

TELECOMMUNICATION STRUCTURES

Procedure #
0025-P01

Department:	Planning and Development Services	Effective Date:	October 24, 2011
Division:	Planning	Approval Level:	Council
Section/Function:	N/A	Revision #:	1

1.0 PURPOSE

1.1. This procedure implements the City of Peterborough's Telecommunication Structures Policy. The purpose of this procedure is to provide a framework for productive consultation between proponents and the City for the siting and design of telecommunication structures in a manner that is meant to address local land use and public concerns.

2.0 APPLICATION

2.1. This procedure applies to all:

- City staff, elected officials, and committees that support or are involved in the facilitation of any process regarding telecommunication structures;
- Proponents, as defined within this procedure;
- Existing telecommunication structures within the City, when applicable; and
- Lands for which the City is the land use authority.

2.2. The City, in its capacity as the local land use authority, only has the authority to state preferences for the siting, design, size, and other important features of telecommunication structures. The City is also able to provide a framework for public consultation, subject to any limitations imposed by Industry Canada.

3.0 DEFINITIONS/ACRONYMS (As Required)

City – The Corporation of the City of Peterborough, its agencies, boards and commissions.

Co-location – An installation of a telecommunication structure used by two or more proponents, or the installation of multiple telecommunication structures on a support structure by two or more proponents.

CPC-2-0-03 – Industry Canada's Client Procedures Circular 2-0-03 (CPC-2-0-03) *Radiocommunication and Broadcasting Antenna Systems*, or any subsequent amendments.

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CPC-2-0-17 – Industry Canada’s Client Procedures Circular 2-0-17 (CPC-2-0-17) *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*, or any subsequent amendments.

Installation – The construction, erection, or modification of a telecommunication structure by a proponent.

Proponent – A company, organization or person that is subject to Industry Canada’s CPC-2-0-03.

Proposal – A suggestion by a proponent to install a telecommunication structure.

Site – The location, or the proposed location, of a telecommunication structure.

Stealth-type – A telecommunication structure that is designed to be as visibly unobtrusive as possible to its surroundings.

Support Structure – A structure, including a building or water tower, upon which a telecommunication structure may be installed.

Telecommunication Structure – An antenna, tower, and/or equipment shelter installed, or proposed to be installed, by a proponent as part of a federally regulated telecommunication undertaking.

4.0 PROCEDURE

This procedure comprises the following sections and appendices:

- 4.1 Exclusions
- 4.2 Site Selection
- 4.3 Design and Landscaping
- 4.4 Preliminary Notification
- 4.5 Submission Requirements
- 4.6 Proposal Review Process
- 4.7 Building Permit, General Review Commitment Certificate, and Letter of Substantial Completion
- 4.8 Fees

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- 4.9 Public Consultation
- 4.10 Confirmation of Local Land Use Authority Consultation
- 4.11 Application Process Time Line
- 5.0 Appendices, Related Documents and Links

Appendix A: Municipal Notification requirements for telecommunication structures that meet Industry Canada's or the City's exclusions

Appendix B: Municipal Notification requirements for telecommunication structures that do not meet Industry Canada's or the City's exclusions

Appendix C: Submission requirements for telecommunication structures that require public consultation

Appendix D: Submission requirements for public notice

Appendix E: Materials to be provided for a public information session

Appendix F: Submission requirements following a public information session

Appendix G: Industry Canada Exclusions

4.1 EXCLUSIONS

a.) General Information

Exclusions under Industry Canada's CPC-2-0-03 refer to proposals that are excluded from conducting a consultation process. Depending upon the nature of the proposal, proponents may be required to undertake both municipal notification and public consultation.

Exclusions are identified because, generally, they represent the least contentious alternative for installing a telecommunication structure.

Proposals that meet the exclusion criteria identified in Industry Canada's CPC-2-0-03 or this procedure may be excluded from the requirement of public consultation.

For telecommunication structures exempted from consultation by Industry Canada, proponents are requested to provide notification to the City of the installation within a reasonable period of time following such installation, for the City's records.

