BY EMAIL

July 31, 2009

Chair and Members of the Economic Development and Planning Committee
c/o Alexandra Rawlings, Clerk
City of Hamilton
77 James St. N.
L8R 2K3

Dear Chair and Members of the Economic Development and Planning Committee:

Telecommunication Tower Antenna Protocol
Staff Report PED09206
Economic Development and Planning Committee
Agenda Item No. TBA
Our File No. 050739

I am writing to request the opportunity to make a deputation at the Economic Development and Planning Committee meeting on August 10th, 2009 on behalf of my clients Bell Mobility, Rogers Wireless and TELUS Mobility (the “Wireless Carriers”) in relation to the proposed City of Hamilton Telecommunication Tower and Antenna Protocol (“Protocol”), attached as Appendix “A” to Planning and Economic Development Department staff report PED09206.

The nature of my proposed deputation is as follows. The Wireless Carriers have a long history of consultation with the City of Hamilton (“City”) regarding the creation of a wireless telecommunication protocol. In January, 2008, our firm wrote to the City on behalf of the Wireless Carriers regarding adopting a procedure for consultation for wireless telecommunication facilities. City Council subsequently passed a resolution directing a staff report. This matter was then referred to the Economic Development and Planning Committee. The Wireless Carriers met with City staff in late January 2009 regarding Protocol development and further emails and drafts of the Protocol were exchanged between our office and City staff through the Spring of 2009.
The Wireless Carriers’ main outstanding concern with respect to the Protocol concerns the City’s prohibition against the installation of telecommunication facilities on City water towers. The four main reasons outlined in staff report PED09206 for the prohibition on telecommunication facilities on City water towers are; security of the City water system, precluding the City from using its own property for its own radio transmission equipment, and the cost and problems associated with past agreements which allowed private antennae on City water towers. These concerns can be addressed by practical means and should be considered given the practical benefit of allowing wireless infrastructure on water towers to reduce the number of new towers that would otherwise be required. Staff report PED09206 indicates that Industry Canada similarly believes that prohibiting telecommunication facilities on water towers is restrictive. We believe that Council ought to give this prohibition further consideration.

If you require any further information regarding my deputation request, please do no hesitate to get in touch.

Yours very truly,

[Signature]

Stephen J. D'Agostino

SJD/bat

cc: Clients
cc: Heather Travis