



**COMMITTEE OF THE WHOLE  
AGENDA**

**Monday, October 18, 2021, 6:00 PM**

**Council Chambers**

**2021 Division Road N**

**Kingsville, Ontario N9Y 2Y9**

**Pages**

**A. CALL TO ORDER**

In light of the ongoing COVID-19 pandemic, this Regular Meeting of Council is being held electronically. Members will meet via electronic participation. Members of the public can view the meeting at [www.kingsville.ca/meetings](http://www.kingsville.ca/meetings) and select the VIDEO icon.

**B. DISCLOSURE OF PECUNIARY INTEREST**

When a member of Council has any pecuniary interest, direct or indirect, in any matter which is the subject of consideration at this Meeting of Council (or that was the subject of consideration at the previous Meeting of Council at which the member was not in attendance), the member shall disclose the pecuniary interest and its general nature, prior to any consideration of the matter.

**C. ORDER OF BUSINESS**

- |   |           |
|---|-----------|
| <b>1. TELUS Communications Inc.--Revised Tower Locations and Design</b>                   | <b>1</b>  |
| R. Brown, Manager of Planning Services  |           |
| <b>2. Draft Lighting Guideline Policy</b>   | <b>53</b> |
| G. A. Plancke, Director of Infrastructure and Engineering                                 |           |
| <b>3. Allocation of Safe Restart (COVID-19) Funding</b>                                   | <b>71</b> |
| R. McLeod, Director of Financial and IT Services  |           |
| <b>4. CAO update on Upcoming Reports and Fall Agenda for Senior Management Team (SMT)</b> |           |

**D. MINUTES OF THE PREVIOUS MEETINGS**

- |   |           |
|---|-----------|
| <b>1. Committee of the Whole--September 20, 2021.</b> | <b>74</b> |
|---|-----------|

## **2. Committee of the Whole Closed Session--September 20, 2021**

### **Recommended Action**

That the Committee adopts the Committee of the Whole Minutes dated September 20, 2021 and the Committee of the Whole Closed Session Minutes dated September 20, 2021.

## **E. COUNCIL QUESTIONS / STAFF REPLIES**

## **F. CLOSED SESSION**

Pursuant to Subsection 239(2) of the Municipal Act, 2001, Council will enter into Closed Session to address the following items:

Subsection 239(2)(b) [personal matters about an identifiable individual, including municipal employees] and Subsection 239(2)(f) [advice that is subject to solicitor-client privilege, including communications necessary for that purpose]  
RE: Employee vaccination

## **G. ADJOURNMENT**



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Kingsville, Ontario N9Y 2Y9  
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www.kingsville.ca  
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**Date:** October 12, 2021

**To:** Committee of the Whole

**From:** Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services

**RE:** Proposed Telecommunications Tower – Part of Lot 280, Concession  
STR, V/L ES of County Rd 23.

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## AIM

To provide an outline of the information provided and public comment received to the Committee of the Whole regarding a proposed telecommunication tower and a request for a Statement of Concurrence that sufficient public consultation has occurred taking into consideration input from the local land use authority and surrounding land owners.

## BACKGROUND

Land Solutions LP, on behalf of Telus Communications Inc. has submitted a revised application with the authorization of the registered owner of the subject lands, to construct a 40 m (131.2 ft.) lattice self-supporting tower (See Appendix A – Revised Location Map). The revised location is based in part on the public feedback and comment provided by the former Planning Advisory Committee. The revised submission in Appendix A shows both the original site and new site.

In accordance with federal regulations and the Town's "Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities" (See Appendix B) guidelines, public consultation is required to be obtained for the construction of telecommunications towers. Public notice was given to registered property owners within 150 m of the proposed location by the applicant. (See Appendix C) Included with this report is a copy of the site plan and specifications for the telecommunication tower proposed.

## DISCUSSION

The following was provided by the applicant in an information package submitted at the time of application, and provided in the public notice:

- i) **Description of Proposed Installation:** The design is a 40 m lattice self-supporting tower within a lease premise. Telus proposed to install an equipment

shelter with the fenced portion of the premises. The shelter will house equipment necessary for the operation of the telecommunications facility.

- ii) Location and Street Address:** Vacant Land on the east side of County Road 23 (Arner Town Line) Pt. Lot 280, Concession STR, Kingsville. The total area of the tower and equipment is approximately 100 m<sup>2</sup>, exclusive of the access road and shown on the Site Plan.

The tower will be situated on subject farm parcel in a fenced enclosure approximately 175 m east of County Road 23 and approximately 95 m southeast of the nearest dwelling at 4204 County Rd 23 by of the. It will be accessed by a new laneway from County Rd 23.

This property was determined, by the Proponent, to be located in the best alternative area to accommodate the current service needs for wireless telecommunications infrastructure in the area.

The Town of Kingsville “Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities outlines the following:

- To facilitate cooperation between the proponent and the Town of Kingsville in effort to allow for the siting of facilities which balance the demand for service and the impact on the community.
- To provide guidance and direction for the appropriate siting of facilities to locations which meet the following criteria in order of priority of land use:

1. sites co-located on existing structures in non-residential areas;

Comment: The proposed tower is new and is located on a non-residential property.

2. sites outside of the sight lines of Lake Erie and Jack Miner Bird Sanctuary;

Comment: The proposed tower is not near Jack Miner and is not within the site line of Lake Erie.

3. sites outside of planned settlement areas;

Comment: The property is located outside of the current settlement area.

4. sites owned by the municipality;

Comment: This is located on private property through a lease agreement.

5. sites co-located on existing structures in non-agricultural areas;

Comment: This is a new tower located on agricultural lands however it is sited on the property in a manner to minimize impact to the agricultural lands.

6. sites co-located on existing structures in settlement and residential areas; &



Comment: Refer to item 1.

7. new structures on land owned by private land owners.

Comment: Refer to item 4.

The applicant has also provide a detailed review of it site selection in addition to feedback on public comment received related to the proposed location.

- To provide high design standards which recognize local considerations for natural heritage features and local aesthetics including:
  1. the placement, style and colour of all elements of the facility which blend with the surrounding environment;

Comment: The structure will be located on private property. The tower itself would generally be a galvanized or painted steel type surrounded by a fenced compound. Additional design elements that minimize the visual impact of the tower itself can be consider in consultation with the applicant.
  2. the protection of the existing natural environment;

Comment: ERCA was circulated for comment on the original location which is attached as Appendix D. An area abutting the subject farm parcel is shown on the Town mapping as a wooded area but is not classified as a natural heritage feature. There is a natural feature to the west however it is located outside of the area of potential impact. The trees on abutting lands have been systematically planted and cultivated over the years. More recently (2017 or 2018) a pond was added to the site.
  3. the enhancement of the natural landscape with plantings and visual screens;

Comment: The applicant has indicated that additional planting around the fenced area can be undertaken.
  4. maintaining appropriate setbacks from property lines and adjacent public uses (schools, community centres, day cares, etc.)

Comment: There are no issues with the proposed location in this regard.
  5. maintaining safe vehicular access and site lines onto public roads.

Comment: The location proposes to construct a new laneway into the farm field. A permit from County Infrastructure will be required along with a new access culvert over the existing municipal drain. Traffic volume to and from the site are not significant enough to create an impact.
- To provide an opportunity for public consultation and input through the approved procedure for the review and consideration of telecommunication and broadcasting facilities within the Town of Kingsville.

Comment: The applicant has provided information to the surrounding public based on the prescribed requirements. A number of property owners have requested to speak at the COTW however no specific written comment had been provided at the time of writing of this report. One of the original concerns with the tower was related to health impacts. The applicant provided detailed information, see Appendix E.

Telecommunication facilities are exempt from approval under the Planning Act as they are a required service. From a purely land use standpoint the provision of all infrastructure is supported in Provincial Policy and the Town's Official Plan. The location of this infrastructure is not always ideal as it is difficult to provide a service to an area of need without actually being in that area. Wireless communication has become the predominant form of personal communication as the cost of wired service becomes greater. The proposed tower will provide improved service to both this area of Kingsville and Essex. Placing the tower further from the area to be serviced tends to be counterproductive. The applicant has acknowledged the concerns of the neighbouring property owners and provided rationale for the preferred location.

- To recognize the final approval authority of Industry Canada for the consideration of radio-communication, telecommunication and broadcasting facilities.

Comment: The approval authority for telecommunication towers is Innovation, Science and Economic Development Canada (ISED) formerly Industry Canada. In past consultation with (ISED) staff it was clarified that they do place a high level of consideration on public feedback and consultation with the local land use authority in establishing a co-operative approach to the siting of proposed towers. Requirements of either the Town or public which are considered reasonable requests are typically supported and incorporated into a proposed development. In cases where a statement of non-concurrence is issued the applicant can look at alternatives to a given proposal or request (ISED) to participate in dispute resolution.

Upon Council's direction, a letter would be provided to the applicant which will include a Statement of Concurrence provided Council is satisfied that adequate public consultation was conducted and that land use impacts and public comments have been addressed.

## **CONSULTATIONS**

Notice of the Committee of The Whole on October 18<sup>th</sup> (COTW) was given by the applicant on September 25, 2021 by first class mail to all land owners within 150 m (492 ft.) of the proposed location of the cell tower.

In accordance with standard practice for review of telecommunication tower requests applicable external agencies and internal departments have been circulated. The following comment has been provided.

### **1) Essex Region Conservation Authority (ERCA)**

ERCA was provided with information on the original proposed tower. Their comment is attached as Appendix D. If the location in question is determined to be acceptable follow-up will be undertaken with ERCA prior to final presentation to Council.

## 2) Technical Advisory Committee

Building Services will require a building permit to be submitted.

The Technical Advisory Committee has no technical objections to the proposed tower. The new access proposed for the site will require crossing a municipal drain. Application will be required to the Town to appoint a drainage engineer to design the necessary culvert.

## 3) County of Essex

The County was circulated for comment on the original location however that site was utilizing an existing access and the County did not express any concerns. The revised location has also been circulated and comment is pending. It is anticipated that the County will require an access permit for the proposed new laneway.

## CONCLUSION

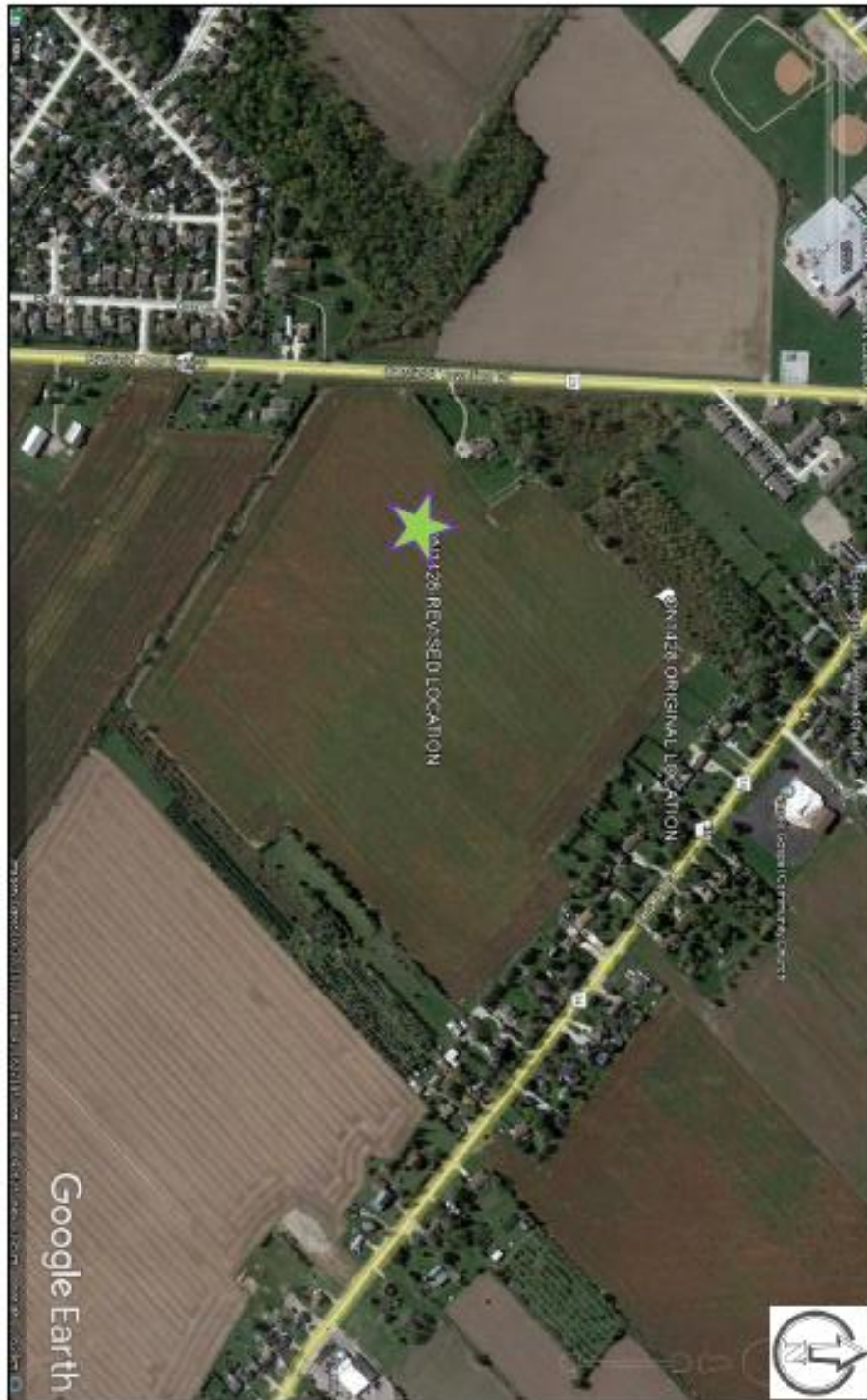
Infrastructure of all types is located within a municipality. Hydro poles, transformer stations, storm water ponds, telephone boxes, transformers, cable, fibre optics, pump stations, sewage treatment plants, fire hydrants, street lights, stop signs, sidewalks the list is rather extensive when you consider everything that is needed to support the community. Efforts are made to minimize the impact or choose a location of least impact but at the end of the day services have to be located where they are needed and used. From a planning perspective it is why both the Zoning By-law and Official Plan outline that public utilities and services can be located in all areas regardless of zoning or designation. The request that is submitted to the Town is not for approval of the proposed tower but rather has appropriate public consultation be undertaken and have the provisions of the Town's policy been addressed. If the Committee is of the opinion that this has been completed then direction to Council would be for issuance of a statement to concurrence to the applicant. If the Committee is of the opinion that some specific provision or provisions to the policy have not be addressed then this needs to be communicated to the applicant.

Prepared by:

Robert Brown

Robert Brown, H. Ba, MCIP, RPP  
Manager, Planning Services


## APPENDIX A Location Map



Google Earth Image – showing original and revised site locations

## APPENDIX B

### Telecommunication Tower Policy

	<p style="text-align: center;"><b>PLANNING SERVICES</b></p> <p style="text-align: center;"><b>POLICY FOR DEVELOPMENT AND/OR REDEVELOPMENT OF COMMUNICATION &amp; BROADCASTING FACILITIES</b></p>		S.O.P. #PS013
			Issued: March 16, 2009
			Reviewed/ Revised: January 23/19
			Total Pages: 4
Prepared By: R. Brown	Reviewed By: Administration	Approved By: Administration	

**Purpose:**

To establish standard procedures which will enable the Municipality:

- To effectively participate in the review and public consultation process for the consideration of telecommunication and broadcasting facilities; &
- To formulate municipal comments based on acceptable goals and standards.

**Goals:**

- To facilitate cooperation between the proponent and the Town of Kingsville in effort to allow for the siting of facilities which balance the demand for service and the impact on the community.
- To provide guidance and direction for the appropriate siting of facilities to locations which meet the following criteria in order of priority of land use:
  1. sites co-located on existing structures in non-residential areas;
  2. sites outside of the sight lines of Lake Erie and Jack Miner Bird Sanctuary;
  3. sites outside of planned settlement areas;
  4. sites owned by the municipality;
  5. sites co-located on existing structures in non-agricultural areas;
  6. sites co-located on existing structures in settlement and residential areas; &
  7. new structures on land owned by private land owners.
- To provide high design standards which recognize local considerations for natural heritage features and local aesthetics including:
  1. the placement, style and colour of all elements of the facility which blend with the surrounding environment;
  2. the protection of the existing natural environment;
  3. the enhancement of the natural landscape with plantings and visual screens;
  4. maintaining appropriate setbacks from property lines and adjacent public uses (schools, community centres, day cares, etc.)
  5. maintaining safe vehicular access and site lines onto public roads
- To provide an opportunity for public consultation and input through the approved procedure for the review and consideration of telecommunication and broadcasting facilities within the Town of Kingsville.
- To recognize the final approval authority of Industry Canada for the consideration of radio-communication, telecommunication and broadcasting facilities.

