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Date September 12, 2024 **Report No.** 2024-517
To Chair and Members
Planning Committee
From Nicole Wilmot, MCIP, RPP
Chief Planner and Senior Director of Planning and Development Services
Community Development Commission

1.0 Type of Report

Consent Item []
Item For Consideration [X]

2.0 Topic 601 Park Road North – Telecommunications Application No. AS-04-23 [Financial Impact – None]

3.0 Recommendation

- A. THAT Innovation, Science and Economic Development Canada (ISED) BE ADVISED that pursuant to Report 2024-517, the City of Brantford has no concerns and concurs with Rogers Communications Inc.'s proposed location of a telecommunications tower to be located at 601 Park Road North; and,
- B. THAT Staff BE DIRECTED by Council to issue a Letter of Concurrence to ISED for the proposed telecommunications tower at 601 Park Road North.

4.0 Executive Summary

In 2018, the City of Brantford established an Antenna System Siting Protocol to guide the placement of the antenna systems while considering natural features, historic legacy, and unique characteristics. This protocol outlines a local land use

consultation framework, establishes an object process, criteria, and guidelines for siting proposals, and provides the necessary information to satisfy the ISED requirements, resulting in an informed statement of concurrence or non-concurrence.

Rogers Communications Inc. has submitted a telecommunications tower application for 601 Park Road North, which aligns with the City's protocol. This Report provides Council with information and analysis regarding the proposal. Staff support issuing a letter of concurrence to ISED for this installation.

5.0 Purpose and Overview

The purpose of this report is to provide Council with comprehensive information and analysis regarding the installation of a telecommunications tower at 601 Park Road North. The design includes a 25-meter Monopole tower located within a 27 m² fenced compound, situated on a commercial property (Access Storage). The installation is intended to enhance telecommunications coverage in an underserved area of Brantford, without adversely affecting adjacent land uses.

6.0 Background

6.1 Site Features and Surrounding Land Use

The proposed tower will be situated in the northeast corner of the subject lands, encompassing a 27 m² compound. **Figure 1** is an aerial photo of the site. **Appendix B** contains simulation photos. The remaining area of 601 Park Road North would continue to be occupied by existing self-storage business.

South and west of the subject lands are residential, including single detached dwellings and apartment buildings. The nearest apartment building is approximately 52 m south of the proposed site. North of the subject site are two mixed-use buildings with personal services, retail units, and small office units. East of the subject lands is the Wayne Gretzky Parkway.

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building is approximately 52 m south of the proposed site. North of the subject site are two mixed-use buildings with personal services, retail units, and small office units. East of the subject lands is the Wayne Gretzky Parkway.

6.2 Proposal Description

Rogers Communications Inc. proposes to erect a 25 m monopole tower accompanied by a radio equipment shelter on a 2.5 m by 3.0 m concrete slab enclosed within a fence. Access to the tower will be via the northern property boundary from Park Road North. This proposal aligns with the City's Protocol for communication towers and fulfills ISED's consultation requirements with the local land use authority. A simulation view of the of the proposed tower is shown below in **Figure 2**.

Figure 1 - Aerial Photo



Figure 2 - Tower Simulation



7.0 Corporate Policy Context

7.1 2023-2026 Council Priorities

This report is in keeping with the City of Brantford Council Priorities established in January 2023, specifically the priority of ensuring safety and security in all neighborhoods. The proposed telecommunication tower will enhance wireless service, benefiting personal, business, and emergency uses, contributing to a safer and more connected community.

7.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) defines infrastructure as *“physical structures (facilities and corridors) that form the foundation for development”*. The definition then provides a breakdown of types of infrastructure, which includes communications/telecommunication infrastructure. Section 1.6.1 of the PPS directs infrastructure to be *“coordinated and integrated with land use planning and growth management so that they are financially viable [...] and available to meet current and projected needs*. More specifically, Section 1.7.1 of the PPS encourages *“efficient and coordinated communications and telecommunications infrastructure.”* The proposed telecommunication tower will provide an opportunity for service providers to coordinate and co-locate

efficiently, and Staff is of the opinion that the proposal is consistent with the PPS.

