

City of Maple Ridge

**COUNCIL WORKSHOP AGENDA**

**November 2, 2021**

**9:00 a.m.**

**Virtual Online Meeting including Council Chambers**

*The purpose of the Council Workshop is to review and discuss policies and other items of interest to Council. Although resolutions may be passed at this meeting, the intent is to make a consensus decision to send an item to Council for debate and vote or refer the item back to staff for more information or clarification.*

*The meeting is live streamed and recorded by the City of Maple Ridge.*

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**REMINDER: Committee of the Whole Meeting – November 2, 2021 at 1:30 p.m.**

**1. APPROVAL OF THE AGENDA**

**2. ADOPTION OF MINUTES**

**3. PRESENTATIONS AT THE REQUEST OF COUNCIL**

**4. UNFINISHED AND NEW BUSINESS**

**4.1 Proposed Options to Regulate Pharmacies in the Town Centre Area, including a draft Zone Amending Bylaw**

Staff report dated November 2, 2021 recommending that applications for Pharmacy Business Licenses in the Town Centre Area continue to be held in abeyance until adoption of a Zone Amending Bylaw and that a draft Zone Amending Bylaw to regulate new small-scale pharmacies in the Town Centre be presented at an upcoming Committee of the Whole Meeting.

**4.2 Telecommunications Antenna Structure Siting Policy No. 5.59 – Proposed**

Staff report dated November 2, 2021 recommending that the attached report dated November 9, 2021 titled “Telecommunications Antenna Structure Siting Policy No. 5.59 – Proposed” be forwarded to the Council Meeting of November 9, 2021.

**5. CORRESPONDENCE**

**6. BRIEFING ON OTHER ITEMS OF INTEREST / QUESTIONS FROM COUNCIL**

**7. MATTERS DEEMED EXPEDIENT**

**8. NOTICE OF CLOSED COUNCIL MEETING**

The meeting will be closed to the public pursuant to Sections 90 (1) and 90 (2) of the *Community Charter* as the subject matter being considered relates to the following:

Section 90(1)(c) Labour relations or employee negotiations.

Section 90(1)(e) The acquisition of land or improvements, if the council considers that disclosure might reasonably be expected to harm the interests of the municipality.

Section 90(1)(g) Potential litigation affecting the municipality.

Section 90(1)(k) Negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public.

Any other matter that may be brought before the Council that meets the requirements for a meeting closed to the public pursuant to Sections 90 (1) and 90 (2) of the *Community Charter* or *Freedom of Information and Protection of Privacy Act*.

**9. ADJOURNMENT**

APPROVED BY:

  
\_\_\_\_\_  
Oct 29, 2021

DATE:

PREPARED BY

  
\_\_\_\_\_  
Oct. 29, 2021

DATE:

CHECKED BY:

  
\_\_\_\_\_  
Oct. 29, 2021

DATE:



**mapleridge.ca**

**City of Maple Ridge**

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**MEETING DATE:** November 2, 2021  
**FILE NO:** 2021-457-RZ  
**MEETING:** Workshop  
**SUBJECT:** Proposed Options to Regulate Pharmacies in the Town Centre Area, including  
a draft Zone Amending Bylaw

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#### **EXECUTIVE SUMMARY:**

In September 2021, Council directed staff to bring forward a report regarding the regulation of pharmacies in Maple Ridge and also passed a motion to hold applications for new pharmacies in abeyance. As of September 2021, 22 pharmacies were licensed by the City in addition to two pending applications. Of the 24 pharmacies, 17 are located within the Town Centre Area, as shown in Appendix A.

This report outlines four possible options for the regulation of pharmacies in Maple Ridge, which include:

- Option 1: Outright Prohibit New Small-Scale Pharmacies in the Town Centre Area (Recommended);
- Option 2: Introduce Geographic Buffers of 400 meters to Pharmacy Applications;
- Option 3: Outright Prohibit New Pharmacies City-wide; or
- Option 4: Status Quo.

Hearing Council comments at the September 28, 2021 Council Meeting, a draft Zone Amending Bylaw has been developed given the parameters outlined in Option 1 for Council consideration and discussion. The draft zone amending bylaw is included as a reference (Appendix B) and can be modified, based on Council direction, prior to proceeding to first reading.

#### **RECOMMENDATIONS:**

1. That applications for Pharmacy Business Licenses in the Town Centre Area continue to be held in abeyance until adoption of a Zone Amending Bylaw; and further
2. That draft Zone Amending Bylaw, to regulate new small-scale pharmacies in the Town Centre, be presented at an upcoming Committee of the Whole Meeting.

**4.1**

## 1.0 BACKGROUND:

### 1.1 Context

At the September 14, 2021 Council Meeting, the following notice of motion was put forward regarding the options available to Council to limit pharmacies:

*That Council direct staff to bring back a report regarding the options available to Council to limit pharmacies and further, that applications for pharmacies be held pending the outcome of review.*

The motion was discussed at the September 28, 2021 Council Meeting and the following resolution was passed by Council:

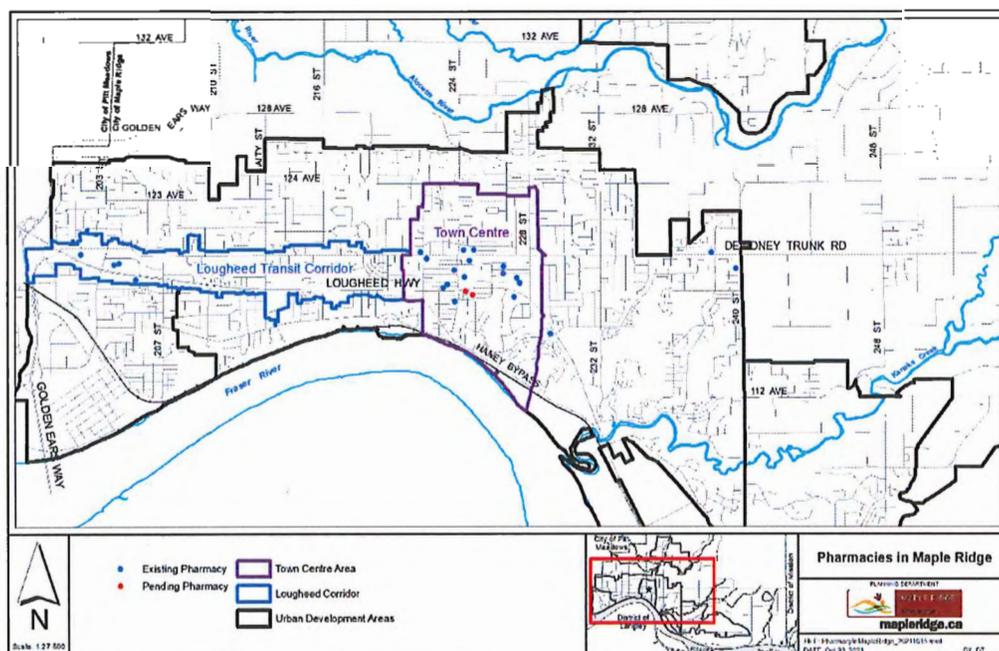
*That staff bring back a report and draft bylaw to limit pharmacy use in the Town Centre; and further, that applications for pharmacies be held in abeyance pending the option of a Zone Amending Bylaw.*

#### i) City of Maple Ridge Zoning Bylaw No. 7600-2019

Currently, pharmacies are not a defined use in the Zoning Bylaw. Pharmacy use is permitted through a combination of land uses including 'retail' and in some cases, in conjunction with 'professional services' depending on any proposed related services. As such, the use is permitted in a range of commercial oriented uses, including: C-1 Neighbourhood Commercial, C-2 Community Commercial, C-3 Town Centre Commercial, C-5 Village Centre Commercial, CRM Commercial / Residential, H-1 Heritage Commercial, and H-2 Hammond Village Commercial.

#### ii) Pharmacies in Maple Ridge

To date, the City of Maple Ridge has licensed 22 pharmacies and currently holds two pending applications. The locations of the pharmacies are shown below with a full-sized map available in Appendix A. The majority of the pharmacies (17 including the two pending) are located within the Town Centre Area of Maple Ridge.



Pharmacies in Maple Ridge range in size from a standalone small-scale commercial use to those that are integrated with large scale grocery stores. The majority of local pharmacies are in small-scale commercial spaces and in some cases associated with a neighbouring medical or walk-in clinic use. Nine Maple Ridge pharmacies are integrated into larger scale grocery or retail spaces (i.e. Shoppers Drug Mart and London Drugs).

## **2.0 DISCUSSION:**

Four options are provided for Council's consideration in regulating pharmacies in Maple Ridge:

- Option 1: Outright Prohibit New Small-Scale Pharmacies in the Town Centre Area;
- Option 2: Introduce Geographic Buffers of 400 metres to Pharmacy Applications;
- Option 3: Outright Prohibit New Pharmacies City-Wide; and
- Option 4: Status Quo.

Specifically, while Section 2.1 outlines the proposed regulatory recommendation and provides a high-level review of what is entailed, Section 2.2 outlines possible alternative options for Council to consider.

### **2.1 Proposed Recommended Option to Regulate Pharmacies in Maple Ridge**

Based on the Council motion passed on September 28, 2021, Option 1 is recommended and draft Zoning Amending Bylaw is attached for Council consideration. Additionally, Options 2 through 4 are also provided for Council to consider if an alternative direction is preferred.

#### **i) Option 1: Outright Prohibit New Small-Scale Pharmacies in the Town Centre Area (Recommended Option)**

The first identified option is to outright prohibit new small-scale pharmacies in the Town Centre Area. Under Option 1, applications for small-scale commercial pharmacies within the Town Centre Area would not be permitted. However, under the wording provided in the draft Zone Amending Bylaw (Appendix B), the City would continue to accept applications in the Town Centre for pharmacies in conjunction with larger retail spaces (such as a grocery store). For the purpose of Council consideration, the finished floor area of 700 square metres of retail space as the scale threshold has been selected for discussion purposes.

While a new small-scale commercial pharmacy prohibition would be in effect in the Town Centre, under Option 1, new pharmacy applications would continue to be accepted for any commercial location within other commercial areas of the City, including the Lougheed Transit Corridor, Hammond, Albion and other village commercial nodes. Existing pharmacies in the Town Centre would be able to continue operating, as 'legally non-conforming', but these existing pharmacies would be limited in their ability to expand or relocate.

