

Meeting Date: March 22, 2022

Subject: Proposed Rogers Communication Telecommunication Facility,  
14713 Mount Hope Road, Ward 4

Submitted By: Elaine Leung, Community Planner, Development and Design  
Services, Planning Department

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## **RECOMMENDATION**

That no further Public Information Centre be required for the proposed telecommunication facility; and

That the Town provide concurrence for the proposed telecommunication facility to be located at 14713 Mount Hope Road to Innovation, Science and Economic Development Canada, and the application be endorsed subject to the following conditions:

1. The applicant must construct the Facility in accordance with the following drawings:
  - a. Topography and Site Layout Design, prepared by J.D Barnes, revised September 10, 2021;
  - b. Proposed Compound Layout Plan, prepared by J.D Barnes, revised September 10, 2021;
  - c. Elevation Plan, prepared by J.D Barnes, revised September 10, 2021;
  - d. Grading, Drainage, Erosion and Sediment Control Plan, prepared by J.D Barnes, revised September 10, 2021.
2. The applicant executes a Letter of Undertaking to the satisfaction of the Town and provides payment of all required fees and securities, as applicable.

## **REPORT HIGHLIGHTS**

- The application was filed by Landsquared Inc., on behalf of Rogers Communication on June 27, 2019 to construct a 70m steel lattice tower with associated compound.
- A Public Information Centre was held on September 23, 2019 at the Albion Bolton Community Centre.
- Comments were expressed regarding the visual impact of the tower, with suggestions that the tower be moved further east on the property, behind an existing tree line. Upon consideration of these comments, the applicant revised the location of the proposed tower approximately 184m further northeast, behind the tree line. This acts as a visual buffer from the street.
- Staff reviewed the revised proposal and is of the opinion that the application is consistent with the Provincial Policy Statement, and conforms to Provincial, Regional and local planning documents, and meets the Town's Telecommunication Protocol for Establishing Telecommunication Facilities.
- Staff recommend concurrence of the application subject to the applicant constructing the facility as per the drawings outlined in this report, executing a

Letter of Undertaking, and providing payment of all required fees and securities, as applicable.

## **DISCUSSION**

The purpose of this Report is to recommend that Council provide conditional concurrence to the proposed telecommunication facility at 14713 Mount Hope Road.

### **Background**

The Town of Caledon received a telecommunication facility application (SPA 2019-0040T) on June 27, 2019, for a proposed telecommunications facility from Landsquared Inc., on behalf of Rogers Communications Inc., located at 14713 Mount Hope Road. The property, being approximately 40.6 ha (100.3 ac) is located at the south-east corner of Mount Hope Road and Castlederg Sideroad and is currently used for agricultural purposes. The surrounding lands are primarily used for agricultural, rural residential and environmental purposes. See Schedule "A", Location Map, attached.

The proposed facility will be a 70 m (229.66 ft) steel self-supported tower, with an associated equipment compound. The height of the tower will provide the ability for co-location opportunities for other carriers.

### **Revised Facility Location**

The initial location of the proposed tower was to be in the general area of the north-east corner of the property, near the intersection of Castlederg Sideroad and Mount Hope Road. At the Public Information Centre held on September 23, 2019 at the Albion Bolton Community Centre, several residents spoke of concerns of the visual impact of the tower, and suggested that the tower be moved further to the east, behind an established tree line along Castlederg Sideroad. The existing trees would act as a visual screen, buffering the facility from the street. The applicant agreed and revised their proposal, relocating the facility further north-east on the property, behind the tree row along Castlederg Sideroad. The location of the proposed tower will not interfere with any existing agricultural use on the property. In addition, in moving the facility to this location, the facility will be located farther away from the closest residential building, at approximately 282.5 m (926.8 ft) to the west.

Further correspondence was sent to residents advising of the proposed revised location. No further comments were received.

### **Planning Review**

The Provincial Policy Statement, 2020, Oak Ridges Moraine Conservation Plan, Region of Peel Official Plan, Town of Caledon Official Plan, Comprehensive Zoning By-law 2006-50, as amended, as well as the Town's Telecommunication Protocol was reviewed in consideration of this application.

Supporting technical studies and reports as well as comments and recommendations provided by internal departments, external review agencies, and the public also informed the review of this application.

