



## The Corporation of the Town of LaSalle

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|---------------------|---|-------------------------------|-------------------|
| <b>Date:</b>        | February 9, 2017  | <b>Report No:</b>             | DS-11-2017        |
| <b>Directed To:</b> | Mayor and Members of Council  | <b>Attachments:</b>           | Feb 6, 2017 email |
| <b>Department:</b>  | Development & Strategic Initiatives                                       |                               |                   |
| <b>Prepared By:</b> | A. Burgess, MCIP, RPP<br>Supervisor of Planning & Development<br>Services | <b>Policy<br/>References:</b> | nil               |
| <b>Subject:</b>     | New Cell Tower on former Centennial Arena lands, located along Front Road |                               |                   |

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### REPORT:

As requested, we have reviewed the information contained in Mr. White's February 6<sup>th</sup> email (copy attached), and we offer the following comments:

- The subject property is designated "Community Facility" in the approved Official Plan and is zoned "Recreational", in recognition of its previous use as a community arena. Subsection 25.1.3. of the Town's Zoning By-law pertains to lands that are zoned "Institutional";
- The siting of new cell towers are regulated by the Federal Radiocommunicaitons Act, and are not subject to zoning by-law regulations that have been adopted by municipalities under the Planning Act;
- All proponents (i.e. telecommunication companies) seeking approval to install new cell towers must follow the regulations and procedures prescribed by Industry Canada, including the mandatory public consultaton process as set out by Industry Canada. It is our understanding that the proponent is following these federally mandated procedures for the subject property;
- It should be noted that no changes to the existing Official Plan designation and/or the zoning at this location has taken place ---- and that should any such change be contemplated in the future, it will require public notificaiton to be given and public meetings to be held by Council in accordance with the corresponding provisions as set out in the Planning Act.

We trust that the above-noted information is of assistance.



A. Burgess, MCIP, RPP  
Supervisor of Planning &  
Development Services

*Attachment*

| Reviewed by: |         |       |                           |   |                         |      |
|--------------|---------|-------|---------------------------|---|-------------------------|------|
| CAO          | Finance | Clerk | Environmental<br>Services | Development &<br>Strategic<br>Initiatives | Culture &<br>Recreation | Fire |

## Brenda Andreatta

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**From:** JEFF\_C\_WHITE [REDACTED]  
**Sent:** February-06-17 3:56 PM  
**To:** Brenda Andreatta; ic.spectrumcwod-spectredcoo.ic@canada.ca;  
Boakye.KoranTeng@Canada.ca; Jay Lewis  
**Cc:** [REDACTED]  
**Subject:** Request for February 14th Agenda Item

To Brenda Andretta:

Please respond to whether any or part of this information cannot be a agenda items for discussion. I do realize at 2/3 vote of council motion to re-consider is required to proceed.

Jeff and Linda Whites of [REDACTED] Front Rd request is to be included on the Tuesday Feb 14<sup>th</sup> Town Council meeting agenda for presenting new information regarding a request for 9 meter set back from residential property line.

Although Federal telecommunications are exempt from Planning Act approvals, we are the only directly abutting residential property owner of the proposed site and we would like to request discussing a reasonable and relevant concern of whether local by laws could still be honored as town council makes their final decision of accepting the SW corner only on the proposed plan.

Reference 1) CPC-2-0-03 4.1 "Ensure that local processes related to antenna systems are respected; address reasonable and relevant concerns", "the location of the proposed antenna system on the property and its proximity to neighboring residents" Appendix-1 Notification must include, but not limited to: 1 -9) reference to any applicable local land-use requirements such as local processes, protocols, etc.

Reference 2) The Town of LaSalle current 5050 by law states, Section 25.1.1 Permitted Uses i) "radio, television and other forms of communication transmitting facilities" where 25.1.3 e) Minimum Side Yard Width, Where the yard abuts residential or a residential holding zone a setback of 9 meters (29.5 feet)

Reference 3) The existing tower location at Wahneta Street the set-back is 7.62 meters (25 feet) on both the west and south property lines.

