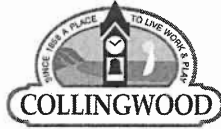


**BY-LAW No. 2015-026  
OF THE  
CORPORATION OF THE TOWN OF COLLINGWOOD**



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BEING A BY-LAW TO ADOPT A RADIOCOMMUNICATIONS AND  
BROADCASTING ANTENNA SYSTEMS PROTOCOL FOR THE  
TOWN OF COLLINGWOOD

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**WHEREAS** the *Radiocommunications Act* enables the Minister to regulate and manage the siting of radiocommunication and broadcasting antenna systems in Canada;

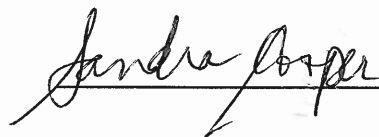
**AND WHEREAS** Section 4.1 of the Radiocommunication and Broadcasting Antenna Systems (CPC-2-0-03) Client Procedures Circular; a procedure manual developed by Industry Canada under the enabling legislation of the *Radiocommunications Act*, encourages a land-use authority to develop its own local processes;

**AND WHEREAS** Council has deemed it expedient and in the interest of the municipality to develop a local process for the siting of radiocommunication and broadcasting antenna systems within the corporate boundaries of the Town;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF COLLINGWOOD ENACTS AS FOLLOWS:**

1. **THAT** the Radiocommunications and Broadcasting Antenna Systems Protocol be hereby approved to manage the siting of these facilities within the Town of Collingwood, as affixed hereto as Schedule "A", and forming part of this by-law.
2. **THAT** By-law No. 2008-170 and it's Schedule "A", being the Town's former Radiocommunications and Broadcasting Antenna Systems Protocol, is hereby repealed in its entirety.
3. **THAT** this By-law shall come into full force and effect on the date of final passage hereof at which time all By-laws and/or resolutions that are inconsistent with the provisions of this By-law and the same are hereby repealed or rescinded insofar as it is necessary to give effect to the provisions of this By-law.

**ENACTED AND PASSED** this 2<sup>nd</sup> day of March, 2015.

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

Revised March 2015



**Protocol for Establishing Municipal Concurrence for  
Radiocommunication and Broadcasting Antenna Systems Proposed  
In the Town of Collingwood**

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## 1. Definitions

- (a) **Co-location:** means the sharing of a telecommunication tower or placement of a telecommunication antenna on support structure, building, structure or tower (e.g. a grain elevator or water tower) by more than one proponent.
- (b) **Proponent:** anyone planning to install or modify a radiocommunication or broadcasting antenna system.
- (c) **Radiocommunication carriers:** providers of cellular radio service or personal communication devices
- (d) **Radiocommunication Antenna:** means the components, either individually or in combination, needed to operate a wireless communication network for the purpose of telecommunications, including but not limited to: cellular sites; transmitters; receivers; signaling and control equipment and which is not staffed on a permanent basis and only requires periodic maintenance **but does not include a radiocommunication tower.**
- (e) **Radiocommunication Tower:** means all types of towers including but not limited to: a monopole; tripole; lattice tower; guyed tower; self-support tower; pole; mast; or other structures, which are used to support one or more radiocommunication antennae for the purpose of radiocommunications and which may be located at ground level or on the roof of a building and may include an equipment shelter containing electronic equipment and which is not staffed on a permanent basis and requires periodic maintenance.

## 2. Introduction

The regulation and approval of radiocommunication towers and related facilities falls under federal jurisdiction, governed by the Radiocommunication Act and Radiocommunication Regulations, and is administered by Industry Canada. Industry Canada sets out procedures to be followed by the proponent. Radiocommunication carriers who already operate under a Federal Spectrum License are required by Industry Canada to consult with the local municipalities or Land-Use Authorities (LUA) as a condition of their existing license. The intent of this consultation process is to provide an opportunity to have land-use concerns addressed, while respecting federal jurisdiction.

While the opinion and recommendations of the municipality are to be taken into consideration, ultimate approval remains with Industry Canada. When Industry Canada becomes aware of an objection from a LUA, construction of an antenna structure may be delayed for a period of time sufficient for negotiations between the parties to resolve their issues. The proponent is required to provide documentation to Industry Canada that they have adequately consulted with the LUA and addressed all concerns. If Industry Canada finds the proponent has acted properly, a license will be issued (if applicable) and/or construction of the antenna structure will be permitted.

