



**Radiocommunication and Broadcasting  
Antenna Systems Protocol  
(Cell Tower Protocol)**

City Development Department

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## 1.0 Definitions

**Amateur radio operator:** is someone who uses equipment at an amateur radio station to engage in two-way personal communications with other amateur operators on radio frequencies assigned to the amateur radio service.

**Co-location:** 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.

**Designated Community Association:** area or neighbourhood-specific group that is recognized by the Municipality.

**Designated Municipal Officer (and his or her designate):** the municipal staff member(s) tasked with receiving, evaluating and processing submissions for telecommunication Antenna Systems. The Designated Municipal Officer's name and contact information is provided in the Antenna System Siting Flowchart provided in this protocol.

**Downtown Area:** shall mean the lands designated as Downtown Core in the City's Official Plan.

**Elected Municipal Official:** the political leader of the demarcated area of the Municipality (e.g., Ward) in which the Antenna System is proposed.

**Equipment Shelter:** a structure used to house the required equipment for the operation of an Antenna System.

**Environmentally Sensitive Lands:** shall mean any lands designated as shoreline and stream corridor, wetlands, environmentally significant areas, Rouge-Duffins wildlife corridor, Altona Forest, flood plain special policy areas and areas of natural and scientific interest and significant woodlands as identified on Schedule III in the City of Pickering Official Plan.

**Heritage Properties/Heritage Conservation District:** buildings and structures (e.g., monuments) or areas/neighbourhoods listed or designated under the authority of Part IV or Part V of the *Ontario Heritage Act*.

**Land Use Authority (LUA):** for the purposes of this protocol Land Use Authority shall mean the City of Pickering.

**Municipal Departments:** branches of municipal government that administer public services and are operated by City staff.

**Other Agencies:** bodies (e.g., boards or commissions) that administer public services but are not operated or staffed by the Municipality.

**Proponent/Applicant:** any company, organization or person who puts forward a proposal to install or modify a telecommunication tower/antenna facility.

**Radiocommunication and Broadcasting Antenna System (“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. This protocol most commonly refers to the following two types of Antenna Systems:

1. **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;
2. **Building/Structure-Mounted Antenna System**: 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.

**Residential Area**: lands used or zoned to permit residential uses; including mixed uses (i.e., commercial use at-grade with residential dwelling units above).

**Tower Height**: height is measured from the lowest ground level at the base, including foundation, to the tallest point of the antenna system. Any attempt to artificially reduce the height (addition of soil, aggregate, etc) is unacceptable.

## 2.0 Introduction

There is currently a significant growth in the use of wireless services for personal communications including voice, data and video transmissions. As the City of Pickering's population grows so will the demand for wireless service coverage for personal and business uses.

Telecommunications and related facilities are regulated by the Federal Government (specifically Industry Canada) under the *Radiocommunications Act*. Proponents of wireless facilities are required to consult with local governments and the public as part of the approval process for proposed antenna installations prior to construction. Industry Canada encourages local governments to develop their own protocols, for the consideration of antenna system installations, because of their local knowledge and because local governments are very well qualified to explain to proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of their municipality.

This protocol applies to anyone (referred to in this document as the proponent) who is planning to install or modify an antenna system, regardless of the type of installation. This includes telecommunication carriers, businesses, governments, Crown agencies, and the public. Anyone who proposes uses or owns an antenna system must follow these procedures. The requirements also apply to those who install towers or antenna systems on behalf of others or for leasing purposes ("third party tower owners).

## 2.1 Purpose

The purpose of this protocol is:

1. To outline a City of Pickering consultation process for the installation and modification of cell towers and other antenna installations covered by this protocol for telecommunications facilities.
2. To outline the City's site selection and design guidelines for cell towers and other antenna installations in Pickering.
3. To enable the development of a high calibre wireless telecommunications service in Pickering.

