

Township of South Stormont
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TOWNSHIP OF SOUTH STORMONT RADIOCOMMUNICATION/TELECOMMUNICATION FACILITIES PROTOCOL

1.0 PROTOCOL INTENTION

To provide guidelines for the municipal process and public consultation requirements in relation to applications to establish and/or expand telecommunications towers, antenna systems, and related facilities in the Township of South Stormont. This protocol shall apply to all telecommunications facilities, including but not limited to, telecommunications/cell towers, antenna systems, and related structures, unless otherwise excluded by federal protocol.

2.0 OBJECTIVES

The objectives of this protocol are to:

- Encourage consultation between telecommunications proponents and the Township to facilitate development of telecommunications facilities, in line with municipal objectives;
- Ensure land-use compatibility considerations are evaluated through the site selection and planning process for telecommunications facilities;
- Establish siting guidelines for telecommunications facilities within the Township of South Stormont;
- Protect sensitive uses and natural heritage features by encouraging the location and siting of new telecommunication facilities to minimize adverse visual and environmental impacts, in addition to adherence to Health Canada requirements;
- Provide a public consultation process for telecommunications facilities applications within the Township of South Stormont, as required under the default federal protocol;
- Ensure compliance with the federal protocol for telecommunications facilities;
- Facilitate efficient processing and review of applications.

3.0 DEFINITIONS

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

- i) **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;

- ii) **Building/Structure-Mounted Antenna System:** an Antenna System mounted on an existing non-tower structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

CO-LOCATION: means the placement of antennas and equipment operated by one or more proponents on a telecommunication Antenna System operated by a different proponent, thereby creating a shared facility.

DIRECTOR: means the Township of South Stormont Director of Planning and Building, the director's designate, or its successor in title as amended.

HAZARD AREA: areas where natural or built conditions upon a site could make development unsafe, including but not limited to organic soils and flooding.

LETTER OF CONCURRENCE: a formal letter of support from the Township.

NATURAL HERITAGE AREA OR FEATURE: features and areas including wetlands, significant coastal wetlands, fish habitat, significant woodlands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

PROPONENT: a company, organization, or their designate, proposing to establish or modify an antenna system for the purpose of providing radiocommunications/telecommunications services.

RESIDENTIAL AREA: a built-up area zoned for residential uses, or an undeveloped area zoned for future residential uses.

RURAL AREA: area outside of a designated urban or rural settlement area as delineated within the SDG Counties Official Plan Land Use Schedules.

SENSITIVE LAND USES: shall mean uses, buildings, amenity areas, or outdoor spaces, where routine or normal activities would experience adverse effects from a proposed development. This includes, but is not limited to, residential uses, institutional uses, and community uses such as parks and open space.

TOWER: shall mean all types of towers including but not limited to a monopole, tripole, lattice tower, guyed tower, self-supported tower, pole, mast, or other structure, which are used to support one or more antenna system(s) or other telecommunications infrastructure, and may be located at ground level or attached to a building or structure, commonly referred to as a "cell tower" or "telecommunications tower".

TOWNSHIP: means the Township of South Stormont

4.0 OVERVIEW

There is a continued growth in demand for wireless products and associated services, and a corresponding need for wireless network infrastructure. Telecommunications infrastructure, including transmitting and receiving antenna systems such as cell towers, are required to support ongoing this demand for wireless communications within the Township of South Stormont. As telecommunications service providers seek to establish telecommunications infrastructure and installations within the Township, a protocol is necessary to guide the review and response to these applications. The intention of this protocol is to contribute to development and continued provision of wireless services within the Township of South Stormont, with consideration for municipal guidelines.

Approval of a telecommunications facility is a federally regulated and federally approved process, under Innovation, Science, and Economic Development Canada (ISED), as per the *Radiocommunications Act*. The federal government has exclusive jurisdiction over the approval of such antenna systems. As part of this federal process, however, the proponent is required to consult with the local municipality, or “Land Use Authority” (LUA), being the Township of South Stormont. The proponent must follow public engagement procedures prior to development, as specified in Client Procedures Circular CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, issue 6, the most current antenna tower siting protocol.