The purpose of this Radiocommunication Protocol is to outline the process that proponents will follow to establish and expand radiocommunication facilities in the Town of

Collingwood. Proponents are required to address, among other matters, the increasing demands for wireless communications (cellular telephone) services. This protocol details the process for establishing radiocommunication facilities in Collingwood in order that proponents can satisfy the requirements of Industry Canada for consultation with local LUA. This protocol will provide guidance and direction to proponents, Town Council, Town Staff, and members of the public when establishing radiocommunication facilities.

The installation of any new radiocommunication facilities in the Town of Collingwood shall adhere to the following process herein. The intent of this process is to provide the Town with the necessary information in which to make a determination if the proposed antenna structure is acceptable to Town Council, staff and agencies. If this process is not followed, the consultation requirements of Industry Canada for projects of this sort will be deemed as not being satisfied and the Town may register a formal objection to the proposed antenna structure with Industry Canada. In all situations, it is expected the proponents will work co-operatively with the Town to complete the processing of the proposal in accordance with this protocol.

### **3. Protocol Objective**

The objectives of this protocol are:

- (a) To preserve and enhance the natural and cultural landscapes in the Town of Collingwood by limiting the impact of visually incompatible and/or environmentally harmful radiocommunication support facilities (structures, fencing, accessory buildings, driveways, etc.) proposed to be erected or established in the Town. The Town strives to work together with the radiocommunication carriers, service providers and users to locate antennas in optimal locations for providing service while minimizing any undue visual and environmental impacts;
- (b) To minimize the number of new radiocommunication towers; and
- (c) To minimize impacts and encourage alternatives to tower structures an exemption to the public open house meeting component of this protocol procedure may be permitted. This will provide for a more timely review process.

### **4. Local Land Use Authority Consultation**

The proponent must satisfy the requirements of Industry Canada for consultation with local LUA prior to approval of new installations. Completing the Town's consultation process requires; 1) a preliminary consultation; 2) a review of the submission by the Town's Development Committee including public consultation (unless otherwise exempt); 3) a staff report with recommendations forwarded to Council; and 4) a Council resolution stating the Town's position on the submission.

**5. Exemptions to Radiocommunication Tower application review**

Radiocommunication antennas and towers, which are exempt from the requirement to consult with the Town of Collingwood as itemized within the provision of Industry Canada's CPC-2-0-03 ("Radiocommunications and Broadcasting Antenna Systems," June 2007 (effective January 1, 2008)) Section 6, will be exempt from a Radiocommunications Review Application.

For radiocommunication tower and radiocommunication antenna proposals exempted from consultation pursuant to Section 6 of Issue 4 of the CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems, the proponents are requested to provide information to the Town on: the nature of the proposal; the location of the proposal; and the emission levels of the proposal.

**6. Preliminary Consultation**

Upon the selection of a site, a preliminary consultation will occur between the proponent and the Town's Planning Services staff. At this time, the Town of Collingwood will provide the proponent with the following:

- (a) The Town's Protocol Procedure, which includes a check list of documents and drawings that are to be submitted to the Town;
- (b) A list of the commenting agencies that would normally be consulted as part of the Town's assessment of the local interests. The proponent will contact these agencies before the formal submission is made, in order to appropriately address any concerns or interests during the site selection process; and
- (c) A copy of the Town of Collingwood Site Plan Application Form.

Preliminary contact with agencies will foster improved site selection prior to public involvement. In addition, the preliminary consultation will determine the potential for exemption from the public consultation open house meeting requirement.

**7. Exemption from Public Consultation Open House Meeting**

In an effort to streamline approvals, minimize impacts and encourage alternatives to tower structures, an exemption to the public consultation open house meeting component of this protocol procedure may be considered for the following:

- (a) Emergency services or municipal utilities;
- (b) Ground supported towers less than 18 metres in height, proposed on industrial zoned lands greater than 200 metres from designated or zoned residential lands. Lands within the Secondary Planning Areas will not be excluded from public consultation; and

- (c) Replacement or modifications to existing tower structures less than 18 metres above ground level at the same location.

