

# **ARMOUR TOWNSHIP POLICY**

## **NEW TELECOMMUNICATION FACILITY GUIDELINES**

Adopted by Armour Township Council on July 24, 2001

### **TRANSMISSION TOWER - GUIDELINES**

#### INTRODUCTION

Industry Canada is responsible for regulating radiocommunication in Canada and for authorizing the location of radiocommunication facilities. In exercising this authority, Industry Canada has indicated that the proponent must meet four requirements in order to approve the application.

1. Where a significant antenna structure or modification is proposed, the proponent is required to consult with the land-use authority.
2. Where applicable, antenna structures must comply with Transport Canada's painting and lighting requirements for aeronautical safety.
3. Radiocommunication facilities must be installed and operated in a manner that complies with Health Canada's limits of exposure to radiofrequency fields.
4. Where Industry Canada authorizes a specific site for a radiocommunication facility, an environmental assessment will be required if necessary to comply with the Canadian Environmental Assessment Act.

#### Municipal Authority

While Industry Canada has the ultimate authority in the placement of radio communication facilities, it is their practice to work with municipal governments to ensure that local concerns are addressed in the approval process. These guidelines have been developed to provide telecommunications companies with Council's expectations of the location criteria, public consultation levels and appearance of telecommunication facilities in the Township of Armour. These guidelines are intended to apply to telecommunication facilities whether they are deemed "significant" or not by Industry Canada. These guidelines are intended to apply to television and radio towers, cellular and PCS providers and point to point wireless communications. Amateur radio such as shortwave radio, is excluded.

## Telecommunications Facilities Guidelines

It is Armour Township's intention to limit the impact of telecommunications facilities by supporting co-location, the exploration of alternative technologies by the applicant, and through directing any freestanding towers to appropriate locations. Any freestanding towers should preferably be located away from existing or planned residential land uses. While freestanding towers under 20 metres in height will be considered in a residential areas, it will only be in cases where alternate wireless locations or routing do not exist, alternate technologies are not practical, where a significant public consultation program has taken place and where the greater public interest would be served by the location. Towers proposed in rural areas must be evaluated for aesthetic impact, archaeological potential of the proposed site, and environmental impact on flora and fauna.

### GENERAL

#### Tower Appearance

Towers and mounted antennae shall be designed to blend into the surrounding environment through the use of color and camouflaging, architectural treatment or placement on electric transmission towers.

Lighting and colour requirements for towers are to be submitted with the initial tower proposal. If the tower is the subject of a public meeting and/or notification process, the public is to be informed of these lighting and colour requirements.

All utility buildings and structures accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall meet the minimum setback requirements of the underlying Zoning By-law provisions. Ground mounted equipment shall be screened from view by suitable vegetation, except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding area.

The use of any portion of a tower or antenna for signs other than warning and/or equipment information signs is prohibited.

#### Safety

All structures/towers must be grounded and must meet all other CSA standards. All free standing telecommunication towers should be designed to prevent climbing or sliding down.

#### Co-location of Future Antennae

All commercial wireless telecommunication operators shall be requested to provide Armour Township with a letter which indicates that the operator has not precluded other operators from using the same tower through an agreement to artificially inflate prices for other commercial operators or through company policy. It is also requested that the letter indicate the company's willingness to share a tower site in future. This clause is not intended to restrict an operator's decision to exclude other users from a site where there are technical reasons, which preclude co-location.

### Location

A telecommunication tower shall be located on a proposed site where it will be least noticeable.

Telecommunication tower locations will be considered on a case by case basis. In rural areas, strict attention must be paid to aesthetic, archaeological and environmental values impacted by any proposed tower.

Any proposed telecommunications facility shall comply with the intent of the Ontario Provincial Policy Statement, the Armour Township Official Plan, and the Armour Township Zoning By-law.

### Health

All installations must meet Canadian Safety Code 6 guidelines. Where a transmission tower application requires the approval of Industry Canada, the applicant shall verify in a written report to the Township that the installation meets Safety Code 6;

The above report shall include measurements of existing site specific cumulative energy emissions (if any) and an estimate of proposed site specific cumulative energy emissions.

### Public Meeting and Notification Exceptions

Notification and public consultation are not required where -

\* a mounted antenna is located on any industrial or commercial building where the tower is 25% or less of the building height

\* a mounted antenna is less than two metres in height above the building

Notwithstanding the exceptions above, if the Report referred to in the "Health" section has not been provided, both notification and a public meeting will be required for any

tower or rooftop antenna regardless of the location.

### Public Meeting and Notification

A Public Meeting shall be held, after all studies are done, to present the results of the site impact of the proposed tower.

