

**Telecommunication Tower/Antenna System Siting
and
Consultation Protocol
in
the Township of Seguin (Seguin)
December 7, 2020**

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Telecommunication Tower/Antenna System Siting & Consultation Protocol

A. Objectives

The objectives of this protocol are:

1. to acknowledge that Innovation, Science and Economic Development (Canada) (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 Seguin 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 Seguin's Council 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 Seguin's boundaries;
6. to contribute to the orderly development and efficient operation of a reliable, strong radio communication network within Seguin; and
7. to provide Seguin 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 Seguin at the end of the process.

B. Jurisdiction

1. ISED's Role

All technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government under the Radiocommunication Act. Under the Radiocommunication Act, the Minister of Innovation, Science and Industry has sole jurisdiction over inter-provincial and international communication facilities. ISED has final decision to approve and license the location of Telecommunication tower. ISED has an established procedure, the client procedures circulars (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, i.e. the local government 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

Regarding 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

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 local government, i.e. Seguin 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 local government can communicate and provide guidance to the proponent on the sensitivities, planning priorities, and characteristics of an area (sensitive ecosystems), and establish siting guidelines. The local government 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 Seguin;

Council means the elected governing body of the township.

Distance the horizontal distance measured outwardly from 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 to the lot line.

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 Seguin;

Neighbouring land-use jurisdiction means any land-use authority or First Nations within a prescribed notification distance, as defined, 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 Education 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 ISED's criteria for identifying Telecommunication tower/antenna system excluded from the consultation process, the need to consider local circumstances for all exempt structures, and the process for proponents to notify and discuss proposed exempt structures with Seguin.

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

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 Seguin and the public, but must still fulfill Section 7 of the CPC, general requirements.

- **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 facilitation of sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Telecommunication tower/antenna system installation. 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 Seguin 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 (3) months after the start of the emergency or special event.

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 Seguin 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 Telecommunication Tower/Antenna Systems

Notwithstanding ISED's exemption criteria for certain Telecommunication tower/antenna systems, Seguin should be informed of all new Telecommunication tower/antenna system installations within its boundaries so it can:

- be prepared to respond to public inquiries once construction/installation has begun;
- be aware of site co-location within Seguin;
- 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; and
- d) the height of any modifications to existing Telecommunication tower/antenna systems.

Seguin 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 Seguin staff) will work towards a solution that minimizes visibility.

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

The proponent will confirm with Seguin or Seguin 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.

Seguin 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, Seguin staff and the proponent will work toward a mutually agreeable solution, which may include Seguin 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:

Seguin 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 Seguin's preferred distance from the nearest lot line.
- b) Council 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 and other emergency services 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 Seguin

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 Seguin:

a) Pre-Consultation

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

- the proponent notifies Seguin staff that locations in the community are being assessed for potential Telecommunication tower/antenna system siting;
- the proponent provides Seguin staff potential locations and invites feedback on preferred locations and/or designs; and
- the proponent may offer to host community workshops 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; and
- Justification: rationale for picking one site over another, including information on data coverage, resident's concerns, environmental impacts, etc.

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 Seguin;
- give opportunity for Seguin 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 Seguin's preference to support future Co-location opportunities.

c) Seguin Preferences and Requirements

Following the Site Investigation Meeting, planning staff will provide the proponent with an information package within a timeframe determined by Seguin 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 as per D. Exempt Antenna Systems;
- 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 Seguin

After completion of the site investigation meeting with the proponent, Seguin staff will inform the Council 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 Seguin staff.

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

4. Application

a) Application Submission with Processing Fee of \$1,500 to Seguin: Initial Application Proposal

The proponent must include the following information when submitting a Telecommunication tower/antenna system siting proposal to Seguin 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 Seguin;
- 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 Seguin;

- 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 400 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 Seguin following the site investigation meeting; and
- xi. Draft Notification: Based on required consultation process as directed by Seguin, the proponent is to provide, (a) a draft of all public notices to be delivered by mail to the public, School Districts, Community/Lake associations and neighbouring land-use jurisdictions, which is to be approved by Seguin 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/web site advertisements indicating the time and date of any public information meeting, which is to be reviewed by Seguin staff prior to publication (if a public information meeting is required); and
- xii. Comments from Emergency service providers: 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 Seguin 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 400 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

