



TOWN HALL

6311 Old Church Road, Caledon, ON L7C 1J6

905.584.2272 | 1.888.CALEDON | FAX 905.584.4325 | www.caledon.ca

Protocol for Establishing Telecommunication Facilities

1. Introduction

The purpose of this Telecommunication Protocol is to outline the process telecommunication applicants will follow to establish and expand telecommunication facilities in the Town of Caledon. Telecommunication facilities are required to address the increasing demands for wireless communications (cellular telephone) service in the Town of Caledon. This protocol exists so that the process for establishing telecommunication facilities in Caledon is outlined in advance in order that telecommunication companies can satisfy the requirements of Industry Canada for consultation with local Land Use Authorities prior to approval of new installations. This protocol will provide guidance and direction to applicants, Caledon Council, the Town's Planning and Development staff, and members of the public about the process of establishing telecommunication facilities including Industry Canada's authority, mandate, and process. The proponents of telecommunication facilities will follow this protocol when issued licenses from Industry Canada.

All new telecommunications facilities establishing in Caledon will follow the process herein prior to approval by Industry Canada. Should any stage of this process not be followed, the consultation requirements of Industry Canada for projects of this sort will be viewed as not being satisfied. In such event, the Town will register a formal objection to the application with Industry Canada. In all situations, it is expected the proponents will work co-operatively with the Town to complete the processing of the proposal in accordance with this protocol.

2. Objective

The Town of Caledon wishes to preserve the natural beauty and environmental significance of the landscapes of the Niagara Escarpment, the Oak Ridges Moraine, and other natural and cultural landscapes in the Town by limiting the impact of visually incompatible and/or environmentally harmful support facilities (structures, fencing, accessory buildings, driveways, etc.) proposed to be erected or established in the Town. The Town also appreciates that the topography of the landscape makes efforts to establish wireless communications challenging without suitably located antennas to service the growing population of wireless communications users in the Town. The Town strives to work together with the telecommunication companies to locate antennas in optimal locations for providing service while minimizing the visual and environmental impacts of support structures for the antenna.

The purpose of the land-use consultation is to make the Town aware of the details of a proposed telecommunication facility, to allow for resolution opportunity of any concerns in cooperation with the applicant, and to provide for input about the proposal by the Town to Industry Canada. This protocol has been established to identify the agreed upon expectations of this review process between the Town and members of the telecommunications industry.

Preliminary Consultation

Prior to site selection, preliminary consultation will occur between the applicant (the telecommunication company) and the Town's Planning and Development Department staff. The applicant will be provided with a "protocol package". This package will outline the land use consultation review procedure of the Town, and provide the applicant with a checklist of documents and drawings that are to be submitted to the Town. In addition, the package will contain a list of commenting agencies that would normally be consulted as part of the Town's assessment of the local interests and concerns affected. The applicant will contact these agencies before the submission is made so that these interests and concerns can be taken into account in the site selection process. This advanced contact will foster better site selection prior to public involvement.

Where the property is within the Niagara Escarpment Development Control Area, the primary land use authority shall be considered a shared responsibility between the Niagara Escarpment Commission and the Town of Caledon. Generally, the Town of Caledon is a commenting agency to the Niagara Escarpment Commission on all development applications proposed to be established in the Niagara Escarpment Development Control Area within the Town's municipal boundaries. However, Planning and Development staff recommend that the Town and the Niagara Escarpment Commission undertake a joint review of those telecommunication facilities which are proposed within the Niagara Escarpment in the Town of Caledon. The response to the Industry Canada will therefore represent a joint review and assessment of both the NEC and Town Council.

3. Information Form

Once a site has been selected by the Applicant, the Applicant shall complete a Town of Caledon Telecommunication Facility Information Form (Schedule A) for each proposal. Upon receipt of this completed form, along with all the necessary documents as outlined below, Town staff will begin its review of the information provided.

4. Determining Sensitivity

Proposals for new telecommunication facilities will have to be evaluated on a site by site basis to determine "sensitivity". Sensitivity will be measured by a variety of factors including environmental issues, visual impacts, land use compatibility, and other community planning matters that may be significant at any proposed telecommunications facility location. Appropriate regard should be given to the location considerations identified in Sections 6 to 10 inclusive of this protocol to reduce potential sensitivities.

Should the Town's assessment of Sections 6 to 10 be satisfactory and in compliance to the Town's protocol, Town staff will inform the applicant the proposed telecommunication facility's selected location is suitable and its design appropriate which will then be further outlined in a report to Council. This process may take up to sixty (60) days from the date of submission to Town staff of all necessary documents as set out in this protocol.

