



# Seguin Township

## Report to Council

**Prepared for:** Township Council

**Department:** Development and  
Protective Services

**Agenda Date:** August 4, 2020

**Report No:** DPS-PL-2020-074

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**Subject: Draft Siting and Consultation Protocol**

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### **1.0 RECOMMENDATION:**

- i. That Council receives this report for information; and,
- ii. That Council directs staff to engage the public in regards to the Draft Siting and Consultation Protocol.

### **2.0 BACKGROUND:**

At its May 19<sup>th</sup> meeting, Council directed staff to prepare a report containing sample telecommunications infrastructure protocols for consideration and communicate with the regional broadband group on similar protocols.

At its June 1<sup>st</sup> meeting, Council considered several sample telecommunications infrastructure protocols. A couple of the Councillors commented that the Galiano Island Trust example was to their liking. They also asked if staff could canvas Township of Muskoka Lakes to their approach.

### **3.0 ANALYSIS:**

Official Plan Policy E.7 - Telecommunications Facilities provides Council with guidance with respect to siting of wireless communication installations which may be planned for this municipality.

Specifically at the end of this section, the Official Plan states that .....

*'The Township of Seguin realizes the need for wireless communication infrastructure in the Municipality and will work in co-operation with the wireless service providers to develop site locations within the Municipality. The Township may develop a Siting Protocol to assist in public consultation and to ensure that efforts are made to appropriately site telecommunications facilities in the Township.'*

#### **4.0 Draft Protocol for Telecommunication Tower Projects:**

Several members of Council were interested in the Galiano Island Trust example. This protocol applies to a 17-mile island off the coast of British Columbia. It is known for its quiet beaches, hiking, old-growth forests and wildlife. It has been adapted to the Seguin context because of these similarities. The Protocol is appended to this report as See Schedule A.

With respect to Muskoka Lakes, their Director of Planning advises that their Township does not have a detailed best practices policy. It will likely be something to be included in their OPR which is currently ongoing. Muskoka Lakes does have a notification policy with some guidelines in place (see Schedule B - Interim Policy Communication Towers).

#### **5.0 PUBLIC CONSULTATION PROCESS:**

Council can include a public consultation process similar to that of its review of Planning Act applications should it choose to finalize the development its own protocol. This can be done at this time as well as during Council's ongoing review of the proposed new tower installations in Clear Lake and Humphrey.

#### **6.0 CONCLUSION:**

The Seguin Official Plan provides policy guidance for developing a Siting Protocol to assist in public consultation.

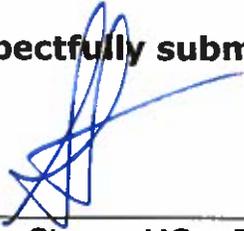
Council has expressed an interest in developing its own process protocol for the siting of telecommunication infrastructure.

The Galiano Island Trust example has been adapted and appended to this report for Council's perusal.

Council should receive this report for information and direct staff accordingly.

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**Respectfully submitted:**



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Director of Planning & Development

**Reviewed:**



Michele Fraser  
Interim Chief Administrative Officer  
Chief Financial Officer/Treasurer

**Attachments:**

Schedule A: Draft Siting and Consultation Protocol  
Schedule B: Interim Policy Communication Towers

SS/MF/kd

**Draft**

**Telecommunication Tower/Antenna System Siting**

**and**

**Consultation Protocol**

**in**

**Seguin**

**August 4, 2020**

## Telecommunication Tower/Antenna System Siting & Consultation Protocol

### **A. Objectives**

The objectives of this protocol are:

1. to acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;
2. to establish a siting and consultation process for reviewing land use issues associated with Telecommunication Tower proposals that is harmonized with ISED's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) and Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols for reviewing land use issues associated with Telecommunication Tower/Antenna System siting proposals;
3. to set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Telecommunication Tower/Antenna System siting proposals that:
  - minimize the number of new Telecommunication Tower/antenna system sites by encouraging co-location;
  - encourage designs that integrate with the surrounding land use and public realm;
  - establish when local public consultation is required; and
  - allow ISED and proponents to identify and resolve any potential land use, siting or design concerns with the Township at an early stage in the process.
4. to provide an expeditious review process for Telecommunication Tower siting proposals;
5. to establish a local land use consultation framework that ensures the Council of the Township of Seguin and members of the public contribute local knowledge that facilitates and influences the siting/location, development and design (including aesthetics) of Telecommunication Tower/antenna systems within the Township of Seguin boundaries;
6. to contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network within the Seguin Township; and

7. to provide the Seguin Township with the information required to satisfy the requirements of ISED regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Seguin Township at the end of the process.

