



MA-B3-1

LEGISLATIVE SERVICES	
COPY TO:	FOR:
Chair	<input checked="" type="checkbox"/> Committee
CAO	<input checked="" type="checkbox"/>
Corporate Services	<input checked="" type="checkbox"/> Council
Public Works	JAN 10/13
Employee and Business Services	<input checked="" type="checkbox"/>
Health Services	<input type="checkbox"/> File
Human Services	
Peel Living	

December 13, 2012

Ms. Kathryn Lockyer, Clerk
Region of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

Dear Ms. Lockyer:

RE: Proposed Bell Telecommunications Tower, 6520 Mayfield Road, Caledon

At the regular meeting of Council held on December 11, 2012, Council passed a resolution regarding the Proposed Bell Telecommunications Tower, 6520 Mayfield Road, Part Lot 1, Concession 2 being Part 2 on Plan 43R-1688, and Part Lot 1, Concession 2 being part 1 on Plan 43R-12449 North Side of Mayfield Road, East of Innis Lake Road, Ward 4, Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc., Owner: Domenic and Giuseppe Guaragna, File No: SPA 12-50T. The following resolution was adopted:

That Report DP-2012-0125 regarding a proposed Bell Telecommunications Tower, Part Lot 1, Concession 2 being Part 2 on Plan 43R-1688, and Part Lot 1, Concession 2 being part 1 on Plan 43R-12449 North Side of Mayfield Road, East of Innis Lake Road, Ward 4, Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc., Owner Domenic and Giuseppe Guaragna, File Number: SPA 12-50T, be deferred; and

That staff notify the Region of Peel that they must develop a policy on the location of cell towers on regional property.

Attached please find a copy of Report DP-2012-125 for your information.

Thank you.

Yours truly,

Barbara Karrandjas
Council/Committee Co-ordinator
e-mail: barbara.karrandjas@caledon.ca
Encl.

cc: Elaine Leung, Community Development Planner

REFERRAL TO Employee & Business Services
RECOMMENDED _____
DIRECTION REQUIRED _____
RECEIPT RECOMMENDED _____

RECEIVED

DEC 17 2012

REGION OF PEEL
CLERKS DEPT.

Administration

6311 Old Church Road
Caledon, ON L7C 1J6
www.caledon.ca

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- Albion, 1840
- Alton, 1820
- Belfountain, 1825
- Bolton, 1823
- Caledon East, 1821
- Caledon Village, 1826
- Campbell's Cross, c. 1820
- Cataract, 1858
- Cheltenham, 1827
- Claude, c. 1832
- Inglewood, 1883
- Mayfield West, 2006
- Melville, 1831
- Mono Road, 1871
- Mono Mills, 1819
- Palgrave, 1846
- Sandhill, 1839
- Terra Cotta, 1855
- Tullamore, c. 1820
- Victoria, c. 1850
- Wildfield, 1833

**REPORT DP-2012-0125**

To: Mayor and Members of Council

From: Development Approval & Planning Policy Department

Meeting: 2012-12-11

**Subject: Proposed Bell Telecommunications Tower
6520 Mayfield Road
Part Lot 1, Concession 2 being Part 2 on Plan 43R-1688, and Part Lot 1,
Concession 2 being part 1 on Plan 43R-12449 North Side of Mayfield
Road, East of Innis Lake Road
Ward 4
Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc.
Owner: Domenic and Giuseppe Guaragna
File No.: SPA 12-50T**

RECOMMENDATIONS

That Report DP 2012-0125 regarding a proposed Bell Telecommunications Tower, Part Lot 1, Concession 2 being Part 2 on Plan 43R-1688, and Part Lot 1, Concession 2 being part 1 on Plan 43R-12449 North Side of Mayfield Road, East of Innis Lake Road, Ward 4, Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc., Owner Domenic and Giuseppe Guaragna, File Number: SPA 12-50T, be received; and,

That Report DP 2012-091 (original report) regarding a proposed Bell Telecommunication tower and associated equipment compound, Part Lot 1, Concession 2 being part 1 on Plan 43R012449 North Side of Mayfield Road, East of Innis Lake Road, Ward 4, Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc., Owner Domenic and Giuseppe Guaragna, File Number SPA 12-50T, be received; and,

That Report DP 2012-0125 regarding a proposed Bell Telecommunication tower and associated equipment compound, Part Lot 1, Concession 2 being Part 2 on Plan 43R-1688, and Part Lot 1, Concession 2 being part 1 on Plan 43R-12449 North Side of Mayfield Road, East of Innis Lake Road, Ward 4, Applicant: Standard Land Company Inc. on behalf of Bell Mobility Inc., Owner Domenic and Giuseppe Guaragna, File Number: SPA 12-50T, be endorsed by Council; and forwarded to the Applicant, Owner, Industry Canada and the Region of Peel.

