



## Planning and Development Committee Report

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**To:** To the Chair and Members of the Planning and Development Committee  
**From:** Dan Namisniak, Planner  
**Date:** June 7, 2022  
**Report:** RPT-22-83  
**Subject:** CT4-21-DN - Telecommunication Tower Application  
**Purpose:** Review of 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'

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### Recommendation

Telecommunication Tower Application CT4-21-DN from Bell Mobility c/o FONTUR International Inc., Agent, on behalf of the Applicant, Bell Mobility and Blaindale Farms, Owner of River Range Part Lot 70, County of Brant, in the geographic Township of Onondaga, located at 1289 Highway #54, proposing a steel, lattice tri-pole telecommunications tower, 90 metres in height surrounded by a fenced-in compound of approximately 25 metres by 25 metres be received; and

THAT the Clerk be directed to inform FONTUR International Inc:

- a. THAT FONTUR International Inc on behalf of Bell Mobility has completed consultation with the County of Brant and the public; and
- b. THAT the Telecommunication Tower as proposed at 1289 Highway #54 is not 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

None.

### Executive Summary / Background

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 CT4-21-DN proposes to establish a steel, lattice tri-pole telecommunications tower, 90 metres in height surrounded by a fenced-in compound of

approximately 25 metres by 25 metres.

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

| <b><i>Surrounding Land Use</i></b>                                                                                                                                                                                                                                                                                                                                                                       | <b><i>Preferred Setback<br/>(3x tower height)</i></b> | <b><i>Provided Setback</i></b>      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-------------------------------------|
| <b><i>Residential Use</i></b>                                                                                                                                                                                                                                                                                                                                                                            | <b><i>270 metres (855 feet)</i></b>                   | <b><i>160 metres (524 feet)</i></b> |
| <b><i>Natural Heritage Feature<br/>(Top of Bank)</i></b>                                                                                                                                                                                                                                                                                                                                                 | <b><i>270 metres (855 feet)</i></b>                   | <b><i>240 metres (787 feet)</i></b> |
| *The rear portion of the property is zoned and designated Natural Heritage due to the Grand River and its associated floodplain and valley system. The proposed tower location is about 240 metres from the top of slope associated with the Grand River and about 65 m from a minor valley located on the property to the west. Given this distance, Environmental Planning does not have any concerns. |                                                       |                                     |

This application has completed the following circulation and consultation process:

- September 21, 2021 – Internal / External Departmental Circulation
- January 14, 2022 – Neighbourhood Meeting (Hosted by the Applicant)
- April 5, 2022 – 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 and the County of Brant 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

The Telecommunication Tower Application submission consists of the following, attached to this report for Committees consideration:

- Proposed Tower location Plan
- Survey
- Site Selection Justification Report
- Public Consultation Summary Report

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

- a. FONTUR International Inc on behalf of Bell Mobility has completed consultation with the County of Brant and the public; and
- b. The Telecommunication Tower as proposed at 1289 Highway #54 is not in accordance with Section 4.iii – 'Preferred Location Guidelines' of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.

## **Location**

The subject lands are located west of Brant County Road #22 along the south side of Highway #54. The subject lands have a total frontage of 215 metres (367 feet), depth of 479 metres (636 feet) and total area of 10 hectares (24.9 acres).

The subject lands are located within an Agricultural area and currently contain an existing residential dwelling and a number of large metal structures of various size and height associated with a farming operation. The north side of Highway #54 consists of a cluster of rural residential single detached dwellings.

## **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. ***FONTUR International Inc on behalf of Bell Mobility has completed consultation with the County of Brant and the public; and***
  - b. ***The Telecommunication Tower as proposed at 1289 Highway #54 is not in accordance with Section 4.iii – 'Preferred Location Guidelines' of the '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.

- ***This application is in conformity to the Growth Plan as it proposes to integrate expanding infrastructure.***

### **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 both Agricultural and Natural Heritage designation as outlined in Schedule 'A' of the County of Brant 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 proposed tower location is located outside of the identified Natural Features.***

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.***

### **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.*

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

### **Interdepartmental Considerations**

The following comments were received from departments/agencies as part of the circulation of this application:

#### **Environmental Planning:**

- The rear portion of the property is zoned and designated Natural Heritage due to the Grand River and its associated floodplain and valley system. The proposed tower location is about 240 metres from the top of slope associated with the Grand River and about 65 metres from a minor valley located on the property to the west. Given this distance, Environmental Planning does not have any concerns.

