

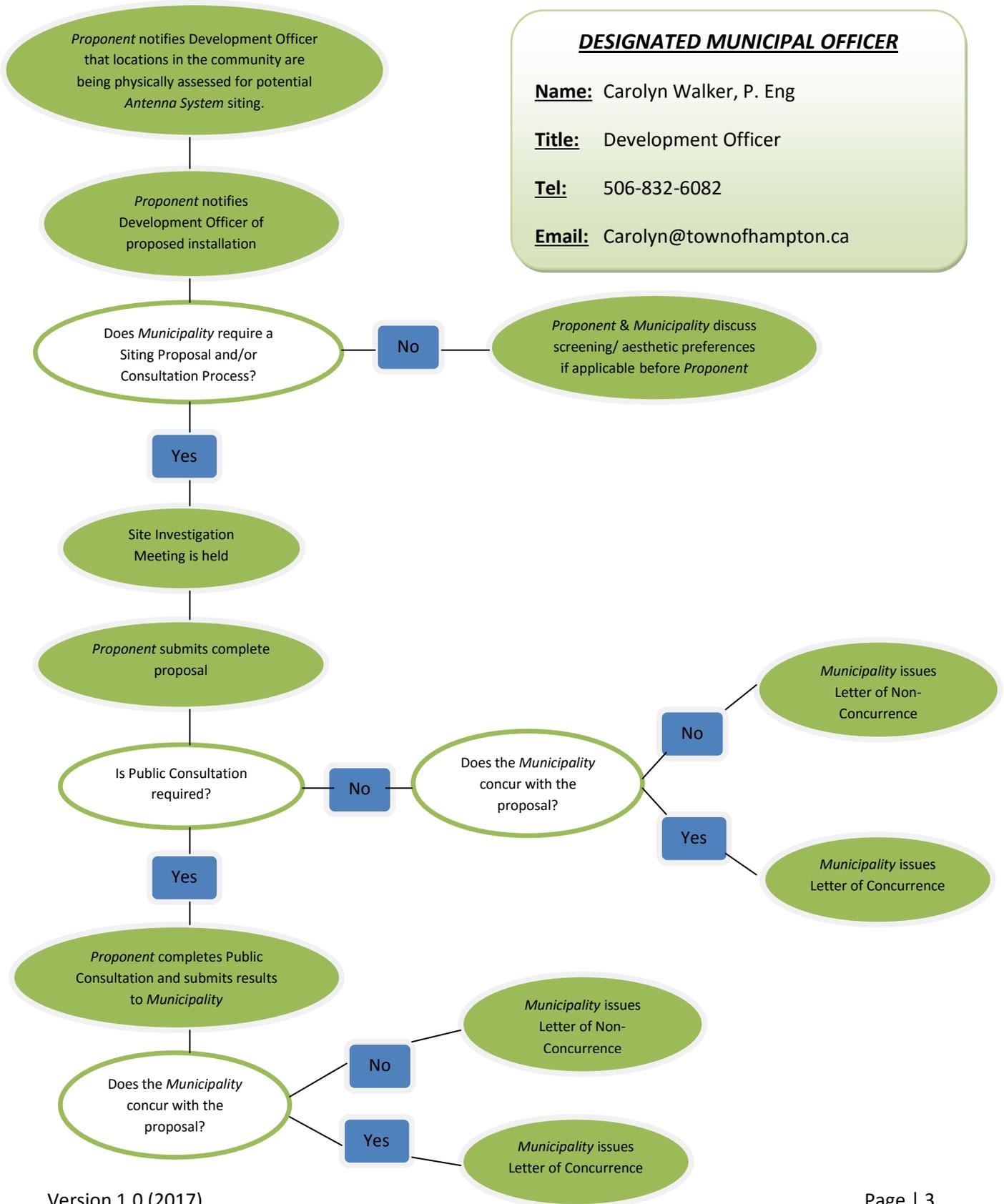


# **ANTENNA SYSTEM SITING POLICY**

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# ANTENNA SYSTEM SITING PROCESS FLOWCHART



