



Staff Report

Planning & Development Services – Planning Division

Report To: Committee of the Whole
Meeting Date: June 15, 2021
Report Number: PDS.21.057
Title: Recommendation Report – Request for Municipal Concurrence for a Telecommunication Tower – 397323 11th Line (P2968)
Prepared by: Travis Sandberg, Planner I

A. Recommendations

THAT Council receive Staff Report PDS.21.057, entitled “Recommendation Report – Request for Municipal Concurrence for a Telecommunication Tower – 397323 11th Line (P2968)”;

AND THAT Council support the concurrence and installation of the proposed mono-pole telecommunication tower facility and forward the following comments to ISED Canada for their consideration:

1. That the applicant prepares an Environmental Impact Study demonstrating no negative impact on the Significant Woodlands, to the satisfaction of the Grey Sauble Conservation Authority;
2. That, prior to installation, the applicant provides a letter to the Town of The Blue Mountains Planning and Development Services Department agreeing to completely dismantle and remove the facility from the subject lands upon termination of its use;
3. That the applicant provides one (1) set of scaled engineering drawings, stamped and certified by a professional engineer, of the proposed support structure indicating the construction specifications to the Town of The Blue Mountains Planning and Development Services Department;
4. That the applicant obtain an Entrance Permit from the Town of The Blue Mountains for any new entrances proposed to the site; and
5. That the applicant obtain a Site Alteration/Fill Permit, in accordance with Municipal By-law 2002-78, as amended, as may be required.

B. Overview

The purpose of this report is to provide Council with a summary of public consultation and a recommendation regarding a proposed Telecommunication Tower located on lands municipally known as 397323 11th Line.

C. Background

Planning Services received a request for municipal concurrence on a proposed new telecommunications tower. The tower is proposed to be 50 metres in height and includes a fenced ground-level compound to house the tower base and associated equipment.

The subject lands are generally located at the intersection of Highway 26 West and the 11th Line, west of the boundary of the Primary Settlement Area boundary of Thornbury and are municipally known as 397323 11th Line. The property is approximately 27ha in area and currently contains one single detached dwelling unit and extensive tree cover. A location map and aerial photograph of the subject lands is provided below (see Figures 1 and 2).

Figure 1: Location Key Map

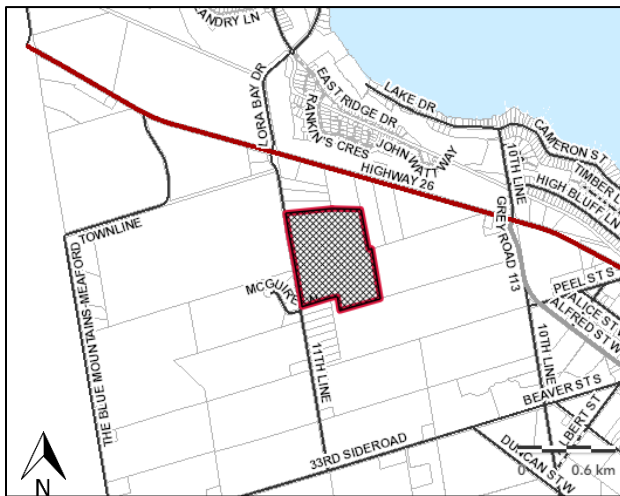


Figure 2: Aerial Photo (ca. 2019)



Surrounding land-uses include existing rural residential uses on the 11th Line, agricultural uses, and rural employment uses. The Lora Bay Golf Course and residential uses are located north of the Highway 26 West right-of-way.

The tower mast and ground-level compound is proposed to be located in the north-east corner of the subject property at a setback of 5.0m from the rear (east) and interior side (north) property lines. A 4.0m wide driveway is proposed to be constructed on the subject lands in order to provide access for maintenance purposes and will have an entrance onto the 11th Line (see Attachment 1). The intent of the proposed location is to provide an improved wireless network and enhanced service coverage along the Highway 26 West corridor, to the Lora Bay area, and to the westerly portion of the Thornbury Settlement Area. It is noted that a residential dwelling unit is located at 207542 Highway 26 West at a distance of approximately

180m from the proposed tower location. The applicant has secured confirmation from Rogers Communication to colocate on the proposed tower, negating the need for additional tower masts in the area.

