

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 19, 2013

8

The Committee of the Whole recommends:

- ## Recommendation

1. THAT Site Development File DA.12.074 (Braydon Properties Limited) BE APPROVED, for the installation of a 35 m high flagpole telecommunication tower and associated radio equipment cabinets shown on Attachments #3 and #4.

N/A

There are no requirements for new funding associated with this report.

N/A

The Proponent (Bell Mobility Inc.) has submitted Site Development File DA.12.074 for the subject lands shown on Attachments #1 and #2, to permit the installation of a 35 m high circular steel flagpole telecommunication tower and associated radio equipment cabinets as shown on Attachments #3 and #4.

Location

The subject lands are located on the east side of Westburne Drive, south of Rutherford Road (671 Westburne Drive), in the City of Vaughan. The proposed telecommunication tower is located along the north elevation of an existing 1-storey industrial building and immediately south of the Rutherford Road GO station parking lot, as shown on Attachment #3.

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 In accordance with the City's Protocol, all new tower/antenna systems greater than 16.6 m in height (now 15 m as superseded by Industry Canada's Protocol, January

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2008) require consideration by City of Vaughan Council. The proposed 35 m high telecommunications tower exceeds the 15 m maximum height and cannot be co-located on an existing telecommunication tower, and therefore, is subject to site plan approval.

The City's 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 the EM2 General Employment Area Zone and approximately 158 m from the nearest Residential Zone, and is therefore exempt from Public Consultation.

In accordance with the City's Protocol, the Proponent had a Pre-Application Consultation meeting with the Vaughan Development Planning Department and 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.

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 (expected by June 2013) 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 “Employment Area General” by in-effect OPA #450 (Employment Area Plan). The subject lands are also designated “General Employment” by the new City of Vaughan Official Plan 2010 (VOP 2010), which was adopted on September 7, 2010, (as modified on September 27, 2011, March 20, 2012, and April 17, 2012), as further modified and endorsed by Region of York Council on June 28, 2012, and is subject to approval by the Ontario Municipal Board.

The subject lands are zoned EM2 General Employment Area 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, 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 (ie. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

The proposed 41.8 m² equipment compound shown on Attachment #3, is located adjacent to an existing 1-storey industrial building with construction and maintenance access provided via the existing driveway on Westburne Drive. The compound houses a 35 m high circular steel flagpole telecommunication tower, two accessory radio equipment cabinets and shrubs to screen the equipment cabinets, as shown on Attachment #4. The two accessory hybrid walk-in radio equipment cabinets are constructed of galvanized steel on a concrete pad, and will be 1.44 m x 0.96 m, with a height of 2.4 m. All hydro requirements to service the equipment shelter for the telecommunications tower must be to the satisfaction of PowerStream Inc.

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The Proponent has advised that the 35 m high circular steel flagpole 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 Development Planning Department is satisfied with the design of the proposed white/gray coloured 35 m high circular steel flagpole telecommunications tower and has no objection to the proposed layout and location of the telecommunication compound.

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) outright 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 35 m high circular steel flagpole telecommunication tower and associated radio equipment cabinets in accordance with the Official Plan, Zoning By-law, 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 Department can support the approval of Site Development File DA.12.074.

Attachments

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

Report prepared by:

Daniel Woolfson, Planner 1, ext. 8213
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

(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.)

COMMITTEE OF THE WHOLE FEBRUARY 5, 2013

**SITE DEVELOPMENT FILE DA.12.074
BRAYDON PROPERTIES LIMITED
WARD 4 - VICINITY OF RUTHERFORD ROAD AND KEELE STREET**

Recommendation

The Commissioner of Planning recommends:

1. THAT Site Development File DA.12.074 (Braydon Properties Limited) BE APPROVED, for the installation of a 35 m high flagpole telecommunication tower and associated radio equipment cabinets shown on Attachments #3 and #4.

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 (Bell Mobility Inc.) has submitted Site Development File DA.12.074 for the subject lands shown on Attachments #1 and #2, to permit the installation of a 35 m high circular steel flagpole telecommunication tower and associated radio equipment cabinets as shown on Attachments #3 and #4.

Background - Analysis and Options

Location

The subject lands are located on the east side of Westburne Drive, south of Rutherford Road (671 Westburne Drive), in the City of Vaughan. The proposed telecommunication tower is located along the north elevation of an existing 1-storey industrial building and immediately south of the Rutherford Road GO station parking lot, as shown on Attachment #3.

