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JUAN DE FUCA RADIOCOMMUNICATION AND BROADCASTING ANTENNA SYSTEMS APPLICATION POLICY

PURPOSE:

To establish procedures for review of applications for the siting of antenna systems that are subject to Industry Canada Policy CPC-2-03 and to establish a public consultation process and criteria for evaluating proposals.

SCOPE:

Applications for radiocommunication and broadcasting antenna systems in the Juan de Fuca Electoral Area that are subject to the Juan de Fuca Development Fees and Procedures Bylaw No. 3885.

The Federal Minister of Industry is the approving authority for telecommunication antenna structures under the *Radiocommunication Act*.

DEFINITIONS:

APC means an Advisory Planning Commission of the Capital Regional District Board;

APPLICATION means an application to CRD for consideration of an antenna system;

COMMUNITY PLANNING means the Juan de Fuca Community Planning Division of the Planning & Protective Services Department of the Capital Regional District;

CRD means the Capital Regional District;

JDF means the Juan de Fuca Electoral Area of the Capital Regional District;

LUC means the Juan de Fuca Land Use Committee of the Capital Regional District Board;

ANTENNA SYSTEMS means radiocommunication and broadcasting antennas and towers regulated by the *Radiocommunication Act* and Industry Canada Policy CPC-2-03.

POLICY:

Applications:

An application shall be submitted to the Manager, Community Planning, prior to consideration of the proposed antenna system.

Applications shall contain the following at a minimum:

- i) Completed application form;
- ii) Corporate structure and name of principal of company;
- iii) Applicant's contact information;
- iv) Legal description of the property and civic address;
- v) Certificate of title for the property (current within 30 days of the application), including copies of any non-financial charges registered;



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- vi) Applicable fee;
- vii) Proposed location and site plan of the property;
- viii) Description and rationale for proposed antenna system, including the ability to use existing infrastructure;
- ix) Description of proposed antenna system including height, dimension, structure, supports and any associated works;
- x) Identification of environmental or hazardous areas;
- xi) Identification of areas accessible to the public and the access/demarcation measures to control public access;
- xii) A community impact statement that outlines the potential positive and negative impacts, and proposed mitigation measures, and rationale for new antenna system;
- xiii) Demonstration of how proposed antenna system will minimize effects on existing radiocommunicaton and broadcasting antenna systems;
- xiv) Transport Canada's aeronautical obstruction marking requirements;
- xv) Attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- xvi) Attestation that the installation will respect good engineering practices including structural adequacy.

Evaluation Criteria:

The CRD Board may consider the following when reviewing an application for an antenna system:

1. Rationale for proposed location;
2. Proximity to residential uses, institutions and public lands;
3. Visibility and measures to integrate the antenna system into the local surroundings;
4. Security measures;
5. Alternatives and/or mitigation measures;
6. Hazardous areas;
7. Environmentally sensitive areas;
8. Transport Canada's aeronautical safety requirements;
9. Referral responses including compliance with BC Building Code, if applicable;
10. Comments received through public notification;
11. Potential impact on the community if the application is approved.
12. Designs that address the following guidelines:
 - i) antenna systems are as unobtrusive and inconspicuous as possible;
 - ii) the visual aesthetic impacts on the community is minimized;
 - iii) landscaping or screening is incorporated;
 - iv) displays of any type of lighting are avoided except where required by Transport Canada. Where lighting is proposed for security reasons, it shall be shielded from adjacent



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- properties and kept to a minimum intensity by being of capped, downward facing and motion-sensory designs;
- v) antenna systems are set back at least three times the height of the antenna system from adjacent dwellings. The CRD may request a different setback due to factors such as buffering topography and vegetation, transportation and utility corridors, watercourses, or public comments.

Public Consultation:

1. Upon receipt of an application, Community Planning staff will post a notice in the newspaper and deliver a notice to property owners and residents within 500 metres of the subject property advising the public of the application and their opportunity to provide written comments and questions to Community Planning.
2. The public will be provided 30 days from the date of the published notice to submit comments and questions to Community Planning.
3. Community Planning will deliver all comments and questions received to the applicant.
4. Applicants shall provide a written response to Community Planning within 14 calendar days to acknowledge receipt the comments;
5. Applicants shall provide a written response to Community Planning within 45 calendar days of receipt addressing all reasonable and relevant concerns or explain why the question, comment or concern is not, in the view of the applicant, reasonable or relevant;
6. Community Planning staff will notify property owners and residents within 500 metres of the subject property in writing advising the public of the application and their opportunity to heard and to provide comments at a meeting of the LUC.
7. Notices will be mailed or otherwise delivered at least 10 days prior to the LUC meeting.
8. The LUC will review the public comments received and any responses provided by the applicant.

PROCEDURE:

1. Subject to timely receipt of information from the applicant, CRD will cooperate with Industry Canada's expectation that the land use consultation will be completed within 120 days from the applicant's initial formal contact with the Community Planning division.
2. Antenna system applications submitted to Community Planning shall be reviewed in accordance with the following procedure:
 - i) staff will conduct a preliminary analysis of the application;
 - ii) staff will refer the application to CRD divisions for comment including, but not limited to, Building Inspection and Protective Services;
 - iii) staff will conduct the public notification;
 - iv) staff will compile a report to the LUC outlining the application details and a summary of all public comments and written responses received from the applicant;



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- v) the LUC will consider the application, public comments and written responses and provide a recommendation on the application to the CRD Board;
 - vi) unless otherwise delegated, the CRD Board will consider whether to provide a statement of concurrence or non-concurrence regarding the application;
 - vii) staff will notify the applicant and Industry Canada of the outcome of the CRDs review of the application.
3. If, following issuance of a statement of concurrence or non-concurrence, it is determined by the CRD that the application contains a misrepresentation or a failure to disclose all of the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued have not been complied with, the application can be reconsidered by CRD Board and notification of a reconsidered application sent to the applicant and Industry Canada.
4. A statement of concurrence is valid for three years from the date of issuance. If construction has not commenced within this time, the concurrence expires and a new application is required.

Approved By:	CRD Board
Date:	January 9, 2019