

Policy: Development and / or Redevelopment of Telecommunication Towers / Antenna Facilities	Policy # CD-319
Department: Community & Development Services	Effective Date: April 16, 2010
Passed by Council	Revision Date:

1.0 Purpose

- 1.1 The purpose of this policy is to provide guidance to the Town, proponents and the general public in considering proposals to locate telecommunication towers / antenna facilities. It is anticipated that the telecommunications industry will continue to pursue innovative technology that will reduce the visual impact on communities.
- 1.2 Industry Canada, which is the approval authority for telecommunication facilities, encourages the establishment of policies, recognizing that land use authorities are best positioned to contribute to optimal site selection of facilities. Although Industry Canada does not play a direct role in the land use consultation process, it is expected that land use authority consultation has taken place prior to the erection of telecommunication towers / antenna facilities in accordance with Industry Canada's antenna siting and approval procedures entitled "Client Procedures Circular (CPC-2-0-03) Radiocommunication and Broadcasting Antenna Systems, Issue 4, June 2007.
- 1.3 The municipality acknowledges Industry Canada's exclusive jurisdiction and that Proponents are excluded from the requirements to consult with the municipality and the public in accordance with Section 6 (Exclusions) of Industry Canada's antenna siting and approval procedures entitled "Client Procedures Circular (CPC-2-0-03) Radiocommunication and Broadcasting Antenna Systems, Issue 4, June 2007.

2.0 Scope

- 2.1 This policy will outline the local land use consultation process and guidelines to be followed in evaluating telecommunication facility proposals within the Town of Lakeshore by providing guidance to the telecommunication industry, Industry Canada, Town Council, Town Staff and members of the public.

3.0 Policy

3.1 Section 1-Principles

- 3.1.1** To encourage consultation between telecommunication carriers and the Municipality, that will address matters such as co-location and optimal site selection.
- 3.1.2** To provide a forum that will allow for public involvement as determined by this policy.
- 3.1.3** To encourage awareness by the carriers for the following guidelines of the Municipality as part of their planning and site selection process for telecommunication tower / antenna sites:
 - 3.1.3.1** Carriers are encouraged to protect the natural landscape of a site at all times. Where appropriate, the planting of trees and shrubs at the tower site to enhance the character of the surroundings is highly recommended;
 - 3.1.3.2** Towers and base stations should be of a neutral colour that blends with the surrounding area or as required by Transport Canada and NAV Canada;
 - 3.1.3.3** Towers shall accommodate only telecommunication facilities and no signs or other material not directly related to this equipment shall be permitted on the tower. The municipality encourages camouflaging telecommunication facilities as signs, for example stealth designs;
 - 3.1.3.4** The location of towers in existing or future residential areas will be discouraged. The preferred location of new towers is in the industrial areas and in rural areas;
 - 3.1.3.5** The carrier shall remove the tower if their telecommunication equipment has been deactivated and unused (abandoned) continuously for more than 6 months. Such towers and equipment shall be removed within 90 days after the 6 month period. Consideration may be given to extending the time noted if the carrier can

demonstrate a real and probable use of the tower beyond the six month period.

3.2 Section 2-Procedures

3.2.1 Phase 1-Submission Requirements

- 3.2.1.1** All proposals for new telecommunication towers / antenna facilities and modifications to existing towers, where municipal consultation is required by Industry Canada in accordance with Industry Canada's antenna siting and approval procedures entitled "Client Procedures Circular (CPC-2-0-03) Radiocommunication and Broadcasting Antenna Systems, Issue 4, June 2007, requires the submission of an application package which shall include the following information:
- 3.2.1.2** Written documentation from the proponent (carrier) outlining the steps taken by the proponent to investigate all non-tower and co-location options and / or why a tower option is the preferred alternative. A pre-consultation meeting with Lakeshore planning staff is strongly encouraged in conjunction with this exercise to discuss and rationalize the proposed site.
- 3.2.1.3** A full site plan drawn to a metric scale showing the subject property (or leased area if the property is not owned by the proponent), site grading, the location of existing property lines, existing or proposed new buildings, fences, buffering, existing and proposed landscaping, access, parking, and the type and height of the proposed tower structure. Any significant vegetation on a particular site should be inventoried on the plan.
- 3.2.1.4** Two sets of scaled engineered drawings (stamped) to identify the tower design. In the case of roof mounted towers, a structural engineer's report may also be required to address the structural effects on the existing building.
- 3.2.1.5** A statement from the proponent to indicate the need for the proposed tower height and the location of the proposed tower.

3.2.1.6 A map showing the horizontal distance between the tower installation and the nearest residential zone and/or residential area.

3.2.1.7 Application for building permits in accordance with the Ontario Building Code.

3.2.1.8 A cheque payable to the Municipality of Lakeshore to cover administrative and processing costs set out in the Municipal Fee Schedule.

