

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

Item 10, Report No. 24, of the Committee of the Whole, which was adopted, as amended, by the Council of the City of Vaughan on June 23, 2015, as follows:

By approving:

That the following be approved in accordance with Communication C29 from the Commissioner of Planning, dated June 22, 2015:

- a) ***That Site Development File DA.14.049 (The Corporation of the City of Vaughan) be held in abeyance, pending the investigation of an alternate site for the proposed telecommunications tower at the William T. Foster Woods Park, on lands owned by the Toronto and Region Conservation Authority (TRCA);***

That the recommendation contained in Communication C10 from the Commissioner of Planning, dated June 16, 2015, be approved as follows:

- 1. ***That this Communication be received as information;***

That the report of the Commissioner of Planning, Director of Development Planning, and Manager of Development Planning, dated June 2, 2015, be received; and

That the following Communications be received:

- C1. ***Geetika Prasher, Golden Gate Circle, Woodbridge, dated June 2, 2015;***
- C2. ***Carmen Ahluwalia, Golden Gate Circle, Woodbridge, dated June 2, 2015;***
- C25. ***Petition from residents;***
- C26. ***Petition from residents;***
- C27. ***Ms. Lucy Frechette, dated June 18, 2015; and***
- C28. ***Mr. Claude Frechette, Darien Road, Burlington, dated June 17, 2015.***

10 **SITE DEVELOPMENT FILE DA.14.049**
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON AVENUE

The Committee of the Whole recommends:

- 1) **That consideration of this matter be deferred to the Council meeting of June 23, 2015, to allow further consultation between the applicant and area residents, and for the applicant to report to staff on the results of the consultation prior to the matter returning to Council;**
- 2) **That the following deputations and Communication be received:**
 - 1. **Mr. Sean Galbraith, SJSB – Bell, Dalhousie Street, Toronto;**
 - 2. **Ms. Jillian Sbrizzi, Capner Court, Kleinburg;**
 - 3. **Ms. Lucy Frechette, Lookout Point Court, Woodbridge;**
 - 4. **Ms. Bianca Bradau, Lookout Point Court, Woodbridge; and**
 - 5. **Mr. Richard Cooper, John Kline Lane, Kleinburg, and Communication C6, dated June 2, 2015;**
- 3) **That the following Communications be received:**
 - C3 **Mr. Jerry Celenza, Capner Court, Kleinburg, dated May 31, 2015;**
 - C4 **Mr. Joe Chetti, dated June 2, 2015; and**
 - C5 **Ms. Frances Chetti, dated June 2, 2015; and**

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4) That the coloured elevation drawings 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.14.049 (City of Vaughan) BE APPROVED, to permit the installation of a 40 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 conditions:
 - a) that the Proponent enter into a lease agreement with the City of Vaughan for the use of City-owned lands, to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division; and,
 - b) that the compound fence enclosure be constructed of western red cedar.

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 4, 2014, which is discussed in 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.14.049 on the subject lands shown on Attachments #1 and #2, to permit the installation of a 40 m high flagpole telecommunication tower with internal antennas and an associated radio equipment cabinet, as shown on Attachments #3 to #6. The proposed development implements Vaughan Official Plan 2010 (VOP 2010) and is appropriately located.

Background - Analysis and Options

Location

The subject lands (known as Sonoma Heights Park) shown on Attachments #1 and #2 are located on the southwest corner of Major MacKenzie Drive and Islington Avenue, municipally known as 100 Sunset Ridge, 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.

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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 June 2, 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. At the request of the City, the Proponent expanded the notification area to include properties along Islington Avenue, Lookout Point Court, Sunset Ridge, Park Ridge Drive, and St. Padre Pio Gardens, where residential dwellings face the subject park, as shown on Attachment #2.

On September 4, 2014, the Proponent held a Community Information Meeting at the Al Palladini Centre from 6:00pm - 8:00pm, however, no residents attended the meeting. The Proponent

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received communications from five residents; one in support and 4 in opposition to the proposed tower, for the following reasons:

- the park should be used as a park, and not for any other purposes
- the proposed tower would lower home values, and will lead to adverse health effects as a result of the high levels of exposure to microwaves
- concerns with aesthetics, safety (potential of children climbing the pole) and noise

The Vaughan Planning Department offers the following responses:

Aesthetics: The originally proposed design of the tower, a monopole with shrouded antennas, was changed to a flagpole design by the proponent at the request of the Vaughan Planning Department to provide a more appropriate design for the entrance to a municipal park. The equipment compound will be screened by a solid board fence, and the Proponent has agreed to plant four trees and ornamental shrubs along the compound fence, as shown on Attachment #4.

Health: Industry Canada has adopted Health Canada's guidelines for safe human exposure to RF energy, commonly known as Safety Code 6. Compliance with these guidelines is mandatory at all times and is a condition of a carrier's spectrum license. Bell Mobility Inc. attests that the proposed radio antenna system described will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environments.

Safety: The compound will be enclosed by a 2.4 m high board fence and will be accessed only by locking doors. The proposed tower design has a smooth base with no footholds for climbing.

Location in a park: Bell Mobility Inc. antennas are already located in the park, on an existing hydro tower structure. The Proponent advises that Hydro One Network Inc., the Owners of the structure, will not permit any upgrades to the equipment.

Property Value: Industry Canada deems concerns about the effects of a proposed antenna system on property values as "not relevant" in CPC-2-0-03 (Radiocommunication and Broadcasting Antenna Systems Protocol).

Official Plan and Zoning

The subject lands are designated "Natural Areas", "Parks", and "Infrastructure and Utilities" by Vaughan Official Plan 2010 (VOP 2010). 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 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, 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).

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Planning Considerations

The proposed 100 m² equipment compound is enclosed by a 2.4 m high board fence. The compound includes a 40 m high flagpole with internal antennas, one radio equipment cabinet, and dedicated space to accommodate the equipment cabinet of a future co-located carrier, as shown on Attachments #3 to #6. The compound layout details indicate that the proposed 2.4 m high fence enclosure is constructed of pressure treated wood. The plan must be revised to change the fence material to western red cedar in accordance with City standards, which the Proponent has agreed to undertake. A condition of approval is included in this report. The accessory radio cabinet is constructed of galvanized steel, 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.

