

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 29, 2013

Item 17, Report No. 42, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on October 29, 2013, as follows:

By approving the following:

That consideration of this matter be deferred to the Council meeting of November 19, 2013, to allow further consultation with residents; and

That staff request comments from TRCA with respect to this matter.

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**SITE DEVELOPMENT FILE DA.13.056
TORONTO AND REGION CONSERVATION AUTHORITY
WARD 2 - VICINITY OF ISLINGTON AVENUE AND KILORAN AVENUE**

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of October 29, 2013, pending further discussions with affected residents.**

Recommendation

The Commissioner of Planning and the Director of Development Planning recommend:

1. THAT Site Development File DA.13.056 (Toronto and Region Conservation Authority) BE APPROVED, to permit the installation of a 40 m high shrouded tripole 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

Pursuant to the City's current telecommunication tower/antenna facilities protocol, the Proponent (Rogers Communications Inc.) held a Public Consultation Meeting on September 19, 2013, which is discussed in the Protocol section of this report.

Purpose

The Proponent (Rogers Communications Inc.) has submitted Site Development File DA.13.056 on the subject lands shown on Attachments #1 and #2 for the installation of a 40 m high shrouded tripole 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 8739 Islington Avenue, known as the Boyd Conservation Area, and is situated south of Rutherford Road on the east side of Islington Avenue, in the City of Vaughan.

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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 40 m high telecommunication tower exceeds the 15 m maximum exemption height and is subject to site plan approval.

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."

The City's Protocol states that applications for telecommunication towers less than 100 m away from residential areas require the Proponent to provide notice of a community meeting by regular mail to all landowners within a radius of 120 m from the tower base. As the subject lands are located adjacent to lands zoned for residential purposes, this application was subject to the City of Vaughan's public consultation process. Given the location of the tower within the Boyd Conservation Area, the notification radius was increased to 180 m and also includes an extended notification area to properties abutting Islington Avenue in proximity to the tower location, as shown on Attachment #2.

On September 19, 2013, the Proponent held a Public Consultation Meeting at the Al Palladini Community Centre from 6:00 pm to 8:00 pm. In accordance with the City's Protocol, notice for this meeting was provided by regular mail to all notified residents a minimum of 20 days in advance of the Public Consultation meeting. No residents attended the Public Consultation Meeting and no concerns by residents have been received by the Development Planning Department.

Official Plan and Zoning

The subject lands are designated "Drainage Tributary" by in-effect OPA #240 (Woodbridge Community Plan). The subject lands are also designated "Natural Areas" by the 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 approved, in part, by the Ontario Municipal Board on July 23, 2013.

The subject lands are zoned OS2 Open Space Park Zone 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 official plans and zoning by-law requirements and site plan control (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

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Planning Considerations

The proposed 40 m high shrouded tripole telecommunication tower is required due to the pending removal of an existing telecommunication tower installation on the site known as the Al Palladini Community Centre, which is located at the southeast corner of Rutherford Road and Islington Avenue. The installation of a new tower in the Boyd Conservation Area, together with the proposed telecommunication tower at the northeast corner of Rutherford Road and Napa Valley Avenue (Site Development File DA.13.055) will allow for the removal of the existing tower at the Al Palladini Community Centre, while ensuring that network services are maintained in addition to further improving network coverage and capacity in the area.

An existing Bell/Telus telecommunications tower (flagpole design) is located on the subject lands approximately 20 m west of the proposed Rogers tower, as shown on Attachment #3. According to the Proponent, the existing Bell/Telus telecommunications tower does not have sufficient space to provide for appropriate co-location that will facilitate Rogers' equipment. In addition, no other towers or other tall structures that could support antenna facilities are located within the vicinity of the site. On this basis, the Proponent has advised that a new tower is required to appropriately satisfy coverage requirements as a result of the pending removal of the existing tower located at the Al Palladini Community Centre.

The proposed 70.4 m² equipment compound is enclosed by a 2.4 m high board fence stained in a green hue to match the existing Bell/Telus compound fence. The compound is accessed via an existing gravel driveway from Islington Avenue on lands leased to the Proponent, as shown on Attachment #3. The telecommunications tower is located approximately 20 m east of the existing Bell/Telus tower. The relatively close proximity of the two towers will assist in mitigating their visual impact from a far distance. The compound includes a 40 m high white tripole and associated radio equipment cabinet, as shown on Attachment #4. The accessory radio cabinet measures approximately 2.4 m x 1.6 m, and is constructed of galvanized steel situated on a 2.55m x 1.83 m concrete pad, 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.

The proposed tower has been designed to support future technology and co-location with additional carriers. The Development 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 initiative set forth in the Vaughan Vision 20/20 Strategic Plan:

i) **Manage Growth and Economic Well-being**

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, 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.

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Conclusion

The Vaughan Development Planning Department has reviewed the proposal for a 40 m high shrouded tripole 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.13.056.

Attachments

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

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.)