

## CITY OF VAUGHAN

### EXTRACT FROM COUNCIL MEETING MINUTES OF JUNE 19, 2018

Item 11, Report No. 21, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on June 19, 2018.

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**11     SITE DEVELOPMENT FILE DA.17.117 STRATHERN HEIGHTS INVESTMENTS INC. VICINITY OF HIGHWAY 400 AND TESTON ROAD**

**The Committee of the Whole recommends approval of the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated June 5, 2018:**

**Recommendation**

1.     THAT Site Development File DA.17.117 (Strathern Heights Investments Inc) BE APPROVED, to permit the proposed monopole telecommunication tower and associated radio equipment cabinet, as shown on Attachments #3 and #4.

Item:



## Committee of the Whole Report

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**DATE:** Tuesday, June 05, 2018

**WARD(S):** 3

**TITLE: SITE DEVELOPMENT FILE DA.17.117  
STRATHERN HEIGHTS INVESTMENTS INC.  
VICINITY OF HIGHWAY 400 AND TESTON ROAD**

**FROM:**

Jason Schmidt-Shoukri, Deputy City Manager, Planning and Growth Management

**ACTION:** DECISION

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**Purpose**

To seek approval from the Committee of the Whole for Site Development File DA.17.117 for the Subject Lands shown on Attachments #1 and #2, to permit the installation of a 45 metre high steel monopole telecommunications tower and associated radio equipment cabinet, for Rogers Canada Wireless Communication, as shown on Attachments #3 and #4.

**Report Highlights**

- The Owner is proposing a 45 high steel monopole telecommunication tower and associated radio equipment cabinet.
- The Development Planning Department supports the approval of the proposed telecommunication tower as it conforms to the policies of Vaughan Official Plan 2010 and complies with the requirements of Zoning By-law 1-88 and the City of Vaughan Telecommunication Facility Siting Protocol.

**Recommendation**

1. THAT Site Development File DA.17.117 (Strathern Heights Investments Inc) BE APPROVED, to permit the proposed monopole telecommunication tower and associated radio equipment cabinet, as shown on Attachments #3 and #4.

## **Background**

The 2.1 ha Subject Lands (the “Subject Lands”) shown on Attachments #1 and #2 are located on the east side of Cityview Boulevard, south of Teston Road, and are municipally known as 505 Cityview Boulevard. The surrounding land uses are shown on Attachment #2. The Subject Lands are developed with an existing 10,200 m<sup>2</sup> employment building. The proposed cabinet area is 32 m<sup>2</sup> and is located at the north-east quadrant of the Subject Lands (Attachment #3), and will be accessed by the existing driveway.

## **Previous Reports/Authority**

Not applicable.

## **Analysis and Options**

### ***The telecommunication tower conforms to Vaughan’s Telecommunications Siting Protocol***

Vaughan Council on October 19, 2016, adopted a new protocol for establishing telecommunication tower/antenna facilities. In accordance with the City’s Protocol, the 45 m telecommunications tower proposed by a telecommunications carrier, requires consideration by Vaughan Council.

In accordance with the City’s Protocols, the Proponent attended a Pre-Application Consultation (“PAC”) meeting with the Development Planning Department prior to submitting the subject application. The Proponent’s agent conducted a survey of the surrounding area and determined that there are 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 shown on Attachment #1.

### ***Public Notice was provided in accordance with Vaughan’s Telecommunication Facility Siting Protocol***

The City’s in-effect Protocol states that applications for antenna systems (telecommunication towers) that are higher than 30 m in height and are located within 200 m from any residential zone require full public consultation, City review, and approval by Vaughan Council.

The proposed telecommunication tower is 45 m in height. The closest residential zone from the tower is located 150 m to the east and 190 m to the west. The Proponent is required to give notice to the following:

- a) All affected residential properties within the prescribed distance, detailed below;
- b) All affected Ratepayer Groups within the prescribed distance;
- c) The Mayor, Regional Councillors and Local Councillor for the area; and,
- d) ISEDC (Innovation, Science and Economic Development Canada) regional office.

The City's Protocol requires the Proponent to provide notice of a Public Information Session by mail to all landowners within 150 m, or three times the height of the proposed Antenna System, whichever is the greater. A radius of 150 m was used to establish the polling area, as shown on Attachment #2. The Proponent also erected a Notice Sign along the westerly lot line abutting Cityview Boulevard, in accordance with the City of Vaughan Telecommunication Facility Siting Protocol and provided Newspaper Notice of the telecommunication tower proposal in the Vaughan Citizen on February 15, 2018.

On March 19, 2018, the Proponent held a Public Information Session at Vellore Village Community Centre from 7:00-9:00 pm for the proposed telecommunications tower. In accordance with the City's Protocol, notice for this meeting was provided by regular mail to all property owners within a 150 m radius of the proposed tower location, a minimum of 30 days in advance of the Public Information Session. No residents attended the Public Information Session.

***The telecommunications tower conforms to Vaughan Official Plan 2010 ("VOP 2010") and Zoning By-law 1-88***

The Subject Lands are designated "Prestige Employment" by Vaughan Official Plan 2010 ("VOP 2010"). Section 8.4.4 of 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 services. Section 8.4.4.2 encourages the sharing of telecommunications infrastructure to minimize the visual impact of telecommunication towers. The proposed telecommunication tower conforms to the telecommunication policies of VOP 2010.