**DESIGNATED MUNICIPAL OFFICER**

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## 1.0 OBJECTIVE

The objectives of this Policy are as follows:

- a) To establish a siting and consultation process that is in keeping with Industry Canada's *Radio Communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Policys* for reviewing land use issues associated with *Antenna Systems* siting proposals;
- b) To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of *Antenna Systems* siting proposals that:
  - i. Minimize the number of newer antenna sites by encouraging *co-location*;
  - ii. Encourage designs that integrate with the surrounding land use and public realm;
  - iii. Establish when local public consultation is required; and
  - iv. Allow Industry Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the Town at an early stage in the process.
- c) To provide an expeditious review process for *Antenna System* siting proposals;
- d) To establish a local land use consultation framework that ensures the Town of Hampton and members of the public contribute local knowledge that facilitates and influences the siting-location, development and design (including aesthetics) – of an *Antenna System* within municipal boundaries;
- e) To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network within the Town of Hampton; and
- f) To provide the Town of Hampton with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Town to Industry Canada at the end of the process.

## 2.0 JURISDICTIONS & ROLES

### 2.1 Industry Canada

The Minister overseeing Industry Canada, under the *Radiocommunication Act*, has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of *Antenna Systems* is made only by Industry Canada. In June, 2007, Industry Canada issued an update to its *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* which outlined the process that must be followed by *Proponents* seeking to install or modify *Antenna Systems*, effective January 1, 2008.

Industry Canada requires that *Proponents* intending to install or modify an *Antenna System* notify and consult with Municipalities (Land-use Authority) and the local community within a *Prescribed Distance* from the proposed structure. Industry Canada also published a *Guide to Assist Land-use Authorities in Developing Antenna Siting Policies* in January, 2008, stating that it “considers that the *Municipality’s* and local resident’s questions, comments, and concerns are important elements to be considered by a *Proponent* seeking to install, or make modifications to, an *Antenna System*.” The *CPC* also established a dispute resolution process to be used where the *Proponent* and *Municipality* have reached an impasse.

### 2.2 Municipality

The ultimate role of the *Municipality* is to issue a statement of concurrence or non-concurrence to the *Proponent* and to Industry Canada. The statement considers the land use compatibility of the *Antenna System*, the responses of the affected residents and the *Proponent’s* adherence to this Policy. The *Municipality* also guides and facilitates the siting process by:

- a) Communicating to the *Proponents* the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- b) Developing and design guidelines for *Antenna Systems* contained in Section 6 of this Policy; and
- c) Establishing a community consultation process, where warranted.

By working with *Proponents* throughout the siting process, beginning with preliminary notification and the site investigation meeting, the *Municipality* seeks to facilitate *Antenna System* installations that are sensitive to the needs of the local community.

### 2.3 Proponent

*Proponents* need to strategically locate *Antenna Systems* to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, *Proponents* must adhere to the antenna siting guidelines in the *CPC*, including:

- a) Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with *CPC-2-0-17 Conditions of License for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*);
- b) Contacting the *Municipality* to determine local requirements regarding *Antenna Systems*; and
- c) Undertaking public notification and addressing relevant concerns as is required and appropriate.

## 2.4 Other Relevant Federal Legislation

*Proponents* additionally must comply with the following federal legislation and/ or regulations, where warranted:

- a) Health Canada’s Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3KHZ to 300 GHZ – Safety Code 6 (2009);
- b) The Canadian Environmental Assessment Act; and
- c) NAV Canada and Transport Canada’s painting and lighting requirements for aeronautical safety.

## 3.0 DEFINITIONS

**Antenna System:** an exterior transmitting device, or group of devices, used to receive and/ or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communication energy transmitted from, or to be received by, other antennas. *Antenna Systems* include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This Policy most commonly refers to the following types of *Antenna Systems*.

