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<b>Responsible Department:</b>	Planning and Development
<b>Council Approval Date:</b>	March 19, 2025
<b>Council Resolution Number:</b>	25.03.19.17
<b>Statute(s) and Bylaw(s):</b>	Radiocommunications Act, RSC 1985

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## 1. POLICY STATEMENT

Provide the Town of Diamond Valley with a tool to influence the siting and design of Antenna Systems within the community.

### 1.1. Legislative Requirements

This policy is subject to any specific provision of the:

- a. *Radiocommunication Act*, RSC 1985, Chapter R-2, as amended from time to time;
- b. *Health Canada's Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz* (2015);
- c. NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety;
- d. *Municipal Government Act*, RSA 2000, Chapter M-26, as amended from time to time; and
- e. *Historical Resources Act*, RSA 2000, Chapter H-9, as amended from time to time.

## 2. PURPOSE

- 2.1. To establish a siting and consultation process harmonized with Innovation, Science and Economic Development Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) for reviewing land use issues associated with Antenna System siting proposals.
- 2.2. To set out an objective process, criteria, and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals 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 Innovation, Science and Economic Development Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the Town early in the process.
- 2.3. To provide an expeditious review process for Antenna System siting proposals.
- 2.4. To establish a local land use consultation framework that ensures the Town 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 boundaries.

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- 2.5. To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the Town.
- 2.6. To provide the Town with the information required to satisfy the requirements of Innovation, Science and Economic Development Canada regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the Town to Innovation, Science and Economic Development Canada at the end of the process.

### 3. DEFINITIONS

- 3.1. **Administration** means the operations and employees of the Town, under the direction of the CAO.
- 3.2. **Antenna System** means an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (rf) signals, microwave signals, or other federally-licenced 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:
  - a. 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;
  - b. Building/Structure-Mounted Antenna System: an Antenna System mounted on an existing non-tower structure, including a building wall or rooftop, a light standard, water tower, utility pole or other.
- 3.3. **CAO or Chief Administrative Officer** means the person appointed by the Council of the Town of Diamond Valley to carry out the powers, duties and functions of the Chief Administrative Officer, in accordance with the *Municipal Government Act*, or their authorized delegate.
- 3.4. **Co-location** means placing antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.
- 3.5. **Community-sensitive Locations** means land on which the siting of new Antenna Systems is discouraged, or requested to be subject to more significant consultation than otherwise dictated by the standard protocol. These locations are any parcel adjacent to:
  - a. Main Street NW
  - b. Main Street NE
  - c. Sunset Boulevard NW
  - d. Centre Avenue W
  - e. Centre Ave E
  - f. Government Road N
  - g. Government Road S
- 3.6. **Council Policy** means a direction or course of action authorized by Council, which primarily governs the actions of Council or Councillors, but may also direct Administration. Procedures related to Council Policy will be provided to Council for review but are established by authority of the CAO.
- 3.7. **CPC** means Innovation, Science and Economic Development Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03).
- 3.8. **Designated Community Association** means an area or neighborhood-specific group recognized by the Town.
- 3.9. **Designated Municipal Officer** means the CAO, tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems.



- 3.10. **Elected Municipal Official** means an elected Councillor of the Town of Diamond Valley.
- 3.11. **Heritage Structure/Areas** means buildings and structures (e.g. monuments) or areas/neighbourhoods receiving a heritage designation by the Town under a bylaw passed in accordance with the *Historical Resources Act*, RSA 2000, Chapter H-9, as amended.
- 3.12. **Town** means the incorporated municipality of the Town of Diamond Valley.
- 3.13. **Other Agencies** means bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the Town.
- 3.14. **Prescribed Distance** means a minimum of six times the height of the proposed tower, measured horizontally from the outside perimeter of the supporting structure of the proposed Freestanding or Building/Structure-Mounted Antenna System. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc.
- 3.15. **Proponent** means anyone proposing to install or modify an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners).
- 3.16. **Residential Area** means lands used or designated for residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential apartments/condominiums above).

#### 4. JURISDICTION AND ROLES

- 4.1. **Innovation, Science and Economic Development Canada:** Under the *Radiocommunication Act*, the Minister of Innovation, Science and Economic Development has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is made only by Innovation, Science and Economic Development Canada. In June 2014, Innovation, Science and Economic Development 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 July 15, 2014.

Innovation, Science and Economic Development Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with the Town (Land Use Authority) and the local community within a Prescribed Distance from the proposed structure. Innovation, Science and Economic Development 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." the CPC also establishes a dispute resolution process to be used where the Proponent and municipality have reached an impasse.

