



COUNCIL POLICY

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**Subject: Telecommunication Tower
Master Plan**

Policy No: 07-331
Approved by Council: 1991.01.07
Revised by Council: 1999.04.26
Revised by Council: 2007.02.19
Revised by Council: 2013.09.09
Revised by Council: 2014.12.08
Revised by Council: 2016.05.30

1. Purpose

- 1.1 To set out the means by which public utility tower applications are managed for Council's consideration.

2. Background

- 2.1 The jurisdiction for the location of telecommunication antenna structures is with the Federal Government. Specifically, Industry Canada recognizes the importance of considering the potential impact of antennas and their supporting structures on their surroundings. As such, Industry Canada has instituted procedures for users of the radio frequency spectrum that gives consideration to the following three areas:

- a) The environment
- b) Health Canada's limits of *Exposure to Radio frequency Field at Frequencies from 10kHz to 300GHz, safety code 6.*
- c) Land use consultation.

In this regard, a number of concepts with respect to regulatory reform in the Township of Langley have been considered. These reforms are suggested as a result of extensive research on Canadian examples of zoning and siting regulations as well as research into the American zoning ordinances for similar practices. The following considerations are proposed.

3. Policy

- A. Freestanding telecommunication installations are permitted in all zones.
- B. Co-location shall be encouraged for new tower installations. Applicants for free standing structures will be required to identify any other such structure within a radius of 500 metres of the proposed location, and provide an explanation as to why co-utilization of the existing structure is not a viable alternative to a new structure.
- C. All transmission towers are to be painted gray except as required otherwise by Transport Canada.
- D. Telecommunication installations that are not excluded by Industry Canada from the requirement to consult with the Township of Langley and the public, shall be the subject of a consultation process in accordance with the following guidelines.

3.1 PRECONSULTATION

- The Carrier will contact, in writing, the other Wireless Carriers, indicating their need, location and the potential siting area, and request information regarding other Carriers' interest in locating in the same area. The other carriers will respond in writing to a request for interest within fourteen days.
- If the contacted Carrier(s) confirms a desire to co-locate in the area, a meeting will be scheduled between the carriers within fourteen days, to exchange further information and determine if co-utilization is possible.

3.2 CONSULTATION PROCESS (to be followed for both new single user tower locations and co-location tower locations, which necessitate community consultation).

- Carriers submit an application to the Township of Langley's Community Development Division which shall include the following items:
 - A completed application form
 - A title search
 - The application fee
 - Tower design plans
 - A letter of intent (including the identification of any other structures within a 500m radius of the proposed location and an explanation as to why co-utilization of the existing structure is not a viable alternative)
 - Copies of the returned co-location offer letters (or copies of the original co-location offer letters if no response was received)
- Carriers will meet with Community Association Executives of the selected community (where such associations exist) or other community representatives as suggested by the Community Development Division to discuss the proposed installation.
- Carriers will be responsible for holding a community consultation meeting to provide the public with an opportunity to review and provide comments on the proposal. The carrier shall discuss the scheduling and location of the community consultation meeting with Community Development Division staff before notifying the public.
- Carriers will notify and invite Community Association Executive members (if one exists), Community Development Division staff, and property owners and residents within a 500 metre radius of the proposed tower location to the community consultation meeting. The notification shall be delivered at least 14 days before the meeting. A notice shall also be placed in the local newspaper not less than 3 and not more than 14 days before the meeting.
- The Community Development division will inform Mayor and Council about the community consultation meeting.
- The Carrier(s) are responsible for the meetings, including the presentation of common content elements. The Carrier(s) should comply with general procedures set out by the Township of Langley with respect to public information meetings.
- The public shall be provided 21 days after the community consultation meeting to submit comments to the Carrier.
- At the conclusion of the public consultation process (21 days after the community consultation meeting), the Carrier(s) will provide the following to the Community Development division:
 - A list of people who attended the community consultation meeting.
 - An accurate record of the community consultation meeting.

- A copy of any comments/correspondence provided by the public up to the conclusion of the public consultation process.
- An explanation of how issues were resolved.
- An explanation of how remaining issues either will be resolved, or of the efforts made and reasons why they cannot be resolved.

3.3 PETITION PROCESS

- Following completion of the Consultation Process outlined in Section 3.2 of this policy, the Township will, at the applicant's expense, mail a letter of petition to the owners of the properties described in Section 3.2 of this policy to determine if they support the application.
- The owners of a property will be deemed to support the application when they return to the Township the petition form, signed by all of the registered owners of the property, indicating support of the application. Residents will be given 21 days from the date of the petition to complete and return it to the Township.
- Not earlier than four (4) weeks after the date of the Township's petition under Section 3.3 of this policy, the Township will determine the level of support for the application by dividing the total number of statements of support submitted to the Township, with only one per property, by the total number of separate properties described in Section 3.2 of this policy and converting that number to a percentage amount (Level of Public Support).

3.4 COUNCIL CONSIDERATION OF APPLICATION

Following completion of the Petition Process outlined in Section 3.3 of this policy, staff will forward a report to Council outlining the details of the application and the results of the Petition Process. As part of that staff report, staff will advise if an 80% threshold resulting from the petition process, has been achieved. The Township will mail or otherwise deliver notice to property owners (within the notification area outlined in Section 3.2 of this Policy) at least 10 days before Council's consideration of the application and will provide an opportunity for public input at the council meeting at which the staff report is considered. After considering the staff report, the Level of Public Support, and any written submissions from the applicant and the public, Council may pass a resolution indicating its objection or non-objection to the application. The Township of Langley will then provide the carrier(s) and Industry Canada with a letter within 10 days of approval of the Council meeting minutes indicating Council's resolution.