- a) **Freestanding Antenna Systems:** a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an *Antenna System* or *Antenna Systems*.
- b) **Building/ Structure Mounted Antenna System:** an *Antenna System* mounted on an existing structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

**Co-location:** the placement of antennas and equipment operated by one or more *Proponents* on a telecommunication *Antenna System* operated by a different *Proponent*, thereby creating a shared facility.

**Community Sensitive Locations:** land on which the siting of new *Antenna Systems* is discouraged, or requested to be subject to greater consultation than otherwise dictated by the

standard Policy. Such locations may be defined in local zoning bylaws, community plans, or statutory plans.

**Committee of Council:** a committee provided for or created by the Town whose sole reporting responsibility is to Council. It does not include Regional Commissions or Regional Committees.

**CPC:** Client Procedure Circulars issued by Industry Canada.

**Designated Municipal Officer or Designate:** the municipal staff member tasked with receiving, evaluating and processing submissions for telecommunication *Antenna Systems*. The *Designated Municipal Officer's* name and contact information is provided in the *Antenna System Siting Flowchart* provided in this Policy. This position is normally held by the Development Officer or designate.

**Environmentally Sensitive Areas:** areas such as rivers, marshlands, flood plains, steep slopes and habitat.

**Elected Municipal Official:** a member of the most current Town of Hampton Council.

**Heritage Structures/ Areas:** buildings and structures or areas/ neighborhoods receiving a heritage designation by the *Municipality*.

**Municipal Departments:** branches of municipal government that administer public services and area operated by town staff.

**Municipality:** refers to the Town of Hampton body corporate.

**Other Agencies:** bodies that administer public services but are not operated or staffed by the *Municipality* (i.e. applicable Provincial/ Federal Departments)

**Prescribed Distance:** 3 times the height of the proposed structure measured horizontally from the base of the proposed Freestanding or Building/ Structure-Mounted *Antenna System*.

**Proponent:** a company or organization proposing to site an *Antenna System* (including contractors undertaking work for telecommunications carriers) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

**Residential Area:** land used or zoned to permit residential uses, including mixed uses.

## 4.0 EXCLUDED STRUCTURES

### 4.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, *Proponents* are generally excluded by Industry Canada from the requirement to consult with the *Municipality* and the public, but must still fulfill the General Requirements outlined in Section 7.0 of this Policy:

- a) New *Antenna Systems*, including masts, towers or other antenna-supporting structure with a height of less than 15m above ground level except where required by the *Municipality* as per Section 4.2.2;
- b) Maintenance of existing radio apparatus including the *Antenna System*, transmission line, mast, tower or other antenna-supporting structure.
- c) Addition or modification of an *Antenna System* (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc., including additions to rooftops or support pillars, provided:
  - i. The addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;
  - ii. The existing *Antenna System* is at least 15 metres (15m) in height;
  - iii. The existing *Antenna System* has not previously been modified to increase its original height by 25%;
- d) Maintenance of an *Antenna System's* painting or lighting in order to comply with Transport Canada's requirements; and
- e) Installation, for a limited duration (typically not more than 3 months), of an *Antenna System* that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during an emergency, and is removed within 3 months after the emergency or special event.

The *CPC* also states that: Individual circumstances vary with each *Antenna System* installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the *Proponents* to consult the *Municipality* and the public even though the proposal meets the exclusion noted above. Therefore, when applying the criteria for exclusion, *Proponents* should consider such things as:

- The *Antenna System's* physical dimensions, including the antenna, mast and tower, compared to the local surroundings;
- The location of the proposed *Antenna System* on the property and its proximity to neighboring residents;
- The likelihood of an area being a Community-Sensitive Location; and
- Transport Canada marking and lighting requirements for the proposed structure.