The following departments/agencies did not provide any comments/ concerns as part of the circulation of this application:

- |                                             |                                         |
|---------------------------------------------|-----------------------------------------|
| · Development Engineering                   | · Canada Post                           |
| · Field Services                            | · GIS Mapping / Civic Addressing        |
| · Fire                                      | · Parks & Facilities                    |
| · Operations                                | · Energy Plus:                          |
| · Building                                  | · Union Gas                             |
| · Economic Development                      | · Imperial Oil                          |
| · Energy Plus                               | · Six Nation/Mississaugas of the Credit |
| · Grand River Conservation Authority (GRCA) | · Bell Canada                           |

## 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 circulation and public consultation process:

- January 14, 2022 – Neighbourhood Meeting (Hosted by the Applicant)
- April 5, 2022 – Information Meeting (Planning and Development Committee)

The following comments have been received as result of the circulation and public consultation process and are attached to this report for Committee review:

- B & M McBlain – 1328 Highway #54
- J & J Lane – 1288 Highway #54
- K & R Pearce - 1286 Highway #54

A summary of the themes identified in the public submission letters include:

- Visual impact of the tower
- Proposed location justification
- Proposed lighting
- Health and safety concerns
- Impact on cell and internet service

Notice of the June 7, 2022 public meeting for this application including, Contact information and Public Hearing Date was circulated by mail on May 18, 2022 to all property owners within 125 metres of the subject lands in accordance with the *Planning Act*. A site visit along with the posting of the Public Notice sign was completed on May 18, 2022.

At the time of writing this report, no further public comments or correspondence have been received.

## Conclusions and Recommendations

Telecommunication Tower Application CT4-21-DN proposes to establish a steel, lattice tri-pole telecommunications tower, 90 metres in height surrounded by a fenced-in compound of approximately 25 metres by 25 metres.

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)'.

The Agent for the application has provided detailed responses to those public comments received related to the identified themes.

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

- a. FONTUR International Inc on behalf of Bell Mobility has completed consultation with the County of Brant and the public; and
- b. The Telecommunication Tower as proposed at 1289 Highway #54 is not in accordance with Section 4.iii – ‘Preferred Location Guidelines’ of the ‘Communication Tower and Communication Antenna Preferred Location Protocol (2020)’.

### **Attachments**

1. Zoning Map
2. Official Plan Map
3. Aerial Map
4. Surrounding Land Uses Map
5. Public Consultation Summary Report

### **Copy to**

6. Pam Duesling, General Manager of Development Services
7. Mat Vaughan, Director of Development Planning
8. Heather Boyd, Clerk/Manager of Council Committee Services
9. Alyssa Seitz, Planning Administrative Assistant
10. Applicant/Agent/ Owner

### **File # CT4-21-DN**

### **In adopting this report, is a bylaw or agreement required?**

If so, it should be referenced in the recommendation section.

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 - Zoning Map**

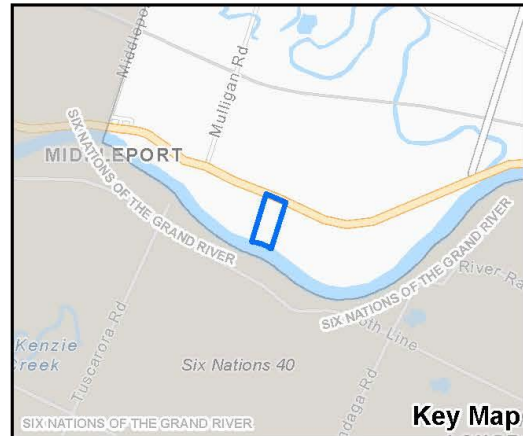
**MAP 1: ZONING MAP**  
**FILE NUMBER: CT4-21-DN**

