

CITY OF SASKATOON COUNCIL POLICY

NUMBER
C09-037

POLICY TITLE <i>Antenna Systems</i>	ADOPTED BY: <i>City Council</i>	EFFECTIVE DATE <i>January 21, 2013</i>
		UPDATED TO <i>August 14, 2013</i>
ORIGIN/AUTHORITY <i>Planning and Operations Committee Reports 2-2013 and 13-2013</i>	CITY FILE NO. <i>CK. 230-3</i>	PAGE NUMBER <i>1 of 20</i>

1. PURPOSE

- 1.1 To establish a policy that is consistent with Industry Canada's requirements regarding the development of antenna-supporting structures within Saskatoon;
- 1.2 To provide a set of requirements for proponents regarding the public consultation process; and
- 1.3 To establish guidelines which the City of Saskatoon (City) will use to evaluate submissions of all antenna-supporting structures in a timely manner that is consistent and transparent.

2. DEFINITIONS

- 2.1 Amateur radio – means a device operated for the purpose of communications, self-training, and technical endeavours by authorized persons out of personal interest and for no commercial purpose.
- 2.2 Antenna - means a device or combination of devices that is used to receive and/or transmit signals for the purpose of radiocommunications.
- 2.3 Antenna-supporting structure – means the supporting structure used to support an antenna. This may include any rooftop, ground-mounted or building-mounted pole, tri-pole, monopole, lattice or guyed tower, or other structures used to support an antenna for the purpose of radiocommunications.
- 2.4 Co-location - means the sharing of a single antenna-supporting structure by several proponents.

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- 2.5 Concurrence - means a letter from the City of Saskatoon supporting a proponent's proposal to locate an antenna-supporting structure.
- 2.6 Non-Concurrence - means a letter from the City of Saskatoon indicating no support for a proponent's proposal to locate an antenna-supporting structure.
- 2.7 Proponent - means a party who is planning to install or modify an antenna and/or supporting structure, regardless of the type of installation or service. This includes, amongst others, Personal Communication Services and cellular, fixed wireless, broadcasting, land-mobile, license exempt and amateur radio operators, exclusive of personal and household users.
- 2.8 Residential Area - means an area of the city where residential uses are either permitted or discretionary in the City of Saskatoon's Bylaw 8770 (Zoning Bylaw).

3. OBJECTIVES

The objectives of this policy are to:

- a) Ensure the orderly development of antenna-supporting structures within Saskatoon that is consistent with the requirements set out by Industry Canada and this policy;
- b) Establish a public consultation process that ensures those who feel affected by the installation or maintenance of antenna-supporting structures are informed and have an opportunity to comment on the proposal;
- c) Minimize the impact of antenna-supporting structures through:
- i) minimizing the number of antenna-supporting structures required through encouraging co-location wherever reasonably possible; and

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- ii) minimizing the visual impacts of antenna-supporting structures through identifying design guidelines and preferred system types and locations;
- d) Clearly outline submission requirements to establish an efficient and consistent review process;
- e) Clearly define the roles of each party involved in the process; and
- f) Provide a set of criteria upon which the City's position for letter of concurrence or non-concurrence will be determined.

4. JURISDICTION

- 4.1 The City of Saskatoon is not the approving authority for antenna systems and antenna-supporting structures.
- 4.2 The federal Minister of Industry is the approving authority for all antenna systems and antenna-supporting structures as set out in Section Five of the *Radiocommunication Act*. As such, while federal regulations require the proponent to consult the local land use authority and the general public, the City of Saskatoon cannot prevent the proponent from obtaining permission from Industry Canada for the installation of antenna systems.

5. ROLES

- 5.1 Industry Canada – The Federal Minister of Industry issues radio authorizations and approves each site on which radio apparatus, including antenna systems, may be located.
- 5.2 Health Canada – maintains its guideline document entitled *Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz*, which is commonly referred to as Safety Code 6.

