

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JANUARY 24, 2017

Item 9, Report No. 2, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on January 24, 2017.

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**SITE DEVELOPMENT FILE DA.16.060
SOBEY'S CAPITAL INCORPORATED
WARD 2 - VICINITY OF HUNTINGTON ROAD AND LANGSTAFF ROAD**

The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning and Senior Manager of Development Planning, dated January 17, 2017:

Recommendation

The Deputy City Manager, Planning & Growth Management, Interim Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.16.060 (Sobey's Capital Incorporated) BE APPROVED, to permit the installation of a 29.9 m high monopole telecommunication tower and associated radio equipment cabinet for Wind Mobile Inc. (Attachments #3 to #7) 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

Pursuant to the City's 2003 (in-effect for this application) Telecommunication Tower/Antenna Facilities Protocol, the proponent (Wind Mobile Inc.) was not required to hold a Public Consultation meeting as the proposed tower is to be located within an employment area, and will be located greater than the minimum 100 m requirement from the nearest residential area (2,000 m to the east) as identified on Attachment #1. Further information is provided within the Telecommunication Tower/Antenna Protocol section of this report.

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.16.060 on the subject lands shown on Attachments #1 and #2, to permit the installation of a 29.9 m high monopole telecommunication tower with external antennas (flush mount design) and associated radio equipment cabinet, as shown on Attachments #3 to #7.

Background - Analysis and Options

Synopsis:

The proponent is proposing to locate a 29.9 m high monopole telecommunication tower with external antennas (flush mount design) and associated radio equipment cabinet on the subject lands. The proposed installation of the telecommunication tower is appropriately designed and located within an employment area. The Vaughan Development Planning Department supports the proposed location of the telecommunication tower as it conforms with Vaughan Official Plan

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2010, the City of Vaughan's Protocol for Establishing Telecommunication Tower/Antenna Facilities (2003, in-effect), Industry Canada's Protocol for Radio Communication and Broadcasting Antenna Systems, and the requirements of City Departments and external public agencies, and is deemed compatible with the surrounding existing and planned land uses in the employment area. The telecommunication tower will provide coverage to the employment area in West Vaughan, which is not adequately served as discussed in the report.

Location

The subject lands shown on Attachments #1 and #2 are located on the east side of Huntington Road, south of Langstaff Road, and are known municipally as 8265 Huntington Road, City of Vaughan. The surrounding land uses are identified on Attachment #2.

City of Vaughan's Telecommunication Tower/Antenna Facilities Protocol

On June 23, 2003, Vaughan Council adopted a protocol for establishing telecommunication tower/antenna facilities. In accordance with the City's Protocol (in-effect for this application), all new tower/antenna systems proposed by telecommunications carriers (as superseded by Innovation Science and Economic Development Canada (ISED), formerly Industry Canada's Protocol, June 2014) require consideration by Vaughan Council.

In accordance with the two Protocols, 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. The locations of existing telecommunication towers that required and were granted municipal concurrence within the vicinity of the subject lands are located on Attachment #1.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force ("Task Force") comprised of residents, industry representatives, and two Vaughan Council Members to review the City of Vaughan's 2003 Protocol for establishing Telecommunication Tower/Antenna Facilities.

On June 7, 2011, Vaughan 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 Tower/Antenna Facilities."

The subject Site Development application is proceeding to the Committee of the Whole meeting on January 17, 2017, in accordance with the above resolution.

The Task Force developed a comprehensive work plan to formulate a Findings Report with assistance from City staff. The Task Force also consulted with and heard presentations from a variety of sources such as Industry Canada, Public Health Ontario, Bell Mobility, Rogers Communications and telecommunication industry professionals. The Task Force approved the final Findings Report at its last meeting on December 17, 2013, and forwarded the Findings Report and the following recommendation to the Committee of the Whole meeting on January 14, 2014, which Vaughan Council adopted on January 28, 2014:

"That the Findings Report be referred to staff for review, and that a report be provided to a future Committee of the Whole Meeting; and,

That the Findings Report form the basis for developing the City of Vaughan's Telecommunication Facility Siting Protocol."

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City Staff reviewed the Findings Report and provided recommendations through a report from the Planning Department for consideration by the Committee of the Whole on June 17, 2014. On June 24, 2014, Vaughan Council adopted the following resolution:

“THAT the Vaughan Planning Department be directed to prepare a new City of Vaughan Telecommunication Siting Protocol (“Protocol”), for consideration at a future Committee of the Whole (Working Session) meeting, in early 2015.”

The Vaughan Development Planning Department prepared and forwarded a new *Telecommunication Facility Siting Protocol* to the Committee of the Whole for consideration on September 7, 2016. On October 19, 2016, Vaughan Council adopted the new protocol, and it is now in effect. However, applications that were received by the City prior to the adoption of the new Protocol are being processed under the old Protocol. This application was submitted on June 24, 2016, and is therefore being processed under the old Protocol.

