

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 14, Report No. 24, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 7, 2016.

14 **SITE DEVELOPMENT FILE DA.15.082**
611428 ONTARIO LIMITED
WARD 2 - VICINITY OF REGIONAL ROAD 7 AND MILANI BOULEVARD

The Committee of the Whole recommends:

- 1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, Director of Development Planning and Senior Manager of Development Planning, dated May 31, 2016, be approved; and**
- 2) That the coloured elevation drawings submitted by the applicant be received.**

Recommendation

The Deputy City Manager, Planning & Growth Management, Director of Development Planning, and Senior Manager of Development Planning recommend:

1. THAT Site Development File DA.15.082 (611428 Ontario Limited) BE APPROVED, to permit the installation of a 40 m high monopole telecommunication tower and associated radio equipment cabinet for Bell Mobility Inc. (Attachments #4 and #5) 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.) was not required to hold a Public Consultation meeting due to the location of the proposed tower within an industrial employment area, which is located a minimum of 100 m from the nearest residential area. Further information is provided within the Telecommunication Tower/Antenna Protocol section of this report.

Purpose

The purpose of this report is to seek approval from the Committee of the Whole for Site Development File DA.15.082 for the subject lands as shown on Attachments #1 and #2, to permit the installation of a 40 m high monopole telecommunication tower with external antennas and an associated radio equipment cabinet, as shown on Attachments #3 to #5. The proposed development implements Vaughan Official Plan 2010 (VOP 2010) and is appropriately located.

Background - Analysis and Options

Synopsis:

The proponent is proposing to locate a 40 m high monopole telecommunication tower with external antennas and an associated radio equipment cabinet on the subject lands. The proposed

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 14, CW Report No. 24 – Page 2

installation of the telecommunication tower implements Vaughan Official Plan 2010, and is appropriately designed and located. The Vaughan Development Planning Department supports the proposed telecommunication tower as it is compatible with the surrounding existing and planned land uses in the industrial employment area.

The purpose of the telecommunication tower is to provide coverage to the West Woodbridge residential area and the employment lands west of Regional Road 27 due to the lack of signal from Langstaff Road south to Regional Road 7. Bell's Radio Frequency Engineering team chose the subject location further west of Regional Road 27 following a previous public consultation process for a tower that was proposed at 8290 Regional Road 27 (under Site Development File DA.13.091; location on Attachment #2), which received many objections from nearby residents and was subsequently closed. As part of Bell Mobility's assessment for providing service in this area, it was determined that there were no suitable pre-existing towers in this area on which to co-locate Bells's service.

Location

The subject lands shown on Attachments #1 and #2 are located west of Regional Road 27, south of Langstaff Road, and are known municipally as 133 Milani Boulevard, City of Vaughan. The surrounding land uses are identified on Attachment #2.

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 Development Planning Department prior to the submission of 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 locations of existing telecommunication towers that required and were granted municipal concurrence within the vicinity of the subject lands are shown on Attachment #1.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force ("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 May 31, 2016, 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, Rogers Communications, and telecommunications industry professionals. The Task Force approved the

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 14, CW Report No. 24 – Page 3

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 new City of Vaughan Telecommunication Facility Siting Protocol is scheduled for consideration by the Vaughan Committee of the Whole later this year.

The City’s in-effect Protocol states that applications for telecommunication towers located within industrial or commercial zoned areas, located a minimum of 100 metres away from residential areas, are exempt from the requirement to hold a Community Information Meeting. The subject lands are zoned EM1 Prestige Employment Area Zone by By-law 1-88 and are located more than 100 m from a residential area, as such, the proponent was not required to hold a Community Information Meeting. The closest residential is located on the east side of Regional Road 27, which is 550 m away, as shown on Attachment #2.

Official Plan and Zoning

The subject lands are designated “Prestige Employment” by Vaughan Official Plan 2010 (VOP 2010), which permits industrial uses, including manufacturing, warehousing (but not a retail warehouse), processing, and distribution uses, located within wholly enclosed buildings and which do not require outside storage on the subject lands. 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 subject lands are zoned EM1 Prestige Employment Area Zone by Zoning By-law 1-88, subject to Exception 9(1253), which permits employment uses on the subject lands.