Other related matters:

- 1) The Engineering drawing in Summit's material at January 23 meeting shows a setback of .5 meter and on the same page states a 1.5 meter setback. Which of these are correct?
- 2) This same material shown at the meeting did not show our specific request of a 60' North setback however the image was included in the appendix. It was also stated that this 60 ft north request would block driveways where, in fact no driveways would be blocked as the end of all residence driveways on this north south border of town property are on a Right of Way.
- 3) During the 01/23 public town council meeting it was requested by the Mayor of "whether the township had looked into any other alternate locations of town owned properties". This lead to a discussion of property in the Cahill Drain area, where possibly an Environmental Impact Study may be required and additionally Summit was to provide whether this location would be within an acceptable range. Is there any follow up information that can be provided regarding this topic?
- 4) It was also discussed at the 01/23 Town Council Meeting that the decision had already been made regarding re-zoning from Recreational Use to Commercial property and additionally a Lot severance is required. We as adjoining residential property owners of both 2210 and 2218 had not been informed of the severance of the lot or the Re-zoning as required in Planning Act, Including any public notification conveyed regarding any changes to the Official Plan. Regardless of whether

the Planning Act process is applicable before, during, or after, the final decision of proposed cell tower site location, we still would like to be appropriately informed as required by the planning act.

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## COUNCIL RESOLUTION FROM THE JANUARY 24, 2017 COUNCIL MEETING MINUTES

### ROGERS TELECOMMUNICATION TOWER - 2190 OLD FRONT ROAD

J. Lewis, Summit Telecom Services appears before Council to provide an update on the Rogers proposed 45m monopole outlining; Procedure; What is proposed; What it may look like and a Public Consultation Update.

J/L White, resident appears before Council to speak against the administrative recommendation to endorsing the project for the proposed 45m Rogers telecommunications tower at 2160 Front Road, indicating that there are potential health concerns, and concludes by urging Council to reconsider the location of the cell tower to perhaps a industrial/commercial area.

Sherry Dillon, resident appears before Council to speak against the administrative recommendation endorsing the project for the proposed 45m Rogers telecommunications tower at 2160 Front Road, noting that notification of the proposed tower was not received as outlined and concludes by urging Council to reconsider the location of the cell tower to perhaps a industrial/commercial area.

**24/17**

**Moved by: Councillor Burns**

**Seconded by: Mayor Antaya**

**That the report of the Manager of Engineering dated January 19, 2017 (PW-02-17) regarding the proposed 45m Rogers telecommunications tower at 2160 Front Road (formerly Centennial Arena) BE RECEIVED and that correspondence endorsing this project be sent to Innovation, Science and Economic Development Canada pending the conclusion of the consultation process.**

**Carried.**

Opposed: Councillors Desjarlais and Meloche



The Corporation of the Town of LaSalle

|                     |   |                           |  |
|---------------------|---|---------------------------|--|
| <b>Date</b>         | January 19, 2017                                    | <b>Report No:</b>         | PW-02-17   |
| <b>Directed To:</b> | Mayor and Members of Council                        | <b>Attachments:</b>       | -Rogers Presentation<br>-Sketch<br>-Rogers Information Package |
| <b>Department:</b>  | Public Works  | <b>Policy References:</b> |  |
| <b>Prepared By:</b> | Jonathan Osborne, P.Eng. – Manager of Engineering   |                           |  |
| <b>Subject:</b>     | Rogers Telecommunication Tower – 2190 Old Front Rd. |                           |  |

**RECOMMENDATION:**

That Council accept this report as information regarding the proposed 45m Rogers telecommunications tower at 2160 Front Rd property (formerly Centennial Arena). Further, that Council forward a copy of their resolution endorsing the construction of this new telecommunications tower to Innovation, Science and Economic Development Canada (ISED) pending the conclusion of the consultation process.

**REPORT:**

In the fall of 2016, Rogers Communications approached the Town of LaSalle requesting the use of a portion of the property at 2160 Old Front Rd (the new portion would have an address of 2190 Old Front) to install a new 45m monopole telecommunications tower to replace their existing 45m monopole tower located at 1950 Front Rd.

