SALT SPRING ISLAND LOCAL TRUST COMMITTEE

ANTENNA SYSTEM SITING & CONSULTATION PROTOCOL

ADOPTED: NOVEMBER 9, 2021

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1. Introduction

Telecommunications systems that provide full coverage and service are essential for a healthy and well-connected community. This *protocol* serves as a foundation to ensure that communities benefit from high quality, dependable telecommunication services that effectively support daily life activities, emergency services, citizen engagement, tourism, and local business, all of which are important to the Islands Trust.

2. Objectives

The objectives of this *protocol* are:

2.1 to acknowledge that Innovation, Science and Economic Development Canada (ISED) has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;

2.2 to establish a siting and consultation process for use by all the Salt Spring Island Local Trust Area (LTA) that is harmonized with ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with *antenna system* siting proposals;

2.3 to set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of *antenna system* siting proposals that:

- minimize the number of new antenna sites by encouraging *co-location*;
- encourage designs that integrate with the surrounding land use and public realm;
- establish when local public consultation is required; and,
- allow ISED and *proponents* to identify and resolve any potential land use, siting or design concerns with the Salt Spring Local Trust Committee (SS LTC) at an early stage in the process.

2.4 to provide an expeditious review process for *antenna system* siting proposals;

2.5 to establish a local land use consultation framework that ensures the SS LTC 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 LTA boundaries;

2.6 to contribute to the orderly development efficient operation of a reliable, strong radiocommunication network within all Local Trust Areas; and,

2.7 to provide SS LTC with the information required to satisfy the requirements of ISED regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the SS LTC at the end of the process.

3. Jurisdiction

3.1 Role of Innovation, Science and Economic Development Canada

Under the *Radiocommunication Act*, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of *telecommunication antenna systems* is made only by ISED. All

technical aspects and siting of telecommunication and broadcasting services are regulated by the federal government under the *Radiocommunication Act*.

ISED has an established procedure, CPC-2-0-03 (CPC), which prescribes the process and review of proposed telecommunication structures. As part of the process, *proponents* are required to notify the local land-use authority and nearby residents. Moreover, the *proponent* is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

3.2 Other Federal Legislation

3.2.1 Public Health

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication *proponents* are required to follow guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6* (2009)[1]. 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.

3.2.2 Environmental and Aeronautical Legislation

In addition to Health Canada's requirements, *proponents* must comply with the *Canadian Environmental Assessment Act* and any painting and lighting requirements for aeronautical safety prescribed by NAV Canada and Transport Canada.

3.3 Role of Local Government

Local governments are referred applications for proposed towers and are given the opportunity to comment on the proposal. Ultimately, the role of the SS LTC is to issue a statement of concurrence or non-concurrence to the *proponent* and ISED[2]. The statement considers the land-used compatibility of the antenna structure, the responses of the impacted residents and the *proponent's* adherence to this *protocol*. In addition, local government can communicate and provide guidance to the *proponent* on the particular sensitivities, planning priorities, and characteristics of an area, and establish siting guidelines. A local government may adopt the default public consultation process as defined in ISED's CPC or augment the process with its own consultation process, subject to the time limitations established in the CPC.

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[1] LTAs do not assess any submission for an *Antenna System* with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at healthcanada.gc.ca and to the *proponent*'s representative.

[2] Regardless of whether the SS LTC issues a statement of concurrence or non-concurrence, ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada.

4. Antenna Structures for Which Public Consultation is Required

- **New *antenna systems*:** where the height is greater than 15 metres.
- **New *antenna systems*:** where the height is less than 15 metres proposed by telecommunication carriers, broadcasting undertakings or third-party owners.
- **Existing *antenna systems*:** where modifications exceed a cumulative height increase of greater than 25%.
- **Non-tower structures:** where the height above ground of the non-tower structure, exclusive of appurtenances, is increased by more than 25%.

5. Exempt Antenna Systems

This section outlines the criteria for identifying *Antenna Systems* excluded from the consultation process by ISED, the need to consider local circumstances for all exempt structures, and the process for *proponents* to notify and discuss proposed exempt structures with the LTA.

5.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, *proponents* are generally excluded by ISED from the requirement to consult with the SS LTC and the public, ***but must still fulfill the General Requirements outlined in Section 7 of the CPC.***

- **New *antenna system*:** where the height is ***less than 15 metres*** above ground level proposed by business, government, Crown agencies, general public; this exclusion does not apply to *antenna systems* proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Existing *antenna system*:** where modifications are made, antennas added or the tower replaced[3], including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial *antenna system* installation[4]. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to *antenna systems* using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Non-tower structure:** antennas on buildings, water towers, lamp posts, and similar structures ***are excluded*** from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25% and have been reviewed by Islands Trust staff who will provide comment in accordance with LTA *design guidelines*; and,
- **Temporary *antenna system*:** used for special events or emergency operations and must be removed within three months after the start of the emergency or special event.

