

Staff Report 2019-38

Meeting Date: Tuesday, March 19, 2019

Subject: Telecommunication Tower 13790 Airport Road - Shared Network Canada

Submitted By: Elaine Leung, Community Planner, Community Services

RECOMMENDATION

That the Town of Caledon provide concurrence for the proposed Shared Network Canada telecommunications tower, for 13790 Airport Road to Innovation, Science and Economic Development Canada, and the application be endorsed subject to the following conditions:

- a) The applicant must construct the Tower in accordance with the following drawings:
 - i. Topographic Plan and Site Layout Design, prepared by J.D Barnes, dated April 4, 2018;
 - ii. Grading, Drainage, Erosion & Sediment Control Plan, prepared by J.D Barnes, revised April 4, 2018;
- b) 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 Shared Network Canada on October 23, 2017 for a telecommunications tower at 13790 Airport Road. The proposal is for a 70 m self-supporting lattice design tower, intended to replace an existing Rogers Communication tower at 13069 Airport Rd.
- A Public Information Centre was conducted by the applicant on March 22, 2018 at the Mayfield Recreation Complex in Mayfield West.
- Staff reviewed the proposal and is of the opinion that the application is consistent with Provincial, Regional and local planning documents, and meets the Town's Telecommunication Protocol for Establishing Telecommunication Facilities. Accordingly, staff recommend concurrence of the application subject to the applicant constructing the Tower as per the drawings outlined in this report; an executed Letter of Undertaking; and payment of all required fees and securities, as applicable.

DISCUSSION

The Town of Caledon received a telecommunications site plan on October 23, 2017, which was deemed complete on January 3, 2018, for a proposed telecommunications tower at 13790 Airport Road (see Schedules A and B). The proposal is for a 70 m self-supporting lattice design tower, intended to replace an existing Rogers Communication tower at 13069 Airport Rd., to the south. The new tower will improve cellular coverage in

the area and have the ability to accommodate shared infrastructure for other carriers. The original submission proposed the tower to be located towards the rear of the property, approximately 400 m from Airport Rd. Concerns however were raised by the Toronto Region Conservation Authority (TRCA) noting the proposed location of the tower on a slope, and requested the applicant to relocate the tower at least 10 m from the top of bank. As a result, the applicant relocated the proposed tower to the other side of the property, approximately 85 m from Airport Rd.

Public consultation occurred twice for the proposed tower. The first public consultation involved a sign posted on the property (fronting on Airport Rd.), a public notice mailed to properties within a 500 m radius of the base of the tower, two newspaper ads, and a public open house on March 22, 2018. Due to the revised change in the location of the tower, a new public notice was mailed to residents on June 15, 2018. Staff note that this would have encompassed an increased number of properties who would have been notified of the proposed tower.

The means of how the applicant complied with the Town's Telecommunication Protocol is contained in Schedule "C."

The Region of Peel Official Plan, Town of Caledon Official Plan, Comprehensive Zoning By-law 2006-50, as amended, as well as the Town of Caledon's Telecommunication Protocol was reviewed in consideration of this application.

Region of Peel Official Plan:

The subject property is located within the Rural System designation, as identified on Schedule "D", Regional Structure. The Region of Peel has advised that they have no objection to the proposed telecommunication facility.

Town of Caledon Official Plan:

The front portion of the front of the subject property is located within the Dry Industrial designation, on Schedule 'T' Sandhill Land Use Plan, while the remainder of the property is designated as Prime Agricultural Area and Environmental Policy Area, on Schedule 'A' in the Town's Official Plan. The tower is proposed in the Dry Industrial designation. Section 5.15 contains policies with respect to Public Uses which note that Public utilities that provide services to the general community shall be permitted in all areas. The proposed application is in keeping with these policies.

Comprehensive Zoning By-law 2006-50, as amended

The subject property is zoned Unserviced Industrial Exception (MU-508), Agriculture (A1) and Environmental Policy Area 2 (EPA2) in Comprehensive Zoning By-law 2006-50, as amended. The tower is proposed in the MU-508 zone. 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 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 made their best efforts in meeting these requirements and criteria as summarized below. Staff is of the opinion that the applicant has satisfactorily addressed the Protocol (see 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 tower 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.

