



City of Barrie

Protocol for Consideration

of

Telecommunication Facilities

Applications

(Adopted by City Council August 27, 2012)

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1.0 Purpose and Background

The purpose of the Telecommunication Facilities Protocol is to detail the review process for an application for Municipal Letters of Concurrence as well as defining the City's expectations relating to the location and design of telecommunication facilities. All new telecommunication facilities are expected to follow this process in the City of Barrie to obtain a Municipal Letter of Concurrence.

This protocol applies to any proponent planning to install a new, or modify an existing, telecommunications facility that requires approval under the jurisdiction of Industry Canada as approval authority.

Industry Canada guidelines and processes are set out in Client Procedures Circular *Radiocommunication and Broadcasting Antenna Systems, CPC-2-0-03*.

Included in the Client Procedures Circular are requirements for a proponent to (1) consult with the "land-use authority" (the City of Barrie) regarding the City's location policies for antenna systems and (2) undertake a public consultation exercise with residents and landowners in the vicinity of the proposed tower.

2.0 Process Requirements

2.1 The designated contact of the City of Barrie for proponents of telecommunication facilities within the City is the Director of Planning Services ("the Director") or his/her designate.

2.2 The Director shall review with the proponent the following matters:

- Site options including co-location on existing towers or placement on existing buildings or structures;
- The provisions in this protocol and other City policy and regulatory documents related to antenna system location;
- Application submission requirements; and
- Relevant concerns of the land-use authority and community regarding the land use impacts of the proposed antenna systems.

2.3 The Director will consult with the Director of Information and Communications Technology or his/her designate to review the City's current transmission assets and needs.

2.4 The Director shall consult with the Director of Building Services or his/her designate to determine if there are any requirements associated with the proposed antenna systems and advise the proponent accordingly.

2.5 The Director shall advise the Ward Councillor of the application and provide available information as requested by him/her.

2.6 The Director shall discuss reasonable location alternatives and/or mitigation measures with proponents where he/she has specific concerns regarding a proposed antenna system.

2.7 The Director after consideration of Clauses 2.2 to 2.6 shall determine whether the protocol shall be applied to the proposed antenna system.

- 2.8 The proponent shall satisfy the application requirements in Section 4.0 of this protocol and undertake public consultation in accordance with the public consultation process outlined in Section 6.0 of this protocol.

3.0 City Location Policies

- 3.1 Telecommunication facilities are encouraged to locate in Industrial, Agricultural, or Special Rural land use designations as an alternative to other more community-sensitive Official Plan land use designations such as City Centre, Residential, Open Space or Environmental Protection Areas.
- 3.2 Notwithstanding 3.1, antenna systems may be located in any land use designation as set out in the Official Plan, except lands designated Environmental Protection Area and Open Space, unless deemed necessary and appropriate. Location within Environmental Protection Area and Open Space designations may be considered only if co-location or other site options have been determined not to be feasible. Where telecommunication facilities are proposed for Environmental Protection Area or Open Space designations, the proponent shall prepare an Environmental Impact Statement satisfactory to the City to identify and mitigate any impacts on natural heritage features and functions.
- 3.3 Free standing transmission towers should not be located in or within 120 metres of the shorelines of Lake Simcoe and Little Lake, or in the Central Area (C1) Commercial, or Transition Centre (C2) Zones or if possible in Residential Zones, but may be considered for co-location on existing towers or on existing structures in such zones.
- 3.4 Notwithstanding Section 3.3, free standing transmission towers may be located in or within 120 metres of residential areas provided the facility is not located within 60 metres of any residential uses and is designed to respect and not detract from the residential character of the area and in accordance to Section 3.5.
- 3.5 Installation of antenna systems shall respect and not detract from the preservation of historic sites, districts, and neighbourhoods, or tourism attractions. "Stealth" towers, which are camouflaged towers within church steeples, clock towers, or flagpoles or designed to resemble natural vegetation, should be used where feasible. The screening of the base support structure shall be undertaken and/or the selection of locations to minimize the view of the facility.