[3] The exclusion for the replacement of existing *antenna systems* applies to replacements that are similar to the original design and location.

[4] Initial *antenna system* installation refers to the system as it was first consulted on or installed.

No consultation is required prior to performing maintenance on an existing *antenna system*.

5.2 Design Guidelines for Antenna Systems

Appendix B of this *protocol* is a matrix of telecommunication design illustrating typical tower designs, rooftop antennas, utility poles and light standards. The SS LTC may choose to further exempt from public consultation on any of the specific *antenna systems* illustrated in the matrix. Note that antennas affixed to buildings, utility poles and light standards are already exempt from public consultation, unless they exceed a 25% increase in height.

5.3 Voluntary Public Consultation

The CPC states that:

> *Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponents to consult the SS LTC and the public even though the proposal meets an exclusion noted above.*

Therefore, when applying the criteria for exclusion, *proponents* are encouraged to consult the SS LTC when it is ***prudent*** to do so in consideration of any of the following:

- the *antenna system's* physical dimensions, including the antenna, mast, and tower is significant compared to the local surroundings;
- the relative location of the proposed *antenna system* on the property and its proximity to neighbouring residents;
- the likelihood of an area being in a community-sensitive location; and,
- the nature of Transport Canada's marking and lighting requirements for the proposed structure.

6. Notification and LTA Review of Exempt Antenna Systems

Notwithstanding ISED's exemption criteria for certain *Antenna system*, the SS LTC should be informed of all new *antenna system* installations within their boundaries so they can:

- be prepared to respond to public enquiries once construction/installation has begun;
- be aware of site *co-location* within the LTA;
- maintain records to refer to in the event of future modifications and additions; and,
- engage in meaningful dialogue with the *proponent* with respect to the appearance of the *antenna system* and structure prior to the *proponent* confirming a final design.

Therefore, *proponents* are required to undertake the following steps for ***all exempt antenna system installations before commencing construction.***

6.1 Building/Structure-Mounted Antenna System

The *proponent* will in all cases provide the following **information** for all new *antenna systems* or modifications[5] to existing *antenna systems* that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light

[5] Providing information is required for modifications that materially or noticeably change the appearance of the system. Maintenance works that do not result in such changes are excluded from the information requirement.

standard, and which are exempted from public consultation in Subsection E.1:

- the location of the *antenna system* (address, name of building, rooftop or wall mounted);
- description of proposed ***design*** with respect to the measures used by existing systems on that site;
- the height of the *antenna system*; and,
- the height of any modifications to existing systems.

The Islands Trust staff may notify the *proponent* of any inconsistency with the preferences and sensitivities expressed in the siting criteria and/or design preferences and the parties (*proponent* and Islands Trust staff) will work towards a solution that minimizes visibility.

6.2 Additions that Increase the Height of Freestanding Antenna Systems

The *proponent* will confirm to the SS LTC that an addition that extends the height of the existing *freestanding antenna system* meets the exclusion criteria in Subsection E.1 by providing the following:

- the location, including its address and location on the lot or structure;
- a short summary of the proposed addition including the preliminary set of drawings or visual rendering of the proposed system; and,
- a description of how the proposal meets one or more the Subsection E.1 exclusion criteria.

The Islands Trust staff will review the documentation and will contact the *proponent* where there is a site-specific basis for modifying the exemption criteria based on the siting criteria preferences and discouragements expressed of the *protocol*. In such cases, the Islands Trust staff and the *proponent* will work toward a mutually agreeable solution, which may include the Islands Trust staff requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Article F.2(a), F.2(b) and F.2 of this *protocol*, as applicable, concluding with a letter of concurrence or non-concurrence.

6.3 Additional Exemptions

The SS LTC may exclude from all or part of the consultation process any *antenna system* in addition to ISED's basic exemptions listed in Subsections E.1 & E.3:

- A new *antenna system* proposed to be located outside the SS LTC's preferred *distance* from the nearest lot line;
- Notwithstanding Subsection E.1 *Building/Structure Mounted Antenna System*, the Islands Trust staff may additionally, on a case-by-case basis, exempt a *proponent* from all or part of the consultation requirements under Section F of this *protocol*[6]. For example, exemptions may be granted where the proposed location is separated from a *residential area* or heritage area or structure by an arterial roadway, and/or is buffered

[6] For example, the SS LTC may decide to exclude certain proposals from the requirement to hold a public meeting, but not from issuing a public notification to affected property owners/tenants within the *Prescribed Notification Distance*.

by substantial tree cover, topography, or buildings.

