

STAFF REPORT: Planning & Building Services Department



REPORT TO: Planning & Building Committee
MEETING DATE: Monday, July 6, 2009
REPORT NO.: PL.09.81
SUBJECT: Rogers Wireless Telecommunications Facility - Georgian Peaks Ski Club Inc. Part 2, RP 16R-6771; Part Lot 26, Concession 5; Town of The Blue Mountains
PREPARED BY: Bryan Pearce, Planner I

A. Recommendations

THAT Council receive Planning Staff Report PL.09.81, “Rogers Wireless Telecommunications Facility – Georgian Peaks Ski Club Inc.; Part 2, RP 16R-6771; Part Lot 26, Concession 5; Town of The Blue Mountains”; and

THAT Council authorize the development proposal to permit the “as constructed” 18.9 metre high steel monopole telecommunications facility, subject to the following conditions:

- 1. That Rogers Wireless Inc remove the “as constructed” external antenna radiators and replace with antennas of a reduced diameter, to the satisfaction of the Director, Planning & Building Services;**
- 2. That Rogers Wireless Inc. enter into a Letter of Undertaking with the Town to address the co-location and maintenance of the facility, and pay associated fees to the satisfaction of the Town; and,**
- 3. That Rogers Wireless Inc. make application on behalf of the owners, Georgian Peaks Ski Club Inc., for an amendment of the existing site plan agreement associated with the parking lot and pumphouse to incorporate the leased area associated with the telecommunications facility, and pay associated fees to the satisfaction of the Town of The Blue Mountains Planning Department; and further**

THAT Council authorize the Mayor and Clerk to execute an Amending Agreement to the executed Site Plan Agreement dated February 14, 2006, in a form approved by Town Staff and the Town Solicitor.

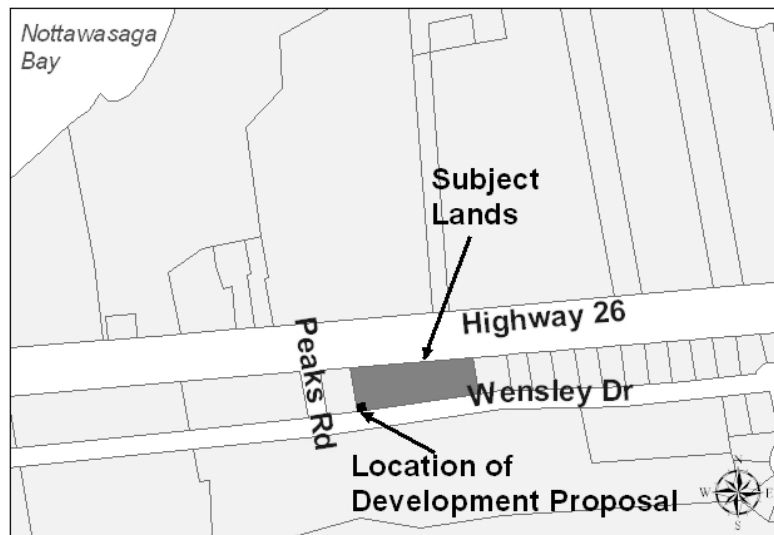
B. Background

Telecommunication facilities are a federal undertaking, regulated through Industry Canada. Through land-use consultation, Industry Canada recognizes that land-use authorities have an interest in the location of significant antenna structures proposed within their jurisdiction and may have legitimate concerns that should be considered in

the exercise of authority under the *Radiocommunication Act, R.S. 1985, c. R-2*. Also, it is part of their policy to ensure that land-use authority consultation has been taken into consideration before issuing a site-specific radio authorization for significant antenna structures. This is done by the proponent filing a Municipal/Land-use Consultation Attestation as part of the requirements of a Type 1 Station (site-specific).