- 4.2. **Town of Diamond Valley:** The ultimate role of the Town is to issue a statement of concurrence or non-concurrence to the Proponent and Innovation, Science and Economic Development Canada. The statement considers the compatibility of land use with the Antenna System, the responses of the affected residents, and the Proponent's adherence to this Protocol. The Town also guides and facilitates the siting process by:
  - a. Communicating to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
  - b. Developing the design guidelines for Antenna Systems contained in Section 7 of this Protocol; and



c. Establishing a community consultation process, where warranted.

By working with Proponents throughout the siting process, beginning with preliminary notification and the site investigation meeting, the Town seeks to facilitate Antenna System installations that are sensitive to the needs of the local community.

**4.3. 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 Licence 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 required and appropriate.

## 5. EXCLUDED STRUCTURES

This section outlines the criteria for identifying Antenna Systems excluded from the consultation process by Innovation, Science and Economic Development Canada, the need to consider local circumstances for all exempt structures,

and the process for Proponents to notify and discuss proposed exempt structures with the Town.

### 5.1. Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, Proponents are generally excluded by Innovation, Science and Economic Development Canada from the requirement to consult with the Town and the public, but must still fulfill the General Requirements outlined in Section 7 of the CPC:

- a. New Freestanding Antenna Systems: where the height is less than 15 m above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- b. Existing Freestanding Antenna Systems: where modifications are made, antennas are added, or the tower is replaced, including facilitating sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. 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 m above ground level operated by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- c. Building/Structure-Mounted Antenna System: an Antenna System on a building, water tower, lamp post, etc., 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%;
- d. Temporary Antenna Systems: used for special events or emergency operations and must be removed within three months after the start of the emergency or special event; and
- e. No consultation is required before maintenance of an existing antenna system is performed.

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## 5.2. Notification and Town Review of Exempt Antenna Systems

Notwithstanding Innovation, Science and Economic Development Canada's exemption criteria for specific Antenna Systems, the Town should be informed of all new Antenna System installations within their boundaries so they can:

- Be prepared to respond to public inquiries once construction/installation has begun;
- Be aware of site Co-location within the Town;
- Maintain records to refer to in the event of future modifications and additions; and
- Engage in meaningful dialogue with the Proponent with respect to the appearance of the Antenna System and structure before the Proponent confirms a final design.

Therefore, Proponents are required to undertake the following steps for all exempt Antenna System installations before commencing construction.

### a. Building/Structure-Mounted Antenna Systems:

The Proponent will in all cases provide the following information for all new Antenna Systems or modifications to existing Antenna Systems that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard , and which are exempted from public consultation in Section 5:

- i. The location of the Antenna System (address, name of building, rooftop or wall mounted, etc.);
- ii. Description of proposed screening or stealth design measures with respect to the measures used by existing systems on that site and/or the preferences expressed in Section 7;
- iii. The height of the Antenna System;
- iv. The height of any modifications to existing systems.

The Town may notify the Proponent of any inconsistency with the preferences and sensitivities expressed in Section 7 and the parties will work towards a mutually agreeable solution.

### b. Additions that Increase the Height of Freestanding Antenna Systems:

The Proponent will confirm to the Town that an addition that extends the height of an existing Freestanding Antenna System as defined in Section 5.1(b), meets the exclusion criteria in Section 5.1 by providing the following:

- i. The location, including its address and location on the lot or structure;
- ii. A short summary of the proposed addition, including a preliminary set of drawings or visual rendering of the proposed system; and
- iii. A description of how the proposal meets one of the Section 5.1 exclusion criteria.

The Town will review the documentation and contact the Proponent where there is a site-specific basis for modifying the exemption criteria based on the preferences and sensitivities expressed in Section 7 of this Protocol. In such cases, the Town and the Proponent will work toward a mutually agreeable solution, which may include the Town requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Sections 6, 8 and 9 of this protocol, as applicable, concluding with a letter of concurrence or non-concurrence.

## 5.3. Siting on Town-Owned Properties

Any request to install an Antenna System on lands owned by the Town must be made to the appropriate official dealing with Town properties, in accordance with Council Policy.



## 6. PRE-CONSULTATION WITH THE TOWN

Pre-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 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 pre-consultation in the antenna siting process for exempt and non-exempt structures as early as possible.

Before submitting an Antenna System proposal that does not meet any of the exemptions listed in Section 5.1 the Proponent will undertake the following preliminary consultations with the Town.

