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O-7881
Telecommunication Facilities
S. Meksula

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON TELECOMMUNICATION FACILITIES CONSULTATION POLICY JULY 23, 2012

RECOMMENDATION

That, on the recommendation of the Director of Land Use Planning and City Planner, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 28, 2012 to implement a Telecommunications Facilities Consultation Policy, it being noted that the regulation of these facilities, including the siting, is a Federal matter administered through Industry Canada.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Report to Planning and Environment Committee, Information Report, Telecommunication Towers, February 27, 2012

BACKGROUND

On February 27, 2012 staff brought forward a report to Planning and Environment Committee (PEC), which set out the rationale for adopting a municipal concurrence and public consultation process to supplement Industry Canada's default consultation process. The report provided a rationale for establishing a municipal concurrence and public consultation process as a way of providing the City's perspective to Industry Canada on proposed telecommunication tower installations. The review included best management practices already in place in other municipalities.

There is a growing need for new telecommunication facilities within the City in order to accommodate the expanded demand of cellular phones and personal communication devices by the general public and businesses. Industry Canada regulates these facilities and is the final approval authority for the location of new telecommunication facilities (towers and/or antennas). The City is not able to describe zones or land use designations that would prohibit these facilities, nor establish any regulations that would preclude them. The facilities are, however, subject to the requirements of the Ontario Building Code. Industry Canada directs proponents of new telecommunication towers to consult with the local planning authority (City of London) prior to the installation of new telecommunication towers. In the absence of a municipal consultation process, Industry Canada has established default consultation guidelines.

The default consultation process requires proponents of significant antenna structures to consult with the local land use authority and the public prior to the issuance of a license. Proponents

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**O-7881
Telecommunication Facilities
S. Meksula**

are expected to ensure that land use authority consultation has taken place prior to the erection of individual antenna structures. Industry Canada has developed guidelines to assist land use authorities in establishing a process for reviewing proposals for telecommunication facilities.

While the City has not yet adopted a formal consultation process or specific guidelines for telecommunication facilities, staff have developed additional procedures in addition to the Industry Canada default procedure, and have been advising proponents of these procedures. Staff meet with proponents prior to initiating any public consultation to review the sites and provide preliminary comments. For example, Staff direct applicants from sites that are zoned for residential uses, or sites that are within 3 times the tower height of a residential zone. Staff also direct applicants to locate towers to be set back a distance equal to the tower height from any municipal road allowance or public walkway.

The City also currently provides applicants with the following information:

- Mailing list of all the property owners within a radius of 3 times the tower height, or 120 m, whichever is greater;
- The name and telephone number of a designated Planner: and,
- Contact information for any Community Association and the Ward Councillor.

The attached telecommunication tower consultation policy has been prepared to develop a public consultation process to be used in the consideration of the location of new telecommunication towers, to provide direction on preferred sites and design guidelines which should be contemplated when a new tower is anticipated. The challenge is to balance the need for additional telecommunication tower locations to address growth and demand requirements with neighbouring community concerns in developed areas of the City.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Consultation has been undertaken with Industry Canada, industry stakeholders, registered community groups, relevant technical agencies and public bodies, as well as the public for review and comment.

A draft of the telecommunication process was provided to Industry Canada and interest groups for review and comments. Industry Canada commented that they encourage land-use authorities to develop local protocols to manage the process of identifying concerns regarding antenna installations, while not being more burdensome for proponents than the process and responsibilities set out in the CPC-2-0-03 document, Industry Canada may not require proponents to comply with the specific requirement of the telecommunication process.

Comments were received from Thomson Rogers, the law firm that represents Bell Mobility, Rogers Wireless, and Telus Mobility as well as the London Area Planning Consultants. The proposed process has been modified to incorporate many of the suggested modifications. Much of the feedback referred to the Industry Canada default consultation process as being appropriate, however, Staff recommends that the City develop and adopt its own consultation policy to ensure that resident's concerns are addressed in the siting of telecommunications facilities.

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O-7881
Telecommunication Facilities
S. Meksula

ANALYSIS

Why is a Telecommunication Policy Required?

The City of London does not currently have a municipal policy regarding telecommunication facilities, and relies on the default consultation process from Industry Canada.

While staff have had an informal process to supplement the Industry Canada default process, there is no Council-approved municipal consultation process. This means that there are currently no Council-approved submission requirements that must accompany the application, public consultation requirements, or design or site selection guidelines to guide the review of these types of applications.