Should the application be approved, the Proponent has agreed to compensate the City of Vaughan for the removal of/damage to four trees in the vicinity of the compound, to the satisfaction of Vaughan's Parks and Forestry Operations Department. The Proponent also proposes to plant four additional trees and ornamental shrubs to provide screening along all four sides of the base of the compound. The Vaughan Planning Department is satisfied with the proposed screening.

The Proponent is proposing construction and servicing via the existing driveway to the park from Major MacKenzie Drive, as shown on Attachment #3.

The Proponent has advised that the proposed telecommunication tower is required to maintain service in the area. Bell Mobility Inc.'s existing site in the area is located on a hydro tower in the park. The proponent advises that Hydro One Network Inc., the Owner of the structure, will not permit any upgrades to the equipment, and will be requiring the antennas to be removed. No other opportunities for co-location in the area exist. The nearest non-Bell installation is a Rogers' Communications site on Islington Avenue to the south, on which Bell Mobility Inc. is pursuing co-location.

The Proponent has advised that the 40 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 compound layout, as shown on Attachment #4, includes space for the equipment of future co-located antennas. The Vaughan Planning Department has no objection to the proposed layout, design, and location of the compound and telecommunications tower.

City of Vaughan

The proposed tower will be located on City-owned lands. The Proponent must enter into a lease agreement with the City to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division. A condition to this effect is included in the recommendation of this report.

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 Well-Being

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.

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EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 23, 2015

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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.

Conclusion

The Vaughan Planning Department has reviewed the proposal for a 40 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.14.049, subject to the conditions identified in the recommendation of this report.

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.)

Subject:

FW: In apposition To da14.049 Item 10

From: Geetika Prasher [<mailto:geetika.prasher@gmail.com>]

Sent: Tuesday, June 02, 2015 11:40 AM

To: Clerks@vaughan.ca

Subject: In apposition To da14.049 Item 10

C	<u>1</u>
Item #	<u>10</u>
Report No.	<u>24 (CW)</u>
Council	<u>June 23/15</u>

Dear Recipient,

I am resident of 170 Golden gate circle Woodbridge Ontario L4H 1N5. I came to know yesterday, that there is a proposed Telecommunication tower to be placed in Major Mackenzie and Islington park. at 100 Sunset Ridge. I came to know yesterday night about the meeting to be held on June 2, 2015, i couldn't attend the meeting on such a short notice. I want to express my concern on this topic. I strongly not approve this Telecommunication tower. I have one 3 year old and one infant of 10 month. I researched on the net these radiations are going to have long term effects on young kids and elders. I am very concerned about their safety and well being. Please consider my request and try to move this tower into a non residential area.

Thank you so much,

Resident of 170 Golden Gate Circle Woodbridge.

Subject:

FW: File # DA. 14.049, item # 10

C	2
Item #	10
Report No.	24 (CW)
Council - June 23/15	

From: Kanwaljeet Ahluwalia [mailto:kanwaljeet12@hotmail.com]

Sent: Tuesday, June 02, 2015 4:40 PM

To: Clerks@vaughan.ca

Subject: File # DA. 14.049, item # 10

Thank God one of the extremely concerned resident came to my door & showed me the flyer last night. I am extremely concerned, In fact furious to find out that Bell is proposing to the city to put up a Telecommunication Tower at 100 Sunset Ridge. I called the city planning to find out if I fall between the radius of the rays & am In fact 120 metres in the range.

How can Bell directly, without letting the residents know, go ahead with this proposal. We received no flyers, information about it either.

And I feel very strongly that city planning council- city of vaughan must inform residents who are directly going to be affected of any changes that are proposed for the future.

After all we are paying very high taxes to the city for the betterment of the city, not to invite sickness as an effect of the harmful rays that are going to result in Cancer. Leukaemia. Dementia to the highly vulnerable children & the elderly that are home, go for a walk in the park & neighbouring stress.

In this park not only we go for a walk, but our children have tournaments of soccer, football, basketball, badminton, swings for kids, skating, & other sports, even the seniors play their sports & go for a walk & enjoy the park.

This Park a Pride of the community where the city has spent so much to make it one of the best park & the residents are paying such high taxes, turns out to be a disaster to our health & well being with the inclusion of this harmful telecommunication tower.

We go to the Park to improve health & longevity not to get a slow doses of uncontrollable sickness & painful DEATH with CAN ER, LEUKAEMIA, DEMENTIA etcetera.

After all we are not paying ever increasing such high taxes to get sick.

Not to mention the effect on our property value as other places properties increase in value, out's will go down.

Bell is only a private company, why the planning committee is going ahead with their proposal? Why we, the most effected were not informed by the city & Bell? about the proposed changes underway.

We have every right to know anything & everything that is or going on.

Our family and all who fall under the radius must have been informed by both the Bell & The City Planning committee. No need to put the onus on each other rather take the responsibility of informing the residents who are going to be affected.

I would have liked to represent along with other angry residents who are opposing this proposal.

How come we were not informed about the meeting that took place in September? I only found last night.

Thanks to Lucy, who with her husband & her young daughter Sophia spent the entire evening gave us this flyer & brought to our attention.

When I look at this flyer, it doesn't give us anything except re: (some numbers & letters). Who can not guess from these numbers what they are about? I feel it is the responsibility of both Bell & the Planning council to list the pros & cons of this telecommunication tower & let us decide what we want. We have every right to decide.

I am shocked to know that this planning is going on behind our back. I know many don't know about it neither have the knowledge of what adverse effects it can have for them because of no information, misinformation & unfortunately because of the language barrier, especially in the senior population in the community..

Can they (Bell) not find some remote area where there is not so much Hustle & bustle & not so close to residential area?.

I strongly oppose to this proposal, & would consider contacting appropriate government departments, officials, MPs, Minister, Ombudsman.

And of course, ultimately SELL MY HOUSE & move somewhere safer for my children's & my health & wellbeing,

You must consider my BIG NO!!! TO THE proposed Telecommunication Tower & would like to be informed of any changes taking place that directly or indirectly affect us. We have the right to know.

I would like to be informed by e-mail & paper mail.

