To: Rob Buchan  
Chief Administrative Officer

From: Eymond Toupin  
Director of Infrastructure Services

Re: Rogers Communications Proposed Rooftop Telecommunication Installation at the CRD’s Cloake Hill Reservoir

RECOMMENDATION(S):

That Council:

1. Receive this staff report and accompanying letter from Rogers Communications Inc.
2. Adopt draft policy, Policy No. 6003.2 for 'Installations on Municipal or Non-Municipal Lands — Communication Antennae'

STRATEGIC PLAN IMPLICATIONS:

This matter relates to the following Council strategic priorities:

* Maintain a Safe and Healthy Community
* Encourage Compatible Commercial and Local Business Development
* Ensure Strong Leadership, Fiscal Responsibility and Transparent Government

DISCUSSION:

Rogers Communications has submitted a letter to the District of North Saanich (attached to this staff report) regarding a proposed rooftop telecommunications installation on the Capital Regional District’s (CRD) Cloake Hill Water Tower at 11326 Redbud Place. The letter states: “the purpose of this courtesy package is to provide detailed information on the siting and plans of the proposed antenna installation required to improve high speed wireless voice and data service to residents in the Lands End area.”

The proposal is for the installation of three (3) initial antennas and one (1) microwave dish with the possibility of adding an additional three (3) and two (2) microwave dishes for a total of nine (9) equipment pieces on the existing water tower. The water tower is situated on land zoned P-I (Community Use) under the District’s Zoning Bylaw No. 1255. Utility, which includes telecommunications, is a principal permitted use in this zone. The maximum height allowed for a structure in this zone is 11.5 m, which the existing 17.7 m high water tower currently exceeds. It is staff’s interpretation that the proposed antenna installation would require a variance as it would exacerbate an existing non-conformance.

The installation of radio telecommunications equipment is regulated by the federal Radiocommunication Act and the federal agency Innovation Science and Economic Development (ISED), formerly Industry Canada. The document CPC-2-0-03, Radio Communication and Broadcasting Antenna Systems, is a guideline developed by ISED which outlines the process that must be followed by proponents seeking to install or modify antenna systems. The broad elements of the process are:

1) Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures.

As a result of this investigation, the Cloake Hill Reservoir has been identified by Rogers as such a structure and is the basis of their proposal. Furthermore, the proposal indicates no alternative existing structure would meet Rogers' technical requirements and that an alternate location would require the installation of a free-standing structure (i.e. a new tower).
2) Contacting the land-use authority (LUA) to determine local requirements regarding antenna systems (in the guideline 'antenna systems' are defined as 'normally composed of an antenna and some sort of supporting structure, normally a tower').

The guideline states "Proponents must always contact the applicable land-use authorities to determine the local consultation requirements and to discuss local preferences regarding antenna system siting and/or design, unless their proposal falls within the exclusion criteria outlined in Section 6."

Section 6 of the guideline states: "The following proposals are excluded from land-use authority and public consultation requirements:

- Non-Tower Structures: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%".

The proposed installation meets this stipulated exclusion criteria and therefore, according to the guideline, does not require consultation.

3) Undertaking public notification and addressing relevant concerns, whether by following local LUA requirements or the federal agency's default process, as is required and appropriate.

In this case, based on the exclusion criteria described in 2) above, consultation with the LUA (i.e. the District) and the public are not required.

However, if a public consultation were required, the federal agency guideline describes a default process that must be followed which includes public notification, engagement and response to regarding measures taken to address "reasonable and relevant concerns." The guideline also lists "concerns that are not relevant", i.e. that need not be addressed by a proponent, which include:

- potential effects that a proposed antenna system will have on property values or municipal taxes;
- questions whether the Radiocommunication Act, the Industry Canada guideline, Safety Code 6, by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

4) Satisfying Industry Canada's general and technical requirements.

The proponent, in this case Rogers Communications Inc., must comply with Health Canada's Safety Code 6 guideline for the protection of the general public; comply with radio frequency immunity criteria, notify nearby broadcasting stations, comply with appropriate environmental legislation, and meet Transport Canada/NAVCANADA aeronautical responsibilities.

