



Planning and Development Committee Report

To: The Mayor and Members of County of Brant Council
From: Haylee Hallema, Junior Planner
Date: March 12, 2024
Report #: RPT- 0141 - 24
Subject: CT4-23-HH – Telecommunication Tower Application
Purpose: For Information and Direction

Recommendation

That Telecommunication Tower Application **CT4-23-HH** from FONTUR International Inc. care of SIGNUM Wireless Towers Inc, owned by the County of Brant, municipally known as Concession 4, former geographic Township of South Dumfries, municipally known as 525 Scenic Drive, County of Brant, proposing the installation of a 50 metre (164 feet) tall, self-support telecommunication structure, situated within a 3m x 3m area, be received.

And that the Clerk be directed to inform SIGNUM Wireless Towers Inc. (SWT):

- a) That SIGNUM Wireless Towers Inc (SWT) has completed consultation with the County of Brant and the public; and
- b) That the Telecommunication Tower as proposed at 525 Scenic Road is not in accordance with Section 4.iii – ‘Preferred Location Guidelines’ of the ‘Communication Tower and Communication Antenna Preferred Location Protocol (2020)’.

Executive Summary

The purpose of this report is to provide the Planning and Development Committee with information regarding details of a new Telecommunication Tower Application proposed within the County of Brant. The proposal seeks to improve wireless services in the surrounding area.

Telecommunication Tower Application **CT4-23-HH** proposes to establish a 50 metre (164 feet) tall, self-support telecommunication structure, situated within a 3m x 3m area.

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)	85 metres (278 feet)
Natural Heritage Feature	150 metres (492 feet)	50 metres (164 feet)
<p>*The Natural Heritage Zone is primarily associated with a waterbody (pond). It is the opinion of Planning staff that the intent of environmental provisions is to protect natural heritage features, from the impacts associated with communication towers. Staff have no concerns with impact to the waterbody.</p>		

This application has completed the following circulation and consultation process:

- January 11th, 2024 – Internal / External Departmental Circulation
- December 8th, 2023 – Neighbourhood Meeting (Hosted by the Applicant)
- February 13th, 2024 – 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:

- a) That SIGNUM Wireless Towers Inc (SWT) has completed consultation with the County of Brant and the public; and
- b) That the Telecommunication Tower as proposed at 525 Scenic Road 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 at the corner of Scenic Drive and East River Road. The subject lands have a frontage of approximately 110.61 metres (362.89 feet), and a lot area of approximately 0.29 hectares (0.72 acres). The subject lands are located within a Core Area Commercial zone which contain the Royal Canadian Legion.

The surrounding land uses consist of commercial and low-density residential land uses.

Strategic Plan Priority

Strategic Priority 4 - Reliable Infrastructure

Report

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.

Analysis

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)'.

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

- **Review of the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)' concludes:**
 - a) **That SIGNUM Wireless Towers Inc (SWT) has completed consultation with the County of Brant and the public; and**
 - b) **That the Telecommunication Tower as proposed at 525 Scenic Road 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 (PPS) – 2020

The *Provincial Policy Statement* (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the *Planning Act*.

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.

The application is consistent within the Provincial Policy Statement (2020) as it proposes to improve wireless voice and data services for current and future wireless users.

Growth Plan for the Greater Golden Horseshoe (2020)

The *Growth Plan* is a framework that provides policy direction to implement strong and prosperous communities and how to manage growth in Ontario to 2051. The *Planning Act* requires that all decisions that affect a planning matter shall 'conform with' Provincial plans, including but not limited to the Growth Plan.

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.

It is my professional opinion that the request conforms to the policies of the Growth Plan.

County of Brant Official Plan 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 Municipal Policies, including but not limited to the *County of Brant Official Plan*.

- ***The subject lands are designated Rural Residential as outlined in Schedule 'A' of the County of Brant Official Plan.***
- ***Section 3.16.2(f) of the Official Plan advises communication towers shall not be located within the Natural Heritage System Designation. The proposed tower is not located within Natural Heritage Features.***

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

- ***The Site Selection Justification Report submitted with the application demonstrates the need for the proposed telecommunication tower expansion.***
- ***The proposed telecommunication tower location has been reviewed against the 'Communication Tower and Communication Antenna Preferred Location Protocol (2020)'.***

It is my professional opinion that the request conforms to the policies of the County of Brant Official Plan.

Infrastructure/Serviceing

The proposed telecommunication tower will not require any modification to the existing systems currently in place.

Source Water Protection

Source water protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and others, are responsible for implementing source protection plan policies.

Staff have reviewed Source Water Protection Area mapping, and the subject lands are within a Source Water Protection zone. It has been confirmed that the proposed Telecommunication Tower will have no impact on drinking water within the area.