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b.) Exclusions from Public and Municipal Consultation

In addition to Industry Canada's exclusions, set out in Appendix G, the following proposals are excluded from the requirement for public and municipal consultation:

- (1) Proposals to co-locate on an existing telecommunication structure.
- (2) Proposals to co-locate a telecommunication structure on a support structure.
- (3) Proposals to construct an additional equipment shelter in conjunction with a co-location.

c.) Exclusions from the Requirement for Public Consultation Only

Proposals that are excluded from the requirement for public consultation only shall fulfill all other municipal notification requirements identified by this procedure.

The following proposals shall be excluded from the requirement for public consultation only:

- (1) Proposals to install a telecommunication structure where the new structure is located at least 120m or three times the tower height, whichever is greater, from lands zoned to permit a residential use or from lands where an elementary or secondary school is located, to be measured from the base of the tower or the outside perimeter of the supporting structure.

4.2 SITE SELECTION

The following installations will not be supported by the City:

- **Proposals for telecommunication structures that exceed a height of 15 metres located within lands zoned to permit a residential use.**
- **Proposals for new telecommunication structures that are designed to serve only a single provider located within areas zoned for non-residential purposes.**

a.) Principles for Site Selection

In determining an appropriate site for a telecommunication structure, the proponent shall adhere to the following principles:

- (1) Sites should be selected to minimize the total number of telecommunication structures required. Locations on existing structures or buildings or co-locations on existing telecommunication structures are strongly encouraged. Opportunities to incorporate a telecommunication structure into the design of a new building or structure should be explored by the proponent. The construction of a new telecommunication structure is

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discouraged, and should only be considered by the proponent when all other options to accommodate the telecommunication structure are not viable.

- (2) Regardless of the zoning of the proposed site, new telecommunication structures are strongly discouraged within 120 metres, or three times the tower height, whichever is greater, of any land zoned to permit residential use or on lands where an elementary or secondary school is located, to be measured from the base of the tower or outside perimeter of the supporting structure, whichever is greater, unless required for reasons of engineering or network objectives. If a new telecommunication structure is to be located within 120 metres of land zoned to permit residential use or a school, a detailed rationale for the necessity of this location must be provided in the Site Selection and Justification Report.
- (3) Additionally, where the City owns lands within the proponent's search area that is suitable for the proposed telecommunication structure and meets the proponent's technical requirements, the City prefers to be the landlord of first choice, and the City agrees that any such sites will be according to the usual commercial terms, and will not be unduly delayed.

b.) Considerations for Site Selection

When selecting a site for a new telecommunication structure, subject to engineering and network objectives, proponents are required to consider:

- Minimizing the overall number of sites required within the City;
- Utilizing existing support structures
- Appropriate landscaping and screening;
- Maximizing distance from lands zoned to permit a residential use or on lands where an elementary or secondary school is located;
- Maximizing distance from environmentally sensitive land use areas;
- Maximizing distance from listed heritage buildings and sites;
- Avoiding sites that would obscure public views and vistas of important natural or cultural significance;
- Avoiding natural hazards;
- Ensuring compatibility with adjacent uses; and
- Access for maintenance purposes.

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4.3 DESIGN AND LANDSCAPING

a.) General Design

Understanding that co-location increases visual obtrusiveness, and that the choice of structure type will affect the ability of the structure to be used for co-location in the future, proponents are required to apply design techniques that will mitigate the presence of a telecommunication structure in order to achieve a less obtrusive design. Any reasonable measure to blend the installation with its surroundings should be taken. Mitigated design techniques should be applied to the following features:

- Structure type (e.g. architectural style).
- Colour (e.g. neutral or blending colour unless specified by Transport Canada and Navigation Canada).
- Material (e.g. non-reflective surfaces).
- Landscaping (e.g. screening).
- Fencing (e.g. decorative).

Telecommunication structures shall generally comply with the zoning standards (setbacks and landscaping) for the zone in which they are located.

