



Antenna System Siting Protocol

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1.0 Purpose

Brantford is a dynamic City strategically located in the heart of southern Ontario, surrounded by the rural communities of Brant County, Six Nations of the Grand River and the Mississaugas of New Credit First Nation. It is defined by the Grand River, which is cherished for its natural features, historic legacy and recreational amenities. The City strives to develop and sustain healthy neighbourhoods and communities, and possesses a rich inventory of cultural heritage resources. The underlying purpose for this protocol is to guide the siting of antenna systems with regard for these local and unique features.

2.0 Objectives

1. To establish a siting and consultation process that is harmonized with Innovation, Science and Economic Development Canada's (formerly Industry Canada) Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) and Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols for reviewing land use issues associated with Antenna System siting proposals
2. To establish a local land use consultation framework that ensures the City of Brantford and members of the public contribute local knowledge that facilitates and influences the siting – location, development and design (including aesthetics) – of Antenna Systems within municipal boundaries;
3. To set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of Antenna System siting proposals that:
 - a. Minimize the number of new antenna sites by encouraging co-location;
 - b. Encourage designs that integrate with the surrounding land use and public realm;
 - c. Establish when local public consultation is required; and
 - d. Allow Innovation, Science and Economic Development Canada and the communications industry to identify and resolve any potential land use, siting or design concerns with the City of Brantford at an early stage in the process.
4. To provide an expeditious review process for Antenna System siting proposals
5. To contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network in the City of Brantford; and
6. To provide the City of Brantford with the information required to satisfy the requirements of Innovation, Science and Economic Development Canada

regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the City of Brantford to Innovation, Science and Economic Development Canada at the end of the process.

3.0 Definitions

Adjacent Lands: lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration may have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

Antenna System: an exterior transmitting device – or group of devices – used to receive and/or to transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. Antenna Systems include the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This protocol most commonly refers to the following two types of Antenna Systems:

1. Freestanding Antenna System: a structure (e.g. tower or mast) built from the ground for the expressed purpose of hosting an Antenna System or Antenna Systems;
2. Building/Structure-Mounted Antenna System: an Antenna System mounted on an existing non-tower structure, which could include a building wall or rooftop, a light standard, water tower, utility pole or other.

Areas of Archaeological Potential: areas with the likelihood to contain archaeological resources. Criteria for determining archaeological potential are established by the Province, but municipal approaches that achieve the same objectives may also be used. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Built Heritage Resources: one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Co-location: the placement of antennas and equipment operated by one or more Proponents on a telecommunication Antenna System operated by a different Proponent, thereby creating a shared facility.

Community Sensitive Locations: land on which the siting of new Antenna Systems is discouraged, or requested to be subject to greater consultation than otherwise dictated by the standard protocol. Such locations may be defined in Zoning By-law 160-90, the Official Plan and the City of Brantford Natural Heritage Strategy.

Cultural Heritage Impact Assessment: a study prepared by a qualified heritage professional who is a member in good standing with the Canadian Association of Heritage Professionals, to determine if cultural heritage resources will be negatively impacted by proposed development. This document demonstrates how the cultural heritage resource will be conserved in the context of redevelopment or site alteration. Mitigation or avoidance measures or alternative development approaches may also be recommended.

Environmental Impact Study (EIS): a report prepared by qualified professionals (engineers, biologists) to address the potential impacts of development on natural heritage features and areas.

Hazardous Lands: property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Heritage Conservation District: a geographic area primarily made up of a group of buildings, streets and open spaces, that is protected under a municipal by-law to ensure conservation of its existing heritage character.

Natural Heritage Systems: a system made up of natural heritage features and areas, linked by natural corridors that are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

Other Agencies: bodies (e.g. boards or commissions) that administer public services but are not operated or staffed by the City of Brantford.

Prescribed Distance: A distance determined by the City of Brantford, measured horizontally from the outside perimeter of the supporting structure of the proposed Freestanding or Building/Structure-Mounted Antenna System. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc. This distance will typically be the greater of 120 metres or three times the antenna system height.

Proponent: a company or organization proposing to site an Antenna System (including contractors undertaking work for telecommunications carriers and third-party tower owners) for the purpose of providing commercial or private telecommunications services, exclusive of personal or household users.

Residential Area: lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted at-grade with residential apartments/condominiums above).