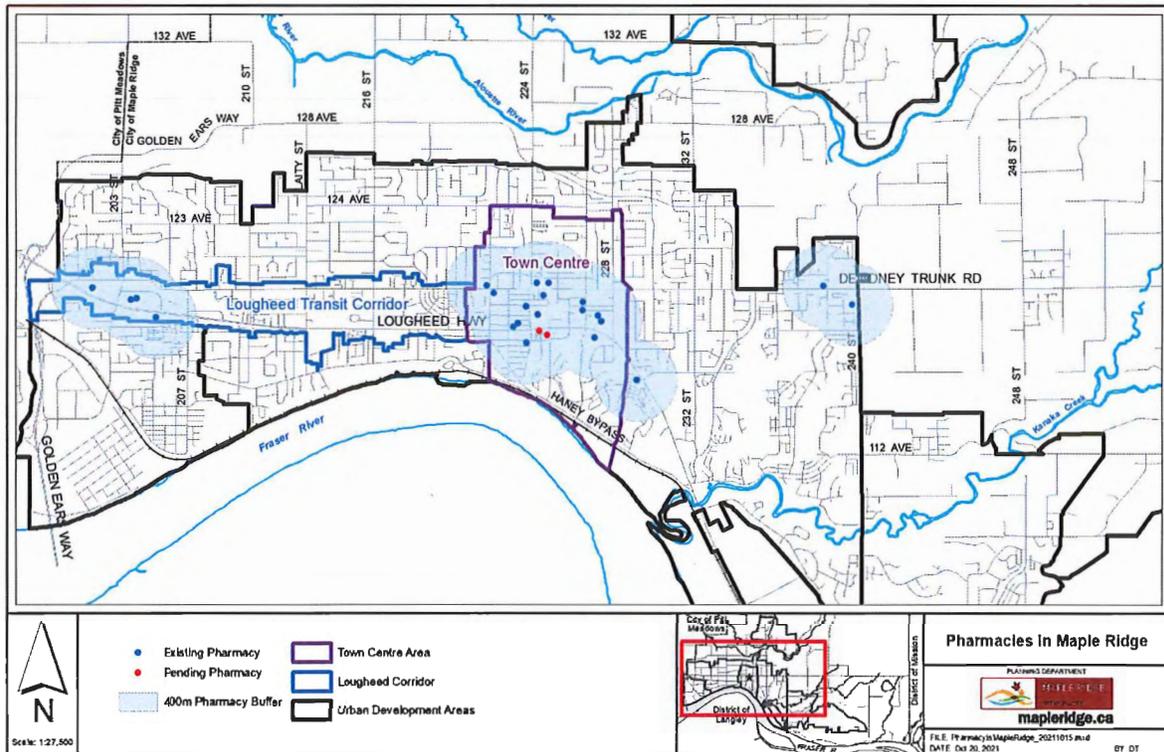
Based on the Council resolution passed on September 28, 2021, Option 1 is the recommended approach and the draft Zone Amending Bylaw (Appendix B) is attached for Council's consideration. To implement Option 1, a Zone Amending Bylaw would require four readings of Council, and include a Public Hearing.

## 2.2 Possible Alternative Options to Regulate Pharmacies in Maple Ridge

### i) Option 2: Introduce Geographic Buffers of 400m between Pharmacy Applications for the Town Centre Area

The second identified option is to introduce geographic buffers for all sizes of pharmacy applications in Maple Ridge. The buffer option would prohibit a pharmacy application from being approved within the stated distance between two existing pharmacies (noting that Council could approve pharmacies on a case-by-case basis through a text amendment to the Zoning Bylaw). A similar strategy has recently been employed by the City, through Council Policy 6.33, for Cannabis Retail Operations, with the distance measured in a straight line from the lot lines of the existing operation and proposed new operation.

For illustrative purposes, a starting distance of 400m has been selected. This distance has been used by the City of Surrey for a similar land use. The figure below, with the full-size map available in Appendix C, demonstrates what a 400m buffer would look like imposed on all existing pharmacies and pending applications within the City today.



Under this option, new applications that do not fall outside the stated distance from an existing pharmacy would not be accepted for the Town Centre Area, but may be accepted for Town Centre locations that are at least 400m apart. Additionally, applications would be accepted for any commercial location within other areas of the City, including the Lougheed Transit Corridor, Hammond, Albion and other Village commercial nodes. Existing operations would be able to continue operating, but limited in their ability to expand or relocate.

To implement Option 2, a Zone Amending Bylaw would be drafted and require four readings of Council, including a Public Hearing. This approach is more challenging to administer and is not recommended.

**ii) Option 3: Outright Prohibit Pharmacies City-wide**

The third identified option is to outright prohibit new pharmacies of all sizes throughout Maple Ridge. A similar strategy has been employed by the City for Vape Retail operations, prohibiting the use in all zones of the Zoning Bylaw.

Under Option 3, the City would no longer accept pharmacy applications for any location within the City. Existing pharmacies would be able to continue operating, as an adopted Zone Amending Bylaw that prohibits this use would make any legally operating pharmacy ‘legally non-conforming’, but these existing pharmacies would be limited in their ability to expand or relocate. The 700 square metres of finished floor area threshold could be included in this option as well.

To implement Option 3, a Zone Amending Bylaw would be drafted and require four readings of Council, including a Public Hearing. This approach is not recommended since this use does not appear to be problematic outside of the Town Centre.

**iii) Option 4: Status Quo**

The fourth identified option is to retain status quo. This would permit pharmacy applications to be considered on zone-appropriate lots – namely commercial zones, including the C-1, C-2, C-3, C-5, CRM, CS-4, H-1, and H-2 zones.

Under this option, new applications would be considered under the existing process involving evaluation of regulatory compliance before issuance of a business license. No Council review or approval process would be required. Existing pharmacies would be able to continue operating as legally conforming businesses.

No bylaw amendments or other actions are required or proposed to implement this option.

**iv) Summary of Possible Options**

Option	Concept	Impact	Implementation Tool
1	Prohibit Small-Scale Pharmacies in the Town Centre Area.	<ul style="list-style-type: none"> <li>• No small-scale applications (under 700 m<sup>2</sup> of retail space) permitted in the Town Centre Area.</li> <li>• Applications permitted throughout the rest of the City. Approval dependent on existing regulations and requirements.</li> </ul>	Zone Amending Bylaw (4 Readings of Council and a Public Hearing) to define the use and set out the prohibited area.
2	Implement Geographic Buffers of 400 metres to Pharmacy Applications	<ul style="list-style-type: none"> <li>• Limited applications would be accepted in the Town Centre Area.</li> <li>• Applications permitted throughout the rest of the City. Approval dependent on existing regulations and requirements.</li> </ul>	Zone Amending Bylaw (4 Readings of Council and a Public Hearing) to define the use and set out the geographic buffer.

Option	Concept	Impact	Implementation Tool
3	Prohibit Pharmacies City-Wide	<ul style="list-style-type: none"> <li>No applications permitted in the City.</li> </ul>	Zone Amending Bylaw (4 Readings of Council and a Public Hearing) to define the use and set out the prohibited area.
4	Status Quo	<ul style="list-style-type: none"> <li>No change to how pharmacy applications are permitted in the City.</li> </ul>	N/A

### 2.3 Next Steps

Based on the Council resolution passed at the September 28, 2021 Council meeting, wherein Council directed staff to bring back a draft bylaw to limit pharmacy use in the Town Centre, attached is a draft Zone Amending Bylaw for Council to consider and provide direction on proceeding through the Bylaw amendment process shown in Figure 1 below.

Figure 1 – Proposed Bylaw Amendment Process



### 3.0 POLICY IMPLICATIONS:

The City of Maple Ridge Official Community Plan and Town Centre Area Plan include policies that speak to the priority function of commercial uses that support the residential population of the Town Centre with the provision of necessary goods, including food, and services, such as medical care, and that these uses will be encouraged to develop or remain in and around the Central Business District of the Town Centre and in the commercial designated areas of Port Haney.

### 4.0 INTERDEPARTMENTAL IMPLICATIONS:

The review and permitting of business license regulation and opportunity is a multi-department undertaking between the Planning, Bylaw & Licensing Services, Building, and Economic Development Departments. All departments continue to envision a continued collaborative working relationship to ensure the successful implementation of the Council-approved direction for the regulation of pharmacies in Maple Ridge.

A consultant for the Economic Development Department has identified that the pharmacist occupation ratio for Maple Ridge is about the same as the pharmacist occupation ratio for the Metro Vancouver and Fraser Valley Regions, as well as B.C. In addition, according to employment wage data, pharmacist and pharmacist assistant wages are considered above average for Maple Ridge. It is also important

to note that manufacturing is a core target sector for future economic development opportunities in Maple Ridge and that limiting or restricting a portion of the pharmaceutical value chain may have an impact on the perception of openness of the manufacturing portion of the pharmaceutical value chain.

From a Community Safety perspective, the majority of the complaints received relate to smaller-scale pharmacies, often with specific OAT offerings included as part of the pharmacy. These pharmacies may struggle to manage the behaviors of their patients. It is recognized that COVID created a challenge where indoor occupancy limits pushed patients out of waiting rooms onto the adjacent sidewalks. While smaller-scale pharmacies, including OAT clinics, are valuable to residents, best practices should be focused on patient behavior management and reducing impacts on neighbouring businesses.

**CONCLUSION:**

In September 2021, Council directed staff to bring forward an options report regarding the regulation of pharmacies in Maple Ridge. This report outlines four possible options for the regulation of pharmacies in Maple Ridge, which include: Option 1: Outright Prohibit New Small-Scale Pharmacies in the Town Centre Area; Option 2: Introduce Geographic Buffers of 400m to New Pharmacy Applications; Option 3: Outright Prohibit New Pharmacies City-wide; Option 4: Status Quo.

This report includes a draft of a possible Zone Amending Bylaw to limit pharmacies in the Town Centre Area, reflecting Option 1, for Council consideration of first and second reading at an upcoming Council meeting.

“Original signed by Amanda Grochowich”

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*Prepared by:* **Amanda Grochowich, MCIP, RPP  
Planner 2**

“Original signed by Charles Goddard”

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*Reviewed by:* **Charles R. Goddard, BA, MA  
Director of Planning**

“Original signed by Christine Carter”

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*Approved by:* **Christine Carter, M.PL, MCIP, RPP  
GM Planning and Development**

“Original signed by Christine Carter” for

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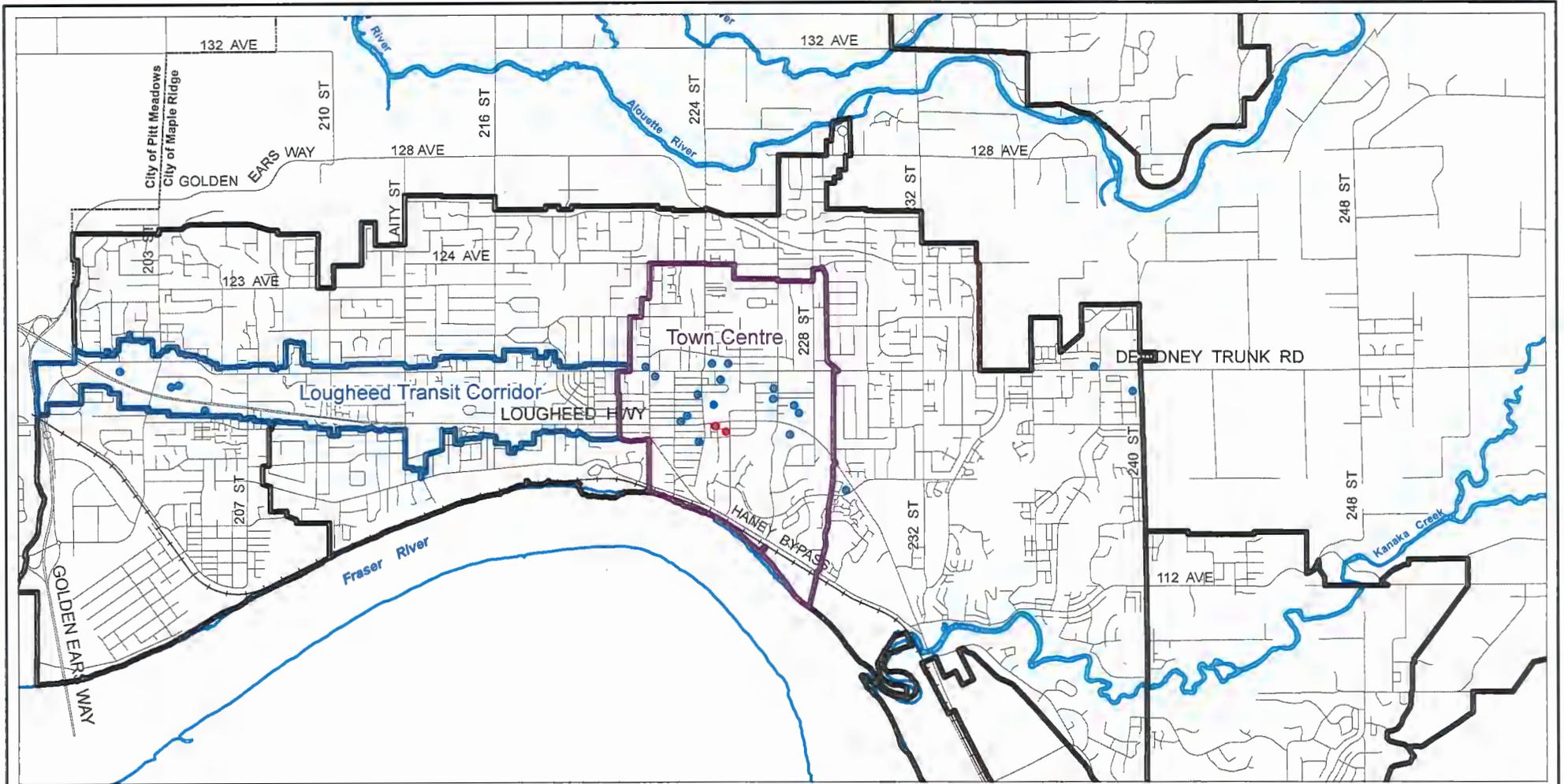
*Concurrence:* **Al Horsman  
Chief Administrative Officer**

