



Protocol for Establishing Telecommunication Facilities

The purpose of this Telecommunication Protocol is to outline the process telecommunication applicants will follow to establish and expand telecommunication facilities in the Town of The Blue Mountains (the "Town").

All new telecommunications facilities establishing in the Town will follow the process herein prior to approval by Industry Canada. Should any stage of this process not be followed, the consultation requirements of Industry Canada will be viewed as not being satisfied. In such event, the Town will register a formal objection to the application with Industry Canada. In all situations, it is expected that proponents will work co-operatively with the Town to complete the processing of the proposal in accordance with this protocol.

A. Objective

The Town wishes to preserve the natural beauty and environmental significance of the landscapes of the Niagara Escarpment, and other natural and cultural landscapes in the Town, by limiting the impact of visually incompatible and/or environmentally harmful support facilities (structures, fencing, accessory buildings, driveways, etc.) proposed to be erected or established in the Town. The Town also appreciates that the topography of the landscape makes efforts to establish wireless communications challenging without suitably located antennas to service the growing population of wireless communications users in the Town. The Town strives to work together with the telecommunication companies to locate antennas in optimal locations for providing service while minimizing the visual and environmental impacts of support structures for the antenna.

The purpose of the land-use consultation is to make the Town, and residents of the Town and other stakeholders, aware of the details of a proposed telecommunication facility, to allow for resolution opportunity of any concerns in cooperation with the applicant, and to provide for input about the proposal by the Town to Industry Canada. This protocol has been established to identify the agreed upon expectations of this review process between the Town and members of the telecommunications industry.

B. Preliminary Consultation

Prior to site selection, it is recommended that preliminary consultation occur between the applicant and the Town's Planning Services Division staff so that there is an understanding in terms of areas of sensitivity, formal submission requirements, including fees, as well as process. This advanced contact will foster better site selection prior to public involvement.

Where the property is within the Niagara Escarpment Development Control Area, the primary land use authority shall be considered a shared responsibility between the Niagara Escarpment Commission ("NEC") and the Town. Generally, the Town is a commenting agency to the NEC on all development applications proposed to be established in the Niagara Escarpment Development Control Area within the Town's municipal boundaries. However, Planning Services staff recommends that the Town and the NEC undertake a joint review of telecommunication facilities proposed within the Niagara Escarpment in the

Town. The response to the Industry Canada will therefore represent a joint review and assessment of both the NEC and the Town.

C. Required Pre-consultation

When a site has been selected, and in accordance with the Town's Pre-consultation policies, a proponent must pre-consult with the Town's Planning Services Division prior to a formal application being made and/or accepted. Following the Pre-consult, Town Planning Services staff will advise the applicant of the supportability of the proposal based on a sensitivity and environmental scan of the proposal.

D. Determining Sensitivity

Proposals for new telecommunication facilities will have to be evaluated on a site by site basis so as to determine "sensitivity". Sensitivity will be measured by a variety of factors including environmental issues, visual impacts, land use compatibility, and other community planning matters that may be significant at any proposed telecommunications facility location. Appropriate regard should be given to the "location considerations" identified in Section H of this protocol to reduce potential sensitivities.

E. Site Selection – Environmental Policy Areas

The Official Plan of the Town strongly discourages structures in any Environmental Policy Areas. In spite of this, should it be demonstrated that a proposed site outside these areas is unavailable or unsuitable to the telecommunication company's needs, appropriate review shall be undertaken to ensure the intent of the Official Plan is being met. This may include the requirement for the proponent to have an Environmental Impact Study prepared by a duly qualified consultant.

F. Site Selection – Nature and Design of Support Structures and Antennae

Consideration shall be given to the nature and design of the support structure of the antenna and the nature of its potential impacts on the community. Wherever possible, the antenna and/or ancillary facilities shall be placed on an existing structure where its visual impact will thereby be minimized. Where a new support structure is required or is more compatible, the applicant shall provide a design layout to the Town which illustrates the structure to be the most appropriate tower construction (aesthetically and functionally) and site design for the proposed location (e.g. height of structure, mono pole versus lattice structure, and the appropriate use of existing nearby structures such as water towers, silos, transmission towers, etc. for the purpose of support and screening).

