

**DATE:** September 20, 2023

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Request for Concurrence – Proposed Rogers Wireless Communications Facility (W6473)

**APPLICANT:** Cypress Land Services Inc. for Rogers Communications Inc.

**LOCATION:** 8266 Domagala Road

**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. Rogers Communications Inc. (Rogers) has satisfactorily completed its consultation with the City of Prince George;
  - 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 53.0 m self-supported tower and ancillary equipment at 8266 Domagala Road (Lot B, District Lot 2424, Cariboo District, Plan 32043).

**PURPOSE:**

The City has received a request for concurrence confirming that the City has been consulted and concurs with the design and location of the proposed wireless communications facility at 8266 Domagala Road (subject property).

**BACKGROUND:**

The applicant is proposing to erect a 53.0 m self-supported tower and ancillary equipment (wireless communications facility) on the subject property to improve coverage and network quality within a few kilometers of the subject property. The subject property is a rural residential parcel with an existing single-detached house. The applicant is working with the property owner to lease a portion of the subject property to place the wireless communications facility in the southeast portion. The proposed tower and ancillary equipment will be securely fenced by an 15.0 m by 15.0 m compound area at the base. A preliminary site plan, compound layout, and photo rendering are included in the attached Public Consultation Package.

### Site Characteristics

Location	8266 Domagala Road
Current Use	Residential
Site Area	1.6 ha (4.0 acres)
Zoning	AR2: Rural Residential

### Official Community Plan

Future Land Use	Neighbourhood Residential
Growth Management	Infill

### Surrounding Land Use Table

North	Rural Residential
South	Vacant Lands
East	Vacant Lands
West	Domagala Road; 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 provides 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 regarding wireless communications 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 City approval is not required.

### **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 AR2: Rural Residential. The purpose of the AR2 zone is to foster a rural lifestyle on properties larger than 2.0 ha while also providing complementary residential related uses that are compatible with the rural character of the area. The AR2 zone limits the height of accessory development to 6.0 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 cover approximately 1.4% of the subject property; therefore, the proposal is consistent with the Zoning Bylaw.

The Zoning Bylaw is intended 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. The main area of concern is the visual impact of

such a structure, particularly regarding height. The tower is proposed to be located on the southeast portion of the subject property. The subject property is bound by Domagala Road to the west and a fully treed, vacant lot to the east.

#### **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 (160 m) received a copy of the attached consultation package and were provided more than 30 days to respond. The applicant has indicated that one written comment was received in support of the proposed wireless communications facility.

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 wireless communications facility. 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 calculations for 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 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 53.0 m self-supported tower and ancillary equipment. 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:** Keone Gourlay, Planning Technician

#### **APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/10/16

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