The Subject Lands are zoned EM1 Prestige Employment Area Zone, subject to Exception 9(1218) by Zoning By-law 1-88.

The *Radiocommunication Act* designates the Innovation Science and Economic Development Canada, formerly Industry Canada ("ISEDC") for all matters respecting telecommunications towers and antenna facilities. Federal regulations are not subject to Provincial policies, including the *Planning Act* and *Ontario Building Code Act*. Therefore, telecommunication towers and antenna facilities are exempt from municipal official plans and zoning by-law requirements and Site Plan approval (i.e. no implementing Site Plan Agreement or Letters of Undertaking).

***The Site Development application has been reviewed and is satisfactory subject to the comments in this report***

Site Plan Review

The proposed 32 m<sup>2</sup> cabinet is to be enclosed by a wood board fence and is located in the northeast corner of the Subject Lands. The cabinet includes a 45 m jog steel monopole telecommunications tower. Access to the cabinet is via a driveway entrance on Cityview Boulevard along the south the east yards of the Subject Lands, as shown on Attachment #3.

The proposed radio equipment cabinet is to be prefabricated galvanized steel on a cast in place reinforced concrete slab. The proposed tower will accommodate Rogers Canada Wireless Communication and will include 6 antennas. Space is provided on the tower to accommodate co-location in the future.

A parking space has been provided immediately west of the tower for maintenance purposes, as shown on Attachment #4. The Proponent has advised that the proposed telecommunication tower is required to replace the telecommunications tower located north of Teston Road and east of Highway 400 to this location, as shown on Attachment #1. The existing tower will be taken down and decommissioned. The Proponent conducted a search radius for existing telecommunication infrastructure and found the nearest existing telecommunications tower, approximately 670 m south of the Subject Lands is already co-located. The next closest towers were too far from the coverage area objective to be feasible.

The Urban Design and Cultural Heritage Division (“Urban Design”) staff have reviewed the proposed telecommunication tower and recommend that additional landscaping (a combination of coniferous and deciduous trees) be provided around the proposed 2.4 m high wood board fence to screen the radio equipment cabinet. Urban Design staff also recommend that a flag be proposed on top of the monopole. The Owner is required to continue working with Development Planning staff to finalize the fencing, landscaping and tower details.

Cultural Heritage staff have reviewed the application and have advised there are no built heritage concerns respecting the Subject Lands. However, the Subject Lands are located in an area that has been identified as having high archaeological potential, and as such, the Proponent is advised of the following warning clauses:

- a) *Should archaeological resources be found on the property during construction activities, all work must cease and the Ontario Ministry of Tourism, Culture and Sport and the City of Vaughan Development Planning Department, Urban Design and Cultural Heritage Division shall be notified immediately.*

- b) *In the event that human remains are encountered during construction activities, the Owner must immediately cease all construction activities. The Owner shall contact the York Regional Police Department, the Regional Coroner and the Registrar of the Cemeteries Regulation Unit of the Ministry of Consumer and Business Services.*

The Development Engineering (“DE”) Department has no objection to the proposed telecommunication tower. Alectra Utilities Corporation has reviewed the proposal and has no objection to its approval.

***The Ministry of Transportation (the “MTO”) has no objection to the proposed telecommunication tower***

The Subject Lands are located within the MTO Permit Control Area. An MTO Building and Land Use Permit is required prior to commencement of any on-site works. The MTO has provided the following comments:

- the MTO will allow for the reduced setback from the MTO property line of 10.97 m, for the proposed tower installation and hydro supply, as indicated on the survey plan, whereas MTO normally requires a 14 m setback;
- the MTO will require a letter, signed by the appropriate authority who can bind the company, stating:

*“The holder of this permit agrees to relocate the wireless telecommunication tower facility and Hydro installation should the MTO require the 14 m setback in the future. Such relocation shall be carried out to the satisfaction of the Ministry, and at no cost or liability to the Ministry.”*

- the MTO will require a detailed engineered drawing of the proposed monopole tower, stamped and signed by two (2) Professional Engineers and,
- all drawings must clearly indicate the MTO 14 m setback.

**Financial Impact**

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

**Broader Regional Impacts/Considerations**

The York Region Community Planning and Development Services Department has reviewed the Site Development Application and has no objection to the proposed telecommunication tower. The Proponent is advised that an access easement is proposed for the maintenance of the telecommunication tower over an existing Regional watermain easement. The Proponent is advised that York Region’s easement rights must be protected and encourages the applicant to contact the Regional Clerk to ensure same.

## **Conclusion**

Site Development File DA.17.117 has been reviewed consideration of the policies of VOP 2010, the City of Vaughan Telecommunication Facility Siting Protocol, the ISEDC's Protocol for Radiocommunication and Broadcasting Antenna Systems, the requirements of City Departments and external public agencies, and the surrounding area context. The installation of the proposed telecommunication tower and associated radio equipment cabinet conforms to VOP 2010, satisfies the requirements of the City's and ISEDC's Protocols, is satisfactory to all the required review agencies, and is therefore considered appropriate. Accordingly, the Development Planning Department can support the approval of Site Development File DA.17.117.

**For more information**, please contact: Natalie Wong, Planner, at extension 8866.

## **Attachments**

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

## **Prepared by**

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