Should the applicant not have satisfactorily addressed Sections 6 to 10, the Town will require the applicant to reassess their initial site selection, provide additional supporting documentation and may require further time to properly review the amended submission and comment on any outstanding concerns that may arise to Industry Canada. This analysis may take up to 120 days from the date of the original submission by the applicant.

5. Corridors of Demand for Telecommunication Facilities

The Town of Caledon is a unique municipality within the Greater Toronto Area in that there are definite transportation corridors within the Town that would be the primary targets to establish telecommunication facilities. Highways 9 and 10 as well as Regional Roads 7 and 50 are these corridors where cellular phone service is in high demand. The Town recognizes the need to review telecommunication facility proposals effectively and efficiently in order that the applicants may provide the users (citizens and commuters) of our transportation corridors with cellular phone service. While proper evaluation of any proposed location will still be required, the Town understands the importance of providing service to these corridors and will process the submission as quickly as possible for appropriately located and designed facilities.

Along these corridors, telecommunication facilities should be located at a distance great enough, as not to interfere with public safety (i.e. a greater distance from the road allowance, than the height of the tower and in accordance to Provincial, Regional or Town setbacks) but still within a distance as to provide service to the users of the transportation corridor.

6. Site Selection - Property Ownership

The applicant shall assess its' ability to establish telecommunication facilities on public property and will consider first the use of publicly owned sites wherever possible and appropriate. To assist with this requirement, the Town will advise the applicants which public lands could potentially be deemed suitable for the establishment of telecommunication facilities.

For facilities to be established on private property, the applicant is expected to document a site selection process that addresses pre-defined criteria which reflect local land use interests and concerns so that potential problems and objections are avoided.

8. Site Selection - Environmental Policy Areas

The Official Plans of the Regional Municipality of Peel and the Town of Caledon strongly discourage telecommunication facilities in any Environmental Policy Areas. In spite of this, should it be demonstrated that a proposed site outside these areas is unavailable or unsuitable to the telecommunication company's needs, appropriate review shall be undertaken to ensure the intent of these Official Plans are being met. Section 5.7.3.5.1 of the Town of Caledon's Official Plan details the circumstances under which any application will be reviewed should it be proposed within an Environmental Policy Area.

"New public and private infrastructure will not be permitted in EPA, with the exception of *essential* infrastructure which may be permitted subject to approval requirements of the Town and other relevant agencies. In such circumstances, an Environmental Impact Study & Master Plan shall be prepared which demonstrates that *all reasonable alternatives to locating the proposed infrastructure outside of EPA have been explored*, that the Town's ecosystem principle, goal, objectives, policies and performance measures have been adhered to, to the greatest extent possible, and to recommend appropriate mitigation, restoration, and management measures."

9. Site Selection – Nature and Design of Support Structures and Antennae

Consideration shall be given to the nature and design of the support structure of the antenna and the nature of its potential impacts on the community. Wherever possible, the antenna and/or ancillary facilities shall be placed on an existing structure where its visual impact will thereby be minimized. Where a new support structure is required or is more compatible, the applicant shall provide a design layout to the Town which illustrates the structure to be the most appropriate tower construction (aesthetically and functionally) and site design for the proposed location (e.g. height of structure, mono pole versus lattice structure, and the appropriate use of existing nearby structures such as water towers, silos and high rise buildings for the purpose of support and screening).

10. Site Selection Criteria and Reporting Requirements

The applicant will provide a site selection report, written by a certified engineer or planner, identifying the cell area, outlining the steps taken by the applicant to investigate all non-support structure and co-location options, and a rationale explaining why a new support structure in a particular location is the only viable alternative. In selecting a location, the applicant will have regard to the following potential impacts and will document their evaluation of alternative sites with regard to these factors:

- a) location of residential uses and amenity areas;
- b) location of existing vegetation including mature tree lines and other screening features;
- c) topographical prominence;
- d) long and short range viewscales;
- e) location of private and public recreational uses within view of the proposed location;
- f) any other potential impacts (public or private air strips, flight paths, etc.);
- g) height of structure and design configuration including colouration and lighting (if required);
- h) location and proximity of public roadways;
- i) location of any Environmental Policy Areas or other natural area; and
- j) location within Natural Hazard areas and potential off-site impacts.

