

## PLANNING SERVICES DEPARTMENTAL POLICY

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013

### INTRODUCTION:

In order to keep pace with the demand for telecommunications service, there has been an increase in the number of telecommunications towers erected across the Municipality of Clarington and more are anticipated in the coming years.

Industry Canada, the approval authority for regulating antenna systems, ensures that municipalities are consulted prior to the erection of towers and significant antenna structures unless the proposal falls within the exclusion criteria of the Industry Canada procedures. The role of the Municipality of Clarington is to provide comments with respect to land use compatibility and, where required, issue a letter of concurrence or non-concurrence regarding a specific proposal. The Municipality has no constitutional authority to regulate or prohibit telecommunications facilities.

### PURPOSE:

To maintain policies and procedures that are harmonized with Industry Canada procedures and protocols for the installation of antenna systems, which emphasize the following:

- Minimize the number of new antenna sites by encouraging co-location;
- Encourage designs that integrate with existing and planned surrounding land use and public realm and minimize visual impacts;
- Allow input from the public; and
- Provide a straight-forward, objective process for the installation of antenna systems.

### POLICIES:

#### 1. Definitions

*Antenna System* shall mean 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.

*Alternative Tower Structures* shall mean man-made support structures that camouflage or conceal the presence of antennas or towers such as flagpoles, clock towers, church steeples, street lights, artificial trees and other everyday features.

*Co-location* shall mean the placement of antennas and equipment operated by one or more proponents on a telecommunications Antenna System operated by a different proponent, thereby creating a shared facility.

*Equipment Shelter* shall mean a structure containing equipment necessary to transmit and receive signals.

*Freestanding Antenna System* shall mean a structure (tower, mast, etc) built from the ground for the

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013
<p>express purpose of hosting an Antenna System(s).  <i>Structure/Building-Mounted Antenna System</i> shall mean 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.</p> <p>2. <u>Site Selection For New Antenna Systems</u></p> <p>a) The installation of new antenna systems is discouraged unless all other options within the proponent's search area have been explored and are considered not viable. The preferred methods of achieving additional capacity are:</p> <ul style="list-style-type: none"> <li>i. Co-location on existing Freestanding Antenna Systems or Structures/Buildings;</li> <li>ii. Location on hydro transmission towers;</li> <li>iii. Location of towers within or adjacent to hydro transmission corridors; and</li> <li>iv. Use of Alternative Tower Structures.</li> </ul> <p>b) Antenna Systems shall be located in a manner that minimizes visual impacts. When locating a new antenna system, the following shall be considered:</p> <ul style="list-style-type: none"> <li>i. There shall be no negative impact on significant natural features or hazard land areas;</li> <li>ii. Distances shall be maximized from residential areas, community and institutional uses, historical downtown areas, and waterfront areas;</li> <li>iii. Terminal vistas from existing and future roads and areas of topographical prominence will be avoided;</li> <li>iv. Locations and heights within urban areas or hamlets where Transport Canada will require lighting the tower should be avoided;</li> <li>v. Towers shall not be located on properties within the urban areas where development or redevelopment is contemplated as a present or future land use within the Clarington Official Plan;</li> <li>vi. Alternative Tower Structures should be used wherever possible, particularly in urban and hamlet areas; and</li> <li>vii. Towers shall generally be setback 100 metres from any residential building.</li> </ul> <p>c) Telecommunication facilities shall not be permitted on private property that is only accessible by an unopened road allowance.</p> <p>3. <u>Site Design and Layout</u></p> <p>a) New Telecommunication Facilities</p> <p>The following shall be considered in the site design and layout of new antenna systems:</p> <ul style="list-style-type: none"> <li>i) Planting of trees and shrubs around the perimeter fencing to mitigate the visual impact of the antenna system and equipment shelter;</li> <li>ii) An identification sign identifying the name and contact information of the carrier(s) must be installed and maintained at the location of the antenna system, in compliance with the Sign By-</li> </ul>		