- *Antenna systems* greater than 15 metres in height proposed by government agencies such as police, fire protection, ambulance, other emergency services, BC Ferries, and BC Hydro who maintain their own two-way telecommunication networks, except, however, such systems are not exempt if they are proposed in partnership with a commercial telecommunication service provider.

7. Application, Consultation Process & Request for Concurrence for Non-Exempt Antenna Systems

7.1 Consultation Objectives

The *protocol* for public consultation is designed to:

- inform;
- incorporate local knowledge;
- harmonize with ISED regulations and guidelines;
- be transparent;
- be consistent;
- be predictable; and,
- be expeditious.

7.2 Process Steps, Requirements and Timelines

Prior to submitting an *antenna system* proposal that does not meet any of the exemptions listed in Subsection E.1, the *proponent* will undertake the following preliminary consultations with the SS LTC:

7.2.1 Step 1: Pre-Consultation

7.2.1(a) Pre-Consultation

The purpose of the pre-consultation phase is for the *proponent* to share with Islands Trust staff the network objectives, provide possible site options and receive preliminary feedback. The pre-consultation steps include:

- The proponent notifies the LTA representative that locations in the community are being assessed for potential antenna system siting.
- The proponent provides the LTA representative potential locations and invites feedback on preferred locations and/or design.
- The proponent may offer to host a community workshop to provide options and invite feedback on possible solutions, although this is not necessary.

7.2.1(b) Site Investigation Meeting

Based on comments from the pre-consultation step, the *proponent* will provide a summary of a site-specific location, including:

- **Site Location**: preferred location, type and height of the proposed

telecommunication antenna system;

- **Alternative Locations:** summary of what other alternative locations were considered, including options to co-locate on existing structures;
- **Site Design:** preliminary drawings and/or visual renderings of the proposed *telecommunications antenna system*;
- ***Co-location*:** summary of efforts *proponent* has made to allow other companies to co-locate on the tower, as well as indication from other companies regarding interest in co-locating on new telecommunications structures.

The purpose of the site investigation meeting is to:

- identify preliminary issues of concern;
- give opportunity for the *proponent* to outline the proposal to the SS LTC;
- give opportunity for the SS LTC to provide initial feedback to the *proponent*;
- identify any *locations of sensitive ecosystems*;
- identify any potential *neighbouring land-use jurisdictions, school districts, emergency service providers and community associations* that may be required to provide comment on the proposal as outlined in this policy;
- guide the *proponent* on creating *localized content* for public notification and distribution; and,
- inform the *proponent* of the SS LTC's preferences of taller towers over shorter towers and supporting future *co-location* opportunities.

7.2.1(c) <u>SS LTC Preferences and Requirements</u>

Following the Site Investigation Meeting, Islands Trust staff will provide the *proponent* with an information package within a timeframe determined by the Islands Trust that includes:

- ***Public consultation*:** confirmation if, (a) public consultation is required, and if so, the process the *proponent* needs to follow, including a list of any other agencies, jurisdictions, and First Nations to be consulted, and if a public information meeting is required of, (b) public consultation is not required;
- **Site design:** comments on proposed location and design; and,
- **Professional reports and permits:** a list of plans, professional reports and/or permits that may be required (i.e. environmental impact statements).

7.2.2 Step 2: Application

7.2.2(a) <u>Application Submission to the SS LTC: Initial Application Proposal</u>

Except for specific waivers granted for amateur operators, the *proponent* must include the following information when submitting a *telecommunication antenna system* siting proposal to the SS LTC that does not meet the exemption criteria for the proposal review and public consultation requirement:

- **Site Rationale:** a letter or report from the proponent indicating the need for the proposed site, the rationale for site selection, and a summary of opportunities for co-location potentials on existing or proposed antenna systems within the LTA;
- ***Co-location:*** (a) a summary of effort the proponent has made to encourage other to co-locate on the proposed new infrastructure, as well as a list of parties who have expressed an interest in co-locating, and (b) a written and signed attestation that there are no co-location opportunities within the LTA;
- **Site Design:** preliminary engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, and the structure's ability to accommodate future antennas (including co-location). Proponents are encouraged to provide site design options;
- **Visual Renderings:** visual rendering(s) of the proposed antenna system with best effort to superimpose to scale;
- **Site Plan:** a site plan showing the proposed development situated on the site;
- **Site Distance to Surrounding Areas:** a map showing the horizontal distance between the proposed antenna system and the nearest residential, commercial and/or institutional uses;
- **Letter of Authorization:** confirmation of legal ownership of the lands subject to the proposal, or 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;
- **Title Search:** a copy of a title search (dated within the past 30 days of proposal submission) and any restrictions, restrictive covenants, easements or right-of-way registered against the lands the telecommunication antenna system is proposed on;
- ***Safety Code 6:*** a written and signed attestation that the telecommunication antenna system will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices including the cumulative effects of multiple telecommunication antenna systems at the location and in the immediate area;
- **Supplemental Documentation:** any other documentation as

reasonably identified by the SS LTC following the site investigation meeting; and