## **B. Jurisdiction**

### 1. Role of Innovation, Science and Economic Development Canada (ISED)

Under the Radiocommunication Act, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Telecommunication Tower 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. ISED has an established procedure, the CPC), 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.

### 2. Other Federal Legislation

#### **Public Health**

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 (2009). This code is accompanied by the Technical Guide for Interpretation and Compliance Assessment of Health Canada's Radiofrequency Exposure Guidelines, to assist users in understanding and assessing the safety of electromagnetic exposures in working and living environments. This code is also accompanied by a fact sheet, What is Safety Code 6? (available online at <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html> ).

#### **Environmental and Aeronautical Legislation**

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.

### 3. Role of Local Government

Local governments are referred applications for proposed towers and are given the opportunity to comment on the proposal. Ultimately, the role of the Seguin Township 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, the Township can communicate and provide guidance to the proponent on the particular sensitivities, planning priorities, and characteristics of an area (sensitive ecosystems), and establish siting guidelines. The Township cannot assess any proposal for a Telecommunication Tower/antenna system with respect to any non-placement or non-design related issues or radiofrequency exposure issues and human health, but can require the proponent to confirm compliance with Health Canada's Safety Code 6.

## **C. Definitions**

**Co-location** means the placement of antennas and equipment operated by one or more proponents on a Telecommunication Tower/antenna system owned by a different party, thereby creating a shared facility;

**Community/Lake Association** means an active area or shore area neighbourhood specific group or association within a Township;

**Distance** the horizontal distance measured from the lot line to the base of a proposed freestanding Telecommunication Tower/antenna system or the base of any building or structure to which a Telecommunication Tower/antenna system is mounted to a structure, building, or facility.

**Emergency service providers** means any police, fire, ambulance or search and rescue organization with a typical response area within the notification distance of a proposed Telecommunication Tower/antenna system;

**Localized content** means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a proponent for a proposed Telecommunication Tower/antenna system which has been tailored specifically to the context of the Township;

**Neighbouring land-use jurisdiction** means any land-use authority or First Nations within a Prescribed Notification Distance of any proposed Telecommunication Tower/antenna system;

**Prescribed notification distance:** measured horizontally from the outside perimeter of the supporting structure of the proposed freestanding or building/structure-mounted antenna system. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower;

**Proponent:** means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services;

**Protocol:** means any written local guideline, policy or process that addresses the issue of Telecommunication Tower/antenna system placement;

**Residential area:** means lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted with residential use on the same lot).

**School District:** means an area created or constituted as a school district under the School Act;

**Sensitive community locations:** means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations;

**Stealth design:** means a design of a Telecommunication Tower/antenna system that camouflages the antenna and supporting structure as something else such as a tree, water tower, flag pole, component of a building, or similar means.

**Telecommunication tower/antenna system/antenna system** means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Telecommunication Tower/antenna system includes the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol refers to the following three types of telecommunication antenna system, defined below;

**Building/structure-mounted antenna system** means a Telecommunication Tower/antenna system mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any antenna system.

**Freestanding antenna system** means a structure built from the ground for the expressed purpose of hosting transmitting devices; and

**Tree-mounted antenna system** means a Telecommunication Tower/antenna system mounted on a tree.

## **D. Exempt Antenna Systems**

This section outlines the criteria for identifying Telecommunication Tower/antenna system excluded from the consultation process by ISED, the need to consider local circumstances for all exempt structures, and the process for proponents to notify and discuss proposed exempt structures with the Seguin Township.