### 6.1. Notification

Proponents will notify the Designated Municipal Officer that locations in the community are being physically assessed for potential Antenna System siting.

### 6.2. Site Investigation Meeting with the Town

a. Before submitting an Antenna System siting proposal, the Proponent will initiate a site investigation meeting with the Town. The purpose of the site investigation meeting is to:

- i. Identify preliminary issues of concern;
- ii. Identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- iii. Guide the content of the proposal submission; and
- iv. Identify the need for discussions with any Town Departments and Other Agencies as deemed necessary by the Designated Municipal Officer.

Where the Town has an initial concern with the proposed siting of the proposal, they will inform the Proponent of alternative locations within the Proponent's search area for consideration.

b. The Proponent will bring the following information to the site investigation meeting:

- i. The proposed location;
- ii. Potential alternative locations;
- iii. The type and height of the proposed Antenna System; and
- iv. Preliminary drawings or visual renderings of the proposed Antenna System superimposed to scale; and
- v. Documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 m of the subject proposal.

If desired by both the Proponent and the Town, multiple Antenna System siting proposals may be reviewed at a site investigation meeting.

### 6.3. Confirmation of Town Preferences and Requirements

Following the site investigation meeting, Town Administration will provide the Proponent with an information package that includes:

- a. This Protocol, which outlines the approval process, excluded structures, requirements
- b. for public consultation and guidelines regarding site selection, co-location, installation,
- c. design and landscaping;
- d. Proposal submission requirements;
- e. A list of plans and studies that may be required (i.e. environmental impact statements);



- f. A list of Town Departments and Other Agencies to be consulted; and
- g. An indication of the Town's preferences regarding Co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of Town Departments are taken into account. The Proponent is encouraged to consult with affected Departments as well as the local Elected Municipal Official and/or Designated Municipal Officer, and Foothills County within a Prescribed Distance, before submitting the proposal.

## 7. DEVELOPMENT GUIDELINES

Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the Town. The Town has set out guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- Location, including Co-location; and
- Development and Design Preferences

The Proponent should review the guidelines identified below as early as possible and attempt to resolve any outstanding issues before submitting its Antenna System siting proposal and undertaking public consultation, where required by the Town. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the Town at the site investigation meeting. Proponents must also obtain all applicable building permits for additions and/or modifications to existing buildings.

### 7.1. Location

- a. Co-Location
- b. Preferred Locations

The following list is in order of priority:

- i. Town-owned properties.
- ii. Industrial areas.
- iii. Institutional areas near institutions and facilities that require telecommunications technology such as emergency services, hospitals, or post-secondary institutions.
- iv. Transportation and utility corridors.
- v. Commercial areas.
- vi. Agricultural areas.
- vii. Areas that maximize the distance from Residential Areas.
- viii. Mounted on buildings or existing structures.
- ix. Areas that respect public views and vistas of important natural or manmade features.
- x. Mounted on buildings or existing structures.
- xi. Adjacent to parks, green spaces, and golf courses.

- c. Discouraged Locations

- i. Locations directly in front of or behind residential properties.
- ii. Ecologically sensitive or significant natural lands.
- iii. Riverbank lands.
- iv. Areas within Parks and Open Space Areas that would hinder the functionality of those areas.
- v. Sites of topographical prominence.
- vi. Heritage Areas or Heritage Structures.



- vii. Pitched roofs.
- viii. Community-Sensitive Locations.

## 7.2. Development and Design Preferences

### a. Style and Colour

- i. The architectural style of the Antenna System should be a monopole style.
- ii. In all instances, the Proponent should mitigate negative visual impacts through appropriate landscaping, screening, stealth design techniques, etc.
- iii. An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate, subject to any zoning approvals required for the landmark feature.
- iv. In the downtown area, the design of Antenna Systems should generally be unobtrusive and consistent with Downtown Design Guidelines.
- v. Towers and communication equipment should have a non-reflective surface.
- vi. Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas or on listed Heritage buildings and/or sites to make the system unobtrusive.
- vii. Cable trays should generally not be run up the exterior faces of buildings.
- viii. Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

### b. Buffering and Screening

- i. Antenna Systems and associated equipment shelters should be attractively designed, screened, and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means to blend with the built and natural environments.
- ii. A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- iii. 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.