The role of the Township is to advise the proponent of site considerations, applicable regulations, and planning requirements. Township staff will review and evaluate the appropriateness of the site and any land use planning factors or additional notice considerations based on local context. The Township of South Stormont utilizes the Default Protocol as per CPC-2-0-03 Radiocommunication and Installation proposals.

An internal protocol is necessary to establish guidelines for the installation of telecommunications facilities and outline the required processes for telecommunication service providers. This protocol shall apply to anyone planning to install or modify an antenna system within the Township of South Stormont, as identified in CPC-2-0-03.

5.0 JURISDICTION AND ROLES

5.1 Federal Jurisdiction

The Government of Canada is the approval authority for telecommunications infrastructure, including antenna systems, under the federal agency of Innovation, Science, and Economic Development Canada (ISED). The final decision on approval of the location of a telecommunications facility is made by ISED.

The Government of Canada also establishes the health and safety standards, and the protocols, which telecommunications service providers must follow.

Telecommunications proponents are required to ensure that all installations comply with health and safety regulations under the Government of Canada. This includes Safety

Code 6, which establishes safety limits for human exposure to radiofrequency electromagnetic fields (EMF) in the frequency range from 3 kHz to 300 GHz. Safety Code 6 is one document in a series of codes which establishes radiation protection guidance for radiation emitting devices, including telecommunications facilities.

5.2 Municipal Role

Under the Default Protocol, the Township is the Land Use Authority (LUA). The Township's role is to consult with the proponent and discuss local preferences regarding antenna system siting and/or design, and advise of any land use compatibility concerns. The Township will also assist the proponent with facilitating public consultation as required by the Default Protocol, including consultation with external agencies as deemed appropriate.

It is intended that land-use consultation be completed within 120 days of receipt of a formal application. The provision of the letter of concurrence by the Township shall be considered as the point of completion of land-use consultation.

5.3 Proponent Role

The proponent must:

- Investigate and evaluate all opportunities for co-location, sharing or using existing infrastructure, prior to proceeding with a proposal for a new telecommunications facility;
- Pre-consult with the Township as required by this protocol and the CPC-2-0-03 protocol;
- Submit a complete application to the Township;
- Complete public consultation and respond to all public enquiries and concerns, as required;
- Provide the Township a consultation summary upon conclusion of the consultation period;
- Follow all procedures, health and safety regulations, and other requirements as established by the Government of Canada.

The proponent is responsible to ensure that all components of ISED protocol and Health Canada guidelines are followed when proposing or modifying a telecommunications installation.

5.4 Exclusions

As per CPC-2-0-03, the following proposals are excluded from land-use authority and public consultation requirements:

- New antenna systems: where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners.
- Existing antenna systems: where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation. The exclusion for the replacement of existing antenna systems applies to replacements that are similar to the original design and location; “initial antenna system installation” refers to the system as it was first consulted on, or installed. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners.
- Non-tower structures: including antennas on buildings, water towers, lamp posts, etc. These may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%.
- Telecommunications carriers, operators of broadcasting undertakings and third party tower owners may benefit from local knowledge by contacting the land-use authority when planning an antenna system that meets this exclusion criteria.
- Temporary antenna systems: used for special events or emergency operations. Temporary antenna systems must be removed within three months after the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing antenna system.

Proponents who are not certain if their proposals are excluded, or whether consultation may still be prudent, are advised to contact ISED for guidance.

6.0 SITE SELECTION GUIDELINES

6.1 Use of Existing Infrastructure and Co-location

The Township and the federal protocol require that the proponent first review surrounding infrastructure to determine the feasibility of co-location wherein antennas and equipment operated by one or more proponents are placed on a telecommunications facility/antenna system operated by a different proponent. Co-location on existing telecommunication facilities is preferred, to minimize the number of telecommunication facilities within the Township. Proponents shall consider utilizing existing towers or existing infrastructure to site new installations, prior to proceeding

with an application. Where co-location is not feasible, the proponent may proceed with a proposal for a telecommunications tower.