- **Draft Notification:** based on required consultation process as directed by the SS LTC, the proponent is to provide, (a) a draft of all public notices to be delivered by mail to the public, School Districts, community associations and neighbouring land-use jurisdictions, which is to be approved by Islands Trust staff prior to mail out; (b) an address list and map indicating all properties and residents which are to be notified by mail of the proposal, (c) a draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by Islands Trust staff prior to publication (if a public information meeting is required); and,
- **Comments from Emergency Services:** a copy of written correspondence indicating that the proponent has referred the proposal to local fire, police and ambulance services, and if given, any comments received emergency services should be submitted to Islands Trust staff prior to mail out.

7.3 Waivers to Application Submissions

The SS LTC may waive any of the Initial Application or Public Notification requirements for amateur radio operators on a case-by-case basis.

7.3.1 Step 3: Public Consultation

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03), the SS LTC has incorporated into the requirements a number of ***augmentations*** to the public consultation process. Itemization of the augmented elements may be found in Appendix A: *Consultation and Information – Process Steps and Requirements: ISED & Augmentation*.

7.3.1(a) Notification Requirements:

- The *proponent* will provide written notice, sent by regular mail or hand delivered, to all property owners and residents with a *notification distance* of 10 metres for every one metre in height from the base of the structure for a *freestanding antenna system*.
- The *proponent* will provide written notice, sent by regular mail or hand delivered, to all *neighbouring land-use jurisdictions, emergency service providers* and *school districts* with a *notification distance* of 1,000 metres from the base of the structure.
- The *proponent* will provide notice to ISED's regional office.
- The *proponent* will provide written notification to *Community Associations* identified at the site investigation meeting.
- The *proponent* will place notice of the *telecommunication antenna*

system proposal in at least two editions of a local newspaper.

- Where a public information meeting is to be held for a proposed *telecommunication antenna system*, a notice of the meeting shall be placed in at least two editions of a local newspaper and the *proponent* will provide written notice of the meeting sent by regular mail or hand delivered, to all property owners, *land-use jurisdictions, emergency service providers* and *school districts* with a *notification distance* of 10 metres for every one metre in height for a *freestanding antenna system* and for a *building/structure-mounted antenna system*.

7.3.1(b) Notice Content Requirements[7]

The *proponent* shall include at a minimum the following information in any mailed or otherwise delivered public notice:

- the proposed *antenna system's* purpose, the reasons why existing *antenna systems* or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- information on the location within the community, the geographic coordinates and the specific property or rooftop, height, type, design and colour of the proposed telecommunication *antenna system*, including a copy of the site plan submitted with the application;
- description of the antenna that may be mounted on the supporting structure and simulated images of the proposal;
- identification of areas accessible to the general public and the access/demarcation measures to control public access;
- an attestation that the general public will be protected in compliance with Health Canada's Safety Code 6, including combined effects within the local radio environment at all times;
- an attestation that the installation will respect good engineering practices including structural adequacy;
- transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the *proponent's* expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
- information on the environmental status of the project, including any requirements under the *Canadian Environmental Assessment Act*;
- clear information on the role of ISED as the sole approving authority for the siting of the *telecommunication antenna system* and that the

[7] These requirements are those of Appendix 1 of the CPC, as well as additional requirements suitable for the Islands Trust.

SS LTC only provides a statement of siting concurrence/non-concurrence at the request of the *proponent*;

- notice that general information relating to *antenna systems* are available on ISED Canada's Spectrum Management and Telecommunications website (http://www.ic.gc.ca/towers);
- reference to any applicable local land-use requirements such as local processes, *protocols*, etc.;
- information that comments and responses should be directed to the *proponents* and that all submissions received by the *proponent* will be forwarded to the SS LTC for their records;
- information that citizens may request their name and contact information be kept confidential within the published records;
- the name and contact information of a contact person for the *proponent*;
- the name and contact information of ISED;
- the name and contact information of the Islands Trust planner;
- an attestation that the *telecommunication antenna system* will respect Health Canada's *Safety Code 6*, which sets safe radiofrequency emission levels for these devices;
- the date, time and location of the public information meeting where required;
- closing date for submission of written public comments (not less than 30 days from receipt of notification); and,
- the notification shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER – INFORMATION IS ENCLOSED".