Site Alteration: the physical changing of site conditions through the placement or dumping of fill, the removal of vegetative cover, the removal of top soil, the excavation and or movement of earth or rock, the compaction of soil, the creation of impervious surfaces, the obstruction of drainage facilities, the modification of watercourses, or any combination of the aforementioned activities.

4.0 Jurisdiction and Roles

4.1 City of Brantford

The ultimate role of the City of Brantford is to issue a statement of concurrence or non-concurrence to the Proponent and to Innovation, Science and Economic Development Canada. The statement considers the land use compatibility of the Antenna System, the responses of the affected residents and the Proponent's adherence to this Protocol. The City of Brantford also guides and facilitates the siting process by:

- Communicating to Proponents the particular amenities, sensitivities, planning priorities and other relevant characteristics of the area;
- Developing the design guidelines for Antenna Systems contained in Section 7 of this Protocol; and
- Establishing a community consultation process, where warranted.
- Aiding the proponent with mail out and venue booking

By working with Proponents throughout the siting process, beginning with preliminary notification and the pre-consultation meeting, the City of Brantford seeks to facilitate Antenna System installations that are sensitive to the needs of Brantford.

4.2 Innovation, Science and Economic Development Canada

Under the Radiocommunication Act, the Minister of Innovation, Science and Economic Development has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and licence the location of Antenna Systems is

made only by Innovation, Science and Economic Development Canada. In June 2014, Innovation, Science and Economic Development Canada issued an update to its Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) which outlines the process that must be followed by Proponents seeking to install or modify Antenna Systems, effective July 15, 2014.

Innovation, Science and Economic Development Canada also requires that Proponents intending to install or modify an Antenna System notify and consult with City of Brantford (Land Use Authority), and the local community within a Prescribed Distance from the proposed structure. Innovation, Science and Economic Development Canada also published a Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols in January 2008, stating that it “considers that the Municipality’s and local residents’ questions, comments and concerns are important elements to be considered by a Proponent seeking to install, or make modifications to, an antenna system.” The CPC also establishes a dispute resolution process to be used where the Proponent and City of Brantford have reached an impasse.

4.3 Role of the Proponent

Proponents need to strategically locate Antenna Systems to satisfy technical criteria and operational requirements in response to public demand. Throughout the siting process, Proponents must adhere to the antenna siting guidelines in the CPC, including:

- Investigating sharing or using existing infrastructure before proposing new antenna-supporting structures (consistent with CPC-2-0-17 Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements) ;
- Contacting the City of Brantford to determine local requirements regarding Antenna Systems; and
- Undertaking public notification and addressing relevant concerns as is required and appropriate.

4.4 Other Federal Jurisdiction

Proponents additionally must comply with the following federal legislation and/or regulations, where warranted:

- Health Canada’s Safety Code 6 – Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to 300 GHZ - Safety Code 6 (2009);
- The Canadian Environmental Assessment Act; and

- NAV Canada and Transport Canada's painting and lighting requirements for aeronautical safety.

5.0 Excluded Antenna Structures

This section outlines the criteria for identifying Antenna Systems excluded from the consultation process by Innovation, Science and Economic Development Canada, the need to consider local circumstances for all exempt structures, and the process for Proponents to notify and discuss proposed exempt structures with the City of Brantford.

5.1 Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, Proponents are generally excluded by Innovation, Science and Economic Development Canada from the requirement to consult with the City of Brantford and the public, but must still fulfill the General Requirements outlined in Section 7 of the CPC:

1. New Freestanding Antenna Systems: where the height is less than 15 metres above ground level. This exclusion does not apply to Antenna Systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners;
2. Existing Freestanding Antenna Systems: where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial Antenna System installation. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to Antenna Systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners;
3. Building/Structure-Mounted Antenna System: antennas on buildings, water towers, lamp posts, etc. may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%;
4. Temporary Antenna Systems: used for special events or emergency operations and must be removed within three months after the start of the emergency or special event; and
5. No consultation is required prior to performing maintenance on an existing antenna system.

The CPC also states that individual circumstances vary with each Antenna System installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the Proponents to consult the City of Brantford and the public even though the proposal meets an exclusion noted above. Therefore, when applying the criteria for exclusion, Proponents should consider such things as:

- the Antenna System's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed Antenna System on the property and its proximity to neighbouring residents;
- the likelihood of an area being a Community-Sensitive Location; and
- Transport Canada marking and lighting requirements for the proposed structure.