My name, address, & email is as follows:

Carmen Ahluwalia

174 Golden Gate Circle

L4H 1N5

Kanwaljeet12@hotmail.com

Tel (416) 716 8154

DATE: JUNE 16, 2015
TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
RE: COMMUNICATION - COUNCIL MEETING, JUNE 23, 2015
ITEM #10 - COMMITTEE OF THE WHOLE – JUNE 2, 2015

C	<u>10</u>
Item #	<u>10</u>
Report No.	<u>24 (cw)</u>
<u>Council - June 23/15</u>	

SITE DEVELOPMENT FILE DA.14.049
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON AVENUE

Recommendation

The Commissioner of Planning recommends:

1. THAT this Communication BE RECEIVED as information.

Background

On June 2, 2015, four residents from the area surrounding Sonoma Heights Park gave deputations to the Committee of the Whole regarding a proposed telecommunications tower to be placed in the park. Three residents were in opposition and one was in support of the proposal. The Committee of the Whole also received Communications from three area residents in opposition to the proposed telecommunications tower.

The Committee of the Whole adopted the following recommendation (in part) regarding Site Development File DA.14.049:

"That consideration of this matter be deferred to the Council meeting of June 23, 2015, to allow further consultation between the applicant and area residents, and for the applicant to report to staff on the results of the consultation prior to the matter returning to Council."

Community Meeting

Since the Committee of the Whole meeting of June 2, 2015, the Proponent (Bell Mobility) and Councillor Carella's office, has organized a meeting with the area residents that is scheduled to take place on June 18, 2015, at the Al Palladini Community Centre (9201 Islington Avenue) from 7:00 PM to 9:00 PM.

As the deadline for Communications to the City Clerk's Department is Thursday June 18, at 12:00 noon, the purpose of this Communication is to advise the Committee members of the meeting details, which Vaughan Planning Staff will attend and report the results of in a subsequent Communication to Vaughan Council following the community meeting, and prior to the Council meeting on June 23, 2015.

Respectfully submitted,



JOHN MACKENZIE
Commissioner of Planning

GM/cm

Copy to: Steve Kanellakos, City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



COMMUNICATION C25
COUNCIL
JUNE 23, 2015

**RE: SITE DEVELOPMENT FILE DA.14.049
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON
AVENUE**

The City Clerk's Office has received a petition from area residents regarding the above noted application with the summary wording below.

The total number of signatures on the petition are: 271.

Wording:

"Help Stop Cell Tower in Sonoma Park! (proposed 120 meters from our homes) Support the campaign for an alternate site 500 meters away from residence, parks, schools, community centers, hospitals or any place people spend a good part of their day!."

A copy of the entire petition document containing a total of 61 pages is on file in the office of the City Clerk.



COMMUNICATION C26
COUNCIL
JUNE 23, 2015

**RE: SITE DEVELOPMENT FILE DA.14.049
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON
AVENUE**

The City Clerk's Office has received a petition from area residents regarding the above noted application with the summary wording below.

The total number of signatures on the petition are: 143.

Wording:

"Stop cell tower proposal DA.14.049 and propose a new site 500 meters away from homes, parks, schools, church, community centers or any place people spend much of their day!."

A copy of the entire petition document containing a total of 9 pages is on file in the office of the City Clerk.

C	27
Item #	10
Report No.	24(cw)
Council -	June 23/15

June 18th,

SUBJECT: Stop cell tower proposal DA.14.049 - propose a new site 500 meters away from homes, parks, schools, church, community centre or any place that people spend much of their day.

Dear Tony,

Thank you for supporting the Vaughan Community, Ward 1 & 2 by leading the Cell Tower Town Hall.

We also appreciate the Bell Representatives for being available. We respect their point of view. I / we understand the importance of technology and the future growth and need of power infrastructure.

However, there is a clear difference between the force of their presence here and ours.

This is their JOB. They're being PAID to represent Bell and to push the proposal through for bottom line results. To DRIVE a faster product to LEAD the market and provide a better service to their customers. **We GET IT!**

However - WE are here for different reasons.

We are simply here because - We LIVE here - We SLEEP here - We EAT here - We PLAY here!

WE are HERE because this is our HOME our PARK our CHURCH and SCHOOL and we proactively want to ensure it remains healthy, safe and appealing for our family and community!

The Cell Tower proposal will solve the issue of a weak cell phone by giving us a few extra bars. But it will also bring us a whole slew of new problems!

1. A 40 foot cell tower that will be an eyesore and a reminder of an unhealthy environment.
2. Decrease in Property value.
3. Health risks associated with compounded low dose / long term EMF radiation exposure.

AGAIN - We're not saying that we don't need cell towers!

The community is simply asking you and council to not **COMPROMISE** their health and safety for a fast fix and approach. But to proactively look into an alternate site that is a minimum of 500 meters away from from our homes, park or anywhere people spends hours of their day.

We have enough **Electromagnetic Radiation** from Hydro Towers. Adding a cell tower only compounds the long term health effects for people who live near and children and community who enjoy the park, church and schools on a daily bases.

Bell Reps. are relying on dated short term (1 month) research reports claiming the towers are safe. There is no research based on low dose long term effects on people who live near the tower for years.

However, we do have real sickness that is in our face. Real families in our community (surrounding the park area) with children diagnosed with environmental triggered brain tumors and leukemia.

Our city must make a responsible and moral decision by moving the proposed cell tower at least 500 meters away from any highly populated areas.

Sincerely,

Lucy Frechette
Lucyfrechette@gmail.com

C	28
Item #	10
Report No.	24 (cw)
Council -	June 23/15

Date June 17, 2015

Identification: Claude Frechette, Burlington, Ontario

REF: Grand Father of Sofia Frechette living in Sonoma Heights, 54
Lookout Point Court.

Dear Mayor Bevilacqua and city councillors,

I had the unpleasant occasion to hear and see on the Internet the speech given by MR (red shirt) in front of the City council, on June 2nd, relating to Cell Towers to be erected in Sonoma Heights Park, 100 Sunset Ridge Park.

I am appalled by the tone of that speech and by the arguments, but mostly by the comments verbalized by this individual on the debate relating to the Cell Towers to be erected a few hundred meters from where my granddaughter lives, plays and sleeps.

To have the nerve to pretend representing no interest and to come out that vehemently, has to be the joke of the century. In comparison, the gentleman representing Bell, although we do not support his arguments, came out in a logic, calmed and polite exposé that did not pass a character evaluation on those opposed to the project. It was done with taste and with arguments designed to win over support to his cause.

