Galiano Island Local Trust Committee
Special Meeting Agenda

Date: October 17, 2017
Time: 1:30 pm
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

GALIANO ISLAND LTC
ANTENNA SYSTEM SITING & CONSULTATION PROTOCOL

OBJECTIVES

The objectives of this Protocol are to:

1. Establish a siting and consultation process for reviewing land use issues associated with antenna siting proposals that is harmonized with Industry Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols*.
2. Set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of antenna siting proposals that:
    a. minimizes the number of new antenna sites by encouraging Co-location;
    b. encourages designs that integrate with the surrounding land use;
    c. establishes when local public consultation is required; and
    d. encourages Proponents to identify and resolve any potential land use, siting or design concerns with the Galiano Island Local Trust Committee (GILTC) at an early stage in the process.
3. Provide an expeditious review process for Antenna System Siting Proposals.
4. Establish a local land use consultation framework that ensures the GILTC and members of the public contribute local knowledge that facilitates and influences the siting, location development and design (including aesthetics) of Antenna Systems within the Galiano Island Local Trust Area (GILTA).
5. Contribute to the orderly development and efficient operation of a reliable, effective radio communication network in the GILTA.
6. Provide the GILTC with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the GILTC to Industry Canada and the Proponent at the end of the process.

JURISDICTION

Industry Canada: Under the *Radiocommunication Act* the Minister of Innovation, Science, and Economic Development has the sole jurisdiction over telecommunication facilities. The final authority to approve and license the location of Antenna Systems rests only with Industry Canada.

Galiano Island Local Trust Committee: The ultimate role of the GILTC is to issue a statement of concurrence, concurrence with conditions, or non-concurrence to the Proponent and Industry Canada. The statement will consider the land-use compatibility of the proposed Antenna System with reference to the OCP, responses from affected residents, and the Proponent's adherence to this Protocol. The Local Trust Committee also helps guide and facilitate the siting process by advising Proponents of particular sensitivities, community amenities, planning priorities, other relevant concerns and community consultation expectations. The Local Trust Committee cannot assess any proposal for an Antenna System with respect to any non-placement or non-design related issues or radiofrequency exposure issues and human health, but it can demand attestation of compliance with Health Canada's Safety Code 6. The GILTC can also assess and comment upon environmental impacts.

Proponent: Industry Canada may require that a Proponent intending to install or modify an Antenna System notify and consult with the local land use authority and, if necessary, the local community; and as appropriate

determine local requirements, undertake public notification and address relevant concerns. Proponents must investigate sharing or using existing structures.

Proponents must comply with applicable federal legislation and regulations such as Health Canada's Safety Code 6, Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range From 3 kHz to 300 GHz, the Canadian Environmental Assessment Act, and Transport Canada and NAV CANADA'S painting and lighting requirements for aeronautical safety.

It is recognized that Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements.

DEFINITIONS

Antenna System: a device, or group of devices, used to receive and/or transmit radio frequency (RF) signals or other federally-licensed communications energy transmitted from or to be received by other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter.

This protocol most commonly refers to the following three types of Antenna Systems:

1. **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an antenna or antennas.
2. **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing structure such as a building wall or rooftop, a light standard, water tower or utility pole.
3. **Tree-mounted Antenna System:** An Antenna System mounted on a free-standing tree.

Co-location: the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

Prescribed Distance: distance measured horizontally from the base of the proposed freestanding or building/structure mounted Antenna System.

Proponent: a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

Residential Area: lands used or zoned to permit residential uses, including mixed uses.

EXEMPTIONS

The Galiano Island Local Trust Committee exempts Proponents of the following Antenna Systems from its requirements of proposal submission and consultation**:**

1. Freestanding and Structure-Mounted Antenna Systems with a height not greater than 15 metres above ground level for:
    a. reception of over-the-air radiofrequency transmissions such as radio and television broadcasts;
    b. reception of transmissions from satellites including, but not limited to broadcast television;
    c. wireless internet provision and access in compliance with Industry Canada power and frequency regulations;
    d. use by the holder of a Certificate of Proficiency in Radio (Amateur Radio) in compliance with Industry Canada regulations;

e. use by a person or entity for one or two-way voice or data communications in compliance with Industry Canada regulations and license requirements;
f. signal boosters to enhance local use, such as for wifi and cellular telephones; and
g. installation of an Antenna System that is used for a special event or to support emergency operations and is removed within three months after the emergency or event.