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*. Additionally, telecommunication towers and antenna facilities are exempt from municipal zoning by-law requirements and site plan control approval (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

Planning Considerations

A 40 m high monopole is proposed to be installed to the rear of the recently constructed industrial building at 133 Milani Boulevard. The monopole and associated equipment is located adjacent to the 5 m wide landscape buffer and would not impact the site circulation for the operation of the building.

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 14, CW Report No. 24 – Page 4

The proposed 70 m² equipment compound is enclosed by a 2.4 m high pressure treated wooden fence. The compound includes a 40 m high monopole with external antennas and one radio equipment cabinet, as shown on Attachments #3 to #5. The accessory radio equipment cabinet is constructed of galvanized steel, as shown on Attachment #5. All hydro requirements to service the radio equipment cabinets for the telecommunications tower must be to the satisfaction of Powerstream Inc.

Access to the site for the construction and servicing of the tower and radio equipment cabinet will be provided via the existing driveway from Milani Boulevard, as shown on Attachment #3.

The proponent has advised that the 40 m high monopole telecommunication tower will facilitate future co-location by other licensed carriers, which is consistent with the City's in-effect telecommunications tower/antenna facilities protocol, which encourages the use of existing structures.

The Vaughan Development Planning Department has no objection to the proposed layout, design, and location of the compound and telecommunications tower, subject to the condition included in the recommendation section of this report.

Toronto and Region Conservation Authority (TRCA)

The TRCA has confirmed that the proposed telecommunication tower and compound respect the established development limit and 5 m wide landscape buffer that was approved through Draft Plan of Subdivision File 19T-90018. The TRCA has no objection to the proposed tower.

Vaughan Development Engineering and Infrastructure Planning (DEIP) Department

The Vaughan DEIP Department has reviewed the subject proposal and have no comments.

Relationship to Term of Council Service Excellence Strategy Map (2014-2018)

This staff report is consistent with the following initiatives set forth in the Term of Council Service Excellence Strategy Map (2014-2018):

- i) Attract investment and create jobs

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 Community Planning and Development Services Department has reviewed the site development application and have no comments.

Conclusion

The Vaughan Development Planning Department has reviewed the proposal for a 40 m high monopole 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

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 7, 2016

Item 14, CW Report No. 24 – Page 5

and accessory radio equipment cabinet is considered acceptable, and accordingly, the Vaughan Development Planning Department can support the approval of Site Development File DA.15.082.

Attachments

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

Report prepared by:

Kathryn Moore, Planner, ext. 8813
Clement Messere, Senior Planner, ext. 8409

(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 MAY 31, 2016

SITE DEVELOPMENT FILE DA.15.082

611428 ONTARIO LIMITED

WARD 2 - VICINITY OF REGIONAL ROAD 7 AND MILANI BOULEVARD

Recommendation

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Attachments

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

Report prepared by:

Kathryn Moore, Planner, ext. 8813
Clement Messere, Senior Planner, ext. 8409

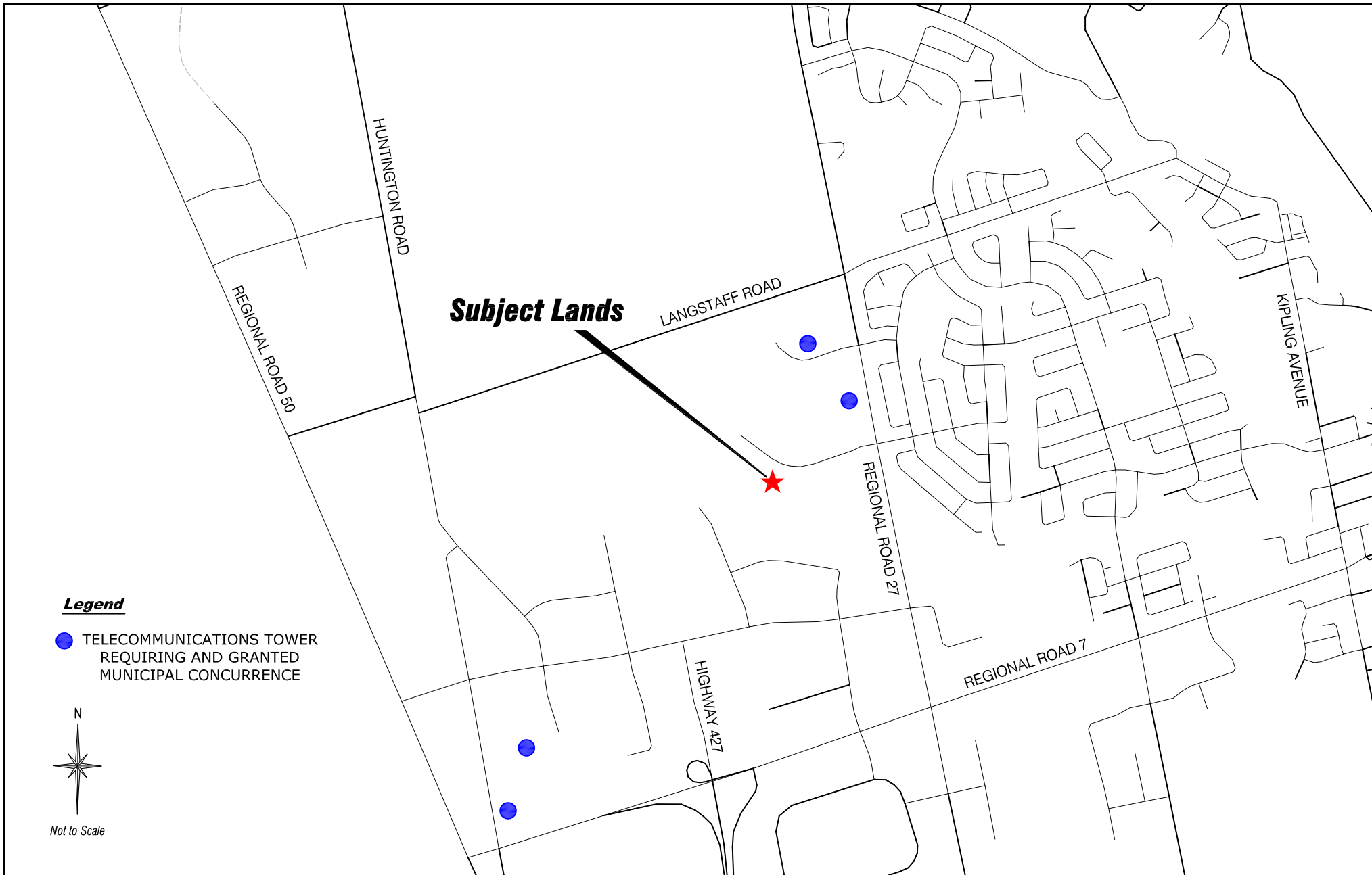
Respectfully submitted,

JOHN MACKENZIE
Deputy City Manager,
Planning & Growth Management

GRANT UYEYAMA
Director of Development Planning

BILL KIRU
Senior Manager of Development Planning

/LG



Context Location Map

LOCATION:
Part of Lot 9, Concession 9

APPLICANT:
611428 Ontario Limited.

