



Antenna Systems Under Federal Jurisdiction

C008-11

Part 1 – General

Division 1 – General

Policy Statement

1. The City, as Land Use Authority (“LUA”), has the authority to provide input to Innovation, Science and Economic Development Canada (“ISED”) on siting and design of Antenna Systems within the City.

Purpose of this Policy

2. To establish the local land use consultation process and a guideline for reviewing and evaluating applications for Antenna Systems under Federal Jurisdiction within the City.

Scope

3. This policy is for all applications within the City for an Antenna System under Federal Jurisdiction.

Objectives

4. To allow timely development of efficient and reliable radiocommunication services within the City while ensuring community objectives are met;
5. To establish a siting and consultation process that is consistent with ISED’s Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) for reviewing land use issues associated with Antenna System proposals;
6. To set out an objective process with clear criteria and guidelines that are transparent, consistent and predictable for the evaluation of proposed Antenna Systems that:
 - Minimize the number of new Antenna System sites by encouraging co- location;
 - Encourage designs that are integrated with the surrounding land use;
 - Establish when local public consultation is required; and
 - Allow ISED and the telecommunications industry to identify and resolve any potential land use, siting or designs concerns with the City at an early stage in the process.

Division 2 – Interpretation

Definitions

7. In this policy:

“**Antenna System**” is normally composed of an antenna and some sort of supporting structure, normally a tower. Most antennas have their own integral mast so that they can be fastened directly to a building or a tower.

Thus, where this document refers to an “antenna,” the term includes the integral mast.

“**Antenna Supporting Structure**” means any tower, roof-top, building- mounted pole, spire or other freestanding structure; existing electric or other utility tower or structure, streetlight pole, parking lot light pole or combination thereof, including supporting lines, cables, wires, and braces intended for the purpose of mounting a Telecommunications Antenna or series of antennas on it. Also included are any on-site cabinets or shelters containing electronic or other equipment associated with these antenna structures and any compound required to accommodate these components. Amateur Radio Supporting Structures are excluded and are not administered by this Policy.

“**Building**” has the same meaning as set out in the City’s Building Bylaw, 2018.

“**Building Code**” means the British Columbia Building Code, established under the Building Act.

“**City**” means the City of Abbotsford.

“**Council**” means the Council of the City.

“**Council Hearing**” means a Council meeting where the public is given a final opportunity to provide input/feedback on the Proponent’s application.

“**CPC**” means Client Procedure Circular 2-0-03.

“**DIM**” means the City’s Development Inquiry Meeting.

“**General Manager**” means the General Manger, Planning and Development Services, for the City or designate.

“**Industrial Areas**” means lands designated General Industrial, or High Impact Industrial in the City of Abbotsford Official Community Plan.

“**ISED**” means Innovation, Science and Economic Development.

“**Letters of Assurance**” means those letters of Registered Professionals in the forms set out in the Schedules of the Building Code.

“**LUA**” means Land Use Authority.

“**OCP**” means the City’s Official Community Plan, as set out in the City’s Official Community Plan Bylaw, 2016.

“**Planning and Development Services Department**” means the City’s Planning and Development Services Department.

“**Proponent**” means anyone who is planning to install or modify an antenna system, regardless of the type.

“**Registered Professional Engineer**” has the same meaning as “Registered Professional” as set out in the City’s Building Bylaw, 2018.

“**Respondent**” means the property owner or occupant responding to a proposal for an Antenna System.

“**SCADA Systems**” means a combination of hardware and software that enables the automation of industrial processes by capturing Operational Technology (OT) real-time data. SCADA connects the sensors that monitor equipment like motors, pumps, and valves to an on-site or remote server.

“**Staff**” means a person employed by the City in the Planning and Development Services Department.

“**Structure**” has the same meaning as set out in the City’s Building Bylaw, 2018.

“**Telecommunications Carrier**” means a person who owns or operates a transmission facility used by that person or another person to provide telecommunications services to the public for compensation.

“**Net Floor Area**” has the same meaning as in the Zoning Bylaw, 2014.

8. Interpretation

- A reference to any statute, regulation or bylaw refers to that enactment as it may be amended or replaced from time to time.
- Words in the singular include the plural and gender-specific terms include both genders and include corporations.
- The headings in this Policy are for convenience only and must not be construed as defining or in any way limiting the scope or intent of this Policy.
- If any part of this Policy is held to be invalid by a court of competent jurisdiction, the invalid part is severed and the remainder continues to be valid.