2. Tree-mounted Antenna Systems, without height restriction, for the applications stated in 1) above.
3. Nonetheless, it may be prudent for a Proponent to consult with the GILTC and the public, if local circumstances warrant. The GILTC should be informed of all federally licensed new Antenna System installations so it can:
    - be prepared to respond to public inquiries;
    - be aware of site Co-location potential on Galiano;
    - maintain records to refer to in the event of future modifications and additions; and
    - engage in meaningful dialogue with the Proponent with regard to appearance and design.

Notwithstanding Industry Canada requirements for proposal submission and consultation, the GILTC may, by resolution, exempt a Proponent's proposal from any or all aspects of public consultation on a case-by-case basis. Informing the GILTC is still required of Proponents.

PRELIMINARY CONSULTATION (SITE INVESTIGATION MEETING)

Proponents are strongly encouraged to consult with the GILTC as early as possible in the antenna siting process. Proponents should notify the GILTC that a location(s) is being physically assessed for a potential Antenna System site. Prior to submitting an Antenna System Siting Proposal, the Proponent should initiate a site investigation meeting with the Islands Trust to:

- identify preliminary issues of concern;
- identify requirements for public notification and consultation; and
- affirm the content of the proposed submission

The Proponent will provide the following information at the site investigation meeting:

- location requirements and locations under consideration;
- preferred location(s), if any; and
- type and height of the proposed Antenna System.

If there is an existing Antenna System in proximity of the proposed site, information concerning the investigation of Co-location possibilities will be provided by the Proponent. The Islands Trust will provide the Proponent with an information package, which includes:

- the GILTC Antenna System Siting & Consultation Protocol;
- information on the GILTC concurrence process;
- information on the known local radio frequency environment
- public notification and consultation expectations;
- a map of Development Permit Areas and Nature Protection Zones; and
- notice of any fees, if applicable.

CONSULTATION PROCESS

Several parameters will determine the steps that a Proponent planning to install a transmitting Antenna System is required to take, including the following categories of Proponents: commercial or non-commercial telecommunications service providers or broadcasters, government agencies, private businesses, and private individuals.

In addition to the category of the Proponent, other parameters are: the height of the Antenna System (less than 15 metres, or equal to and greater than 15 metres), and distance of the Antenna System from the closest residence or other location where groups of people may regularly gather (less than 500 metres, or equal to and greater than 500 metres). All types of antennas are included.

The actions required are one or more of the following steps as indicated in the table below for each category of Proponent:

1. Contact the Islands Trust prior to installation to set up a Site Investigation Meeting and provide information as to the specific location and specifications of the proposed Antenna System (size and power, height of supporting structure) – see 'Preliminary Consultation' section.
2. Consult with the Islands Trust regarding any factors to be considered in siting the Antenna System, e.g. location in an environmentally sensitive area, proximity to neighbours, or visibility and appearance.
3. Provide a calculation of the maximum cumulative power density of the proposed Antenna System in relation to distance from the system, taking into account any pre-existing Antenna Systems at the same site.
4. Inform, in writing, the neighbours who live within 1000 metres of the Antenna System location about the proposed installation.
5. Organize, advertise, and host a public information meeting about the proposed installation.
6. Seek the written concurrence of the GILTC for the proposed installation.

NOTIFICATION AND CONSULTATION REQUIREMENTS BY PROPONENT TYPE

Proponent Category #1: Wireless Telecommunications Service Providers and Broadcasters

This category of Proponents includes cellular telephone service providers, wireless internet service providers, and radio and shortwave broadcasters, regardless of whether they are commercial or non-commercial entities.

	Height less than 15 metres		**Height 15 metres or greater**	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications	X	X	X	X
Consult LTC regarding location	X	X	X	X
Provide power density calculation	X	X	X	X
Inform neighbours within 1 km	X		X	X
Host public information meeting	X		X	X
Seek LTC Letter of Concurrence for Industry Canada	X		X	X

Proponent Category #2: Government Agencies

A second category of Proponents includes government agencies such as police, fire protection, ambulance, other emergency services, BC Ferries, and BC Hydro who maintain their own two-way telecommunication networks using Antenna Systems that comply with Industry Canada regulations and license requirements. Although not required to do so, government agencies are strongly encouraged to inform the LTC about the location and specifications of their antennas under 15 metres in height.

