

### **Attachment 3**

#### **Role of Innovation, Science and Economic Development Canada and Local Governments**

Under the *Radiocommunication Act*, the Minister of Innovation, Science and Economic Development (ISED) has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of telecommunication antenna systems is made only by ISED. All technical aspects and siting of telecommunication and broadcasting services are regulated by the federal government under the *Radiocommunication Act*; however, ISED also expects applicants to comply with local government zoning regulations and to obtain any necessary permits for essential telecommunications infrastructure. ISED has an established procedure, *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*, which prescribes the process and review of proposed telecommunication structures. As part of the process, proponents are required to notify the local land-use authority and nearby residents. Moreover, the proponent is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

Local governments are referred applications for proposed towers and are provided the opportunity to comment on the proposal. ISED requires the proponent to consider any issues raised by the local government and request a statement of siting concurrence. Ultimately, the role of the Regional District of Nanaimo is to issue a statement of concurrence or non-concurrence to the proponent and ISED. The statement considers the land-use compatibility of the antenna structure, the responses of the impacted residents and the proponent's adherence to this protocol. In addition, local governments can communicate and provide guidance to the proponent on the particular sensitivities, planning priorities, and characteristics of an area. Moreover, local governments can establish siting guidelines, which include reasonably augmenting the public consultation process as defined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*.

A local government may establish and develop a formal telecommunications antenna and tower siting protocol and the RDN has adopted Board Policy B1.23 to achieve this and augment ISED's public consultation requirements. Board Policy B1.23 outlines the process and requirements necessary for applicants to apply for a telecommunication antenna system but does not dictate where the physical location of the structure should be. It should also be noted that while a formalized siting protocol may serve as a guide to the siting of a tower and the consultation process, the federal government, through ISED retains the authority to approve telecommunication infrastructure.

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication proponents are required to follow the guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6*. In addition to Health Canada's requirements, proponents must comply with the *Canadian Environmental Assessment Act* and any painting and lighting requirements for aeronautical safety prescribed by NAV CANADA and Transport Canada. Board Policy B1.23 does not address health implications associated with telecommunication towers as this falls under the jurisdiction of Health Canada. The proponent has stated that they will comply with all federal, environmental and health requirements. The proponent has also completed a Safety Code 6 analysis (see Attachment 7 – Safety Code 6 Assessment) and anticipates within a 1.0 kilometer radius of the proposed tower, the facility will operate at 625 times below Health Canada's radiofrequency energy limit.