### c. Structure

- i. New structures in high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, etc.).
- ii. Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on to avoid visual clutter and should be painted to match the wall colour for stealth.
- iii. Facilities located on rooftops should not be visible (to the extent possible) from the street.
- iv. The appropriate type of telecommunication antenna structure for each situation should be selected based on the goal of blending with the nearby surroundings and minimizing the visual aesthetic impacts of the telecommunication antenna structure on the community.
- v. Pinwheel telecommunication antennas are discouraged; flush-mounted antennas are preferred.



- vi. Shrouded poles are preferred.
- vii. Using guy wires and cables to steady, support or reinforce a tower is discouraged.
- d. Height
  - i. The Town prefers that Freestanding Antenna Systems be a maximum of 15 m in height, except in industrial areas.
  - ii. Height for a Freestanding Antenna System must be measured from grade to the highest point on the structure, including lighting and supporting structures.
  - iii. Where Building/Structure-Mounted Antenna Systems will exceed 25% of the height of the existing building, the Town prefers that the height not exceed 5 m measured from the top of the roof or 3 m above the highest point of the elevator penthouse, whichever is higher.
- e. Yards, Parking, and Access
  - i. Adequate yards, to be determined on a site-by-site basis, should separate Antenna Systems from adjacent development.
  - ii. Access to the Antenna System must be provided in a way that does not unduly interfere with traffic flow or pedestrian connectivity or create safety hazards.
- f. Equipment Cabinets in Public Spaces
  - For mechanical equipment cabinets that are located in public spaces (e.g. at the bottom of a utility pole), the cabinets must be designed as small as possible and in a manner which integrates them into their surroundings including use of decorative wraps that are graffiti-resistant.
- g. Signage
  - i. Small owner identification signs up to a maximum of 0.19 m<sup>2</sup> may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
  - ii. No advertising sign or logo is permitted.
  - iii. Appropriate signage may also be used as part of screening or disguise.
  - iv. Concurrence under this protocol does not include approval for associated signage. Proponents are required to obtain any necessary approvals for signage through the Town's development process respecting the requirements of the Land Use Bylaw.
- h. Lighting
  - i. Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.
  - ii. Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
  - iii. The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.
- i. Rooftop Equipment
  - Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible, and painted to match the penthouse/building.



## 8. PROPOSAL SUBMISSION

For a proposed Antenna System, except for cases in which consultation is not required as per Section 5, the Proponent will submit an Antenna System siting proposal and the applicable fee to the Town.

### 8.1. Proposal Submission Requirements

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

- a. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of opportunities for Co-location potentials on existing or proposed Antenna Systems within 500 m of the subject proposal;
- b. Visual rendering(s) of the proposed Antenna System superimposed to scale;
- c. A site plan showing the proposed development situated on the site;
- d. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use;
- e. For Antenna Systems requiring public consultation, a map showing all properties located within the Prescribed Distance from the proposed Antenna System;
  - i. The Proponent may request to use the Town's mapping system. Rates and Fees may apply under Town bylaws.
- f. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;
- g. An attestation that the Antenna System will respect Health Canada's Safety Code 6, which sets safe radiofrequency emission levels for these devices; and
- h. Any other documentation identified by the Town following the site investigation meeting.

### 8.2. Application Deemed Complete

A determination on the completeness of an application or request for additional information will be provided within five working days of receipt of the proposal. Upon receipt of a complete proposal submission, the Town will circulate the proposal for review and comment to:

- a. Affected Town Departments;
- b. Foothills County; and
- c. Elected Municipal Officials.

### 8.3. Fees

The Proponent must pay any applicable application fee to the Town.

## 9. Public Consultation Process

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 5, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the Town.

### 9.1. Notice Recipients

- a. After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:
  - i. All affected residential properties within the Prescribed Distance;
  - ii. All Designated Community Associations within the Prescribed Distance.



- iii. Foothills County, within the Prescribed Distance;
- iv. The Elected Municipal Officials;
- v. The Designated Municipal Officer; and
- vi. The Innovation, Science and Economic Development Canada regional office.

b. The Town will assist the Proponent in compiling a mailing list of addresses of the affected properties within the Prescribed Distance from the proposed Antenna System. The Town may charge a fee for this service.

