

		<p align="center">CORPORATE POLICY MANUAL</p> <p align="center">Policy No: COR-0206</p> <p align="center">Effective Date: 02/09/2016</p> <p align="center">Amended As Of: 16/10/2023</p>
<i>SUBJECT</i>	Telecommunication Tower and Antenna Protocol	
<i>Department/Category</i>	Planning/ Legislative Services	
<i>Related Documents</i>		

1.0 PURPOSE

The purpose of this Telecommunication Protocol is to provide guidance to staff, council, proponents, and members of the public, by outlining the process applicants must follow to establish new and/or expand existing telecommunication towers, antennas, or related facilities within the Township of Guelph/Eramosa.

2.0 JURISDICTION

The regulation and approval of telecommunication towers, antennas, and related facilities falls under federal jurisdiction and is governed by the *Radiocommunication Act* administered by Innovation, Science and Economic Development Canada (ISED). By extension, telecommunication structures are not subject to municipal or provincial land-use legislation, including the *Planning Act* and the *Municipal Act*.

Under the authority of the *Radiocommunication Act*, the ISED developed the Client Procedure Circular CPC-2-0-03 to outline development and licensing requirements for proposed telecommunication facilities. To ensure local compatibility, the ISED requires applicants to obtain Municipal Approval and to engage in both municipal and public consultation.

3.0 OBJECTIVES

This protocol has been developed with the following objectives and intent:

- To provide an opportunity to have land-use concerns addressed, while respecting federal jurisdiction.
- To balance demands for facilities with a desire to preserve natural and cultural landscape and minimize community impacts, through co-location, including health and safety concerns.
- To outline a general process to be followed by the Township of Guelph/Eramosa for reviewing and processing telecommunications facility proposals which are not exempt by this protocol, and to provide an opportunity for public consultation.

- To provide a consistent and timely process for the review of telecommunication facility proposals within the Township of Guelph/Eramosa.
- To provide high caliber wireless telecommunications facilities that promote economic development and meet the business and safety needs of the traveling public.
- To encourage consultation with the municipality as early in the location process as practical and feasible.
- To encourage the location and siting of telecommunication facilities in a manner which minimizes the effects on residents, lessens visual impact, and respects natural and human heritage features and sensitive land uses to the greatest extent possible.
- To encourage public notification with respect to mitigating concerns over the siting of wireless telecommunication facilities.
- To recognize that matters pertaining to health (e.g., Safety Code 6), structural safety and the environment fall under the mandate of the federal government, which are further taken into consideration by ISED, as detailed in CPC-2-0-03.

4.0 MUNICIPAL APPROVAL

Proposals to establish new and/or expand existing telecommunication towers, antennas, or related facilities, apart from those that qualify under the Exclusion Criteria identified in Section 5.0 of this Protocol, must apply for municipal approval by submitting a Formal Application to the Legislative Services Department.

4.1 Pre-Consultation

A Pre-consultation Meeting between the applicant, municipality, and other designated authorities, as deemed necessary by the Legislative Services Department, shall be required prior to the acceptance of a Formal Application.

The purpose of the Pre-consultation Meeting shall be to identify the information and materials necessary for the processing of an application, which must be submitted, in a manner prescribed by the municipality, before an application will be deemed complete.

The Pre-consultation Meeting, and any preceding discussions with the municipality, are not counted towards the 120-day consultation period identified by the ISED. The 120-day consultation period shall not commence until the application is deemed complete.

To initiate the Pre-consultation Meeting, the applicant is to submit a pre-consultation request, in a manner prescribed by the Legislative Services Department, with the following information:

- The location of the proposed telecommunications facility, including the municipal address and a map identifying where it is to be situated on the subject property.
- An outline of the proposed telecommunications facility and, if applicable, how it meets one of the exclusion criteria.
- Set of drawings illustrating the proposal, including a conceptual site plan, elevation drawings, and context plan showing the development within the existing neighborhood (which can be supplied using an aerial photograph base).

4.2 Submission Requirements

The following information shall be provided as part of the request for Municipal Approval and to constitute a Formal Application. The municipality has the discretion to deem an application incomplete if the applicant fails to fulfill the submission requirements.

