



Staff Report

Planning & Development Services – Planning Division

Report To: COW-Operations_Planning_and_Development_Services
Meeting Date: November 19, 2024
Report Number: PDS.24.136
Title: Recommendation Report: Request for Municipal Concurrence
Proposed Rogers Telecommunications Tower 495928 Grey Rd 2
Prepared by: Adam Farr, Senior Planner

A. Recommendations

THAT Council receive Staff Report PDS.24.136, entitled “Recommendation Report: Request for Municipal Concurrence Proposed Rogers Telecommunications Tower 495928 Grey Rd 2”.

AND THAT Council does not support the proposed telecommunications tower and hereby advises advise Industry Science and Economic Development of non-concurrence with the proposed tower location and design at 495928 Grey Rd 2.

B. Overview

Rogers Telecommunications has proposed a 90 m (296 ft) guyed tower and related ground infrastructure (equipment compound and guy wire anchors) at 496928 Grey Rd 2 and submitted application materials seeking concurrence from the Town in accordance with the Town’s Telecommunications Protocol.

The proponent has provided a response to comments received through the public consultation process. Staff have reviewed all of the submission materials, public comments and proponent responses. A number of issues have been raised with respect both to the process and the proposed site that conflict with the intent of the policy and require further consideration by the proponent in their site selection process.

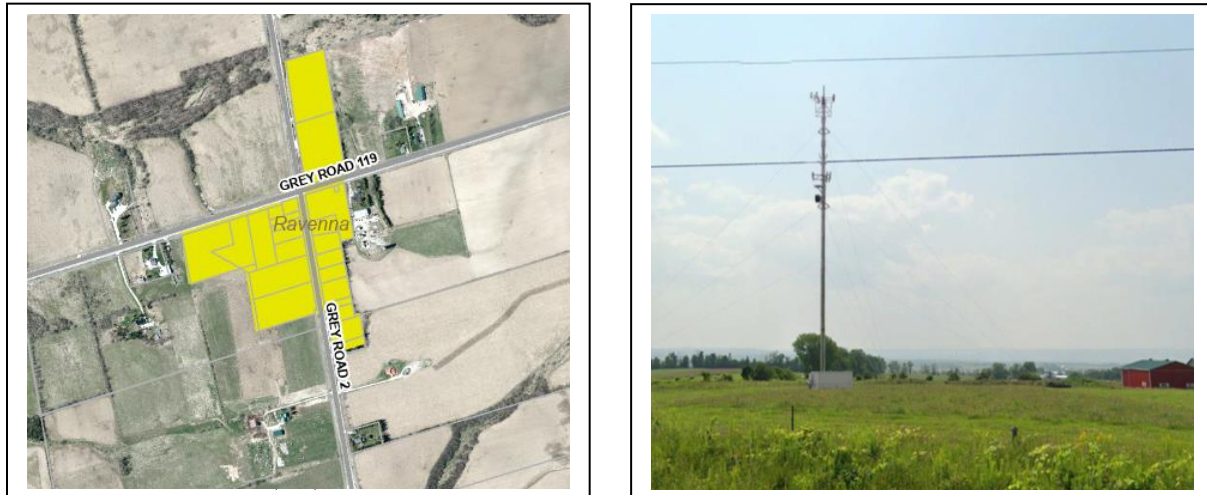
At this time, for the reasons set out herein, staff recommend that the Town not issue concurrence with the subject proposal.

C. Background

Rogers Communications is seeking approval from Innovation, Science and Economic Development, a department of the Government of Canada, to construct a 90 m (296 ft.) tower at 495928 Grey Road 2 near Ravenna (approximately 290 m from the Rural Settlement Area boundary) in the Town of The Blue Mountains. The proposed tower design includes a ground

installation of a 10 X 10 sq m fenced compound to house related equipment and additional ground anchor locations for the required guy wires. The guy wires are required for the mounting and stability of the tower and fan out from the tower the surrounding anchor mounts.

Figure 1 Site location and design



Approval Authority

The approval authority for radiocommunications towers is Innovation, Science and Economic Development (ISED), a department of the Federal government. Radiocommunications facilities are governed by the federal Radiocommunications Act. ISED requires local authority (municipal) consultation in the siting and design of proposed towers and to seek “concurrence” (a term that, in part, reflects the fact municipalities do not have approval authority with respect to tower location and design). Where a municipality has a telecommunications protocol, as is the case with the Town of The Blue Mountains, the tower proponents are required to follow those locally established processes.

Town of The Blue Mountains Telecommunications Protocol

The Town’s Protocol generally provides guidance to proponents including with respect to:

- Preliminary engagement with the Town and agencies;
- Site Selection criteria including determination of sensitivity, consideration of Environmental Policy Areas as a significant constraint, the nature and design of support structures and antennae, recognition of transportation corridors as primary targets for siting telecommunications facilities;
- Preparation of a site selection report and accompanying information to form a consultation package including required content; and
- Public consultation and reporting requirements.