Health Canada has established safety guidelines for exposure to radio frequency fields, in its Safety Code 6 publication, entitled: Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz (kilohertz) to 300 GHz (Gigahertz). At any time, antenna operators may be required, as directed by Industry Canada, to demonstrate compliance with Safety Code 6 by providing detailed calculations and/or conducting site surveys and, where necessary, by implementing corrective measures.

5) Completing the construction of the antenna installation.
The District of North Saanich has a policy, Policy No. 6003.1, for 'Installations on Municipal or Non-Municipal Lands – Communication Towers' which is attached to this report as a reference. As its name implies, this policy specifically addresses the construction of new radio communication tower structures; it does not speak to the installation of new antenna on existing structures.

A policy to address this particular proposed installation and any other similar ones which may follow is therefore required. Using existing Policy No. 6003.1 as a guideline, staff have drafted a policy which would apply to this and other similar antenna installations on existing structures and which would not contravene federal radiocommunication regulations. The policy is also largely based on CPC-2-0-03, Radio Communication and Broadcasting Antenna Systems, the guideline developed by ISED which outlines the process that must be followed by proponents seeking to install or modify antenna systems.

If adopted by Council, this policy, which is consistent with the overriding federal radiocommunication regulations, would not require public consultation for the proposed antenna installation on the Cloake Hill Reservoir.

The staff recommendation is for Council to adopt the draft policy which will allow staff to appropriately respond to the proponent (Rogers Communications Inc.) regarding the proposed antenna installation at the Cloake Hill Reservoir.

OPTIONS:

Council can:

1) Receive this staff report and accompanying letter from Rogers Communications Inc.
2) Adopt draft policy, Policy No. 6003.2 for 'Installations on Municipal or Non-Municipal Lands – Communication Antennae'
3) Other

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

As described in the report and draft policy, the Radiocommunication Act is the applicable federal regulation and Innovation Science and Economic Development (ISED), formerly Industry Canada, is the federal agency which has the overriding and final approving authority for antenna structures. The proposed policy was drafted in accordance with the requirements of the federal agency with respect to the installation and modification of antenna systems.

CONSULTATIONS:

Staff contacted the CRD which confirmed its knowledge of the proposed installation.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS:

The staff report was circulated to District of North Saanich Directors.
SUMMARY/CONCLUSION:

Rogers Communications has submitted a letter to the District of North Saanich regarding a proposed rooftop telecommunications installation on the Capital Regional District's (CRD) Cloake Hill Water Tower at 11326 Redbud Place.

The District does not currently have a policy which addresses the installation of antenna on existing structures and which would apply in this instance. The installation and modification of radio telecommunications equipment is regulated by the federal Radiocommunication Act and by the federal agency Innovation Science and Economic Development (ISED), formerly Industry Canada.

Staff drafted Policy No. 6003.2 for 'Installations on Municipal or Non-Municipal Lands – Communication Antennae' which would apply to this and other similar antenna installations on existing structures and which would not contravene federal radiocommunication regulations.

Staff recommend Council receive this staff report and the Rogers Communications letter and adopt Policy No. 6003.2 for 'Installations on Municipal or Non-Municipal Lands – Communication Antennae.' This would allow staff to appropriately respond to the proposed installation.

Respectfully submitted,

Eymond Toupin
Director of Infrastructure Services

Concurrence:

Rob Buchan
Chief Administrative Officer

Concurrence:

Stephanie Munro, Acting Director Financial Services

Anne Berry, Director Planning & Community Services

Curt Kingsley, Director Corporate Services

John Trelford, Director Emergency Services
APPLICATION (23/99)

1. An applicant for a radio communication tower shall provide the following information:
   a) Applicant's name, address and contact person
   b) Legal description and property address of the proposed tower location and the name and address of the property owner
   c) Three (3) sets of plans showing location and details of the tower and all associated equipment and facilities including engineered site plans showing all servicing requirements
   d) Information submitted with the plans shall include the proposed use of the antennae and the size, height, colour etc. of the tower and associated structures
   e) Applicant shall install landscaping and screening appropriate to the location to screen the auxiliary structure

2. The application must conform with the Municipal Tree Protection Bylaw and any trees on the property which will be affected by the proposal shall be indicated on the plans referred to above.

