



The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	Guidelines for Review of Wireless Telecommunications Facilities
Section	Development and Social Planning

POLICY

The purpose of this policy is to establish guidelines for District review and comment on proposals for Wireless Telecommunications Facilities in the District of North Vancouver, including procedures for any required public consultation.

Policy approved on: May 10, 2021.

PROCEDURE

The following procedure is used to implement this policy but does not form part of the policy. This procedure may be amended from time to time at the discretion of the Chief Administrative Officer. Adherence to this policy does not guarantee District of North Vancouver concurrence on Wireless Telecommunications Facilities requiring District review.

1. DEFINITIONS

“Antenna System” means an exterior transmitting device or group of devices used to receive and/or to transmit radio-frequency signals, microwave signals or other federally-licenced communications energy transmitted from, or to be received by, other antennas. Antenna systems are normally comprised of an antenna and some sort of supporting structure, such as a tower or pole. An antenna system may be for use by a telecommunication carrier, a broadcasting system, or a third party owner. An antenna system is included under the definition of a Facility.

“Co-location” means the placement of antennas and equipment operated by one or more Proponents on a telecommunication antenna system operated by a different Proponent, thereby creating a shared Facility.

“CPC-2-0-03” means Innovation, Science and Economic Development Canada’s Client Procedures Circular (CPC)-2-0-03 for which the Issue Number may change from time to time. It outlines the public consultation process, co-location requirements, and the dispute resolution process for local land use authorities and Proponents.

“Design Guidelines” means the design guidelines attached to this policy as Schedule A.

“District of North Vancouver” means the Corporation of the District of North Vancouver (also referred to as “the District”) which is the local land use authority under CPC-2-0-03.

“Excluded Facility” means a Facility under CPC-2-0-03 Section 6 (Exclusions) which may change from time to time.

“Federal Government Licencing Authority” means the current Federal Government branch responsible for licencing antenna systems.

“Proponent” means a company or organization proposing to install an antenna system (including contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

“Wireless Telecommunication Facility/ies” or **“Facility/ies”** includes all structures and equipment used for the commercial transmission of radio signals for wireless communications, including but not limited to towers/supporting structures, antennas (of varying types) and associated accessory structures in the form of accessory buildings and equipment compounds/shelters.

“Wireless Telecommunications Facility Review Application” means an application made by a Proponent to the District of North Vancouver for review of proposed Facilities and issuance by the District of a statement of concurrence or non-concurrence to the Federal Government Licencing Authority.

2. POLICY OBJECTIVES

The objectives of this policy are to:

- set out an objective process, criteria, and guidelines which are transparent and consistent for the evaluation of Facilities both on private property and District-owned property;
- provide design guidelines with the intention of reducing visual impact of Facilities; and
- establish a local land use consultation framework that ensures the District and members of the public contribute local knowledge that facilitates and informs the location/siting of Facilities in the District.

3. JURISDICTION AND ROLES

Role of the District of North Vancouver:

The Federal Government Licencing Authority is responsible for licensing Antenna Systems. Accordingly, this policy is a guideline only and does not grant the District any jurisdiction regarding the approval, licensing or installation of an Antenna System or the ability to prohibit the installation of an Antenna System. The Federal Government Licencing Authority, however, does recognize the questions, comments, and concerns of local land use authorities and residents as important elements to be considered by a Proponent seeking to install, or make modifications to, an Antenna System.

The District issues a statement of concurrence or non-concurrence to the Federal Government Licencing Authority and the Proponent upon review of a Wireless Telecommunications Facility Review Application.

The District manages applications for Telecommunications Facilities on District-owned property.

Role of the Proponent:

Proponents are encouraged to work with the District to comply with the provisions of this policy.

Proponents generally seek to strategically locate Antenna Systems to satisfy their technical criteria and operational requirements. Antenna Systems should be located so as to minimize potential negative aesthetics of the installation. Through this process, the Proponent is expected to do the following:

- attain all appropriate approvals from the Federal Government Licencing Authority; and
- consult with the District on any proposed Facility prior to any construction in order to:
 - discuss site options;
 - ensure that District policy and permitting related to Antenna Systems is respected; and
 - address reasonable and relevant concerns from both the District and the public the District represents.