Division 3 - Principles

9. Wireless telecommunications services are regulated by the federal government. ISED, Spectrum Management and Telecommunications is the licensing agency for Antenna Systems. ISED’s Client Procedures Circular (“CPC”) 2-0-03 is the policy document for public and LUA consultation for telecommunications installation. If the LUA does not have policy in place then the ISED default requirements, outlined in the CPC, are utilized.
10. The federal government requires Telecommunications Carriers intending to install an Antenna System within a municipality to notify and consult with the appropriate LUA. This consultation is intended to provide an opportunity for input from the local LUA, while respecting the federal jurisdiction over the installation and operation of these telecommunications systems.
11. The City is not an approving authority for an Antenna System. However, as part of the licensing process, ISED requires that the Telecommunications Carriers contact the LUA, in this case the City, for consultation regarding each proposed Antenna System.
12. The City Planning & Development Services Department is tasked with reviewing these Antenna Systems proposals and making a recommendation to Council on the proposal; that in turn sends its comments to ISED and, if subsequently approved by ISED, the City then issues a Building Permit for the proposed Antenna System.
13. It should be noted that the City of Abbotsford Antenna System planning criteria is a guideline to be used for information purposes only. It does not convey any federal authority or jurisdiction regarding the approval, licensing or installation of Antenna Systems to the City.
14. The City does not possess the legislative jurisdiction to prohibit the development of these types of Antenna Systems. This authority rests solely with ISED, pursuant to the Constitution Act, 1867 and the federal Radiocommunication Act.
15. If the Proponent believes that the proposed Antenna System does not require consultation with the City, the Proponent assumes the risk of proceeding with the application to ISED, without due consultation for the input from staff and Council.

Part 2 - Excluded Structures

This section outlines Antenna System proposals which are excluded from land use authority and public consultation requirements by ISED.

16. Exclusions from Antenna System Proposal Review and Public Consultation

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

All Proponents must satisfy the General Requirements outlined in Section 7 of the CPC-2-0-03, and the City guidelines outlined in Part 3, regardless of whether an exclusion applies to their proposal. The following proposals are excluded from City and public consultation requirements:

- New Antenna Systems: where the height is less than 15.0 metres above ground level. This exclusion does not apply to Antenna Systems proposed by Telecommunications Carriers, broadcasting undertakings or third-party tower owners; and
- Existing Antenna Systems: where the alteration or reconstruction of an existing freestanding Antenna System is proposed to accommodate either additional antenna arrays or a co-location, a public consultation is not required if the increased height of the new Antenna System is less than 25% of the height of the existing Antenna System. No increase in height may occur within one year of completion of the initial instruction. This exclusion does not apply to Antenna Systems using purpose-built Antenna Supporting Structures with a height of less than 15.0 metres above ground level operated by Telecommunications Carriers, broadcasting undertakings or third-party tower owners; and
- Non-tower structures: reconstruction of an existing Antenna System or a new Antenna System on an existing hydro tower, building, lamp post, etc. provided that the height above ground of the non-tower structure (exclusive of appurtenances) is not increased by more than 25% and is also less than 15.0 metres in height above the geodetic elevation of the top of the non-tower structure.
- Temporary Antenna Systems: used for special events or emergency operation, and must be removed within three months after the start of the emergency or special events; and
- No consultation is required prior to performing maintenance on an existing Antenna System.

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the Antenna System. Depending on the installation, the tallest point may be a variety of points; including but not limited to an antenna, lightning rod, aviation obstruction lighting or some other appurtenance.

17. Notification of Excluded Antenna Systems

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

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

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

Part 3 - Guidelines for Antenna Systems

Division 1 - Location and Height

18. Placement of Antenna Systems

The City:

- prefers the location of an Antenna System on sites with trees to minimize visual impact;
- prefers placement of an Antenna System on rooftops (preferably in excess of 4 stories), and in Industrial Areas;
- discourages the placement of an Antenna System in locations of environmental concern that are identified in the Official Community Plan (OCP) as being located in a Natural Environment Development Permit Area, Steep Slope Development Permit Area, or an Open Space Area. Or on sites adjacent to these locations where; in the opinion of the
- City, the placement of an Antenna System will have an adverse impact on these areas. The proposed location must adhere to the federal regulations including, but not limited to, setbacks from watercourses, wetlands, and agricultural lands; appropriate reports may be required;
- discourages the placement of an Antenna System in locations of historic importance that are identified in the OCP as Heritage Conservation Areas; and
- prefers the location of an Antenna System to not interfere with other services, such as SCADA Systems.

