

## **COMMITTEE OF THE WHOLE JUNE 19, 2012**

### **SITE DEVELOPMENT FILE DA.11.115 TORONTO AND REGION CONSERVATION AUTHORITY WARD 2 - VICINITY OF MAJOR MACKENZIE DRIVE AND PINE VALLEY DRIVE**

#### **Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.11.115 (Toronto and Region Conservation Authority) BE APPROVED, for the installation of a 40 m high monopole telecommunication tower and accessory radio equipment cabinet on the subject lands shown on Attachments #1 and #2 (Kortright Centre), and in the manner shown on Attachments #3 and #4, subject to the following condition:
  - a) that in accordance with the TRCA's lease agreement with the Proponent (Rogers Communications Inc.), the Proponent shall submit an Archaeological Investigation and an Erosion and Sediment Control Plan for review and approval by the City and the Toronto and Region Conservation Authority, and obtain a Permit from the TRCA pursuant to the Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation, prior to the installation of the telecommunication tower and equipment, and prior to the issuance of municipal grading and/or building permits.

#### **Contribution to Sustainability**

N/A

#### **Economic Impact**

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

#### **Communications Plan**

N/A

#### **Purpose**

The Proponent (Rogers Communications Inc.) has submitted a Site Development application on the subject lands shown on Attachments #1 and #2 (Kortright Centre, TRCA lands), for the installation of a 40 m high monopole telecommunication tower and accessory radio equipment cabinet as shown on Attachments #3 and #4.

#### **Background - Analysis and Options**

##### **City of Vaughan's Telecommunication Tower/Antenna Protocol**

On June 23, 2003, the City of Vaughan adopted a protocol for establishing telecommunication tower/antenna facilities. In accordance with the City's Protocol, all new tower/antenna systems greater than 16.6 m in height (now 15 m as superseded by Industry Canada's Protocol, January 2008) require consideration by City of Vaughan Council. The proposed 40 m high circular steel monopole telecommunications tower exceeds the 15 m maximum height and cannot be co-located on an existing telecommunication tower, and therefore, the proposal is subject to site plan approval.

As required in the City of Vaughan's Telecommunication Tower/Antenna Protocol, the Proponent attended a pre-application consultation meeting with the Vaughan Development Planning Department on December 19, 2011, and subsequently submitted a Site Development application with the required supporting documentation. The Proponent also conducted a survey of the surrounding area and it was determined that there were no facilities suitable for co-location within the vicinity network coverage. The nearest existing telecommunication tower is located 2.2 km to the east (south of Major Mackenzie Drive, west of Weston Road) of the proposed telecommunication tower, which is deemed too far to be a suitable alternative.

The protocol also states that for telecommunication tower/antenna facilities proposed in rural areas the proponent must notify all owners/ratepayer associations within a distance of 250 m measured from the tower base. As the proposed telecommunication tower is located within a distance of 250 m from existing residential uses as shown on Attachment #2, this application is subject to the City of Vaughan's public consultation process.

On April 11, 2012, the Proponent held a Public Consultation meeting at the Al Palladini Community Centre. In accordance with the City's Protocol, notice for this meeting was provided by regular mail to all neighbouring residents and was also sent to the East Woodbridge Community Association, a minimum of 20 days in advance of the Public Consultation meeting. One resident attended the open house and provided comments in support of the proposal.

To ensure all neighbouring residents, ratepayer associations, and members of Vaughan Council were aware of the proposal, a second Public Consultation meeting was held on May 25, 2012, at the Al Palladini Community Centre. Notice for this meeting was also provided to the Kleinburg and Area Ratepayers' Association, and to the Millwood Woodend Ratepayers' Association. Regional Councillor Schulte and 2 City of Vaughan residents attended the Open House on May 25, 2012. The majority of discussion that took place was not related to the proposed tower installation. Rather, discussions veered towards general health and safety concerns related to electromagnetic emissions. The Proponent advised the attendees that all Rogers Communication Inc. telecommunication tower installations will comply with Health Canada's "Safety Code 6" compliance measures. The Proponent also advised that no specific concerns were raised about the proposed installation.

By conducting two Open House meetings, the Proponent has satisfied the City of Vaughan's Protocol for Establishing Telecommunication Tower/Antenna Facilities with regard to Public Consultation/Notification requirements.

