

**BYLAW NO. 20-02  
OF THE TOWN OF STRATHMORE  
IN THE PROVINCE OF ALBERTA**

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**APPENDIX A**

**TELECOMMUNICATIONS FACILITIES AND  
ANTENNA STRUCTURES BYLAW**



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**BEING A BYLAW OF THE TOWN OF STRATHMORE IN THE PROVINCE OF ALBERTA TO REGULATE TELECOMMUNICATIONS FACILITIES WITHIN THE TOWN OF STRATHMORE.**

**WHEREAS** it is desirable to enact a Bylaw to minimize adverse land use impacts of and to influence the appearance and concealment of Telecommunication Facilities when the wireless service demand necessitates Telecommunications Facilities within the Town of Strathmore;

**NOW THEREFORE BE IT RESOLVED THAT** the Municipal Council of the Town of Strathmore, in the Province of Alberta duly assembled **HEREBY ENACTS AS FOLLOWS:**

**PART 1: SHORT TITLE**

- 1.1 The Town of Strathmore for the purposes of this Bylaw shall be herein referred to as the "Town";
- 1.2 This bylaw may be referred to as the "Telecommunication Bylaw".

**PART 2: DEFINITIONS**

- 2.1 In this Bylaw:
  - a) "**Administration**" means, for the purposes of this document, the staff of The Town of Strathmore, who are tasked with receiving, evaluating and processing submissions for telecommunication antenna structures and facilities.
  - b) "**Adjacent Residential**" means residential properties that abut a proposed or existing telecommunication antenna structure site, including those sites separated by a public or private thoroughfare, utility right-of-way, railway, stream, river or other natural or manmade feature or element as determined by the Town of Strathmore.
  - c) "**Affected Residential Properties**" means all residential properties within a 300-metre radius of a proposed telecommunication antenna structure to which notification of a public consultation meeting must be sent.
  - d) "**Antenna**" means a device or combination of devices used, intended to be used, or capable of being used for radiocommunication.



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- e) ***“Co-location”*** means the placement of telecommunication antennas and equipment operated by one or more proponents on a telecommunication antenna structure operated by a different proponent, thereby creating a shared facility.
- f) ***“Environmentally Sensitive Area”*** means an area protected for environmental reasons in regional or local land use plans, or by a local, regional, provincial or federal government body.
- g) ***“Futures”*** means the identification of locations on a telecommunication antenna structure allocated for antenna arrays which will be installed at some time in the future rather than at the time of the initial construction of the structure.
- h) ***“Letter of Concurrence”*** means a letter from the Town of Strathmore supporting a proponent’s proposal for the installation of a telecommunication antenna structure within the town.
- i) ***“Letter of Non-Concurrence”*** means a letter from the Town of Strathmore signifying no support for a proponent’s proposal for the installation of a telecommunication antenna structure within the town.
- j) ***“Neighbourhood Group”*** means any group or organization authorized by the individuals it represents to communicate with the Town and the Proponent on behalf of residents, property owners, or both, about land use impacts of a proposed facility.
- k) ***“Proponent”*** means a company, organization or individual, or a designated company, organization or individual acting on their behalf, which provides commercial or private telecommunications services that are under the regulation of Industry Canada.
- l) ***“Public Consultation Meeting”*** means a meeting conducted by a proponent’s representative(s), to which members of the public and Affected Residential Properties are invited, and at which the public is informed about a proposed telecommunication antenna structure placement within the community. The meeting may be either formal or open house format, at the discretion of the proponent.
- m) ***“Residential Development”*** means an area that is zoned for residential or residential-related uses and includes an abutting road right-of-way.
- n) ***“Roof Top Installation”*** means any telecommunication antenna structure that is placed on the roof of a building.
- o) ***“Safety Code 6”*** means Health Canada’s standards for acceptable human exposure to radiofrequency electromagnetic fields as set out in its document entitled *Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 KHZ to*





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300 GHZ, as amended. Pursuant to Federal requirements, all telecommunication antenna structures within the Town of Strathmore must comply with these standards.