7.4 Public Information Session

The SS LTC requests the *proponent* chair hold a public information meeting for all proposed *telecommunication antenna systems* exceeding 15 metres in height ***or where there is significant public interest in the new free standing proposed telecommunication antenna system.*** The type of public meeting to be conducted is up to the discretion of the *proponent*, however:

- an appropriate date, time and location for the public information meeting will be determined in consultation with the Islands Trust Planner;
- the *proponent* will make available at the public information meeting an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site;
- all information and materials presented should consist of *localized content*;
- the *proponent* shall not schedule a public information meeting less than seven days

prior to the close of the public consultation period; and,

- the *proponent* may request Islands Trust staff attendance and participation in the meeting.

7.5 Online Community Engagement

A *proponent* may augment the public information session with an online forum to allow information sharing and feedback from people who may not be able to attend a public forum.

7.5.1 Step 4: Request for Concurrence

7.5.1(a) Submission to the SS LTC: Request for Concurrence

Prior to submitting a formal request for siting concurrence, the *proponent* must include the following information to the SS LTC:

- a summary of and a copy of all public submissions and responses, as well as the *proponent's* responses to public submissions as outlined in ISED's Radiocommunication and Broadcasting *Antenna Systems* Client Procedures Circular (CPC-2-0-03);
- a letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed telecommunication *antenna system*;
- a copy of all plans and studies (i.e. Environmental Review) required for the construction of the proposed telecommunication *antenna system*; and,
- a package summarizing the results of the public information meeting containing at a minimum, the following:
    - the time, date, location and number of people in attendance of any public information meeting held;
    - a list of attendees, including names, addresses and phone numbers (where provided voluntarily);
    - copies of all letters and other written communications received; and,
    - a letter outlining how all the concerns and issues raised by the public were addressed.

7.5.1(b) Statement of Concurrence or Non-Concurrence

This statement of concurrence or non-concurrence shall occur within 120 days of acceptance of a complete application, unless otherwise agreed to by the *proponent* and ISED.

7.5.1(c) Duration of Concurrence

- Concurrence remains in effect for a maximum period of 3 years from the date it was issued by the SS LTC. 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 activity.

- Request notification of intent to construct 60 days prior commencement of construction activity (OR, building permit).
- Once concurrence has been issued, it may be transferred from the original *proponent* to another *proponent* without the need for further consultation, provided that:
  - all information gather 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.

7.5.1(d) Letter of Undertaking

The *proponent* may be required by the SS LTC 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.

8. Terms of Use of This Policy

The LTA is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

9. Land Use Siting Criteria

Antenna systems should be sited and designed to respect local sensitivities and preferences as identified by the SS LTC; including making efforts to being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to nature features and reduce the need for future facilities in the same area, where appropriate.

These criteria address *co-location*, re-use, use of existing infrastructure, and new *antenna systems*.

Consideration is requested in the following order of priority:

1. ***Co-location*** by sharing an existing *antenna system*.
2. **Re-use** of an existing telecommunication facility.
3. Use of ***existing infrastructure*** such as a building rooftop or utility pole.
4. ***Stealth design*** of a new *antenna system*.
5. **New** *antenna system* structure.

The *proponent* should review the guidelines identified below as early as possible and should attempt to resolve any outstanding issues prior to submitting its *antenna system* siting proposal and undertaking the public consultation, where required by the LTC. As expressed preferences may be location or site specific, the *proponent* is encouraged to discuss the guidelines fully with Islands Trust staff during a preliminary meeting.

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

9.1 Criteria

Before submitting a proposal for an *antenna system* on a new site, the *proponent* must explore the following options:

- consider *co-location* by sharing an existing *antenna system*;
- explore modifying or replacing a structure if necessary;
- locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards; and,
- explore the feasibility of designing a new *antenna system* where the visibility of the equipment is minimized from street level, including shrouding or *stealth design*.

Where *co-location*, re-use, modification, use of existing infrastructure, or a *stealth design* of a new structure is not feasible, a new *antenna system* should be designed with *co-location* capacity, including in *residential areas* when identified as the SS LTC's preference.

The SS LTC recognizes that the objective of promoting *co-location* and the objective of making *antenna systems* less noticeable may sometimes come into conflict. Nevertheless, the LTA intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The *proponent* should, in all cases, verify the SS LTC's site-specific criteria preferences during the pre-submission consultation process before investing in a final design or site.

9.2 Preferred Locations

When new *antenna systems* must be constructed, where technically feasible, the following locations are preferred:

<u>Buildings & Infrastructure</u>

- Existing buildings and/or structure mounted *antenna systems*.
- Areas that can access fiber optic networks to allow for backhauling into the fiber optic network.

