

Protocol for Establishing Telecommunications Tower/Antenna Facilities

1.0 INTRODUCTION

Wireless telecommunications have become an important component of the way business, and society in general, operates today. Accordingly, municipalities are experiencing an increasing demand to accommodate telecommunications facilities. In considering proposals to locate telecommunications facilities, there is a need to balance the locational and design requirements of the proponent with the desire to minimize the impact on the community.

The purpose of this Protocol is to provide guidance to the Township, proponents, and the general public in considering proposals to locate telecommunications facilities

Innovation, Science and Economic Development Canada (ISED), formally Industry Canada, the approval authority for telecommunications facilities, encourages the establishment of Protocols by municipalities, recognizing that land use authorities are best positioned to contribute to optimum siting of facilities. Although ISED does not play a direct role in the land use consultation process, it is expected that ISED will ensure, by a condition of the licenses that it issues, that land use authority consultation has taken place prior to the erection of individual antenna structures.

It is intended that by outlining the procedures to be followed in considering proposals, a framework for identifying and resolving any land use conflicts at an early stage in the process will be established.

1.1 OBJECTIVES

The intentions of this Protocol are:

- To establish a siting and consultation process 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 Antenna System siting proposals;
- To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
 - Minimize the number of new antenna 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 ISEC and the communications industry to identify and resolve any potential land use, siting or design concerns with the Township at an early stage in the process.
- To provide an expeditious review process for Antenna System siting proposals;
- To establish a local land use consultation framework that ensures the Township 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;

- To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the Township; and
- To provide the Township with the information required to satisfy the requirements of ISED regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Township to ISED at the end of the process.

1.2 Jurisdiction and Roles

Innovation, Science, and Economic Development Canada: Under the Radio communication Act, the Minister of Innovation, Science, and Economic Development Canada has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of Antenna systems is made only by ISED. Therefore, Provincial legislation such as the Planning Act, including zoning by-laws, does not apply to these facilities. The Township can only provide comments to ISED and does not have the authority to stop the construction of a tower facility.

In July 2022, ISED 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 also requires that Proponents intending to install or modify an Antenna system notify and consult with Township (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. ISED also published a *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* update in August 2014, stating that it “considers that the questions, comments and concerns of the local public and the LUA are important elements for proponents to consider when seeking to install, or make major modifications to, an antenna system.” The CPC also establishes a dispute resolution process to be used where the Proponent and Township have reached an impasse.

The Township: The ultimate role of the Township is to issue a statement of concurrence or non-concurrence to the Proponent and to ISED. The statement considers the land use compatibility of the Antenna system, the responses of the affected residents and the Proponent’s adherence to this Protocol. The Township 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 as contained in 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 Municipality 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 License for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*) ;
- Contacting the Township 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. Land Use Authority's Designated Official. For the purpose of this Protocol, the designated municipal official for the Township of Ramara having the authority to administer this Protocol is the Director of Planning, or designate. All correspondence and materials submitted as part of this consultation process shall be directed to the attention of the Director of Planning or designate.

2.0 EXCLUDED STRUCTURES

2.1 Exemptions

For the following types of installations, Proponents are generally excluded by ISED from the requirement to consult with the Township and the public:

1. New Freestanding 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 added or the tower replaced¹, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation². 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 meters above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

¹ The exclusion for the replacement of existing Freestanding Antenna Systems applies to replacements that are similar to the original design and location.

² Initial Antenna System installation refers to the system as it was first consulted on, or installed.

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 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. than 15 meters above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;

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 Township 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.

2.2 Municipal Review of Exempt Antenna systems

Notwithstanding ISED's exemption criteria for certain tower facilities, proponents should consult with the Township to confirm that their proposed tower facility meets the criteria for exclusion as set out in this Protocol.

In cases where a proponent believes that a proposal meets exclusion, the proponent will provide the following materials to the attention of the Director of Planning (or designate):

- a) Applicable processing/review fees;
- b) Cover letter describing the proposed tower facility including the location (i.e. address and/or legal description), height and dimensions and any antenna that may be mounted on the supporting structure. The letter should also identify all existing facilities within the vicinity of the proposed location and why co-location on an existing tower facility is not a viable alternative to the construction of a new tower facility;
- c) Description of how the proposal meets the exclusion criteria of this Protocol;
- d) Site plan or survey plan of the subject property showing the location of the proposed tower facility in relation to the site and/or building on the property; and
- e) Elevation plan and simulated images of the proposed tower facility.