Seguin 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 CPC-2-0-03, Seguin 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 expressed post or courier, regular mail and hand delivered to all property owners and residents with a notification distance 400 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 400 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/Lake 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 expressed post or courier, regular mail and hand delivered to all property owners, land-use jurisdictions, emergency service providers and school districts with a notification distance 400 metres from the base of the structure.
- vii. The public information meeting must be held within 60 days of Seguin 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 either control, prevent or restrict 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 Seguin 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 Seguin for its 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 Seguin 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

Seguin 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 Seguin 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 Seguin 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

Seguin may request the proponent to host additional public information meetings that are held (i.e. May to October) to conveniently accommodate its seasonal population or the attendance of the proponent at a Council meeting, if Council 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 Seguin. The proponent is expected to fully participate in the Public Information Meeting and Council Meeting to address any outstanding issues or concerns.

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

6. Request for Concurrence

a. Submission to Seguin: Request for Concurrence

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

- 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 business 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 three (3) years from the date it was issued by Seguin. 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, with written consent from Council, which will not be unreasonably withheld, 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 Seguin 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 Building Code Act; 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 Seguin and Seguin's 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 Seguin. Because expressed preferences may be location or site specific, the Proponent is encouraged to discuss the guidelines fully with Seguin planning staff during a preliminary meeting.

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 Seguin's preference.

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

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, or
- Hydro One utility corridor rights of way.

c) Discouraged Locations

1. All Telecommunication Tower/antenna systems including:

- 400 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, and
- Environmentally sensitive ecosystems as defined in the Official Plan.

2. Free-standing Telecommunication Tower/antenna systems including:

- 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. using stealth structures),
- Sites of topographical and geographic prominence,
- Sites that detrimentally affect the scenic quality of a corridor, or
- 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 400 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.

Seguin 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

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

Application for Telecommunication Tower Municipal Support Resolution

OFFICE USE ONLY		Date Stamp:
Application No.: CT- _____ - _____ - _____		
File Name: _____		
Civic Address: _____		
Application Complete:	\$1,500 Fee Received:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

ROLL # 4903-_____ - _____ - _____ - 0000

Did you consult with the Township Planning Department? Yes No

Pre-consultation Date: _____

Attending Planner: _____

1. CONTACT INFORMATION:

All communication will be directed to the Primary Contact. Copies of correspondence will be sent to all parties and filed according to Township procedure.

Primary Contact: _____

a) Registered Owner(s): _____

(List all owners and contact information if multiple exist)

Mailing Address: _____

Home Phone: _____ Home Fax: _____

Business Phone: _____ Business Fax: _____

Email Address: _____

b) Agent: _____

Mailing Address: _____

Home Phone: _____ Home Fax: _____

Business Phone: _____ Business Fax: _____

Email Address: _____

2. DESCRIPTION OF APPLICANT'S SUBJECT LANDS

- a)** Concession(s): _____
b) Lot(s): _____
c) Registered Plan No. : _____ Lot(s)/Block(s): _____
d) Reference Plan No. : _____ Part(s): _____
e) Geographic Township (former municipality) : _____
f) Civic Address: _____
g) Dimensions of the Subject lands:

Frontage (m)	Depth (m)	Area (ha)

- h)** Existing uses of the Applicant's Subject Lands:

i) Proposed uses of the Applicant's Subject Lands:

j) Dimensions of the Municipal Lands (if Tower is located on said lands):

Frontage (m)	Depth (m)	Area (ha)

- k)** Existing uses of the Municipal Lands:

l) Proposed uses of the Municipal Lands:

m) Justification for erecting the Tower as per Section F. of the
 Telecommunication Tower/Antenna System Siting and Consultation
 Protocol

3. DIRECTIONS: HOW TO GET THERE

Civic Address: _____
Directions from the Seguin Township Office (5 Humphrey Dr. Hwy 141) to your site:

4. AUTHORIZATION BY OWNER

Applicable if an Agent is making this application on your behalf.

If the Applicant is not the Owner of the subject land of this Application, the written authorization of the Owner stating that the Agent is authorized to make the Application on their behalf must be included with this application form or the authorization set out below must be completed.

Please Note: If the Owner is an incorporated company, authorization of the appropriate signing officer(s) is required in accordance with the company’s by-laws.

I (we), _____ (*Registered Owner(s)*) the undersigned, being the Registered Owner(s) of the subject land, hereby authorize _____ (*Agent*) to act as my Agent with respect to the preparation and submission of this Application.