7.3 A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2020)

The proposed telecommunication tower was reviewed within the context of A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan). Section 3.1 of the Growth Plan states that *“Well planned infrastructure is essential to the viability of Ontario’s communities and critical to economic competitiveness, quality of life, and the delivery of public services”*. The proposed telecommunication tower will reduce the need for future infrastructure in this area, as multiple service providers will be able to co-locate on the tower. Staff are of the opinion that the proposal is in conformity with the Growth Plan for the Greater Golden Horseshoe.

7.4 City of Brantford Antenna System Siting Protocol, 2018

Municipal review of telecommunication towers and antennas in Brantford is governed by the Antenna System Siting Protocol, approved by Council June 26, 2018. The Protocol sets out detailed procedures for the review of telecommunication facilities to be installed in the City, including:

- Site selection guidelines
- Public consultation
- Design criteria
- Municipal response

The municipal review and public consultation process for the proposed telecommunication tower has been completed in accordance with the Antenna System Siting Protocol. Planning Staff’s analysis of this proposal as it relates to the Protocol is provided in Section 8.0 of this Report.

7.5 City of Brantford Official Plan (Envisioning Our City: 2051)

The proposed telecommunication tower was also reviewed within the context of the City of Brantford Official Plan. Under Section 8.1.d of the Official Plan, municipal service infrastructure and public and private utilities are permitted in

any land use designation. Section 8.2.a encourages the co-location of linear utilities and telecommunication facilities. Section 8.2.b requires that “*appropriate locations are identified and/or cluster sites have been determined which take into consideration the location requirements for larger infrastructure elements.*” The proposed telecommunication tower encourages coordination between telecommunication utilities and Staff is of the opinion that this proposal conforms to the City of Brantford Official Plan.

7.6 City of Brantford Zoning By-law 160-90

The subject property is zoned “General Commercial - Special Exception 6 Zone (C8-6)”. The Zoning By-law classifies a telecommunication tower as a public service, which is permitted in all Zones. Section 6.19.6 of the By-law states:

“When utility service equipment is located on a lot and not enclosed, and is greater than 1.4 m in height, such equipment shall:

- .1 Be screened on all sides by an opaque fence and/or wall of a minimum height equal to the height of the utility service equipment to a maximum of 4.0 m, or a buffer approved pursuant to the Site Plan Control provisions of the Planning Act.*
- .2 Not be permitted within 6.0 m of either a lot in a Residential Zone or a lot line abutting a street.”*

The proposed telecommunications tower is situated within a chain-link fence, approximately 100 meters from the front lot line adjacent to Park Road North, meeting Zoning By-law 160-90, which does not comply with the screening requirements since the chain link fencing is not opaque. Despite this non-compliance, Innovation, Science and Economic Development Canada supersedes municipal zoning by-laws, meaning Zoning By-law 160-90's screening provisions cannot be enforced. Furthermore, Planning Staff deems the proposed fencing acceptable given its location and surrounding built form. While Park Road North and Wayne Gretzky Parkway are busy thoroughfares, existing storage buildings and forested area provide visual buffering for traffic from Wayne Gretzky Parkway and, to an extent, the apartment buildings to the south. Planning Staff find the proposed tower location and compound acceptable.

8.0 Input From Other Sources

8.1 Technical Liaison Response

This proposal was circulated to internal departments and external agencies for review. Several departments provided similar comments regarding the proposed telecommunications tower. The Building Department noted that telecommunications towers are not regulated by the Ontario Building Code, and thus no building permit is required, with no specific comments on the structure or location. The Development Engineering Department highlighted the need for a Municipal Consent Application for Hydro/Fiber installations within the Municipal Right-of-Way and raised concerns about proposed infrastructure conflicting with municipal easements for sewers. The Environmental Services Department also flagged issues with the proposed tower's location within a sanitary and storm easement, which prohibits structures. Following these concerns, Planning Staff consulted with the Legal Department, which expressed reservations about the proposed location of fiberoptic cables due to sewage infrastructure. Planning Staff relayed these comments to the applicant, who revised their plans such that the hydro fibers are no longer located within the public Right-of-Way. Planning Staff relayed these comments to the applicant, who revised their plans such that the fiberoptic cables are no longer located within the public Right-of-Way. Development Engineering, Environmental Services, and Legal Staff are satisfied with the revised location. Six Nations requested discussions regarding potential accommodation opportunities, facilitated by Planning Staff connecting them with the project manager for further dialogue. No other objections were raised.