Although the telecommunications tower proposed for the subject lands is being processed under the old Protocol, it is consistent with the locational and design requirements outlined in the new Protocol.

The City’s in-effect (2003) Protocol states that applications for telecommunication towers located within industrial or commercial zoned areas and located a minimum of 100 m away from residential areas are exempt from the requirement to hold a Community Information Meeting. The subject lands are zoned industrial and are located more than 100 m from a residential area as identified earlier in this report and on Attachment #1 (ie. 2,000 m away to the east), and therefore, the proponent was not required to hold a Community Information Meeting.

Official Plan and Zoning

The subject lands are designated “Prestige Employment”, “General Employment” and “Natural Areas” by VOP 2010. The proposed telecommunications tower is located within the “Prestige Employment” designation. Section 8.4.4 of VOP 2010 encourages the development of comprehensive high-speed telecommunications and data networks throughout Vaughan to contribute to economic competitiveness and support widespread access to such services. Section 8.4.4.2 also encourages that service providers be encouraged to share telecommunications and data infrastructure, where feasible, to minimize adverse impacts, including visual impacts, from wireless towers.

The subject lands are zoned EM1 Prestige Employment Area Zone, EM2 General Employment Area Zone, and OS1 Open Space Conservation Zone by By-law 1-88, subject to Exception 9(1254), which permits employment uses on the subject lands. The proposed telecommunications tower is located within the EM2 Zone.

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, including the *Planning Act* and *Building Code Act*. Additionally, telecommunication towers and antenna facilities are exempt from municipal zoning by-law requirements and site plan control approval (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

The proposed 36 m² equipment compound is enclosed by a 1.8 m high pressure treated western red cedar wood fence and screened with two deciduous trees, 4 coniferous trees, and shrubs, as shown on Attachment #4. The existing landscaping on site (Attachment #5) together with the

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proposed new landscaping will provide additional screening of the equipment compound. The compound includes a 29.9 m high monopole with external antennas and one radio equipment cabinet, as shown on Attachment #6. The accessory radio equipment cabinet measures 0.762 m by 0.635 m by 2.28 m in height, and is constructed of aluminum, as shown on Attachment #7. All exterior cabinet surfaces and components are corrosion and UV resistant. All hydro requirements to service the radio equipment cabinets for the telecommunications tower will be provided to the satisfaction of Powerstream Inc.

Access to the site for the construction and servicing of the tower and radio equipment cabinet will be provided via the existing driveway from Huntington Road, as shown on Attachment #3.

The proponent has advised that the 29.9 m high monopole telecommunication tower will allow the potential for future co-location by other licensed carriers, which is consistent with the City's in-effect (and new) Protocol that encourages the use of existing structures.

The purpose of the telecommunication tower is to provide coverage to the surrounding employment area. Wind Mobile Inc. has determined the need for a service upgrade in this area in order to adequately provide continuous coverage and service for existing and future customers in Vaughan. Currently, their network is burdened by a combination of poor voice and data quality, and in some cases, the coverage is so poor that a handset would be unable to place a mobile call at all in the subject location and surrounding area.

As part of Wind Mobile Inc.'s assessment for providing service in this area, it was determined that there were no suitable pre-existing towers in this area on which to co-locate their service.

The Vaughan Development Planning Department has no objection to the proposed layout, design, and location of the compound and telecommunications tower.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has reviewed the subject proposal and has no comments.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Attract investment and create jobs
- ii) Invest, renew and manage infrastructure and assets

Regional Implications

On April 23, 2009, York Region 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 York Region's adopted Protocol.

The York Region Community Planning and Development Services Department has reviewed the site development application and have no comments.

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Conclusion

The Vaughan Development Planning Department has reviewed the proposal for a 29.9 m high monopole telecommunication tower and associated radio equipment cabinet in accordance with the Official Plan, Zoning By-law 1-88, the City of Vaughan's Protocol for Establishing Telecommunication Tower/Antenna Facilities (2003, in-effect), and Industry Canada's Protocol for Radiocommunication and Broadcasting Antenna Systems, the requirements of City Departments and external public agencies, and the area context. The installation of the proposed tower and accessory radio equipment cabinet is considered acceptable for the reasons provided in this report. Accordingly, the Vaughan Development Planning Department can support the approval of Site Development File DA.16.060.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Landscape Plan
5. Proposed Telecommunication Tower Location on Previously Approved Landscape Plan for Existing Sobeys's Distribution Centre (File DA.16.057)
6. Compound Layout & Elevation Plan
7. Cabinet Details

Report prepared by:

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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.)