Jurisdiction and Concerns not addressed by Policy:

Based on CPC-2-0-03, three classifications of concerns have been identified and deemed irrelevant by the Federal Government Licencing Authority for review of an Antenna System:

- disputes with members of the public relating to the Proponent's service, but unrelated to the antenna structure;

- potential effects that a proposed structure will have on property values or municipal taxes; and
- questions of whether the *Radiocommunication Act, CPC-2-0-03, Safety Code 6: Health Canada's Radiofrequency Exposure Guidelines*, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

4. TYPES OF FACILITIES

For the purpose of evaluating location/siting and Design Guidelines, as outlined in this policy, Wireless Telecommunications Facilities have been divided into four different types.

1) Rooftop Facilities

Wireless Telecommunications Facilities located on top of roofs. These are typically located on tall buildings and may include screening to reduce visual impact.

2) Adaptive Re-Use Facilities

Wireless Telecommunications Facilities added to existing structures such as a telephone pole or hydro tower.

3) Accessory Structures

Wireless Telecommunications Facilities accessory to an antenna installation. For the purposes of this policy, these may be accessory buildings or equipment compounds/shelters.

4) Tower Facilities

Wireless Telecommunications Facilities involving freestanding antenna structures and their related infrastructure.

5. LOCATION

Site Selection:

With respect to site selection, Proponents are encouraged to upgrade or replace existing sites to accommodate additional carriers rather than creating new, additional sites.

The District encourages the location of Roof-top and Adaptive Re-Use Facilities as follows:

- in transportation and utility corridors;
- in industrial or commercial areas;
- on or with existing Facilities (where possible);
- on existing structures such as utility poles, hydro towers, light poles, etc. (Adaptive Re-use Facilities); and
- on institutional uses where appropriate, including but not limited to, those institutions that require telecommunications technology.

The District encourages the location of Tower Facilities as follows:

- in areas that maximize the distance from residential areas;
- in areas that avoid conflict with public views and vistas of important natural or manmade features; and
- as near as possible to similarly-scaled structures.

Where possible, and in support of public safety, proponents are encouraged to permit the opportunity for emergency services (police, fire, emergency management) communication providers to arrange access to and locate equipment on existing or new installations.

The District generally discourages the location of Facilities in the following locations:

- directly in front of doors, windows, balconies, or residential frontages;
- on ecologically-significant natural lands unless not reasonable avoidable; and
- on or adjacent to heritage structures.

Co-location:

Exploring the feasibility of co-location of Proponents' equipment at new and existing antenna sites is expected. The District encourages the co-location of Facilities as a means to reduce the number of Facilities within the District. This may include, but is not limited to:

- the installation of a Proponent's antennas on an existing Antenna System;
- the construction of a new Antenna System on which other Proponents are invited to co-locate; and
- the reconstruction of an existing Antenna System to accommodate the equipment of two or more Proponents.

Evidence of Co-location Review:

The Proponent is expected to:

1. determine other existing or proposed Antenna Systems' coverages and capacities are in the general area and as applicable;
2. contact other Wireless Telecommunication Facilities operators to commence dialogue on co-location opportunities on or in their existing Facilities;
3. approach other Wireless Telecommunication Facilities operators to explore the option of sharing a new Facility; and
4. provide, in writing, an explanation as to why co-location on or in an existing Facility is or is not a viable option and the steps taken to reach this conclusion. Depending on the type of Facility and its location, staff may ask to see other Wireless Telecommunication Facilities operators' responses.

The District recognizes that the objective of promoting co-location and the objective of making Facilities less noticeable, as outlined in Schedule A (Design Guidelines), will not always be feasible.

6. DESIGN GUIDELINES

The District has established the Design Guidelines to assist Proponents in meeting the objectives of this policy (Schedule A). The Proponent should review the Design Guidelines as early as possible. Since the applicability of the Design Guidelines may be location or site specific, the Proponent is encouraged to discuss the guidelines fully with staff during pre-consultation.

7. APPLICATION REVIEW STREAMS

Pre-consultation:

During the pre-consultation phase, the Proponent is expected to provide information to the District regarding the proposed Facility, including but not limited to:

- the proposed location;
- potential alternative locations;
- the type and size of the proposed Facility;
- preliminary drawings or visual renderings of the proposed antenna system;
- evidence of co-location review; and
- such other information that District staff may require in order to appropriately advise the Proponent of the expected review process.