## **3.0 Jurisdiction and Roles**

### **3.1 Federal Jurisdiction**

Telecommunication tower/antenna systems are regulated exclusively by Federal Legislation under the Federal *Radiocommunication Act* and administered by Industry Canada. Provincial legislation such as the *Planning Act*, including zoning by-laws, does not apply to these facilities. Notwithstanding the federal government's exclusive jurisdiction, Industry Canada's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03), Issue 5 requires proponents address comments and concerns through the City of Pickering public consultation process as outlined in this protocol. In the case of a dispute between the proponent and the City of Pickering, a final decision will be made by Industry Canada.

### **3.2 Other Federal Legislation**

As a Federal undertaking, tower facilities must adhere to all applicable Federal regulations and guidelines, including but not limited to:

- Industry Canada's Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)
- Industry Canada's Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17)
- Health Canada's Safety Code 6 - Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ
- National Building Code of Canada
- Canadian *Environmental Assessment Act*; and
- Transport Canada's painting and lighting requirements for aeronautical safety

### **3.3 Role of the City of Pickering**

The role of the City of Pickering as the Land Use Authority (LUA) is to communicate to proponents the planning priorities and other characteristics of the municipality that are relevant to the antenna system proposal. In addition, the City advises the proponent on the public consultation requirements outlined in this protocol. A formal decision on a proposal shall be provided by City Council.

### **3.4 Designated Official for Processing Antenna System Proposals**

For the purpose of this protocol, the designated official for the City of Pickering having the authority to administer this protocol is the Director, City Development Department ("Director") or designate. All correspondence and materials submitted as part of this consultation process shall be directed to the attention of the Director (or designate).

## 4.0 Exclusions

### 4.1 Excluded Structures

The following types of antenna system installations or modifications are excluded by Industry Canada from the requirement to consult with the public and the requirement to submit a formal antenna system proposal to the City of Pickering for review:

- a) New Antenna Systems: where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems to be used by broadcasting undertakings or telecommunications carriers;
- b) Existing Towers: modifications may be made, or the tower may be replaced, to facilitate sharing or the addition of antennas, provided that the total 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;
- c) Non-Tower Structures: antennas on buildings, water towers, lamp posts, etc. may be installed provided that the height of the structure is not increased by more than 25%; and
- d) Temporary Antenna Systems: used for special events or emergency operations and must be removed three months after the start of the emergency or special event.
- e) No consultation is required prior to performing maintenance on an existing antenna system.

Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria below should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponent to consult even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, proponents should consider such things as:

- the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed antenna system on the property and its proximity to neighbouring residents;
- the likelihood of an area being a community-sensitive location; and
- Transport Canada's marking and lighting requirements for the proposed structure

Proponents who are not certain if their proposals are excluded, or whether consultation may still be prudent, are advised to contact the City Development Department.

## **5.0 Siting on City Owned Properties**

Any request to install an antenna system on lands owned by the City shall be made to the Director (or designate).

Proponents must still submit a formal request to the City of Pickering in accordance with Section 7.0 of this Protocol and follow the public consultation process in accordance with Section 8.0 of this Protocol, unless the proposal meets the exclusion criteria under Section 4.0 of this protocol.

Notwithstanding the public consultation requirements outlined in Section 8.0 of this Protocol, the Director (or designate) shall consult with the Mayor and Ward Councillors and following the consultation may broaden the public circulation and content of the notice.

## **6.0 Location and Design Guidelines**

The location and design guidelines outlined in this section are established to encourage proponents to select sites that minimize the number of tower and antenna facilities erected in the City and to ensure that selected sites minimize visual impacts on the surrounding area.

### **6.1 Co-location**

Before submitting a proposal for an Antenna System on a new site, the proponent must explore the following options:

- a) Consider sharing, modifying or replacing an existing Antenna System structure.
- b) Consider using any feasible existing infrastructure in the area, including but not limited to, rooftops, water towers, utility poles or light standards.

