



THE CORPORATION OF THE TOWNSHIP OF NORWICH

Protocol for the Development and/or Redevelopment of Telecommunication Towers

PURPOSE:

The Township of Norwich Protocol for the Development and/or Redevelopment of Telecommunication Towers outlines the Municipality's principles and procedures for telecommunication tower applications submitted in accordance with Industry Canada's Spectrum Management and Telecommunication: Client Procedures Circular (CPC-2-0-03: Issue 5): Radio communication and Broadcasting Antenna Systems document. All new telecommunication tower facilities are expected to follow this Industry Canada document as well as this Township document when applying to the Township of Norwich for a municipal letter of concurrence.

SECTION 1 - PRINCIPLES

1. To encourage dialogue between the proponent and neighbouring property owners expressing concern or objection to the proposed telecommunication tower or modification to an existing telecommunication tower, with the ultimate goal to reach a solution that satisfies all parties.
2. To encourage dialogue between the proponent and the Municipality through the application process.
3. To encourage the proponent to select a location for their proposed telecommunication tower that will not restrict or conflict with the future and orderly development of the Municipality.
4. To encourage the proponent to select a location for their proposed telecommunication tower that will not obstruct the public's view of key landmarks (i.e. churches, historic buildings, etc.), sensitive land uses (i.e. cemeteries, places of worship, day care centres, etc.) and sites of topographic prominence or significant natural features.
5. To encourage the proponent to select a location for their proposed telecommunication tower that is not on lands zoned for residential purposes according to the Township Zoning By-law.
6. All dialogue should occur prior to the signing of any contractual agreement between the proponent and the host property owner.

SECTION 2 - LOCATION GUIDELINES

In general, the Township requires that the following options be considered (in order) when a communication tower and communication antenna site proposal is submitted to the Township in pursuit of a statement letter of concurrence:

- I. Co-location on an existing facility (tower, building or structure), unless the existing facility is located in a Residential zoned area, or within three times the tower height (measured from the base of the tower) from a Residential zoned area, in which case a new single user tower will be located an appropriate distance from the Residential zoned area.
- II. New facility on an existing location.
- III. Siting a new tower in an industrial zoned area (Employment Area) that is at least 500 metres from a Residential zoned area, Heritage Feature, or other sensitive land use.
- IV. Locating a new communication tower and communication antenna site in or on Institutional Facilities, Parks and Recreation Areas as well as facilities, buildings, lands, properties and/or structures of a Public Agency or Authority, which is supported by a satisfactory business case, that is at least 500 metres from a Residential zoned area, Heritage Feature, or other sensitive land use. Where the Township owns lands within the Proponent's search area that is suitable for the proposed communication tower and meets the Proponent's technical requirements, the Township prefers to be the landlord of first choice, and the Township agrees that any such sites will be according to the usual commercial terms and will not be unduly delayed.
- V. Monopoles with Co-location capability located on lands at least 500 metres from a Residential zoned area.
- VI. Disguised Installations within 500 metres of a Residential zoned area, Heritage Feature or sensitive land use where deemed appropriate.

Further details on the above are provided in the sections below.

1. General Location Preferences

- (a) The proponent will select a location in order to minimize the total number of communication tower and communication antenna sites required in the Township as a whole.
- (b) The proponent will be encouraged to use existing communication tower and communication antenna sites, where appropriate. If existing sites are deemed inappropriate the proponent will be required to provide detailed technical information why they are inappropriate.
- (c) A new communication tower and communication antenna site will be located outside of a Residential zoned area, Heritage Feature or other sensitive land use, preferably in areas designated and zoned to permit employment,

industrial, commercial, rural land uses or on facilities, buildings, lands, properties and/or structures of a Public Agency or Authority.

- (d) New communication tower and communication antenna sites will be strongly discouraged within 500 metres of a Residential zoned area, Heritage Feature or other sensitive land use as well as on listed and/or designated heritage buildings and sites.
- (e) When selecting a site for a new communication tower and communication antenna site, the following will be considered:
 - (i) maximizing distance from Residential zoned areas;
 - (ii) maximizing distance from Environmental Protection Areas;
 - (iii) maximizing distance from heritage features and sites;
 - (iv) avoiding sites of topographical prominence;
 - (v) avoiding sites that would obscure public views and vistas of important natural or human-made features;
 - (vi) ensuring compatibility with adjacent uses; and
 - (vii) access.