If any of the above facilities are located within a designated Heritage Conservation District then public consultation and/or additional documentation is required.

## **8. Submission Review Process**

Once a site location has been determined by the proponent, they shall complete the Town of Collingwood Radiocommunication and Broadcasting Antenna System Review. Upon receipt of this completed form, along with all the necessary documents as outlined below, town staff will initiate its review. The Town will make its best efforts to adhere to the *120 day* consultation process outlined in Industry Canada's CPC-2-0-03 procedures document entitled Radiocommunication and Broadcasting Antenna Systems.

The Town's established Development Committee will be utilized to obtain agency comments and to identify an appropriate public consultation date. Subsequent to the public consultation open house meeting (unless otherwise exempt), and after submission of all final documents by the proponent, staff will forward its report with recommendations to Council.

Upon receipt of the staff report, Council will have the information necessary to pass a resolution stating the Town's position on the proponent's submission, namely: 1) a Town approval, 2) a Town approval with recommendations for the consideration of Industry Canada, or 3) a Town objection.

In circumstances where the Town's concerns are not adequately addressed by the proponent, the Town may submit a formal objection to Industry Canada.

## **9. Documents and Drawings to be Submitted with the Application**

Once a location has been selected, all proposals for radiocommunication antennae, radiocommunication towers, support structures and substantial modifications to existing support structures that are not exempt from this protocol shall be supported by the following information:

- (a) A cover letter describing the submission proposal and a fully completed Town Site Plan Application form together with the appropriate fee;
- (b) A letter of intent by the owner of the subject lands to enter into a lease agreement to permit the establishment of a telecommunication facility, together with a copy of the property survey and deed;
- (c) Written documentation outlining the steps taken by the proponent to investigate all existing support structure and co-location options and a rationale explaining why a new support structure in a particular location is the only viable alternative;

- (d) A colour photograph of the subject property with a superimposed scaled image of the proposed antennae, support structure and facilities;
- (e) Four (4) copies of a site plan drawing at 1:250 or other appropriate metric scale delineating the entire property upon which the Radiocommunication 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, restrictive access to the general public and the type and height of the proposed support structure;
- (f) A Site Selection Report from a professional engineer or planner documenting the site selection process followed by the proponent for selecting this site and the need for the proposed support structure. Proper regard should be given to the location considerations identified in Sections 10 and 11 of this protocol to reduce potential sensitivities;
- (g) Four (4) sets of scaled engineered drawings stamped and certified by a professional civil/structural engineer registered in the Province of Ontario for the proposed support structure. These engineered 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 (i.e. a public water tower facility);
- (h) A map delineating the horizontal distance between the location of the proposed support structure installation and all adjacent properties within a minimum of three (3) times the tower height of the subject property; and
- (i) In the event of co-location, a signed agreement is to be submitted to the Town of Collingwood stating that the proponents will allow co-location with other proponents, provided that all safety, structural and technological requirements are met, subject to standard industry financial compensation arrangements to the tower owner.

## **10. Determining Sensitivity**

Proposals for new and expanded radiocommunication facilities will have to be evaluated on a site-by-site basis 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 radiocommunications facility location.

## **11. Location, Design and Report**

The proponent is expected to document a site selection process that addresses local land use/community interests expressed in the Town of Collingwood Official Plan, as amended, and related concerns so that potential problems and objections are avoided.

## 1. Location

The proponent shall consider the following site locations itemized below in priority order: a) being the most desirable option and d) being the least desirable option:

- (a) Co-locate on existing radiocommunication tower (see section 8.i);
- (b) New radiocommunication antenna on an existing structure (e.g. residential high-rise, water tower, former grain terminals. Special consideration will be given to this option;
- (c) New structure on public lands with co-location (see Section 8.i); and
- (d) New structure on private lands with co-location in industrially zoned or designated areas.

## 2. Design

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. When a new support structure is required or is more compatible, the proponent shall provide a design layout to the Town. The design layout shall illustrate:

- (a) The structure deemed to be the most appropriate tower construction (aesthetically and functionally); and
- (b) The 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 and high rise buildings for the purpose of support and screening).

