

Protocol for Establishing Telecommunication Facilities



November 2015



6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca

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1.1 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 structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

1.2 Co-location

The placement of antenna and equipment operated by one or more Proponents on an Antenna System operated by a different Proponent, thereby creating a shared facility.

1.3 Heritage Structures/Areas

Buildings and structures (e.g. monuments) or areas/neighbourhoods receiving a heritage designation by the Town of Caledon.

1.4 Other Agencies

Bodies (e.g. boards or commissions) that administer public service but are not operated or staffed by the Town of Caledon.

1.5 Prescribed Distance

A distance determined by the Town and measured horizontally from the base of the proposed Freestanding or Building/Structure-Mounted Antenna System.

1.6 Proponent

An individual, company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carrier) for the purpose of providing commercial or private telecommunications services.

1.7 Sensitive Land Use

Lands used and zoned to permit residential (including where commercial use is permitted at-grade with residential apartments/condominiums above), institutional, recreational or environmental uses, including natural heritage features and natural hazard features. This definition also includes all lands within the Niagara Escarpment Plan area.



1.8 Tower Height

The distance measured from the lowest ground level at the base, including foundation, to the tallest point of the Antenna System. Any attempt to artificially reduce the height (i.e. addition of soil/aggregate) will not be recognized.



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The objectives of the Protocol for Establishing Telecommunication Facilities within the Town of Caledon are:

- 1) To establish a consultation and siting process that is harmonized with Industry Canada'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;
- 2) To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals within the Town of Caledon 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 Industry Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the Town of Caledon at an early stage in the process.
- 3) To provide an expeditious review process for Antenna System siting proposals;
- 4) To establish a local land use consultation framework that ensures that the Town of Caledon and members of the public contribute local knowledge that facilitates and influences the siting – location, development and design (including aesthetics) – of Antenna Systems within Town of Caledon boundaries;
- 5) To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication and broadband network in the Town of Caledon, as discussed within the Town's Community Based Strategic Plan and Vision; and,
- 6) To provide the Town of Caledon with the information required to satisfy the requirements of Industry Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Town of Caledon to Industry Canada at the end of the process.



3.1 Role of Industry Canada

Pursuant to the *Radiocommunication Act*, the Minister of Industry 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 Industry Canada. In June 2007, Industry 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, effective January 1, 2008.

Industry Canada requires that Proponents intending to install or modify an Antenna System notify and consult with the Town of Caledon (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Industry Canada also published a *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* in January 2008, stating that it “considers that the Municipality’s and local residents’ questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system.” CPC-2-0-03 establishes a dispute resolution process to be used where the Proponent and Municipality have reached an impasse.

For additional information regarding Industry Canada’s mandate and the application of its authority in the wireless telecommunications process, please consult Industry Canada’s Spectrum Management and Telecommunications Sector at <http://ic.gc.ca/spectrum>.

3.2 Role of the Town of Caledon (Town)

The ultimate role of the Town is to issue a statement of concurrence or non-concurrence to the Proponent and to Industry Canada. The statement considers the land use compatibility of the Antenna System, the responses of residents, agencies, departments and Council, as well as the Proponent’s adherence to this Protocol. The Town 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 11.0 (Development Guidelines) of this protocol; and,
- Establishing a community consultation process, where warranted.

By working with Proponents throughout the siting process, beginning with a Preliminary Meeting, the Town seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

Where the Town is circulated or notified of a proposed Antenna System within a neighbouring municipality, staff will notify Council and will provide comments based on Section 11.0 (where applicable).

Note: The Town 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 (Health Canada’s Safety Code) should be directed to Health Canada online at healthcanada.gc.ca and to the Proponent’s representative.



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3.3 Role of the Niagara Escarpment Commission (NEC)

3.3.1 Proposed Antenna within the Niagara Escarpment Development Control Area (NEDCA)

Where the subject property is within the Niagara Escarpment Development Control Area (NEDCA), the primary land use authority will be the Niagara Escarpment Commission (NEC). The Town of Caledon is a commenting agency to the NEC on all proposed development applications within the NEDCA within the Town's municipal boundary. In such circumstances, an application for a proposed Antenna System will be submitted directly to the NEC and will utilize the NEC's Protocol. As part of the consultation process, the Town will provide comments to the NEC using the Town's Protocol Sections 6, 7, 9, 10 and 11 as the basis for comments. The NEC public consultation process will be used for applications within the NEDCA.

3.3.2 Proposed Antenna outside of the Niagara Escarpment Development Control Area (NEDCA)

Where the subject property is outside of the NEDCA, the primary land use authority will be the Town of Caledon. The NEC is a commenting agency to the Town on all proposed development applications within the Niagara Escarpment Plan and outside of the Development Control Area. In such circumstances, an application for a proposed Antenna System will be submitted directly to the Town and will utilize the Town's Protocol. As part of the consultation process, the NEC will provide comments to the Town, but will defer concurrence authority to the municipality. The Town of Caledon's public consultation process will be used for all applications outside the NEDCA and within the Town's borders.

3.3.3 Further Information

For further information on the NEC's *Consultation Protocol for Radiocommunication and Broadcasting Antenna Systems in the Niagara Escarpment Plan Area*, please contact the NEC Georgetown Office at:
232 Guelph Street, Third Floor
Georgetown, ON
L7G 4B1
Telephone: 905-877-5191
Fax: 905-873-7452
Or visit their website at www.escarpment.org.

3.4 Role of Conservation Authorities

Under the *Radiocommunication Act*, proposed Antenna Systems do not require permits from Conservation Authorities under the *Conservation Authorities Act*. However, as technical advisors to the Town, the applicable Conservation Authority is consulted and involved in providing direction throughout the review process. As a result, it is strongly recommended that the proponent consult the applicable Conservation Authority when siting a new Antenna System to discuss and resolve issues related to siting of structures adjacent to natural hazard lands and the natural heritage system.



3.5 Role of Adjacent Municipalities

Where a proposed Antenna System is located on a property directly adjacent to another municipality, or where the Public Notification area would cross into the boundary of another municipality, the Town will ensure that the neighbouring municipality is included in the consultation process.

In the event that the Public Notification area includes properties within an adjacent municipality, the Town will contact that municipality to obtain a mailing list of addresses to be included in the public consultation process and to which the Proponent will be required to notify. The Town will forward the list to the Proponent to be mailed out. The proponent will also be required to place a newspaper notice within the local newspapers of adjacent municipalities to ensure that neighbouring municipality residents are also notified.

3.6 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 Town to determine local requirements regarding Antenna Systems; and,
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

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

- Health Canada's Safety Code;
- The Canadian Environmental Assessment Act; and,
- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.



4.1 Industry Canada Exclusions

Section 6 of Industry Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) outlines a number of exclusions to the CPC, which would not require consultation with the Land Use Authority (LUA). These exclusions may be exempted from the Protocol, subject to the requirements outlined in Section 4.0 Exemptions.

However, individual circumstances vary with each antenna system installation and modification, and the exclusion criteria should be applied in consideration of local circumstances.

Consequently, it may be prudent for the proponents to consult the LUA 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.

Proponents who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the LUA and/or Industry Canada for guidance.

4.2 Community Sensitive Locations

Despite the exemptions contained in Section 4.1 above, in order to provide an appropriate balance between technological and network coverage requirements, and development that compliments or improves the surrounding landscape and public realm, proposed new or modification(s) to antenna systems will be required to proceed through this Protocol within the following areas:

- Properties which are heritage designated or are located within a Heritage Conservation District;
- Properties which are within a regulated area of a Conservation Authority;
- Properties designated Environmental Policy Area within the Town's Official Plan or Environmental Policy Area zones (EPA1 or EPA2) within the applicable Zoning By-law;
- Properties designated Policy Area 4 within the Palgrave Estates Residential Community within the Town's Official Plan;
- Properties within the Natural Heritage designation as identified within the Greenbelt Plan;
- Properties within the Niagara Escarpment Protection Area and Escarpment Natural Areas as identified within the Niagara Escarpment Plan;
- Properties within the Natural Core Area designation as identified within the Oak Ridges Moraine Conservation Plan; and,
- Properties located within Settlement Areas.



