



FORT ST. JOHN

The Energetic City

CITY OF FORT ST. JOHN

**TELECOMMUNICATION ANTENNA
STRUCTURES SITING PROTOCOLS**

BYLAW NO. 2111, 2012



CITY OF FORT ST. JOHN TELECOMMUNICATION ANTENNA STRUCTURES SITING PROTOCOLS
BYLAW NO. 2111, 2012

WHEREAS, Industry Canada is the approving authority for the development and operation of radio communication in Canada including telecommunication antenna structures,

WHEREAS, Industry Canada requires local government and public consultation in certain cases prior to approving an antenna structure application,

WHEREAS, the City of Fort St. John deems it necessary to establish telecommunication antenna structures and siting protocols to provide guidelines to applicants wishing to install antennas within City limits,

NOW THEREFORE, the City of Fort St. John in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "City of Fort St. John Telecommunication Antenna Structures Siting Protocols Bylaw No. 2111, 2012".
2. If any section, subsection sentence, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the part that is invalid shall not affect the validity of the remainder.

READ FOR A FIRST TIME THIS 26th DAY OF November, 2012

READ FOR A SECOND TIME THIS 26th DAY OF November, 2012

READ FOR A THIRD TIME THIS 26th DAY OF November, 2012

ADOPTED THIS 10th DAY OF December, 2012


LORI ACKERMAN
MAYOR


JANET PRESTLEY, DIRECTOR OF
LEGISLATIVE AND ADMINISTRATIVE
SERVICES

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Definitions

ADJACENT RESIDENTIAL DEVELOPMENT means a residential property that abuts a proposed or existing telecommunication antenna structure site, including those sites separated by a public or private thoroughfare, utility right-of-way, railway, stream, river, or other natural or manmade feature or element as determined by the City of Fort St. John (City).

AFFECTED PROPERTIES means all properties within a radius of three (3) times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater, of a proposed telecommunication antenna structure to which notification of a public consultation meeting must be sent.

CITY means the City of Fort St. John's Planning and Engineering Department staff, who is tasked with receiving, evaluating and processing submissions for telecommunication antenna structures.

CO-LOCATION means the placement of telecommunication antennas and equipment operated by one or more proponents on a telecommunication antenna structure operated by a different proponent, thereby creating a shared facility.

FUTURE means the identification of locations on a telecommunications antenna structure allocated for antenna arrays which will be installed at some time in the future rather than at the time of the initial construction of the structure.

HEIGHT shall be taken from the average grade, not the top of any base upon which the tower may sit, and extends to the highest point of the tower which includes any GPS or antenna array, lightening rod or other attached device. Height shall be measured from the tower base or the outside perimeter of the supporting structure, whichever is greater.

LETTER OF CONCURRENCE means a letter from Fort St. John City Council supporting a proponent's proposal for the installation of a telecommunication antenna structure within the City.

LETTER OF NON-CONCURRENCE means a letter from Fort St. John City Council signifying no support for a proponent's proposal for the installation of a telecommunication antenna structure within the City.

PROPONENT means a company, business or organization providing wireless telecommunication services.

PROTOCOLS mean the provisions of the City of Fort St. John's *Telecommunications Antenna Structures Siting Protocols*.

PUBLIC CONSULTATION MEETING means a meeting conducted by a proponent's representative(s), to which members of the public (see **Affected Properties**) are invited, and at which the public is informed about a proposed telecommunication antenna structure placement within the community.

RESIDENTIAL DEVELOPMENT means land that has residential buildings (dwellings) constructed upon it.

RESIDENTIAL ZONE means any area of land designated by the City of Fort St. John Zoning Bylaw as an area primarily for residential development.

RESIDENTIAL PROPERTIES means land subdivided for residential development that either has existing residential buildings on it or is currently vacant but intended for future residential use.

ROOF TOP INSTALLATION means any telecommunication antenna structure that is placed on the roof of a building.

Definitions (continued)

SAFETY CODE 6 means Health Canada's standards for acceptable human exposure to radiofrequency electromagnetic fields as set out in its document *Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ*, as amended. Pursuant to Federal requirements, all telecommunication antenna structures within the City must comply with these standards.

STEALTH STRUCTURE OR STEALTH INSTALLATION means the installation of a telecommunication antenna structure in a manner that is designed and constructed to hide, camouflage or integrate the telecommunication antenna structure into an existing building, landscape, topography or structure.

SUBMISSION means an information package regarding a proposed telecommunication antenna structure submitted by a proponent to the City for concurrence and contains materials for review such as site plans, photographs, and detailed drawings of the structure.