Provincial Policy Statement, 2020

Policies contained within the Provincial Policy Statement (PPS), 2020 speak to ensuring that necessary infrastructure is available to meet current and projected needs. Planning for infrastructure shall be coordinated and integrated with land use planning and growth, and should be located strategically to support delivery of emergency management services. The proposed facility will provide for telecommunication services in an underserved area. The proposed facility is consistent with the PPS, 2020.

Oak Ridges Moraine Conservation Plan

The property is located within the Natural Linkage Area land use designation of the Oak Ridges Moraine Conservation Plan (ORMCP). Aligning with the direction of the PPS, the ORMCP permits telecommunication facilities (infrastructure) within Natural Linkage Areas provided that the need is demonstrated, the area of disturbance and right-of-way widths is kept to a minimum, wildlife movement is not interrupted, lighting is focused downwards and adverse effects on the ecological integrity are kept to a minimum. The applicant has selected a location which provided services in an underserved area, and is limiting the area of disturbance to maintain the ecological integrity of the area. The proposal conforms to the Oak Ridges Moraine Conservation Plan.

Region of Peel Official Plan

The subject property is designated Rural System – Area with Special Policies (Oak Ridges Moraine) on Schedule “D”, Regional Structure. The Region of Peel Official Plan conforms to the Oak Ridges Moraine Conservation Plan and permits telecommunication facilities within the area. The Region of Peel has advised that they have no objection to the proposed telecommunication facility. The proposal conforms to the Region of Peel Official Plan.

Town of Caledon Official Plan

The subject property is designated as Environmental Policy Area, Prime Agricultural Area and Rural Lands on Schedule ‘A’ – Town of Caledon Land Use Plan and Natural Linkage Area on Schedule “P” – Oak Ridges Moraine Conservation Plan Land Use Area. The Official Plan conforms to the Oak Ridges Moraine Conservation Plan and furthermore permits public utilities (including telecommunication) which provide services to the general community to be permitted in any land use designation. The Toronto Region Conservation Authority (TRCA) has also reviewed the proposal, with respect to environmental considerations on the property. They have advised that they have no concerns. The proposed application is in keeping with these policies and conforms to the Town’s Official Plan.

Comprehensive Zoning By-law 2006-50, as amended

The subject property is zoned Agricultural Oak Ridges Moraine (A1-ORM) and Environmental Policy Area 2 Zone - Oak Ridges Moraine (EPA2-ORM) in Comprehensive Zoning By-law 2006-50, as amended. As per Section 4.17 of the Zoning By-law, nothing in the By-law shall prevent the use of land or prevent the installation and maintenance of a telephone or other supply or other supply or communication line or structure clearly ancillary to the foregoing provided that the location of such has been approved by the Corporation. The proposed telecommunication facility complies with Comprehensive Zoning By-law 2006-50, as amended.

Town of Caledon, Protocol for Establishing Telecommunication Facilities

A new Protocol for Establishing Telecommunication Facilities was endorsed by Council on November 24, 2015. The Protocol contains specific requirements of proposed telecommunication facilities and criteria for review by Council and staff. The applicant has met these requirements and criteria as summarized below. Staff is of the opinion that the applicant has satisfactorily addressed the Protocol (se Schedule "C").

Public Consultation and Information Centre

As per the Protocol, a sign was erected on the subject lands notifying the public of the proposal to establish a telecommunication facility on the site, at least 20 days prior to the advertised Public Information Centre. The sign was posted on the property in accordance with the Protocol, which included the date, location and time of the Public Information Centre. A total of twelve people signed in.

As noted above, a Public Information Centre was held on September 23, 2019 at the Albion Bolton Community Centre in Bolton. Notice for the meeting was provided by mail to those who live within 500m of the base of the tower. A newspaper advertisement was also placed in both the Caledon Enterprise and the Caledon Enterprise on August 22, 2019. Several comments were asked regarding the location of the tower, and it was suggested that the tower be moved further to the northeast of the property, in order to hide behind an existing row of trees. After the meeting, correspondence was received requesting further information and clarification. Additional comments received and responses provide by the applicant are summarized in the table below.