Administration entered into discussions with Rogers regarding tower and compound details including location, configuration as well as draft agreement terms. It was determined that the most appropriate location would be at the southwestern most corner of the property. This location maximizes future potential use of the property.

The subject lands are currently zoned Recreational in the Town Zoning by-law, however telecommunications towers are permitted in all zones. Further, under Federal telecommunications regulations these towers are exempt from Planning Act approvals. ISED requires written concurrence from the host prior to granting their regulatory approval for a new telecommunications facility.

The Town has allowed Rogers to progress through the regulated public notification process based on the recommended location. Jay Lewis from Summit Telecom Services has been the lead



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liaison for this process on Rogers behalf. The information package attached gives additional information on the process taken.

Respectfully Submitted,



Jonathan Osborne, P.Eng.  
Manager of Engineering

| Reviewed by:  |          |        |   |          |              |          |      |
|---|----------|--------|---|----------|--------------|----------|------|
| CAO   | Treasury | Clerks | Public Works  | Planning | Cult. & Rec. | Building | Fire |
|  |          |        |  |          |              |          |      |



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C7843 – LaSalle II  
Rogers Proposed 45m Monopole

Town of LaSalle Update





## OUTLINE:

### Procedure

- ISED/*Radiocommunication Act*
- Default Public Consultation Process

### What is proposed?

- Relocation
- Location
- Site Details

### What it may look like?

- Photo Renderings

### Public Consultation Update

### Health Safety

- ISED Requirements
  - Health Canada/Safety Code 6
-

## **PROCEDURE:**

### ***ISED/Radiocommunication Act***

- Federal Government of Canada has exclusive jurisdiction over radiocommunication and telecommunication, regulated through Innovation, Science & Economic Development (ISED), with the *Radiocommunication Act*.
  - ISED procedure outlines the need to consult local municipalities and communities where a new proposal does not meet exclusionary criteria. It further outlines general requirements to be met (Health & Safety, Transport Canada & NAV Canada) – this is a consistent process across Canada.
  - This procedure allows the LUA to establish their own protocol for these installations; Town of LaSalle has not created their own protocol.
  - ISED default public consultation process is being followed for this proposed installation. At the end of the consultation process, if the proponent is satisfied it has addressed all relevant concerns a request for concurrence will be submitted to the Town along with all correspondence.
-

## **PROCEDURE:**

### **Default Public Consultation Process**

- Consultation with municipality
  - Public consultation
    - Mail Notification
      - 130m notification radius (3\*height of tower)
      - Sent to 17 property owners within notification radius on December 9, 2017
    - Public Notice
      - Published in *The LaSalle Post* on December 16, 2017
  - Last day for submissions – January 18, 2017
  - Review/address comments and provide opportunity for further response
  - If proponent satisfied all concerns have been addressed then LUA concurrence requested
-



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## WHAT IS PROPOSED?

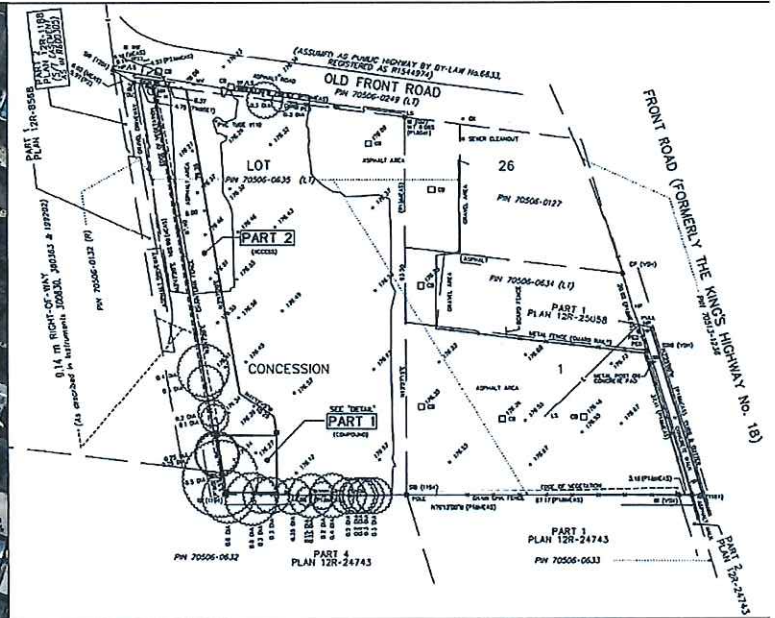
Relocate Rogers existing site in immediate area maintain reliable wireless services