6.0 Pre-consultation with the City of Brantford

Pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the Proponent is committed to a site or design. As a result it represents the best opportunity to influence the siting decision since the Proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for non-exempt structures.

Prior to submitting an Antenna System proposal that does not meet any of the exemptions listed in Section 5.0 the Proponent will undertake the following preliminary consultations with the City of Brantford.

6.1 Notification

Proponents will notify the Planning Department that locations in the community are being physically assessed for potential Antenna System siting.

6.2 Pre-consultation Meeting with City of Brantford

Prior to submitting an Antenna System siting proposal, the Proponent will initiate a pre-consultation meeting with the City of Brantford to be held at a regularly scheduled Development Review Meeting. The purpose of the pre-consultation meeting is to:

- Identify preliminary issues of concern;

- Identify requirements for public consultation (including the need for additional forms of notice and a public information session);
- Guide the content of the proposal submission; and
- Identify the need for discussions with any Municipal Departments and Other Agencies as deemed necessary by the Planning Department.

The Proponent will bring the following information to the pre-consultation meeting:

1. The proposed location;
2. Potential alternative locations;
3. The type and height of the proposed Antenna System; and
4. Documentation regarding the investigation of co-location potentials on existing or proposed Antenna Systems within 500 metres of the subject proposal. If desired by both the Proponent and the City of Brantford, multiple Antenna System siting proposals may be reviewed at a pre-consultation meeting

6.3 Confirmation of Municipal Preferences and Requirements

Following the pre-consultation meeting, municipal staff will provide the Proponent with an information package that includes:

1. This Protocol, which outlines the approval process, excluded structures, requirements for public consultation and guidelines regarding site selection, co-location, installation, design and landscaping;
2. Proposal submission requirements;
3. A list of plans and studies that may be required (i.e. environmental impact statements, archaeological statements);
4. A list of Municipal Departments and Other Agencies to be consulted; and
5. An indication of the City of Brantford's preferences regarding Co-location for the site(s) under discussion.

To expedite the review of the proposal, the Proponent will review this information package before the proposal is submitted so that the interests of Municipal Departments are taken into account. The Proponent is encouraged to consult with affected Departments as well as the local Ward Councillors and/or Planning Department, and adjacent Municipalities within a Prescribed Distance, before submitting the proposal.

7.0 Development Guidelines

Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the City of Brantford. The City of Brantford has set out a number of guidelines under the following criteria for the selection of sites and/or construction of new Antenna Systems:

- Location, including Co-location; and
- Development and Design Preferences

The Proponent should review the guidelines identified below as early as possible, and should attempt to resolve any outstanding issues prior to submitting its Antenna System siting proposal and undertaking the public consultation, where required by the City of Brantford. Because expressed preferences may be location- or site-specific, the Proponent is encouraged to discuss the guidelines fully with the City of Brantford at the pre-consultation meeting. Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings.

7.1 Location

7.1.1 Co-location:

Before submitting a proposal for an Antenna System on a new site, the Proponent must explore the following options:

- Consider sharing an existing Antenna System, modifying or replacing a structure if necessary;
- Locate, analyze and attempt to use any feasible existing infrastructure, including (but not limited to) rooftops, water towers, utility poles or light standards.

Where Co-location on an existing Antenna System or structure is not possible, a new Antenna System should be designed with Co-location capacity.

The City of Brantford recognizes that the objective of promoting Co-location and the objective of making Antenna Systems less noticeable may sometimes come into conflict. Nevertheless, the City of Brantford intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The Proponent should, in all cases, verify the City of Brantford's site-specific design preferences during the pre-submission consultation process before investing in a final design or site.

7.1.2 Preferred Locations:

When new Antenna Systems must be constructed, where technically feasible, the following locations are preferred:

- Industrial and commercial areas.
- Mounted on buildings or existing structures with appropriate screening.
- Located in a manner that does not adversely impact view corridors such as public views and vistas of important natural or manmade features
- Transportation and utility corridors.
- As near as possible to similarly-scaled structures.
- Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology: emergency services, hospitals, colleges and universities.
- Areas that maximize the distance from Residential Areas.

