

**POLICY DIRECTIVE NO. – G-22**

SUBJECT: TELECOMMUNICATION ANTENNA STRUCTURES

APPROVAL DATE: June 18, 2019 LAST REVIEW DATE: \_\_\_\_\_

REFERENCE: Innovation, Science and Economic Development Canada’s Customer  
Procedures Circular (CPC) 2-0-03

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**A. INTRODUCTION**

The purpose of this policy is to set guidelines for City review and comment on applications made by carriers to the federal government for new telecommunication antenna structures in Chilliwack.

Telecommunication Antenna Structures shall conform to the guidelines described in the Policy Directive wherever possible.

**B. JURISDICTION**

Telecommunication Antenna Structures (TAS) are regulated by the Federal government under Innovation, Science and Economic Development Canada (ISED) and licensed by Spectrum Management and Telecommunications. ISED’s Customer Procedures Circular (CPC) 2-0-03 is the document which outlines the public consultation process, co-location requirements and the dispute resolution process for local land use authorities and carriers. Should a land use authority not implement an independent policy to regulate TAS, the carriers must follow the default process included within CPC 2-0-03.

Carriers are required to notify and consult with the relevant land use authority prior to being granted approval by Spectrum Management and Telecommunications to install a TAS. The municipality’s role is to outline the public consultation process for carriers to follow to ensure consultation is conducted in an appropriate manner and to provide an acknowledgement that the relevant municipal process or other requirements have been satisfied and the municipality is in support (or opposed) to the proposal.

The municipal policy is a guideline only and does not grant the municipality any jurisdiction regarding the approval, licensing or installation of TAS or the ability to prohibit the installation of a TAS.

Based on the CPC-2-0-03, three classifications of concerns have been identified and deemed irrelevant for municipal review of a TAS and do not need to be addressed. They are as follows:

1. Disputes with members of the public relating to the proponent’s service, but unrelated to the antenna structure;

**B. JURISDICTION** (continued)

2. Potential effects that a proposed structure will have on property values or municipal taxes; and,
3. Questions whether the Radiocommunication Act, CPC-2-0-03, Safety Code 6, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

**C. LOCATION**

The City encourages TAS to be located in the following areas:

1. Industrial or commercial areas;
2. On rooftops (preferably on buildings in excess of 10m) or existing structures (utility poles, water towers, etc.); and,
3. Agricultural areas under the following conditions:
  - (a) Total lot coverage not exceeding 100m<sup>2</sup> (excluding driveways)
  - (b) Access to the TAS is via a shared driveway or an independent access adjacent to a property line.

The City discourages TAS to be located in the following areas:

1. Residential areas;
2. Elementary, middle and high school grounds;
3. In the downtown historic area as identified as Development Permit Area 4 in the 2040 Official Community Plan; and,
4. Environmentally sensitive areas as identified as Development Permit Area 3 in the 2040 Official Community Plan.

**D. DESIGN GUIDELINES**

Design and Camouflage of Installations:

The City encourages the use of TAS that are as unobtrusive and inconspicuous as possible, particularly on sites abutting residential areas. This includes the use of:

1. Trees, landscaping, perimeter fencing, architectural details, colour, shrouding, camouflage, etc. designed to minimize the visual impact of the TAS and integrate the structure into the design and/or character of the building and/or neighbourhood.

The City prefers structure mounted TAS to not exceed 50% of the height of the structure on which it is sited.

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**E. CO-LOCATION & RECONSTRUCTION**

Co-Location

The City encourages the co-location of TAS as a means to reduce the number of TAS within the City. This may include, but is not limited to:

1. The installation of a Carrier's antenna arrays on any existing antenna structure;
2. The construction of a new antenna structure on which other Carriers are invited to co-locate; and,
3. The reconstruction of an existing antenna structure to accommodate the equipment of two (2) or more Carriers.

Should a new TAS be constructed, a written agreement shall be provided confirming that other service providers will be permitted to place equipment on the TAS, to eliminate the need for additional towers in the area.

Evidence of Co-location Review

The Proponent must:

1. Contact, in writing, all Carriers within 500m of the base of the proposed location to request co-location on the existing tower; and,
2. Supply a copy of the written request along with all responses received regarding the request for co-location and reasons provided by the existing Carriers for declining co-location with the Proponent's application.

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

**F. PUBLIC CONSULTATION PROCESS**

Proponents must consult with staff at an early stage of the site evaluation process through a site investigation meeting. Proponents should be prepared to discuss the specific site(s) currently under review as well as overall service levels for the community and projected need for future towers.

Public Consultation

1. Prior to submission of an application to the City, the proponent will conduct a mail out to all properties within 30m of the property on which the TAS is proposed to be located or 3 times the height of the proposed TAS (whichever in greater) and post a notification sign on the subject property. The mail out must include the following information:

**F. PUBLIC CONSULTATION PROCESS** (continued)

- (a) Name of the carrier and contact information for the proponent.
- (b) Description of the purpose of the TAS, the reason why existing infrastructure cannot be used and a description of future sharing possibilities for the proposal.
- (c) Map of the location of the proposed tower, including setbacks from property lines.
- (d) Colour rendering of the proposed tower including all relevant dimensions (height, lot coverage, etc.).
- (e) Closing date for written public comments.

The notification sign must follow the requirements as outlined within the “Public Hearing/Public Information Meeting Procedural Bylaw 2004, No. 3004” as amended from time to time.