The Industry Canada's CPC-2-0-03, Section 4.1 states "Unless the proposal meets the exclusion criteria in Section 6, proponents must consult with the local land use authority(ies) on any proposed antenna system prior to any construction with the of...obtaining land use authority concurrence in writing." In the absence of a City policy being in place, the proponents are required to consult with the City in accordance with Industry Canada's default process. The default process does not include a requirement for the submission of a site plan application, and it does not offer any direction on design or location of the towers.

To make sure the City's expectations in regards to development of future telecommunication towers are clearly expressed to the public, the City of London Telecommunications Facilities Consultation Policy institutes the following objectives:

- (i). The formation of a consultation process, standards and guidelines for the review of land use impacts associated with telecommunication towers;
- (ii). To make available an opportunity for public consultation;
- (iii). To promote telecommunication tower development with minimal visual impact and minimizing impacts on natural and built heritage features and sensitive land to the greatest extent possible; and
- (iv). Limiting the number of new towers within the city.

Exclusions to Municipal Consideration

Industry Canada sets out exceptions under which a proponent is not required to consult with either the public or municipality. In executing their own consultation process, municipalities may equally, choose to include additional exclusions as they seem to be appropriate, but may not be more restrictive. The following proposals of Telecommunication Towers are exempt from the requirement to consult with the City and the public, but are required to fulfill the General Requirements outlined in Section 7 of Industry Canada's Circular:

- (i). Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- (ii). 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. provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height;

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**O-7881
Telecommunication Facilities
S. Meksula**

- (iii). Maintenance of an antenna system’s painting or lighting in order to comply with Transport Canada’s requirements;
- (iv). 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, territorial or national emergency operations during the emergency, and is removed within 3 months after the emergency or special event; and,
- (v). New antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level;

These exemptions are noted in the City’s policy. Industry Canada has acknowledged situations where regardless of these exceptions it may be wise for a proponent to consult with the municipality where local sensitivities may be present.

As well as any consultation with a municipality and the public, Industry Canada requires all proponents with applications for new or modifications to existing tower or antenna systems to act in accordance with the requirements associated to electronic interference, with the following:

- (i). Transport Canada and NAV Canada’s aeronautical safety requirements;
- (ii). Health Canada’s safety guidelines (Safety Code 6) regarding limits of exposure to Radiofrequency Electromagnetic fields;
- (iii). The Canadian Environmental Assessment Act, where required;
- (iv). Industry Canada’s immunity criteria dealing with the minimization of malfunctioning of electronic equipment in the local surrounding; and,
- (v). CPC-2-0-17 – Conditions of licence for Mandatory Roaming and Antenna Tower and Site Sharing and to prohibit Exclusive Site Arrangements.

Assurance of conformity with these conditions is ultimately within the jurisdiction of Industry Canada.

Preliminary Consultation Process

The policy establishes that preliminary consultation shall occur between the proponent and City staff before an application may be submitted. During this meeting the proponent shall provide information with reference to their proposed location, and staff will provide information regarding the process, application requirements, potential public consultation obligations, and the City’s site selection and design guidelines. Co-location opportunities, alternate site locations and design alternatives shall also be examined.

Public Consultation Process

The recommended policy provides for both individual notice and newspaper notice for non-exempt facilities. The policy also requires that proponents host a public information meeting to solicit public comments, and that a summary of that meeting be provided to the City. The policy also identifies the preferred locations for these facilities, and requires that opportunities for roof-mounted antennas or co-location on existing towers be explored before considering a new stand-alone facility.

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**O-7881
Telecommunication Facilities
S. Meksula**

CONCLUSION

Industry Canada is the approval authority for communication facilities and encourages consultation with local planning authorities. The proposed process is in keeping with Industry Canada’s regulatory framework, and identifies both the municipal process for public notice, and the municipal interests to be considered in telecommunication facility siting. The policy outlines a process for Municipal Council, staff, proponents, and the public to be used in the consideration of the establishment or expansion of telecommunication facilities in the City.