7.1.3 Discouraged Locations

New Antenna Systems should avoid the following areas:

- Within or adjacent to the Natural Heritage System.
- Locations directly in front of doors, windows, balconies or residential frontages.
- Hazardous lands.
- Inappropriate sites located within Parks and Open Space Areas (with the exception of sites zoned to permit utilities and/or unless designed to interact with the area's character).
- Sites of topographic prominence.
- Within Residential Areas.
- Heritage Conservation Districts or on built heritage resources unless it forms an integrated part of the structure's overall design (i.e. through the use of stealth structures).
- Pitched roofs.
- Community Sensitive Locations.

7.2 Development and Design Preferences

Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings, including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features, and reduce the need for future facilities in the same area, where appropriate. The City of Brantford's preferred design and development preferences are described below.

The City of Brantford will identify to the Proponent which of the following development and design preferences are encouraged in the proposed location.

7.2.1 Style and Colour:

- The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses (Example: monopole near Residential Area or lattice-style in industrial areas).
- In all instances the Proponent should mitigate negative visual impacts through the use of appropriate landscaping, screening, stealth design techniques, etc.
- An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flagpole or clock tower, where appropriate, subject to any zoning approvals required for the landmark feature.
- In the downtown area, the design of Antenna Systems should generally be unobtrusive and consistent with the Downtown Master Plan.
- Towers and communication equipment should have a non-reflective surface.
- Special design treatments should be applied to Antenna Systems proposed to be located within parks and open space areas or on listed Heritage buildings and/or sites to make the system unobtrusive.
- Cable trays should generally not be run up the exterior faces of buildings.
- Antennas that extend above the top of a supporting utility pole or light standard should appear (e.g. in colour, shape and size) to be a natural extension of the pole.

7.2.2 Buffering and Screening:

- Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts. Screening could include using existing vegetation, landscaping, fencing, or other means in order to blend with the built and natural environments.
- A mix of deciduous and coniferous trees is preferred to provide year-round coverage.
- Where adjacent to a principal building, equipment shelters should be constructed of a material similar in appearance to at least one of the materials used in the façades of the principal building and one of the same colours used in the principal building.

7.2.3 Structure

- Single operator loaded towers (i.e., monopoles) are generally unobtrusive and of low impact
- New structures in high-traffic areas should consider multi-use design (street lighting, electric vehicle charging, parking payment terminals, signage, Wi-Fi etc.).
- Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the height of the wall face they are mounted on, in order to avoid visual clutter, and should be painted to match the wall colour for stealth.
- Facilities located on rooftops should not be visible (to the extent possible) from the street.
- The appropriate type of telecommunication antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the telecommunication antenna structure on the community.
- The use of guy wires and cables to steady, support or reinforce a tower is discouraged.

7.2.4 Yards, Parking and Access

- Adequate yards, to be determined on a site-by-site basis, should separate Antenna Systems from adjacent development without unduly affecting the development potential of the lot over the lease period.
- Parking spaces, where provided at each new Antenna System site, should have direct access to a public right-of-way at a private approach that does not unduly interfere with traffic flow or create safety hazards.

7.2.5 Equipment Structures in Public Spaces

- Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant.
- Cabinet dimensions shall be as minimal as possible.
- Cables and wires must be concealed or covered.
- Signage and Lighting: Small owner identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing.
- No advertising sign or logo is permitted.
- Appropriate signage may also be used as part of screening or disguise.

- Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged.
- Where Transport Canada and/or NAV Canada requires a structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable, and any required strobe lightning should be set to the maximum strobe interval allowed by Transport Canada.
- The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, where possible, is provided by a motion detector or similar system.

7.2.6 Rooftop Equipment:

- Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible, and painted to match the penthouse/building. Rooftop equipment must be screened from all street views and shall be consistent with the building's architectural character by using similar building materials.

8.0 Proposal Submission

For a proposed Antenna System, the Proponent will submit to the City of Brantford an Antenna System siting proposal and the applicable fee.

1. A complete application form
2. A letter or report from the Proponent indicating the need for the proposal, the proposed site, the rationale for site selection, coverage and capacity of existing Antenna Systems in the general area and a summary of at minimum three opportunities for Co-location potentials on existing or proposed Antenna Systems closest to the subject proposal;
3. Visual rendering(s) of the proposed Antenna System superimposed to scale;
4. A site plan showing the proposed development situated on the site;
5. A map showing the horizontal distance between the property boundary of the proposed site and the nearest property in residential use, natural heritage system and cultural heritage feature;
6. A map showing all properties located within the Prescribed Distance from the proposed Antenna System;
7. Confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent, or other person(s) having legal or equitable interest in the land;