- p) **"Site"** means the subject property for which the Telecommunications antenna structure or facility is proposed.
- q) **"Stealth Structure"** means the installation of a telecommunication antenna structure in a manner that is designed and constructed to hide, camouflage or integrate the telecommunication antenna structure into an existing building, landscape, topography or structure.
- r) **"Submission"** means an information package regarding a proposed telecommunication antenna structure submitted by a proponent to the Town of Strathmore for concurrence, and containing materials for review such as site plans, photographs, and detailed drawings of the structure.
- s) **"Telecommunication Antenna"** means a device that requires a permit from the Federal Government and is used to receive and/or to transmit radiofrequency (RF) signals, microwave signals, or other communications energy transmitted from or to be received by other antennas.
- t) **"Telecommunication Antenna Structure or Telecommunication Facility"** means any rooftop, building-mounted or ground-mounted pole, tri-pole, spire, lattice work or other freestanding structure, tower, streetlight, parking lot light or combination thereof, including supporting lines, cables, wires, and braces intended for the purpose of mounting a telecommunication antenna or series of antennas on it. Also included are any cabinets or shelters containing electronic or other equipment associated with these antenna structures and any compound required to accommodate these components. Amateur Radio Antenna Structures are excluded and are not administered by this bylaw.
- u) **"Tower"** means any ground-mounted monopole, tri-pole, or lattice work structure upon which telecommunication antennas are attached. Not included are streetlight poles, parking lot light poles, existing electric utility towers or similar type structures as determined by The Town of Strathmore.
- v) **"Town"** means the Town of Strathmore.



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**PART 3: SCOPE**

- 3.1 The purpose of the Telecommunication Facilities and Antenna Structures Bylaw is to minimize adverse land use impacts of Telecommunications Facilities within the Town of Strathmore, to minimize the number of towers required for telecommunication antenna networks within the Town of Strathmore, to influence the appearance and concealment of Telecommunication Facilities when the wireless service demand necessitates Telecommunications Facilities within the town and to inform occupants, property owners and Neighbourhood Groups of relevant legislation that affects the placement and operation of Telecommunication Facilities.
- 3.2 The Telecommunication Bylaw establishes a transparent, consistent and predictable framework for the evaluation of Telecommunication Facility proposals that:
- a) Discourages obtrusive Telecommunication Facilities within or adjacent to Residential Areas, Heritage Areas and Environmentally Sensitive Areas;
  - b) Encourages Proponents to co-operate when expanding their networks, with an emphasis on Antennas Co-location and Site Co-location;
  - c) Establishes a public notification and public consultation process for Proponents to follow, in order to solicit comments on proposed Telecommunications Facilities and provides an opportunity for proponents to engage in meaningful public consultation with affected residents and property owners, and address reasonable and relevant concerns;
  - d) Encourages Proponents to identify and resolve any potential land use, site selection, or design concerns raised by residents and property owners, stakeholders, and/or political entities at an early stage in the process;
  - e) Contributes to the orderly development and efficient operation of a reliable, strong Radiocommunication network in the Town; and
  - f) Provides the Town of Strathmore with the information required to make a statement of concurrence or non-concurrence to Industry Canada, which would evaluate the adequacy of the Proponent's consultation process and the Proponent's efforts to address stakeholder concerns and to meet the guidelines related to land use impacts contained in this Policy, in a manner that is consistent with the Client Procedures Circular, CPC-2-0-03, Issue 4: Radiocommunication and Broadcasting Antenna Systems (effective January 1, 2008) published by Industry Canada.

**PART 4: AUTHORIZATION**

- 4.1 The Town of Strathmore **is not the approving authority** for telecommunication antenna structures. The Town has the authority and responsibility under the Municipal Government Act R.S.A. 2000, c. M-26 to regulate land use; however, these powers are superseded by the authority of the Federal Government, and in this case, the Radiocommunication Act and the Minister of Industry.
- 4.2 The Minister of Industry has authority under the Radiocommunications Act R.S.C. 1985 c. R-2 to "approve each site on which radio apparatus, including Antenna systems, may be located, and may approve the erection of all masts, towers, and other Antenna-supporting structures". Industry Canada licenses the operation of Telecommunication Facilities and the towers used to support these facilities. **The Federal Minister of Industry is the sole approving authority** for the development and operation of Radiocommunication in Canada, including Telecommunication Facilities.





