



CLEARWATER COUNTY TELECOMMUNICATION ANTENNA SYSTEM SITING POLICY

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EFFECTIVE DATE January 28, 2020

RESOLUTION NO. RES-39-2020

SECTION Planning and Development

POLICY STATEMENT To establish a siting and consultation process that is harmonized with Innovation, Science and Economic Development Canada (ISED)'s *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* for reviewing land use issues associated with Antenna System siting proposals.

1. OBJECTIVES

1. To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
 - a. Minimize the number of new antenna sites by encouraging co-location;
 - b. Encourage designs that integrate with the surrounding land use and public realm;
 - c. Establish when local public consultation is required; and
 - d. Allow Innovation, Science and Economic Development (ISED) Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the County at an early stage in the process.
2. To provide an expeditious review process for Antenna System siting proposals;
3. To establish a local land use consultation framework that ensures the County and members of the public contribute local knowledge that facilitates and influences the siting – location, development and design (including aesthetics) – of Antenna Systems within municipal boundaries;
4. To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the County; and
5. To provide the County with the information required to satisfy the requirements of Innovation Science and Economic Development (ISED) Canada regarding local land use consultation, resulting in the County issuing an informed statement of concurrence, concurrence with conditions, or non-concurrence for the Proponent.

2. JURISDICTION AND ROLES

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT CANADA

Under the *Radiocommunication Act*, the Minister of Innovation, Science and Economic Development (ISED) Canada has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is made only by ISED Canada (formerly known as Industry Canada). In June 2014, ISED Canada issued an update to its *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems.

ISED Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the Municipality (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. CPC-2-0-03 (the CPC) also establishes a dispute resolution process to be used where the Proponent and Municipality have reached an impasse.

ROLE OF THE MUNICIPALITY

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

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

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

ROLE OF THE PROPONENT

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

- Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*);

- Contacting the Municipality to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

OTHER FEDERAL LEGISLATION

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

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

The County does not assess any submission for an Antenna System with respect to health and radiofrequency exposure issues or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to cell phones, cell towers and radiofrequency exposure guidelines (*Safety Code 6*) should be directed to Health Canada on-line at healthcanada.gc.ca and/or to the Proponent or their representative.

3. DEFINITIONS

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

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

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

Community Sensitive Locations: land on which the siting of new Antenna Systems is discouraged or is subject to greater consultation than otherwise dictated by the standard protocol. Such locations may be defined in local zoning bylaws, community plans, or statutory plans.

Designated Community Association: area- or neighbourhood-specific group that is recognized by the County.

Designated Municipal Officer (and his or her designate): the CAO will usually delegate duties under this policy to the County's Planning and Development staff member(s), who are tasked with receiving, evaluating and processing submissions for Telecommunication Antenna Systems.

Elected Municipal Official: the political leader of the demarcated area of the Municipality (e.g. division) in which the Antenna System is proposed.

Heritage Structures/Areas: buildings and structures (e.g. monuments) or areas/ neighbourhoods which have received a heritage designation by the Municipality.

Municipal Departments: branches of municipal government that administer public services and are operated by County staff.

Other Agencies: bodies (e.g. utility companies, boards or commissions) that administer public services but are not operated or staffed by the Municipality.

Prescribed Distance: three times the height of the tower, measured horizontally from the outside perimeter of the supporting structure of the proposed Freestanding or Building/Structure-Mounted Antenna System to any separate property. 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, etc.

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

Residential Area: lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential apartments/condominiums above).

Stealth Design: design components and exterior finishes intended to detract attention from an antenna system and to blend the antenna system in with the proposed site and surrounding area.

4. EXCLUDED STRUCTURES

This section outlines the criteria for identifying Antenna Systems excluded from the consultation process by ISED Canada, the need to consider local circumstances for all exempt structures, and the process for Proponents to notify and discuss proposed exempt structures with the County.

4.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

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

1. New Freestanding Personal Antenna Systems where the height is less than **15 metres** above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
2. Existing Freestanding Antenna Systems: where modifications are made, antennas are added or the tower is replaced (being similar to the original design and location), including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to Antenna Systems using purpose-built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third-party tower owners;
3. Building/Structure-Mounted Antenna System: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;
4. Temporary Antenna Systems: used for special events or emergency operations and which must be removed within three months after the start of the emergency or special event; and
5. No consultation is required prior to performing maintenance on an existing antenna system.