The near vitriolic comments coming out of Mister XYZ mouth one after the other, as to the fact that those who were opposed to the said location, should be considered near brain dead people who refuse progress and technology, and should move to the back woods (disrespectful to Sudbury mentioned by him) and give way to bright and super smart people of his kind who will say YES to any kind of untested technology but have not yet lived the Calvary of parents who have children with very serious, debilitating sickness, just a couple of streets down from the said Park.

We live in a free speech, superb country but that freedom comes with a price, that price is respect and tolerance of people who might not share the same ideas about technological advances, yet to be tested. The tests reports **might not be in** but the health damages are IN and in our face. That fact alone should give us notice to use CAUTION and analyze all the ramifications before proceeding.

Giving the project a complicated number was also an irritant and a clear signal that it would glide on with less criticism since a lot of people we have canvassed had no idea of the true essence of that project. In that context, why don,t we give the mayor and the counselors a series of numbers to identify them. Even that would be less acidic than the speech of Mister Red Shirt!

Sincerely,

Claude Frechette,

4-2871 Darien Rd, Bulington, ON L7M 4R6, Tel: 905 315-8722



memorandum

C	<u>29</u>
Item #	<u>10</u>
Report No.	<u>24(cw)</u>
Council -	<u>June 23/15</u>

DATE: JUNE 22, 2015
TO: HONOURABLE MAYOR & MEMBERS OF COUNCIL
FROM: JOHN MACKENZIE, COMMISSIONER OF PLANNING
RE: COMMUNICATION #2 - COUNCIL MEETING, JUNE 23, 2015
ITEM #10 - COMMITTEE OF THE WHOLE - JUNE 2, 2015

**SITE DEVELOPMENT FILE DA.14.049
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON AVENUE**

Recommendation

The Commissioner of Planning recommends:

1. THAT Recommendation #1 in its entirety as contained in Item #10 of the Committee of the Whole Agenda dated June 2, 2015, be deleted and replaced with the following:
 - a) THAT Site Development File DA.14.049 (The Corporation of the City of Vaughan) BE HELD IN ABEYANCE, pending the investigation of an alternate site for the proposed telecommunications tower at the William T. Foster Woods Park, on lands owned by the Toronto and Region Conservation Authority (TRCA).

Background

On June 2, 2015, four residents from the area surrounding Sonoma Heights Park gave deputations to the Committee of the Whole regarding a proposed telecommunications tower to be placed in the park. Three residents were in opposition and one was in support of the proposal. The Committee of the Whole also received Communications from three area residents in opposition to the proposed telecommunications tower. The Committee of the Whole adopted the following recommendation (in part) regarding Site Development File DA.14.049:

"That consideration of this matter be deferred to the Council meeting of June 23, 2015, to allow further consultation between the applicant and area residents, and for the applicant to report to staff on the results of the consultation prior to the matter returning to Council."

On June 16, 2015, the Commissioner of Planning forwarded a Communication to Council indicating the details of the upcoming community meeting, and that the actual discussions that transpired at the meeting would be discussed in a future Communication, which is the subject of this Communication as discussed below in the following sections:

Community Meeting

Bell Mobility Inc. (the Proponent) held a meeting for area residents on June 18, 2015, at the Al Palladini Community Centre (9201 Islington Avenue) from 7:00 PM to 9:00 PM. Approximately 38 residents heard

a brief presentation by the Proponent regarding the need for enhanced service in the area and the siting process that the Proponent conducted prior to submitting the subject application. The residents then had an opportunity to ask questions of the Proponent. The majority of the discussion focused on health concerns and the possibility of finding an alternative site for the facility. Some discussion on the aesthetics of the tower and community consultation also occurred as summarized in this Communication.

Ultimately, the Proponent agreed to request a meeting with the Toronto and Region Conservation Authority (TRCA) to renew efforts to secure a lease agreement to site the telecommunications tower at the William T. Foster Woods (Foster Woods) located at the northeast corner of Islington Avenue and Major MacKenzie Drive, as shown on Attachment #1. The meeting(s), between the Proponent, the TRCA, Kleinburg Area Ratepayers' Association (KARA), and the City, will take place over the summer.

If this location is not feasible, the Proponent has also agreed to review the possibility of adding additional antennas to the existing antennas on the Hydro One towers in Sonoma Heights Park.

Alternative Locations

The Proponent advised that prior to submitting the application, Bell Mobility approached the TRCA to propose siting the tower in Foster Woods, as this was their preferred location for the tower. At that time, the TRCA was not willing to enter into a lease agreement for the lands.

The residents also had many questions about the site selection process prior to the submission of the application and made suggestions for alternative sites.

The Proponent advised that they also approached Padre Pio Church north of the Sonoma Heights Park and were refused. The Proponent is already co-locating antennas at the existing Rogers tower at the City of Vaughan Fire Station 7-9 at 9601 Islington Avenue, and needs another tower in the vicinity of the Park to address a service deficiency in this area. The placement of antennas on the Hydro One tower in the Sonoma Heights Park is not a preferred solution for either party.

The Proponent previously suggested replacing a light standard in the interior of the Park with a new light standard including an antenna. City Staff were not supportive of the proposal.

Most private landowners in the area own small lots in residential areas. The challenging topography in the area, also rules out several locations as suitable for a tower.

The Proponent advised that the new tower proposed at the Polish Army Veterans' Association Park, on Regional Road 27, just south of Major MacKenzie Drive is too far away to provide the appropriate coverage for this area.

Health

The Proponent advised that the current proposed tower would emit 0.5% of the maximum Radio Frequency (RF) emissions prescribed by Safety Code 6: Health Canada's Radio Frequency Exposure Guidelines, which represents an approximately 0.4% reduction from the emissions of the current existing telecommunications antennas located in the park on the hydro tower, which the proposed telecommunication tower is meant to replace. The maximum exposure in this case was calculated at the nearest home to the proposed tower. Residents asked about park users located directly at the base of the tower. The Proponent could not confirm the exact exposure at this location, but advised that it would be well below the Safety Code 6 requirements, and that any park users at the base of the tower would actually be below the directional beam of the antennas at the top of the tower.

The residents also asked about how antennas that are meant to keep up with growing demand could have lower emissions than the antennas they are intended to replace? The Proponent could not provide a technical answer, but assured the residents that the output of each tower is certified by Bell Mobility engineers and published by Industry Canada.