Proponents are encouraged to consider and incorporate the Location and Design Guidelines identified in this Protocol.



Following receipt and review of the required materials and the proposal is deemed to meet the applicable exclusion criteria and the Location and Design Guidelines identified in this Protocol, the Township will issue a Notice of Telecommunication Tower/Antenna Facility Exclusion to the proponent with a copy to members of Township Council and ISED.

In the event that the proposed tower facility does not comply with the Location and Design Guidelines identified in this Protocol, the Township will indicate the outstanding issues/concerns. In such cases, the proponent and Township will then work toward a mutually agreeable alternative/solution, which may include the Township requesting the proposal be subject to all or part of the preliminary consultation, formal submission and public consultation process outlined in this Protocol, as applicable.

Proponents should anticipate that the Township will request that all proposals for freestanding tower facilities and additions to existing freestanding tower facilities that are proposed in a residential area or within 120 meters (393.7 feet) from the nearest residential area will be subject to all or part of the preliminary consultation, formal submission and public consultation process outlined in this Protocol, as applicable. For this reason, proponents are strongly encouraged to initiate this process before investing in a final design or site.

CONSULTATION WITH THE TOWNSHIP

3.1 Preliminary Consultation with the Township

Proponents will notify the Director of Planning that locations in the community are being physically assessed for potential Antenna system siting. Proponents are also required to have a preliminary consultation with the Township prior to submitting a formal request to install or modify a tower facility. During this meeting, the Township will provide preliminary input and comments regarding the proposal, such as, but not limited to, land use compatibility, potential impacts on high profile and sensitive areas, alternative sites, aesthetic or landscaping preferences, other agencies to be consulted, and whether a peer review by a consultant will be required. This meeting will also provide an opportunity to inform the proponent of the consultation process outlined herein.

The following information must be provided to the Planning Services to the attention of the Director of Planning (or designate) in order to schedule a preliminary consultation meeting:

- a) Cover letter describing the proposed tower facility including its height and dimensions and any antenna that may be mounted on the supporting structure;
- b) Letter Report prepared by a qualified professional, such as a land use planner or engineer. The report should identify all tower facilities within the vicinity of the proposed location. It should also include details with respect to the coverage and capacity of the existing tower facilities in the surrounding area and provide detailed documentary evidence as to why co-location on an existing tower facility is not a viable alternative to the construction of a new tower facility;
- c) Draft site plan or survey plan of the subject property showing the location of the proposed tower facility in relation to the site and/or building on the property; and
- d) Elevation plan or simulated images of the proposed tower facility.

After the preliminary consultation meeting, the Director of Planning (or designate) will notify Township Council and Senior Management of the meeting.



Where the Township has an initial concern with the proposed siting of the proposal they will discuss with the proponent alternative locations within the proponent's search area for consideration. A subsequent preliminary consultation meeting may be required, during which the proponent should present: potential alternative locations; the type and height of the proposed antenna system; and, preliminary drawings or visual renderings of the proposed antenna system superimposed to scale.

3.1.1 Confirmation of Land Use Authority Preferences and Requirements

During or after the preliminary consultation meeting, the Director of Planning (or designate) will provide the proponent with an information package that includes:

- a) Formal submission requirements;
- b) A list of plans and studies that may be required;
- c) A list of municipal departments and other agencies to be consulted; and
- d) An indication of the Township's preferences regarding co-location for the site(s) under discussion.

To expedite the review of the proposal, the proponent is encouraged to consult with the applicable municipal departments, agencies, adjacent Municipalities within a Prescribed Distance before and obtain applicable written comments/clearances before making a formal submission.

3.2 Formal Consultation with the Township

3.2.1 Proposal Submission

For a proposed Antenna system, except for cases in which consultation is not required, the Proponent will submit to the Township an antenna system siting proposal and the applicable fee.

