



City of
Peterborough

To: **Members of the General Committee**

From: **Blair Nelson, Commissioner, Infrastructure, Planning and Growth Management**

Meeting Date: **August 6, 2024**

Report: **Proposed Telecommunication Structure for 708 Hawley Street, Report IPGPL24-013**

Subject

A report to inform Council of the conclusion of the consultation with the City for a proposed telecommunications structure under the City's Telecommunications Structures Policy and Procedure (No. 0025-P01) at 708 Hawley Street.

Recommendations

That Council approve the recommendations outlined in Report IPGPL24-013, dated August 6, 2024 of the Commissioner of Infrastructure, Planning and Growth Management as follows:

- a) That Innovation Science and Economic Development (ISED) Canada be advised that the proposal for a telecommunication structure by Rogers Communications Inc. at 708 Hawley Street has been circulated in accordance with the City of Peterborough's Telecommunications Structures Policy and Procedure; and
- b) That Innovation Science and Economic Development Canada be further advised that the proposal for a telecommunications structure at 708 Hawley Street has generated some public questions which the applicant has addressed as documented by Spectra Point Inc. and summarized in Appendix 'D' of Report IPGPL24-013.

Executive Summary

- Spectra Point Inc. (the Applicant) on behalf of Rogers Communications Inc. (the Proponent) has requested concurrence from Council for a new 30-metre tall telecommunications structure on the property at 708 Hawley Street.
- The Proponent originally sought to locate the structure on a neighbouring private property to the west (730 Hawley Street). The current request recognizes that where the City owns land within the search area that is suitable and meets the technical requirements, the City prefers to be the landlord of first choice.
- The Proponent completed a public circulation in accordance with both Federal and City standards. No outstanding public questions remain.
- The Proponent's request for concurrence is in accordance with the City's Telecommunications Structures Policy and Procedure (No. 0025-P01).

Background

Spectra Point Inc. on behalf of Rogers Communications Inc. proposes to erect a new communications tower by way of a Concealed Densification Monopole with a height of 30 metres on the property known as 708 Hawley Street.

While the City is not the approval authority for telecommunication structure installations, the City of Peterborough has a Policy and Procedure related to public consultation for the siting and design of Telecommunications Structures. The procedure details the City's consultation requirements for proposed communications towers, as part of the Land Use Authority (LUA) consultation anticipated by Innovation Science and Economic Development (ISED) Canada prior to Federal approval. The procedure requires a report to Council, advising that the proper consultation program has been carried out. The applicant has followed the City's procedure regarding the municipal consultation process to satisfy Federal requirements.

Due to its proposed height of 30 m, and the proposed location of the tower within 120 m of lands zoned for residential purpose, the proposal is required by the procedure to be circulated to the public as well as to agencies and departments. Notice was mailed in accordance with the Procedure. A newspaper ad was required and appeared in the Peterborough Examiner on April 15, 2024, detailing the description of the proposal and details of the Public Information Session. The Public Consultation process also requires a Public Information Session, which was held virtually by the applicant on May 14, 2024. One person attended the information session, not including representatives from Rogers and City Planning Staff. General inquiries were expressed at the session, mainly confirming the location of the tower and compound relative to the nearby trail, and that there would be no closure of the trail. Additional questions were asked about property value, exposure, proximity to residential areas and length of time for

installation. A summary of the session is attached as Appendix 'D' to this report. In addition to the public information session, Rogers provided opportunity for written comments. No additional comments were received.

The proposal was also circulated to agencies and departments for comment. As a result of the circulations, Planning Staff forwarded comments to the applicant in July 2024, outlining requirements related to the proposed installation from a Site Plan perspective. The applicant has agreed to address all of the requirements to the City's satisfaction.

Strategic Plan

Strategic Pillar: Infrastructure

Strategic Priority: Invest in infrastructure to ensure that it meets the future needs of our growing City.

The proposed telecommunication structure supports private investment in infrastructure to meet the future needs of our growing City.

Budget and Financial Implications

There are no direct costs to the City arising from the recommendations of this report. The City's Policy and Procedure related to proposed Telecommunication Structures requires all costs associated with notice and information to the public and agencies/departments, are borne by the applicant. The City will receive a monthly rent to be negotiated with Rogers Communications Inc. for allowing the structure on City property.