2. Co-Location

- (a) The Township expects proponents to share communication tower and communication antenna sites (co-locate), where possible, unless the existing facility is located in a Residential zoned area, or within three times the tower height (measured from the base of the tower) from a Residential zoned area, in which case a new single user tower should be located an appropriate distance away from the Residential zoned area and co-location is not required, in order to minimize the impact on the Township's agricultural and settlement areas.
- (b) Proponents will comply with Industry Canada's requirements with respect to colocation so as to minimize the total number of communication tower and communication antenna sites in the Township as a whole.
- (c) Proponents for a new communication tower and communication antenna site will be required to submit a Site Selection/Justification Report, prepared by a certified engineer or land use planner. The report should identify all communication towers and communication antenna sites within a radius of 1500 metres of the proposed location. It should also include details with respect to the coverage and capacity of the existing communication tower and communication antenna sites in the surrounding area and provide detailed documentary evidence as to why co-location of an existing communication tower and communication antenna site is not a viable alternative to a new communication tower and communication antenna site. The report will also document the site selection process followed by the proponent for selecting this site in accordance with this protocol. In recognition of the sensitive nature of such information, Township staff will, subject to the requirements of this protocol in respect of public notice and public consultation and the Municipal Freedom of Information and Protection of Privacy Act, maintain confidentiality of information where requested by the proponent.

- (d) Any exclusivity agreement which limits access to a communication tower and communication antenna site by other proponents is unacceptable. A signed undertaking is to be submitted to the Township stating that the proponents will comply with Industry Canada's requirements with respect to co-location. Where possible additional capacity will be included in the engineering of all towers to ensure other carriers can be accommodated in the future.

3. Site Preferences

Further to the General Location Preferences and Co-location subsections noted above, it is the Township's preference that:

- (a) A new communication antenna mounted on a building or structure such as an existing communication tower, hydro transmission tower, utility pole or water tower, is to be explored by the proponent before any proposal is made for the construction and development of a new communication tower and communication antenna site. If existing sites are deemed inappropriate the proponent will be required to provide detailed technical information why they are inappropriate.
- (b) The construction and development of a new communication tower and communication antenna site in locations at least 500 metres from a Residential zoned area is generally encouraged. The construction and development of a new communication tower and communication antenna site in locations within 500 metres or less of a Residential zoned area, Heritage Feature, Environmental Protection Area, or other sensitive land use is generally discouraged and will be accepted only when all other options to accommodate the new communication antenna on existing buildings, facilities, structures and towers have been explored and are not viable. The construction and development of a new communication tower and communication antenna site within 500 metres of a Residential zoned area, Heritage Feature, Environmental Protection Area, or other sensitive land uses shall be restricted to a disguised, monopole installation where possible and, where appropriate and practical, should be designed with future co-location capacity.
- (c) Where co-location is not possible, the construction and development of a new communication tower and communication antenna site will be designed to minimize visual impact and to avoid disturbance to Heritage Features, Environmental Protection Areas and areas of topographic prominence.

4. Design and Landscaping

Further to the General Location Preferences, Co-location and Site Preferences subsections noted above, the Township requires that:

- (a) Architectural principles will be incorporated into the design and landscaping of a new communication tower and communication antenna site to ensure the compatibility of the site with the surrounding buildings and area.

- (b) Disguised, monopole installation will be used where a new communication tower and communication antenna site must be located within 500 metres of a Residential zoned area, Heritage Feature, Environmental Protection Area or other sensitive land use.
- (c) New communication tower and communication antenna sites will be setback an appropriate distance from all property lines and public road allowances such that line of sight is not obstructed and functionality of the public road is not adversely affected.
- (d) One parking space will be provided at each new communication tower and communication antenna site with access from a public right-of-way at a location acceptable to the Township. Where parking is provided for another use on the site and this parking is within 90 metres of the communication tower and communication antenna site, the parking space for the site is not required (parking spaces need not be exclusively devoted to communication tower and communication antenna site usage). This policy may be waived when the site is located on land owned by the Township or its agencies, boards and/or commissions.
- (e) All reasonable efforts will be made to decrease the size and visibility of all communication towers and communication antennas so that they will blend in with the surroundings. To ameliorate the scale and visual impact of communication tower and communication antenna sites, mitigation measures should include consideration of: design features, structure type, design, colour, materials, landscaping, screening and decorative fencing. In general and where possible, communication towers, communication antennas, associated equipment and infrastructure shall have a non-reflective surface and be of a neutral colour which is compatible with the sky and the surroundings. Where appropriate, a communication tower and communication antenna site will be designed to resemble features commonly found in the surrounding urban and rural areas. For installations within 500 metres of a Residential zoned area, Heritage Feature, Environmental Protection Area or other sensitive land use, an unobtrusive design, such as a monopole or stealth design, should be considered.
- (f) Lighting of communication towers and communication antennas is prohibited unless required by Nav Canada. Lighting of a communication tower and communication antenna site is prohibited at grade unless for the health and safety of the Proponent's employees and contractors. In this regard, lighting of the site at grade shall not adversely affect surrounding land uses and/or neighbouring land owners or residents. Details to this effect must be provided by the proponent at the time of submission of the Communication Tower Application.
- (g) Communication towers will accommodate only communication antennas. Only identification or information signs or other material directly related to the identification or safe operation of this equipment will be permitted on the tower. A small plaque must be placed at the base of the structure and at the main entrance to the site identifying the owner/operator of the structure and a contact telephone number. No third-party advertising, or advertising or

