

DEVELOPMENT SERVICES COMMITTEE

**UPDATE ON POLICY FOR ESTABLISHING
TELECOMMUNICATION TOWERS**

October 18, 2011

Presentation Outline

- 1. Introduction**
- 2. Jurisdiction**
- 3. Consultation Process & Requirements:**
Town of Markham & Industry Canada
- 4. Town Site Selection Criteria & Design Guidelines**
- 5. Summary of Options for Revised Policy**
- 6. Next Steps**

Introduction

Purpose of Presentation:

1. Understand key issues respecting the establishment of Telecommunication Facilities: *jurisdiction, site selection & health concerns*
2. Review Markham Policy relative to Industry Canada requirements
3. Outline options for revised Policy

Jurisdiction

Radiocommunication Act



- Approval Authority

Industry Canada Responsible for:

- Approval of sites for radio apparatus (antenna systems & supporting structures)
- Issuance of radio authorizations (ie. licenses, etc.)

Jurisdiction



Client Procedures Circular, CPC 2-0-03 (January 1, 2008)

Proponents responsible for:

1. Investigating the sharing or use of existing infrastructure prior to considering new antenna supporting structures
2. **Consulting with municipality (if required) to determine local requirements**
3. **Undertaking Public Consultation (if required) & addressing relevant concerns, either by municipal requirements or IC default process**
4. Satisfying IC's general & technical requirements (ie. Safety Code 6, etc.)

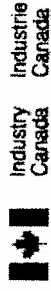
Jurisdiction



Municipality responsible for:

1. Establishing local policy
 - Local consultation requirements
 - Preferences for site selection
 - Preferences regarding design & landscaping/screening
2. Commenting on proposals
 - Provide municipal position: concurrence or non-concurrence

Consultation



Purpose of Consultation:

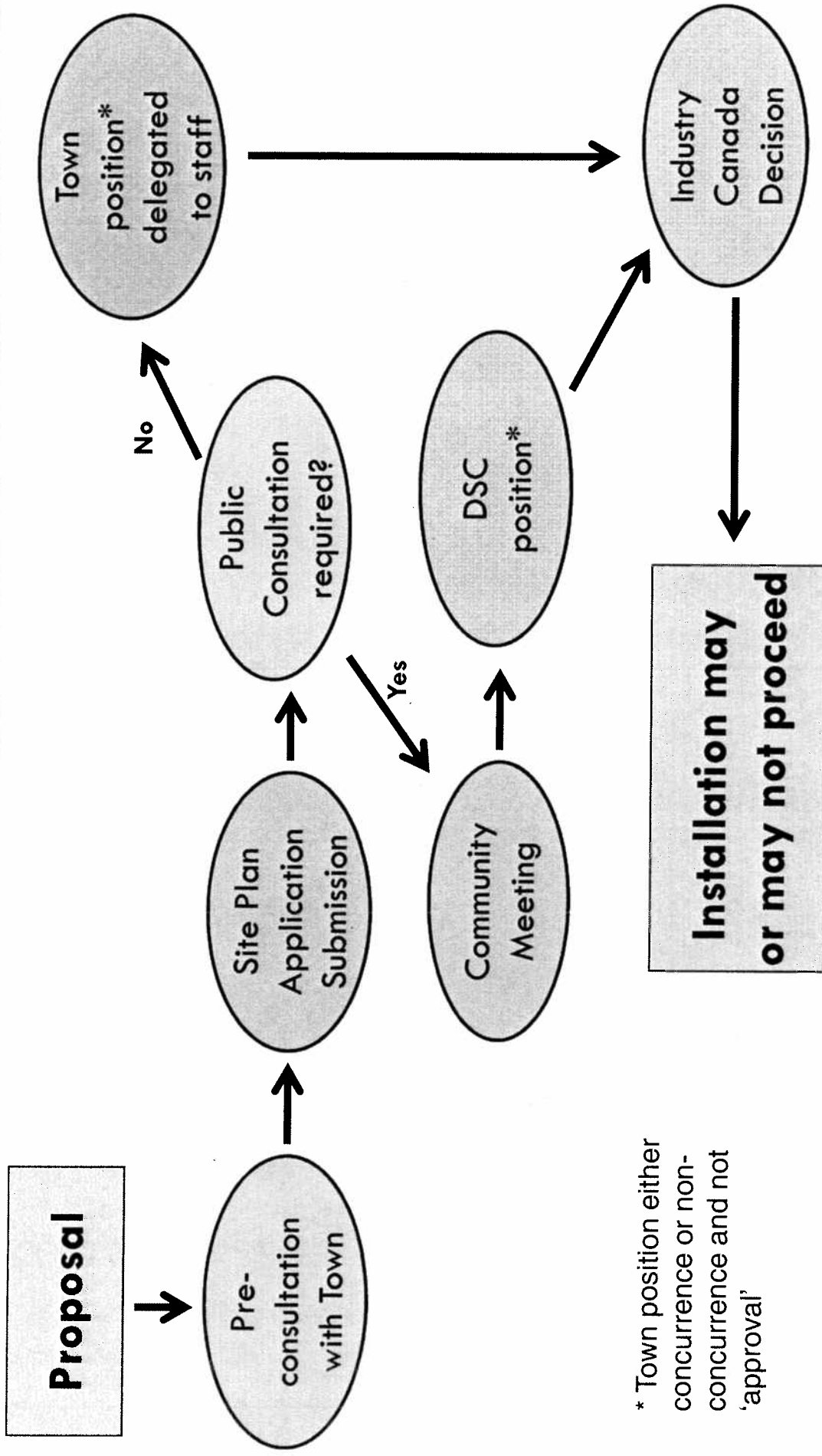
1. Discuss siting options with the municipality
2. Ensure local processes, if any, adhered to
3. Address **reasonable & relevant** concerns (municipal & public)
4. Obtain municipal position (concurrence or non-concurrence), if required