## Procedure

### Phase 1 – Pre-consultation and Submission Requirements

1. Inquiries with respect to new communication towers or modifications to existing towers where municipal consultation is required shall be directed to the Planning Department for pre-consultation.
2. Proponents will be provided with the following from the Planning Department during pre-consultation:
  - a. A copy of the approved *Communication and Broadcasting Facility Policy*,
  - b. *Site Plan Application, Fee Schedule, Information and Drawing Submission Requirements*; &
  - c. List of Agencies to be consulted by the proponent during public consultation process.
    - ☐ County of Essex – Engineering Department
    - ☐ Essex Region Conservation Authority
    - ☐ Wind Power & Renewable Energy Proponents
    - ☐ Ministry of Transportation (within 400 metres of Provincial Highway)
    - ☐ Transport Canada
    - ☐ Clerk of any abutting municipality within 120 metres of proposed facility
    - ☐ Other: \_\_\_\_\_
3. Upon submission of the required materials by the proponent, the Planner will undertake the following:
  - a. Forward the application to the Planning Management Review Group for review and provide preliminary site analysis and comments to proponent;
  - b. Generate and provide circulation list to proponent for distribution of information package;
  - c. Provide proponent with the date of next scheduled Public Open House of the Planning Advisory Committee.
4. Proponents shall deliver via regular pre-paid post to every address listed on the circulation list, the notification package containing the information detailed in Industry Canada's written *Public Consultation Process – Public Notification Package*, no less than 30 days prior to the date of the Public Open House to be hosted by the Planning Advisory Committee;
5. Receive *Letter of Undertaking* from the proponent to construct facility in accordance with the information provided and in consideration of the comments received from the Planning Management Review Committee and members of the public at the Public Open House;
6. Presentation of the following to Council:
  - i. Summary report including public comments;
  - ii. Letter of Undertaking by proponent;
7. Forward Council Resolution of Support to advise proponent:
  - i. Whether in the opinion of the municipality, sufficient public consultation was conducted;
  - ii. Whether the siting, design or any anticipated impacts by the community will support the recommendation.
8. Upon issuance of appropriate licencing by Industry Canada, the proponent shall submit the necessary building permit application, fee and information requirements to the Building Department prior to the commencement of construction.

### SUBMISSION REQUIREMENTS

1. Completed Site Plan Application, including authorization of land owner.
2. A site plan drawn to scale showing the extent of the subject property, site grading, the location of existing property lines, existing or proposed buildings, fences, buffering, existing and proposed landscaping, access, parking, and the type and height of the proposed tower structure. Any significant vegetation on a particular site should be inventoried on the plan. The site plan shall be formatted to print onto 11 x 17 landscape paper.

3. Two sets of stamped engineered drawings to identify the tower design. In the case of roof-mounted towers, a structural engineer's report may also be required to address the structural effects on the existing building.
4. A key map showing the location of the tower installation and nearby residential dwellings and/or residential zones.
5. A statement from the Proponent (carrier) to indicate the need for the proposed tower height.
6. Written documentation from the Proponent (carrier) outlining the steps taken by the Proponent to investigate all non-tower and co-location options and why a tower option is the only viable alternative.
7. A cheque payable to the Town of Kingsville in the amount as set out in the Municipal Fees Schedule for the processing of Site Plan Applications.

## **Phase 2 – Public Review Process**

### **A. Exemptions to Public Consultation**

1. For freestanding towers, which meet the following criteria, public consultation is **not** required:

- Maintenance of existing radio apparatus including the antennae system, transmission line, mast, tower or other antennae-supporting structure;
  - Addition or modification of an antennae system (including improving the structural integrity of its integral mast to facilitate sharing), the transmission line, antenna supporting structure or other radio apparatus to existing infrastructure, a building, water tower, etc., provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height.
  - Maintenance of an antennae system's painting or lighting in order to comply with Transport Canada's requirements
  - Installation for a limited duration (not more than 3 months) of an antennae system used for a special event or to support local, provincial, territorial or national emergency operations during the emergency and is removed within 3 months after the emergency or special event.
2. In cases where no public consultation is required, the application shall be brought forward to the Planning Management Review Committee within 2 weeks of receiving all required submissions from the Proponent. Upon review by the Planning Management Review Committee, the request shall be presented to Council together with the Letter of Undertaking and a recommendation regarding a resolution of support.

### **B. Public Consultation Required**

For proposed towers or alterations to existing towers that do not meet the above-noted exemption criteria, the proponent shall give notice by regular mail to all owners of properties within a radius of 120 metres of the subject property.

In addition to the requirements of Industry Canada's *Public Notification Package*, the notice shall include the following information:

- Key map showing the proposed location of the tower on the subject site;
- physical details of the tower including its height, colour, type, design,
- sample photo or illustration of the proposed tower;
- the date, time and location of the public open house as established by the Planning Department, &
- the name and telephone number of a contact person employed by the Proponent, as well as a Municipal contact person.

If issues of concern are raised through the consultation process, they will be discussed at the Public Open House in order to seek a mutual resolution. If necessary, representatives from Industry Canada may be consulted to assist with the resolution.

Where Towers are proposed to be constructed in excess of 100 metres in height, notice will be published in local newspaper(s) that in the opinion of the Planning Department is of sufficiently general circulation in the area of the proposed facility, in addition to the provision of the Public Notification Package to all property owners within 300 metres of the subject property.

#### **Letter of Undertaking**

The proponent will be required to provide the municipality with a standard Letter of Undertaking with respect to the installation of the proposed facility. The Letter of Undertaking will confirm the proponent's intention to address any changes necessary to address reasonable and relevant concerns of the municipality and the public and include a site plan acceptable to the municipality.

#### **Resolution of Support**

Subsequent to the review of the Planning Management Review Group and the Public Open House (if required), the Planning Department will prepare a summary report to Council. The report will include a summary of matters acknowledged by the Planning Management Review Group, concerns received at the Public Open House and the standard Letter of Undertaking.

Upon Council's direction, a letter will be provided to the proponent stating that the proponent is required to enter into the standard Letter of Undertaking with the municipality. The letter shall also include a resolution of support, provided Council is satisfied that adequate public consultation was conducted and that land use impacts have been addressed.

It is expected that applications for the review of telecommunication and broadcasting facilities shall be concluded within 120 days of receipt of a complete application, including submission of all materials required by this policy.

### **C. REVISIONS/AMENDMENTS**

<b>No.</b>	<b>Date</b>	<b>Revision</b>	<b>Revision By</b>
1	Oct 31/16	Transfer to new format	R. Brown
2	Jun 26/19	Update name/numbering	R. Brown
3	January 23/19	Remove height exemption	R. Brown



## APPENDIX C Revised Public Notice



TELUS Communications Inc.  
Public Meeting Notice  
40.0m Self-Support Telecommunications Tower  
September 25, 2021

### **REVISED TOWER LOCATION & DESIGN**

#### **VIRTUAL PUBLIC MEETING:**

**Monday, October 18, 2021 at 6:00PM EDT via Zoom. Pre-registration is required by contacting the Town of Kingsville.** Instructions on how to connect to the meeting will be provided prior to the meeting. To register for this event, please contact Mr. Robert Brown or Ms. Kristina Brcic from the Planning Services Department at: Tel. (519) 733-2305, ext. 249 or 250; Email at [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)

#### **To Whom It May Concern,**

LandSolutions LP, on behalf of TELUS Communications Inc. (TELUS) is pleased to submit to you this public meeting notice. A public meeting is planned for October 18<sup>th</sup> at 6:00PM via Zoom (teleconference application) regarding the **revised tower location** listed below:

<b>TELUS File:</b>	ON1428
<b>Legal Land Description:</b>	NE PT OF N1/2 LT 280 CON STR GOSFIELD; PT OF N1/2 LT 280 CON STR INCLUDING BLK 90 GOSFIELD (ESSEX) PT 2, 6 ON 12R8414 AS IN R850277; EXCEPT PT 1 ON 12R7580 AND PT 1 ON 12R24158 TOG/W AN EASE AS IN R981605; SAVE AND EXCEPT PTS 1,2,3 ON 12R24759; TOWN OF KINGSVILLE
<b>Address:</b>	Vacant land on the east side of County Rd. 23
<b>Coordinates:</b>	Lat: 42.162386°, Long: -82.811807°

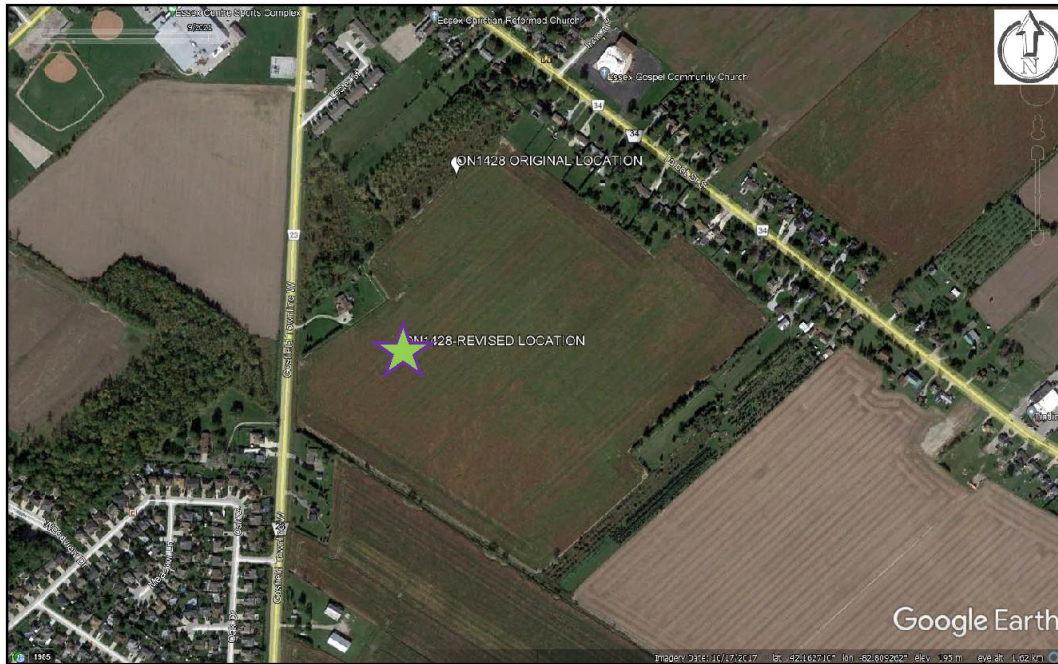
#### **Location and Site Context**

TELUS is proposing to construct a 40.0m lattice tri-pole self-support telecommunications tower and supporting equipment shelter at this location. The proposed tower will be located 185m east side of Gosfield Townline W, approximately 500m southwest of Talbot Street South (vacant agricultural land on the east side of County Rd. 23).

#### **Proposed Facility Map**

Due to a variety of circumstances, including the distance between the existing towers and growing number of wireless users in the area, TELUS produced a search area for an appropriate telecommunications site. As a result, TELUS has secured a site as indicated on the map below. TELUS Radio Engineering Department selected this area as an appropriate location to maximize coverage for users in the area. The site selected is central to the area requiring additional coverage and network capacity, and will provide enhanced wireless service, including high-speed home and business internet.

**Google Earth Image – showing original and revised site locations**



**Site Selection and Co-Location**

Among the factors considered during the site selection process are expected usage patterns of wireless service, local terrain, interaction with existing radio base stations, and line of sight requirements for high quality communication. Each site that is investigated must go through an internal review by radio frequency, transmission and civil engineering groups in order to qualify.

Before building a new antenna-supporting structure, Innovation, Science and Economic Development Canada (ISED) requires that the proponent (TELUS) first explore the following options:

- consider sharing an existing antenna system, modifying or replacing a structure if necessary.
- locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

During the site selection process for this proposed facility, TELUS determined that there are no suitable co-locate opportunities within 2km of the proposed location. The closest comparable structures suitable for antenna-sharing are indicated on the table below.

Existing Structures Capable of Co-location within a 2km Radius				
Structure Owner	Coordinates :	Height (m):	Distance (km)	Details: Explain why structure may not be a viable candidate
Orion Wireless Partnership/ Rogers Communications Canada Inc.	42.1558, -82.8031	49.3	1.03	This tower is located outside of TELUS' search area, too far away and is not central to the area requiring improvement in service. Co-location on this tower would not meet TELUS' network requirements.

ON1428

Rogers Communications Canada Inc.	42.1561 -82.8030	35	1.17	This tower is located outside of TELUS' search area, too far away and is not central to the area requiring improvement in service. Co-location on this tower would not meet TELUS' network requirements.
Rogers Communications Canada Inc.	42.1683 -82.7925	49.3	1.20	This tower is located outside of TELUS' search area and already contains many antennas that occupy the tallest elevations of the tower. The tower is too far away and available elevations for sharing are too low to meet TELUS' network requirements and to improve service to the intended area.
Rogers Communications Canada Inc.	42.1683 -82.7925	76	1.56	This tower is located outside of TELUS' search area, too far away and is not central to the area requiring improvement in service. Co-location on this tower would not meet TELUS' network requirements.
Paging Network of Canada Inc. / City of Windsor Corp. Radio Services / RadioCo Limited	42.175 -82.8288	52	1.87	This is an existing water tower, which is too close to an existing TELUS tower located 500m northwest and is located outside of TELUS' search area. It is too far away from the area requiring improvement in service.

In addition, TELUS will welcome future tower sharing opportunities on this proposed tower as per ISEDC's guidelines. At the time of this notification, TELUS anticipates having space available for future sharing proponents below 32m on the tower. TELUS will respond to a request to share in a timely fashion and will negotiate in good faith to facilitate sharing where feasible following standard collocation procedures.

### Site Layout



PLAN VIEW

ON1428

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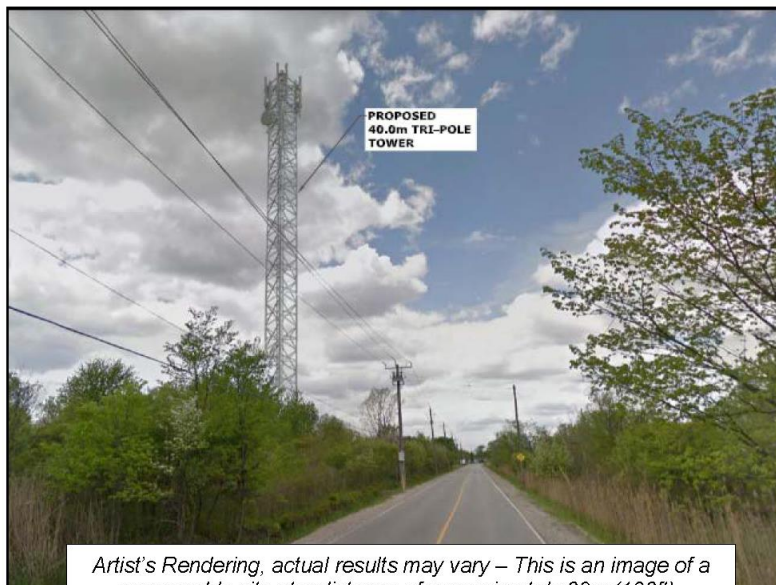
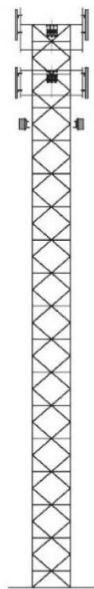
#### Site Access

For construction and maintenance access will be from County Road 23.

#### Site Information

The design is a 40.0m lattice tri-pole self-support tower within a leased premise, as shown on the above drawing. TELUS proposes to install an equipment shelter within the fenced portion of the premises. The shelter will house equipment necessary for the operation of the telecommunications facility. The shelter will be armed with a 24-hour alarm system to ensure protection from vandalism and to warn for environmental concerns such as flooding or fire. It is proposed that Panel Style Antennas will be mounted on the proposed facility, operating at 700-2600 MHz. The projecting antennas are approximately 2.6m in length and 0.6m in width and will be mounted near the top of the facility. In addition, one or two microwave antennas may be required, which may measure between 1.2-1.8m in diameter.

#### Typical Facility Profile and Photo Simulation



#### Construction and Maintenance

The construction period will last four to six weeks and once completed the facility will remain unoccupied. The only traffic generated at this site will be for routine monthly maintenance visits.

LandSolutions LP, on behalf of TELUS, attests that the installation will respect good engineering practices including structural adequacy.

#### Aeronautical Approvals

All necessary Transport Canada and NAV Canada approvals and lighting requirements will be obtained by TELUS and provided upon request. Currently, TELUS does expect Transport Canada to require tower lighting (top) due to the height and location of the proposed facility.

ON1428

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### Environmental Health Standards / Safety Code 6 Guidelines

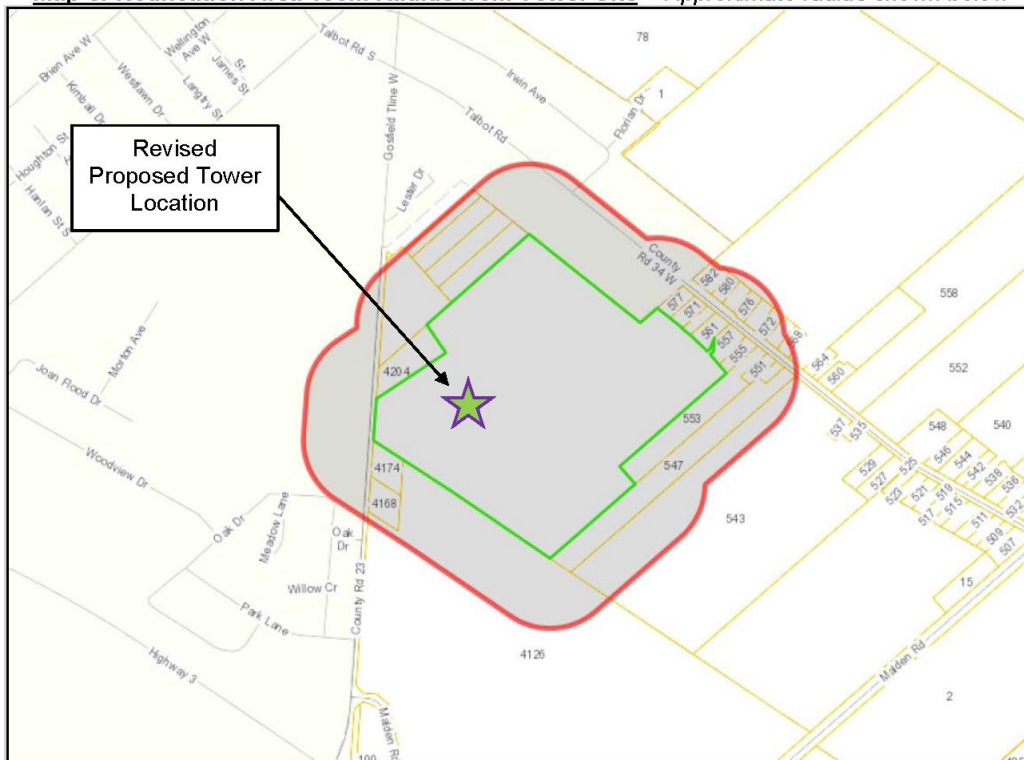
ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Canadian Environmental Assessment Act (CEAA) and local environmental assessment requirements where required by CEAA.