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- 4.2 The Client Procedures Circular CPC-2-0-03 Issue 4: Radiocommunication and Broadcasting Antenna Systems (effective January 1, 2008) published by Industry Canada, and in reference to Federal legislation, has identified that Proponents must meet four broad elements of the process in order to install or modify Telecommunication Facilities (p. 1):
- a) Co-location: “Investigating sharing or using existing infrastructure before proposing new Antenna-supporting structures”;
  - b) Municipal Process: “Contacting the land-use authority (LUA) to determine local requirements regarding Antenna systems”;
  - c) Consultation: “Undertaking public notification and addressing relevant concerns, whether by following the local LUA requirements or Industry Canada’s default process, as is required and appropriate.” (See subsection 4.2 of Industry Canada’s Client Procedures Circular: CPC-2-0-03); and
  - d) Technical Requirements: “Satisfying Industry Canada’s general and technical requirements.”
- 4.3 Industry Canada requires that:
- a) Telecommunications Facilities comply with the Canadian Environmental Assessment Act and an environmental assessment may be required in order to verify compliance;
  - b) Application for Significant Telecommunication Facilities address the potential for adverse environmental effects and proposed mitigation measures, as provided for under the Canadian Environmental Assessment Act and that installations respect the local environment; and
  - c) Telecommunication Facilities be installed and operated in compliance with other statutory requirements, including the Canadian Environmental Protection Act, the Migratory Birds Convention Act and the Species at Risk Act.

## **PART 5: PUBLIC CONSULTATION**

### **5.1 Public Consultation Requirements**

- a) Public consultation is required where any one of the following situations apply:
  - i) A Type A Telecommunications Facility (as defined in subsection 6.4(b)) is proposed to be located less than the Prescribed Distance of 100m from a Residential Area;
  - ii) At the discretion of the Town, where a Type A Telecommunications Facility is proposed to be located in areas farther than the Prescribed Distance from Residential Areas;
  - iii) At the discretion of the Town, where a Telecommunications Facility is proposed in a discouraged location (subsection 6.7);
  - iv) The public consultation meeting should be held at a time that would capture a representative cross-section of neighbourhood demographics (ex. the meeting should not be held on a Statutory Holiday);
  - v) More than one meeting may be required, as circumstances warrant, and a range of meeting formats should be considered, appropriate for the level of resident interest in the project;
  - vi) The public meeting is to be held in the affected area of the proposed Telecommunications Facility;



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- vii) The public consultation meeting must allow an opportunity for members of the public to ask questions of the Proponent; and
  - viii) The Proponent is responsible for all costs associated with the public meeting.
- b) During the meeting, the Proponent shall:
- i) seek permission to, and record the names, addresses and phone numbers of all those in attendance;
  - ii) Keep minutes or record of the meeting, which shall fully identify any comments raised by the attendees, and fully identify the response of the Proponent to these comments (in accordance with subsection 4.2 “Responding to the Public” of Industry Canada’s Client Procedures Circular: CPC-2-0-03);
  - iii) If a questionnaire or comment form is provided during the meeting to solicit responses from area residents and property owners, then those comments, or a summary thereof shall be provided to the Town of Strathmore as part of the final submission package;
  - iv) Give a time frame within which written comments on the proposed Telecommunications Facility are requested to be submitted to the Proponent for consideration (if they are not submitted at the meeting), which shall be no less than seven days from the date of the meeting and not less than 30 days from the date of notification of the meeting;
  - v) Include the name and contact information of a person working on behalf of the Proponent to which comments may be submitted;
  - vi) Provide technical information on radiofrequency transmission and point-to-point radiofrequency transmission, Tower type and Antenna(s) configuration and Health information on radiofrequency transmission and health standards (Safety Code 6); and
  - ii) Provide supporting materials for the option(s) that are under consideration, including information to address the Design and Visual Impact, and include materials to best inform the public, as deemed appropriate, including, but not limited to a map showing the notification area, which includes the location of the proposed the Telecommunications Facility, as well as existing Telecommunications Facilities within 500 metres or the Prescribed Distance, and context images, showing views of the proposed site and surrounding area, with and without the proposed Telecommunication Facility (or additions thereto).
- c) Notwithstanding, public consultation may not be required, subject to review by the Town, in the following cases:
- i) If a Statutory Plan pre-identifies sites for Telecommunication Facilities, and the proposed Telecommunication Facility is consistent with that plan. The Proponent shall consider the context of the Area Structure Plan and any potential future development within the area as directed in the Area Structure Plan;
  - ii) Where the location is separated from the residential development or other discouraged area by an arterial roadway, and/or is buffered by substantial tree cover, topography, or buildings;
  - iii) At the discretion of the Town, in circumstances where only a few properties would fall within the Prescribed Distance the Proponent may carry-out “paper consultation” in