3. The applicant shall contact, in writing, all of the similar service providers. The correspondence shall advise of the potential siting location, and request either an indication of willingness to share the use of the proposed tower, or confirm there is no interest in sharing the proposed facility. There should also be confirmation that there is no proposal to install a similar facility within a five kilometer radius of the proposed facility. The District of North Saanich is to be copied on this correspondence. If one or more carriers indicate a willingness to locate in the identified area, the applicant is to make the necessary arrangements to facilitate shared usage of the facility.

PUBLIC CONSULTATION PROCESS (23/99)

1. The applicant shall place an advertisement in the local newspaper and post an information sign not less than 1.5 metres by 1 metre on/or adjacent to the proposed site at a location clearly visible from the nearest road. The sign will
advise of the proposed siting of a communications tower and will be posted for a period of not less than 14 days.

2. The applicant shall advise all households within a radius of at least 250 meters of the tower location, in writing, of the proposal.

3. The applicant will provide the District with a copy of the notice delivered to the subject households, together with verification of the date that the notices were delivered.

4. The proponent shall also provide the District with copies of any responses received within 14 days of posting or mailing the notice, whichever is later. Subject to the responses received, the District may require the applicant to hold a public meeting to discuss the proposal.

5. The applicant shall provide the District with confirmation from Transport Canada (and/or The Victoria Airport Authority [V.A.A.]) that Transport Canada/V.A.A. has no objections to the proposed siting and height of the facility, or alternatively the conditions or requirements that would apply to the installation.

6. If the District requires the applicant to hold a public meeting, the applicant will provide, to the District, an accurate record of proceedings of the meeting. Included will be a list of the names and addresses of all persons attending, a summary of the issues, and details as to how any unresolved issues will be handled.

7. The applicant shall apply for a building permit for the proposed works.

8. The applicant shall provide the District with a copy of the site application to Industry Canada, complete with the Municipal Land Use Consultation Declaration form.

9. The District reserves the right to submit a report to Industry Canada advising whether or not the District considers adequate public consultation has been conducted by the applicant and to provide comments on any negative land use impacts.

10. When requested by the District, the applicant shall make provision on and/or within the proposed facility for compatible municipal, regional or provincial facilities.

LOCATION OF TOWERS:

1. Communication towers are not to be located closer than 250 m to a residential dwelling;

2. Applicants are encouraged to locate communication towers in utility, industrial, commercial or open space zones; and

3. Applicants are discouraged from locating communication towers in residential or school zones. (122COW/07)
DISTRICT OF NORTH SAANICH

SECTION NO.  SECTION NAME:  POLICY NO.

6000  ENGINEERING  6003.2

SUBJECT: INSTALLATIONS ON MUNICIPAL OR NON-MUNICIPAL LANDS – COMMUNICATION ANTENNAE

POLICY INTENT

This policy for communication antennae serves as a guideline for proponents seeking to install or modify antenna systems and is based on the Federal Radiocommunication Act and associated guidelines which gives federal officials the overriding and final approving authority for antenna structures. As such, the terms set out in this policy shall apply only to the extent that they do not frustrate, unduly restrict or interfere with the exercise of the legislative, regulatory or licensing authority of the Government of Canada in the field of radiocommunications.

APPLICATION

1. An applicant for the installation of new radiocommunication antenna(e) shall provide the following information:
   a. Applicant’s name, address and contact person;
   b. Legal description and property address of the proposed antenna installation and the name and address of the property owner;
   c. Three (3) sets of plans showing location and details of the installation and all associated equipment and facilities including engineered site plans (site plans and elevations/profiles) showing all servicing requirements;
   d. Information submitted with the plans shall include the proposed use of the antennae and the size, height, operating frequency, transmitter power of each antenna, configuration/number of antennae, and associated structures;
   e. Identification of areas accessible to the general public and the access/demarcation measures to control public access;
   f. Attestation that there will be compliance with Health Canada Safety Code 6 for the protection of the general public, including consideration of nearby radiocommunication systems. This shall also include providing exposure evaluation and analysis demonstrating
radio frequency emission will be less than the Safety Code 6 limits for uncontrolled environments at locations accessible to the general public (i.e. not solely accessible for access by workers) for the proposed installation; and

g. Written confirmation from Transport Canada, (and/or the Victoria Airport Authority (VAA)), and NAV Canada, that there are no objections to the proposed siting, height of the facility and whether any special lighting, painting or other conditions are required.

2. The application must conform to the Municipal Tree Protection Bylaw and any trees on the property which will be affected by the proposal shall be indicated on the plans referred to above.