The Town’s Protocol states that at the completion of the local process:

- Town staff will write a report to Town Council indicating whether the selected location and design are appropriate and if the Proponent has complied with the Protocol.

- A recommendation to issue municipal concurrence or non-concurrence will be included in this report.
- Town Council will make the final determination of the comments to be forwarded to ISED Canada from the Town and if concurrence should be issued.
- Should the Proponent not have satisfactorily addressed location considerations or should Town Council decide that the site is not satisfactory, the Town may require the Proponent to reassess their initial site selection, provide additional supporting documentation and may require further time to properly review the amended submission and comment on any outstanding concerns that may arise to ISED Canada.

Proposal Review

On November 9, 2023 Town staff met with Rogers Communications and provided pre-consultation comments from the Town and external agencies on a proposed tower at the subject location 495928 Grey Road 2 near Ravenna in the Town of The Blue Mountains.

In August 2024 the Town advanced the process for review of a request for concurrence by the proponent which included:

- Written notice to property owners within 6 tower lengths (540 m) of the proposed tower location;
- Notice of a public meeting on the proposed tower posted in The Review, a local community news and information online and print publication;
- Posting a project web page including project updates, the content of the proponents' submission and any supplementary information:
<https://www.thebluemountains.ca/planning-building-construction/current-projects/planning-development-projects/proposed>;
- Posting a sign on the property;
- Circulating Town departments and commenting agencies;
- Holding a Public Meeting on October 1, 2024;
- Providing public and Town comments to the proponent for response;
- Providing a summary of comments received from the public for a final response package by the Proponent;
- Receiving the final response summary from the proponent; and
- Preparing this report on the request for concurrence.

Public Issues & Proponent Response

The following provides a summary of public engagement on the file:

- Throughout the public consultation period written comments and questions from the public and the Town and commenting agencies have been provided to the proponent and they have provided responses directly to most of these. A redacted compilation of public comments and responses is attached to this report (**Attachment 1**).
- At the October 1, 2024 public meeting the proponent provided a presentation, members of the public and Councillors offered comments and asked questions and the proponent provided verbal responses. Video minutes of the public meeting are available on the Town's website.

- A public comment deadline of October 15, 2024 was set by Town staff to receive public comments for a response within this report. All written comments received after the October 15, 2024 date were sent to the proponent.
- A summary list of questions and issues was prepared by Town staff for a consolidated response (**Attachment 2**).
- A response package from the proponent was received on October 29, 2024 (**Attachment 3**).

D. Analysis

Town staff have completed a review of the proposal, the public consultation process, comments received from the public and the related responses from the Rogers' site selection consultant.

Whereas, the applicant has indicated that:

“This careful consideration of topographical prominence, viewsapes, and potential off-site impacts makes this site the best choice, balancing operational needs with community and environmental considerations”

The site characteristics are as follows:

- The subject property is located near the Hamlet of Ravenna – less than 300 m away.
- The nearest residential dwelling is substantially closer than the 292 m identified by the proponent at less than 175 m from the proposed tower location.
- The site is partially treed and screening is limited to partial screening of the ground based compound. The site is otherwise significantly exposed.
- Visibility of the 90 m tower is accentuated by site conditions from numerous viewpoints: on public roadways, from adjacent and nearby lands and from farther afield. This appears due to the topography of the location and the surrounding lands. The topography slopes up to the north and east and slopes away to the south and west. The tower sits within a vast viewshed of the Beaver Valley, regionally recognized for its environmental and visual significance. Screening opportunities are limited due to the primary agricultural use of the area, the resultant general lack of tree cover along with the sloping land from the valley rim. Proposed tower lighting includes day and nighttime lighting which will increase view impacts.

Figure 2 View of Proposed Tower from East of Ravenna on Grey Rd 119



Figure 3 View of Proposed Tower from West of Ravenna on Grey Rd 119



Figure 4 View of Proposed Tower from subject property (south of Ravenna) on Grey Rd 2



Figure 5 View of Proposed Tower from Grey Rd 2 immediately east of site



Town staff **do not recommend concurrence** for the following reasons including conflicts with the Telecommunications Protocol and other matters as set out below:

1. Sensitivity of the subject location;
2. Deficiencies in site selection determination, information, characterization, technical information; and
3. Lack of expertise to validate some of the proponent assumptions, fill information gaps and evaluate options.

The following sections address the matters referenced above.

1.0 Sensitivity of the subject location

The Town's telecommunications tower protocol advises:

Proposals for new telecommunication facilities will have to be evaluated on a site-by-site basis to determine "sensitivity". Sensitivity will be measured by a variety of factors including environmental issues, visual impacts, land use compatibility, and other community planning matters that may be significant at any proposed telecommunications facility location. Appropriate regard should be given to the "location considerations" identified in Section H of this protocol to reduce potential sensitivities.

