

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 29, 2013

Item 10, Report No. 1, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 29, 2013.

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**SITE DEVELOPMENT FILE DA.12.077
757311 ONTARIO LIMITED
WARD 4 - VICINITY OF KEELE STREET AND TESTON ROAD**

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated January 15, 2013, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.12.077 (757311 Ontario Limited) BE APPROVED, for the installation of a 40 m high monopole telecommunication tower and associated radio equipment cabinets (Attachments #3, #4 and #5) on the subject lands shown on Attachments #1 and #2.

Contribution to Sustainability

N/A

Economic Impact

There are no requirements for new funding associated with this report.

Communications Plan

N/A

Purpose

The Proponent (Wind Mobile) has submitted Site Development File DA.12.077 on the subject lands shown on Attachments #1 and #2 for the installation of a 40 m high monopole-telecommunication tower and associated radio equipment cabinets as shown on Attachments #3, #4 and #5.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located at 75 Rodinea Road, situated east of Keele Street, and south of Teston Road, in the City of Vaughan. The subject lands are located within an existing industrial area that is 775 m from the nearest residential area, as shown on Attachment #1.

City of Vaughan's Telecommunication Tower/Antenna Protocol

On June 23, 2003, the City of Vaughan adopted a protocol for establishing telecommunication tower/antenna facilities. In accordance with the City's Protocol, all new tower/antenna systems

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greater than 16.6 m in height (now 15 m as superseded by Industry Canada's Protocol, January 2008) require consideration by Vaughan Council. The proposed 40 m high telecommunication tower exceeds the 15 m maximum exemption height and is subject to site plan approval.

The City's Protocol states that if a telecommunication tower/antenna facility is proposed in an industrial area and located a minimum of 100 m away from a residential area, the proponent is not required to notify the public and is exempt from the public consultation requirements. The proposed telecommunication tower is located in an industrial area and is 775 m from existing residential uses, as shown on Attachment #1. Therefore, the application is not subject to the City's public consultation process.

In accordance with the Protocol, the Proponent attended a Pre-Application Consultation meeting with the Vaughan Development Planning Department prior to submitting the subject application. The Proponent conducted a survey of the surrounding area and determined that there were no existing facilities suitable for co-location within the vicinity network coverage.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force comprised of residents and industry representatives to review the City of Vaughan's existing protocol for establishing Telecommunication Tower/Antenna Facilities. The Telecommunication Task Force is currently conducting a background review and consulting key stakeholders, prior to preparing a Findings Report that will support the development of a new City of Vaughan Telecommunication Facility Siting Protocol. On June 7, 2011, Council also resolved:

"THAT Site Development Applications for new telecommunication facilities submitted prior to approval of a new City protocol be reviewed under the current City of Vaughan Protocol for Establishing Telecommunication Towers/Antenna Facilities."

Official Plan and Zoning

The subject lands are designated "Industrial" by in-effect OPA #332 (North Maple), as amended by in-effect OPA #535, and "Settlement Area" by in-effect OPA #604 (Oak Ridges Moraine Conservation Plan). The subject lands are also designated "General Employment" by the City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified on September 27, 2011, March 12, 2012, and April 17, 2012), and is subject to approval by the Ontario Municipal Board. The proposal conforms to the Official Plans.

The subject lands are zoned M2 General Industrial Zone by Zoning By-law 1-88, subject to site-specific Exception 9(235). The *Radiocommunication Act* designates Industry Canada as the approval authority for all matters respecting telecommunication towers and antenna facilities. Federal regulations are not subject to Provincial policies, which include the *Planning Act* and *Building Code Act*. As such, telecommunication towers and antenna facilities are exempt from municipal zoning by-law requirements and site plan control (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

The proposed 64 m² equipment compound is located at 75 Rodinea Road, as shown on Attachments #1 and #2. The compound is enclosed by a 1.8 m high chain link fence with barbed wire, and accessed via lands leased to the Proponent from Rodinea Road, as shown on Attachment #3. The compound includes a 40 m high shrouded galvanized monopole painted in a grey hue with associated radio equipment cabinets, as shown on Attachments #3, #4 and #5. A non-load bearing element has been placed at the top of the shroud for aesthetic interest.

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The accessory walk-in radio cabinets are constructed of galvanized steel situated on a 3.0 m x 2.0 m concrete pad. The cabinet is approximately 1.9 m x 1.1 m with an approximate height of 2.8 m, as shown on Attachment #5. All hydro requirements to service the equipment cabinets for the telecommunications tower must be met to the satisfaction of PowerStream Inc.

According to the Proponent, the proposed telecommunication tower is required to address existing network and coverage issues along Keele Street and Teston Road in the North Maple area. The Proponent has indicated that the proposed tower has been designed to support co-location with additional carriers. The Development Planning Department has no objection to the proposed layout and location of the compound and telecommunication tower.

Relationship to Vaughan Vision 2020/Strategic Plan

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Well-being".

Regional Implications

On April 23, 2009, the Region of York adopted Industry Canada's Protocol (CPC-2-0-03) to reduce redundancies and permit a more efficient and consistent approach for regulating telecommunication facilities, while providing an opportunity for local municipalities to determine individual procedures and protocols. The proposed compound area and telecommunication tower conforms to the Region of York's adopted Protocol.

Conclusion

The Vaughan Development Planning Department has reviewed the proposal for a 40 m high telecommunication tower and associated radio equipment cabinets in accordance with the Official Plan, Zoning By-law 1-88, the City of Vaughan's Protocol for Establishing Telecommunication Tower/Antenna Facilities, and Industry Canada's Protocol for Radiocommunication and Broadcasting Antenna Systems. The installation of the tower and accessory radio equipment is considered acceptable. Accordingly, the Development Planning Department can support the approval of Site Development File DA.12.077.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan and Compound Details
4. Telecommunications Tower Elevation
5. Telecommunications Equipment Plan, Elevations and Perspective

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)