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# HALDIMAND COUNTY

## Report PDD-23-2020 Information Report for Telecommunication Tower Installation at 60 Little Road, Haldimand County

For Consideration by Council in Committee on December 8, 2020

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### OBJECTIVE:

To consider a request under Industry Canada's Radiocommunication and Broadcasting Antenna System Protocol for a proposed Wireless Telecommunications Tower location.

### RECOMMENDATIONS:

1. THAT Report PDD-23-2020 Information Report for Telecommunication Tower Installation at 60 Little Road, Haldimand County be received;
2. AND THAT the proposed location request for a Wireless Telecommunications Tower structure by Bell Mobility at the property of NCAY CON 2 STR PT LOT 42, Haldimand County, be approved for reasons outlined in Report PDD-23-2020;
3. AND THAT the proposal is deemed to be consistent with the Provincial Policy Statement (2020), and other matters of National and Provincial interest, including Industry Canada – Procedure for Radiocommunication and Broadcasting Antenna Systems.

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**Reviewed by:** Shannon VanDalen, MCIP, RPP, CMMI, Manager of Planning & Development

**Respectfully submitted:** Mike Evers, MCIP, RPP, BES, General Manager of Community & Development Services

**Approved:** Craig Manley, MCIP, RPP, Chief Administrative Officer

### EXECUTIVE SUMMARY:

The purpose of this report is to notify Council of a request received from Fontur International Inc. on behalf of Bell Mobility to construct a new 60 metre (197 foot) lattice tri-pole tower at 60 Little Road, Haldimand County. The proponent (Bell Mobility) is following Industry Canada's process with respect to the construction of a new telecommunication tower. This report serves to fulfill one of Industry Canada's processes, and will be used to satisfy the requirement that the local Council be made aware of and supports the proposed tower construction. It is Planning staff's opinion that this proposal is consistent and conforms to Federal, Provincial, and County policy frameworks and requirements, and is considered compatible with the surrounding area. As such, Planning staff recommends approval of this proposal.

### BACKGROUND:

Fontur International Inc. on behalf of Bell Mobility has submitted a request to install a new wireless telecommunications tower at 60 Little Road, Haldimand County. Bell Mobility's Radio Frequency Engineering team has determined that there is a significant coverage and capacity hole around Little

Road and Haldimand Road 20 and extending onto area side roads, due to the lack of existing coverage and the number of users in the area. The proposed tower is needed to improve service and coverage in this area of the County.

Radiocommunication and broadcasting towers and services are regulated by the *Radiocommunications Act* to ensure the orderly development and efficient operation of said systems within Canada. Through that, Industry Canada has established procedures for installation or modification of antenna systems; the systems include masts, towers and other surrounding structures. The procedures include the requirements for land-use authority (i.e. Council) approval and public consultation, and subsequent final concurrence for the proposal by the land-use approval authority, either by letter or report. Approval from the land-use authority can occur by one of two means, either:

1. Through a report and approved minutes by the local land use authority (i.e. Council); or
2. Where a land-use authority has established and approved Antenna Siting Protocols/Telecommunication Tower Policies, a letter signed from a delegated authority.

Currently, Haldimand County does not have approved Antenna Siting Protocols/Telecommunication Tower protocols in place, and therefore, Industry Canada must receive concurrence from Council regarding the proposal and tower location. This report serves to address this requirement.

### **LAND LOCATION AND DESCRIPTION**

The subject lands are described as Concession 2, Part Lot 42, in the former geographic township of North Cayuga, now in Haldimand County, and are municipally known as 60 Little Road. The subject lands front onto the east side of Little Road and are located in the prime agricultural area of the County. The subject lands are a 32.4 hectare (80 acre) farm parcel, containing a single family dwelling and a complex of agricultural buildings which support the onsite dairy operation. The tower is proposed to be 60 metres (197 feet) in height. A fenced-in compound measuring 225 square metres in size (2,421 square feet) is also proposed. The site facility is proposed to be located, alarmed, and electronically monitored. The tower is proposed to be located immediately east of the complex of agricultural structures on the subject lands, approximately 240 (787 feet) from Little Road, 100 metres (328 feet) from the north lot line (the closest lot line), and 260 metres (853 feet) from the dwelling at 82 Little Road (the closest neighbouring dwelling). The subject lands and proposed tower location are identified in Attachments 1 and 2. The subject lands are surrounded by farm and rural residential parcels.

