



## REPORT

**REPORT TO:** Chair and Members of the Planning, Public Works and Transportation Committee

**REPORT FROM:** John McMulkin, Planner – Development Review

**DATE:** August 13, 2019

**REPORT NO.:** PLS-2019-0060

**RE:** Request for Municipal Concurrence for a Proposed Telecommunications Tower at 10676 Trafalgar Road (Esquesing)

### RECOMMENDATION:

THAT Report No. PLS-2019-0060, dated August 13, 2019, regarding a “Request for Municipal Concurrence for a Proposed Telecommunications Tower at 10676 Trafalgar Road (Esquesing)”, be received;

AND FURTHER THAT the request for municipal concurrence for the lands legally described as Part Lot 14, Concession 7 Esquesing, Town of Halton Hills, Region of Halton, municipally known as 10676 Trafalgar Road (Esquesing), be granted.

### PURPOSE OF THE REPORT:

Innovation, Science and Economic Development Canada (ISED), the Federal department responsible for granting authorization for telecommunications facilities, requires that applicants consult with local land use authorities for significant telecommunications installations. The Town developed a Telecommunication Tower Protocol, which applicants are expected to follow in order to complete the approval process as set by ISED. The Town received a telecommunications tower proposal by Rogers Communications Inc., c/o LandSquared for review under the Protocol.

Section 6.5 of the Protocol states that should significant concerns be expressed regarding a proposed telecommunications tower or facility, the Commissioner of Planning & Sustainability may refer the application to a Town of Halton Hills Committee or directly to Council for consideration. Given that the Town received a signed petition from neighbouring property owners who object to the proposed telecommunications tower, Planning staff has referred the application to the Planning, Public Works and Transportation Committee for consideration.

**BACKGROUND:**

Rogers Communications Inc., c/o LandSquared has submitted an application proposing to construct a 35 metre (115 ft.) tall circular steel monopole telecommunications tower, situated within a 10m x 9.56m compound area on the property municipally known as 10676 Trafalgar Road (Agram Meats site); see **SCHEDULE 1 – LOCATION MAP**. The tower will contain a lighting protection system and the compound will be surrounded by 1.8 metre tall chain link fencing topped with barbed wire. The tower is being designed to accommodate equipment from Bell, Telus and Rogers, including space for their radio equipment cabinets within the fenced compound; see **SCHEDULE 2 – SITE PLAN AND ELEVATION**.

The proposed telecommunications tower is to be located towards the rear of 10676 Trafalgar Road, behind the Agram Meats abattoir. Access to the proposed tower would be from the existing gravel driveway off Trafalgar Road, which would be extended to the compound. This location provides the greatest setback from the Agram Meats retail store on the property and other residential dwellings in the surrounding area without impacting the commercial, industrial or farming operations that exist on site. Agricultural and rural-residential properties abut the subject site; the closest neighbouring residence is located approximately 210 metres (689 ft.) away from the proposed tower.

LandSquared suggests the proposed tower is required to improve the level of cellular service in the area and address network deficiencies created by excess demand on the currently available network infrastructure. Rogers Communications Inc. has already entered into the necessary lease agreement with the owner of the subject lands for the purpose of siting the proposed tower. LandSquared has indicated that, if approved, this tower would replace the need for the telecommunications tower application proposed near Stewarttown at the St. John's Church parking lot (12918 15 Side Road), which has been on hold since 2014.

**COMMENTS:**

The Telecommunications Tower application was circulated to all applicable internal departments and external agencies for review and comment. No objections were raised by any of the circulated departments or agencies.

When utility services are regulated by Innovation, Science and Economic Development Canada (ISED), Local, Regional and Provincial Planning documents do not apply. Notwithstanding, the Regional and Local Municipal land use policies pertaining to the subject lands and telecommunications infrastructure are outlined below.

**Region of Halton Official Plan**

The subject lands are designated Agricultural Area in the 2009 Regional Official Plan. Utility facilities (e.g. telecommunication facilities or towers) are permitted in the Agricultural Area designation as referenced in Section 100(8) of the Regional Official Plan.

**Town of Halton Hills Official Plan**

The subject property is designated Agricultural Area in the Town's Official Plan, which permits telecommunications infrastructure by way of the Telecommunications Act.

**Town of Halton Hills Zoning By-Law**

The subject property is zoned Agricultural (A) in the Town's Comprehensive Zoning By-law 2010-0050. Section 4.27.1(c) of the by-law states that nothing in this by-law shall prevent the use of any land, building or structure for infrastructure nor prevent the installation of telecommunications/communications infrastructure.

**RELATIONSHIP TO STRATEGIC PLAN:**

Telecommunications towers are federally regulated and have no relation to the Strategic Plan.

**FINANCIAL IMPACT:**

Telecommunications towers are federally regulated and do not have any financial impact on Town budgets.

**CONSULTATION:**

Planning staff has consulted with the appropriate Town departments and external agencies in the preparation of this report.

**PUBLIC ENGAGEMENT:**

The telecommunications tower application is deemed to be a "Major" proposal under the Town's Telecommunication Tower Protocol, which requires a Public Information Session (Open House) to be held by the applicant in order to provide residents an opportunity to review the proposal and ask questions/express concerns about the application. The Public Information Session was held by LandSquared on April 9, 2019, at the Gellert Community Centre. Eight (8) residents attended the Public Information Session; seven (7) residents raised concerns regarding health (radiation) and visual impacts and one (1) resident had no objections to the proposal.