#### **4.2 Notification and Municipal Review of Exempt Antenna Systems**

Notwithstanding Industry Canada's exemption criteria for certain *Antenna Systems*, *Municipalities* should be informed of all new *Antenna System* Installations/ Modifications within their boundaries so they can:

- Be prepared to respond to public inquiries once construction/ installation has begun;
- Be aware of site *co-location* within the *Municipality*;

- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the *Proponent* with respect to the appearance of the *Antenna System* and structure prior to the *Proponent* investing in full design.

However, *Proponents* are required to undertake the following steps for all exempt *Antenna System* Installations before commencing construction/ modification.

#### 4.2.1 Building/ Structure- Mounted *Antenna Systems*

The *Proponent* will in all cases provide the following information for all new *Antenna Systems* or modifications to existing *Antenna Systems* that are mounted to an existing structure, including, but not limited to, a building/ rooftop, water tower, utility pole or light standard:

- a) The location of the *Antenna System* (address, name of building, rooftop or wall mounted, etc.)
- b) Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/ or the preferences expressed in Section 6;
- c) The height of the *Antenna System*;
- d) The height of any modifications to existing systems.

The *Municipality* may notify the *Proponent* of any inconsistency with the preferences and sensitivities expressed in Section 6.0 and the parties will work towards mutually agreeable solution.

#### 4.2.2 *Freestanding Antenna Systems and Additions to Freestanding Antenna Systems*

The *Proponent* will confirm to the *Municipality* that the *Freestanding Antenna System* to be erected, or an addition to an existing *Freestanding Antenna System* as defined in Section 4.1(c), meets the exclusion criteria in Section 4.1 by providing the following:

- a) The proposed location, including its address and location on the lot or structure;
- b) A short summary of the proposed *Antenna System* including a preliminary set of drawings or visual rendering of the proposed system; and
- c) A description of how the proposal meets one of the Section 4.1 exclusion criteria.

The *Municipality* will review the documentation and will contact the *Proponent* where there is a site specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 6.0 of this Policy. In such cases, the *Municipality* and the *Proponent* will work toward a mutually agreeable solution, which may include the *Municipality* requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Section 5.0, 7.0 and 8.0 of this Policy, as applicable, concluding with a letter of concurrence or non-concurrence.

### **4.3 Exemptions From Public Consultation Only**

In addition to Industry Canada's basic exemptions listed in Subsection 4.1, the following types of *Antenna Systems* are exempt from the public consultation requirement by the *Municipality*:

- a) New *Antenna Systems* which will be located outside the *Prescribed Distance* (as identified in Section 3) from the nearest *Residential Area*; and
- b) Notwithstanding (a) above, the *Municipality* may, on a case-by-case basis, exempt a *Proponent* from all or part of the consultation requirements under Section 8.0 of this Policy.

### **4.4 Siting on Municipal Owned Properties**

Any request to install an *Antenna System* on lands owned by the *Municipality* shall be made to the Designated Municipal Office described within this Policy.

## **5.0 PRE-CONSULTATION**

### **5.1 Notification**

*Proponents* will notify the *Designated Municipal Officer* that locations in the community are being assessed for potential *Antenna System* Siting.

### **5.2 Site Investigation Meeting with Municipality**

Prior to submitting an *Antenna System* siting proposal, the *Proponent* will initiate a site investigation meeting with the Town of Hampton.

The purpose of the site investigation meeting is to:

- a) Identify preliminary issues of concern;
- b) Identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- c) Guide the content of the proposal submission; and
- d) Identify the need for discussions with any *Municipal Departments* and *Other Agencies* as deemed necessary by the *Designated Municipal Officer*.

Where the Town of Hampton has an initial concern with the proposed siting of the proposal they will make known to the *Proponent* alternative locations within the *Proponent's* search area for consideration.