## WHAT IS PROPOSED?

### Location

- 2190 Old Front Rd., LaSalle
- Municipal property
  - Formerly used as indoor ice arena
  - Zoned: RE – Recreation
  - Official Plan: Community Facility





## **WHAT IS PROPOSED?**

### **Site Details**

#### **45m Monopole**

- Monopole to be painted white and equipment to be installed tight to monopole in consideration of aesthetics
- Transport Canada has determined no lighting or marking is required

#### **Equipment on Monopole**

- Rogers to install six antennas, two microwave dishes and three RRU's per antenna to provide GSM (2G), UMTS (3G) and LTE LTE wireless services
  - Anticipate Telus will relocate equipment from existing monopole
  - Would accommodate space for another third-party to co-locate
  - Provision allowing Town to install an antenna
-



## WHAT IS PROPOSED?

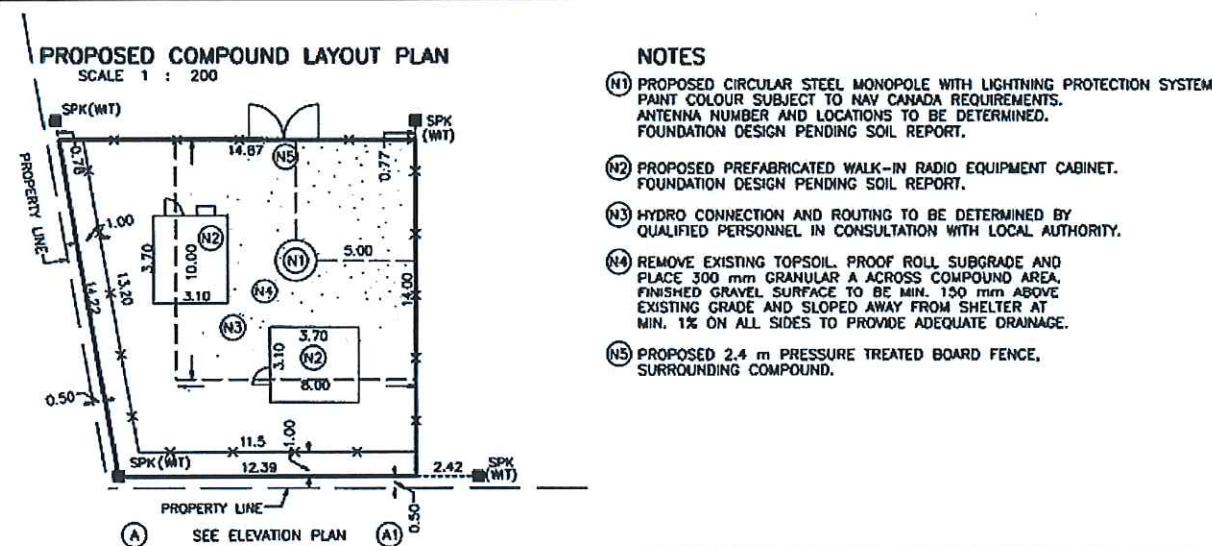
### Site Details

#### Compound

- 13.9m x 13m irregular shaped fenced compound, set back 1.5m from property line
- 2.4m pressure treated board fence enclosure

#### Equipment within Compound

- Rogers proposed 3.1m x 3.7m walk-in equipment shelter. A second equipment shelter is anticipated for Telus to relocate.
- Sufficient space for Town of LaSalle and another third-party to co-locate



## WHAT IT MAY LOOK LIKE?

### Photo Renderings

- Number of equipment and location on monopole will change depending on final equipment loading by Rogers and any other third party co-locating