### **1. Exemptions from Telecommunication Tower/Antenna System Siting Proposal Review and Public Consultation**

For the following types of installations, proponents are generally excluded by ISED from the requirement to consult with the Township and the public, but must still fulfill the General Requirements outlined in Section 7 of the CPC.

- **New Telecommunication Tower/antenna system:** where the height is less than 15 metres above ground level proposed by business, government, Crown agencies, general public; this exclusion does not apply to Telecommunication Tower/antenna system proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Existing Telecommunication Tower/antenna system:** 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 Telecommunication Tower/antenna system installation 3. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to a Telecommunication Tower/antenna system using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Non-tower structure:** antennas on buildings, water towers, lamp posts, and similar structures, are 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 have been reviewed by Township staff who will provide comment in accordance with Seguin Township design guidelines; and

- **Temporary Telecommunication Tower/antenna systems:** used for special events or emergency operations and must be removed within three months after the start of the emergency or special event.

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

## 2. Voluntary Public Consultation

The CPC states that:

*Individual circumstances vary with each Telecommunication Tower/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 Township and the public even though the proposal meets an exclusion noted above.*

Therefore, when applying the criteria for exclusion, proponents are encouraged to consult the Township when it is prudent to do so in consideration of any of the following:

- The Telecommunication Tower/antenna system's physical dimensions, including the antenna, mast, and tower, is significant compared to the local surroundings,
- The relative location of the proposed Telecommunication Tower/antenna system on the property and its proximity to neighbouring residents;
- The likelihood of an area being in a community-sensitive location; and
- The nature of Transport Canada's marking and lighting requirements for the proposed structure.

## **E. Notification and Township Review of Exempt Antenna Systems**

Notwithstanding ISED's exemption criteria for certain Telecommunication Tower/antenna systems, the Township should be informed of all new Telecommunication Tower/antenna system installations within its boundaries so they can:

- be prepared to respond to public inquiries once construction/installation has begun;
- be aware of site co-location within the Township;
- 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 Telecommunication Tower/antenna system and structure prior to the proponent confirming a final design.

Therefore, proponents are required to undertake the following steps for all exempt Telecommunication Tower/antenna system installations before commencing construction.

### **1. Building/Structure-Mounted Telecommunication Tower/antenna system:**

The proponent will in all cases provide the following information for all new Telecommunication Tower/antenna system or modifications to existing Telecommunication Tower/antenna system that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard, and which are exempted from public consultation:

- a) the location of the Telecommunication Tower/antenna system (address, name of building, rooftop or wall mounted);
- b) description of proposed design with respect to the measures used by existing Telecommunication Tower/antenna systems on that site;
- c) the height of the Telecommunication Tower/antenna system;
- d) the height of any modifications to existing Telecommunication Tower/antenna systems.

The Township staff may notify the proponent of any inconsistency with the preferences and sensitivities expressed in the siting criteria and /or design

preferences and the parties (proponent and Township staff) will work towards a solution that minimizes visibility.

## 2. Additions that Increase the Height of Freestanding Antenna system:

The proponent will confirm with the Township or Township staff that an addition that extends the height of an existing freestanding Telecommunication Tower/antenna system meets the exclusion criteria by providing the following:

- a) the location, including its address and location on the lot or structure;
- b) a short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system; and
- c) a description of how the proposal meets one or more of the exclusion criteria.

The Township staff will review the documentation and will contact the proponent where there is a site-specific basis for modifying the exemption criteria based on the siting criteria preferences and discouragements expressed of the protocol. In such cases, the Township staff and the proponent will work toward a mutually agreeable solution, which may include the Township staff requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

## 3. Additional Exemptions

The Township may exclude from all or part of the consultation process any Telecommunication Tower/antenna system installation in addition to ISED's basic exemptions.

- a) A new Telecommunication Tower/antenna system proposed to be located outside the Township's preferred distance from the nearest lot line;
- b) The Township staff may additionally, on a case-by-case basis, exempt a proponent from all or part of the consultation requirements of this protocol. For example, exemptions may be granted where the proposed location is separated from a residential

area or heritage area or structure by an arterial roadway, and/or is buffered by substantial tree cover, topography, or buildings.