As noted above, a Public Information Centre was held on March 22, 2018 at the Mayfield Recreation Complex. Notice for the meeting was provided by mail to those who live within 500 m of the base of the tower, and in both the Caledon Enterprise and Caledon Citizen dated February 15, 2018. Three people were in attendance. A comment of concern was received from a property owner to the northwest of the original proposal, who requested to have the tower moved farther from their property. This was ultimately achieved with the revised location, as a result of the comments provided from TRCA. A second notice was sent on June 15, 2018 indicating the details of the revised location of the tower. There were no comments received, and no further public meeting was 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 "C"). 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 deemed redundant.

Concurrence with Conditions

Since Telecommunication Facilities are regulated by Innovation, Science and Economic Development 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 these towers:

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

In the case of this proposal, 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:
 - iii. Topographic Plan and Site Layout Design, prepared by J.D Barnes, dated April 4, 2018;
 - iv. Grading, Drainage, Erosion & Sediment Control Plan, prepared by J.D Barnes, revised April 4, 2018;
2. The applicant execute a Letter of Undertaking to the satisfaction of the Town and provide payment of all required fees and securities, as applicable.

FINANCIAL IMPLICATIONS

13790 Airport Road, (Con 6 EHS Part Lot 26), is currently assessed as mostly Commercial (\$1.4 million CVA) for property tax purposes. The Town's share of property taxes levied, based on current value assessment is approximately \$5,760. As at February 27, 2019, the property tax account, with owner listed as Dhillon Business Centre Inc., was determined to be current.

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

Development Charges are not applicable to the construction of telecommunication towers, and other telecommunication services and activities. Telecommunication tower/antenna systems are regulated exclusively by federal legislation under the Federal Radiocommunication Act, and administered by 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 27, 2019, 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. Development Charges are calculated and payable at the time of building permit issuance. Development Charge By-laws and rates are subject to change. Further, proposed developments may change from the current proposal to the building permit stage. Any estimates provided will be updated based on the Development Charges By-law and rates in effect at the time of building permit, and actual information related to the construction as provided in the building permit application. Please note that the Town's current Development Charge By-law will be updated in 2019 and DC rates are anticipated to change in 2019 as a result.

COUNCIL WORK PLAN

The recommendation included in this Report is related to the following goals identified in the 2015-2018 Council Work Plan:

- Broadband Internet - To provide high speed internet access to each home
- Infrastructure – To increase overall condition of Town's assets for public use