In the event that the proposed antenna system is located within a Community Sensitive Location as outlined in this Section, the proposal is not exempt and will be required to proceed through one of the following streams of approval:

- Fast Track
- Intermediate
- Scoped
- Full

4.3 Development Guidelines

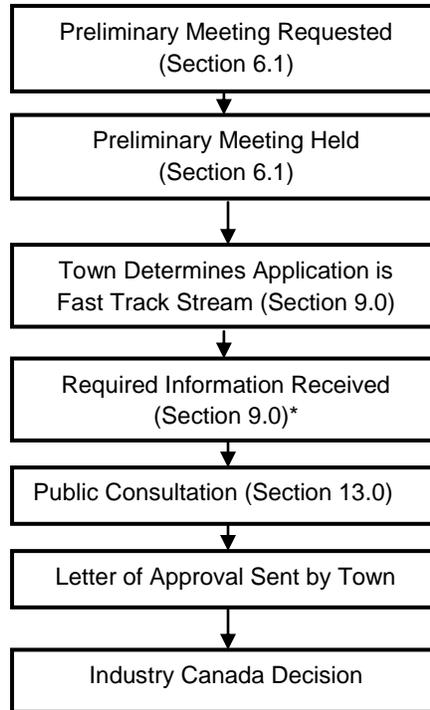
Regardless of exemption status, the Proponent should strive to meet the guidelines set out in Section 11.0 (Development Guidelines).

4.4 Notice

The Town requests that when proponents are installing an antenna system which meets the exemption criteria, the Proponent, as a courtesy, provides a letter to the Mayor and Council, the Clerk as well as the Director of Development Approval and Planning Policy, at least 30 days in advance of construction commencing, which provides a brief overview of the project including:

- The property location;
- Type, design, height and style of the antenna system;
- The exemption status as determined by this Protocol; and,
- A contact to respond to inquiries.

5.1 Fast Track Stream



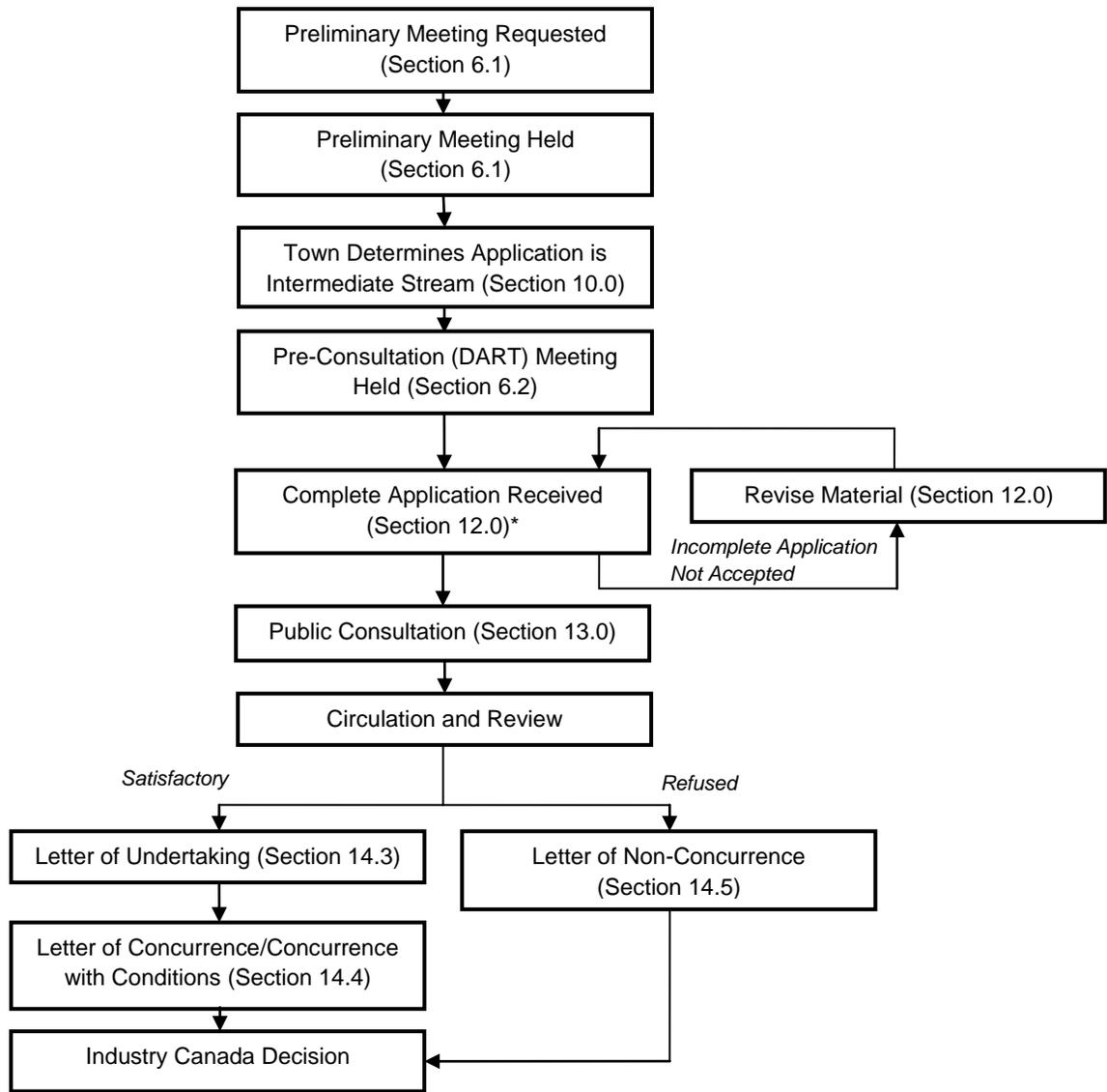
*Indicates beginning of 14 day Fast Track review period (minimum).

NOTE: Flowchart provided for illustrative purposes only. Flowchart provided does not include or outline requirements and consultation with other agencies and departments. Refer to the Protocol in its entirety for details of the process.



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5.2 Intermediate Stream

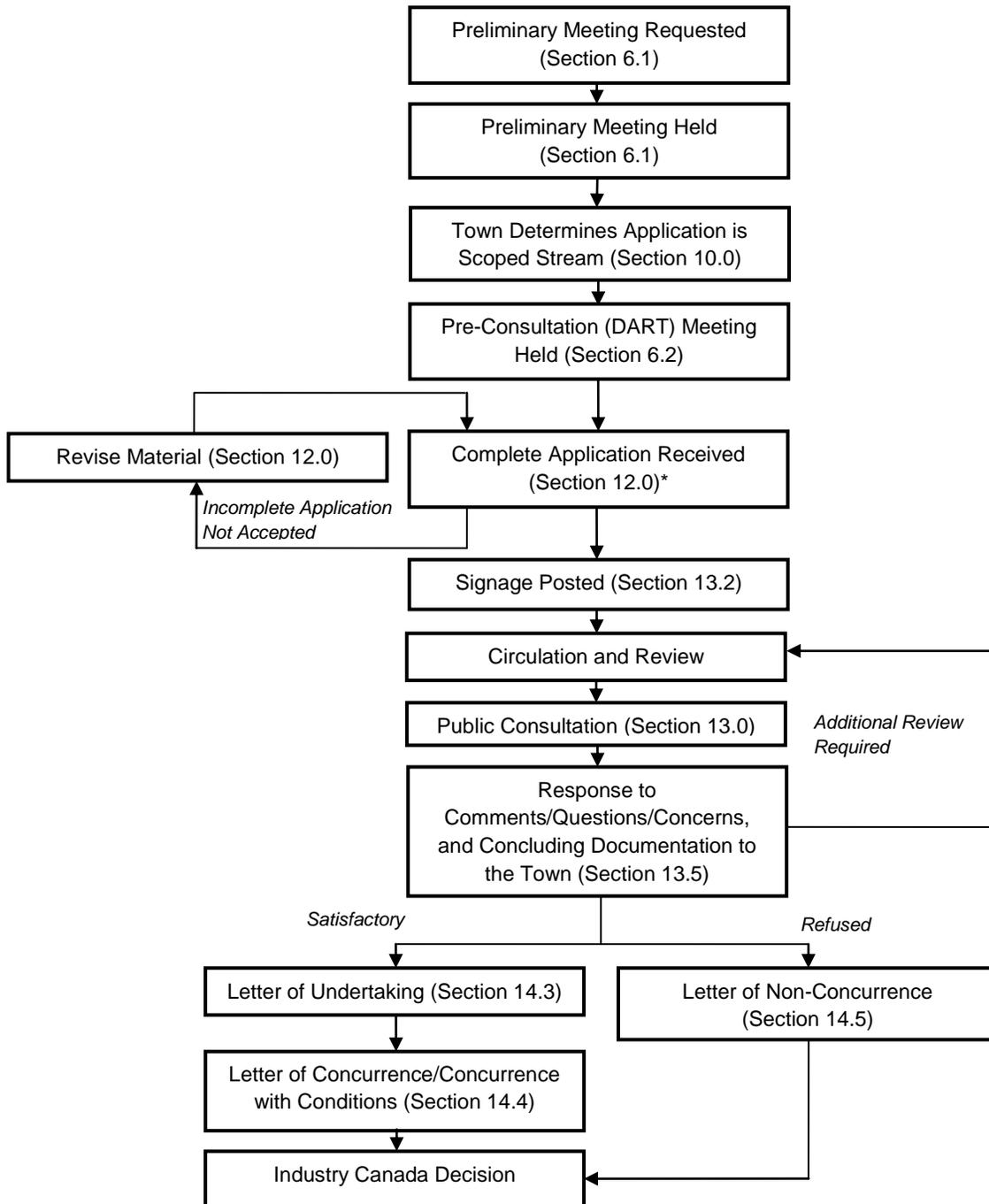


*Indicates beginning of the 45 day Intermediate Stream review period (minimum).