- c) Telecommunication Tower/antenna system greater than 15 metres in height proposed by government agencies such as police, fire protection, ambulance, other emergency services, and Hydro One who maintain their own two-way telecommunication networks, except, however, such systems are not exempt if they are proposed in partnership with a commercial telecommunication service provider.

## **F. Application, Consultation Process, & Request for Concurrence for Non-Exempt Telecommunication Tower/Antenna Systems**

### 1. Consultation Objectives

The protocol for public consultation is designed to:

- inform;
- incorporate local knowledge;
- harmonize with ISED regulations and guidelines;
- be transparent;
- be consistent;
- be predictable; and
- be expeditious.

### 2. Public Consultation Requirements

Proponents must complete public consultation for the following:

- New Telecommunication Tower/antenna systems: where the height is greater than 15 metres
- New Telecommunication Tower/antenna systems: where the height is less than 15 metres proposed by telecommunication carriers, broadcasting undertakings or third-party owners
- Existing Telecommunication Tower/antenna systems: where modifications exceed a cumulative height increase of greater than 25%
- Non-Tower Structures: where the height above ground of the non-tower structure, exclusive of appurtenances, is increased by more than 25%

### 3. Pre-Consultation with the Township

Prior to submitting a Telecommunication Tower/antenna system proposal that does not meet any of the exemptions listed in Section D, the proponent will undertake the following preliminary consultations with the Township:

#### a) Pre-Consultation

The purpose of the pre-consultation phase is for the proponent to share with Township staff the network objectives, provide possible site options and receive preliminary feedback. The pre-consultation steps include:

- the proponent notifies Township staff that locations in the community are being assessed for potential Telecommunication Tower/antenna system siting;
- the proponent provides the Township staff potential locations and invites feedback on preferred locations and/or designs; and
- the proponent may offer to host a community workshop to provide options and invite feedback on possible solutions, although not necessary.

#### b) Site Investigation Meeting

Based on comments from the pre-consultation step, the proponent will provide a summary of a site-specific location, including:

- Site Location: preferred location, type and height of the proposed Telecommunication Tower/antenna system;
- Alternative Locations: summary of what other alternative locations were considered, including options to co-locate on existing structures;
- Site Design: preliminary drawings and/or visual renderings of the proposed Telecommunication Tower/antenna system;

Co-location: summary of efforts proponent has made to allow other companies to co-locate on the tower, as well as indication from other companies regarding interest in co-locating on new Telecommunication Tower/antenna system structure.

The purpose of the site investigation meeting is to:

- identify preliminary issues of concern;
- give opportunity for the proponent to outline the proposal to the Township;
- give opportunity for the Township staff to provide initial feedback to the proponent;
- identify any locations of sensitive ecosystems;
- identify any potential neighbouring land-use jurisdictions, school districts, emergency service providers and community associations that may be required to provide comment on the proposal as outlined in this policy;
- guide the proponent on creating localized content for public notification and distribution; and

- Inform the proponent of the Township's preference to support future Co-location opportunities.

#### c) Township Preferences and Requirements

Following the Site Investigation Meeting, planning staff will provide the proponent with an information package within a timeframe determined by the Township that includes:

- Public consultation: confirmation if, (a) public consultation is required, and if so, the process the proponent needs to follow, including a list of any other agencies, jurisdictions, and First Nations to be consulted, and if a public information meeting is required or, (b) public consultation is not required;
- Site design: comments on proposed location and design; and
- Professional reports and permits: a list of plans, professional reports and/or permits that may be required (i.e. environmental impact statements) as well as any fees for processing application.

#### d) Pre-Consultation Update to Township

After completion of the site investigation meeting with the proponent, Township staff will inform the Seguin Township of the following:

- Potential sites outlined by the proponent;
- Height, type and design of Telecommunication Tower/antenna systems;
- Co-location information, or consideration of co-location by the proponent; and
- Applicable feedback given to the proponent by Township staff.