The *Proponent* will bring the following information to the site investigation meeting:

- a) The proposed location;
- b) Potential alternatives;
- c) The type and height of the proposed *Antenna System*;

- d) Preliminary drawings or visual renderings of the proposed *Antenna System* superimposed to scale; and
- e) Documentation regarding the investigation of *co-location* potentials on existing or proposed *Antenna Systems* within 500 metres (500m) of the subject proposal.

If desired by both the *Proponent* and the Town of Hampton, multiple *Antenna System* siting proposals may be reviewed at a site investigation meeting.

### **5.3 Confirmation of Municipal Preferences and Requirements**

Following the site investigation meeting, municipal staff will provide the *Proponent* with an information package that includes:

- a) This Policy, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, *co-location*, installation, design and landscaping;
- b) Proposal submission requirements;
- c) A list of plans and studies that may be required (i.e. EIA, WAWA);
- d) A list of *Municipal Departments* and *Other Agencies* to be consulted; and
- e) An indication of the Town of Hampton's preferences regarding *co-location* for the site(s) under discussion.

To expedite the review of the proposal, the *Proponent* will review this information package before the proposal is submitted so that the interests of the Town are taken into account. The *Proponent* is encouraged to consult with the *Designated Municipal Officer* before submitting the proposal.

## **6.0 DEVELOPMENT GUIDELINES**

*Antenna Systems* should be sited and designed to respect local sensitivities and preferences as identified by the *Municipality*.

The Town of Hampton has set out a number of guidelines under the following criteria for the selection of sites and construction of new *Antenna Systems*.

- a) Location, including *co-locations*; and
- b) Development & Design Preferences

The *Proponent* should review the guidelines identified below as early as possible, and should attempt to resolve any outstanding issues prior to submitting its *Antenna System* siting proposal and undertaking the public consultation, where required by the Town. The *Proponent* is encouraged to discuss the guidelines fully with the Town at the site investigation meeting.

*Proponents* are also required to obtain all applicable building permits for new structures, as well as, additions and modifications.

## 6.1 Location

### Co-location

Prior to submitting a proposal for an *Antenna System* on a new site, the *Proponent* must explore the following options:

- a) Sharing an existing *Antenna System*, modifying or replacing a structure if necessary;
- b) Locate, analyze and attempt to use any feasible existing infrastructure, including, but not limited to, rooftops, water towers, utility poles or light standards.

Where *co-location* on an existing *Antenna System* or structure is not possible, a new *Antenna System* should be designed with *co-location* capacity, including in *Residential Areas*, where deemed appropriate by the Town.

The Town recognizes that the objective of promoting *co-location* and the objective of making *Antenna Systems* less noticeable may sometimes come into conflict; however, the Town intends to review each submission on its merits with a view to promoting both objectives and where necessary, will determine the appropriate balance between them. The *Proponent* should, in all cases verify, with the Town, site-specific design preferences during the pre-submission consultation process before investing in a final design or site location.

### Preferred Locations

When new *Antenna Systems* must be constructed, where technically feasible, the following locations and criteria are preferred:

- a) Commercial 1,2 & 3 Zoned properties as defined within Zoning By-Law 190-10;
- b) Locations that house existing *Antenna Systems*, provided setbacks can be met;
- c) Existing Transportation/ Utility Corridors;
- d) As near as possible to similarly scaled structures;
- e) Located in a manner that does not adversely impact view corridors; and
- f) Other non-*Residential Areas* where deemed appropriate.

### Discouraged Locations

New *Antenna Systems* should avoid the following areas; however, proposals will be evaluated on a case by case basis:

- a) Location in or near Residentially Zoned areas;
- b) Location that would interfere with locally popular view corridors/ landmarks/ public areas;
- c) *Environmentally Sensitive Areas*; and
- d) Community sensitive areas;

## 6.2 Development and Design Preferences

*Antenna Systems* should be designed in terms of appearance and aesthetics to respect their immediate surroundings, including being un-obtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features, and reduce the need for future facilities in the same area, where appropriate. The Town's preferred design and development preferences are described below.