### **6.2 Preferred Locations**

Where co-location on an existing Antenna System or structure is not possible, proponents are encouraged to:

- a) Select sites for new towers that are within industrial, commercial, or non-residential areas, and/or that maximize the distance from residential areas, listed and designated heritage buildings and sites, and sensitive institutional uses, and that do not interfere with traffic flows.
- b) Provide new towers with co-location capabilities.
- c) On undeveloped sites, locate the structure and equipment shelter so as not to preclude future development opportunities for the site.
- d) Preserve as much existing vegetation as possible.
- e) Consider the use of City owned lands and/or facilities, where technically feasible, and acceptable to the City (see Section 5.0).
- f) The placement of antenna systems and their equipment shelter, although they are not subject to municipal zoning by-laws, the installation shall not create a noncompliance of any City by-law.

### **6.3 Discouraged Locations**

The City discourages the installation of new antenna systems in the following locations:

- a) Residential areas except where located on high rise buildings or if needed for emergency service or municipal operations.
- b) On sites of topographical prominence that would obscure public views and vistas.

- c) Within Environmentally sensitive lands.
- d) On, or immediately adjacent to, Heritage Properties or within Heritage Conservation Districts.
- e) Within the Downtown area unless on high rise buildings.

If no solution is available to meet service demands other than in a location discouraged by the City, the proponent shall provide a detailed rationale for the necessity of the proposed location in the Site Selection/Justification Report submitted to the City.

## 6.4 Design

Where a new antenna system must be constructed, proponents shall use the following design guidelines to ensure the facility is appropriately designed and sited to minimize visual impacts on the surrounding area.

- a) The design should accommodate for future co-location of additional carriers, where appropriate.
- b) Stealth techniques, such as flagpoles, clock towers, trees, light poles, etc., should be considered and used where appropriate and in harmony with the context of the surrounding area.
- c) Monopole towers with antennas shrouded or flush mounted are preferred, particularly when the tower is proposed in or near residential areas.
- d) Equipment shelters should be designed and landscaped in a manner that is compatible and sensitive to the surrounding area.
- e) Towers and antennas that are attached or adjacent to existing buildings, including rooftop installations, should be screened and/or designed to complement the architecture of the building with respect to form, materials and colour.
- f) Towers should have non-reflective surfaces and be painted with neutral colours that blend with the surrounding landscape, unless Transport Canada requires the use of other materials or colours (e.g., for aeronautical safety purposes).
- g) Towers should not be illuminated, unless required by Transport Canada.
- h) Only signage directly related to an antenna system as required by Industry Canada shall be permitted. No third party advertising or promotion of the owner/operator is permitted on a tower facility, unless approved by the City.

## 6.5 Amateur Radio Operators in Residential Areas

The following location and design guidelines apply to amateur radio operators proposing the installation of new radiocommunication antenna systems in residential neighbourhoods.

- a) The antenna system should be located in the rear yards of properties. Avoid locating these systems in front or flankage side yards, or on environmentally sensitive lands, designated heritage sites and within a designated heritage conservation district.
- b) The height of the antenna system should not exceed 15.0 metres above ground level and the width should not exceed 3.0 metres at any point.
- c) No part of the antenna system should be located within 1.2 metres of any lot line.
- d) When located on a roof of a building or structure, the antenna system should only be located on that part of the roof closest to the rear yard.
- e) Non-reflective surfaces and neutral colours that blend with the surrounding area should be used.
- f) No part of the antenna system shall include or be used for graphics, signage, flags or lighting.

## **7.0 Preconsultation with Land Use Authority**

### **7.1 Preconsultation Meeting**

Proponents are required to have a preliminary consultation with the City Development Department prior to submitting a formal request to install an antenna system unless it is an excluded structure in section 4.1. This initial contact will allow the proponent to meet with staff to discuss the proposal, including the rationalization behind the site selection.

During this meeting, City staff will provide preliminary input and comments regarding the proposal such as, but not limited to, land use compatibility, potential impacts on high profile and sensitive areas, alternative sites, aesthetic or landscaping preferences and other agencies to be consulted.

