



**Subject: Recommendation Report for a Proposed Communication Tower at 534 Pleasant Beach Road, File D27-10**

**To: Council**

**From: Planning and Development Department**

Report Number: 2021-34

Meeting Date: February 8, 2021

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### **Recommendation:**

That Council has no adverse comments to the proposed communication tower at 534 Pleasant Beach Road; and

That Innovation, Science and Economic Development Canada and Forbes Bros. Ltd. be notified of Council's decision.

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### **Purpose:**

Under the direction of the Director of Planning and Development, the purpose of this report is to provide Council with a recommendation regarding a proposed communications tower at 534 Pleasant Beach Road.

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### **Background:**

Xplornet Communications Inc. is proposing to construct a new communication tower, replacing an existing 17 metre tower on the property at 534 Pleasant Beach Road. The proposed tower will be a 30 metre lite-duty lattice tower which will support equipment upgrades and provide expanded wireless internet capabilities for residents in the vicinity.

A formal application from Xplornet Communications Inc. through its contractor, Forbes Bros. Ltd., was received on November 10, 2020 (Appendix A).

Notices for the Public Consultation Period were circulated by both Planning Staff (Appendix B) and Forbes Bros Ltd. (Appendix C) on November 13, 2020 to property

owners within 120 metres of the property. A Notice was also placed in the *Niagara This Week* newspaper on Thursday, November 19, 2020 (Appendix D).

The final day for submission through the formal Public Consultation Period was December 21, 2020. Forbes Bros. Ltd. received one written submission from Kathy and Don Willwerth of 545 Pleasant Beach Road. A formal response was provided to Mr. and Ms. Willwerth on December 22, 2020. The full comment and response are attached to this report (Appendix E).

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## **Discussion:**

In October 2008, Council adopted a “Consultation Process for Wireless Telecommunication Facilities” (Appendix F). The Policy includes requirements for consultation with the City for comments; however, no formal approval is required from the City.

Although Innovation, Science and Economic Development Canada (ISED) is the approval authority for telecommunication towers, the City’s Policy requires that the municipality is to be consulted by proponents with the aim of:

- Discussing site options;
- Ensuring the local processes related to antenna systems are respected;
- Addressing reasonable and relevant concerns from both the land use authority and the community they represent; and
- Obtaining land use authority concurrence in writing.

The City’s policy outlines site selection criteria which include using existing structures where possible, locating towers away from residential, public and institutional areas and avoiding natural features. Forbes Bros. Ltd. has indicated that the existing tower on the property is not adequate for upgrades. Therefore, the new tower is proposed in a similar location as the existing tower.

Due to the ongoing COVID-19 gathering restrictions, staff noted that it was not realistic to hold a formal public consultation session. In lieu of the formal public consultation session, Planning Staff and the proponent offered one-on-one appointments via telephone or virtual means for any interested members of the public.

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## **Internal Consultations:**

Notice was circulated to internal City departments and no adverse comments were received.

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## **Financial Implications:**

There are no financial implications.

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## **Public Engagement:**

As mentioned above, Notices were circulated via regular mail and the *Niagara This Week* newspaper. One written submission was received from Kathy and Don Willwerth of 545 Pleasant Beach Road.

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## **Conclusion:**

Based on the information provided within this report, Planning staff are satisfied that the City's Policy (Consultation Process for Wireless Telecommunication Facilities) and its objectives have been addressed. Therefore, staff recommend that no adverse comments be provided to ISED Canada.

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## **Appendices:**

- a. Application
- b. City Public Notice
- c. Forbes Bros. Ltd. Public Notice
- d. Newspaper Notice
- e. Xplornet response to Willwerth Comment
- f. City Consultation Policy

Respectfully submitted,

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## **Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final approval is by the Chief Administrative Officer.