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- 5.3 City of Saskatoon – the local land use authority within the municipal boundaries of Saskatoon.
- 5.4 Community Services Department, Development Review Section – receives all submissions for proposed antenna-supporting structures within the municipal boundaries of Saskatoon and circulates the proposal to other civic departments and government agencies for comment and review where applicable. The Development Review Section will assist the proponent in executing the requirements contained within this policy and will provide a letter of concurrence or non-concurrence upon completion of the requirements set out in this policy.
- 5.5 Community Services Department, Leisure Services Branch – is responsible for all development located within parks, designated Municipal Reserve, and other leisure facilities owned by the City of Saskatoon. They have authority over the development of any antenna-supporting structures within their respective area of ownership. Submissions will be circulated to Leisure Services for their review where applicable.
- 5.6 Infrastructure Services, Parks Branch – is responsible for the maintenance and preservation of the City of Saskatoon parks and civic open spaces. All submissions for antenna-supporting structures near or within City parkland will be circulated to Parks Branch for their review.
- 5.7 Infrastructure Services, Facilities Branch – is responsible for the City's buildings and structures. All submissions for antenna-supporting structures on or within civic buildings will be circulated to Facilities Branch for their review.
- 5.8 Infrastructure Services Department, Construction Services Section – reviews all submissions for antenna-supporting structures on City Right of Way, which will be circulated to them when applicable.
- 5.9 Administration – is comprised of all departments and branches within the City of Saskatoon that may be involved in the review of the proponent's submissions as required.

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- 5.10 Planning and Operations Committee – review reports submitted by the Community Services Department, Development Review Section and provide recommendations to City Council. Review and recommend updates to this policy.
- 5.11 City Council – review and approve amendments to this policy and consider reports and recommendations submitted by the Planning and Operations Committee and direct the Administration to undertake required actions as may be necessary.

6. SUBMISSION TYPES

- Type A Antenna-supporting structures 15 metres or greater in height located more than 200 metres from residential areas – do not require public consultation;
- Type B Antenna-supporting structures 15 metres or greater in height and located less than 200 metres from or directly within residential areas – require public consultation; and
- Type C Antenna-supporting structures less than 15 metres in height and located 30 metres or less from:
- a site containing a residential dwelling unit – require public consultation; and/or
 - the boundary of, or directly within, lands designated as Municipal Reserve, Environmental Reserve, or otherwise considered as park space, including Riverbank areas.
- Type D Antenna-supporting structures 15 metres or greater in height used for amateur radio or other non-commercial purposes, and located less than 200 metres from or directly within residential areas – require public consultation.

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7. EXCLUSIONS

Proponents conducting the following maintenance or installations shall submit a letter notifying the City of Saskatoon, Development Review Section of the size, type and location of the antenna-supporting structure but are not required to submit an antenna-supporting structure submission as outlined in Section 8 or conduct public consultation as per Section 10:

- a) New antenna-supporting structures with a height of less than 15 metres above ground level and located greater than 30 metres from a site containing a residential dwelling unit;
- b) Installation, for a limited duration (typically not more than 3 months, to a maximum of 12 months) of an antenna-supporting structure that is used for a special event, or one that is used for emergency operations, and is removed within 3 months after the emergency or special event;
- c) Maintenance of existing radio apparatus including the antenna system, transmission line, mast tower or other antenna-supporting structure;
- d) Antenna systems affixed on top of buildings, unless the building is 4 stories or less and the combined height of the building and tower exceeds 23 metres;
- e) Antenna systems affixed to street light poles, parking lot light poles, power poles, or similar structures;
- f) Antenna-supporting structures where their location is separated from a residential area by a major arterial roadway, expressway, or freeway;
- g) Addition or modification of an antenna-supporting structure (including improvements designed to facilitate sharing of the structure) provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height; and

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- h) Antenna-supporting structures less than 15 metres in height used for amateur radio or other non-commercial purposes, and located 30 metres or less from a site containing a residential dwelling unit (Amateur radio operators are directed to Industry Canada – Spectrum Management and Telecommunications for Federal guidelines on these structures).

8. SUBMISSION REQUIREMENTS

8.1 The following must be included in the submission for an antenna-supporting structure identified as Type A or Type D:

- a) A cover letter clearly indicating the contact for the proposal and contact information, the civic address of the proposed location, and the type of proposed structure;
- b) Applicable fee;
- c) A letter from the property owner of the site attesting to their agreement to lease or sell the site;
- d) Proof co-location is not reasonably feasible (not required for Type D submissions); and
- e) A site plan, drawn to scale with appropriate dimensions showing the location and size of proposed antenna structure and any accessory buildings, including all front, side and rear yard setback dimensions.

8.2 In addition to the requirements outlined above, the following must be included in the submission for an antenna-supporting structure identified as Type B or C:

- a) A map showing all existing antenna-supporting structures within a 500 metre radius of the proposed facility;
- b) An image showing the type of proposed structure to scale within the existing surroundings; and

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c) A landscaping plan indicating the type of fencing, screening, structural materials, type and location of all vegetation.

8.3 The Community Services Department, Development Review Section, will receive all submissions and will circulate the proposal to other civic departments and branches of the Administration and other government agencies, where applicable, for their review and comment. Upon completion of the review of the proposal, the Administration will respond to the contact identified in the cover letter to provide comments regarding the proposal.

