



Application for Proposed Telecommunication Tower and Antenna System

Planning and Development
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1. Purpose of the Application

This process was established to address the requirement for public and land use authority consultation as outlined in Innovation, Science and Economic Development Canada (ISED), originally Industry Canada, procedures circular entitled: "Spectrum Management and Telecommunications" (CPC-2-0-03 – Radiocommunication and Broadcasting Antenna Systems), Issue 5, which was posted on Industry Canada's website on June 26, June 2014.

Telecommunication tower/antenna systems are ultimately regulated exclusively by Federal Legislation under the Federal *Radiocommunication Act* and administered by ISED.

The objectives of this process include the following:

- 1.1 to provide a reasonable, consistent and timely process for the review of telecommunication facilities and installations within the County;
- 1.2 to work co-operatively with Proponents to facilitate, co-ordinate and influence the siting and design of wireless telecommunication facilities within the County;
- 1.3 to encourage the location, siting and mitigation of significant wireless telecommunication facilities in a manner which minimizes visual impact and respects natural and cultural heritage features and sensitive land uses to the greatest extent possible;
- 1.4 to encourage the co-location of telecommunication facilities, where appropriate, in order to minimize the overall number of installations;
- 1.5 to provide an appropriate opportunity for public consultation with respect to mitigation of telecommunication facilities;
- 1.6 to support the direction of ISED to require proponents of telecommunication facilities to consult with land use authorities;
- 1.7 to encourage the removal of towers and installations which are no longer required upon the expiration of the carrier's lease agreement with the property owner; and
- 1.8 to discourage the declaration of an impasse between a Proponent and the County, where possible.

2. Scope and Exemptions

This process applies to all telecommunication facilities and antenna systems within Sturgeon County. Unless specifically exempt, all telecommunication facilities shall be subject to County review prior to the issuance of comments to ISED. It is acknowledged that since telecommunication facilities are a federally regulated matter, in general, the County may only influence rather than control these installations.

The following proposals are excluded from County and public consultation requirements as per CPC-2-0-03 – Radiocommunication and Broadcasting Antenna Systems:

- 2.1 New antenna systems: where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems to be used by broadcasting undertakings or telecommunications carriers.
- 2.2 Existing Towers: modifications may be made, or the tower may be replaced, to facilitate sharing or the addition of antennas, provided that the total height increase is no greater than 25% of the height of the initial antenna system installation.
- 2.3 Non-Tower Structures: antennas on buildings, water towers, lamp posts, etc. may be installed provided that the height of the structure is not increased by more than 25%.
- 2.4 Temporary Antenna Systems: used for special events or emergency operations and must be removed three months after the conclusion of the emergency or special event.
- 2.5 Maintenance on an existing antenna system.

3. Site Selection Procedure

In determining an appropriate site for a new telecommunications facility, the Proponent shall adhere to the following principles:

- 3.1 Sites should be selected to minimize the total number of telecommunication tower sites required where appropriate. The construction of a new telecommunication tower is discouraged and will be accepted when all other options to accommodate the telecommunication facility are deemed not viable. Locations on existing structures or buildings or co-locations on existing tower sites are the preferred option within the County. Opportunities to incorporate an antenna into the design of a new building or structure should be explored by the Proponent, where applicable.
- 3.2 The Proponent shall make every effort to locate new telecommunication towers on lands that are zoned Industrial or Commercial, whenever possible and where technically feasible.
- 3.3 When selecting sites for telecommunication towers, the following observations are considered from a local land use perspective:
 - a. Maximizing locations with a minimum distance separation of three times the tower height or more from residential uses.
 - b. Maximizing locations with a minimum distance separation of three times the tower height or more from properties designated as a Provincial Historic Resource under the Historical Resources Act.
 - c. Maximizing locations with a minimum distance separation of three times the tower height from natural features, environmentally sensitive areas, hazard lands.
 - d. It is recommended that a tower be constructed a minimum of 35m from a property line.
 - e. All equipment shelters must meet the minimum setback of accessory buildings within the applicable district.
 - f. Avoiding parkland except where new telecommunication facilities can make use of existing facilities and/or infrastructure.
 - g. Avoiding sites that would obscure or impact public views and vistas and significant cultural heritage landscapes.
 - h. Compatibility with adjacent uses.

