

**EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 17, 2015**

**11 SITE DEVELOPMENT FILE DA.14.003  
REHMAT TRADING COMPANY LIMITED  
WARD 2 - VICINITY OF HUNTINGTON ROAD AND REGIONAL ROAD 7**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated February 3, 2015, be approved; and
- 2) That the coloured elevations submitted by the applicant be received.

1. THAT Site Development File DA.14.003 (Rehmat Trading Company Limited) BE APPROVED, to permit the installation of a 50 m high shrouded tri-pole telecommunication tower and associated radio equipment cabinet for Rogers Communications Inc. (Attachments #3 to #5), on the subject lands shown on Attachments #1 and #2.

The subject lands shown on Attachments #1 and #2 are located on the northeast corner of Regional Road 7 and Huntington Road, municipally known as 6720 Regional Road 7, in the City of Vaughan.

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City of Vaughan's Telecommunication Tower/Antenna Protocol

On June 23, 2003, Vaughan Council adopted a protocol for establishing telecommunication tower/antenna facilities. In accordance with the City's Protocol, all new tower/antenna systems (as superseded by Industry Canada's Protocol, June 2014) require consideration by Vaughan Council.

The City's Protocol states that proposed telecommunication towers located within 500 metres of adjacent municipalities must consult with those municipalities. The proposed tower is located within 500 metres of both the City of Brampton and the Region of Peel. The Proponent has submitted the proposal to both authorities for consideration, however, has not received any comments.

The Proponent (Rogers) had telecommunication facilities co-located on an existing Bell Mobility tower to the north on Huntington Road, however, was advised that this tower was being removed, which necessitated the Proponent securing a new location. In accordance with the City's Protocol, the Proponent had a Pre-Application Consultation meeting with the Vaughan Planning Department and subsequently submitted 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 location of existing telecommunication towers that required and were granted municipal concurrence within the vicinity of the subject lands are shown on Attachment #1.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force comprised of residents, industry representatives, and two Vaughan Council Members to review the City of Vaughan's existing Protocol for establishing Telecommunications 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 to 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 February 3, 2015, 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, and telecommunications industry professionals. The Task Force approved the final Findings Report at its 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."

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

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

The City's in-effect Protocol states that proposed telecommunication towers located in commercial or industrial zones which are greater than 100 m from a Residential Zone are exempt from Public Consultation. The proposed tower shown on Attachment #2 is located in a C6 Highway Commercial Zone and approximately 2.5 km from the nearest Residential Zone (north of Regional Road 7, east of Regional Road 27), and is therefore exempt from Public Consultation.

#### Official Plan and Zoning

The subject lands are designated “Employment Commercial Mixed-Use” by City of Vaughan Official Plan 2010 (VOP 2010) and the associated Huntington Business Park Area Specific Plan. 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. The telecommunications and data policies of VOP 2010 do not apply until such time as Vaughan Council has adopted a new telecommunications tower protocol.

The subject lands are zoned C6 Highway Commercial Zone by Zoning By-law 1-88, subject to site-specific exception 9(564).

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*. 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 67 m<sup>2</sup> equipment compound is enclosed by a 2.4 m high pressure treated board fence. The compound includes a 50 m high tri-pole tower with shrouded antennas, and one radio equipment cabinet, as shown on Attachments #4 and #5. The accessory radio cabinet is constructed of galvanized steel and measures approximately 4 m<sup>2</sup>. All hydro requirements to service the equipment cabinets for the telecommunications tower must be to the satisfaction of PowerStream Inc.

The Proponent is proposing access for construction, servicing, and maintenance of the tower and associated cabinet via an existing driveway entering from Huntington Road, as shown on Attachment #3.

The proposed compound is located in close proximity to Huntington Road. In order to mitigate the visual exposure of the compound and associated radio cabinet, the Proponent has proposed minimum 2.5 m high coniferous landscape screening in the form of cedar trees between the compound and Huntington Road.

The Proponent has advised that the proposed telecommunication tower is required to address the removal of the tower north on Huntington Road on which the Proponent's antennas were co-located with the antennas of Bell Mobility. Bell Mobility is relocating its antennas to TELUS's tower located at the southwest corner of Huntington Road and Fogal Road.

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The Proponent has advised that the 50 m high shrouded tri-pole telecommunications tower will facilitate future co-location by other licensed carriers, which is consistent with the City's current telecommunication tower/antenna facilities protocol that encourages the use of existing structures. The Vaughan Planning Department has no objection to the proposed layout, design, and location of the compound and telecommunications tower.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This report is consistent with the following initiatives set forth in the Vaughan Vision 20/20 Strategic Plan:

i) **Plan and Manage Growth & Economic Vitality**

The proposal will support the development of a high-speed telecommunications and data network throughout Vaughan to contribute to economic competitiveness and support widespread access to such services.

#### **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 telecommunications tower conforms to York Region's adopted Protocol. York Region has no objection to the tower proposal.

#### **Conclusion**

The Vaughan Planning Department has reviewed the proposal for a 50 m high shrouded tri-pole 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, and Industry Canada's Protocol for Radiocommunication and Broadcasting Antenna Systems. The installation of the tower and accessory radio equipment is considered acceptable, and accordingly, the Vaughan Planning Department supports the approval of Site Development File DA.14.003.

#### **Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Compound Layout & Tower Details
5. Cabinet Elevations

#### **Report prepared by:**

Gillian McGinnis, Planner 1, ext. 8003  
Carmela Marrelli, Senior Planner, ext. 8791

(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.)