The Proponent advised that the actual RF emissions are almost always lower than the engineered maximum of the tower antennas, and that the RF numbers presented to the residents represent the engineered maximum. Some of the residents remained unconvinced that the RF levels permitted by Safety Code 6 represent safe levels of emissions.

The Proponent also advised that emissions from the tower are weaker than those from a home Wi-Fi or a cell phone. Some residents responded that having a home Wi-Fi or a cell phone is a personal choice, unlike having a tower erected in their neighbourhood.

Public Consultation

The President of the Carrying Place Ratepayers' Association stated that he received a notification of the proposal from Bell Mobility in August 2014, but when he emailed the contact information listed on the brochure, he never received a response. He also said that Bell Mobility does not consult with his Ratepayer Association like they consult with KARA.

Aesthetic Concerns

There was a brief discussion about the aesthetic considerations of placing a tower in a park that is predominantly a natural area and predominantly used for recreation. The Proponent advised that Bell Mobility engineers typically prefer 100 metre tall towers with a pinwheel design. The proposal for a 40 metre tall flagpole tower is a concession to aesthetics for the community.

Conclusion

On June 2, 2015, the Committee of the Whole directed that consideration of Site Development File DA.14.049 be deferred to permit further community consultation regarding a proposed telecommunication tower in Sonoma Heights Park. A meeting was held on June 18, 2015, at which discussions regarding the proposal resulted in the Proponent agreeing to meet with the Toronto Region and Conservation Authority to assess the opportunity to relocate the proposed telecommunication tower from Sonoma Heights Park to William T. Foster Woods lands at the northeast corner of Islington Avenue and Major Mackenzie Drive or to provide additional antennas on the existing Hydro One Towers in Sonoma Heights Park. Although the applicant has requested that Vaughan Council make a decision for either concurrence or non-concurrence for the proposed tower in Sonoma Heights Park at its meeting on June 23, 2015, the Planning Department recommends that this application be held in abeyance pending the outcome of these discussions with the TRCA.

Respectfully submitted,

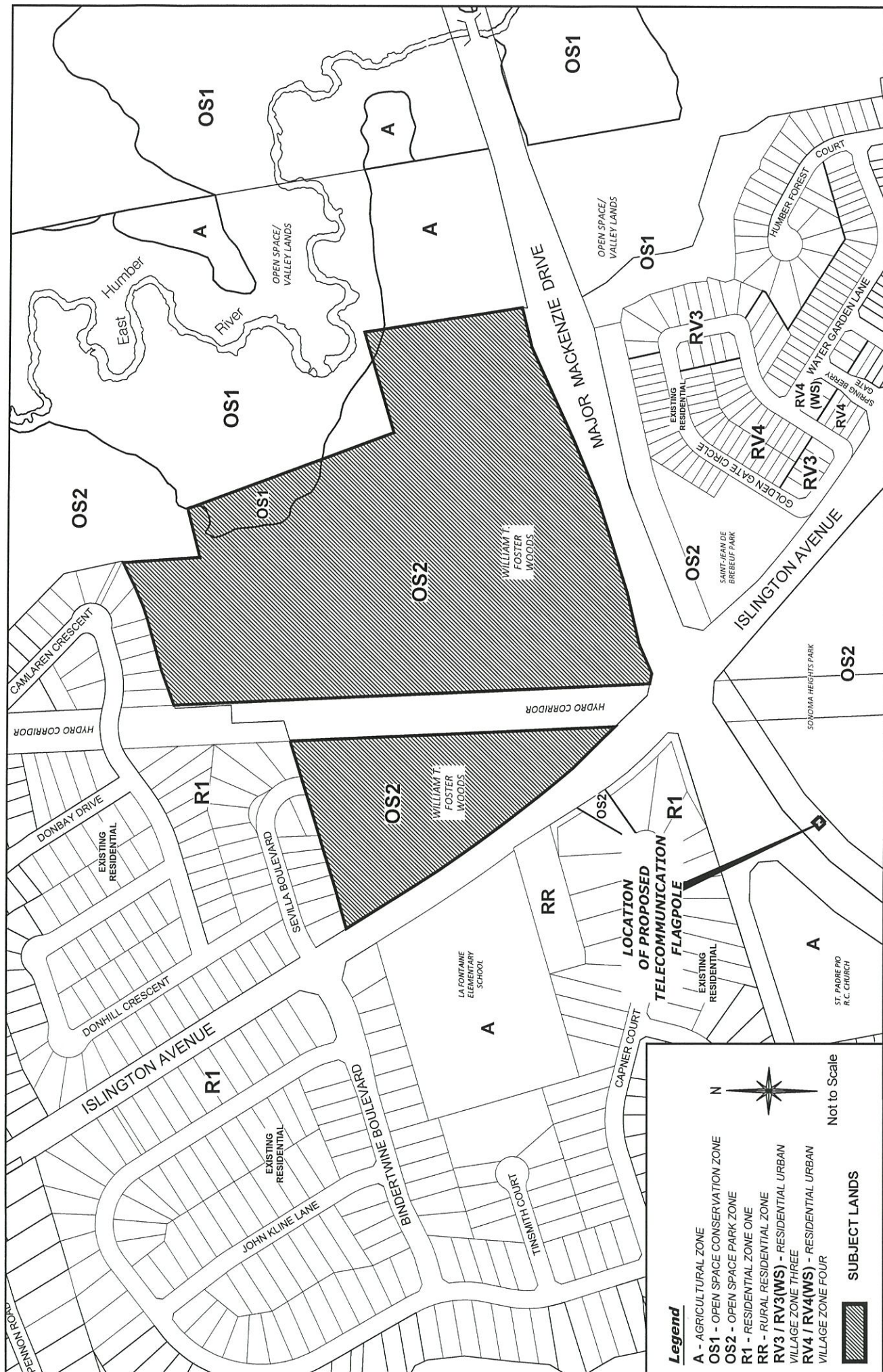


JOHN MACKENZIE
Commissioner of Planning
GM/cm

Attachments

1. Location Map

Copy to: Steve Kanellakos, City Manager
Jeffrey A. Abrams, City Clerk
Grant Uyeyama, Director of Development Planning



Location Map

LOCATION:
Part of Lot 20, Concession 8

APPLICANT:
City of Vaughan



Development Planning Department

Attachment

FILE:
DA.14.049

DATE:
June 23, 2015

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COMMITTEE OF THE WHOLE JUNE 2, 2015

SITE DEVELOPMENT FILE DA.14.049
THE CORPORATION OF THE CITY OF VAUGHAN
WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND ISLINGTON AVENUE

Recommendation

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

1. THAT Site Development File DA.14.049 (City of Vaughan) BE APPROVED, to permit the installation of a 40 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 conditions:
 - a) that the Proponent enter into a lease agreement with the City of Vaughan for the use of City-owned lands, to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division; and,
 - b) that the compound fence enclosure be constructed of western red cedar.