19. Discouraged Locations

New Antenna Systems should avoid the following areas:

- Locations directly in front of doors, windows, balconies, or residential frontages.
- Pitched roofs.
- Sites with substantial topographical features.
- Areas that negatively impact public views and vistas of important natural or human-made features.

20. Height of Antenna Systems (Towers, Antenna Supporting Structures)

The City prefers that freestanding Antenna Systems be a maximum of 40.0 metres in height, any proposed height beyond this may result in a decision of non-concurrence from City Council. Refer to Zoning Bylaw Section 140.4.4.

Division 2 - Design Characteristics

21. Disguising and Camouflaging Installations

The City encourages the use and installations of Antenna Systems that are unobtrusive and as inconspicuous as possible, particularly on sites abutting residential areas. This includes the use of:

- slim-line monopoles rather than lattice work towers; and
- the hiding or disguising of installations in buildings, on roof-tops or on existing structures (such as hydro towers), and
- the camouflaging of installations as stealth designs; and
- trees, landscaping, perimeter fences, and architectural features around equipment shelters, associated with an Antenna System affixed to the ground, in order to help these structures blend in with the surrounding area.

When vegetative landscape screening is used, a mix of deciduous or coniferous trees is required to provide year-round coverage.

Where adjacent to a principal building, equipment shelters should be integrated visually. Consider using a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

22. Cable or Guy Supported Towers

- The City discourages the use of cables or guy wires to anchor, steady or reinforce a freestanding Antenna System; and
- Alternative tower designs such as slim-line monopoles, large diameter monopoles, self-supporting lattice towers, and guyed lattice towers, in this order of preference, are to be considered.

Division 3 - Co-location & Reconstruction

23. Co-location

The City prefers the co-location of Antenna Systems as a means to reduce the number of Antenna System facilities within the City. This may include, but is not limited to:

- the installation of Telecommunications Carrier's antenna arrays on any existing Antenna Supporting Structure;
- the construction of a new Antenna Supporting Structure on which other Telecommunications Carriers are invited to co-locate; and
- the reconstruction of an existing Antenna Supporting Structure to accommodate the equipment of two (2) or more Telecommunications Carriers.

24. Evidence of Co-location Review

It is mandatory that the Proponent:

- contact, in writing, all Telecommunications Carriers of existing Antenna Systems within 2500.0 metres of the base of the proposed location to request co-location on the existing tower, a distance that is generally consistent with the region; and
- supply a copy of the written request along with all responses regarding the request for co-location and reasons provided by the existing Antenna System Telecommunications Carriers for declining co-location with the Proponent's application.

25. Co-location and Unobtrusiveness

The City recognizes the objective of promoting co-location and the objective of making the Antenna System less noticeable, will sometimes come into conflict. Nevertheless, the City intends to review each submission on its own individual merits with a view to promoting both objectives and, where necessary, determining the appropriate balance between them.

26. Reconstruction

- Reconstruction of an existing Antenna System or a new Antenna System on an existing hydro tower, building, lamp post, etc. provided that the height above ground of the non-tower structure (exclusive of appurtenances) is not increased by more than 25% and is also less than 15.0 metres in height above the geodetic elevation of the top of the non-tower structure is excluded from public consultation.

27. FireSmart™

- Ensure poles and/or support structures are constructed of non-combustible material (i.e. metal or concrete).
- Ensure non-combustible, combustible poles or support structures are free of petroleum/accelerant-based coatings, and cracks and gaps where embers may accumulate, lodge, or penetrate.

Part 4 - Consultation Process

A public consultation process is required for all Antenna System installation proposals which do not meet the exclusion criteria outlined in Part 2.

28. Initial Contact with the City

- Proponents of a new Antenna System are encouraged to consult with Staff, at an early stage of the site evaluation process through a Development Information Meeting (“DIM”).
- Staff may provide:
 - (a) information on past applications/approvals in various areas;
 - (b) timeline details;
 - (c) associated fees, as set out in the City’s Fees and Charges Bylaw, 2006.

29. Preliminary Notification to Property Owners/Occupants

- When the proposed Antenna System installation necessitates a public consultation process, the City on behalf of the Proponent shall notify all property owners/occupants within a radius of 6 times the height of the Antenna System from the base of the proposed structure or 500.0 metres from the base of the proposed structure, whichever is more, informing them of the proposal and the consultation framework.
- Written responses will be received by the City on behalf of the Proponent for a period of 30 days, consistent with the ISED default process. At the end of the 30-day period the City will forward all written responses to the Proponent.