PREPARED BY:	SUBMITTED BY:
SEAN MEKSULA PLANNER II CITY PLANNING AND RESEARCH SECTION	GREGG BARRETT, AICP MANAGER - CITY PLANNING AND RESEARCH SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR OF LAND USE PLANNING AND CITY PLANNER	

July 13, 2012
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Agenda Item # Page #

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O-7881
Telecommunication Facilities
S. Meksula

Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	
Eugene Morrison	
4267 Manning Drive	
London ON N6L 1K4	

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**O-7881
Telecommunication Facilities
S. Meksula**

Bill No. (number to be inserted by Clerk's Office)

2012

By-law No. A.-

A by-law to implement a Telecommunication Facilities Consultation Policy for the City of London.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 10, Structures, including fences and signs;

AND WHEREAS Municipal Council has deemed that it is in the public interest to provide for a public consultation process for the purpose of providing comments to Industry Canada in connection with its approval process for proposed telecommunications facilities;

THEREFORE, the Municipal Council of The Corporation of the City of London enacts as follows:

1. The attached Telecommunication Facilities Consultation Policy is hereby adopted.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2012
Second Reading - August 28, 2012
Third Reading - August 28, 2012

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O-7881
Telecommunication Facilities
S. Meksula

City of London

Telecommunication Facilities Consultation Policy

Introduction

The purpose of this policy is to provide guidelines to be followed by applicants for all facilities to which Industry Canada's CPC-2-0-03 is applicable within the City of London. Industry Canada is responsible for approving and licensing radiocommunication facilities. As part of the approval process, Industry Canada requires applicants of significant antenna structures to confer with the local land use authority prior to the issuance of a license. The City of London's Telecommunication Facilities Consultation Policy institutes a consultation procedure between telecommunication carriers and the City which provides an opportunity for public consultation in the site selection process. These procedures are intended to provide opportunities for public feedback regarding the location of telecommunication facilities.

The City will provide applicants of new telecommunication towers, subject to the application review process, with a Letter of Concurrence within 45 days of a complete application if the City is satisfied that its telecommunication consultation process has been followed.

The participation of the City of London or the public in the consultation process does not convey the right to prevent the location of a telecommunications facility. Local By-laws cannot prevent a telecommunication facility from being built since Industry Canada has the final authority provided to them under the Radiocommunication Act. This procedure is intended to identify sensitive locations, promote appropriate design, and promote co-located facilities to be located in areas away from residential neighbourhoods where possible. The decision to grant a license for a telecommunications facility ultimately rests with Industry Canada. Industry Canada only intervenes i.e. makes a decision if the condition requiring concurrence cannot be met. As such, issuance may be delayed for a period of time to or the licenses may not be issued for the wireless facility.

This policy applies to:

- Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
- Rooftop structures, such as antennas or related equipment, on buildings where the structure is more than 25% of the height of the building or the greater of 16.6 metres (54.5 feet) in height;
- New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan;
- New antenna systems that are located on located on a property designated under Part IV or Part V of the *Ontario Heritage Act*.

The CPC-2-0-03, Section 1.2 states "The requirements of this document apply to anyone regardless of the type of installation or service. This includes, amongst others, Personal Communications Services (PCS) and cellular, fixed wireless, broadcasting, land-mobile, licence-

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**O-7881
Telecommunication Facilities
S. Meksula**

exempt and amateur radio from other radiocommunication antenna structures, and as such the exclusion criteria outlined in Section 6 of the CPC-2-0-03 applies to amateurs as well.

Section 1 – Objectives

1. To facilitate, coordinate and influence the planning and site selection process for telecommunication facilities in the City;
2. To encourage consultation between the City and telecommunication carriers on all applications, and to expedite the review process on applications for new telecommunication sites;
3. To provide a process for public consultation as specified by this policy on all applications; and
4. To inform applicants and the public about the guidelines for the location and design of telecommunication facilities.

Section 2 – Submission Requirements (Applicant/Proponent)

1. A brief written explanation of the telecommunications proposal. The Applicant (carrier) should demonstrate the steps taken to investigate all non-tower and co-location options in the vicinity of the proposed site, and reasons why a tower option is the only feasible alternative in that location. A description of the design elements proposed to minimize the visual impact of the support structure is also required. Pre-consultation with Building Division staff is recommended, particularly where accessory structures are contemplated or for rooftop locations.
2. A survey of the subject property (or leased portion of the property) drawn to a metric scale showing site grading, location of existing property lines, existing or proposed buildings, fences, existing and proposed landscaping, access, and the type and height of the proposed tower structure. While the City of London recognizes that Industry Canada is the final approval authority for telecommunication facilities, it is also recognized that Industry Canada directs telecommunication providers to consult with the local municipality prior to erecting any non-exempt telecommunication towers.
3. A location map showing the horizontal distance between the proposed support structure installation and the nearest residential dwelling, residential zone or area designated for current or future residential uses at an appropriate scale to show the context of the facility location and the surrounding area..
4. A building permit is required for:
 - a. Equipment shelters that exceed 10 square metres of gross floor area.
 - b. A tower and/or equipment building attached to or constructed on an existing building that is greater than 10 square metres.
 - c. Towers that exceed 16.6 metres above ground level where they are not used for federally regulated broadcasting and telecommunications undertakings.
5. Refer to conformity with site location guidelines and any drawings as required by the Building Division for a new telecommunication tower which are not exempt from the requirement for municipal consultation, as specified in Section 6 - Site Location Guidelines.
6. A completed Application form including the application fee as set out in Section 4, a

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cheque payable to the City Treasurer.

