

CITY OF PRINCE RUPERT			
POLICY TITLE:	Antenna System (Tower) Policy	POLICY NO:	300-03
EFFECTIVE DATE:	August 19, 2013	SUPERSEDES:	
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OBJECTIVES

The objectives of this Policy are:

- (1) To establish a siting and consultation process that is harmonized with Industry Canada's *Radiocommunication and Broadcasting Antenna System Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with Antenna System siting proposals;
- (2) To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
 - a. Minimizes the number of new antenna sites by encouraging co-locations;
 - b. Encourages designs that integrate with the surrounding land use and public realm;
 - c. Establishes when local public consultation is required; and
 - d. Allows Industry Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the City of Prince Rupert (the "City") at an early stage in the process;
- (3) To provide an expeditious review process for Antenna System siting proposals;
- (4) To establish a local land use consultation framework that ensures the City and members of the public contribute local knowledge that facilitates and influences the siting – location, development and design (including aesthetics) – of Antenna Systems within City boundaries;
- (5) To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the City; and
- (6) To provide the City with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed

statement of concurrence, concurrence with conditions, or non-concurrence from the City to Industry Canada at the end of the process.

JURISDICTION AND ROLES:

ROLE OF INDUSTRY CANADA

Under the *Radiocommunication Act*, the Minister of Industry has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Antenna Systems is made only by Industry Canada. In June 2007, Industry Canada issued an update to its Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPD-2-03) (the “CPC”) which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems, effective January 1, 2008.

Industry Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the City (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Industry Canada also published a Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols in January 2008, stating that it “considers that the City’s and local residents’ questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system”. The CPC also establishes a dispute resolution process to be used where the Proponent and City have reached an impasse.

ROLE OF THE CITY

The ultimate role of the City is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the responses of the affected residents and the Proponent’s adherence to this Policy. The City also guides and facilitates the siting process by:

- **Communicating** to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- **Developing the design guidelines** for Antenna Systems contained in Section 4 of this Policy; and
- **Establishing** a community consultation process, where warranted.

By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the City seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

ROLE OF THE PROPONENT

Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirement in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

- Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 *Conditions of License for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*);
- Contacting the City to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

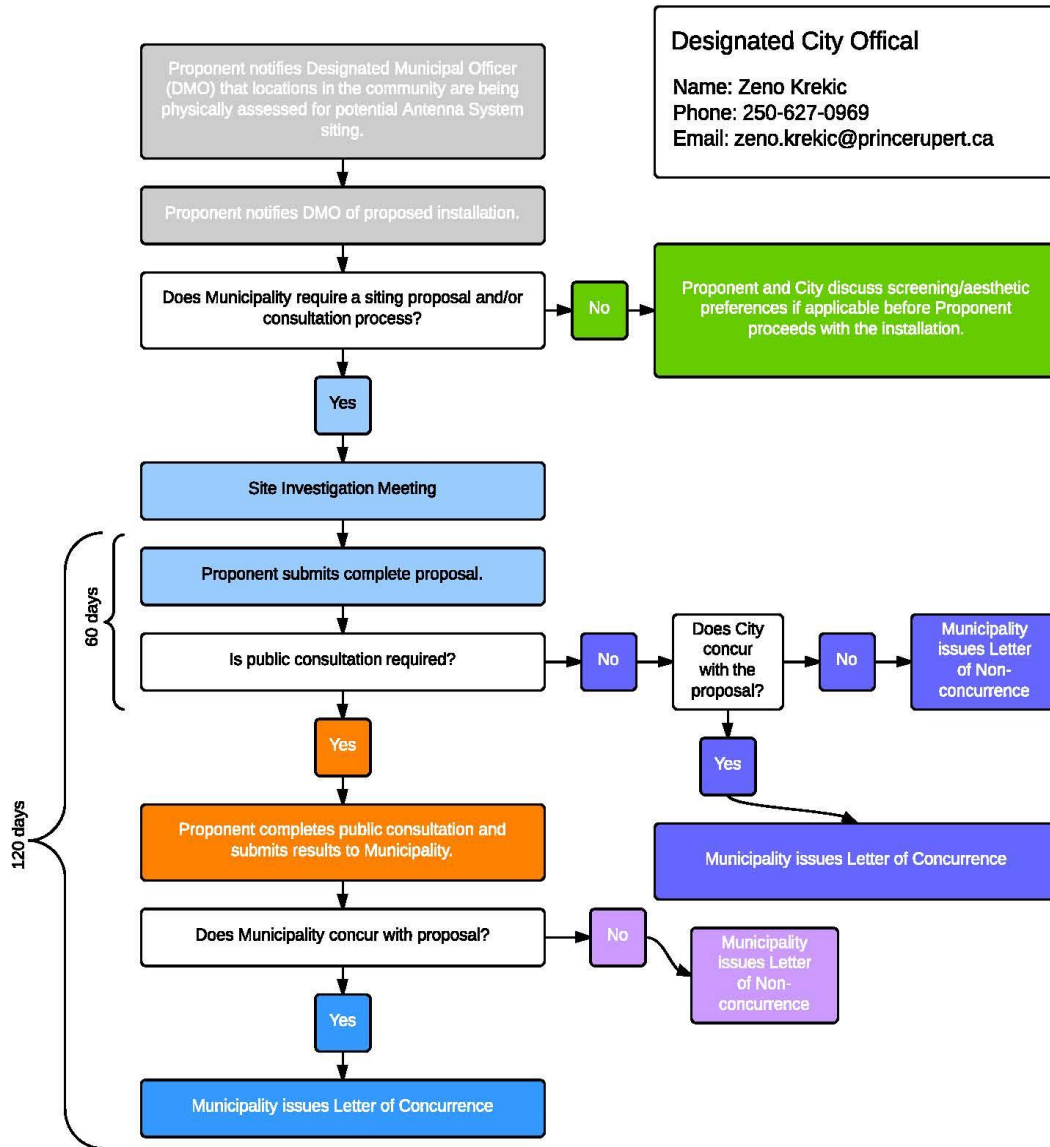
OTHER FEDERAL LEGISLATION: Proponents additionally must comply with the following federal legislation and/or regulations, where warranted:

- Health Canada's Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ – Safety code 6 (200);2
- The *Canadian Environmental Assessment Act*; and
- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.

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ANTENNA SYSTEM SITING PROCESS FLOWCHART



SECTION 1 - DEFINITIONS

Antenna System: an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This Policy most commonly refers to the following two types of Antenna Systems.

1. **Freestanding Antenna System:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;
2. **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

Co-Location: the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

Community Sensitive Locations: land on which the siting of new Antenna Systems is discouraged, or requested to be subject to greater consultation than otherwise dictated by the standard protocol. Such locations may be defined in local zoning bylaws, community plans, or statutory plans.

Designated City Official (and his or her designate): the City Planner is tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems.

Heritage Structures/Areas: buildings and structures (e.g. monuments) or areas/neighbourhoods receiving a heritage designation by the City.

City Departments: branches of City government that administer public services and are operated by City staff.

City: the City of Prince Rupert.

Other Agencies: bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the City.

Prescribed Distance: measure horizontally from the base of the proposed Freestanding or Building/Structure-Mounted Antenna System.

Proponent: a company or organization proposing to site an Antenna System (including

contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

Residential Area: lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential apartments/condominiums above).

SECTION 2 – EXCLUDED STRUCTURES

2.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, Proponents are generally excluded by Industry Canada from the requirement to consult with the City and the public, but must still fulfill the General Requirements outlined in Section 7 of the CPC:

- 1) New Antenna Systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level except where required by the City as per Section 2.2;
- 2) Maintenance of existing radio apparatus including the Antenna System, transmission line, mast, tower or other antenna-supporting structure;
- 3) Addition or modification of an Antenna System (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc., including additions to rooftops or support pillars, provided:
 - a. The addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
 - b. The existing Antenna System is at least 15 metres in height; and
 - c. The existing Antenna System has not previously been modified to increase its original height by 25%;
- 4) Maintenance of an Antenna System's painting or lighting in order to comply with Transport Canada's requirements; and
- 5) Installation, for a limited duration (typically not more than 3 months), of an Antenna System that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within 3 months after the emergency or special event.

The CPC also states that individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, in addition to the requirements for exempt Antenna Systems set out in section 2.2, it is prudent for the Proponent to consult the City and the public even though the proposal meets an exclusion noted above.