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013
<p>law, subject to the issuance of a sign permit from the Municipality of Clarington; and</p> <p>iii) Where alternative tower structures are not feasible, antenna systems and equipment shelters shall blend in with the character of the surroundings, including both colour and design.</p> <p>b) Roof Tops or Existing Structures</p> <p>When locating telecommunications facilities on rooftops or existing structures, carriers shall endeavour to minimize the visual impacts of such facilities by considering the following:</p> <ul style="list-style-type: none"> <li>i. Utilizing alternative tower structures;</li> <li>ii. Screening should be provided such that the antenna system is not visible from the ground, to the extent possible;</li> <li>iii. Equipment shelters on roof tops should be setback from the roof edge not less than 5 metres; and</li> <li>iv. The colour and architectural style of the antenna and equipment shelter should blend in with the building or structure.</li> </ul> <p>4. <u>Other</u></p> <ul style="list-style-type: none"> <li>a) Owners shall remove antenna systems that have not been in use for two years.</li> <li>b) The Municipality will encourage buildings greater than 10 storeys to be designed to accommodate antenna systems.</li> </ul> <p><b>PROCEDURES FOR MUNICIPAL AND PUBLIC CONSULTATION</b></p> <p>1. <u>Pre-consultation</u></p> <ul style="list-style-type: none"> <li>a) Prior to the installation of antenna systems, proponents are strongly encouraged to consult with the Municipality's Planning Services Department, and Engineering Services Department to discuss the site search area, site selection, including land use compatibility, sensitive visual areas and vistas, existing and proposed land uses and other potential impacts. Consultation with the Chief Building Official may also be required.</li> <li>b) The proponent is required to consult with adjacent municipalities within 500 metres, measured from the tower base, or the outside perimeter of the supporting structure, whichever is greater. The proponent shall provide written confirmation of this consultation to the Director of Planning Services.</li> </ul> <p>2. <u>Submission Requirements</u></p> <p>For the purposes of administration and processing, proponents will be required to complete an application for site plan approval. The application shall be submitted to the Municipality of Clarington Planning Services Department with the appropriate fees. Such applications are not processed under Section 41 of the Planning Act.</p> <ul style="list-style-type: none"> <li>a) New Freestanding Antenna Systems</li> </ul>		

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013

All proposals for new Freestanding Antenna Systems, where consultation with the Municipality is required by Industry Canada, will include the following information:

- i. Written justification from the proponent as to the need for the Antenna System and that the proposed location for the new tower is the preferred alternative. Structure/Building-mounted Antenna Systems, Co-location, Alternative Tower structures and compliance with Health Canada's Safety Code 6 shall be addressed in the justification;
- ii. A site plan showing the subject property, including the existing property lines, and/or the leased area (as applicable), site grading, existing and proposed buildings, fences, buffering, existing and proposed landscaping, access, parking and type and height of the proposed Freestanding Antenna System;
- iii. Pictures of the location and the proposed Freestanding Antenna System and associated facilities superimposed on the picture from four directions; north, south, east and west;
- iv. Two sets of stamped engineered drawings to identify the Freestanding Antenna System design; and
- v. A map showing the horizontal distance between the Freestanding Antenna System installation and the nearest residential zone and/or residential dwelling.

b) Structure/Building-mounted Antenna Systems

All proposals for Antenna Systems on structures and buildings, where consultation with the Municipality is required by Industry Canada, will include the following information:

- i. A plan showing the location of the proposed Antenna System and associated facilities on the structure or building;
- ii. Two sets of stamped engineered drawings to identify the Antenna System and associated facilities on the structure or building and anything required by the Clarington Chief Building Official; and
- iii. Pictures of the structure or building with the proposed Antenna System and associated facilities superimposed on the picture from four directions; north, south, east and west.

c) Alterations to existing Antenna Systems

Where modifications to an existing Antenna System are proposed, that are not excluded from municipal consultation, an amendment to the approved plans may be required and the corresponding fee must be remitted.

3. Public Consultation Process

a) Public consultation may not required by the Municipality in the following situations:

- i) Roof top installations of Antenna Systems;
- ii) Additions or modifications of existing Antenna Systems where the original height of the structure is not being increased by more than 25% and where the existing Antenna System is at least 15 metres in height; and
- iii) Antenna Systems that are less than 15 metres above ground level.