8. An attestation that the Antenna System will respect Health Canada's Safety Code 6 which sets safe radiofrequency emission levels for these devices; and
9. Any other documentation as identified by the City of Brantford following the pre-consultation meeting. This may include:
 - Archaeological Assessment
 - Environmental Impact Assessment
 - Erosion Hazard/Sediment Control Plan
 - Existing Services and Infrastructure Plan
 - Geotechnical Report
 - Grading Plan
 - Heritage Impact Assessment
 - Heritage Permit
 - Lighting Plan
 - Tree Inventory and/or tree preservation study

A determination on the completeness of an application or request for additional information will be provided within fifteen working days of receipt of the proposal. Upon receipt of a complete proposal submission, the City of Brantford will circulate the proposal for review and comment to:

1. Affected Municipal Departments;
2. Any adjacent Municipalities within the Prescribed Distance; and
3. The Ward Councillors

8.1 Fees

The Proponent must pay any applicable application fee to the City of Brantford. The Proponent is responsible for securing applicable applications or permissions from all relevant municipal departments and paying any applicable application fees or charges as required to the City of Brantford.

9.0 Public Consultation

If the proposed Antenna System is not exempt from the public consultation process as per the requirements in Section 5, the Proponent will initiate the following public consultation process, including issuing notice, undertaking written consultation, hosting a public information session where required and reviewing the consultation results with the City of Brantford.

9.1 Notice Recipients

After the Proponent has submitted an Antenna Systems siting proposal, the Proponent will give notice to:

1. All affected residential properties within the Prescribed Distance;
2. The Grand River Conservation Authority for proposals within their review boundary;
3. Six Nations of the Grand River and Mississaugas of the New Credit First Nation pursuant to the Grand River Notification Agreement);
4. Any adjacent municipalities within the Prescribed Distance;
5. The Ward Councillors;
6. The Planning Department; and
7. The Innovation, Science and Economic Development Canada regional office.

The City of Brantford will assist the Proponent in compiling a mailing list of addresses of the affected land owners within the Prescribed Distance from the proposed Antenna System and in identifying suitable venues to host the public information session. The City of Brantford may charge a fee for this service.

9.2 Notice Requirements

The notice will be sent by regular mail or hand delivered, a minimum of 30 days before the public information session (where a public information session is required), and include:

1. the proposed Antenna System's purpose, including height and location requirements, the reasons why existing Antenna Systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
2. the proposed location within the community and the specific property or rooftop, including a 21 cm x 28 cm (8 1/2" x 11") size copy of the site plan submitted with the application;
3. an attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
4. identification of areas accessible to the general public and the access/demarcation measures to control public access;
5. information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;

6. a description of the proposed Antenna System including its height, dimensions, type, design and colour, a description of any antenna that may be mounted on the supporting structure, and simulated images of the proposal;
7. Transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
8. an attestation that the installation will respect good engineering practices including structural adequacy;
9. reference to any applicable local land-use requirements such as local processes, protocols, etc.;
10. notice that general information relating to antenna systems is available on Innovation, Science and Economic Development Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);
11. contact information for the Proponent, the Planning Department and the local Innovation, Science and Economic Development Canada office;
12. The date, time and location of the public information session (where required); and

The notification shall be sent out in an envelope addressed to the "Occupant" and shall clearly show in bold type on the face of the envelope the statement:

"NOTICE FOR RESIDENTS WITHIN [THE GREATER OF 3 TIMES THE PROPOSED TOWER HEIGHT OR 120 METRES] OF A NEW PROPOSED CELL TOWER. INFORMATION IS ENCLOSED."

The City of Brantford requires the Proponent, based on local conditions such as a high proportion of rental accommodation in the vicinity of the site, to provide such additional forms of notice as deemed necessary. Additional notification requirements will be identified by the City of Brantford during or following the pre-consultation meeting. Other forms of notification include, but are not limited to:

- A large format notice board sign or signs, posted on the site of the proposed Antenna System, that is clearly visible from any roadway abutting the site;
- Publication of the notice in a local newspaper(s); and/or,
- Hand delivery of notices to specified buildings.