- 2. After a period of 21 days, should the proponent not receive a response, they may submit a complete application package (as outlined in Schedule A) to the City Planning & Strategic Initiatives Department for review and remove the notification sign from the property.
- 3. Should a response be received by the proponent, an independent public information session, conducted by the proponent, may be required, at the direction of staff. The proponent is required to provide a written response to all concerns raised by the public, regardless of whether a public information session is determined to be necessary. The public information session notification must adhere to the following process:
  - (a) The proponent must send a written notice in the mail or otherwise delivered at least 10 days prior to the public information session to the owners and residents of those parcels within 30m of the property on which the TAS is proposed to be located or 3 times the tower height (whichever is greater).
    - (i) The written notice must include the following information:
      - (1) Name of the carrier and contact information for the proponent, City of Chilliwack Planning & Strategic Initiatives Department and local Spectrum Management Operations Branch.
      - (2) Description of the purpose of the TAS, the reason why existing infrastructure cannot be used and a description of future sharing possibilities for the structure.
      - (3) Time, date and location of the meeting.
      - (4) Map of the location of the proposed tower, including setbacks from property lines.
      - (5) Colour rendering of the proposed tower including all relevant dimensions (height, lot coverage, etc.).

**F. PUBLIC CONSULTATION PROCESS** (continued)

- (b) The proponent must place a notice in the local newspaper not less than three days and no more than 14 days before the public information session.
  - (c) The notification sign must be updated to include the date and location of the public information meeting no later than 7 days prior to the meeting date.
  - (d) The proponent shall notify Spectrum Management & Telecommunications, Transport Canada, and Health Canada in writing of the date, time and location of the public information session and give these agencies an opportunity to comment on the proposal.
4. The proponent shall provide minutes of the public meeting to the City, and include written comment on issues that were raised and how they will be addressed as part of the application package outlined in Schedule A.

**G. EXEMPTIONS FROM PUBLIC CONSULTATION PROCESS**

- 1. **New TAS:** where the height is less than 15m above ground level. This exclusion does not apply to TAS proposed by telecommunications carriers, broadcasting undertakings or third party tower owners. Alternatively, the exclusion would apply to organizations, including but not limited to, governments, Crown agencies and the public, (including amateur radio operators and over the air TV reception).
- 2. **Existing TAS:** where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial TAS installation. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to TAS using purpose built antenna supporting structures with a height of less than 15m above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners.
- 3. **Temporary TAS:** used for a special event or emergency operation. Temporary TAS must be removed within three months of the start of the emergency or special event.
- 4. **Non-tower structures:** antennas on buildings, water towers, lamp posts, etc. provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25% or no more than 10m in height above the geodetic elevation of the rooftop, whichever is less.

**H. APPLICATION APPROVAL PROCESS**

- 1. The TAS application will be reviewed by staff in relation to the Telecommunication Antenna Structure Policy regarding co-location, proposed location and design guidelines as well as the content of the public consultation process.

**H. APPLICATION APPROVAL PROCESS** (continued)

2. Those applications which do not require an independent public information session or meet the intent of the Policy will be deemed low impact and will be reviewed by staff with a statement of concurrence / non-concurrence provided by the Director of Planning & Engineering.
3. Those applications which require an independent public information session or do not meet the intent of the Policy will be deemed high impact and staff will draft a report to Council, which will include a summary of the public consultation process, technical necessity of the tower and areas of divergence from the Policy.
  - (a) Council will provide a resolution for concurrence / non-concurrence to be forwarded to Spectrum Management and Telecommunications by the applicant.

**I. SUBMISSIONS TO THE CITY**

See Schedule A – TAS Application Checklist

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Chief Administrative Officer

## **SCHEDULE “A”**

### **TAS Application Checklist**

1. Preliminary drawings must include the following information:
  - (a) Civic and/or legal address;
  - (b) Key plan indicating location of property in relation to surrounding streets (preferably with property lines) and any TAS within 500m of the base of the proposed location;
  - (c) Proposed site plan with north arrow, property lines, location of antennas and equipment and areas identified as inaccessible to the general public;
  - (d) Plan view of equipment layout if not clear on site plan; and,
  - (e) Elevations that show the height to top of antenna or support structure and dimensions of antennas and equipment.
  
2. Letter of intent should include the following information:
  - (a) Identification of proposed site;
  - (b) Purpose of site;
  - (c) Description of equipment to be installed;
  - (d) Copy of written request to TAS owners/Carriers within 500m of the base of the proposed location requesting permission to co-locate and the responses with reasoning for not permitting co-location; and,
  - (e) Other issues that may need to be discussed (rationale for proposed site, alternatives explored, etc.).
  
3. Visual analysis
  - (a) Rationale for proposed design (description of strategies utilized to integrate the TAS into the surrounding area);
  - (b) Photos of building/structure from street level or other public area;
  - (c) Photo rendering (usually only for towers) from selected viewpoints;
  - (d) Photos documenting community viewpoints (the tower may not necessarily be visible); and,
  - (e) Map attached showing location or rendering and community viewpoints.

4. Coverage maps
  - (a) Existing coverage by the Carrier in the surrounding area;
  - (b) Coverage implications of inferior alternatives; and,
  - (c) Coverage resulting from desired site.
5. Public consultation
  - (a) A copy of the mail out;
  - (b) A date stamped photograph of the installed sign(s) with a location map indicating the location of the sign(s);
  - (c) Copies of all written correspondence received and sent to the public and other agencies;
  - (d) Meeting minutes of the public information session and summary of issues raised and proposed solutions, if applicable.
6. Letter of authorization from the property owner(s).
7. Equipment specifications:
  - (a) In the form or photographs or simple drawings with dimensions of antennas and equipment to be installed.
8. Application fee, as set out in the City’s “Development Application Fee Bylaw, 1998 No. 2554”, as amended from time to time.
9. Copy of application form.