The following appendices are attached hereto:

Appendix A: Map of existing and pending pharmacies in Maple Ridge

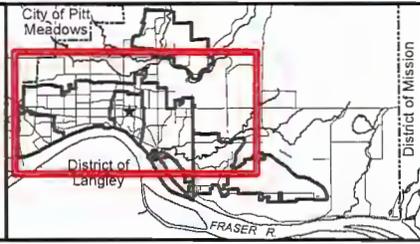
Appendix B: Draft Zone Amending Bylaw

Appendix C: Map of existing and pending pharmacies in Maple Ridge with geographical buffer set at 400m



Scale: 1:27,500

- Existing Pharmacy
- Pending Pharmacy
- Town Centre Area
- Lougheed Corridor
- Urban Development Areas



### Pharmacies in Maple Ridge



FILE: PharmacyInMapleRidge\_20211015.mxd  
 DATE: Oct 20, 2021 BY: DT

**CITY OF MAPLE RIDGE  
BYLAW NO. XXX-2021**

A Bylaw to amend Zoning Bylaw No. 7600 - 2019 as amended

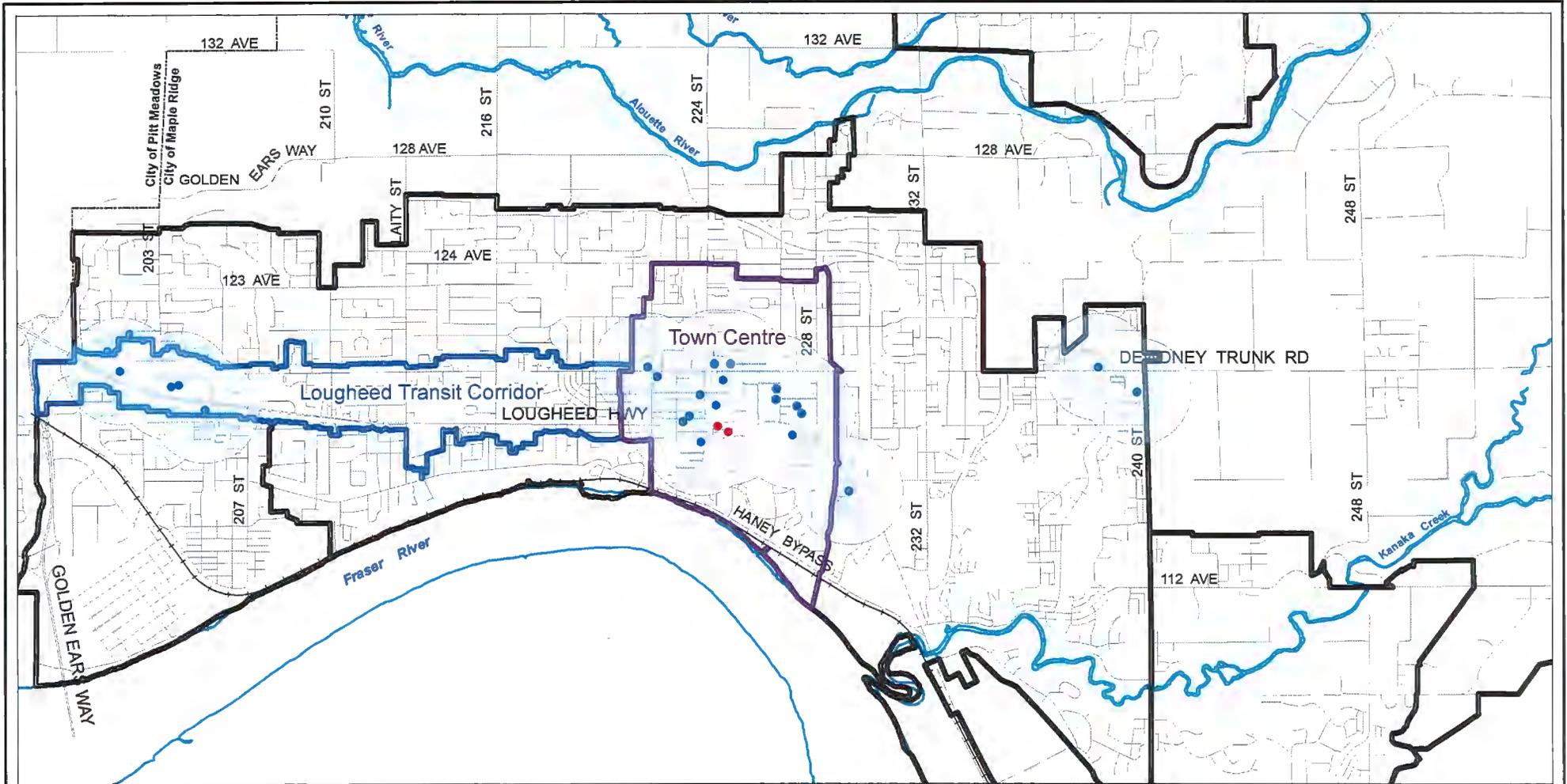
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**WHEREAS**, it is deemed expedient to amend Maple Ridge Zoning Bylaw No. 7600 - 2019 as amended;

**NOW THEREFORE**, the Municipal Council of the City of Maple Ridge enacts as follows:

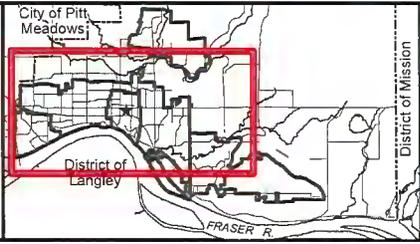
1. This Bylaw may be cited as "Maple Ridge Zone Amending Bylaw No. XXXX-2021."
2. That PART 2 INTERPRETATIONS AND DEFINITIONS, Section 202 Definitions, that the definition of "Pharmacy" is inserted between "PERSONAL SERVICES" and "PLACE OF WORSHIP":  
**PHARMACY** means a Use in a commercial establishment which fills a broad range of pharmaceutical prescriptions.
3. That PART 4 GENERAL REGULATIONS, Section 402 Regulations for Permitted Uses of Land, Buildings, and Structures is amended by inserting the following between 402.21 Parking and Storing of Unlicensed Vehicles and Contractor's Equipment and 402.22 Produce Sales, and renumbering the section accordingly:  
402.22 Pharmacy
  1. A Pharmacy Use is subject to the following provisions:
    - a. shall not be permitted as a Principal Use;
    - b. shall not be permitted as an Accessory Use in a commercial establishment with a finished floor area less than or equal to 700 square metres on a lot within the Town Centre Area, as identified on Schedule "C" (Town Centre Area Plan) of this Bylaw;
    - c. shall be permitted as an Accessory Use in a commercial establishment with a finished floor area greater than 700 square metres on a lot within the Town Centre Area, as identified on Schedule "C" (Town Centre Area Plan) of this Bylaw; and
    - d. shall be permitted as an Accessory Use outside of the Town Centre Area.
4. That PART 7 Commercial Zones, Section 701 Zone: C-1 Neighbourhood Commercial is amended by inserting the following after 701.3 1. e.
  - f. a Pharmacy Use, subject to Section 402.22 of this Bylaw.
5. That PART 7 Commercial Zones, Section 702 Zone: C-2 Community Commercial is amended by inserting the following after 702.3 1. e.
  - f. a Pharmacy Use, subject to Section 402.22 of this Bylaw.
6. That PART 7 Commercial Zones, Section 703 Zone: C-3 Town Centre Commercial is amended by inserting the following after 703.3 1. d.
  - e. a Pharmacy Use, subject to Section 402.22 of this Bylaw.





Scale: 1:27,500

- Existing Pharmacy
- Pending Pharmacy
- 400m Pharmacy Buffer
- Town Centre Area
- Lougheed Corridor
- Urban Development Areas



### Pharmacies in Maple Ridge



FILE: PharmacyInMapleRidge\_20211015.mxd  
 DATE: Oct 20, 2021 BY: DT

**TO:** His Worship Mayor Michael Morden  
and Members of Council  
**FROM:** Chief Administrative Officer  
**SUBJECT:** Telecommunications Antenna Structure Siting Policy No. 5.59- Proposed

**MEETING DATE:** November 2, 2021  
**FILE NO:** 08-3200-01  
**MEETING:** Council Workshop

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**EXECUTIVE SUMMARY:**

The attached report is scheduled to be on the November 9, 2021 Council Meeting agenda for discussion and consideration of the recommendation. The Council Workshop forum provides an extended opportunity for Council to seek additional information if required, prior to decision-making.

**RECOMMENDATION:**

That the attachment to the November 2, 2021 Workshop Council Workshop report titled "*Telecommunications Antenna Structure Siting Policy No. 5.59 - Proposed*" be forwarded to the Council Meeting of November 9, 2021



Approved by: **Corporate Officer**

**Attachment:**

- Staff report dated November 9, 2021 titled "Telecommunications Antenna Structure Siting Policy No. 5.59 – Proposed"



## City of Maple Ridge

**TO:** His Worship Mayor Michael Morden  
and Members of Council

**MEETING DATE:** November 9, 2021  
**FILE NO:** 08-3200-01

**FROM:** Chief Administrative Officer

**MEETING:** Council

**SUBJECT:** Telecommunications Antenna Structure Siting Policy No. 5.59 - Proposed

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### EXECUTIVE SUMMARY:

Telecommunication towers and antenna support structures are required for radio communication services, and are controlled under the Federal Telecommunications Act as administered by Innovation, Science and Economic Development Canada (ISED). There are many forms of towers and antenna systems and support structures and it is fully expected that these will continue to evolve to keep pace with changes in wireless communications technology. Under the current regulatory regime, the City continues to remain constrained in its ability to influence matters of Federal control, including the location and design of antenna systems and structures.