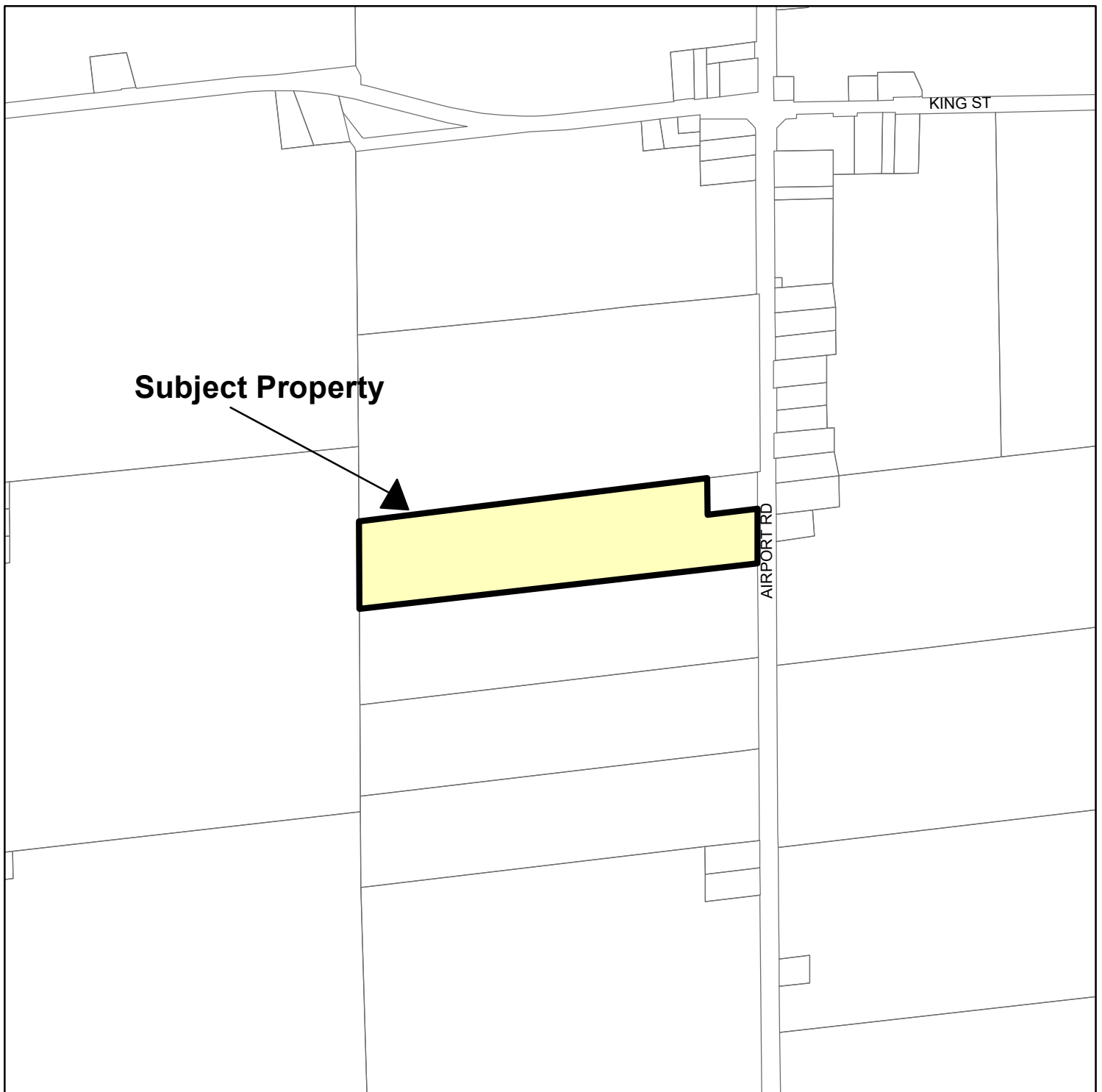
ATTACHMENTS

Schedule A – Location Map

Schedule B – Site Plan

Schedule C – Protocol Requirements and Comment Sheet

Schedule D – Grading and Drainage Plan



**Site Plan Application
(Telecommunication Facilities Stream)
SPA 2017-0065
Shared Network Canada**

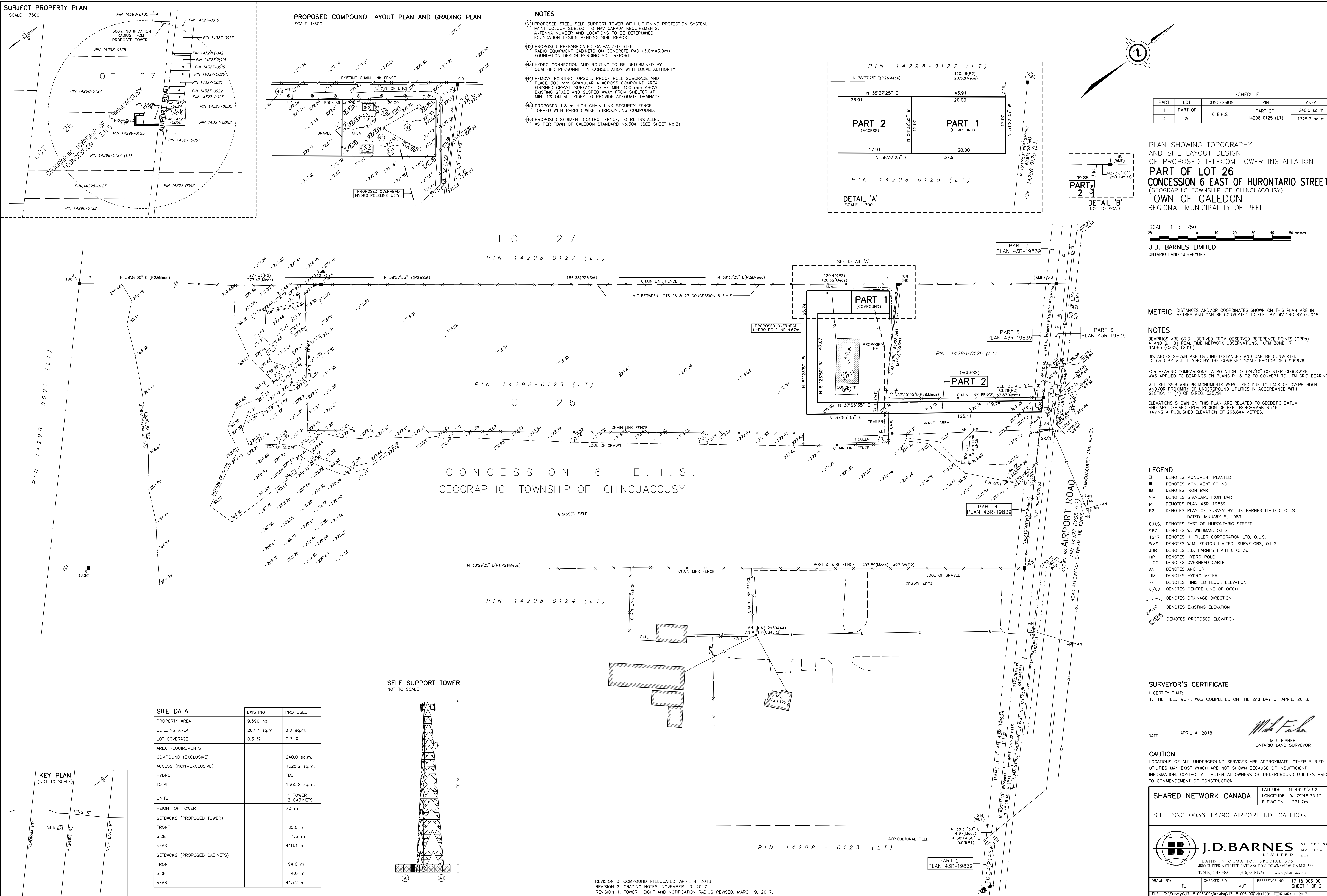
13790 Airport Road
Part of Lot 26, Con 6 (EHS)

LOCATION MAP



Date: January 3, 2018

File No.: SPA 2017-0065



Town of Caledon, Protocol for Establishing Telecommunication Facilities

The Town's telecommunication protocol contains specific development guidelines for proposed telecommunication facilities for review by Council and staff. The applicant has made their best efforts in meeting these guidelines as summarized below. Staff is of the opinion that the applicant has satisfactorily addressed the Protocol.

Part 1 - Location and Siting Requirements

- *Tower Minimization and Co-location:* The proponent has advised that an existing Rogers tower located to the south on Airport Road will be removed. The subject tower is a replacement of this structure. The tower has been designed to accommodate co-location.
- *Environmental and Heritage:* Due to concerns raised by the Toronto Region Conservation Authority (TRCA) with the original location, the tower was relocated away from the regulated area and closer to the front of the property. The TRCA is satisfied with the revised location and therefore, there are no further environmental concerns. Likewise, there are no heritage concerns with the application.