A review of the subject site based on sensitivity and key "location considerations" in Section H of the Protocol demonstrates challenges due to:

- proposed tower height and lighting,
- the topographic prominence of the proposed location relative to surrounding topography on the slope of the Beaver River Valley,
- lack of mature vegetation to effect tower screening,
- short to long range view impacts including from surrounding public roadways, public land uses and residential areas,

- proximity of residential uses including existing residences and the Hamlet boundary to proposed tower location and
- impacts on community character.

A detailed review prepared by staff of site conditions and location considerations is included as Attachment 4.

2.0 Deficiencies in site selection determination

The proponent has not properly communicated key project information or characterized site conditions and related issues and this has impacted site location considerations and understanding of the proposal by the public.

- **Property values:**

In response to questions of impact on property value the proponent has advised both that property value impacts are not recognized by the Federal government in the location of telecommunications facilities and also advised that the Federal government has evidence that telecommunications facilities increase property values. This latter information regarding likelihood of property value increases has been relayed in written response to individual public comments, in response to verbal questions of property value impact at the October 1, 2024 public meeting and in the summary response. The delivery of this information distorts the purpose of the site selection process and does not adequately reference the totality of available information.

Town staff have reviewed available literature through Industry Science and Economic Development's website, specifically the following document titled "Report On the National Antenna Tower Policy Review (sf08353) Section D — The Six Policy Questions Question 6. What evidence exists that property values are impacted by the placement of antenna towers? which can be accessed here: <https://ised-isde.canada.ca/site/spectrum-management-telecommunications/en/radiocommunications/antenna-structures-and-you/report-national-antenna-tower-policy-review-sf08353>

The document indicates that evidence regarding property value impacts includes related research in New Zealand which demonstrated positive property value impacts due to proximity to telecommunications tower in 1994 and then negative property value impacts in 2000. In any case, Planning Staff are not satisfied that the proponents response in advising the public of property value increases due to proximity to tower location is correct.

Further commentary advises that the:

"Question is not whether a particular development would cause financial or other loss to owners or occupiers of the neighbouring property, but whether the proposal would have a detrimental effect on the locality generally, and on amenities that ought, in the public interest, to be protected."

“...the principle purpose of consultations with the public and/or land-use authorities is to consider the visual impact of the antenna proposal upon the immediate environment.”

“...the public's sense of disamenity in relation to a particular antenna proposal also may be reduced when the community is consulted and participates in a meaningful way in the siting decision.”

The release of information suggesting that the proposed tower will increase property values distracts from the visual impact assessment of the proposal and the associated issues and appears inappropriate.

- **Lighting**

The submission materials provided limited information about the lighting requirements for the proposed telecommunications tower. During a public meeting, the proponent stated that lighting details would only be available after the tower's approval and then Transport Canada's specifications would then apply.

Town staff contacted the Collingwood Airport (see **Attachment 1**), which indicated that the tower would require lighting and expressed concerns about its navigational impact on planes landing in Collingwood due to lighting and height.

In response, the proponent later advised that they had contacted Transport Canada and confirmed the lighting would include an all-day flashing white beacon, a nighttime red flashing beacon, and two steady burning lights at the midway point.

However, this lighting information was not available for public review during the consultation process, raising further concerns about the proposed tower's impact on views, land use compatibility, and community character.

- **Site Assessment**

The site assessment does not properly characterize the related issues with respect to site sensitivity and the related criteria set out in section H of the Town's Telecommunications Protocol as noted above and below.

Availability of mature vegetation to mask facilities:

The proponent generally assesses the site suitability based on distance from the nearest residentially zoned property, existence of vegetation to mask the ground related compound that sits at the base of the tower, selected renderings and avoidance of environmental conflicts.

Renderings, location and accuracy

Numerous site renderings demonstrate significant exposure and view impacts of the proposed tower from surrounding public lands, roadways and private property due to its

size, view and proximity to public areas, visual prominence and location relative to surrounding topography and absence of tower screening.

The renderings also vary widely in the impacts they demonstrate and don't appear consistent in height from one to another or to be scaled correctly relative to surrounding land marks.

Overall the visual impact appears to require peer review to gain a true understanding of the impact of the proposed tower. As noted above, proximity to Beaver Valley viewsheds, and proposed tower lighting is a significant factor in assessing view impact and that was not adequately considered through the process.

Proximity existing residential, the Hamlet Boundary and effect on community character

Land use compatibility should consider impact based on general proximity to the Hamlet and the impact on surrounding residential properties. Whereas the proponent has limited their review of land use compatibility to the strict distance to the nearest residentially zoned property, the height of the tower and design impacts existing residential uses on surrounding properties and has not adequately recognized residential use permissions on agricultural lands or the permitted uses within the nearby Ravenna Hamlet boundary which is classified as a rural settlement area and is impacted by the effect of the tower height, its topographic location and the absence of screening.