Proponents are also required to first locate, and evaluate the use of any feasible existing infrastructure such as water towers, prior to building a new antenna-supporting structure.

The proponent must identify in their site selection report that a co-location and infrastructure investigation has been undertaken, and the reasons that co-location or use of existing infrastructure is not possible for the project.

The Township protocol outlines that proponents review all potential opportunities for co-location, direct towers primarily to industrial and/or rural areas and avoid installations in close proximity to concentrated residential development.

6.2 Preferred Locations

Where co-location or use of existing infrastructure is not possible, the following locations are preferred:

- Industrial areas;
- Commercial areas or other non-residential areas as deemed appropriate;
- Rural areas;
- Areas in proximity to utility corridors.

Selection of locations with reference to the above should also consider maximizing the distance from the following land uses:

- Sensitive uses, including residential and community areas such as parks and open space;
- Natural heritage features;
- Hazardous areas.

It is also encouraged that telecommunication facilities be sited in a manner to reduce adverse impact(s) on future potential development upon the subject lands.

6.3 Discouraged Locations

Installations are discouraged in close proximity to existing residential development, in proximity to areas intended for future residential developments, in community areas including parks and green spaces. The Township also discourages installation in areas where there are identified environmental hazards, natural heritage features, or cultural heritage areas/features.

6.4 Site Considerations

Proponents are encouraged to protect the natural landscape of a site. Removal of vegetation is discouraged unless absolutely necessary, and in these circumstances, should be kept to a minimum. Screening and buffering are encouraged where feasible to reduce visual impact(s).

7.0 PROCESS

7.1 Pre-Consultation

Pre-consultation with the Township is encouraged prior to finalizing plans, in order to evaluate any land use compatibility concerns early in the planning process. The Township will assist the proponent with identifying, reviewing, and addressing any land use compatibility concerns. It is intended that any land use concerns be mitigated through the pre-consultation process, prior to a formal application.

Through pre-consultation, the Township will identify any additional document(s) or information required for a complete application.

7.2 Application

The proponent shall provide the Township with a complete application package for consideration and review, including the applicable fee under the most current fees and charges by-law.

The proponent shall include the following as part of a complete application:

- Completed Township of South Stormont Telecommunications/Cell Tower application form;
- Payment of the application fee as per the most current Fees and Charges By-law;
- Detailed site plan showing the subject property, property lines, existing and proposed buildings, setbacks, and access;
- Facility/tower design (civil design);
- Planning justification report or written explanation of the telecommunications tower proposal, i.e., a site selection/justification report;
- Any additional documents or studies as required by the Township, or as indicated in the Township's most current application form.

All correspondence and materials submitted to the Township are to be submitted to the Director of Planning and Building or their designate.

7.3 Public Consultation

Upon receipt of a complete application, the Township will assist proponents with public consultation. This includes provision of mailing addresses for properties within the required circulation radius specified by CPC-2-0-03. The prescribed radius for this notice shall be three (3) times the height of the tower. As per CPC-2-0-03, the height is measured from the lowest ground level at base, including the foundation, to the tallest point of the antenna system. The Township will advise of any other agencies or organizations that should be included in the public notice, based on local context.

The proponent shall proceed with notice by mail to all addresses identified within the circulation radius. The proponent shall also provide public notice via local newspapers. All federal requirements for information to be included in the public notice shall be followed. The Township of South Stormont is a census subdivision subject to the official language consultation requirements of Section 4.4 of CPC 2-0-03.

The proponent shall provide a minimum of 30 days for written public comment.

Once the public consultation period has concluded, the proponent shall provide the Township with a consultation summary. The consultation summary should include any written or oral comments received through the consultation process, and the proponent's response to all written comments.

7.4 Statement of Concurrence

Upon satisfactory completion of the public notice and consultation, the Director or their designate shall issue a written letter of concurrence to the proponent for the project. Provision of a letter of concurrence shall consider the land use compatibility of the proposal, review of the subject lands, location preferences, comments from residents, and the proponent's adherence with this protocol.