3. The applicant shall apply for building and/or construction permits for the elements of proposed works as required and appropriate. Also, if required by zoning regulations, a variance shall also be obtained for the installation.

PUBLIC CONSULTATION PROCESS

Unless the proposed installation is excluded from land-use authority and public consultation requirements by the Federal Government’s approving agency (e.g. exclusions listed in Innovation Science and Economic Development (ISED) guideline document CPC-2-0-03, Radio Communication and Broadcasting Antenna Systems), the following public consultation process shall apply:

1. The applicant shall provide written notification to all neighbouring property owners within a radius of three times the antenna height (measured from the ground at the base of the supporting structure) or 100 metres, whichever is greater.

2. The applicant will provide the District with a copy of the notice delivered to the subject households, together with verification of the date that the notices were delivered. An affidavit of notices sent and addresses is acceptable.

3. The proponent shall also provide the District with copies of any responses received within 30 days of posting or mailing the notice, whichever is later. Subject to the responses received, the District may require the applicant to hold a public meeting to discuss the proposal.

4. The proponent shall respond to each party in writing within 14 days acknowledging receipt of the question, comment or concern, and provide the District with a copy of the all responses.

5. If the District requires the applicant to hold a public meeting, the applicant will provide, to the District, an accurate record of proceedings of the meeting. Included will be a list of the names and addresses of all persons attending, a summary of the issues, and details as to how any unresolved issues will be handled.

6. The proponent shall address in writing all reasonable and relevant concerns within 60 days of receipt or explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant and provide copies of these communications to the District.
7. In the written communication referred to in preceding point 7, clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response.

8. The proponent shall keep a record of all the correspondence/discussions that occurred within the 21-day public reply comment period and provide this record to the District.

9. The applicant shall provide the District with a copy of the site application to ISED.

10. At the end of the consultation process, the District reserves the right to submit a report to ISED advising support or non-support with regards to the proposal submitted, if adequate public consultation was completed, and any other comments relevant to land use impacts.
July 13, 2016

Anne Berry,
Director of Planning and Community Services,
District of North Saanich
1620 Mills Road
North Saanich, BC V8L 5S9

Dear Ms. Berry,

Subject: Rogers proposed rooftop telecommunications installation
Address: 11326 Redbud Place, North Saanich, BC
PID: 001-056-751
Coordinates: 48°41'24.34" N, -123°27'1.52" W
Rogers ID: W2803 – Lands End
CRD Site Reference: Cloak Hill Water Tower

Summary
Rogers Communications Inc. ("Rogers") has identified the need to improve wireless coverage to the Deep Cove / Lands End community of North Saanich. The use of existing structures for co-location is recommended as it would minimize the propagation of free-standing cellular structures in the community. As such, Rogers has identified a suitable location and design at Cloak Hill Water Tower addressed at 11326 Redbud Place in North Saanich. Specifically, Rogers is proposing to install six (6) antennas above the roof of the existing 17.7 metre water tower, three (3) microwaves and ancillary equipment shelter at grade. This installation will improve wireless data and voice communication series to the community with the following boundaries: North to Lands End Road, West to Chalet Road, South to Clayton Road, and East to Alder Road.

The purpose of this courtesy package is to provide detailed information on the siting and plans of the proposed antenna installation required to improve high speed wireless voice and data service to residents in the Lands End area.

1 – Proposed Location
Rogers is proposing to install three (3) initial antennas and one (1) microwave dish with the possibility of adding an additional three (3) antennas and two (2) microwave dishes for a total of nine (9) equipment pieces at the above-referenced location, on land zoned P-1 (Community Use) under the District of North Saanich’s Zoning Bylaw No. 1255. The site is located on land owned by the Capital Regional District ("CRD") at 11326 Redbud Place.
In selecting the proposed location, a number of other sites were also considered:

a) **Evaluation of Existing Structures.** As required by Innovation Science and Economic Development (ISED) - formerly Industry Canada, before a new antenna structure is proposed, a telecommunications carrier must make best efforts to evaluate any existing structures - towers or rooftops - that may be available to support new equipment. After careful examination, it was determined that no alternative locations met the technical requirements by Rogers. An alternate location would otherwise require the installation of a free-standing tower structure. As a result, Rogers is proposing to locate on the rooftop of the CRD’s water tower.