- *Locational Criteria:* The proposed tower is located in the industrial settlement area, of Sandhill, and outside of the Environmental Protection Area. Staff note that due to environmental concerns raised by the TRCA, the proposed location of the tower was relocated to the front of the property. No vegetation will be lost through the development of the tower, and there are no significant built heritage features or cultural heritage landscapes that will be impacted. The furthest residence is approximately 206 m to the north. Staff note that the resident who voiced their concerns own property to the west, which are vacant.

Part 2 - Development and Design Preferences

- *Style and Structure:* As noted above, the tower will be constructed to accommodate co-location opportunities. The design, being 70 m in height, is proposed to be a self-supporting lattice structure, a common form.
- *Buffering and Screening:* The subject tower will include a secured fenced 240 sq m compound with an associated equipment shelter. These facilities will be screened from Airport Road by existing development.
- *Parking and Access:* Access will be provided from an existing driveway entrance off of Airport Road, to the satisfaction of the Region of Peel. Satisfactory room is available for the parking of service vehicles.
- *Equipment Structures:* The proposal will include one small equipment shelter within the compound, which will be screened from view by existing development along Airport Rd.
- *Colours and Lighting:* All proposed components of the tower are proposed to be grey in colour, with no illumination beyond what is required for flight navigation by NAV Canada.
- *Signage:* No signage is proposed for the facility.
- *Rooftop Antenna Systems and Fibre Optic Cables:* Not applicable.

