



Planning and Development Committee Report

To: To the Chair and Members of the Planning and Development Committee
From: Kayla DeLeye, Senior Planner
Date: December 7th, 2021
Report: RPT-21-301
Subject: Communication Tower Application CT 1-21/KD
Purpose: **For Approval**

Recommendation

That the County Clerk be directed to inform Forbes Bros Canada that:

- a) Forbes Bros Canada and Xplornet Communications has satisfactorily completed its consultation with the County of Brant;
- b) The County of Brant is satisfied with Forbes Bros Canada and Xplornet Communications public consultation process and does not require any further consultation with the public; and
- c) That the County of Brant concurs with Forbes Bros Canada and Xplornet Communications proposal to construct a freestanding communication base station & tower provided it is constructed in accordance with the plans submitted and described as facility ON 8094 – Osborne Corners at 64 Brant Road, Paris, ON.

Key Strategic Priority

1. Sustainable and managed growth

Financial Considerations

Not applicable.

Executive Summary

The purpose of the report is to provide the Committee with information regarding the details of an application to erect a new free standing 45.0m (147.6ft) tall self-support type structure within a 15m x 15m leased area, transmitting and receiving antennas, and radio equipment to be located on lands described as 64 Brant Road. FB Connect has been retained by Xplornet Communications (“Xplornet”) with respect to a proposal to build a new freestanding communications base station facility on the subject lands.

The proposed facility would be located approximately 1.2Km north from the Governors Rd East and Brant Rd intersection. The proposal supports enhanced wireless voice & data coverage and capacity for Osborne Corners and the surrounding areas. The planning analysis will focus on literature reviews of applicable policy (i.e. *Planning Act*, *Provincial Policy Statement*, Official Plan, and the County's Telecommunication Towers Protocol), consultation with internal departments, an inspection of the subject lands and surrounding neighbourhood and discussions with both the applicants and the members of public. The findings indicate that the proposal is consistent with the policies of the *Provincial Policy Statement*, and in conformity the County of Brant Official Plan (2012) and the County's Telecommunication Towers Protocol.

Proposal

Xplornet has proposed a 45.0m (147.6 ft) tall self-support style structure within a 15m x 15m leased area on the subject lands. The applicants are seeking Council to adopt the above noted resolution wherein this municipality acknowledges that the proponent has adhered to the requirements of the County of Brant municipal land-use consultation process for the siting of antenna systems as per Industry Canada Client Procedures Circular 2-0-03, Issue 4, entitled Radiocommunication and Broadcasting Antenna Systems (CPC-2-0-03).

A public notice sign was also posted on the subject lands on August 31st 2021. The application was brought forward to the September 7th 2021 Planning Advisory Committee meeting and presented for information. Per Industry Canada's guidelines, default public consultation is conducted via written notification to property owners within three times (3x) the height of the tower measured from the base or outer most point of the tower. The applicants advertised a public information meeting (in the Brantford Expositor) to be held on October 6th 2021. No members of the public reached out to participate in the meeting and additionally, no public feedback has been received from planning staff regarding this proposal.

Location

The subject lands are located on the east side of Brant Road. Xplornet's proposed location is on property described as Part Lot 12 Concession 1, geographic Township of South Dumfries, Part 1 2R4880; Part Lot 11, Concession 1, geographic Township of South Dumfries, Part 1, 2R5238 ; geographic Township of South Dumfries and does not have a municipal address at this time. The proposed facility would be located approximately 1.2Km north from the Governors Rd East and Brant Rd intersection. The tower is proposed to be located on the west side of the subject property and has the following geographic coordinates:
Latitude (NAD83) N 43° 12' 55.3" Longitude (NAD83) W 80° 16' 40.2"

Report

Industry Canada's Client Procedures Circular 2-0-03:

Industry Canada's Client Procedures Circular 2-0-03, Issue 4, entitled Radio communication and Broadcasting Antenna Systems (CPC-2-0-03) requires proponents of new communication towers to follow the land-use consultation process for the siting of antenna systems, established by the land-use authority, where one exists. The County established a municipal land-use consultation process and protocol for the siting of communication towers which came into effect on July 4, 2011 (revised in 2020).

This application is consistent with the County of Brant Communication Tower and Communication Antenna Preferred Location Protocol (attached).

Provincial Policy Statement (2020):

Policy 1.1.1 (g) requires municipalities to ensure that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

This application is consistent with the Provincial Policy Statement (2020) as it proposes to increase the mobile base station infrastructure to fill coverage gaps and increase capacity for current and future wireless users.