TELECOMMUNICATION ANTENNA means a device that requires a permit 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.

TELECOMMUNICATION ANTENNA STRUCTURE means any roof-top, building-mounted or ground-mounted pole, tri-pole, spire, lattice work or other freestanding structure, tower, streetlight, parking lot light 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 cabinets or shelters containing electronic or other equipment associated with these antenna structures and any compound required to accommodate these components.

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.

TYPE A SUBMISSION means the type of submission processing method for those telecommunication antenna structures listed in this bylaw.

TYPE B SUBMISSION means the type of submission processing method for those telecommunication antenna structures listed in this bylaw.

TYPE C SUBMISSION means the type of submission processing method for those telecommunication antenna structures listed in this bylaw.

1. Purpose and Objectives of the Protocols

1.1 Purpose

The purpose of the Telecommunication Antenna Structures Siting Protocols Bylaw is to establish procedural standards that will allow the City to effectively participate in and influence the placement of telecommunication antenna structures proposed within City limits. The protocols are also intended to assist City Council and 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.

1.2 Objectives

The objectives of these protocols are to:

1. Establish a process and criteria for consistently and equitably reviewing, evaluating and deciding upon each proposal for placing a telecommunication antenna structure within the City.
2. Provide clear and reasonable requirements for effective participation and cooperation between the proponents and the City.
3. Minimize the number of towers required for telecommunication antenna networks within the City.
4. Ensure co-location opportunities for telecommunication antenna structures are explored and acted upon where feasible.
5. 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 City in general.
6. Provide an opportunity for residents located near specific types of proposed telecommunication antenna structures (towers) 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.

2. The City's Authority Regarding Telecommunications Antenna Structures

The City of Fort St. John is **not the approving authority** for telecommunication antenna structures.

The Federal Minister of Industry **is the approving authority** for the development and operation of radio communication in Canada, including telecommunication antenna structures, pursuant to the *Radiocommunication Act*. Industry Canada is tasked with, among other things, administering the orderly development and operation of telecommunication antenna structures.

In this regard, 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 City's Planning and Engineering Department is responsible for reviewing these submissions on the City's behalf and, depending on the nature of the proposal, preparing a recommendation to Council for concurrence (support) or non-concurrence (non-support). A letter of concurrence or non-concurrence is sent to the wireless service provider upon completion of Council's review of the proposal.

The City's Planning and Engineering Department 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, but not limited to, height, colour, type, number or 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, access and egress to the structure and compliance with *the City of Fort St. John's Telecommunication Antenna Structures Siting Protocols Bylaw No. 2111, 2012*. It is recommended that the proponent consult with appropriate agencies (e.g. Ministry of Transportation and Infrastructure) prior to submitting their application. Based on this review, a letter of concurrence or non-concurrence is issued by the Fort St. John City Council.

Note that in cases where the City 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 the City's telecommunication protocols.

3. The City's Role at a Public Consultation Meeting

The City of Fort St. John 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 *City's Telecommunication Antenna Structures Siting Protocols Bylaw 2111, 2012* 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 City's objective regarding the co-location of other proponent's antenna 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 City's role in the deployment of telecommunication antenna structures, which includes:
 - Ensuring the *City's Telecommunication Antenna Structure Siting Protocols Bylaw No. 2111, 2012* 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.

4. The City's Role in Reviewing a Telecommunication Submission

The City reviews and evaluates each submission it receives for a telecommunication antenna structure, however, the City **does not assess any submission** with respect to **health and radiofrequency exposure issues** or any other non-placement or non-design related issues.

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:

- Proposed location in a community or area;
- Existing and proposed on-site uses and structures;
- Adjacent sites and their existing and proposed uses and structures;
- Co-location potentials on this site and on nearby sites with other existing or proposed telecommunication antenna structures;
- Compliance with the *City of Fort St. John's Telecommunication Antenna Structures Siting Protocols Bylaw No. 2111, 2012*;
- Conformity with the City's Official Community Plan;
- Design aspects of the proposal, including:
 - Height;
 - Colour;
 - Type of structure;
 - Diameter (if a monopole or tri-pole);
 - Number of antenna arrays (including future);
 - Shrouding of antenna arrays;
 - Potential for disguising or camouflaging;
 - Screening of equipment compound and shelter(s);
 - Location on the site;
 - Access/egress to the facility;
 - Impact on on-site parking facilities and vehicular movement;
 - Impact on on-site garbage facilities;
 - Impact on on-site utility R.O.W.s;
 - Proposed signage or other markings and lighting;
 - Distance to other existing towers; and
 - Removal of redundant structure(s) (if re-build replacement or co-location).
- Approvals from other agencies and jurisdictions as required.