A letter of concurrence will be provided if the Township has not identified any concerns or land use compatibility issues, and if the Township has no objections to the proposal. The letter of concurrence will identify whether ISED consultation requirements have been met, and any Township comments on the proposal.

If a proposal is unable to be supported, a letter of non-concurrence will be provided and will identify the reasons the proposal is unable to be supported.

A file shall be deemed closed upon provision of a letter of concurrence.



Radiocommunication/Telecommunication Application

Submit with application fee (\$2,500.00)

Office Use Only:

Applicant: _____

Location of Site: _____

Assigned File Number: _____

Date of Submission: _____

Fee Paid?

Yes

No

Application Received By: _____

Fee is subject to change on an annual basis.

To be paid by cash or cheque made payable to the Township of South Stormont

Submissions are to be fully completed to be received by the Planning Department.

Karl Doyle, Director of Planning and Building Township of South Stormont

2 Mille Roches Road, PO Box 84 Long Sault, ON K0C 1P0

Phone 613-534-8889 ext. 217

Toll-Free 1-800-265-3915



Application Form:

Owner and Applicant Details

Name of applicant: _____

Contact number: _____

E-mail address: _____

Location of the site: _____

Applicant is:

- Owner
- Lawyer
- Architect
- Contractor
- Telecom Company
- Other

Property roll number: _____

Is there a lease agreement of privately owned property? (If yes, please include a copy of the lease agreement).

- Yes
- No

Address and full legal description as shown on the Tax Bill or Deed:

Name of the Registered Owner(s): _____

Owner's contact number: _____

Owner's e-mail address: _____

Date the land was acquired by the current registered owner(s): _____

Subject Land Details

Size of the subject parcel (metric units):

Frontage: _____

Depth: _____

Lot Area: _____

Current Official Plan designation of subject land:

Current zoning of the subject lands:

Current use of the subject lands:

Proposed use of the subject lands:

Is the subject land designated under the Ontario Heritage Act? (If yes, what is designating B/L Number (Consult with Planning Division)).

- Yes
- No

Access to the parcel is provided by the following:

- Municipal Road
- County Road
- Provincial Highway
- Private Road
- Water
- Other: _____

Describe location (closest major intersection, what side street land is located):

Is there an existing municipal water service connection to the subject property?

- Yes
- No

Is there an existing sanitary sewer connection to the subject property?

- Yes
- No

Is there an existing private septic system on the subject property?

- Yes
- No

Type of storm water drainage currently present of subject property?

- Sewers
- Ditches
- Swales
- Other: _____

Is the property irregularly shaped?

- Yes
- No

Are there existing buildings on the site?

- Yes
- No

Total Number of existing buildings: _____

Approximate date of construction: _____



Height of each building: _____

Ground floor area of each building: _____

Number of buildings to be retained: _____

Are there/will there be any proposed building modifications to existing structures?

- Yes
- No

If yes, please describe:

Minimum setbacks (meters):

	Existing Building	Proposed Building:
Front Lot Line:	_____	_____
Side Lot Line:	_____	_____
Side Lot Line:	_____	_____
Rear Lot Line:	_____	_____

Other Information on Setbacks (if applicable):

Number and dimensions of parking spaces provided in project (if applicable):



Will there be any buildings constructed on the property?

- Yes
- No

If yes, describe:

Proposed Site Information

Brief description of Tower Type and Height (i.e. measured from Ground Elevation to the top of the structure for Monopole Style or from ground level to roof, plus height to top of structure for installations (as described) which are to be attached to the structure(s)).

Estimated Radio Frequency: _____

Statement of adherence to Safety Code Six attached to application? (required)

- Yes
- No



Existing Surrounding Land Use (General type):

North: _____

South: _____

East: _____

West: _____

Approximate distance of any Residential Land Use (existing or proposed through a Development Approval) when within three times the total height of the installation, as previously described herein (metres):

Required distance (in metres), as per the Industry Canada's Public Consultation Protocol (Within 165m radius).

