

Committee of the Whole Report

DATE: Tuesday, June 04, 2019

WARD: 3

**TITLE: PIAZZA VILLAGIO CORP.
SITE DEVELOPMENT FILE DA.19.006
VICINITY OF WESTON ROAD AND RUTHERFORD ROAD**

FROM:

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

ACTION: DECISION

Purpose

To seek approval from the Committee of the Whole for Site Development File DA.19.006 for the Subject Lands shown on Attachment 1, to permit the installation of a 30 metre-high steel monopole telecommunications tower and associated radio equipment cabinet compound, to accommodate a maximum of three telecommunication providers, as shown on Attachments 2 and 3.

Report Highlights

- The Owner is proposing a 30 metre-high steel monopole telecommunication tower and associated radio equipment cabinet compound.
- The Development Planning Department supports the approval of the proposed telecommunication tower as it conforms to the policies of Vaughan Official Plan 2010 and the City of Vaughan Telecommunication Facility Siting Protocol.

Recommendations

1. THAT Site Development File DA.19.006 (Piazza Villagio Corp.) BE APPROVED for the Subject Lands shown on Attachment 1, to permit the proposed monopole telecommunication tower and associated radio equipment cabinet compound, as shown on Attachments 2 and 3.

Background

The 4.27 ha subject lands (the 'Subject Lands') shown on Attachment 1 are located at the northwest corner of Weston Road and Rutherford Road. The surrounding land uses are shown on Attachment 1. The Subject Lands are used for commercial purposes (existing commercial plaza) and developed with eight buildings.

The Owner has submitted a Site Development application to permit the proposed telecommunication tower

The Owner has submitted Site Development File DA.19.006 (the 'Application') to permit the development of a 30 metre high telecommunications tower and 24 m² radio equipment cabinet compound (the 'Development') accessed by the existing driveway (Rutherford Road) on the Subject Lands.

Previous Reports/Authority

N/A

Analysis and Options

The Development conforms to the City of Vaughan Telecommunication Facility Siting Protocol ('TFSP')

Vaughan Council adopted a protocol for establishing telecommunication tower/antenna facilities on October 19, 2016. In accordance with the TFSP, the 30 m telecommunications tower proposed by a telecommunications carrier requires consideration by Vaughan Council.

In accordance with the City's protocols, the Owner attended a Pre-Application Consultation ('PAC') meeting with the Development Planning Department prior to submitting the Application. The Owner's agent conducted a survey of the surrounding area and determined that despite there being telecommunication towers in the area, there are no existing facilities suitable for co-location within the network coverage vicinity. 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.

The proposed telecommunication tower will be located 150 m away from a residential zone which does not require public notification in accordance with the TFSP

The TFSP states that applications for telecommunication towers that are between 15 m and 30 m in height and located between 150 m and 200 m of any residential zone require City review and approval by Vaughan Council.

The proposed telecommunication tower is 30 m in height and located 150 m from the residential zones to the south, east and west and meets the requirements where public consultation is not required in accordance with the TFSP.

The Development is exempt from the policies of Vaughan Official Plan 2010 ('VOP 2010') and Zoning By-law 1-88

The *Radiocommunication Act* designates Innovation, Science and Economic Development Canada ('ISED'), formerly Industry Canada, as the authority 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, zoning by-law requirements and Site Plan approval (i.e. no implementing Site Plan Agreement or Letter of Undertaking).

The Subject Lands are designated "Mid-Rise Mixed-Use" by VOP 2010 which permits a maximum building height of 12-storeys and a maximum floor space index ('FSI') of 3.5 times the area of the lot. 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. Although the Development is exempt from the requirements of municipal official plans, the proposed telecommunication tower conforms to the telecommunication policies of VOP 2010.

The Subject Lands are zoned C4 Neighbourhood Commercial Zone by Zoning By-law 1-88, subject to Exceptions 9(1024) and 9(1145).

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

The proposed telecommunication tower will be 30 m in height, and setback 60 m from Weston Road behind a one-storey building and 45 m from Rutherford Road, as shown on Attachment 2. The proposed telecommunication tower will be designed to accommodate a maximum of three telecommunication providers to allow for co-location.

The proposed radio equipment cabinet compound area is 24 m² and the cabinet consists of prefabricated galvanized steel on concrete foundation, enclosed by a 2.1 m high cedar board fence, as shown on Attachment 3. Two cabinets are to be located in the compound with space for an additional cabinet in the future. The proposed cabinet compound is located within the landscape strip abutting Rutherford Road. An area of existing vegetation screens the cabinet compound from Rutherford Road. Access to the proposed cabinet compound is provided by an existing driveway from Rutherford Road. Parking spaces, in the existing commercial plaza, are within 20 m of the telecommunication tower, and therefore a dedicated parking space for service/maintenance providers is not necessary.

The Owner conducted an analysis of existing tower locations and identified a gap in network coverage that could be addressed through the proposed telecommunication tower on the Subject Lands. The closest existing tower locations are approximately 350 m southeast of the Subject Lands on Weston Road and approximately 1 km west of the Subject Lands at Rutherford Road and Velmar Drive.

The Urban Design and Cultural Heritage Division of the Development Planning Department has reviewed the Development and is satisfied with the Application. The Development will be partially screened by existing vegetation. No vegetation is being removed to accommodate the proposed cabinet compound.

Cultural Heritage staff have reviewed the Development and have advised there are no heritage concerns respecting the Subject Lands.

The Development Engineering ('DE') Department has no objection to the Development

The DE Department has reviewed the Development and has no objection to its approval.

Bombardier and Nav Canada have no objection to the Development

Bombardier and Nav Canada have reviewed the Development and has no objections to its location and height.

The Toronto and Region Conservation Authority ('TRCA') has no objection to the Development

The Subject Lands are partially located within the the Wellhead Protection Area (WHPA-Q). *The Credit Valley, Toronto and Region, and Central Lake Ontario Source Protection Plan* ('Source Water Plan') provides policies to protect drinking water sources and applies to the Subject Lands. The TRCA has reviewed the Development and has no objection to its approval.

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 Development and has no objection to its approval.

Conclusion

Site Development File DA.19.006 has been reviewed in consideration of the policies of VOP 2010, the City of Vaughan TFSP, the ISEDC's Protocol for Radiocommunication and Broadcasting Antenna Systems, the requirements of City Departments and external 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.19.006.

For more information, please contact: Judy Jeffers, Planner, Development Planning Department, ext. 8645.

Attachments

1. Location Map
2. Site Plan
3. Compound Plan and Elevations

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