Growth Plan for the Greater Golden Horseshoe (2019)

Section 3.2.1 of the Growth Plan speaks to providing for integrated infrastructure planning through the implementation of the Growth Plan. Staff note that in Section 7: Definitions, "Infrastructure" is defined to include, among other things, communications and telecommunications facilities.

County of Brant Official Plan (CBOP) (2012)

The lands are designated Agricultural and Natural Heritage in the Official Plan. The proposed tower will be located on the lands designated as Agriculture. Section 3.16.2(f) of the Official Plan states that communications towers shall not be located within the Natural Heritage System Designation. The applicants have located the tower outside of the Natural Features.

In addition, Section 5.5(i) of the Official Plan encourages the shared and multiple use of telecommunications towers.

The applicants have noted that co-location and rooftop deployment were the first locations considered in achieving new coverage objectives. For site sharing to be considered technically feasible, existing telecommunication sites and other tall structures must be located within the search area prescribed by Xplornet network planners and engineers. These locations must also provide adequate deployment height and structural capacity to hold additional equipment.

Site sharing investigations revealed that there are no existing tower facilities within 0.5km of Xplornet proposed location that are feasible locations

I am of the opinion that the proposal is in conformity to with the policies of County of Brant Official Plan.

Infrastructure/Servicing

The subject lands are presently serviced by private septic system and well. The proposed telecommunication tower will not require any modification to the existing systems currently in place.

Zoning By-Law 61-16

The subject lands are zoned Agricultural (A) and Natural Heritage (NH) in the Zoning By-Law 61-16. The following regulations will apply:

Section 4.40(d) (Uses Permitted In All Zones) states that the following uses shall be permitted in all Zones, including those Zones subject to special provisions, unless such use is specifically identified as not being permitted otherwise: *Services and utilities of public agency such as water lines, wastewater lines, gas distribution mains, telecommunications and other cabled services, district energy facilities without cogeneration, pumping stations, and local electric power lines or other communication lines not including electricity generation facilities. However, no goods, material or equipment shall be stored or processed in the open, unless such outside storage or outside processing is specifically permitted in the Zone.*

I am of the opinion that the proposal meets the general intent of the Zoning By-Law 61-16.

Interdepartmental Considerations

No objections were received through the circulation of this application.

Public Considerations

County Staff did not receive any letters of objection with regards to this proposal.

Conclusions and Recommendations

The two provincial directives, the *Provincial Policy Statement* and the Growth Plan for the Greater Golden Horseshoe (2020), now require municipalities to be more strategic when providing infrastructure in support of the community.

Xplornet proposed location meets the intent of the County Of Brant - Communication Tower and Antenna Protocol wherein the new tower is not located within or adjacent to a Residential Use, a Natural Heritage System Feature or another sensitive land use.

Staff note that the circulation of notices, both by mail and newspaper, was undertaken in accordance with County of Brant's Telecommunications Tower Protocol (2020). Notices were sent to all neighbouring residences within 500 metres of the subject lands, 30 days prior to the meeting, in accordance with Section 11(B)(c) of the County's Protocol. The applicant also published a notice in the Brantford Expositor, 30 days prior to the meeting, in accordance with Section 11(B)(d) of the County's Protocol. Furthermore, the notice sign was posted on August 31st, 2021, in accordance with Section 11(B)(i) of the County's Protocol.

In summary, the proposal has merit, as it is consistent with provincial policy and does not conflict with the Official Plan or the Council approved Telecommunications Towers Protocol. Therefore, it is my opinion that the recommendation be endorsed by the Committee.

Attachments

1. Zoning Map
2. Official Plan Map
3. Ariel Map
4. Site Plan
5. Justification Report

Copy to:

1. Heather Boyd, Clerk Council Committee Services
2. Mat Vaughan, Director of Development Planning
3. Alyssa Seitz, Planning Administrative Assistant
4. Applicant/Agent

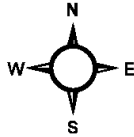
File CT1/21/KD

In adopting this report, is a By-Law or agreement required?

