CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF, FEBRUARY 11 2020

Item 7, Report No.4, of the Committee of the Whole, which was adopted without amendment by the Council of the City of Vaughan on February 11, 2020.

7. PIAZZA VILLAGIO CORP. SITE DEVELOPMENT FILE DA.19.006 VICINITY OF WESTON ROAD AND RUTHERFORD ROAD

The Committee of the Whole recommends:

1) That the recommendation contained in the following report of the Deputy City Manager, Planning and Growth Management, dated February 4, 2020, be approved; and

2) That staff report back to a future Committee of the Whole meeting with amendments to the City of Vaughan Telecommunication Facility Siting Protocol with regards to sending notices to registered ratepayer groups.

Recommendations

1. THAT this Report be RECEIVED for information with respect to conformity to the “City of Vaughan Telecommunication Facility Siting Protocol” and the granting of municipal concurrence for Site Development File DA.19.006 (Piazza Villagio Corp.) to permit the installation of a 30 m high steel monopole telecommunications tower and associated radio equipment cabinet compound.

Committee of the Whole (1) Report

DATE: Tuesday, February 04, 2020 **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: FOR INFORMATION

Purpose

To respond to the January 28, 2020 Committee of the Whole motion that "staff report back to a February meeting regarding exact measurements surrounding the tower located at the corner of Rutherford Road and Weston Road and confirmation that the Telecommunication Facility Siting Protocol was followed in Ward 3" for Site Development File DA.19.006 (Piazza Villagio Corp.) shown as the Subject Lands on Attachment 1.

Report Highlights

- On June 12, 2019, Council approved the June 4, 2019 Committee of the Whole Report recommendation granting municipal concurrence to permit a proposed 30 metre-high steel monopole telecommunication tower and associated compound, as shown on Attachments 2 and 3.
- This information report has been prepared in response to the January 28, 2020 Committee of the Whole motion that staff report back to a February meeting regarding exact measurements surrounding the tower located at the corner of Rutherford Road and Weston Road and confirmation that the Telecommunication Facility Siting Protocol was followed in Ward 3.
- The telecommunication tower was measured by an Ontario Land Surveyor, and the Development Planning Department's GIS Mapping Division, and in accordance with federal guidelines, and meets the requirements of the City's Telecommunication Facility Siting Protocol. The telecommunication tower is 30 m in height and a minimum of 150 m away from a residential zone.

Recommendations

1. THAT this Report be RECEIVED for information with respect to conformity to the "City of Vaughan Telecommunication Facility Siting Protocol" and the granting of municipal concurrence for Site Development File DA.19.006 (Piazza Villagio Corp.) to permit the installation of a 30 m high steel monopole telecommunications tower and associated radio equipment cabinet compound.

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 zoned "C4 Neighbourhood Commercial Zone" and are developed with eight buildings used for commercial purposes.

Shared Network Canada ('Proponent') submitted Site Development File DA.19.006 to seek municipal concurrence for a proposed 30 metre-high steel monopole telecommunications tower and associated compound ('Proposal'). On June 12, 2019, Council approved the June 4, 2019 recommendation by the Development Planning Department to approve Site Development File DA.19.006 (Piazza Villagio Corp.) for the Subject Lands shown on Attachment 1, to permit the proposed 30 metre-high steel monopole Telecommunication Tower ('Tower') and associated radio equipment cabinet compound ('Compound'), shown on Attachments 2 and 3.

On June 21, 2019, a Letter of Municipal Concurrence was issued to the Proponent to allow for the installation of the Tower and Compound in accordance with the June 12, 2019 Council approval of the June 4, 2019 Committee of the Whole Report recommendation. The Proponent advised that the Tower was installed on December 10, 2019.

At the January 28, 2020 Committee of the Whole, Councillor DeFrancesca brought forward the following motion:

> "25. NEW BUSINESS - TELECOMMUNICATION TOWER - CORNER OF RUTHERFORD ROAD AND WESTON ROAD - WARD 3
> The Committee of the Whole recommends that staff report back to a February meeting regarding exact measurements surrounding the tower located at the corner of Rutherford Road and Weston Road and confirmation that the Telecommunication Facility Siting Protocol was followed in Ward 3."