Information provided to the Township at the Pre-Consultation stage may change upon receipt of final application submission by the proponent. The Township is not required to comment on the Telecommunication Tower/antenna system proposal until a full application submission is made.

### 4. Application

#### a) Application Submission to the Township: Initial Application Proposal

The proponent must include the following information when submitting a Telecommunication Tower/antenna system siting proposal to the Township

that does not meet the exemption criteria for the proposal review and public consultation requirement:

- i. **Site Rationale:** a letter or report from the proponent indicating the need for the proposed site, the rationale for site selection, and a summary of opportunities for co-location potentials on existing or proposed Telecommunication Tower/antenna system within the Township;
- ii. **Co-location:** (a) a summary of effort proponent has made to encourage others to co-locate on the proposed new infrastructure, as well as a list of parties who have expressed an interest in co-locating, and (b) a written and signed attestation that there are no co-location opportunities within the Township;
- iii. **Site Design:** Preliminary engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, and the structure's ability to accommodate future antennas (including co-location). Proponents are encouraged to provide site design options;
- iv. **Visual Renderings:** visual rendering(s) of the proposed Telecommunication Tower/antenna system with best effort to superimpose to scale;
- v. **Site Plan:** a site plan showing the proposed development situated on the site;
- vi. **Site Distance to Surrounding Areas:** a map showing the horizontal distance between the proposed Telecommunication Tower/antenna system and the nearest residential, commercial and institutional uses within 1000 metres of the proposed Telecommunication Tower/antenna system;
- vii. **Letter of Authorization:** confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land;
- viii. **Title Search:** a copy of a title search (dated within the past 30 days of proposal submission) and any restrictions, restrictive covenants, easements or rights-of-way registered against the lands the Telecommunication Tower/antenna system is proposed on;
- ix. **Safety Code 6:** a written and signed attestation that the Telecommunication Tower/antenna system will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission

levels for these devices including the cumulative effects of multiple Telecommunication Tower/antenna system at the location and in the immediate area;

- x. Supplemental Documentation: any other documentation as reasonably identified by the Township following the site investigation meeting; and
- xi. Draft Notification: Based on required consultation process as directed by Township, the proponent is to provide, (a) a draft of all public notices to be delivered by mail to the public, School Districts, community associations and neighbouring land-use jurisdictions, which is to be approved by Township staff prior to mail out; (b) an address list and map indicating all properties and residents which are to be notified by mail of the proposal, (c) a draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by Township staff prior to publication (if a public information meeting is required); and
- xii. Comments from Emergency Services: a copy of written correspondence indicating that the proponent has referred the proposal to local fire, police and ambulance services, and if given, any comments received emergency services should be submitted to Township staff prior to mail out; and
- xiii. Information on the following items:
  - a. A description (or map) of the area of coverage or point or points to which transmissions will be directed.
  - b. A description of the benefits of the Telecommunication Tower/antenna system to Seguin residents, businesses and visitors.
  - c. A description of the backup power system including energy source, duration of operation and level of automation.
  - d. Graphic portrayals including plan and elevation drawings showing tower, guy wires, buildings, fencing, etc. as applicable, and location of the development on the property.
  - e. Transport Canada marking requirements including painting and lighting details.
  - f. A review of visibility from residences and public transportation corridors within 1000 metres of the installation (photos with proposed structures superimposed may be appropriate).

- g. Details of access for construction and ongoing operation, and the location of utility corridors, and assessment of environmental impacts and planned mitigation measures.
- h. Details of planned security including fencing, gates and alarms.

#### b) Waivers to Application Submissions

The Township may waive any of the Initial Application or Public Notification requirements for amateur radio operators on a case by case basis.

### 5. Public Consultation

In addition to ISED's public consultation requirements as prescribed in Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03), the Seguin Township has incorporated into the requirements a number of augmentations to the public consultation process. Itemization of the augmented elements may be found in Appendix A: "Consultation and Information – Process Steps and Requirements: ISECD & Augmentation."