ORIGIN/BACKGROUND

The Town of Caledon received an application from Bell Mobility to construct a telecommunications tower and associated compound on the property located at 6520 Mayfield Road. The subject property is located at the northeast corner of Mayfield and Innis Lake Road.



TOWN OF CALEDON

REPORT DP-2012-0125**Council Resolution**

In a report to Council on October 9th, 2012, DP 2012-091 (attached as Schedule A), and subsequent Council Resolution 2012-610 (attached as Schedule B), Council referred the report back to staff to obtain additional information.

DISCUSSION

At the October 9th Council Meeting, two residents delegated Council. Concerns were raised regarding:

- The proposed site location in proximity to nearby residents,
- Design of the tower,
- Decrease in property values, and health concerns.
- Concerns were also raised regarding the property to the southwest of Mayfield and Innis Lake (Goreway), in the Brampton area, with respect to a potential commercial development proposal, including a daycare.

The applicant has responded to the residents concerns, noting that the proposed tower will meet Health Canada's standards, that the tower will be fenced to prevent access and ensure safety, and that the proposed location was chosen to improve coverage along Mayfield Rd. for residents of Caledon and Brampton, as a result of coverage deficiencies identified by customer feedback. Further information can be found in the original report as attached as Schedule A.

Brampton Land Use:**Property to the Southwest of Innis Lake/Goreway**

Town of Caledon Planning Staff contacted City of Brampton Staff, requesting further information regarding such a proposal. In correspondence dated October 30, 2012, the City of Brampton Planning Staff noted that the property identified on the southwest corner of Mayfield Road and Goreway Drive is located within the 'Mayfield Road/Goreway Drive Special Study Area' (attached as Schedule C). At this time, Brampton Staff are undertaking a city initiated Official Plan amendment, which proposes to designate the area for institutional uses such as a place of worship, day care facility or private school, and limited specialty retail. Brampton Staff note that the report is tentatively scheduled to be considered at the Planning, Design and Development Committee meeting of December 10, 2012. Brampton confirms that the subject property is zoned Residential Rural Estate Two (RE2) and Agricultural (A). The City of Brampton further notes that they have not received any formal submissions to date.

The property is currently designated as a 'Special Study Area', pursuant to the 'Vales North Secondary Plan – Secondary Plan Area 49.' Policies within the existing land use designation note that the limits of the area will be determined through an Environmental Implementation Report (EIR) and site investigations, to the satisfaction of the Toronto Conservation Authority (TRCA). The property has been identified as a potential institutional use based on the relatively small size and its isolation from the remainder of the Secondary Plan area. However, a comprehensive plan for the development of the area shall be prepared to the satisfaction of the City of Brampton prior to the area being rezoned.



REPORT DP-2012-0125

Property to the Southeast of Innis Lake/Goreway

The City of Brampton further notes that the property located to the southeast corner of Mayfield Rd. and Goreway Dr. is located outside the Special Study Area, and no changes are proposed. The property is zoned Residential Rural Estate Two (RE2).

FINANCIAL IMPLICATIONS

This property is currently assessed as commercial (occupied) (\$1,443,000 MVA) and residential (\$408,000 MVA). The Town's share of taxes levied, based on the market value assessment is approximately \$8,215. The property tax account as at November 14, 2012, is current.

If the telecommunications tower is constructed as proposed the taxable assessment value of the subject property, as determined by the Municipal Property Assessment Corporation, may change to reflect the change in usage and the development that occurs.

Any future development may be subject to Town of Caledon development charges as per By-law No. 2009-090 as amended by Bylaw 2011-082, currently \$48.68/m² non-residential.

Region of Peel development charges, currently \$87.92/m² non-residential/non-industrial, or \$193.67 non-residential other; and Education development charges currently \$5.71/m² may also be applicable should any future development occur. The Region has a guideline that structures less than 10 m² are not subject to development charges. All development charges are payable prior to issuance of a building permit.

Please note that education development charge by-laws are currently under review and rates are subject to change December 3, 2012.

