

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 23, 2013**

Item 21, Report No. 14, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on April 23, 2013.

**21** **SITE DEVELOPMENT FILE DA.12.093**  
**DOMENIC FIORINI HOLDINGS LTD.**  
**WARD 4 – NORTHWEST CORNER OF REGIONAL ROAD 7 AND RIVERMEDE ROAD**

**The Committee of the Whole recommends:**

- 1) That the recommendation contained in the following report of the Commissioner of Planning, dated April 9, 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.12.093 (Domenic Fiorini Holdings Ltd.) BE APPROVED, for the installation of a 29.9 m high shrouded tri-pole telecommunication tower and associated radio equipment cabinets (Attachments #3 to #5 inclusive) 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 (Public Mobile) has submitted Site Development File DA.12.093 on the subject lands shown on Attachments #1 and #2 for the installation of a 29.9 m high shrouded tri-pole telecommunication tower and associated radio equipment cabinets, as shown on Attachments #3 to #5 inclusive.

**Background - Analysis and Options**

**Location**

The subject lands shown on Attachments #1 and #2 are located at the northwest corner of Regional Road 7 and Rivermede Road (20 Rivermede Road), in the City of Vaughan.

**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 In accordance with the City's Protocol, all new tower/antenna systems greater than 16.6 m in height (now 15 m as superseded by Industry Canada's Protocol, January 2008) require consideration by Vaughan Council.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 29.9 m high telecommunication tower exceeds the 15 m maximum exemption height and is subject to site plan approval.

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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 existing industrial area and is approximately 640 m from existing residential uses, as shown on Attachment #2. 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 "Prestige Area" by in-effect OPA #450 (Employment Area Plan). The subject lands are also designated "Prestige Employment" by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted by Vaughan Council on September 7, 2010 (as modified September 27, 2011, March 20, 2012, and April 17, 2012), and further modified and endorsed by Region of York Council on June 28, 2012, and is pending approval from the Ontario Municipal Board. The proposal conforms to the Official Plans.

The subject lands are zoned EM1 Prestige Employment Area Zone and identified as a "Commercial Complex" by Zoning By-law 1-88. 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 60 m<sup>2</sup> equipment compound is enclosed by a 2.1 m high wood panel fence and is accessed via a driveway from Rivermede Road on lands leased to the Proponent, as shown on Attachments #3, #4 and #5. The compound includes a 29.9 m high shrouded tri-pole painted white with associated radio equipment cabinets, as shown on Attachments #4 and #5. The accessory walk-in radio cabinets are constructed of galvanized steel situated on an existing 4.0 m x 5.0 m concrete pad. The cabinet area is approximately 1.8 m x 2.5 m with a height of 1.2 m, as shown on Attachment #5. All hydro requirements to service the equipment cabinets for the telecommunications tower must be to the satisfaction of PowerStream Inc.

According to the Proponent, the proposed telecommunication tower is required to address existing network and coverage issues along Regional Road 7. 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, design and location of the compound and telecommunication tower.

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#### **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 29.9 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.12.093.

#### **Attachments**

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

#### **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.)