In 2012, the City released and Council endorsed its first Telecommunications Antenna Structure Siting Protocol. The goal at the time was to allow the City to effectively participate in and influence the placement of telecommunication antenna structures proposed within the City. The Protocol was designed to assist Council, City staff, ISED, representatives of the telecommunications industry, and members of the public in being aware of, and understanding the implementation methods, processes, procedures and criteria used to achieve this purpose. Following the release of the Federation of Canadian Municipalities (FCM) Consultation Protocol in 2014, the City's Protocol was further updated to align with these principles, which Council further endorsed.

Given the changes in wireless communications technology and related antenna structures design, staff have reached out to both ISED and other jurisdictions for their insights in order to update the 2014 Protocol, to ensuring that it remains relevant from a technology perspective and that the City's interests and preferences continue to be effectively communicated to the industry representatives.

The updated Policy is as attached in Appendix B and outlines for industry representatives, the City's internal review process of new applications and further directs the industry representatives as to the appropriateness of locating antenna structures in certain zones and locations. It also encourages the co-locating of antennas on existing structures and the use of stealth designs for both freestanding and roof-top installations and prescribes when and how industry representatives should engage with the City's residents with respect to the installation of new antenna systems and structures.

The recommendation is as follows:

### RECOMMENDATION:

**That the Telecommunications Antenna Structure Siting Policy No. 5.59 be adopted.**

## DISCUSSION:

### a) Background Context:

The demand for wireless services has increased significantly over the past decade with the widespread utilization of wireless technology devices such as smartphones and tablets and other data-rich, streaming devices. This increase in demand has challenged the telecommunications industry to provide the infrastructure necessary to ensure sufficient coverage and capacity. To meet this demand, and provide reliable wireless coverage to our citizens, new infrastructure is often required in strategic locations across the City.

The telecommunications industry currently refers to anything that transmits a wireless signal as an "Antenna System or Antenna Structure". As the technology has changed, so have the antenna systems and structures, having evolved from the large monopole or lattice-frame towers to equipment of many shapes and sizes including small, discrete units on lamp and utility poles.

In Canada, the Federal Innovation, Science and Economic Development ("ISED") department, formerly known as Industry Canada, has the final authority under the Radiocommunication Act to approve antenna system installations. Municipalities do not possess the authority to override decisions made by ISED. The process that must be followed by proponents seeking to install or modify antenna systems is outlined in ISED's Client Procedures Circular CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems (2014).

The Government of Canada's policy guiding the installation of antenna towers was established in 2008. Industry Canada made changes to its CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular effective July 15, 2014. Changes were implemented to strengthen the official requirements for the wireless industry to consult with local residents, increase transparency for municipalities and improve communications throughout the antenna system siting process. Significant changes included:

- Requiring consultation on all commercial tower installations, regardless of height. Previously, companies only needed to consult with local residents when they were planning to build a tower higher than 15 metres;
- Establishing a three-year limit between the time of consultation and the time an antenna system is built. In the past, there was no limit to the length of time carriers could wait before final construction of a new tower;
- Requiring communications from the company to nearby residents be clearly marked to ensure it is not confused as junk mail; and
- Encouraging municipalities to get involved early in the antenna system siting process.

ISED requires that companies first look at sharing existing tower infrastructure, whenever possible, to reduce the number of new towers needed in the community. ISED provides certain exclusions from consultation. One example is that installations on existing structures (towers and non-tower structures such as buildings, utility poles, street lights) are excluded from consultation provided that the height of the structure is not increased by more than 25 percent.

ISED's position is that towers and antenna structures should be deployed in a manner that considers local surroundings and has developed a default public consultation procedure that carriers are asked to follow in the absence of one prescribed by the Land Use Authority (LUA). Where the LUA has developed an approved consultation policy and while it does not possess any legal or authoritative standing, a clear policy allows the LUA to further enhance the location criteria and public consultation processes that ISED dictates.

The current ISED Procedures Circular outlines the default consultation process that telecommunications carriers are expected to follow ahead of installation of a telecommunications antenna system or structure. It outlines the expectations for the carrier in consulting with the LUA, how the public should be notified, how relevant concerns should be managed, how to conclude the public consultation process, a dispute resolution process, and the role of the LUA in concluding the ISED consultation process.

Depending on the LUA's own protocol or policy, conclusion of local consultation may include such steps as: obtaining final concurrence for the proposal through a formal Council resolution, recommendation from a relevant committee, a letter or report acknowledging that the relevant municipal process or other requirements have been satisfied or other valid indication (such as the minutes of a Council meeting indicating LUA approval). Compliance with informal City staff procedures, or grants of approval strictly related to zoning, construction, etc. will not normally be sufficient.

Depending on the nature of the proposed installation and historically, the City of Maple Ridge has granted concurrence for a proposed installation through both formal Council resolutions and through a simple acknowledgement that its consultation process was followed. The latter direction has been used for installations where public responses have been overwhelmingly negative and a vote to concur or not concur with the installation was considered a moot point, given ISED's jurisdiction over the final installation.

Maple Ridge's current protocol has been followed for the past seven years and carriers have by and large, respected the tenets contained within it. Over this period, there have actually been only a few proposals for new, freestanding antenna structures received by staff. This can be attributed to a 2013 ISED policy directive which put additional pressures on carriers to facilitate 'roaming' across competitor's networks. The goal of this directive was to further facilitate roaming and tower sharing agreements in order to advance ISED's objectives of supporting competition, encouraging investment and reducing tower proliferation. This resulted in a self-imposed, industry moratorium on tower-building until the effects that the policy directive became clear. As the demands for data have increased and the equipment technologies have evolved, staff are experiencing an increased level of interest in the installation of different forms or antenna systems and structures.

The purpose of the proposed Policy (see Appendix B) is to build on the existing protocol and establish a more robust land-use consultation process and a guideline for reviewing and evaluating antenna systems siting within the City of Maple Ridge. The Policy is expected to assist the telecommunications industry, ISED, City staff, City Council, and members of the public in understanding the processes, preferences, and criteria used to evaluate antenna system siting in the community.

Ahead of updating the City's 2014 Protocol (attached as Appendix A), staff undertook research on advancements within the wireless industry, consulted with ISED for their guidance on best practices, explored policies from other local municipal jurisdictions and engaged with leading telecommunications carriers for their collective insights. When the Policy was completed to final draft stage, City staff provided senior ISED staff with a copy for their review and feedback and to ensure that it did not conflict with any existing Federal circulars or policies. While City staff are currently awaiting ISED's endorsement of the Policy, we do not anticipate any substantive changes, given their earlier input.

For reference, the following documents were identified and utilized for the creation of the new Policy:

- ISED's CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems, July 15, 2014, Issue 5;
- ISED's Guide to Assist Land-use Authorities in Developing Antenna System Siting Protocols, August 2014, Issue 2;
- Recent policies and protocols of other Canadian municipalities; and
- The Federation of Canadian Municipalities ("FCM") and the Canadian Wireless Telecommunications Association ("CWTA") jointly developed Antenna System Siting Protocol template, February 2013.

The proposed Policy reflects the changes made to ISED's CPC-2-0-03 - Radiocommunication and Broadcasting Antenna Systems, and staff believe that it will effectively support the increasing number and type of antenna system proposals resulting from technological advancements. The proposed Policy allows for:

- Effective handling of the increasing number and type of antenna system proposals;
- Improving transparency by requesting that the telecommunications carriers notify the City, as a courtesy, on both excluded and non-excluded proposals;
- Recognition of the proliferation of roof-top antenna systems and the need to have them more effectively blend in with the host building's form and character;
- Transparency for the general public and better understanding of the City's role and its limitations with respect to the installation of antenna structures and systems;
- More prescriptive and precise public consultation requirements;
- Engagement of City staff earlier in the process;
- Establishing location and design preferences for the various types of antenna systems or structures and encouraging the use of stealth features for both antenna and equipment boxes;
- Establishing a single City point of contact for carriers and industry representatives for more efficient management of new proposals.

Wireless technologies are continuing to evolve at a rapid pace and the demand for data shows no signs of abatement. With new technologies poised to fully roll out over the next several years, the expectation is that it will require a greater density of antennas using much smaller equipment. This will require much more precise cell positioning and a significantly larger number of siting approvals. The Policy will prepare Maple Ridge to more effectively manage incoming proposals to accommodate the growth of this wireless infrastructure while ensuring that Health Canada's Safety Code 6 requirements are taken into account and communicated to the public.

**b) Desired Outcome:**

The objective of this Policy is to build on the existing City's 2014 Protocol to create a clear and well-articulated, Council-approved document that outlines the roles and responsibilities of the various public and private stakeholders. In addition, the objective was to clearly communicate the City's preferences with respect to the siting and installation of telecommunications antenna systems and structures and their respective form and character and details the expectations for communication and consultation with the public as to any/all new installations.

**c) Strategic Alignment:**

Although final approval authority remains an ISED responsibility, aligning our Policy with ISED policies and procedures and securing input from other jurisdictions and industry insiders may

provide staff and Council with a more receptive audience for concerns as related to future installations of antenna systems and structures. This is consistent with the City's community development objectives and the desire for more effective City control of land-use related issues.

**d) Citizen/Customer Implications:**

A consultation approach, whether the default ISED version, or an updated, Maple Ridge-specific version, provides for the City and affected citizens, an opportunity to influence the location, land-use decisions and design characteristics over all forms of telecommunications antenna structures and systems. Of course, final approval authority continues to remain with ISED.

**e) Interdepartmental Implications:**

The City's 2014 Telecommunication Antenna Structures Siting Protocols (V2) has served the City well over the past seven years and has afforded staff more input and influence on the location, siting and design characteristics of telecommunications towers and antenna structures and the public consultation processes. However, with the influx of new technologies and communications equipment and the need of the carriers for more robust networks, an update to this Protocol in the form of a Policy is required to better recognize and adapt to these advancements.

The proposed Policy document has been reviewed by with senior staff in Legal and Legislative Services, Planning, Parks, Engineering, IT and Economic Development to ensure that any/all relevant areas of concern have been addressed.

**f) Business Plan/Financial Implications:**

As with the previous Protocol, adoption of the proposed Policy will require the input of additional staff time in support of the more engaged review process. A fee for the application process and review will be determined to cover staff time as required.

While the City can be expected to raise a nominal amount of revenue from electrical and building permit fees for smaller antenna installations on private properties, it remains in a position to generate lease revenue or rents for installations on City-owned property and on various pieces of City infrastructure including, street lights, sport field lighting and other facilities. The City is not able to collect building permit fees from free-standing structures on private lands as they are exempt.

**g) Policy Implications:**

With the adoption of the proposed Policy, staff should be prepared to review the performance of the new processes within the next 18 – 24 months in order to adjust as/if necessary.

**h) Alternatives:**

The City could continue to take a more passive role in influencing the locational and design considerations for antenna structures and systems, thereby leaving the approval assessment to entirely to ISED staff, noting that the default ISED consultation process does afford the City a limited opportunity to comment and influence locational and design considerations of installations.

**CONCLUSION:**

Telecommunications towers and antenna support systems and structures are critical for the effective deployment of wireless services in the community and the expectation remains that more such installations will be forthcoming as the technologies continue to evolve and the need for more robust signal-carrying capacity escalates.

While telecommunications infrastructure remains a Federal responsibility, with its 2014 Telecommunication Antenna Structures Siting Protocols (V2), the City has demonstrated that it can have an influential role in determining the final location and design of such infrastructure and the process by which the public and staff are engaged and informed of proposed installations.

