#)). Electromagnetic pollution has been found to cause or exacerbate a multitude of disorders, including cancer, autism, chronic fatigue, infertility and insomnia. It has also been attributed to diseases like Alzheimer's. The closer one lives to a cell tower, the greater the risk of exposure. Full stop.

I don't mean to sound alarmist, but in our journey we have found that EMF remediation is one of those things that people don't tend to take seriously until they have experienced serious illness of this nature firsthand - perhaps because EMFs are invisible and their effects upon the body are not always obvious. Yet, based on our years of dealing with our son's illness, we contend that EMFs are one of the foremost causes of disease today (especially cancer), and one of the factors that can hinder full recovery from chronic illness.

I also thought it worth noting, that my husband Chris is a CFO in the cardiovascular medical community here in the Lower Mainland. He works from home several days a week and would directly benefit from more efficient cellular service. However, he would attest, that if we were honest about the research...a thorough cost -benefit analysis would show that it is simply not worth the risk to the inhabitants of the Lions Bay community to expose us to more radiation than we are already.

Sincerely yours,

Mandy Clark



On Mar 13, 2020, at 1:40 PM, Ron McLaughlin <mayor.mclaughlin@lionsbay.ca> wrote:

Good afternoon Craig. Thank you for your email and generous offer.

I will accelerate a response and ask that staff place your email as on table correspondence for Tuesday evening. You can expect our advice later next week.

I don't recall the message you refer to in your penultimate paragraph. If you have retained this message in your records I would appreciate it if you would send it to me with any reply you received. This is the sort of thinking that might attract the Snow Angels (a more normal event which activates them) attention and get them to consider an expanded mandate.

Regards,

From: Craig Doherty [REDACTED]
Sent: Friday, March 13, 2020 1:12:51 PM
To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>
Cc: Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>
Subject: Looking Out For One Another

G'day Mayor and Council,

Strange times we are in. But strange times call for novel solutions.

I was kicking something around with Nancy my assistant and Liz my partner yesterday.

There will be a lot of older Lions Bay residents who may well be scared to leave their homes. I get that. Even as a 50-something, level-headed adult this is a crazier situation than the 9/11, SARS, Ebola, H1N1, etc that I've lived through.

Some residents will start to get low on essential provisions but may be unable or afraid to go to Safeway/Fresh Street/etc. They may not have family, friends, neighbours who can assist.

At the General Store and Cafe we have refined our ordering processes to get fresh produce in from Fresh Street Market who have an online ordering platform and delivery service that includes Lions Bay. I don't know if it includes private residences but if it does then that may change when they have stress on the system (as I imagine they will have). That gave me an idea.

Could we look at a solution along these lines:

- For people who are comfortable ordering provisions online (not everyone can or is comfortable doing this) then they could order the provisions to a central location like the store and I will run them to their homes. Free. No Charge.
- For people who are not comfortable ordering online but can make it to the Store then we can look at using their credit

card to order for them and then I can run them to their homes. Free. No Charge.

- Even if Fresh Street closes down neighbourhood deliveries I would be happy to do regular runs with my usual grocery shopping.
- A different or hybrid solution that hasn't come to me yet but may be the subject of some collective brainstorming.

Why am I raising this?

(a) Because only the Village has the most widespread voice to get into people's homes through the "Village Update" or "Emergency System".

(b) Because the Store is a central location and I have a truck than can deliver.

(c) Because we live in a tight-knit community where we should and can look out for each other.

The last time I raised something like this was when we had heavy snow days and I figured some older people (or people without snow tyres) might not be able to get to their doctors' appointments or some other essential meeting. It was not pursued because I think it was seen as something disingenuous and self-promotional. This is different.

Ron let me know if you and council are interested in this.

Kind regards,

Craig Doherty



<PastedGraphic-1.png>

From: Craig Doherty <craig@lionsbay.com>

Sent: Friday, March 13, 2020 1:12:51 PM

To: Ron McLaughlin <mayor.mclaughlin@lionsbay.ca>

Cc: Neville Abbott <councillor.abbott@lionsbay.ca>; Fred Bain <councillor.bain@lionsbay.ca>; Jaime Cunliffe <councillor.cunliffe@lionsbay.ca>; Norman Barmeier <councillor.barmeier@lionsbay.ca>

Subject: Looking Out For One Another

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Craig Doherty



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