Conclusion

The applicant has complied with the requirements for consultation as identified in the City's Telecommunications Structures Policy and Procedure for the proposed telecommunication structure, including Public Consultation. The Procedure outlines a priority order for site selection. The subject proposal for a Concealed Density Monopole is located on lands that are within 120 metres of lands zoned to permit residential use. The proposed tower is located within 120 metres of 15 residential properties, approximately 30 metres from the closest residential structure.

The principles for site selection, as identified in the approved procedure, discourages new telecommunication structures within 120 metres (or 3 times the tower height, whichever is greater) of any land zoned to permit residential uses or where an elementary or secondary school is located. Where that is not feasible for technical reasons including client demand, engineering principles and local topography, the

applicant is subject to a more rigorous consultant standard including additional public consultation. In accordance with the City's Procedure, the applicant has complied with the City's process and addressed concerns and requirements to the City's satisfaction. The purpose of this staff report is to advise Council of the conclusion of the public consultation process and municipal consultations. Pending Council's direction, Staff will forward a letter together with a copy of Council's resolution and this staff report for ISED Canada's consideration.

Attachments

- Appendix A: Land Use Map
- Appendix B: Proposed Concept Site Plan
- Appendix C: Public Consultation Package
- Appendix D: Summary of Public Consultation Comments

Submitted by,

Blair Nelson, P.Eng.
Commissioner, Infrastructure, Planning and Growth Management

Contact Names:

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Ian Walker
Land Use Planner, Planning, Development and Urban Design
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Appendix A – Land Use Map, Page 1 of 1

