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STAFF REPORT

Background:

The adopted and in-force City Protocol for consulting the public on proposed Antenna Systems came into effect on June 28, 2016, when Council ratified the resolutions of the May 30, 2016, meeting of the Planning Committee which recommended approval of the updated [City of Greater Sudbury Radio-communication and Broadcasting Antenna System Public Consultation Protocol](#). The City's public consultation Protocol for proposed Antenna Systems is modeled upon the [Joint Antenna System Siting Protocol \(JASSP\)](#) that was released and endorsed on February 20, 2013, by the Federation of Canadian Municipalities (FCM) and the Canadian Wireless Telecommunication Association (CWTA). The approved City Protocol is also generally keeping with Innovation, Science and Economic Development Canada's (ISED) [Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular \(CPC-2-0-03\)](#) along with ISED's [Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols](#). The City's Protocol was also circulated to ISED prior to adoption by Council and no concerns were expressed with respect to how the Protocol was structured in order to balance the need for wireless infrastructure against the need to achieve good land use planning outcomes.

Staff also brought forward the first housekeeping amendment report to the Planning Committee on March 4, 2019 and Council ratified the updates to the City's Protocol on April 9, 2019. The first housekeeping amendments to the Protocol clarified the definition of "Height" and how it is to be measured, that pre-consultation be required on all private residential Antenna System installations to determine if public consultation is required (and to what degree), and to clarify in Section 4.3 that the Designated Municipal Officer (DMO) has the flexibility to determine when site-specific circumstances warrant further exemptions from the City's Protocol. Staff remains committed to monitoring the radio-communication and broadcasting industry and responding to changes in a timely manner where necessary.

Staff has most recently prepared two reports for Planning Committee's consideration (Files # 705/19-8 & 705/19-11) and both were deferred pending a review of location and design preferences and opportunities that may exist to improve on Antenna System land use planning outcomes. Planning Committee directed staff at their meeting on September 9, 2019, to complete a review of location and design preferences that are at present included under Section 6 – Development Guidelines of the City's Protocol. Staff has since completed a review of the existing Protocol's location and design preferences and are bringing forward this report for Planning Committee's consideration.

Attached to this report for reference purposes is a copy of the most recent housekeeping update to the City's Protocol and a copy of both the existing and in-force City Protocol and the FCM/CWTA JASSP on which the City's Protocol was modeled.

Location & Design Preferences:

Ground-based Antenna Systems are a necessary physical infrastructure that is required to deliver wireless services to residents living in all parts of the City and as such, there is no "one size fits all" approach to the shape or the size or the general appearance of any one proposed Antenna System. The City's Protocol acknowledges this and has established location and design preferences under Section 6.0 of the Protocol that provide Proponents and staff with a general set of preferences that are looked at on a site-specific basis and balanced against the City's desire to achieve the best possible land use planning outcome whenever an Antenna System is proposed in any one particular local setting.

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Proponents are also required to hold a pre-consultation with the City prior to making an application for public consultation and in each case an information package is provided to a Proponent ahead of a formal application. Each information package identifies any site-specific location and design preferences that may impact the best possible land use planning outcome for a proposed Antenna System installation. These location and design preferences are general in nature and provide staff and Proponents with guidance in ensuring that each ground-based Antenna System is reviewed within its local context with the goal being to assure said Antenna System is integrated into the local setting as best as possible from a land use planning perspective.

In summary, the City's Protocol has identified the following location and design preferences and considers each on their own merits at both the pre-consultation and formal public consultation application stages:

1. Co-Location

The City's Protocol encourages co-location and the sharing of physical infrastructure in order to minimize the number of ground-based Antenna Systems that are required in order to deliver wireless services to residents. During pre-consultation, a Proponent is required to provide staff with radio-frequency coverage mapping and to provide information with respect to nearby Antenna Systems and whether or not the proposed new Antenna System is capable of accommodating additional radio-communication and broadcasting infrastructure in the future. At the same time, given that no two sites are the same, the Protocol acknowledges that co-location may sometimes not be desirable if it is more appropriate and important from a land use planning perspective to minimize the visual impact of an Antenna System (eg. utilizing a painted white mono-pole design in urban areas such as a commercial mall site, as opposed to larger and taller tower designs that would be able to accommodate more physical infrastructure).