Previous Reports/Authority

June 4, 2019 Committee of the Whole Report
City of Vaughan Telecommunication Facility Siting Protocol

Analysis and Options

Innovation, Science and Economic Development Canada ('ISEDC'), a federal agency governed by the "Radiocommunication Act" is the approval authority for Telecommunication Antenna Systems

The *Radiocommunication Act* designates ISEDC, 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). However, proponents of telecommunications towers are required to consult with municipalities on a proposed telecommunication facility. Municipalities can make recommendations to the proponent to obtain Municipal Concurrence in accordance with the ISEDC criteria.

Although the Proposal is exempt from the requirements of municipal official plans, the proposed Tower conforms to the telecommunication policies in Section 8.4.4 of VOP 2010.

The Proposal meets the requirements set out in both the ISEDC criteria and the City of Vaughan's Telecommunication Facility Siting Protocol

ISEDC - Tower Radius for Measuring Distance to Residential Area

Section 4.2 of "The Radiocommunication and Broadcasting Antenna Systems – Client Procedures Circulars" prepared by the ISEDC establishes that a tower's radius is measured from the outside perimeter of the supporting structure. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost edge or face of the tower.

In accordance with the ISEDC procedures, the Tower measured from its outermost edge is a minimum of 150 m away from the following Residential Zones as shown on Attachment 1:

- "R1 Residential Zone", south of Rutherford Road and west of Weston Road;
- "RV2(WS) Residential Urban Village Zone Two" and "RVM1 (WS-A) Residential Urban Village Multiple Zone One", north of Rutherford Road and west of Weston Road; and
- "RVM1 (WS-B) Residential Urban Village Multiple Zone One Zone", south of Rutherford Road and east of Weston Road.

The location of the Tower was measured and certified by an Ontario Land Surveyor ('OLS') qualified in surveying, mapping and geographic information systems and verified by the Development Planning Department's GIS Mapping Division. The Tower is in accordance with the measurement criteria of the ISEDC's *Radiocommunication and Broadcasting Antenna Systems – Spectrum Management and Telecommunications Client Procedures Circular*. The height of the Tower is 30 m and is located a minimum of 150 m from a residential zone.

Compliance with the City of Vaughan Telecommunication Facility Siting Protocol

Vaughan Council adopted the "City of Vaughan Telecommunication Facility Siting Protocol" ('TFSP') on October 19, 2016. The Development Planning Department recommended approval of the Proposal in accordance with the TFSP in the Technical Report dated June 4, 2019.

In addition to meeting the Federal requirements, the Development Planning Department supports the Proposal as it conforms to the City's Telecommunication Facility Siting Protocol, to allow the Proponent to obtain municipal concurrence to install the Tower and Compound. The following policies of the TFSP are compared with the proposal:

Table 1

	City of Vaughan Telecommunication Facility Siting Protocol (TFSP) Requirement	**Site Development File DA.19.006 Compliance with TFSP Requirement**
a.	Pre-Application Consultation ('PAC') (Section 7.3) The Proponent is required to have a PAC meeting with the Development Planning Department prior to submitting the Site Development Application.	The PAC Meeting was held on February 26, 2019 and resulted in modifications to the proposed location of the Tower to its current location in the parking area instead of the landscape strip along Rutherford Road (which is closer to the residential area).

	City of Vaughan Telecommunication Facility Siting Protocol (TFSP) Requirement	Site Development File DA.19.006 Compliance with TFSP Requirement
b.	Complete Application (Section 8.2) The City of Vaughan shall consider the date a complete application was received as the official commencement of the Site Development Application review process.	The Proposal was submitted and deemed complete on February 11, 2019.
c.	Notification Protocol (Section 4.3) A tower that is between 15 m and 30 m in height and located 150 m or more away from any residential zone requires City review and concurrence by Vaughan Council. No public consultation is required.	The Tower is 30 m in height and 150 m from all surrounding residential zones, as shown on Attachment 1, and therefore no public consultation is required. In accordance with Section 4.3 of the TFSP, City review and concurrence by Vaughan Council was required. On February 28, 2019, Request for Comments were sent out, including to the Greater Woodbridge and Vellore Woods Ratepayers Associations. No responses were received from either Ratepayer Association.
d.	Height of Tower (Section 3.0) Height means the vertical distance measured from the lowest ground level at the base, including the foundation, to the tallest point of the Antenna System.	The Tower is 30 m in height, as shown on Attachment 3.
e.	Compliance with Safety Code 6 (Sections 2.4 and 3) Means Health Canada's Safety Code 6, "Limits of Human	The Planning Justification Report ('PJR') prepared by Shared Network Canada and dated February 4, 2019, "attests that the radio antenna