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order to satisfy the consultation requirements of this Policy. A paper consultation solicits comments by mail or other means and would not require a public consultation meeting; and

- iv) Modification, maintenance or replacement of a Telecommunication Facility (including improving the structural integrity of its integral mast to facilitate sharing), or the addition of Antenna(s) or other radio apparatus to existing infrastructure, provided the addition or modification does not result in an overall height increase of 25% above the original structure's height; And provided the addition would not increase the height of the Telecommunications Facility in such a way that it would be located within the Prescribed Distance from an existing Residential Area in cases where the new height would exceed 15 metres.

**5.2 Functions of the Town during Public Consultation**

- a) The Town of Strathmore performs three main functions at a public consultation meeting. These are:
  - i) To scrutinize the consultation process, by observing how and what information is provided to the public by the proponent about the proposed telecommunication antenna structure and it's intended location, observing any questions which may arise, and observing how concerns and other issues regarding the proposal are resolved;
  - ii) To clarify the provisions of the Town of Strathmore's Telecommunication Bylaw as required; and
  - iii) To explain the Town's role in the deployment of telecommunication antenna structures, ensuring protocols contained within this bylaw are followed, evaluating each proposal based on specific criteria.

**PART 6: TELECOMMUNICATION SUBMISSIONS**

**6.1 Pre-Submission Consultation**

- a) Proponents are encouraged to conduct a pre-submission consultation with The Town of Strathmore to identify preliminary issues of concern prior to making an application. In this regard, pre-submission consultations should ensure the following factors are addressed:
  - i) the submission type;
  - ii) the proposed telecommunication antenna structure location;
  - iii) potential alternative locations;
  - iv) the type and height of the proposed telecommunication antenna structure;
  - v) documentation regarding the investigation of co-location potentials on existing or proposed telecommunication structures within 500 metres of the subject proposal;
  - vi) documentation regarding the offer for co-location on the proposed telecommunication antenna structure; and
  - vii) the necessity for a public consultation meeting.
- b) The Proponent shall submit a site selection and justification analysis during the Initial Submission to the Town. The analysis is expected to be prepared by an appropriate professional who is qualified to give an opinion and include details about how the existing



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telecommunications infrastructure does not meet the needs of the network. If the Proponent determines that Co-location is not viable, the analysis shall include detailed documentary evidence as to why Antenna Co-location on an existing Telecommunication Tower is not a viable alternative to a new Telecommunication Antenna Structure. The Town may require verification of the results through Industry Canada.

- i) The analysis shall include maps showing the location of existing Telecommunications Facilities, and the opportunities each has for co-location. Ideally, these maps would show the gap in coverage or capacity (bandwidth) in the existing network and the options that the Proponent is considering for Co-location or Site selection to close the gap. These maps should be used during the public consultation meeting; and
  - ii) Proponents should consider the possibility of future requests for co-location on proposed facilities and sites, in the design of Telecommunication Facilities.
- c) Prior to contacting the Town to make a submission for a telecommunication antenna structure, proponents are encouraged to consider the information detailed in the location criteria set out in subsections 6.2 and 6.3 below.