#### **9.2. Notice Requirements**

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

- a. the proposed Antenna System's purpose, including height and location requirements, 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;
- b. the proposed location within the community, the geographic coordinates and the specific property or rooftop, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
- c. 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;
- d. identification of areas accessible to the general public and the access/demarcation measures to control public access;
- e. information on the environmental status of the project;
- f. a description of the proposed Antenna System including its height, dimensions, type, design and colour, a description of any antenna that may be mounted on the supporting structure, and simulated images of the proposal;
- g. 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;
- h. an attestation that the installation will respect good engineering practices, including structural adequacy;
- i. reference to any applicable local land-use requirements such as local processes, protocols, etc.;
- j. notice that general information relating to antenna systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);

#### **9.3. Written Consultation Process**

Following the delivery of the notification, the Proponent will allow the public to submit written comments or concerns about the proposal. The Proponent will:

- a. Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
- b. Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and
- c. Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
- d. Keep a record of all correspondence during the written consultation process. This includes records of agreements that may have been reached and/or any outstanding concerns.



- e. Provide a copy of all written correspondence to the Town and the regional Innovation, Science and Economic Development Canada office.

**9.4. Public Information Session**

The Proponent will chair a public information session for all proposed Antenna Systems. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- a. An appropriate date, time and location for the public information session will be determined in consultation with the Designated Municipal Officer.
- b. The Proponent will make an appropriate visual display of the proposal available at the public information session, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

**9.5. Post Consultation Review**

- a. The Proponent will provide the Town with a package summarizing the results of the public information session containing at a minimum, the following:
  - i. List of attendees, including names, addresses and phone numbers (where provided voluntarily);
  - ii. Copies of all letters and other written communications received; and
  - iii. A letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.
- b. The Designated Municipal Officer and the Proponent will arrange a meeting to discuss the results and next steps in the process.

**10. STATEMENT OF CONCURRENCE OR NON-CONCURRENCE**

**10.1. Concurrence and Concurrence with Conditions**

The Town will provide a letter of concurrence to Innovation, Science and Economic Development Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the Town, the requirements as set out within this Protocol and the Town's technical requirements, and will include conditions of concurrence (e.g. design, screening, or co-location commitments), if required. The Town will issue the letter of concurrence within the timeframe established in Section 11.

**10.2. Non-Concurrence**

The Town will provide a letter of non-concurrence to Innovation, Science and Economic Development Canada (copying the Proponent) if the proposal does not conform to Town requirements as set out within this Protocol. The Town will also forward to Innovation, Science and Economic Development Canada any comments on outstanding issues, including those raised during the public consultation process. The Town will issue the letter of non-concurrence within the timeframe established in Section 11.

**10.3. Rescinding a Concurrence**

The Town may rescind its concurrence if following the issuance of a concurrence, the Town determines that the proposal contains a misrepresentation or a 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. In such cases, the Town will provide notification in writing to the Proponent and to Innovation, Science and Economic Development Canada and will include the reason(s) for the rescinding of its concurrence.

**10.4. Duration of Concurrence**

- a. A concurrence remains in effect for a maximum period of three years from the date it was issued by the Town. If construction is not completed within this time period the

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concurrence expires except in the case where a proponent secures the agreement of the Town to an extension for a specified time period in writing. Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

- b. If construction has not commenced after two years from the date the concurrence was issued, the Town requests that the Proponent send a written notification of an intent to construct to the Designated Municipal Officer, the Elected Municipal Official and any Designated Community Association once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

#### **10.5. 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.

#### **11. CONSULTATION PROCESS TIMEFRAME**

- a. Consultation with the Town is to be completed within 60 days of the proposal being accepted as completed by the Town as explained in Section 8 of this Protocol.
- b. Where public consultation is required, consultation with the Town and public consultation are to be completed within 120 days of the proposal being accepted as complete by the Town.
- c. The Town or Proponent may request an extension to the consultation process timeline.
- d. Both parties must mutually agree on this extension.

  

- e. If the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the Town or reinitiating the consultation process to the extent requested by the Town.

#### **12. LETTER OF UNDERTAKING**

The Proponent may be required, if requested by the Town, to provide a Letter of Undertaking, which may include the following requirements:

- a. The posting of a security for the construction of any proposed fencing, screening and landscaping;
- b. A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Innovation, Science and Economic Development Canada Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17); and
- c. All conditions identified in the letter of concurrence.

#### **13. REDUNDANT ANTENNA SYSTEM**

- a. The Town can request network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request and will provide any available information on the future status or planned decommissioning of the Antenna System.

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b. Where the network operators concur that an Antenna System is redundant, the network operator and Town will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years after the Antenna System is deemed redundant.

#### 14. APPENDICES

A. Innovation, Science and Economic Development Canada's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)*



MAYOR

  
Acting   
CHIEF ADMINISTRATIVE OFFICER

#### POLICY Revision History

Policy Name	Revision Date	Revision Description	Approved by: Resolution or CAO	Effective Date
NEW			25.03.19.17	March 19, 2025