2. Preferred Locations

- a) Areas which maximize the distance from a Residential Area;
- b) Agricultural, Commercial Areas, Industrial and Rural Areas;
- c) Mounted on buildings or existing structures within areas designated Downtown, Mixed Use Commercial and Regional Centre in the Official Plan for the City of Greater Sudbury;
- d) Areas that respect public views and vistas of important natural and/or man-made features;
- e) Transportation and utility corridors;
- f) As near as possible to similarly-scaled structures;
- g) Institutional uses where appropriate, including but not limited to those institutions which require radio communication and/or broadcasting technology;
- h) Adjacent to parks, green spaces and golf courses;
- i) Located in a manner that does not adversely impact view corridors; and,
- j) Other non-residential areas where appropriate.

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3. Discouraged Locations

- a) Locations directly in front of doors, windows, balconies or residential frontages;
- b) Ecologically significant natural lands;
- c) Inappropriate sites located within Parks and Open Space Areas with the exception of sites zoned to permit utilities and/or unless designed to interact with the area's character;
- d) Designated structures or heritage conservation districts under the Heritage Act, R.S.O. 1990 unless visibly unobtrusive or the design of the Antenna System forms an integrated part of the structure's overall design; and,
- e) Pitched roofs.

4. Design Preferences

The City's Protocol includes a statement that Antenna Systems should be designed in terms of appearance and aesthetics to respect their immediate surroundings, including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate. Each site again is reviewed specifically in relation to the stated general design preferences that are included in the City's Protocol.

5. Style and Colour

- a) The architectural style of the Antenna System should be compatible with the surrounding neighbourhood and adjacent uses;
- b) An Antenna System may be designed or combined as a landmark feature to resemble features found in the area, such as a flag-pole or clock-tower, where appropriate subject to any zoning approvals required for the landmark feature;
- c) In the Downtown and Regional Centre designations, the design of Antenna Systems should generally be unobtrusive and consistent with any applicable urban design policy guidelines;
- d) Towers and communication equipment should have a non-reflective surface;
- e) Cable trays should generally not be located on the exterior faces of buildings; and,
- f) Antenna Systems that extend above the top of a supporting utility pole or light standard should appear to be a natural extension of the pole.

6. Buffering and Screening

- a) Antenna Systems and associated equipment shelters should be attractively designed or screened and concealed from ground level or other public views to mitigate visual impacts; and,
- b) Where adjacent to a principal building, equipment shelters should be constructed of a material or colour similar in appearance to the facades of the principal building.

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7. Structure

- a) Single operator loaded towers (ie. Mono-poles) are generally unobtrusive and of low impact and may therefore be located near living areas;
- b) Individual wall-mounted antennas should be fixed as close to the wall as possible and should not project above the Height of the wall face they are mounted on, in order to avoid visual clutter and should be painted to match the colour for stealth design purposes;
- c) Facilities located on roof-tops should not be visible to the extent possible from directly abutting streets;
- d) The appropriate type of antenna structure for each situation should be selected based upon the goal of making best efforts to blend with the nearby surroundings and minimize the visual aesthetic impacts of the antenna structure on the community;
- e) Pinwheel antennas are generally discouraged; and,
- f) The use of guy wires and cables to steady, support or reinforce a tower is generally discouraged.

8. Yards, Parking and Access

- a) Adequate yards to be determined on a site-by-site basis should separate Antenna Systems from adjacent development without unduly affecting the development potential of the lot; and,
- b) Parking spaces where provided at each new Antenna System site should have direct access to a public right-of-way at a private driveway that does not unduly interfere with traffic flow or create safety hazards.

9. Equipment Cabinets in Public Spaces

- a) Cabinets shall be designed in a manner which integrates them into their surroundings, including use of decorative wraps that are graffiti-resistant;
- b) Cabinet dimensions shall be as minimal as possible; and,
- c) Cables and wires must be concealed or covered.

10. Signage and Lighting

- a) Small owner/operator identification signs up to a maximum of 0.19 square metres may be posted on Antenna Systems and associated equipment shelters or perimeter fencing;
- b) No advertising signage is permitted;
- c) Unless specifically required by Transport Canada and/or NAV Canada, the display of any lighting is discouraged; and,

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- d) The lighting of Antenna Systems and associated equipment shelters for security purposes is supportable provided it is shielded from adjacent residential properties, is kept to a minimum number of lights and illumination intensity, and where possible, is provided by a motion detector or similar system.

11. Roof-top Equipment

Equipment shelters located on the roof of a building should be set back from the roof edge to the greatest extent possible and painted to match the penthouse/building.

