

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 2, Report No. 17, of the Committee of the Whole, which was considered by the Council of the City of Vaughan on April 21, 2015, was dealt with by approving:

That consideration of this matter be deferred to the Council meeting of May 19, 2015, to allow staff, the proponent and other affected residents to meet and discuss any outstanding issues; and

That Communication C19 from the Commissioner of Planning, dated April 21, 2015, be received.

2 **SITE DEVELOPMENT FILE DA.14.042**
LUCIA CORNO AND MICHAEL CORNO
WARD 1 - VICINITY OF WESTON ROAD AND KIRBY ROAD

The Committee of the Whole recommends:

- 1) That consideration of this matter be deferred to the Council meeting of April 21, 2015, and that staff provide a Communication to the Council meeting of April 21, 2015, with respect to the inclusion of a condition of site approval to permit the termination of the lease agreement or relocation of the tower to accommodate future development;**
- 2) That Communications C20 and C30, dated April 14, 2015, from Mr. Daniel Belli, Trinistar Corporation, M.A.M. Group Inc., Dufferin Street, Vaughan, be received; and**
- 3) That the coloured renderings submitted by the applicant be received.**

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Site Development File DA.14.042 (Lucia Corno and Michael Corno) BE APPROVED, to permit the installation of a 45 m high flagpole telecommunication tower and associated radio equipment cabinet for Bell Mobility Inc. (Attachments #3 to #6) 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 (Bell Mobility Inc.) held a Public Consultation Meeting on September 16, 2014, which is discussed in the City of Vaughan's Telecommunication Tower/Antenna Protocol section of this report.

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.14.042 on the subject lands shown on Attachments #1 and #2, to permit the installation of a 45 m high flagpole telecommunication tower with internal antennas and an associated radio equipment cabinet, as shown on Attachments #3 to #6.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 2, CW Report No. 17 – Page 2

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the southeast corner of Weston Road and Kirby Road, municipally known as 11511 Weston Road, in the City of Vaughan.

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.

In accordance with the City's Protocol, the Proponent attended a Pre-Application Consultation meeting with the Vaughan 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. The location of existing telecommunication towers that required and were granted municipal concurrence within the vicinity of the subject lands are located 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 Telecommunication 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 April 14, 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 resolution:

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 2, CW Report No. 17 – Page 3

“THAT the Vaughan Planning Department be directed to prepare a new City of Vaughan Telecommunication 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 applications for telecommunication towers located within the urban area require the Proponent to provide notice of a Community Information Meeting by regular mail to all landowners within a radius of 120 m from the tower base, or within a distance of three times the height of the proposed tower, whichever is greater, as well as to the local ratepayers’ association.

On September 16, 2014, the Proponent held a Community Information Meeting at the Maple Community Centre from 7:00 pm to 8:00 pm. In accordance with the City’s Protocol, notice for this meeting was provided by regular mail within a 135 m radius to all notified residents and the local ratepayers’ association, a minimum of 20 days in advance of the Community Information Meeting. No residents attended the Public Consultation Meeting. The abutting neighbour to the south contacted the Vaughan Planning Department after formal conclusion of the public consultation meeting with an inquiry that was directed to the Proponent. The neighbour had a question related to whether the telecommunication provider will compensate them for the tower being located adjacent to their property. The Proponent advised that the concern is not considered relevant or reasonable to the tower proposal, and that telecommunication provider will not compensate the neighbour with respect to their services with Bell.

Official Plan and Zoning

The subject lands are designated “Prestige Employment - Office/Business Campus” by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2, Highway 400 North Employment Lands Secondary Plan. The proponent advises that the lease agreement for the site contains a clause that allows the tower to be relocated on the property to accommodate future development that implements the policies of the Official Plan. However, the lease permits termination with conditions due to redevelopment, if a suitable location on the site cannot be found. 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 A Agricultural 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 (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

The proposed 81 m² equipment compound is enclosed by a 2.4 m high chain link security fence topped with barbed wire. The compound includes a 45 m high flagpole with shrouded antennas, and one radio equipment cabinet, as shown on Attachments #3 to #6. The accessory radio cabinet is constructed of galvanized steel and measures approximately 4.8 m², as shown on Attachments #5 and #6. All hydro requirements to service the equipment cabinets for the telecommunications tower must be to the satisfaction of PowerStream Inc. The Proponent has submitted a tree preservation plan for the existing trees on the property, to the satisfaction of the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 2, CW Report No. 17 – Page 4

Vaughan Planning Department. The Proponent proposes to remove seven trees in the area of the future compound. The plan includes four replacement trees of large-calliper, being 4.5 m - 6 m tall spruce trees that will be installed along the southern property line, to provide additional screening from the neighbour to the south, however, this was not an issue that the neighbour was concerned with. A total of 32 trees will be preserved and protected on the site.

The Proponent is proposing construction via a crane from Kirby Road, and servicing and maintenance of the tower and associated cabinet via an existing driveway entering from Weston Road and through a proposed pedestrian footway, as shown on Attachment #3.

The Proponent has advised that the proposed telecommunication tower is required to address the absence of any telecommunication towers within 500 m and to provide coverage along Kirby Road to the existing residential area to the west and service areas along Weston Road. The existing telecommunications tower located at the southwest corner of Highway 400 and Kirby Road serves the purpose of providing cellular coverage to passerby traffic along Highway 400, and is engineered to maximize the capacity for additional carriers in that area.