This pre-consultation should be made directly with the Development Planning Department at planning@dnv.org or (604) 990-2480. Following staff review of the provided information, the District will advise on what permits and/or approvals are anticipated to be required, what the District's review process shall consist of, what initial

modifications are suggested to be made, and any other comments applicable to the proposal.

Other Approvals and Removal:

If a proposal is within a Development Permit Area, a Development Permit may be requested by staff. Note that all Facilities, except for Rooftop Facilities and accessory structures (including buildings) over 50 square metres in size, are exempt from the Development Permit Area for Form and Character of Commercial, Industrial and Multi-Family Development. Note that other permits and approvals may also be required such as a Building Permit or Electrical Permit.

All sites require proof of approval of the land owner. In the case of locating a Facility on District-owned property, a separate legal agreement will be required with the District's Real Estate and Properties Department.

Removal of Facilities is encouraged when they become obsolete and are no longer in use.

Timeline for Review:

Under CPC-02-0-03, it is the Federal Government Licencing Authority's expectation that consultation with the District, including public consultation procedures, shall be completed within 120 days.

STREAM 1 - EXCLUDED FACILITIES

Facilities listed under CPC-2-0-03 Section 6 (Exclusions) are excluded from a Wireless Telecommunications Facility Review Application and no statement of concurrence or non-concurrence will be, or is required to be, sent by the District to the Federal Government Licencing Authority. No public consultation is required. However, staff may advise public consultation is recommended in which case the procedures in Section 9 (Public Consultation Procedures) should be followed. Staff may request that an applicable be made by the Proponent for other District approvals, such as a Development Permit, Building Permit or Electrical Permit.

Excluded Facilities are encouraged to meet location preferences and Design Guidelines where identified in this policy.

This policy does not apply to routine maintenance on existing antenna systems. No consultation is required prior to performing routine maintenance on an existing Facility.

Proposals are expected to follow this general process:

1. Pre-consultation as outlined in this policy; and
2. Application to relevant District departments to obtain requested municipal approvals. The District may request changes or modifications to design and/or location as part of review.

STREAM 2 - MUNICIPAL WIRELESS TELECOMMUNICATIONS FACILITY REVIEW

Any installation other than Excluded Facilities requires a District Wireless Telecommunications Facility Review Application to be submitted by the Proponent. Following completion of the review in accordance with this policy, a statement of concurrence or non-concurrence will be sent by the District to the Federal Government Licencing Authority, with a copy to the Proponent, as outlined in Section 8 of this policy (Statement of Concurrence or Non-concurrence). Other municipal approvals may also be requested by staff such as a Development Permit, Building Permit, and Electrical Permit. A flow chart outlining the process for Stream 2 is found in Schedule B of this policy. Applications are expected to follow this general process:

1. Pre-consultation as outlined in this policy;
2. Application submission of a Wireless Telecommunications Facility Review Application and any requested Development Permit applications;
3. Undertaking public consultation as outlined in Section 9 of this policy (Public Consultation Procedures);
4. Coordination with District departments to fulfil the requirements of any applicable Development Permit Areas;
5. Council consideration of the application and issuance of a statement of concurrence or non-concurrence; and
6. If statement of concurrence is granted, issuance of any pending Development Permits, and application for and issuance of any associated requested approvals such as a Building Permit or Electrical Permit.

Option for Staff Review:

Facilities falling under this stream but not requiring a Public Information Meeting, as outlined in Section 9 of this policy (Public Consultation Procedures) and that meet the intent of the policy may have their review completed by staff, at the discretion of the General Manager of Planning, Properties and Permits (or designate). In these cases, staff will carry out review of the Wireless Telecommunications Facility Review Application with a statement of concurrence/non-concurrence provided by the General Manager of Planning, Properties and Permits (or designate).

STREAM 3 - MUNICIPAL-OWNED PROPERTIES

Facilities located on District of North Vancouver properties require a District legal agreement. District review will generally follow the same process as STREAM 1 or STREAM 2 depending on the type of Facility being proposed. A flow chart outlining the process for Stream 3 is found in Schedule C of this policy. There are two possible circumstances for the review process when Facilities are proposed on District-owned property:

STREAM 1 - EXCLUDED FACILITIES and District legal agreement approvable by Council

Staff will present the application for a District legal agreement to Council for consideration prior to staff receiving application for any required staff-issued permits or approvals. Public notification is carried out for the District legal agreement as outlined in Section 9 of this policy (Public Consultation Procedures).

