HALDIMAND COUNTY

Report PDD-17-2021 Information Report for Telecommunication Tower Installation at 4540 HWY 3

For Consideration by Council in Committee on March 2, 2021

OBJECTIVE:

To consider a request under Innovation, Science and Economic Development Canada (a.k.a. Industry Canada) Radiocommunication and Broadcasting Antenna System Protocol for a proposed Communications Tower location.

RECOMMENDATIONS:

1. THAT Report PDD-17-2021 Information Report for Telecommunication Tower Installation at 4540 HWY 3 be received;
2. AND THAT the proposed location request for a Communications Antenna Facility by Xplornet Communications Inc. at the property of Pt. N1/2 Lot 40 Concession 1 South Talbot Road, Geographic Township North Cayuga, Haldimand County and known municipally as 4540 HWY 3, be approved for reasons outlined in Report PDD-17-2021;
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 Innovation, Science and Economic Development Canada (ISED) – Procedure for Radio communication and Broadcasting Antenna Systems.

Prepared by: Alicia West, Planner

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

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

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

EXECUTIVE SUMMARY:

This report has been brought forward to notify Council of a request to construct a new telecommunications tower on the lands at 4540 HWY 3. The proponent, Xplornet Communications Inc., is following the process as provided by Innovation, Science and Economic Development Canada (ISED) with respect to the construction of new telecommunication towers. This report represents one of the requirements of this ISED process, and would be used to satisfy the requirement that the local Council be made aware of and support the proposed tower construction. Staff are in support of the proposal.

BACKGROUND:

A request for the installation of a new telecommunications tower for private communications services for a property within Haldimand County, has been submitted by Xplornet Communications Inc.

The tower is to be constructed at a height of 45 metres (196.85 feet), with a base of 3 metres by 3 metres (9.8 feet X 9.8 feet) and will be located on approximately 26.9 square metres (289.5 square feet) leased area of land, on a 23 hectares (48.59 acres) parcel which currently contains a dwelling and an outbuilding. The telecommunication tower is needed to improve the service and coverage for Xplornet internet in this area of Haldimand County. The subject lands and proposed tower location are identified on Attachment 1.

ANALYSIS:

As set out in the Executive Summary section of this report, Innovation, Science and Economic Development Canada (ISED) requires that the developer completes a formal consultation with both the local land-use authority (municipality) and the members of the public prior to issuing formal approval for an antenna system. In terms of the municipal consultation, ISED requires the following to be satisfied (staff comments in response also included):

1. Discussing site options.

   Comments: The site location was based on the proximity and coordination of services and the proponents' requirement to address coverage deficiency for their service area. The property is zoned "Agricultural (A)", contains a dwelling and structures accessory to the farm, and is of sufficient size to accommodate this sort of structure.

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

   Comments: In terms of local process, staff completed the following:

   i. **Site Plan Circulation:** The plan was circulated to Emergency Services, Building & Municipal Enforcement Services and Planning and Development – Development & Design Technologist, wherein no objections were raised regarding the proposal.

   ii. **Review of Official Plan Criteria:** The Haldimand County Official Plan 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 above, Council must provide a formal endorsement of the said facility as prescribed under the ISED protocols. To assist in the formation of a recommendation to Council, staff has referred to the policies within the Official Plan which set out the general location criteria for consideration when locating facilities. A detailed analysis is as follows:

      a) Compatibility with adjacent uses.

         Comment: The proposed tower location is approximately 150 metres (492 feet) to the nearest neighbouring residence. The property selected is designated 'Agriculture', which is consistent with the area. The proposed tower is not considered to have a negative impact on the surrounding uses and is sufficiently separated from any sensitive land uses.

      b) Impacts on agriculture.

         Comment: The tower location has been sited in a location that has already been removed from agricultural production given the property's size and development of the outbuildings. In addition, the subject lands are approximately 23 hectares (48.59 acres) in size.

c) Impacts on Natural Environment Areas.

Comment: These lands are designated ‘Agriculture’ and there are Natural Environment Areas on the subject lands towards the rear, however, there is no impact.

d) Access for maintenance purposes.

Comment: An entrance and road access will be maintained from Highway 3, as this is also the primary access for the dwelling located on the premise.

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

Comments: The circulation radius was extended to three times the height of the tower (135 metres/443 feet), and extended from the base of the subject lands. As a result of this notification, two comments were received and outlined in the Stakeholders section below.

The Haldimand County Official Plan directs proponents to follow the approval process as administered by Innovation, Science and Economic Development Canada (ISED). The purpose of this information report is to advise Council of the proponents’ intent to construct a tower on the subject site, and to advise of any input they have received from the neighbouring landowners. To date, no concerns have been raised and staff are satisfied that the ISED process has been followed with regard to the review process for the installation. Zoning By-law HC 1-2020 permits uses of this nature through Section 4.62: Uses Permitted in All Zones.

4. Obtaining land-use authority concurrence in writing.

Comments: A copy of Report PDD-17-2021 has been provided to the proponents, and subsequently a copy of the Council resolution will be provided for acceptance by Innovation, Science and Economic Development Canada (ISED).

Planning staff has reviewed the proposal relative to the 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, the Growth Plan and conforms to the policies of the Haldimand County Official Plan. Planning staff is of the opinion that issues regarding compatibility with surrounding uses and federal requirements have been satisfied. Based on the foregoing, staff recommend approval of this proposal.

FINANCIAL/LEGAL IMPLICATIONS:

Not applicable.

STAKEHOLDER IMPACTS:

Two comments were received by neighbouring property owners, regarding confirmation of location on the property and interference to his TV. The proponent provided information on the location and provided confirmation that the installation of the proposed tower will have no affect or interference on the neighbouring TV signal. No further correspondence occurred.

Planning staff circulated commenting to staff in Building & Municipal Enforcement Services, Planning & Development (Development and Design Technologist), and Emergency Services. No objections or concerns were raised during this review.

REPORT IMPACTS:

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

ATTACHMENTS:

1. Location Map.
2. Tower Base Design.