

**DATE:** March 25, 2024

**TO:** MAYOR AND COUNCIL

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

**SUBJECT:** Request for Concurrence – Proposed Rogers Wireless Communications Facility (W6475)

**APPLICANT:** Cypress Land Services on behalf of Rogers Communications Inc.  
**LOCATION:** 2519 Queensway

**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 30.0 m self-supported tower and ancillary equipment at 2519 Queensway (Parcel 1, District Lot 934, Cariboo District, Plan BCP3365).

**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 2519 Queensway (subject property).

**BACKGROUND:**

The applicant is proposing to erect a 30.0 m self-supported tower and ancillary equipment (wireless communications facility) on the subject property to improve coverage and network quality within a few kilometers. The subject property is appropriately zoned U1: Minor Utilities and is currently being used to host an existing wireless communications tower and for Shaw Communications equipment and material storage.

The applicant is proposing to place a second wireless communications facility in the southwest corner of the parcel. The proposed tower will be securely fenced by a 6.0 m by 6.0 m compound area at the base plus ancillary equipment. A preliminary site plan, compound layout, and photo rendering are included in the attached Public Consultation Package.

### Site Characteristics

Location	2519 Queensway
Current Use	Minor Utilities (Shaw/Rogers Communications)
Site Area	0.37 ha (0.9 ac)
Zoning	C4: Local Commercial; U1: Minor Utilities

### Official Community Plan

Future Land Use	Neighbourhood Residential Corridor; Utility
Growth Management	Growth Priority; Infill

### Surrounding Land Use Table

North	Hamilton Avenue; Light Industrial
South	Thapage Lane; Highway Commercial
East	Vacant
West	Queensway; Highway Commercial

## **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 C4: Local Commercial and U1: Minor Utilities. The proposed wireless communications facility will be located within the U1 zone. The purpose of the U1 zone is to provide for utilities that may only have a minor impact on adjacent uses. The U1 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 wireless communications facility will cover approximately 6% 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 southwest portion of the subject property. The subject property is surrounded by directly adjacent commercial and industrial development, as well as vacant land to the west. There is also an existing telecommunications tower of a similar scale on the subject property. For these reasons, it is not anticipated that the proposed telecommunications facility will generate negative land use impacts.

#### **OTHER CONSIDERATIONS:**

##### **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.

##### **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 received a copy of the attached consultation package and were provided 30 days to respond. No comments were received regarding 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.

#### **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 30.0 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:** Imogene Broberg-Hull

**APPROVED:**

Walter Babicz, City Manager

Meeting Date: 2023/04/22