STREAM 2 - MUNICIPAL WIRELESS TELECOMMUNICATIONS FACILITY REVIEW and District legal agreement approval by Council

Staff will present the application for a District legal agreement to Council for consideration prior to staff receiving a Wireless Telecommunications Facility Review Application. Public notification is carried out, in one information package, for both the District legal agreement and public consultation as part of the Wireless Telecommunications Facility Review Application as outlined in Section 9 of this policy (Public Consultation Procedures). The proposal will then be returned to Council for consideration of the Wireless Telecommunications Facility Review Application.

Criteria for Approving District Legal Agreements:

When a public consultation process is required as part of the District legal agreement, consultation described in Section 9 of this policy (Public Consultation) shall be followed.

A Facility proposed for installation on District property must comply with the conditions required by the District and be consistent with the Design Guidelines. Any exceptions will require justification and approval will be at the sole discretion of District staff or Council as applicable.

The District will retain the right to terminate any legal agreement on 180 days' notice:

- if the District is of the reasonable opinion that the Facilities are creating or contributing to a risk or hazard to persons or property;
- if the District in its sole discretion wishes to sell the licensed area;
- if the District determines that the licensed area is required for or in connection with any development or redevelopment of the lands or any other land;
- if the District requires the licensed area for any municipal purpose; or

- new improved technology become available, that, in the opinion of the District, acting reasonably, is economically viable to use.

The Proponent must enter into a signed agreement with the District which will include payment of rent, term, termination clauses, indemnification and insurance clauses, and any specific conditions regarding the installation.

The Proponent must pay upfront all fees relating to advertisement/notification, development and any other costs as determined by the District.

8. STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

For applications requiring a Wireless Telecommunications Facility Review Application, a statement of concurrence or non-concurrence will be issued as follows:

Concurrence:

The District will provide a statement of concurrence to the Federal Government Licencing Authority (copying the Proponent) where the proposal addresses, to the satisfaction of the District, the requirements as set out in this policy and any other applicable District requirements.

Non-concurrence:

The District will provide a statement of non-concurrence to the Federal Government Licencing Authority (copying the Proponent) if the proposal does not conform to this policy and any other applicable District requirements (unless reasonably unavoidable). The District will attach to this statement any comments on outstanding issues, including those raised during the public consultation process. In these cases the District is willing to keep discussions open with the Proponent to reach a concurrence.

Duration of Concurrence:

Concurrence or concurrence with conditions remains in effect for a maximum period of three years from the date it was issued by the District, or if applicable, the maximum period any other required District permits, such as a Development Permit, remain valid. If construction has not commenced within this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

9. PUBLIC CONSULTATION PROCEDURES

For Facilities requiring public consultation this consultation is required to occur prior to Council consideration of the proposal.

Any proposals located on private property referenced under Excluded Facilities in Section 7 (Application Review Streams) are not subject to public consultation

requirements. However, staff may advise that public consultation is recommended in which case the procedures in this Section should be followed.

Applications requiring public consultation as part of a Wireless Telecommunications Facility Review Application shall generally follow this process:

1. Staff prepare and send an information package in accordance with the District's Policy on *Non-Statutory Public Consultation for Development Applications*. The Federal Government Licencing Authority is copied on the public mail-out;
2. Staff provide a package of all comments and questions received as a result of public notification, in a redacted format, to the Proponent for their consideration and response;
3. The Proponent responds to any questions and comments through District staff;
4. Staff may require a Public Information Meeting, based on the results of public notification; and
5. A summary of public consultation including the outcomes of any required Public Information Meeting is provided to Council at the time of consideration of the Wireless Telecommunications Facility Review Application.

For those applications requiring a District legal agreement, public consultation may be required as part of the District legal agreement whether or not public consultation is required as part of the Facility review. In these cases, staff will send a mail-out containing information about the proposal and the proposed legal agreement.

Public notification distances shall be in accordance with the distances prescribed in the District's Policy on *Non-Statutory Public Consultation for Development Applications*. The notification distance for Tower Facilities is based on a multiplier of the tower height, and a common specified distance is used for all other Facilities.