#### a) Notification Requirements

- i. The proponent will provide written notice, sent by regular mail or hand delivered, to all property owners and residents with a notification distance 1000 metres from the base of the structure.
- ii. The proponent will provide written notice, sent by regular mail or hand delivered, to all neighbouring land-use jurisdictions, emergency service providers and school districts with a notification distance of 1000 metres from the base of the structure.
- iii. The proponent will provide notice to ISED's regional office.
- iv. The proponent will provide written notification to Community Associations identified at the site investigation meeting.
- v. The proponent will place notice of the Telecommunication Tower/antenna system proposal in at least two editions of a local newspaper.
- vi. Where a public information meeting is to be held for a proposed Telecommunication Tower/antenna system, a notice of the meeting shall be placed in at least two editions of a local newspaper and the proponent will provide written notice of the meeting sent by regular mail or hand delivered, to all property

owners, land-use jurisdictions, emergency service providers and school districts with a notification distance 1000 metres from the base of the structure.

- vii. The public information meeting must be held within 60 days of the Township receiving a complete application by the proponent.
- viii. All costs associated with notification and holding a public information meeting will be the responsibility of the proponent.

#### b) Notice Content Requirements

The proponent shall include at a minimum the following information in any mailed or otherwise delivered public notice:

- i. The proposed Telecommunication Tower/antenna system's purpose, the reasons why existing Telecommunication Tower/antenna systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- ii. Information on the location within the community, the geographic coordinates and the specific property or rooftop, height, type, design and colour of the proposed Telecommunication Tower/antenna system, including a copy of the site plan submitted with the application;
- iii. Description of the antenna that may be mounted on the supporting structure and simulated images of the proposal;
- iv. Identification of areas accessible to the general public and the access/demarcation measures to control public access;
- v. 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;
- vi. An attestation that the installation will respect good engineering practices including structural adequacy;
- vii. 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;

- viii. Information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;
- ix. Clear information on the role of ISED as the sole approving authority for the siting of Telecommunication Tower/antenna system and that the Seguin Township only provides a statement of siting concurrence/non-concurrence at the request of the proponent;
- x. Notice that general information relating to antenna systems is available on ISED Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers> );
- xi. Reference to any applicable local land-use requirements such as local processes, protocols, etc.;
- xii. Information that comments and responses should be directed to the proponent and that all submissions received by the proponent will be forwarded to the Township for their records;
- xiii. Information that citizens may request their name and contact information be kept confidential within the published records;
- xiv. The name and contact information of a contact person for the proponent;
- xv. The name and contact information of ISED;
- xvi. The name and contact information of Township staff;
- xvii. An attestation that the Telecommunication Tower/antenna system will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- xviii. The date, time and location of the public information meeting where required;
- xix. closing date for submission of written public comments (not less than 30 days from receipt of notification); and
- xx. The notification shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "Notice For Residents: New Proposed Telecommunication Tower/Antenna System - Information Is Enclosed."

#### c) Public Information Meeting

The Township requests the proponent host and chair a public information meeting for all proposed Telecommunication Tower/antenna systems. The

type of public meeting to be conducted is up to the discretion of the proponent, however:

- an appropriate date, time and location for the public information meeting will be determined in consultation with Township staff;
- the proponent will make available at the public information meeting 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;
- all information and materials presented should consist of localized content;
- the proponent shall not schedule a public information meeting less than seven day prior to the close of the public consultation period; and
- the proponent may request Township staff attendance and participation in the meeting.

#### d) Online Community Engagement

- A proponent may augment the public information session with an online forum to allow information sharing and feedback from people who may not be able to attend a public forum.

#### e) Additional Public Information Meetings

The Seguin Township may request the proponent to host additional public information meetings or the attendance of the proponent at the Council Meeting if the Township deems it necessary. The proponent must cover the cost of additional public information meetings (advertising, mailing, and administrative costs) by a cost recovery agreement with the Township. The proponent is expected to fully participate in the Public Information Meeting and Council Meeting to address any outstanding issues or concerns.

The Township will keep the ISED's regional office informed of updates to the consultation process.