The Town also received a number of correspondence and inquiries in support and opposition to the proposed tower. Two (2) letters of support cited lack of cellular coverage in the area for emergencies as a major concern of residents and the reason why the proposed tower should be approved. Four (4) objections cited concerns regarding health (radiation) impacts, visual intrusion and negative impacts on property values of surrounding properties.

One of the letters of objection submitted by an abutting land owner (10666 Trafalgar Road) contained a signed petition by multiple property owners who object to the proposed tower; see the list of properties on the petition at **SCHEDULE 3 – PETITION FROM PROPERTY OWNERS**. The letter/petition also contained a number of specific questions for the applicant such as the level of radiation produced by the tower, who regulates the radiation and who determines its safe levels; proposed cellular service coverage area and how the need for the proposed tower was determined; distance of the tower to 10666 Trafalgar Road; structural stability of the tower; how the tower's visual impact will be mitigated; what alternative properties were considered and whether co-location on existing towers is feasible; and, how often the tower would be accessed. LandSquared, in consultation with Town Planning staff, provided responses to all correspondence and questions received from the public. For Council's benefit, these responses provided the following:

- The safety of cellphone antenna systems is regulated in Canada by Health Canada's Safety Code 6 directive. Safety Code 6 specifies the safe limits for transmission of radio frequency and all wireless service providers must comply with Safety Code 6 as a condition of their license to operate. Generally, installations operate at levels far below the Safety Code 6 limits, which in turn are set up to 50 times below the level at which any impact on human health is anticipated. In order to co-locate on a tower, carriers, internet service providers and other entities must conduct their own Safety Code 6 assessment prior to co-locating on a tower.
- In terms of coverage objectives, the tower target area is Stewarttown, the Stewart's Mill subdivision, and commuters along Trafalgar Road, which is one of the main corridors for Georgetown. There is a need for coverage in the area, as residents of these neighbourhoods have expressed concern over the existing lack of coverage. The proposed site will also provide critical coverage in the new Vision Georgetown community which spans Trafalgar Road to Eighth Line and 10 Side Road to 15 Side Road.
- The proposed tower (pole) is set back approximately 219.79 metres (721 ft.) from the dwelling and 169.55 metres (556 ft.) from the property located at 10666 Trafalgar Road.
- The proposed tower will be designed for its environment, including wind. LandSquared has noted that all safety measures will be taken into consideration when designing and building this tower, as all measures are up to the standard of the National Building Code. The tower design and build are stamped by reputable engineers who will ensure all environmental and safety factors are taken into account.
- The 35m (115ft.) height of the proposed tower, topography and fence screening have been designed in order to decrease visual impact from nearby properties, Trafalgar Road and any future developments. Multiple photo simulations of the proposed tower were provided from four (4) locations along Trafalgar Road and an abutting property in order to allow the Town and residents to assess potential view impacts; see **SCHEDULE 4 – PHOTO SIMULATIONS**.

- A map showing what alternative properties were considered was provided. There are no existing structures available in the immediate vicinity of the proposed tower to provide a co-location alternative to a new tower. The closest existing tower to the proposed tower is a Rogers LTE Macrocell tower located on Miller Drive, approximately 1.55 km to the northeast at a peak height of 15 metres.
- Access will be limited to maintenance and emergencies only. Maintenance visits to locations are usually scheduled for once every two months for inspection.

Given the above, Planning staff has concluded that the proposed telecommunications tower has satisfied the requirements of the Town's Telecommunication Tower Protocol. For Council's reference, the list of considerations outlined within the Protocol for which staff and the applicant are expected to follow when evaluating potential impacts is attached as **SCHEDULE 5 – TELECOMMUNICATIONS TOWER EVALUATION CRITERIA**.

#### **SUSTAINABILITY IMPLICATIONS:**

Since telecommunications towers are federally regulated and not related to a major project, policy or initiative, sustainability implications are not triggered and hence there are no direct sustainability implications associated with this report.

#### **COMMUNICATIONS:**

Notification for the Public Information Session (Open House) was provided to properties located within 350 metres of the proposed tower site by mail, including all abutting properties outside of the circulation radius, along with a notice sign posted on the property and a notice published within the Independent & Free Press.

Notice of today's meeting was provided to any residents that attended the Public Information Session or provided correspondence in relation to the proposal.

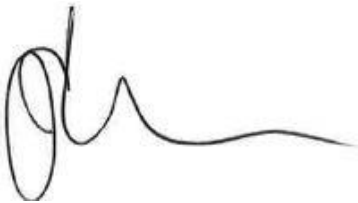
**CONCLUSION:**

Planning staff has concluded that the applicant has satisfied the requirements of the Town's Telecommunication Tower Protocol. Staff has no further comments regarding the proposed telecommunications tower and therefore recommends that municipal concurrence be provided. Planning staff notes that communications facilities are federally regulated with the final decision for approval of the telecommunications tower vested with ISEDC.

Reviewed and Approved by,

A handwritten signature in black ink, appearing to read "Jeff Markowiak".

**Jeff Markowiak, Manager of Development Review**

A handwritten signature in black ink, appearing to read "John Linhardt".

**John Linhardt, Commissioner of Planning and Sustainability**

A handwritten signature in black ink, appearing to read "Brent Marshall".

**Brent Marshall, Chief Administrative Officer**