<u>Land Use Preferences</u>

- Industrial use land
- Agricultural use land
- Highway or service commercial use land (excluding mixed residential use)
- Land owned by the Islands Trust or another government entity
- Utility institutional use land were appropriate, but not limited to those institutions that require telecommunications technology, emergency services, hospitals, and colleges

- BC Hydro utility corridor rights-of-way
- Low density *residential areas* as defined by the SS LTC

9.3 Distance Considerations

- *Distance* of new free-standing towers from existing towers shall be at least one (1) times the height of the proposed tower.
- Notwithstanding the *distance* of one (1) times the height of a proposed tower from property lines, the *distance* may be increased by the Local Trust Committee to a maximum of (3) times the height of the proposed tower. The LTC should consider a guideline of increasing the setback by up to 25% if it is reasonably anticipated that the tower may be increased in height by up to 25% in the future and otherwise be exempt from any public consultation process.
- Notwithstanding the *distance* of one (1) times the height of a proposed tower from property lines, the *distance* may be ***decreased*** if the location is consistent with the land use preferences of preferred locations and avoids discouraged locations of discouraged locations.
- Set backs from property lines adjacent non-residential uses may invite special consideration in the Land Use Bylaw. The setbacks should serve to separate *antenna systems* from adjacent development without unduly affecting the development potential of the lot over the lease period.

9.4 Discouraged Locations

All *antenna systems*:

- Locations directly in front of doors, windows, balconies or residential frontages.
- Land zoned for nature protection.
- Environmentally sensitive ecosystems as defined in the Official Community Plan.
- Free-standing *antenna systems*.
- Medium and high density *residential areas* as defined by the Local Trust Area.
- Schools, daycare facilities, playgrounds and similar facilities.
- Areas that adversely impact view corridors.
- Heritage areas (unless visibly unobtrusive) or on heritage structures unless it forms an integrated part of the structure's overall design (i.e. through the use of *stealth structures*).
- Sites of topographical and geographic prominence.
- Sites that detrimentally affect the scenic quality of a corridor.
- Sites that detrimentally affect the foreground views of residents.

9.5 Incentives

All or part of the public consultation requirements may be waived for *antenna systems* proposed on sites that are consistent with OCP policy, preferred siting locations, that exceed setback considerations, feature innovative design to a high standard and embrace infrastructure as art, including shrouded or internal antenna, and avoid discouraged

locations.

In all cases, however, the *proponent* is required to provide information regarding the proposed *antenna system* in accordance with Section: Notification and LTA Review of Exempt Antenna Systems.

9.6 Criteria not to Address

As described in the CPC, *proponents* have specific obligations subject to federal requirements. Additional obligations may not be imposed; however, it is appropriate to ask questions and seek clarification concerning their steps and alternatives available to satisfy these requirements.

Proponents must comply with the following:

- Health Canada's public radio frequency exposure guidelines – *Safety Code 6 (Limits of Human Exposure to Radio Frequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz – Safety Code* (2009);
- *Radio Frequency Interference and Immunity* – EMCAB-2 – *Criteria for Resolution of Immunity Complaints Involving Fundamental Emissions of Radiocommunications Transmitters*;
- *Canadian Environmental Assessment Act, 2021*-CEAA (2012); and,
- *Aeronautical Safety* – Transport Canada and NAV Canada's requirements for aeronautical safety.

10. Model Official Community Plan Policies

10.1 Advocacy Policies

1. Health Canada should continue to evaluate health impacts of electromagnetic radiofrequencies from telecommunication facilities, including towers, to ensure that detrimental effects on human health do not occur.
2. Support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that such is in compliance with the *Canadian Environmental Assessment Act* (CEAA), and the *Safety Code 6* of the *Health Act*.
3. Support multi-island public organizations such as the Southern Gulf Islands Economic Sustainability Commission in its objective of improving the telecommunications services in the Gulf Islands.
4. Endorse the Canadian Radio and Television Commission policy statement on high speed broadband, especially by cable, as a basic service.
5. Encourage telecommunication providers to retain and increase the number of pay telephones in areas with poor cell coverage as an emergency back-up.
6. Encourage telecommunication providers to re-assess its fibre optic cable within the LTA for public and institutional access and to allow third party access.
7. Promote the role of public and private wireless "hot spot" providers in improving connectivity.

8. Establish a fee schedule to recover reasonable staff and process expenditures to recover costs from telecommunication *proponents* with consideration given to the costs to Islands Trust to evaluate and process proposals.