The proposed Policy builds on the previous work, recognizes the evolving nature of the technologies and outlines more stringent directives for the telecommunications carriers to adhere to. Accordingly, staff are recommending acceptance of the Telecommunications Antenna Structure Siting Policy.



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Reviewed by: **Patrick Hlavac-Winsor**  
General Counsel and ED, Legislative Service



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Approved by: **Scott Hartman**  
General Manager, Parks, Recreation & Culture



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*for* Concurrence: **Al Horsman**  
Chief Administrative Officer

**Attachments:**

- (A) Telecommunication Antenna Structures Siting Protocols (V2) 2014
- (B) Telecommunications Antenna Structure Siting Policy 2021



## District of Maple Ridge Telecommunication Antenna Structures Siting Protocols (V2)

### Purpose:

The purpose of the Telecommunication Antenna Structures Siting Protocols is to establish procedural standards that will allow the District to effectively participate in, and influence the placement of, telecommunication antenna structures proposed within the District. The Protocols are also intended to assist Council, District Staff, Industry Canada, representatives of the telecommunications industry, and members of the public in being aware of and understanding the implementation methods, processes, procedures and criteria used to achieve this purpose.

The objectives of these Protocols are:

1. To establish a process and criteria for consistently and equitably reviewing, evaluating and deciding upon each proposal for placing a telecommunication antenna structure.
2. To provide clear and reasonable requirements for effective participation and cooperation between the proponents and the District.
3. To minimize the number of towers required for telecommunication antenna networks.
4. To ensure co-location opportunities for telecommunication antenna structures are explored and acted upon.
5. To encourage and promote opportunities for improved telecommunication antenna structure design and concealment in order to minimize their visual impacts on the surrounding area and the District in general.
6. To provide an opportunity for residents located near specific types of proposed telecommunication antenna structures (structures of significant impact) to make comments, ask questions or raise concerns relating to the proposal, make the proponent aware of local considerations and provide recommendations regarding the placement and/or appearance of the structure.

### District Authority:

As noted, Industry Canada requires that, in certain cases, the local land use authority and the public must be consulted for input regarding the proposed placement of a telecommunication antenna structure. The District's Planning and Building departments are responsible for reviewing these submissions and, depending on the nature of the proposal, a letter of support (concurrence) or non-support (non-concurrence) is sent to the wireless service provider upon completion of its review of the proposal.

The Planning and Building departments reviews each proposed submission for a telecommunication antenna structure based on specific physical criteria. This involves reviewing and evaluating such things as:

- the proposed location of a telecommunication antenna structure and aspects of its design, including height, colour, type, number of antennae to be placed on the structure;
- screening of any equipment compound;
- the design and materials to be used for any equipment storage shed;
- the potential for co-location of other proponents on the structure; and
- compliance with the District's Telecommunication Antenna Structures Siting Protocols (V2).

Based on this review, a letter of support (concurrence) or non-support (non-concurrence) is issued. Support for a tower will have a 3 year time limit for construction to be completed.

It is important to note that in cases where the District does not support a proposal, it cannot prevent a proponent from ultimately gaining permission from Industry Canada to install a telecommunication antenna structure even if it contravenes these Protocols.

**The District's Role in Reviewing Telecommunication Structure Submission:**

District staff review and evaluate each submission received for a telecommunication antenna structure. The specific elements and issues observed, reviewed, analyzed, evaluated and decided upon in reaching a decision to either support or not support a submission are predominantly, but not limited to, the following<sup>1</sup>:

1. proposed location in a community or area;
2. existing and proposed on-site uses and structures;
3. adjacent sites and their existing and proposed uses and structures;
4. co-location potentials on this site and on nearby sites with other existing or proposed telecommunication antenna structures;
5. compliance with the Telecommunication Antenna Structures Siting Protocols (V2);
6. conformity with the District's Official Community Plan policies regarding historic sites and environmentally sensitive areas; and
7. design aspects of the proposal, including:
  - a) height,
  - b) colour,
  - c) type of structure,
  - d) diameter (if a monopole or tri-pole),
  - e) number of antenna arrays (including futures),
  - f) shrouding of antenna arrays,
  - g) potential for disguising or camouflaging,
  - h) screening of equipment compound and shelter(s),
  - i) plans, arrangement, materials and colour of equipment shelters(s),
  - j) location on the site,
  - k) access/egress to the facility,
  - l) impact on on-site parking facilities and vehicular movement,
  - m) impact on on-site garbage facilities,
  - n) impact on on-site utility R.O.W.s,
  - o) proposed signage or other markings, and
  - p) lighting, distance to other existing towers, and removal of redundant structure(s) if a re-build, replacement or co-location.

**Types of Submissions to the District:**

The District recognizes that different types of telecommunication antenna structures may create different magnitudes or degrees of impact and concern within the community and on the existing built environment of the District in general.

The District target is up to 120 days to process a completed telecommunications tower application, depending on complexity.

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<sup>1</sup> The District does not assess any submission for a telecommunication antenna structure 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](http://healthcanada.gc.ca) and to the proponent's representative. Industry Canada, Lower Mainland District Office may also be contacted for information by phone at 604-666-5468 or by e-mail at [vancouver.district@ic.gc.ca](mailto:vancouver.district@ic.gc.ca).

**High Impact Submissions:**

High Impact submissions require a \$500 processing fee be paid to cover staff review time.

High impact submissions involve those telecommunication antenna structures deemed by the District to have potential negative impact on, or concerns for, the neighbourhood, the environment or the existing neighbourhood fabric of the District in general, that are proposed:

- on towers of any height to be placed within 100 metres of any residential development or residential district (the 100 metres to be measured from the centre of the base of the proposed structure);
- on towers of any height to be placed in areas of environmental, historic, strategic or operational importance or sensitivity as identified by the District Official Community Plan;
- to increase the height of an existing tower by more than 25% of the existing height; and
- on any other telecommunication antenna structure not identified as a Low Impact or a temporary structure, excluding Amateur Radio Antenna Structures which are not governed by these Protocols.

A copy of each High Impact submission received will be referred to relevant District departments for review and comment purposes. A public consultation meeting, conducted prior to making a final submission to the District, will be required pursuant to the provisions set out below. The District requires at least a two week interval between the date of the public consultation meeting and making a submission to the District to ensure time for post-consultation enquiries and comments to be received from the public and answered by the proponent.

High Impact submissions will be processed by the District within 60 days of receipt of a completed telecommunication antenna submission following a public consultation meeting, within an overall time frame of 120 days.

In addition to the preceding, High Impact submissions also include telecommunication antenna structures (towers) that are 15 metres or greater in height proposed in locations designated as a commercial, industrial or institutional district and further than 100 metres away from any residential development or residential district. These High Impact submissions will follow the same circulation and processing procedures as those noted above, however, no public consultation meeting will be required for this group of telecommunication antenna structures.

The use of any District owned park or reserve land proposed for the placement of a High Impact telecommunication antenna structure will require a public consultation process pursuant to the provisions set out in these Protocols.

**Low Impact Submissions:**

Low impact submissions include those telecommunication antenna structures considered by the District to have low or no adverse impacts or concerns with respect to the community or the District in general.

These include proposed telecommunication antenna structures in such locations as:

- on roof tops of high rise buildings (the roof top should be higher than any adjacent residential development(s) or a public consultation may be required at the discretion of the District);
- on street light poles;
- on parking lot light poles;
- on existing utility towers and similar structures as determined by the District; and
- on towers less than 15 metres in height that are not identified as a High Impact telecommunication antenna structure.

A copy of the Low Impact submission received will be circulated to relevant District Departments. A public consultation meeting will not be required and the submission will be processed within 60 working days of receipt of a complete telecommunication antenna application.

***Temporary Submissions:***

Temporary submissions primarily apply to proposals for those telecommunication antenna structures that will have a limited operational time frame and no or negligible adverse impacts on the community, the environment or the existing urban fabric of the District in general, as determined by the District. This category also includes the addition of telecommunication antenna structures to an existing tower in specific circumstances.

Temporary submissions include:

- a temporary telecommunication antenna structure for a duration of no longer than 3 months;
- a time extension request for an existing temporary telecommunication antenna structure to remain in place beyond the initial 3 month duration limit;
- a telecommunication antenna structure to be used for a special event;
- a telecommunication antenna structure to be used for an urgent situation or emergency event;
- the co-location of a proponent's telecommunication antennas on an existing tower where an increase in tower height is not required; and
- the addition of new shelters, cabinets and other similar enclosures or compounds required to house a proponent's equipment associated with the telecommunication antennas being connected to an existing telecommunication antenna structure.

The proponent will submit a written notification to the District, allowing 10 days for response time prior to installing any proposed Temporary telecommunication antenna structure or commencing a time extension for an existing Temporary telecommunication antenna structure within the District.

Temporary telecommunication antenna structures used to provide service during an emergency event may be installed without submitting a written notification to the District and are excluded from the 10 day response period requirement. As a courtesy, the District encourages a verbal notification in these circumstances, to be completed within 24 hours of the deployment of the telecommunication antenna structure.

**Design Characteristics:**

The District encourages the use of telecommunications structures that are designed to be disguised and unobtrusive and inconspicuous.

The District encourages screening such as from plantings, fences or architectural treatments to assist the structure, compound or equipment shelter to blend into the surroundings.

The placement of signage on telecom structures is discouraged.

Unless specifically required by Transport Canada, the display of any type of lighting on a telecommunication antenna structure is discouraged. Where Transport Canada requires a telecommunication antenna structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable. Any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada. The lighting of telecommunication antenna structure compounds for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity and, where possible, it is provided by a motion detector type of system.

**Residential Setback Considerations:**

The District recommends the placement of telecommunication antenna structures (towers) should not be in close proximity to residential developments of any built form or density. As a guideline, it is recommended that any tower proposed to be placed on a site abutting existing dwellings should be located:

- a) at least three times the height of the proposed tower away from those dwellings for towers less than 15 metres in height;
- b) at least 75 metres away from those dwellings for towers 15 to 30 metres in height;
- c) at least 100 metres away from those dwellings for towers 31 to 45 metres in height;
- d) at least 122 metres away from those dwelling units for towers 46 to 55 metres in height; and
- e) at least three times the height of the proposed tower away from those dwellings for towers 56 metres or greater in height.

**Co-location Options:**

The District encourages the co-location of telecommunication antenna structures. This may include, but is not limited to:

- the installation of a proponent's telecommunication antennas on any existing telecommunication antenna structure;
- the construction of a new telecommunication antenna structure on which other proponents are invited to co-locate;
- the reconstruction or modification of an existing telecommunication antenna structure to accommodate the equipment of additional proponents; or
- the relocation of a proponent's existing telecommunication antennas to another proponent's telecommunication antenna structure followed by the removal of the redundant existing telecommunication antenna structure.

In cases where a telecommunication antenna structure is being replaced or taken out of service, the District acknowledges that the existing telecommunication antenna structure could remain temporarily while a new telecommunication antenna structure is being built and the telecommunication antennas and equipment relocated from the existing structure to the new structure.

The proponent is required to provide written evidence of co-location opportunities in the case of new tower proposals, the discussions that took place, and the outcome and reasons for that outcome.

**Notification and Public Consultation Process:**

Prior to physically investigating an area for potential telecommunication antenna structure site locations, the District requests that proponents provide the District with a courtesy notification that locations in the community are being assessed for a telecommunication antenna structure site.

