

STAFF REPORT TO COUNCIL

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DATE: April 6, 2022

TO: MAYOR AND COUNCIL

NAME AND TITLE: Deanna Wasnik, Director of Planning and Development

SUBJECT: Request for Concurrence – Proposed Freedom Mobile Wireless Communications Facility

Applicant: Jason Niles for Freedom Mobile
Location: 6686 Highway 16

ATTACHMENT(S): Location and Existing Zoning Map
Public Consultation Package

RECOMMENDATION(S):

1. THAT Council instruct the Corporate Officer to advise Innovation, Science and Economic Development Canada in writing that:
 - a. Freedom Mobile has satisfactorily completed its consultation with the City of Prince George as outlined in the report dated April 6, 2022 from the Director of Planning and Development titled “Request for Concurrence – Proposed Freedom Mobile Wireless Communications Facility”;
 - b. The City of Prince George is satisfied with Freedom Mobile’s public consultation process and does not require any further consultation with the public; and,
 - c. The City of Prince George concurs with Freedom Mobile’s proposal to construct a wireless communications facility provided it be constructed substantially in accordance with the plans submitted to the City of Prince George for a 45.0 m monopole tower and ancillary equipment at 6686 Highway 16 (Lot 1, District Lot 1593, Cariboo District, Plan 13750).

PURPOSE:

The City has received a Public Consultation Package from the applicant representing Freedom Mobile in identifying a suitable site for the installation and operation of a wireless communication facility. The proposed wireless communication facility will improve coverage and network quality within a few kilometers of the proposed location.

The applicant is proposing to erect a 45.0 m monopole tower and ancillary equipment at 6686 Highway 16 (subject property). The subject property is a rural residential parcel with an existing single family dwelling. The applicant is working with the property owner to lease a portion of the subject property to place the facility in the south corner. The proposed tower and ancillary equipment will be securely fenced by a 10.0 m by 10.0 m compound area at the base. A preliminary site plan, compound layout including landscaped buffer, and photo rendering are included in the attached Public Consultation Package.

The applicant is requesting that Council, through resolution or a letter, confirm that the City has been consulted, and concurs with the design and location of the proposed wireless communications facility.

Background

Site Characteristics

Location	6686 Highway 16
Current Use	Residential
Site Area	0.5 ha (1.3 acres)
Zoning	AR3: Rural Residential

Official Community Plan

Future Land Use	Rural B
Growth Management	Rural Areas

Surrounding Land Use Table

North	Residential
South	Highway 16 E
East	Highway 16 E
West	Vacant lands

POLICY / REGULATORY ANALYSIS:

Radiocommunication Act

Wireless communications are federally regulated by Innovation, Science and Economic Development Canada (ISED), formerly Industry Canada, under the *Radiocommunication Act*. Provincial and municipal governments lack constitutional jurisdiction to interfere with or impair communication facilities licensed under federal legislation.

The Federal government recognizes that municipal governments should be informed and consulted with when ISED uses its authority to locate radiocommunications facilities and ancillary structures. Therefore, ISED has instituted a consultation policy. Since the City of Prince George does not have policy addressing land use consultation for the siting of antenna systems, ISED's default public consultation process is used. The policy requires that the proponent provide written notification of the proposal to the public, land use authority, and ISED. The municipality then has the opportunity to review and comment on the proposed structure and location. The proponent responds to any reasonable and relevant comments provided. The submissions are then reviewed by ISED who would then determine whether or not a license, with or without conditions, should be granted. ISED's default public consultation process requires the City of Prince George's concurrence with communication facilities.

Although the City of Prince George has regulatory requirements (i.e. zoning) on the subject property, ISED's Federal policies and regulations supersede municipal regulatory requirements. It is ultimately ISED's decision to move forward with the installation of a radiocommunication facility and does not require City approval.

Official Community Plan

The Official Community Plan contains no specific guidance with respect to the location of wireless communications facilities.

Zoning Bylaw

The subject property is zoned AR3: Rural Residential. The purpose of the AR3 zone is intended to foster a suburban lifestyle and provide for complementary residential related uses. The AR3 zone limits the height of

development to 10.0 m. However, Section 4.3 of the Zoning Bylaw outlines that telecommunication structures are not subject to the maximum height limits of a zone, provided that no such structure shall cover more than 20% of the site area. The proposed tower and ancillary equipment covers approximately 2% of the subject property; therefore, the proposal is consistent with zoning.

The purpose of zoning is to create areas where compatible uses can co-exist while excluding uses that may not be compatible. From a land use perspective, wireless communications facilities do not raise compatibility issues such as hours of operation, noise, traffic generation, or intensity of the use. The main area of concern is the visual impact of such a structure, particularly in regards to height. The tower is proposed in the south corner of the subject property between Highway 16 to the west and a fully treed, vacant lot to the east. Furthermore, a landscape screen will be provided within the 4.5 m setback along Highway 16, offering a visual buffer at the human-scale.

OTHER CONSIDERATIONS:

Public Consultation

The proponent followed ISED's default public consultation process for this proposal as the City of Prince George does not have policy addressing land use consultation for the siting of wireless communications facilities. Public consultation was carried out through written notification to adjacent landowners and stakeholders. Property owners within three times the height of the proposed tower (approx. 135 m) received a copy of the attached consultation package and were provided more than 30 days to respond. The applicant has indicated that no written comments were received regarding the proposed tower and ancillary equipment.

The applicant is requesting that Council, through resolution or a letter, confirm that the City has been consulted and that Council concurs with the design and location of the proposed tower. Staff believes that this proposal will not cause any undue concerns and recommend that Council concur with the proposal.

Health and Safety

There are often concerns about potential health risks related to the placement of wireless communications facilities. ISED requires that such systems are operated in accordance with the safety guidelines established by Health Canada's publication "Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3Hz – 300 GHz". This is referred to as Safety Code Six. Prior to receiving a license from ISED, the operator must submit the calculations of the intensity of the radiofrequency fields to ensure that this installation does not exceed the maximum levels established by Safety Code Six requirements. This proposal indicates no concerns with respect to Safety Code Six.

ALTERNATIVES:

THAT Council instruct the Corporate Officer to advise ISED in writing that the City of Prince George does not support the applicant's proposal to construct a wireless communications facility described as a 45.0 m monopole tower and ancillary equipment on the subject property.

Should Council object to the proposed tower there must be reasonable and relevant concerns identified and recorded in the minutes of the relevant Council Meeting. The City of Prince George is to provide written notice to the local ISED office who would initiate a dispute resolution process. The submission would be reviewed by ISED, who would then make a final decision on the issue(s) in question.

SUMMARY AND CONCLUSION:

The applicant is requesting that Council, through resolution or a letter, confirm that the City of Prince George has been consulted and that Council concurs with the design and location of the proposed tower. Administration recommends that Council concur with the proposal as per the information provided in this report.

RESPECTFULLY SUBMITTED:

Deanna Wasnik, Director of Planning and Development

PREPARED BY: Kali Holahan, Acting Supervisor of Planning

APPROVED:

Adam Davey, Acting City Manager

Meeting Date: 2022/04/25