Section 3 – Public Consultation Process

3.1 Exemptions to the City of London Municipal Concurrence and Public Consultation Process

In an attempt to simplify approvals, the following proposals will be exempt from the City's Telecommunications Facilities Consultation Policy:

1. Maintenance of an existing telecommunication facility, including painting or lighting in order to comply with Transport Canada's requirements;
2. Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
3. Proposals for the addition to, reconstruction of, or modification of an antenna systems provided that addition, reconstruction or modification does not result in an overall height increase above the existing antenna of 25% or more of its original height;
4. Proposals of temporary antennas that are portable or mobile and used for public uses, public demonstration or public education purposes, and not exceeding a 3 months duration;
5. Proposals for new ground mounted antenna systems including masts, towers or other antenna-supporting structure, with a height less than 15 metres above ground level;
6. Ground supported towers less than 16.6 metres (54.5) in height above ground level within industrially-designated lands, excluding designated Secondary Plan areas in the City's Official Plan, and located greater than 300 metres from residentially-designated lands in the Official Plan; and,
7. Antenna systems on the rooftops of non-residentially zoned buildings that do not exceed 25% of the original height of the building or structure, excluding properties designated under the *Ontario Heritage Act*.

A Letter of Concurrence shall be provided by the City Planner within 45 days of receiving a complete application to notify the Applicant whether the City's requirements have been satisfied. If an application affects a property designated under the *Ontario Heritage Act*, staff will notify the City's Heritage Planner and the London Advisory Committee on Heritage (LACH), and will inform the Applicant of LACH's comments or concerns.

3.2 Submission Requirements for Public Consultation Exemptions

If the proposal meets the requirements for public consultation exemptions, it is requested that the proponents of new telecommunications installations that are exempt still provide the City of London with information on the installation for information purposes only. This will provide staff the ability to provide information to residents and Ward Councillor(s) if any questions or concerns emerge.

1. The proposed location of the telecommunication tower(s) on the subject site,
2. A description of the proposed telecommunication structure including its height, dimension, type, design, and colour.

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**O-7881
Telecommunication Facilities
S. Meksula**

3. A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.
4. Site plan showing the tower.
5. Supporting drawings.

3.3 Procedure of Notification When Public Consultation Is Required

The public consultation process consists of providing public notice and arranging a public information meeting. Public consultation will be required, and Proponents will be required to demonstrate that they have complied with this policy. This will ensure that the public is made aware of the proposal and are given opportunity to provide their opinions and concerns.

1. Public consultation is required for:
 - i. Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%;
 - ii. New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
 - iii. Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres from a residential dwelling, residential zone or lands designated as Residential in the Official Plan; and,
 - iv. New antenna systems that are located on located on a property designated under Part IV or Part V of the *Ontario Heritage Act*.

3.4 Requirements for Public Notice

For applications that are not exempt from the requirements identified in Section 3.1 of the City of London Telecommunication Process, the proponent shall provide to the City, concurrently with submission requirements, a complete package containing the following information:

- a) The proposed location of the telecommunication tower(s) on the subject site,
- b) Physical details of the tower (e.g. height, colour, type, design and lighting),
- c) The time and location of the public information meeting, the names and telephone numbers of contact persons employed by the Carrier and the City of London,
- d) The purpose of the proposed telecommunication structure, the reasons why an existing telecommunication structure or other infrastructure cannot be used, a list of other telecommunication structures that were considered unsuitable and future co-location possibilities for the proposed telecommunication structure.
- e) A survey plan which shows the location of the tower and any associated structures, and a map showing the site within the required circulation area.
- f) Transport Canada's and Navigation Canada's aeronautical obstruction marking requirement if applicable.
- g) Written confirmation that the proposed structure will be in compliance with Health Canada's Safety Code 6 including combined effects within the local environment at all times.
- h) Notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>).
- i) A statement from a communications specialist or an engineer specializing in

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**O-7881
Telecommunication Facilities
S. Meksula**