LandSolutions LP, on behalf of TELUS, attests that the radio antenna system described in this notification does not qualify as a Designated Project under CEAA and is excluded from environmental assessment under CEAA.

ISED manages the radio communications spectrum in Canada. Among other requirements, ISED requires telecommunications facilities to comply with guidelines established by Health Canada in order to protect people who live or work near these facilities.

These Health Canada safety guidelines are outlined in their 'Safety Code 6' document and are among the most stringent in the world. All TELUS facilities meet or exceed these standards. LandSolutions LP, on behalf of TELUS, attests that the radio installation described in this notification package will be installed and operated on an ongoing basis to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the public, including any combined effects of nearby installations within the local radio environment.

**Map of Notification Area 150m Radius from Tower Site - Approximate radius shown below**



ON1428

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### **Public Consultation & Public Meeting**

LandSolutions LP, on behalf of TELUS is following the Town of Kingsville Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities, which required notification of landowners within a radius of 120m of the subject property. However, the Town of Kingsville and the Town of Essex provided addresses within an expanded 150m notification radius. On April 15, 2021 ninety-two (92) notification packages were mailed to the addresses provided by the Town of Kingsville and the Town of Essex and the public were given 30-days to submit feedback (May 16, 2021). Formal response letters were sent on June 23, 2021. A public hearing that was held virtually on July 20, 2021. The Town asked TELUS to propose another location that provided greater separation from residences. This revised notification provides an update to the community and includes an invitation to attend a new public hearing scheduled for Monday, October 18, 2021 at 6:00PM EDT via Zoom. To register for this event, please contact Mr. Robert Brown or Ms. Kristina Brcic from the Planning Services Department at: Tel. (519) 733-2305, ext. 249 or 250; Email at [rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)

**Following registration and prior to the event, the Town of Kingsville will send you directions on how to connect to the public meeting.**

### **Conclusion**

Wireless communications contribute to the quality of everyday life. This proposed site will satisfy demand for better service to current and future subscribers in the area, including providing area residents and businesses with an alternative source for high-speed internet service.

If you have any questions, or require further information about the proposed facility, please feel free to contact:

### **LandSolutions LP**

Brenden Smith, Municipal Affairs Specialist  
600, 322 – 11 Avenue SW  
Calgary, AB T2R 0C5  
T: (403) 290-0008 / 1-866  
F: (403) 290-0050  
E: [comments@landsolutions.ca](mailto:comments@landsolutions.ca)

### **Town of Kingsville**

Robert Brown, H. Ba., MCIP, RPP  
Manager of Planning Services  
Planning Services Department  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
Phone: (519) 733-2305 Ext # 250  
[rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)

### **Industry and Health & Safety Information**

- <http://www.ic.gc.ca/towers>
- <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>
- [http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php)
- <https://www.canada.ca/en/health-canada/services/consumer-radiation/safety-cell-phones-cell-phone-towers.html>
- [http://www.hc-sc.gc.ca/hl-vs/alt\\_formats/pacrb-dgapcr/pdf/iyh-vsv/prod/cell-eng.pdf](http://www.hc-sc.gc.ca/hl-vs/alt_formats/pacrb-dgapcr/pdf/iyh-vsv/prod/cell-eng.pdf)
- <https://www.cwta.ca/for-consumers/radiofrequency-safety-standards/>
- <http://www.TELUS.com>

### **Innovation, Science and Economic Development Canada**

#### **Southwestern Ontario District Office**

4475 North Service Road, Suite 100  
Burlington, ON L7L 4X7  
T: 1-855-465-6307  
F: 905-639-6551  
E: [ic.spectrumswodo-spectrebdsoo.ic@canada.ca](mailto:ic.spectrumswodo-spectrebdsoo.ic@canada.ca)

ON1428

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## APPENDIX D ERCA Comment

### Appendix D

**From:** [Vitra Chodha](#)  
**To:** [Robert Brown](#)  
**Cc:** [Kimberly Damochy Planning](#)  
**Subject:** RE: Planning Applications  
**Date:** June 2, 2021 2:41:13 PM

---

Good afternoon,

Telecommunication facilities are regulated by the Federal Government, under the Industry, Science and Economic Development orISED. Radio Communication and Broadcasting Antenna Systems, antenna systems and towers, are also exempt from the *Planning Act*. However, ERCA acknowledges, thatISED requires that wireless telecommunication carriers consult with Local Land Use Authorities (Municipalities).

Development activities within regulated areas for radio communication and broadcasting antenna system providers, are also exempt from the regulatory approval process under *Section 28* of the *Conservation Authorities Act*. Proposed Antenna Systems do not require permits from Conservation Authorities under the *Conservation Authorities Act*.

However, as technical advisors to Municipalities, ERCA recommends that consideration should be given to stormwater management and the adequate setback of structures adjacent to natural hazard lands and the natural heritage system.

Thank you,  
Vitra

---

**From:** Robert Brown <[rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)>  
**Sent:** Friday, May 28, 2021 11:30 AM  
**To:** Planning <[planning@ERCA.org](mailto:planning@ERCA.org)>  
**Subject:** Planning Applications

Please review the attached items and provide comment if any.

Thanks,



Robert Brown, H. Ba., MCIP, RPP  
Manager of Planning Services  
Planning Services Department  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
Phone: (519) 733-2305 Ext # 250  
[rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)

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**APPENDIX E**  
**Original Public Response/Health Impacts**  
**(see attached)**





TELUS Communications Inc.  
Response to Public Consultation Feedback  
40m Self-Support Telecommunication Facility  
June 22, 2021

**RE: Public Consultation for Proposed Telecommunications Facility**

**TELUS File:** ON1428  
**Legal Land Description:** NE PT OF N1/2 LT 280 CON STR GOSFIELD; PT OF N1/2 LT 280 CON STR INCLUDING BLK 90 GOSFIELD (ESSEX) PT 2, 6 ON 12R8414 AS IN R850277; EXCEPT PT 1 ON 12R7580 AND PT 1 ON 12R24158 TOG/W AN EASE AS IN R981605; SAVE AND EXCEPT PTS 1,2,3 ON 12R24759; TOWN OF KINGSVILLE  
**Address:** Vacant land on the east side of County Rd. 23  
**Coordinates:** Lat: 42.164908°, Long: -82.810802°

Thank you for sending us feedback regarding the proposed telecommunications facility for TELUS Communications Inc ("TELUS"). Please review the below responses to all questions and concerns we have received to date.

### **Purpose of Tower, Services and Benefits**

The proposed facility is part of TELUS' Macro Wireless Program, which is intended to expand and improve wireless connectivity, including wireless home and business internet service to the Town of Kingsville and to the Town of Essex. The proposed facility would also address capacity constraints in the existing wireless network for other facilities operating in the area and must be within a very specific and small search area to enhance wireless service to the community.

Cellular wireless services include internet and voice communication for cellphones, and a variety of devices including laptops, tablets, cellphones, home or business security systems, and innovative environmental sensors. Area residents would also have an additional choice in wireless home or business internet service providers and the resulting economic competition may help lower consumer prices in the area.

### **Evolution to the 5<sup>th</sup> Generation (5G) Network**

The proposed tower will include current 4G technologies and may be upgraded to 5G. The 5th Generation wireless network is a general upgrade of all related technologies, including better antennas, support equipment, fibre optic service connection and utilization of new, lower and higher frequency radio waves/spectrum. Per Innovation, Science and Economic Development Canada (ISED), 5G devices will need to meet radiofrequency exposure requirements before they can be sold in Canada. Also, the current Canadian limits already cover the frequency ranges that will be used by 5G devices and antenna installations. Compliance with radiofrequency exposure requirements will continue to be an ongoing obligation for carriers and product manufacturers. All radiocommunication sites in Canada must comply with Health Canada's Safety Code 6, which establishes safety limits for human exposure to radiofrequency electromagnetic fields for all age groups on a continuous basis (ISED website (<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>), April 9, 2020). For further information, please refer to the below section on health and safety.

### **Health and Safety**

#### Radiocommunication

Service providers must ensure that their equipment is installed in accordance with Safety Code 6 (SC6). The main concern is to ensure that equipment is installed in a safe manner and in accordance with the standards

set out in SC6 for the general population and workers. To clarify, SC6 is designed to apply to all age groups on a continuous basis.

We would like to highlight the following points surrounding SC6:

1. SC6 is a standard developed by Health Canada scientists. The exposure limits in SC6 are based on a continuing review of published scientific studies, including rigorous internal and external reviews of scientific literature, as well as Health Canada's research. The Code is revised periodically to reflect evolving knowledge in scientific publications.
2. SC 6 is developed by Health Canada, but Innovation, Science and Economic Development Canada (ISED) is responsible for ensuring that carriers comply with these standards.
3. TELUS must comply with SC6 standards **at all times**, meaning as soon as there is a change, TELUS has an obligation to make sure that all of its sites continue to comply with the latest standards. Another important point is that ISED conducts regular and random audits to ensure that facilities meet standards.
4. SC6 complies with the requirements of the World Health Organization.
5. The boundaries of SC6 are comparable to other industrialized countries, which use *science-based standards* such as Australia, Japan, New Zealand, the European Union and the United States.
6. Health Canada recognizes that a few international jurisdictions (cities, provinces or countries) have applied more restrictive limits to radiofrequency field exposures from cell towers; however, there is no scientific basis to support the need for such restrictive limits. In addition, these more restrictive limits aren't applied equally to other wireless devices operating within the same jurisdictions. For more information on SC6, please refer to this link: <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/understanding-safety-code-6.html>.

For the above reasons ISED considers health concerns not to be relevant to opposing a proposed tower as detailed in CPC-2-0-03, Section 4.2.

TELUS must ensure SC6 compliance throughout the lifetime of a telecommunications facility, including testing its equipment and reporting to ISED. For more information on radiofrequency energy, the role of the government of Canada and safety requirements, please refer to the following link: <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>.

Please also review the attached information published by ISED.

#### Access Restrictions and Other Safety Concerns

In addition, one resident requested a silent alarm and signage at the gate and construction of a fence along the entire access road (+/-290m) to keep people out of the access road. The concerns are related to the nuisances of traffic, viewing a maintenance vehicle accessing the property during the day and night (aesthetics), noise and safety concerns with respect to children, and residents mowing the lawn in proximity of the access road. With respect to safety concerns, TELUS' tower site will include a silent alarm system for both unauthorized access and environmental concerns like flooding or fire. The site will be surrounded by a fence, typically with barbed wire and a locked gate, to deter unauthorized entry to the facility. In addition, electrical equipment is stored in a locked equipment shelter. A gate at the entrance to the land would make it difficult to access with a tractor for cultivation-related activities and may conflict with vehicular traffic along Talbot Street South, possibly creating a safety concern along the street.

## Engineering Practices

TELUS attests that it will respect good engineering practices, including structural adequacy for all proposed radio antenna systems. Furthermore, proposed installations will be constructed in compliance with the National Building Code and the Canadian Standard Association's standard for antennas, towers, and antenna-supporting structures (S37-13).

## Aeronautical Safety

All necessary Transport Canada and NAV Canada approvals and lighting requirements will be obtained by TELUS and provided upon request. Currently, TELUS expects Transport Canada's requirements to include tower lighting (top) due to the height of the proposed facility. Where permitted to do so, TELUS uses shielded light fixtures that block or reduce the amount of light from shining on nearby property owners.

## Location

The proposed tower location was chosen in response to increased demand for wireless services and to improve both coverage and capacity of the network. More telecommunications facilities are needed to ensure the delivery of fast and reliable wireless services. The proposed tower would address the growing coverage and capacity challenges that our modern society faces as people and machines become increasingly dependent upon wireless communication.

The following are some recent trends that our industry is experiencing and that impacts the ability to provide service.

- As of December 2019, there were over 33.2 million wireless subscriptions in Canada, equivalent to 89% of all Canadians. (CWTA Facts & Figures website, Dec 2019, StatsCan Q4 2019 population 37.7M)
- More Canadians have mobile phones (90.18%) than landlines (41.25%), while approximately one third of Canadian households rely exclusively on wireless services. (CRTC, CMR: Telecommunications Overview, 2018; CMR: Communications Services in Canadian Households, 2018)
- When taking both wireless networks and Wi-Fi into account, the average smartphone in North America generates 8.5 GB of traffic per month and is estimated to grow to 45 GB per month by 2025. (Ericsson Mobility Report, November 2019)
- In 2017, Canada's mobile data traffic grew 38%. It will grow 4-fold from 2017 to 2022, a compound annual growth rate of 34%. (Cisco, VNI Forecast Highlights, 2018)

The proposed facility will enhance wireless connectivity in the community and address network capacity.

## Search Area

TELUS' radiofrequency engineering and network planning departments determined that a new facility is required to address network capacity constraints within the area and to provide improved wireless service to area residents, businesses, and the traveling public. The search area centered on County Road 23 and

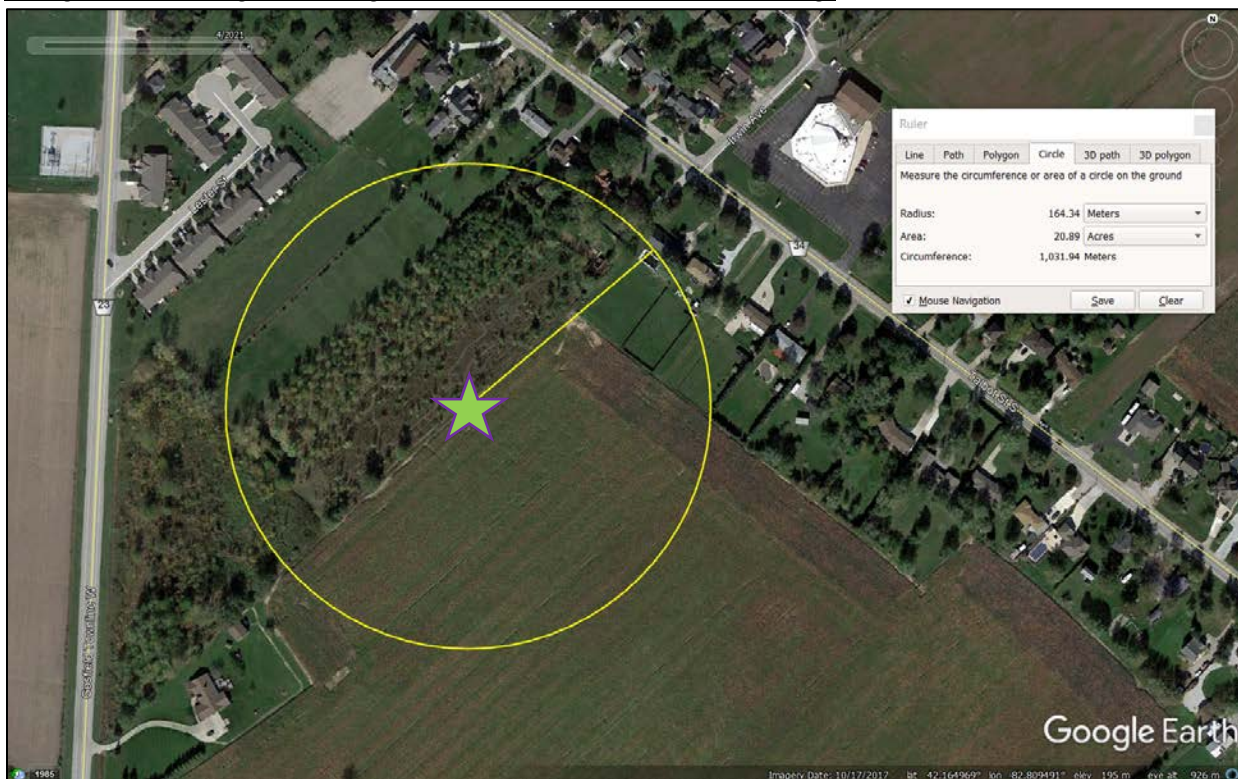
extends from the intersection with County Road 34 southwards approximately 750m. It also includes lands approximately 1km in length from Joan Flood Drive to the intersection of Irwin Avenue and Florian Drive.

### Site Selection

Among the factors considered during the site selection process are expected usage patterns of wireless services, local terrain, interaction with existing radio base stations, and line of sight requirements for high quality communication. Each site that is investigated must go through an internal review by radio frequency, transmission and civil engineering groups in order to qualify.