### **ANALYSIS:**

As set out in the Background section of this report, Industry Canada requires the developer to complete formal consultation with both the land-use authority (i.e. Council) and members of the public prior to issuing formal approval for an antenna system. In terms of municipal consultation, Industry Canada requires the following to be satisfied (staff comments in response are included):

1. Discuss site options;

**Planning Comment:** Bell Mobility has identified that there is a gap in wireless telecommunications infrastructure in the area. All of the existing infrastructure is located at least five (5) kilometres away from 60 Little Road, outside of the acceptable radius. Based on research, Bell Mobility's Radio Frequency Engineering team's general search area location centred on the intersection of Little Road and Haldimand Road 20. Bell Mobility considered four (4) properties that would be compatible with tower use in the area for locating this tower. Of the four (4) property owners that Bell Mobility approached, only the owners of 60 Little Road engaged in discussions to host the tower. Staff have worked with Fontur International Inc. to locate the tower appropriately on the subject lands.

2. Ensure that the local processes related to antenna systems are respected;

**Planning Comment:** In terms of local (County) process, staff have completed the following:

- i. **Site Plan Circulation:** The site plan was circulated to the Project Manager of Forestry, Building Inspector, Deputy Fire Chief (Emergency Services), Development & Design Technologist, and Resource Planner for the Grand River Conservation Authority (GRCA).

Originally, Bell Mobility requested to place the tower at the south end of the property within the woodlands. The Project Manager of Forestry expressed concerns that the placement of the tower in the woodlands would require unnecessary removal of trees, cause damage to the soil, change the drainage patterns, increase the risk of introducing invasive species, and potentially damage wildlife habitat. The woodland location would also increase tower maintenance costs for ongoing tree pruning or removal around the access road and facility. Bell Mobility and the property owner agreed to move the tower to the north side of the property, east of the existing complex of agricultural buildings on the subject lands, as illustrated in Attachments 1 and 2. Fontur International Inc. also provided an acceptable tree protection plan, at the request of the Project Manager of Forestry.

Given that the proposed tower is federally regulated by Innovation, Science and Economic Development Canada, the tower location does not need to comply with Municipal by-laws and does not require building permits. Regardless, it is Planning staff's opinion that the proposed location of the tower is appropriate for the following reasons:

- The tower will be setback a considerable distance (100 metres (328 feet) or 1.66 times the height of the tower) from the north property line (outside of the tower fall zone);
- The abutting property to the north (266 Irish Line) is a large agricultural parcel that contains a large woodlot where it abuts the subject property. There is no dwelling located in this area of the property such that there will not be a loss of enjoyment of the lands at 266 Irish Line;
- The proposed tower location satisfies the desired setback to the other rural residential property to the north (82 Little Road) and will be located 260 metres (853 feet) from the dwelling on that lot;
- The proposed tower location exceeds the desired setback from the road, which will ensure the road is protected should the tower fall and will ensure that the tower will not overwhelm the agricultural and rural character of the streetscape;
- The proposed tower will be located within a cluster of existing agricultural buildings, which will preserve existing agricultural lands on the subject lands; and
- The proposed tower location will preserve the woodlot on the subject lands.

It is also important to recognize that the proposed tower has been designed to be 60 metres (197 feet) tall due to the large coverage and capacity hole currently in Bell Mobility's network in this area; this height is required to provide optimal coverage to the area, and to "pass on" calls and other uses effectively to surrounding towers in the network. The lattice tri-pole tower at 60 metres also means that three (3) or more carriers or other broadcasters would be able to install their equipment on the tower. This is an added benefit, as it works to reduce the number of towers required in this area in the future.