8.4 The proponent will be notified, in writing, of any conditions resulting from the review of the submission. Once all conditions and comments have been addressed to the satisfaction of the Community Services Department, Development Review Section, the proponent may proceed with the public consultation process, if required.

8.5 The submission of the above requirements shall indicate the commencement of the 120 day review period.

9. FEES

9.1 The proponent must submit the appropriate fee indicated below with the submission for an antenna system.

Types A & D	\$150.00
Types B & C	\$800.00

9.2 It is the responsibility of the proponent to cover any additional costs associated with any permits or applications required by other civic departments in association with the development of the proposed antenna-supporting structure.

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10. CONSULTATION PROCESS

10.1 Initial Contact with the City

The proponent shall contact the Community Services Department, Development Review Section to notify the Administration that an area of Saskatoon is being considered for an antenna system and identify specific sites under consideration. The Administration will discuss site options, address any potential concerns or contentious issues, and provide the proponent with a copy of this policy and related information.

As part of the initial contact, it is strongly encouraged that the proponent provide the Administration with a radius area map or list of preferred locations where an antenna-supporting structure is desired to be installed. This allows the Administration to work with the proponent to determine a suitable location that will have the least impact on the structure's surroundings.

Prior to initial contact with the City, proponents must explore the following options:

- a) Consider co-locating on an existing antenna-supporting structure, modifying, or replacing a structure if necessary;
- b) Locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers, or similar structures; and
- c) Locate, analyze and attempt to use any feasible existing infrastructure such as street light poles, parking lot light poles, power poles, or similar structures.

Where co-location is not an option, proponents are required to provide in their submission a detailed list of structures considered and/or parties they have contacted and an explanation of why sharing is not possible.

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10.2 Public Consultation Process

Proponents wishing to locate an antenna system where the antenna-supporting structure can be defined as Type B, C or D (see Section 6) shall submit the requirements outlined in Section 8. Upon confirmation that the requirements have been met to the satisfaction of the Community Services Department, Development Review Section, the following procedures shall be followed:

- a) The proponent shall arrange for a notification package to be sent to the Community Services Department, Industry Canada, the Ward Councillor, the Community Association President and property owners located within 200 metres of the proposed antenna system, measured from the system base or the outside perimeter of the supporting structure, whichever is greater. Sites not located within the 200 metre radius may also require notification at the discretion of the Community Services Department, Development Review Section.

The City shall provide mailing addresses to the proponent for the sole purpose of notifying all property owners within the required public notice area as set out within this policy.

The notification package shall include, at minimum:

- i) Why an antenna-supporting structure is being proposed;
- ii) Who the proponent is and a contact name, phone number, and email address of the proponent's representative whom residents may contact for more information or to comment on the proposal;
- iii) A representative at the City who may be contacted for information on this policy;
- iv) A detailed site plan showing existing and proposed structures;

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- v) The civic address of the proposed location;
- vi) A detailed description of the type of antenna-supporting structure and related accessory structures proposed including, but not limited to, height, diameter, material, colour, and the number of antennas to be located on the supporting structure;
- vii) A rendering of the proposed antenna system within the context of the location proposed (not required for a Type D submission);
- viii) An attestation that the proposed antenna system will comply with Health Canada's Safety Code 6;
- ix) Any additional information the City or proponent deems to be of significance to the proposal; and
- x) Indicate that comments may be submitted up to 30 days past the date of the public notification package being sent.

Notices are to be sent by regular mail, and should clearly state on the exterior of the envelope, "A CELL TOWER IS PROPOSED WITHIN YOUR AREA. IMPORTANT INFORMATION IS ENCLOSED" (depending on the nature of the proposed antenna system, a term other than "cell tower" may be more appropriate).

Notices for Type D submissions may be delivered by hand; however, an attestation signed by the proponent confirming the date(s) the notices were delivered shall be submitted to the Community Services Department, Development Review Section.

In addition to the requirements noted above, proponents of antenna-supporting structures that are proposed to be 30 metres or more in height must place a notice in the Saskatoon Star Phoenix. The notice must be synchronized with the distribution of the public notification package.

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Proponents are to address all reasonable and relevant concerns that may arise as a result of the public notification, keeping a record of all associated communications. If a member of the general public or municipality has a question or concern related to the proposed antenna system, the proponent is required to:

- i) respond to the party in writing within 14 days acknowledging receipt of the question and keep a record of the communication;
 - ii) address in writing all reasonable and relevant concerns within 60 days of receipt or explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant;
 - iii) in the written communication referred to in the preceding point, clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response. The proponent must provide the Community Services Department with a copy of all public reply comments and recorded communications.
- b) Where a proposed antenna-supporting structure has resulted in substantive public concern or has been recognized as a contentious issue by the Community Services Department, the proponent may be required to hold a public information meeting. In determining the need for such a meeting, the Community Services Department, Development Review Section shall consider if a meeting would be beneficial to the process by helping to disseminate information and address concerns.