	City of Vaughan Telecommunication Facility Siting Protocol (TFSP) Requirement	Site Development File DA.19.006 Compliance with TFSP Requirement
	Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz," 2009. The Proponent must submit a signed attestation or an acceptable analysis to ISEDC indicating compliance with Safety Code 6.	system 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 environment." The Proposal complies with Safety Code 6.
f.	Co-location (Section 5.0) The Proponent is required, where feasible and appropriate: • to co-locate with another tower; and • if co-location is not feasible, to size leased areas to accommodate future expansion and co-location to accommodate leasing other antenna system facilities.	The PJR states that the Proponent conducted a survey of the surrounding area and determined that despite there being telecommunication towers in the area, there no existing facilities suitable for co-location within the network coverage vicinity. The Tower height and Compound size is designed to accommodate a maximum of three telecommunication providers to allow for co-location.
g.	Location Criteria (Section 5.2) The TFSP identifies preferred site selection criteria for new Towers. Proponents are encouraged to site antenna system facilities in the following order: 1. on existing telecommunication towers at least 200 m away from any residential zone. 2. in non-residential zones (employment; commercial)	The PJR states that the Proponent conducted a survey of the surrounding area and determined that there are no existing facilities suitable for co-location within the network coverage vicinity. Given the limited site availability for the Tower, the location of the Tower was chosen in accordance with Section 5.2 (Option 3) of the TFSP and is designed to accommodate co-location.

	City of Vaughan Telecommunication Facility Siting Protocol (TFSP) Requirement	Site Development File DA.19.006 Compliance with TFSP Requirement
	located 200 m away from any residential zone; and where it is not possible to locate outside 200 m from any residential zone, and there is limited site availability, co-location may be encouraged at the time of Pre-Application Consultation	
h.	Design (Section 6.2) The architectural style of the telecommunication tower will be chosen based upon what is most compatible with the surrounding physical context. Monopole design with antennas shrouded or flush mounted are preferred architectural styles. Towers are to be located to the rear of lot and away from streets to minimize the visual impact of the tower from the streetscape.	The Tower is a 30 metre - high circular steel monopole. The Compound area is 24 m^2 and the cabinet consists of prefabricated galvanized steel on concrete foundation, enclosed by a 2.1 m high cedar board fence. The paint colour and lightning protection system is subject to Nav Canada requirements. The Tower is in a commercial zone and is setback 60 m from Weston Road behind a one-storey building and 45 m from Rutherford Road, to minimize the visual impact on the streetscape and residential area, as shown on Attachment 2.
i.	Landscaping (Section 6.2) The planting of trees and shrubs at the tower site and around the equipment shelter is encouraged to enhance the landscape character of the surroundings.	The proposed cabinet compound is located within the existing landscape strip abutting Rutherford Road. An area of existing vegetation screens the cabinet compound from Rutherford Road.
j.	Minimum Parking Spaces (Section 6.2)	A parking space is located within 20 m of the existing commercial plaza of the telecommunication tower, and

	City of Vaughan Telecommunication Facility Siting Protocol (TFSP) Requirement	Site Development File DA.19.006 Compliance with TFSP Requirement
	One parking space will be provided at each new telecommunication tower site with access from a public right-of-way at a location acceptable to the City. Where parking is provided for another use on the site and this parking is within 20 metres of the telecommunication tower, the parking space for the tower is not required (parking spaces need not be exclusively devoted to Antenna System usage).	therefore a dedicated parking space for service/maintenance providers is not necessary.

The Tower is exempt from Public Notification in accordance with the TFSP Requirements

The 30 m high Tower located 150 m from a residential zone does not require public notification, nor a public information session in accordance with Section 4.3 of the TFSP.

Financial Impact

Not Applicable.

Broader Regional Impacts/Considerations

Not Applicable.

Conclusion

Site Development File DA.19.006 was 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, and was approved by Vaughan Council on June 12, 2019.

The installation of the Tower and Compound 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.