### 6. Request for Concurrence

#### a. Submission to the Township: Request for Concurrence

Prior to submitting a formal request for siting concurrence, the proponent must include the following information to the Township:

- i. A summary of and a copy of all public submissions and responses, as well as the proponent's response to public submissions as outlined in ISED's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03);
- ii. A letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed telecommunication tower/antenna system;
- iii. A copy of all plans and studies (i.e. Environmental Review) required for the construction of the proposed telecommunication tower/antenna system;
- iv. A package summarizing the results of the public information meeting containing at a minimum, the following:
  - The time, date, location and number of people in attendance of any public information meeting held;
  - A List of attendees, including names, addresses and phone numbers (where provided voluntarily);
  - Copies of all letters and other written communications received; and
  - A letter outlining how all the concerns and issues raised by the public were addressed.

b. Statement of Concurrence or Non-concurrence

The statement of concurrence or non-concurrence shall occur within 120 days of acceptance of a complete application, unless otherwise agreed to by the proponent and ISED.

c. Duration of Concurrence

- i. Concurrence remains in effect for a maximum period of 3 years from the date it was issued by the Township. 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 activity.
- ii. Request notification of intent to construct 60 days prior commencement of construction activity (OR, building permit).
- iii. Once concurrence has been issued, it may be transferred from the original proponent to another proponent without the need for further consultation provided that:

- All information gathered by the original proponent is transferred to the new proponent;
- The structure and telecommunication tower/antenna system for which the concurrence was issued to the original proponent is what the new proponent builds, and
- Construction of the structure is begun within the duration of the concurrence period.

d. Letter of Undertaking

The Proponent may be required by the Township to provide a Letter of Undertaking which may include the following requirements:

- i. posting of a security for the construction of any proposed fencing, screening or landscaping;
- ii. building permit requirements determined by the regulations of the Capital Regional District; or
- iii. conditions identified in the letter of concurrence.

## **G. Preferred Locations & Development Guidelines**

Telecommunication tower/antenna systems should be sited and designed to respect local sensitivities and preferences as identified by the Township and the Seguin Official Plan, including making efforts to being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate.

The proponent should review the preferred locations guidelines identified below as early as possible and should attempt to resolve any outstanding issues prior to submitting its telecommunication tower/antenna system siting proposal and undertaking the public consultation, where required by the Township. Because expressed preferences may be location or site specific, the proponent is encouraged to discuss the guidelines fully with Township planning staff during a preliminary meeting.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

### **a) Co-location**

Before submitting a proposal for a telecommunication tower/antenna system on a new site, the proponent must explore the following options:

- consider co-location by sharing an existing telecommunication tower/antenna system;
- explore modifying or replacing a structure if necessary; and
- locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards; and
- explore the feasibility of designing a new telecommunication tower/antenna system where the visibility of the equipment is minimized from street level, including shrouding or stealth design.

Where co-location, re-use, modification, use of existing infrastructure, or a stealth design of a new structure is not feasible, a new telecommunication tower/antenna system should be designed with co-location capacity, including in residential areas when identified as the Township's preference.

The Township recognizes that the objective of promoting co-location and the objective of making telecommunication tower/antenna systems less noticeable may sometimes come into conflict. Nevertheless, the Township 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 the Township's site-specific criteria preferences during the pre-submission consultation process before investing in a final design or site.

#### b) Preferred locations

When new telecommunication tower/antenna systems must be constructed, where technically feasible, the following locations are preferred:

##### 1. Buildings & Infrastructure

- Existing buildings and/or structure mounted telecommunication tower/antenna systems
- Areas that can access fiber optic networks to allow for backhauling into the fiber optic network

##### 2. Land Use Preferences

- Industrial use land
- Agricultural use land
- Highway or service commercial use land (excluding mixed residential use)
- Land owned by a government entity
- Utility institutional use land were appropriate, but not limited to those institutions that require telecommunications technology, emergency services, hospitals, colleges
- Hydro One utility corridor rights of way

#### c) Discouraged Locations

All telecommunication tower/antenna systems

- 500 metres from residences or buildings that are occupied or are in use on a regular basis
- Locations directly in front of doors, windows, balconies or residential frontages

- Land zoned for nature protection
- Environmentally sensitive ecosystems as defined in the Official Community Plan

