



<b>Report To:</b>	Township of Southgate Council
<b>Meeting Date:</b>	2024-12-04
<b>Report Number:</b>	PL2024-103
<b>Title:</b>	Zoning By-law Amendment Application C29-24, Xplore Communications Tower (ON8457), Orval and Danielle Martin, 223044 Southgate Road 22, Concession 1 DIV LOT 10; Concession 2 PT LOT 22
<b>Open/Closed Session:</b>	Open Session
<b>Prepared By:</b>	Victoria Mance, Junior Planner
<b>Reviewed By:</b>	Bill White, MCIP, RPP, Triton Engineering Senior Planning Consultant
<b>Approved By:</b>	Kenneth Melanson, MCIP, RPP Senior Manager of Development & Community Services
<b>Approved By:</b>	Dina Lundy, Chief Administrative Officer

### **Executive Summary:**

A new freestanding communications base station is proposed 45 metres in height occupying nine (9) square metres of the site. According to the [FB Connects Xplore Inc. Justification Report](#), the proposed location was chosen due to local client demand, radio frequency engineering principles, local topography and land use opportunities in relation to the geography of the site. Existing equipment on the silo will be decommissioned when the new tower is built.

Assessed against the Township's [Tower & Antenna Policy & Guidance Document](#) the tower is +/-20 metres from Southgate Road 22 and nearly 300 metres from the west lot line along Highway 6. The suggested setback in the Township Policy is 55 metres (tower height plus 10 metres). The [Proponent Site Plan](#) shows the tower west of the driveway to the farm on usable farmland. Further discussion with [Township Public Works](#) determined that Staff does not support the proposed setback. Council should note in its resolution to Industry Canada the setback from Southgate Road 22 does not meet Township standards.

### **Recommendation:**

**Be it resolved that** Staff Report PL2024-103 for the proposed Xplore Communications Tower (ON8457) on lands at 223044 Southgate Road 22 (C29-24) be received for information; and **That** the proponent and Industry Canada be advised that the municipal land use consultation process has been completed according to the Township's Telecommunication Facility Policy; and **That** the proponent and Industry Canada be advised the proposed tower location does not provide a 55 metre setback from Southgate Road 22 recommended in Township policy; and **That** upon receipt of a letter of undertaking from the proponent permitting the Township to install radio communication equipment on the proposed facility if needed, that Council's resolution will be forwarded advising the proponent and Industry Canada that the Township concurs with the proposed facility subject to obtaining an entrance permit and 911 emergency number if needed.

### **Reasons for Recommendation:**

- The proposed telecommunications tower meets suggested design criteria in Township's [Tower & Antenna Policy & Guidance Document](#) but does not meet a recommended 55 metre setback from Southgate Road 22.
- [Township Public Works](#) opposes the location upon further discussion with Planning Staff, a +-300 metre setback is provided from Highway 6, minimal usable farmland and maximum separation from the farm cluster achieved.
- Improved telecommunication is a Provincial, County and local municipal policy direction advanced by this proposal.
- Planning and Public Works Staff discussed the requirement for a minimum 55 metre setback from the road allowance, and the proponent's exemption request stating alternate locations do not work on-site.
- Since Industry Canada has jurisdiction to approve the location regardless of the recommended setback in Township Policy, staff recommends Council identify the deficient setback from the travelled road in the resolution.

### **Proposal:**

This proposed freestanding tower will improve internet and data service for Xplore Inc. customers. The tower will be 45 metres in height, occupy approximately nine (9) square metres of the lot, include anti-climb technology and is located roughly 250 metres from the closest residence to the west. the [FB Connects Xplore Inc. Justification Report](#) and [Tower Info. Package](#) note transmitting equipment is mounted to the upper portion of the structure which can accommodate future technology services unlike equipment on the existing silo which will be decommissioned upon the completion of the proposed new tower.

### **Background/Site Context:**

The subject lands have +-193 metres frontage on Southgate Road 22, +-1.76 kilometres depth along Highway 6, 40-hectares lot area, and is an active farm with a single-detached dwelling, cattle barn, feed silo, and structures accessory to the agricultural use of the site. The tower proposed is approximately 300 metres east of Highway 6 and 20 metres from Southgate Road 22 (see **Attachments 1 and 2**).

### **Application Review - Planning Act – Provincial Interest:**

Section 2 of the [Planning Act RSO 1990 c.P. 13](#) supports the adequate provision and efficient use of communication, transportation, and other systems.

### **Application Review - Provincial Policy Statement (PPS 2024):**

Section 3.1 (1) of [Provincial Planning Statement 2024](#) states that infrastructure, such as telecommunications, shall be provided in an efficient manner to accommodate projected need. [Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#) state that renewable energy projects are exempt from municipal approvals have been changed by the Provincial legislation. Federal telecommunications towers are also exempt from local approvals.