The same notification distances prescribed for Wireless Telecommunications Facilities shall be used in the cases where public consultation is required regarding a District legal agreement for a Facility.

Public Information Meeting

If staff determine a Public Information Meeting is necessary, staff shall advise and provide guidance to the Proponent on the District's procedures for Public Information Meetings.

It is expected in the cases where a Proponent is responsible for carrying out a Public Information Meeting, the Proponent will inform the Federal Government Licencing Authority of any public information meeting or associated meeting materials as required.

Resources

In Canada, the Federal Minister of Innovation, Science and Industry, head of the Ministry of Innovation, Science and Economic Development (formerly known as Industry Canada) (ISED), has the authority under the Radiocommunication Act to approve antenna system installations.

Health Canada. (2015). Safety Code 6: Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz. Link to Health Canada webpage containing PDF and additional information:

<https://www.canada.ca/en/health-canada/services/publications/health-risks-safety/limits-human-exposure-radiofrequency-electromagnetic-energy-range-3-300.html>

Industry Canada. (March 2019). General Requirements and Information for the Certification of Radio Apparatus, Radio Standards Specifications (RSS-Gen), Spectrum Management and Telecommunications.

[https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/RSS-Gen1amend12019-04EN.pdf/\\$FILE/RSS-Gen1amend12019-04EN.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/RSS-Gen1amend12019-04EN.pdf/$FILE/RSS-Gen1amend12019-04EN.pdf)

Industry Canada. (2014). Radiocommunication and Broadcasting Antenna Systems, Client Procedures Circular (CPC-2-0-03), Spectrum Management and Telecommunications.

[https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc-2-0-03-i5.pdf/\\$file/cpc-2-0-03-i5.pdf](https://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc-2-0-03-i5.pdf/$file/cpc-2-0-03-i5.pdf)

Young Anderson Barristers & Solicitors. (2016). SCC Confirms Exclusive Federal Authority to Regulate Location of Radiocommunication Antenna Systems.

https://www.younganderson.ca/images/client_bulletin/Client_Bulletin-2016-June_16-Regulate_radiocommunications_antenna_systems-gc.pdf

Schedule A

Design Guidelines for Wireless Telecommunications Facilities

The District encourages Facilities to be as unobtrusive and inconspicuous as possible in order to reduce visual impact and overcrowding. To achieve these objectives the following guidelines should be taken into consideration.

Roof-top and Adaptive Re-Use Facilities:

- innovative, creative methods should be considered for hiding or disguising installations on rooftops and existing structures (such as hydro towers) where feasible; and
- in the case of Rooftop Facilities in the Development Permit Area for Form and Character of Commercial, Industrial and Multi-Family Development, the relevant design guidelines in Schedule B to the District's Official Community Plan should be followed for the purposes of screening such Facilities.

Accessory Structures:

- the architectural style of any accessory structure should be compatible with the surrounding neighbourhood and nearby uses;
- accessory structures should be constructed of a material and colour similar in appearance to the facades of any principal building, where appropriate; and
- the design of accessory structures over 50 square metres in size located in the Development Permit Area for Form and Character of Commercial, Industrial and Multi-Family Development should comply with the relevant design guidelines in Schedule B to the District's Official Community Plan.

Tower Facilities:

- slim profile monopoles should be used rather than lattice-style towers, where achievable and where terrain permits;
- the use of cable or guy supported Facilities should be avoided;
- grey or other sky-neutral colours in a non-reflective finish should be used as a finish for antenna and supporting structures except where otherwise required by Transport Canada; and
- trees, landscaping, perimeter fences, and architectural features around towers should be used to assist in screening.

The following are examples of preferred tower design. The District recognizes preferred designs will not always be possible due to topographic constraints. Proponents may provide a rationale as to why a design is or is not feasible.