View 1



View 2



## **PUBLIC CONSULTATION UPDATE:**

- Discussed proposal on multiple occasions with joint owners of two adjacent properties to subject property. Incorrect mailing address for notification and owners have an extension to make a submission by January 23, 2017. Sent digital copy of mail notification along with additional information on December 23, 2016. The following are some concerns raised and waiting on a submission to formally address:
    - Location; Why the existing monopole could not continue to be utilized; Health and safety; and, Land-use.
  - Discussed proposal with owner of property across from subject property experiencing technical difficulties and not able to make a submission by January 18, 2017. The following are the comments owner wanted to submit:
    - Recreation land should not be used for commercial/industrial purposes such as the proposed monopole
    - Proposed installation would block view of river from property and subject property could be nice park land
    - If possible to relocate installation behind existing commercial building
-



## HEALTH & SAFETY:

Health and safety concerns are of the utmost importance to Rogers which is why Rogers adheres to Health Canada's Safety Code 6.

ISED, the federal agency regulating telecommunications carriers require that RF levels transmitted from base stations (cell towers) fall below Health Canada's RF exposure limits and made compliance with Safety Code 6 mandatory.

ISED adopted Health Canada's Safety Code 6 as they are the agency charged with protecting the health and safety of Canadians, who continuously review peer reviewed scientific studies and revise of these guidelines when necessary.

For these reasons, ISED does not consider the validity or adequacy of Safety Code 6 subject to consultation as these limits are the responsibility of Health Canada.

As a condition of licence, Rogers must ensure that:

"...radio stations are installed and operated in a manner that complies with Health Canada's limits of human exposure to radio frequency electromagnetic fields for the general public including the consideration of existing radiocommunication installations within the local environment."

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## HEALTH & SAFETY:

### Health Canada/Safety Code 6

- Federal agency for the protection of Canadians.
  - The exposure limits in Safety Code 6 are based on an ongoing review of published scientific studies, including both internal and external authoritative reviews of the scientific literature, as well as Health Canada's own research.
  - The code is periodically revised to reflect new knowledge in the scientific literature. The current version of Safety Code 6 reflects the scientific literature published up to August 2014 and replaces the previous version published in 2009
  - Health Canada reminds all Canadians that their health is protected from radiofrequency fields by the human exposure limits recommended in Safety Code 6.
  - Health Canada has established and maintains a general public exposure limit that incorporates a wide safety margin and is therefore far below the threshold for potentially adverse health effects.
  - The Department continues to monitor and analyze scientific research on this issue and should new scientific evidence arise demonstrating that exposure to radiofrequency fields poses a health risk to Canadians, Health Canada will take the appropriate action to safeguard the health of Canadians
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# Questions?

- For additional information please refer to:
  - Connecting Canadians: Wireless Antenna Tower Siting in Canada  
[www.cwta.ca/CWTASite/english/pdf/Connecting.pdf](http://www.cwta.ca/CWTASite/english/pdf/Connecting.pdf)
  - Health Canada: Safety of Cell Phones and Cell Phone Towers  
[www.hc-sc.gc.ca/hl-vs/iyh-vsv/prod/cell-eng.php](http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/prod/cell-eng.php)
  - Industry Canada's Spectrum Management and Telecommunication website  
<http://www.ic.gc.ca/antenna>

**Contact Information:****Summit Telecom Services**

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482 South Service Rd. E., Suite 130  
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Email: [jlewis@summit-tel.com](mailto:jlewis@summit-tel.com)

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Fax: 905.639.6551  
Email: [ic.spectrumcwod-spectredcoo.ic@canada.ca](mailto:ic.spectrumcwod-spectredcoo.ic@canada.ca)