	Height less than 15 metres		**Height 15 metres or greater**	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications			X	X
Consult LTC regarding location			X	X
Provide power density calculation			X	X
Inform neighbours within 1 km			X	X
Host public information meeting			X	X
Seek LTC "letter of concurrence" for Industry. Canada			X	X

Proponent Category #3: Private Businesses

This category of Proponent includes businesses on commercially zoned property, such as a marina, which may use a fixed antenna for marine radio telecommunications.

	Height less than 15 metres		**Height 15 metres or greater**	
	Distance less than 500 m from neighbour	Distance 500 m or greater from neighbour	Distance less than 500m from neighbour	Distance 500m or greater from neighbour
Inform LTC of location and specifications			X	X
Consult LTC regarding location			X	X
Provide power density calculation			X	X
Inform neighbours within 1 km			X	X
Host public information meeting			X	X
Seek LTC "letter of concurrence" for Industry. Canada			X	X

Proponent Category #4: Private individuals

Although not required to do so, private individuals are strongly encouraged to inform the LTC about the location and specifications of external send-receive Antenna Systems for wireless connection to the Internet, for locally boosting a weak cellular signal, or for amateur radio operations ("ham radio") that are licensed by Industry Canada and are greater than 15 metres in height.

PROPOSAL SUBMISSION

The Proponent will submit to the Islands Trust an Antenna System Siting Proposal which must include, as applicable, the following information:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, the nature and coverage of existing Antenna Systems in the general area, and a summary of opportunities for Co-location on existing or proposed Antenna Systems within 500 metres of the subject proposal.
2. Location including legal description, street address and latitude and longitude of the proposed Antenna System.
3. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land.
4. A map showing the horizontal distance between the base of the proposed Antenna System and the nearest property in residential use.
5. For Antenna Systems requiring public consultation, a map showing all properties located within 1000 metres of the proposed Antenna System.
6. An attestation that the Antenna System will operate in compliance with Health Canada's Safety Code 6 which sets radiofrequency emission levels.
7. Details of the proposed system including: frequency bands and power of transmitter(s); elevation of the site and height of the antenna(s) above ground level; and, gain, azimuths and vertical and horizontal beam widths of antennas.
8. Calculation of RF density levels including distance to the Safety Code 6 compliance level (Reference Level Power Density) in the main beam of the antenna(s); and, distances to fractions of the compliance level (e.g. 50, 10, 1 percent), or fractions of the compliance level at distances (e.g., 10, 100, 250, 500 metres) from the base of the proposed Antenna Structure.
9. Cumulative power density levels within antenna beam directions from multiple transmitters or transmission on more than one frequency band, including an assessment of co-located third-party equipment and other Antenna Systems within 100 m of the proposed antenna.
10. A description (or map) of the area of coverage or point or points to which transmissions will be directed.
11. A description of the benefits of the Antenna System to Galiano Island residents, businesses and visitors.
12. A description of the backup power system including energy source, duration of operation and level of automation.
13. Graphic portrayals including plan and elevation drawings showing tower, guy wires, buildings, fencing, etc. as applicable, and location of the development on the property.
14. Transport Canada marking requirements including painting and lighting details.
15. A review of visibility from residences and public transportation corridors within 1000 metres of the installation (photos with proposed structures superimposed may be appropriate).
16. Details of access for construction and ongoing operation, and the location of utility corridors, and assessment of environmental impacts and planned mitigation measures.
17. Details of planned security including fencing, gates and alarms.
18. Accessibility for the fire department and emergency vehicles.

PUBLIC CONSULTATION PROCESS & TIMEFRAME

If required, and based on the results of the Proponent's public information and consultation process, the community's reaction to the Antenna System Siting Proposal and a staff assessment, the GILTC will proceed to affirm its concurrence, concurrence with conditions or non-concurrence with the proposal within 60 days of receiving the consultation package, if no further information or community consultation is deemed necessary, at one of its monthly business meetings. If, however, it is deemed that additional community consultation is necessary, the GILTC will convene a community information meeting. The Proponent must cover the cost of the additional community information meeting (advertisement, mailing, and administration cost) by a cost recovery agreement with the Islands Trust. The Proponent is expected to fully participate in the community meeting to address any outstanding issues or concerns.

