

## COUNCIL POLICY

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### TELECOMMUNICATION ANTENNA STRUCTURES

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#### 1. PURPOSE

The purpose of the Telecommunication Antenna Structures Policy is to establish procedural standards and preferences of Council that will allow the Municipality to influence the placement and design of telecommunication antenna structures. The policy is intended to provide clarity and consistency to the public and telecommunications industry proponents, while allowing the timely development of an efficient telecommunications network within the Municipality, ensuring that community objectives are met.

#### 2. DEFINITIONS

**“ISED”** means *Innovation, Science and Economic Development Canada*, or any of its successor organizations having jurisdiction over telecommunications system approval.

**“Proponent”** means a person or organization submitting an application to the Municipality for a statement of concurrence for a telecommunications installation regulated by ISED.

**“Public Information Meeting”** means a meeting arranged by the Proponent to provide the public an opportunity to seek clarification and make comments. This meeting may be held in an electronic format using a widely recognized and freely-available software platform.

**“Public Notification Area”** means the area under the Municipality’s jurisdiction lying within 300m of the boundaries of the proposed site parcel, or in the case of untitled land, within 300m of a line drawn around the external limits of the proposed structure, including any guy wires, fencing or landscaping.

**“Qualified Environmental Professional (QEP)”** means an applied scientist or technologist who is registered and in good standing with an appropriate B.C. professional organization constituted under an Act.

**“Statement”** means the statement formally issued to ISED by the Municipality and may be a statement of concurrence (with or without conditions), or a statement of non-concurrence.

**“Telecommunications Antenna Structure (TAS)”** means any exterior transmitting device or group of devices used to receive and/or transmit radio-frequency signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Telecommunication tower/antenna systems include the antenna, any tower, mast or other supporting structure, and any equipment shelters, fencing and security screening.

### 3. SCOPE

3.1 This policy applies to all TAS proposals regulated by ISED, and all TAS proposals located within Municipally-owned land whether or not regulated by ISED. Table 1 below shows the scope of municipal authority and limitations relating to the design and siting of TAS:

*Table 1: Municipal authority/limitations*

<b>Category</b>	<b>Municipal authority/limitations</b>
Telecommunications Antennae Siting	The final regulatory decision to approve the location of antenna systems is made only by ISED. Municipalities do not have the authority to override ISED’s decision. The role of municipalities is to issue a statement of concurrence or non-concurrence to the Proponent and to ISED. The statement considers the land use compatibility of each antenna system proposal, design and location preferences, comments from residents and the Proponent’s adherence to the Municipality’s Policy. The Policy may set out an accompanying community consultation process. Council will consider all applications for Antenna Systems where municipal concurrence is required (i.e., for those applications that are not already excluded by ISED). In this regard, the Municipality may express its concurrence or concerns of a proposed application and, accordingly, may either approve or deny the request for a statement of concurrence.
Health	Health concerns relating to radiofrequency, energy, and safety are often cited by members of the public. These matters fall under the federal jurisdiction of Health Canada. Municipalities do not have authority to regulate health and safety requirements related to antenna systems. To ensure the highest standards of safety are met, Health Canada requires that all antenna system installations (including 5G installations) comply with all existing safety regulations, including Safety Code 6 (SC6), which determines exposure limits for wireless devices and their associated infrastructure. In addition, ISED requires that all antenna systems meet Canadian limits on the amount of radio frequency 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, <i>CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems</i> before an installation is approved. Once antenna systems are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their license. The current Canadian limits already cover the frequency ranges that will be used by 5G devices and antenna system installations. Health Canada provides

	extensive public education through its website that responds to public safety related concerns associated with 5G and antenna systems in general.
Out-of-scope matters	ISED makes it clear that the following issues will not be considered relevant, and therefore will not be reflected in the Municipality's Statement: <ul style="list-style-type: none"> <li>• impact on property values or tax revenues;</li> <li>• the legitimacy or validity of any federal, provincial or municipal policies or statutes;</li> <li>• aspects of the Proponent's service not related to the structure in question.</li> </ul>
Proposals on Municipal land	While regulatory authority rests with ISED, the Municipality has absolute discretion as a landowner to decide whether to enter into a lease arrangement (and under what conditions) for any TAS proposals located on land owned by the Municipality. This is independent of the statement of concurrence process. The Municipality may opt to use the process set out in this policy to determine its response to a proposal as landowner, in addition to its role in deciding a statement of concurrence application.