**6.2 Location Criteria for Developed Areas**

- a) The placement of telecommunication antenna structures in developed areas often raises concerns about aesthetics, property values and exposure to radio frequency electromagnetic fields created by these installations;
- b) A separation distance of 100m on Type A towers of any height to be placed within 100 metres of any residential development or residential district (said 100 metres to be measured from the centre of the base of the proposed structure);
- c) With respect to aesthetics and property values, this bylaw encourages proponents to consider the use of disguised and camouflaged antenna structures wherever possible;
- d) Regarding health and radiofrequency (RF) exposure issues and limits for telecommunication antenna systems, these elements are regulated by Health Canada's Safety Code 6 guidelines. Health Canada's position is that there are no human health effects as long as the guidelines are followed; and
- e) The Town of Strathmore has neither the authority nor the medical/biological research expertise/capability to assess or evaluate any submission for telecommunication antenna structures with respect to RF and health issues. However, this bylaw provides guidelines for separation distances between residential uses and proposed telecommunication antenna structures. Note that, these separation distances are not based on any medical or scientific requirement, evidence or verification by the Town of Strathmore.

**6.3 Location Criteria for New/Greenfield Areas**

- a) For locations within the Town that have not yet been developed, proponents are encouraged to select sites for the placement of Telecommunication Antenna structures prior to development taking place. The Town promotes this course of action so that those purchasing properties in these new developing areas will be able to make informed decisions based on an understanding of where initially telecommunication antenna structures are likely to be installed. Note that, this should not be construed to mean that telecommunication antenna





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structures will be confined to these locations only. Changes in technology and increased demand for cellular phone service and data streaming may require additional sites in the community that cannot presently be determined.

**6.4 Telecommunication Submission Categories**

- a) The Town of Strathmore recognizes that different types of telecommunication antenna structures may create different magnitudes or degrees of impact and concern within the community and on the existing built environment of the Town in general. Consequently, The Town has grouped the various types of telecommunication antenna structures into three main categories with the objective of making the assessment and evaluation of these types of submissions more efficient and functional with respect to procedures, actions required and processing times.
- b) **Type A Submissions** involve those telecommunication antenna structures deemed by The Town of Strathmore to have potential impacts on or concerns for the community, the environment or the existing urban fabric of the Town in general, that are proposed:
  - i) on towers of any height to be placed within 100 metres of any residential development or residential district (said 100 metres to be measured from the centre of the base of the proposed structure);
  - ii) on towers of any height to be placed in areas of environmental, historic, strategic or operational importance or sensitivity as identified by *The Town of Strathmore Municipal Development Plan*;
  - iii) to increase the height of an existing tower by more than 25% of the existing height;
  - iv) on any other telecommunication antenna structure not identified as a Type B or a Type C submission structure, excluding Amateur Radio Antenna Structures which are not governed by this bylaw.
  - v) A Type A Telecommunication Facility should be designed, screened, and situated on the site in such a way as to minimize any potential land use impacts on the neighbourhood area or existing uses on the property within which it is proposed;
  - vi) A copy of each Type A submission received will be circulated for information and comment purposes. A public consultation meeting, conducted prior to making a submission to The Town, will be required pursuant to the provisions set out in this bylaw. The Town of Strathmore recommends at least a two-week interval between the date of the public consultation meeting and making a submission to The Town to ensure time for post-consultation inquiries and comments to be received from the public and answered by the proponent.
  - vii) Type A submissions will be processed by The Town of Strathmore within 21 days of receipt of a complete telecommunication antenna submission.
  - viii) In addition to the preceding, Type A submissions also include telecommunication antenna structures (towers) that are 15 metres or greater in height proposed in locations designated as a commercial, industrial or institutional district and further than 100 metres away from any residential development or residential district. These Type A submissions will follow the same circulation and processing procedures as those noted above, however, no public consultation process will be required for this group of telecommunication antenna structures.