5. Submissions to the City of Fort St. John

5.1 Pre-submission Consultation

Proponents are encouraged to conduct a pre-submission consultation with the City's Planning and Engineering staff to identify preliminary issues of concern prior to making their submissions. In this regard, pre-submission consultations should ensure the following factors are addressed:

- The submission type;
- The proposed telecommunication antenna structure location;
- Potential alternative locations;
- The type and height of the proposed telecommunication antenna structure;
- Documentation regarding the investigation of co-location potentials on existing or proposed telecommunication structures;
- Documentation regarding the offer for co-location on the proposed telecommunication antenna structure; and
- The necessity for a public consultation meeting.

5.2 Submission Content Requirements

The details provided by a proponent in support of a submission to the City for a proposed telecommunication antenna structure must include all of the following information and materials for the submission to be considered complete:

- The type of telecommunication antenna structure being proposed;
- A completed Application for Telecommunication Device including the address of the proposed location of the telecommunication antenna structure which is attached as Schedule A to this bylaw;
- A letter of authorization from the registered owner of the land, their agent, or other person(s) having legal or equitable interest in the land. Where an agent is authorizing the use on the property, proof verifying the agent's authority must be submitted;
- The proponent's name, company name and address, phone and fax numbers;
- Colour photographs showing the proposed location of the telecommunication antenna structure as well as immediate surroundings;
- The appropriate submission fee;
- Where applicable, a brief or report documenting any pre-submission consultation or meeting between the proponent and the City;
- A brief, or report documenting the public consultation meeting required for the telecommunication antenna structure where required by the Protocols;
- Copies of **correspondence documenting co-location** information as set out in this bylaw and any other regulations that may apply (this is a requirement and the 90 day submission processing period will not commence unless and until this information is provided to the City);
- Three (3) copies of a site plan, drawn to a readable and measurable scale (1:200 unless otherwise requested), showing:
 - North arrow;
 - Municipal address;
 - Legal address (plan/block/lot);
 - Property lines with adjacent streets and lanes;
 - Location of the antenna structure and any support buildings, including their dimensions;
 - Location of existing buildings on the site and access to the site;
 - Existing and proposed landscaping, fencing, screening;
 - Distance to the nearest residential property (or residential zone if no dwellings are existing yet);
 - Elevation drawings showing all sides of the antenna structure and all other structures;

5. Submissions to the City of Fort St. John (continued)

5.2 Submission Content Requirements (continued)

- Proposed colour, material, diameter and height of the device/antenna structure; and
- Access/egress to the facility
- Any other additional information or material the City determines to be necessary and appropriate to properly evaluate the proposed submission.

5.3 Submission Processing Time Period

Except as set out in additional subsections of this bylaw or any other regulations that may apply, Council will render a decision of either concurrence or non-concurrence within 90 days of receiving a complete telecommunication antenna structure submission.

5.4 Extending the Submission Processing Time Period

The 90 day processing time period may be extended by the proponent or the City, through mutual consent, when:

- further negotiations are deemed by either party to be required;
- additional notification is deemed by either party to be required; or
- a public consultation meeting that was not initially thought to be required is determined by the City to be necessary.

5.5 Concurrence

When a submission is given concurrence, the proponent will receive a letter of concurrence and a set of the drawings marked *Concurrence Rendered on This Plan* from City Council documenting its decision. A copy of the letter will also be sent to Industry Canada for information purposes.

5.6 Non-Concurrence

When a submission is given a non-concurrence decision, the proponent will receive a letter of non-concurrence and a set of drawings stamped *Non-Concurrence Rendered on This Plan*. City Council will provide reasons for its position. The City will also send a copy of the non-concurrence letter to Industry Canada for information purposes.

5.7 Rescinding a Concurrence

If, following the issuance of a concurrence, it is determined by the City that the submission 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, and a resolution cannot be reached to correct the issue, the City may rescind its concurrence. Notification of any such action will be given in writing to the proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

5.8 Submission of Building Permit Application

When a submission is given concurrence, the proponent is required to submit a Building Permit application and associated fees. As part of this submission, the proponent will be required to provide engineered drawings of the base of the proposed telecommunication tower/antenna.