b) **Alternative Sites Considered.** Other properties were investigated by Rogers but were not feasible for hosting new telecommunications equipment. An alternate location would otherwise require the installation of a free-standing tower structure. See **Appendix 1: Proposed and Alternative Site Locations.**

2 – Proposed Design

In order to enhance wireless service, Rogers is proposing to install three (3) initial wall mounted panel antennas as well as one (1) microwave dish on the rooftop of an existing 17.7 metre water tower at 11326 Redbud Place with the possibility of adding an additional three (3) panel antennas and two (2) microwave dish in the future. The water tower has an existing antenna structure on its rooftop that is actively in use by the CRD.

Rogers has completed a site plan and preliminary plans (see **Appendix 2: Site Plan and Preliminary Plans**). The Rogers equipment cabinet will be located at the base of the water tower, within the security fence of the CRD property, preventing public access to the site and equipment. The proposed design is subject to change based on final engineered design and final land survey. Please know that clearance has already been sought from Transport Canada and NAV Canada. Both federal agencies have no objections to the proposed installation and do not require any special painting or lighting for the proposed installation. As well, CRD as the land owner has also reviewed the proposed design and has no objections.

3 – Public Consultation Process

The District of North Saanich holds a telecommunications policy (Policy 6003.1), ‘Installations on Municipal or Non-Municipal Lands – Communication Towers’, it is specific to the siting of new free-standing telecommunication structures. As in the case of Rogers intending to mount antennas to an existing structure, Rogers refers to ISED’s consultation guideline (as described in circular CPC-2-0-03, commonly referred to as the “CPC”). More information may be found on-line at:


Under Section Six (6) of the CPC, in the case of modification to existing structures resulting in overall height increases less than 25 per cent of the original height and for installations on existing structures, there is typically no requirement to engage the public. However, Rogers is committed to working with the CRD and the District of North Saanich in seeking support for the proposed installation.
4 – Health and Safety Compliance
The installation and operation of the proposed tower will be compliance with the following safety standards:

a. **Safety Code 6.** Rogers attests that the proposed structure will, at all times, comply with Health Canada’s Safety Code 6 which limits the public’s exposure to radiofrequency electromagnetic fields and ensures public safety. This code is based on current, accepted scientific data. Additional information on health and safety may be found on-line at:


b) **Environmental.** There are no environmental restrictions for this proposed site location.

c) **Engineering Practices.** Rogers attests that the proposed structure will be constructed in compliance with all applicable building standards and comply with good engineering practices including structural adequacy.

d) **Transport Canada’s Aeronautical Obstruction Marking Requirements.** Rogers attests that the proposed antenna structure will be in compliance with Transport Canada and NAV CANADA aeronautical safety requirements. Please know that Rogers has already sought clearance from both Transport Canada and NAV CANADA. Both federal agencies have no objections to the proposed installation and have confirmed that no special lighting or painting is required.

5 – Conclusion
Rogers is seeking to improve high speed wireless voice and data service to residents, business, and first responders in Lands End and North Saanich. The residents and business will benefit by having faster more reliable service. In order to improve service, Rogers is proposing the construction of a new rooftop antenna structure. After investigating the area, reviewing local regulations, and considering Rogers’ technical requirements, Rogers finds the proposed infrastructure responsible as it has taken into consideration the following:

- Is designed to support future co-location;
- Is well located due to the presence of mature trees that will screen the lower portion of the antenna structure; and
- Is well located on the rooftop of an existing water tower, housing a current antenna structure.

Rogers is committed to work with CRD and the District of North Saanich regarding this proposed installation. If you have any questions or concerns, please do not hesitate to contact me at 604-431-1385 or via email at samuel.sugita@rci.rogers.com.

Sincerely,

Samuel Sugita, MCIP, RPP
Municipal Project Manager, Rogers Communications Inc.
APPENDIX 1
PROPOSED AND ALTERNATIVE SITE LOCATIONS

- Proposed Location of CRD/Rogers Antenna Structure
- Existing Structures
  1. None within 1 km radius
- Alternative Site Locations
  1. None
Note: not to scale.
APPENDIX 2
SITE PLAN AND PRELIMINARY PLANS

Note: not to scale.
APPENDIX 2
SITE PLAN AND PRELIMINARY PLANS

Note: not to scale.