4.0 Application Requirements

- 4.1 A pre-consultation meeting shall be conducted prior to the submission of an application. Prior to the pre-consultation meeting, the following information must be submitted:
- Location of the proposed facility;
 - Proposed setbacks from existing buildings and from property lines;
 - Description of proposed facility, accessory structures;
 - Site changes, fencing, landscaping, access, and parking;
 - Summary how applicable facility meets exclusion criteria of Industry Canada; and
 - Five copies and one electronic copy of preliminary set of drawings describing site development and location of facilities, elevation drawing and surrounding land uses.
- 4.2 The pre-consultation shall not mark the commencement of the 120 day consultation process in accordance to Section 7.4 of this protocol.

- 4.3 Any proposal for a non excluded telecommunication facility outlined in Section 8.0 of this protocol will require the submission of a complete application form, fees, and required documentation as specified below:
- a) A justification report outlining the following:
 - Purpose of proposed facility;
 - Rationale for the selection of the proposed site and description of other alternatives considered including co-located alternatives;
 - Location and address of facility and location on site or existing structure;
 - Statement indicating justification for the height of the proposed structure;
 - Statement on size and location of any support structure and potential of support structure for co-location use;
 - Statement related to site alteration requirements for proposed structure and support structure including any site alterations for access driveways or servicing lines;
 - Environmental Impact Statement (EIS) if the facility or related site alterations are proposed on lands designated or zoned Environmental Protection or Open Space. This is to be prepared by a qualified professional;
 - Statement if the lands are located within the “Annexed Lands” how the facility will complement and become part of the future community without unduly limiting the potential for future urban development; and
 - Statement indicating justification if applicable for not satisfying the City Location Policies in Section 3.0 of this protocol.
 - b) Colour photographs of subject site including:
 - One set showing existing site conditions and surrounding land uses;
 - One set from the road in front of site including superimposed images of the proposed facility.
 - c) Site Drawing, Elevations and Boundary survey drawn in appropriate metric scale showing:
 - Subject property and leased area;
 - General site grading and drainage;
 - Setbacks from lot lines and any existing building and structures on site;
 - Setback from any natural heritage feature on site or on adjoining lands;
 - Existing and proposed vegetation including any landscaping and fencing;
 - Access to the site including any driveways and vehicular parking; and
 - The proposed structure type and height of the facility.
 - d) Network coverage mapping showing the applicant’s current coverage and anticipated coverage with the installation of the proposed facility.
 - e) Confirmation that Transport Canada, NAV Canada, adjoining municipalities within 500 metres, and all other public authorities having an interest in the lands.
 - f) Description of Transport Canada’s and NAV Canada’s aeronautical obstruction marking requirements as applicable.
- 4.4 The City shall consider the date a complete application was received as the official commencement of the 120 day consultation process. A determination on the completeness of an application or request for additional information will be provided within five days of receipt of the application by the City.

5.0 Siting on City Owned Properties

Any request to install a facility on lands owned by the City shall be made to the City, in accordance with City policy. A formal application for approval shall be required in accordance with Section 4.0 of this protocol.

6.0 Public Consultation Concurrence

It is required the proponent organize and facilitate the public consultation process. The public consultation process shall be required only for facilities that are not exempt from this protocol as outlined in Section 8.0.

If the facility is less than 15 metres in height and proposed to be in a location identified in Sections 3.2, 3.3 and 3.4, an abbreviated public consultation process will be utilized as outlined in Section 6.7.