The Deputy Fire Chief requested confirmation that the proposed Bell tower will not interfere (transmitting/receiving) with the new communication tower being erected at the

Kohler works yard, and requested that Bell Mobility entertain County equipment being installed on the Bell tower. Fontur International Inc. responded that the proposed Bell tower will not interfere with the County's tower because they operate at different frequencies. Also, Bell Mobility is willing to entertain the installation of County equipment on the proposed tower at 60 Little Road.

The Development & Design Technologist has no objections to the proposal.

The Resource Planner for the GRCA had no objections to the proposal, but requires that Bell Mobility apply for a GRCA permit as the proposed site facility is located within 90 metres (295 feet) of a wetland.

Overall, staff and agencies are satisfied with the proposal as illustrated in Attachments 1 and 2.

- ii. **Review of Haldimand County Official Plan (OP) Criteria:** The OP includes policies for locating Transmission Corridors and Communications/Telecommunications Facilities, and recognizes that certain Federal and/or Provincially regulated energy and communications/telecommunications facilities are not within the direct authority of the municipality. The subject facility falls within such category and is not regulated by the County. However, as described in the Background section of this report, Council must provide a formal endorsement of said facility as prescribed under Industry Canada protocols. To assist in the formation of a recommendation to Council, staff have referred to the policies within the OP which set out the general location criteria for consideration when locating facilities, as follows:

- a) Compatibility with adjacent uses;
- b) Impacts on agriculture;
- c) Impacts on Natural Environment Areas; and
- d) Access for maintenance purposes.

All of these matters were assessed under item 2.i. above, with the exception of item 2.ii.d). Bell Mobility will have access to the telecommunication tower via the private, residential driveway at 60 Little Road. The site facility will have one access gate which will be locked. Overall, the proposal satisfies the general intent and purpose of the OP policies.

3. Address reasonable and relevant concerns from both the land-use authority and the community that they represent; and

**Planning Comment:** Fontur International Inc. has addressed staff and agency questions and concerns as per item 2. above.

In terms of community consultation, the OP directs proponents to follow the approval process as administered by Industry Canada. The purpose of this information report is to advise Council of Bell Mobility's intent to construct a tower on the subject lands, and to advise of any input they have received from the neighbouring landowners. The circulation radius is prescribed as being three times the height of tower, extended from the location of the tower's base. In this case, the radius included ten (10) adjacent properties, and they received a mail-out from Fontur International Inc. advising the residents of the proposal. The agent also placed two newspaper notices in The Haldimand Press and The Sachem. The one (1) month commenting period ended on August 31, 2020. Fontur International Inc. provided Planning staff with a public consultation package following expiration of the commenting period; the agent states that no members of the public responded with any comments. The mail-out also included Planning staff contact; no comments or concerns have been raised to Planning staff.

4. Obtain land-use authority concurrence in writing.

**Planning Comment:** A copy of this report has been provided to the proponent, and subsequently a copy of the Council resolution will be provided for Industry Canada's acceptance. Planning staff have reviewed the proposal relative to Provincial and County policy frameworks, and the principle of land use is compatible and considered appropriate development for the area. The proposal is consistent with the Provincial Policy Statement (2020) and conforms to the policies of the Haldimand County Official Plan. Planning staff are of the opinion that issues regarding compatibility with surrounding uses and federal requirements have been satisfied. Based on the foregoing, Planning staff recommend approval of this proposal.

## **FINANCIAL/LEGAL IMPLICATIONS:**

Not applicable.

## **STAKEHOLDER IMPACTS:**

No comments or concerns were raised by adjacent property owners. All staff and agency comments and requirements have been addressed.

Haldimand County would have the opportunity to mount Emergency Services equipment to the tower if needed.

## **REPORT IMPACTS:**

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

## **ATTACHMENTS:**

1. Location Map.
2. Site Plan.