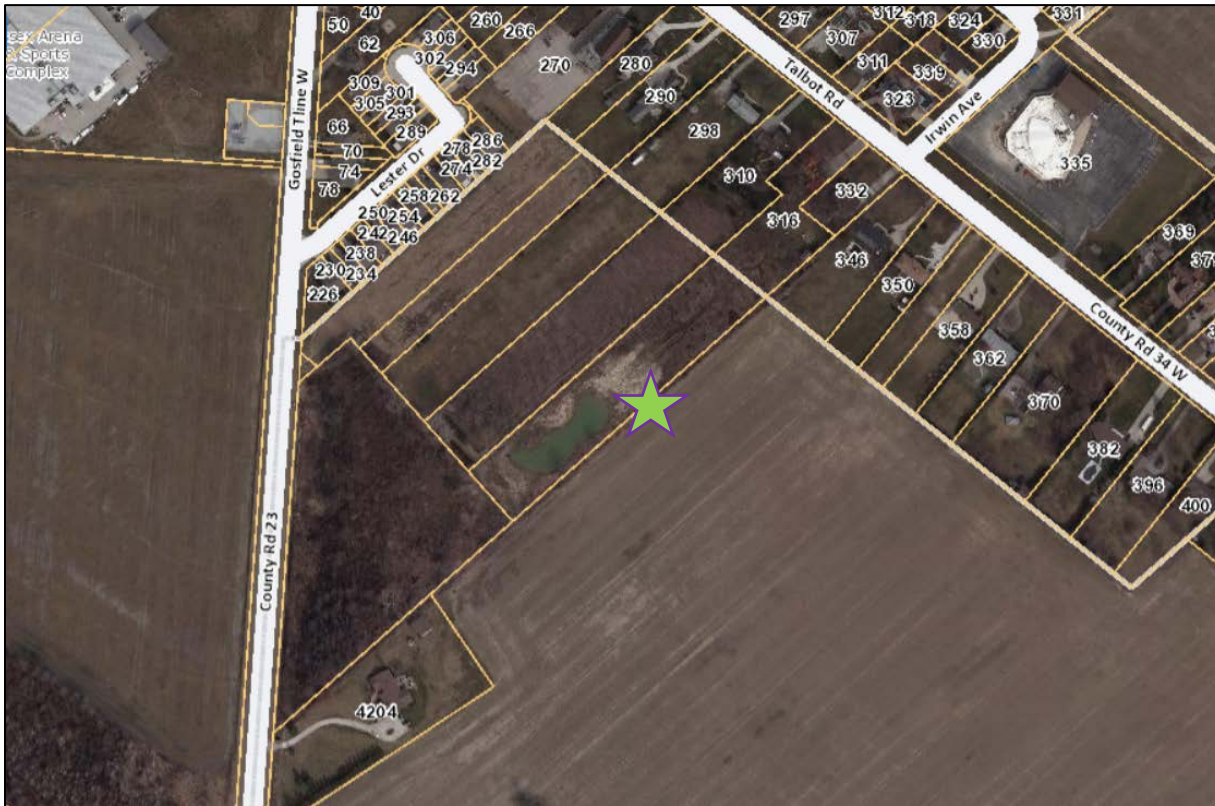
LandSolutions' site acquisition agents found a willing landlord and a site that was technically qualified by TELUS on the subject lands. The proposed location also provides a visual buffer by nature of its location in relation to area residences. The closest dwelling is approximately 165m to the northeast, as shown in the below image. For more recent aerial imagery, please refer to the below image from the County of Essex's web map.

Google Earth Image showing 165m distance to closest dwelling:





### Aerial Imagery from 2020 – County of Essex's Webmap



Following a review of the area and recognizing technical requirements for remaining central to the area requiring service enhancement, we found the proposed location to be the best option and consistent with municipal policy preferences. The proposed location not only meets technical requirements, but also land use compatibility (i.e. zoned appropriately). The tower location is setback from the nearby road and in a location that provides the greatest spatial buffer from nearby residences. Per federal legislation ([CPC-2-0-03](#)) there is no land use setback or distance limitation that affects the placement of a telecommunications facility, so long as the facility meets the general requirements described in CPC-2-0-03. TELUS attests that the proposed facility will meet all the general requirements described by CPC-2-0-03.

The following are additional factors affecting site selection:

- Wireless radiocommunication facilities have inherent limitations in their broadcasting range;
- Telecommunications facilities need to be close to existing and potential wireless users that would connect to the proposed tower;
- Sites are determined in conjunction with existing and planned network facilities to optimize coverage and capacity in each area;
- Co-location on existing towers or buildings was not feasible, because existing towers in the vicinity were too far away to improve service to this community;
- Increased development in the area provides physical obstacles (walls of the buildings, trees, etc.) that hinder the strength of radio signals emitted by cellular antennas, which this proposed location best avoids;

- There is a growing number of users that simultaneously use the wireless network, resulting in capacity challenges for existing telecommunication facilities and necessitating this among other proposed sites throughout the region;
- The public and businesses (e.g. point-of-sale transactions) increasingly demand ubiquitous, high-speed, low latency and reliable wireless service which this proposed facility will support; and
- The technology used to provide high-speed wireless internet to homes and businesses has less range than technologies used for general mobile device connectivity.

In addition, the improvements to the network for wireless coverage will ensure better access to 911 emergency services provided by the police, EMS, fire department and other first responders, to help maintain the safety of the overall community.

### **Alternative Locations**

Several area residents voiced their preference for the facility to be located further away from their residences. The following alternative locations were considered:

1. Undeveloped and agricultural lands on the east side of County Road 23 (north of 4204 County Rd. 23)
  - a. Adjacent undeveloped land covered by trees approximately 140m west of the proposed tower location – This parcel has no existing access, significant trees and tree-clearing would have a negative environmental impact. A tower site on these lands would be closer to one residence and of similar distance to residences to the north (Lester St.) as the current proposal. In addition, the planned Hanlan Street Extension proposes several possible intersection designs and locations along County Road 23. This site was not chosen mainly because of the uncertainty in access approval, unknown timeframe for completion of the extension and intersection and the likelihood that the proposed access would conflict with safety considerations due to proximity to future intersections.
  - b. Agricultural lands within the subject property, east or south of the residence at 4204 County Rd. 23, between 180-400m distance from the current tower location – these locations did not have existing access and are too close to the nearest residence; in comparison the proposed location that provides a better visual buffer. In addition, there is considerable uncertainty with respect to the Hanlan Street Extension, as described above.
2. Undeveloped lands on the west side of County Road 23 – These lands are undergoing subdivision and planned residential development.
3. Undeveloped forest and grasslands beyond 400m distance to the southwest of the proposed tower location in proximity to Joan Flood Dr. – These lands are undergoing environmental assessment for planning of the Hanlan Street Extension from Fairview Ave. to Gosfield Townline Road (County Road 23) and were deemed unsuitable for tower development because of their potential environmental value and the proposed road infrastructure.
4. Other lands to the southwest – These are primarily low-density residential or future residential lands or outside of TELUS' search area.
5. Lands surrounding the Essex Centre Sports Complex – Most of these lands are outside of TELUS' search area and too close to an existing TELUS telecommunications facility. A portion of land east of the sports complex was considered and disqualified because the landowner declined to lease to TELUS, in part due to proximity to planned residential.

6. Lands to the east by the Essex Gospel Community Church – Most of these lands are residential or outside of TELUS' search area. In addition, a proposal in this area would be much closer to residences than the current proposal and would result in greater visual impacts.
7. Agricultural lands to the southeast of the proposed location – Most of these lands are outside of TELUS' search area; however, a portion of lands are within the subject property, but are too far from an existing access point and power, which would make development prohibitively expensive.

For the above reasons, we selected the proposed location, because:

- It provides the greatest visual buffer from residential possible within TELUS' technical constraints and compared to alternatives reviewed in the area;
- We found a willing landlord who will accommodate the proposed facility;
- The land has a compatible land use/zoning;
- The site is centrally located within the area requiring improved service and reduces the number of towers needed to provide service the surrounding community;
- The current proposal meets TELUS' business and technical requirements, including existing access and proximity to utilities, sufficient space, and is located within TELUS' search area where it will provide enhanced wireless service to the intended areas.

## **Aesthetic Concerns**

Regarding the aesthetics of the proposed tower, the tower height is needed for optimum antenna placement and broadcast of radiocommunication. Moving the tower further away from the customer base would negatively impact TELUS' ability to enhance service to the area and may result in additional telecommunications facilities being needed in the area. The transparency of the lattice style tower will lessen the impact on the skyline. TELUS has devoted significant resources and effort in designing this facility.

One resident requested TELUS build a locked, decorative gate at the entrance/approach, decorative cedar fence, including barbed wire at the top and decorative element (e.g. lattice) to hide the barbed wire, located a minimum 12ft. from residential property lines along the entire length of the access road (i.e. +/-290m). The concerns are related to traffic, the nuisance of viewing a maintenance vehicle accessing the property (aesthetics), safety concerns with respect to children and residents mowing the lawn in proximity of the access road and noise at night. Regarding the aesthetic requests, this is a substantial request and would be difficult to maintain over the lifetime of the facility. A gate at the entrance to the land would make it difficult to access with a tractor for cultivation-related activities and may conflict with vehicular traffic along Talbot Street South. Infrequent maintenance visits (once a month or less) by light truck or van will not have a substantial visual impact on adjacent residents. The tower site is also located a substantial distance from nearby houses, the closest being approximately 165m distance. Supporting equipment will be stored within an equipment shelter and the distance will minimize visual impact.

## **Property Value**

Many factors influence property values, including location (e.g. proximity to amenities), land area (lot size), age of the building, interior space, supply & demand, aesthetics, redevelopment and investment potential. We have learned from our interaction with the public that many home buyers seek out neighbourhoods that have

exceptional wireless coverage, as many people work from home and depend on a reliable wireless network (i.e. voice & internet services) to conduct business. In addition, many people rely exclusively on mobile telephones for wireless data and voice service and appreciate the security of having improved access to emergency services.

At the time of writing this letter, Innovation, Science and Economic Development Canada (ISED) considers property value concerns to be irrelevant per CPC-2-0-03, Section 4.2. This is because research to date has been inconclusive in showing a relationship between property value resulting from proximity to telecommunications facilities, and the importance that telecommunication facilities have in our modern society and economy.

### **Interference**

The proposed facility would not cause interference with other radiocommunication devices, because TELUS uses licensed radio frequencies that are unavailable for use by other carriers.

### **Noise**

All of TELUS' infrastructure will respect municipal standards regarding noise. Apart from the initial construction period, the ongoing operation of the facility would not exceed municipal noise regulations. This would include any possible noise because of wind or the operation of equipment on the site. The tower is located approximately 165m from the nearest residence and it is far more likely for residents to hear noise associated with objects closer to their homes, such as wind, trees, buildings, and machines within homes. There is no known or expected noise from radiocommunication, which is understood to be beyond human auditory perception. For further information on the subject please contact Health Canada directly.

### **Nuisances, traffic and maintenance**

The proposed facility will have minimal impact from a nuisance perspective beyond the initial construction period (4-6 weeks with periodic construction crews). The proposed access is suitable for TELUS' requirement and infrequent day-time maintenance visits, which should not cause a nuisance to area residents. TELUS' facilities require occasional maintenance like other types of infrastructure. Typically, this occurs once every 1-3 months for routine maintenance of equipment at grade or minor changes to the orientation of antennas. Periodically throughout the lifetime of the facility technologies may be upgraded.

During the construction period, TELUS may setup temporary signs and construction crews will exercise caution when approaching the site with the understanding that there may be pedestrians in the area.

### **Need for the Tower**

TELUS' network planning and radiofrequency engineering departments determined that the proposed tower is required to improve wireless coverage and capacity. Please note that ISED considers concerns relating to the need for telecommunications facilities as unreasonable and irrelevant per CPC-2-0-03, Section 4.2.

TELUS has a mandate to supply the County and its constituents with the most advanced network available to TELUS. With this in mind, TELUS is proposing to install 4G Long Term Evolution (LTE) antenna systems to serve the surrounding community.



This is a targeted site and the technologies utilized require the antennas to be within close proximity to area residents. TELUS is committed to improving service for its customers and the increased competition amongst service providers may benefit area residents economically.

## Environment

TELUS is responsible to ensure that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements, including the Canadian Environmental Protection Act, 1999, the Migratory Birds Convention Act, 1994, and the Species at Risk Act, as applicable (Sec. 7.4, CPC-2-0-03). As noted in the notification package sent to area landowners within the notification radius (also attached to this response letter for reference), this proposed development does not qualify as a Designated Project under the CEAA and is excluded from environmental assessment under the CEAA. This is because the proposed development is not located on federal land, nor is it incidental to a federal project. Please note that the CEAA was recently repealed and replaced by the Impact Assessment Act (IAA), which includes transitional provisions.

The proposed facility will not negatively impact the environment. There is no Ducks Unlimited caveat registered on the land title certificate for the subject property, which means that the subject lands are not within a significant bird migratory route. The proposed location is on existing cultivated agricultural lands and does not require the removal of trees or other features that constitute significant wildlife habitat. The site is not located within an area of significant environmental value (i.e. wetlands, woodlands, etc.) The site will be secured by a chain-link fence, which will prevent wildlife from entering the site and all supporting equipment will be placed within an equipment shelter located at grade, further decreasing the chances for other types of wildlife to come into close contact with electrical equipment. While bird nesting sometimes occurs on telecommunication towers, maintenance workers are trained to identify and avoid disturbing eggs of endangered species.

The proposed tower will not pose a significant risk to migratory birds. The greatest risk to migratory birds is related to very tall telecommunication towers (e.g. 80-120m height), which often include guy-wires to support the tower mast and are topped with high intensity aeronautical safety lighting. The proposed tower does not require guy-wires. In addition, should Transport Canada require aeronautical safety lighting Standard 621 – Obstruction Marking and Lighting – Canadian Aviation Regulations offers alternative lighting configurations, in order to reduce bird fatalities, should this be a concern.

Based on the above industry knowledge and the current proposed tower design and location, we do not believe the facility will pose a significant risk to the environment or wildlife.

Should you have health concerns about radiocommunication, please refer to the Health and Safety section of this letter. There is no known negative impact to wildlife associated with the use of radiocommunication.

## Conclusion

Thank you for participating in the public consultation process for this proposal. Your feedback is important to us and helps us better understand local preferences for the location and design of telecommunications facilities in your community. TELUS endeavours to locate its infrastructure in suitable locations that respect public opinion while meeting the technical requirements for providing high quality wireless service to area residents, businesses, and institutions.

All correspondence received will become part of the public consultation records shared with the Town of Kingsville and available to ISEDC. Thank you for participating in the public consultation process.

Sincerely,

**LandSolutions LP, on behalf of  
TELUS Communications Inc.**

A handwritten signature in blue ink, appearing to read 'Brenden Smith'.

**Brenden Smith**  
*Site Acquisition and Municipal Affairs Specialist*  
**LandSolutions LP**  
600, 322 – 11 Avenue SW  
Calgary, AB T2R 0C5  
T (403) 290-0008  
F (403) 290-0050  
E [comments@landsolutions.ca](mailto:comments@landsolutions.ca)

### Industry and Health & Safety Info

- <http://strategis.ic.gc.ca/towers>
- <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>
- <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08792.html>
- [http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php)
- <https://www.ctia.org/homepage/public-safety-channel>
- <https://www.cwta.ca/for-consumers/radiofrequency-safety-standards/>



[Canada.ca](#) > [Business and industry](#) > [Permits, licences and regulations](#)

- > [Federally regulated industry sectors](#)
- > [Broadcasting and telecommunications regulation](#)
- > [Spectrum management and telecommunications](#) > [Safety and compliance](#)

# Radiofrequency Energy and Safety



## What you need to know about radiofrequency energy and safety

[What is radiofrequency \(RF\) energy?](#)

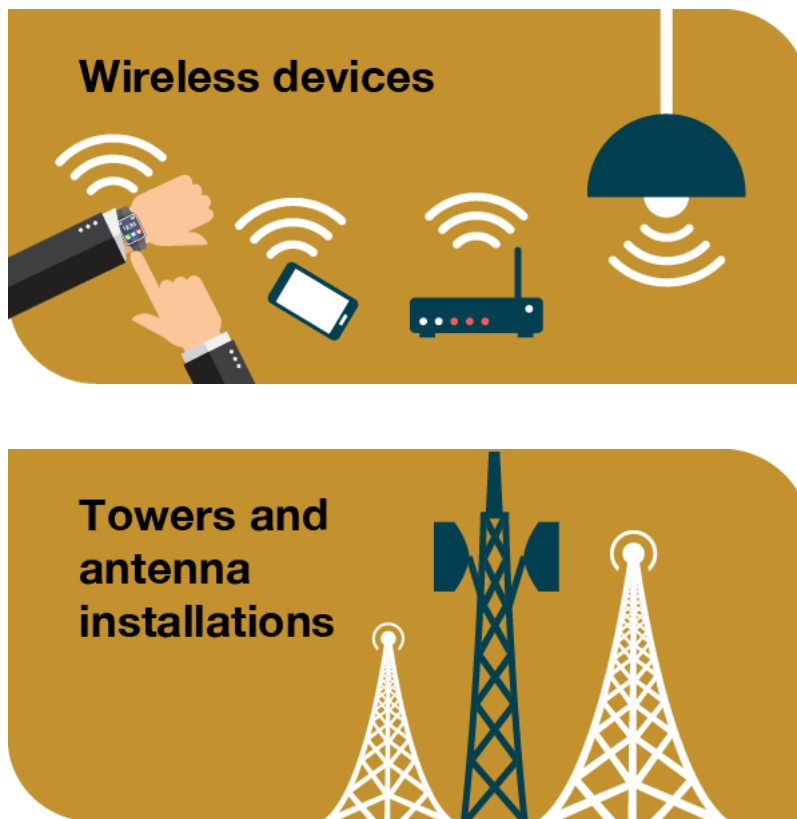
[Why is RF energy important?](#)

[Can RF energy affect your health?](#)

How does the Government of Canada protect you?