Signature of Owner

Date

Signature of Owner

Date

5. FREEDOM OF INFORMATION AND PRIVACY

Personal information contained in this form is collected and maintained pursuant to the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M. 56, and will be used for the purpose of responding to the Application and creating a public record. The Owner's Signature acknowledges that "personal information [is] collected and maintained specifically for the purpose of creating a record available to the general public;" per Section 14(1)(c) of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M. 56.

The applicant acknowledges that the Township considers the application forms and all supporting materials, including studies and drawings, filed with this application to be public information and to form part of the public record. With the filing of an application, the applicant consents to the Township photocopying and releasing the application and any supporting material either for its own use in processing the application or at the request of a third party, without further notification to or permission from the applicant. The applicant also hereby states that it has authority to bind its consultants to the terms of this acknowledgement. Questions regarding the collection of information should be directed to the Director of Planning at the Township of Seguin at (705) 732-4300.

_____ Signature of Owner	_____ Date
_____ Signature of Owner	_____ Date
_____ Signature of Witness	_____ Date

6. DECLARATION OF OWNER/AGENT

Must be signed by the Owner(s)/Agent in the presence of a Commissioner.

I _____ (Owner(s)/Agent)of the _____
of _____ in the County/District/Regional Municipality of _____
do solemnly declare that all of the statements contained in this Application
are true and I make this solemn declaration conscientiously believing it to be
true and knowing that it is of the same force and effect as if made under
oath and by virtue of the Canada Evidence Act.

Declared before me at the _____
in the _____ of _____
this _____ day of _____, 20_____.

Signature of Owner

Signature of Owner

Signature of Agent (if Applicable)

Signature of Commissioner

Commissioners Stamp

7. ADDITIONAL FEES

If Planning, Surveying and/or legal fees are incurred by the Township
pertaining to this Application, the Applicant, by endorsing below, hereby
agrees to submit the balance due, upon receipt of an invoice for same.

Signature of Owner(s)/Agent

Date

**Please submit this application to the Township of Seguin Planning
Department at:**

**Township of Seguin, 5 Humphrey Dr., Seguin, ON, P2A 2W8
Bus: 705-732-4300, Fax: 705-732-6347, Toll Free: 1-877-473-4846**

Checklist - Application for Telecommunication Tower

Please ensure you have completed the following prior to submitting your completed application and application fee of \$1,500.00:

Pre-consultation as per Section F.3 a), b), c) and d) the Protocol.

If you do not meet the exemption criteria for the proposal review and public consultation requirement, please provide the following when submitting your application:

Site Rationale as per Section F.4 a) of the Protocol: 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 Seguin;

Co-location as per Sections F.3 b), d), F.4 a) and G. a) and e) of the protocol: (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 Seguin;

Site Design as per Sections F.3 b), c) and F.4 a) iii. of the protocol: 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;

Visual Renderings as per Section F.4 a) iv. and Section G of the protocol: visual rendering(s) of the proposed Telecommunication tower/antenna system with best effort to superimpose to scale;

Site Plan as per Section F.4 a) v., F.5 b) ii. And F.5 c) of the protocol: a site plan showing the proposed development situated on the site;

Site Distance to Surrounding Areas as per Section F.4 a) vi. of the protocol: a map showing the horizontal distance between the proposed Telecommunication tower/antenna system and the nearest residential, commercial and institutional uses within 400 metres of the proposed Telecommunication tower/antenna system;

Letter of Authorization as per Section 4 of the Application for Telecommunication Tower: 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;

Title Search as per Section F.4 a) viii. of the protocol: 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;

Safety Code 6 as per Section F.4 a) ix. and Section F.5 b) v., xvii. and Section G. d) and e) of the protocol: 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;

Supplemental Documentation as per Section F.4 a) x. of the protocol: any other documentation as reasonably identified by Seguin following the site investigation meeting; and

Draft Notification as per Section F.4 a) xi. of the protocol: Based on required consultation process as directed by Seguin, the proponent is to provide, (a) a draft of all public notices to be delivered by mail to the public, School Districts, Community/Lake associations and neighbouring land-use jurisdictions, which is to be approved by Seguin 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/web site advertisements indicating the time and date of any public information meeting, which is to be reviewed by Seguin staff prior to publication (if a public information meeting is required); and

Comments from Emergency service providers as per Section F.4 a) xii. of the protocol: 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 Seguin staff prior to mail out; and

Information on the following items as per Section F.4 a) xiii. of the protocol:

- 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 400 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