NOTE: Flowchart provided for illustrative purposes only. Flowchart provided does not include or outline requirements and consultation with other agencies and departments. Refer to the Protocol in its entirety for details of the process.



5.3 Scoped Stream



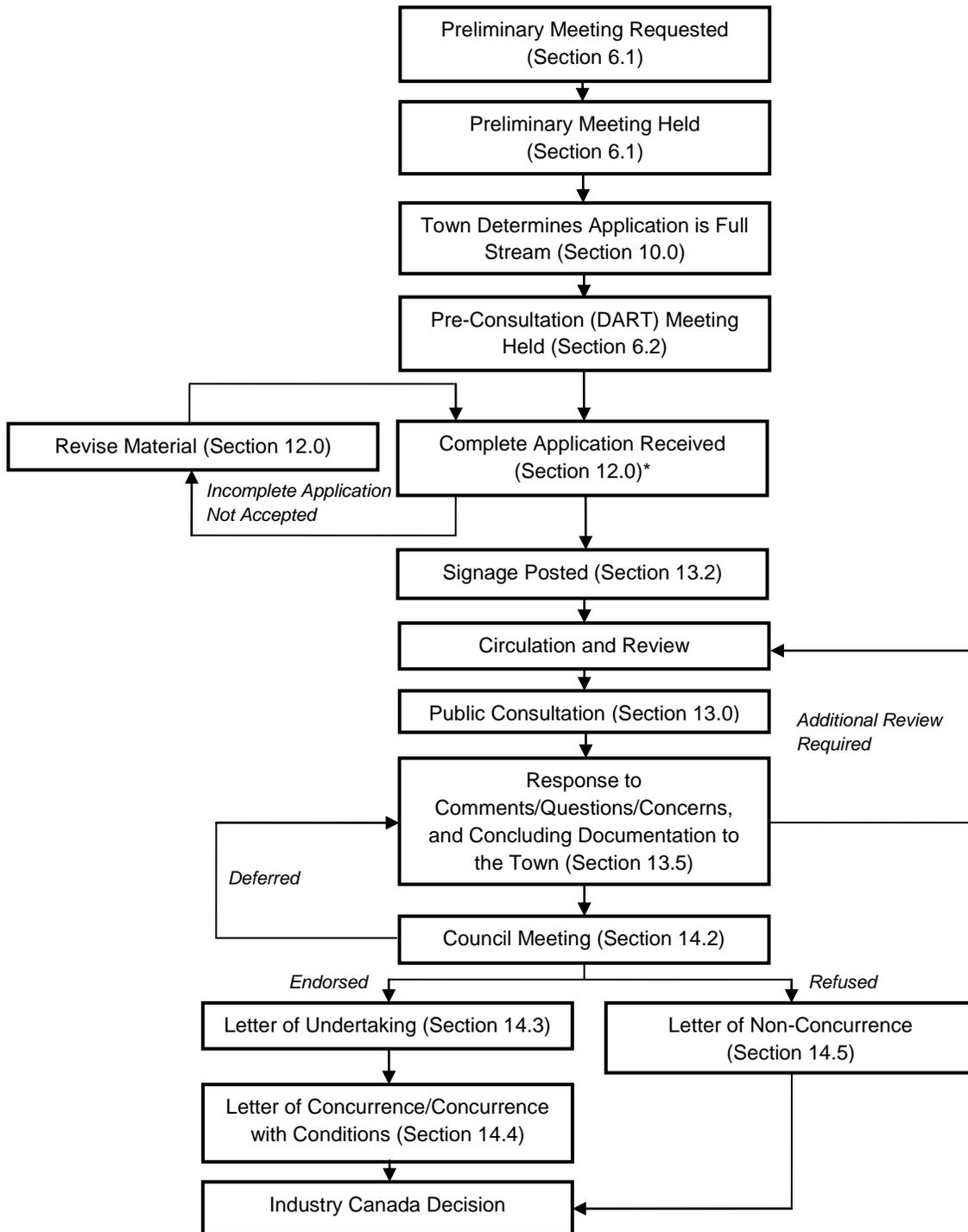
*Indicates beginning of the 90 day Scoped Stream review period (minimum).

NOTE: Flowchart provided for illustrative purposes only. Flowchart provided does not include or outline requirements and consultation with other agencies and departments. Refer to the Protocol in its entirety for details of the process.



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5.4 Full Stream



*Indicates beginning of the 120 day Full Stream review period (minimum).

NOTE: Flowchart provided for illustrative purposes only. Flowchart provided does not include or outline requirements and consultation with other agencies and departments. Refer to the Protocol in its entirety for details of the process.



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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 work 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 consultation as early as possible in the antenna siting process for both exempt and non-exempt proposals.

The Town strongly encourages the telecommunication industry to engage discussions with the Town of Caledon's Development Approval and Planning Policy Department annually (at a minimum) in order to review upcoming town-wide network site requirements before commencing site acquisition activities.

Prior to submitting an Antenna System proposal, including Freestanding Antenna Systems or additions to Freestanding Antenna Systems as may be required under Sections 9.0 and 10.0, the Proponent will undertake the following preliminary consultation with the Town of Caledon.

Note: Any information submitted for either a Preliminary Meeting or Pre-Consultation (DART) Meeting, is to assist Town and agency staff in providing preliminary comments on the application. All comments and direction offered by staff is preliminary and based solely on the information available at the time of the meeting. The material may not be reviewed in its entirety and further comments on the material may occur through the processing of the application.

There are two types of consultation meetings offered by the Town: Preliminary Meetings and Pre-Consultation (DART) Meetings.

6.1 Preliminary Meeting

All proponents of Antenna Systems, with the exception of exempted antenna systems as per Section 4.0, are required to attend a Preliminary Meeting with the Town at the beginning of the Industry Canada Authorization process.

6.1.1 Purpose

The purpose of the Preliminary Meeting is to:

- Discuss the proposal including the rationale for the selected site and the content of the proposal submission;
- Identify preliminary issues and concerns;
- Identify the possibility of working with the Town to install or enhance the Town's IT (fibre) network;
- Review the local policies and procedures;
- Outline requirements for municipal, agency and public consultation; and,
- Determine the stream applicable to the application.



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6.1.2 Requesting a Meeting

To request a Preliminary Meeting, the Proponent must submit the following information to the Town's Development Service Advisor:

- 1) A Completed Preliminary Meeting Request Form;
- 2) A Cover Letter containing the following information:
 - a) Description of the proposed Antenna System including the:
 - Location and dimensions of the tower, boundaries and equipment shelter;
 - Height and style of tower; and,
 - Number of antenna that may be mounted on the supporting structure.
 - b) If available, setbacks from the nearest building used for a sensitive land use (residential, institutional, recreational, environmental), measured from the nearest point of the building, structure, or feature, to the base of the tower.
- 3) Site Concept Plan or Site Sketch of the subject property showing the location of the proposed Antenna System in relation to the site and/or building on the property, including setbacks from the nearest building(s) measured from the nearest point of the building, structure or feature.

6.1.3 Confirmation of Municipal Preferences and Requirements

During or following the Preliminary Meeting, Town staff will determine which stream of this Protocol, the proposed antenna system will proceed through.

6.1.3.1 **Fast Track Stream**

In the event that Town staff confirm that the proposed Antenna System meets Fast Track criteria in accordance with this Protocol, the Proponent will submit the following items as part of the Application Submission:

- 1) Completed Application Form;
- 2) Cover Letter containing the following information:
 - a) Description of the proposed Antenna System including the:
 - Location and dimensions of the tower, boundaries and equipment shelter;
 - Height and style of tower; and,
 - Number of antenna that may be mounted on the supporting structure.
 - b) Identification of all existing facilities within three (3) kilometres of the proposed location and why Co-location on an existing Antenna System is not a viable alternative, if applicable. This is to include, at a minimum, the investigation of Co-location potentials on the three closest existing or proposed (applications received by the Town) Antenna Systems;



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- c) Setbacks from the nearest building used for a sensitive land use (residential, institutional, recreational, environmental), measured from the nearest point of the building, structure, or feature, to the base of the tower; and,
 - d) If applicable, a description of how the proposal meets the exclusion criteria of this Protocol.
- 2) Site Concept Plan or Site Sketch of the subject property showing the location of the proposed Antenna System in relation to the site and/or building on the property, including setbacks from the nearest building(s) measured from the nearest point of the building, structure or feature.; and,
 - 3) Elevations plans and a coloured simulated image of the proposed Antenna System during a season when plants are in leaf (for example, summer).