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

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

4.2 Notification and Municipal Review of Exempt Antenna Systems

Notwithstanding ISED Canada’s exemption criteria for certain Antenna Systems, Municipalities should be informed of all new Antenna System installations within their boundaries so they can:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site Co-location within the Municipality;
- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure prior to the Proponent confirming a final design.

Therefore, Proponents are required to undertake the following steps for **all exempt Antenna System installations before commencing construction**:

4.2.1 Building/Structure-Mounted Antenna Systems:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard, and which are exempted from public consultation in Section 4.1(3):

1. The location of the Antenna System (legal land description, municipal address, name of building, rooftop or wall mounted, etc.);
2. Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 6;
3. The height of the Antenna System;
4. The height of any modifications to existing systems.

The County will notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 6 and the parties will work towards a mutually agreeable solution.

4.2.2 Additions that Increase the Height of Freestanding Antenna Systems:

The Proponent will confirm to the County that an addition that extends the height of an existing Freestanding Antenna System as defined in Section 4.1(2), meets the exclusion criteria in Section 4.1 by providing the following:

1. The legal land location, including its rural address and specific location on the lot or structure;
2. A short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system; and
3. A description of how the proposal meets one of the Section 4.1 exclusion criteria.

The County will review the documentation and will contact the Proponent where there is a site-specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 6 of this Protocol. In such cases, the County and the Proponent will work toward a mutually agreeable solution, which may include the County requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Sections 5, 7 and 8 of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

4.3 Additional Exemptions

In addition to ISED Canada's basic exemptions listed in Subsection 4.1, the County may exclude from all or part of the consultation process any Antenna System installation, including but not limited to:

1. New Antenna Systems which will be located outside the Prescribed Distance (as identified in Section 3) from the nearest Residential Area.
2. Notwithstanding subsection (1) above, the County may additionally, on a case-by-case basis, exempt a Proponent from all or part of the consultation requirements under Section 8 of this Protocol. For example, exemptions may be granted where the proposed location is separated from a Residential or Heritage area or structure by an arterial roadway, and/or is buffered by substantial tree cover, topography, or buildings.

4.4 Siting on Municipal-Owned Properties

Any request to install an Antenna System on lands owned by the County shall be made to the Chief Administrative Officer, or his designate.

5. PRE-CONSULTATION WITH THE COUNTY

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. As a result, it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate, the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structures.

Prior to submitting an Antenna System proposal, the Proponent will undertake the following preliminary consultations with the County.

5.1 Notification

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

5.2 Site Investigation Meeting with County

Prior to submitting an Antenna System siting proposal, the Proponent will contact the County's Planning and Development Department to make arrangements for a site investigation meeting with the County.

The purpose of the site investigation meeting is to:

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

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

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

1. The proposed location;
2. Potential alternative locations;
3. The type and height of the proposed Antenna System;
4. Preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and

5. Documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 1600 metres of the subject proposal.

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

5.3 Confirmation of County Preferences and Requirements

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

This Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;

1. Proposal submission requirements;
2. A list of plans and studies that may be required (i.e. environmental impact statements);
3. A list of Municipal Departments and Other Agencies to be consulted; and
4. An indication of the County's preferences regarding Co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of Municipal Departments are considered. The Proponent may be required to consult with affected Departments as well as the Designated Municipal Officer before submitting the proposal.

6. DEVELOPMENT GUIDELINES

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

The County has set out several guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- **Location, including Co-location; and**
- **Development and Design Preferences**

The Proponent should review the guidelines identified below as early as possible and should attempt to resolve any outstanding issues prior to submitting its Antenna System Siting Proposal and undertaking the public consultation, where required by the County. Because expressed preferences may be location - or site - specific, the Proponent is encouraged to discuss the guidelines fully with the County at the site investigation meeting.

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

6.1 Location

Co-location

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

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

Where Co-location on an existing Antenna System or structure is not possible, the Proponent must verify this in writing. New Antenna Systems should be designed with Co-location capacity, including in Residential Areas when identified as the County's preference.

