

Meeting Date: September 19, 2023

Subject: Proposed Shared Tower Inc. Telecommunication Facility, 13947 Hurontario Street, Ward 2

Submitted By: Alex Mior, Community Planner, Development, Planning Department

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 13947 Hurontario Street to Innovation, Science and Economic Development Canada, and the application be endorsed subject to the following conditions:

1. The applicant must construct the Tower in accordance with the following drawings:
 - a) Revised Site Selection/Justification Report, prepared by Landsquared (on behalf of Rogers Communications Inc.) revised July 5th, 2023;
 - b) Site Plan Drawing showing Topography, Grading, Erosion & Sediment Control, prepared by J.D. Barnes, dated April 11th, 2023 and redlined and attached as Schedule 'C' to Staff Report 2023-0416; and,
 - c) Site Layout Design, prepared by J.D. Barnes, dated April 11th, 2023
2. The applicant execute a Letter of Undertaking to the satisfaction of the Town and provides payment of all required fees and securities, as applicable.

REPORT HIGHLIGHTS

- A Telecommunication Facility application was filed by Landsquared Inc., on behalf of Shared Tower Inc. on June 15th, 2022 for lands located at 13947 Hurontario Street in Victoria.
- The proposed telecommunication structure will be a 33 metre (108.27 feet) circular steel monopole tower with flush mounted antennas with a lightning protection system situated within a compound area.
- One Public Information Centre was held at Town Hall on October 25th, 2022.
- Comments and questions received on the proposed application included notice, visual impact, site selection, facility design, health concerns, network coverage and property values. Responses were provided by email and phone.
- Staff have reviewed the revised proposal and is of the opinion that the application is consistent with the Provincial Policy Statement, and conforms to the Provincial,

Regional and local planning documents and meets the Town's Telecommunication Protocol for Establishing Telecommunication Facilities.

- Staff are recommending concurrence of the application subject to the applicant constructing the facility as per the drawings outlined in this report, and execution of a letter of Undertaking.

DISCUSSION

The purpose of this report is to recommend that Council provide conditional concurrence to the proposed Telecommunication Facility at 13947 Hurontario Street.

Background

The Town of Caledon received a proposed Telecommunication Facility application (SPA 2022-0034T) on June 15th, 2022, for a proposed Telecommunication Facility from Landsquared Inc., on behalf of Shared Tower Inc. (STC). The Facility is proposed to be located at 13947 Hurontario Street in Victoria. The subject property is approximately 0.43 hectares (1.01 acres) in size and is located on the east side of Hurontario Street, south of King Street. See Schedule 'A' – Location Map, attached.

The property is currently being used for commercial purposes (gas station). The surrounding lands are primarily used for commercial, agricultural, and residential purposes on the east side of Hurontario Street and industrial purposes on the west side of Hurontario Street. See Schedule 'B' – Aerial Map, attached.

The proposed telecommunication structure will be a 33 metre (108.27 feet) circular steel monopole tower with flush mounted antennas with a lightning protection system situated within a compound area. The facility compound will be located on the northeast section of the property near the extent of the asphalt. Access will be provided through the existing driveway on the subject property. See Schedule 'C' – Site Plan and Schedule 'D' – Renderings, attached.

Planning Review

The Provincial Policy Statement, 2020, 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 were 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 (PPS), 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.

Region of Peel Official Plan

The subject property is designated as Urban System on Schedule 'E-1' Regional Structure. The Region of Peel Official Plan directs development to the Urban System. The Region of Peel has no objection. The Region's comments are included in the Agency and Department Comment Sheet, attached as Schedule 'F' to this report. The proposal conforms to the Region of Peel Official Plan.

Town of Caledon Official Plan

The subject property is designated Settlement Area (the Industrial/Commercial Centre of Victoria) on Schedule 'A' – Town of Caledon Land Use Plan.