3.2.2 Proposal Submission Requirements

The Proponent must include the following information when submitting an antenna system siting proposal:

- a) A tower facility request form and fees;
- b) A Site Selection/Justification Report prepared by a qualified professional, such as a land use planner or engineer. The report should identify all tower facilities within the vicinity of the proposed location. It should also include details with respect to the coverage and capacity of the existing tower facilities in the surrounding area and provide detailed documentary evidence as to why co-location on an existing tower facility is not a viable alternative to the construction of a new tower facility;
- c) A public notification package;
- d) A site plan or survey plan which shall include a compound layout, an elevation and parking/loading statistics if the proposal is located on parking/loading areas;
- e) A copy of the draft newspaper notice and the proposed date on which it will be published (no sooner than 14 days from the date of request being submitted), if applicable;
- f) A copy of the draft notice sign;
- g) Visual rendering(s) of the proposed Antenna System superimposed to scale;
- h) A site plan showing the proposed development situated on the site;

- i) A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- j) For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;³
- k) 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;
- l) An attestation that the Antenna System will respect Health Canada's Safety Code
- m) 6 which sets safe radiofrequency emission levels for these devices; and
- n) Any other required information requested during or after the preliminary 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.

4.0 CONSULTATION PROCESS

a) If the proposed antenna system is not exempt from the public consultation process, 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 Township. The 120 day consultation period commences only once the proponents have formally submitted, in writing, all plans required by the Township, and does not include preliminary discussions with the Township representatives. As per CPC2-0-03 section 4.4 communication is required to occur in both official languages for in communities located in census subdivisions that have a minority official language population of any size.

4.1 Notice Recipients

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

- a) All property owners, resident associations and adjacent municipalities within a radius of the greater of 120 meters or three times the tower height measured from the furthest point of the tower facility ('Prescribed Distance');
- b) Township Council;
- c) The Designated Municipal Officer; and
- d) The ISED regional office.

The Township will assist the proponent in compiling a mailing list of addresses of the affected residences within the Prescribed Distance from the proposed Antenna system. The Township may charge a fee for this service.

4.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where required in accordance with Section 4.4), and include:

³ The Proponent may request to use the Municipality's mapping system.



- a) Information on the location, height, type, design and colour of the proposed antenna system, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
- b) The rationale, including height and location requirements, of the proposed antenna system;
- c) The name and contact information of a contact person for the Proponent;
- d) The name and contact information of the Designated Municipal Officer;
- e) An attestation that the Antenna system will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices;
- f) The date, time and location of the public information session where required; and
- g) A deadline date for receipt by the Proponent of public responses to the proposal.
 - i. Where a public information session is required, the deadline date must be no more than five days before the date of the session.
 - ii. 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 FOR RESIDENTS WITHIN [INSERT PRESCRIBED DISTANCE] OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED."

The Township 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 Township 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.

4.3 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:

- a) Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- b) Respond to all questions, comments and concerns in a timely manner (respond within 14 days acknowledging receipt, and address all reasonable and relevant concerns within 60 days from the date of receipt); and
- c) Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
- d) Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
- e) Provide a copy of all written correspondence to the Township and the regional ISED office.



4.4 Public Information Session

The Township 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 Township 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 Director of Planning, or designate.
- 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 Township with a package summarizing the results of the public information session containing at a minimum, the following:

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

4.5 Post Consultation Review

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

Consultation with the Township is to be completed within 60 days of the proposal being accepted as complete by the Township.

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

The Township 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 Township or reinitiating the consultation process to the extent requested by the Township.

4.6 Exemptions to Public Consultation

For ground supported towers, which meet the following criteria, public consultation is not required:

- ♦ Towers less than 15 metres in height above ground level;
- All proposals exempt from municipal approval.

Proposed towers within industrial designated or zoned areas located a minimum of 3 times the



tower height away or more measured from the tower compound, if determined by the Township from residential areas, shall be exempt from public consultation.