What amount of RF exposure is considered safe?

Are the Canadian limits the same for all wireless devices and antenna installations?



## What is radiofrequency (RF) energy?

RF energy, also referred to as “RF emission,” “RF wave” or “RF field,” is one form of electromagnetic energy that is part of the electromagnetic spectrum. There are both natural and human-made sources of electromagnetic energy.

**Examples of natural sources of electromagnetic energy:**



Earth's natural field (which makes a compass point to North)



Visible light



Lightning

### **Examples of human-made sources of electromagnetic energy:**



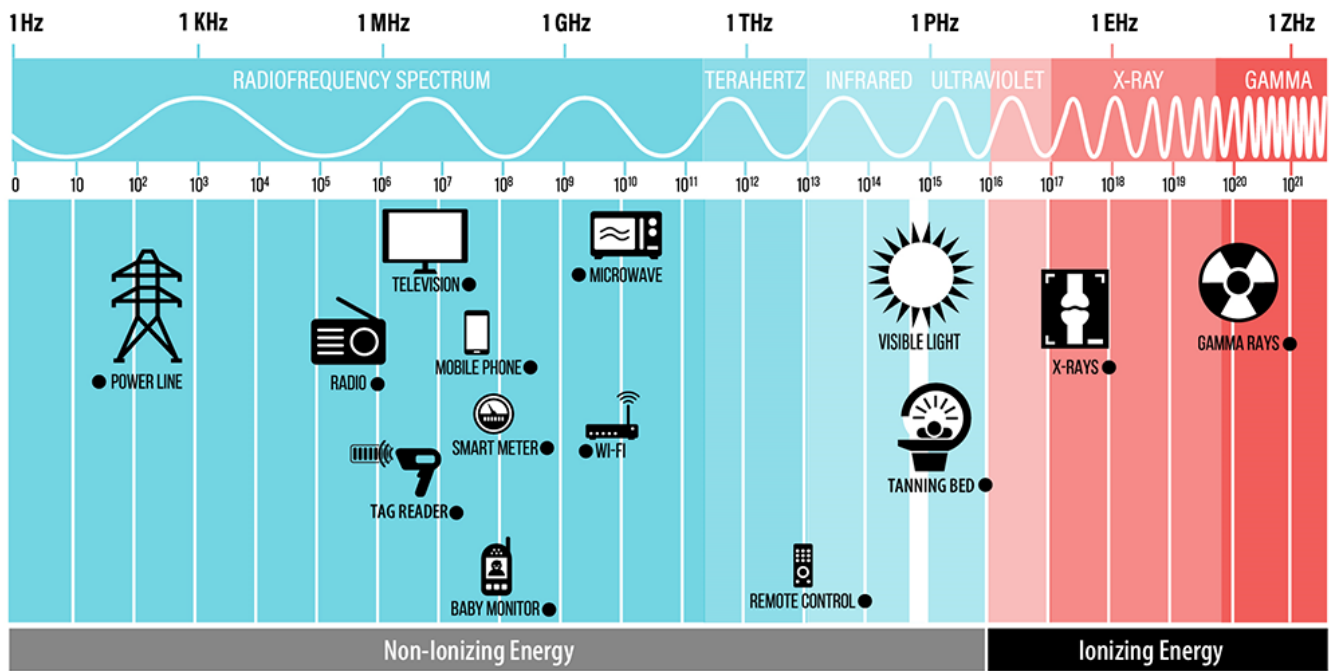
Electric appliances such as microwaves



Wireless devices (cell phones, Wi-Fi, Bluetooth)



Commercial broadcasting (AM/FM radio and television)



► Description of figure

## Non-ionizing and ionizing energy

Two types of energy are shown on the electromagnetic spectrum: non-ionizing and ionizing.

### What is non-ionizing energy?

Non-ionizing energy is electromagnetic energy that does not break down the bonds between atoms and molecules, which means it does not break down chemical bonds within cells and tissues. Examples of non-ionizing energy include visible light and RF energy used in wireless communication.

### What is ionizing energy?

Ionizing energy is electromagnetic energy that may have enough energy to break down the bonds between atoms and molecules. Examples of ionizing energy include X-rays and gamma rays, which are both used in some medical

treatments under medical supervision.

## Electromagnetic spectrum

Electromagnetic spectrum is the range of frequencies produced by all sources of electromagnetic energy. The diagram illustrates where common equipment operates in a specific frequency range starting from a powerline, moving through radiofrequency spectrum to phones and ending with X-rays and gamma rays.

## Why is RF energy important?



Almost every area of your day-to-day life uses RF energy. It delivers your morning news through wireless services such as broadcasting (AM and FM radio, TV); lets you place your coffee order through your cell phone; protects you by providing communication for emergency services (police,

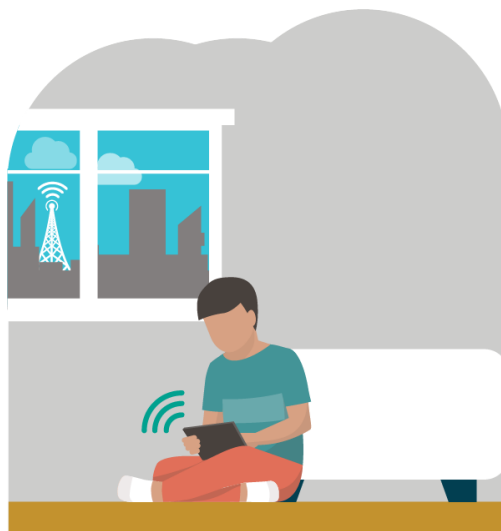
fire, ambulance); and keeps you connected through the operation of wireless consumer devices such as Wi-Fi, baby monitors and cordless phones.

## **Can RF energy affect your health?**

Although we most often think of RF energy as coming from modern-day technologies, exposure to electromagnetic fields in everyday life is not new. Human-made sources of electromagnetic fields have increased in the past century with the development of technology and radio communications, but natural electromagnetic energy has always been around.

Scientists have been studying the health effects of RF energy for decades. Many international studies on this issue have concluded that effects associated with exposure to RF energy depend on the frequency range. For example, higher frequency ranges may result in tissue heating, while short-term exposure from lower frequency ranges may produce nerve stimulation like a tingling sensation. The Government of Canada has established RF exposure limits to prevent these effects from occurring.

## **How does the Government of Canada protect you?**





The Government of Canada is committed to protecting the health and safety of Canadians from environmental risks, including those posed by overexposure to RF energy.

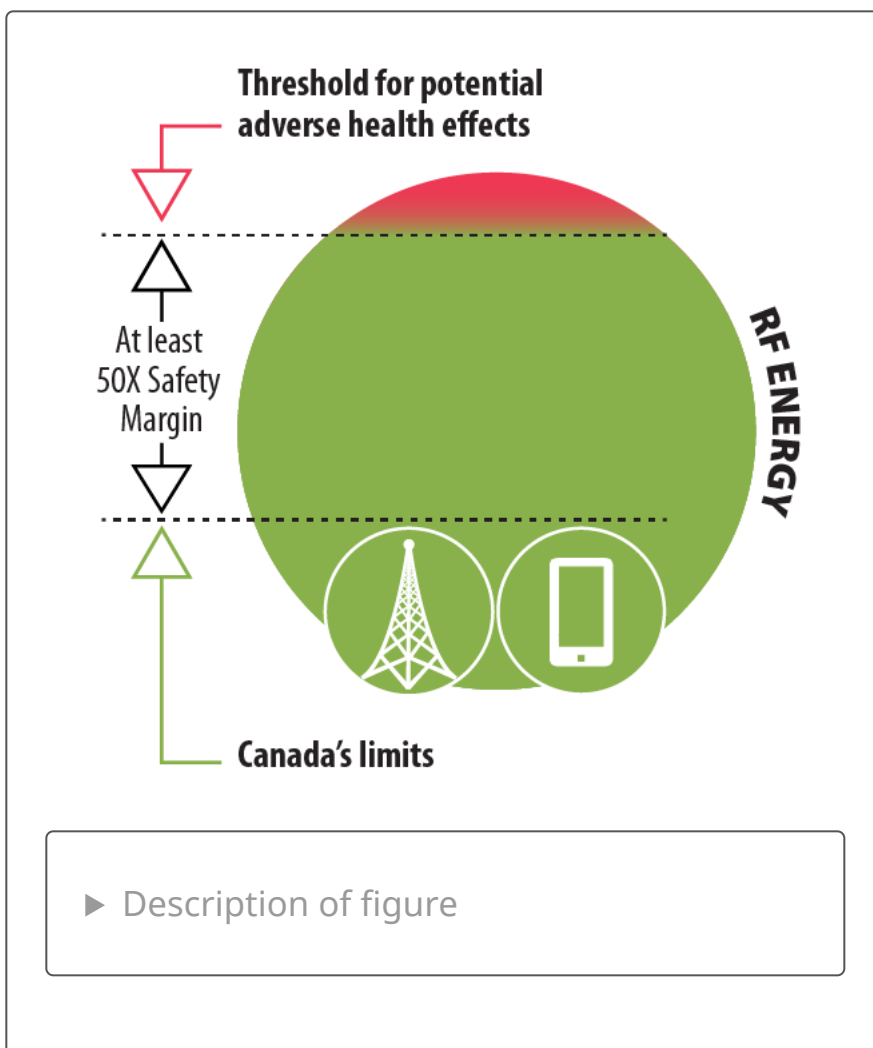
Canada's approach to RF exposure safety is among the most stringent in the world. The Government of Canada continuously monitors the research and scientific literature on the health effects of RF exposure to ensure that Canadian limits are consistent with the current scientific consensus to prevent potential adverse health effects.

► **Health Canada's role**

► **Innovation, Science and Economic Development Canada's role**

## What amount of RF exposure is considered safe?

Exposure to RF energy below the Canadian limits is safe. The limits are set far below the threshold (at least 50-fold safety margin) for all known established adverse health effects. Health Canada has incorporated several tiers of precaution into the limits to ensure safety, including a conservative threshold for the occurrence of



adverse health effects,  
the use of worst-case exposure scenarios and an additional safety margin  
beyond the threshold.

## **Are the Canadian limits the same for all wireless devices and antenna installations?**

The limits for wireless devices (e.g. cell phones, Wi-Fi enabled devices and other consumer portable devices) and antenna installations on towers are different.

The limits established for wireless devices are known as localized limits. Since these devices are used within a few millimetres from the body or on the body, only a localized portion of the body (head, torso, limbs) is exposed to the RF energy.

The limits established for antenna installations are known as whole body limits. Antenna installations on towers are generally found at a distance from a person's body, which results in the entire body being exposed to RF energy. Therefore, the applicable limits are different.

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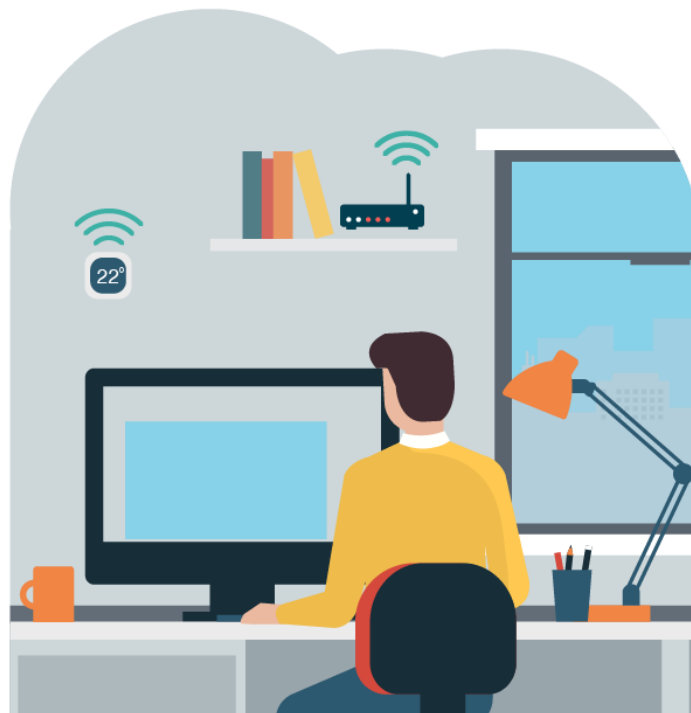
## **Wireless devices**

There are two main categories of wireless devices:



**Wireless devices used close to the body**

(cell phones, tablets and wearables)



**Wireless devices used away from the body**

(Wi-Fi routers, home monitoring systems and smart meters)

## Wireless devices used close to the body

<b>What is nerve stimulation?</b>
Nerve stimulation is a tingling sensation resulting from exposure to RF energy levels well above the Canadian limits.
<b>What is Specific Absorption Rate (SAR)?</b>
Specific Absorption Rate (SAR) is the rate of RF energy absorbed in the body (in a volume of tissue) when a wireless device is in close proximity. SAR is expressed in units of watts per kilogram (W/kg). ISED requires that all wireless devices sold in Canada comply with established SAR limits.
<b>What is power density?</b>
Power density is the amount of electromagnetic energy in a given area, typically expressed in units of watts per square metre (W/m <sup>2</sup> ).

Wireless devices used close to the body are referred to as portables or wearables. These devices are tested against different limits depending on their operating frequency, which may include more than one type of evaluation.

- **Below 10 MHz:** devices are tested against electric and magnetic field strength limits to avoid nerve stimulation.  
Examples of devices that fall under this category are wireless charging devices, metal detectors, electronic cards, tag readers and anti-shoplifting detector panels installed at doors of stores.

- **Between 100 kHz and 6 GHz:** devices are tested against Specific Absorption Rate (SAR) limits to avoid tissue heating.  
Most portables and wearables currently available in Canada, such as cell phones, tablets and smart watches, fall under this category.
- **Above 6 GHz:** devices are tested against power density limits to avoid tissue heating.  
Very few portable and wearable devices fall under this category, but these types of devices will increase as 5G technology is deployed in Canada.

For more information about the Canadian limits, refer to RSS-102, [\*Radio Frequency \(RF\) Exposure Compliance of Radiocommunication Apparatus \(All Frequency Bands\)\*](#) or [\*Safety Code 6\*](#).

## Want to learn more about SAR?

Expand/collapse

► What are the SAR limits?

► Are SAR limits the same around the world?

► How are SAR measurements determined?

► Are wireless devices with lower SAR values considered safer?

► Does the SAR level of a cell phone change when in use?

► How should I be using my cell phone or other wireless devices? What does compliance distance mean?

► How can I maintain the recommended minimum compliance distance?

► Am I at risk if I place my cell phone directly in my pocket and forget about the recommended compliance distance?

► Where can I find SAR values and compliance distance for my wireless devices?

## Wireless devices used away from the body

Devices such as Wi-Fi routers, baby monitors, smart meters, etc. are not evaluated for SAR, since they are intended to be used away from the body (more than 20 cm). The RF energy levels generated by these devices are determined and compared to the Canadian limits.

ISED conducted an extensive [study](#) to measure RF exposure levels from multiple Wi-Fi routers and Wi-Fi-enabled laptops in a simulated classroom setting. The study confirmed that in environments such as schools, workplaces, and public and private spaces, the RF exposure levels from these wireless devices was significantly below the Canadian limits.

Expand/collapse

► Want to learn more about Canada's limits?

► Are the limits the same around the world?

► What do I need to know when using a device that is used far from the body?  
What is compliance distance?

► What if I forget about the minimum separation listed in the user guide? Am I at risk?

---

## Towers and antenna installations





Canadians want faster and more accessible service so they can reliably use their wireless devices to keep in touch with loved ones and stay informed. Businesses, emergency services and air navigation systems also depend on radiocommunication and wireless services 24 hours a day. Newer technological advancements, such as 5G, are being designed to meet current and future demands including the very large growth in data and connectivity of today's modern society, the Internet of things (IoT) with its ubiquity of connected devices, and tomorrow's innovations. All these services require towers and antenna installations located in the right places.

For more information about towers, visit [Facts about towers](#).

## How we keep you safe

ISED requires that all antenna systems meet Canadian limits on the amount of RF energy that can be present in areas to which the public has access. This means complying with the regulatory requirements and process established in the antenna siting procedures, CPC-2-0-03, *Radiocommunication and Broadcasting Antenna Systems* before an

installation is approved. Once antenna installations are built, operators need to ensure their installations comply with the Canadian limits at all times as a condition of their licence.

To monitor ongoing compliance, ISED conducts various antenna installations audit programs.

Expand/collapse

► **What are Canada's limits for antenna installations?**

► **Are the limits the same around the world?**

► **How is the safety of antenna installations evaluated?**

► **Which factors influence exposure levels?**

► **What do I need to know to ensure RF exposure safety near antenna installations?**

## **What are small cells?**

Small cells are physically smaller radio installations that can complement larger radio installations to improve coverage, add capacity, and support new services and user experiences.

There are various types of small cell with varying power ranges. The smallest are for indoor use (sometimes referred to as femtocells) operating on power levels similar to Wi-Fi routers. The largest are for outdoor use and typically consist of a small equipment cabinet and small antennas. The largest are often located on existing facilities like street lights, power utility poles and buildings.

Small cells must comply with the same limits that apply to other antenna installations.