D. Protocol for Establishing Telecommunication Facilities

Telecommunication facilities are federally regulated by Innovation, Science and Economic Development Canada ('ISED Canada'). As a federal undertaking, Bell Mobility is required by ISED Canada to consult with local land use authorities during the site selection process for new telecommunication facilities. The consultation process provides an opportunity for municipalities to review the proposal within the context of local land use issues and provide recommendations for conditions of approval to ISED Canada.

The Town of The Blue Mountains *Protocol for Establishing Telecommunication Facilities* ('the Protocol') outlines the local consultation process applicants must follow to establish or expand such uses within the municipality.

The Protocol includes site selection criteria and requirements for pre-consultation and public notice/consultation, which must be satisfied prior to Council providing their support to ISED Canada for the proposed tower. The intent of this process is to ensure potential adverse impacts posed by visually incompatible, or environmentally harmful, support systems are limited, while encouraging the growth and expansion of wireless networks throughout the municipality.

The following sections describe the stages of the review process established by the Municipal Protocol and includes information as to how each has been satisfied by the applicant.

Preliminary Consultation

Applicants seeking to establish new telecommunication facilities within the Town of The Blue Mountains are required to consult with Municipal Planning Staff prior to submitting a formal proposal. This pre-consultation stage allows the municipality to conduct a preliminary review of the proposed service area in order to identify potential colocation opportunities, determine areas of sensitivity, and potential land-use conflicts.

A pre-consultation meeting for this proposal was held on January 7, 2021. The pre-consultation identified the Highway 26 West corridor as both a municipal priority service corridor as well as an existing gap in the Bell Mobility service network.

The applicant identified two potential sites within a 6km radius of the subject lands which were reviewed for colocation opportunities. The first site being a 100m tall Rogers Guyed Tower, located approximately 3.8km west of the proposed tower location (317394 3rd Line, Meaford Ontario), and the second being a 34m tall Bell and Rogers Tower located at 122 Hoffman Street, Thornbury, approximately 4.5km east of the proposed location.

Ultimately, it was determined by the applicant that colocation on the existing tower at the first identified location would not resolve the coverage gap identified in Thornbury west, the Lora

Bay Area, or through the targeted portion of the Highway 26 West corridor. Similarly, colocation on the second identified location already contains Bell technology and is too far away from the targeted service area to provide any service improvements. A complete review of colocation opportunities is provided in the submitted Site Selection and Justification Report (see Attachment 2).

Following the colocation and preliminary consultation discussions, the applicant moved forward with submission of a formal request for municipal concurrence for the subject property.

Determining Sensitivity

In accordance with the Municipal Protocol, all applicants for new tower locations are required to submit a Site Selection Report which considers the criteria outlined by the Protocol. The report must demonstrate consideration of the proximity to sensitive land uses, environmental impacts, impacts on short-range and long-range views, potential off-site impacts, and low impact tower design.

Visual Impact

The submitted Site Selection and Justification Report satisfies the requirements of the Protocol. Specifically, the report identifies all potential colocation opportunities within 6km of the subject lands, considers surrounding land uses, and considers mitigation of visual impacts through location and tower design. The facility is proposed to be located outside of urban/residential areas on a large rural property that is characterized by significant tree cover. The combination of existing tree stands and the substantial setbacks from public rights-of-way, approximately 280m and 200m from the 11th Line and Highway 26 West right-of-way, respectively, provide appropriate mitigation of potential visual impact of the tower from street-level.

Further to the physical site characteristics and tower siting, the monopole design and colour of the tower further contributes to reduced visual impact than might otherwise be incurred through more traditional lattice-style communication towers. Alternative designs were also considered, included a “mono pine”, wherein the tower is disguised as a pine tree, however, it was determined that due to the height of the tower in relation to existing trees on the property the mono pine would ultimately be more intrusive when considering visual impacts.

In terms of short-range and long-range views, the applicant provided photo simulations of the proposed tower as part of their submission and public meeting presentation. The photo simulations are included in this report below as Figure 3 and Figure 4. In review of the photo simulations, it is noted that the greatest potential for visual impact would be with respect to short-range views heading west on Highway 26 West. However, due to existing tree cover and substantial setbacks from the Highway 26 West right-of-way, the tower does not appear to dominate the visual landscape of the corridor. With respect to long-range views, the tower is essentially not visible from the top of the escarpment when looking towards Georgian Bay and Thornbury and is appropriately blended with the landscape.