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 4, 2014, which is discussed in 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.14.049 on the subject lands shown on Attachments #1 and #2, to permit the installation of a 40 m high flagpole telecommunication tower with internal antennas and an associated radio equipment cabinet, as shown on Attachments #3 to #6. The proposed development implements Vaughan Official Plan 2010 (VOP 2010) and is appropriately located.

Background - Analysis and Options

Location

The subject lands (known as Sonoma Heights Park) shown on Attachments #1 and #2 are located on the southwest corner of Major MacKenzie Drive and Islington Avenue, municipally known as 100 Sunset Ridge, 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 June 2, 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. At the request of the City, the Proponent expanded the notification area to include properties along Islington Avenue, Lookout Point Court, Sunset Ridge, Park Ridge

Drive, and St. Padre Pio Gardens, where residential dwellings face the subject park, as shown on Attachment #2.

On September 4, 2014, the Proponent held a Community Information Meeting at the Al Palladini Centre from 6:00pm - 8:00pm, however, no residents attended the meeting. The Proponent received communications from five residents; one in support and 4 in opposition to the proposed tower, for the following reasons:

- the park should be used as a park, and not for any other purposes
- the proposed tower would lower home values, and will lead to adverse health effects as a result of the high levels of exposure to microwaves
- concerns with aesthetics, safety (potential of children climbing the pole) and noise

The Vaughan Planning Department offers the following responses:

Aesthetics: The originally proposed design of the tower, a monopole with shrouded antennas, was changed to a flagpole design by the proponent at the request of the Vaughan Planning Department to provide a more appropriate design for the entrance to a municipal park. The equipment compound will be screened by a solid board fence, and the Proponent has agreed to plant four trees and ornamental shrubs along the compound fence, as shown on Attachment #4.

Health: Industry Canada has adopted Health Canada's guidelines for safe human exposure to RF energy, commonly known as Safety Code 6. Compliance with these guidelines is mandatory at all times and is a condition of a carrier's spectrum license. Bell Mobility Inc. attests that the proposed radio antenna system described will comply with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier co-locations and nearby installations within the local radio environments.

Safety: The compound will be enclosed by a 2.4 m high board fence and will be accessed only by locking doors. The proposed tower design has a smooth base with no footholds for climbing.

Location in a park: Bell Mobility Inc. antennas are already located in the park, on an existing hydro tower structure. The Proponent advises that Hydro One Network Inc., the Owners of the structure, will not permit any upgrades to the equipment.

Property Value: Industry Canada deems concerns about the effects of a proposed antenna system on property values as "not relevant" in CPC-2-0-03 (Radiocommunication and Broadcasting Antenna Systems Protocol).

Official Plan and Zoning

The subject lands are designated "Natural Areas", "Parks", and "Infrastructure and Utilities" by Vaughan Official Plan 2010 (VOP 2010). 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 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, 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 100 m² equipment compound is enclosed by a 2.4 m high board fence. The compound includes a 40 m high flagpole with internal antennas, one radio equipment cabinet, and dedicated space to accommodate the equipment cabinet of a future co-located carrier, as shown on Attachments #3 to #6. The compound layout details indicate that the proposed 2.4 m high fence enclosure is constructed of pressure treated wood. The plan must be revised to change the fence material to western red cedar in accordance with City standards, which the Proponent has agreed to undertake. A condition of approval is included in this report. The accessory radio cabinet is constructed of galvanized steel, 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.

Should the application be approved, the Proponent has agreed to compensate the City of Vaughan for the removal of/damage to four trees in the vicinity of the compound, to the satisfaction of Vaughan's Parks and Forestry Operations Department. The Proponent also proposes to plant four additional trees and ornamental shrubs to provide screening along all four sides of the base of the compound. The Vaughan Planning Department is satisfied with the proposed screening.

The Proponent is proposing construction and servicing via the existing driveway to the park from Major MacKenzie Drive, as shown on Attachment #3.

The Proponent has advised that the proposed telecommunication tower is required to maintain service in the area. Bell Mobility Inc.'s existing site in the area is located on a hydro tower in the park. The proponent advises that Hydro One Network Inc., the Owner of the structure, will not permit any upgrades to the equipment, and will be requiring the antennas to be removed. No other opportunities for co-location in the area exist. The nearest non-Bell installation is a Rogers' Communications site on Islington Avenue to the south, on which Bell Mobility Inc. is pursuing co-location.

The Proponent has advised that the 40 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 compound layout, as shown on Attachment #4, includes space for the equipment of future co-located antennas. The Vaughan Planning Department has no objection to the proposed layout, design, and location of the compound and telecommunications tower.

City of Vaughan

The proposed tower will be located on City-owned lands. The Proponent must enter into a lease agreement with the City to the satisfaction of the City of Vaughan Legal Services Department, Real Estate Division. A condition to this effect is included in the recommendation of this report.

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 Well-Being

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.

Conclusion

The Vaughan Planning Department has reviewed the proposal for a 40 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.14.049, subject to the conditions identified in the recommendation of this report.