2.2 Notification and City Review of Exempt Antenna Systems

Notwithstanding Industry Canada's exemption criteria for certain Antenna Systems, the City must be informed of all new Antenna Systems installations within its boundaries in order to:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site co-location within the City;
- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent investing in full design.

Therefore, Proponents must undertake the following the steps set out in sections 2.2.1 and 2.2.2 for all exempt Antenna System installations before commencing construction.

2.2.1 Building/Structure-Mounted Antenna System:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard:

- (1) The location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- (2) Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 4;
- (3) The height of the Antenna System; and
- (4) The height of any modifications to existing systems.

The City may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 4 and the parties will work towards a mutually agreeable solution.

2.2.2 Freestanding Antenna Systems and additions to Freestanding Antenna Systems

The Proponent will confirm to the City that the Freestanding Antenna System to be erected or an addition to an existing Freestanding Antenna System as defined in Section 2.1, by providing the following:

- (1) The proposed location, including its address and location on the lot or structure;
- (2) A short summary of the proposed Antenna System including a preliminary set of drawings or visual rendering of the proposed system; and

(3) A description of how the proposal meets Section 2.1 criteria.

Proponents should anticipate that the City will request that all proposals for new Freestanding Antenna Systems and additions to existing Freestanding Antenna Systems that are proposed within City boundaries be subject to the pre-consultation, proposal submission and public consultation process. For this reason, Proponents are strongly encouraged to initiate this process before investing in a final design or site.

2.3 Exemption from Public Consultation Only

The following types of Antenna Systems are exempt from the public consultation requirement by the City:

- (1) New Antenna Systems which will be located in preferred areas as defined in Appendix A.
- (2) Notwithstanding subsection (1) above, the City may, on a case-by-case basis, exempt a Proponent from all or part of the consultation requirements under Section 4 of this Policy.

2.4 Siting on City-owned Properties

Any request to install an Antenna System on lands owned by the City shall be made to the appropriate official dealing with City properties, in accordance with this Policy.

SECTION 3 – PRE-CONSULTATION WITH THE CITY

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structures.

3.1 Notification

As the very first step, proponents will notify the Designated City Official that locations in the community are being physically assessed for potential Antenna System siting.

3.2 Site Investigation with the City of Prince Rupert

Following notification and prior to submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the Designated City Official.

The purpose of the site investigation meeting is to:

- Identify preliminary issues of concern;

- Identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- Guide the content of the proposal submission; and
- Identify the need for discussions with any City Departments and Other Agencies as deemed necessary by the Designated City Official.

Where the City has an initial concern with the proposed siting of the proposal they will make known to the Proponent alternative locations within the Proponent's search area for consideration.

The Proponent will bring the following information to the site investigation meeting:

- (1) The proposed location;
- (2) Potential alternative locations;
- (3) The type and height of the proposed Antenna System; and
- (4) Preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and
- (5) Documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposals.

3.3 Confirmation of City Preferences and Requirements

Following the site investigation meeting, City staff will provide the Proponent with the following:

- (1) The City of Prince Rupert Antenna System Siting Policy;
- (2) Proposal submission requirements;
- (3) A list of plans and studies that may be required (ie. Environmental impact statements);
- (4) A list of the City departments and other Agencies to be consulted; and
- (5) An indication of the City's preferences regarding co-location for the site(s) under discussion.

It is the Proponent's responsibility to review and respond to this information before submitting their proposal.

SECTION 4 – DEVELOPMENT GUIDELINES

The City has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- **Location, including Co-location; and**

- **Development and Design Preferences**

The Proponent should review the guidelines identified below as early as possible, and should attempt to resolve any outstanding issues prior to submitting its Antenna System siting proposal.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

4.1 Location

4.1.1 Co-location:

Before submitting a proposal for an Antenna System on a new site, the Proponent must explore the following options:

- Consider sharing an existing Antenna System, modifying or replacing a structure if necessary;
- Locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards.

Where Co-location on an existing Antenna System or structure is not possible, a new Antenna System should be designed with Co-location capacity.

The City recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the City intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all cases, verify the City's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

4.1.2 Preferred Locations

Where new Antenna System must be constructed, the preferred locations are identified in Appendix A and further, as:

- Areas that maximize the distance from residential areas;
- Mounted on buildings or existing structures within the downtown areas;
- Areas that respect public views and vistas of important natural or manmade features;
- Transportation and utility corridors;
- Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology; emergency services, hospitals, colleges and universities; and
- Located in a manner that does not adversely impact view corridors.