9.3 Written Consultation Process

Following the delivery of the notification, the Proponent will:

1. Provide the public at least 30 days to submit questions, comments or concerns about the proposal;
2. Respond to all questions, comments and concerns in a timely manner (no more than 60 days from the date of receipt); and
3. Allow the party to reply to the Proponent's response (providing at least 21 days for public reply comments).
4. Keep a record of all correspondence that occurred during the written consultation process. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.
5. Provide a copy of all written correspondence to the City of Brantford and the regional Innovation, Science and Economic Development Canada office.

9.4 Public Information Session

The City of Brantford may request that the Proponent chair a public information session in cases where there is significant public interest in the proposed Antenna System. The type of public meeting to be conducted (open house, drop-in or town hall format) is up to the discretion of the Proponent, however:

- An appropriate date, time and location for the public information session will be determined in consultation with the Planning Department.
- The Proponent will make available at the public information session an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site.

The Proponent will provide the City of Brantford with a package summarizing the results of the public information session containing at a minimum, the following:

1. List of attendees, including names, addresses and phone numbers (where provided voluntarily);
2. Copies of all letters and other written communications received; and
3. A letter of response from the Proponent outlining how all the concerns and issues raised by the public were addressed.

9.5 Post Consultation Review

The City of Brantford and the Proponent will communicate following completion of the public consultation process (and arrange a meeting at the City of Brantford's request) to discuss the results and next steps in the process.

10.0 Statement of Concurrence or Non-Concurrence

Once the City of Brantford receives the package summarizing the results of the public information session and any required submission materials, Planning Staff will draft a report to Council detailing the proposal, analysis, and results of the public consultation process. Council will then determine if they concur or do not concur with the Antenna System proposal.

10.1 Concurrence and Concurrence with Conditions

The City of Brantford will provide a letter of concurrence to Innovation, Science and Economic Development Canada (copying the Proponent) where the proposal addresses, to the satisfaction of the City of Brantford, the requirements as set out within this Protocol and the City of Brantford's technical requirements, and will include conditions of concurrence, if required.

The City of Brantford will issue the letter of concurrence within the timeframe established in Section 11.

10.2 Non-concurrence

The City of Brantford will provide a letter of non-concurrence to Innovation, Science and Economic Development Canada (copying the Proponent) if the proposal does not conform to City of Brantford requirements as set out within this Protocol. The City of Brantford will also forward to Innovation, Science and Economic Development Canada any comments on outstanding issues, including those raised during the public consultation process.

The City of Brantford will issue the letter of non-concurrence within the timeframe established in Section 11.

10.3 Rescinding a Concurrence

The City of Brantford may rescind its concurrence if following the issuance of a concurrence, it is determined by the City of Brantford that the proposal contains a misrepresentation or a failure to disclose all the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued in writing have not been complied with, and a resolution cannot be reached to correct the issue.

In such cases, the City of Brantford will provide notification in writing to the Proponent and to Innovation, Science and Economic Development Canada and will include the reason(s) for the rescinding of its concurrence.

10.4 Duration of Concurrence

A concurrence remains in effect for a maximum period of three years from the date it was issued by the City of Brantford. If construction is not completed within this time period the concurrence expires except in the case where a proponent secures the agreement of the City of Brantford to an extension for a specified time period in writing. Once a concurrence expires, a new submission and review process, including public consultation as applicable, is necessary prior to any construction occurring.