County of Brant Zoning By-Law 61-16

The subject lands are zoned Core Area Commercial (C4) in the Zoning by-Law 61-16.

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.*

It is my professional opinion that the proposal complies with the applicable policies of the Zoning By-Law 61-16.

Interdepartmental Considerations

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

Development Engineering:

- A legal survey is required showing Access and Utility easements to the proposed Lease Area. Survey is to be completed by a certified Ontario Land Surveyor.
- Staff conducted a site inspection and found Option 2 is not acceptable, as the required Lease Area (15m x 15m) cannot be accommodated within the area. Option 1 is the preferred option. Grading & some tree removal would be required for the Option 1 Lease Area. Also, an existing Bell Easement is located close to the Lease Area. (See attached Easement Plan 2R-4878).

NAV Canada: NAV CANADA has evaluated the captioned proposal and has no objection to the project as submitted. Our assessment does not constitute an approval and/or permit from other agencies.

Parks: Parks has no comments regarding this application.

Forestry:

- We will require a full Tree Inventory and Tree Protection Plan (TPP) for all trees surrounding the proposed locations of the towers and where proposed site operations and machinery will be. If no trees are to be injured, an ISA Certified Arborist must submit a letter stating as such. Trees shall be assessed and reported to meet the requirements stated in the County of Brant's Tree Protection Guide (see attached).
- A site visit may be required with the County Forestry Officer to determine what location would be best suited

Fire: No issues with this application to install a communications tower at 525 Scenic Drive.

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

- Environmental Planning
- Building
- Finance – Tax Department
- Mississauga’s of the Credit First Nations
- Six Nations
- Hydro One
- Bell Canada
- Rogers
- Canada Post
- Enbridge

Public Considerations

Public circulation of notices, by mail 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 sign was posted on the subject lands 30 days prior to the meeting date.

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

- December 8th, 2023 – Neighbourhood Meeting (Hosted by the Applicant)
- February 13th, 2024 – Information Meeting (Planning and Development Committee)

Notice of the February 13th, 2024 public meeting for this application including, contact information and Public Hearing Date was circulated by mail on January 9th, 2024, to all property owners within 500 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 January 9th, 2024.

Public comments were received from neighbouring property owners as a result of the circulation and public consultation process and is attached to this report for Committee review. The comments were with regards to health and safety concerns, existing institutional uses and existing residential uses.

Summary and Recommendations

Telecommunication Tower Application **CT4-23-HH** proposes the installation of a 50 metre (164 feet) tall, self-support telecommunication structure, situated within a 3m x 3m area.

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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Prepared By:



Haylee Hallema

Junior Planner

Attachments

- 1. Zoning Map
- 2. Official Plan Map
- 3. Aerial Map
- 4. Location Map

Reviewed By

Reviewed By: Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3 Director of Planning

Submitted By: Pamela Duesling, PhD, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

Copied To

- 1. Pam Duesling, General Manager of Development Services
- 2. Mat Vaughan, Director of Development Planning
- 3. Alysha Dyjach, Clerk/Manager of Council Committee Services
- 4. Alyssa Seitz, Planning Administrative Assistant
- 5. Applicant/Agent/ Owner

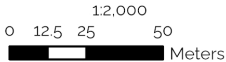
By-law and/or Agreement

By-law Required	No
Agreement(s) or other documents to be signed by Mayor and /or Clerk	No