#### Free-standing telecommunication tower/antenna systems

- Schools, daycare facilities, playgrounds and similar facilities
- Areas that adversely impact view corridors
- Natural Heritage areas (unless visibly unobtrusive) or on heritage structures unless it forms an integrated part of the structure's overall design (i.e. through the use of stealth structures).
- Sites of topographical and geographic prominence
- Sites that detrimentally affect the scenic quality of a corridor.
- Sites that detrimentally affect the foreground views of residents;

#### d) Criteria not to address

As described in the CPC, proponents have specific obligations subject to federal requirements. Additional obligations may not be imposed; however, it is appropriate to ask questions and seek clarification concerning their steps and alternatives available to satisfy these requirements.

Proponents must comply with the following:

- Health Canada's public radio frequency exposure guidelines – Safety Code 6 (Limits of Human Exposure to Radio Frequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz – Safety Code (2009);
- Radio Frequency Interference and Immunity – EMCAB-2—Criteria for Resolution of Immunity Complaints Involving Fundamental Emissions of Radiocommunications Transmitters;
- Canadian Environmental Assessment Act, 2012 –CEAA 2012; and
- Aeronautical Safety –Transport Canada and NAV CANADA requirements for aeronautical safety.

#### e) Design Guidelines

telecommunication tower/antenna systems should be designed in terms of minimizing impacts on the natural environment appearance and aesthetics, to respect their immediate surroundings including being unobtrusive and

inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reducing the need for future facilities in the same area.

In preparing its proposal, the factors which the Proponent should consider, but not be limited to, include:

- colour scheme;
- buffering and screening;
- structure;
- height;
- yards and parking;
- service corridors;
- a map depicting the projected useable service area;
- a description of associated microwave link, if applicable;
- a calculation of cumulative power density of the proposed telecommunication tower/antenna system and any co-located antennas out to a distance of 500 metres from base of the telecommunication tower/antenna system;
- access roads;
- ancillary buildings and equipment cabinets;
- signage and lighting;
- site security;
- rooftop equipment;
- power sources;
- environmental impacts and mitigation measures;
- seismic risk and design;
- adherence to Safety Code 6 or other health safety standards;
- expected drainage patterns; and
- provision for future Co-location on the structure.

The Seguin Township encourages proponents to also outline proposed public consultation activities and be prepared to discuss its proposal at the site investigation meeting.

#### H. Terms of Use of This Policy

The Township is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

*Interim Policy  
Communication Towers*

1. Whenever possible, the sharing of existing towers is encouraged in an effort to reduce the number of communication towers in the Rural area.
2. The co-location of new installations on common towers is encouraged.
3. Towers under 30 metres (100 feet) in height, which do not require lights, will not require a Public Information meeting. Such towers shall be a minimum of 90 metres (300 feet) from all lot lines. Where this setback is not met, circulation of the proposal to abutting property owners is required.
4. Towers greater than 30 metres (100 feet) in height require a Public Information meeting to be held prior to the construction of such tower. This includes additions to towers where the total height is greater than 30 metres (100 feet).
5. Where a Public Information meeting is required, all property owners within a one kilometre (0.6 mile) radius of the proposed communication tower are to receive written notice in addition to a newspaper notice.
6. Industry Canada is the approval agency for communication towers. Representatives are encouraged to also attend Public Information meetings. All Public Information meetings are for information purposes only.
7. The siting of new communication towers shall consider the following:
  - Impact on aeronautical navigation;
  - Distance from significant nearby structures or lands uses to:
    - Reduce 'ghosting'
    - Reduce distortion of radiation patterns
    - Prevent malfunction of electronic devices and appliances
    - Provide long term build out capacity.
  - Retention of prominent views and vistas;
  - Impact on natural areas including provincially significant wetlands, heritage areas and significant habitat.
8. Buffering or screening of communication towers shall be encouraged. Setbacks from sensitive land uses, such as residential, will be considered.
9. Advertising on communication towers shall not be permitted.
10. This policy shall not supersede any policy / regulation of Industry Canada where the requirements of Industry Canada are more restrictive.