The purpose of this procedure is to ensure that land-use authorities are aware of significant antennas proposed within their boundaries, making their views known prior to construction. The proposed location is best dealt with in a spirit of co-operation and to minimize the impact on the surroundings and consider existing sites, minimizing the number of structures needed by the service providers.

The land-use authority in this instance is the Town of The Blue Mountains however, the Niagara Escarpment Commission (NEC) is involved in the consultation process as the land is within the Niagara Escarpment Plan Area. Council, through its resolution of July 23, 2007 supported a proposal for the construction of an 18.9 metre high steel flag monopole telecommunications facility subject to the proponent entering into a Letter of Undertaking to address co-location, maintenance and flag requirements; and an amendment to the existing Site Plan Agreement in place for the parking lot and the pumphouse for the Georgian Peaks Ski Club.



Through the consultation process, the NEC indicated that they did not support the proposed location as noted in their letter to Rogers on July 23, 2007.

“Although the tower design is intended to resemble a flagpole, it would not be easy to accept the proposed structure as a flagpole. The scale (height & width) is much greater than that of a typical flagpole, and the colouration of the tower is shown as stark white which stands out against the skyline, against the Escarpment and above the tree line or built features. Additionally, the movement & colour of a large flag at the 18.9 m (62 ft) height would also serve to further ‘catch the eye’ and increase the visual distraction and impact against the Escarpment backdrop.”

The NEC suggested that further mitigation measures be investigated, recommending that no flagging be placed on the pole and the colouration of the pole be subdued from stark white.

Rogers Wireless Inc. submitted an impasse with Industry Canada on November 10, 2008 with respect to the development proposal and obtained approval from Industry Canada on March 20, 2009 to commence with the construction at the proposed location, subject to the monopole diameter width requirement being reduced from the original thirty inches (30") to twelve to fourteen inches (12"-14") in order to reduce the visual impact. Rogers has now commenced the installation of the tower in accordance with the Industry Canada approval (versus the Council resolution) being a slimmer monopole, locating the monopole on the western portion of the compound area so that the cabinets are more accessible, removing the flagpole concept on the monopole and moving the antennas from the interior of the monopole to the exterior.

With aspects of the proposal changing from what Council originally endorsed through resolution, Planning Staff contacted Industry Canada to address these matters in relation to their approvals. Industry Canada has requested that Rogers reduce the diameter occupied by the external antennas as issued with their approvals. In discussions with Rogers, they are seeking to reduce the overall diameter by ten inches (10"), resulting in the external antennas radiating an additional three inches (3") past the existing monopole, rather than the eight inches (8") that is seen on-site presently (see Attached Item #1).

With respect to the changes, the reduced visual impact is evident in the attached photograph. With the required change to the external antennas at the top of the pole, the visual impact will be reduced. Given the changes and surrounding structures and vegetation, Planning Staff recommend that Council support the telecommunication facility "as constructed", subject to the following:

1. That Rogers Wireless Inc remove the "as constructed" external antenna radiators and replace with antennas of a reduced diameter, to the satisfaction of the Director, Planning & Building Services;.
2. That Rogers Wireless Inc. enter into a Letter of Undertaking with the Town to address the co-location and maintenance of the facility, and pay associated fees to the satisfaction of the Town; and,
3. That Rogers Wireless Inc. makes application on behalf of the owners, Georgian Peaks Ski Club Inc., for an amendment of the existing site plan agreement associated with the parking lot and pumphouse to incorporate the leased area associated with the telecommunications facility, and pay associated fees to the satisfaction of the Town of The Blue Mountains Planning Department.

C. The Blue Mountains' Strategic Plan

The recommendation in this Planning Staff Report PL.09.81 is consistent and supports the following Strategic Plans Goals:

"1. Managing growth to ensure the ongoing health and prosperity of the community".

D. Environmental Impact

Decreased visual impact.

E. Budget Impact

N/A

F. Attached

1. Photograph of the “as-constructed” Monopole Telecommunications Facility, dated June 29, 2009.

Respectfully submitted,

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