The Proponent has advised that the 45 m high flagpole telecommunications tower will facilitate future co-location by other licensed carriers, which is consistent with the City's in-effect 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 initiative set forth in the Vaughan Vision 2020 Strategic Plan:

i) Plan and Manage Growth & Economic Vitality

The proposal will support the development of a high-speed telecommunications and data network throughout the City of 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 telecommunication tower conforms to York Region's adopted Protocol.

The York Region Transportation and Community Planning Department has reviewed the proposed tower and has no objections, subject to technical and utilities conditions, which will be satisfied by the Proponent through York Region.

Conclusion

The Vaughan Planning Department has reviewed the proposal for a 45 m high flagpole 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 proposed tower and accessory radio equipment is considered acceptable, and accordingly, the Vaughan Planning Department can support the approval of Site Development File DA.14.042.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF APRIL 21, 2015

Item 2, CW Report No. 17 – Page 5

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Compound Layout & Tower Details
5. Cabinet Details - South and West Elevations
6. Cabinet Details - North and East Elevations

Report prepared by:

Gillian McGinnis, Planner, 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.)

C	<u>19</u>
Item #	<u>2</u>
Report No.	<u>17(cw)</u>
Council - <u>April 21/15</u>	

DATE: APRIL 21, 2015

TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL

FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING

RE: COMMUNICATION - COUNCIL MEETING, APRIL 21, 2015
ITEM #2 - COMMITTEE OF THE WHOLE - APRIL 14, 2015

SITE DEVELOPMENT FILE DA.14.042
LUCIA CORNO AND MICHAEL CORNO
WARD 1 - VICINITY OF WESTON ROAD AND KIRBY ROAD

Recommendation

The Commissioner of Planning recommends:

1. THAT Recommendation #1 as contained in Item #2 of the Committee of the Whole Agenda dated April 14, 2015, be deleted and replaced with the following:
 - "1. THAT Site Development File DA.14.042 (Lucia Corno and Michael Corno) BE APPROVED, to permit the installation of a 45 m high flagpole telecommunication tower and associated radio equipment cabinet for Bell Mobility Inc. (Attachments #3 to #6) on the subject lands shown on Attachments #1 and #2, subject to the following:
 - a) The Owner and the Proponent agreeing that this lease shall terminate in ten years of the commencement date of the lease;
 - b) The Proponent agreeing to remove the cell tower from the subject lands, unless prior to that date the following terms have been complied with:
 - i) The Owner and the Proponent acknowledge and agree that the municipal approval for the erection and operation of the Tower shall lapse on the termination date;
 - ii) The Proponent shall be free to reapply to the City of Vaughan and other appropriate authorities for the continued use of the cell tower, provided that in no case shall:
 - the fact of the prior municipal concurrence, and
 - the use of the subject lands for the cell tower prior to the termination date of the lease shall not be raised in support of such fresh application, nor may the Proponent claim a prior non-conforming use arising from such prior use.
 - c) Any party who objects to such fresh application shall not be prejudiced by the prior municipal concurrence for the cell tower's erection or use, so that for all purpose such fresh application shall proceed as if the prior use and any municipal approvals had never been granted."

Background

On April 14, 2015, the Committee of the Whole adopted the following recommendation (in part) regarding Site Development File DA.14.042:

"That consideration of this matter be deferred to the Council meeting of April 21, 2015, and that staff provide a Communication to the Council meeting of April 21, 2015, with respect to the inclusion of a condition of site approval to permit the termination of the lease agreement or relocation of the tower to accommodate future development."

Since the Committee of the Whole Meeting of April 14, 2015, the Proponent (Bell Mobility) met with representatives from Trinistar Corporation, M.A.M. Group Inc. who submitted Communications C20 and C30 regarding this Site Development Application to discuss potential conditions to address the matters identified in the Communications. The Vaughan Planning Department has been advised that the parties have agreed to additional conditions regarding the proposal, including:

- a) The Owner and the Proponent agreeing that this lease shall terminate in ten years of the commencement date of the lease;
- b) The Proponent agreeing to remove the cell tower from the subject lands, unless prior to that date the following terms have been complied with:
 - i) The Owner and the Proponent acknowledge and agree that the municipal approval for the erection and operation of the Tower shall lapse on the Termination Date;
 - ii) The Proponent shall be free to reapply to the City of Vaughan and other appropriate authorities for the continued use of the cell tower, provided that in no case shall:
 - the fact of the prior municipal concurrence, and
 - the use of the subject lands for the cell tower prior to the termination date of the lease shall not be raised in support of such fresh application, nor may the Proponent claim a prior non-conforming use arising from such prior use.
- c) Any party who objects to such fresh application shall not be prejudiced by the prior use or prior zoning status permitting the cell tower's erection or use, so that for all purpose such fresh application shall proceed as if the prior use and any municipal approvals had never been granted.