This meeting will also provide an opportunity for City staff to inform the proponent of the formal consultation process outlined herein and to advise on the notification process for this proposal.

### **7.2 Preconsultation Meeting Requirements**

The following information must be provided to the City Development Department to the attention of the Director (or designate) prior to scheduling a preconsultation meeting:

- a) Cover letter describing the rationale for the proposed location and other potential sites.
- b) Aerial photos of the potential sites for the antenna system.
- c) Draft site plan or survey plan of the subject property showing the location of the proposed antenna system in relation to the site and/or buildings on the property.
- d) Elevation drawings of the proposed antenna system, height and colour.

### **7.3 Preconsultation Summary**

Following the preconsultation meeting, the Director (or designate) will provide the proponent with a letter outlining the City's requirements and summarizing the results of the preconsultation meeting. The summary letter will generally provide:

- a) The City's formal submission requirements as set out in Section 7.4.
- b) A list of plans and studies that may be required.
- c) A list of municipal departments and agencies to be consulted.
- d) An indication of the City's preferences regarding location and design guidelines for the site(s) under discussion.

- e) Confirmation of the notification requirements for the proposal, following consultation with the Mayor and Ward Councillors.

To expedite the review of the proposal, the proponent is encouraged to consult with the applicable municipal departments and agencies, and obtain applicable written comments/clearances before making a formal submission.

## **7.4 Formal Submission Requirements**

When a proposed antenna system does not meet the exclusion criteria identified in Section 4.1 of this protocol, the proponent must submit a formal antenna system proposal to the City for review.

For the purpose of this review, the proponent must submit the following materials to the City Development Department to the attention of the Director (or designate):

- a) A completed Radiocommunication/Broadcasting Antenna System application form and applicable fees.
- b) A Site Selection/Justification Report prepared by a qualified professional, such as a land use planner or engineer. The report should identify all antenna systems within the vicinity of the proposed location. It should also include details with respect to the coverage and capacity of the existing antenna systems in the surrounding area and provide detailed evidence as to why co-location on an existing antenna system is not a viable alternative to the construction of a new tower facility.
- c) Two copies of photo simulations of the proposed tower and associated facilities from four directions; north, south, east and west.
- d) Ten copies of the full size site survey plan showing the dimensions of the subject lands, size and type of all existing and proposed buildings/structures on the subject property and abutting lands, parking, easements, natural and artificial features on the subject and abutting lands (i.e., railways, parking areas, watercourses, roads, woodlots etc.).
- e) One reduced copy of the site survey plan (letter size).
- f) Five copies of any required technical reports, background information and other supporting materials.
- g) A public notification package.
- h) A copy of the draft newspaper notice and the proposed date on which it will be published (no sooner than 14 days from the date of request being submitted), if applicable.
- i) A copy of the draft notice sign to be posted on the subject property, if applicable.
- j) Any other required information listed in the information package provided to the proponent during or after the preconsultation meeting.

## **7.5 Determination of Complete or Incomplete Request**

The Director (or designate) will determine whether the required antenna system documentation is deemed complete or incomplete within 5 working days of receipt of the request.

If the required materials listed in Section 7.4 of this Protocol are not complete or provided to the satisfaction of the Director (or designate), the request will be deemed incomplete and the official commencement of the 120 day consultation process will not commence. The Director (or designate) will notify the proponent of the outstanding items to be addressed.

When the request is deemed complete by the Director (or designate), the 120 day consultation process will officially commence, and the Director (or designate) will:

- a) notify the proponent that the request has been deemed complete, and request the proponent to initiate the required public consultation process.
- b) notify the Mayor and Ward Councillors of the complete request.
- c) circulate the proposal to the applicable municipal departments and agencies for review and comment.

## **8.0 Public Consultation**

### **8.1 Public Consultation Requirements**

Where a formal Antenna System Review Process is required (as set out in Section 7.4 of this Protocol), the proponent must carry out public consultation in accordance with this Protocol.