4.1.3 Discouraged Locations:

New Antenna Systems should avoid the areas identified in Appendix A as discouraged locations, and further:

- Locations directly in front of doors, windows, balconies or residential frontages;
- Sites of topographical prominence;
- Pitched roofs; and
- Waterfront.

4.2 Development and Design Preferences

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings including being un-obtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features, and reducing the need for future facilities in the same area, where appropriate. The City's preferred design and development preferences are described below.

Style and Colour:

- The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses: monopole near residential areas, lattice-style in industrial areas, camouflaged style in commercial areas.
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or totem pole where appropriate.
- In the downtown area, the design of Antenna Systems should generally be unobtrusive and consistent with downtown design guidelines.
- Towers and communication equipment should have a non-reflective surface.
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and trails to make the system unobtrusive.
- Cable trays should generally not be run up the exterior faces of buildings.
- Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

Buffering and Screening:

- Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments.

- A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- Where adjacent to a principal building, equipment shelters should be constructed of 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.

Structure:

- Single operator loaded towers (i.e., monopoles) are generally unobtrusive and of low impact and may therefore be located near living areas.
- New structures in residential or high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi etc.).
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth.
- Facilities located on rooftops should not be visible (to the extent possible) from the street.
- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.
- Pinwheel telecommunication antennas are discouraged in general, and specifically in residential areas.
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged.

Height:

- The City prefers that Freestanding Antenna Systems be a maximum height as prescribed in City of Prince Rupert Zoning Bylaw except in industrial areas.
- Height for a Freestanding Antenna System must be measured from grade to the highest point on the structure, including lighting and supporting structures.

Yards, Parking and Access:

- Adequate yards, to be determined on a site-by-site basis, should separate Antenna Systems from adjacent development without unduly affecting the development potential of the lot over the lease period.

- Parking spaces, where provided at each new Antenna System site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

Equipment Cabinets in Public Spaces

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant.
- Cabinet dimensions shall be as minimal as possible.
- Cables and wires must be concealed or covered.

Signage and Lighting:

- Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential and commercial properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

Rooftop Equipment:

- Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible, and painted to match the penthouse/building.

SECTION 5 – PROPOSAL SUBMISSION

For a proposed Antenna System, the Proponent will submit to the City an Antenna System siting Proposal and the applicable fee.

5.1 Proposal Submission Requirements

The Proponent must include the following information when submitting an Antenna System siting proposal:

- (1) A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal;
- (2) Visual rendering(s) of the proposed Antenna System superimposed to scale;
- (3) A site plan showing the proposed development situated on the site;
- (4) A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- (5) For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
- (6) Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- (7) An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
- (8) Any other documentation as identified by the Designated City Official following the site investigation meeting.

Upon receipt of a complete proposal submission, the City will circulate the proposal for review and comment to:

- (1) Affected Departments of the City;
- (2) Adjacent Local Governments if determined that they may be affected; and
- (3) Mayor and Council of the City.

5.2 Fees

Proposal must be submitted as per application included in Appendix B accompanied by a non-refundable fee of \$2000.00.

The Proponent is responsible for all costs relating to the Public Notification and Public Consultation.

SECTION 6 – PUBLIC CONSULTATION PROCESS

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 2.3, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the City.

6.1 Notice Recipients

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

- (1) All affected residential properties within the Prescribed Distance;
- (2) All designated Community Associations within the Prescribed Distance;
- (3) Any adjacent Local Government within the Prescribed Distance;
- (4) Mayor and Council of the City;
- (5) The Designated City Official; and
- (6) The Industry Canada regional office.

The Designated Official will assist the Proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna System.