The Proponent will be required to post signage and provide notification in a newspaper in accordance with Section 13.0.

The Town will complete a review of the application within a minimum of 14 days of the Preliminary Meeting. Once photo confirmation that the Proponent has posted a sign in accordance with Section 13.2 has been received, and once the advertisement has appeared in the newspaper, the Town will provide a letter to the Proponent and Industry Canada confirming the exemption.

For a complete list of Fast Track criteria see Section 9.0 (Fast Track Stream) of this Protocol.

6.1.3.2 Further Consultation Required

In the event that Town staff confirm that the proposed facility requires further consultation in accordance with this Protocol, Town staff will provide the Proponent with a package which shall include:

- This Protocol, which outlines the approval process, requirements for public consultation and guidelines regarding site selection, Co-location, installation, design and landscaping; and,
- The Pre-Consultation Meeting (DART) Request Form.

To expedite the review of the proposal, the Proponent will review this information package and comments provided by Town staff at the Preliminary Meeting, before the proposal is submitted so that comments from the Town are taken into account.

6.2 Pre-Consultation (DART) Meeting

All proponents of non-Fast Track or Co-located Antenna Systems are required to attend a Pre-Consultation (DART) Meeting with the Town at the beginning of the Industry Canada authorization process.



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6.2.1 Purpose

The purpose of the Pre-Consultation (DART) Meeting is to:

- Discuss the proposal including the rationale for the selected site and the content of the proposal submission;
- Identify preliminary issues and concerns, if applicable;
- Identify the possibility of working with the Town to install or enhance the Town's IT (fibre) network;
- Review the local policies and procedures;
- Outline requirements for municipal, agency and public consultation;
- Identify required submission requirements including lists of plans/studies; and,
- Receive preliminary comments and feedback from all internal departments and external agencies.

6.2.2 Requesting a Meeting

To request a Pre-Consultation (DART) Meeting, the Proponent must submit the following information to the Town's Development Service Advisor:

- 1) A Completed Pre-Consultation (DART) Meeting Request Form;
- 2) A Cover Letter containing the following information:
 - a) Description of the proposed Antenna System including the:
 - Location and dimensions of the tower, boundaries and equipment shelters;
 - Height and style of the tower; and,
 - Number of antenna(e) that may be mounted on the supporting structure.
 - b) Identification of all existing facilities within three (3) kilometres of the proposed location and why Co-location on an existing Antenna System is not a viable alternative. This is to include at a minimum, the investigation of Co-location potentials on the three closest existing or proposed (applications received by the Town) Antenna Systems; and,
 - c) Setbacks from the nearest building used for a sensitive land use (residential, institutional, recreational, environmental), measured from the nearest point of the building, structure, or feature to the base of the tower.
- 3) Site Plan or Survey Plan of the subject property showing the location of the proposed Antenna System in relation to the site and/or building on the property, including setbacks from the nearest building(s) measured from the nearest point of the building, structure or feature.
- 4) Elevation plans and coloured four-season simulated images of the proposed Antenna System.



- 5) A Site Selection/Justification Report written by a Registered Professional Planner (RPP) or Professional Engineer. The report should discuss alternative sites and Co-location options that have been considered. It should also justify preference for the proposed site and address the following:
 - a) Identification of any and all existing infrastructure within the required coverage/capacity area, suitability for Co-location and reason(s) for disqualification;
 - b) Include details with respect to the coverage and capacity of the existing Antenna Systems in the surrounding area;
 - c) Technical coverage and/or capacity plots (mapping) showing current compromised network state, and desired end state;
 - d) Written description of the geographical area to be serviced by the proposed tower installation;
 - e) Survey Plan showing the layout of the proposed structure and ancillary equipment;
 - f) Notes from the Preliminary Meeting indicating issues raised by Town staff, and how they have been addressed;
 - g) Location of existing significant vegetation, mature trees, and other screening features;
 - h) Location of nearby natural heritage and natural hazard features;
 - i) Location of existing significant built heritage features and cultural heritage landscapes;
 - j) Proximity of public roadways;
 - k) Justification for proposed height;
 - l) Design justification that addresses the type of tower including colour, design, and height of structure, and colouration of lighting;
 - m) Potential impact on all Sensitive Land Uses within the area;
 - n) Potential impact on prime agricultural lands and existing agricultural uses within the area;
 - o) Potential effect on long and short range views on the surrounding area; and,
 - p) Any other potential impact.

Where antenna structures are proposed to be located within or near residential areas, the proponent shall provide different examples of possible designs; including a monopole, flag pole, shrouded tripole, clock tower or similar architectural feature, in order to discuss concerns and comments with Town staff, prior to selecting a design.

Note: Any information required for the Pre-Consultation (DART) Meeting is used only to assist the planner in his/her analysis of the site, and does not constitute a full submission, and will not be used for the final review.

6.2.3 Confirmation of Municipal Preferences and Requirements

Following the Pre-Consultation (DART) Meeting, Town staff will provide the Proponent with a package which shall include:

- This Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection,



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- Co-location, installation, design and landscaping; and
- Proposal submission requirements including materials/studies required to be submitted with the application as well as Town departments and external agencies to be consulted.

To expedite the review of the proposal, the Proponent will review this information package and comments provided by Town staff at the Pre-Consultation (DART) Meeting, before the proposal is submitted so that comments from the Town are taken into account.



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In Section 3 of the Industry Canada *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* CPC-2-0-03, Industry Canada mandates that before building a new antenna-supporting structure, Proponents must explore the following options:

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

The construction of new support structures is discouraged, and will only be accepted when all other options to accommodate the Antenna System are not viable. A detailed rationale for this necessity and proposed design must be provided in the Site Selection/Justification Report required by this protocol.

7.1 Proposals for Co-location

The Town considers all Co-locations (on an existing Antenna System) to be exempt from the Protocol in its entirety.

Note: Proposals located within the Niagara Escarpment Development Control Area are not exempt from NEC consultation as per the NEC Protocol.

7.2 Design for Co-location Capacity

Where Co-location on an existing Antenna System is not possible, a new Antenna System should be designed with Co-location capacity. Accordingly, the Town requires that Proponents, where feasible and appropriate, size leased areas to accommodate future expansion and Co-location when leasing Antenna Systems. New Antenna Systems will be built to accommodate the Proponent and a minimum of two additional users, including both towers and equipment shelters, wherever possible.

In instances where Co-location is appropriate, Proponents will be required to submit a Co-location Invitation Form, or similar evidence that the Industry has been consulted with respect to Co-location opportunities.

The Town recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the Town intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all cases, verify the Town's site-specific design preferences during the Preliminary/Pre-Consultation (DART) Meeting processes.



Any request to install an Antenna System on lands owned by the Town shall be discussed with the Project Manager - Real Estate, in accordance with Town policy and subject to Council approval.

Telecommunication providers shall enter into a lease agreement with the Town that specifies the terms and conditions of the provider's occupancy of Town property, including but not limited to length of term, rent payable, insurance requirements, indemnity, Co-locates, site location and access, design of facility, and letter of credit.

Note: Proposals on Town Owned Lands will still be required to proceed through the Protocol.



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The Town of Caledon has determined antenna system proposals which may be subject to the Fast Track Approval Stream; in which, attendance at a Preliminary Meeting and confirmation of the exemption from Town staff is required (See Section 6.0 Consultation with the Municipality). Should a proposal meet the Fast Track criteria, a sign is required to be posted on the property and signing authority will be delegated to the Director of Development Approval and Planning Policy.

Please note that if the proposed Antenna System meets the criteria of the Fast Track stream, yet is located on a heritage designated property or within a Heritage Conservation District, the Fast Track Stream will not apply and the proposed facility will proceed through the Full Stream application process.

Please note that if the proposed Antenna System meets the criteria of the Fast Track stream, yet is located within a regulated area of a Conservation Authority, the Fast Track Stream will not apply and the proposed facility will proceed through the Scoped application process.

Regardless of the Fast-Track status, the Proponent should strive to meet the guidelines set out in Section 11.0 Development Guidelines.

In the event that a proposed antenna system is not exempt (as per Section 4.0 Exemptions), but meets the Fast-Track criteria outlined below, the Fast-Track stream will apply.