The proponent must not initiate public notification or consultation for an antenna system proposal until a formal submission has been made to the LUA and written confirmation from the Director (or designate) to proceed with public notification and consultation has been provided.

The proponent shall be responsible for all costs associated with public consultation.

### **8.2 Public Notification Requirements**

The proponent is to distribute the public notification packages by mail to the following recipients:

- a) All property owners and resident associations within a radius of the greater of 150 metres or three times the tower height, measured from the tower base or the outside perimeter of the supporting structure within the urban area and 500 metres for proposals located in the rural area. For the purpose of this requirement, the outside perimeter begins at the furthest point of the supporting mechanism, such as the outermost guy line, building edge, face of the self supporting tower, etc.
- b) The Mayor and applicable City and Regional Ward Councillors in which the proposed antenna system is located.
- c) Adjacent municipalities within 500 metres of the proposed tower facility. Proponents are also required to mail a copy of the public notification package to the Director (or designate).
- d) For proposals on, or immediately adjacent to, Heritage Properties or Heritage Conservation Districts, the Heritage Pickering Advisory Committee shall be provided a copy of the public notification package.

The City Development Department will provide the proponent with a mailing list of all addresses of property owners and resident associations within the required radius.

The envelope for the public notification package should have the following statement in bold:

**"Important Notice Regarding Proposed Cell Tower in Your Neighbourhood"**

When a public information session is required, the proponent is to distribute the public notification packages by regular mail at least 30 days prior to the date of the public information session.

A recirculation of the public notification packages will be required if the proposed antenna system has been relocated as a result of the initial public consultation process.

### **8.3 Public Notification Package Requirements**

The public notification package must include the following information:

- a) A location map, including the address, clearly indicating the exact location of the proposed antenna system in relation to the surrounding properties and streets; including a letter size (8.5" x 11") copy of the site plan submitted with the application.
- b) A physical description of the proposed antenna system including the height, dimensions, tower type/design, any antenna(s) that may be mounted on the tower, colour and lighting.
- c) An elevation plan of the proposed tower facility.
- d) Colour simulated images of the proposed tower facility.
- e) The proposed antenna system's purpose, the reasons why existing towers or other infrastructure cannot be used, a list of other structures that were considered unsuitable, and future sharing possibilities for the proposal.
- f) 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.
- g) Notice that general information relating to health concerns and Safety Code 6 is available on Health Canada's website ([www.hc-sc.gc.ca](http://www.hc-sc.gc.ca)).
- h) The project's status under the *Canadian Environmental Assessment Act*.
- i) 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 once they become available.
- j) An attestation that the installation will respect good engineering practices including structural adequacy.

- k) Address, location (including a map) and timing of the public information session, if applicable.
- l) Information on how to submit written public comments to the Applicant and the closing date for submission of written public comments.
- m) Applicant's contact information.
- n) Reference to the City of Pickering's Radiocommunication and Broadcasting Antenna Systems Protocol and where it can be viewed ([www.pickering.ca](http://www.pickering.ca)).
- o) The following sentences regarding jurisdiction:  
 "Telecommunication tower/antenna systems are regulated exclusively by Federal Legislation under the Federal *Radiocommunication Act* and administered by Industry Canada. Provincial legislation such as the *Planning Act*, including zoning by-laws, does not apply to these facilities. The City of Pickering is participating in land-use consultation pursuant to Issue 5 of Industry Canada's CPC 2-0-03. In the case of a dispute between the proponent and the City, a final decision will be made by Industry Canada"
- p) Notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website ([www.ic.gc.ca](http://www.ic.gc.ca)).
- q) Municipal and Industry Canada contact information.
- r) Closing date for submission of written public comments.

#### **8.4 Closing Date for Written Public Comments**

The closing date for submission of written public comments shall not be less than:

- a) 14 days after the public information session, where a public information session is required; or
- b) 30 days where a public information session is not required.