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- ix) The use of any Town owned park or reserve land proposed for the placement of a Type A telecommunication antenna structure will require a public consultation process pursuant to the provisions set out in this bylaw.
  - x) The measurement to determine the height of any proposed or existing tower shall be taken from the ground, not the top of any base upon which the tower may sit and extends to the highest point of the tower which includes any GPS or antenna array, lightening rod or other attached device.
- c) **Type B Submissions** include those telecommunication antenna structures considered by The Town of Strathmore to have low or no adverse impacts or concerns with respect to the community or the Town in general. These include proposed telecommunication antenna structures in such locations as:
- i) on roof tops of buildings (Note: the roof top should be higher than any adjacent residential development(s) or a public consultation may be required at the discretion of The Town of Strathmore);
  - ii) on streetlight poles;
  - iii) on parking lot light poles;
  - iv) on existing utility towers and similar structures as determined by The Town of Strathmore; and
  - v) on towers less than 15 metres in height that are not identified as a Type A telecommunication antenna structures in this bylaw.
  - vi) A copy of each Type B submission received will be circulated for information purposes only. A public consultation meeting will not be required, and the submission will be processed within 10 working days of receipt of a complete telecommunication antenna application.
- d) **Type C Submissions** primarily apply to proposals for those telecommunication antenna structures that will have a limited operational time frame and no or negligible adverse impacts on the community, the environment or the existing urban fabric of the Town in general, as determined by The Town of Strathmore. This category also includes the addition of telecommunication antenna structures to an existing tower in specific circumstances. Type C submissions include:
- i) a temporary telecommunication antenna structure, including a Cell on Wheels (COW), for a duration of no longer than 3 months;
  - ii) a time extension request for an existing temporary telecommunication antenna structure or COW to remain in place beyond the initial 3-month duration limit;
  - iii) a telecommunication antenna structure to be used for a special event;
  - iv) a telecommunication antenna structure to be used for an urgent situation or emergency event;
  - v) the co-location of a proponent's telecommunication antennas on an existing tower where an increase in tower height is not required; and
  - vi) the addition of new shelters, cabinets and other similar enclosures or compounds required to house a proponent's equipment associated with the telecommunication antennas being connected to an existing telecommunication antenna structure.



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- vii) The proponent will submit a written notification to The Town of Strathmore, allowing 10 days for response time prior to installing any proposed Type C telecommunication antenna structure or commencing a time extension for an existing Type C telecommunication antenna structure within the Town. Type C telecommunication antenna structures used to provide service during an emergency event may be installed without submitting a written notification to The Town of Strathmore and are excluded from the 10-day response period requirement. As a courtesy, The Town encourages a verbal notification in these circumstances, to be completed within 24 hours of the deployment of the telecommunication antenna structure.

**6.5 Co-Location**

- a) Proponents shall be required to investigate opportunities for Site Co-location and Antennas Co-location of their Telecommunication Facilities as part of a “Co-location Feasibility Review” in accordance with this bylaw.

**6.6 Preferred Locations**

- a) In cases where a Telecommunications Facility is proposed to include a new Telecommunications Tower, the Proponent shall first determine the suitability of co-location on existing Telecommunication Facilities, other infrastructure, or buildings within the operational range of the Antenna, typically a minimum of 500 metres of the location of the proposed Telecommunication Facility.
- b) Locations for a Telecommunication Facility should be chosen strategically to fulfill the purpose of this policy.
- c) Where wireless service demand necessitates the development of a new Telecommunication Facility, the following locations shall be preferred and should be reviewed for feasibility
  - i) Antennas Co-location on existing Telecommunications Facilities, including, but not limited to, buildings, structures, overhead power transmission towers, broadcast towers, utility poles and light standards;
  - ii) Site Co-location when co-location on existing structures is not feasible;
  - iii) Transportation and Utility Corridors;
  - iv) Industrial and Commercial areas;
    - i. Roof top or wall-mounted facilities on buildings having a height greater than 23 metres;
    - ii. Agricultural areas; and
    - iii. Other areas with non-residential uses where appropriate.

**6.7 Discouraged Locations**

- a) Residential Areas;
- b) Environmentally Sensitive Areas and significant natural areas (e.g. Kinsmen Park, wetlands);
- c) Parks locations as determined by Development Services.

**6.8 Technical Location Requirements**

- a) Where there is no alternative to the placement of Telecommunication Towers in Residential Areas, setbacks to residential buildings should be maximized where possible; and





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- b) Where a Tower is proposed on non-residential property that abuts residential property, the Tower should meet the minimum setbacks for the applicable non-residential zone.