Note: Ministry of Transportation (MTO) review and approval is required for all type of installations that is located adjacent to highway right-of-way within the MTO permit control area. Proponents are required to obtain building and land use permits prior to construction. An application for building and land use permit shall be accompanied by a relevant site plan showing the location and dimensions of the proposed installation.

9.1 Maintenance Proposals

- 9.1.1 Maintenance of existing Antenna System, provided that there is no change in the height, design or location of the Antenna System, unless required in order to comply with Transport Canada's requirements.
- 9.1.2 Installation of a temporary Antenna System with a height of 40 metres or less, used as an alternative to an existing system that is freestanding, or is located on a structure that is undergoing maintenance.

9.2 Special Event Proposals

Installation of an Antenna System with a height of 40 metres or less, for a limited duration (typically not more than 3 months) for use at a special event.



9.3 Emergency Proposals

Installation of an Antenna System, or additions to an existing system used to support local, Provincial, territorial, or national emergency operations during the emergency, as per the requirements of the applicable emergency services organization, where the Antenna System is in place for longer than three (3) months.

9.4 Modification/Addition Proposals

Addition or modification of an Antenna System (including improving the structural integrity of its integral mast to facilitate sharing, the transmission line, antenna-supporting structure or other radio apparatus) to existing infrastructure (including a building, water tower, etc.) provided the addition or modification does not result in an overall height increase above the existing structure of the lesser of 25% of the original structure's height or 5 metres.

9.5 New Towers on Existing Buildings/Structures

- 9.5.1 New Antenna Systems located on an existing building or structure less than 25 metres in height, where the Antenna System height does not exceed the lesser of 25% of the height of the building or 5 metres.
- 9.5.2 New Antenna Systems located on an existing building or structure 25 metres or greater in height, where the combined height of the building and proposed Antenna System does not exceed 40 metres in height.

9.6 New Proposals

- 9.6.1 New Antenna Systems (including masts, towers or other antenna-supporting structures), with a height of less than 15 metres above ground level.
- 9.6.2 New Antenna Systems with a height of 40 metres or less, located on sites licensed for mineral resource extraction and located a minimum of 300 metres from a residential/institutional/recreational use and zone, provided an Antenna System that has a height greater than 15 metres does not already exist within the licenced area.
- 9.6.3 New Antenna Systems with a height of 40 metres or less, located within 120 metres of any Provincial Highway Right-of-Way and situated more than 300 metres from any residential, recreational or institutional use and zoned area.
- 9.6.4 New Antenna Systems with a height of 30 metres or less, located solely within industrial zoned areas and situated more than 300 metres from any residential, recreational or institutional use and zoned area.
- 9.6.5 New Antenna Systems with a height of 20 metres or less, located solely within commercially zoned areas and situated more than 300 metres from any residential, recreational or institutional use and zoned area.



9.7 Other Proposals

Amateur Antenna Systems, provided they are for personal use only, and meet the standards of the applicable Zoning By-law.



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The Town of Caledon has determined that telecommunication proposals which require approvals in accordance with this Protocol will be subject to three streams: Intermediate, Scoped and Full. Attendance at a Pre-Consultation (DART) Meeting is required for each of these streams and confirmation of the appropriate stream from Town staff is required (See Section 6.0 Consultation).

Individual circumstances vary with each Antenna System installation and modification, and the criteria below should be applied in consideration of local circumstances. Therefore, when applying the criteria for streams, the Town and Proponent shall 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.

Note: Ministry of Transportation (MTO) review and approval is required for all type of installations that is located adjacent to highway right-of-way within the MTO permit control area. Proponents are required to obtain building and land use permits prior to construction. An application for building and land use permit shall be accompanied by a relevant site plan showing the location and dimensions of the proposed installation.

10.1 Intermediate Stream Proposals

10.1.1 Community Benefit

New proposals which are located in a priority networking area, as determined by the Town, and which meet the Strategic Objectives of the Community-Based Strategic Plan and Vision to expand high speed internet infrastructure, form the basis for the Intermediate Stream as explained within this Protocol. The following criteria have been determined to be of community benefit and form the basis of the Intermediate Stream:

- Underserved areas identified through the gap analysis; or,
- Installation or expansion of the fibre optic network, where fibre optic connections are available for residents and businesses within the Town of Caledon.

10.2 Scoped Stream Proposals

Please note that if the proposed Antenna System is located on a heritage designated property or within a Heritage Conservation District, the Scoped Stream will not apply and the proposed facility will proceed through the Full Stream application process.

10.2.1 New Towers on Existing Buildings/Structures

Any proposal on an existing building or structure that does not meet Fast Track stream criteria, and which is located more than 300 metres away from any residential, recreational or institutional use and zoned area.



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10.2.2 New Proposals

- 10.2.2.1 New Antenna Systems with a height of 40 metres or less, located within 120 metres of any Regional Right-of-Way and situated more than 300 metres from any residential, recreational or institutional use and zoned area.
- 10.2.2.2 New Antenna Systems with a height of 35 metres or less, located solely within industrial zoned areas situated more than 300 metres from any residential, recreational or institutional use and zoned area.
- 10.2.2.3 New Antenna Systems with a height of 25 metres or less, located solely within commercially zoned areas and situated more than 300 metres from any residential, recreational or institutional use and zoned area.

10.3 Full Stream Proposals

All proposals which are not exempt and do not fall within Fast Track, Scoped or Intermediate Streams as outlined in Sections 9 and 10 of this Protocol.



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

The Town intends to work with Proponents to achieve the best possible design of Antenna Systems for our community. This will provide the appropriate balance between technological and network coverage requirements, and development that compliments or improves the surrounding landscape and public realm. In order to achieve this, the Town of Caledon has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- Location and Siting Requirements; 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 proposal and undertaking public consultation. Since preferences may be location or site specific, the Proponent is encouraged to discuss the guidelines fully with the Town at Preliminary or Pre-Consultation (DART) Meetings.

11.1 Location and Siting Requirements

11.1.1 Proponents shall be encouraged to minimize the total number of freestanding Antenna Systems and to use existing structures and Co-locate wherever possible.

11.1.2 Where an Antenna System is proposed, unless otherwise determined by the Town, the Town will not consider any new proposals located within:

- The Environmental Policy Area land use designation within the Town's Official Plan or Environmental Policy Area zones (EPA1 or EPA2) within the applicable Zoning By-law;
- The Policy Area 4 land use designation within the Palgrave Estates Residential Community within the Town's Official Plan; and,
- Areas currently subject to an Official Plan Amendment to create a Secondary Plan, until such review is finalized.

In the event that the Town determines one of the above-noted areas to be a suitable location to locate an Antenna System, appropriate studies (i.e. environmental, design, etc.) as determined by the Town, Region and appropriate Conservation Authority will be required.

11.1.3 Where an Antenna System is proposed, the Town strongly discourages, and will require environmental studies in support for any Antenna System located within:

- Natural Heritage designations as identified within the Greenbelt Plan;
- Niagara Escarpment Protection Area and Escarpment Natural Areas as identified within the Niagara Escarpment Plan; and,
- Natural Core Area designations as identified within the Oak Ridges Moraine Conservation Plan.



- 11.1.4** The Town strongly discourages Antenna Systems on sites which contain buildings of heritage significance as set out in the Town's Heritage Register, or located within a Heritage Conservation District.
- 11.1.5** The Town discourages Antenna Systems on site which are regulated areas by a Conservation Authority. In the event that an Antenna System is proposed within a regulated area, environmental studies will be required.
- 11.1.6** The Town discourages Antenna System on sites within a proposed transportation corridor, until such time that the route is determined and approval for the System is received by the appropriate authority.
- 11.1.7** All Antenna Systems, including both guyed and self-supporting towers, shall be set back from the Ministry of Transportation (MTO) right-of-way in accordance with Ministry of Transportation requirements. This setback shall be to the nearest part of the installation whether above or below ground (i.e. guy wire concrete anchors). Where there is any concern for the safety and operational integrity of the provincial highway due to the size or height of the installation proposed, the Ministry may request a report prepared by a Professional Engineer certified by the Province of Ontario.
- 11.1.8** Generally the Town discourages Antenna Systems located directly in front of doors, windows, balconies or residential frontages.
- 11.1.9** Towers shall not be located at prominent vistas or gateways to settlement areas and shall be located away from residential developments wherever possible.
- 11.1.10** Where an Antenna System is proposed, the Town's first preference is to locate the facility on publicly owned lands wherever possible, provided that:
- There shall be no interference with the Town's wireless communication/security service;
 - Parkland, recreational areas, and open space are avoided unless otherwise determined appropriate by the Town; and,
 - Stealth techniques and upscale architecture are used in the design of the facility.
- 11.1.11** Generally the Town prefers Antenna Systems within non-residential areas (i.e. agricultural, industrial and commercial areas) while maximizing the distance from residential areas.
- 11.1.12** Within agricultural areas, the tower and supporting structure should generally be located within/near the farm cluster, and should be built onto existing structures wherever possible, in order to avoid sterilization of agricultural land.
- 11.1.13** Proponents are expected to locate on sites where they will not be required to remove any existing vegetation.