10.2 Land Use Policy

10.2.1 Siting Objectives

i. *Antenna systems* should be sited and designed to respect local sensitivities and preferences as identified by the LTA, including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate.

ii. Where *antenna systems* are proposed, consideration is requested in the following order of priority:
   - ***Co-location*** by sharing an existing *antenna system*.
   - **Re-use** of an existing telecommunication facility.
   - Use of ***existing infrastructure*** such as a building rooftop or utility pole.
   - ***Stealth design*** of a new *antenna system*.
   - **New** *antenna system* structure.

iii. Where *co-location*, re-use, modification, use of existing infrastructure, or a *stealth design* of a new structure is not feasible, a new *antenna system* should be designed with *co-location* capacity, including in *residential areas* when identified as the SS LTC's preference.

iv. The SS LTC recognizes that the objective of promoting *co-location* and the objective of making *antenna systems* less noticeable may sometimes come into conflict. Nevertheless, the LTA intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them.

10.2.2 Land Use Preferences

i. When new *antenna systems* must be constructed; where technically feasible, and such systems are not of *stealth design* or otherwise exempt from public consultation, they should be sited on the following land use categories:
   - Industrial use land
   - Highway or service commercial use land (excluding mixed residential use)
   - Utility institutional use land is appropriate, but not limited to those institutions that require telecommunications technology, emergency services, hospitals, and colleges
   - BC Hydro utility rights-of-way
   - Low density *residential areas*
   - Agricultural use land

ii. In all land use designations, the following building and infrastructure considerations are preferred:
   - use of existing buildings and/or structure mounted *antenna systems*; and,

- siting in areas that can access fiber optic networks for backhauling into the fiber optic network.

10.2.3 Setback Considerations

i. Preferred setbacks between *antenna systems* and lot lines should be at least 1 (one) times the height of the free-standing tower; the Local Trust Area may choose to adjust this preferred setback to reflect local conditions and preferences.

ii. Notwithstanding a preferred setback *distance* of a proposed tower from *residential uses*, the setback *distance* may be decreased if the location is consistent with the land use preferences of **Land Use Preferences** and avoids **Discouraged Locations**.

iii. Setbacks from *non-residential uses* may be determined on a case-by-case basis and should serve to separate *antenna systems* from adjacent development without unduly affecting the development potential of the lot over the lease period.

10.2.4 Discouraged Locations

i. Land Use
   - Medium and high density *residential areas*
   - Schools, daycare facilities, playgrounds and similar facilities
   - Areas that adversely impact view corridors
   - Heritage areas (unless visibly unobtrusive) or on heritage structures unless it forms an integrated part of the structure's overall design (i.e. through the use of stealth structures)
   - Nature protection areas
   - Environmentally sensitive ecosystems

ii. Other considerations, irrespective of land use designation
   - Locations directly in front of doors, windows, balconies or residential frontages
   - Community gathering places such as community halls, churches, commercial eating & drinking establishments
   - Sites of topographical and geographic prominence

11. Appendix A: Consultation and Information

Consultation and Information – Process Steps and Requirements: ISED & Augmentation		
Step	***Default ISED Requirement***	***SS LTC Augmentation***
Pre-consultation		
Informal meetings	None	Yes
Information about exempt *antenna systems*	None	Yes
Notification	None	Yes
Site investigation meeting	None	In some cases
Confirmation of SS LTC preferences and requirements	None	Yes
Application		
Initial application proposal	None	Yes
Submission Prior to Notification – for Islands Trust staff review and approval	None	○ Draft of all public notices ○ Address list and map of all property owners and residents to be notified ○ Draft of newspaper ads ○ Copy of written notice referencing emergency services providers referral comments
Public Consultation		
Written notice	Property owners within 3 X tower height prescribed *distance*	○ Include property owners and all residents, including seasonal residents
	Neighbouring land use jurisdictions, *emergency service providers*, and *school districts* within 3 X tower or building/ structure height	○ *Community associations*
Newspaper notice	Notice regarding proposal in one edition of a local newspaper	○ Proposal and information meeting ○ Optional community workshop ○ Two editions of local newspaper ○ Website and/or social media notification ○ Optional online forum
Notice content	12 points of the CPC Appendix 1 'Public Notification Package"	○ Site plan ○ Statement on respective roles of ISED and SS LTC
Public information session	None	○ For all proposals exceeding 15 m in height or where there is significant pubic interest

12. Appendix B: Antenna Design Matrix

Telecommunication Design

Typical Towers Designs

Guyed	Self-Supporting	Monopole
		

Height	30-120 m	45-60 m	14.9-45 m
Application	Rural	Rural/Suburbs/City	Rural/Suburbs/City
Compound Footprint	100m x 100m (H x 0.8 x 2)	Min. 20m x 20m	10m x 10m
Tower Diameter	Base of Pole min. 1m	Base min 10% height (H x .1 = face width)	Base footprint dependent on loading, geotechnical, environmental

Monopole Tower Designs

Monopole 1 (pin wheel)	Monopole 2 (flush mount)	Monopole 3 (shrouded)
		