### Style & Color

- The architectural style of the *Antenna System* should be compatible with the surrounding neighborhood and adjacent uses;
- In all instances the *Proponent* should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques etc.; and
- Towers and Communication equipment should have a non-reflective surface.

### Buffering & Screening

- *Antenna Systems* and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments;
- A mix of deciduous and coniferous trees is preferred to provide year round coverage; and
- Where adjacent to a principal building, equipment shelters should be constructed of a material similar in appearance to at least one of the materials used in the facades of the principal building and one of the same colours used in the principal building.

### Structure

- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community;
- New Structures should consider multi-use design (i.e. street lighting, electric vehicle charging stations, wifi etc.); and
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged; structures should be designed for self support.

### Height

- The Town prefers that *Freestanding Antenna Systems* be a maximum of forty-five metres (45m) in height;
- Height of *Freestanding Antenna Systems* must be measured from grade to the highest point on the structure, including lighting and supporting structures; and

- Where *Building/ Structure Mounted Antenna Systems* will exceed 25% of the height of the existing building to which the structure will be attached, the Town prefers that the height of the tower and building/ structure not exceed forty-five metres (45m) measured from grade to the highest point on the structure.

#### Yards, Parking & Access

- Adequate yards, to be determined on a site-by-site basis, should separate *Antenna Systems* from adjacent development without unduly affecting the development potential of the lot over the lease period; and
- Parking spaces, where provided at each new *Antenna System* site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

#### Equipment Cabinets in Public Spaces

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant;
- Cabinet dimensions shall be as minimal as possible; and
- Cables and wires must be concealed or covered.

#### Signage & Lighting

- Small owner identification signs up to a maximum of 0.19 m<sup>2</sup> (2ft<sup>2</sup>), shall be posted on *Antenna Systems* with all relevant emergency contact information;
- No advertising signage is permitted;
- Appropriate signage may also be used as part of screening or disguise;
- Unless specifically required by Transport Canada or NAV Canada, the display of any on-structure lighting is discouraged;
- Where Transport Canada or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada; and
- The lighting of *Antenna Systems* and associated equipment shelters for security purposes is supportable provided it is downcast and shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

#### Rooftop Equipment

- Equipment shelters located on the roof of a building/ structure are discouraged; however, if deemed appropriate by the Town, they shall be setback from the roof edge to the greatest extent possible, and painted to match the building/ structure.

## **7.0 PROPOSAL SUBMISSION**

For a proposed *Antenna System*, the *Proponent* will submit, to the Town, an *Antenna Systems* Siting Proposal as described below, along with the proper application fee for such (see Section 7.2 – Fees).

### **7.1 Proposal Submission Requirements**

The following must be included when submitting an *Antenna System* Siting Proposal:

- a) A letter or report from the *Proponent* indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing *Antenna Systems* in the general area and a summary of opportunities for *co-location* potentials on existing or proposed *Antenna Systems* within 500m of the subject proposal, including reasoning for non-utilization if applicable ;
- b) Visual rendering(s) of the proposed *Antenna System* superimposed to scale;
- c) A Site Plan showing the proposed development situated on the site;
- d) A Map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential uses;
- e) For *Antenna Systems* requiring public consultation, a map depicting all properties located within the *Prescribed Distance* from the proposed *Antenna System*;
- f) Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered land owner, their agent, or other person(s) having legal or equitable interest in the land;
- g) An attestation that the *Antenna System* will respect Health Canada’s Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
- h) Any other documentation as identified by the *Designated Municipal Officer* following the site investigation meeting (i.e proof of insurance if applicable).

Confirmation of receipt of proposal will be provided within five (5) working days of proposal submission.