11.1.14 In selecting a location, the proponent shall have regard to the following potential impacts and will document their evaluation of the proposed and alternative sites with regard to these factors:

- Location of Sensitive Land Uses and amenity areas;
- Impacts on Settlement Areas and rural residential development/clusters outside of Settlement Areas;
- Location of existing vegetation including mature trees and other screening features as well as other natural heritage resources;
- Topographical prominence;
- Long and short range viewscales (1-2km, 2-5km, 5-10km);
- Proximity to public roadways;
- Location within natural hazard areas and potential off-site impacts;
- Location of existing heritage resources;
- Location within identified cultural heritage landscapes; and,
- Other potential impacts (i.e. public or private air strips, flight paths, etc.);

11.2 Development and Design Preferences

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings (i.e. residential, parkland, Heritage Conservation District, etc.) including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and cultural heritage features, and reducing the need for future facilities in the same area, where appropriate. The Town's design and development preferences are described below.

If applicable, Town staff will review the proposal against applicable architectural control and design guidelines within Settlement Areas.

11.2.1 Style and Structure

11.2.1.1 The Town's preference is for the Co-location of Antenna Systems, use of a single carrier monopole or other streamlined structure, use of stealth techniques, or use of other minimally obtrusive designs. The design shall be to the satisfaction of the Town, and shall be determined on a case-by-case basis.

11.2.1.2 The type of support structure used shall be selected in order to mitigate visual impact to the maximum degree possible and to be compatible with the surrounding landscape and public realm. This includes:

- Mimicking other architectural features or the creation of new landmarks and amenities for the community;
- Implementing design techniques such as camouflaging support structures within church steeples, clock towers or flagpoles;
- Investigating opportunities to incorporate an Antenna System into the design of a new building or structure;
- Erecting a streamlined support structure with flush-mounted antenna(e) and equipment shelter(s), or a shrouded tri-pole



- design;
 - Public art and street furniture will be considered in the design of the facility siting in areas that are visually sensitive;
 - Ample landscaping is required to mitigate potential visual impacts; and,
 - Situating as near as possible to similarly scaled structures.
- 11.2.1.3** Cable trays should generally not be run up the exterior faces of buildings.
- 11.2.1.4** Antennas that extend above the top of a supporting utility pole, light standard or other building/structure should appear (i.e. in colour, shape and size) to be a natural extension of the building/structure.
- 11.2.1.5** Single operator loaded towers (i.e. monopoles) are generally less obtrusive and of low impact and may therefore be preferred to be used near residential areas.
- 11.2.1.6** New structures in residential or high-traffic areas should consider multi-use design (i.e. street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi, etc.).
- 11.2.1.7** Generally, lattice style towers will not be permitted within settlement areas.
- 11.2.1.8** Individual wall-mounted antennas should be fixed as close to the wall as possible, should not project above the height of the wall face they are mounted on, and should be painted to match the wall colour for stealth.
- 11.2.1.9** The appropriate type of telecommunications 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 Antenna Systems on the community.
- 11.2.1.10** The use of guy wires and cables to steady, support or reinforce a tower is discouraged.
- 11.2.1.11** All Antenna Systems must be designed to collapse within themselves so it will not fall onto a road/highway right-of-way.

11.2.2 Buffering and Screening

- 11.2.2.1** Where an Antenna System is proposed on a developed site:
- The Town's first preference is to locate all components of the Antenna System within a main building or accessory building used for other uses on the same lot using stealth techniques or other minimally obtrusive designs;
 - The second preference is to locate any components of the Antenna System attached to the exterior of the main building or accessory building used for other uses on the same lot using stealth techniques or other minimally obtrusive designs;
 - The third preference is to locate the support structure and equipment shelter behind the building(s) on the site so that the equipment shelter is screened from the public realm;
 - The fourth preference is to locate the support structure and equipment shelter at the side of building(s) on the site so that the equipment shelter is screened from view from the public realm through built form and other by minimally obtrusive designs; and,
 - The least preferred location for the support structure and equipment shelter is in front of building(s); that is, between the building(s) and the municipal right-of-way. This location shall only be used where all other alternatives have been exhausted. A detailed rationale for this necessity must be provided in the justification report, along with a design response that effectively blends the screening treatment into the surrounding public realm.
- 11.2.2.2** Where an Antenna System is proposed on an undeveloped site, the Town's preference is to locate the support structure and equipment shelter so they do not constrain future site development, with the equipment shelter screened from view from the public realm.
- 11.2.2.3** Adequate distances, 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.
- 11.2.2.4** Although the Zoning By-law is not applicable to Antenna Systems, effort should be made to comply with the minimum yard requirements for accessory buildings for the zone applying to the subject lot in the applicable Zoning By-law.
- 11.2.2.5** 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.

11.2.2.6 Antenna Systems shall be sited to preserve existing vegetation wherever possible.

In the event that existing vegetation is removed, additional plantings will be required for restoration of the site and compensation/mitigation as a result of the lot vegetation and/or lost restorable area, to the satisfaction of the Town and appropriate conservation authority.

Additional plantings may be required to assist in screening the equipment shelter and enhance the surrounding landscape and public realm. A mix of deciduous and coniferous plantings is preferred to provide year-round coverage.

11.2.2.7 Where a proposed Antenna System requires access restriction controls:

- By achieving the other design guidelines of this protocol, there should be no requirement for fencing. Where fencing is proposed, a detailed rationale for this necessity including the materials proposed and elevation drawings showing details and gate locations shall be provided in the justification report;
- Fencing shall incorporate materials compatible and sensitive to the surrounding landscape and public realm; and,
- The use of razor wire requires analysis in the justification report, including how its use will not compromise the surrounding landscape and public realm.

11.2.3 Parking and Access

11.2.3.1 The placement of an Antenna System or associated parking shall not create or cause a situation of non-compliance with any Town Zoning By-law for any other use, building, or structure on the same lot.

11.2.3.2 Vehicular access to the proposed Antenna System should be provided as follows:

- Access should be suitably provided to a public street or across a private right-of-way; and,
- Any parking space provided shall not be within a road allowance.

11.2.4 Equipment Structures

11.2.4.1 Where a proposed Antenna System requires an equipment shelter, the dimensions shall be as minimal as possible and:

- The first preference is to locate such structures within a main or accessory building used for other uses on the same lot;
- The least preferred option is the installation of a new, above-ground equipment shelter. This shall only be used where all other alternatives have been exhausted. A detailed rationale for this necessity must be provided in the justification report;



- Natural heritage and natural hazard features are to be avoided;
- Any new equipment shelter shall require architectural and design treatments for screening that are appropriate to the siting location and that are compatible and sensitive to the surrounding landscape and public realm; and
- The ground level of Antenna Systems, including equipment shelters, shall be landscaped. Particularly, where equipment shelters are located on the ground, the visual impact of these shelters shall be mitigated through the use of colour, decorative fencing, screening and landscaping.

11.2.4.2 Equipment structures shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant.

11.2.4.3 Cables and wires must be concealed or covered.

11.2.5 Colours and Lighting

11.2.5.1 Colours used for all components of the Antenna System including equipment shelters, shall be compatible with the surrounding landscape and public realm:

- Colour matching shall be the first preference for the Town, with the exact colour(s) determined on a case-by-case basis to enhance the surrounding landscape and public realm;
- Neutral colours shall be the second preference; and,
- Non-reflective surfaces and paints shall be used.

11.2.5.2 Designs requiring no illumination are expected. Where proposed, illumination shall be the lowest intensity possible and the rationale detailed in the justification report required by this protocol.

11.2.5.3 Notwithstanding the above, Transport Canada and NAV Canada requirements for illumination and colour of the Antenna System shall supersede this protocol.

11.2.5.4 New facilities located in close proximity to residential areas will be designed so as to avoid being required by Transport Canada and NAV Canada to have illumination.

11.2.6 Signage

11.2.6.1 Other than a plaque to identify the carrier(s) and any signage required by Industry Canada, there shall be no advertisements on a facility. A small plaque must be placed at the base of the structure identifying the owner/operator and contact information for that party. No third party advertising shall be permitted.