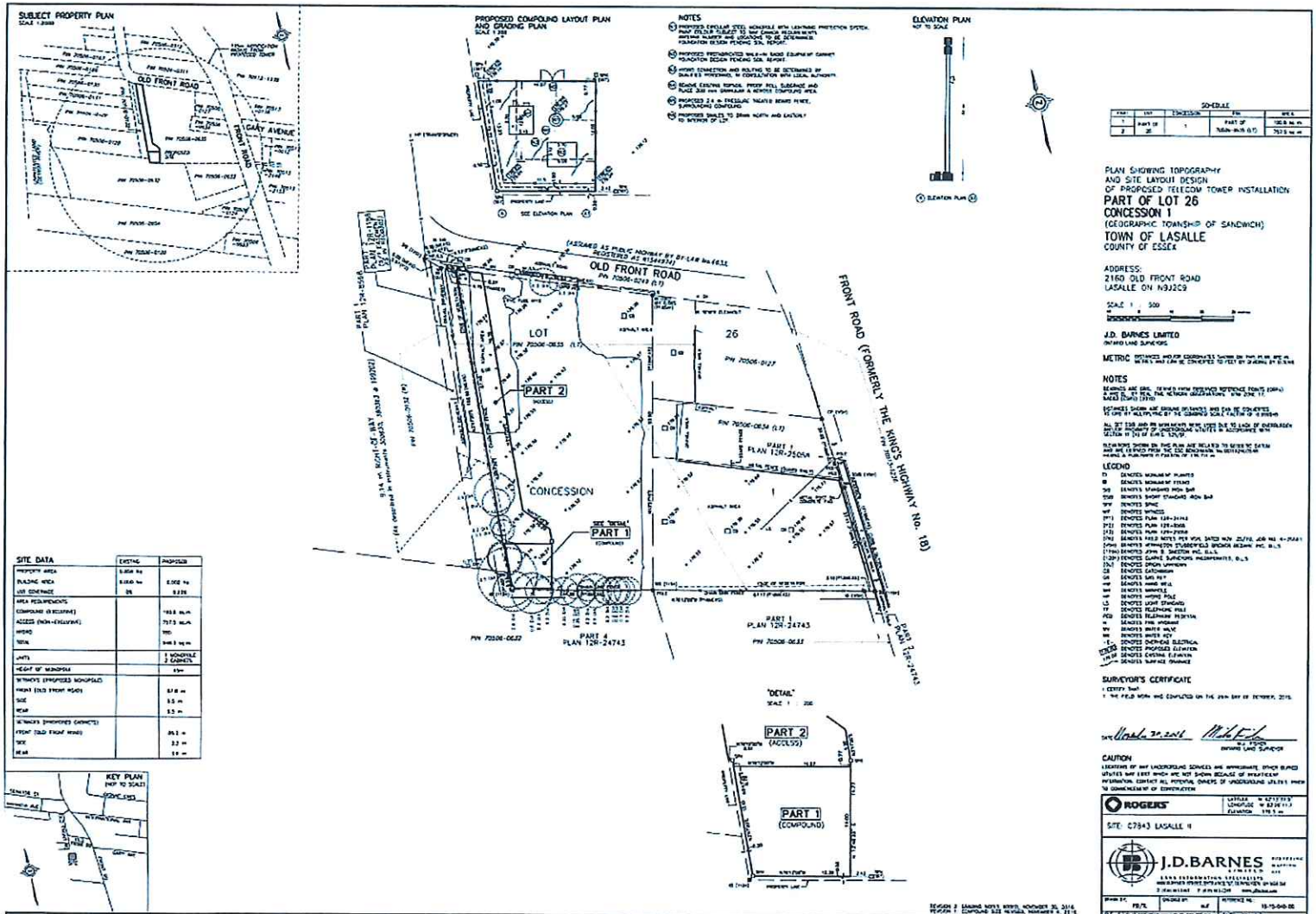
**Town of LaSalle**

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Email: [josborne@lasalle.ca](mailto:josborne@lasalle.ca)

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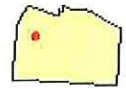
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## Rogers Tower



### Legend

- Essex Terminal Railway
- Water Features
- Addresses
- Parcels

Scale: 1: 700.00



0 9.45

18.89 Meters

THIS MAP IS NOT A LEGAL SURVEY

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Printed: 1/19/2017 10:42 AM

### Notes

Blue box is proposed location

Red box is 60' North of proposed location