The County recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the County intends to review each submission on its own 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 County's site-specific design preferences during the Pre-submission Consultation Process before investing in a final design or site.

Preferred Locations

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

- Areas that maximize the distance from Residential Areas
- Industrial, Commercial and Agricultural Areas
- Areas that respect public views and vistas of important natural and manmade features.
- Transportation and utility corridors.
- As near as possible to similarly-scaled structures.
- Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology: emergency services, and hospitals.
- Located in a manner that does not adversely impact view corridors.
- Other non-residential areas where appropriate.

Discouraged locations

New Antenna Systems should avoid the following areas:

- Locations directly in front of doors, windows, balconies or residential frontages
- Ecologically significant natural lands
- Creek lands and shorelines along water bodies
- Inappropriate sites located within Parks and open Space Areas (with the exception of sites zoned to permit utilities and/or unless designed to interact with the area's character)
- Sites of topographical prominence
- 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)
- Pitched roofs

6.2 Development and Design Preferences

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings (e.g. Residential, Parkland, Heritage District, etc.), including 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 County's preferred design and development preferences are described below. The County will identify to the Proponent which of the following development and design preferences are encouraged in the proposed location.

Style and Colour

- The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses (example: monopole near Residential Area or lattice-style in Industrial Areas)
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or tree, where appropriate, subject to any zoning approvals required for the landmark feature.
- Towers and communication equipment should have a non-reflective surface.
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas or on listed Heritage buildings and/or sites to make the system unobtrusive.
- Cable trays should generally not be run up the exterior faces of buildings.
- Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

Buffering and Screening

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

Structure

- Single operator loaded towers (i.e., monopoles) are generally unobtrusive and of low impact and may therefore be located near Residential Areas.
- New structures in residential or high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi etc.).
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth.
- Facilities located on rooftops should not be visible (to the extent possible) from the street.
- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.
- Pinwheel telecommunication antennas are discouraged.
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged on smaller parcels of land.

Height

- The municipality prefers that Freestanding Antenna Systems be a maximum of 50 metres in height, except in Industrial and Agricultural Areas.
- Height for a Freestanding Antenna System must be measured from grade to the highest point on the structure, including lighting and supporting structures.

Yards, Parking and Access

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

Equipment Cabinets in Public Spaces

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant. This applies to cabinets in public view and does not apply to cabinets that are located inside fenced-in areas.

- Cabinet dimensions shall be as minimal as possible.
- Cables and wires must be concealed or covered.

Signage and Lighting

- Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Appropriate signage may also be used as part of screening or disguise.
- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

Rooftop Equipment

- Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible and painted to match the penthouse/building.

7. PROPOSAL SUBMISSION

For a proposed Antenna System, except for cases in which consultation is not required as per Section 4.2.1 or the County has not requested consultation as per Section 4.2.2, the Proponent will submit to the County an Antenna System siting proposal and the applicable fee if required as per Section 7.2 of this document.

7.1 PROPOSAL SUBMISSION REQUIREMENTS

The Proponent must include the following information when submitting an Antenna System siting proposal:

1. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal;
2. Visual rendering(s) of the proposed Antenna System superimposed to scale;
3. A site plan showing the proposed development situated on the site;
4. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
5. For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
6. 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;
7. An attestation that the Antenna System will respect Health Canada's Safety code 6 which sets safe radiofrequency emission levels for these devices; and
8. Any other documentation as identified by the County following the site investigation meeting.

A determination on the completeness of an application or request for additional information will be provided within **five working days** of receipt of the proposal. Upon receipt of a complete proposal submission, the County will circulate the proposal for review and comment to:

1. Affected municipal departments; and
2. Any adjacent Municipalities within the Prescribed Distance; and
3. The local Elected Municipal Official.

7.2 FEES

The Proponent may be required to pay a fee to the County as part of the request for concurrence process. Please reference *Schedule “A” – Fee and Refund Structure, Planning and Development*. The Proponent is responsible for securing applicable applications or permissions from all relevant municipal departments and paying any applicable application fees or charges as required to the County.