General Description (i.e. low-, medium-, high-density Subdivision, Plan of Condominium, etc..) of Residential Land Use identified in Residential Land Use proximity:



AUTHORIZATION OF AGENT:

I/We, _____ authorize _____
(please print) (please print)

to act as agent and sign the application form to the Township of South Stormont on my/our behalf for the lands known as

Name of Land Owner: _____
(please print)

Signature: _____ Date: _____

Name of Land Owner: _____
(please print)

Signature: _____ Date: _____

Corporate seal(s), if applicable

Signature of Signing Officer(s) of Corporation _____

Signature of Signing Officer(s) of Corporation _____



AFFIDAVIT/SWORN DECLARATION:

This must be completed by the applicant(s) or Authorized Agent for a Telecommunications / Cell Tower Review.

Dated at the _____ of _____ this _____ day of _____, 20____, I/We, (print) _____ of the _____ of _____ in the _____ of _____

Solemnly declare that all the statements contained in this application are true and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Signature of applicant(s) or authorized agent(s)

Declared before me at the _____ of _____ in the _____ of _____ this _____ day of _____, 20____

Signature of Commissioner

The information collected on this form is used to facilitate the land-use consultation process stipulated by Industry Canada in connection with the telecommunications tower application. Questions about this collection can be directed to the Director of Planning, at the address indicated on Page 1 of this application.

Checklist

PLEASE CHECK OFF ALL APPLICABLE SUBMITTED MATERIAL IN SUPPORT OF THIS APPLICATION; INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

Submission Requirements:

- Application Fee (\$2,500.00)
- Completed Telecommunications Tower Application Form (this Document)
- Boundary Plan of Survey
- Context Plan (ie. Site Plan) for information only
- Building Elevations (in the case of Rooftop Installations)
- Roof Plan (in the case of Rooftop Installations)
- Perspective Drawing
- Site Selection Analysis and Related Justification Report
- Colour photograph(s) with proposed telecommunications tower superimposed
- Map showing the horizontal distance between the proposed Installation area boundary and
- The nearest properties with existing residential uses of any density
- Statement of adherence to Safety Code Six
- Copy of lease agreement (if applicable)
- Public Consultation Information Package (note: This document may sufficiently be equivalent to a number of the above listed items and, therefore, act as a replacement to such individual listed items.
- Sample of Actual Public Consultation Notice(s) and related Circulation List



Related Information/Studies (if deemed to be applicable under Industry Canada’s Public Consultation Protocol)

Information/Studies required:

N/A	Planning
<input type="checkbox"/>	<input type="checkbox"/> Natural Heritage Impact Study (particularly in non-urban developed areas)
<input type="checkbox"/>	<input type="checkbox"/> Archaeological Assessment
<input type="checkbox"/>	<input type="checkbox"/> Heritage Impact Statement (Conservation Strategy)
<input type="checkbox"/>	<input type="checkbox"/> Other: _____
N/A	Engineering and Technical Services
<input type="checkbox"/>	<input type="checkbox"/> Soil Bearing Capacity Issue
<input type="checkbox"/>	<input type="checkbox"/> Stormwater Management Report
<input type="checkbox"/>	<input type="checkbox"/> Heritage Impact Statement (Conservation Strategy)
<input type="checkbox"/>	<input type="checkbox"/> Other: _____
N/A	Township Permits:
<input type="checkbox"/>	<input type="checkbox"/> Structural Engineering Drawings

Consideration to contact various external Agencies is recommended to determine if there are any conflicting issues with the proposed installation.

Other(s): _____

Note: Not all the above requirements will apply to a proposal. Recommended pre-application consultation with Representative(s) will determine which of these must be provided with the initial submission to consider the application complete. Requested information/studies can also be better defined by representatives of the various Divisions. All assessments offered by staff are preliminary and based on the information available. Requirements indicated above may be subject to change pending further review of the application(s).