#### **8.5 Public Notice Sign**

Unless otherwise determined through preconsultation, the proponent shall erect a sign on the property notifying the public of the proposal to establish an antenna system on the subject property. The sign shall be erected on the property so that it is clearly visible and legible from the street(s).

The sign shall be professionally prepared and its size shall be a minimum of 1.2 metres by 1.2 metres and located a minimum of 1.0 metre and a maximum of 1.8 metres from the ground. However, the size of the sign shall not exceed 2.4 metres in height by 1.2 metres in width unless otherwise specified through preconsultation. The erection of the notice sign should be coordinated with the distribution of the public notification packages.

Photographs showing the sign posted and the date on which it was erected on the subject property shall be submitted to the Director (or designate) within ten days after the sign has been erected.

The sign shall remain on the subject property for the duration of the public consultation process. The proponent shall be responsible for removing the sign no later than 21 days after the completion of the consultation process.

Unless otherwise specified through preconsultation the notice sign shall contain the following wording:

## **Public Notice - Cell Tower**

[Name of Proponent] is proposing to locate a telecommunication tower/antenna facility, being [#] metres ([#] feet) in height, on this property.

(If applicable) A public information session is scheduled on [date of meeting] from [start time] to [end time] at [location of meeting].

Public comment is invited.

The closing date for submission of written comments is [applicable closing date].

For further information, contact [Applicant's name, phone number and e-mail address].

Telecommunication tower/antenna systems are regulated exclusively by Federal Legislation under the Federal *Radiocommunication Act* and administered by Industry Canada. Provincial legislation such as the *Planning Act*, including zoning by-laws, does not apply to these facilities. The City of Pickering is participating in land-use consultation pursuant to Issue 5 of Industry Canada's CPC 2-0-03. In the case of a dispute between the proponent and the City, a final decision will be made by Industry Canada

[Municipal and Industry Canada contact information]

### **8.6 Newspaper Notice**

Where an antenna system is 30 metres or greater in height, the proponent shall place a newspaper notice in the News Advertiser (i.e., the community's newspaper).

The newspaper notice shall be a minimum size of 10 centimetres x 10 centimetres.

A copy of the actual newspaper notice appearing in the News Advertiser, including the newspaper date, shall be forwarded to the Director (or designate)

within ten days of the newspaper notice being published.

Where a public information session **is required**, the newspaper notice shall be published at least 21 days before the date of the public information session for two consecutive weeks.

The date on which the newspaper notice is published should be coordinated with the distribution of the public notification packages.

Where a public information session is **not required**, the date on which the newspaper notice is being published should be coordinated with the distribution of the public notification packages.

The newspaper notice shall contain the following information:

- a) Description of the proposed tower facility, including the height;
- b) Address of the proposed tower facility;
- c) Location map (key plan) of the proposed site;
- d) Invitation for public comment and the closing date for submission of written comments;
- e) Invitation to the public information session, and location and time of the session (if applicable);
- f) Applicant's contact information;
- g) Inclusion of the following:  
"Telecommunication tower/antenna systems are regulated exclusively by Federal Legislation under the Federal *Radiocommunication Act* and administered by Industry Canada. Provincial legislation such as the *Planning Act*, including zoning by-laws, does not apply to these facilities. The City of Pickering is participating in land-use consultation pursuant to Issue 5 of Industry Canada's CPC 2-0-03. In the case of a dispute between the proponent and the City, a final decision will be made by Industry Canada."; and
- h) Municipal and Industry Canada contact information.

## **8.7 Public Information Session**

A public information session is required where the proposed antenna system is located:

- a) Within the greater of three times the tower height or 150 metres from a residential area; and/or
- b) If determined through preconsultation.

Where required, the proponent shall be responsible for convening a public

information session at the proponent's cost.