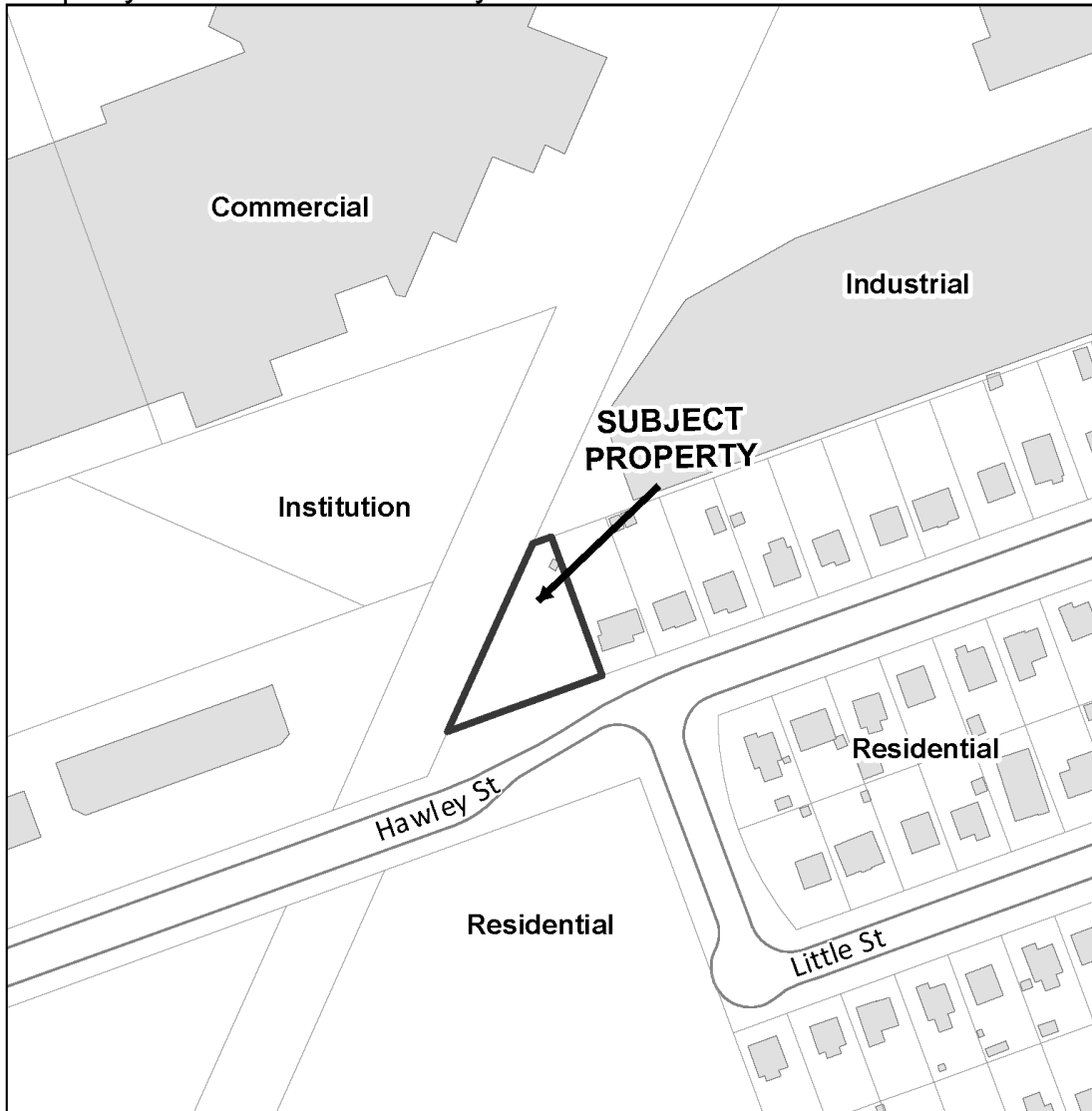
Land Use Map

File: CT-01-24

Property Location: 708 Hawley St

EXHIBIT

SHEET OF



The City of Peterborough Planning Division

The "City of Peterborough" its employees, or agents, do not undertake to guarantee the validity of the contents of this digital or handcopy mapfile, and will not be liable for any claims for damage or loss arising from their application or interpretation, by any party. It is not intended to replace a survey or to be used for a legal description.



Date: June 26, 2024

Map by: ANichols

0 5 10 20 30 40 50 Metres

Appendix C – Public Consultation Package, Page 1 of 2



Public Consultation Package – Wireless Communications Site Rogers Site: C8072 Site Location: 708 Hawley Street, Peterborough

This information package is an invitation to the public to provide comments regarding the wireless communication installation at an address known as **708 Hawley Street**. Information received shall form part of Innovation, Science and Economic Development Canada (ISED), Public Consultation Process under the Spectrum Management and Telecommunications Client Procedures Circular CPC-2-0-03, Issue 6, and will be collected in compliance with the Personal Information Protection and Electronic Documents Act. The information collected will be used solely for the purpose of documenting Rogers' consultation and communicating the results of this consultation, including your comments to the City of Peterborough and/or ISED and communicating with you concerning this proposal should that be required.

Rogers Communications Inc. "Rogers" constantly strives to improve coverage and network quality for the sake of their clients. An existing rooftop installation was required to come down requiring the installation of a temporary tower site to continue to offer cell service and emergency services to the area. During this temporary installation a more detailed plan for long term solution is being done to solve the long-term requirement.

The selection of a wireless communications site works similarly to fitting a piece into a puzzle. In this case, the puzzle is a complex radio network, situated in an Urban Centre. Client demand, radio frequency engineering principles, local topography and land use opportunities working in concert with one another direct the geography of our sites. The proposed location will enhance much relied upon communication services in the area such as EMS Response, Police and Fire.

Proposed Site Location

Address: **708 Hawley Street, Peterborough**

Property Size: Approximately .097 hectares

Geographic coordinates: Latitude N 44° 16' 49.0"

Longitude W -78° 19' 54.8"

Figure 1 –tower location on the subject property is outlined in an aerial image beside.



Description of Proposed System

Rogers installed a three Sectored Site LTE 700/2100 MHZ, DSS 600 LTE and 5G NR and 5G 3.5 GHZ services. Please directly contact the proponent to request a copy of the site plan.

Description of Facility

The installation for **708 Hawley Street** is a 30M Concealed Densification Monopole with associated radio equipment cabinet on ground. Photo simulation of installation beside



Federal Requirements

Rogers Communications Inc. is regulated and licensed by ISED to provide inter-provincial wireless voice and data services. As a federal undertaking, Rogers is required by ISED to fulfill the following important obligations:

Municipal Consultation Process

Rogers is required by ISED to consult with land-use authorities in siting antenna locations. This consultation process is intended to allow local land-use authorities the opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless voice and data systems.

Appendix C – Public Consultation Package, Page 2 of 2

As the provisions of the Ontario Planning Act and other municipal by-laws and regulations do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Rogers is however required to follow established and documented wireless protocols or processes set forth by land-use authorities. In fulfillment of ISED requirements for public notification, Rogers will be providing an information package to all those property owners located within a radius of approximately 150 meters from the tower base.