11.2.7 Rooftop Antenna Systems

- 11.2.7.1 Where a proposed Antenna System is located on the roof of a building or structure:
- Support structures and equipment structures should not be visible from any public street, as demonstrated in the simulation;
 - Antenna Systems should be positioned on the rooftop in a manner that provides for an attractive appearance, in addition to the other design criteria of this protocol; and,
 - Proponents are required to conform with any applicable Urban Design Guidelines.

11.2.8 Installation of Fibre Optic Cables

- 11.2.8.1 Where a new Antenna System is proposed, the Town's preference is for the Proponent to connect the system via fibre cable.
- 11.2.8.2 Where a Proponent is proposing to install cable (power or fibre) to an Antenna System, the Town shall be informed in order to determine whether the Town would like to install conduit along the Proponent's or use the construction opportunity to help expand the Town's internal network.

For a proposed Antenna System, except for cases in which consultation is not required as per Section 9.0 Fast Track of this Protocol, the Proponent will submit a completed application package as per the Pre-Consultation (DART) Meeting requirements to the Town for all Full, Scoped and Intermediate Streams.

12.1 Proposal Submission Requirements

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

- 1) A completed application form.
- 2) A Site Selection/Justification Report written by a Registered Professional Planner (RPP) or Professional Engineer. The report should discuss alternative sites and Co-location options that have been considered. It should also justify preference for the proposed site and address the following:
 - a) Notes from Pre-Consultation (DART) Meeting;
 - b) Identification of any and all existing infrastructure within the required coverage/capacity area. Its assessed suitability for Co-location and reason(s) for disqualification;
 - c) Include details with respect to the coverage and capacity of the existing Antenna Systems in the surrounding area;
 - d) Technical coverage and/or capacity plots (mapping) showing current compromised network state, and desired end state;
 - e) Written description of the geographical area to be serviced by the proposed tower installation;
 - f) Survey Plan showing the layout of the proposed structure and ancillary equipment;
 - g) Location of existing significant vegetation, mature trees, and other screening features;
 - h) Location of nearby natural heritage and natural hazard features;
 - i) Location of existing significant built heritage features and cultural heritage landscapes, including Heritage Conservation Districts;
 - j) Proximity of public roadways;
 - k) Justification for proposed height;
 - l) Design justification that addresses the type of tower including colour, design, and height of structure, and colouration of lighting;
 - m) Potential impact on residential uses within the area;
 - n) Potential effect on long and short range views on the surrounding area;
 - o) Potential impact on institutional or recreational uses within the area;
 - p) Potential impact on prime agricultural lands and existing agricultural uses within the area;
 - q) Any other potential impact.
- 3) A site plan drawn to a 1:250 metric scale showing:
 - a) The entire property upon which the Antenna System will be located;
 - b) Site grading;
 - c) Erosion and sediment controls;
 - d) Property lines;
 - e) Existing and proposed buildings and structures;
 - f) Fences;



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- g) Buffering;
 - h) Lighting;
 - i) Existing and proposed landscaping;
 - j) Access, parking, driveways and entrance details;
 - k) Utilities and services;
 - l) Easements;
 - m) Significant vegetation or wetlands, including natural heritage and natural hazard features;
 - n) Significant cultural heritage features;
 - o) The type and height of the proposed support structure;
 - p) The shelter footprint for the 2 additional equipment shelters as per Section 6.2; and,
 - q) A layout plan showing all structures and distances to lot lines and adjacent structures. Should the subject lands consist of a significant land area, then two drawings of different scales may be permissible; 1) 1:250 Facility Site Plan and 2) 1:1000 Entire Property.
- 4) A scaled set of elevation drawings, showing all four sides, height and size of facilities.
 - 5) A scaled map showing the horizontal distance to all surrounding Residential, Institutional and Recreational uses or zones from the outermost point of the base of the structure.
 - 6) Landscape plan, prepared by a Landscape Architect identifying proposed plantings as well as vegetation removal (if any).
 - 7) Letter of intent from the property owner to enter into a lease agreement permitting the proposed Antenna System, with a copy of the deed, if the proposed structure is to be located on privately owned land. Alternatively, a copy of the lease, devoid of the financial particulars, is acceptable.
 - 8) A statement from the Proponent that attests that the project is in conformance with Canada's Safety Code 6 and the proposed installation follows good engineering practices and will render the tower/antenna structurally sound.
 - 9) Coloured four-season simulated images of the proposed Antenna System.
 - 10) For projects which include expansion of or new fibre optic network, a digital file (.shp or .dwg) identifying the fibre network.
 - 11) Any other documentation as identified by the Town following the Pre-Consultation (DART) Meeting.

12.2 Fees

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 Town's Fee By-law.

Please note that there may be other fees and costs associated with the application such as commenting fees from external agencies, legal fees and securities.



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12.3 Incomplete Applications

- 12.3.1** The Town will not accept applications which are not considered to be complete as per the requirements of the Pre-Consultation (DART) Meeting form.
- 12.3.2** The official commencement of the consultation process will not begin until the Town has received a complete application as per the requirements of the Pre-Consultation (DART) Meeting form.
- 12.3.3** In the event that the Town of Caledon submits a request to the Proponent for additional information prior to the Town deeming the application complete, and no additional information is supplied within 60 days, the Town shall advise Industry Canada of the incomplete status of the application and request that Industry Canada not issue any decision prior to the Town issuing any comments.



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If the proposed Antenna System is not exempt from the full public consultation process as per the requirements in Section 9.0 Fast Track of this Protocol, the Proponent will work with the Town to initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a Public Information Centre, and reviewing the consultation results with the Town.

All proposals that fall within the Fast Track Stream, will be required to follow the signage and newspaper requirements set out in Sections 13.2 and 13.3.

All proposals that fall within the Intermediate Stream and:

- Are not within a Community Sensitive Location, will be required to follow the signage and newspaper requirements set out in Sections 13.2 and 13.3.
- Are located within a Community Sensitive Location, will be required to follow the written, signage, newspaper and Public Information Centre requirements set out in Sections 13.1 to 13.4, inclusive.

Note: Industry Canada recommends in the Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) a distance of three times the height of the proposed tower; however municipal protocols may adopt a different range of prescribed distances.

13.1 Written Notice Requirements

13.1.1 Written Notice Recipients

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will work with the Town to give notice to all affected properties and external agencies/neighbouring municipalities.

13.1.1.1 Full Stream Applications

The Proponent will be required to notify all neighbouring landowners within 500 metres of the base of the proposed tower.

13.1.1.2 Scoped Stream Applications

The Proponent will be required to notify all neighbouring landowners within three (3) times the height of the tower from the base of the proposed tower.

13.1.1.3 Intermediate Stream Applications within Community Sensitive Locations

The Proponent will be required to notify all neighbouring landowners within three (3) times the height of the tower from the base of the proposed tower.



- 13.1.1.4 The Town will assist the Proponent in compiling a mailing list of addresses of the affected residents within the prescribed distance from the proposed Antenna System.
- 13.1.1.5 Comments from the public to the Proponent must be received no more than 30 days from the receipt of notification.

13.1.2 Notice Components

The notice shall include the following:

- All information listed in Appendix 1 – “Industry Canada’s Default Public Consultation Process – Public Notification Package”;
- Address, location (including key map), and time of the Public Information Centre;
- Reference to the Town’s Telecommunication Protocol;
- Information on how to submit comments to the Proponent and the closing date for submission of written public comments; and,
- Information on the location, height, type, design and colour of the proposed Antenna System; including a 21cm x 28cm size copy of the site plan submitted with the application.

The notification shall be sent out in an envelope addressed to the “Occupant” and shall clearly show in bold type face of the envelope the statement: “NOTICE FOR RESIDENTS WITHIN [INSERT PRESCRIBED DISTANCE] OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED.”

- 13.1.3 The notice is to be sent by regular mail or hand delivered a minimum of 20 days before the Public Information Centre.

13.1.4 Notice Acceptance

Prior to sending notice, the Proponent shall forward the draft document to the Town for review and acceptance.

13.1.5 Website

The Town of Caledon will post a notice for the proposed Antenna System on the Town’s website upon receiving a complete submission.

13.2 Signage Requirements

- 13.2.1 A sign shall be erected along each street frontage of the property, notifying the public of the proposal to establish an Antenna System on the site at least 20 days prior to the Proponent’s advertised Public Information Centre, where applicable, and must be removed upon completion of the process. Where a proposal meets Fast Track or Intermediate Stream criteria and full public consultation is not required, the sign must be erected prior to the issuance of a letter of exemption, and must remain up for 60 days (total).



