



DISTRICT OF METCHOSIN

September 22, 2010

File: 3220-20

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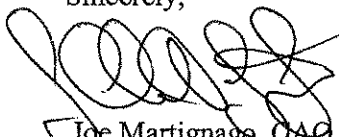
Re: Proposed Telecommunications Tower at 4357 Rocky Point Road

I am writing in response to your e-mail inquiry to construct a telecommunications tower at 4357 Rocky Road. It is the understanding of staff that TELUS intends to proceed with this proposal. As the District did not have a telecommunication tower siting policy in place at the time of your initial inquiry, Telus had stated they would elect to use Industry Canada's default public notification process. Accordingly, Industry Canada's *Radiocommunication and Broadcasting Antenna Systems, Section 4, Land-use Authority and Public Consultation, Contacting the Land-use Authority*, require proponents "to establish initial formal contact with the land-use authority in writing in order to mark the official commencement of the 120-day consultation process". At the time of writing this letter, the District of Metchosin has yet to receive any formal communication or written notification from TELUS; therefore, it is our understanding that the 120-day consultation process has not commenced.

As communicated to TELUS in previous e-mail correspondence, District of Metchosin Council were in the process of approving the *Communications Antenna Location and Consultation Policy* at the time of receiving your initial inquiry. This policy was subsequently adopted by Council on September 13, 2010. As TELUS has yet to commence the public notification process under Industry Canada's protocol, the District requests that TELUS follow the recently adopted policy. I have attached a copy of the policy which includes both the application procedure and community consultation process requirements.

In consideration of the District of Metchosin's newly adopted application process and growing concern from our community, we strongly urge TELUS to follow the *Communications Antenna Location and Consultation Policy*.

Sincerely,



Joe Martignago, CAO
District of Metchosin

cc. Industry Canada



DISTRICT OF METCHOSIN

SUBJECT: PLANNING
Communications Antenna Location
and Consultation Policy

SECTION: PL-400

POLICY: PL-400.97

ADOPTED September 13, 2010

AMEND

For this document only, the term "device" includes antennae, transmitters, receivers, antenna system or any other EMR-emitting or -receiving equipment.

PURPOSE

To establish a policy governing the placement and/or activation of all telecommunication antenna, transmitters, receivers or any EMR-emitting/receiving devices, (henceforth called "devices") whether new or replacement on an existing or new structure. The purpose of this policy is to minimize exposure to electromagnetic radiation where people live, work or attend school.

POLICY

The District of Metchosin does not support the installation of devices in areas where people live, work or attend school. Further, the District's intention is to work toward having the power output and power density of the existing devices reduced to a level recommended by current studies by independent scientists. However, the District of Metchosin is obliged to consider proposals for devices. In doing so it requires proponents planning to install, replace, modify (which includes increasing the height of existing towers) or activate any device whatsoever to adhere to the following criteria:

1. Proposed New Installations Subject to Review

Radio communication and broadcasting antennae are subject to Industry Canada Client Procedures Circular CPC-2-0-03: Radio communication and broadcasting antenna systems (September 2007, or the most current update). All proponents as defined by this circular and the District of Metchosin's Antenna Policy must complete a District Communication Antenna Information Form and shall be subject to review. The District of Metchosin chooses to provisionally exempt from review:

- a. Private-use broadcast receiving antennae (e.g. ham radios, satellite dish and TV antennae).

- b. District communication systems (existing and new installations) for police, fire, emergency, medical response and private-use computer wireless networks.

2. Description of Proposed New Site/Device

The District of Metchosin recognizes that devices have potential detrimental effects on the visual landscape, that electronic output can affect electro/mechanical systems, and that there is credible evidence that human health is affected. The District's objective is to let citizens know the details of any installation and how it could affect the surrounding environment and those living in the area.