New telecommunication towers that do not meet these criteria are discouraged. If a proposed tower does not meet these criteria, a detailed rationale for the necessity of this location must be provided in the Site Selection/Justification Report (see 'Submission Requirements')

Proponents are encouraged to locate telecommunication towers outside the minimum prescribed setbacks to all property lines, whenever possible.

4. County owned Land

The County may consider the location of any privately owned telecommunication facility on County owned land on a case-by-case basis.

5. Design Guidelines

The use of design features, colour, and landscaping can be used to screen telecommunication facilities from view and should be encouraged, whenever possible. The following design guidelines should be taken into consideration when designing a new tower or antenna structure:

- 5.1 Rooftop telecommunication facilities such as the equipment shelter shall be set back from the roof edge, whenever practical, to minimize its visual impact from the street. The colour and materials of the antenna and equipment shelter should be compatible with the building.
- 5.2 Rooftop telecommunication facilities shall be screened, where technically feasible, to ensure integration into the rooftop architecture.

- 5.3 All reasonable efforts shall be exhausted to not locate Telecommunication facilities on sites of topographical prominence that would obscure public views and vistas, on environmentally sensitive lands or on properties designated as a Provincial Historic Resource.
- 5.4 Where appropriate, telecommunication facilities should be located internal to the site to the maximum extent possible while still achieving its engineering or network requirements.
- 5.5 Where appropriate, a monopole tower or stealth design techniques, including, but not limited to, camouflaging antenna, should be used in the design of a new telecommunication tower
- 5.6 The design of the tower or antenna should be sympathetic to the surrounding architecture and built form.
- 5.7 Safety features shall be incorporated to prevent unauthorized access.

Where appropriate, efforts should be made to decrease the size and visibility of telecommunication towers so that they blend in with the surroundings to the greatest extent possible. To reduce the scale and visual impact of towers, mitigation measures should include consideration of design features, structure type, colour, materials, landscaping, screening, and decorative fencing. Neutral colours that blend the structure with its surroundings are encouraged (though it is recognized that new towers must comply with the requirements of Transport Canada and NAV Canada). Where equipment shelters are located on the ground, the visual impact of the built form shall be mitigated through the use of colour, decorative fencing, screening, landscaping and/or building material similar to the neighbourhood

6. County Review

Proponents who want to propose a new telecommunication tower are required to submit an Application for a Proposed Telecommunication Tower and Antenna System to the County for review. Applications are to be submitted to the attention of the Manager, Planning and Development (P&D).

While the County recognizes that ISED is the final approval authority for telecommunication facilities, it is also recognized that ISED directs proponents to consult with the local municipality prior to erecting any non-exempt telecommunication facilities. As new telecommunication facilities are not required to obtain development permit approval under the Municipal Government Act, the County will ensure that necessary public consultation is undertaken by the Proponent; and when complete, will inform ISED and the Proponent of the consultation that has occurred.

PRE-CONSULTATION

Prior to submitting an application for review and comment, the Proponent is advised to send a pre-consultation email to the County's P&D department email: PandD@sturgeoncounty.ca . Proponents should submit a letter outlining the proposal with a conceptual sketch that identifies the proposed facilities on the site and an elevation drawing identifying the type of telecommunication facilities proposed, and any other proposed structures on the site.

The purpose of a pre-consultation review is to:

- determine if the proposal will require public notification and advertisement in the paper;
- provide an opportunity for discussion of site selection and design guidelines to ensure that all siting options are considered prior to an application being submitted;
- to determine whether a public meeting will be necessary;
- identify any preliminary concerns or constraints on potential telecommunication tower sites; and,
- review submission requirements for the application and identify any additional studies that may be required to be submitted with the application (including, for example, a Heritage Impact Assessment or an Environmental Impact Statement).