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

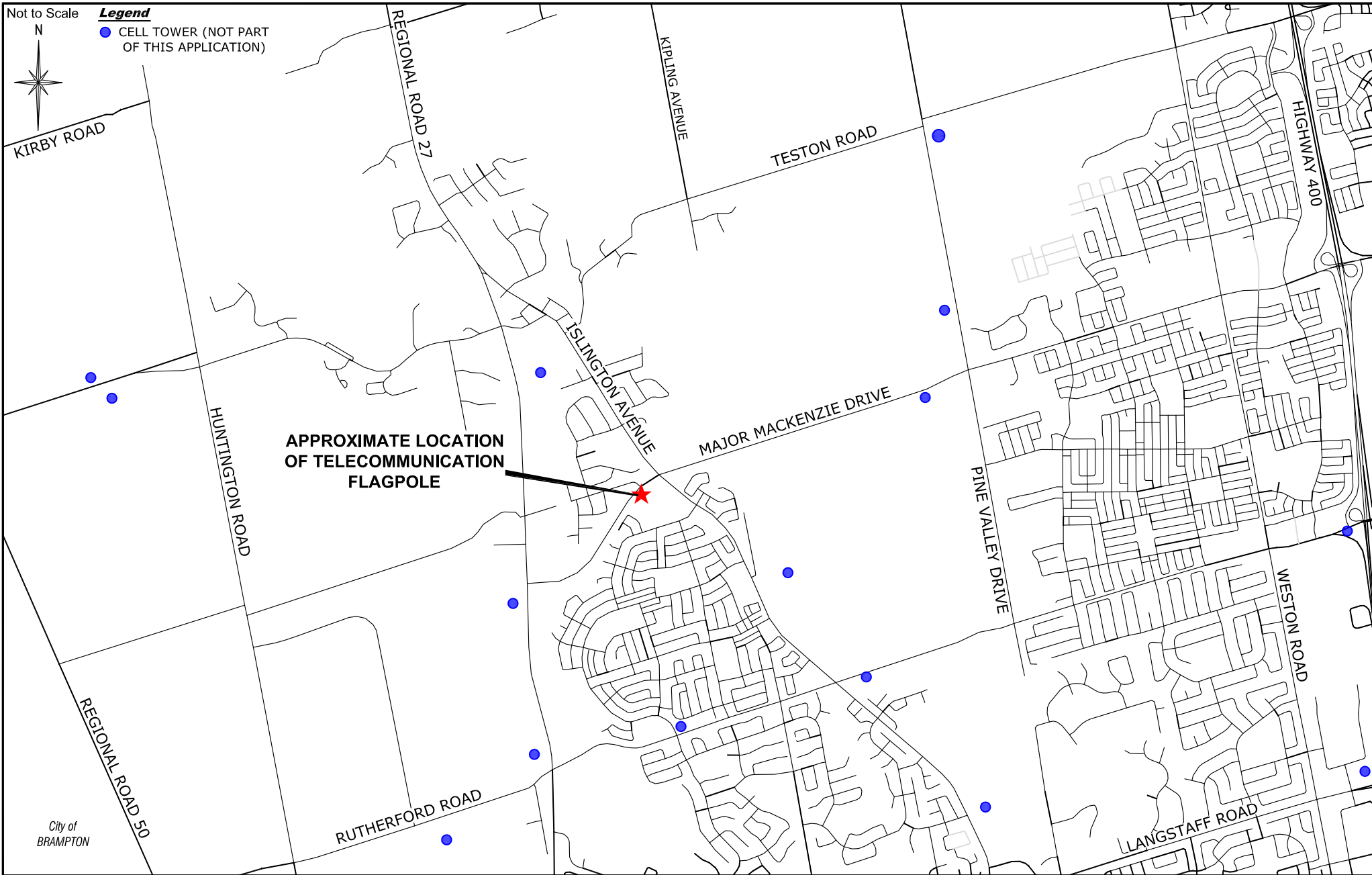
Respectfully submitted,

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 20, Concession 8

APPLICANT:
City of Vaughan

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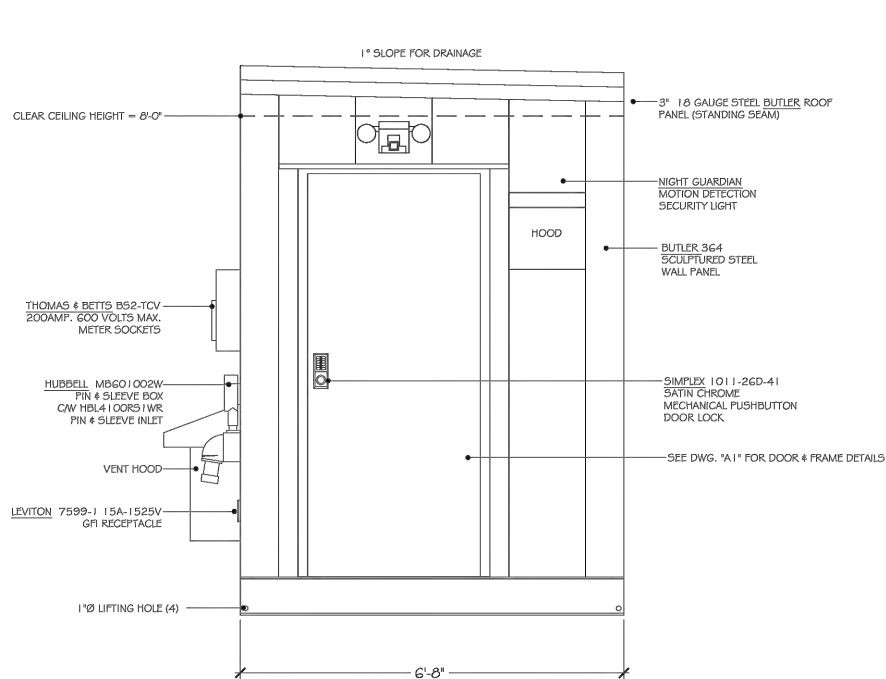