It is up to the proponent and Industry Canada to provide the following information:

- The proposed look with a site map and to-scale-drawings showing the location of the proposed devices and all associated structures, with a clear indication of any fencing and landscaping to be installed in concert with the installation of the proposed device. This should include elevation drawings or representative photographs that clearly indicate how the proposed device and any associated structures and appurtenances will appear from adjacent properties;
- The height of all devices and structures, and proposed set back from property lines;
- The frequency, maximum aggregate output in kilowatts and maximum power density in microwatts per square centimetre of all devices at the proposed site. This must be supported by a report by a qualified engineer which includes a radiation emission model and which addresses the potential for accidental electrical discharge and the conduct of electrical fields to nearby structures;
- A complete description of the device(s) proposed to be installed, replaced, modified or activated, including confirmation that the most current mitigation technology which reduces radiation emission is incorporated;
- A written description of existing devices within the notification radii (see Section on Procedure), including the total output in terms of kilowatts and combined power density in microwatts per square centimetre; and,
- An alternate site analysis, which includes consideration of co-location on an existing structure, with a qualified expert's explanation of why co-location is not possible.

Before building a new antenna-supporting structure, Industry Canada requires that proponents first explore the following options, unless the District prefers otherwise:

- a. Consider sharing an existing antenna system, modifying or replacing a structure if necessary;
- b. Locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

Devices can be placed on an existing structure only if the District's power output and power density requirements are met.

3. Requirements for Existing and Newly Installed Infrastructure

This section outlines the roles of proponents and owners/operators of existing devices and structures. Owners and operators of existing devices and structures are to respond to a request to share in a timely fashion and to negotiate in good faith to facilitate sharing where feasible. It is anticipated that 30 days is a reasonable time for existing owners/operators to reply to a request by a proponent in writing with either:

- a. A proposed set of reasonable terms to govern the sharing of a structure; or
- b. A detailed explanation of why sharing is not possible.

In all cases, parties must retain records (such as analyses, correspondence and engineering reports).

Power output limits

All new devices in Metchosin are restricted to a maximum output of 2 kw, providing the power density from single or combined devices does not exceed 0.1 microwatts per square centimeter or the latest federal standard, but only if lower, at the closest residence, school or workplace.

4. Design and Location

All efforts must be made to decrease the size and visibility of the device and any of its supporting infrastructure, so the facility will fit within the existing landscape, form and character of the surrounding area. This includes reference to: local architecture, landscape screening, lighting and colour (Transport Canada appropriate), signage (re: safety only) and security fencing. Confirmation of design and final engineering inspection and maintenance program regarding Industry Canada standards and local conditions (e.g. earthquake and windshear) need to be provided.

Locations in order of priority include the following zones: industrial, commercial, commercial recreational, park and open space zone, upland, rural and agricultural. Towers are prohibited in rural residential and amenity residential zones, as well as any community institutional zones containing schools. Towers will be permitted in upland, rural and agricultural zones, as long as the power output limits above (Section 3) are met, and the tower has a minimum setback of 2.5 times the tower height from the closest residence, school, or workplace. In any zone, a tower must have a minimum setback of 2.5 times the tower height from property lines.

5. Provisional Emergency Use Priority

The District of Metchosin recognizes that all citizens benefit from reliable and efficient emergency coordination and response, much of which is done through wireless communication. Facilities that provide such services should be given priority to better provide the community with services such as fire, ambulance, police, earthquake/ natural disaster response, search-and-rescue, hydro emergency repair, water system failure, emergency response and municipal computer networks. Council may exempt emergency service providers from the community consultation process where they are co-locating with a similar facility or standalone, but require the provider to complete a Communication Antenna information form. The ultimate goal, as technology develops, is

for the power density from these single or combined devices to not exceed 0.1 microwatts per square centimeter, or the latest federal standard if lower, at the closest residence, school or workplace.

6. Community Consultation

No device, except those provisionally exempted in Sections 1 (a) and (b), and 5, whether being installed, modified, or activated, whether new or a replacement, whether on a new structure or an existing one, regardless of height from ground or expected duration of service will be excluded from a District Communications Antenna Review. The proponent shall apply for such review and call at least one public meeting, as per the process outlined in the application procedure.