The Vaughan Planning Department is satisfied that the proposed conditions agreed to by both parties will address Vaughan Council's recommendation to include a condition of approval to permit the termination of the lease agreement or relocation of the tower to accommodate future development. It is noted, that the City of Vaughan does not enter into an agreement with a landowner for the erection of a cell tower and that these conditions will be included in the lease agreement and the Vaughan Council resolution should the application be approved.

In addition, Condition c) above references the prior zoning status of the lands permitting the cell tower's erection or use. Zoning By-law 1-88 does not regulate the use of telecommunication towers, and therefore the Vaughan Planning Department recommends that this condition be modified to reference the City's original municipal concurrence for this cell tower, as identified in the recommendation of this Communication.

Conclusion

The Vaughan Planning Department is satisfied with the conditions agreed to by the Proponent and Trinistar Corporation, M.A.M. Group Inc. regarding the proposed cell tower on the subject lands (11511 Weston Road.

Should the Committee concur, the revised recommendation can be approved to permit the proposed cell tower, subject to the conditions of approval identified in the recommendation section of this memorandum.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'John Mackenzie', with a large, stylized initial 'J' and a horizontal line extending to the right.

JOHN MACKENZIE
Commissioner of Planning

MP/Ig

Copy to: Barbara Cribbett, Interim City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



M.A.M.
Group Inc.

April 14, 2015

By E-Mail Only to jeffrey.abrams@vaughan.ca

Mr. Jeffrey Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
L6A 1T1

C20	
Communication	
CW:	<u>Apr 14/15</u>
Item:	<u>2</u>

Attention: Committee of the Whole

**Re: Item 2, Site Development File DA.14.042 Committee of the Whole Meeting,
April 14, 2015**

Please accept this letter to respectfully request that DA.14.042 site development application be refused. We have serious concerns with respect to the Tower's impact and would like to know if the proponent and / or staff considered an alternate location in the vicinity.

The staff report notes the Official Plan designation as "Prestige Employment – Office / Business Campus" which is correct as the underlying use; however the subject lands are also part of the "Employment Area Activity Centre" and "Significant Interface Area". This particular area is to be developed with mixed employment / commercial uses in a more intensive manner that contributes to the creation of an urban environment with strong pedestrian orientation. Section 2.2.5.1 of OPA 637, the Secondary Plan, details specific development policies that speak to envisioned site densities, building heights, facades and land uses that will be most certainly impacted by the radio tower.

Furthermore, the staff report also identifies that the tower could be relocated on the subject property to accommodate future development, but given the size and configuration of the property, it appears impossible to mitigate the potential impact along Kirby Road. What guarantees can be given to the City that a complete relocation of the tower can occur, in particular if facilitating future co-location for other carriers?

The subject lands are located in Block 34W which has an approved Secondary Plan and the developers group is working with staff to develop a future Block Plan. Block 42 is also undergoing a visioning exercise in the near future, so it appears that development is imminent.

Starlane
HOME CORPORATION
Tel: 416.736.8854
Fax: 905.660.7650

*

TRINISON
MANAGEMENT CORP.
Tel: 416.798.1127
Fax: 416.798.2159

*

TRINISTAR
CORPORATION
Tel: 416.798.2420
Fax: 905.653.4074

We believe the erection of a Radio Tower will have detrimental impacts to the ultimate land uses in the area, and for these reasons we believe the radio tower should be located elsewhere.

Sincerely,
WESTERN POINT BUILDERS INC.

A handwritten signature in dark ink, appearing to read 'D. Belli', with a stylized flourish at the end.

Daniel Belli, Vice President Real Estate

Magnifico, Rose

From: Abrams, Jeffrey
Sent: Tuesday, April 14, 2015 11:40 AM
To: Magnifico, Rose
Subject: FW: April 14th Committee of the Whole- item 2

c.30
Communication
CW: Apr 14/15
Item: 2

From: Daniel Belli [mailto:danb@trinistar.com]
Sent: Tuesday, April 14, 2015 10:28 AM
To: MacKenzie, John; Uyeyama, Grant; Peverini, Mauro
Cc: lafrate, Marilyn; Abrams, Jeffrey
Subject: April 14th Committee of the Whole- item 2

Good morning, upon further review and in consultation with Ward 1 Councillor lafrate, I understand there is an opportunity to attach a condition of approval that would recognize the proponent's assertion that their lease permits termination as development reaches Block 34W.

On that basis, I remove my request for a refusal at today's meeting.

If you have any questions, do not hesitate to contact me at your earliest convenience.

Regards,

DB

Daniel Belli

Trinistar Corporation

A Division of M.A.M. Group
8600 Dufferin Street
Vaughan, Ontario L4K-5P5
office: (416) 798-2420
fax: (905) 653-4074

The information in this e-mail and in any attachments is confidential and intended solely for the attention and use of the named addressee. It must not be disclosed to any person without my authority. If you are not the intended recipient, or a person responsible for delivering it to the intended recipient, you are not authorized to and must not disclose, copy, distribute, or retain this message or any part of it. If you no longer wish to receive electronic communications from this email address, please contact the sender at the contact information provided.

