



Staff Report

Report To: Council Meeting

From: Heather James, Planner

Date: 2021-02-11

Subject: Request for Letter of Concurrence 158 Main Street

Recommendation:

That West Elgin Council hereby receives the report from Heather James regarding a request from Tekksavy Solutions Inc. c/o FONTUR International for modifications to an existing telecommunications tower site located at 158 Main Street;

That West Elgin Council hereby agrees to the modifications to the existing telecommunications tower site located at 158 Main Street; and,

That West Elgin Council directs the CAO/Treasurer to sign the attached letter of concurrence.

Purpose:

The purpose of this report is to provide information on proposed modifications to an existing telecommunications tower site and request for council to direct the CAO/Treasurer to sign a required letter of concurrence.

Background:

As a federal undertaking, telecommunications in Canada falls under the exclusive jurisdiction of the Federal Government of Canada through the Department of Innovation, Science and Economic Development Canada (ISED, formerly Industry Canada). In addition to this federal policy, land use authorities are encouraged to develop their own consultation process for telecommunication sites. The municipality does not have their own consultation process and in the past has used the requirements of ISED.

West Elgin Council passed By-law #2016-68 to authorize the execution of an agreement between West Elgin and TekSavvy Solutions Inc.. to construct a telecommunications tower on lands legally described as Plan 107 Part of Lots 17 and 18, former Village of West Lorne and municipally known as 158 Main Street (as shown on the attached Key Map). The property is owned by the Municipality of West Elgin and is the home of the West Elgin Fire Department – West Lorne Firehall. At that time of the execution of the agreement, TekSavvy Solutions Inc. did not request for a letter of concurrence.

The telecommunications tower, consisting of a foundation and steel structure was originally constructed in November 2016 with a height of 36.0 m (118.11 ft.) and further increased to a height of 44.5 m (146.0 ft.) to accommodate antennas. The tower is owned and operated by TekSavvy Solutions Inc. and provides wireless broadband internet coverage and network capacity. The tower site occupies a footprint of approximately 100.0 m² (1,076.39 ft.²). The requested modification for

the tower is to provide a secured fenced-in compound with a 2.4 m (7.87 ft.) high chain-linked fence topped with barbed wire. The tower was constructed in compliance with ISED, Issue 5 of CPC-2-0-03.

Attached are an outline letter for the development and the site selection and planning justification report prepared for this proposal.

The proposal was circulated to staff. Staff indicated they have no concerns. No public consultation is required. No building permit was required in 2016 due to federal jurisdiction for approvals.

Financial Implications:

None.

Policies/Legislation:

Provincial Policy Statement

Section 1.71 Long-Term Economic Prosperity states long-term economic prosperity should be supported by encouraging efficient and coordinated communications and telecommunications infrastructure.

County of Elgin Official Plan

Section A4.4 Infrastructure encourages the construction of all infrastructure (which includes telecommunication towers) to occur in a manner that is compatible with adjacent land uses and with a minimum of social and environmental impact and encourage the efficient use of land to make the best use of infrastructure and services.

Municipality of West Elgin Official Plan

Section 8.1 Infrastructure – Where Permitted states the use of land for the provision and maintenance of public utilities and infrastructure (e.g. water supply, sanitary sewage disposal, roads, electricity, natural gas, telecommunications) and any buildings, structures or appurtenances thereto shall be permitted in all land use designations in accordance with any and all environmental requirements and approvals and without an amendment to this Plan.

Municipality of West Elgin Comprehensive Zoning By-law 2015-36

Section 4.20 Public Uses states the provisions of this By-law shall not apply to the use of any land or to the erection, alteration or use of any building or structure, or portion thereof, by a public authority provided:

- a) the lot coverage, setback, and yard requirements of the zone in which such land, building, or structure is located are complied with;
- b) no outside storage shall be permitted in a residential zone; in a yard on a lot adjacent to a residential zone; or in a yard on a lot lying opposite a residential zone.

The provisions of a) shall not apply to any use, building or structure erected or used by Hydro One required for the transmission or distribution of electricity.

Public authority shall mean:

- a) the Municipality;
- b) the County;
- c) the Government of Canada;
- d) the Province of Ontario;
- e) the Conservation Authority.

and any other agency, board, commission, committee or other body established or exercising any power or authority under any general or special statute of Ontario or the Government of Canada with respect to any of the affairs or purposes of the Municipality or a portion thereof and includes any committee or local authority established by by-law of the Municipality.

I am of the opinion this proposal would fit the definition of Public Authority.

A letter of concurrence has been attached to this report.