This procedure is intended to avoid potential land use conflicts by having these local interests and concerns taken into account at the earliest possible time. It is recommended that this report be submitted as early as possible, in advance of the full site-specific submission, where possible.

11. Documents and Drawings to be Submitted with the Consultation Submission

Once a location has been selected, all proposals for new telecommunication antennae, support structures and substantial modifications to existing support structures require the submission of documents and drawings to provide the Town with an opportunity to review the proposal as the local land use authority, which shall include, but not be limited to, the following:

- a) Written documentation outlining the steps taken by the applicant to investigate all non-support structure and co-location options and a rationale explaining why a new support structure in a particular location is the only viable alternative;
- b) A letter of intent by the owner of the subject lands to enter into a lease agreement to permit establishment of a telecommunication facility, as well as a copy of the deed and survey of the property;
- c) A colour photograph of the subject property with a superimposed scaled image of the proposed antennae, support structure and facilities;
- d) A site plan drawn to a 1:250 metric scale showing the entire property upon which the telecommunication facility will be located, site grading, property lines, existing or proposed buildings, fences, buffering, lighting, existing and proposed landscaping, access, parking, driveways, utilities and services, easements, significant vegetation or wetlands, and the type and height of the proposed support structure. Should the subject lands consist of a significant land area, then two (2) drawings of different scales may be permissible; 1) 1:250 Facility Site Plan and 2) 1:1000 Entire Property.
- e) A Site Selection Report from a certified engineer or planner to document the site selection process followed by the applicant for selecting this site in accordance with this protocol and the need for the proposed support structure.
- f) Two sets of scaled engineered drawings, stamped and certified by a professional civil/structural engineer of the proposed support structure are required. These engineered drawings must indicate the construction specifications of the proposed support structure. In the case of antennas and assorted support structures proposed to be mounted on other structures, an engineer's report is also required to address the predicted effects and the safe installation of the facilities on the existing building or structure (i.e. a public water tower facility) and confirmation the result of the proposed installation will not jeopardize the structural integrity of the structure or building and will incorporate safety measures to protect the general public from harm.
- g) A map showing the horizontal distance between the location of the proposed support structure installation and all adjacent properties, complete with the owners names, within 500 metres of the subject property.
- h) Appropriate documentation as requested by the Building Section for their review of:
 - I. all buildings, including equipment housing units;
 - II. an equipment room located within an existing building;

- III. a support structure and/or equipment building attached to or constructed on a building that may result in modifications to, or which may affect the integrity of, the building's fire, life, and/or structural systems; and
- IV. a change in use of an existing building.
- i) Appropriate documentation concerning new entrances as requested by:
 - I. the Ontario Ministry of Transportation for their review of new entrances proposed on Highways No. 9 and 10;
 - II. the Regional Municipality of Peel Public Works Department for their review of new entrances proposed on any Regional road; and
 - III. the Town of Caledon Infrastructure Department for their review of new entrances proposed on any Town road.
- j) Appropriate documentation as requested by the applicable conservation authority or the Niagara Escarpment Commission for their review of proposals involving construction in a flood plain, filling within regulated areas, alterations to a watercourse, or crossing of a watercourse.
- k) Assurance shall be given, in a form that is to the satisfaction of the Town, that appropriate arrangements have been made to completely dismantle and remove the telecommunication facility from the property, by the Applicant or owner of the lands upon the termination of its use.

12. Telecommunication Facility Submission

The applicant is required to submit all the necessary documentation for their proposal as stated in this protocol together with a cheque payable to the Corporation of the Town of Caledon 1) for a new facility, in the amount of three thousand nine hundred and fifty five dollars (\$3955.00 HST included), or 2) for a co-location proposal, in the amount of nine hundred and four dollars (\$904.00 HST included), representing the fee for administrative and processing costs. In addition to either option, a cheque payable to the appropriate conservation authority in the amount of one hundred and fifty dollars (\$150.00), representing a payment for land use consultation review is required. The applicant is also required to provide the Town with a copy of the lease agreement for the site location once it has been finalized.

The Town will conduct an initial review of the Site Selection Report and attempt to resolve issues in relation to site selection in advance of detailed drawings and information being submitted by the applicant.

13. Signing of the Property

A sign shall be erected along each street frontage of the property, notifying the public of the proposal to establish a telecommunication facility on the site before the Town can begin its review of the location and at least 20 days prior to the applicant's advertized public information meeting.

Size: The sign must be 1.2 metres wide by 1.2 metres high with a 0.6 metre ground clearance.