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

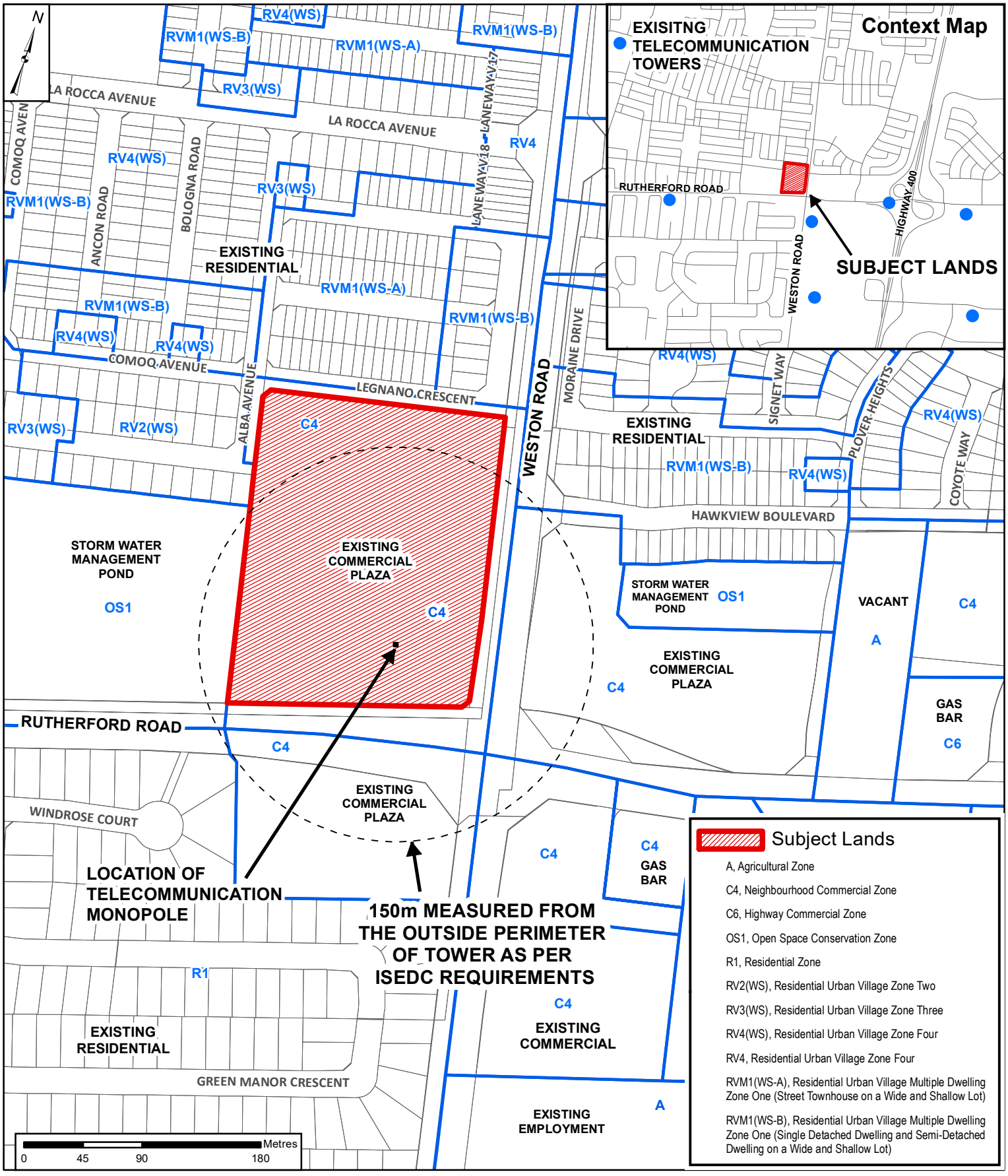
Attachments

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

Prepared by

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Christina Bruce, Acting Director of Development Planning, ext. 8231

/NC



Location Map

LOCATION:
Part of Lot 16, Concession 6

APPLICANT:
Piazza Villagio Corp.