1289 Highway 54  
Former Township of  
**Paris**

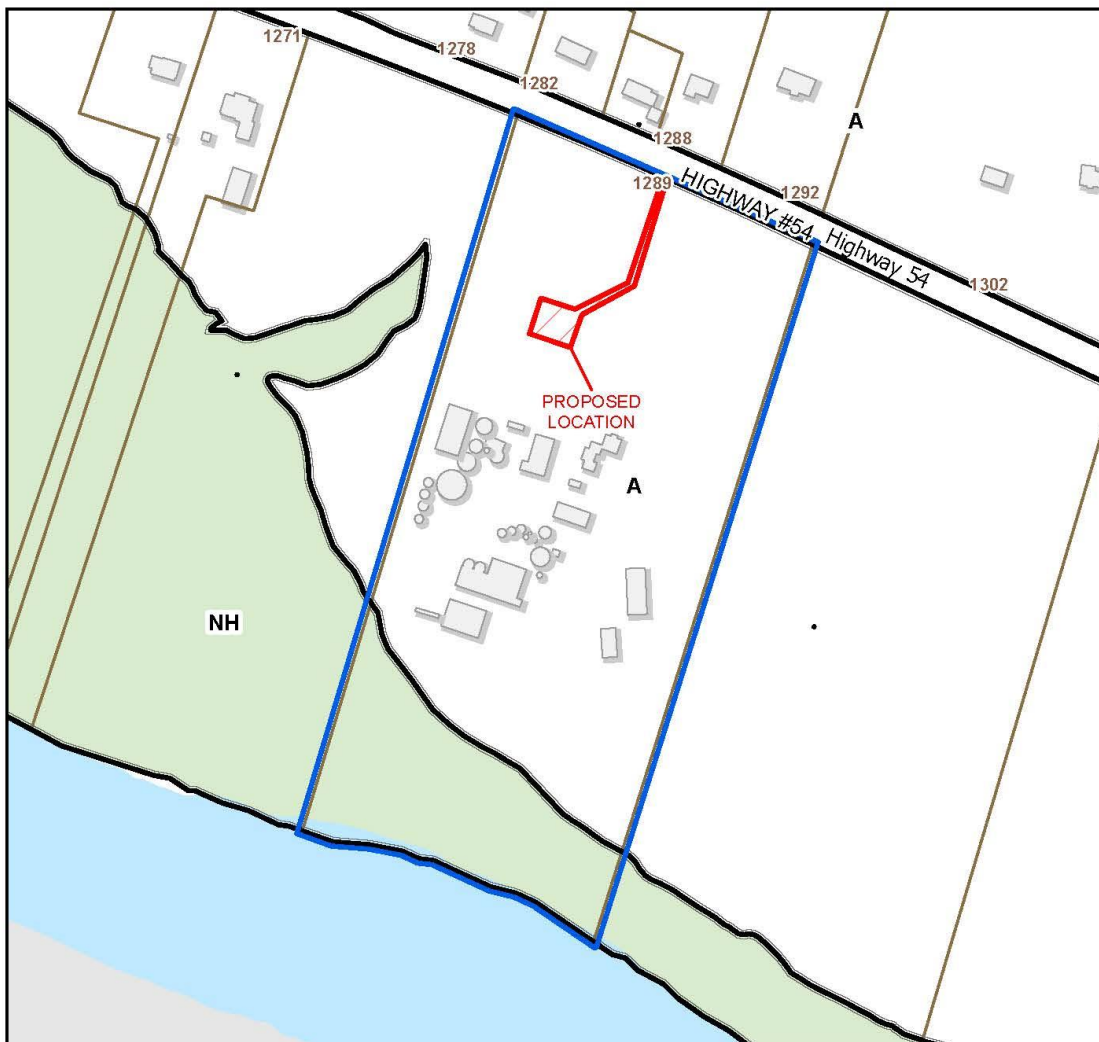


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Date Printed: 8/30/2021



**Key Map**



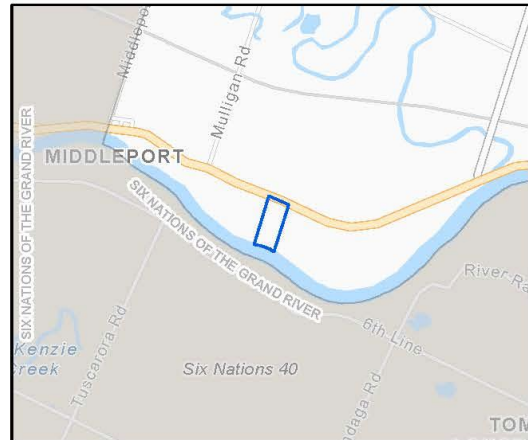
**MAP 2: Official Plan Map**  
**FILE NUMBER: CT4-21-DN**

