

NOTE TO READER

RE: Municipal Statement / Correction

April 29, 2016

In October 2015, Chester Municipal Council commissioned the Canadian Radiocommunications Information and Notification Service (CRINS) to do an audit of the process that the Municipality followed in issuing a letter of concurrence to Industry Canada for a radio communications tower located on Village Commission property on Central Street in Chester. At the April 28, 2016 Council meeting, Council passed a motion to re receive the audit report from CRINS.

The Municipality accepts the report's findings that overall the process followed by the Municipality *"did not, upon review of the facts, prevent the public from being informed to a degree such that the salient points to be considered (heritage area, visual amenity, health and safety concerns) were not brought forward."*

The Municipality does feel that there are a few matters noted in the CRINS report that require some additional clarifications, the more significant ones are as follows:

Section 4 of the CRINS Report

4.2 Community Sensitive Location

The CRINS audit report identifies that one role of the land use authority (LUA), who issues the letter of concurrence (In this case Chester Municipality), is to protect locations of special significance within their community. The report identifies these areas as "Community Sensitive Locations" and refers to the definition of a community sensitive location. Although the term "community sensitive locations" is used by Industry Canada, the definition provided in the report is neither one that comes from Industry Canada, nor one that comes from the Municipality's planning documents or by-laws. It is a definition that is used by CRINS for guidance in its review of applications when following the CRINS protocol, which was not adopted by the Municipality when this application was considered by Council.

The report notes that a community sensitive location is one that is "near or on a designated heritage property." However, when reviewing the CRINS definition in Protocol Issue 3 (2014), which is the Protocol currently in use, CRINS defines a Community Sensitive Location to be any property, which, under the relevant Local Land-use Authority regulations:

- is currently designated as a Heritage Property;
- is an area of designated architectural significance;
- contains a site of archeological significance; or,
- is an natural conservation area.

The differentiation between the CRINS audit report and its actual definition is that the audit report implies that a community sensitive location can be expanded to include areas not only currently designated as a heritage property, but to any property near a designated heritage property.

The report further notes that the subject property is adjacent to a community sensitive location, specifically the Estate Residential area to the southwest of Regent and Prince Street. The subject property is in fact not adjacent to the Estate Residential Area, it is adjacent to the Central Village Residential Area. The report implies that the Estate Residential Zone is somehow more sensitive than the Central Village Residential area. Neither area is considered a Community Sensitive Location within the meaning as adopted by CRINS.

Section 5 Public Consultation

Section 5.2 *Relevant Concerns and Perceptions of the Public*

The report also discusses that the site is deemed to be a heritage district by the public. The site is not a heritage property, nor is it in an area officially designated as such within the Planning Documents for the Chester Village Area.