## What is 5G?

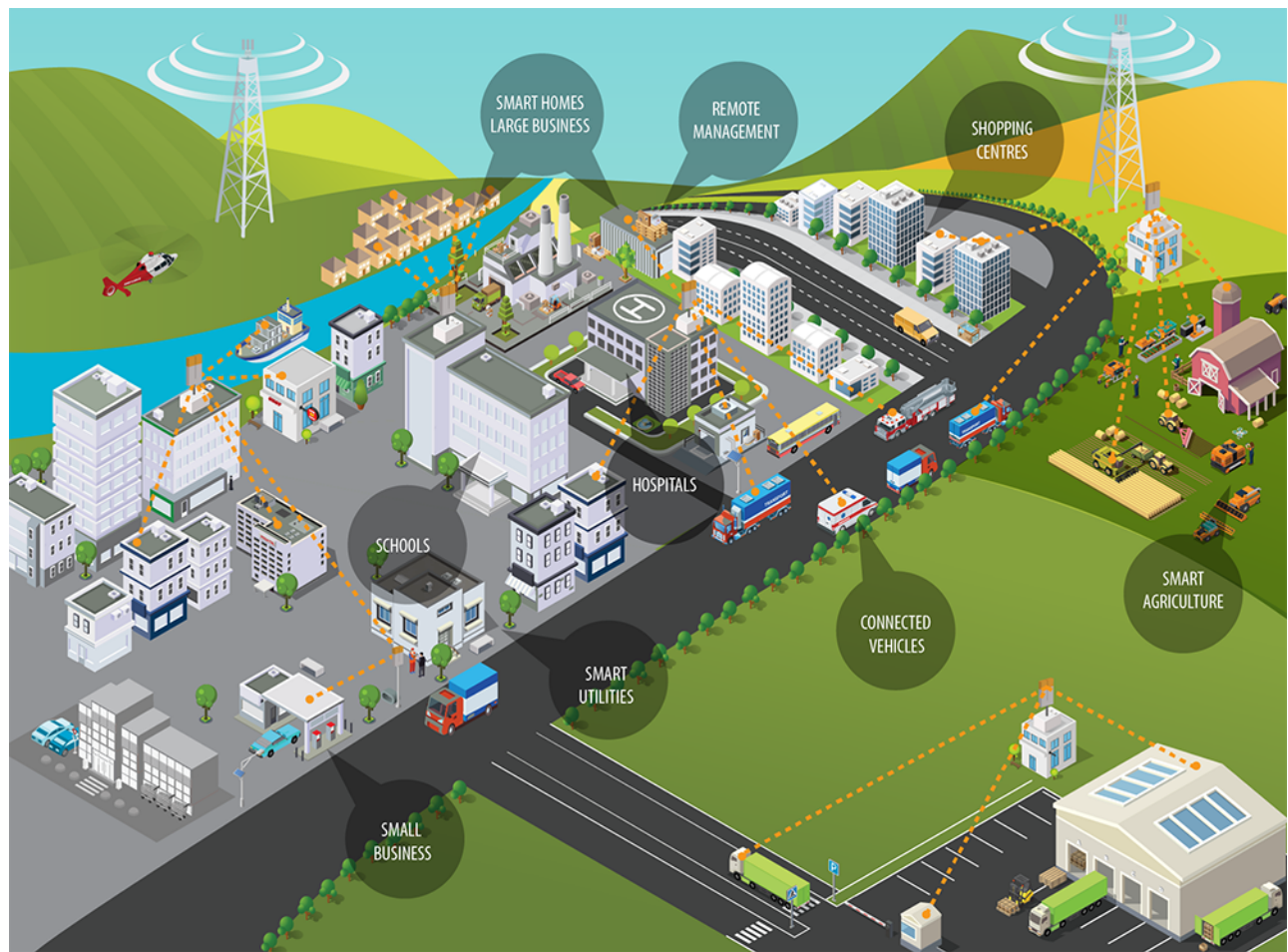
5G is the 5th generation of wireless technology, a significant evolution of today's 4G LTE wireless networks. 5G will provide the infrastructure to allow for more data and connectivity, the Internet of things with billions of connected devices, and tomorrow's innovations in various fields such as healthcare, public safety, transportation, agriculture, and smart cities. 5G will operate in both the lower frequency spectrum (below 6 GHz) as well as at higher frequencies called millimetre wave spectrum (above 6 GHz).

5G should not be confused with Wi-Fi operated in the 5 GHz frequency band as they are different wireless technologies.

## RF safety requirements for 5G

The current Canadian limits already cover the frequency ranges that will be used by 5G devices and antenna installations.

Similar to current wireless devices and installations, 5G devices will need to meet RF exposure requirements before they can be sold in Canada.



► Description of figure

Antenna systems operators using 5G technology will continue to have the same RF exposure compliance obligations. Furthermore, compliance with RF exposure requirements will continue to be an ongoing obligation.

## Misinformation and health concerns

Misinformation and opinions on the health risks from exposure to radiofrequency electromagnetic fields are increasing on social media and on the Internet. There have been claims linking the deployment of 5G networks to the novel coronavirus ([COVID-19](#)) and to increased risks of cancer. [Health Canada](#) confirms that there is no scientific basis for these claims.

**Date modified:**

2020-05-13



## To Whom It May Concern,

LandSolutions LP, on behalf of TELUS Communications Inc. (TELUS) is pleased to submit to you this public notification package for review. The package is to share information with nearby landowners about the proposed communications facility at the location listed below:

<b>TELUS File:</b>	ON1428
<b>Legal Land Description:</b>	NE PT OF N1/2 LT 280 CON STR GOSFIELD; PT OF N1/2 LT 280 CON STR INCLUDING BLK 90 GOSFIELD (ESSEX) PT 2, 6 ON 12R8414 AS IN R850277; EXCEPT PT 1 ON 12R7580 AND PT 1 ON 12R24158 TOG/W AN EASE AS IN R981605; SAVE AND EXCEPT PTS 1,2,3 ON 12R24759; TOWN OF KINGSVILLE
<b>Address:</b>	Vacant land on the east side of County Rd. 23
<b>Coordinates:</b>	Lat: 42.164908°, Long: -82.810802°

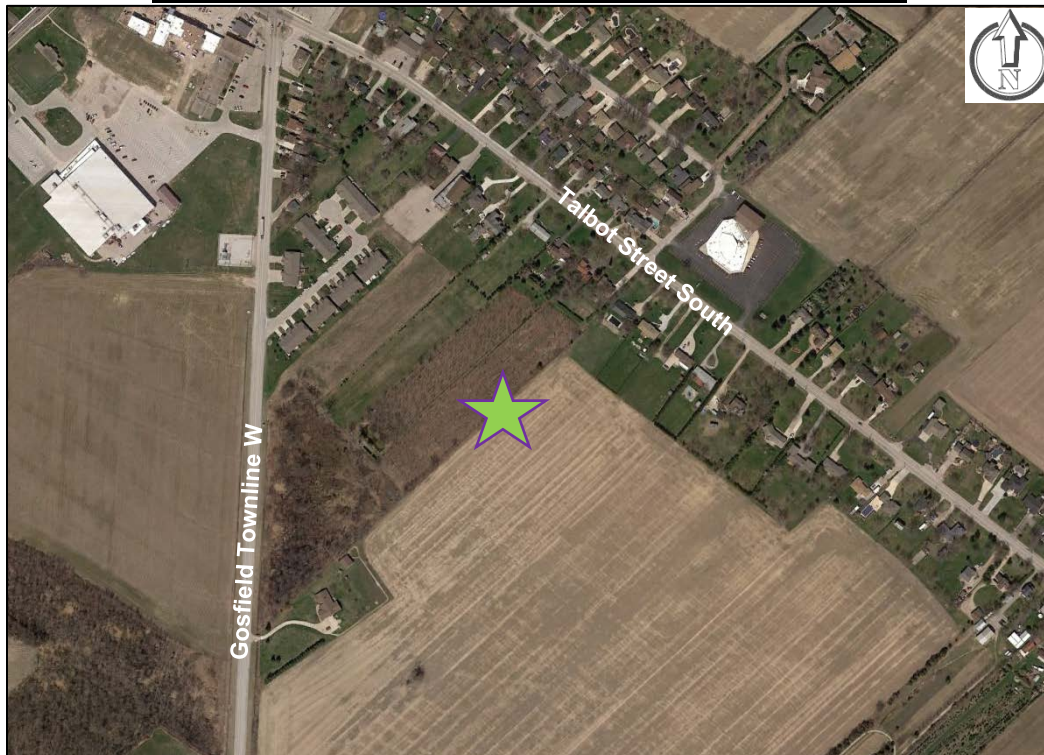
## Location and Site Context

TELUS is proposing to construct a 40.0m lattice, self-support telecommunications tower and supporting equipment shelter at this location. The proposed tower will be located on the east side of Gosfield Townline W, approximately 215m southwest of Talbot Street South (vacant agricultural land on the east side of County Rd. 23).

## Proposed Facility Map

Due to a variety of circumstances, including the distance between the existing towers and growing number of wireless users in the area, TELUS produced a search area for an appropriate telecommunications site. As a result, TELUS has secured a site as indicated on the map below. TELUS Radio Engineering Department selected this area as an appropriate location to maximize coverage for users in the area. The site selected is central to the area requiring additional coverage and network capacity, and will provide enhanced wireless service, including high-speed home and business internet.

### Google Earth Satellite Image of the Proposed Site



## Site Selection and Co-Location

Among the factors considered during the site selection process are expected usage patterns of wireless service, local terrain, interaction with existing radio base stations, and line of sight requirements for high quality communication. Each site that is investigated must go through an internal review by radio frequency, transmission and civil engineering groups in order to qualify.

Before building a new antenna-supporting structure, Innovation, Science and Economic Development Canada (ISED) requires that the proponent (TELUS) first explore the following options:

- consider sharing an existing antenna system, modifying or replacing a structure if necessary.
- locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers etc.

During the site selection process for this proposed facility, TELUS determined that there are no suitable co-locate opportunities within 2km of the proposed location. The closest comparable structures suitable for antenna-sharing are indicated on the table below.

Existing Structures Capable of Co-location within an 2km Radius				
Structure Owner	Coordinates:	Height (m):	Distance (km)	Details: Explain why structure may not be a viable candidate
Rogers Communications Canada Inc.	42.1561 -82.8030	35	1.17	This tower is located outside of TELUS' search area, too far away and is not central to the area requiring improvement in service. Co-location on this tower would not meet TELUS' network requirements.
Rogers Communications Canada Inc.	42.1683 -82.7925	49.3	1.20	This tower is located outside of TELUS' search area and already contains many antennas that occupy the tallest elevations of the tower. The tower is too far away and available elevations for sharing are too low to meet TELUS' network requirements and to improve service to the intended area.
Rogers Communications Canada Inc.	42.1683 -82.7925	76	1.56	This tower is located outside of TELUS' search area, too far away and is not central to the area requiring improvement in service. Co-location on this tower would not meet TELUS' network requirements.
Paging Network of Canada Inc. / City of Windsor Corp. Radio Services / RadioCo Limited	42.175 -82.8288	52	1.87	This is an existing water tower, which is too close to an existing TELUS tower located 500m northwest and is located outside of TELUS' search area. It is too far away from the area requiring improvement in service.
Paging Network of Canada Inc. / City of Windsor Corp. Radio Services / RadioCo Limited	42.175 -82.8288	9	1.88	This is a low-scale, lattice, self-support tower beside an existing building. It is too small to meet TELUS' network requirements, and the tower is too close to an existing TELUS tower located approximately 500m northwest.

In addition, TELUS will welcome future tower sharing opportunities on this proposed tower as per ISED's guidelines. At the time of this notification, TELUS anticipates having space available for future sharing proponents below 32m on the tower. TELUS will respond to a request to share in a timely fashion and will negotiate in good faith to facilitate sharing where feasible following standard collocation procedures.

## Site Layout



## Site Access

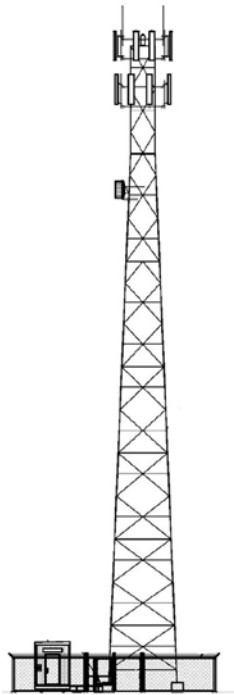
For construction and maintenance access will be from Talbot St S.

## Site Information

The design is a 40.0m lattice self-support tower within a leased premise, as shown on the above drawing. TELUS proposes to install an equipment shelter within the fenced portion of the premises. The shelter will house equipment necessary for the operation of the telecommunications facility. The shelter will be armed with a 24-hour alarm system to ensure protection from vandalism and to warn for environmental concerns such as flooding or fire. It is proposed that Panel Style Antennas will be mounted on the proposed facility, operating at 700-2600 MHz. The projecting antennas are approximately 2.6m in length and 0.6m in width and will be mounted near the top of the facility. In addition, one or two microwave antennas may be required, which may measure between 1.2-1.8m in diameter.



### Typical Facility Profile and Photo Simulations



*Artist's Rendering, actual results may vary – view  
±237.8m northeast from Talbot St.*

### **Construction and Maintenance**

The construction period will last four to six weeks and once completed the facility will remain unoccupied. The only traffic generated at this site will be for routine monthly maintenance visits.

LandSolutions LP, on behalf of TELUS, attests that the installation will respect good engineering practices including structural adequacy.

### **Aeronautical Approvals**

All necessary Transport Canada and NAV Canada approvals and lighting requirements will be obtained by TELUS and provided upon request. Currently, TELUS does expect Transport Canada to require tower lighting (top) due to the height and location of the proposed facility.

### **Environmental Health Standards / Safety Code 6 Guidelines**

ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Canadian Environmental Assessment Act (CEAA) and local environmental assessment requirements where required by CEAA.

LandSolutions LP, on behalf of TELUS, attests that the radio antenna system described in this notification does not qualify as a Designated Project under CEAA and is excluded from environmental assessment under CEAA.

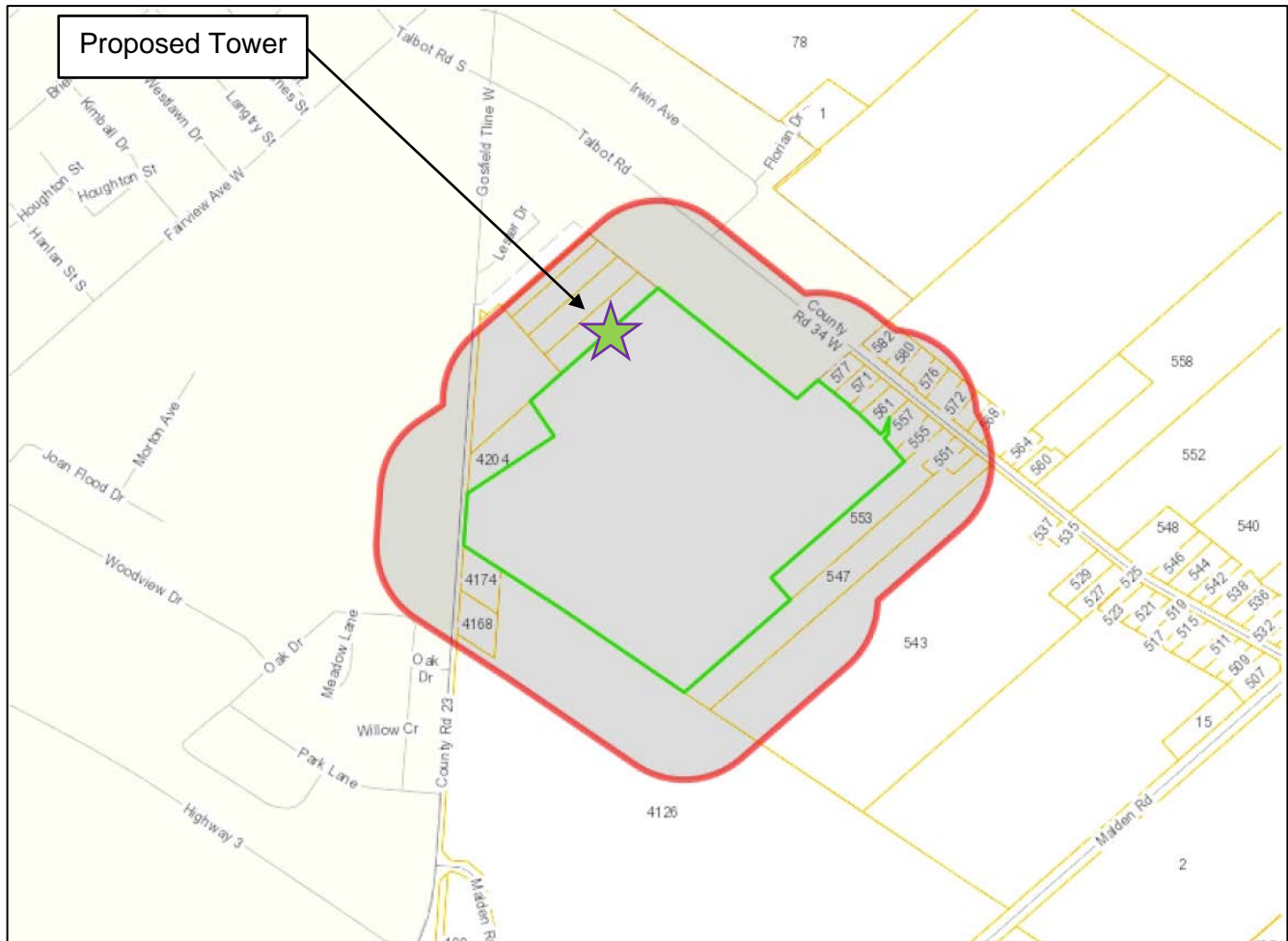
ISED manages the radio communications spectrum in Canada. Among other requirements, ISED requires telecommunications facilities to comply with guidelines established by Health Canada in order to protect people who live or work near these facilities.