6. Submission Categories

The City 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 City in general. Consequently, the City has grouped the various types of telecommunication antenna structures into three main categories with the objective of making the assessment and evaluation of these types of submissions more efficient and functional with respect to procedures, actions required and processing times.

6.1 Type A Submissions

Type A submissions involve those telecommunication antenna structures deemed by the City to have potential impacts on or concerns for the community, the environment or the existing urban fabric of the City in general, that are proposed:

- On towers 15 metres in height or taller to be placed within 100 metres of any residential development, residential or institutional zone (said 100 metres to be measured from the centre of the base of the proposed structure);
- On roof tops within 100 metres of any residential development, residential or institutional zone (said 100 metres to be measured from the centre of the base of the proposed structure);
- To increase the height of an existing tower by more than 25% of the existing height;
- Telecommunication antenna structures (towers) that are 15 metres or greater in height proposed in locations designated as commercial or industrial and farther than 100 metres away from any residential development or residential zone; and
- On any other telecommunication antenna structure not identified as a Type B or a Type C submission structure.

A public consultation meeting, conducted prior to making a submission to the City, will be required pursuant to the provisions set out in this bylaw and any other regulations that may apply. The City recommends at least a two week interval between the date of the public consultation meeting and making a submission to the City to ensure time for post-consultation inquiries and comments to be received from the public and answered by the proponent. Type A submissions will be processed by the City within 90 days of receipt of a complete telecommunication antenna structure submission.

6.2 Type B Submissions

Type B submissions include those telecommunication antenna structures considered by the City to have low or no adverse impacts or concerns with respect to the community or the City in general. These include proposed telecommunication antenna structures in such locations as:

- On street light poles;
- On parking lot light poles;
- On existing utility towers and similar structures as determined by the City; and
- On towers less than 15 metres in height that are not identified as a Type A telecommunication antenna structure as set out in this bylaw.

Submissions will be processed within 90 working days of receipt of a complete telecommunications antenna application.

6. Submission Categories (continued)

6.3 Type C Submissions

Type C 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 City in general, as determined by the City. This category also includes the addition of telecommunication antenna structures to an existing tower in specific circumstances. Type C submissions include:

- A temporary telecommunication antenna structure, including a Cell on Wheels (COW), for a duration of no longer than 3 months;
- A time extension request for an existing temporary telecommunication antenna structure or COW to remain in place beyond the initial 3 month duration limit to a maximum of 3 additional months;
- 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 as long as the compound's area is not increased.
- To increase the height of an existing tower by less than 25%.

The proponent will submit a written notification to the City allowing 90 working days for response time prior to installing any proposed Type C telecommunication antenna structure or commencing a time extension for an existing Type C telecommunication antenna structure (excluding those to be used for an urgent situation or emergency event) within the City.

7. Design Characteristics

7.1 Disguised and Camouflaged Structures

The City encourages the use of telecommunication antenna structures that are designed to be stealthy, unobtrusive and as inconspicuous as possible, particularly in residential areas and on sites abutting residential uses. This includes hiding or disguising telecommunication antennas in or on buildings, placing them on roof tops or on other existing structures, and camouflaging telecommunication antennas on street lights or other apparatuses, appliances and objects. The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making the best effort to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.

7.2 Preferred Built Forms

Co-location of antenna structures is the preferred option within the City. However, if co-location is not possible the following is preferred:

Roof top installation, freestanding telecommunication antenna structures in the form of monopole and tri-pole towers with flush mounted or cluster mounted telecommunication antennas and streetlight and parking lot light poles that have telecommunication antennas sheathed completely within the pole are preferred built forms for telecommunication antenna structures within the City. Pinwheel telecommunication antennas are discouraged, as is the use of guy wires and cables to steady, support or reinforce a tower. Lattice work towers may be considered in specific circumstances, at the discretion of the City.

7.3 Landscaping Requirements

The use of landscaping, fences and architectural features on and around the equipment compounds, shelters and cabinets associated with a telecommunication antenna structure is encouraged to assist these structures to blend in with their surrounding environment. All landscaping should conform to the landscaping requirements as set out in the *City of Fort St. John Zoning Bylaw*.

7.4 Signage

The placement of signs on telecommunication antenna structures is generally discouraged. However, in circumstances where the City determines it is appropriate, signage may be used to assist in screening, disguising or camouflaging a telecommunication antenna structure. In these cases, signage must be limited to identifying only businesses, uses or services occurring on the site.

7.5 Lighting

Unless specifically required by Transport Canada, the display of any type of lighting on a telecommunication antenna structure is prohibited. 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 and is kept to a minimum number of lights and illumination intensity.