Application Procedure

1. The proponent proposing to locate device in the District of Metchosin shall submit a Communications Antenna Review application and Information Form to the District pursuant Industry Canada Policy CPC-2-0-03, or latest version. Devices requiring an application are defined in Sections 1 and 7 of the Communications Antenna Location and Consultation Policy.
2. The District shall make available to citizens all information provided by the proponent and the current contact information for Industry Canada, including the Victoria Spectrum Management Office.
3. Any required District development or building permit shall not be issued until after the Communications Antenna Review application is reviewed by Council in regard to the Communications Antenna Location and Consultation Policy and that Industry Canada has approved the specific application.
4. The proponent shall undertake the following community consultation process by holding at least one public meeting as follows:
 - a. The proponent shall notify, in writing, all residents and property owners within 500 m of the base of the proposed structure, members of District Council & staff, and the representatives of any District recognized special interest group.
 - b. Notification of the meeting shall be sent by regular mail or hand delivered not less than 10 days prior to meeting dates and included the following information:
 - the date, time and place of the meeting and an agenda,
 - the location, type and size of the antenna structure proposed,
 - the device's output power in kilowatts and power density in microwatts per square centimeter at the nearest residence, school or workplace.

- the potential effect on nearby electronic equipment by the facility,
- the potential health effect on residents in the vicinity according to current independent research,
- the name and telephone number of a contact person for the proponents,
- the name and telephone number of a proponents contact person for Industry Canada, Victoria Spectrum Management Office, and
- notice that all information required by Industry Canada is available on their website.

5. Additional public meetings may be required if issues raised cannot be addressed in one meeting.
6. Proponents are to address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. If the local public or the District raises a question, comment or concern relating to the antenna system subsequently to the public consultation process, then the proponent is required to:
 - a. Address in writing all reasonable and relevant concerns with 30 days of receipt or explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant; and
 - b. The proponent must provide a copy of all public reply comments to the local Industry Canada office and to the District.
 - c. The factors that will determine whether a concern is reasonable or relevant according to this process will vary but will generally be considered if they relate to the requirements of this document and to the particular amenities or important characteristics of the area surrounding the proposed antenna system. Examples of concerns that proponents are to address may include (but are not limited to):
 - Why is the use of an existing device or structure not possible?
 - Why is an alternate site not possible?
 - What is the proponent doing to ensure nearby electronic equipment is not affected?
 - What is the proponent doing to ensure potential human health risks are being addressed?
 - What is the proponent doing to ensure the device is not accessible to the general public?
 - How is the proponent trying to integrate the device into the local surroundings? What options are available to satisfy aeronautical obstruction marking requirements at this site?

- What are the steps the proponent took to ensure compliance with the general requirements of this document including the Canadian Environmental Assessment Act (CEAA), Safety Code 6, etc.?
7. Following public consultation meetings the proponent shall provide the District with the names and addresses of all attendees, and a copy of the agenda and minutes indicating the topics discussed, additional concerns raised, those that spoke and their issues and any outstanding issues.
 8. After the public consultation meeting and no later than 10 days before its scheduled Planning and Environment Committee meeting regarding the proponent's proposal, the proponent will place an advertisement in the local newspaper regarding its proposal, outlining its proposal and the date of the District's meeting on the subject. This notice is over and above that done by the District to advertise its own meetings and agendas.
 9. If more than one year goes by between the consultation process and the proposal to issue construction permits, providing the delay is not directly attributable to the District, the proponent must repeat the consultation process again unless an appeal to Council directs otherwise.
 10. It is up to the proponent to work with the District and affected residents to resolve any contentious issues.
 11. The District process will require vetting through the Planning and Environment Committee or its equivalent prior to going forward to Council. The resolution of Council shall be forwarded to Industry Canada.
 12. The proponent will notify the District within 10 days of Industry Canada's decision regarding their proposal.
 13. The construction of a communication tower must meet structural or other requirements as determined by the appropriate authority. Any ancillary buildings associated with the tower will require a District building permit and inspections.
 14. At the commissioning of the device and start of transmission, the proponent must supply independent broadcast output readings with comparisons to Industry Canada standards and the District's standards. Reading must be at the lower of the two standards.