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 City of Vaughan Council. The proposed 35 m high telecommunications tower exceeds the 15 m maximum height and cannot be co-located on an existing telecommunication tower, and therefore, is subject to site plan approval.

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Report prepared by:

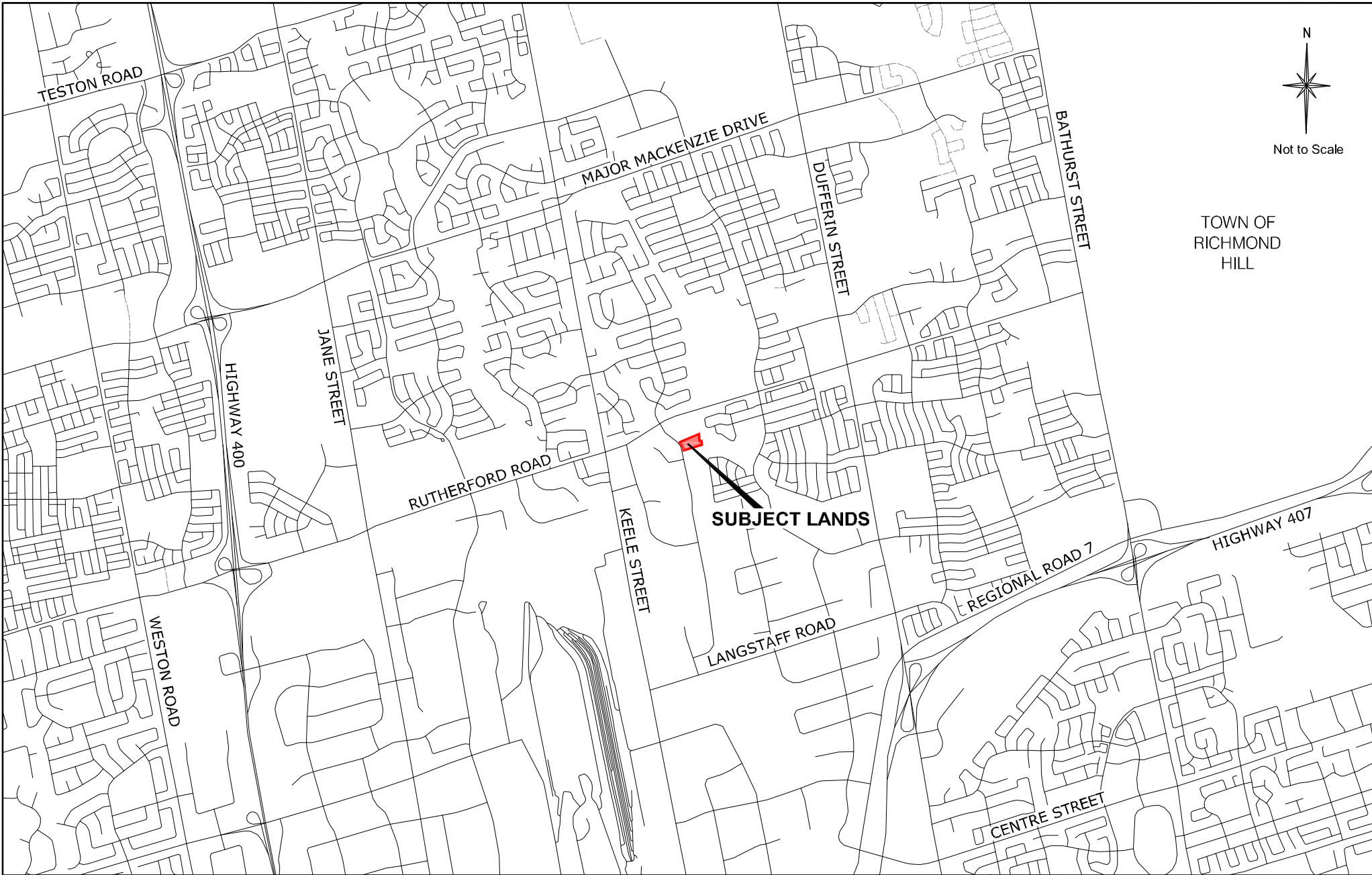
Daniel Woolfson, Planner 1, ext. 8213
Christina Napoli, Senior Planner, ext. 8483
Mauro Peverini, Manager of Development Planning, ext. 8407

Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

/CM

GRANT UYEYAMA
Director of Development Planning



Context Location Map

Location: Part of Lot 15,
Concession 3

Applicant:
Braydon Properties Limited

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Attachment

File:
DA.12.074

Date:
January 3, 2013

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