* Note: any signage placed on telecommunication antenna structures would be required to abide by the appropriate signage bylaws.

7. Design Characteristics (continued)

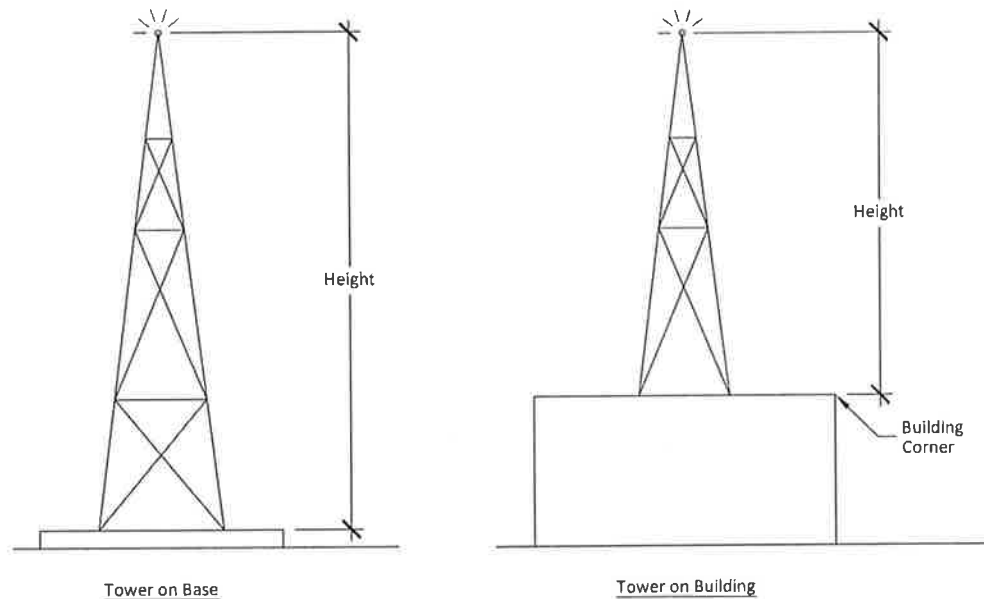
7.6 Residential Development Setback Guidelines

The City recommends that 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;
- e) At least three times the height of the proposed tower away from those dwellings for towers 56 metres or greater in height.

The distance shall be determined by measuring from the nearest wall of the nearest dwelling unit (including any secondary suite located in a rear yard or a detached garage) to the proposed tower. In addition, for the purpose of this subsection, where the height of the tower is between whole numbers, the measurement shall be rounded up to the next full number (i.e.: if the tower measures 30.34 metres in height, it will be considered to be 31 metres high).

Figure 1: Height measurements of tower structure



The City may, at its discretion, modify these setback guidelines on a site by site basis, taking into account such factors as buffering topography and vegetation, intervening major transportation and utility corridors, bodies of water, intervening non-residential buildings and information arising from a public consultation meeting concerning the telecommunication antenna structure. Exceptions will also be considered for those telecommunication antenna structures that are stealth type installations (i.e.: hidden, or for the most part, screened by design, structure(s) or other camouflaging techniques).

8. Co-Location

8.1 Co-location Options

The City encourages the co-location of telecommunication antenna structures and is the first preference of the City. 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 City 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.

8.2 Replacement or Modification due to Co-location

Where reconstruction or modification of an existing telecommunication antenna structure 15 metres or greater in height is proposed to accommodate either additional telecommunication antennas or co-location not identified on the drawings approved with the original concurrence, a public consultation is not required if the height of the replacement or modified structure is not increased more than 25% of the existing structure's height. However, the proponent's representative is requested to provide the following information to the City's Planning and Engineering Department:

- The height and type (e.g. monopole, tri-pole, etc.) of the existing telecommunication antenna structure;
- The height and type of the proposed reconstructed telecommunication antenna structure;
- The location and type (e.g. pinwheel, cluster mount, etc.) of all telecommunication antennas, including any future;
- The location, size, height, colour and finishing materials of any additional equipment shelter and screening for same;
- The name of any co-locating proponent; and
- Any other material that the proponent's representative considers important in explaining clearly what changes are proposed to take place and why.

No changes to the existing telecommunication antenna structure, its screening or its equipment shelter shall take place until a written acknowledgement is received from the City or the 90 day response period set out in this bylaw has lapsed, whichever occurs first.