### **Application Review: County of Grey Official Plan:**

[Schedule A Map 2](#) in the [Grey County Official Plan](#) designates the applicant's lands Agricultural, and Hazard Lands. Section 8.9.4(1) states:

*The County supports the provision of high quality telecommunication services through the entire County including broadband/fibre and cellular services both within settlement areas and rural areas.*

Section 8.9.4(5) states Telecommunication towers are exempt from municipal zoning by-laws and Section 41 of the Planning Act. A minimum 250 metre setback from all residential zones and dwellings is recommended wherever possible, unless necessary to provide adequate service to such areas. County Planning Staff recommend the proposed tower be relocated 250 metres from the nearest dwelling not owned by the property owner, if possible.

**Application Review: Southgate Township Official Plan:**

The site is designated Agriculture, Rural, and Hazard Lands in Hazard Lands [Schedule A Map 1](#) in the [Township Official Plan](#). The Official Plan recognizes the importance of utilities, like telecommunication facilities, and permits them in all designations. Section 6.9(9) requires utilities avoid Natural Heritage Systems, especially Core Areas. This site is not located within any identified Natural Heritage Systems or Core Areas in [Schedule D](#) of the Official Plan.

**Application Review: Southgate Zoning By-law:**

In the [Township Zoning By-law](#) , telecommunication antennae are exempt from height restrictions in Section 5.3, and are permitted in all zones by Section 5.19 (c).

**Application Circulation and Public Comments:**

The following comments were received:

Comments from:	Comments received:
<a href="#">Grey County (November 14, 2024)</a>	County Planning Staff recommend that the proposed tower be relocated 250 metres from the nearest dwelling not owned by the property owner, if possible.
<a href="#">Saugeen Valley Conservation Authority (October 9, 2024)</a>	Proposed tower not located within SVCA Approximate Screening Area, no concerns.
<a href="#">Township Public Works Department (October 31, 2024)</a>	No concerns indicated in comments received, further discussion with Planning Staff determined that Public Works does not support the recommended tower and suggest the tower be moved to meet Township policy setbacks.
General Public Comments, Bell Canada, Enbridge Gas, Township Fire Department, and Historic Saugeen Metis	No comments received at time of report writing.

**Conclusion:**

- a) Telecommunication tower proposals are subject to [Southgate Communication Tower & Antenna Policy & Guidance Document](#) which provides a consistent process to review facility proposals and make recommendations to Industry Canada, the approval authority for these installations.
- b) The submission was processed according to policy including a consultation meeting with Staff, documentation for review, and a public meeting held November 27. Documentation submitted included the [FB Connects Xplore Inc. Justification Report](#), [Proponent Site Plan](#) and [Tower Info. Package](#).
- c) Alternative locations would place the tower closer to Highway 6 or the farm cluster on-site. [Township Public Works](#) did not oppose the +-20 metre setback from Southgate Road 22 but following further discussion with Planning Staff determined that they recommend the proposed

tower be moved to meet the setback in Township policy. The proponent was advised of the 55-metre setback recommended by Township Policy and the Public Works comments, resulted in a written exemption request in **Attachment 4**. Alternative locations were considered but did not work on-site. The location minimizes impact on usable farmland but locating close to the private driveway. The recommendation to Council should advise Industry Canada the setback does not meet Township policy.

d) The proposal otherwise complies with the Township policy, in the follow ways:

- Distances from residential, schools and active parks appear to be maximized.
- No natural features or environmentally sensitive features are likely impacted.
- No cultural heritage features were identified nearby.
- Public views and vistas are not obscured, and tower is compatible with adjacent uses.
- The tower location is 150m from the closest residential property; and
- Co-location with other suppliers can be provided under Township Policy.

**Link to Township of Southgate Strategic Plan:**

The proposal has links to the Township [Community Strategic Plan](#) as follows:

1.C Ensure the distribution of technology and services to local businesses by referring them to correct supports

11.D Modernize administration of services through optimization of technology to meet or exceed industry best practices.

**Attachment(s):**

Attachment 1 – Proponent Site Photo

Attachment 2 – Air Photo

Attachment 3 – 500 Metre Buffer from the Proposed Tower Site

Attachment 4 – Proponent’s Exemption Request

**Attachment 1 – Proponent Site Photo driveway to Southgate Road 22**



**Attachment 2 – Air Photo**



**Attachment 3 – 500 Metre Buffer from the Proposed Tower Site**



## Attachment 4 – Proponent’s Exemption Request

Hi Victoria,

Although the Township’s Policy’s recommends a setback from property lines, it was not possible at this location. In working with the landowner, a few locations near their buildings were ruled out (cattle field/slope & east side is an operating business). In order to have minimal interference with active agricultural areas, we have pushed the site into the northeast corner of the field.

Hope this helps,

Regards,

Sarah

**Sarah Duncan**

**Government Relations**