G. Corridors of Demand for Telecommunication Facilities

The Town has transportation corridors that will be primary targets to establish telecommunication facilities. These include Highway 26 and Grey County Roads 2, 13, 19, 40, 113 and 119. The Town recognizes the need to review telecommunication facility proposals effectively and efficiently in order that the applicants may provide the users of our transportation corridors with cellular phone service. While proper evaluation of any proposed location will still be required, the Town understands the importance of providing service to these corridors and will process the submission as quickly as possible for appropriately located and designed facilities.

Along these corridors, telecommunication facilities should be located at a distance great enough so as not to interfere with public safety (i.e. a greater distance from the road allowance, than the height of the tower and in accordance to Provincial, County or Town setbacks) but still within a distance as to provide service to the users of the transportation corridor.

H. Site Selection Report (“Location Considerations”)

As outlined in Section I, a Site Selection Report (“SSR”) shall be submitted to the Town in support of a Telecommunication Facility Consultation (“TFC”) Submission. The SSR shall include information related to the cell or cover area and steps taken by the applicant to investigate all non-support structure and co-location options, and a rationale explaining why a new support structure in a particular location is the only viable alternative. In selecting a location, the applicant will have regard to the following potential impacts and will document their evaluation of alternative sites with regard to these factors:

- a) location of residential uses and amenity areas;
- b) location of existing vegetation including mature tree lines and other screening features;
- c) topographical prominence;
- d) long and short range viewscales;
- e) location of private and public recreational uses within view of the proposed location;
- f) height of structure and design configuration including colouration and lighting (if required);
- g) location and proximity of public roadways;
- h) location of any Environmental Policy Areas or other natural area; and
- i) location within Natural Hazard areas and potential off-site impacts.

This procedure is intended to avoid potential land use conflicts by having these local interests and concerns taken into account at the earliest possible time.

I. Telecommunication Facility Consultation Submission Requirements

Once a location has been selected, all proposals for new telecommunication antennae, support structures and substantial modifications to existing support structures require the submission of documents and drawings to provide the Town with an opportunity to review the proposal as the local land-use authority, which shall include, but not be limited to, the following:

- A Site Selection Report (including documentation outlining the steps taken by the applicant to investigate all non-support structure and co-location options and a rationale explaining why a new support structure in a particular location is the only viable alternative);
- A letter of intent by the owner of the subject lands to enter into a lease agreement to permit establishment of a telecommunication facility, as well as a copy of the deed and survey of the property;
- A colour photograph of the subject property with a superimposed scaled image of the proposed antennae, support structure and facilities;
- A site plan drawn to a 1:250 metric scale showing the entire property upon which the telecommunication facility will be located, site grading, property lines, existing or proposed buildings, fences, buffering, lighting, existing and proposed landscaping, access, parking, driveways, utilities and services, easements, significant vegetation or wetlands, and the type and height of the proposed support structure. Should the subject lands consist of a significant land area, then two (2) drawings of different scales may be permissible; 1) 1:250 Facility Site Plan and 2) 1:1000 Entire Property.
- Two sets of scaled engineered drawings, stamped and certified by a professional engineer of the proposed support structure required. These drawings must indicate the construction specifications of the proposed support structure. In the case of antennas and assorted support structures proposed to be mounted on other structures, an engineer’s report is also required to address the predicted effects and the safe installation of the facilities on the existing building or structure and confirmation the result of the proposed installation will not jeopardize the structural integrity of the structure or building and will incorporate safety measures to protect the general public from harm.

- A map showing the horizontal distance between the location of the proposed support structure installation and all adjacent properties within 500 metres of the subject property.
- Appropriate documentation from the road authority having jurisdiction concerning new entrances.
- Appropriate documentation as requested by the applicable conservation authority or the NEC for their review of proposals involving construction in a flood plain, filling within regulated areas, alterations to a watercourse, or crossing of a watercourse.
- Assurance shall be given, in a form that is to the satisfaction of the Town, that appropriate arrangements have been made to completely dismantle and remove the telecommunication facility from the property, by the Applicant or owner of the lands upon the termination of its use.
- A cheque payable to the Corporation of the Town of The Blue Mountains in the amount of \$1,500.00.

Note: The applicant is also required to provide the Town with a copy of the lease agreement for the site location once it has been finalized.

The Town will conduct an initial review of the SSR and attempt to resolve issues in relation to site selection in advance of detailed drawings and information being submitted by the applicant.

