

# INFORMATION MANUAL

E-III-10

**Subject:**

**TELECOMMUNICATION POLICY**

**Department/Division:**

Engineering and Planning – Planning Division

**Source:**

Planning Director – Planning Division

**Date:**

2015 07 22

## 1.0 PURPOSE

This policy establishes a standardized application, consultation and review process to be followed when siting new *telecommunications tower facilities* within the City of Sault Ste. Marie.

## 2.0 JURISDICTION

New *telecommunication tower facilities* are regulated by Industry Canada and follow Federal protocol and procedures. Industry Canada holds administrative authority and final approval for the proposed tower location and design criteria. All telecommunication towers are exempt from municipal zoning by-laws; however the *proponent* must consult with the ‘Local Land Use Authority’ (City of Sault Ste. Marie) and area residents prior to siting a tower.

## 3.0 DEFINITIONS

**CO-LOCATION:** Where antennas and equipment owned by different proponents share the same tower or structure.

**CONSTRAINTS & HAZARDS:** Includes natural or built limitations upon a site that could make development unsafe, such as flooding, erosion, dynamic beach movement, unsuitable soils and mine hazards.

**LETTER OF CONCURRENCE:** A formal letter from the Municipality supporting the proposed tower instalment.

**NATURAL HERITAGE FEATURE OR AREA:** Features and areas, including wetlands, fish habitat, habitat of endangered or threatened species, significant wildlife habitat and 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 or organization proposing to site an antenna system (including contractors) for the purpose of providing commercial or private telecommunication services.

**REASONABLE AND RELEVANT CONCERNS:** According to Industry Canada, the factors that will determine whether a concern is reasonable or relevant are those which relate to the particular amenities or important characteristics of the area surrounding the proposed antenna.

Examples of reasonable and relevant concerns include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into the local surroundings?
- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of the Canadian Environmental Assessment Act, Safety Code 6 and any other applicable regulations?

According to Industry Canada, concerns that are NOT relevant include:

- Disputes' relating to the proponent's service, but unrelated to antenna installations.
- Potential effects that the proposed antenna system will have on property values or municipal taxes.
- Questions whether the Radiocommunication *Act*, Safety Code 6 (health/safety concerns), local by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

**RESIDENTIAL ZONE:** Lands zoned R1, R2, R3, R4, R5 and R6, in Zoning By-law 2005-150, as amended.

**TELECOMMUNICATION TOWER FACILITY:** Materials and equipment including cellular and other point-to-point wireless communication facilities such as radio and TV broadcasters, using a variety of technologies.

## **TYPES OF TOWER FACILITIES:**

**Guyed towers** are stabilized by pre-stretched steel guyed ropes tethered by masts in a lattice, triangular, square, tapered or straight form.

**Self-supported towers** are free standing lattice structures with the following features;

(i)

Triangular or square structure

(ii) Tube legs, angle legs, lattice legs or solid round legs

(iii) Sections in steel angle or steel tubes

(iv) Steel angle cross bracing

**Roof mount towers** are masts or towers that are mounted directly to the exterior of a building and can be self-supported or guyed.

**Stealth Design Towers** are designed and constructed to be integrated into the surroundings in a manner that it appears to be part of that building or structure and not a telecommunication tower or antenna. Examples include, but are not limited to, camouflaging antenna as trees, or within buildings, church steeples, clock towers or flag poles.

**Monopole Towers** are single pole self-supported towers without guyed wires or supportive lattice.

## **4.0 PROCESS OVERVIEW**

1. **Preliminary consultation** — the *proponent* must pre-consult with the City prior to making a formal application to erect a *telecommunication tower facility*. During the pre-consultation period, appropriate city staff will be circulated for comments and any additional information requirements will be determined at this time.

**2. Formal application and required fees** — if the proposed installation is not exempt, as outlined in Section 5.0 of this policy, the *proponent* must submit a formal application to the City, as required in Section 6.0 of this policy. Once a formal application has been received and deemed complete by the Planning Director, the information within the application will be available to the public.