promotion of the proponent or the proponent's services shall be permitted. Notwithstanding the foregoing, signage shall be permitted where such signage is incorporated into the design of a stealth design communication tower structure, provided such signage complies with the Township Sign By-law.

- (h) Where equipment shelters are on roofs of buildings, they shall maintain a setback of a minimum of 3.0 metres to the roof edge and to a maximum height of 4.0 metres, where possible.
- (i) Where a new communication tower and communication antenna site is proposed to be located on a roof of building, the proponent will minimize the height from roof level and maximize the set -back from the roof edge to ensure the compatibility of the site with the surrounding buildings and area.

SECTION 3 - PROCEDURES

Phase 1 - Submission Requirements

All proposals for new telecommunication towers and modifications to existing telecommunication towers where municipal consultation is required by Industry Canada require the submission of an application package which shall include the following information:

1. Application for Telecommunication Tower Approval form
2. 8 'h x 11 or greater Site Plan/Sketch (PDF and/or hard copy) including property lines; existing buildings; and proposed parking areas and driveways with vehicular access, proposed fences, and proposed telecommunication tower with supporting buildings/features/structures.
3. A cheque payable to the Township of Norwich to cover administrative and processing costs as set out in the Municipal Fee Schedule.

*A Pre-consultation Meeting with the Township of Norwich and County Planner is required in conjunction with this exercise to discuss the rationale and features of the proposed application.

This pre-consultation meeting may include the following:

- Township Chief Building Official
- Township Director of Protective Services
- Township Director of Public Works
- Township Drainage Superintendent
- Township Police Services
- Oxford County Community and Strategic Planning Office
- Oxford County Department of Public Works
- Oxford County Department of Public Health and Emergency Services, (only required for applications using private sanitary services).
- Conservation Authority agency with jurisdiction, if required.
- Any other agency as required (eg. Hydro One, Union Gas, etc).

Phase 2 - Public Review Process

1. Exemptions to Public Consultation

Public consultation is not required for tower and antennae infrastructure solely and specifically associated with any federal, provincial or municipal service provider.

Public consultation is also not required for installations of a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event

2. Procedure for Public Consultation

- (a) For proposals that do not meet the exemption criteria, the proponent will be responsible for presenting the merits of the communication tower and antenna facility proposal at a formal Public Meeting before the Council of the Township of Norwich. All costs associated with the Public Meeting to be borne by the proponent.
- (b) The proponent, in consultation with the Township of Norwich, will schedule the appropriate date and time for the Public Meeting.
- (c) Mailed Notice of a proposed communication tower and communication antenna site is to be provided to all municipally assessed property owners located within a 500 metre radius of the subject property. Such Notice to be prepared and sent by the Township Clerk's Office as pre-paid first-class mail, with all costs to be borne by the proponent.
- (d) Mail Notice of a proposed communication tower and communication antenna site is to be provided to abutting municipalities if the proposed location site is within 500 metres of an adjacent municipal boundary.
- (e) The mail notice will be sent a minimum of 30 days before the public meeting. The proponent will provide written confirmation to the Township confirming that notice has been given. The notice will include:
 - the date, time and location of the public meeting;
 - information on the location, height, type, design and colour of the proposed structure, including an 8W' x 11" size site plan;
 - the rationale for the selection of the designated site;
 - the name and telephone number of a contact person for the proponent;
 - all costs to be borne by the proponent.
- (f) The notice shall be posted on the subject property at least 30 days before the public meeting in a manner that is clearly visible and legible from a public highway or other place to which the public has access or, if posting on the subject property is impractical, at a nearby location chosen by the Township.

- (g) To clarify the application process and jurisdictional matters, Industry Canada may be requested to attend public meetings for complex or sensitive applications.
- (h) The proponent will provide the Township with a record containing copies of letters or other communications received from the public.