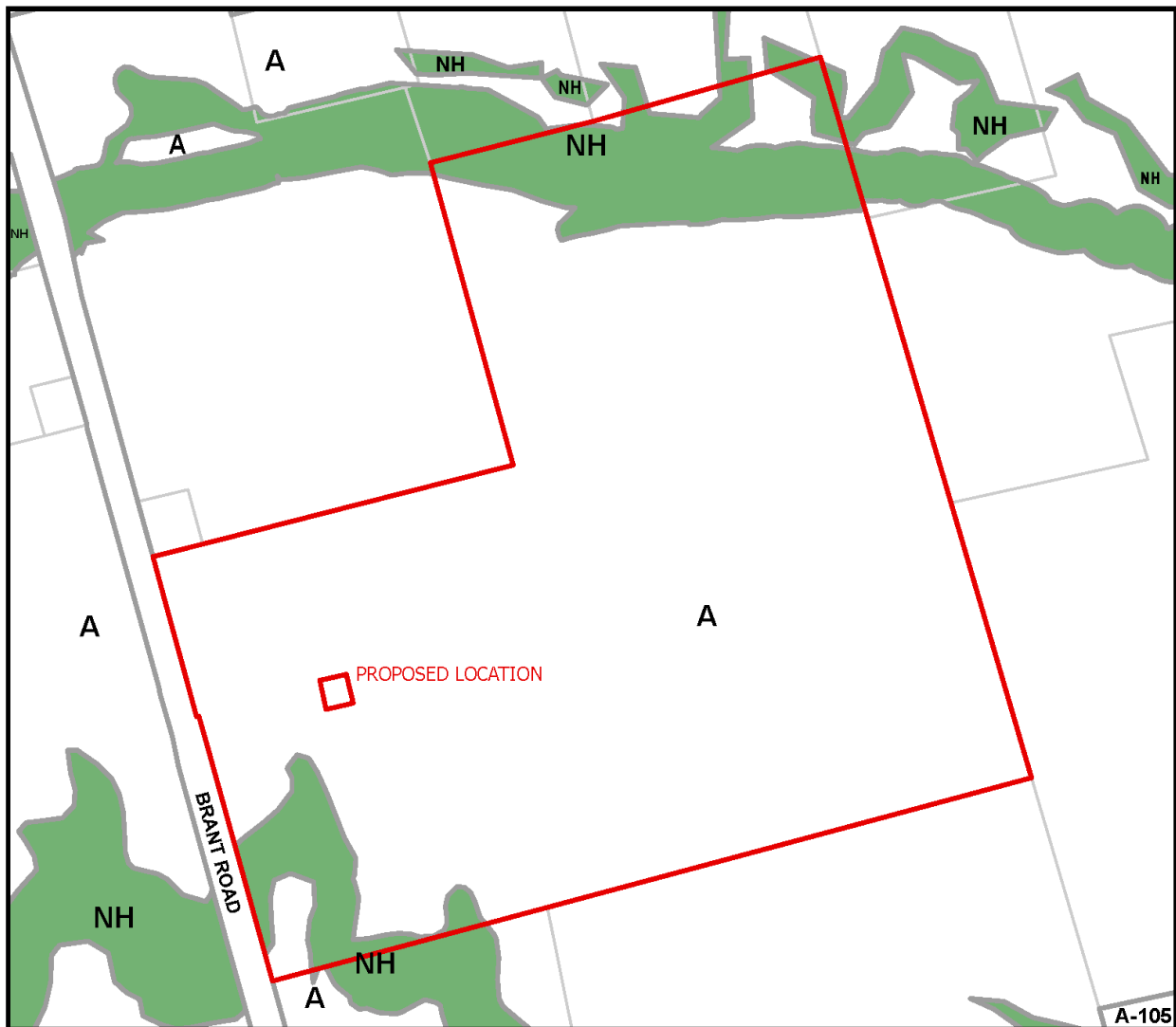
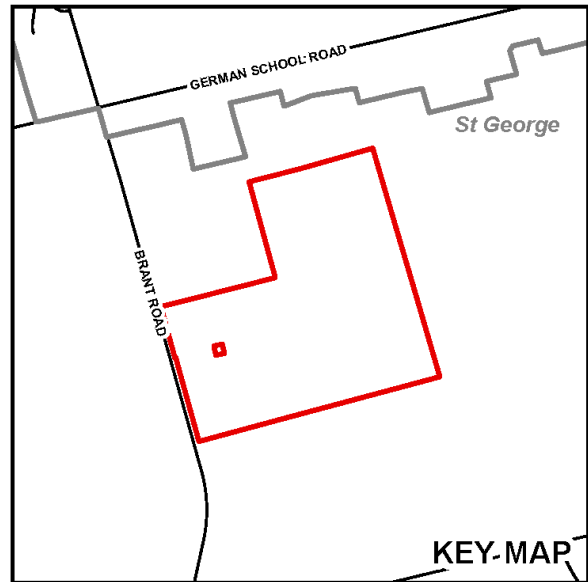
By-Law required	(No)
Agreement(s) or other documents to be signed by Mayor and /or Clerk	(No)
Is the necessary By-Law or agreement being sent concurrently to Council?	(No)