**3. Public consultation** — if the proposed installation is not exempt, as outlined in Section 5.0 of this policy, the *proponent* must provide public notice, hold a public meeting, and respond to all written comments in accordance to Section 7.0 of this Policy.

**4. Public comment period** — the *proponent* is required to acknowledge and record all public comments and concerns received during the public comment period, including any comments received from the City. The *proponent* is also required to respond to any *reasonable and relevant concerns*, and keep a record of such responses.

**5. Proposal amendments and resubmission** — where possible, the *proponent* is encouraged to amend the proposal in a manner that appropriately addresses all *reasonable and relevant concerns*.

**6. Municipal decision: Issuance of a letter of concurrence**

a) Where no objections have been raised or the *proponent* has addressed all *reasonable and relevant concerns* to

**5.0 EXEMPTIONS**

the satisfaction the Planning Director, the Planning Director shall issue a *letter of concurrence* to the *proponent*.

b) Where the procedures related to the complete application and/or public notifications have not been followed, to the satisfaction of the Planning Director, a *letter of concurrence* will not be issued to the *proponent*. Alternatively, the *proponent* may restart the process.

c) If in the opinion of the Planning Director, there remain significant *reasonable and relevant concerns*, a decision of City Council will be required. In these cases, the Planning Director will issue a report to Council, acknowledging whether or not the *proponent* adhered to

the complete application requirements outlined in this policy. The Planning Director will also comment upon the degree to which the proponent has adhered to the Locational and Design Criteria outlined in Section 8.0 of this policy.

**7. Municipal decision: No letter of concurrence** — where a *letter of concurrence* is not issued by the City, the *proponent* may engage in Industry Canada's Arbitration Protocol.

The following are exempt from the requirement to consult with the City of Sault Ste. Marie:

- a) *Telecommunication tower facilities* less than 15m above grade
- b) *Co-location* facilities
- c) *Telecommunication tower facilities* located upon buildings or structures provided the height of the tower is not more than 20% of the total height of the building.
- d) and maintenance of existing *telecommunication tower facilities* provided the overall height of the tower, as

#### **6.0 COMPLETE APPLICATION REQUIRMENTS**

originally constructed, is not increased by greater than 25%, and the tower has existed for at least 12 months.

- e) Temporary installations of less than 3 months for special events or emergency reasons.

Unless exempted by the provisions of Section 5.0 of this policy, all proposals for new *telecommunication tower facilities* or modifications to existing towers are required to adhere to the following complete application requirements:

1. Pre-consultation — *proponents are* required to consult with the City prior to making a formal submissions and beginning the public consultation process.
2. Application Fee — as outlined in Schedule A, attached to this policy.
3. Complete application form — Schedule B, attached to this policy.
4. Site selection and justification report — a written statement of the steps taken by the *proponent* to investigate all non-tower and *co-location* options, the rational for eliminating these sites as the preferred location and the rational for the

proposed tower location and height.

5. Site plan and map — showing the proposed tower and any accessory structures situated on the site, including setbacks from lot lines, tower height and type, accessory building size and setback, site grading, location of existing buildings, fences, access, parking and existing and proposed landscaping.

6. Elevation drawings — of the proposed tower and accessory structures.

## **7.0 PUBLIC CONSULTATION**

7. Visual renderings or photographs — of the current site conditions and superimposed tower.

8. Key map — indicating the horizontal distance between the proposed tower installation and the nearest *residential zone*.

9. Description of lighting scheme — a description of the proposed lighting scheme required to adhere to Transport Canada requirements, with special regard for minimizing light pollution and other impacts such as glare or flashing.

10. Attestation of compliance — with Health Canada's Safety Code 6 and Transport Canada's Aeronautical lighting scheme and obstruction marking requirements.