Municipal Consultation: Exemptions

Industry Canada CPC 2-0-03, January 1, 2008	Existing Markham Policy (June 2009)	Options for Revised Policy
• Maintenance of existing antenna systems • Addition/Modification of antenna systems on existing structures - max height increase of 25% • Maintenance of antenna systems & supporting structures • Temporary antenna systems (ie. max 3 months) • New antenna systems & structures less than 15m in height <i>* Despite exemption criteria above, individual/local circumstances vary & may require consultation with municipality & the public</i>	• Same exemptions as IC except, new antenna systems & structures less than 15m in height <u>not</u> <u>exempt</u> from municipal review • All co-locations on existing telecommunication towers • Amateur radio telecommunication towers, subject to conditions	• include statement re: individual/local circumstances & possible need to consult with municipality despite exemptions

Markham Consultation/Review Process



Public Consultation: Exemptions

Industry Canada CPC 2-0-03, January 1, 2008	Existing Markham Policy (June 2009)	Options for Revised Policy
• Maintenance of existing antenna systems • Addition/Modification of antenna systems on existing structures - max height increase of 25% • Maintenance of antenna systems & supporting structures • Temporary antenna systems (ie. max 3 months) • New antenna systems & structures less than 15m in height <i>* Despite exemption criteria above, individual/local circumstances vary & may require consultation with municipality & public</i>	• Same exemptions as IC • Telecommunication towers within industrial, institutional and commercial zoned areas provided the tower base is located a minimum 120m, or a distance of 3x the height of proposed tower (whichever is greater), away from a residential zone.	• include statement re: individual/local circumstances & possible need to consult with public despite exemptions • Revise Town exemption: Towers within Industrial, Institutional & Commercial zones provided tower is min 120m, or distance 3x height of tower (whichever is greater), away from lands that permit sensitive land uses such as residential uses, schools & daycares

Public Consultation: Notification Requirements

Industry Canada CPC 2-0-03, January 1, 2008	Existing Markham Policy (June 2009)	Options for Revised Policy
• <u>At minimum</u>, written notice required to the public & neighbouring municipalities within a radius of 3x tower height • Proposals >30m - notice in the local community newspaper required	• Community Information Session required. • notice of session required by mail to: i. property owners within a 120m radius or 3x tower height whichever is greater; ii. ratepayer associations iii. Condominium corporations (not individual condo owners) • Proposals >45m - notice in the local community newspaper required	• proposals >30m require notice in local newspaper

Public Consultation: Responding to the Public



Proponent required to address *reasonable & relevant** concerns

* **reasonable & relevant** concerns relate to IC requirements or local characteristics of area surrounding proposed antenna system.

Examples of concerns considered *reasonable & relevant* include:

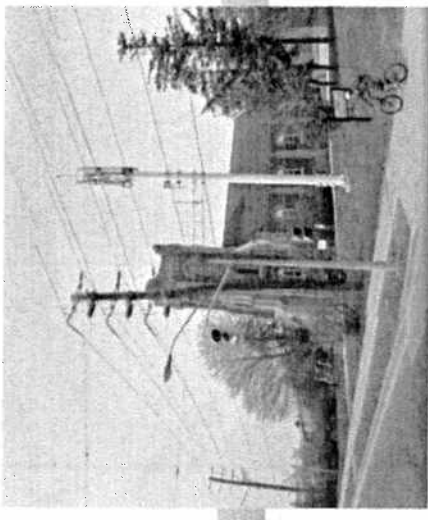
- why is the use of an existing antenna system/structure not possible?
- why is an alternate site not possible?
- how is the proponent trying to integrate the antenna into the local surroundings?