The proponent, as the case may be, shall adhere to the following requirements when organizing and convening a public information session:

- a) The Public information session shall be open and accessible to all members of the public and local stakeholders.
- b) The Public information session shall occur on a weekday evening, no sooner than 21 days and no later than 28 days, from the date that the public notification packages are mailed and the sign posted.
- c) The Duration of the public information session shall be a minimum of 2 hours.
- d) Two display panels, at a minimum, containing a site plan drawing and colour photographs of the subject property with superimposed images of the proposed antenna system shall be displayed at the public information session.
- e) The proponent shall provide information regarding the tower proposal, including the purpose of the tower, general information relating to Health Canada's Safety Code 6 and a clear statement indicating that telecommunication tower/antenna facilities are exclusively regulated by Federal legislation under the *Radiocommunication Act* and administered by Industry Canada; Provincial legislation such as the *Planning Act*, including zoning by-laws, does not apply to these facilities. The City of Pickering is participating in land-use consultation pursuant to Issue 5 of Industry Canada's CPC 2-0-03. In the case of a dispute between the proponent and the City, a final decision will be made by Industry Canada.
- f) Public notification packages including a public comment sheet shall be made available for attendees.
- g) Closing date for written public comments shall be clearly announced at the public information session.
- h) A record of all names, addresses, email addresses and phone numbers of the attendees shall be retained, subject to applicable privacy laws in respect of personal information.

## **8.8 Responding to the Public**

The proponent is to address all applicable concerns, make all efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. If the public or Director (or designate) raises a question, comment or concern relating to the tower facility, as a result of the public consultation process, then the proponent is required to:

- a) Respond to the party in writing within 14 days by acknowledging receipt of the question, comment or concern and keep a record of the communication.
- b) Address, in writing, all applicable concerns within 30 days of receipt or explain why the question, comment or concern is not, in the view of the

proponent, applicable and clearly indicate that the party has 21 days from the date of the correspondence to reply to the proponent's response.

- c) In the case where the party responds within 21 days, the proponent shall address all applicable concerns within 21 days, either in writing, by contacting the party by telephone or engaging the party in an informal meeting.

## **9.0 Post Consultation**

### **9.1 Consultation Summary Package**

The proponent shall provide to the Director (or designate) a package summarizing the results of the public consultation process which shall include the following information:

- a) Attendance list and contact information from the public information session (if applicable).
- b) All written public comments and/or concerns received regarding the proposal.
- c) The proponent's responses to the public comments and/or concerns, outlining how the concerns were or will be addressed, or alternatively, by clearly indicating why such concerns are not applicable.
- d) Details of any modifications to the proposal, including revised plans and drawings, if applicable.

A recirculation of the public notification packages will be required if the proposed antenna system has been relocated as a result of the initial public consultation process.

### **9.2 City Comment on Proposal**

A formal City comment on the proposal shall be provided by City Council following consideration of a report prepared by City Development staff. The report will normally be considered at a meeting of the Planning & Development Committee and subsequently at a City Council meeting.

The Report to Council will include a summary of the public consultation process and a staff comment on land use compatibility. The report will include a resolution from City Council requesting the Director, City Development (or designate) to either issue a letter of:

- a) Concurrence;
- b) concurrence with conditions; or
- c) non-concurrence.

### **9.3 Post-Consultation Construction Time Limit**

The construction of an antenna system must be completed within three years of the conclusion of consultation. After three years, previous consultations will no longer be valid.

## **10.0 Timeframes**

### **10.1 Consultation Timeframes**

The consultation process and the decision from the City of Pickering should be completed within 120 days from the date of a complete submission.

Appendix I of this Protocol contains a flow chart of the consultation processes.

### **10.2 Supplementary Public Consultation**

Where the consultation process has not been concluded and 270 days have elapsed from the time of the public notification packages being sent, the proponent may be required to carry out a supplementary public consultation process, if requested by the Director (or designate).

### **10.3 Redundant Antenna Systems**

The Director (or designate) may issue a request to a network operator 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.

Where the network operator concurs that an Antenna System is redundant, the network operator and the City of Pickering 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 from when the Antenna System was deemed redundant.

Appendix I

**City Development Department  
Radiocommunication and Broadcasting Antenna System Flowchart**