**COUNCIL MEETING
COMMENT SHEET**

PIC Date: March 22, 2018
Prepared: February 20, 2019
Planner: Elaine Leung

**Proposed Telecommunication Facility
Shared Network Canada
13790 Airport Road
Ward 2
File Number: SPA 17-65T**

The following comments were received regarding the above-noted file:

TOWN OF CALEDON – DEPARTMENT COMMENTS

Community Services, Development Section - Engineering

Comments: No concerns.

Community Services, Development Section - Landscape

Comments: No concerns.

Community Services, Development Section - Urban Design

Comments: No concerns.

Community Services, Development Section - Zoning

Comments: As per Section 4.17, nothing in this by-law shall prevent the use of land or prevent the installation and maintenance of a telephone 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. Based on this section, zoning staff has no comments on the proposed telecommunication tower and associated compound.

Community Services, Policy and Sustainability Section - Heritage

Comments: No concerns.

Corporate Services, Legal Services

Comments: No concerns.

Community Services, Fire & Emergency Services

Comments: No concerns.

EXTERNAL AGENCY COMMENTS

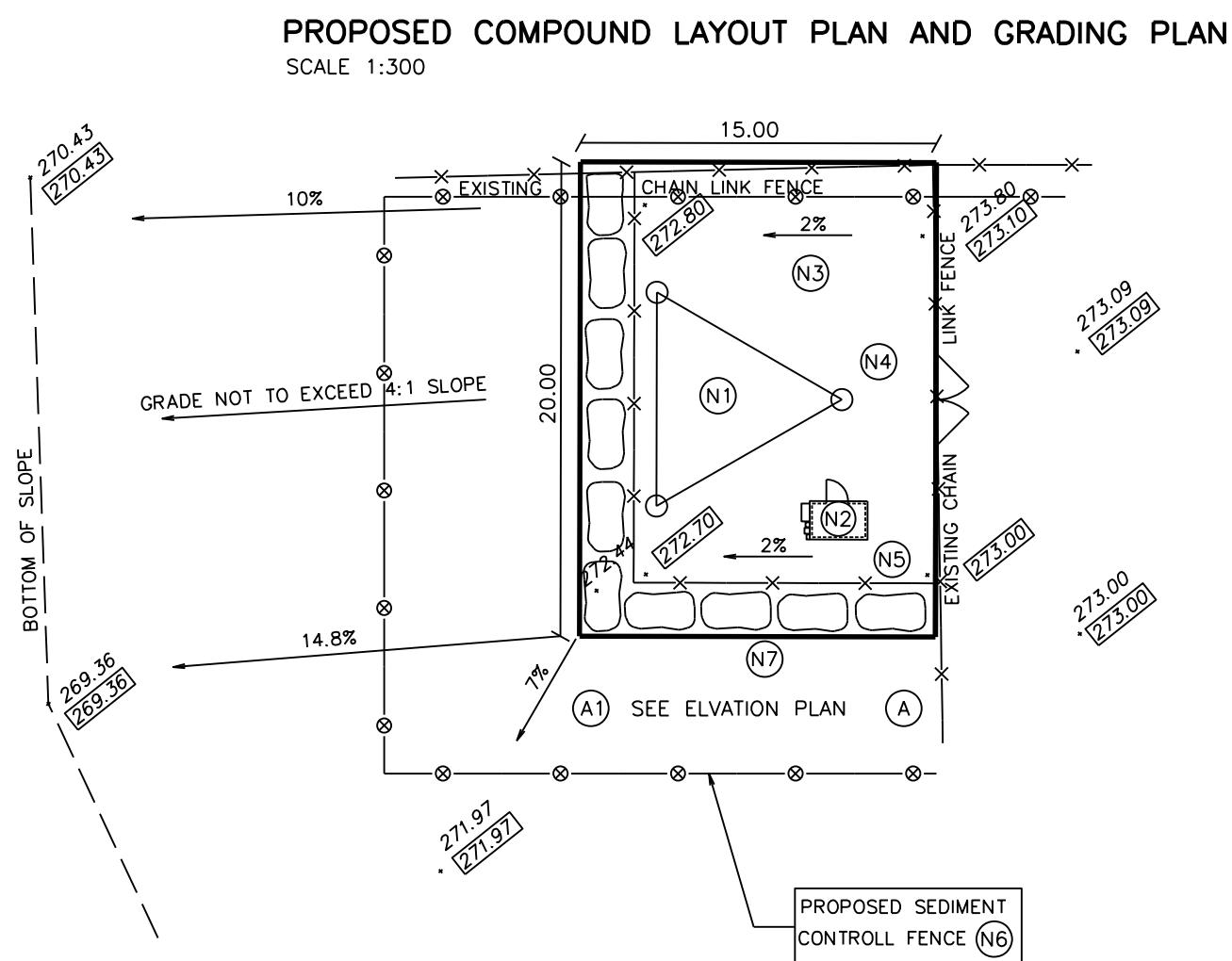
Region of Peel

Comments: The Region has no concerns with the application. Mud tracking securities, as well as a Road Occupancy Permit, will be required.

Toronto Region Conservation Authority

Comments: The Toronto Region Conservation Authority (TRCA) provided revised comments dated September 26, 2018. They note that given the proposed tower's relocation to the north-east area of the

property, which is outside of TRCA's regulated area, there are no further concerns.



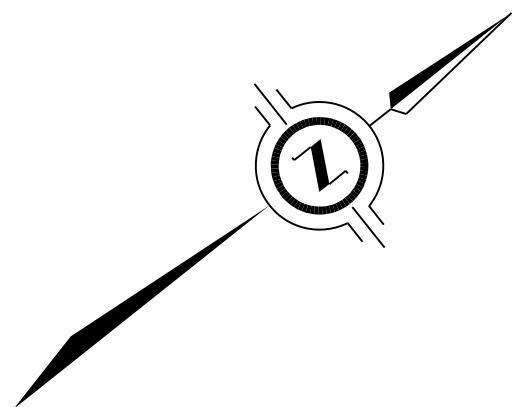
Grading and Drainage Notes

The following notes shall appear on the Grading and Drainage Plan(s):