8. Co-Location (continued)

8.3 Evidence of Co-location Review

The City strongly recommends that a co-location review take place prior to any Type A or Type B submission for concurrence for a telecommunication antenna structure. In this regard, the proponent is requested to provide written evidence, as part of its submission to the City, demonstrating that co-location on an existing telecommunication antenna structure, a replacement or modified telecommunication antenna structure or a proposed new telecommunication antenna structure has been reviewed with other proponents operating within City limits and the surrounding area. Also requested is information regarding the feasibility of co-location versus the construction of an additional telecommunication antenna tower structure. All existing and proposed telecommunication antenna tower structures within a 500 metre radius of any proposed new telecommunication antenna tower's location must be included in the review for co-location potentials. If co-location is not possible for technical reasons, a statement signed by an appropriate technical expert is requested in support of the written evidence noted above. If co-location is not possible due to a lack of interested participants or other considerations, a statement signed by an appropriate authority for the proponent making the submission is requested as part of the aforementioned written evidence.

8.4 Co-location and Unobtrusiveness

The City recognizes that the objective of promoting co-location as described in this section, and the objective of making telecommunication antenna structure facilities less noticeable, as described in additional sections of this bylaw, 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 will be given direction in this regard by the City during the pre-submission consultation process, or if no pre-submission consultation has taken place, during the review and evaluation of the submission.

9. Notification and Public Consultation Process

9.1 Initial Contact with the City of Fort St. John

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

9.2 Public Consultation Level Requirements

If public consultation is required, as set out in this bylaw and any other regulations that may apply, the following levels of public consultation are required for each submission type:

- Type A Submissions
 - Open community public meeting;
 - Notification to affected properties;
 - Signage at the proposed site; and
 - Advertisement running in a local newspaper and through the internet (City website, Facebook) for at least three (3) days prior to the public consultation meeting.
- Type B Submissions
 - Notification to affected properties;
 - Signage at the proposed site;
 - Advertisement running in a local newspaper and through the internet (City website, Facebook) for at least three (3) days prior to a public consultation meeting.
- Type C Submissions (excludes antennas to be used for emergencies or special events)
 - Notification to affected properties;
 - Signage at the proposed site;

9.3 Notification Obligations When a Public Consultation Meeting is not Required

When a public consultation meeting is not required, as previously set out in this bylaw or any other regulations that may apply, notification of a proposed telecommunication antenna structure siting shall be given to the Planning and Engineering Department by the proponent in advance of a submission being made to the City 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 and legal 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.

9.4 Notification Obligations When a Public Consultation Meeting is Required

When a public consultation meeting is required, as previously set out in this bylaw or any other regulations that may apply, written notification of a proposed telecommunication antenna structure siting shall be given by the proponent to the City at least two (2) weeks prior to the public consultation meeting to allow City staff to attend. 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

9. Notification and Public Consultation Process (continued)

9.4 Notification Obligations When a Public Consultation Meeting is Required (continued)

The Public Consultation Meeting process by conducting a public meeting shall be done prior to making a telecommunication antenna structure submission to the City in close proximity to the proposed structure location and, in accordance with the provisions of this bylaw and any other regulations that may apply.

9.5 Notification to Affected Properties

When a public consultation meeting is required as previously set out in this bylaw or any other regulations that may apply, notification of the proposed siting of a telecommunications antenna structure shall be sent by the proponent to all properties within a radius of three (3) times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater. This includes any that are located in an adjoining jurisdiction. For the purpose of this requirement, the outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc. Where the notification ring cuts through a multi-unit residential building or a residential block, notice shall be extended to the whole building or to all residential properties on the affected block face. In addition, for apartment buildings and condominium buildings, the proponent must provide notification to each dwelling unit in the building.

9.6 Public Consultation Meeting Notification Method and Timing

When a public consultation meeting is required, the proponent shall issue a notification in written form in accordance with this bylaw, and any other regulations that may apply, and deliver it, either by regular mail service or by hand, to all affected properties within the notification area defined in this bylaw and any other regulations that may apply. 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 or similar record showing mail out or delivery dates, times and addresses in case of a dispute regarding the notification procedure. The site upon which the telecommunication antenna structure is to be placed must be clearly marked with a sign at least 14 days prior to the public consultation meeting, and an advertisement must appear in a local newspaper within the City of Fort St. John and through the internet (City website, Facebook) three (3) days prior to the public consultation meeting.