Figure 3: Photo Simulation - Short-range Viewscape of Highway 26 Heading West



Figure 4: Photo Simulation – Long-range Viewscape from Escarpment



Environmental Sensitivity

Comments received from the Grey Sauble Conservation Authority indicate that a portion of the subject lands along the southerly property line is regulated under Ontario Regulation 151/06, however, the proposed tower location is not within this regulated area. It is further noted that the County of Grey Official Plan, 2019, identifies a portion of the property contains significant woodlands. As such, the Grey Sauble Conservation Authority recommends that an Environmental Impact Study (EIS) be completed to demonstrate that the proposed telecommunications tower will have no negative impacts to the woodlands or its ecological function. It is noted that the proponent is in the process of completing the recommended EIS, as recommended by the Grey Sauble Conservation Authority.

No other potential matters of environmental sensitivity have been identified on the site. It is recommended that Council provide concurrence on the proposed telecommunication facility and recommend to ISCED Canada that final approval of the facility be conditional on completion of an EIS demonstrating that there will be no negative impacts on the woodlands.

Land Use Compatibility

Although telecommunication facilities are not subject to the auspices of the *Planning Act*, it is the policies created under this Act that establish and guide development within the community. As such, Planning Staff did consult the appropriate Provincial, County, and local planning policy documents in order to determine the land use compatibility for the proposed telecommunication facility.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and provides for appropriate development while protecting the resources of the province, public health and safety, and the quality of the natural and built environment. The policies of the PPS require infrastructure to be provided in a coordinated, efficient and cost-effective manner while accommodating projected needs. The use of existing infrastructure shall be considered prior to the construction of a new support structure, and any new facilities shall be strategically placed in order to support the effective and efficient delivery of services and shall remain available for colocation opportunities for other service providers.

Planning Services is satisfied that the proposed telecommunication facility is consistent with the direction of the PPS as all existing colocation opportunities have been evaluated by the proponent and the proposed location for the new support structure will provide an increased level of wireless service in a priority service corridor within the municipality. There are no known or anticipated impacts on resources of natural heritage features of provincial interest, and an EIS is recommended to be completed to demonstrate no negative impacts on the identified woodlands, to the satisfaction of the Federal Government prior to final approval being granted by ISED Canada. Figure 6 and Figure 7 below demonstrate the existing and resulting LTE Wireless service levels in the target area as a result of the installation of the proposed facility.

Figure 5: Existing Service Levels

LTE1900 RSRP Coverage Improvements (Before)

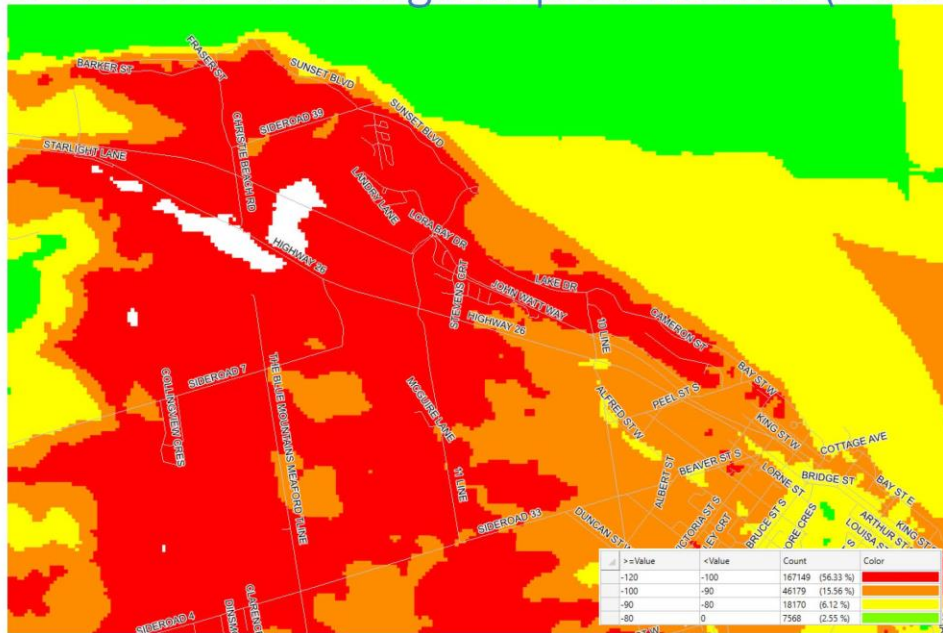
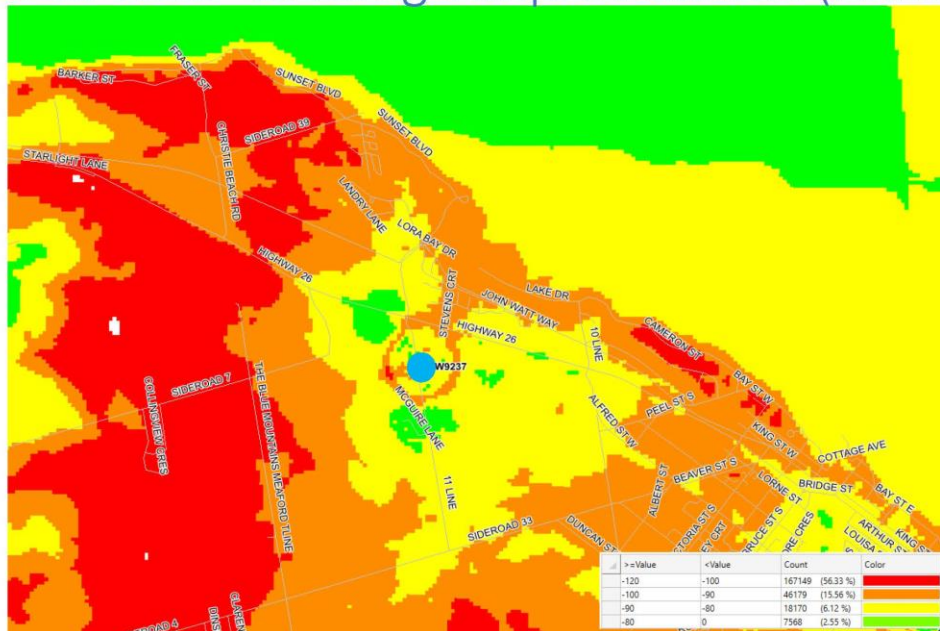


