



Planning and Development Committee Report

To: The Chair and Planning and Development Committee
From: Dan Namisniak, Planner
Date: February 1, 2022
Report: RPT-21-352
Subject: Telecommunication Tower Application CT6-21-DN (1 Albert Judge Drive, Burford)
Purpose: For Recommendation.

Recommendation

That the Clerk be directed to inform Shared Tower Inc. (STC):

- a) That LandSquared on behalf of Shared Tower Inc. (STC) has completed consultation with the County of Brant and the public; and
- b) That the Telecommunication Tower as proposed at 1 Albert Judge Drive **is** in accordance with Section 4.iii – ‘Preferred Location Guidelines’ of the ‘Communication Tower and Communication Antenna Preferred Location Protocol (2020)’.

Key Strategic Priority

1. Sustainable and Managed Growth

Financial Considerations

Not applicable.

Proposal / Executive Summary

The purpose of the report is to provide the Committee with information regarding the details of a new Telecommunication Tower Application proposed within the County of Brant. The proposal aims to support enhanced wireless voice & data coverage and capacity for the surrounding area.

Telecommunication Tower Application **CT6-21-DN** proposes to establish a 50 metre (164 feet) tall, steel, self-supported, lightning protected telecommunication structure, situated within a 9m x 16m compound area surrounded by a 1.8m chain link security fence.

Section 4.iii of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)' outlines 'Preferred Location Guidelines' for new Telecommunication Towers.

Surrounding Land Use	Preferred Setback (3x tower height)	Provided Setback
Residential Use	150 metres (492 feet)	180 metres (590 feet)
Natural Heritage Feature	150 metres (492 feet)	200 metres (656 feet)

This application has completed the following circulation and consultation process:

- November 3, 2021 – Internal / External Departmental Circulation
- December 2, 2021 – Neighbourhood Meeting (Hosted by the Applicant)
- December 7, 2021 – Information Meeting (Planning and Development Committee)

The review of this application focuses on literature reviews of applicable planning policy (i.e. *Planning Act*, *Provincial Policy Statement*, *Official Plan*), and public consultation and location preferences as outlined in the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

Review of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)' concludes that:

- a) That LandSquared on behalf of Shared Tower Inc. (STC) has completed consultation with the County of Brant and the public;
- b) That the Telecommunication Tower as proposed at 1 Albert Drive is in accordance with the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

Location

The subject lands are located south of King Street East, west of Maple Ave South, along the east side of Albert Judge Drive. The subject lands have a total frontage of 158 metres (518 feet), depth of 90 metres (295 feet) and total area of 1.4 hectares (3.4 acres). The subject lands are located within an Industrial area with established industrial related uses. The surrounding area consists of established low density residential uses and Natural Heritage area to the north west.

Report

The purpose of the report is to provide the Committee with information regarding the details of a new Telecommunication Tower Application proposed within the County of Brant.

Industrial 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 as the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

- ***Review of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)' concludes that:***
 - a) That LandSquared on behalf of Shared Tower Inc. (STC) has completed consultation with the County of Brant and the public;***
 - b) That the Telecommunication Tower as proposed at 1 Albert Drive is in accordance with the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.***

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 (2020)

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.

- ***The proposal results in the expansion of infrastructure to support the settlement area of Burford and be utilized by local residents.***

County of Brant Official Plan (CBOP) (2012)

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The *Planning Act* requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

- ***The lands subject to this application contain an Employment Lands designation as outlined in Schedule 'A' of the County of Brant Official Plan.***

Section 5.5 outlines policies related to the advancement of utilities within the County of Brant.

- ***Through the submission of the Site Selection justification report, the application has demonstrated the need for the proposed telecommunication tower expansion.***
- ***Consultation with the County of Brant and members of the public has been completed to review concerns related to the proposed telecommunication tower expansion.***
- ***The location of the proposed tower has been reviewed against the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.***

The application is in conformity with the policies of County of Brant Official Plan.

Infrastructure/Servicing

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 Heavy Industrial (M3) in 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.*

The application complies with applicable standards of Zoning By-Law 61-16.

Interdepartmental Considerations

The following Comments were received through technical circulation of this application:

Development Engineering:

- The south property line of the Subject Lands is required to be verified to ensure that the tower and any fencing is contained within the Subject Lands. The verification of the south property line will be required to be surveyed by a qualified Ontario Land Surveyor

Grand River Conservation Authority (GRCA):

- The proposed structure is located outside of lands identified as natural hazard as well as adjacent lands and is not presently regulated by the GRCA. As such, I'd recommend no formal comments from the GRCA for this proposal as it is my opinion that they would not add value to the review process.

Building Division:

- This communications tower does not require a building permit.

Six Nations

- As we are aware there is no requirement for an Archaeological Assessment but we always take into account that unknown factor in any ground impactions.
- If any archaeological materials do arise please reach out and we can discuss next steps.

No objections were provided by the following departments:

- Fire
- Environmental Planning
- Development Engineering
- Operations
- Parks and Facilities
- Technology Services Division
- Hydro One

Public Considerations

Public circulation of notices, by mail and newspaper, was undertaken in accordance with *Section 11(B) – Procedure for Public Consultation* as outlined in the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

- Notices were sent to all neighbouring residences within 500 metres of the subject lands, 30 days prior to the meeting;
- A notice was published in the Brantford Expositor, 30 days prior to the meeting; and
- A notice sign was posted on the subject lands 20 days prior to the meeting date.

This application has completed the following public circulation and consultation process:

- December 2, 2021 – Neighbourhood Meeting (Hosted by the Applicant)
- December 7, 2021 – Information Meeting (Planning and Development Committee)

Conclusions and Recommendations

Telecommunication Tower Application **CT6-21-DN** proposes to establish a 50 metre (164 feet) tall, steel, self-supported, lightening protected telecommunication structure, situated within a 9m x 16m compound area surrounded by a 1.8m chain link security fence.

The review of this application focuses on literature reviews of applicable planning policy (i.e. *Planning Act, Provincial Policy Statement, Official Plan*), and public consultation and location preferences as outlined in the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

Review of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)' concludes that:

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Attachments

1. Site Location Map
2. Surrounding Land Uses
3. Formal Site Selection Justification Report

Copy to:

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

File CT6/21/DN

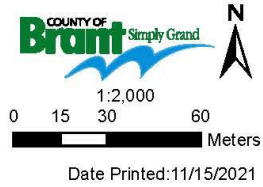
In adopting this report, is a By-Law or agreement required?

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)

Attachment 1– Site Location Map

MAP 3: Aerial Map FILE NUMBER: CT6-21-DN

1 ALBERT JUDGE DRIVE
Former Township of
BURFORD



Attachment 2 – Surrounding Land Uses