COMMITTEE OF THE WHOLE APRIL 14, 2015

**SITE DEVELOPMENT FILE DA.14.042
LUCIA CORNO AND MICHAEL CORNO
WARD 1 - VICINITY OF WESTON ROAD AND KIRBY ROAD**

Recommendation

The Commissioner of Planning, Director of Development Planning, and Manager of Development Planning recommend:

1. THAT Site Development File DA.14.042 (Lucia Corno and Michael Corno) BE APPROVED, to permit the installation of a 45 m high flagpole telecommunication tower and associated radio equipment cabinet for Bell Mobility Inc. (Attachments #3 to #6) 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 (Bell Mobility Inc.) held a Public Consultation Meeting on September 16, 2014, which is discussed in the City of Vaughan's Telecommunication Tower/Antenna Protocol section of this report.

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.14.042 on the subject lands shown on Attachments #1 and #2, to permit the installation of a 45 m high flagpole telecommunication tower with internal antennas and an associated radio equipment cabinet, as shown on Attachments #3 to #6.

Background - Analysis and Options

Location

The subject lands shown on Attachments #1 and #2 are located on the southeast corner of Weston Road and Kirby Road, municipally known as 11511 Weston Road, in the City of Vaughan.

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.

In accordance with the City's Protocol, the Proponent attended a Pre-Application Consultation meeting with the Vaughan 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. The location of existing telecommunication towers that required and were granted municipal concurrence within the vicinity of the subject lands are located 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 Telecommunication 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 April 14, 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 resolution:

"THAT the Vaughan Planning Department be directed to prepare a new City of Vaughan Telecommunication 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 applications for telecommunication towers located within the urban area require the Proponent to provide notice of a Community Information Meeting by regular mail to all landowners within a radius of 120 m from the tower base, or within a distance of three times the height of the proposed tower, whichever is greater, as well as to the local ratepayers' association.

On September 16, 2014, the Proponent held a Community Information Meeting at the Maple Community Centre from 7:00 pm to 8:00 pm. In accordance with the City's Protocol, notice for this meeting was provided by regular mail within a 135 m radius to all notified residents and the local ratepayers' association, a minimum of 20 days in advance of the Community Information Meeting. No residents attended the Public Consultation Meeting. The abutting neighbour to the south contacted the Vaughan Planning Department after formal conclusion of the public consultation meeting with an inquiry that was directed to the Proponent. The neighbour had a question related to whether the telecommunication provider will compensate them for the tower being located adjacent to their property. The Proponent advised that the concern is not

considered relevant or reasonable to the tower proposal, and that telecommunication provider will not compensate the neighbour with respect to their services with Bell.

Official Plan and Zoning

The subject lands are designated "Prestige Employment - Office/Business Campus" by City of Vaughan Official Plan 2010 (VOP 2010), Volume 2, Highway 400 North Employment Lands Secondary Plan. The proponent advises that the lease agreement for the site contains a clause that allows the tower to be relocated on the property to accommodate future development that implements the policies of the Official Plan. However, the lease permits termination with conditions due to redevelopment, if a suitable location on the site cannot be found. 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 A Agricultural 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 (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

The proposed 81 m² equipment compound is enclosed by a 2.4 m high chain link security fence topped with barbed wire. The compound includes a 45 m high flagpole with shrouded antennas, and one radio equipment cabinet, as shown on Attachments #3 to #6. The accessory radio cabinet is constructed of galvanized steel and measures approximately 4.8 m², as shown on Attachments #5 and #6. All hydro requirements to service the equipment cabinets for the telecommunications tower must be to the satisfaction of PowerStream Inc. The Proponent has submitted a tree preservation plan for the existing trees on the property, to the satisfaction of the Vaughan Planning Department. The Proponent proposes to remove seven trees in the area of the future compound. The plan includes four replacement trees of large-calliper, being 4.5 m - 6 m tall spruce trees that will be installed along the southern property line, to provide additional screening from the neighbour to the south, however, this was not an issue that the neighbour was concerned with. A total of 32 trees will be preserved and protected on the site.

The Proponent is proposing construction via a crane from Kirby Road, and servicing and maintenance of the tower and associated cabinet via an existing driveway entering from Weston Road and through a proposed pedestrian footway, as shown on Attachment #3.

The Proponent has advised that the proposed telecommunication tower is required to address the absence of any telecommunication towers within 500 m and to provide coverage along Kirby Road to the existing residential area to the west and service areas along Weston Road. The existing telecommunications tower located at the southwest corner of Highway 400 and Kirby Road serves the purpose of providing cellular coverage to passerby traffic along Highway 400, and is engineered to maximize the capacity for additional carriers in that area.

The Proponent has advised that the 45 m high flagpole telecommunications tower will facilitate future co-location by other licensed carriers, which is consistent with the City's in-effect 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 initiative set forth in the Vaughan Vision 2020 Strategic Plan:

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

The proposal will support the development of a high-speed telecommunications and data network throughout the City of 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 telecommunication tower conforms to York Region's adopted Protocol.

The York Region Transportation and Community Planning Department has reviewed the proposed tower and has no objections, subject to technical and utilities conditions, which will be satisfied by the Proponent through York Region.

Conclusion

The Vaughan Planning Department has reviewed the proposal for a 45 m high flagpole 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 proposed tower and accessory radio equipment is considered acceptable, and accordingly, the Vaughan Planning Department can support the approval of Site Development File DA.14.042.