Preferred:



Tubular Monopole



Concealed Monopole

Not Preferred:



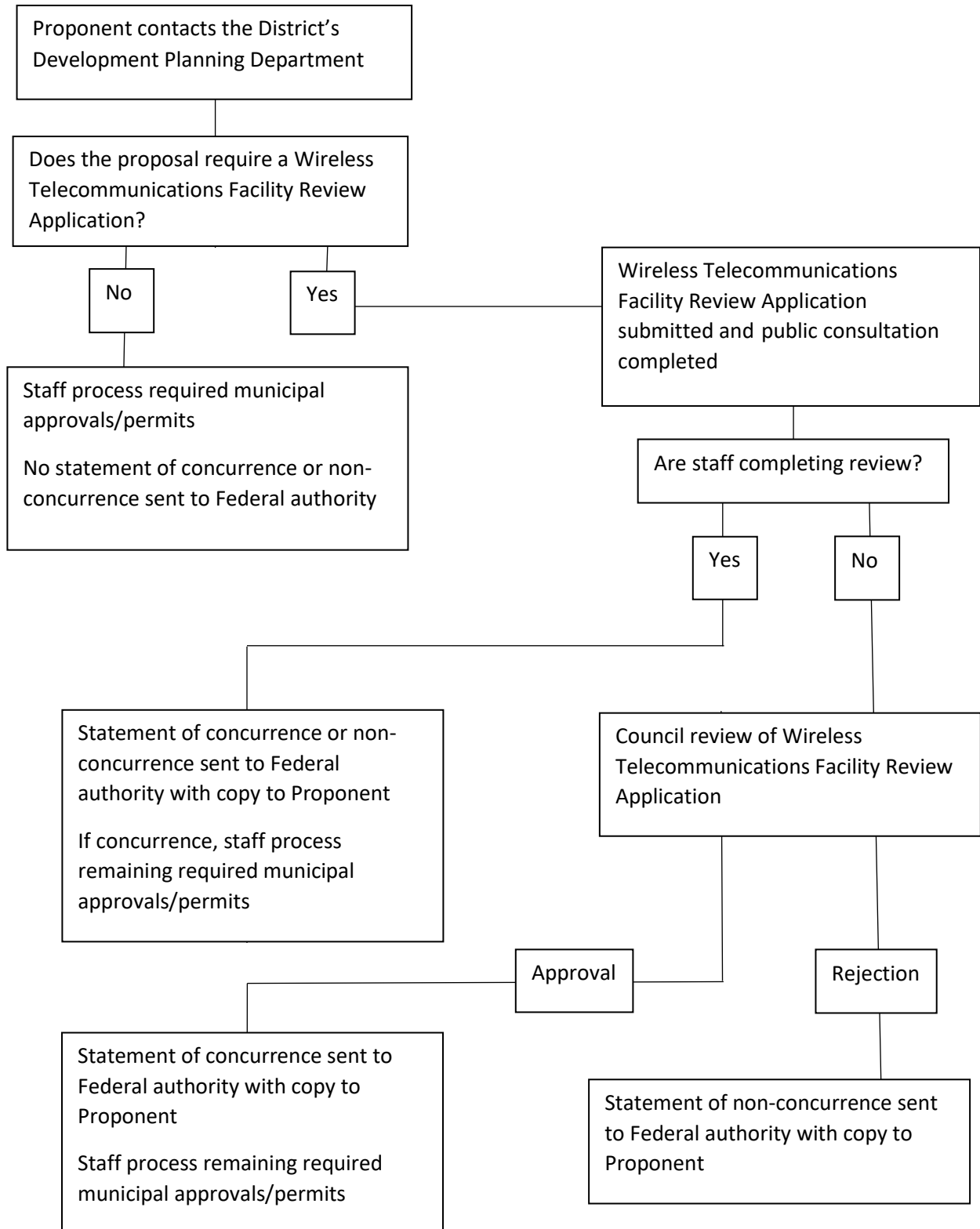
Lattice-style Tower



Guyed Tower

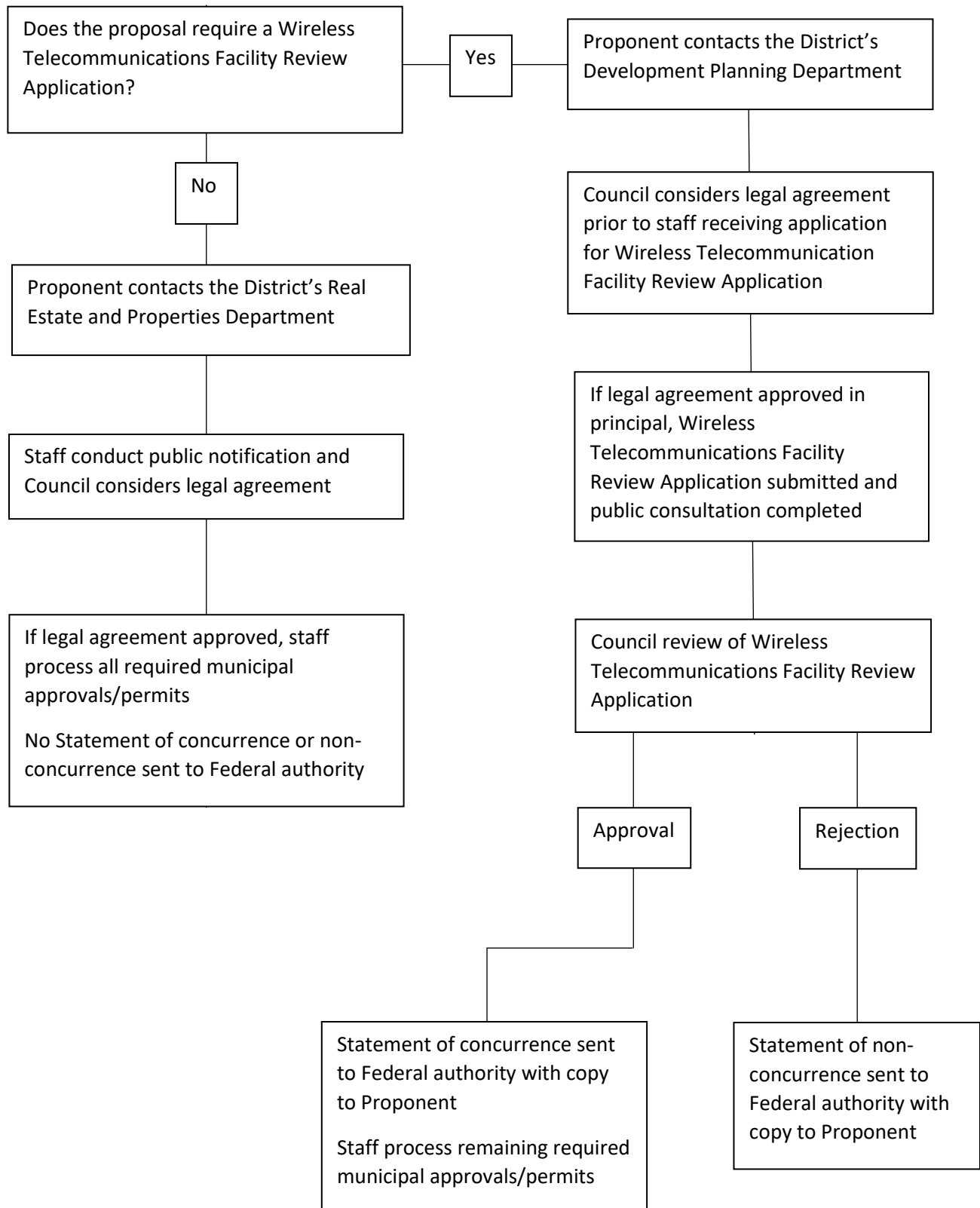
Schedule B

District Review Process Flowchart – Private Property



Schedule C

District Review Process Flowchart – District-owned Property



Schedule D

Application Checklist for Wireless Telecommunications Facility Review Application

1. Detailed Planning Application form
2. Authorization form

If the property is owned by the District of North Vancouver, authorization from the District's Real Estate and Properties Department is required.
3. Corporate Search if property owned by a Corporation
4. Land Title Search
5. Site Plan showing location all of proposed development including installations and any removals
6. Drawings package with the following information: elevation drawings that show height to top of antenna or support structure and dimensions of antennas and equipment; and plan view of equipment layout including both installations and any removals
7. A map showing the horizontal distance between the property boundary of the proposed site and the nearest residential property
8. Written confirmation the Antenna System will meet the requirements of *Health Canada's Safety Code 6*
9. A project description letter or report containing:
 - a description of the proposal;
 - the need for the proposal and the proposed site;
 - the rationale for the site selection;
 - coverage and capacity of existing Facilities in the general area; and
 - a summary of co-location exploration as outlined in this policy.
10. Visual rendering(s) of the proposed telecommunication tower superimposed to scale showing "before and after"
11. Payment as per the District's *Fees and Charges Bylaw*.

Other submittal materials may be required dependant on the nature of the application. Other District approvals, such as a Development Permit, may require separate applications.