These Health Canada safety guidelines are outlined in their 'Safety Code 6' document and are among the most stringent in the world. All TELUS facilities meet or exceed these standards. LandSolutions LP, on behalf of TELUS, attests that the radio installation described in this notification package will be installed and operated on an ongoing

basis to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the public, including any combined effects of nearby installations within the local radio environment.

### **Map of Notification Area 150m Radius from Tower Site**

*Approximate radius shown below*



### **Public Consultation**

LandSolutions LP, on behalf of TELUS is following the Town of Kingsville Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities, which requires notification of landowners within a radius of 120m of the subject property. However, the Town of Kingsville and the Town of Essex provided addresses within an expanded 150m notification radius. Please submit written comments within 30 days of receipt of this package. Upon receiving any comments from the public, LandSolutions LP on behalf of TELUS will respond to all feedback and will deliver a formal submission to the City requesting support for this proposal.

**Written comments posted on or before May 16, 2021 will be included in the formal submission package.**

Please contact our office to discuss the proposed facility with representatives from LandSolutions LP at [comments@landsolutions.ca](mailto:comments@landsolutions.ca) or (403) 290-0008.

This site proposal information package is in accordance with the requirements of ISED's Radiocommunication and Broadcasting Antenna Systems.

## Conclusion

Wireless communications contribute to the quality of everyday life. This proposed site will satisfy demand for better service to current and future subscribers in the area.

If you have any questions, or require further information about the proposed facility, please feel free to contact:

### **LandSolutions LP**

Brenden Smith, Site Acquisition and Municipal Affairs Specialist  
600, 322 – 11 Avenue SW  
Calgary, AB T2R 0C5  
T: (403) 290-0008  
F: (403) 290-0050  
E: [comments@landsolutions.ca](mailto:comments@landsolutions.ca)

### **Town of Kingsville**

Robert Brown, H. Ba., MCIP, RPP  
Manager of Planning Services  
Planning Services Department  
The Corporation of the Town of Kingsville  
2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
Phone: (519) 733-2305 Ext # 250  
[rbrown@kingsville.ca](mailto:rbrown@kingsville.ca)

### **Innovation, Science and Economic Development Canada** **Southwestern Ontario District Office**

4475 North Service Road, Suite 100  
Burlington, ON L7L 4X7  
T: 1-855-465-6307  
F: 905-639-6551  
E: [ic.spectrumswodo-spectrebdsoo.ic@canada.ca](mailto:ic.spectrumswodo-spectrebdsoo.ic@canada.ca)

### **Industry and Health & Safety Information**

<http://www.ic.gc.ca/towers>  
<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf11467.html>  
[http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio\\_guide-lignes\\_direct-eng.php](http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php)  
<https://www.canada.ca/en/health-canada/services/consumer-radiation/safety-cell-phones-cell-phone-towers.html>  
[http://www.hc-sc.gc.ca/hl-vs/alt\\_formats/pacrb-dgapcr/pdf/iyh-vsv/prod/cell-eng.pdf](http://www.hc-sc.gc.ca/hl-vs/alt_formats/pacrb-dgapcr/pdf/iyh-vsv/prod/cell-eng.pdf)  
<https://www.cwta.ca/for-consumers/radiofrequency-safety-standards/>  
<http://www.TELUS.com>



**Comment Sheet – ON1428**  
**Send by Fax to (403) 290-0050 or email at [comments@landsolutions.ca](mailto:comments@landsolutions.ca)**  
**or Mail to TELUS c/o LandSolutions LP**  
**Suite 600, 322 – 11<sup>th</sup> Avenue SW, Calgary, AB T2R0C5**

**Proposed TELUS Telecommunications Facility**  
**Vacant land on the east side of County Rd. 23**  
**(Town of Kingsville), AB**

---

1. Are you a cellular telephone or wireless internet user?

☐ Yes ☐ No

2. Is the location of the proposed facility acceptable?

☐ Yes ☐ No

If no, why? \_\_\_\_\_  
\_\_\_\_\_

3. Are you satisfied with the design of the proposed facility?

☐ Yes ☐ No

Comments: \_\_\_\_\_  
\_\_\_\_\_

4. Other comments (please attach pages if more space is needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This information will not be used for marketing purposes; however, your comments will be forwarded to the appropriate Land Use Authority for their file. Please write legibly. Thank you.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_



2021 Division Road North  
Kingsville, Ontario N9Y 2Y9  
(519) 733-2305  
[www.kingsville.ca](http://www.kingsville.ca)  
[kingsvilleworks@kingsville.ca](mailto:kingsvilleworks@kingsville.ca)

**Date:** October 12, 2021  
**To:** Committee of the Whole  
**Author:** G.A. Plancke / Director of Infrastructure & Engineering  
**Subject:** Draft Lighting Guideline Policy

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For discussion purpose only

*G.A. Plancke*

G.A. Plancke Civil Eng. Tech (Env)  
Director of Infrastructure & Engineering

Policy # : IES-2021-01

Issued:

Reviewed/Revised:

Prepared by: G.A. Plancke

Reviewed by:

Approved by:

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## 1.0 PURPOSE

The purpose of this Policy is to provide a set of effective standards designed to limit the impacts of excess and unnecessary external lighting.

## 2.0 SCOPE

These guidelines are intended to address lighting plans that are submitted and approved as part of site plan approval. The Planning Act (Section 41(7)(a)(5)) allows for lighting studies to be requested as part of this process.

The scope of the lighting guidelines is to create a set of standards that are applicable across the Town of Kingsville, depending upon the particular and adjacent land use.

Specifically, these guidelines are intended to be used as part of the site plan approval process for new development as it pertains to applications for commercial, industrial, institutional, recreational, and multi residential (3 or more units) uses.

These guidelines are not intended to regulate lighting for single detached dwellings, semi-detached dwellings, and on-street street townhouse dwellings or municipal street lighting.

### Who is qualified to do the study?

Applicants will be required to submit information from a qualified lighting consultant with respect to any proposed external lighting. The Lighting Plan submission shall be stamped by a Professional Engineer (P.Eng) responsible for the plan.

### Background

As growth and intensification occur within the municipality in order to meet the future needs of residents and the Provincial Places to Grow Plan, it is important to maintain night time comfort and safe conditions, reduce **light pollution**, support dark skies and evaluate impacts of new development on surrounding areas. The guidelines will assist in the implementation of urban design policies of the Official Plan.

These policies state that lighting is to:

- be compatible with the area,
- address safety,

- address pedestrian-scaled lighting,
- incorporate energy efficiencies such as sensors and timers and direct light away from the night sky (while still permitting the lighting of prominent buildings), and
- minimize the impact of lighting on adjacent uses.

Excessive and unnecessary site lighting can have a number of detrimental environmental and safety impacts. Specifically, excessive lighting can be inefficient in terms of energy consumption, as well as create glare levels that can be a detriment to drivers, pedestrians and neighbouring properties. From an environmental perspective, the over lighting of intensified areas creates a phenomenon known as Sky Glow, that renders the night sky effectively unviewable to area residents. Furthermore, poor outdoor lighting design can create **light trespass** which is a nuisance that negatively affects the enjoyment of a person's property.

The uneven application of lighting standards can create issues around transition; moving from an under lit area to an over lit one. This can have a significant affect on the night vision of drivers, cyclists and pedestrians.

These guidelines are designed to mitigate these issues through introducing standards that will address concerns about direct glare and **light trespass**. In addition, these standards are designed to factor in safety issues, such as those addressed through Crime Prevention Through Environmental Design (CPTED) and in particular those safety issues that pertain to shadowing, peripheral visual detection and clarity of vision, with respect to seeing other people and objects.

Lighting Plans will include a **luminaire** design sheets containing:

- **Lamp** (LED) types;
- Number of units or modules;
  - Fixture specifications (full cut off and International Dark Sky Association (IDA) compliant fixtures will be required);
- A Lighting Plan showing photometric data (see Figure 1), containing:
  - Pole specifications such as height, spacing and placement;
  - Photometric information, showing areas of illuminance illustrated with isometric lines; and

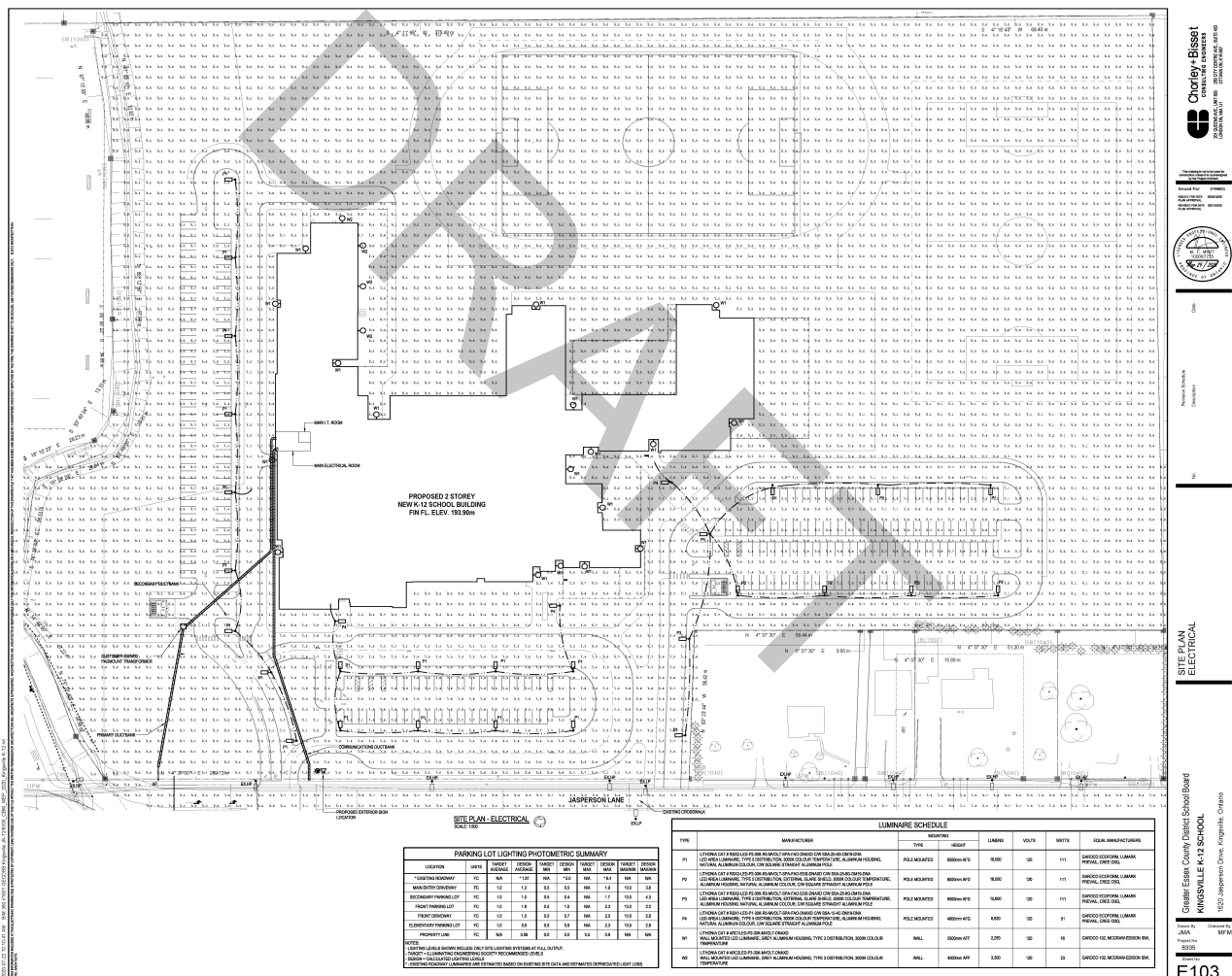


FIGURE 1: EXAMPLE OF LIGHTING PLAN

## Submission Requirements and Standards

When requested, site plan applications shall be accompanied by a lighting plan and lighting fixture details that demonstrates the proposal meets the guidelines. The following submission requirements and standards will apply:

### Lighting Fixtures

- Detail specifications, including **lamp** type, fixture type, **lumens** rating of **lamp**, wattage, colour temperature and drive current etc.;
- Light source shall be LED with a maximum colour temperature (CCT) 3000-4000 K;
- Only full cut off and International Dark Sky Association (IDA) compliant fixtures shall be accepted;
- As general principles, light fixtures should be positioned across a site so as to give a uniform distribution of light across the relevant area. This assists in the avoidance of the creation of "hot spots," being areas of over-illumination that make adjacent areas seem darker.
- Fixtures shall be positioned such that they focus light down, preventing light from emitting above the horizontal plane (90-degree position relative to the ground) and preventing **light trespass**;
- Encourage the conservation of energy;
- **Lamps** shall be located in such a way to direct light away from neighbouring properties;
- Except where lighting is strictly ornamental, photometric performance (the glare, intensity and uniformity of the light produced) will be a more important factor in assessing the suitability of proposed lighting, rather than aesthetics;

### Lighting Fixture Requirements

A wide number of lighting fixture designs and **lamp** types exist today. Light sources, or **lamps**, are available in a variety of styles. Depending on what the light is intended to do will affect which **lamp** is best for the job.

Light fixture designs which cannot meet these standards, such as those with sag lenses or wall mount lights that shine horizontally, are prohibited.

Examples of full cut off and International Dark Sky Association compliant fixtures and prohibited fixtures are provided below.



### Acceptable Fixtures (Full Cut Off)



FIGURE 2: FULL CUT OFF WALL MOUNT



FIGURE 3: CUT OFF LIGHT STANDARD FULL

### Prohibited Fixtures



FIGURE 4: PROHIBITED SAG LENS LIGHT STANDARD



FIGURE 5: PROHIBITED WALL MOUNT

### Illumination Requirements

In addition to setting standards for acceptable **lamps** and fixture types, these guidelines have established a set of maximum illumination values for different lighting zones. The illumination requirements are expressed in the form of tables pertaining to each lighting zone (see Attachment A).

The purpose of the lighting zones is to recognize the illumination needs for various land uses, while at the same time setting maximum illumination values at the property lines. This will ensure that sites are adequately illuminated as well as controlling **light trespass**.

The land uses that these guidelines will apply to are:

- Commercial uses such as Plazas, Retail Outlets, Car Dealerships, Offices, Personal Service Uses, and others;
- Employment uses such as warehousing, manufacturing, fabrication, aggregate extraction and processing uses;
- Institutional uses such as, places of worship, schools (public and private), hospitals, and government facilities;
- Residential uses (3 or more units, save and except for on-street townhouses).

## Glare

Glare is the sensation produced by a light source within the visual field that is sufficiently greater than the background brightness to which the eye is adapted to cause discomfort, annoyance or loss in visibility.

The control of glare is primarily a function of the light distribution characteristics of the luminaire and to some extent the brightness of the surroundings.

For outdoor lighting applications the impact of glare can be contained by limiting the Glare Index as outlined in the IES TM15-07 (Luminaire classification system for outdoor luminaires).

The glare rating for outdoor applications should be limited to G0 to G1 (see Attachment A).

## Lighting Plan

- The illumination levels expressed in **foot candles** or **lux** values and in the form of Isolux curves showing the predicted lighting levels at the property line and throughout the development site;
- Lighting analysis shall be carried out with independent software (e.g. AGI 32 or equivalent);
- Pole specification such as height, spacing, foundation details, and placement;
- The lot boundaries;
- The location of all structures;
- Location and height of all proposed luminaires, including wattage, and **lamp** type;
- The illumination levels at all property lines should follow the levels outlined in Attachment A. However, the design should strive to achieve '0' **Lux (0 foot candles)**;
- A photometric diagram showing the predicted lighting levels from each of the proposed light sources;
- The lighting plan is to be signed by a Professional Engineer responsible for the plan;
- Two (2) copies of the lighting plan and fixture details are to be included in the submission.

## **Post Installation Investigation**

After the installation of any new lighting subject to municipal review and approval, the applicant's lighting consultant shall provide a written signoff confirming that the lighting has been installed as per the approved plans. This will be confirmed as part of the site plan inspection.

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# **Attachment A**

## **Lighting Design Criteria for Outdoor Applications**

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## Parking Lots and Loading Areas

	Basic (Lux)	Enhanced Security <sup>1</sup> (Lux)
Minimum Horizontal Illuminance	20 (2.0 f.c.)	50 (5.0 f.c.)
Uniformity Ratio (Max:Min)	20:1	15:1
Average Vertical Illuminance <sup>2</sup>	10 (1.0 f.c.)	25 (2.5 f.c.)
Glare Rating	G1	

**Note:** During periods of non-use, the **illuminance** of certain parking facilities may be turned off or reduced to conserve energy. If reduced lighting is to be used for the purpose of security, the minimum value should not be less than 1.0. Reductions should not be applied to facilities subject to intermittent night use, such as apartments, medical and transport facilities. If there are a number of handicap parking spaces, enhanced lighting levels may be used

## Car Dealerships

Business Districts	Max Illuminance Horizontal Lux	Uniformity (Max:Min)
Adjacent to roadway	200	5:1
Other areas	100	10:1
Entrances	100	5:1
Driveways	30	10:1
Glare rating	G2	

## Private Roads and Driveways

Area Description	Avg. Horizontal Lux	Minimum Lux
Commercial/Industrial Driveways	6.0 (0.6 f.c.)	2.0 (0.2 f.c.)
Residential/ Institutional Driveways	4.5 (0.4 f.c.)	1.5 (0.15 f.c.)
Glare Rating	G0	

<sup>1</sup> Enhanced security applied to lots where night staff may be using the facility

<sup>2</sup> The calculation of vertical illuminance is outlined in IES RP-8 and RP-20.