**6.9 Final Submission to the Town**

- a) Within 60 days after the public consultation meeting (subsection 5.1), which is generally held no less than 21 days after the date of mailing of the notification of the public meeting, the Proponent shall provide the Town with the following, if a statement of concurrence from the Town is requested:
- 1) Type of telecommunication antenna structure being proposed;
  - 2) 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. Where an agent is authorizing the use on the property, proof verifying the agent's authority must be submitted;
  - 3) The proponent's name, company name and address, phone and fax numbers;
  - 4) Colour photographs showing the proposed location of the telecommunication antenna structure as well as immediate surroundings;
  - 5) The submission fee paid in full;
  - 6) A completed public amenities disclosure form;
  - 7) Five (5) copies of a site plan, drawn to a readable and measurable scale, showing:
    - a) North arrow
    - b) Municipal address
    - c) Legal address (Lot/Block/Plan)
    - d) Property lines with adjacent streets and lanes
    - e) Location of the proposed antenna structure and any support buildings including their dimensions
    - f) Location of existing buildings on the site
    - g) Entrance/access to the site
    - h) Existing and proposed landscaping, fencing and screening
    - i) Distance to the nearest residential property (or residential district, if no dwellings exist yet)
    - j) Elevation drawings showing all sides of the proposed antenna structure
    - k) Proposed colour, material, diameter and height
    - l) Any other additional information or material Development Services determines to be necessary and appropriate to properly evaluate the proposed submission;
  - 8) A map (or maps) showing the location and typical coverage area of existing Towers located within 500 metres of the proposed site, which shows the need for additional Telecommunication Facilities. Other infrastructure and buildings that could support the Antenna(s) should also be shown on this map;
  - 9) A brief report documenting any pre-submission consultation or meeting between the proponent and the Town;
  - 10) A brief or report documenting the public consultation meeting required for telecommunications antenna structure as required by this bylaw;
  - 11) A summary of comments received from those unable to attend the meeting (including written or verbal submissions) and the Proponent's response to those comments, which shall separate comments received from those residents and





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property owners within the Prescribed Distance and those comments received from those outside the Prescribed Distance;

- 12) An explanatory document, Co-location Feasibility Review, (this is a must have and the 21-day submission timeline will not commence unless and until this information is provided to the Town) that describes how the Proponent has agreed (or not) to modify the proposed Telecommunications Facility or its location to address any concerns raised at the public consultation meeting; including an explanatory document which explains why the Proponent cannot, or chooses not to, address any outstanding concerns.

### **Redundant Telecommunication Antenna Structures**

- a) Regardless of telecommunication antenna structure type, when a telecommunication antenna structure becomes redundant to the operation of a proponent's telecommunications network, the Town of Strathmore requests that the proponent shall remove the telecommunication antenna structure, all buildings and associated equipment from the site and remediates the property to the satisfaction of the property owner. Unless otherwise specified in a written agreement with the property owner, The Town recommends removal and remediation take place within 60 days of the telecommunication antenna structure becoming redundant; and
- b) Notification to the Town is requested within 30 days of the proponent(s) abandoning/decommissioning the telecommunication antenna structure. Regardless of telecommunication antenna structure Type, in cases where a redundant telecommunication structure is not being removed by the proponent abandoning/decommissioning the structure, but is instead to be sold to a party that is not another proponent or a party that will not be using the telecommunication antenna structure for wireless telecommunication or other radiocommunication purposes, the Town of Strathmore requests a notification in writing within 30 days of the sale of the telecommunication antenna structure.

## **PART 7: CONCURRENCE/NON-CONCURRENCE**

### **7.1 Concurrence**

- a) When a submission is given concurrence, the proponent will receive a letter of concurrence and an approved set of the drawings stamped by The Town of Strathmore documenting its decision. The Town of Strathmore will also send a copy of the concurrence letter to Industry Canada for information purposes.

### **7.2 Non-Concurrence**

- a) When a submission is given a non-concurrence decision, the proponent will receive a letter of non-concurrence and a set of drawings stamped for Non-Concurrence. The Town of Strathmore will provide reasons for its position and send copies of the non-concurrence letter to Industry Canada for information purposes.



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**7.3 Rescinding a Concurrence**

- a) If, following the issuance of a concurrence, it is determined by The Town of Strathmore that the submission contains a misrepresentation, or a failure to disclose all of the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued have not been complied with, and a resolution cannot be reached to correct the issue, The Town may rescind its concurrence. Notification of any such action will be given in writing to the proponent and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.