VAUGHAN
Development Planning Department

Attachment

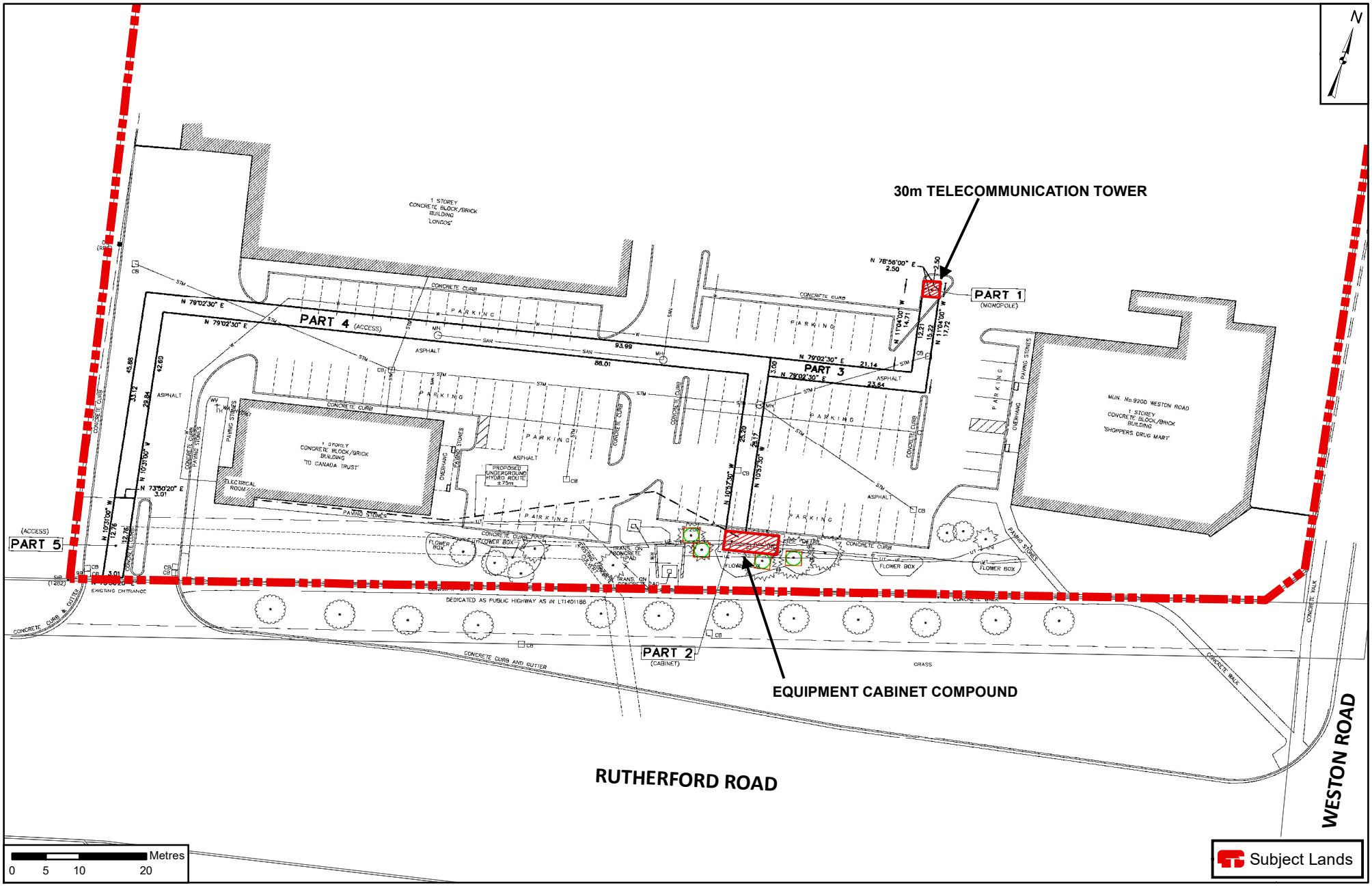
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Site Plan

LOCATION:
Part of Lot 16, Concession 6

APPLICANT:
Piazza Villagio Corp.

VAUGHAN
Development Planning
Department

Attachment

FILE:
DA.19.006

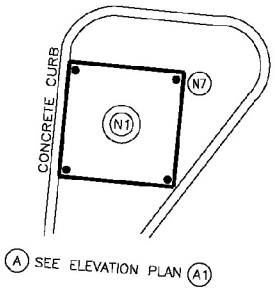
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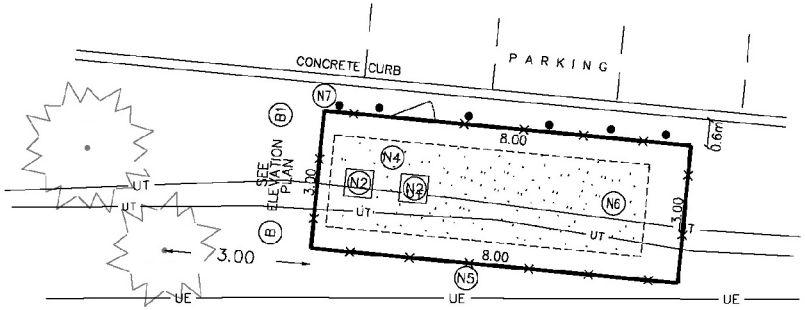
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PROPOSED LAYOUT PLAN (MONOPOLE)
SCALE 1:100