- propagation patterns should provide a statement indicating the need for the height proposed height as well location.
- j) Closing date for the submission of written public comments, not less than 20 days from the date of the public information meeting.
 - k) Fees
 - l) The applicant will provide notice of both the application and the time and date of the Public Information Meeting, by regular mail to all property owners located within a radius of three times the tower height, measured from the base or the outside perimeter of the supporting structure, or 120 metres from the property boundary, whichever is greater. The applicant shall also provide notice to the Ward Councillor(s), Industry Canada, Ratepayer's Association (if existing), and the Urban League.
 - m) The proponent shall provide notice at their expense in the local newspaper where the proposed antenna system is:
 - i. to be 30 metres or more in height;
 - ii. after an addition, the facility will measure 30 metres or more in height; or,
 - iii. is expected to contain medium or high with intensity lighting for the purpose of satisfying Transport Canada requirements,

The notice shall be in accordance with the requirements of Industry Canada's CPC-2-0-03. The notice shall also provide the time, date, and location of the Public Information Meeting. The notice shall be published a minimum of 10 days before the Public Information Meeting.

3.5 Public Information Meeting and Review

- 1. The public meeting shall occur no sooner than 10 days or more than 30 days from the date that notices are mailed to area residents. The applicant/proponent will maintain the minutes of the meeting and assemble a record of names, addresses and phone numbers of all participants.
- 2. The Proponent shall conduct the public meeting.
- 3. In addition to the application details provided in the notice, the Applicant shall also make available at the public meeting, the drawings and diagrams required in a display sized format.
- 4. Following the meeting, the Applicant shall provide a follow-up letter to the City to indicate their formal response to the concerns raised during the public meeting. If any modifications to the proposed structure or mitigation measures arise from the consultation, then further details (e.g. revised plans or drawings) shall be provided to the City.

Section 4 – Completion of Review

- 1. Following the completion of the application review process, the City Planner shall either:
 - i. Provide a Letter of concurrence, conditional concurrence or non-concurrence to the Applicant within 30 days of the public meeting to advise whether adequate public consultation has been conducted by the proponent and to indicate the City's recommendation based on probable land use impacts.
 - ii. For applications that, in the opinion of the City, are not appropriate based on

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**O-7881
Telecommunication Facilities
S. Meksula**

probable land use impacts, a report will be prepared for the Planning and Environment Committee.

- iii. Comments and concerns from the Planning and Environment Committee will be added to the City's response to the Applicant for Industry Canada's consideration.
 - iv. The whole procedure will not take longer than 120 days to complete, as described in Industry Canada's publication CPC-2-0-03 ("Telecommunication and Broadcasting Antenna Systems", June 2007). Applications that do not need public consultation are anticipated to be completed in less than 60 days.
2. Following the completion of public consultation, the City shall provide a copy of the City's response to interested parties, neighbourhood associations and Ward Councillors.

Section 5 – Application Fees

If the proposal requires public consultation, the proponent shall be responsible for the cost associated with the public consultation process fee for services as invoiced by the City, i.e. maps, labels, list for residents, or any other public information required. The fee shall be \$125.00 or the actual costs associated with the mapping, labels and circulation lists prepared by the City, and required for the application, whichever is greater.

Note - Building permit fees are not included in the above application fees.

Section 6 – Site Location Guidelines

- 1. The location of new commercial and institutional telecommunication towers in lands designated as Residential in the City of London Official Plan will be discouraged.
- 2. Proponents of towers are encouraged to protect the natural and cultural landscape at all times. Where appropriate, landscaping at the tower site to enhance the character of the surroundings is recommended. Sites within designated Heritage Conservation Districts (e.g. East Woodfield, West Woodfield, Bishop Hellmuth, and Old East Village Heritage Conservation Districts) and properties within the Natural Heritage System or an Environmentally Significant Area as identified on Schedule "A" Land Use of the City of London Official Plan should be avoided.
- 3. New telecommunication towers or antennas are greatly discouraged within 120 metres of any Residential Zone or elementary or secondary school, unless required for engineering or network purposes. If a new tower or antenna is planned to be located within 120 metres of a Residential Zone or a school, a detailed rationale for the necessity of this location is to be provided in the justification report of the submission requirements in Section 2.
- 4. Locations should be selected that will reduce the necessity to construct new telecommunication towers in the City. Locating towers on existing structures or buildings or co-location on an existing telecommunications tower are encouraged. Options to integrate an antenna into the design of a new building or structure are to be explored by the applicant. Support for the construction of a new telecommunication tower will be permitted only when other alternatives to accommodate the telecommunication tower are not feasible.
- 5. The development or redevelopment of telecommunication towers and equipment shelters should be of a colour and design that diminishes the visual impact and avoids disturbance of significant natural features. Towers and accessory structures are to reflect the context of the

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**O-7881
Telecommunication Facilities
S. Meksula**

surrounding area. Tower designs that mimic other characteristics normally found in the area surroundings, such as stealth (camouflage) towers or monopole designs are encouraged where suitable.