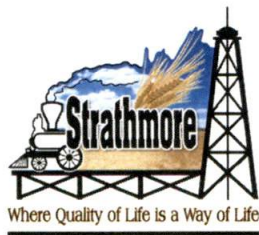
**7.4 Duration of Concurrence**

- a) A concurrence remains in effect for a maximum period of three (3) years from the date it was issued by the Town of Strathmore.
- b) If construction has not commenced within this time period the concurrence expires and a new submission and review process, including a public consultation (where required by this bylaw) is necessary prior to any construction occurring. For the purpose of this bylaw, construction will be deemed by The Town to have commenced when the preparation of a base for a telecommunication antenna structure has been physically initiated on the site concurrence was issued for or an existing telecommunication antenna structure is about to be altered in any way in preparation of an increase in height to that structure.
- c) In addition, if construction has not commenced after two (2) years from the date the concurrence was issued, The Town requests that the proponent send a written notification of an intent to construct to The Town of Strathmore 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.

**7.5 Transfer of Concurrence**

- a) Once concurrence has been issued, that concurrence may be transferred from the proponent that initially received the concurrence (the original proponent) to another proponent (the current proponent) without the need for further consultation with The Town or the public, provided that:
  - i) all information gathered by the original proponent in support of obtaining the concurrence from The Town, including correspondence and information arising from the public consultation meeting, is also transferred to the current proponent to substantiate the concurrence;
  - ii) the structure for which concurrence was issued to the original proponent is what the current proponent builds;
  - iii) construction of the structure is commenced within three (3) years of the date the concurrence was originally issued; and
  - iv) If the structure will be shorter than what the concurrence was originally issued for, it will not be necessary to obtain a new concurrence or conduct a public consultation. However, The Town must be notified in writing of this change. If the structure is to be increased in height or changed (as an example) from a monopole to a tri-pole, then the current proponent must make a new submission, undertake a public consultation





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following the provisions set out in this bylaw and obtain a new concurrence prior to any construction taking place.

**PART 8: TIMELINES**

- 8.1 The Client Procedures Circular CPC-2-0-03 Issue 4: Radiocommunication and Broadcasting Antenna Systems (effective January 1, 2008) published by Industry Canada states that municipalities must “establish milestones to ensure consultation process is completed within 120 days”.
- 8.2 Notwithstanding subsection 13.07, The Client Procedures Circular CPC-2-0-03 has additional time requirements in the case that the Proponent receives written comments, as follows:
- a) After soliciting public comment (subsection 5.1), the proponent must wait a minimum of 30 days before proceeding. If written comment is received by the Proponent in that time, the Proponent has 14 days to acknowledge the comment and 60 days to respond to the comment with an answer to the query and provide reasons why they can or cannot do what was asked (if applicable). The Proponent then must wait an additional 21 days in expectation of receiving a follow-up comment, at which point the Client Procedures Circular is open-ended, and states that the Proponent may request Industry Canada involvement.
  - b) If any comments are received, it is unlikely that the 120-day maximum time to complete the public consultation process will be met, as the mandated process may take an additional 64 days, bringing the comment period from 30 days to 94 days (or longer, if the Proponent requests Industry Canada’s involvement).

**PART 9: ADMINISTRATION**

- 9.1 Where this Bylaw refers to another Act, Regulation or agency, it includes reference to any Act, Regulation or agency that may be substituted, therefore.
- 9.2 Every provision of this Bylaw is independent of all other provisions, if any provision of this Bylaw is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw shall remain valid and enforceable.

**PART 10: EFFECTIVE DATE**

- 10.1 This Bylaw comes into force on the date it is passed.

**READ A FIRST TIME**, this 20<sup>th</sup> day of May, 2020.

**READ A SECOND TIME, AS AMENDED**, this 4<sup>th</sup> DAY OF September 2020.

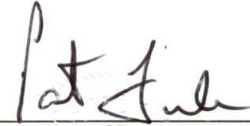
**READ A THIRD TIME, AS AMENDED**, this 4<sup>th</sup> DAY OF September 2020.



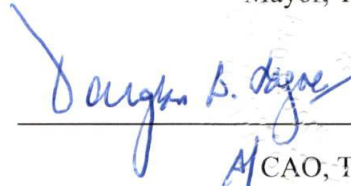


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Mayor, Town of Strathmore



CAO, Town of Strathmore