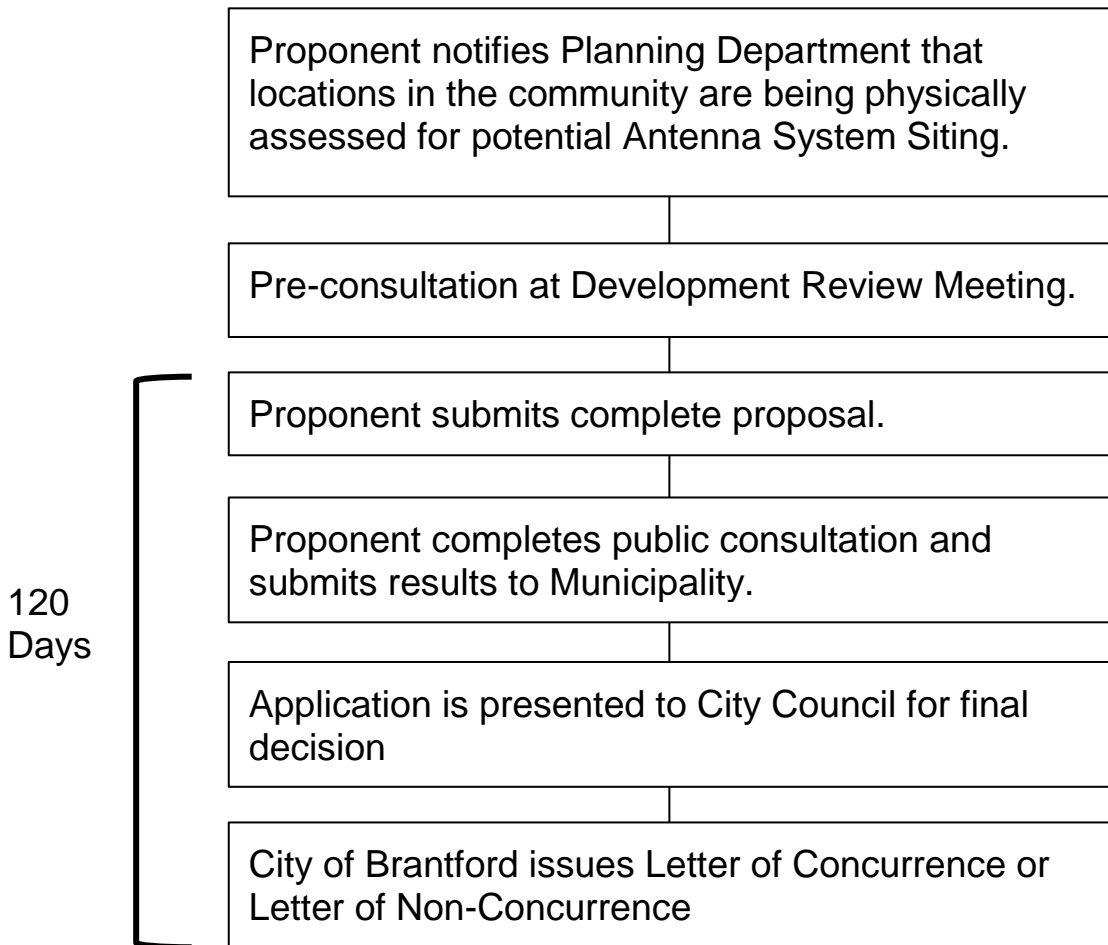
In addition, if construction has not commenced after two years from the date the concurrence was issued, the City of Brantford requests that the Proponent send a written notification of an intent to construct to the Planning Department and the local Ward Councillors once the work to erect the structure is about to start. This notification should be sent 60 days prior to any construction commencing. No further consultation or notification by the Proponent is required.

10.5 Transfer of Concurrence

Once concurrence has been issued, that concurrence may be transferred from the original Proponent to another Proponent (the current Proponent) without the need for further consultation provided that:

1. All information gathered by the original Proponent in support of obtaining the concurrence from the City of Brantford is transferred to the current Proponent;
2. The structure for which concurrence was issued to the original Proponent is what the current Proponent builds; and
3. Construction of the structure is commenced within the Duration of Concurrence period.

11.0 Timeframe



As mandated by Innovation, Science and Economic Development Canada, consultation with the City of Brantford and public consultation are both to be completed within 120 days of the proposal being accepted as complete by the City of Brantford. To meet this timeline, the Proponent will be required to initiate their public consultation as early on in the process as possible.

The City of Brantford or Proponent may request an extension to the consultation process timeline. This extension must be mutually agreed on by both parties.

In the event that the consultation process is not completed in 270 days, the Proponent will be responsible for receiving an extension from the City of Brantford or reinitiating the consultation process to the extent requested by the City of Brantford.

12.0 Letter of Undertaking

The Proponent may be required, if requested by the City of Brantford, to provide a Letter of Undertaking, which may include the following requirements:

1. The posting of a security for the construction of any proposed fencing, screening and landscaping;
2. A commitment to accommodate other communication providers on the Antenna System, where feasible, subject to the usual commercial terms and Innovation, Science and Economic Development Canada Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements (CPC-2-0-17); and
3. All conditions identified in the letter of concurrence.

13.0 Redundant Antenna System

In the event that an Antenna System is no longer in use, Municipalities can issue a request to network operators to clarify that a specific Antenna System is still required to support communication network activity. The network operator will respond within 30 days of receiving the request, and will provide any available information on the future status or planned decommissioning of the Antenna System.

Where the network operators concur that an Antenna System is redundant, the network operator and City of Brantford will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Antenna System was deemed redundant.