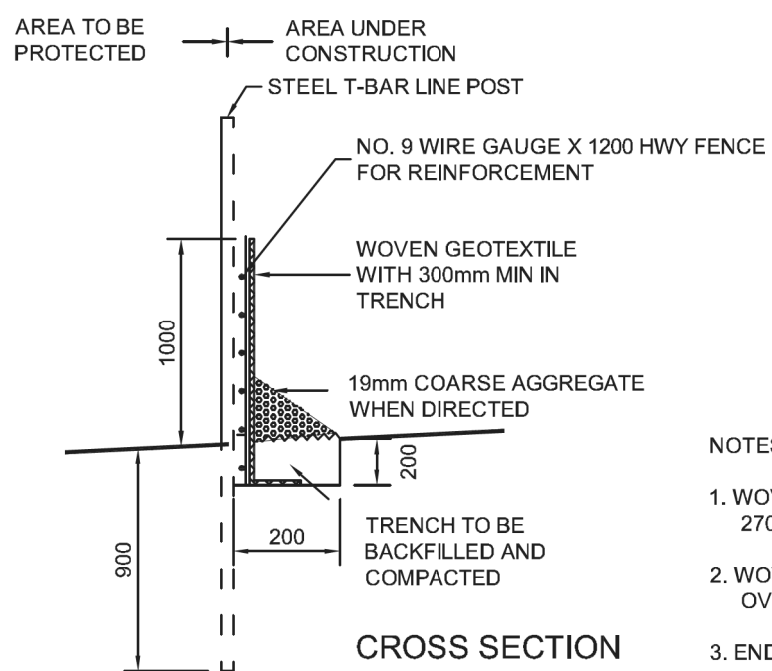
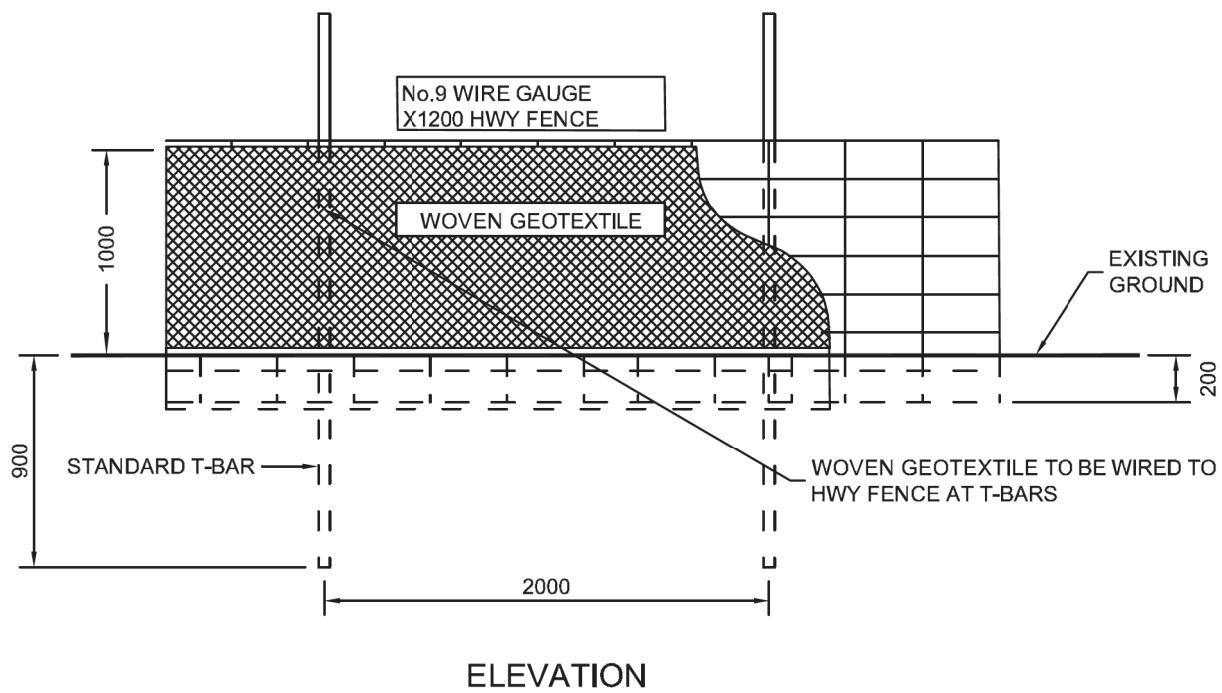
- Construction for this project to comply with the most current version of the Development Standards, Policies and Guidelines, prepared by the Town of Caledon, Public Works Department and the Ontario Provincial Standards and Specifications.
- All proposed construction shall be carried out in accordance with the requirements of the Occupational Health and Safety Act and Regulations for construction projects.
- Within a minimum of forty-eight hours prior to commencing construction within the municipal right-of-way, the contractor must contact the following:
The Town of Caledon Public Works Department 905-584-2272
The Region of Peel 905-791-7800
Enbridge Consumers Gas 905-758-7924
Hydro One 519-941-1211
Bell Canada 416-296-6929
Rogers Cable 905-897-3914
- All drainage to be self-contained and discharged to a location approved by the Public Works and Engineering Department.
- Sediment control devices are to be installed prior to any construction on the site and shall be inspected and maintained throughout the construction period to the satisfaction of the Town of Caledon and the applicable Conservation Authority.
- A minimum of 1.5m clearance is to be provided from the limits of all sidewalks and driveways to existing utility structures within the municipal right-of-way. If this clearance is not maintained, the structures shall be relocated at the applicant's expense.
- Street curbs are to be continuous within the proposed entrance.
- Any changes to grades or servicing from the originally approved site plan must be approved by the Town of Caledon Public Works Department.
- Structural design of the fire route is required to support an 18-ton vehicle. As such the drawing is to show areas of heavy asphalt and light asphalt and is to provide design information.
- All boulevards to be restored with 150mm minimum of topsoil and sod to the satisfaction of the Town of Caledon Public Works Department.
- The minimum pavement design for the asphalt driveway apron within the municipal road allowance shall be as follows:
40mm HL3 Asphalt
50mm HL8 Asphalt
150mm Granular 'A'
300mm Granular 'B'
The consultant should review the above with respect to the expected usage.
- Service Connection Backfill to be discussed with the Town of Caledon