Proponents are encouraged to:

- Erect a telecommunication structure that is designed with co-location capacity, when installing a new telecommunication structure that is to be located greater than 120 metres, or three times the tower height, to be measured from the base of the tower or the outside perimeter of the supporting structure, whichever is greater, from land zoned to permit a residential use;
- Incorporate, where appropriate, stealth or camouflaging design techniques into a telecommunication structure. Where stealth design techniques are employed in the design of a new telecommunication structure, co-location capacity will not be required;
- Erect a telecommunication structure that is of an unobtrusive design, such as a monopole or stealth design, for installations within 120 metres of lands zoned to permit a residential use.

b.) Parking

One parking space will be provided at each new site with access from a public right-of-way at a location acceptable to the City. Where parking is provided for another use on the site and this parking is within 100 metres of the telecommunication structure, the parking space for the telecommunication structure is not required (parking spaces need not be exclusively devoted to telecommunications structure access). Any parking space(s) provided at a telecommunications

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structure must not be located within the public highway or road right-of-way. Driveway access is subject to a driveway access permit to ensure conformity with applicable driveway entrance by-laws, policies, and design standards. This policy may be waived when the facility is located on land owned by the City.

c.) Lighting

Lighting on a telecommunication structure is prohibited unless required by Transport Canada, Navigation Canada, or for the health and safety of the proponents' employees.

d.) Signage and Other Uses of a Telecommunication Structure

A telecommunication structure shall only accommodate structures specifically designed for telecommunication purposes. Only identification or information signs or other material directly related to the identification or safe operation of the equipment will be permitted on the telecommunication structure. A small up-to-date plaque must be established and maintained at the base of the structure, (or at the main entrance to the site where the site is not accessible under normal circumstances), identifying the owner/operator of the structure and a contact telephone number. No third party advertising, or advertising or promotion of the proponent or the proponent's services shall be permitted.

Notwithstanding the foregoing, where the signage is the telecommunication structure, it shall be permitted provided the sign complies with the City of Peterborough Sign By-law. The City agrees that any applications required under the Sign By-law in connection with such a telecommunications structure will be processed expeditiously, and that such application by the proponent relates solely to the proposed signage and does not constitute acquiescence by the proponent to provincial jurisdiction with respect to any part of the federal undertaking.

e.) Telecommunication Structures Sited Upon a Support Structure (e.g. Building or Water Tower)

A telecommunication structure sited upon a support structure, such as a building, shall be guided by the following criteria:

- Maximum projection beyond the exterior wall of the support structure to which the telecommunication structure is attached will generally not exceed 2.0 metres; and
- Equipment shelters are encouraged to maintain a minimum setback from the roof edge of 3 metres and a maximum height of 4 metres.

4.4 PRELIMINARY NOTIFICATION

Preliminary notification shall occur between the proponent and City staff.

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The proponent shall provide notification to the City's Planning Division:

Telephone: 1-705-742-7777 ext. 1880
Fax: 1-705-742-5218
E-mail: planning@peterborough.ca

Preliminary notification is required for all non-excluded proposals.

The proponent should provide sufficient information and materials needed to effectively discuss the proposal.

4.5 SUBMISSION REQUIREMENTS

Submission requirements shall be provided following preliminary consultation with City staff.

All proposals are subject to submission requirements. For complete lists of submission requirements, see Appendices A, B, C, D, E, and F.

4.6 PROPOSAL REVIEW PROCESS

Upon receipt of all applicable submission requirements, the City will begin its review of the proposal, including circulation to local Ward Councillors and adjacent municipalities.

4.7 BUILDING PERMIT, GENERAL REVIEW COMMITMENT CERTIFICATE, AND LETTER OF SUBSTANTIAL COMPLETION

a.) Telecommunication Structures Sited Upon a Support Structure

Where a telecommunication structure is proposed on a structure previously subject to the Ontario Building Code, a "without prejudice" building permit shall be required. The permit application is to be limited to a material alteration to the support structure and the "without prejudice" building permit, shall be limited to determining the additional load on the pre-existing structure.

The proponent shall submit the following to the City's Chief Building Official:

- Any documentation or fees required as part of the "without prejudice" Building Permit process.
- A General Review Commitment Certificate, prepared by a structural engineer, for each telecommunication structure that requires material alteration to a support structure; and
- A Letter of Substantial Completion, prepared by a structural engineer. The Letter of Substantial Completion shall ensure, to the satisfaction of the City's Chief Building Official, that the structural integrity of the support structure will not be compromised.

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b.) Telecommunication Structures Not Sited Upon a Support Structure

Notwithstanding section 8(1) of the Building Code Act, 1992, a building permit shall not be required for the erection or alteration of a federally regulated telecommunication structure or an associated ancillary structure, such as an equipment shelter, that does not require material alteration to a support structure (e.g. building).