MAP 1: ZONING MAP
FILE NUMBER: CT1-21-KD

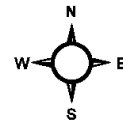
Former Township of
SOUTH DUMFRIES



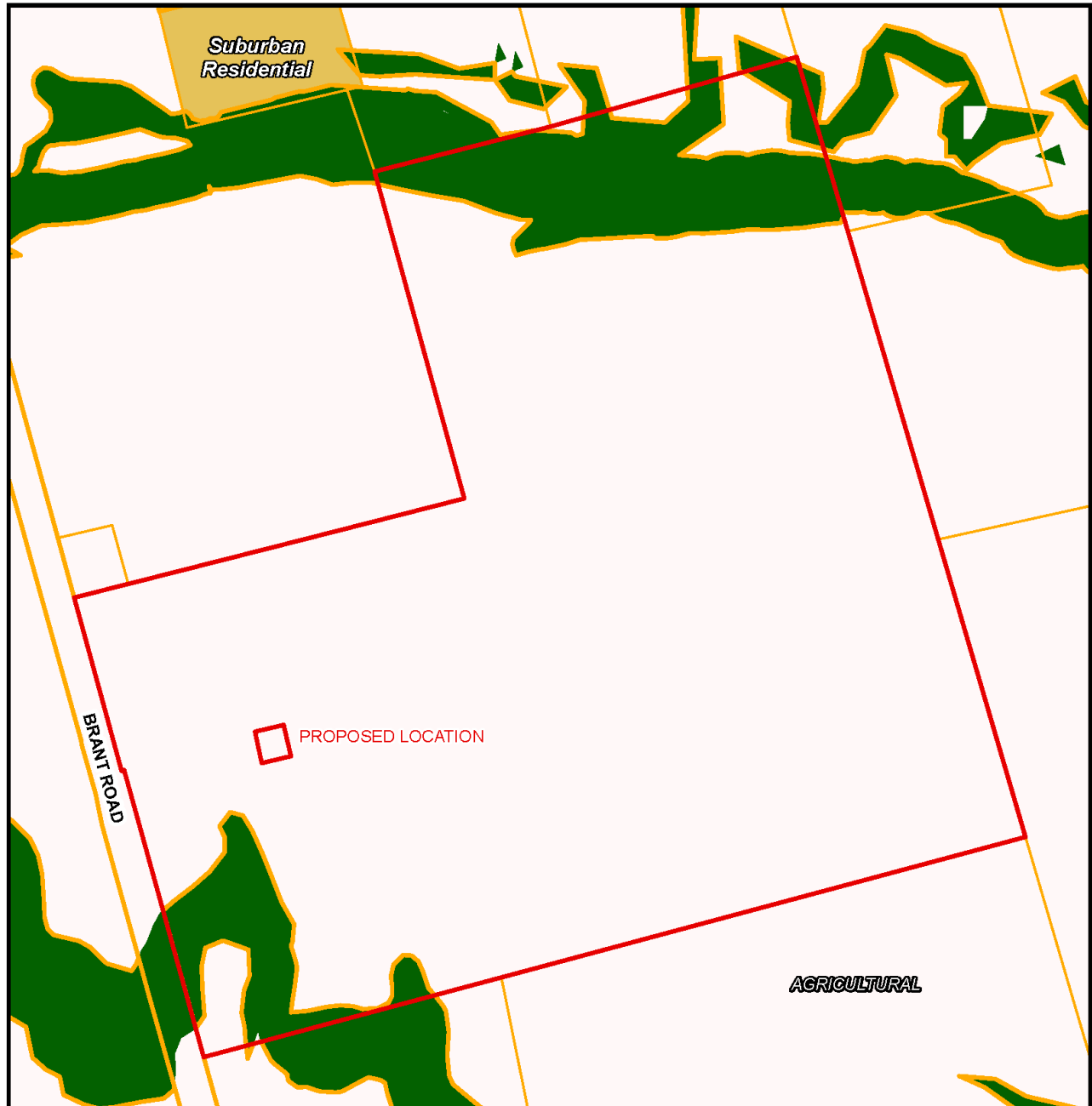
1:7,520
120 60 0 120 240
Meters



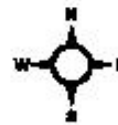
Map 2: Official Plan Map
Address: 64 Brant Road
Former Township of South Dumfries