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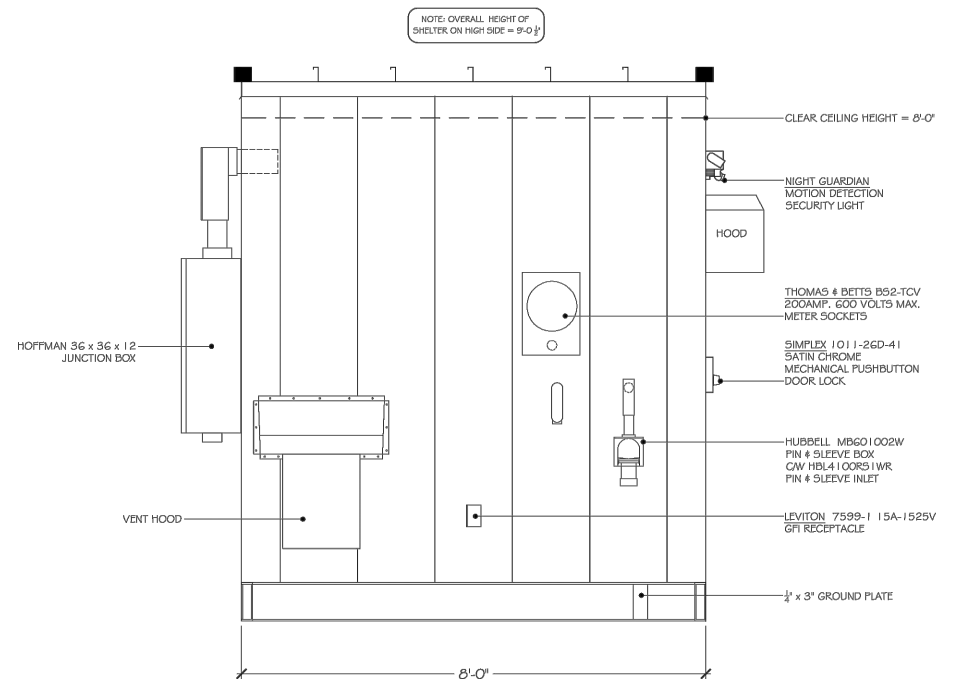
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DATE:
June 2, 2015

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SOUTH ELEVATION



WEST ELEVATION

Not to Scale

Cabinet Details - South & West Elevations

APPLICANT: City of Vaughan LOCATION: Part of Lot 20, Concession 8

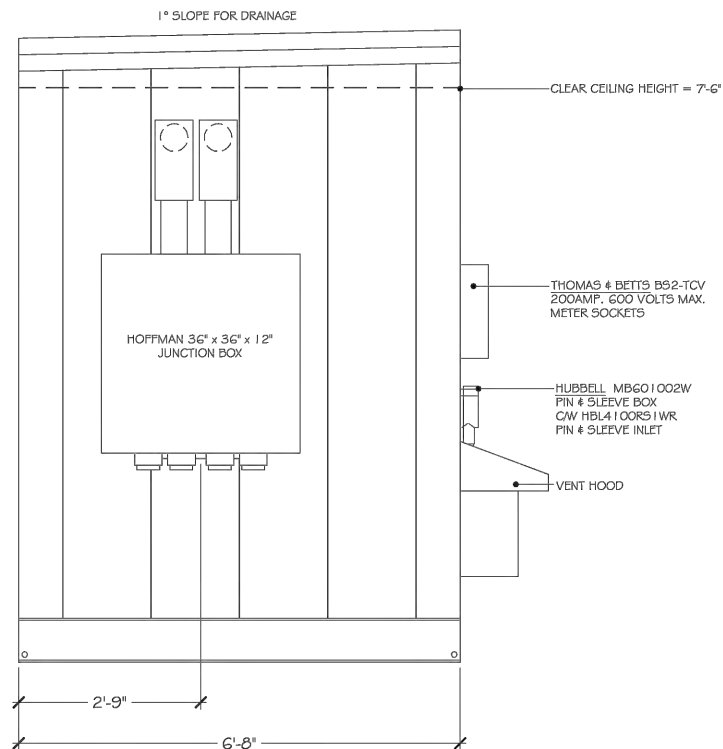


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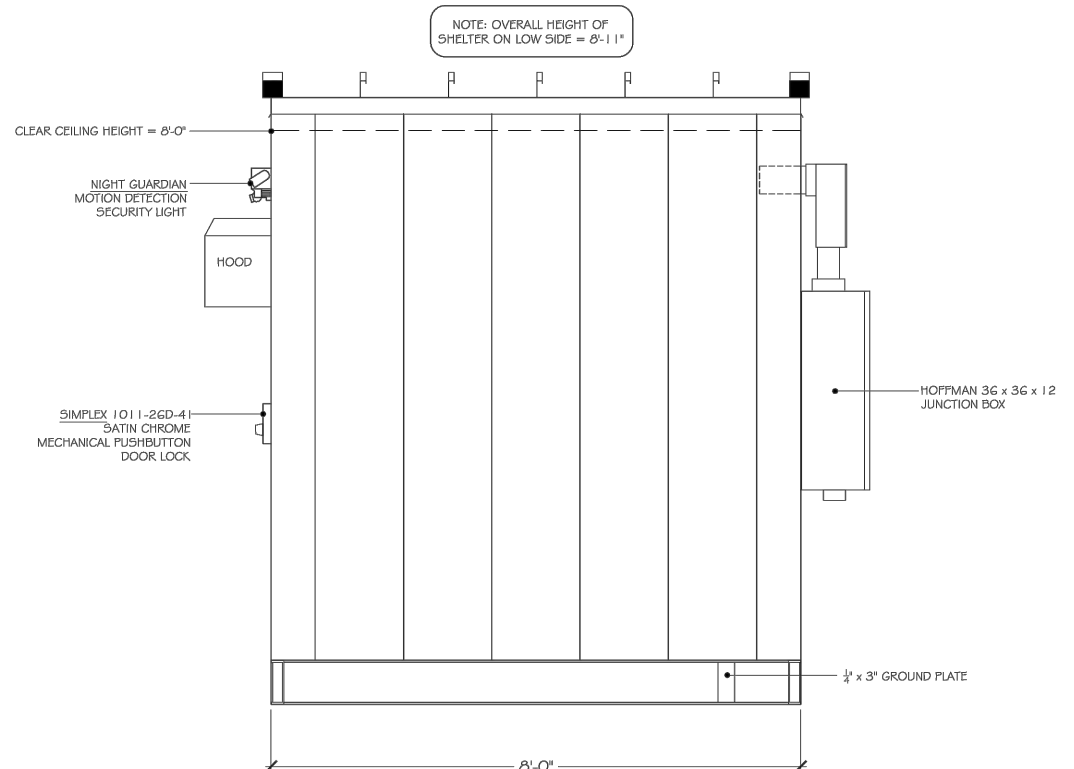
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NORTH ELEVATION



EAST ELEVATION

Not to Scale

Cabinet Details - North & East Elevations

APPLICANT: City of Vaughan LOCATION: Part of Lot 20, Concession 8



Attachment

FILE:
DA.14.049

DATE:
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