4.8 FEES

The City shall not incur any expense resulting from a proposal.

A fee equal to the City's site plan application base fee for non-residential shall apply, and such other fees and expenses as may be applicable.

If the proposal is subject to the requirement of public consultation, the proponent shall be responsible for all costs associated with the public consultation process as invoiced by the City, which includes public notice and any public information sessions.

The proponent shall pay the fee for a building permit if a building permit is required.

4.9 PUBLIC CONSULTATION

The public consultation process includes providing public notice and organizing a public information session. A complete public consultation process is required for proposals that require public consultation in accordance with this procedure.

a.) Public Notice

The proponent shall submit Public Notice Information Packages to the City, containing all information and materials identified in Appendix D.

Public Notice Information Packages shall:

- Be submitted to the City by the proponent in the number requested by the City, a minimum of 28 days prior to the public information session;
- Be addressed and mailed by the City in City envelopes;
- Include a covering letter prepared by the City;
- Be satisfactorily prepared for distribution when submitted to the City, requiring the City only to place the packages in an envelope; and

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- Be mailed by the City Clerk's Office as pre-paid first-class mail at the expense of the proponent.
- Be mailed a minimum of 21 days prior to the date of the public information session.

Notice in a local newspaper is required for proposals for structures with a height of 30 metres or more. When notice in a local newspaper is required, the proponent shall, at their expense, prepare and advertise such notice in accordance with the requirements of Industry Canada's CPC-2-0-03.

On behalf of the proponent, the City shall mail Public Notice Information Packages to:

- (1) All property owners located within 120 metres or three times the height of the telecommunication structure measured from the property line whichever is greater;

In accordance with the above, notice may be given to the condominium corporation instead of being given to all condominium owners.

- (2) Industry Canada;
- (3) The local Member of Parliament;
- (4) The Mayor and all Councillors;
- (5) The Clerk of an adjacent municipality within the greater of 120 metres or three times the height of the telecommunication structure measured from the property line of the proposed site.

b.) Public Information Session

At the public information session, the proponent shall provide the materials and information identified in Appendix E.

The proponent, in consultation with City Staff and the Local Ward Councillor(s), shall schedule an appropriate date, time, and location for the public information session which may be an open house style session.

The proponent shall be responsible for organizing and chairing the public information session.

Following the public information session, the proponent shall submit a record to the City that contains the materials and information identified in Appendix F.

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4.10 CONFIRMATION OF LOCAL LAND USE AUTHORITY CONSULTATION

Where public consultation is required, City staff will inform City Council when land use authority consultation has concluded. Staff will submit a report to Council indicating whether the proponent has complied with the City's Telecommunication Structures Policy and Procedure and request from Council direction concerning whether Industry Canada should be provided with a letter of concurrence or non-concurrence.

The City's response to the proponent and Industry Canada will take into consideration all responses from the municipal consultation process and, when applicable, the public consultation process. The City will forward comments raised during the public consultation process to Industry Canada.

Where public consultation is not required, the Director of Planning and Development Services, or his or her designate, on behalf of the City will provide the Proponent and Industry Canada with a letter stating whether the local land use consultation process has been completed in accordance with the City's Telecommunication Structures Policy and Procedure and will provide a copy of this letter to all interested parties.

4.11 APPLICATION PROCESS TIME LINE

- a.) The City will endeavour to expedite the local land-use authority consultation within 60 days.
- b) For proposals that require public consultation, a time period of up to 120 days may be required.
- c) In the event of unavoidable delays preventing the completion of the application process within the 120 days period, the City shall identify such delays to the proponent and indicate when the completion is expected to occur.

5.0 APPENDICES, RELATED DOCUMENTS & LINKS

5.1. Pertinent Resources:

Industry Canada's CPC-2-0-03 - Radiocommunication and Broadcasting Antenna Systems Circular

Industry Canada's CPC-2-0-17 – Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements

Radiocommunication Act

<http://laws.justice.gc.ca/en/showtdm/cs/R-2>

Radiocommunication Regulations SOR/96-484

<http://laws.justice.gc.ca/en/frame/cr/SOR-96-484///en>

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5.2. Related Policies:

Telecommunication Structures Policy

5.3. Related Procedures:

N/A

5.4. Related Forms:

Appendix A: Submission requirements for telecommunication structures that are excluded from municipal consultation and the requirement for public consultation