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013
<p>The Director of Planning Services may also exempt the proponent from the public consultation requirement following pre-consultation with the Planning Services Department and the proponent.</p> <p>Exemptions will generally be considered where towers are proposed adjacent to 250 kv or 500 kv hydro towers.</p> <p>b) Required Public Consultation</p> <p>i) Notice Requirements</p> <p>For proposed new Antenna Systems or significant additions or modifications to Antenna Systems, the proponent shall give <b>written notice, by regular mail or hand delivered</b>, to the owners and/or tenants of the lands within the circulation area of the subject property or leased area, adjacent Municipalities (where required), the Director of Planning Services, the Municipal Clerk, and all Members of Clarington Council.</p> <p>The circulation area for the notice is as follows:</p> <ul style="list-style-type: none"> <li>• Within Urban Areas, except for Future Urban Residential Areas – 120 metres or 4 times the height of the tower whichever is greater</li> <li>• In all other areas – 500 metres</li> <li>• Where the circulation area extends onto a property with multiple tenants or residents (apartments, condominiums, commercial areas etc.) all of those tenants or residents must be notified of the proposal.</li> </ul> <p>The notice shall include the following information:</p> <ul style="list-style-type: none"> <li>• <b>The location of the subject property, the leased area (if applicable) and the proposed location of the Antenna System on the subject property;</b></li> <li>• <b>A plan that shows the Antenna System type, height, design, colour, associated structures, access locations and lighting;</b></li> <li>• <b>A confirmation that the Antenna System will comply with Health Canada's Safety Code 6, which sets safe radiofrequency emission levels for these devices;</b></li> <li>• <b>The rationale, including height and location requirements, of the proposed Antenna System;</b></li> <li>• <b>Date, time and location of Public Information Centre;</b></li> <li>• <b>The name and telephone number of a contact person employed by the proponent and the municipal contact person; and</b></li> <li>• <b>A deadline date for the receipt by the proponent of public responses to the proposal.</b></li> </ul> <p>The Municipality shall provide a mailing list to the proponent.</p> <p>ii) Public Information Centre</p> <p>The Public Information Centre (PIC) shall be held no sooner than 30 days and no later than 45 days of the notice being mailed or hand delivered. The format of the PIC may be determined by the proponent however the date, time and location for the PIC shall be agreed upon by the Municipality and the proponent.</p>		

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013

At the Public Information Centre the proponent shall be responsible for displaying all the necessary drawings and pictures. Subsequent to the Public Information Centre the proponent shall provide to the Planning Services Department the following:

- A record of names, addresses and telephone numbers of attendees;
- Notes of the meeting which include issues and concerns that were raised by the public; and
- A letter indicating how the proponent will address the concerns and issues raised by the public at the PIC.

Staff from the Planning Services Department shall attend the Public Information Centre for observation purposes only.

#### 4. Approvals

##### a) Letter of Concurrence or Non-concurrence

- i. The Director of Planning Services will issue to Industry Canada, the proponent and Members of Clarington Council a Letter of Concurrence stating that the proponent has satisfactorily consulted with the Municipality. Such letter will be provided within 60 days from the date the application is submitted and deemed complete by the Planning Services Department (120 days where public consultation is required) or, in the case where a Letter of Undertaking is required, when a Letter of Undertaking has been completed to the Municipality's satisfaction.
- ii. If the Municipality of Clarington is not satisfied with the proposal, then the Director of Planning Services will issue a letter of non-concurrence to Industry Canada, the proponent and Members of Clarington Council indicating the reasons why the Municipality is not satisfied with the proposed Antenna System.

##### b) Letter of Undertaking

- i. Letter of Undertaking is required in situations where:
  - a new, non-excluded Antenna System is constructed;
  - a new equipment shelter is to be constructed on a roof-top; and
  - a new equipment shelter is to be constructed to accommodate co-location on an existing Antenna System.
- ii. When the Municipality of Clarington is satisfied with the site location, layout and design, the proponent will provide a Letter of Undertaking, in the Municipality's prescribed format, to address the following issues as they are applicable:
  - Site Plan and Landscaping drawings;
  - Building Permits;
  - Entrance Permits from the road authority;
  - Sign Permits from the Municipality of Clarington;
  - Security deposits for site works;

SUBSECTION: <b>DEVELOPMENT GENERAL PSD-DG008</b>	SUBJECT: <b>ANTENNA SYSTEMS</b>	
APPROVED BY: Council	DATE APPROVED: November 25, 2002	REVISED: July 2, 2013
<ul style="list-style-type: none"> <li>• Road widenings and easements;</li> <li>• A commitment to remove an Antenna System within two years of it no longer in use;</li> <li>• A commitment to accommodate other future antennas on site where feasible; and</li> <li>• Other conditions as required.</li> </ul>		