9.7 Public Consultation Meeting 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 [*Insert notification radius – 3 times the height of the tower*] METRES OF THIS PROPERTY. YOU ARE INVITED TO A PUBLIC MEETING. INFORMATION IS ENCLOSED.** 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-locations opportunities; and
- Any other materials the proponent deems appropriate to best inform the public.

9. Notification and Public Consultation Process (continued)

9.7 Public Consultation Meeting Notification Form and Content (continued)

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 mandatory as part of the notice.

9.8 Public Consultation Meeting Format

It is solely the responsibility of the proponent, at its own cost, to arrange, organize and conduct a public consultation meeting. At its discretion, the proponent may conduct the meeting in either a formal manner or an open house format. In either case, the City requires the following to occur at the public consultation meeting:

- Be held at least two weeks prior to Council receiving the application;
- Be held in a public venue that is easily accessible to the general population;
- Be advertised in the newspaper three days before the date of the open house, as well as through the internet (City website, Facebook);
- Be held in the evening or on a weekend day for a minimum of two hours;
- Have a presentation at the public consultation. The City recommends the following basic 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 futures) and co-locations;
 - A site plan showing where on the property the telecommunication antennas 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 provided as part of or in support of it;
 - 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 to the City; and
 - Any other material that the proponent considers important to best inform the public regarding its proposal.
- Have a City staff representative present to record comments.

9. Notification and Public Consultation Process (continued)

9.8 Public Consultation Meeting Format (continued)

All costs associated with the open house will be borne by the proponent. These costs will include advertising, room rental, if applicable, and any costs associated with the preparation of information and/or materials to support the presentation.

9.9 Proponent Obligations after the Public Consultation Meeting

Following a public consultation meeting, the proponent must respond and address any concerns or issues arising from it. It is required that two (2) weeks be allowed to ensure time for receiving and responding to any concerns from the public arising as a result of the meeting. The City will forward any comments or feedback that it receives to the proponent. Subsequently, the proponent may proceed with a submission to the City.

9.10 Documenting the Public Consultation Meeting

Where a public consultation meeting has been conducted and the proponent proceeds with a telecommunication antenna structure submission, the sign-in sheet, as previously outlined in this bylaw 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.

10. Redundant Telecommunication Antenna Structures

Regardless of telecommunication antenna structure type, when a telecommunication antenna structure becomes redundant to the operation of a proponent's telecommunication network, the City requests that the proponent remove the telecommunications antenna structure and all building(s) and associated equipment from the site and remediates the property to the satisfaction of the property owner. Unless otherwise specified in a written agreement with the property owner, the City recommends removal and remediation take place within 60 days of the telecommunication antenna structure becoming redundant. Notification to the City is requested within 90 days of the proponent(s) abandoning/decommissioning the telecommunication antenna structure.

Regardless of telecommunication antenna structure type, in cases where a redundant telecommunication structure is not being removed by the proponent abandoning/decommissioning the structure, but is instead to be sold to a party that is not another proponent or a party that will not be using the telecommunication antenna structure for wireless telecommunication or other radiocommunication purposes, the City requests notification in writing within 30 days of the sale of the telecommunication antenna structure.



City of Fort St. John
 10631 – 100th Street
 Fort St. John BC V1J 3Z5
 p.250.787.8150 f.250.787.8181
 www.fortstjohn.ca

**Schedule A
 APPLICATION FOR
 TELECOMMUNICATION
 DEVICE**

<p>Office Use Only Telecommunication Device Submittal Fee (\$750) Payment Details:</p> <p>Receipt No.: _____ Initial: _____</p>	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> PAID STAMP </div>
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SECTION 1: DESCRIPTION OF PROPERTY

AS INDICATED ON STATE OF TITLE CERTIFICATE

Civic Address _____ Parcel Identifier (PID) _____

Lot/ Parcel _____ Block _____ Plan _____ Roll No. _____

Existing Use of Subject Property _____

Existing Use of Adjacent Properties _____

Present Zoning _____ Official Community Plan Map Designation _____

Description of Development Involved in this Application _____

Type of Proposed Telecommunication Device (A, B or C) as per City of Fort St. John Telecommunications Antenna Structures Siting Protocols Bylaw:

- Type A (15m height, within 100m of residential, increasing height of existing tower over 25%)
- Type B (low impact, less than 15m in height)
- Type C (temporary, co-location, increase in height less than 25%)

SECTION 2: PROPERTY OWNER/ PROPONENT INFORMATION

PLEASE NOTE: IF PROPONENT IS NOT AN OWNER, A LETTER OF CONSENT IS REQUIRED. SEE SECTION 4

Registered Property _____ Company _____
 Owner Name _____ (If Applicable)