Attachments

1. Context Location Map
2. Location Map
3. Site Plan
4. Compound Layout & Tower Details
5. Cabinet Details - South and West Elevations
6. Cabinet Details - North and East Elevations

Report prepared by:

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

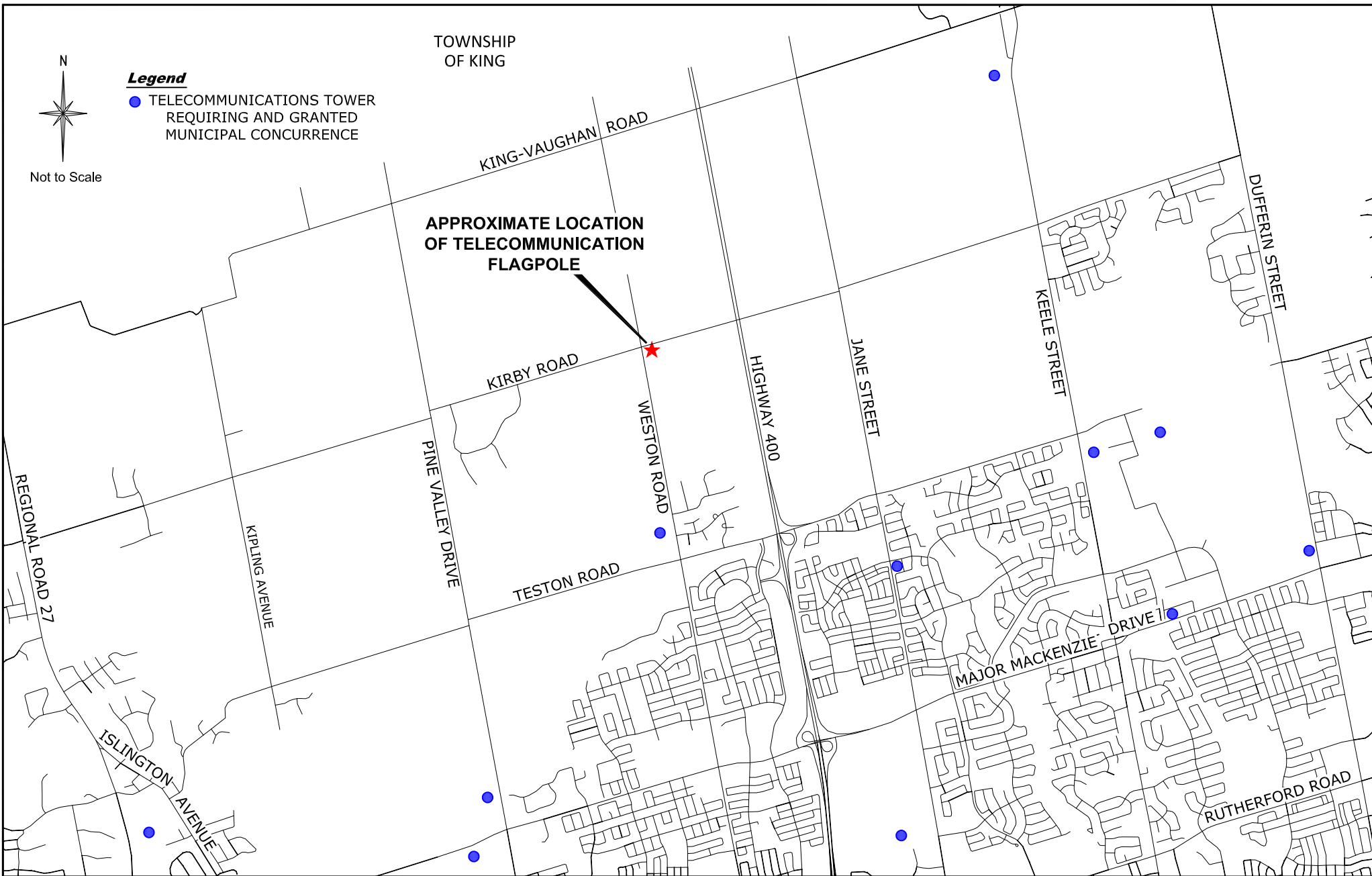
Respectfully submitted,

JOHN MACKENZIE
Commissioner of Planning

GRANT UYEYAMA
Director of Development Planning

MAURO PEVERINI
Manager of Development Planning

[.
/LG



Context Location Map

LOCATION:
Part of Lot 30, Concession 5

APPLICANT:
Lucia Corno and Michael Corno

N:\DFT\1 ATTACHMENTS\DA\da.14.042a.dwg

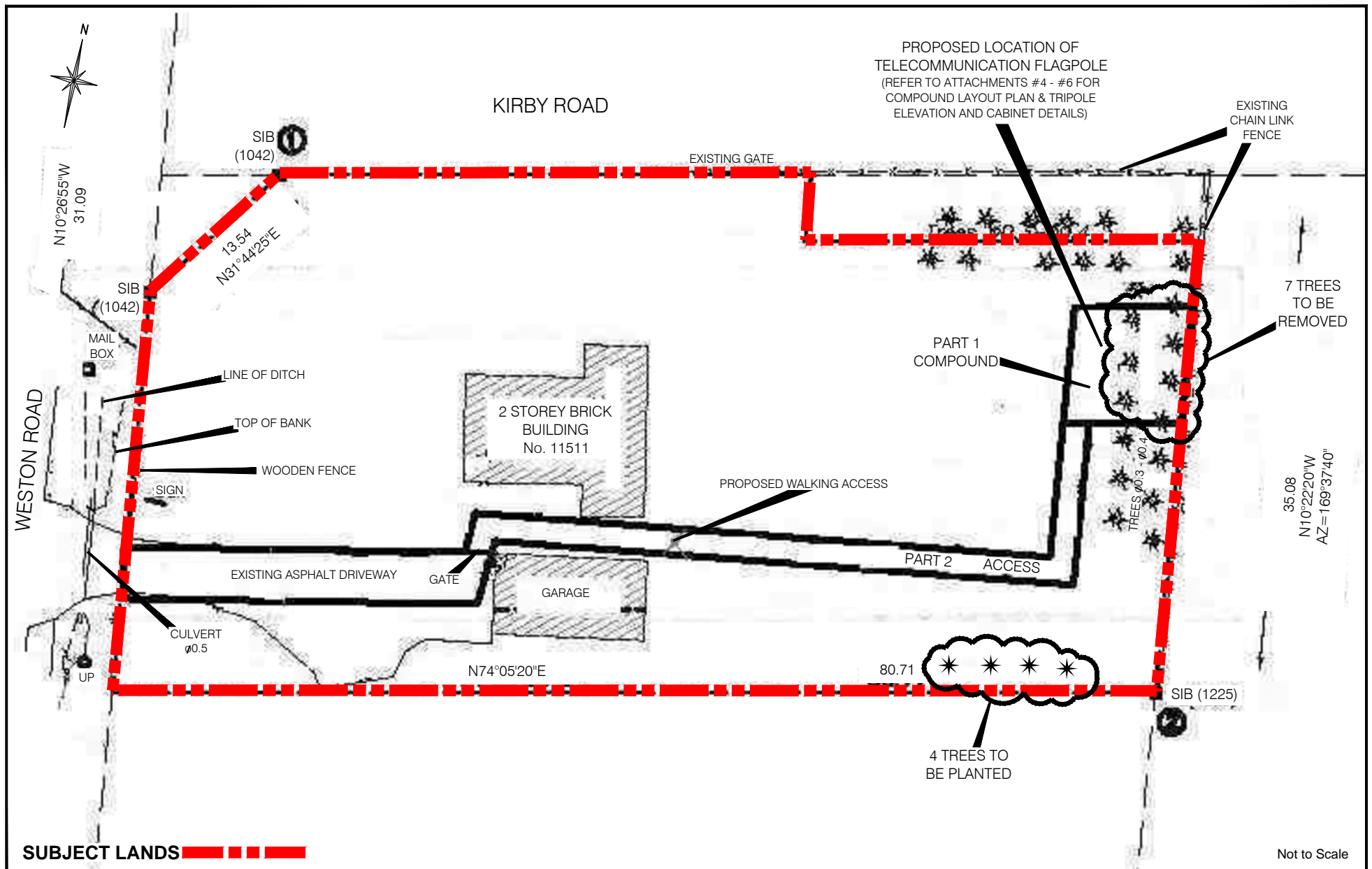


Attachment

FILE:
DA.14.042

DATE:
March 16, 2015

1



Site Plan

LOCATION:
Part of Lot 30, Concession 5

APPLICANT:
Lucia Corno and Michael Corno

N:\DFT\1 ATTACHMENTS\DA\da.14.042a.dwg

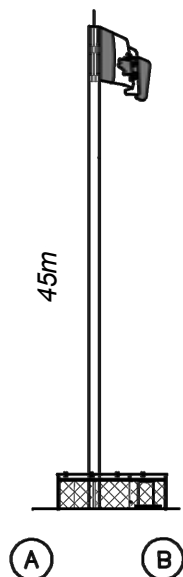


Attachment