Examples of concerns that are not *reasonable & relevant* include:

- disputes with members of the public relating to the proponent's service and unrelated to antenna installations
- potential effects that a proposal will have on property values or municipal taxes
- questions whether the Radiocommunication Act, IC requirements, Safety Code 6, locally established by-laws, other legislation, procedures/processes are valid or should be reformed in some way

Town Protocol should make reference to the addressing of 'reasonable & relevant' concerns

Site Selection Criteria



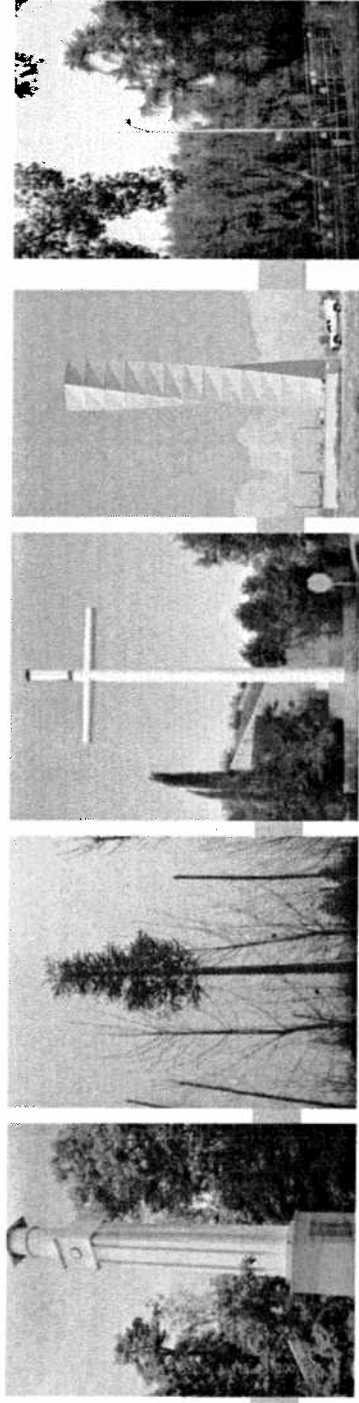
Existing Town Policy:

- Maximizing distance from residential zones
- Avoidance of sites with natural features & areas of topographical prominence
- Use of existing support structures (ie. existing towers, light poles, roofs, etc.), where possible
- Avoidance of Heritage Conservation Districts & Heritage Conservation Study Area
- Encourages Town owned lands/facilities as possible sites

Options for Revised Town Policy:

- Encourage proposals that maximize distance from sensitive land uses, such as residential uses, schools & daycares, where feasible
- Encourage avoidance of properties designated or listed under Part IV of the Ontario Heritage Act, where feasible
- Encourage integration of telecommunication facilities within new buildings, where feasible

Design



Existing Town Policy:

- Co-location strongly encouraged
- minimize visual impact (unobtrusive & stealth design techniques recommended)
- compatible w/surrounding area
- signage permitted if related to tower, or other on-site land uses, provided it complies with Town sign by-law

Options for Revised Policy:

- Encourage public art installations

Summary of Options for Revised Policy

Requirement	Options for Revised Policy
Municipal Consultation: Exemptions	include statement re: individual/local circumstances & possible need to consult with municipality despite exemptions
Public Consultation: Exemptions	- include statement re: individual/local circumstances & possible need to consult with public despite exemptions - revise Town exemption: Towers within Industrial, Institutional & Commercial zones provided tower is min 120m, or distance 3x height of tower (whichever is greater), away from lands that permit sensitive land uses such as residential uses, schools & daycares
Public Consultation: Notification Requirements	proposals >30m require notice in local newspaper
Public Consultation: Responding to the Public	include reference regarding the addressing of 'reasonable & relevant' concerns
Site Selection Criteria	- encourage proposals that maximize distance from sensitive land uses, such as residential uses, schools & daycares, where feasible - Encourage avoidance of properties designated or listed under Part IV of the Ontario Heritage Act, where feasible - encourage integration of telecommunication facilities within new buildings, where feasible
Design	encourage public art installations
General	clearly outline Town's role in providing Town position: concurrence or non-concurrence (not 'approval')

Next Steps

1. Continue staff review
2. Consult with Service Providers
3. Revised Policy & Staff Report – Dec 2011