Material: It is recommended that the sign be constructed using a 19 mm exterior grade plywood panel. Vertical structural members should be 100 mm by 100 mm fir, installed to a depth of 1.2 metres below grade: 50 mm by 50 mm horizontal fir stringers should be located behind the top, bottom, and centre of the sign panel.

Paint: Sign panels and all structural members must be painted with a quality paint. Lettering is to be black inscribed on a white background.

Lettering: The sign is to be professionally lettered or silk screened, using upper case letters, size 50 mm and 100 mm.

Location: One sign shall be erected along each street frontage of the property, and shall be erected at a minimum distance of 6 metres from the lot line and midway between the adjacent property lines.

Wording: The sign will read as follows with the appropriate information filled in that is underlined:

(NAME OF APPLICANT) HAS PROPOSED TO
LOCATE A TELECOMMUNICATIONS FACILITY,
BEING (HEIGHT) METRES IN HEIGHT, ON THIS
PROPERTY.

PUBLIC COMMENT IS INVITED.

(OPEN HOUSE INFORMATION MEETING
SCHEDULED ON (DATE of MEETING) FROM 9:00 am
to 8:00 pm AT THE TOWN OF CALEDON
ADMINISTRATIVE OFFICES.)

FOR FURTHER INFORMATION CONTACT THE
TOWN OF CALEDON PLANNING AND
DEVELOPMENT DEPARTMENT AT 905-584-2272.

FILE No.: (FILE #)

Proof of Posting: A photograph illustrating each of the required signs and the date on which it was erected on the subject property must be submitted to the Planning & Development Department prior to circulation of the application.

Removal: Once the application has satisfied the requirements of this Protocol, the signs on the property must be removed within 30 days of the establishment, of the telecommunication facility otherwise the Town may take the sign down and charge the applicant and/or owner accordingly.

14. Public Consultation

Public consultation in the form of notifying all interested and affected residents (including, at a minimum, all property owners within five hundred (500) metres of the support structure) by mail and notice to the same and publication in a newspaper shall be undertaken by the Applicant to give the public reasonable notice of the proposed facility location and details. Unless an exemption for an open house information meeting is received from the Director of Planning and Development, the same notification by mail and publication in a newspaper with the details of any meeting shall occur no sooner than twenty (20) days before the scheduled meeting. To clarify the application process and jurisdictional matters, Industry Canada has agreed to attend information meetings regarding proposed telecommunication facilities and if required to deal with controversial issues.

Public consultation is the responsibility of the telecommunication applicant. The Town will, however, provide a list of residents to be notified by letter and a form of the newspaper advertisement that will be followed and placed in the designated newspaper(s) as identified by the Town. The applicant shall provide a copy of the information letter forwarded to residents, provide copies of letters received from residents and commenting agencies and forward proof of notice in the newspaper. The applicant shall provide a record of names, addresses, and phone numbers of attendees, any letters received from residents expressing comments, minutes of the meeting, and how any questions or concerns are to be addressed by the applicant.

In order to ensure ongoing communication amongst residents and the facility operators, a plaque shall be installed at a suitable location at the base of the facility and an identical plaque at the driveway entrance once it has been constructed identifying the facility operator, a contact telephone number, and the facility's site identification number.

15. Planning Report

Planning & Development Department staff shall provide a Planning Information Report to Council informing Council of the proposal, the facility's location, the height of any support structure, and a description of the accessory buildings, entrance, landscaping, and development issues.

Please note that, the Town of Caledon will consult with the Niagara Escarpment Commission, the Regional Municipality of Peel, and the applicable conservation authority to expedite the Town's assessment and therefore the proponent is advised to consult with all agencies prior to submitting any applications proposing to establish new telecommunications facilities in Caledon.

16. Confirmation of Land-Use Authority Consultation

The Town will inform the applicant and Industry Canada through Council resolution that the land-use authority consultation process has been completed in accordance to the Town's Telecommunication Facility Protocol and will advise the applicant and Industry Canada of its findings and recommendations about the proposed facility.

17. Approval Process Timeframe

For proposals that are in "limited-sensitive areas", the Town will do everything to expedite the land-use authority consultation process within sixty (60) days. For proposals that are in more sensitive locations, a time period of up to 120 days may be required for the appropriate review of proposals which are supported with well documented material. Where applicable, the Niagara Escarpment Commission and the applicable conservation authority should be contacted regarding their processing timeframe as the Town may comment adversely on applications that have not been reviewed and cleared for installation by these public agencies.

Last Updated July 6, 2010