Upon receipt of a complete proposal submission, the Town will circulate the proposal for review and comment by:

- a) Affected town departments; and
- b) Appropriate Town Committees of Council

### **7.2 Fees**

The *Proponent* must pay the appropriate Building Permit Fee as determined by the Building Inspector through the authority granted under Zoning By-Law, 190-10 and Building By-Law, 123-95.

## 8.0 PUBLIC CONSULTATION

If the proposed *Antenna System* is not exempt from the public consultation process as per the requirements in Section 4.0, the *Proponent* will initiate the following public consultation process, including issuing notices, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the Town.

### 8.1 Notice Recipients

After the *Proponent* has submitted an *Antenna System* Siting Proposal, the *Proponent* will give notice to:

- a) All affected residential properties within the *Prescribed Distance*;
- b) All designated community associations within the *Prescribed Distance*;
- c) Any adjacent municipalities/ local serviced district(s) within the *Prescribed Distance*;
- d) *Elected Municipal Official*;
- e) The *Designated Municipal Officer*; and
- f) The Industry Canada regional office.

The Town will assist the *Proponent* in compiling a mailing list of addresses of the affected residences within the *Prescribed Distance* from the proposed *Antenna System*.

### 8.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days prior to the public information session, if required, and shall include the following:

- a) Information on the location, height, type, design and color of the proposed *Antenna System*; including a 21cm x 29 cm (8" x 11") size copy of the site plan submitted with the application;
- b) The rationale, including height and location requirements, of the proposed *Antenna System*;
- c) The name and contact information of the *Proponent* or their representative;
- d) The name and contact information of the *Designated Municipal Officer*;
- e) An attestation that the *Antenna System* will respect Health Canada's Safety Code 6, which sets safe radiofrequency emission levels for these devices;
- f) The date, time and location of the public information session when required; and
- g) A deadline date\* for receipt by the *Proponent* of public responses to the proposal.

\* where a public information session is required the deadline date must be no more than five (5) days before the date of the session; where a public information session is not required, the deadline must be at least thirty (30) days after the notices are mailed.

The notice shall be sent out in an envelope addressed to "Occupant" and shall clearly show in bold type on the face of the envelope the statement:

**“NOTICE FOR RESIDENTS WITHIN [INSERT PRESCRIBED DISTANCE] OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED.”**

The Town may also require the *Proponent*, based on local conditions such as a high proportion of rental accommodation in the vicinity of the site, to provide such additional forms of notice as deemed necessary. Additional notification requirements will be identified by the Town during or following the site investigation meeting. Other forms of notification may include, but are not limited to:

- a) Publication of the Notice in a local newspaper(s); and
- b) Hand delivery of Notices to specific buildings.

### **8.3 Written Consultation Process**

Following the delivery of the notification, the *Proponent* will allow the public to submit written comments or concerns about the proposal.

The *Proponent* shall:

- a) Provide the public at least thirty (30) days to submit questions, comments or concerns about the proposal;
- b) Respond to all questions, comments, and concerns in a timely manner (no more than 60 days from the date of receipt);
- c) Allow the party to reply to the *Proponent's* response (providing at least 21 days for public reply comments)
- d) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and any concerns that remain outstanding; and
- e) Provide a copy of all written correspondence to the Town and the Regional Industry Canada office.

### **8.4 Public Information Session**

The Town may request that the *Proponent* chair a Public Information Session in cases where there is anticipated to be significant public interest in the proposed *Antenna System*. The type of Public Information Session to be conducted (open house, town hall, or drop in format) shall be at the discretion of the *Proponent*; however:

- An appropriate date, time and location for the Public Information Session will be determined in consultation with the *Designated Municipal Officer*; and
- The *Proponent* shall make available at the Public Information Session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The *Proponent* will provide the Town with a package summarizing the results of the public information session containing at a minimum, the following:

- a) List of attendees, including names, addresses and phone number (where provided voluntarily);
- b) Copies of all letters and other written communications received; and
- c) A letter of response from the *Proponent* outlining how all the concerns and issues raised by the public were addressed.