1. Application form including the location of the proposed facility.
2. A description of the proposed structure type, shelter type, height, access, and utility sources.
3. A written explanation detailing:
 - a. The rationale for the selection of the proposed site, indicating whether the location provides coverage and/or capacity, and what areas/communities will benefit from the new facility
 - b. If applicable, justification for the proposed height of the tower
 - c. How the facility will compliment and become a part of the future community without unduly limiting the potential for future urban development
 - d. If applicable, the justification as to why you are not able to comply with the design criteria identified under this Protocol
 - e. The potential effects that the proposal may have on nearby electronic equipment (both existing and proposed) in accordance with CPC-2-0-03 and EMCAB-2, as well as measures proposed to mitigate those effects
4. Identification of co-location alternatives considered within a 3 km radius of the proposed site using the National Antenna Information Database to identify candidates and a statement on future co-location possibilities for the support structure, if applicable.
5. Colour photographs of the subject property showing current site conditions, superimposed images of the proposed facility, and a topographical map or satellite image showing the location from which the pictures were taken.
6. Site plan or survey drawn to scale and showing:
 - a. The subject lot and lease area (a key plan can be used for properties having an area of 2.0 hectares or greater)
 - b. General site grading
 - c. The location of existing lot lines and setbacks from the proposed facility
 - d. Setbacks from the proposed facility to existing and proposed buildings

- e. Setbacks from the nearest building not on the subject property, measured from the nearest point of the building, structure, or feature
 - f. Existing and proposed landscaping, including an inventory of existing vegetation and any plantings proposed to screen the base of the tower and any structures on the ground where applicable
 - g. Access proposed and any motor vehicle parking spaces with dimensions
 - h. The structure type and height of the proposed facility
7. Mapping prepared to appropriate metric scale showing the location of the proposed radiocommunications facility within the community.
 8. Network coverage mapping showing the applicant's current coverage (if applicable) and anticipated coverage with the installation of the proposed facility, including the nearest existing antenna systems belonging to the proponent.
 9. Approvals from Transport Canada and NAV Canada outlining aeronautical obstruction marking requirements (whether painting, lighting, or both) if available. If unavailable, the proponents can provide their applications to Transport Canada and NAV Canada together with an undertaking to provide those requirements once they become available.
 10. A written attestation signed by the Professional Engineer taking responsibility for the site's compliance, stating:
 - a. That the proposed facility will comply with Safety Code 6
 - b. That the proposed facility will comply with the National Building Code and National Fire Code in accordance with the proponent's responsibilities under enabling federal legislation
 - c. In lieu of providing attestations for the above matters, a Declaration of Insurance and Liability Statement is required
 11. Confirmation that the applicant has circulated submission materials to the Clerk and/or Planning Director of adjacent municipalities within 500 metres of the proposed site.

4.3 Site Plan Approval

Where proposed on a property with an existing Site Plan Agreement, the Site Plan shall be amended to include the location of the telecommunication tower, antenna, or related facility, as deemed necessary by the municipality.

Where proposed on a commercial or industrial property without an existing Site Plan Agreement, Site Plan Approval shall be required to the satisfaction of the municipality.

5.0 EXCLUSION CRITERIA

Where the following criteria applies, Municipal Approval is not required:

- New Antenna Systems with a height less than 15 metres above ground level provided the antenna system is not proposed by a telecommunication carrier, broadcasting undertaking or third-party tower owner.
- Minor modifications, additions or extensions to Existing Antenna Systems not exceeding a total cumulative height of 25% of the original installation. This only applies to replacements similar in design and location and provided it is not proposed by a telecommunications carrier, broadcasting undertaking or third-party tower owner. No increase to occur within 1 year of the initial construction.
- Non tower structures including antennas on buildings, water towers, lamp posts, etc., may be excluded provided that the height above ground is not increased by more than 25%.
- Temporary antenna systems used for special events or emergency operations, provided they are removed within a three-month timeframe.

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 installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance.

Notwithstanding the above, applicants are still required to contact the Legislative Services Department if the proposal falls under the exclusion criteria to confirm that the proposed facility meets the exclusion and obtain written confirmation from the Township, to be provided to the ISED.

6.0 SITE SELECTION AND DESIGN STANDARDS

6.1 Site Selection Criteria

The applicant shall be encouraged to use existing structures wherever possible. This includes sharing an existing antenna system, modifying, or replacing (if necessary), existing structures, and using existing infrastructure such as rooftops, water towers, etc.

Where co-location is not possible, when selecting a site for a new tower, the following shall be taken into consideration:

- Maximizing distance from residential areas
- Distance from public and institutional facilities such as schools, hospitals, community centre, daycare facilities, and senior's residences
- Avoidance of natural features, vegetation, hazard lands (floodplains, steep slopes)
- Avoiding areas of topographical prominence, where possible, to minimize long/short range viewsapes
- Compatibility with adjacent land uses

6.2 Design Standards

Structures shall be designed to minimize visual impact and to avoid disturbance of significant natural features by:

- Selecting a type and colouring of structure that blends in with the surroundings.
- Providing landscaping and visual screening where appropriate.
- Incorporating safety features to prevent unauthorized access.
- Designing towers and any accessory base stations so that they fit into the context of the surrounding area.
- Implementing tower designs that mimic other features customarily found in the area, such as trees and flagpoles, where appropriate.
- Ensuring towers only accommodate telecommunication facilities and that there are no signs or other materials apart from that which is required by ISED or for safety or identification purposes (e.g. small plaque at the base of the tower), as deemed appropriate by the Township or other authority.