1289 Highway 54  
Former Township of  
**Paris**



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0 25 50 100  
Meters

Date Printed: 8/30/2021





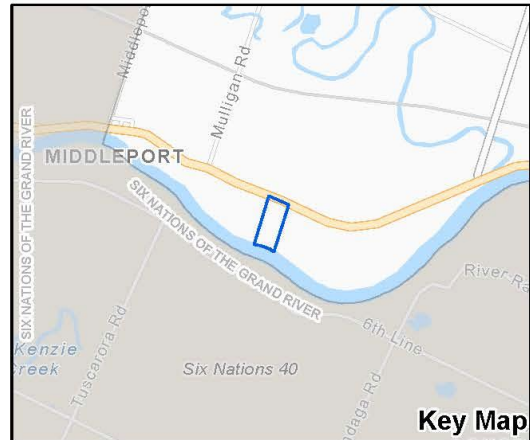
**MAP 3: Aerial Map**  
**FILE NUMBER: CT4-21-DN**

1289 Highway 54  
Former Township of  
**Brant**

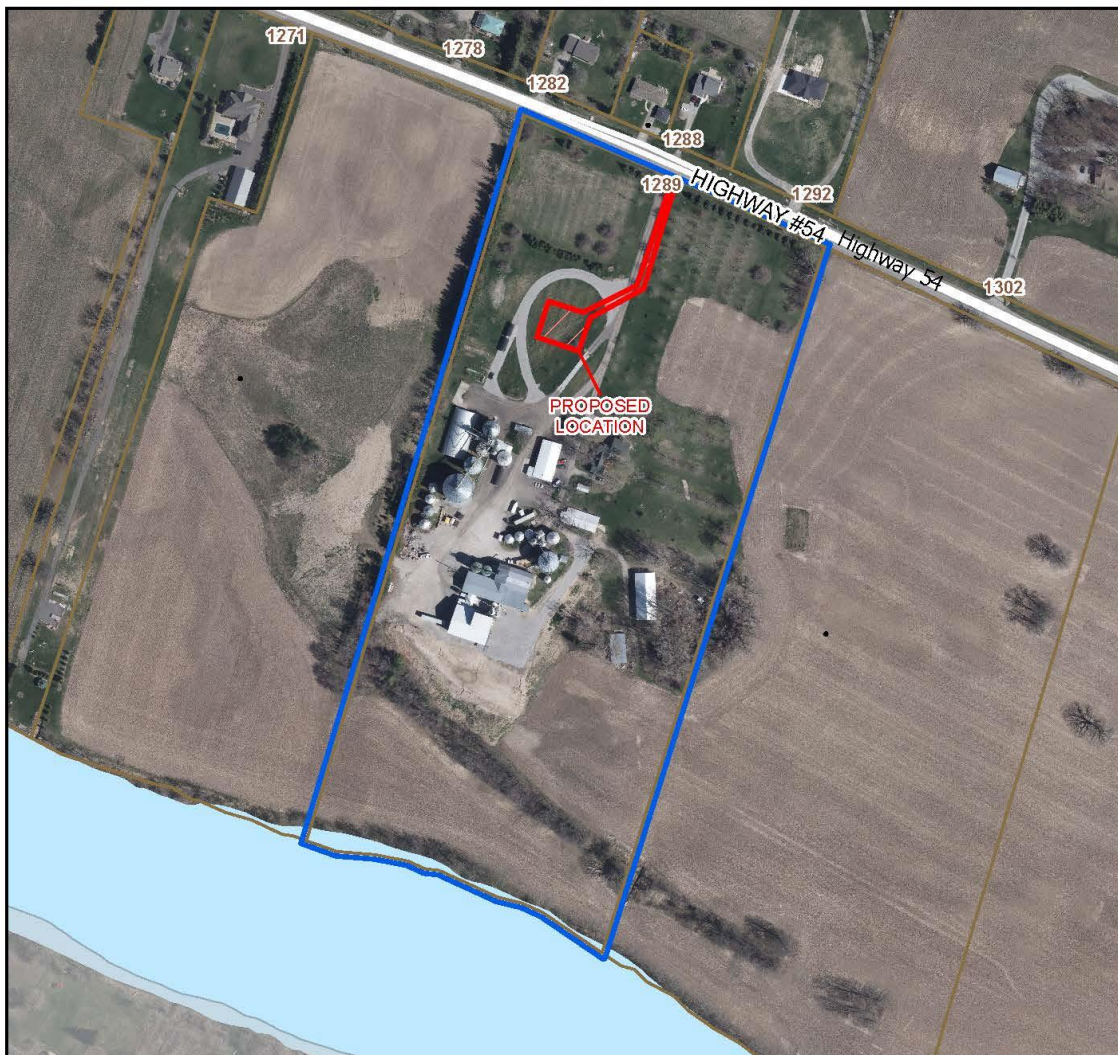


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Date Printed: 8/30/2021



**Key Map**



Attachment 4 – Surrounding Land Uses

