



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: July 4, 2022

Department: Community Development

Topic: Telecommunications Tower, 9066 County Road 44 (Stratus-Group Inc. o/b Xplornet Communications Inc.)

Purpose: To review an application to install a Telecommunications Tower at 9066 County Road 44

Background: The Township has received a proposal to install a 45m self-support tower site at 9066 County Road 44. The application has been made by Stratus-Group Inc., contracted by Xplornet Communications Inc. and acting with approval from the property owner, Josef Graf. The application provides that the proposed facility would provide greater internet access to the residents of Groveton and the surrounding area. Further details are included in the attached report, prepared by Stratus-Group Inc.

The subject property is zoned Rural as per the Township's zoning bylaw and designated Rural Policy Area in the Official Plan. There are significant woodlands over the area of the proposed facility and a watercourse approximately 60m from the proposed site. The Site Selection and Justification report provides that the tower is planned within an existing clearing and will not cause negative impacts to the woodlands. The property is home to a residential dwelling at the south end of the parcel.

The proposed facility would require a 15m x 15m land area for the compound which would include the 45m tower, an equipment cabinet and backup generator. The facility will be sited at the north end of the parcel. Access to the site is planned via an existing entranceway at the north end of the parcel.

As a Federal Undertaking, telecommunications infrastructure is not subject to site plan control, therefore site plan control bylaws have no effect on or do not apply to antenna sites. In the past, the Township has used the site plan control process where a telecommunication site is proposed. With more recent applications, the Township has requested that the proponent provide a letter of undertaking which would include the

requirements of our standard site plan control agreement. Xplornet has provided a signed letter of undertaking to the Township.

Policy Implications: As a federal undertaking, Xplornet is required by Innovation, Science and Economic Development Canada (ISED) to consult with land-use authorities in siting new tower locations. The application is intended to provide the municipality an opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless communication facilities.

As the provisions of the Ontario Planning Act and other municipal bylaws do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Xplornet is required to follow established and documented telecommunication protocols or processes set forth by land-use authorities.

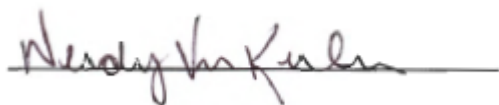
The Site Selection and Justification Report provided by the applicant outlines how Xplornet has met ISED's requirements regarding; the Canadian Environmental Assessment Act; Transport Canada's Aeronautical Obstruction Marketing; Engineering Practices; Industry Canada's Spectrum Management; and Health Canada's Safety Code 6 Compliance.

Financial Considerations: The application fee for a telecommunications tower has been submitted to the municipality.

Recommendation: That Committee recommends that Council accept a letter of undertaking from Xplornet Communications Inc., as attached, regarding a telecommunications facility at 9066 County Road 44;

and that Council request that Xplornet Communications Inc. provide the Township with a copy of any comments or concerns raised during the public consultation period;

and that, provided no concerns are raised during the public consultation period, Council direct staff to provide a letter of concurrence to Xplornet Communications Inc.

A handwritten signature in dark ink, appearing to read "Nancy K. K...", is written over a horizontal line.

Community Development Coordinator