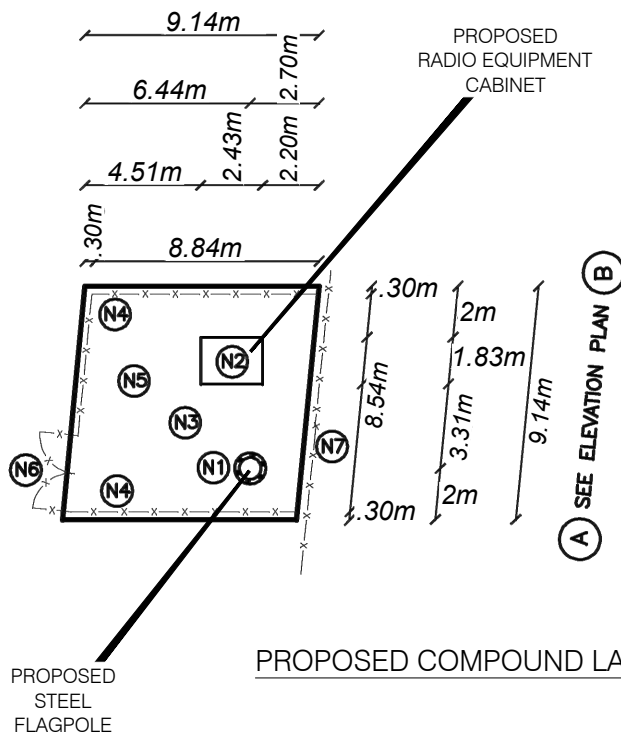
FILE:
DA.14.042

DATE:
March 16, 2015

3



ELEVATION PLAN



PROPOSED COMPOUND LAYOUT PLAN

NOTES

- (N1) PROPOSED STEEL FLAGPOLE. PAINT COLOUR SUBJECT TO NAV CANADA REQUIREMENTS. ANTENNA NUMBER AND LOCATIONS TO BE DETERMINED. FOUNDATION DESIGN PENDING SOIL REPORT.
- (N2) PROPOSED RADIO EQUIPMENT SHELTER ON REINFORCED CONCRETE SLAB.
- (N3) HYDRO CONNECTION AND ROUTING TO BE DETERMINED BY QUALIFIED PERSONNEL IN CONSULTATION WITH LOCAL AUTHORITY.
- (N4) PROPOSED 2.4 m HIGH CHAIN LINK SECURITY FENCE TOPPED WITH BARBED WIRE SURROUNDING THE COMPOUND.
- (N5) REMOVE EXISTING TOPSOIL PROOF ROLL SUBGRADE, ADD 300 mm GRANULAR A ACROSS CABINET AREA. FINISHED GRAVEL SURFACE TO BE MINIMUM 150 mm ABOVE EXISTING GRADE AND SLOPED AWAY FROM PROPOSED STRUCTURE AT MIN. 1% IN ALL SIDES TO PROVIDE ADEQUATE DRAINAGE.
- (N6) PROPOSED CHAIN LINK GATE.
- (N7) EXISTING CHAIN LINK FENCE TO REMAIN.