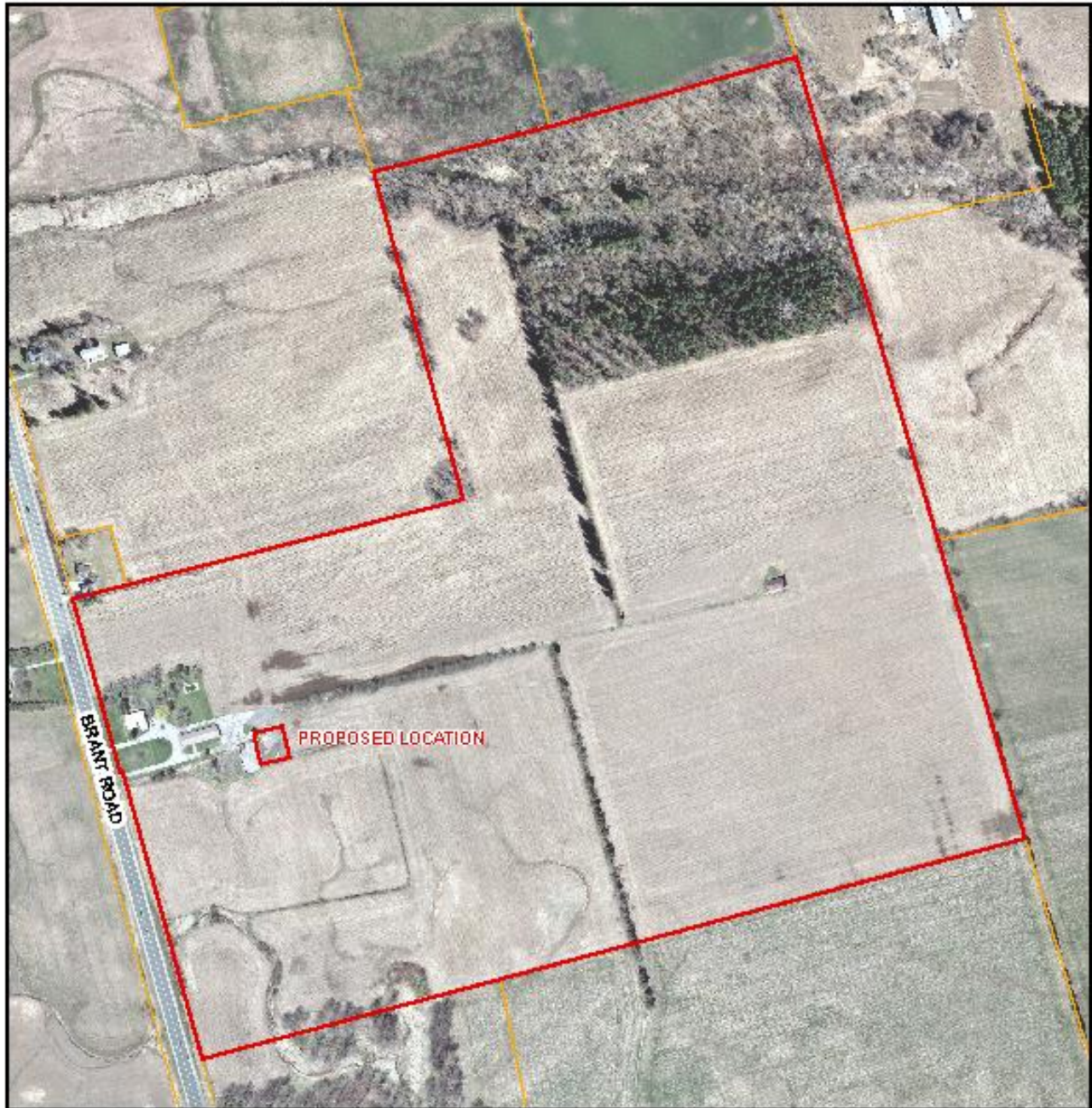
90 45 0 90 180
Meters



Map 3: Aerial Map
Address: 64 Brant Road
Former Township of South Dumfries



90 45 0 90 180
Meters



SITE ID: Osborne Corners-ON8094-14776

PIN:

Legal Description: 64 Braint Road, Paris, Ontario N3L 3E1

Owner Name: Susan Laura Jean Eddy & Mark William Stern Eddy

LAT: 43.215369

LONG: -80.277839