Appendix B: Submission requirements for telecommunication structures that are excluded from the requirement for public consultation only

Appendix C: Submission requirements for telecommunication structures that require municipal consultation and the requirement for public consultation

Appendix D: Submission requirements for public notice

Appendix E: Materials to be provided for a public information session

Appendix F: Submission requirements following a public information session

Appendix G: Industry Canada Exclusions

5.5. Miscellaneous:

N/A

6.0 AMENDMENTS

		Next Review Date:	June 2013
Date (yyyy-mm-dd)	Section # Amended	Comments	
2011-05-24	N/A	Planning Committee Report No. 6 of a Meeting of May 24, 2011 recommending that the Telecommunication Structure Procedure in Report PLPD11-016 be endorsed, as amended within the minutes of that meeting.	
2011-06-06	N/A	City Council approved Item # 3 of Planning Committee Report No. 6 of a Meeting May 24, 2011 recommending that the Telecommunication Procedure in Report PLPD11-016 be endorsed, as amended within the minutes of that meeting.	
2011-10-11		Planning Committee Report No. 11 of a Meeting October 11, 2011 recommending that the Telecommunication Structure Procedure be amended as outlined in Report PLPD11-072.	

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2011-10-24	4.1 b) (2) 4.1 c) (1) 4.2 a) (2) 4.2 b) 2 nd Bullet 4.3 a) 1 st Bullet 4.9 a) (1)	City Council approved Item # 3 of Planning Committee Report No. 11 of a Meeting October 11, 2011 recommending that the Telecommunication Procedure be amended as outlined in Report PLPD11-072.
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Appendix A: Municipal Notification requirements for telecommunication structures that meet Industry Canada's or the City's exclusions

If a proposal meets the exclusions identified in the City of Peterborough's Telecommunication Structures Procedure, the City requests that the proponent submit the following to the City within a reasonable period of time following the installation of the structure:

- A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.
- Supporting drawings.
- Maps.
- Site plan, if required.
- General Review Commitment Certificate, if required.
- Letter of Substantial Completion, if required.

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Appendix B: Municipal Notification requirements for telecommunication structures that do not meet Industry Canada's or the City's exclusions

For proposals that do not meet the exclusions identified in the City of Peterborough's Telecommunication Structures Procedure, the proponent shall submit to the City, concurrently with submission requirements in Appendix C and D when applicable, a complete package containing the following:

- A hard copy and a digital version of a Site Selection and Justification Report prepared by a professional engineer or land use planner. In recognition of the sensitive nature of information contained in the Site Selection and Justification Report, City staff will, subject to the requirements of this procedure, the Municipal Freedom of Information and Protection of Privacy Act, and other applicable law, maintain confidentiality of information where reasonably requested by the proponent. The report shall include:
 - A location map and inventory of co-location site options that have been considered;
 - An evaluation of site alternatives and the rationale for the selection of the preferred option, including a description of why co-location options have not been arranged as directed by Industry Canada's CPC-2-0-03 and CPC-2-0-17, for those sites which require co-location under this protocol;
 - Confirmation of the need for a new telecommunication structure at the proposed location within this context; and
 - A description of the design elements proposed in order to minimize the visual impact of the telecommunication structure, considering the City's preferences identified in this procedure.
- A signed agreement stating that the proponent will allow co-location, subject to standard industry financial compensation arrangements to the owner of the telecommunication structure and provided all safety, structural, and technological requirements are met.
- One full-size hard copy and a digital version of a site plan drawn to a metric scale showing site grading, location of existing property lines or leased area, existing or proposed buildings, fences, lighting fixtures, parking facilities, existing and proposed landscaping, access, type, height of the proposed telecommunication structure, and any other item as reasonably requested by the City.
- One full-size hard copy and a digital version of scaled elevation drawings.
- Agreement to submit a General Review Commitment Certificate prior to construction, limited to matters within the city's jurisdiction, if required.