7.0 PUBLIC CONSULTATION

Applicants shall be required to engage the public through various forms of consultation, as prescribed by both the municipality and the ISED.

Proposed towers located in commercial or industrial zones and a minimum of 120 metres from residential, agricultural, or other sensitive land uses, as deemed by the municipality, shall not require public consultation.

7.1 Notification Requirements

Notice of a Formal Application shall be provided in the manner prescribed below, unless otherwise stated in this Protocol:

- Regular mail to all property owners located within a radius of three times the tower height, to a minimum of 120 meters, measured from the outside perimeter of the supporting structure.
- An advertisement in the local newspaper
- Posting of signage on the subject property

Notice in the form of an advertisement shall only be required where the proposed structure is over 30 metres in height, measured at the base.

The contents and format of all notices shall be prescribed and verified by the Legislative Services Department.

7.2 Public Comment

The public shall be provided with a minimum of 30 days, from the date of the notice, to submit written or verbal comments, including questions and concerns.

Responses to questions, comments and concerns received from the public shall be acknowledged within 14 days and responded to within 21 days of receipt.

Applicants are to address in writing all reasonable and relevant concerns within 60 days of receipt or explain why the question, comment, or concern is not reasonable or relevant. The applicant shall submit to the Legislative Services Department a summary of public comments, responses to each comment and how they have been addressed, and confirmation that the above response timelines have been appropriately met.

7.3 Community Information Session/ Open House

Where the visual impact or degree of visual change is considered by the municipality to be high, the applicant shall be responsible for organizing and holding a Community Information Session/ Open House.

Notice of the Open House through mail, advertisement and signage is to be provided a minimum of 20 days prior to the public meeting date. The contents and format of the notice shall be prescribed and verified by the Legislative Services Department.

The applicant shall prepare a record of attendees, minutes, and response to concerns raised at the Open House, to the satisfaction of the municipality, and shall provide such record to the Legislative Services Department.

7.4 Fulfillment of Public Consultation

Consultation responsibilities will normally be considered complete when the applicant has carried out the public consultation requirements prescribed by the municipality and has appropriately addressed all reasonable and relevant concerns.

The applicant may only commence installation/modification of an antenna system after the consultation process has been completed by the municipality, or ISED confirms concurrence with the consultation portion of this process, and after all other requirements under this process have been met.

8.0 CONCLUSION OF MUNICIPAL CONSULTATION

8.1 Letter of Recommendation

Once all municipal requirements have been fulfilled to the satisfaction of the Township of Guelph/Eramosa, the Legislative Services Department will issue a Letter of Recommendation, to be signed by the Township Clerk or Chief Administrative Officer (CAO) under the delegated authority provided by Council.

The Letter of Recommendation, including any related resolutions, shall be provided to the ISED as a record of municipal approval/support and the satisfaction of municipal and public consultation requirements.

The Letter of Recommendation shall include the following requirements, as applicable:

- Attestation that the proponent shall construct and operate the telecommunications facility in accordance with the drawings and justification report submitted; and
- Any noted design requirements or considerations and other conditions to meet the expectations of the Township of Guelph/Eramosa.

If the requirements of this document are satisfied and the proposal proceeds, then construction of the antenna system must be completed within three years of conclusion of consultation.

8.2 Non-concurrence

Where the municipality is not in concurrence with the proposal made through a formal application, the Legislative Services Department will issue a letter outlining the results of consultation and any outstanding issues, to be provided to the ISED.

Where a telecommunications facility is constructed in whole or in part, without municipal concurrence or consultation, the Township shall inform ISED and request that the site be decommissioned, or if under construction, that all works stopped until such time that the obligations under this Protocol have been met.

9.0 FEES

The applicant shall be required to pay all applicable processing fees. These fees may include, but are not necessarily limited to, the cost incurred by the municipality for the processing of the application such as administration, planning, engineering, and legal fees.

The Township relies on external consultants to undertake peer review works. The applicant is required to pay all third-party costs generated through application review, including pre-consultation. The applicant will also be responsible for any fees applied by external regulatory agencies, such as the Grand River Conservation Authority (GRCA), the Ministry of Transportation Ontario (MTO), etc.