**NOTE:** Statement of Non-Concurrence will result should the above not be provide to the Town.

### **8.5 Post Consultation Review**

The Town and the *Proponent* will communicate following the completion of the public consultation process to discuss the results and next steps in the process.

## **9.0 STATEMENT OF CONCURRENCE/ NON-CONCURRENCE**

### **9.1 Concurrence and Concurrence with Conditions**

The Town will provide a letter of concurrence to Industry Canada (copying the *Proponent*) where the proposal addresses, to the satisfaction of the *Municipality*, the requirements as set out within this Policy and the Town's technical requirements, and will include conditions of concurrence if required.

The Town will issue a letter of concurrence in the time frame provided in Section 10.0.

### **9.2 Non-Concurrence**

The Town will provide a letter of non-concurrence to Industry Canada (copying the *Proponent*) if the proposal does not conform to Town requirements as set out within this Policy. The Town will also forward Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

The Town will issue a letter of non-concurrence in the time frame provided in Section 10.

### **9.3 Rescinding a Letter of Concurrence**

The Town may rescind its concurrence if following the issuance of a concurrence, it is determined by the Town that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with and a resolution cannot be reached to correct the issue.

In such cases, the Town will provide notification in writing to the *Proponent* and to Industry Canada and will include the reason(s) for the rescinding of concurrence.

#### **9.4 Duration of Concurrence**

A concurrence remains in effect for a maximum period of three (3) years from the date it was issued by the Town. If construction has not commenced within this time period the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two (2) years from the date the concurrence was issued, the Town requires that the *Proponent* send a written notification of an intent to construct to the *Designated Municipal Officer* once the work to erect the structure is about to start. This notification should be sent sixty (60) days prior to any construction commencing. No further consultation or notification by the *Proponent* is required.

#### **9.5 Transfer of Concurrence**

Once a concurrence has been issued, the concurrence may be transferred from the original *Proponent* to another *Proponent* without the need for further consultation provided:

- a) All information gathered by the original *Proponent* in support of obtaining the concurrence from the Town is transferred to the new *Proponent*;
- b) The structure and all other components of the infrastructure for which the concurrence was issued are the same; and
- c) Construction of the structure is commenced within the duration of concurrence period.

### **10.0 CONSULTATION PROCESS TIMEFRAME**

Consultation with the Town is to be completed within sixty (60) days of the proposal being accepted as complete by the Town as explained in Section 7.0 of this Policy.

Where public consultation is required, consultation with the Town and public consultation are both to be completed within one hundred and twenty (120) days of the proposal being accepted as complete by the Town.

The Town or *Proponent* may request an extension to the consultation process timeline. This extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in two hundred and seventy (270) days, the *Proponent* will be responsible for receiving an extension from the Town or reinitiating the consultation process to the extent requested by the Town.

### **11.0 LETTER OF UNDERTAKING**

The *Proponent* may be required, if requested by the Town, to provide a letter of undertaking, which may include the following requirements:

- a) The posting of a financial bond for the construction of any proposed fencing, screening and landscaping;
- b) A commitment to accommodate other communication providers on the *Antenna System*, where feasible, subject to the usual commercial terms and Industry Canada Conditions of License for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (*CPC-2-0-17*); and
- c) All conditions identified in the letter of concurrence.

## **12.0 REDUNDANT ANTENNA SYSTEMS**

The Town may issue a request to network operators to clarify that a specific *Antenna System* is still required to support communication network activity. The network operator will respond within 30 days of receiving the request and will provide any available information on the future status or planned decommissioning of the *Antenna System*.

Where the network operators concur that the *Antenna System* is redundant, the network operator and Town will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than two (2) years from when the *Antenna System* was deemed redundant.

## **REFERENCES**

1. ***Antenna System Siting Protocol Template***, by Federation of Canadian Municipalities and Canadian Wireless Telecommunications Association.