Not to Scale

Compound Layout & Tower Details

LOCATION:
Part of Lot 30, Concession 5

APPLICANT:
Lucia Corno and Michael Corno

N:\DFT\1 ATTACHMENTS\DA\da.14.042a.dwg

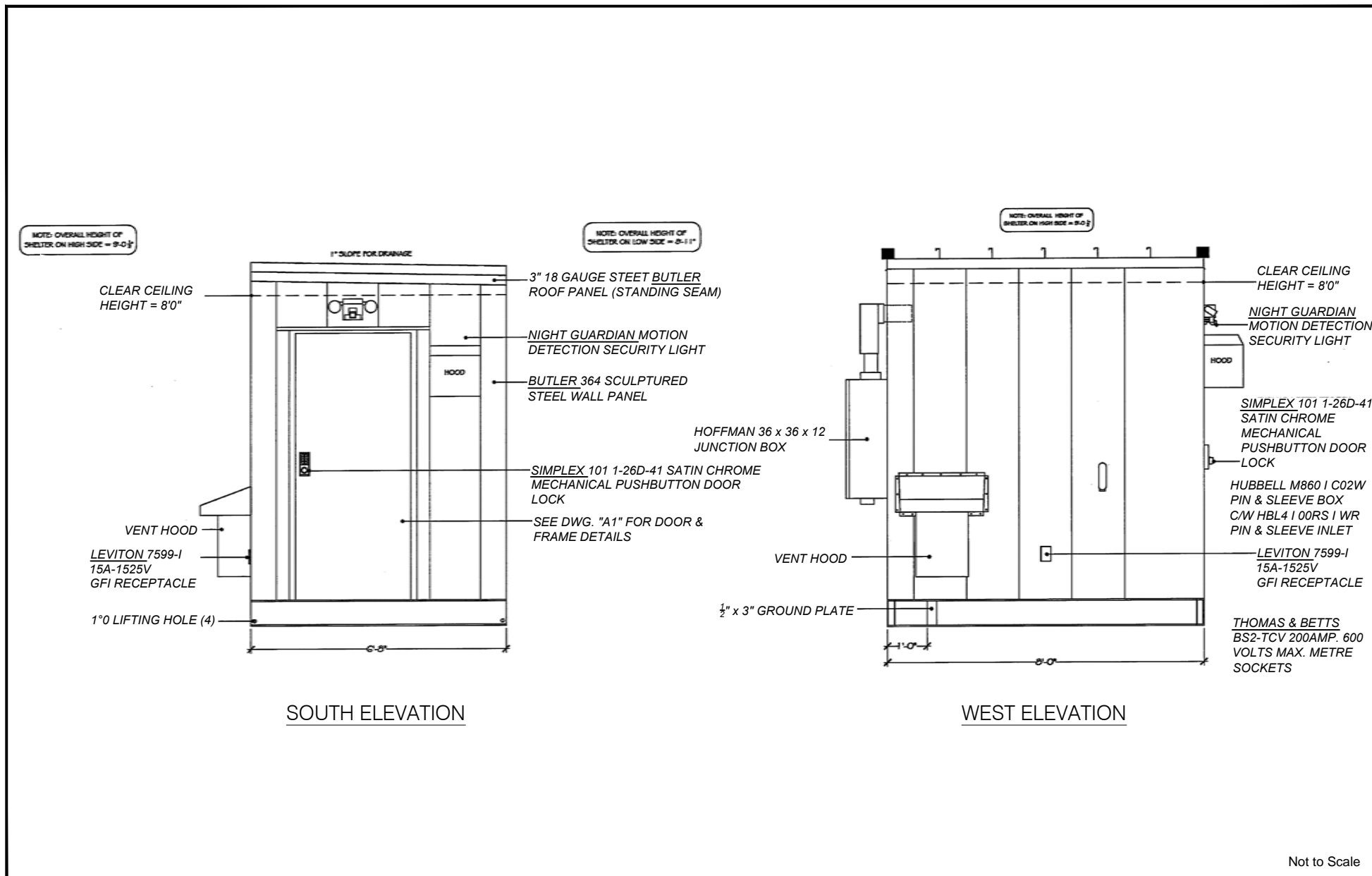


Attachment

FILE:
DA.14.042

DATE:
March 16, 2015

4



Cabinet Details: South & West Elevations

APPLICANT: Lucia Corno and