3.2 The following TAS proposals are exempt from this policy:

- (a) Modifications to existing TAS less than 15m in height, not resulting in a height increase;
- (b) Modifications to existing TAS resulting in a cumulative height increase not more than 10% of the original structure, but in any case not resulting in a structure greater than 15m in height, or a height increase to a structure within one year of installation or previous height increase;
- (c) Temporary TAS erected for special events, research or emergency purposes, for a period not exceeding 90 days, or a cumulative total of shorter periods not more than 90 days per calendar year.
- (d) Non-tower-mounted TAS not exceeding 2m in height beyond the top of the highest part of the structure, or top of the roof in the case of a building, but in any case not representing more than 25% of the height of the original building or structure.

#### 4. PROCEDURE

- 4.1 Prior to submitting a TAS Statement of Concurrence application, the Proponent is requested to undertake pre-consultation with Municipal Planning staff.
- 4.2 Prior to, or within three days of submitting a Statement of Concurrence application, the Proponent must at their cost, erect a notice sign at the proposed TAS location site.
- 4.3 A sign erected under s.4.2 must:
- (a) be located within the parcel boundaries, if the proposal is on private land
  - (b) be not less than 1.2m in height and 1.8m in width
  - (c) be constructed of 1.3cm plywood or other durable material;
  - (d) comprise black lettering on a white background;
  - (e) be securely installed to withstand wind and weather;
  - (f) be clearly visible from the nearest surfaced road;
  - (g) not obstruct road visibility for vehicles and pedestrians, including from any private driveway accesses
  - (h) contain information on the exact location, appearance and dimensions of the proposed structure
  - (i) provide contact information for the Proponent
- 4.4 An application for a Statement of Concurrence must include:
- (a) the fee, as set out in the Municipality's *Fees & Charges Bylaw*;
  - (b) a completed application form where provided by the Municipality;
  - (c) scaled elevation drawings of the structure, siting plan, and details of all design features such as colour, fencing, landscaping, etc.;
  - (d) identification of any other freestanding TAS within 500m of the proposed location;
  - (e) information regarding co-location opportunities and potential use of any other existing structures;
  - (f) photographic evidence of the sign erected under s.4.2 and indication of precise location;
  - (g) a QEP report, where a proposal is situated in whole or in part within any location identified in the Official Community Plan as subject to an environmental development permit area designation.
- 4.5 Upon receipt of a complete application, staff will notify Council and any local government or First Nation government having jurisdiction within 300m of the proposed location.
- 4.6 The Municipality will identify all property addresses within the Public Notification Area and provide address labels to the Proponent.

- 4.7 The Proponent will prepare a public information notification, including a date, time, format and location (if applicable) or electronic participation details (if applicable) for a Public Information Meeting. This will be submitted to Municipal staff for review and approval. Once approved, the Proponent will mail this notification to all property parcels lying wholly or partly within the Public Notification Area. Mailing envelopes must be clearly distinguished in appearance from promotional material or junk mail.
- 4.8 A Public Information Meeting must not be held less than 14 days from the public information notification mailing date.
- 4.9 The public and any other agencies will be requested to submit any written responses to the Municipality's planning department within 21 days of the mailing date of the notification or five days after the Public Information Meeting, whichever is the later. Written responses may be in addition to any comments given to the Proponent at a Public Information Meeting.
- 4.10 In addition to notification under s.4.7 the Public Information Meeting must be advertised by the proponent at their cost in two consecutive editions of a free regular newspaper in local circulation, providing details of how to join the meeting and where a copy of the public information notification may be downloaded. Copies of the published advertisements must be sent to the Municipality's planning department for the file.
- 4.11 Within five days of a Public Information Meeting, the proponent must provide a written summary to the Municipality including record of attendance and comments or concerns expressed.
- 4.12 Following the expiry of the 21 day notification period under s.4.9 and the holding of a Public Information Meeting under s.4.8, staff will provide the Proponent an opportunity to review public concerns, and make modifications or amendments to the application in response to those concerns. Staff will subsequently prepare a report to Council, including any public correspondence received.
- 4.13 Council will in open meeting, decide to:
- i) issue an unconditional statement of concurrence; or
  - ii) issue a statement of concurrence subject to conditions; or
  - ii) issue a statement of non-concurrence; or
  - iv) defer the decision, with or without further direction to staff or requests to the Proponent, and request additional time from ISED if the process is likely to take more than 120 days.
- 4.14 A statement of concurrence may be issued subject to conditions including, but not limited to:
- (a) a signed agreement submitted to the Municipality stating that the Proponent will allow co-location with other uses wherever technically feasible.