13.2.2 Sign Design

- 13.2.2.1 The sign must be 2.4 metres wide by 1.2 metres high with a 0.9 metre ground clearance.
- 13.2.2.2 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.
- 13.2.2.3 Sign panels and all structural members must be painted with quality paint. Lettering is to be black inscribed on a white background.
- 13.2.2.4 The sign must include a colour photograph of the subject property with a superimposed scaled image of the Antenna System, support structure and supporting facilities, with the height and width of the proposed Antenna System shown on the photo.
- 13.2.2.5 The sign is to be professionally lettered or silk screened, using upper case letters, size 50 mm and 100 mm.
- 13.2.2.6 One sign shall be erected along each street frontage of the property and midway between the adjacent property lines.
- 13.2.2.7 The sign will read as follows with the appropriate information filled in that is underlined:

<p><u>(NAME OF PROPONENT)</u> HAS PROPOSED TO LOCATE A TELECOMMUNICATIONS FACILITY, BEING <u>(HEIGHT)</u> METRES IN HEIGHT, _____ METRES FROM _____ ROAD ON THIS PROPERTY.</p> <p>PUBLIC COMMENT IS INVITED.</p> <p>A PUBLIC INFORMATION CENTRE IS SCHEDULED ON <u>(DATE of MEETING)</u> FROM <u>(TIME)</u> pm AT <u>(LOCATION)</u></p> <p>FOR FURTHER INFORMATION CONTACT: <u>(PROponent COMPANY)</u> <u>(PROponent'S PHONE NUMBER).</u></p>	<div style="border: 1px solid black; width: 100%; height: 100%; display: flex; align-items: center; justify-content: center;"> <p><u>(VISUAL RENDERING OF THE PROPOSED ANTENNA SYSTEM SUPERIMPOSED TO SCALE)</u></p> </div>
<p><u>(LEAD PLANNER)</u> DAPP DEPARTMENT, TOWN OF CALEDON 905-584-2272 ext. <u>(#####)</u> TOWN FILE No.: <u>(FILE #)</u></p>	



- 13.2.2.8 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 Development Approval and Planning Policy Department.

13.3 Newspaper Requirements

In addition to notifying all interested and affected residents and landowners, the Proponent will advertise the proposed new tower in any newspaper(s) as indicated by the Town, at least 20 days prior to the Proponent's advertised Public Information Centre (where applicable).

13.3.1 Notice Requirements

The notice shall include the following:

- Location of the site, including a municipal address and key map;
- Description of the proposed installation;
- Proponent's contact information;
- Contact information for the Lead Planner (Town of Caledon); and,
- An invitation for the public to provide comments to the Proponent within a 30-day public commenting period (from the date of the notice), where applicable.

13.4 Public Information Centre

13.4.1 Timing

As part of the municipal review process for Full and Scoped applications, Proponents shall be required to convene and facilitate a Public Information Centre. The Public Information Centre shall occur no sooner than 20 days from the date notices are mailed, and will be scheduled and located in coordination with the Town.

The Town of Caledon will post a notice for the Public Information Centre on the Town website upon the scheduling of the Centre.

NOTE: Public Information Centres shall not be held during weekends, Fridays, or in the months of July, August or December in order to provide sufficient opportunity for public input.

13.4.2 Material to be Available

As part of the Public Information Centre, the Proponent is expected to provide information on the following:

- The proposed structure's height;
- The proposed structure's location;
- Basis for the proposed location;
- Potential health and safety issues;
- Potential visual impact;
- Potential impact on the natural environment;



- Estimated area serviced; and,
- Potential benefits of the proposed structure and its services.

13.4.3 The Proponent shall make available an appropriate visual display of the proposal including site plan and colour photographs from at least three landmarks and in all four seasons, one set showing current conditions and one set including superimposed images of the proposed facility.

13.4.4 **Record**

The Proponent is expected to maintain a record of the attendants' names, addresses, and phone numbers and provide a copy to the Town. These records are subject to the Municipal Freedom of Information and Protection of Privacy Act.

13.4.5 The Proponent will provide an affidavit that the Notification Package was distributed to all required recipients as per the Town's requirements.

13.5 Addressing Comments/Concerns

13.5.1 The Proponent is required to log all comments (verbal or written) and forward them to the Town with responses addressing the comments within 3 weeks of the completion of the Public Information Centre.

13.5.2 The Proponent will consider comments from the Town, public and local agencies in their selection process and shall make every effort possible to implement comments received or provide a rationale for non-compliance.

13.5.3 In order to address Town, agency and public comments, the Proponent may be required to submit revised submissions or additional information as required by the Town.

14.1 Delegated Approval

14.1.1 Fast Track Stream

Following the Preliminary Meeting, if the proposal meets the criteria for Fast Track Stream, the Director of Development Approval and Planning Policy will sign a letter of exemption explaining this and forward it to the Proponent and Industry Canada.

14.1.2 Intermediate and Scoped Stream

Following the evaluation of the submitted material, should the Proponent satisfy Town requirements as set out within this Protocol, staff will request that the Proponent complete a Letter of Undertaking, prior to a recommendation being made to the Director of Development Approval and Planning Policy. This recommendation will take into consideration all previous consultations and discussions with the Proponent, the public and affected agencies, as applicable.

14.2 Full Stream

Following the evaluation of the submitted material, should the Proponent satisfy Town requirements as set out within this Protocol, staff will prepare a Council Report with a recommendation which will take into consideration all previous consultations and discussions with the Proponent, the public and affected agencies.

In the event that concurrence or concurrence with conditions is granted by Council, the Proponent will be required to complete a Letter of Undertaking.

14.3 Letter of Undertaking

When a proponent is required to execute a Letter of Undertaking, the following may be required:

- a) Posting of a security for the construction of any proposed fencing, screening and landscaping;
- b) A commitment to accommodate other telecommunication providers on the Antenna System, where feasible, subject to the usual commercial terms and Industry Canada Conditions of License for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17);
- c) A commitment to post a plaque at the base of the tower identifying the providers on the tower and contact information; and,
- d) Other conditions identified in the Letter of Undertaking.



14.4 Concurrence/Concurrence with Conditions

Once the Letter of Undertaking is executed and the proposal has obtained Council or Director approval, the Town will provide a letter of concurrence to Industry Canada and the Proponent identifying that the requirements as set out within the Protocol and the Town's technical requirements have been completed.

The Town may, on a case-by-case basis, include in writing specific conditions of concurrence such as design, screening, Co-location commitments, etc.

14.5 Non-Concurrence

The Town will provide a letter of non-concurrence to Industry Canada and the Proponent if the proposal does not conform to the Town's requirements as set out within the Protocol. The Town will also forward to Industry Canada any comments on outstanding issues, including those raised during the public consultation process.

14.6 Dispute Resolution

Should significant concerns be expressed regarding a proposed Antenna System, if required, the Director of Development Approval and Planning Policy may provide Industry Canada with a written request to intervene with a formal dispute resolution process.

14.7 Rescinding a Concurrence

The Town may rescind its concurrence if following the issuance of a concurrence, it is determined by the Town that the proposal contains a misrepresentation or 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.

14.8 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the Town. 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.

14.9 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 Town 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.

14.10 Other Permits and Approvals

Proponents are also required to obtain all applicable permits (i.e. conservation, building and MTO permits).



6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca

T. 905.584.2272 | 1.888.225.3366 | F. 905.584.4325

15.1 Fast Track Stream

Minimum of 14 days.

15.2 Intermediate Stream

Minimum of 45 days from the date of complete submission.

15.3 Scoped Stream

Minimum of 90 days from the date of complete submission.

15.4 Full Stream

Minimum of 120 days from the date of complete submission.

15.5 Extension

In the event that the consultation is not completed in 2 years, the Proponent will be responsible for receiving an extension from the Town or re-initiating the consultation process to the extent requested by the Town.

In the event of comments/concerns from the public, Town staff or external agencies, timeframes will be extended as necessary.

INDUSTRY CANADA'S DEFAULT PUBLIC CONSULTATION PROCESS – PUBLIC NOTIFICATION PACKAGE

The proponent must ensure that at least **30 days** are provided for public comment. Notification must provide all information on how to submit comments to the proponent in writing. The proponent must also provide a copy of the notification package to the land-use authority and the local Industry Canada office at the same time as the package is provided to the public.

Notification must include, but need not be limited to:

- 1) The proposed Antenna System's purpose, the reasons why existing Antenna Systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- 2) The proposed location within the community, the geographic co-ordinates and the specific property or rooftop;
- 3) An attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- 4) Identification of areas accessible to the general public and the access/demarcation measures to control public access;
- 5) The project's status under the *Canadian Environmental Assessment Act*;
- 6) A description of the proposed Antenna System including its height and dimensions, 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 Industry Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>);
- 11) Contact information for the proponent, land-use authorities and the local Industry Canada office; and,
- 12) Closing date for submission of written public comments (not less than **30 days** from receipt of notification).