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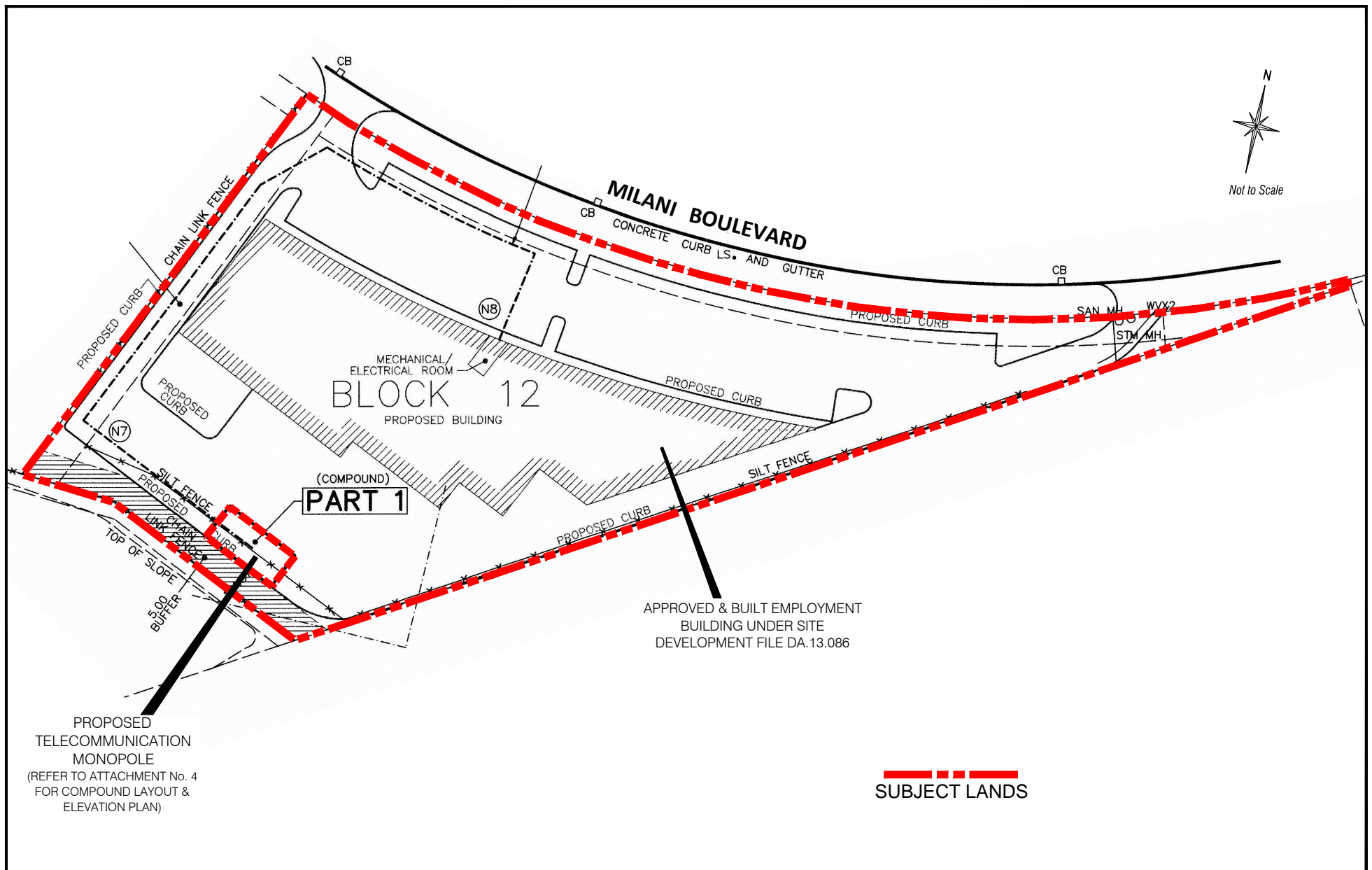