- (b) a signed undertaking for installation or vegetation removal not to be carried out during certain times of the year.
- 4.15 Where the municipality is the landowner, the Municipality may require as a condition of a lease agreement:
  - (a) posting a financial security for any proposed landscaping, tree planting, screening or fencing;
  - (b) posting a financial security for any environmental protection or compensation measures, erosion and sediment controls, QEP oversight, reporting, or post-construction monitoring and actions;
- 4.16 Any security posted under s.4.15 will be required in the amounts established in the Municipality's policy DS-001 (Landscaping), as amended, and subject to the conditions and procedures therein.
- 4.17 By a Council resolution at any point during the application process, the Municipality may request that the Proponent provides additional public engagement opportunities.
- 4.18 Failure by the Proponent to adhere to the proposed design or any conditions attached to the Municipality's statement of concurrence may result in the statement's revocation.

## 5. SITING AND DESIGN REQUIREMENTS

The Municipality will assess applications for consistency with the following policy requirements:

### **Siting Policies**

- 5.1 The Proponent should demonstrate effort has been made to locate TAS on existing structures such as other TAS, utility poles, transmission towers and rooftops.
- 5.2 Freestanding TAS should be located more than 500m from any parcels zoned with a Residential designation (zones R1 to R7) or Comprehensive Development designation (zones CD1 to CD21).
- 5.3 Locations of topographic prominence affecting public views and vistas of important natural or human-made features should be avoided.
- 5.4 Locations within or affecting views of heritage site or structures should be avoided unless designed in an unobtrusive and compatible manner.
- 5.5 Areas for location should be considered in the following order of priority from encouraged through to discouraged:
  - (a) transportation and utility corridors;
  - (b) commercial and industrial sites remote from residential areas;

- (c) institutional sites, including those that typically require telecommunications technology, such as hospitals, research centres, colleges and public works facilities, but not including schools.
  - (d) agricultural, forested and rural areas;
  - (e) downtown or other commercial areas;
  - (f) parks, greenspaces, golf courses and sports grounds;
  - (g) adjacent to residential areas.
- 5.6 Areas in proximity to lakes, rivers, the shoreline and other water features should be avoided.
- 5.7 Design and location should involve minimal or no tree removal. Root protection areas of mature trees should be avoided. Any unavoidable tree removal, including to create space for wildfire protection, must be carried out during the timing window of least risk for nesting birds.

**Design Policies**

- 5.8 Monopole towers are preferred, subject to the requirements of s.5.9.
- 5.9 Each new freestanding structure should be designed to accommodate a minimum of two additional users, taking into account impact on design height.
- 5.10 The design style of a TAS should be as unobtrusive as possible, avoiding reflective surfaces, and compatible with the surrounding area and adjoining uses. This may include being designed to resemble or include a character feature such as clock tower or flagpole.
- 5.11 Negative visual impacts must be mitigated as far as possible by methods such as screening, stealth design and landscaping. Cable trays on buildings should be unobtrusive and concealed.
- 5.12 Vegetative screening is encouraged with a preference for a mix of coniferous and deciduous trees to provide year round foliage. Irrigation should be provided where necessary.
- 5.13 Where a QEP report has been prepared pursuant to s.4.4(g), all recommendations therein must be incorporated into the TAS design wherever technically feasible, including commitment to any post-construction monitoring and actions.

**APPROVAL HISTORY**

WRITTEN BY: C. Osborne, Planning Manager	APPROVED BY: Council	DATE: July 21, 2021
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