<b>Comment/Question Received</b>	<b>Response Provided</b>
Suggestion that the tower be relocated closer to the line of trees to act as a visual buffer from the road.	The location of the tower has been moved approximately 184m further towards the east on the property in order to hide behind the existing row of trees.
Concerns about visual impact.	The proposed design is a 70m steel lattice self support tower. There will be a lightning protection system. There are no guy wires in the design of the tower. There will also

	be screening at the base of the tower by fencing and vegetation to help minimize the visual impact of the tower.
When is the timing of construction of the tower.	Timing is dependent on the approval.
Will there be fibre for home internet?	Cannot confirm if fibre will be available for home internet access.
Rogers should allow Mi-Fi devices on non-share plans.	The proposed tower will have access to mi-fi devices.
How will drainage be controlled?	An Erosion Sediment Control Plan has been completed and reviewed. Drainage will be controlled on the subject property.

After the meeting, the applicant revised the site plan drawing, relocating the proposed tower approximately 184m to the northeast, in order to utilize an existing line of trees as a visual buffer from the road. Responses were provided to attendees informing of the proposed revised location, requesting any additional questions or comments. No comments were received.

Staff is of the opinion that no further meeting is required. The facility is being located behind an existing line of trees for visual screening from the street, at the recommendation of the residents. Upon consideration of the comments received from the Public meeting, the applicant was agreeable to moving the tower to the preferred location.

The Town will require the applicant to execute a Letter of Undertaking to ensure that appropriate arrangements have been made to completely dismantle and remove the telecommunication facility from the property, once it is no longer required.

#### Agency/Department Circulation

The subject application was circulated to external agencies and internal departments for review and comment, of which there were no objections (see Schedule "D").

#### Recommendation: Concurrence with Conditions

As telecommunication facilities are regulated by Innovation, Science and Economic Canada (formerly known as Industry Canada), the applicant submits an application to the Town to address the requirements of the Town's Protocol. Council has the ability to make three decisions with respect to towers:

1. Concurrence: The applicant has satisfactorily addressed the Protocol and there is no additional requirements or materials required by the applicant.
2. Concurrence with Conditions: The applicant has satisfactorily addressed the Protocol; however, additional requirements are to be satisfied (i.e. drawings revisions and agreements).
3. Non-concurrence: The applicant has not satisfactorily addressed the Protocol.

In this case, as the applicant has satisfactorily addressed the Protocol, staff is recommending that Council provide concurrence of the proposal subject to the following conditions:

1. The applicant must construct the Tower in accordance with the following drawings:
  - a) Topography and Site Layout Design, prepared by J.D Barnes, revised September 10, 2021;
  - b) Proposed Compound Layout Plan, prepared by J.D Barnes, revised September 10, 2021;
  - c) Elevation Plan, prepared by J.D Barnes, revised September 10, 2021;
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2. The applicant executes a Letter of Undertaking to the satisfaction of the Town and provides payment of all required fees and securities, as applicable.

## **FINANCIAL IMPLICATIONS**

The property owner is listed as SENTINEL (MOUNT HOPE) HOLDINGS INC. This application includes authorization from the Owner, for the Applicant to proceed with the proposed development. For property tax purposes, 14713 Mount Hope Road is currently assessed as Farmland (\$2.45 million CVA). The Town's share of taxes levied, based on current value assessment is approximately \$2,400. As at February 24, 2022, the property tax account is determined to be current.

If the proposed development (includes a 70-meter telecommunications tower) were to proceed as planned, the assessment value of the property may change, to reflect the development that would have taken place.

Development Charges are not applicable to the construction of telecommunication towers, and other telecommunication services and activities. Telecommunication towers/ antenna systems are regulated exclusively by federal legislation under the Federal Radiocommunication Act and administered by Innovation, Science and Economic Development Canada (formerly known as Industry Canada). Provincial legislation such as the Planning Act, including zoning by-laws, does not apply to these facilities.

The Development Charges comments and estimates above are as at February 24, 2022 and are based upon information provided to the Town by the applicant, current By-laws in effect and current rates, which are indexed twice a year. Further, proposed developments may change from the current proposal to the building permit stage. Any estimates provided will be updated based on changes in actual information related to the construction as provided in the building permit application.

**COUNCIL WORK PLAN**

The recommendation included in this Report is related to the following goals identified with the 2018-2022 Council Work Plan.

- Broadband Internet – To provide high speed internet access to each home.

**ATTACHMENTS**

Schedule A: Location Map

Schedule B: Site Plan

Schedule C: Protocol Requirements Summary

Schedule D: Agency and Department Comment Sheet