The GILTC will keep the regional Industry Canada office appraised of its decision-making process and timeframes.

STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

The GILTC, upon completion of its decision-making process, may:

- provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the GILTC, the requirements set out in this protocol and will include conditions of concurrence, if required; or
- provide a letter on non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to the GILTC's requirements as set out in this Protocol. The GILTC will also communicate any comments on outstanding issues, including those raised in the public consultation process, to Industry Canada.

The letter of concurrence/non-concurrence will be issued with 120 days of the completion of the Proponent's community public information/consultation process.

The GILTC may rescind its concurrence if it is determined by the GILTC that the proposal contains a misrepresentation or a failure to disclose all of the pertinent information regarding the proposal, plans or conditions on which the concurrence was issued have not been complied with and a resolution cannot be reached to correct the issue. In such cases, the GILTC will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

A concurrence remains in effect for a maximum period of 3 years from the date it was issued by the GILTC. If construction has not commenced within this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after 2 years from the date of concurrence was issued, the GILTC requests that the Proponent send written notification of an intent to construct to the GILTC 60 days prior to start of any work to erect the structure.

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent without the need for further consultation, provided that:

- all information gathered by the original Proponent is transferred to the new Proponent;
- the structure and Antenna System for which the concurrence was issued to the original Proponent is what the new Proponent builds; and
- construction of the structure is begun within the duration of the concurrence period.

LETTER OF UNDERTAKING

The Proponent may be required by the GILTC to provide a Letter of Undertaking which may include the following requirements:

- posting of a security for the construction of any proposed fencing, screening or landscaping or building permit requirements determined by the regulations of the Capital Regional District;
- a commitment to accommodate other communications providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17); or
- all conditions identified in the letter of concurrence.

PREFERRED LOCATIONS & DEVELOPMENT GUIDELINES

Antenna Systems should be sited and designed to respect local sensitivities and preferences in the area administered by the GILTC in accordance with the Official Community Plan.

A Proponent should review the guidelines identified below as early as possible and should attempt to identify and resolve any outstanding issues prior to submitting its Antenna System Siting Proposal and undertaking public consultation.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing facilities.

1. Co-location

   Before submitting a proposal for an Antenna System on a new site, a Proponent should explore the following options:

   - consider sharing an existing antenna site, modifying or replacing a structure, if necessary;
   - locate, analyze and review potential use of any feasible existing infrastructure.

   Where Co-location on an existing antenna site or structure is not possible, a new Antenna System should be designed with Co-location capacity.

   The GILTC recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nonetheless, the GILTC will review each submission on its merits with a view to promoting both objectives and, where necessary, determine an appropriate balance between them.

2. Preferred Locations

   When new Antenna Systems must be constructed, where feasible, the following locations are preferred:

   - 500 metres from residences or buildings that are occupied or are in use on a regular basis;
   - outside Nature Protection Zones; and
   - on BC Hydro Right-of-Ways.

3. Discouraged Locations

   New Antenna Systems, including service corridors, should avoid land zoned as Nature Protection and environmentally sensitive ecosystems, as defined in the Galiano Island Official Community Plan.

4. Development Design Guidelines

   Antenna Systems should be designed in terms of minimizing impacts on the natural environment, appearance and aesthetics, to respect their immediate surroundings including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reducing the need for future facilities in the same area.

   In preparing its proposal, the factors which the Proponent should consider, but not be limited to, include:

   - colour scheme;
   - buffering and screening;
   - structure;
   - height;
   - yards and parking;
   - service corridors;
   - a map depicting the projected useable service area;
   - a description of associated microwave link, if applicable;
   - a calculation of cumulative power density of the proposed Antenna System and any co-located antennas out to a distance of 500 metres from base of the antenna;
   - access roads;
   - ancillary buildings and equipment cabinets;
   - signage and lighting;
   - site security;
   - rooftop equipment;
   - power sources;
   - environmental impacts and mitigation measures;
   - seismic risk and design;
   - adherence to Safety Code 6 or other health safety standards;
   - expected drainage patterns; and
   - provision for future Co-location on the structure.

The GILTC encourages Proponents to also outline proposed public consultation activities and be prepared to discuss its proposal at the site investigation meeting.