5.1 SITE SELECTION AND DESIGN GUIDELINES

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

The Township has set out a number of guidelines for the selection of sites and/or construction of new Antenna systems. 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 Township. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the Township at the consultation meeting(s). Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

5.1 Location

5.1.1 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, a new Antenna System should be designed with Co-location capacity, including in Residential Areas when identified as the Township's preference. In addition, proponents should consider:

- The availability of Township owned land in non-residential areas
- Property and/or infrastructure owned by the Township that meets the proponent's network objectives

The Proponent should, in all cases, verify the Township's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

5.1.2 Preferred Locations

When new antenna systems must be constructed, the following locations are preferred:

- Areas that maximize the distance from Residential Areas.
- Industrial and commercial areas.
- Areas that respect public views and vistas of important natural or manmade features.
- Agricultural areas.
- Transportation and utility corridors.



- As near as possible to similarly-scaled structures.
- Located in a manner that does not adversely impact view corridors.

5.1.3 Discouraged Locations

New Antenna systems should avoid the following areas:

- Locations directly in front of doors, windows, balconies or residential frontages.
- Environmentally sensitive features
- On heritage listed or designated properties under the authority of Part IV or Part V of the Ontario Heritage Act;
- Sites of topographical prominence.

5.2 Design Guidelines

Antenna systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings, 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 Township's preferred design and development guidelines are described below.

5.2.1 Style and Colour

- The architectural style of the antenna system should be compatible with the surrounding neighborhood and adjacent uses
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An antenna system may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate.
- Towers and communication equipment should have a non-reflective surface.
- 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.

5.2.2 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.

5.2.3 Structure

- 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 be 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.

5.2.4 Height:

- The Municipality prefers that Freestanding Antenna Systems be a maximum of 12m in height, except in industrial areas.
- Height for a Freestanding Antenna System must be measured from grade to the highest point on the structure, including lighting and supporting structures.
- Where Building/Structure-Mounted Antenna Systems will exceed 25% of the height of the existing building, the Municipality prefers that the height not exceed 10m measured from the top of the roof or 8m above the highest point of the elevator penthouse, whichever is higher.

5.2.5 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.

5.2.6 Equipment Cabinets in Public Spaces:

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

5.2.7 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.
- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is strongly 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.

5.2.8 Rooftop Equipment

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

5.2.9 Design in High Profile and/or Sensitive Areas

When new tower facilities must be located in a high profile and/or sensitive area, such as, but not limited to, major nodes and community nodes, the facility should be designed and sited to minimize visual impact within the context of the surrounding area.

6.0 STATEMENT OF CONCURRENCE OR NON-CONCURRENCE

6.1 Concurrence and Concurrence with Conditions

The Township will provide a letter of concurrence to ISED (copying the Proponent) where the proposal addresses, to the satisfaction of the Township, the requirements as set out within this Protocol and the Township's technical requirements, and will include conditions of concurrence, if required.

6.2 Non-concurrence

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

6.3 Rescinding a Concurrence

The Township may rescind its concurrence if following the issuance of a concurrence, it is determined by the Township 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 Township will provide notification in writing to the Proponent and to ISED and will include the reason(s) for the rescinding of its concurrence.

6.4 Duration of Concurrence

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



necessary prior to any construction occurring.

In addition, if construction has not commenced after two years from the date the concurrence was issued, the Township requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer, Township Council 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.

6.5 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:

- a) All information gathered by the original Proponent in support of obtaining the concurrence from the Township is transferred to the current Proponent;
- b) The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
- c) Construction of the structure is commenced within the Duration of Concurrence period.

6.6 Letter of Undertaking

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

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



Definitions

The following definitions are to provide clarity in the Protocol.

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 means the placement of an antenna system on an existing telecommunication tower/antenna facility.

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

Designated Municipal Officer (and his or her designate): the municipal staff member(s) tasked with receiving, evaluating and processing submissions for telecommunication antenna systems.

Equipment shelter means a structure used to house the required equipment for the operation of a telecommunication tower/antenna facility.

Proponent/Applicant means any company, organization or person who puts forward a proposal to install or modify a telecommunication tower/antenna facility.

Residential Area means lands used or zoned to permit residential uses, including mixed uses (i.e. commercial use at-grade with a residential dwelling unit(s) above).