Figure 6: Resulting Service Levels

LTE1900 RSRP Coverage Improvements (After)



The Niagara Escarpment Plan (2017)

The subject lands are not located within the Niagara Escarpment Plan Area.

The County of Grey Official Plan

The majority of the subject property is designated *Rural*, with the southerly portion being designated *Special Agriculture* per the County of Grey Official Plan and also identifies *Significant Woodlands* on the subject property (see Figure 7 and Figure 8).

Figure 7: County Official Plan Designation

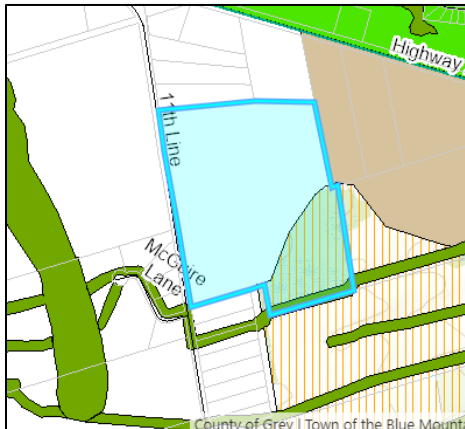


Figure 8: Significant Woodlands per County Official Plan



Section 7.4 of the County Plan outlines development policies within and in proximity (120m) to identified Significant Woodlands. It is noted that the proposed tower location is approximately 200m from the identified Significant Woodlands on the property, however, it is located within 120m of significant woodlands identified on the adjacent parcel. Because of this proximity, an EIS has been recommended by the Grey Sauble Conservation Authority.

Section 8.9.4 of the County Plan provides policies and objectives with respect to telecommunication infrastructure in the County. The Plan identifies high-quality telecommunication services and improved coverage within the County's settlement areas and rural areas as the key to future economic growth and development of the County. Telecommunication infrastructure is encouraged and supported throughout the County. New tower facilities are encouraged to locate on existing lots of records by means of easement, right-of-way, or long-term lease. It is also a preference of the County Plan that new towers be located 250m from all residential zones and dwellings wherever possible, unless necessary to provide adequate service to such areas.

The proposed tower is located a minimum of 270m from the nearest residentially zoned property, which is located at 207525 Highway 26 West. It is noted that a residential dwelling unit currently exists on the property located at 207542 Highway 26 West and is approximately 190m from the proposed tower location (see [Figure 9](#) and [Figure 10](#)).