Through the process the proponent excluded from their constraint analysis an existing residential dwelling on the east side of Grey Rd 2 directly across from, uphill and within 175 m of the proposed tower. This distance conflicts with Grey County's preferred separation space. The property sits uphill of the subject property and owners have claimed potential aggravated view impacts due to location, proximity and the, at the time, unknown lighting requirements. Failure to consider that property through the consultation process may have impacted site selection constraints.

- **Technical rationale for the Tower**

Rogers concludes that the proposed site meets all of their optimal technical and business requirements and that there is no other choice than to locate the proposed tower at the subject location at a 90 m height. This approach and the response to related questions below eliminates less obtrusive locations, co-location opportunities, alternative tower distribution.

Purpose, location and height

Rogers advises that primary purpose of the tower and the rationale for what terms as "non-negotiable" height is to serve the coverage requirements of Ravenna. The general response is that this tower will have impact, but that Rogers' business and technical requirements supersede impact. A number of questions follow for which answers provided raise outstanding questions.

Network expansion plans

Rogers has been unable to offer any detail on future expansion plans and the specific role that the subject tower would play in those plans. The lack of a coordinated plan and an understanding of the overall network may eliminate other options such as co-location opportunities, construction of towers at less impactful alternate locations, reconstruction of existing towers to reduce impact elsewhere and others. It is unclear whether this tower is part of a broader network expansion plan that, if it were the subject of review or was available to provide context, might reveal viable alternate sites or solutions.

Cost

In response to questions of whether shorter, less obtrusive towers could be considered in order to achieve less impact on the landscape, Rogers has advised that their budget does not allow for such considerations. Given the significance of the impacts, the question of budget relative to the site and design options should not, in the opinion of staff, be cited as a reason not to consider those options.

Co-location, service quality and other providers

In response to questions with respect to, customer reports of satisfactory service from competitors and co-location options Rogers has indicated that the primary objective is to deliver service to its customers in Ravenna. While Rogers reports that they have satisfied their obligation to advise competitors of their site selection process it is unclear to the public the relationship of the two providers relative to network expansion, site selection criteria, the overall impact and whether there are mitigation opportunities that have not been explored. Additionally, satisfaction with service in the area varies with some customers reporting satisfactory service while others report the need for improved service and this appears to vary between providers

Rogers has advised that it is unable to provide a response regarding network expansion plans. It is also unclear in their responses how Rogers and competitor providers will co-locate or coordinate service plans for the area.

3.0 Peer Review requirements and limitations

Given the apparent deficiencies in the review process in terms of the accuracy and completeness of information and the concern expressed through the public process with respect to the site selection process, tower height and location and the related impacts, Town staff cannot recommend concurrence. If peer review options were available to assess the accuracy of the assumptions and the quality of supporting information underlying Rogers' site selection process, staff might be able to close gaps in information and provide additional guidance to Council. However, at this time, that information is not available.

E. Strategic Priorities

This report and its recommendations include content that is further supported by activities demonstrating fulfillment of the following strategic priorities:

1. Communication and Engagement

We will enhance communications and engagement between Town Staff, Town residents and stakeholders

2. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

3. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

There are no known environmental impacts associated with the content of the recommendations of this report.

G. Financial Impacts

There are no direct financial impacts to the Town of The Blue Mountains associated with this report.

H. In Consultation With

This report has been prepared in consultation with:

Shawn Postma, Manager of Planning
Adam Smith, Director of Planning and Development Services

I. Public Engagement

The topic of this Staff Report has been the subject of public engagement as set out in the Town's telecommunication protocol which included a Public Meeting that took place on October 1, 2024. Those who provided comments at the Public Meeting, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report.

J. Attached

1. Attachment 1 Redacted comments and responses

2. Attachment 2 Summary list of issues
3. Attachment 3 Proponent's summary response to issues
4. Attachment 4 Town staff review of site conditions and location considerations

Respectfully submitted,

Adam Farr, Senior Planner

For more information, please contact:

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Report Approval Details

Document Title:	PDS.24.136 Recommendation Report - P3445 Proposed Rogers Telecommunications Tower 495928 Grey Rd 2 .docx
Attachments:	<ul style="list-style-type: none">- Attachment 1 Redacted comments and responses.pdf- Attachment 2 Town Summary of Comments and Questions.pdf- Attachment 3 Proponent summary response to issues.pdf- Attachment 4 Town staff review of site conditions and location considerations .pdf
Final Approval Date:	Nov 7, 2024

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Nov 7, 2024 - 3:06 PM

Adam Smith - Nov 7, 2024 - 3:07 PM