If a proposed facility is part of a new network of sites, the network should be presented in its entirety to the public. A new network of sites is defined as three or more sites, which are being applied for.

Unless it is a network of telecommunication towers, the Armour Township Clerk shall deliver notices to each home within 600 metres (1970 feet) of the base of any tower location. In addition, where the application is on a school site, that school shall be provided with a copy of the application with a request to distribute the notice to all parents.

In the case of a network of towers, the Township shall place at least one advertisement with a map in the newspaper and on its web site in advance of the meeting and a news release will be issued. If the network of towers includes a school site, that school shall be provided with a copy of the application with a request to distribute the notice to all parents.

The public meeting will be set and hosted by the Township, however, the proponent shall present the proposal at this public meeting. Comment sheets will be used to obtain public opinion on the issue.

Where problems have been identified, the proponent shall work with Armour Township Council to attempt to resolve these concerns.

The results of the public meeting, the proposal, and any other relevant information will be presented to Armour Township Council.

If there were any contentious issues during the review process, a second public notice will be sent out to explain the outcome of this process after recommendations or decisions are made by the Council.

The telecommunications facility proponent shall pay all costs related to public meetings and notifications.

Industry Canada

The Armour Township Council will forward their concurrence or objection on each tower/installation application to Industry Canada. This is intended to provide Industry Canada with the required information for the licensing process.

### Removal

Any telecommunications facility, which is no longer being used shall be removed by the carrier within six months of the date at which time it ceased to be used.

Any and all telecommunication facilities shall remain in compliance with Federal Health Standards, and with any amendments to the Federal Health Standards.

### CO-LOCATION PREFERENCE

Any proposal for a new wireless telecommunication service tower shall not be supported, unless the operators submit evidence that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower within a 6 kilometre radius of the proposed tower due to one or more of the following reasons:

(a) The planned equipment would exceed the structural capacity of the existing or approved tower, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost.

(b) The planned equipment would cause interference materially impacting the usability of other existing or planned equipment at the tower as documented by a qualified and licensed professional engineer and the interference cannot be prevented at a reasonable cost.

(c) Existing or approved towers within the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer.

(d) Other unforeseen reasons that do not make it feasible to locate the planned telecommunications equipment upon an existing or approved tower.

### LOCATIONS NEAR RESIDENTIAL USES

Towers with flashing static or strobe lights are not to be favoured for approval near existing residential uses unless the tower is replacing an existing tower, which has the same type of lighting.

Any freestanding tower over 20 metres in height shall not be supported in existing residential areas (including school sites, commercial sites, churches and parks that are located in residential areas).

In the case of a freestanding tower, which is under 20 metres and proposed in a residential area, the applicant shall be required to submit evidence that they have:

- \* examined alternate technologies (non-wireless applications)
- \* examined alternate wireless routing with the objective of minimizing the size of a tower in a residential area or eliminating it altogether
- \* and have completed an extensive public participation process.

This information shall be considered by the Armour Township Council in their decision.

It is acknowledged within this policy that there are no non-wireless alternatives for some services such as cellular phone systems.

A location within a residential area shall only be considered as a location of last resort.

## DEFINITIONS

Antennae - Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennae, such as panels, microwave dishes, and satellite dishes, and omni-directional antennae, such as whip antennae but does not include cellular phones, cordless phones, taxi, radios or other similar personal communications devices.

Archaeological Significance - is the determination of the value of material remains of past life and activities and what, if any, mitigation of development impacts is required to preserve the resource.

Commercial or Industrial Buildings - any commercial or industrial building permitted in the Armour Township Zoning By-law.

Deer Yard - Area of seasonal concentration of deer where they congregate in relatively high densities at specific periods in their life cycle and / or in particular seasons. At such

times, they are most vulnerable to disturbance or the effect of weather. Areas of seasonal concentration tend to be localized and relatively small in relation to the area of habitat used at other times of year. Winter deer yards occupy roughly 10% of the area of the animal's summer range. Usually found in dense conifer stands, they offer some protection from predators and winter winds, and the trails that deer form allow easier movement in deep snow.

Freestanding Tower or Tower - Any ground mounted pole, spire, structure, or combination thereof including supporting lines, cables, wires, braces, and antennae, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

Habitat destruction - The action or process of destroying the shelter and food sources required to sustain wild life population.

Mounted Antenna - Any antenna which is placed on the roof or face of a building.

Telecommunication - for the purpose of this policy "telecommunication" refers to any device used for radio communication, telecommunication or other wireless transmission but excludes any device which is for personal or household use.

Telecommunication Facilities - any mounted antenna or tower.