11. Site specific studies — as determined by the municipality during the pre-consultation exercise.

### **7.1 Public Notice Requirements**

The *proponent* shall circulate notice by newspaper advertisement, and regular mail to surrounding property owners within a radius of 120 meters from the property boundaries of the lot in which the tower is located. Ward Councillors and Industry Canada shall also be notified. Notices must be mailed at least 21 days prior to the meeting.

The City will supply the *proponent* with a mailing list of property owners within the required radius.

The notice shall include:

- a) Time, date and location of the public meeting.
- b) Site plan and address of the proposed tower.
- c) Description of tower height, size, type, material, colour, landscaping and any other proposed changes to the property.

- d) Images of existing conditions and superimposed tower.
- e) Clearly outlined timelines related to public submissions, response and feedback periods as outlined in Section 7.2 of this policy.
- f) Contact information of *proponent*, City staff and Industry Canada.

## **7.2 Public Consultation: Requirements & Timing**

Where public consultation is required, the following timelines will apply:

- a) Notification of public meeting — At least 21 days prior to public meeting.
- b) Written public comments — To be sent to the *proponent* up to 30 days after the public meeting.
- c) Written response — the *proponent* must acknowledge the receipt of all public comments and provide a written response to all *reasonable and relevant concerns* within 30 days of receiving public comments.
- d) Feedback — the public has an additional 21 days to respond back to the *proponent*.

## **7.3 Concluding the Public Consultation**

Upon completion of the public consultation process, the *proponent* shall provide the City with the following items no later than 60 days after the final feedback date as outlined in Section 7.2d of this Policy:

- a) Record of names, addresses and phone numbers of public meeting attendees.
- b) Minutes of the public meeting identifying issues and concerns discussed at the meeting.
- c) Copies of all written comments received, and the written responses.

## **8.0 LOCATION AND DESIGN CRITERIA**

### **8.1 Locational Criteria**

In determining an appropriate site for a new *telecommunication tower facility*, the *proponent* should consider the following principles:

1. Sites should be selected to minimize the total number of telecommunication towers required. *Co-location* and locations on existing structures or buildings are strongly encouraged.
2. New towers are strongly discouraged within 120 meters of any *residential zone* boundary. Where a tower is proposed within these locations, a detailed rationale is required.
3. The preferred location of new *telecommunication tower facilities* is in industrial areas, rural areas and utility

corridors, whenever possible and technically feasible.

4. New towers are strongly discouraged from locating within or adjacent to *natural heritage features* or areas or upon lands with *significant constraints or hazards*, as identified in Sault Ste. Marie's Official Plan as amended.

5. New *telecommunication tower facilities* are discouraged from locating in areas of topographic prominence or in a manner that would impact a significant view or vista.

## **8.2 Design Criteria**

The following guidelines should be taken into consideration when designing new *telecommunication tower facilities*.

1. The design of the tower and accessory structures should be sympathetic to the surrounding architecture and attempt to

## **9.0 GENERAL INFORMATION**

reduce the scale and visual impact of the *telecommunication tower facility*.

2. The natural landscape of a site should be protected at all times. The planting of trees and shrubs at the tower site is encouraged to enhance the surrounding character.

3. Stealth design techniques and streamlined structures should be used in the design of a new telecommunication tower. Monopole or stealth design techniques are the preferred option for any new *telecommunication tower facility* which must be located within 120 meters of a residential zone.

4. Tower lighting should be designed in a manner that minimizes its impact to surrounding properties.

5. Wherever feasible, towers should be sited in a manner that maximizes setbacks from the property lines of the lot in which the tower is situated. It is the Municipality's preference that at a minimum, towers be setback from the property lines a distance that is equal to or greater than the overall height of the tower.

General question or enquiries about the policy shall be directed to:

Sault Ste. Marie Planning Division

99 Foster Drive, Level 5

Sault Ste. Marie, ON

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Ph: 705-759-5368

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