Attachment

FILE: DA.15.082
RELATED FILE: 19CDM-15V009

DATE:
June 21, 2016

1



Site Plan

LOCATION:
Part of Lot 9, Concession 9

APPLICANT:
611428 Ontario Limited

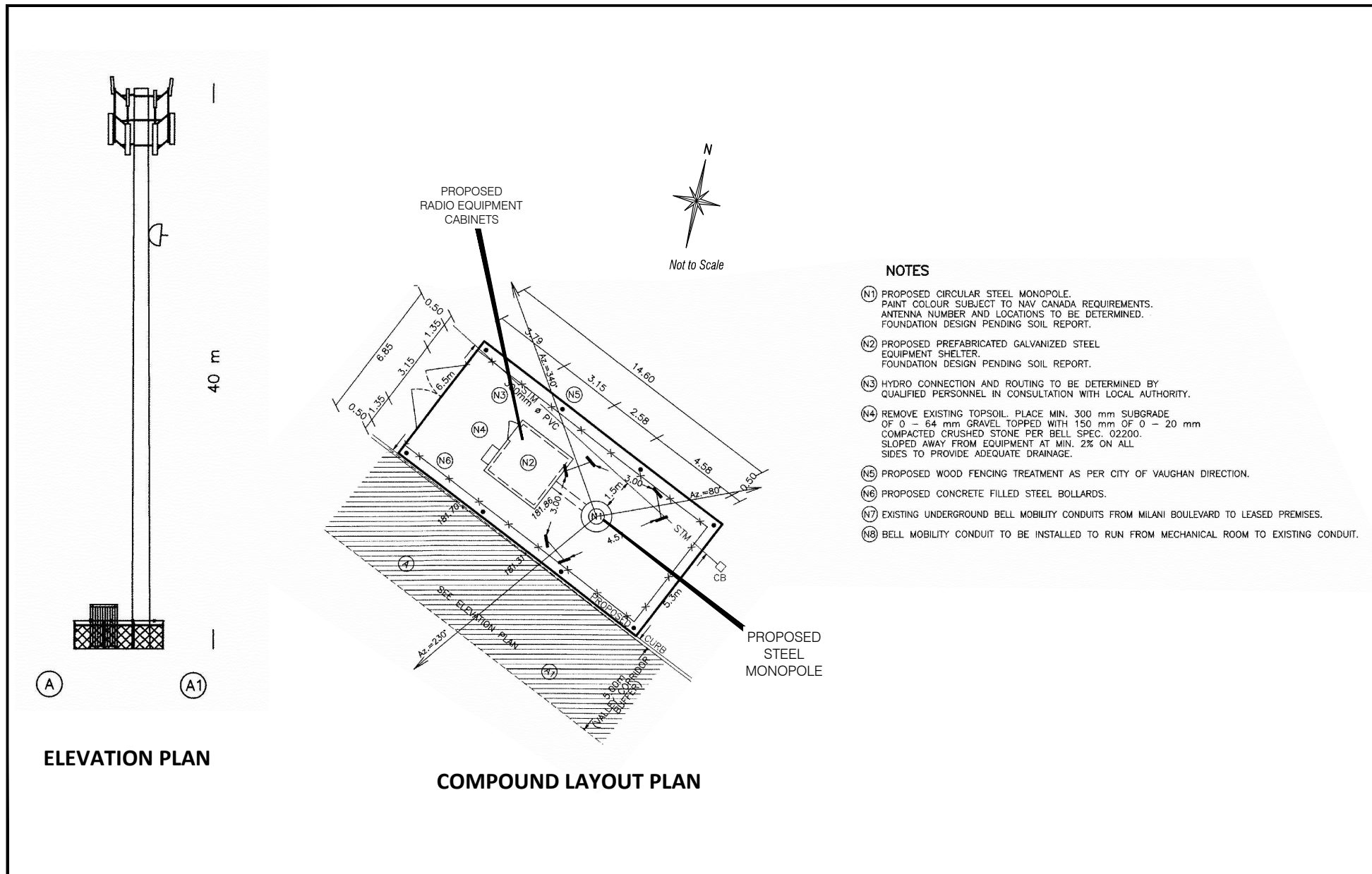


Attachment

FILE: DA.15.082
RELATED FILE: 19CDM-15V009

DATE:
June 21, 2016

3



Compound Layout & Elevation Plan

APPLICANT: 611428 Ontario Limited
 LOCATION: Part of Lot 9, Concession 9