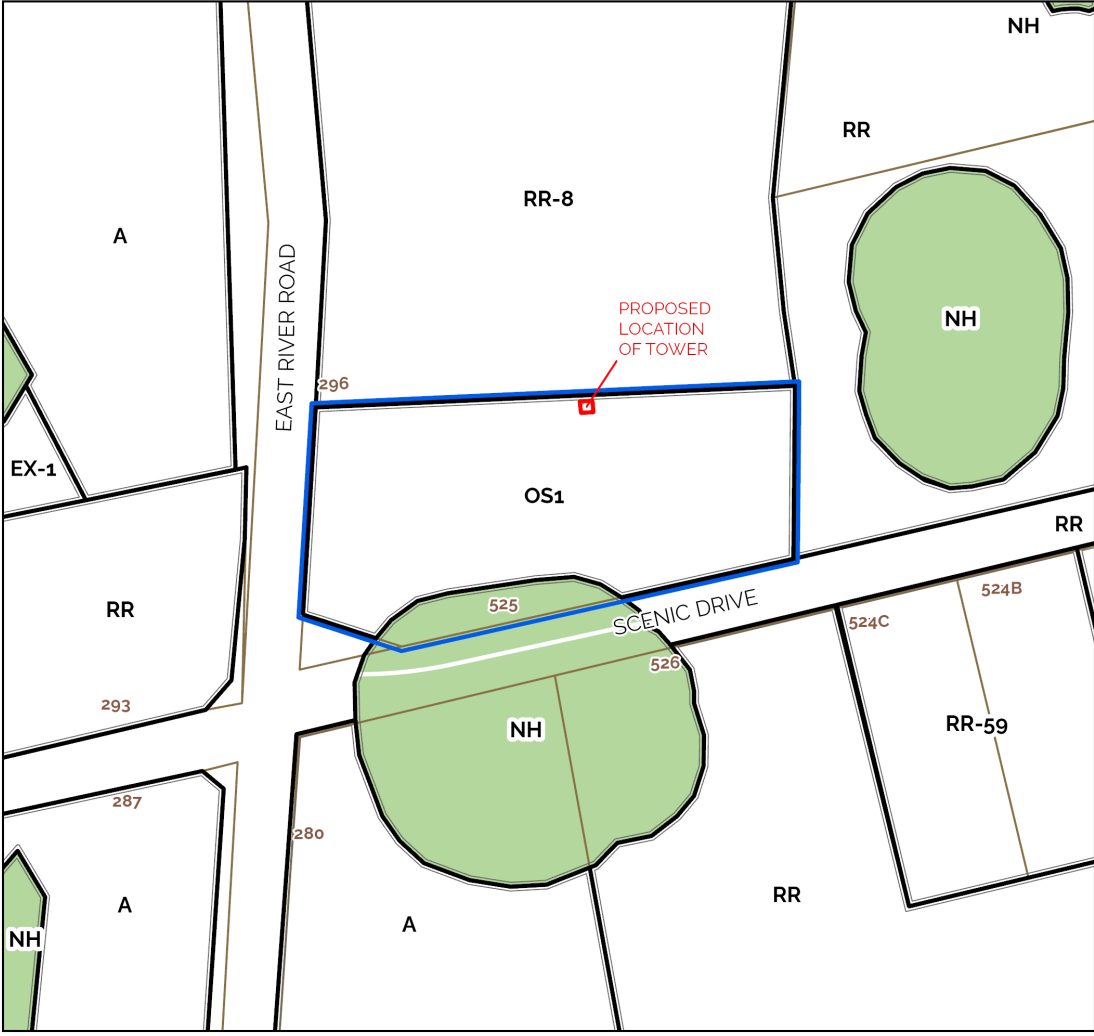
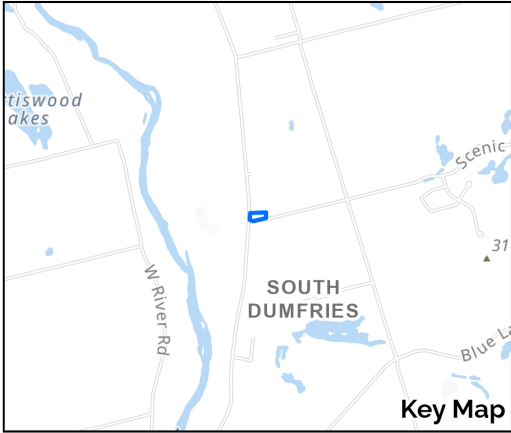
Attachment 1 – Zoning Map

**MAP 1: ZONING
FILE NUMBER
CT4-23-HH**

525 Scenic Drive
County of Brant
Ontario



Date Printed: 2024-01-11




Attachment 2 – Official Plan Map

**MAP 2: Official Plan
FILE NUMBER
CT4-23-HH**

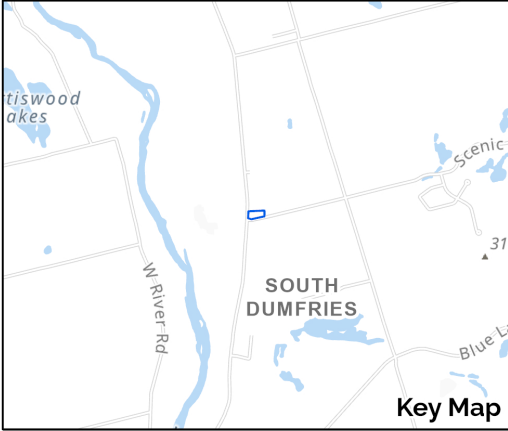
525 Scenic Drive
County of Brant
Ontario

COUNTY OF **Brant** Simply Grand



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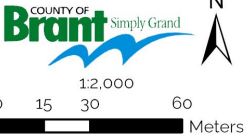
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Attachment 3 – Aerial Map

MAP 3: AERIAL IMAGERY 2022
FILE NUMBER
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525 Scenic Drive
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Ontario



Date Printed: 2024-01-11



Key Map



Attachment 4 – Location Map

