

STAFF REPORT TO COUNCIL

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DATE: March 24, 2022

TO: MAYOR AND COUNCIL

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

SUBJECT: Request for Concurrence – Proposed Rogers Wireless Communications Facility

Applicant: Cypress Land Services for Rogers Communications Inc.
Location: 8715 Willow Cale Road

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

RECOMMENDATION(S):

That Council INSTRUCTS the Corporate Officer to advise Innovation, Science and Economic Development Canada in writing that:

- a. Rogers Communications Inc. (Rogers) has satisfactorily completed its consultation with the City of Prince George as outlined in the report dated March 24, 2022 from the Director of Planning and Development titled "Request for Concurrence – Proposed Rogers Wireless Communications Facility";
- b. The City of Prince George is satisfied with Rogers' public consultation process and does not require any further consultation with the public; and,
- c. The City of Prince George concurs with Rogers' 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 73.5 m self-support tower and ancillary equipment at 8715 Willow Cale Road (Lot 5, District Lot 749, Cariboo District, Plan BCP41575).

PURPOSE:

The City has received a Public Consultation Package from Cypress Land Services who is representing Rogers Communications Inc. 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 73.5 m self-support tower and ancillary equipment at 8715 Willow Cale Road (subject property). The applicant has proposed to place the facility on north-east portion of the subject property. The proposed tower and ancillary equipment will be securely fenced by a 30.0 m by 30.0 m compound area at the base. A preliminary site plan, landscaping plan, compound layout 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	8715 Willow Cale Road
Current Use	Vacant Land / Utility Corridor
Site Area	2.5 ha (6.3 acres)
Zoning	M5: Heavy Industrial and U1: Minor Utilities

Official Community Plan

Future Land Use	Business District Medium Industrial and Utility
Growth Management	Infill

Surrounding Land Use Table

North	Willow Cale Road; Vacant Land; BCR Industrial Park (Industrial)
South	BCR Industrial Park (Industrial)
East	Willow Cale Road; BCR Industrial Park (Industrial)
West	Fraser River

Relevant Application(s)

At the regular Council meeting on November 26, 2018, Council through resolution confirmed that the City had been consulted and concurs with the design and location for Rogers to construct a 70.0 m tall antenna and ancillary equipment on the subject property. Since construction of the proposed tower was not completed within three years of the conclusion of the public consultation process and the proposal has been amended, the consultation process was reinitiated to facilitate this request for concurrence.

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 M5: Heavy Industrial. The purpose of the M5 zone is to provide for minor and major institutional and recreational uses. The M5 zone limits the height of development to 15.0 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 1% 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 subject property is surrounded by heavy industrial lands. Administration does not anticipate any aesthetic impacts from the proposed tower.

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. 220.5 m) received a copy of the attached consultation package and were provided 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 73.5 m self-support 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: 2022/04/11