In facilitating the public information meeting, the proponent shall:

- i) Contact the Community Services Department, Development Review Section, Ward Councillors, and Community Association President to coordinate a date for the public meeting;

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- ii) Arrange to hold a public meeting in the area where the proposed antenna system is to be located. All details of the public meeting are to be arranged by the proponent to the satisfaction of the Community Services Department, Development Review Section and all costs associated are the responsibility of the proponent. The Administration expects the following, at minimum, will be addressed by the proponent with respect to the public meeting:
- (1) The meeting will conform to the overall objectives of the City of Saskatoon Community Engagement process:
 - (a) Provide practical and appropriate opportunities for participation by citizens and stakeholders regarding proposed developments, services, programs or other governmental decisions that impact their quality of life; and
 - (b) Provide sufficient access to information to allow stakeholders to become well-informed and thus capable of participation in the dialogue;
 - (2) An appropriate format and location be chosen for the public meeting;
 - (3) Information available at the meeting shall include but is not limited to:
 - (a) Details about the specific proposal;
 - (b) If options available regarding siting, design, height, etc., those options are to be presented and images of the different options are to be provided;
 - (c) Information on sites that were examined but could not be obtained and reasons why the sites could not be obtained;

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- (d) A map showing the catchment area in which the proponent can locate the proposed antenna structure;
 - (e) Comment sheets are to be provided at the public meeting for those in attendance to submit written comments; and
 - (f) Names and addresses of all those who attended the public meeting are to be recorded.
- (4) The City shall provide:
- (a) Mailing addresses for the sole purpose of notifying all property owners within the required public notice area as set out within this policy;
 - (b) Suggestions for meeting locations; and
 - (c) Assistance on interpreting the requirements outlined within this policy;
- iii) Arrange for a public meeting notice to be delivered to all property owners within a minimum of 200 metres of the base of the proposed antenna system, or a greater distance as may be determined Community Services Department. Notices must include, at minimum:
- (1) A date, time and location for the public meeting;
 - (2) An agenda or itinerary of the meeting;
 - (3) A contact name, phone number, and email address of the proponent's representative whom residents may contact for more information or to comment on the proposal;
 - (4) A representative at the City who may be contacted for information on this policy; and
 - (5) Any additional information the City or proponent deems to be of significance to the proposal.

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- iv) Notices are to be sent by regular mail, a minimum of 21 days prior to the meeting date and should clearly state on the exterior of the envelope, "A CELL TOWER IS PROPOSED WITHIN YOUR AREA. IMPORTANT INFORMATION IS ENCLOSED" (depending on the nature of the proposed antenna system, a term other than "cell tower" may be more appropriate);

Notices for Type D submissions may be delivered by hand; however, an attestation signed by the proponent confirming the date(s) the notices were delivered shall be submitted to the Community Services Department, Development Review Section; and

- v) Place a notice poster on site (minimum size 1'x2') at least 14 days in advance of the meeting. This notice should indicate:
- (1) What the proposal is for;
 - (2) Where the tower is to be located (map);
 - (3) Meeting location, time, date;
 - (4) Who the proponent is;
 - (5) A contact number the public may call for more information.

10.3 Concluding Public Consultation Process

Upon conclusion of the public consultation process, the proponent shall submit to the Community Services Department, Development Review Section, the following:

- a) A copy of the notice that was delivered to households and a statement regarding the manner by which they were delivered;
- b) All correspondence between the proponent and the public; and
- c) An accurate record of proceedings of the meeting, which shall include a list of the names and addresses of all persons attending, a summary of the issues, and details as to how unresolved issues will be handled.

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10.4 Confirmation of Consultation Concurrence

Upon receipt and review of all material submitted by the proponent, the Community Services Department, Development Review Section shall either:

- a) Issue the proponent a letter of concurrence, noting that the proponent has fulfilled the requirements described within this policy and any questions or concerns have been adequately addressed; or
- b) Where the proponent has not fulfilled the requirements of this policy, the Community Services Department shall submit a letter of non-concurrence to Industry Canada for their consideration; or
- c) Where the proponent has fulfilled the requirements of this policy, but the proposal remains a contentious issue, the Community Services Department shall submit a letter of non-concurrence to Industry Canada for their consideration.