8. PUBLIC CONSULTATION PROCESS

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 4, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the County.

8.1 Notice Recipients

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

1. All affected residential properties within the Prescribed Distance;
2. All Designated Community Associations within the Prescribed Distance;
3. Any adjacent municipalities within the Prescribed Distance;
4. The Designated Municipal Officer; and
5. The Innovation, Science and Economic Development (ISED) Canada regional office.

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

8.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of two weeks before the public information session (where a public information session is required), and include:

1. the proposed Antenna System's purpose, including height and location requirements, the reasons why existing Antenna Systems or other infrastructure cannot be used, and future sharing possibilities for the proposal;
2. the proposed location within the community, the legal land description and municipal address of the specific property or rooftop, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
3. an attestation that the general public will always be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment;
4. identification of areas accessible to the general public and the access/demarcation measures to control public access;
5. information on the environmental status of the project, including any requirements under the *Canadian Environmental Assessment Act, 2012*;

6. a description of the proposed Antenna System including its height, dimensions, type, design and colour, a description of any antenna that may be mounted on the supporting structure, and simulated images of the proposal;
7. 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;
8. an attestation that the installation will respect good engineering practices including structural adequacy;
9. reference to any applicable local land-use requirements such as local processes, protocols, etc.;
10. notice that general information relating to antenna systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);
11. contact information for the Proponent, and the Designated Municipal Officer;
12. The date, time and location of the public information session (where required); and
13. A deadline date for receipt by the Proponent of public responses to the proposal:
 - a. Where a public information session is required, the deadline date must be no more than five days before the date of the public information session.
 - b. Where a public information session is not required, the deadline date must be at least 30 days after the notices are mailed.

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

"NOTICE TO RESIDENTS: INFORMATION ENCLOSED REGARDING A PROPOSED TELECOMMUNICATION TOWER IN YOUR VICINITY."

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

- A large format notice board sign or signs, posted on the site of the proposed Antenna System, that is clearly visible from any roadway abutting the site;
- Publication of the notice in a local newspaper(s); and/or,
- Hand delivery of notices to specified buildings.

In addition to the public notification requirements noted above, proponents of an antenna system proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area. Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

8.3 Written Consultation Process

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

The Proponent will:

1. Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
2. Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and
3. Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
4. Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
5. Provide a copy of all written correspondence to the County and the regional ISED office.

8.4 Public Information Session

The County may request the Proponent chair a public information session in cases where there is significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

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

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

1. List of attendees, including names, addresses and phone numbers (where provided voluntarily);

2. Copies of all letters and other written communications received; and
3. A letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

8.5 Post Consultation Review

The County and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the County's request) to discuss the results and next steps in the process.

9. STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

9.1 Concurrence and Concurrence with Conditions

The County will provide a letter of concurrence to ISED Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the County, the requirements as set out within this Protocol and the County's technical requirements, and will include conditions of concurrence, if required. The conditions may include things such as design, screening or Co-location commitments.

The County will issue the letter of concurrence within the timeframe established in Section 10.

9.2 Non-concurrence

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

The County will issue the letter of non-concurrence within the timeframe established in Section 10.

9.3 Rescinding a Concurrence

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

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

9.4 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the County. If construction is not completed within this time period, the concurrence expires except in the case where a proponent secures the agreement of the County to an extension for a specified time period in writing. A copy of the agreement must be provided to the local ISED Canada office. Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Municipality requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer, the Elected Municipal Official and any Designated Community Association once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

9.5 Transfer of Concurrence

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

1. All information gathered by the original Proponent in support of obtaining the concurrence from the County is transferred to the current Proponent;
2. The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
3. Construction of the structure is commenced within the Duration of Concurrence period.

10. CONSULTATION PROCESS TIMEFRAME

Consultation with the County is to be completed within 60 days of the proposal being accepted as complete by the County as explained in Section 7 of this Protocol.

Where public consultation is required, consultation with the County and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the County.

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

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the County or reinitiating the consultation process to the extent requested by the County.

11. LETTER OF UNDERTAKING

The Proponent may be required, if requested by the County, to provide a Letter of Undertaking, which may include the following requirements:

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

12. REDUNDANT ANTENNA SYSTEM

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

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