

**CITY OF VAUGHAN**

**EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 29, 2013**

Item 8, 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 Site Development File DA.13.055 (Corporation of the City of Vaughan) to permit the installation of a 25 m high monopole telecommunication tower (with Canadian flag) and associated radio equipment cabinets (Attachments #3 to #5 inclusive) on the subject lands shown on Attachments #1 and #2, BE REFUSED; and***

***That the following Communications be received:***

- C1. Petition from “The affected community”;**
- C14. Ms. Tina Catalano, Dalmato Court, Vaughan, dated October 27, 2013;**
- C15. Ms. Diana Marini, Carstad Crescent, Vaughan, dated October 28, 2013;**
- C18. Ms. Emily Scarcello, Carstad Crescent, Vaughan dated October 29, 2013;**
- C19. Ms. Lena Streletska, dated October 29, 2013; and**
- C21. Mr. Mark Goldberg, Forest Lane Drive, Thornhill, dated October 29, 2013.**

**8**

**SITE DEVELOPMENT FILE DA.13.055  
CORPORATION OF THE CITY OF VAUGHAN  
WARD 2 - VICINITY OF RUTHERFORD ROAD AND NAPA VALLEY 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;**
- 2) That the deputation of Mr. Sean Galbraith, Proliferate Consulting Group, be received; and**
- 3) That the coloured elevation drawings submitted by the applicant be received.**

**Recommendation**

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

- 1. THAT Site Development File DA.13.055 (Corporation of the City of Vaughan) BE APPROVED, to permit the installation of a 25 m high monopole telecommunication tower (with Canadian flag) 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. The proposed telecommunication tower is necessary to ensure that network services are maintained in addition to further improving network coverage and capacity in the area. Should Vaughan Council approve the Site Development Application, the proponent (Rogers Communications Inc.) will be entering into a lease agreement with the City, with the outcome resulting in revenue generation.

**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.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 29, 2013**

Item 8, CW Report No. 42 – Page 2

#### **Purpose**

The Proponent (Rogers Communications Inc.) has submitted Site Development File DA.13.055 on the subject lands shown on Attachments #1 and #2 for the installation of a 25 m high monopole telecommunication tower (with Canadian flag) 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 on the northeast corner of Rutherford Road and Napa Valley Avenue, 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 25 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. The notification radius was increased to 180 m, 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. A total of four (4) residents attended the Public Consultation Meeting, all of which were concerned with the health effects of the telecommunications tower.

Health Canada has established safety guidelines for exposure to radio frequency fields, in its Safety Code 6 publication entitled "Limits of Human Exposure to Radiofrequency Electromagnetic fields in the Frequency Range from 3 kHz to 300 GHz". Industry Canada has adopted this

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 29, 2013

#### Item 8, CW Report No. 42 – Page 3

guideline for the purpose of protecting the general public, which concludes that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6. Rogers Communications Inc. attests that the proposed telecommunications tower will at all times comply with the requirements of Safety Code 6 for the overall protection of the general public.

#### Official Plan and Zoning

The subject lands are designated “Low Density Residential” by in-effect OPA #600 (Woodbridge Expansion Area). The subject lands are also designated “Infrastructure and Utilities” 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 OS1 Open Space Conservation 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).

#### Planning Considerations

The proposed 25 m high monopole 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 on the subject lands, together with the proposed telecommunication tower in the Boyd Conservation Area (Site Development File DA.13.056) 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.

The proposed 19.1 m<sup>2</sup> equipment compound is unenclosed, and is located behind an existing stone wall/entry feature into the Sonoma Heights neighbourhood. The compound is accessed via Napa Valley Avenue, with the Rogers maintenance technician using existing street parking in lieu of vehicle access to the compound, as shown on Attachment #3. The compound includes a 25 m high white monopole with a Canadian flag and an associated radio equipment cabinet, as shown on Attachment #4. The accessory radio cabinet measures approximately 2.4 m x 1.6 m and is 2.3 m in height. The cabinet is constructed of galvanized steel and is situated on a concrete pad, as shown on Attachment #5. The visual impact of the proposed cabinet will be mitigated through existing landscape screening and the existing stone wall feature. All existing trees are to remain undisturbed, with the exception of one tree located in the proposed telecommunication tower's location. The Proponent has indicated that Rogers will provide a replacement tree and additional landscaping in the vicinity. 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.

## **CITY OF VAUGHAN**

### **EXTRACT FROM COUNCIL MEETING MINUTES OF OCTOBER 29, 2013**

Item 8, CW Report No. 42 – Page 4

#### **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.

#### **Conclusion**

The Vaughan Development Planning Department has reviewed the proposal for a 25 m high monopole telecommunication tower (with Canadian flag) 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.13.055.

#### **Attachments**

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

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

Mark Antoine, Planner, ext. 8212

(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.)