30. Neighbourhood Consultation

- The ISED default procedure permits the Proponent 14 days to acknowledge in writing the receipt of each response received; to be mailed directly to the respondent. The Proponent must copy the City on the response;
- In addition, the ISED default process permits the Proponent 60 days beginning after the initial 14-day acknowledgment period, to respond to the concerns in writing, directly to the Respondent, that were received during the preliminary notification period. The Proponent must copy the City on its response;
- In the written communication referred to in the preceding point, clearly indicate that the Respondent has 21 days from the date of the correspondence to reply to the Proponent’s response (the Proponent must provide a copy of all public reply comments to the local ISED office);
- Following completion of the Proponent’s correspondence with the neighbourhood; Staff will draft a report to Council for its consideration at a Council Hearing. The Council report will include copies of all correspondence received during the public consultation process; and
- A notice of the Council Hearing will be sent to all property owners/ occupants, within a radius of six (6) times the height of the Antenna System from the base of the proposed Structure. In addition to providing the owners/occupants with a written notice, a notice shall also be placed in the local newspaper, providing information regarding the proposal and its location within the City.

- After the Council hearing, Staff will forward copies of the:
 - (a) meeting minutes;
 - (b) Council resolution; and
 - (c) Council report to ISED.

Note: All consultation correspondence with the public, must be provided in both English and French, per the ISED's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03), as of August 2023. In addition, the Proponent, or the City, must respond to all correspondence in the language in which the original correspondence occurred.

Part 5 – Administrative

31. Submissions to the City

For submission content requirements, refer to the checklists, as follows, for:

- Siting, see Schedule “A”, Planning Approval Checklist; and
- Construction, see Schedule “B”, Building Permit Approval Checklist

32. Related Procedures, Guidelines and Publications The following documents are related to this Policy:

- Official Community Plan Bylaw, 2016;
- Zoning Bylaw, 2014;
- Building Bylaw, 2018; and
- British Columbia Building Code

ADOPTED on April 9, 2024

Schedule "A" Planning Approval Checklist

1. Preliminary drawings should include the following information:
 - Civic and/or legal address;
 - Key plan indicating location of property in relation to surrounding streets (preferably with property lines) and any Antenna System within 500m of the base of the proposed location;
 - Proposed site plan with north arrow, property lines (towers only unless equipment on ground), location of antennas and equipment;
 - Plan view of equipment layout if not clear on site plan; and
 - Elevations that show the height to top of antenna or support Structure and dimensions of antennas and equipment.
2. Letter of intent may include the following information:
 - Identification of proposed site;
 - Purpose of site;
 - Description of equipment to be installed;
 - Copy of written request to Antenna System owners/Carriers within 2500m of the base of the proposed location requesting permission to co-locate and the responses with reasoning for not permitting co- location; and
 - Other issues that may need to be discussed (RF rationale, alternatives explored, etc.).
3. Visual analysis
 - Photos of Building/Structure from street level or other public area (rooftops/existing Structures);
 - Photo rendering (usually only for towers) from selected viewpoints;
 - Photos documenting community viewpoints (the tower may not necessarily be visible); and
 - Map attached showing location of rendering and community viewpoint.
4. Coverage Maps
 - Existing coverage by the Carrier in the surrounding area;
 - Coverage implications of inferior alternatives; and
 - Coverage resulting from desired site.
5. Letter of authorization from property owner
6. Equipment specifications:
 - In the form of photographs or simple drawings with dimensions of antennas and equipment to be installed.
7. Application fee, as set out in the City's Development Application and Service Fee Bylaw, 2010.
8. Copy of application to file.

Schedule "B" Building Permit Approval Checklist

Building Permit is issued for record purposes only

1. Detailed design drawings:
 - Must be signed and sealed by a Registered Professional Engineer;
 - Site Plan showing location of proposed works and all existing improvements on the property, if any;
 - Structural design drawings, including foundation and guy wires where applicable signed and sealed by a Registered Professional;
 - For free standing towers, a soils report from a Geotechnical Engineer;
 - Value of works;
 - Application fee, as set out in the City's Building Bylaw, 2018, to be submitted with application. This fee will be credited towards the Building Permit fee; and
 - Three (3) sets of drawings.
2. Building Code Schedules A and B
 - Must be signed and sealed by the Registered Professional Engineer who has sealed the drawings and/or soils report.
3. Letter of authorization from owner – on City of Abbotsford standard form.
4. Building Permit fee (based on construction value), as set out in the City's Building Bylaw, 2018.