PROPOSED COMPOUND LAYOUT PLAN (CABINETS)
SCALE 1:100



NOTES

(N1) PROPOSED CIRCULAR STEEL MONOPOLE WITH LIGHTNING PROTECTION SYSTEM. PAINT COLOUR SUBJECT TO NAV CANADA REQUIREMENTS. ANTENNA NUMBER AND LOCATIONS TO BE DETERMINED. FOUNDATION DESIGN PENDING SOIL REPORT.

(N2) PROPOSED PREFABRICATED GALVANIZED STEEL RADIO EQUIPMENT CABINETS ON CONCRETE FOUNDATION.

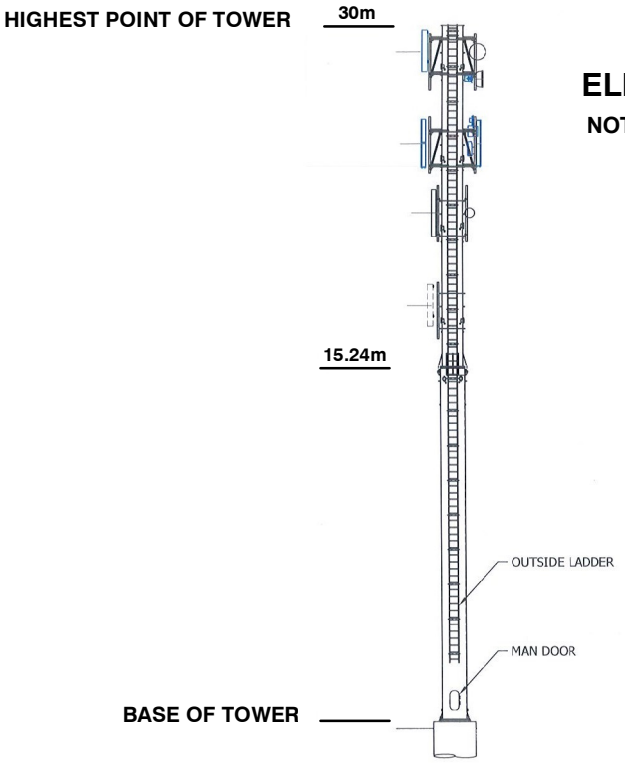
(N3) HYDRO CONNECTIONS AND ROUTING TO BE DETERMINED BY QUALIFIED PERSONNEL IN CONSULTATION WITH LOCAL AUTHORITY.

(N4) REMOVE EXISTING TOPSOIL. PROOF ROLL SUBGRADE AND PLACE 300 mm GRANULAR A ACROSS COMPOUND AREA. FINISHED GRAVEL SURFACE TO BE MIN. 150 mm ABOVE EXISTING GRADE AND SLOPED AWAY FROM PROPOSED STRUCTURES AT MIN. 2% ON ALL SIDES TO PROVIDE ADEQUATE DRAINAGE.

(N5) PROPOSED 2.1 m HIGH CEDAR BOARD FENCE SURROUNDING CABINET COMPOUND.

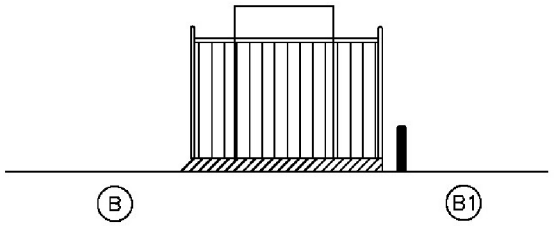
(N6) DEDICATED SPACE FOR FUTURE CARRIER RADIO EQUIPMENT CABINET.

(N7) PROPOSED CONCRETE FILLED STEEL BOLLARDS.



ELEVATION PLAN (MONOPOLE)
NOT TO SCALE

ELEVATION PLAN (CABINETS)
NOT TO SCALE



Compound Plan & Elevations

LOCATION:
Part of Lot 16, Concession 6

APPLICANT:
Piazza Villagio Corp.

VAUGHAN
Development Planning Department

Attachment

FILE:
DA.19.006

DATE:
February 4, 2020

3

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