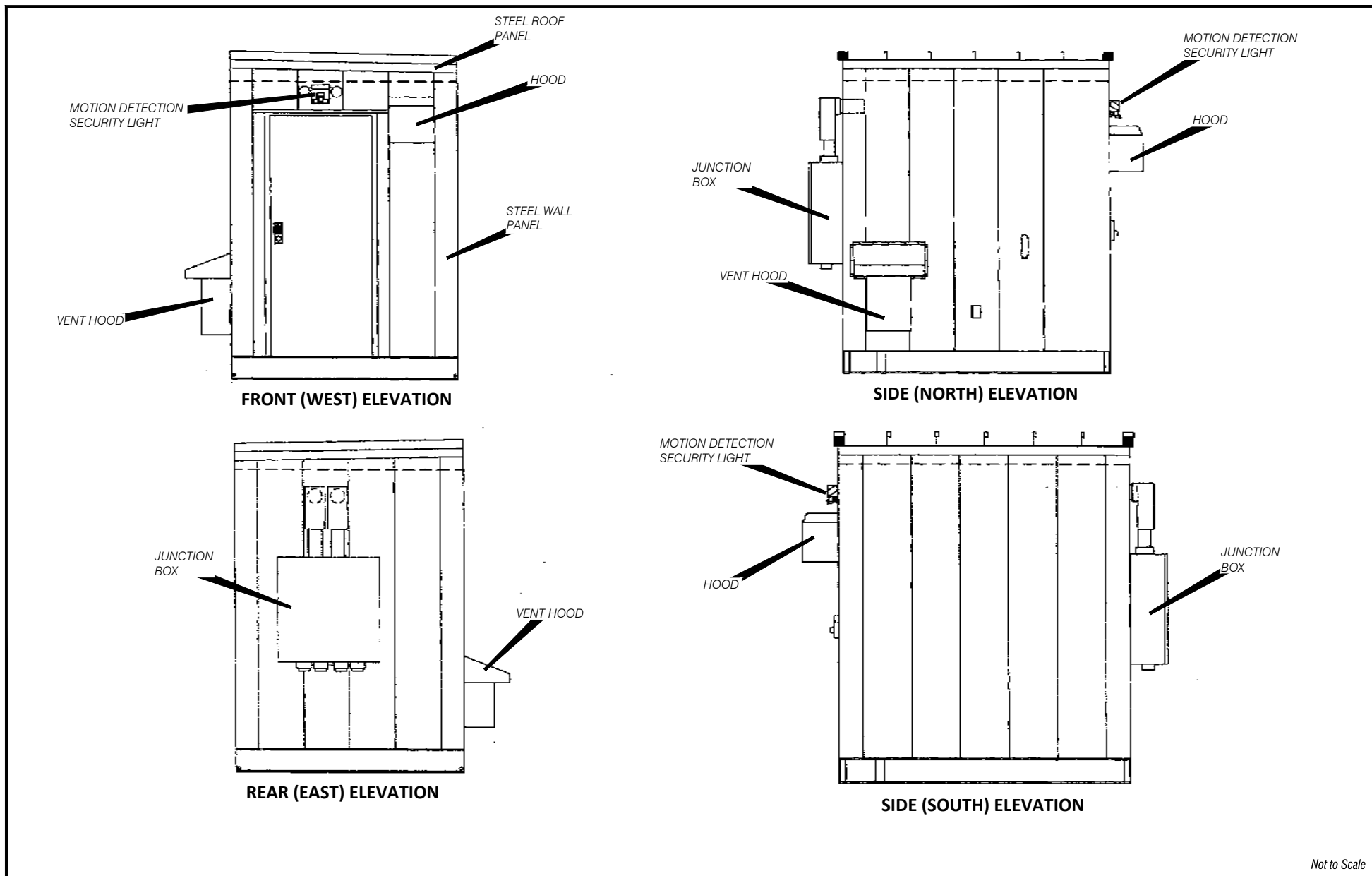


Attachment

FILE: DA.15.082
 RELATED FILE: 19CDM-15V009

DATE: June 21, 2016

4



Cabinet Details

LOCATION:
Part of Lot 9, Concession 9

APPLICANT:
611428 Ontario Limited

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Attachment

FILE: DA.15.082
RELATED FILE: 19CDM-15V009

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5