The City's existing location and design preferences are consistent with the Federation of Canadian Municipalities (FCM) and the Canadian Wireless Telecommunication Association's (CWTA) Joint Antenna System Siting Protocol (JASSP). Further to this, the City's now in-force Protocol was circulated prior to adoption by Council to ISEDC and no concerns with respect to the City's location and design preferences were identified. Many municipalities have either now adopted or are in the process of moving toward adopting the JASSP. The JASSP acknowledges that local settings across Canada will vary and that in each case a municipality may adjust the JASSP accordingly to fit local needs, settings and preferences.

For example, the City of Vaughan strongly encourages a Proponent to explore opportunities to locate and design an Antenna System on the roof of existing or proposed high-rise buildings in order to reduce the land use planning impacts on abutting properties. The City of Greater Sudbury in general does not have buildings high enough to provide sufficient and comprehensive radio-frequency coverage to residents. There are however roof-top Antenna System installations located already on buildings in the City's Downtown and in New Sudbury along the Lasalle Boulevard and Notre Dame Avenue corridors. The City of Vaughan's Protocol notes that regardless, "The architectural style of (a radio-communication and broadcasting) tower will be chosen based upon what is most compatible with the surrounding physical context. Mono-pole design with antennae shrouded or flush mounted are preferred architectural styles."

Other municipalities have utilized local geography to integrate Antenna Systems, such as the use of "mono-pines" in Western Canada or a "mono-cactus" in Arizona. Some municipalities have opted to minimize visual attraction to Antenna Systems by not allowing flags to be affixed to white mono-poles, whereas other municipalities have sought to affix flags to white mono-poles but only in open space or park-like settings.

Staff would advise that the City's approach is consistent with other municipal approaches to conducting public consultation on proposed Antenna Systems and note that in each case the municipality must balance location and design preferences against what would be considered to be the best and most reasonable land use planning outcome for any one particular Antenna System. There is no "one-size-fits-all" approach to siting Antenna Systems and each application for public consultation should be considered on its own merits and in its own unique setting and circumstances. Staff has completed a review of the existing City Protocol and examined other municipal protocols around the country and are of the opinion that no changes at this time are necessary.

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Deferred Applications for Public Consultation:

The first deferred application was before Planning Committee on September 9, 2019, and proposes a 30 m (100 ft) mono-pole Antenna System on lands known municipally as 1887 Bancroft Drive in Sudbury. Staff undertook pre-consultation as required under the Protocol with the Proponent and advised that based on proximity to the closest Residential Area that a position of concurrence or non-concurrence would be required from Planning Committee and Council. Upon receipt of the application, staff circulated the application to the local Ward Councillor, as well as relevant agencies and departments. The Proponent also conducted public consultation in the local community prior to filing the formal application for public consultation with the City. No concerns with providing concurrence to ISEDC were identified through this process. The staff report is available [online](#) for reference purposes.

The second deferred application was before Planning Committee on September 23, 2019, and proposes a 50 m (164 ft) mono-pole Antenna System on lands known municipally as 960 Notre Dame Avenue in Sudbury. Staff undertook pre-consultation as required under the Protocol with the Proponent and advised that based on proximity to the closest Residential Area that a position of concurrence or non-concurrence would be required from Planning Committee and Council. Upon receipt of the application, staff circulated the application to the local Ward Councillor, as well as relevant agencies and departments. Staff also understood at the time of application that the Proponent had approached the City to secure a lease on the lands and that extensive consultation had taken place with Pioneer Manner staff and that agreement on the final location and enclosure design of the Antenna System was in place. No concerns with providing concurrence to ISEDC were identified through this process. The staff report is available [online](#) for reference purposes.

Summary:

It is not recommended by staff that any changes be undertaken at this time to those identified location and design preferences found under Section 6.0 – Development Guidelines of the City's in-force Radio-communication and Broadcasting Antenna System Public Consultation Protocol. The location and design preferences included in the City's Protocol are based upon the FCM/CWTA JASSP and many municipalities across Canada have moved toward adapting them to local settings and adopting them as guiding preference accordingly. Staff will continue to monitor emerging trends and technologies and respond accordingly with recommendations in future housekeeping amendment reports when necessary.

Staff would also recommend that the deferred applications be brought forward to the next available meeting of Planning Committee in order to issue a position of concurrence or non-concurrence from the ISEDC.