NOTES

- PROPOSED STEEL SELF-SUPPORT TOWER WITH LIGHTNING PROTECTION SYSTEM.
PAINT COLOUR SUBJECT TO NAV CANADA REQUIREMENTS.
ANTENNA NUMBER AND LOCATIONS TO BE DETERMINED.
FOUNDATION DESIGN PENDING SOIL REPORT.
- PROPOSED PREFABRICATED GALVANIZED STEEL RADIO EQUIPMENT CABINET.
FOUNDATION DESIGN PENDING SOIL REPORT.
- HYDRO CONNECTION AND ROUTING TO BE DETERMINED BY QUALIFIED PERSONNEL IN CONSULTATION WITH LOCAL AUTHORITY.
- REMOVE EXISTING TOPSOIL, PROOF ROLL, SUBGRADE AND PLACE 300 mm GRANULAR A ACROSS COMPOUND AREA. FINISHED GRAVEL SURFACE TO BE MIN. 150 mm ABOVE EXISTING GRADE AND SLOPED AWAY FROM SHELTER AT MIN. 1% ON ALL SIDES TO PROVIDE ADEQUATE DRAINAGE.
- PROPOSED 1.8 m HIGH CHAIN LINK SECURITY FENCE, TOPPED WITH BARBED WIRE SURROUNDING COMPOUND.
- PROPOSED SEDIMENT CONTROL FENCE, TO BE INSTALLED AS PER TOWN OF CALEDON STANDARD No.304. (SEE SHEET No.2)
- PROPOSED GABION STONES.



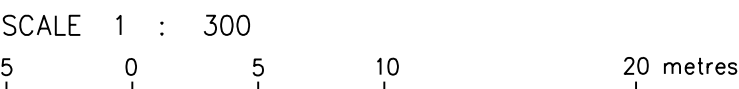
**TOWN OF CALEDON STANDARD No.304
SEDIMENT CONTROL FENCE**



NOTES:

- WOVEN GEOTEXTILE TO HAVE A WEAVE DENSITY OF 270g OR EQUIVALENT
- WOVEN GEOTEXTILE TO HAVE A HORIZONTAL OVERLAP OF 1000mm AT JOINTS.
- END RUNS SHALL BE TURNED UPSTREAM AT 30°

**GRADING, DRAINAGE, EROSION AND
SEDIMENT CONTROL PLAN**

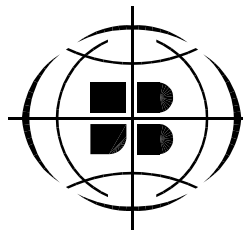


J.D. BARNES LIMITED
ONTARIO LAND SURVEYORS

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

LEGEND

- DENOTES DRAINAGE DIRECTION
- DENOTES EXISTING ELEVATION
- DENOTES PROPOSED ELEVATION

SHARED NETWORK CANADA		LATITUDE N 43°49'25.4"
		LONGITUDE W 79°48'42.0"
		ELEVATION 272.9m
SITE: SNC 0036 13790 AIRPORT RD, CALEDON		
 J.D. BARNES LIMITED SURVEYING MAPPING GIS LAND INFORMATION SPECIALISTS 4800 DUFFERIN STREET, ENTRANCE "G", DOWNSVIEW, ON M3H 5S8 T: (416) 661-1463 F: (416) 661-1249 www.jdbarnes.com		
DRAWN BY: TL	CHECKED BY: MJF	REFERENCE NO.: 17-15-006-00
FILE: S:\17-15-006\00\Drawing\17-15-006-00B.dgn		SHEET 2 OF 2
		DATED: FEBRUARY 1, 2017
		PLOTTED: 10/11/2017

REVISION 2: GRADING NOTES, NOVEMBER 10, 2017.
REVISION 1: TOWER HEIGHT AND NOTIFICATION RADIUS REVISED, MARCH 9, 2017.