Industrial/Commercial centres are small, mixed-use settlements that provide at a small scale, supportive function to the Rural Service Centres for industrial and commercial development. Commercial and industrial land uses are encouraged in this area. Victoria is to serve primarily as an industrial centre, and to a lesser extent as a highway commercial centre. While existing residential uses are permitted within Victoria, new residential uses are discouraged due to the focus on industrial and commercial land uses.

The Official Plan permits public utilities (including telecommunications) in any land use designation provided that:

- a) Any such use is necessary in the area, can be made compatible with its surroundings and that adequate measures are taken to ensure this compatibility;
- b) Adequate off-street parking is provided; and,
- c) No buildings or structures are erected in areas designated Environmental Policy Area, unless in accordance with the provisions of Section 5.7.

The applicant is proposing a telecommunication facility in an industrial/commercial centre in close proximity to the travelling public on Highway 10. The proposed facility is located on a property used for commercial purposes and is designed as a monopole for visual compatibility. The applicant has selected a location which provides services in an underserved area and is limiting the area of disturbance.

The proposal is in keeping with the policies and conforms with the Town's Official Plan.

Comprehensive Zoning By-Law 2006-50, as amended

The subject property is zoned Village Commercial – Exception 269 (CV-269) in Comprehensive Zoning By-Law 2006-50, as amended. As noted in Section 4.17, “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 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 on Schedule ‘E’, attached to this report. Staff is of the opinion that the applicant has satisfactorily addressed the Protocol.

Public Consultation and Public Information Centre (PIC)

As per the Protocol, public consultation and the hosting of a Public Information Centre (PIC) is required for the telecommunication facility. In the case of this application, one PIC was held on October 25th, 2022.

In providing notice, a sign was erected on the subject lands on September 26th, 2022, at least 20 days prior to the advertised PIC. The sign was posted on the property in accordance with the Protocol, which included the date, location and time of the Public Information Centre. In addition to the signage, notice for each meeting was provided by mail to those who live within 500 metres (1,640 feet) of the base of the tower. Finally, newspaper advertisements were placed in both the Caledon Enterprise and Caledon Citizen on September 29th, 2022.

The Public Information Centre (PIC) was held at Town Hall and six (6) individuals signed in at the Centre. Further to the interest at the Public Information Centre, the applicant and Town staff received multiple emails on the proposed facility, five (5) being opposed.

Comments and questions received on the proposed application included notice, visual impact, site selection, facility design, health concerns, network coverage and property values. Responses were provided by email and phone.

Planning staff has summarized the comments/questions and responses in Schedule 'G' Public Comments attached to this report.

Given that the latest Public Information Centre was hosted recently, staff is of the opinion that no further meeting is required.

Agency and 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 'F', Agency and Department Comment Sheet, attached.

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.

Ultimately, the approval authority for these facilities is not the Town and is Innovation, Science and Economic Canada (formerly known as Industry Canada).

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) Revised Site Selection/Justification Report, prepared by Landsquared (on behalf of Rogers Communications Inc.) revised July 5th, 2023;
 - b) Site Plan Drawing showing Topography, Grading, Erosion & Sediment Control, prepared by J.D. Barnes, dated April 11th, 2023 and redlined and attached as Schedule 'C' to this report, and,
 - c) Site Layout Design, prepared by J.D. Barnes, dated April 11th, 2023
2. The applicant execute a Letter of Undertaking to the satisfaction of the Town and provides payment of all required fees and securities, as applicable.

Financial Implications

If the proposed developments (including a 33 metre telecommunications tower) were to proceed as planned, the 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 Innovation, Science and Economic Development Canada (formerly Industry Canada). Provincial legislation such as the Planning Act, including zoning by-laws, does not apply to these facilities.

ATTACHMENTS

Schedule A: Location Map

Schedule B: Aerial Map

Schedule C: Site Plan

Schedule D: Renderings

Schedule E: Protocol Requirements Summary

Schedule F: Agency and Department Comment

Schedule G: Public Comments