- 6.1 The City will provide to the applicant a list of the street addresses of the properties located within a radius of the greater of 60 metres or three times the height of the proposed facility whichever is greater. This distance shall be measured outward from the furthest point of the facility's supporting mechanism (ex. outermost guy line, building edge, or tower face).
- 6.2 The proponent is required to prepare and circulate the notification package a minimum of 30 calendar days prior to the public open house to the following:
- Director of Planning Services;
 - Clerk of the City of Barrie;
 - Clerk of the adjoining municipality if site is located within 500 metres of boundary;
 - Mayor of the City and Ward Councillor; and
 - Those persons within 60 metres located as per Section 6.1.
- 6.3 The notification package shall include the following:
- Public Open House Notice in the form and content approved by the City;
 - Description and rationale for facility including structure type, design, dimensions, colour, lighting, site access and supporting structure; and
 - Superimposed images of facility.
- 6.4 Posting of sign on property is required as follows:
- The applicant shall erect one notice sign on the subject lands along any lot line abutting a public street;
 - When a public open house is required, the sign shall be erected a minimum of 30 calendar days prior to the public open house;
 - The sign shall be in the form and with the content approved by the City; and
 - Any sign must be removed no later than 20 days after the issuance of the Municipal Letter of Concurrence or advisement of non-concurrence.
- 6.5 Public Open House
- The public open house will be convened and facilitated by the applicant. The applicant shall at the start of the open house advise attendees that the City is a commenting agency only;
 - A representative of the City of Barrie may attend to assist in answering questions;
 - The applicant shall provide at a minimum of two sets of display panels indicating on one panel the current site conditions and proposed design, and on the second panel, colour photographs of the subject lot including superimposed images of the proposed facility; and
 - The applicant shall record all names, addresses and other contact information regarding any attendees. The applicant shall provide comment sheets for attendees to complete and shall make notes of any verbal comments received.

- 6.6 Newspaper Notice
- Where a facility is proposed that is 30 metres or greater in height, the proponent shall also place a notice in the local newspaper;
 - The publication shall be co-ordinated with the mailing of the notice and the erection of the sign;
 - The publication shall be prepared in the form and with the content approved by the City.
- 6.7 Abbreviated Consultation Process
- If the determination is made that the facility is subject to the abbreviated consultation process, no public open house is required and the following is required to be undertaken:
- To prepare and circulate the notification package to all those persons listed in Section 6.2;
 - The notification package shall include the description and rationale for facility including structure type, design, dimensions, colour, lighting, site access and supporting structure; and superimposed images of facility;
 - Posting of sign on property is required as per Section 6.4.

7.0 Consultation Completion

- 7.1 The timeline and process for the disposition of written or telephone correspondence shall be the Default Industry Canada process outlined in Section 4.2 of CPC-2-0-03.
- 7.2 The applicant will provide a package summarizing the results of public consultation to the City containing, at a minimum, the following:
- Summary of the public open house (when required) including attendee list and contact information;
 - Copies of all letters and other written communication received on or before the last date for comments associated with the application;
 - Copies of response provided by the applicant or agents outlining how the concerns and issues raised were or will be addressed or, alternatively clearly setting out the reasons why such concerns are not reasonably relevant;
 - Copies of any follow-up responses received from residents.
- 7.3 Where the preceding steps have appropriately addressed alternatives and issues, and the public consultation process has been completed, the Director shall either issue the Municipal Letter of Concurrence to the proponent and Industry Canada, or advise Industry Canada that the City is not in concurrence with the application based upon this protocol. The Director will provide a copy of this decision to the consulted departments.
- 7.4 The land-use authority consultation process shall normally be completed within 120 days from the acceptance by the Director of a complete application from the proponent. Where unavoidable delays are encountered, the Director shall indicate to the proponent when he/she can expect a response to the application.

8.0 Excluded Telecommunication Facilities

- 8.1 The following are excluded from this protocol:
- Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
 - Addition or modification of an antenna system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna-supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc., providing the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height except in circumstances where a previous consultation did not occur;

- Maintenance of an antenna system's painting of lighting in order to comply with Transport Canada's requirements;
- Installation, for a limited duration (typically not more than 3 months), of an antenna system that is used for a special event, or one that is used to support local, provincial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and
- New antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level including located on a building unless the facility is proposed in Sections 3.2, 3.3, 3.4 and 3.5 of the City Location Policies.
- New antenna systems, including masts, towers or other antenna-supporting structure, with a height of 15 metres or greater above ground level including located on a building if the facility is proposed in the Industrial, Agricultural, or Special Rural land use designations as identified in Section 3.1 of the City Location Policies and is setback 120 metres from any Residential, City Centre and Environmental Protection Area and Open Space designation except as provided in Sections 3.4 and 3.5 of the City Location Policies.

Approved City of Barrie Council August 27, 2012