Mailing Address _____ City _____ Prov. _____ Postal Code _____

Phone Number _____ Fax Number _____ Email _____

Proponent Name _____ Company _____
(If different from above) (If Applicable)

Proponent Address _____ City _____ Prov. _____ Postal Code _____

Phone Number _____ Fax Number _____ Email _____

SECTION 3: SITE PLANS, DRAWINGS, RENDERINGS and Documentation

Provide two (2) 11"x17" sets (a real Property Report may be used), drawn to a readable and measurable scale (1:200, unless otherwise requested) and a digital copy (.pdf or .dwg) which can be emailed; showing:

- 1) North arrow;
- 2) Municipal address;
- 3) Legal description for the parcel ;
- 4) Property lines with adjacent streets and lanes;
- 5) Location of the device/antenna structure and any supporting buildings, including their dimensions;
- 6) Location of existing buildings on the site and access/egress to the site;
- 7) Existing and proposed landscaping, parking, fencing, and screening, (if there is an existing approved site plan, proposed changes must be highlighted on this site plan) showing compliance with landscape and buffering requirements as per the current City of Fort St. John Zoning Bylaw
- 8) Distance to the nearest residential property (or residential zone if no dwellings are existing yet)
- 9) Elevation drawings showing all sides of the device/antenna structure and all other structures
- 10) Proposed colour, material, diameter and height of the device/antenna structure.

NOTE: All dimensions must be provided in metric.

SECTION 4: APPLICATION CHECKLIST FOR SUBMISSION

- Completed all sections of this submittal form
- Submittal fee of \$750.00 is paid
- A **Letter of Authorization** from the registered owner of the property, if the proponent is not the owner or signature of the registered owner on the submittal form.
- The type of telecommunication device/antenna structure being proposed.
- Colour photographs showing the proposed location of the telecommunication device/antenna structure as well as immediate surroundings.
- A rendering of the telecommunication device/antenna structure being proposed.
- Where applicable (please see Telecommunication Antenna Structure Siting Protocols), a brief or report documenting any pre-submission consultation or meeting between the proponent and the City.
- Where applicable (please see Telecommunication Antenna Structures Siting Protocols), a brief or report documenting the public consultation meeting required for the telecommunication device/antenna structure.
- Copies of correspondence documenting co-location pursuant to the Telecommunication Antenna Structures Siting Protocols Bylaw (this is a must have and the 90 day submission processing period will not commence unless and until this information is provided to the City).
- Two (2) full-size copies of a site plan (a real Property Report may be used), drawn to a readable and measurable scale (1:200, unless otherwise requested); one reduced copy (11"x17"); and an electronic copy (pdf or dwg format) which can be emailed; as outlined in Section 3.
- Any other additional information or material the City determines to be necessary and appropriate to properly evaluate the proposed submission

PLEASE NOTE: Your application will not be considered unless the above checklist is complete. Additionally information may be required from the proponent after the City has reviewed the submittal.

Application for Telecommunication Device

SECTION 5: DECLARATION

Obligation of Registered Owner to Pay Additional Fees If Applicable

The registered owner of the land authorizes this application and consents to paying any additional fees that may be incurred by the City of Fort St. John as a result of the review of this application, including but not limited to, consultant fees, legal fees or other disbursements. Payment must be received within thirty (30) days of the City of Fort St. John providing a copy of any relevant invoice to the registered owner of the property. Should payment not be received within thirty (30) days, the registered owner agrees that the City of Fort St. John may apply the balance owing to the tax account for the property.

Right of Entry Authorization by Registered Owner

The Registered owner of the land authorizes the City of Fort St. John and their Agents to enter the subject land for the purpose of conducting a site inspection in connection with this application for a telecommunication device.

I/We hereby make application for a Telecommunication Device under the provisions of the Telecommunication Antenna Structure Siting Protocols and amendments thereto, in accordance with the plans and supporting information submitted herewith which form a part of this submittal. I/We understand that the City of Fort St. John is not the approving authority for a Telecommunication Device within Fort St. John. Thus, final approval must be received from Industry Canada which is the approving authority. It is understood that incomplete applications will not be accepted by the City. I/We also declare that the above statements and the information contained in the material submitted in support of this application are to the best of my/our belief true and correct in all respects.

DATED this _____ day of _____, 20_____.

X

Signature of Registered Owner

Please Print Name

DATED this _____ day of _____, 20_____.

X

Signature of Proponent

Please Print Name