11. IMPLEMENTATION TIMELINE

The proponent shall begin construction of the antenna-supporting structure at the proposed location within a period of 24 consecutive months after receiving concurrence.

12. PROPOSED ANTENNA-SUPPORTING STRUCTURES IN UNDEVELOPED AREAS

Proponents are encouraged to identify locations for future antenna-supporting structures at the sector plan stage (major installations) and the neighbourhood concept plan stage (minor installations).

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13. DESIGN & SITING GUIDELINES

13.1 Preferred Antenna-Supporting Structures

The City of Saskatoon encourages the use of antenna-supporting structures that are unobtrusive and in character with the surrounding landscape. Roof top installations, stealth poles, and monopoles are preferred antenna-supporting structures within the City of Saskatoon.

Antenna-supporting structures equipped for co-location are preferred in locations more than 200 metres from residential areas.

13.2 Preferred Locations

The City of Saskatoon prefers antenna-supporting structures to be located on privately-owned land a minimum of 200 metres from any residential area, wherever feasible.

Where it can be demonstrated that locating an antenna-supporting structure on private land is not reasonably feasible, or where the location of the antenna-supporting structure on City-owned land or infrastructure can be demonstrated to be conducive with the operations of the City, the Administration may consider allowing antenna-supporting structures on City-owned land or infrastructure.

Municipal Reserve (MR) may be considered for antenna-supporting structures (excluding the types of MR noted below) if it can be reasonably demonstrated that the location of the antenna-supporting structure does not impact the operations of the City and the proponent agrees to any conditions that may be requested by the City as part of the license or lease agreement.

The following locations will not be considered:

- Riverbank Areas; and
- Conservation/naturalized Areas.

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The location of antenna-supporting structures within or adjacent to Municipal Reserve, Environmental Reserve, or lands otherwise considered as park space, should give consideration to the siting guidelines in Section 13.3, as well as to the following:

- Potential impact on significant views and the appearance of park landscapes;
- Opportunities to screen structures from view through the use of existing and new vegetation, utility buildings, and other mitigating physical features;
- Impacts on park programming and maintenance;
- Potential visual conflicts with prominent park entrances and signage; and
- An appropriate setback from residences fronting or backing on to a park or other type of MR.

13.3 Siting Guidelines

The City recommends that antenna-supporting structures be located on sites that minimize the impact on surrounding development. It is expected that all efforts will be made by the proponent to ensure the proposed antenna-supporting structure will blend into the surrounding area as seamlessly as possible. To achieve this transition, it is expected the proponent will acknowledge the following recommendations for locating antenna-supporting structures:

a) Setback

The City strongly recommends the base of the antenna-supporting structure be located a distance of at least the height of the proposed antenna-supporting structure from the property line of any site zoned for residential development.

Where it is reasonably feasible, it is preferred that the antenna-supporting structure be located as close as possible to an existing building on site to minimize the visual impact of the antenna and supporting structure.

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b) Screening

Screening is meant to mitigate or reduce the incompatibility between different land uses through the use of landscaping or other features. The degree or intensity of the screening is dependent on the level of incompatibility between the adjacent uses. Screening may include the use of such materials as: decorative fencing or walls, shrubs, trees and other plant materials. Soft landscaping should be provided in conjunction with fences or walls to provide a more visually appealing development. The antenna-supporting structure and any related structures on site are to be properly screened and landscaped to mitigate visual impacts and create a buffer between potentially incompatible uses.

Appropriate screening as outlined above is stressed and expected especially where an antenna-supporting structure is proposed in close proximity to a residential area, such as that of a Type B or C submission (outlined in Section 6).

c) Materials

The selection of materials to be used for the antenna supporting structure and any related accessory buildings shall take into consideration the character of the surrounding area. In general, materials used for the antenna supporting structure should be non-reflective and be neutral in colour (e.g. white or grey) so as to blend in with the sky and surroundings.

Materials used to construct any accessory building should complement the surrounding area. Materials such as brick or stone are preferred for their durability and maintenance free qualities.

The City of Saskatoon encourages innovative designs and materials that are complementary to the surrounding area.

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d) Massing

The antenna-supporting structure and any related structures should be proportional to and take into consideration the surrounding development and character of the existing area.

e) Lighting

Lighting of an antenna-supporting structures or related structure is prohibited unless required by Transport Canada.

f) Signs

Identification signs or signs related to the safe operations of the antenna-supporting structure are to be placed on site for no other purpose than to indicate the owner/operator and a contact number. Third party advertising and/or advertising of the proponent is prohibited.