Figure 9: Proximity to Nearest Residentially Zoned Property

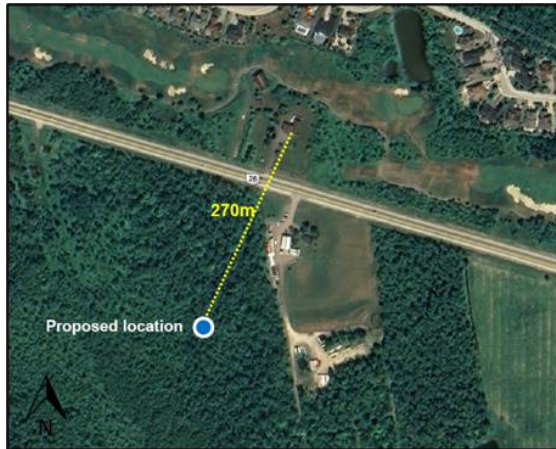


Figure 10: Proximity to Nearest Residential Dwelling Unit



It is noted that the property located 207542 Highway 26 West is also utilized for commercial purposes, specifically for automotive repair and accessory storage but also has a dwelling. Following discussion with the proponent, it has been submitted that relocating the tower further interior to the property to increase the distance from the dwelling at 207542 Highway 26 West may cause interference with the tower's signal propagation due to the topography of the Escarpment to the west of the site. This would also impact the efficiency of coverage along the Highway 26 West transportation corridor.

Planning Services is satisfied that the proposed telecommunication tower is consistent with the County of Grey Official Plan Policy 8.9.4(5)(c), as this policy identifies a 'preferred' 250m setback, where the intended service improvements will not be impacted. Given the generally rural nature of the area and considering the existing non-residential uses on the property located at 207542 Highway 26 West, Planning Services is satisfied that the proposed setback distance is appropriate and consistent with the intent of Policy 8.9.4(5)(c) of the County of Grey Official Plan. It is also noted that there are no existing towers within two kilometers of the

proposed location. Planning Services is satisfied that the proposed telecommunications tower can be considered consistent with the intent of the County of Grey Official Plan.

The Town of The Blue Mountains Official Plan

The Town of The Blue Mountains Official Plan designates the subject lands as “*Rural*”, “*Special Agricultural*” and “*Hazard*”.

Telecommunications are considered *Infrastructure* for the purpose of the Official Plan. Specifically, the Official Plan defines *Infrastructure* as:

“Means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems communications/ telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.”

Section B1 of the Official Plan identifies that public or quasi-public uses shall be permitted in all land use designations, with the exception of the Wetlands and Hazard Lands designations of the Official Plan. The definition of *Public or Quasi-public uses* contained in the Official Plan includes “*uses carried out by Federal or Provincial ministries or companies subject to Federal and Provincial control*” (pg. 263, *Official Plan, 2016*).

Section B1(d) of the Plan further specifies that where companies subject to federal or provincial control propose a new wireless communication facility, it is the policy of the Plan to encourage where feasible and appropriate:

- i) the screening of antennas and towers from view from roads or scenic vistas through landscaping, fencing or other architectural screening;
- ii) the use of innovative design measures such as the integration of such uses with existing buildings or among existing uses;
- iii) collocation with other service providers;
- iv) locations on existing infrastructure such as water towers or utility poles; and,
- v) locations away from sensitive land uses.

Surrounding land uses to the proposed tower site generally consist of rural land uses, with select rural residential uses. It is noted that, with the exception of the residential dwelling unit located at 207542 Highway 26 West, all residential dwelling units are setback a minimum of 250m from the proposed installation.

While visual impacts are adequately mitigated through siting, screening, and tower design, any health concerns regarding exposure to radio-frequencies are mitigated through Health Canada’s Code 6 regulations, which require all output waves to be considerably lower than the lowest amount posing risk to human health. All telecommunication facilities must comply with these federal regulations throughout their lifespans.

Planning Staff are satisfied that the proposed site and tower design are appropriate and consistent with the intent and purpose of the Official Plan and provides adequate consideration of adjacent sensitive uses in terms of visual and environmental impact, and that the applicant has exhausted all appropriate and feasible opportunities to collocate on existing infrastructure/towers.

Zoning By-law 2018-65

Zoning By-law 2018-65 zones the subject lands as *Rural*, *Special Agricultural*, and *Hazard*. An excerpt of the zoning for the property is provided in Figure 11. Telecommunication facilities are defined as *Infrastructure* for the purpose of Zoning By-law 2018-65. Specifically, *Infrastructure* is defined as:

“Means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.”