J. Signing of the Property

A sign shall be erected along each street frontage of the property, notifying the public of the proposal to establish a telecommunication facility on the site before the Town can begin its review of the location and at least 20 days prior to the applicant's advertized public information meeting.

- Size: The sign must be 1.2 metres wide by 1.2 metres high with a 1.0 metre ground clearance.
- Material: The sign shall be constructed of durable material and be adequately anchored.
- Lettering: Professionally lettered, upper case letters, size 50 mm and 100 mm. Lettering is to be black inscribed on a white background.
- Location: One sign shall be erected along each street frontage of the property and be erected on the property (versus the road allowance) midway between the adjacent property lines.
- Wording: The sign will read as follows with the appropriate information filled in that is underlined:

**(NAME OF APPLICANT) HAS PROPOSED TO LOCATE A TELECOMMUNICATIONS FACILITY,
BEING (HEIGHT) METRES IN HEIGHT, ON THIS PROPERTY.
PUBLIC COMMENT IS INVITED.**

**A PUBLIC INFORMATION MEETING SCHEDULED WILL BE HELD ON (DATE of MEETING) FROM (xx) to (yy) AT
THE TOWN OF THE BLUE MOUNTIANS TOWN HALL (32 MILL STREET, THORNBURY)
FOR FURTHER INFORMATION CONTACT THE (CARRIER) OR THE TOWN'S PLANNING SERVICES DIVISION AT (TOLL FREE)
888.258.6867 OR 519.599.3131, EXT. 283.**

- Removal: Once the application has satisfied the requirements of this Protocol, the signs on the property must be removed within 30 days of the establishment, of the telecommunication facility otherwise the Town may take the sign down and charge the applicant and/or owner accordingly.

K. Public Consultation

Public consultation will take place in the form of notifying all interested and affected residents (including, at a minimum, the Town and all property owners within five hundred (500) metres of the support structure or, 10 times the structure's height, whichever is greater) by mail and notice by publication in a newspaper shall be undertaken. Notification by mail and publication in a newspaper with the details of any meeting shall occur no sooner than twenty (20) days and no later than forty (4) days before the scheduled meeting. As a minimum, the following details shall be included in the notice:

- i. Key Map complete with the proposed location of the site
- ii. A description as to the type of structure, colour, height, etc.
- iii. The Public Information Meeting date, time and location
- iv. Town contact information
- v. Carrier contact information

In order to ensure ongoing communication amongst residents and the facility operators, a plaque shall be installed at a suitable location at the base of the facility and an identical plaque at the driveway entrance once it has been constructed identifying the facility operator, a contact telephone number, and the facility's site identification number.

L. Planning Report

Should the Town's assessment of location considerations be satisfactory and in compliance to the Town's protocol, Town staff will inform the applicant that staff is of the opinion that the proposed telecommunication facility's selected location is suitable and its design appropriate. This opinion will then be further outlined in a report to Town Council. Town Council will make the final determination of the comments to be forwarded to Industry Canada from the local land-use authority. This process may take up to sixty (60) days from the date of submission to Town staff of all necessary documents as set out in this protocol.

Please note that, the Town will consult with the NEC, the County of Grey, and the applicable conservation authority to expedite the Town's assessment and therefore the proponent is advised to consult with all agencies prior to submitting any applications proposing to establish new telecommunications facilities in the Town.

Should the applicant not have satisfactorily addressed location considerations or, should Town Council decide that the site is not satisfactory, the Town will require the applicant to reassess their initial site selection, provide additional supporting documentation and may require further time to properly review the amended submission and comment on any outstanding concerns that may arise to Industry Canada. This analysis may take up to 120 days from the date of the original submission by the applicant.

M. Confirmation of Land-Use Authority Consultation

The Town will inform the applicant and Industry Canada through Town Council resolution that the land-use authority consultation process has been completed in accordance to the Town's Telecommunication Facility Protocol and will advise the applicant and Industry Canada of its findings and recommendations about the proposed facility.

N. Approval Process Timeframe

For proposals that are in "limited-sensitive areas", the Town will do everything to expedite the land-use authority consultation process within sixty (60) days. For proposals that are in more sensitive locations, a time period of up to 120 days may be required for the appropriate review of proposals which are supported with well documented material. Where applicable, the NEC and the applicable conservation authority should be contacted regarding their processing timeframe as the Town may comment adversely on applications that have not been reviewed and cleared for installation by these public agencies.