## Service Stations

Area Description	Average Illuminance Lux
Approach	20
Driveway	20
Pump island	200
Building facades	30
Service areas	30
Landscape highlights	20
Glare rating	G1

## Floodlighting Buildings and Monuments

Area Description <sup>3</sup>	Average Target Illuminance (Vertical) Lux
Bright surroundings and light surfaces	50
Bright surroundings and medium light surfaces	70
Bright surroundings and dark surfaces	100
Dark surroundings and light surfaces	20
Dark surroundings and medium light surfaces	30
Dark surroundings and dark surfaces	50

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<sup>3</sup> The surrounding brightness values are related to if the subject is in an urban setting (bright) or rural setting

# **Attachment B**

## **Lighting Zones, Spill Light Limitations and Maximum Pole Heights**

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Lighting Zones, Spill Light Limitations and Maximum Pole Heights					
Lighting Zone	Ambient Brightness	Locations	Zoning Category	Lighting levels Lux Level at Property Lines <sup>4</sup>	Maximum Pole Height (metres)
LZ1	Dark	Natural Heritage Area	Natural Heritage Area identified in the Official Plan <sup>5</sup> ; Wetland Zone (WL); Conservation Land (P.1)	0 (0 f.c.) at the limit of the Natural Heritage Area	4.5
LZ2	Low	Open Space	Urban Reserve (UR)	2 (0.2 f.c.)	4.5
LZ3	Medium	Low/medium density Residential or Institutional	Residential Zones (R.1, R.2, R.3); Institutional (I) Zones; Office Residential (OR); Commercial Residential (CR); Park Zones (P.2, P.3, P.4, P.5)	5 (0.5 f.c.)	6.0
LZ4	High	Dense Urban with Mixed Commercial and Industrial	Downtown Zones (D.1, D.2, D.3, D.3a); Residential Apartment (R.4); Convenience Commercial (C.1); Commercial Shopping Center Zones (CC); Service Commercial (SC); Industrial (B) Zones	7.5 (0.75f.c.)	6.0 <sup>6</sup>

<sup>4</sup> Where a property is adjacent to another zone the more restrictive illuminance level shall apply at the property line. Where multiple zones exist on the same lot, the zone line shall be treated as property line for the purposes of the lighting plan.

<sup>5</sup> Natural Heritage Area is not identified in the Zoning By-law however where the Natural Heritage Area is within the property line (as identified through an EIS or other document) the **lux** level will be required to be met at the limit of Natural Heritage Area and/or the property line whatever is greater.

<sup>6</sup> For industrial sites or large commercial sites (i.e. 2000 square metres or greater) the maximum pole height may be increased to 7.3 metres.

# **Attachment C**

## **Lighting Site Plan Approval Checklist**

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## Town of Kingsville Lighting Site Plan Approval Checklist

#	Task	Complies? (Yes or No)	N/A	Notes
1	Site Plan Ref. Number _____			
2	Lighting Zone and Adjacent Lighting Zone Noted (Attachment B)			
3	Lighting Pole Type and Mounting Height Maximum Pole Height (Attachment B): _____			
4	Light Source to be LED			
5	Colour Temperature (3000 - 4000K)			
6	Drive Current Specified			
7	Luminaires that are full cut off and International Dark Sky Association (IDA) compliant specified			
8	Manufacturer Catalogue Number Specified			
9	Photometric Data with IES I file Number Specified			
10	Applicable Lighting Design Criteria (check all that apply): <input type="checkbox"/> Commercial / Parking Lot <input type="checkbox"/> Private Driveway or Road <input type="checkbox"/> Greenhouse Development <input type="checkbox"/> Industrial / Loading / Parking <input type="checkbox"/> Other (Specify)_____			
11	Glare Rating Specified (see Attachment A)			
12	Independent Lighting Software Specified			
13	<b>Illuminance</b> and <b>Luminance</b> Grid Pattern as specified in IES RP-8 and RP-20			

14	Vertical <b>Illuminance</b> Level at Property Limit (See Attachment A)			
15	Horizontal <b>Illuminance</b> Level at Property Limit (See Attachment B) Lighting Zoning: _____ <b>Illuminance</b> Level at Property Line: _____			
16	Summary Tabulation of Photometric Analysis Submitted			
17	Lighting Controls and Energy Saving Measures Specified			
18	Submission Stamped by P.Eng			

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### 3.0 Definitions

**Candelas:** related to luminous flux is luminous intensity. Candelas are the intensity of a light source in a particular direction. One Lumen = one Candela emitted within a solid angle known as a steradian. (There are  $4\pi$ , or 12.57 steradians in a sphere).

**Foot candles:** Lumens per square foot.

**Illuminance:** is the amount of light that actually falls on an object. It is the density of light on a particular surface – measured in **lux** or lumens per square foot (foot candles – fc).

**Lamp:** refers to a bulb or other light producing source.

**Light Pollution:** the overall impact that the lightning of cities and towns has on the night sky.

**Light Trespass:** the projection of light from one site onto another.

**Lumens:** measurement of total amount of light emitted by a bulb, known as luminous flux. A 100-watt incandescent bulb will put out roughly 1,800 lumens, while a high-pressure sodium street lamp of the same wattage will emit about 8,550 lumens.

**Luminaire:** lighting fixture itself. It is a combination of the bulb, socket, reflectors or lenses, ballast, and housing.

**Luminance:** is the light that the eye sees – i.e., light that has been reflected by a surface. It is measured in Candelas per square foot or metre.

**Lux:** is the measure of illuminance, expressed in units of Lumens per square metre.

**Pole Height:** Height of a light standard, measured from grade to top tenon cap.

**Qualified Lighting Design Professional:** Registered Professional Engineer (P.Eng).

**Uniformity:** Defines the uniformity of light distribution. Measured as maximum: minimum and average: minimum.

**IES:** Illuminating Engineering Society

**CPTED:** Crime Prevention Through Environmental Design

#### REFERENCE DOCUMENTS

IES – TM15-07 - Luminaire Classification System for Outdoor Luminaires

IES – RP 8-18 - Design of Roadway Facility Lighting

IES – RP 20-14 - Lighting for Parking Facilities

CPTED Manual.

#### RESPONSIBILITIES

Director of Community and Culture / Director Infrastructure & Engineering



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**To: Committee of the Whole**  
**Author: Ryan McLeod, CPA, CA**  
**Date: October 7, 2021**  
**Subject: Allocation of Safe Restart (COVID-19) Funding**

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## **RECOMMENDATION**

That Council support the proposed allocation of Safe Restart (COVID-19) Funding for the purpose of the 2022 draft budget preparation.

## **BACKGROUND**

In response to COVID-19, the federal and provincial governments created the Safe Restart program to help Municipalities respond to the financial challenges associated with the pandemic. Based on correspondence received from the Province, these funds were provided to assist with "COVID-19 operating costs and pressures", so that municipalities could continue to deliver the services that residents and businesses rely on. Any unspent funds received in a year were to be held in a reserve for future Covid-19 related expenses.

To date the Town has received, or is expected to receive, the following payments under the Safe Restart program;

October, 2020	\$542,800
January, 2021	\$230,000
May, 2021	\$220,342
November, 2021	<u>\$220,342</u>
<b>Committed Funding</b>	<b>\$1,213,484</b>

In 2020, Administration implemented a number of cost containment measures to mitigate the financial implications of Covid-19. These measures included; lay-offs of part-time and seasonal staff, the deferral of replacement hires, and reduced maintenance activities at certain facilities and sports fields.



As a result of these savings efforts, the Town's application of its Safe Restart funding in 2020 was limited to the following;

Direct Expenses (enhanced cleaning, PPE, office modifications, remote work IT needs)	\$139,772
Interest Waivers (on property tax accounts)	\$110,184
Lost Facility Revenue (in excess of budget)	\$76,519
<b>2020 Applications</b>	<b>\$326,475</b>

In the 2021 budget, the Town applied its Safe Restart funding as follows;

Direct Expenses (enhanced cleaning, PPE, office modifications, remote work IT needs)	\$100,000
Migrant Worker Community Grant (vaccination clinic focus)	\$10,000
Arena Revenue (top-up to pre-Covid budget)	\$64,000
Facility Revenue (top-up to pre-Covid budget)	\$67,000
Open Streets (Covid economic recovery)	\$25,000
New Hire Wages (based on % of time addressing Covid challenges)	\$22,000
<b>2021 Applications</b>	<b>\$288,000</b>
<b>% of Tax Levy</b>	<b>1.5%</b>

Without the Safe Restart Funding, the Town would have had to increase property taxes by 1.5% to provide the same level of service to its residents and businesses.

## DISCUSSION

Based on Committed Funding, less the 2020 and 2021 applications, the Town currently has \$599,009 available to apply to future COVID-19 related challenges.

The Senior Management Team (SMT) has met internally and are proposing to allocate the remaining funds in the 2022 budget as follows:

Direct Expenses (enhanced cleaning, PPE, remote work IT needs)	\$70,000
Arena Revenue (estimate a 20% reduction to pre-Covid levels)	\$56,000
Facility Revenue (estimate a 50% reduction to pre-Covid levels)	\$88,000
Vaccine Passport Screeners (Contract Positions)	\$80,000
Open Streets / Special Events (Tourism / Small Business recovery)	\$50,000



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Additional Office Space (space required to meet minimum social distance requirements)	\$100,000
Facility Improvements at Grovedale to support live concert events (Tourism Recovery)	\$50,000
<b>Proposed 2022 Applications</b>	<b>\$494,000</b>
<b>% of Tax Levy</b>	<b>2.6%</b>
<b>Unallocated</b>	<b>\$105,009</b>

The above allocations represent 2.6% of the tax levy and would take significant pressure off the 2022 budget. Without the Safe Restart Funding, it is likely that the Town would need to consider lay-offs, close certain facilities or implement other service level reductions to address the COVID-19 financial challenges.

The proposed allocations would leave \$105,009 of funding unallocated for additional or unknown challenges. At the time of this report, the Town of Amherstburg and the Municipality of Leamington are in negotiations with the County of Essex over certain expenses related to hosting the Mass Vaccination Clinics. The majority of these expenses have been paid by the County, however, it is possible that Kingsville will have to contribute to a portion of these costs.

On September 13, 2021, Council received correspondence from the Kingsville BIA, requesting that Council consider offering a financial relief grant to all businesses that have been financially impeded by the forced restrictions implemented as a result of the pandemic. It is Administration's position that a direct financial contribution to private businesses is outside the intent of the Safe Restart Program.

## FINANCIAL CONSIDERATIONS

All financial considerations are noted above.

*Ryan McLeod*

Ryan McLeod, CPA, CA  
Director of Financial & IT Services



**COMMITTEE OF THE WHOLE  
MINUTES**

**Monday, September 20, 2021  
6:00 PM  
Council Chambers  
2021 Division Road N  
Kingsville, Ontario N9Y 2Y9**

Members of Council    Mayor Nelson Santos  
                                 Deputy Mayor Gord Queen  
                                 Councillor Tony Gaffan  
                                 Councillor Thomas Neufeld  
                                 Councillor Larry Patterson  
                                 Councillor Kimberly DeYong  
                                 Councillor Laura Lucier

Members of                J. Galea, Human Resources Manager  
Administration

                                 S. Kitchen, Acting Clerk  
                                 R. McLeod, Director of Financial & IT Services  
                                 A. Plancke, Director of Infrastructure & Engineering  
                                 R. Baines, Deputy Clerk - Administrative Services  
                                 J. Norton, CAO  
                                 J. Quennell, Fire Chief  
                                 S. Hirota, Director of Legal and Clerk Services  
  
                                 R. Wyma, Director of Community and Development Services

**A.     CALL TO ORDER**

Chair Queen called the Committee of the Whole meeting to order at 6:00 p.m. with all members in attendance. Members participated in the meeting through video conferencing technology from remote locations.

**B. NOMINATION AND ELECTION OF VICE CHAIR**

Chair Queen called for nominations for Vice Chair.

Councillor Lucier nominated Councillor DeYong for the position of Vice Chair.

Chair Queen called for further nominations.

Chair Queen called for further nominations.

Chair Queen made a final call for nominations.

There being no further nominations, nominations were closed and Ms. DeYong indicated she would be honoured to accept the nomination of Vice Chair by acclamation.

**COTW1-2021**

Moved by Councillor Larry Patterson

Seconded by Councillor Thomas Neufeld

That Councillor Kim DeYong be and is hereby appointed as Vice Chair for the Committee of the Whole.

**CARRIED**

**C. DISCLOSURE OF PECUNIARY INTEREST**

Chair Queen reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

**D. STAFF REPORTS**

**1. Albuna Townline Road South Unopened Road Allowance**

G. A. Plancke, Director of Infrastructure and Engineering

**COTW2-2021**

Moved by Councillor Laura Lucier

Seconded by Councillor Thomas Neufeld

That the Committee of the Whole receives the Albuna Townline Road South Unopened Road Allowance report as presented by Director G. A. Plancke.

**CARRIED**

**E. PRESENTATIONS/DELEGATIONS**

**COTW3-2021**

Moved by Councillor Laura Lucier

Seconded by Councillor Tony Gaffan

That the Committee allow Dr. Russell to speak as a delegation.

**CARRIED**

- 1. Solicitor Frank Ricci, representing abutting landowners of 86 Townline Road South, Leamington**

Solicitor Ricci and his client, Dr. Russell, addressed the Committee.

- 2. Solicitor Ryan Solcz, representing Tim and Patricia Wilson, residents of 3071 Centennial Drive, Leamington (geographic region of Kingsville)**

Solicitor Ryan Solcz had withdrawn his request to be a delegate.

- 3. Ian Musgrave, 3066 Centennial Crescent, and Alison Postma, Resident, representing a group of residents residing on Centennial Crescent, Leamington (geographic region of Kingsville) who are members of the Lot 34 Owners Association**

Ian Musgrave and Alison Postma addressed the Committee.

- 4. Reiner Neumann, 12 Longbeach Drive, Leamington**

Mr. Neumann addressed the Committee.

- 5. Nikolaus Lutsch, 88 Townline Road South, Leamington**

Nik Lutsch addressed the Committee.

- 6. Frank Hawkins, 3075 Centennial Crescent**

Frank Hawkins addressed the Committee.

- 7. Mike Nedzelski, 3073 Centennial Crescent**

Mike Nedzelski addressed the Committee.

**COTW4-2021**

Moved by Councillor Kimberly DeYong

Seconded by Councillor Tony Gaffan

To receive all information in connection with the Albuna Townline Road South unopened road allowance as presented by the delegates.

**CARRIED**

**F. CLOSED SESSION**

**COTW5-2021**

Moved by Councillor Laura Lucier

Seconded by Councillor Larry Patterson

At 7:15 p.m. pursuant to Subsection 239(2) of the *Municipal Act, 2001*, Council entered into Closed Session to address the following items:

- i) Subsection 239(2)(f) [advice that is subject to solicitor-client privilege, including communications necessary for that purpose] RE: Albuna Townline Road;
- ii) Subsection 239(2)(b) [personal matters about an identifiable individual] RE: Kingsville Highland Games Committee--Selection of members to fill vacancies;
- iii) Subsection 239(2)(b) [personal matters about an identifiable individual, being a report of J. Galea, Manager of Human Resources, in regard to a municipal employee.

**CARRIED**

**G. RISE FROM CLOSED SESSION**

The Committee rose from Closed Session at 8:36 p.m.

Chair Queen reported that the Committee had entered into closed session to discuss three (3) items pursuant to Subsection 239(2)(f) and 239(2)(b) as outlined above.

**H. STAFF REPORTS**

**1. Discussion re: Draft Proposed Procedure By-law**

J. Norton, CAO

The draft by-law was reviewed 'page by page' and the Committee made suggested changes to the document.

**COTW6-2021**

Moved by Councillor Kimberly DeYong

Seconded by Councillor Laura Lucier



That the Committee direct that an amendment be made to Section 12.10. to state that the recorded vote shall be called upon by the Clerk in 'rotating alphabetical order'.

**CARRIED**

**COTW7-2021**

Moved by Councillor Kimberly DeYong

Seconded by Councillor Larry Patterson

That the Committee receive all changes for the proposed Procedure By-law.

**CARRIED**

**I. COUNCIL QUESTIONS / STAFF REPLIES**

Mayor Santos asked if there could be a crosswalk designed and installed in time for the September 30 National Day of Truth and Reconciliation. Councillor DeYong asked how long Division St. South would remain closed. Councillor Gaffan asked if Administration could look into making a hybrid working situation for town staff enable some to work from home, having in mind the lack of office space at the Town Hall. Councillor Gaffan also asked if additional generators need to be purchased by the Town for municipal facilities, having in mind the ongoing climate change and hydro supply issues. Staff responded to such inquiries.

**J. ADJOURNMENT**

**COTW8-2021**

Moved by Councillor Kimberly DeYong

Seconded by Councillor Tony Gaffan

That the Committee adjourn at the hour of 9:37 p.m.

**CARRIED**