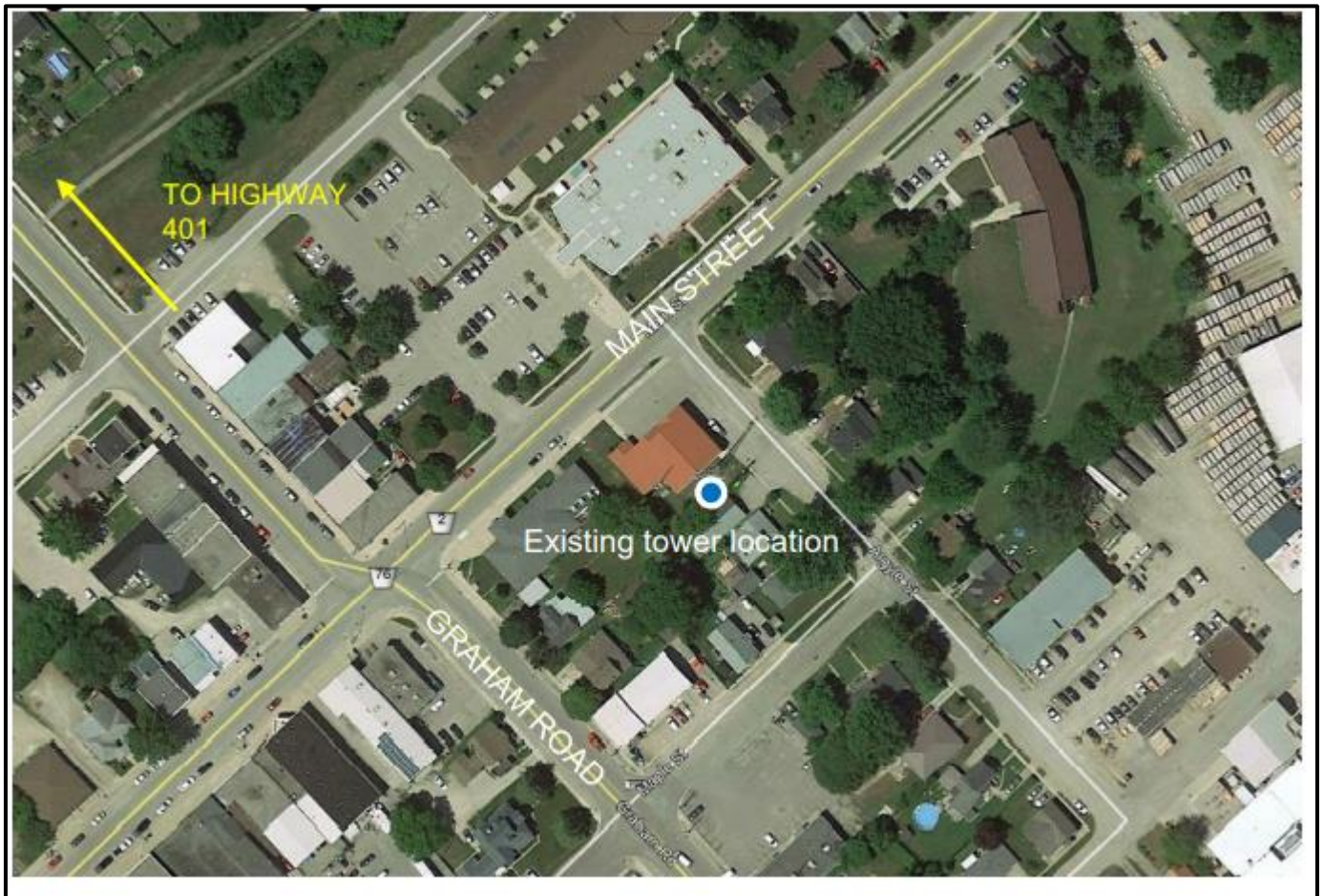
Related Documents:

Cover letter – prepared by FONTUR International;

Site Selection and Justification Report – prepared by FONTUR International; and,

Letter of Concurrence

Key Map



Report Approval Details

Document Title:	Request for Letter of Concurrence 158 Main Street - 2021-04-Planning.docx
Attachments:	<ul style="list-style-type: none">- SF1-CS-1-3 - Cover Letter - 20210128.pdf- SF1-CS-1-3 - Justification - 20210129.pdf- Letter of Concurrence - 158 Main Street.docx
Final Approval Date:	Feb 22, 2021

This report and all of its attachments were approved and signed as outlined below:

Jana Nethercott