**Notification Obligations When a Public Consultation Meeting is Not Required:**

When a public consultation meeting is not required, notification of a proposed telecommunication antenna structure siting submission shall be given to the District in advance for concurrence. This notification must be made by written means (a letter, an e-mail or a brief) and must include:

- the proponent's name and contact information;
- the municipal address of the proposed location;
- the type and height of the telecommunication antenna structure; and
- a brief explanation as to why a public consultation meeting is not required.

***Notification Obligations When a Public Consultation Meeting is Required:***

When a public consultation meeting is required, written notification of a proposed telecommunication antenna structure siting shall be given by the proponent to the District. Notification of affected residents shall be by mail. The proponent shall include in the notification a copy of the plans for the structure and a copy of the *Notice of Public Consultation Meeting*. The proponent shall then undertake the Public Consultation Meeting process by conducting a public meeting prior to making a telecommunication antenna structure submission to the District in accordance with the provisions of this Protocol.

***Notification to Affected Residential Properties:***

Except as may be allowed below, when a public consultation meeting is required, notification of the proposed siting of a telecommunication antenna structure shall be sent by the proponent to all affected residential properties within a 300 metre radius of the proposed telecommunication antenna structure.

***Exceptions to the Notification Area Requirement:***

The District anticipates that, in certain cases, it may be reasonable to reduce the 300 metre notification area. This may involve, but is not limited to, proposed telecommunication antenna structures where the location is separated and or buffered from residential properties within the 300 metre notification area by:

- significant or extensive topographical features;
- a major transportation or utility corridor;
- tall buildings that will block all or most of the proposed telecommunication
- antenna structure's visibility from those residential properties beyond them; or
- substantial tree cover that will block all or most of the proposed
- telecommunication antenna structure's visibility from those residential properties beyond them.

Any reduction of the 300 metre notification area will be at the discretion of the District and must be negotiated with the District by the proponent at the pre-submission consultation stage.

***Public Consultation Meeting Notification:***

When a public consultation meeting is required, the proponent shall issue a notification in written form in accordance with this Protocol and deliver it, either by regular mail service or by hand, to all affected residential properties within the notification area. If the notification is to be given by regular mail service, it must be sent out at least 21 days prior to the date of the public consultation meeting event. If the notification is to be hand delivered, it must be delivered to the affected residential properties at least 14 days prior to the date of the public consultation meeting event. It is recommended that the proponent keep a log of the mail out, addresses, dates and times.

***Notification Form and Content:***

A written public consultation notification shall be sent out in an envelope addressed to the "Occupant" and shall clearly show in bold type on the face of the envelope the statement: **A CELL TOWER IS PROPOSED WITHIN 300 METRES OF THIS RESIDENCE. YOU ARE INVITED TO A PUBLIC MEETING. INFORMATION IS ENCLOSED.** No advertisement shall be on the outside of the envelope.

The notification shall include, as a minimum, the following information:

- the date, time and place where the public meeting will be held;
- any agenda or itinerary for the meeting;
- the name and telephone number of the proponent's representative as a contact for the public;
- information about the size, type, location on the site and diameter of the proposed telecommunication antenna structure, as well as the number and type of antenna arrays to be

- mounted (such as pin wheel mounted, cluster mounted, etc.), including any potential for future antenna arrays and co-location opportunities; and
- any other material the proponent deems appropriate to inform the public.

Details should also be provided to show the proposed telecommunication antenna structure and its associated equipment shelter(s) in context with the area immediately adjacent. In this regard, presentation of accurately scaled photographic simulations depicting the proposed facility and its environs is also recommended, but is not a mandatory part of the notice.

***Public Meeting Format:***

It is solely the responsibility of the proponent, at its own cost, to arrange, organize and conduct a public consultation meeting. The proponent may conduct the meeting in either a formal manner or an open house format.

A formal meeting entails the public seated facing the proponent's representatives, who provide information concerning the proposed telecommunication antenna structure and answer questions about the proposal and telecommunications in general.

An open house format involves a meeting with no formal seating provided and the public being free to walk through a series of displays providing information about the proposal and telecommunications in general. The proponent's representatives must be available to discuss issues and answer questions.

The District recommends the following information be provided:

- the location of the telecommunication antenna structure;
- why / how the location was chosen;
- what other locations were considered and why they weren't chosen;
- an aerial photograph or plan showing the proposed location of the telecommunication antenna structure, the notification area and the properties within the notification area that received a notice of the meeting;
- the height, type of telecommunication antenna structure, colour, materials, type and number of telecommunication antennas (including future antennas) and co-locations;
- a site plan showing where on the property the telecommunication antenna structure will be situated;
- plans showing the design and appearance of the telecommunication antenna structure and any equipment shelters, cabinets, compounds, fencing and landscaping to be installed;
- accurately scaled photographic simulations showing the property with and without the telecommunication antenna structure in place;
- the name, phone number, e-mail address and fax number of a contact person employed by the proponent;
- health and safety information regarding radio frequency transmission (Safety Code 6);
- technical information regarding radio frequency transmission as it relates to cell phone and cell tower functions;
- the time frame within which questions, concerns and comments will be received and addressed by the proponent after the meeting and prior to making a submission;
- any other material that the proponent considers important to best inform the public regarding its proposal.

### **The District Role at Public Consultation Meetings:**

District staff performs three main functions at a public consultation meeting. These are:

1. To scrutinize the consultation process:
  - by observing how and what information is provided to the public by the proponent about the proposed telecommunication antenna structure and its intended location;
  - by observing what questions arise from the public about the proposed installation;
  - by observing what answers to these questions are provided by the proponent; and
  - by observing how concerns and other issues regarding the proposed telecommunication antenna structure's placement are resolved.
  
2. To clarify the provisions of the District's Telecommunication Antenna Structures Siting Protocols as required:
  - by explaining the procedures regarding the notification process ;
  - by articulating what is expected in terms of resolving the issues brought forward at the meeting by the public;
  - by communicating the District's objective regarding the co-location of other proponents' antennas on existing and proposed telecommunication antenna structures; and
  - by outlining the circumstances required for the issuance of a letter of concurrence or non-concurrence.
  
3. To explain the District's role in the deployment of telecommunication antenna structures, which includes:
  - ensuring the District's Telecommunication Antenna Structures Siting Protocols are followed;
  - evaluating each proposal based on specific criteria, reasoning and development guidelines;
  - confirming that the proponent has conducted and completed any follow-up work arising from a public consultation meeting; and
  - facilitating communication between other proponents regarding co-location arrangements.

### ***Proponent Obligations After Meeting:***

Following a public consultation meeting, the proponent must respond to any concerns or issues arising from it. It is recommended that 10 working days be allowed to ensure time for receiving and responding to any concerns from the public arising as a result of the meeting. Subsequently, the proponent may proceed with a submission to the District.

Where a public consultation meeting has been conducted and the proponent proceeds with a telecommunication antenna structure submission, a brief containing the names and addresses of all attendees at the public consultation meeting must be included. A copy of any agenda, presentation, minutes or similar record may also be included at the proponent's discretion; however, the brief must document the topics discussed, concerns raised, resolutions reached and, where arising, any outstanding issues that could not be resolved. The proponent must demonstrate how the issues have been addressed and subsequently resolved or, where issues have not been resolved, the brief must explain why.

Adopted: November 05, 2012

Amended: April 22, 2014



## POLICY MANUAL

<b>Title:</b> Telecommunications Antenna Structure Siting Policy	<b>Policy No.:</b> 5.59  <b>Supersedes:</b>
<b>Authority:</b> Legislative <input type="checkbox"/> Operational <input checked="" type="checkbox"/>	<b>Effective Date:</b>
<b>Approval:</b> Council <input checked="" type="checkbox"/> CMT <input type="checkbox"/> General Manager <input type="checkbox"/>	<b>Review Date:</b>
<b>Policy Statement:</b>  The City of Maple Ridge will be an active participant in the oversight of public consultations and proposed installations of telecommunications antenna structures in the City in order to influence their final location and design.	
<b>1. PURPOSE AND OBJECTIVES</b>  <b>1.1. Purpose</b>  The purpose of this Policy is to establish the local land use consultation process and guideline for review and evaluating Antenna System siting within the City of Maple Ridge pursuant to Innovation, Science and Economic Development Canada (ISED) regulations and requirements. ISED has exclusive authority over the approval of the siting and installation of telecommunication infrastructure in Canada.  <b>1.2 Objectives</b>  The objectives of this Policy are: <ol style="list-style-type: none"> <li>1. To acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;</li> <li>2. To allow timely development of efficient and reliable radiocommunication services within the City of Maple Ridge while ensuring that community objectives are met;</li> <li>3. To establish a siting and consultation process that is harmonized with ISED's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) for reviewing land use issues associated with Antenna System siting proposals;</li> </ol>	

4. To encourage the use of alternative technologies where possible as an alternative to additional tower sites;
5. To set out an objective process with clear criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
  - a. encourage efficient and effective Antenna System infrastructure while minimizing the number of new Antenna System Tower sites by encouraging co-location;
  - b. encourage designs that integrate with the surrounding land use and public realm;
  - c. establish when local public consultation is required;
  - d. allow ISED and the telecommunications industry to identify and resolve any potential land use, siting or design concerns with the City at an early stage in the process;
  - e. to inform Proponents that the City supports the construction of taller towers over shorter towers for the reason of public safety and supporting Co-Location; AND
  - f. to recover costs from telecommunications proponents with consideration given to the costs to the City to evaluate and process telecommunication infrastructure proposals.

### **1.3 Jurisdiction and Roles**

#### **a. 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, *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*, 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.

#### **b. Other Federal Legislation**

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 the 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)*. 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.

### c. Role of Local Government

Local governments are referred applications for proposed towers and are provided the opportunity to comment on the proposal. Ultimately, the role of the City is to issue a statement of concurrence or non- concurrence to the Proponent and ISED. The statement considers the land-use 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. Moreover, local government can establish siting guidelines, which includes reasonably augmenting the public consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*.

## 2. DEFINITIONS

**Antenna System:** means a Telecommunications Antenna that is mounted on an Antenna Supporting Structure.

**Antenna Supporting Structure:** means any Tower, roof-top, building-mounted pole, spire or other freestanding structure; existing electric or other utility tower or structure, streetlight pole, parking lot light pole or combination thereof, including supporting lines, cables, wires, and braces intended for the purpose of mounting a Telecommunication Antenna or series of antennas on it. Also included are any onsite cabinets or shelters containing electronic or other equipment associated with these antenna structures and any compound required to accommodate these components.

**City:** means the City of Maple Ridge.

**City Contact Staff:** means the City staff member(s) tasked with receiving, evaluating and processing submissions for Antenna Systems.

**City Departments:** means departments of City government that administer public services and are operated by City staff.

**Co-Location:** means the placement of Telecommunications Antennas that are operated by different service providers on a single Antenna Supporting Structure.

**Commercial Areas:** means land designated Commercial in the City of Maple Ridge Official Community Plan and defined within the City of Maple Ridge Official Zoning Bylaw #7600-2019 by the prefixes; C, CS, CRM, H1 and H2 (e.g. C-1). The commercial designation is intended to support major commercial developments, including neighbourhood-serving and city-serving retail and office developments. Primary uses within the commercial designation are retail and stand-alone office uses including institutional offices. Limited light industrial, public facilities and multi-unit residential may be permitted in this designation with certain restrictions applicable.

