
Protocol for Establishing Telecommunication Towers

1. Introduction

The purpose of this Telecommunication Facility Policy is to outline the process telecommunication proponents must follow to establish and expand telecommunication facilities to address the increasing demand for wireless communication services in the Township of Asphodel-Norwood. This protocol exists so that the process for establishing telecommunication facilities in the Township is outlined in advance in order that telecommunication companies can satisfy the requirements of Industry Canada for consultation with local Land Use Authorities prior to approval of new installation.

The policy will provide guidance to municipal staff, council, proponents and the public in considering the establishment or expansion of communication facilities within the Township. The Township will work together with the proponents to locate antennas in optimal locations for providing service while minimizing the visual and environmental impacts of support structures for the antenna.

Tower facilities are exclusively regulated by Federal legislation under the Radio Communication Act and administered by Industry Canada. Although Industry Canada does not play a direct role in the land use consultation process, they are expected to ensure, by a condition of the license that it issues, that land use authority consultation has taken place prior to the erection of individual antenna structures.

The Township intends that this policy be considered the framework for identifying and resolving land use conflicts at an early stage in the process.

2. Objective

The intent of this policy is:

- a) to balance demands for facilities with a desire to preserve the natural and cultural landscape and minimize community impacts;
- b) to outline a general process to be followed by the Township for the review of communication facility proposals that is not exempt by this policy;
- c) to provide for public consultation;
- d) to provide for high caliber wireless communication facilities to promote economic development and meet business and safety needs.

3. Preliminary Consultation

Preliminary consultation shall be required between proponents and the Township of Asphodel-Norwood planning staff. The applicant will be provided with an information package which will include the following:

- a) the process to be followed, including the requirements for public consultation and circulation; and
- b) documents, drawing and fees required.

The applicant will be required to consult with adjacent municipalities within 500 metres of the proposed facility by circulating proposals to the Clerk of the adjacent municipalities. The proponent shall provide confirmation of this consultation to the Clerk of the Township of Asphodel-Norwood.

4. Site Selection Criteria

The applicant shall be encouraged to use existing structures wherever possible. In selecting a site for a new tower, the following factors must be considered:

- a) encourage maximum distance from residential areas;
- b) encourage maximum distance from public and institutional facilities such as schools, community centres, daycare facilities, and senior's residences;
- c) avoidance of natural features, minimize vegetation disturbance, avoidance of hazards lands (floodplains and steep slopes);
- d) where possible minimize long/short range views;
- e) compatibility with adjacent uses, and
- f) access.

5. Information Required

All proposals for new communication towers and modifications to existing towers that are not exempt from this policy, shall be supported by including the information required in the notice as outline in section 10. Public Consultation and the attached Information Checklist.

6. Design

Where co-location is not possible, structures shall be designed to minimize visual impact and to avoid disturbance of significant natural features. The type and colouring of structures shall be selected to blend in with the surroundings. Landscaping will be provided where appropriate. Towers shall accommodate only communication facilities. No signs or other material not directly related to the communication equipment shall be permitted on the tower.

The applicant must demonstrate that the lease includes provisions for the removal of the tower at the end of the lease period, unless the carrier or owner of the property on which the tower is located, can demonstrate the tower is required for other purposes. The applicant will be

encouraged to remove the tower, if other, more suitable locations to relocate communications becomes available. A small plaque must be placed at the base of the tower, identifying the owner/operator of the tower and a contact number.

7. Fees

The applicant shall be subject to a processing fee as per the Township of Asphodel-Norwood Fees and Charges By-law.

8. Agreement

The proponent may be required to enter into a development agreement acceptable to the Township. The agreement may be registered on title.

9. Exemptions to Municipal Review

All submissions shall be subject to pre-consultation with the land use authority. After the pre-consultation process has been completed the following proposals may be exempt from land-use authority review and public consultation requirements:

- a) **New Antenna Systems** - where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunication carriers, broadcasting undertakings or third party tower owners;
- b) **Existing Antenna Systems** - where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunication carriers, broadcasting undertakings or third party tower owners;
- c) **Non-Tower Structures** - antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%; and
- d) **Temporary Antenna Systems** - used for special events or emergency operations and must be removed within three months of the start of the emergency or special event. Prior to installation of a temporary system permission from the Township must be received.

No consultation is required prior to performing maintenance on an existing antenna system.

Height is measured from the average ground level at the finished grade to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lighting rod, aviation obstruction lighting or some other appurtenance.

10. Public Consultation

Proponents are responsible for organizing and holding a community information session to be held within the Township of Asphodel-Norwood. For proposed towers or alterations to existing towers that do not meet the exemption criteria, the proponent shall give notice by regular mail to all owners of properties within a radius of 250 metres or within a distance of five (5) times the height of the proposed tower, whichever is greater. Public notification of an upcoming consultation must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The public notification must be sent by mail or be hand delivered. The public notification must clearly reference that the recipient is within the prescribed notification radius of the proposed antenna system.

It is the proponent's responsibility to ensure that the notification provides at least thirty (30) days for written public comment.

In addition to the public notification requirements noted above, proponents of an antenna system proposed to be thirty (30) metres or more in height must place a notice in a local community newspaper circulating in the proposed area.

The notification must include the following:

- a) the proposed antenna system's purpose, the reasons why existing antenna systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable;
- b) the proposed location of the tower, the geographical coordinates and the specific property or rooftop;
- c) an attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- d) identification of areas accessible to the general public and the access measures to control public access;
- e) information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;
- f) physical details of the tower including its height, colour, type and design;
- g) Transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
- h) an attestation that the installation will respect good engineering practices including structural adequacy;
- i) notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);
- j) the time and location of the community information session;
- k) the name and telephone number of a contact person employed by the proponent, as well as a Township contact person; and
- l) closing date for submission of written public comments (not less than thirty (30) days from receipt of notification)

The proponent shall prepare a record of attendees, minutes, and response to concerns raised at the information session. Provide a follow-up letter addressed to the Clerk and all attendees to the community information meeting and those who made written submissions, to indicate the proponent's formal response to the concerns or issues raised during the meeting. If any modification of the proposed structure is agreed to, then further details (i.e. revised plans or drawings) must be submitted to the Township as soon as possible.

11. Application Process Time Frame

The Township will attempt to complete the land-use authority consultation process within sixty (60) days.

Information Checklist

1. A site selection/justification report outlining the location of co-location options that were considered, and why the proponent's proposal is the preferred option.
2. Map/inventory of all towers within the proponent's search area.
3. Letter of authorization from the property owner.
4. Colour photograph(s) with tower structures superimposed.
5. Site layout plan showing all tower structures and distances to lot line adjacent structures.
6. Elevation drawings showing tower structure (from all four sides if on a building), heights and size of facilities, and existing and proposed grading elevations.
7. Public consultation report.
8. Applicable processing fee.