Following the pre-consultation review, the applicant will be advised on the form of consultation that needs to occur and with whom and be provided with an application form including an Approach Application, if necessary.

APPLICATION PROCESS

Following the pre-consultation review and upon submission of a completed application submission and fee, the following process shall be undertaken:

- The Proponent shall arrange a public meeting during the 30-day notification period if required by the County;
- The public consultation process to be performed by the Proponent will include the following:
 - Informing all affected or adjacent landowners within a minimum of 400m of the boundaries of the subject parcel where the proposed telecommunications facility will be located. P&D staff will provide a map and mailing addresses of affected landowners and agencies;
 - Consultation with relevant agencies;
 - Placing an advertisement, to the satisfaction of P&D, in the local newspapers as recommended by the County, and;
 - Providing all affected parties, a 30-day period to provide comments in writing to the Proponent.
- P&D staff will post the proposed tower notice on the County website during the consultation period.
- P&D staff shall circulate the application to relevant departments/agencies, including the Division Councillor, for information and comment.
- The Proponent shall respond to all reasonable and relevant concerns and make practical efforts to resolve any issues by modifying the plans and resubmitting revised plans and drawings, where required, to P&D.
- On completion of the consultation period, the Proponent will provide P&D with all of the evidence of the consultation that they have undertaken.

The entire process shall take no more than 120 days to complete, as outlined in Industry Canada's publication CPC-2-0-03 ("Telecommunication and Broadcasting Antenna Systems", July 2014).

SUBMISSION REQUIREMENTS

The following information shall be submitted to the County with the Application:

- Application Form and Fee. Note that the form is available on the County website, www.sturgeoncounty.ca, or contact the P&D Department.
- Site Selection/Justification Report (2 copies) which provides the following information:
 - Land Title Certificate and landowner authorization;
 - the steps taken by the Proponent to investigate all non-tower and co-location options;
 - identification of the location of all existing telecommunication towers (illustrated on a map) within the proponent's search area;
 - the reasons why existing facilities are not suitable for co-location;
 - the area that the tower will provide coverage for;
 - identification of any alternate sites for the location of the new tower that were investigated by the proponent, and the rationale for eliminating these sites as the preferred alternative;
 - evaluation of the need for a new tower at the proposed location, and confirmation of the need for the proposed height of the tower; and,
 - description of design elements proposed to minimize the visual impact of the proposed structure, and how the design has incorporated future sharing possibilities, where applicable.
- Site Plan with Key Map. The Site Plan shall be for the entire property if possible. If not feasible, then only the leased portion may be shown with its location identified on the key map which identifies the entire property. The Site Plan shall show:
 - the relationship between the proposed Telecommunication facilities and existing features on the property such as buildings, parking, pedestrian and vehicular movement, natural features, site grading, property lines, fencing, and landscaping; and,
 - proposed facilities including fencing, landscaping, driveways, access, buildings or structures and proposed changes to the existing grading.
- Elevation Drawings identifying the type of tower (freestanding, self-support, guyed wire), colour and material of the proposed facility;

- If the Proponent is proposing a roof-top antenna and/or other roof-top facilities that are greater than 25% of the building height, a cross-section of the building will also be required to understand visibility of the facilities from street level and proposed mitigation measures;
- A map indicating the horizontal distance between the proposed tower installation and the nearest residentially used property, and/or, Provincial Historic Resource, and or Environmental Sensitive/Hazard lands
- A colour photograph of the subject property with a superimposed image of the proposed tower from locations identified in the pre-consultation review; and
- Any other information or studies identified in the pre-consultation review.

CONCLUDING CONSULTATION

The County's response to the Proponent and ISED will take into consideration all staff and agency responses from the application review and from the public notification.

The Manager of P&D or designate will provide the Proponent and ISED with a letter stating whether the local land-use consultation process has been completed in accordance with the County's Protocol, and will include recommendations regarding the proposal where necessary.