6.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and shall include:

- (1) Information on the location, height, type, design and colour of the proposed Antenna System; including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
- (2) The rationale, including height and location requirements, of the proposed Antenna System;
- (3) The name and contact information of a contact person for the Proponent;
- (4) The name and contact information of the Designated City Official;
- (5) An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- (6) The date, time and location of the public information session where required; and
- (7) A deadline date for receipt by the Proponent of public responses to the proposal.
 - a. Where a public information session is required, the deadline date must be no more than five days before the date of the session.
 - b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

The notification shall be sent out in an envelope addressed to the "Occupant" and shall clearly show in bold type on the face of the envelope the statement:

“NOTICE FOR RESIDENTS WITHIN 250 meters OF A NEW PROPOSED CELL TOWER. INFORMATION ENCLOSED”

The City may also require the Proponent, based on local conditions such as a high proportion of rental accommodation in the vicinity of the site, to provide such additional forms of notice as deemed necessary. Additional notification requirements will be identified by the Designated City Official during or following the site investigation meeting. Other forms of notification may include, but are not limited to:

- A large format notice board sign or signs, posted on the site of the proposed Antenna System, that is clearly visible from any roadway abutting the site;
- Publication of the notice in a local newspaper(s); and/or,
- Hand delivery notices to specified buildings.

6.3 Written Consultation Process

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal.

The Proponent will:

- (1) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- (2) Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt);
- (3) Allow the party to reply to the Proponent’s response (providing at least 21 days for public reply comments);
- (4) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding; and
- (5) Provide a copy of all written correspondence to the Designated City Official and the regional Industry Canada office.

6.4 Public Information Session

The Designated City Official may request the Proponent to chair a public information session in cases where there is a significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Designated City Official.

- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The Proponent will provide the Designated City Official with a package summarizing the results of the public information session containing at a minimum, the following:

- (1) List of attendees, including names, addresses and phone numbers (where provided voluntarily);
- (2) Copies of all letters and other written communications received; and
- (3) A letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

6.5 Post Consultation Review

The City and the Proponent will communicate following completion of the public consultation process (and/or arrange a meeting) to discuss the results and next steps in the process.

SECTION 7 – STATEMENT OF CONCURRENCE & CONCURRENCE WITH CONDITIONS

7.1 Concurrence and Concurrence with Conditions

The City will provide a letter of concurrence to Industry Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the City, the requirements as set out within this Policy and the City's technical requirements, and will include conditions of concurrence, if required.

The City will issue the letter of concurrence within the timeframe established in Section 8.

7.2 Non-Concurrence

The City will provide a letter of non-concurrence to Industry Canada (copying the Proponent) if the proposal does not conform to City requirements as set out within this Policy. The City will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The City will issue the letter of non-concurrence within the timeframe established in Section 8.

7.3 Rescinding a Concurrence

The City may rescind its concurrence if, following the issuance of a concurrence, it is

determined by the City that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the City will provide notification in writing to the Proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

7.4 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the City. If construction has not commenced within this time period, the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the City requests that the Proponent send a written notification of an intent to construct to the Designated City Official, City Mayor and Council and any Designated Community Association once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

7.5 Transfer of Concurrence

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

- (1) All information gathered by the original Proponent in support of obtaining the concurrence from the City is transferred to the current Proponent;
- (2) The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- (3) Construction of the structure is commenced within the duration of concurrence period.

SECTION 8 – CONSULTATION PROCESS TIME FRAME

Consultation Process Time Frame

Consultation with the City is to be completed within 60 days of the proposal being accepted as complete by the City as explained in Section 7 of this City.

Where public consultation is required, consultation with the City and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the City.

The City or Proponent may request an extension to the consultation process timeline. This extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the City or reinitiating the consultation process to the extent requested by the City.

SECTION 9 – LETTER OF UNDERTAKING

The Proponent may be required, if requested by the City, to provide a Letter of Undertaking, which may include the following requirements:

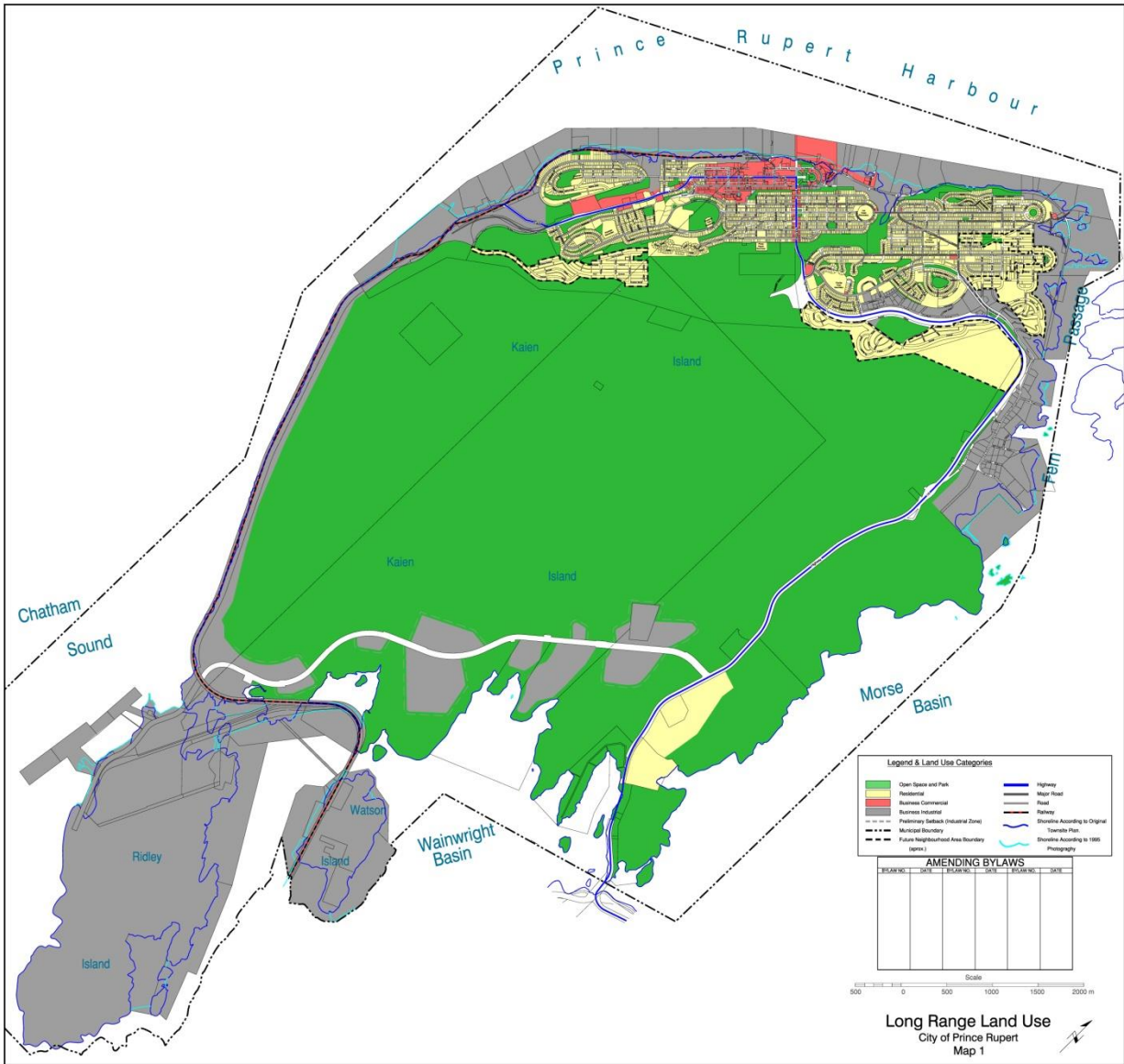
- (1) The posting of a security for the construction of any proposed fencing, screening and landscaping;
- (2) A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada conditions of license for mandatory roaming and Antenna tower and Site Sharing and to Prohibit exclusive Site Arrangements (CPD-2-0-17); and
- (3) All conditions identified in the letter of concurrence.

SECTION 10 – REDUNDANT ANTENNA SYSTEM

The City can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and City will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.

APPENDIX "A"



APPENDIX "B"



Application No. _____

City of Prince Rupert Antenna Policy – Appendix B

Antenna Systems Siting Application

Name of Applicant: _____

Date: _____

Registered Owner: _____

Print: _____

Location of Antenna Siting: _____

Legal Description: _____

Application contents are detailed in Section 5.1 (pages 14 & 15) of the Prince Rupert Antenna Policy and Guidelines and include:

- A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 500 meters of the subject proposal;
- Visual rendering(s) of the proposed Antenna System superimposed to scale;
- A site plan showing the proposed development situated on the site;
- A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
- Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
- Any other documentation as identified by the Designated City Official following the site investigation meeting.

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#### FOR OFFICE USE ONLY

APPLICATION FEE: \$ 2,000.00

RECEIPT NO. \_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE OF OFFICIAL: \_\_\_\_\_