3.2.2 Phase 2 – Public Review Process

3.2.3 Exemptions to Public Consultation

3.2.3.1 Proponents are excluded from the requirements to consult with the municipality and the public in accordance with Section 6 (Exclusions) of Industry Canada's antenna siting and approval procedures entitled "Client Procedures Circular (CPC-2-0-03) Radiocommunication and Broadcasting Antenna Systems, Issue 4, June 2007.

3.2.3.2 For free standing towers, which meet the following criteria, public consultation is not required:

3.2.3.3 Towers 15 metres or greater in height above ground level which are located more than 500 metres from the nearest residential zone and / or residential dwelling.

3.2.3.4 In cases where no public consultation is required, a Letter of Recommendation shall be provided by the Development Service Department within 2 weeks of receiving a written request from the proponent to advise that the Municipality's requirements have been satisfied.

3.2.4 Public Consultation is required

3.2.5 For proposed towers or alterations to existing towers that do not meet the above noted exemption criteria, the proponent shall give notice by regular mail to the Development Service Department and to all owners of properties within a radius of

500 metres of the subject property (or leased area if the property is not owned by the proponent):

3.2.6 The required notice shall include the following information:

3.2.6.1 The proposed location of the tower on the subject site;

3.2.6.2 Physical details of the tower including its height, colour, type, design and lighting;

3.2.6.3 The time, date and location of the open house, and;

3.2.6.4 The name and telephone number of a contact person employed by the proponent, as well as a Municipal contact person.

3.2.7 The Municipality will provide a mailing list to the proponent.

3.2.8 The Town may also arrange for notice to be provided in a local newspaper to inform residents of the proposal if it is the opinion of Staff that the visual impacts of the installation would be of a significant nature to local residents and property owners.

3.2.9 Open House

3.2.10 The open house shall occur no sooner than 20 days and no later than 40 days from the date that notices are mailed.

3.2.11 In addition to the tower details provided in the notice, the proponent shall also make available at the open house a colour photograph of the subject property (8^{1/2}"x14" minimum) with a superimposed image of the proposed tower.

3.2.12 Following the open house the proponent shall:

3.2.12.1 Provide a record of names, addresses and phone numbers of attendees;

3.2.12.2 Provide minutes of the open house to identify the issues and concerns that were raised;

3.2.12.3 Provide a follow up letter to the Municipality to indicate their formal response to concerns raised

during the open house. Should any modifications of the proposed structure be agreed to, then further details e.g. revised plans or drawings will be provided as soon as possible to the municipality.

3.2.13 After the proponent has satisfied the requirements of Phases 1 and 2 above, and within 2 weeks of receiving a written request from the proponent to do so, a Letter of Recommendation shall be provided by the Manager of Development Services to the proponent for consideration by Industry Canada, to advise:

3.2.14 Whether, in the opinion of the Municipality, adequate public consultation has been conducted by the carrier, and

3.2.15 A recommendation based on probably land use impacts to indicate the Municipalities position.

3.2.16 Following the completion of public consultation, the Municipality shall provide a copy of this letter to the property owners.

3.3 Section 3-Definitions

3.3.1 Antenna: an exterior transmitting device used in telecommunications designed for various uses such as telephonic, radio, or television communications by sending and / or receiving radio signals. Examples include whip, Omni directional, microwave and panel antennas.

3.3.2 Telecommunication Tower: means a structure used to support one or more antenna systems for the purpose of radio telecommunications and which may include, but is not limited to a guyed tower, a self-support tower or monopole tower and which may be located at ground level or on the roof of a building.

3.3.3 Telecommunication Facility: means the components required for the operation of a wireless communication network, which include cell sites, transmitters, receivers and an unoccupied equipment shelter.

3.3.4 Industry Canada: is the Federal Department, which manages radio frequency spectrum management.

3.3.5 Carrier: a company, organization or person which provides wireless communication services to the general public and includes, but is not limited to companies which have radio authorization from Industry Canada. Co-location means the installation of multiple telecommunication antenna systems on a building or tower structure by two or more carriers.

3.3.6 CPC-2-0-03: Industry Canada's Client Procedures Circular, Radiocommunication and Broadcasting Antenna Systems, Issue 4, June 2007.

3.4 Fees

3.4.1 For applications that meet the Municipality's public consultation exemption criteria, as set out in Section 2 of this policy, the required fee shall be as set out in the Municipal Fee Schedule.

3.4.2 For applications that require public consultation, as set out in Section 2 of this policy, the required fee shall be as set out in the Municipal Fee Schedule.

3.4.3 All applicable building permit fees shall be paid, if a building permit is required.

4.0 Responsibilities

4.1 It is the responsibility of the Director of Community and Development Services (or their designate) to implement this policy and to inform their Staff of required procedures.

5.0 Consequences

5.1 It is the responsibility of the Director of Community and Development Services (or their designate) to implement this policy.

5.2 Failure to follow this policy may result in land use conflicts and / or lack of Public consultation.

6.0 References

6.1 Industry Canada – Client Procedures Circular (CPC-2-0-03)

- 6.2** Ontario Building Code
- 6.3** Ontario Planning Act
- 6.4** Telecommunication Facilities Application