Should the facility fail to be constructed within three (3) years, the consultation process is no longer deemed to be valid except in cases where the Proponent proposing the tower and the County agree, in writing, on an extension for a specified time period.

The letter will be provided to the Proponent and Industry Canada within 120 days of the formal submission.

7. Application fees

Cell/internet tower	Each	\$1,000
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Amateur radio tower	Each	\$300
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Note:

The applicant will be responsible for the additional payment of any costs incurred by the County for the review of any documentation and reports by 3rd party legal and engineering consultants.

Fees are non-refundable and subject to change without notice.

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Office Use Only

Date Accepted:

Receipt Number:

Application Fee:

Roll Number:

File Number:

This form is to be completed in full (wherever applicable) by the registered owner of the land, the subject of the application, or by an authorized person acting on his behalf.

General Information

Name of registered owner(s) of subject property(ies):

Address:

Postal Code:

Telephone:

Email:

Authorized person(s) acting on behalf of registered owner:

Address:

Postal Code:

Telephone:

Email:

Legal Land Description and Property Information

All/part of the	¼ Section	Twp.	Rge	West of the	Meridian
Lot		Block		Plan	

Submitted Documentation in Support of Application:

- ☐ Land Title Certificate
- ☐ Site Selection/Justification Report (required)
- ☐ Site Plan with Key Map (required)
- ☐ Elevation Drawings (required)
- ☐ Cross-section of building for roof-top facility
- ☐ Colour photograph of the subject property with a superimposed image of the proposed facility
- ☐ Other – please specify

Right of Entry Authorization

Owners consent to the Right of Entry by an authorized person of Sturgeon County for the purpose of a land site inspection relative to a proposed area structure plan application. Section 542(1) of the Municipal Government Amendment Act stipulates that:

"If this or any other enactment of a by-law authorizes or required anything to be inspected, remedied, enforced or one by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action.

(a) enter such land or structure at any reasonable time and carry out the inspection."

In accordance with this Section and the County's application requirements, it is necessary that this form be completed and returned with your application submission.

I/We _____ do grant consent for an authorized person of Sturgeon County to enter upon the subject land for a site inspection and evaluation regarding the proposed facility plan.

Please indicate any safety issues or special concerns on your property (i.e. guard dog): _____

Dated this _____ day of _____, 20____

Registered owner(s) or person acting on his behalf

I, _____ hereby certify that

☐

I am the registered owner, or

☐

I am the agent authorized to act on behalf of the registered owner
(If acting on behalf of the Landowner, please include the signed authorization form)

and that the information given on this subdivision application package is full and complete and is, to the best of my knowledge, a true statement of the facts relating to this area structure plan application.

Applicant's Authorization

I/We, _____ being the registered owner(s) of lands legally described as:

All/part of the _____ ¼ Section _____ Twp. _____ Rge _____ West of the _____ Meridian
Lot _____ Block _____ Plan _____

do hereby authorize

to apply for a telecommunication tower and antenna system affecting the above noted property.

Dated this _____ day of _____, 20____

Freedom of Information and Protection of Privacy (FOIP) Act

Please be advised that any information provided to Sturgeon County (the "County") in order to process your application is subject to the application of the Access to Information Act (ATIA) and may be used and disclosed in accordance with the legislation. Specifically, all documents and studies required to be prepared and submitted by the applicant to the County are deemed to be publicly available and the property of the County once they are submitted to the County to process the application. Unless the submitting party explicitly indicates, in advance and clearly on the face of the record, that certain parts of the information are provided in confidence to the County and are to remain confidential, all documents and studies submitted to the County may be subject to disclosure under the ATIA. If confidentiality is required, it is the responsibility of the submitting party to clearly mark such records as Confidential and provide written rationale for the request. Should the applicant provide the County with such a declaration of confidentiality, the County will take this under consideration to determine if the document and/or study can be accepted in confidence; however, the County cannot guarantee that such information will remain confidential and will not be subject to disclosure pursuant to the AITA.