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- Agreement to submit a Letter of Substantial Completion following construction, if required.
- Agreement to submit a Building Permit prior to construction, limited to matters within the city's jurisdiction, if required.
- A location map showing the horizontal distance between the proposed telecommunication structure and the nearest residential zone.
- Agreement to submit proof of compliance with Transport Canada and NAV CANADA regulations prior to construction.
- An agreement, acceptable to the City, regarding the removal of the telecommunication structure in the event that the structure is no longer being used for a telecommunication purpose. A Property Identification Number (PIN) printout.
- A location survey identifying the leased area, if any.
- Colour photographs with the telecommunication structure superimposed.
- An Environmental Impact Statement, if required by Industry Canada.
- Agreement to submit confirmation of utility locates for ground-mounted structures prior to construction.
- Fees.
- Agreement to provide notice in a local newspaper for proposed structures with a height of 30 metres or more. When notice in a local newspaper is required, the proponent shall, at their expense, prepare and advertise such notice in accordance with the requirements of Industry Canada's CPC-2-0-03. The timing of the notice must be synchronized with the distribution of the Public Notice Information Packages.

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Appendix C: Submission requirements for telecommunication structures that require public consultation

For proposals that require public consultation, proponents shall concurrently submit the following to the City:

- Public Notice Information Packages, containing the materials and information identified in Appendix D.
- Submission requirements as identified in Appendix B of this Procedure.

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Appendix D: Submission requirements for public notice

Proponents are required to submit Public Notice Information Packages to the City that comprise the following materials and information:

- Date, time, location, and agenda for the public information session.
- 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.
- The proposed site within the community, the geographic co-ordinates, and the specific property or support structure (e.g. rooftop).
- A site plan printed on standard letter-size paper.
- Identification of areas accessible to the public and the access/demarcation measures to control public access.
- A description of the proposed telecommunication structure including its height and dimensions, type, design, and colour.
- Superimposed images of the proposed telecommunication structure at the site.
- Transport Canada's and Navigation Canada's aeronautical obstruction marking requirements if applicable; if not available, the proponent's expectation of Transport Canada's and Navigation Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available.
- The project's status under the Canadian Environmental Assessment Act.
- Written confirmation that the installation shall conform with accepted engineering practices including structural adequacy.
- Written confirmation containing details of compliance with Health Canada's Safety Code 6.
- The name and telephone number of a contact person for the proponent, Industry Canada, and Health Canada.
- Reference to compliance with this procedure.

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- 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>).

- Closing date for submission of written public comments (not less than 20 days from the date of the public information session).

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Appendix E: Materials to be provided at a public information session

The City will advise the proponent of the number of copies of the following materials to be made available for each public information session:

- An appropriate visual display, including at a minimum, a display-size (61cm x 92cm) colour photograph of the proposed site/subject property with a superimposed image of the proposed telecommunication structure.
- Public Notice Information Packages, as outlined in Appendix D, containing all materials included in the public notice mailing.
- Copies of all materials listed under the applicable Appendix B of this procedure. Confidential information contained in the Site Selection and Justification Report may be removed.
- A hard copy of Health Canada's Safety Code 6 and other related Health Canada public information materials that discuss Safety Code 6 as it pertains to Telecommunication Structures.

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Appendix F: Submission requirements following a public information session

Following each public information session, the proponent shall provide the City with a record that contains the following:

- Complete list of attendees, including names, and addresses.
- Minutes indicating the topics discussed, concerns, issues raised, resolutions and any outstanding issues, except where the public information session is an open house, in which case minutes shall not be required.
- Copies of letters or other communications received from the public.
- A follow-up letter of response provided to the City within 40 days of the information session outlining:
 - How the concerns and issues raised at the information session and in any letters received prior to, at, or up to 20 days following the information session will be addressed; or
 - Clearly setting out the reasons why such concerns cannot be addressed.

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Appendix G: Industry Canada Exclusions (Excerpt from CPC-2-0-03 - Exclusions, p. 9)

Exclusions

For the following types of installations, proponents are excluded from the requirement to consult with the LUA and the public, but must still fulfill the General Requirements outlined in Section 7:

- maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- 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;
- maintenance of an antenna system's painting or lighting in order to comply with Transport Canada's requirements;
- 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
- new antenna systems, including masts, towers or other antenna-supporting structure, with a height of less than 15 metres above ground level.

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 LUA 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.

Proponents who are not certain if their proposed structure is excluded, or whether consultation may still be prudent, are advised to contact the land-use authority and/or Industry Canada for guidance.