## 3. Report

The proponent will provide a site selection report, to be undertaken by a professional engineer or planner, outlining the steps the proponent took to investigate all existing support structure and co-location options, and a rationale explaining why a new support structure in a particular location is the only viable option. In selecting a location, the proponent 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, especially near waterfront areas;
- (e) Impacts on existing built heritage features;

- (f) Location of private and public recreational uses within view of the proposed location;
- (g) Any other potential impacts such as public or private air strips, navigational aids, flight paths, etc;
- (h) Height of structure and design configuration including colorations and lighting;
- (i) Location and proximity of public roadways;
- (j) Location of any Environmental Policy Areas or other Natural Heritage Areas; and
- (k) Location within Natural Hazard areas and potential off-site impacts including hazardous facilities.

This procedure is designed to avoid potential land use conflicts by having local interests and concerns addressed as part of the consultation process.

The Town will conduct an initial review of the Site Selection Report and attempt to identify potential issues in relation to site selection in advance of detailed drawings and information being submitted by the proponent.

## **12. Public Consultation Notification and Open House Meeting**

Public consultation in the form of notifying all interested and affected property owners (including, at a minimum all property owners within three (3) times the tower height) via posted signage and notification in the local newspaper outlets deemed appropriate by the Town. The notice shall give the public reasonable understanding of the proposed facility location and details. Unless an exemption from the open house information meeting is provided, this same notification by mail and publication in a newspaper shall also provide details of an open house meeting. The notice and newspaper publication shall occur no later than *thirty (30) days* before the scheduled meeting date.

- (a) Public consultation is the responsibility of the proponent and they shall facilitate all aspects of the open house meeting;
- (b) The Town will provide a list of property owners within three (3) times the tower height to be notified by letter and a form of the newspaper advertisement is to be followed and placed in the designated newspaper(s) as identified by the Town;
- (c) The proponent shall provide a copy of the information letter forwarded to abutting property owners, provide copies of any letters received and forward proof of notice in the newspaper;
- (d) All costs associated with the public consultation shall be borne by the Proponent; and
- (e) If an open house meeting is held, the proponent shall provide a record of names, addresses, and phone numbers of attendees, any letters received from property owners

expressing comments, minutes of the meeting, and how any questions or concerns are to be addressed by the proponent.

### 13. **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 begins its formal review of the application.

**Size:** The sign must be 1.2 metres wide by 1.2 metres high with a 0.6 metre ground clearance.

**Material:** It is recommended that the sign be constructed using a 19 mm exterior grade plywood panel.

**Paint:** Sign panels and all structural members must be painted with quality paint. Lettering is to be black inscribed on a white background.

**Lettering:** The sign is to be professionally lettered or silk screened, using upper case letters, size 100 mm.

**Location:** One sign shall be erected along each street frontage of the property, and shall be erected at a minimum distance of 6 metres from the property line and midway between the adjacent property lines, ensuring not to cause a visual distraction to motorists.

**Proof of Posting:** A photograph illustrating the required signs and the date on which it was erected on the subject property must be submitted to the Planning Department prior to formal consideration of the application.

**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 radiocommunication facility otherwise the Town may take the sign down and charge the proponent and/or owner accordingly.

**Wording:** The sign will read as follows with the appropriate information filled in that is underlined. The wording for the sign is provided on the following page.

(NAME OF PROPONENT) HAS PROPOSED  
TO LOCATE A RADIOCOMMUNICATIONS  
ANTENNA/TOWER  
STRUCTURE, BEING (HEIGHT) METRES (FEET) IN  
HEIGHT, ON THIS PROPERTY.

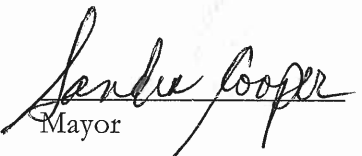
PUBLIC COMMENT IS INVITED.

OPEN HOUSE INFORMATION MEETING  
SCHEDULE ON (DATE of MEETING)  
FROM (TIME of MEETING) IN THE COUNCIL  
CHAMBERS, 97 HURONTARIO STREET, COLLINGWOOD,  
ON.

FOR FURTHER INFORMATION CONTACT  
THE TOWN OF COLLINGWOOD  
PLANNING SERVICES AT 705-445-1290.

TOWN FILE No.: (FILE #)

The whole of this document is Schedule "A" to By-law No. 2015-026 enacted and passed the 2<sup>nd</sup> day of March 2015.

  
Mayor

  
Clerk