8.2 Public Response

In accordance with the Antenna System Siting Protocol, the proponent issued a notice by regular mail to all properties within 120 metres of the proposed tower as shown on **Appendix A**. The Public Notice is attached as **Appendix C**. Nearby residents and businesses had 30 days to provide comments and no comments were received. Additionally, pursuant to the City's Protocol, a neighbourhood meeting was held on March 10th and no members of the public attended.

9.0 Analysis

9.1 Site Selection

The Antenna System Siting Protocol requires that prior to submission for a new tower; co-location and existing infrastructure must be considered. The proponent has advised that there is a gap in the wireless telecommunications infrastructure in this area. As such, there are no other towers within the 1.2 km search area of

the proposed location. The two nearest towers in the area are located at 640 West Street (1.2 km away) and 331 King George Road (2.6 km), see **Figure 3**.

Figure 3 - Existing Structures



Additionally, there is no existing infrastructure or structures within the area that would be appropriate for the telecommunication equipment. Therefore, a new tower has been proposed at the location shown on **Appendix A**.

Section 7.1.2 of the Antenna System Siting Protocol details preferred locations should a new tower be constructed as follows:

- *Industrial and commercial areas.*
- *Mounted on buildings or existing structures with appropriate screening.*
- *Located in a manner that does not adversely impact view corridors such as public views and vistas of important natural or manmade features.*
- *Transportation and utility corridors.*
- *As near as possible to similarly-scaled structures.*
- *Institutional uses where appropriate, including, but not limited to, those institutions that require telecommunications technology: emergency services, hospitals, colleges and universities.*

- *Areas that maximize the distance from Residential Areas.*

The proposed tower is to be located in a commercial and residential area, and it will be set back a significant distance from Park Road North. It will be surrounded by commercial self-storage units which will assist in screening the tower from public view. The proposed location is approximately 50 metres away from the nearest residential unit. The proposed tower location is considered an acceptable location as it is consistent with the preferred locations for new towers as set out in the Antenna System Siting Protocol.

9.2 Tower Design

The proposed 25 m monopole tower communications structure would also have associated radio equipment cabinet on cast in place reinforced concrete slab. The installation would occupy a ground compound area of 27 m². The monopole design has been used throughout the City of Brantford and is appropriate considering the area context. The tower will be painted white, subject to NAV Canada requirements. The proposed monopole will be non-reflective, and an appropriate colour (white) for the surrounding area. The elevation plan and landscape plan are provided in **Appendix A**. Based upon the above considerations; Staff are of the opinion that the proposed telecommunication tower is compatible with the surrounding land uses.

10.0 Financial Implications

There are no direct municipal financial implications respecting this proposal.

11.0 Climate and Environmental Implications

No negative climate or environmental impacts are anticipated as a result of this application. The lands are currently designated Intensification Corridor and zoned for commercial uses and will continue as such if the proposed telecommunications tower is constructed.

12.0 Conclusion

The installation of a telecommunication tower proposed by Rogers Communications Inc. presents an opportunity to improve telecommunication coverage in an underserved area in the City of Brantford, with no adverse impact on adjacent land uses. The proposal has followed the procedures and met the requirements set out in the City's Antenna System Siting Protocol. The proposed

tower is consistent with the Provincial Policy Statement, conforms with the Growth Plan and with the City's Official Plan and maintains the general intent of Zoning By-law 160-90.

Based upon the above review, Staff supports providing a letter of concurrence to ISED with respect to this installation of the proposed telecommunications tower on the subject lands.



Nicole Wilmot, MCIP, RPP
Senior Director of Planning and Development Services/Chief Planner

Prepared By:

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Attachments

- Appendix A – Site Plan
- Appendix B – Site Photos
- Appendix C – Public Notice Letter

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

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|--|---|
| By-law required | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |
| Agreement(s) or other documents to be signed by Mayor and/or City Clerk | <input checked="" type="checkbox"/> yes <input type="checkbox"/> no |
| Is the necessary by-law or agreement being sent concurrently to Council? | <input type="checkbox"/> yes <input checked="" type="checkbox"/> no |