General Provision 4.29(a) states that “nothing in [By-law 2018-65] prevents the use of any land, building or structure as a public street or for infrastructure”.

Based on the analysis and comments provided in this report, Planning Services is satisfied that the proposal maintains the intent of the By-law and is a compatible use of the property.

Figure 11: Zoning By-law 2018-65



Notice and Public Consultation

A public meeting was held virtually by the Town of The Blue Mountains on March 22, 2021. Notice of the Public Meeting was provided in accordance with the requirements of the

Protocol. Written and verbal comments were received from public agencies as well as area residents.

Comments were received from the following public agencies indicating no concerns or objections to the proposal:

- The County of Grey – provided that positive comments are received from the Grey Sauble Conservation Authority;
- The Grey Sauble Conservation Authority – subject to completion of an EIS demonstrating no negative impacts on the adjacent significant woodlands;
- Enbridge Gas; and
- Hydro One.

At the public meeting, verbal comments were received from both Council and interested members of the public. The questions posed, and the applicant's responses provided at the public meeting, can generally be summarized as:

- Is there any potential to disguise the tower as a 'mono-pine'?
Applicant Response: the proposed tower is a mono-pole design. The 'mono-pine' design would be more appropriate in situations where the tower is of a similar height as the trees next to/in the vicinity of the facility. As the tower is proposed to be taller than the existing tree line, the mono-pine design would likely be visually more obvious/intrusive.
- How much area is needed for the base and ground-level compound?
Applicant Response: The total area would be 15m x 15m in dimension.
- Is there an opportunity for any other users on the tower besides telecommunication service providers?
Applicant Response: Yes, there is opportunity for fire and police services to also add radio equipment. Bell and Rogers are both confirmed for telecommunication carriers.
- How often would the facility need to be accessed for maintenance?
Applicant Response: Approximately once a year to confirm structural integrity and the equipment is monitored remotely.
- Will the tower be connected to fibre services?
Applicant Response: Yes, it will be connected to fibre optic services.
- Is there an opportunity for more than three carriers?
Applicant Response: There is an opportunity for up to three telecommunication service providers. There is also opportunity for other radio users, such as fire services and/or police services to add equipment.
- What is the demand forecast for the area? Can additional towers be constructed on the same site if demand increases?

Applicant Response: All carriers proposing new facilities must provide justification as to why they are not able to collocate on existing towers or structures that may be available in the area. ISED Canada does permit incremental height increases to existing towers to cover more service area, as may be required.

It is also noted that Council had questions about the development of a regional telecommunications plan to help identify potential tower locations to help guide future requests for municipal concurrence? Staff confirmed that this undertaking is in the process of being initiated and Staff will be contacting neighbouring municipalities to discuss this possibility in the future.

Conclusion

Based on the foregoing, Planning Staff are satisfied that the Municipal *Protocol for Establishing Telecommunication Facilities* has been satisfactorily completed by the applicant. Furthermore, the proposed telecommunications tower is consistent with the intent and direction of provincial, county, and local planning policy direction. Planning Staff supports this application subject to the conditions outlined in recommendations provided in this report.

E. Strategic Priorities

1. Communication and Engagement

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

3. 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.

4. 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

Staff are satisfied that no adverse environmental impacts will result from the recommendations contained in this report. A condition of Municipal Concurrence is that the applicant must complete an EIS demonstrating no adverse impacts on the adjacent significant woodlands prior to final approval being granted by ISED Canada.

G. Financial Impacts

No adverse financial impacts to the municipality are anticipated as a result of the recommendations contained in this report.

H. In Consultation With

The general public and commenting agencies through the public consultation process.

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on **March 22, 2021**. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Travis Sandberg, planning@thebluemountains.ca

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J. Attached

1. Applicant's Proposed Site Plan
2. Submitted Site Selection Report

Respectfully submitted,

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Report Approval Details

Document Title:	PDS.21.057 Recommendation Report - Request for Municipal Concurrence for a Telecommunications Tower - 397323 11th Line.docx
Attachments:	- W9237 - SURVEY - 20210107.pdf - W9237 - JUSTIFICATION - 20210107.pdf
Final Approval Date:	Jun 7, 2021

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

Trevor Houghton - Jun 2, 2021 - 3:21 PM

Nathan Westendorp - Jun 4, 2021 - 10:12 AM

Shawn Everitt - Jun 7, 2021 - 8:57 AM