

Committee of the Whole (1) Report

DATE: Tuesday, September 14, 2021

WARD: 4

**TITLE: WILLOWS EDGE INVESTMENTS INC.
SITE DEVELOPMENT FILE DA.21.015
232 MILLWAY AVENUE
VICINITY OF PORTAGE PARKWAY AND MILLWAY AVENUE**

FROM:

Haiqing Xu, Deputy City Manager, Planning and Growth Management

ACTION: DECISION

Purpose

To obtain municipal concurrence from the Committee of the Whole for Site Development File DA.21.015 for the Subject Lands shown on Attachment 2, for a proposed 22 high metre telecommunication tower and associated radio equipment cabinet, as shown on Attachments 2 and 3.

Report Highlights

- A 22 high metre telecommunication tower and associated radio equipment cabinet on the Subject Lands requiring municipal concurrence
- The Development Planning Department supports approval of the proposed 22 metre telecommunication tower and associated radio equipment cabinet as it conforms to the policies of Vaughan Official Plan 2010 (VOP 2010) and meets the requirements of the City of Vaughan Telecommunication Facility Siting Protocol

Recommendation

1. THAT municipal concurrence be granted and Site Development File DA.21.015 (Willows Edge Investments Inc.) to permit the proposed 22 high metre high telecommunication tower and associated radio equipment cabinet on the Subject Lands as shown on Attachments 2 and 3 BE APPROVED.

Background

The subject lands known municipally as 232 Millway Avenue are 0.55 ha in size and are located on the west side of Millway Avenue, north of Portage Parkway (the 'Subject Lands'). The Subject Lands and surrounding land uses are shown in Attachment 1. Currently the Subject Lands are occupied by a two-storey industrial building.

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

The Owner has submitted Site Development File DA.21.015 (the 'Application') to permit the development of a 22 metre high telecommunications tower and associated radio equipment cabinet (the 'Development') accessed by the existing driveway on the Subject Lands.

Previous Reports/Authority

Not applicable.

Analysis and Options

The proposed telecommunication tower and accessory shelter conforms to Vaughan's Telecommunication Facility Siting Protocol ('TFSP')

Vaughan Council adopted the Vaughan Telecommunication Facility Siting Protocol on October 19, 2016, for establishing telecommunication tower/antenna facilities in the City. In accordance with the City's Protocol, new tower/antenna systems proposed by telecommunications carriers (as superseded by Innovation Science and Economic Development Canada ('ISED'), formerly Industry Canada's Protocol (June 2014), may require consideration by Vaughan Council prior to the City of Vaughan issuing a Statement of Concurrence or Non-Concurrence to the Proponent and to ISED.

In accordance with the Protocol, the Proponent attended a Pre-Application Consultation ('PAC') meeting on November 19, 2020 with the Development Planning Department prior to submitting the Application. The Proponent has advised that the proposed telecommunication tower is required to address network gaps in the Vaughan Metropolitan Centre and vicinity and to support additional carriers in the future.

The proposed telecommunication tower is exempt from public consultation

Council adopted a protocol for establishing telecommunication tower/antenna facilities on October 19, 2016. In accordance with the TFSP, public consultation is required in the following instances:

1. Antenna systems that are higher than 15 m in height that are located within 0 to 150m from any residential zone; or
2. Antenna systems that are higher than 30 m in height and are located at a distance between 150 m and 300 m from any residential zone.

The proposed telecommunication tower is 22 metres in height and is located 185 metres to the nearest residential zone. As such, there is no public consultation required based on the criteria noted above.

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

The Subject Lands are designated "General Employment" by Vaughan Official Plan 2010 (VOP 2010). Policy 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 such services. In addition, Policy 8.4.4.2 encourages the co-location of telecommunication infrastructure to minimize the visual impact of telecommunications towers. The proposed telecommunication tower will be built with co-location capacity to accommodate an additional wireless carrier. The proposed telecommunication tower conforms to the telecommunication policies of VOP 2010.

The Subject Lands are zoned "EM1 Prestige Employment Area" by Zoning By-law 1-88. The *Radiocommunication Act* designates the 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 (no implementing Site Plan Agreement or Letters of Undertaking). However, the City of Vaughan in accordance with the Protocol, can grant municipal concurrence for the telecommunication tower.

The Application has been reviewed and municipal concurrence can be supported, subject to the comments in this report

Site Plan Review

The proposed telecommunication tower is located in an employment area and is proposed to be 22 metres in height, light grey in colour and setback 97 metres from Millway Avenue and will be enclosed by a combination of chain link fence and bollards. The proposed tower will accommodate Bell Mobility Wireless Communication. A full moves access to the Subject Lands is provided from Millway Avenue. The proposed radio equipment cabinet is 0.63 metres by 1.93 metres.

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 at 612 Applewood Crescent (1.5 km from the Subject Lands) and 3145-601 Chrislea Road (approximately 2.2 km from the Subject Lands). The proposed telecommunication tower is intended to meet Bell Mobility's Engineering and Network Objectives. The proposed telecommunication tower is also being designed with co-location capabilities to accommodate an additional wireless carrier.

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

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

Bombardier and Nav Canada have no objection to the Development

Bombardier and Nav Canada have reviewed the Development and provided no objections to the telecommunication tower's location and height.

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 location.

Conclusion

Site Development File DA.21.015 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.21.015.

For more information, please contact: Daniela DeGasperis, Planner, at extension 8382.

Attachments

1. Context and Location Map
2. Site Plan
3. Elevation

Prepared by

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Approved by



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