Pin wheel allows tower to accommodate a larger number of antennas for futures &/or other carriers.	Flush mounted antennas minimize overall massing of the tower, but limit opportunity for future antennas, or space for other carriers	Antennas fully hidden, but diameter of the pole is wider to accommodate microwave. Can be slimmer if there is fibre to site. *Note: shrouded design does not currently support AIR antenna w. integrated RRU's

Telecommunication Design

Tripole Tower Designs

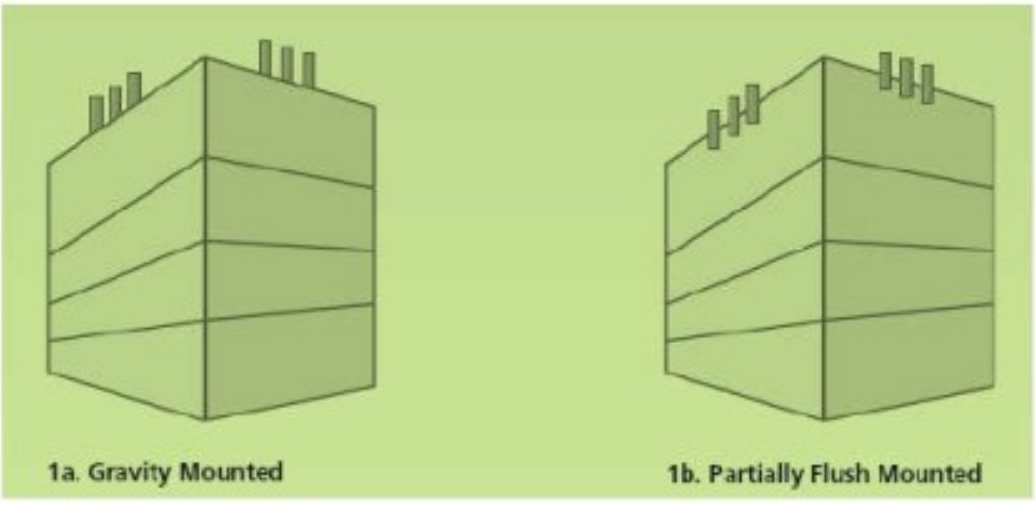
Standard Tripole

Clock Tower design

Church Cross design

Height	14.9m-60m
Application	Rural/Suburbs/City
Compound Footprint	Medium footprint 20m x 20m
Tower Diameter	* Note: Base footprint dependent on loading, geotechnical, environmental

Rooftop antennas



1a. Gravity Mounted

1b. Partially Flush Mounted

Telecommunication Design

Utility Poles

Light Standards

13. Definitions

- ***Antenna system (also telecommunication antenna system):*** means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas, *antenna system* includes the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter.
    - ***Building/structure-mounted antenna system:*** means a *telecommunication antenna system* mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any *antenna system*.
    - ***Freestanding antenna system:*** means a structure built from the ground for the expressed purpose of hosting transmitting devices.
    - ***Tree-mounted antenna system:*** means an *antenna system* mounted on a tree.
- ***Co-location:*** means the placement of antennas and equipment operated by one or more *proponents* on a *telecommunication antenna system* owned by a different party, thereby creating a shared facility.
- ***Community association*:** means an active area or neighbourhood specific group or association within a LTA.
- ***Distance:*** the horizontal *distance* measured from the lot line to the base of a proposed *freestanding antenna system* or the base of any building or structure to which an *antenna system* is mounted to a structure, building, or facility.
- ***Emergency service providers:*** means any police, fire, ambulance or search and rescue organization with a typical response area within the *notification distance* of a proposed *telecommunication antenna system.*
- ***Localized content:*** means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a *proponent* for a proposed *telecommunication antenna system* which has been tailored specifically to the context of the LTA.
- ***Neighbouring land-use jurisdiction:*** means any land-use authority or First Nations within a *Prescribed Notification Distance* of any proposed *telecommunication antenna system.*
- ***Prescribed notification distance:*** measured horizontally from the outside perimeter of the supporting structure of the proposed *freestanding* or *building/structure-mounted antenna system.* 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.
- ***Proponent:*** means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services.
- ***Protocol:*** means any written local guideline, policy or process that addresses the issue of antenna placement.
- ***Residential area:*** means lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted with residential use on the same lot).
- ***School District:*** means an area created or constituted as a *school district* under the *School Act.*
- ***Sensitive community locations:*** means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations.
- ***Stealth design:*** means a design of an *antenna system* that camouflages the antenna and supporting structure as something else such as a tree, water tower, flag pole, component of a building, or similar means.
- ***Telecommunications antenna system:*** see *antenna system* definition.