**Comprehensive Development Areas:** means land zoned Comprehensive Development in the City of Maple Ridge Official Zoning Bylaw #7600-2019 by the prefix 'CD' (e.g. CD-185). A comprehensive

development zone allows for the creation of comprehensive site-specific land use regulations on a specific site within the City where the circumstances are such that control by other zones would not be suitable. A comprehensive development zone is typically created when a proposed development is, in the opinion of Council, considered appropriate for the site, having regard for the policies and land use designations in the Official Community Plan and any other applicable municipal plan or policy. Comprehensive Development zones may be located in any area of the City.

**Designated Community Association:** means area or neighbourhood-specific group that is recognized by the City.

**Heritage Structures/Areas:** means buildings and structures (e.g. monuments) or areas/neighbourhoods receiving a heritage designation by the City.

**Industrial Areas:** means land designated Industrial in the City of Maple Ridge Official Community Plan defined within the City of Maple Ridge Official Zoning Bylaw #7600-2019 by the prefix 'M' (e.g. M-1). The industrial designation supports light and heavy industrial land uses, including manufacturing, warehouse, wholesale trade and equipment storage and repair. Accessory uses that operate ancillary to a main industrial use may include limited office uses, a caretaker's residence, and commercial uses that are strictly limited to those that support industrial activities. Public facilities are permitted within the industrial designation, but retail uses and stand-alone office uses are generally not supported.

**Prescribed Distance:** means three times the height of the proposed Antenna System measured horizontally from the outside perimeter of the Antenna System. The outside perimeter begins at the furthest point of the supporting mechanism (which, in the context only of this measurement, excludes cabinets or shelters), be it the outermost guy line, building edge, face of the self-supporting tower, etc.

**Proponent:** means a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners) for the purpose of providing commercial or private telecommunications services, exclusive of personal antenna systems (e.g. used for over the air and satellite television reception or amateur radio operation).

**Residential Area:** means lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential apartments/condominiums above).

**Siting Exceptions:** means Section 403 – Regulations for the Size, Shape and Siting of Buildings and Structures in the Zoning By-Law.

**Stealth Structure:** means a facility which is either: (a) virtually invisible to the casual observer, such as an antenna behind louvers on a building, or inside a steeple or similar structure; or (b) camouflaged, through stealth design, so as to blend in with its surroundings to such an extent that it is indistinguishable by the casual observer from the structure on which it is placed or the surrounding in which it is located. Examples of stealth facilities include antennas which are

disguised as flagpoles, as indigenous trees, as rocks, or as architectural elements such as dormers, steeples and chimneys. To qualify as “stealth” design, the item in question must match the type of item that it is mimicking in size, scale, shape, dimensions, color, materials, function and other attributes as closely as possible, as reasonably determined by the City.

**Telecommunications Antenna:** means a device that requires a licence from the Federal Government and is used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other communications energy transmitted from or to be received by other antennas.

**Tower:** means any ground-mounted monopole, tri-pole, or lattice work structure upon which Telecommunication Antennas are attached. Not included are streetlight poles, parking lot light poles, existing electric utility towers or similar type structures as determined by the City of Maple Ridge.

**Zoning Bylaw:** means City of Maple Ridge Zoning Bylaw #7600-2019.

### 3. EXCLUDED STRUCTURES

This section outlines Antenna System siting proposals excluded from the consultation process by ISED, the need to consider local circumstances for all excluded structures, and the process for Proponents to notify and discuss proposed excluded structures with the City.

#### 3.1 Exclusions from Antenna System Siting Proposal Review and Public Consultation

Under ISED’s process, certain proposals are considered to have minimal impact on the local surroundings and are excluded from public and City consultations.

All proponents must satisfy the General Requirements outlined in Section 7 of the CPC-2-0-03 regardless of whether an exclusion applies to their proposal. The following proposals are excluded from City and public consultation requirements:

- a. **New Antenna Systems:** where the height is less than 15 metres above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- b. **Existing Antenna Systems:** 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 Antenna System installation. 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;
- c. **Non-Tower Structure:** 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%;

- d. **Temporary Antenna Systems:** used for special events or emergency operations and must be removed within three months after the start of the emergency or special event; and
- e. No consultation is required prior to **performing maintenance** on an existing Antenna System.

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the Antenna System. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the Antenna System.

### **3.2 Notification of Excluded Antenna Systems**

Notwithstanding ISED's exclusion criteria for certain Antenna System siting proposals, Proponents are asked, as a courtesy, to inform the City of all new Antenna System installations within the City's boundaries so the City can:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site Co-location within the City; and
- Maintain records to refer to in the event of future modifications and additions.

Proponents are to notify the City of excluded Antenna System installations before commencing construction.

### **3.3 Siting on City-Owned Properties**

Opportunities are explored at a consultation meeting between the proponent and City Contact Staff to locate the proposed Antenna System on City-owned land, buildings, or infrastructure, acceptable to the City and in accordance with City policy.

## **4. PRE-APPLICATION CONSULTATION WITH THE CITY**

Pre-application consultation is an important element in the Antenna System siting process and generally occurs at a point before the Proponent is committed to a site or design. As a result, it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed.

Prior to submitting an Antenna System siting proposal that does not meet any of the exclusions listed in Section 3.1, the Proponent should arrange a pre-application consultation with the City by contacting the City Contact Staff.

## 5. DEVELOPMENT GUIDELINES

Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the City.

The City has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- Location Preferences; and
- Design Preferences

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 City. Because expressed preferences may be location or site-specific, the Proponent is encouraged to discuss the guidelines fully with the City at a pre-application consultation meeting. Proponents are required to obtain all applicable building permits for new installations or additions and/or modifications to existing buildings.

This Policy is intended to allow timely development of an efficient telecommunications network for the City of Maple Ridge while ensuring that community planning objectives are met.

Within these Development Guidelines, the words “preferred”, “encouraged”, “discouraged”, and “not supported” are used to describe the City’s preferences for different aspects of proposed Antenna Systems. A hierarchical guide to the intended differences in meaning between them are as follows:

- ‘Must’ or ‘shall’; same as “needs”
- Preferred (‘should’ conveys the same level of City support)
- Encouraged
- Will consider
- City Opinion is Neutral
- Discouraged (same as ‘should generally not’)
- Not supported
- “No”

### 5.1 Location Preferences

#### 5.1.1 *Co-location*

The City encourages co-location of Telecommunication Antennas.

This Policy acknowledges that co-location will generally result in taller and wider Towers and more antennas on each structure and that there are physical limitations on how many

antennas a single Antenna Supporting Structure can structurally support. Rooftops may have practical and aesthetic limits to the number of antennas that may be accommodated.

Before submitting a proposal for an application on a new site, the Proponent must explore the following options:

- Consider sharing an existing Antenna System, modifying or replacing a structure if necessary; and
- Locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards.

The City recognizes that the objective of promoting co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the City 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 City's site-specific design preferences during the pre-application consultation process before investing in a final design or site.

### **5.1.2 Preferred Locations**

The location of Antenna Systems has an impact on their efficacy, but also on the surroundings areas. The siting of a Tower or an Antenna System on a rooftop may be the most significant decision to reduce its visual impact. Antenna Systems should be located to be unobtrusive and minimize impeding public view corridors.

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

#### **Towers**

- Comprehensive Development, Industrial and Agricultural areas;
- Roof or wall mounted on buildings having height greater than 23 meters;
- Areas that maximize the distance from Residential Areas; and
- Areas with mature landscaping screening.

#### **Antennas Systems on Streetlights or Utility Poles**

- Commercial or Industrial areas;
- Arterial and collector roads are preferred locations; and
- Within the Town Centre area.

#### **Antennas Systems on Buildings or Other Supporting Structures**

- Commercial, Comprehensive Development or Industrial areas;

- Within the Town Centre area;
- Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology: emergency services, hospitals, colleges, and universities; and
- In active sports field parks.

### **5.1.3 Discouraged Locations**

Antenna Systems are not permitted in the following areas:

- Sensitive Ecosystem Areas (e.g. Green Infrastructure Networks (GIN)); and
- Riparian lands;

New Antenna Systems should avoid the following areas:

- Locations directly in front of doors, windows, balconies, or residential frontages;
- Areas that negatively impact public views and vistas of important natural or manmade features;
- Agricultural areas; if no alternate locations are possible, ensure siting avoids farmland, and ensures maximum potential for farming on remainder of site through the use of monopoles;
- Sites of topographical prominence;
- Heritage Areas or on Heritage Structures;
- Pitched roofs; and
- Street lights and poles unless explicitly encouraged as part of Commercial, Comprehensive Development or Industrial development areas.
- Locations that may adversely impact existing City wireless antennas (e.g. SCADA), or have the potential to make future City antennas infeasible.

## **5.2 Design Preferences**

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings (e.g. Residential, Park land, Heritage Areas, etc.), 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. The City's preferred design and development preferences are described below.

The City will advise the Proponent as to which of the following design preferences are applicable in the proposed location.

### **5.2.1 Antenna Supporting Structures**

- The appropriate type of telecommunication Antenna Supporting Structure for each

situation should be selected with the goal of making best efforts to blend with the nearby surroundings and minimizing the visual aesthetic impacts of the Antenna System on the community;

- The use of monopoles is strongly encouraged;
- Lattice style poles are strongly discouraged;
- Flush-mounted antennas on monopoles are preferred;
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged;
- New supporting structures in residential or high-traffic areas should consider multi-purpose design to enable placement of antennas in combination with lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi-hotspots etc.;
- For high pedestrian traffic areas such as shopping locations, integrated shrouded multi-use design poles (such as lighting, electric vehicle charging, etc.) are preferred;
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth;
- Facilities located on rooftops should be not be visible (to the extent possible) from streets or other adjacent public areas;
- Proponents are encouraged to communicate with building developers at new building design stages to consider options for incorporating integrally screened Telecommunication Antenna support on the rooftops; and
- Whenever possible, Antenna Systems should be built as Stealth Structures. The Stealth Structure shall be unobtrusive at street level so that a casual observer would not realize it is being used Telecommunications Antenna.

### **5.2.2 Height**

- The City prefers that Towers be a maximum of 15 metres in height, except in Industrial, Mixed Employment or Agricultural areas;
- The City will consider increased height for a Tower when located in an Industrial or Agricultural Area and preferably at a distance at least six times the height of the Antenna Supporting Structure away from Residential Areas;
- Height for a Tower must be measured from grade to the highest point on the structure, including lighting and supporting structures; and
- The City prefers that the height of building or structure-mounted Antenna Systems, unless shrouded in an acceptable manner, not exceed 3 metres measured from the top of the roof, but not more than 1.2 metres above the highest point of the elevator penthouse.

### **5.2.3 Yards, Parking and Access**

- Antenna Systems should comply with all setback distances as set out in Zoning Bylaw applicable to the principal buildings for the Zone in which the Antenna System is located but should not be located in the front yard;
- Antenna Systems should be separated from adjacent development without unduly

affecting its development potential over the life of the Antenna System; and

- Parking spaces, where provided at each new Antenna System site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards. Paved surfaces should be absolutely minimized.