6. Lighting on a telecommunication structure is discouraged except when required by Transport Canada, Navigation Canada, or for the health and safety of the proponents' employees. Where Transport Canada requires a telecommunication antenna structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable. Any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada.
7. Towers shall accommodate only communication antennas. Signs or other material not directly related to this equipment or required by Industry Canada shall not be permitted on the site.
8. The preferred location of new towers within the City is in industrial and agricultural designations which are away from existing or future residential developments. Commercial land use designations may also be considered. New telecommunication towers located on agricultural land should use the smallest area of land permitted by the structure type, and must have access to a public road for maintenance.
9. Towers should be located a minimum three times the tower height away from any public road or right-of-way, including pathways, walkways, and bicycle paths. Towers should also be located a minimum distance of three times the tower height away from a residential zone, school, or dwelling.
10. The procedure requires all requests for the installation of telecommunication equipment on City lands to be submitted to the Realty Services Division.
11. The City may consider permitting private telecommunication facilities on City-owned lands that are not designated as parkland or components of the Natural Heritage System.

Section 7 – Definitions

Amateur Radio Service – means a radiocommunication service in which radio apparatus are used for the purpose of self-training, intercommunication or technical investigation by individuals who are interested in radio technique solely with a personal aim and without pecuniary interest.

Antenna – An exterior supporting structure upon which receiving and transmitting antennas are mounted, and also include towers, supporting cables, guy wires, small buildings containing antenna switching gear and other radio frequency circuitry. These antennas are designed for various uses such as cell phones, radio, and satellite television communications by sending and/or receiving radio signals. Example include whip, omnidirectional, microwave, and panel antennas.

Antenna System – means all the components and equipment required on a site, including an antenna and, if required, its supporting tower and an equipment shelter, for the operation of a wireless communication network, but does not include a residential use antenna system.

Broadcasting - means any radiocommunication in which the transmissions are intended for direct reception by the general public.

Carrier - A company, organization or person which offers, provides or operates wireless communication services to the general public and includes, but is not limited to companies

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O-7881
Telecommunication Facilities
S. Meksula

which have a radio authorization from Industry Canada. Examples include Bell Mobility, Aliant, Rogers Telecom, and TELUS.

Co-location - The placement of multiple telecommunications antenna systems or other platforms on a building, structure or tower by two or more proponents.

Equipment Shelters - A shelter containing electronic equipment such as radios, electronic and other equipment necessary to support the operation of the communications site to receive or transmit signals and which is not staffed on a permanent basis and only requires periodic maintenance.

Height – means the vertical distance between the grade at the base of the tower, or if the installation is located on a building or structure, the average grade abutting the building or structure, to the installations highest point including any antenna, lighting, lightning rod or other attached device.

Industry Canada - Is the Federal Department, which is responsible for radio frequency spectrum management. Information outlining the federal process relating to the location of telecommunication and broadcasting antenna systems is available at: www.ic.gc.ca/antenna

London Advisory Committee on Heritage - Is an advisory committee to London City Council, responsible for recommending the designation of individual heritage features such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinctive from that of its basic elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods and neighbourhood, cemeteries, trailways, and industrial complexes of cultural heritage value. (PPS, 2005).

Stealth Design – the blending in or hiding of an antenna system within surrounding buildings, structures or landscaping such as camouflaging antenna systems within church steeples, clock towers, flagpoles or lighting standards.

Radiocommunication or Radio - means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by means of electromagnetic waves of frequencies lower than 3000 GHz propagated in space without artificial guide.

Telecommunication Tower - A structure used to support one or more antenna systems or other platform for the purpose of radio telecommunications and which may include, but is not limited to guyed towers, self support towers, monopole towers, poles, masts or other structures which are used to support telecommunication facilities and which may be located at ground level or on the roof of a building.

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O-7881
Telecommunication Facilities
S. Meksula

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Health Canada - Safety Code 6 (2009)

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Correspondence: (all located in City of London File No. O-7881 unless otherwise stated)

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