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**Date:** February 22, 2018

**To:** Mayor and Council

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

**RE:** Broadcasting Tower – 3165 South Talbot Road  
2506312 Ontario Corp. (Southshore Broadcasting)

**Report No.:** PDS 2018-010

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## **AIM**

To provide information to Council regarding the Planning Advisory Committee's recommendation 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**

2506312 Ontario Corporation, the registered owners of the subject property, has applied to construct a 61m (200 ft.) self-supporting broadcasting tower (See Appendix A & B). The tower is required to provide broadcasting ability for the television station and broadcasting studio for Southshore Broadcasting Inc. which is a local non-profit, low power community television station located on the subject site.

In accordance with federal regulations and the Town's "Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities" guidelines, public consultation is required to be obtained for the construction of telecommunications towers. Public notice was given to registered property owners within 120 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 broadcasting 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:** 61 m tall steel lattice tri-pole tower; allowing (Appendix D).
- ii) Location and Street Address:** 3165 South Talbot Road, Pt. Lot 264, Concession South Talbot Road, Kingsville.

The tower will be situated at the south end of the property (See Appendix A).

The Town of Kingsville "Policy for the Development and/or Redevelopment of Communication and Broadcasting Facilities (Appendix E) 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 over 3 km from Jack Miner's and is not within the site line of Lake Erie which is south of the site approx. 7 km.
  3. Sites outside of planned settlement areas;  
  
Comment: The property is located well outside the settlement area.
  4. Sites owned by the municipality;  
  
Comment: This is a private site which will contain the proposed tower and facilities using the tower.
  5. Sites co-located on existing structures in non-agricultural areas;  
  
Comment: This is a new tower in an agricultural area however is not located on lands that have been actively farmed for quite some time.
  6. Sites co-located on existing structures in settlement and residential areas; &

Comment: N/A.

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

Comment: Refer to item 5.

- 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 the proponents own site and is 182 m (600 ft.) from the nearest rural residential dwelling to the south.

2. The protection of the existing natural environment;

Comment: No natural environment is impacted.

3. The enhancement of the natural landscape with plantings and visual screens;

Comment: There is existing tree cover along South Talbot Road that provides some degree of screening for the closest dwelling.

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 subject property has an existing access to South Talbot Road and the proposed location will no negatively impact on access or site lines.

- 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 twice based on the prescribed requirements. To-date no comment has been received.

From a planning standpoint the provision of all infrastructure is supported in Provincial Policy and the Town's Official Plan. The broadcasting tower in this particular proposed location will also support the provision of local contain to those residents which rely solely on antenna.

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

Comment: In consultation with Industry Canada (IC) staff it was clarified 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 IC 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.

## **LINK TO STRATEGIC PLAN**

N/A

## **FINANCIAL CONSIDERATIONS**

N/A

## **CONSULTATIONS**

Notice of the Public Open House on February 20<sup>th</sup> (PAC) was given by the applicant thirty days prior to the Feb 20<sup>th</sup> meeting by first class mail to all land owners within 350 m (1,150 ft.) of the proposed location of the cell tower. Town administration further circulated agencies prescribed by Town guidelines and Federal Regulation by e-mail on January 16<sup>th</sup>, 2018.

ERCA has also provided comment indicating no objection to the proposed tower.  
(Appendix F)

There was no one from the public in attendance at the February 20 PAC meeting and no written submissions were made. PAC endorsed the following recommendation:

1. Planning Advisory Committee supports the construction of a proposed broadcasting tower on lands known at 3165 South Talbot Road, and
2. Planning Advisory Committee recommend to Town Council to authorize Administration to provide the applicant with a Statement of Concurrence that sufficient public consultation has occurred and public comments considered.

## RECOMMENDATION

It is recommended that Council authorize Administration to provide the applicant (2506312 Ontario Corporation) with a Statement of Concurrence that sufficient public consultation has occurred and public comments considered regarding the proposed broadcasting tower installation at 3165 South Talbot Road.

*Robert Brown*

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Manager, Planning Services

*Peggy Van Mierlo-West*

Peggy Van Mierlo-West, C.E.T.  
Chief Administrative Officer