Canadian Environmental Assessment Act

ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the Canadian Environmental Assessment Act, 2012 (CEAA 2012), where the antenna system is incidental to a physical activity or project designated under CEAA 2012 or is located on federal lands. For additional detailed information, please consult the Canadian Environmental Assessment Act at: <http://laws-lois.justice.gc.ca/eng/acts/C-15.21/>

Health Canada's Safety Code 6 Compliance

Radio communication and broadcasting is under the responsibility of ISED, which has the power to establish standards, rules, policies, and procedures. ISED, under this authority, has adopted Safety Code 6 for the protection of the public. Operators must always comply with the Safety Code 6. Rogers Communications Inc. attests that the radio antenna system described in this notification package will always comply with Health Canada's Safety Code 6 limits. In fact, emissions levels of Roger's wireless communication installations are far below limits outlined in Safety Code 6.

More information in the area of RF exposure and health is available at the following web sites:

Safety Code 6:

http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php

General Information:

<http://www.hc-sc.gc.ca/ewh-semt/radiation/cons/stations/index-eng.php>

Public Information Centre

We will be holding a virtual public information session which is scheduled for May 14th, 2024, from 6:00 PM to 7:00 PM. To participate, kindly register by May 13th, 2024, using the provided email address and/or phone number beside.

Spectra Point Inc.
William Elder
Text (416)726-8555
Email welder@spectrapoint.ca

Closing Date for Submission of Written Public Comments

The public is invited to provide comments about this proposal by mail, electronic mail, or phone. For those who are unable to attend the public information session or prefer not to participate in a virtual session, please reach out directly to the contacts below via regular mail, phone, or email on or before **May 13th, 2023**, which is the closing date for public consultation regarding this proposal. We will acknowledge receipt of all communication within **14 days** and will provide a formal response to the Municipality and those members of the public who communicate to Rogers, within **60 days**. The members of the public who communicated with Rogers will then have **21 days** to review and reply to Rogers a final response.

Proponent's Contact Information	Land Use Authority Contact	ISED's, Spectrum Management Contact
Spectra Point Inc., Agents for Rogers Communications Inc. William Elder Site Selection Specialist 12 Marchwood Drive Toronto, Ontario M3H 1J8 E-mail: welder@spectrapoint.ca Tel: (416)726-8555	Ian Walker, Planner 500 George St. N, Peterborough, On. K9H 3R9 Email: iwalker@peterborough.ca Tel: (705)-742-7777 ext. 1734	Eastern and Northern Ontario District Office 2 Queen Street East Sault Ste. Marie ON P6A 1Y3 Email: ic.spectrumenod-spectredeno.ic@canada.ca Tel: 1-855-465-6307

General information relating to antenna systems is available on ISED's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/home>)

Appendix D – Summary of Public Consultation Comments, Page 1 of 2



12 Marchwood Drive
Toronto, ON
M3H 1J8

William Elder
T: 416-726-8555
email: welder@spectrapoint.ca

May 15, 2024

Attention: Ian Walker
Planning, Development and Urban Design
500 George Street N.
Peterborough, On. K9H 3R9

RE: C8072 Proposed Rogers Communications Inc Tower at 708 Hawley Street, Peterborough

Summary of Public Consultation

We are pleased to provide the following summary of public consultation for Rogers proposed telecommunications tower at 708 Hawley Street, Peterborough. Public consultation began April 15th, 2024, when Information packages were mailed to all property owners within 150 meters of the tower base and Ads placed in the Peterborough Examiner. We did receive one inquiry from the public regarding the proposed tower. Public Consultation was closed on May 15th, 2024, at the completion of the PIC. Reference to the PIC attached on page 2.

Request for Concurrence

At this time, we respectfully request the City of Peterborough endorse this application and provide letter of concurrence for the proposed tower installation, to Innovation Science and Economic Development Canada (ISED). The letter of concurrence should confirm the applicant has completed Municipality consultation, public consultation and address all relevant concerns to the satisfaction of the City. Could you please forward a copy of the Staff Report and let me know the date for the soonest available Council meeting for consideration. It has been a pleasure working with City of Peterborough staff to complete consultation for Rogers new tower installation.

Additionally we request the City of Peterborough draft the Lease document for review and signature to complete the documentation for this Tower Lease.

Thank you for your time in working to complete this application.
Best Regards

William Elder

Appendix D – Summary of Public Consultation Comments, Page 2 of 2

PIC Summary

Attended

Ian Walker, City of Peterborough Planning Department

William Elder, Spectra Point representative on behalf of Rogers Communication Inc.

██████████, Area Resident

██████████ concerns;

Mostly curious to the location of the tower and would there be any closure to the public walking trail.

Additionally asked questions about property value, exposure, proximity to residential areas and length of installation.

Response; All questions were answered in the PIC and ██████████ felt satisfied to his questions asked.