LEGAL IMPLICATIONS

Telecommunication facilities are regulated by the Federal Government (Industry Canada) and are not subject to Provincial, Regional and local by-laws, policies and legislation. Industry Canada requires proponents of telecommunication facilities to consult with local land use authorities. The intent of the consultation is to provide an opportunity to address local land use concerns, while respecting Federal jurisdiction. Due to the increasing demand for wireless communication service in the Town of Caledon, Council adopted the "Protocol for Establishing Telecommunication Facilities" on June 1st, 2006. The protocol outlines a process for establishing new or expanding facilities in the Town.

Although the opinions and recommendations of the Town are to be taken into consideration, the approval authority for telecommunication facilities rests with the Federal Government (Industry Canada). The approval of telecommunication facilities lies beyond the jurisdiction of the Town of Caledon. For a new telecommunication facility being proposed in the Town, the protocol requires the telecommunication applicant to undertake a detailed site selection analysis which is subject to public and Council review.



REPORT DP-2012-0125

NEXT STEPS

1. Development staff will forward Report DP-2012-0125 and Council's resolution regarding the proposed telecommunication facility to the Owner, Applicant, Industry Canada and City of Brampton.
2. Planning Law staff will draft an agreement to be executed by the Applicant which outlines the requirement for dismantling the tower and installation of a plaque at the base of the tower.
3. Planning Law staff will register the agreement on title, once executed by the Applicant.
4. Development staff will advise the Owner, Applicant and Industry Canada that the process for establishing the proposed telecommunication facility has been completed in accordance with the "Protocol for Establishing Telecommunication Facilities" dated June 1st, 2006.

COMMUNITY BASED STRATEGIC PLAN

Strategic Objective 2D- Manage Growth and Use Land Wisely.
 Strategic Objective 2F- Connect Neighbourhoods.
 Strategic Objective 5F- Expand High Speed Internet Infrastructure.

POLICIES/LEGISLATION

Places to Grow Plan
 Region of Peel Official Plan
 Town of Caledon Official Plan
 Comprehensive Zoning By-law 2006-50, as amended

CONSULTATIONS

Posting of Sign

As per the Telecommunication Protocol, two signs were erected along Mayfield Road and Innis Lake Road, respectively, notifying the public of the proposal to establish a telecommunication facility. The signs were posted 20 days prior to the advertised Public Information Centre, and in accordance with the Protocol which included the date, location and time of the Public Information Centre.

Agency/Department Circulation

The subject application was circulated to external agencies and internal departments for review and comment.

With respect to the concerns that Brampton residents raised at the Oct. 9th Council meeting, the City of Brampton has provided correspondence, at the request of the Town of Caledon dated Oct. 30, 2012, and attached as part of this report.

The Town will require the applicant to execute an agreement to be registered on title in order to satisfy the Town that appropriate arrangements have been made to completely dismantle and remove the telecommunication facility from the property.



REPORT DP-2012-0125

Public Information Centre

A Public Information Centre was held on July 16, 2012 from 7:00 to 9:00 p.m. at the Town of Caledon, Town Hall. Property owners within 500 metres of the proposed tower (within both the Town of Caledon and City of Brampton) were notified by mail. An advertisement was placed in the Caledon Enterprise on July 12, 2012, and Brampton Guardian on July 11, 2012. Seven people and two Councilors attended the Information Centre. Further information and comments can be found in Report DP-2012-091.

ATTACHMENTS

Schedule "A" – Report DP-2012-091
 Schedule "B" – Council Resolution 2012-610
 Schedule "C" – Correspondence from City of Brampton

CONCLUSION

Due to concerns raised at the October 9th, 2012 Council meeting, at the request of Town of Caledon Staff, Staff at the City of Brampton has provided correspondence and confirmed that currently, there are no planning or development applications submitted for the lands located southwest of 6520, Mayfield, (the property of the proposed telecommunications tower), identified as a property of concern, due to a potential daycare facility.

It is noted that in the event that the Mayfield Road/Goreway Drive Special Study Area plan is approved by City of Brampton Council, the proposed change would affect only the Secondary Plan land use designation. The existing zone would remain the same. The property is zoned Residential Rural Estate Two (RE2) and Agricultural (A).

Further, notwithstanding an approved Official Plan amendment, a change in use on the subject property would require a formal zoning by-law amendment application and approval, which would involve review and public consultation.

The Development Approval and Planning Policy Department has reviewed the proposed telecommunication facility in conjunction with external agencies and internal departments and is of the opinion that the proposed application is consistent with provincial, regional and local policy documents. As such, Planning staff recommends the proposed telecommunication facility be endorsed by Council.

Prepared by: Elaine Leung

Approver (L1): Casey Blakely

Approver (L2): Mary Hall

Approver (L3): Doug Barnes

Approver (L4):

Approver (L5):