Michael Corno

LOCATION:
Part of Lot 30, Concession 5

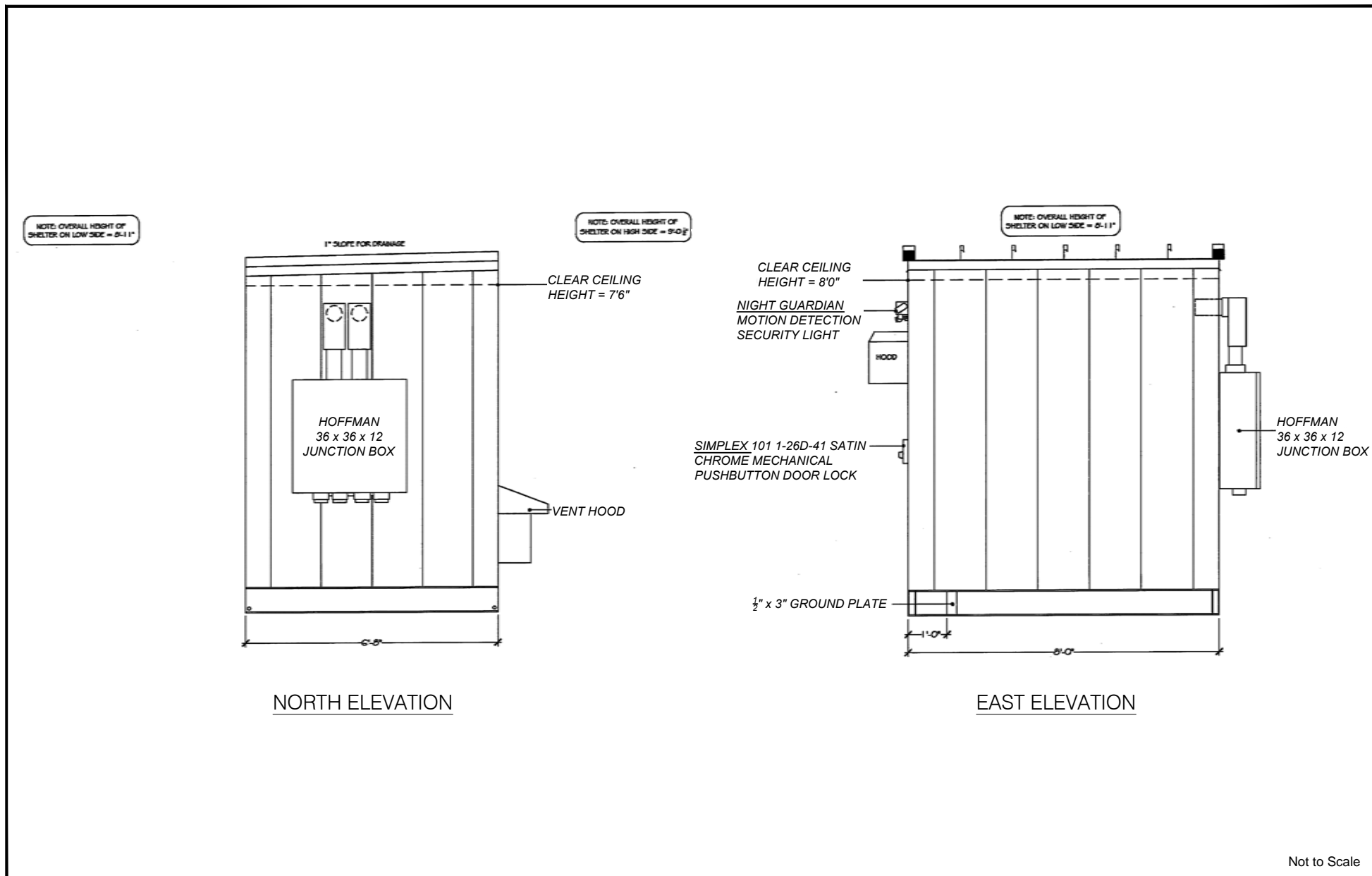


Attachment

FILE:
DA.14.042

DATE:
March 16, 2015

5



Cabinet Details: North & East Elevations

APPLICANT: Lucia Corno and
Michael Corno

LOCATION:
Part of Lot 30, Concession 5



Attachment

FILE:
DA.14.042

DATE:
March 16, 2015

6