#### **5.2.4 Buffering and Screening**

- Antenna Systems and associated equipment shelters should be attractively designed and screened or concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means to blend with the built and natural environments;
- When vegetative landscape screening is used, a mix of deciduous and coniferous trees is preferred to provide year-round coverage; and
- Where adjacent to a principal building, equipment shelters should be constructed to be integrated. Consider using a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

#### **5.2.5 Style and Colour**

- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.;
- The design of Antenna Systems should generally be unobtrusive and consistent with area guidelines;
- Towers and communication equipment should have a non-glare surface, be powder-coated or hidden behind a façade or wrap or disguised as a tree or piece of public art;
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas to make the Antenna Systems unobtrusive;
- The colour of constructed screens should be chosen to harmonize with the building and limit visual prominence;
- Where placed adjacent to buildings, Antenna Systems should be constructed so that they are as similar as possible in appearance to the façades of the principal building;
- Cable trays should generally not be run up the exterior faces of buildings. Where they must be on the exterior, they should be located at the rear or sides, and incorporated into architectural features; and
- Antennas that extend above the top of a supporting light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

#### **5.2.6 Equipment Cabinets in Public Spaces**

- Cabinets should be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant;
- Cabinet dimensions shall be as minimal as possible to accommodate the amount of equipment required by the Proponent and sited to minimize the impact on the public space;

- Cables and wires should be concealed or covered; and
- Cabinets/Compounds in parklands should be:
  - Powder coated black or green;
  - Enclosed with a 1.8-2.4m (6-8 ft) metal picket fence, powder coated black or green;
  - Provided with vegetative landscape screening in accordance with the list of plant species approved by the Parks, Recreation & Culture Department; and
  - Sited so that the shorter side faces the path/public space.

Note: Additional requirements may apply to City, community or neighbourhood parks and the Town Centre.

### **5.2.7 Signage and Lighting**

- Small owner identification signs up to a maximum of 0.03 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing;
- No advertising signs are permitted. No logos are permitted other than those for a manufacturer of a component of the Antenna System, or as approved in writing by City Contact Staff;
- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged;
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada; and
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

### **5.2.8 Rooftop Equipment**

- Where feasible, locate equipment and antennas so that they are not visible from the street or adjacent public spaces, while respecting the need to provide good signal strength and coverage;
- To minimize visibility of antennas and equipment, a variety of techniques may be used including setbacks, screening and stealth placement and finishes. Buildings vary in height, siting and context, and a creative and flexible approach is encouraged to minimize visibility of the antennas and equipment, depending on the situation;
- Optimum signal strength and coverage may encourage antenna placement in clusters. However, antenna placement should also consider integration with the architecture of the building. The desired number of antennas in a cluster may not be achievable, and alternate spacing may need to be considered;
- Notwithstanding the support of co-location, to avoid visual clutter, the overall number of

antennas on a building may need to be limited;

- Screening should be designed to be integrated into the building form without unduly detracting from the architectural character or exaggerating less attractive features; and
- Where an antenna is proposed on the rooftop of a building or affixed to the side of the building:
  - Antennas should be of a similar style/shape;
  - It is preferred that the antennas be mounted to stair or elevator overrun that are set back from building edges by at least 2.4m;
  - Where structurally feasible, roof penthouses may be extended horizontally to house antennas and equipment;
  - When affixed to the side of the building, antennas should be installed so that they do not project above the parapet. Installations on roof penthouses or overruns may project over parapets by approximately 1/3 their height, or more if they are screened as described above;
  - Pitched/sloping roof should be avoided. If there are no alternative locations in the area, installations may be considered if they are incorporated in an architecturally compatible manner. (e.g. screened in a “chimney”);
  - Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible and painted to match the penthouse/building. When possible, locate shelters adjacent to existing penthouses; and
  - Where and when new Antenna Systems are added to an existing rooftop array, proponents are encouraged to include for enclosure, any and all legacy or pre-existing equipment as part of its screening and concealment efforts.

#### **5.2.9 Antennas on Streetlights or Utility Poles**

- In the event that Commercial, Comprehensive Development or Industrial development areas are explicitly stated to encourage installation of Antennas on Streetlights or Utility Poles, installations will be required to conform to specific requirements for those areas set out by City Contact Staff and in accordance with existing agreements with the Proponent;
- Some City and neighbourhood plan areas have decorative streetlights. Poles in these areas are decorative and may not conform to the type of antenna poles required. Poles that are modified for installation of antennas may have to accommodate decorative Christmas lights, banners, and planters;
- Sight line considerations: poles and cabinets should consider stopping sight distance for posted speed limits on the roadway. Proponents are to follow the Transportation Association of Canada (TAC) guidelines for stopping sight distance requirements or as otherwise specified by City Contact Staff;
- The antenna, brackets and associated equipment should be painted to match existing pole colour; and
- Antennas that extend above the top of a streetlight or utility pole should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

### **5.3 Site Investigation Meeting with the City**

Prior to submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the City by contacting the City Contact Staff.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;
- Identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- Guide the content of the proposal submission; and
- Identify the need for discussions with any City departments as deemed necessary by the City.

The Proponent will bring the following information to the site investigation meeting:

1. the proposed location;
2. potential alternative locations;
3. the type and height of the proposed Antenna System;
4. preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and
5. documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 meters of the subject proposal.

### **5.4 Confirmation of City Preferences and Requirements**

Following the Site Investigation meeting, City Contact Staff will provide the Proponent with an information package that includes:

1. this Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;
2. proposal submission requirements;
3. a list of plans and studies that may be required (i.e. environmental impact statements);
4. a list of City departments to be consulted; and
5. an indication of the city's preferences regarding co-location for the site(s) under discussion.

## **6. PROPOSAL SUBMISSION**

For non-excluded proposed Antenna Systems, the Proponent will submit to the City an Antenna System siting proposal and the applicable fee.

The Proponent must include the following information when submitting an Antenna System siting

proposal:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for co-location potentials on existing or proposed Antenna Systems within 500 meters of the subject proposal;
2. Visual rendering(s) of the proposed Antenna System superimposed to scale;
3. A site plan showing the proposed development situated on the site and all setbacks from property boundaries and other structures on site;
4. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
5. For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
6. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
7. An attestation that the 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 Antenna Systems at the location and in the immediate area;
8. A map showing the maximum electromagnetic radiation power levels as watts per square meter, at ground level within 1000 meters of the proposed Antenna System. The map should include cumulative effects of multiple Antenna Systems at the proposed location with any other existing Antenna Systems broadcasting into the area;
9. A preliminary geotechnical site investigation report where the potential for geotechnical hazards exist;
10. Engineering plans for the proposed structure which includes information outlining the number of antennas proposed on the structure, the type of wireless service each antenna provides, and the structure's ability to accommodate future antennas (including co-Location).

A determination on the completeness of an application or request for additional information will be provided within ten (10) working days of receipt of the proposal. Upon receipt of a complete proposal submission, the City will circulate the proposal for review and comment to its internal City Departments.

## **6.1 FEES**

The Proponent must pay any applicable application fee to the City for review of their proposal.

The Proponent is responsible for securing applicable applications or permissions from all relevant City Departments and paying any applicable application fees or charges as required to the City in accordance with its Fees & Charges Bylaw No. 7575-2019.

## **7. PUBLIC CONSULTATION PROCESS**

If the proposed Antenna System is not excluded from the public consultation process as per the

requirements in Section 3, the Proponent will initiate the City's public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the City.

### **7.1 Public Information Session**

If the proposed Antenna System is not excluded from the public consultation process as per the requirements of Section 3, the Proponent will hold a public information session which shall comply with the following:

- An appropriate date, time and location for the public information meeting will be determined in consultation with the City Contact Staff;
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and aerial photographs of the proposed site; and
- All information and materials presented should consist of content appropriate for the stakeholders in the impacted area by the Antenna System

The Proponent shall not schedule a public information meeting less than seven (7) days prior to the close of the public consultation period.

The Proponent will provide the City with a package summarizing the results of the public information session containing at a minimum, the following:

- 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 of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

### **7.2 Notice to Recipients**

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* the City requests the proponent to complete the following augmentations to the public consultation process.

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

- All affected residential properties within the greater of Prescribed Distance or:
  - a. 10 meters for every one meter in height for a freestanding Antenna System; and
  - b. 10 meters for every one meter in height for a building/structure mounted Antenna System;
- All Designated Community Associations, all emergency service providers and school

districts within the Prescribed Distance;

- The greater of 500 meters or 10 meters for every one meter in height for a freestanding Antenna System or 10 meters for every one meter in height for a building/structure mounted Antenna System;
- Any adjacent municipalities within the greater of Prescribed Distance
- The City Contact Staff; and
- The ISED regional office.

The City Contact Staff will assist the Proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna System. The City may charge a fee for this service.

### **7.3 Notice Requirements**

The Proponent shall include at a minimum the following information in any mailed or otherwise delivered public notice a minimum of thirty (30) days before the public information session:

1. Information on the location, height, type, design and colour of the proposed Antenna System, including a copy of the site plan submitted with the application;
2. The rationale, including height and location requirements, of the proposed Antenna System;
3. Clear information on the role of ISED as the sole approving authority for the siting of Antenna Systems and that the City only provides a statement of siting concurrence/non-concurrence at the request of the Proponent;
4. Information that comments and responses should be directed to the Proponent and that all submissions received by the proponent will be forwarded to ISED and the City for their records;
5. The name and contact information of a contact person for the Proponent;
6. The name and contact information of ISED;
7. The name and contact information of the City's Contact Staff;
8. An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
9. The date, time and location of the public information meeting where required.
10. 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 Post-Consultation Review**

The City Contact Staff and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the City's request) to discuss the results and next steps in the process.

## **8. STATEMENT OF CONCURRENCE OR NON-CONCURRENCE**

Following the completion of the Public Consultation period, City Council will consider all applications for Antenna Systems where City concurrence is required (i.e. for those applications that are not already excluded by Section 3 in this Policy). The City Contact Staff will prepare a report to City Council which will include the information on the proposed Antenna System, a site plan, the location of the proposal, an overview of the application and all public consultation materials submitted by the Proponent for City Council's review. It is at the discretion of City Council to provide a statement of siting concurrence or non- concurrence.

### **8.1 Concurrence**

Where the proposal conforms with, to the satisfaction of the City, the guidelines as set out within this Policy and the City's technical requirements, the City will express its concurrence in writing to the Proponent (copying ISED).

### **8.2 Non-Concurrence**

If the proposal does not conform with City guidelines as set out within this Policy, the City will express its non-concurrence in writing to the Proponent (copying ISED). The City will also forward to ISED any comments on outstanding issues, including those raised during the public consultation process.

### **8.3 Rescinding a Concurrence**

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

### **8.4 Duration of Concurrence**

A concurrence remains in effect for a maximum period of three years from the date it was issued by the City. If construction is not completed within this time period, the concurrence expires except in the case where a proponent secures the agreement of the City to an extension for a specified time period in writing. Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

### **8.5 Transfer of Concurrence**

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further

consultation provided that:

- all information gathered by the original Proponent in support of obtaining the concurrence from the City is transferred to the concurrent Proponent;
- the structure for which concurrence was issued to the original Proponent is identical to what the current Proponent builds; and
- construction of the structure is commenced within the Duration of Concurrence period.

### **8.6 Letter of Undertaking**

The Proponent may be required, if requested by the City, to provide a letter of undertaking, which may include the following requirements:

- the posting of a security for the construction of any proposed fencing, screening and landscaping;
- a commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada Conditions of license for mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit exclusive Site Arrangements (CPC-2-0-17); and all conditions identified in the letter of concurrence.

## **9. REDUNDANT ANTENNA SYSTEMS**

The City can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and City will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than one year from when the Antenna System was deemed redundant at the network operator's cost.