On June 7, 2011, Vaughan Council resolved to appoint a Telecommunication Facility Task Force comprised of residents and industry representatives to review the City of Vaughan's existing protocol for establishing Telecommunication Tower/Antenna Facilities in light of Industry Canada's revised procedures for installing radio communication and broadcasting antenna systems, which took effect on January 1, 2008. The Telecommunication Task Force is currently conducting a background review and consulting key stakeholders, prior to preparing a Findings Report that will support the development of a new City of Vaughan Telecommunication Facility Siting Protocol.

On June 7, 2011, Council resolved:

"THAT Site Development applications for new telecommunication facilities submitted prior to approval of a new City protocol be reviewed under the current City of Vaughan Protocol for Establishing Telecommunication Towers/Antenna Facilities."

The subject Site Plan application is proceeding to the June 19, 2012 Committee of the Whole meeting in light of the above resolution.

### Location

The subject lands are located west of Pine Valley Drive, and south of Major Mackenzie Drive, within the TRCA's Kortright Centre for Conservation, as shown on Attachments #1 and #2.

### Official Plan and Zoning

The subject lands are located within the Rural Area and designated "Valley and Stream Corridor" by in-effect OPA #600. The subject lands are also designated "Natural Area" by the new City of Vaughan Official Plan 2010 (VOP 2010), which Vaughan Council adopted on September 7, 2010, and further modified on September 21, 2011 and April 17, 2012, and is subject to approval by the Ontario Municipal Board. OPA #600 does not include policies that address telecommunication towers and antenna facilities. 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 telecommunication tower is also located in the Greenbelt as discussed below, which would permit the proposed use at this location.

The subject lands are zoned OS2 Open Space Park Zone by Zoning By-law 1-88. The proposed location complies with the OS2 Zone development standards. The *Radiocommunication Act* designates Industry Canada as the approval authority for all matters respecting telecommunication towers and antenna facilities and 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).

### Greenbelt Plan

The subject lands are located within the Greenbelt Plan area, and specifically fall within the Protected Countryside. The Greenbelt Plan permits existing, expanded or new telecommunication infrastructure approved under the *Telecommunications Act*. In general, planning, design and construction practices shall minimize, wherever possible, the amount of the Greenbelt traversed and/or occupied by such infrastructure. The proposal is located within an existing grassed clearing, and is approximately 148.6 m<sup>2</sup> in total ground area. The proponent has satisfied the Toronto and Region Conservation Authority (TRCA) with respect to policies in the Greenbelt Plan, as discussed later in the TRCA section of this report.

### Planning Considerations

The Development Planning Department conducted a review of the proposed telecommunication tower facility, its site location and design, and is of the opinion that the proposed 40m high circular steel monopole and accessory radio equipment cabinet within the Kortright Centre for Conservation can be supported.

The equipment compound is located within a grassed clearing and has an area of 148.6 m<sup>2</sup>, as shown on Attachments #3 and #4, and is surrounded by a 1.8 m high chain link fence, which can be accessed via lands leased to the Proponent for direct access to the compound from Major Mackenzie Drive. The compound houses a 40 m high circular steel monopole telecommunication tower and accessory radio equipment cabinet, as shown on Attachment #4. To ensure stable access to the compound area, an existing 300 mm culvert will be removed and a new 300 mm x 7.3 m long culvert will be installed.

The 40 m high telecommunications tower is required to accommodate and address existing network issues in the residential areas to the west in Vaughan, and to respond to increased demand for improved network coverage. The monopole design allows the initial and future

antennas to be placed internal to the antenna mast. The tower will facilitate future co-location by other licensed carriers, thereby facilitating the City of Vaughan's current telecommunication tower/antenna facilities protocol which encourages the use of existing structures.

The accessory hybrid walk-in radio equipment cabinet is constructed of galvanized steel and is situated above a cast-in-place reinforced concrete pad. The cabinet is approximately 2.4 m x 1.6 m, with a height of 2.4 m. All hydro requirements to service the equipment shelter for the telecommunications tower must be to the satisfaction of PowerStream Inc.

The location of the proposed compound was chosen to mitigate impact of the compound area. The compound from Major Mackenzie Drive is screened by existing landscaping. No trees will be removed during the construction process. The Development Planning Department has no objection to the proposed layout and location of the compound and telecommunication tower.

#### Toronto and Region Conservation Authority

The location of the proposed tower and accessory radio equipment cabinet on the subject lands is situated within the Toronto and Region Conservation Authority (TRCA) Regulated Area, as per Ontario Regulation 166/06. The Proponent, shall obtain a Permit from the TRCA pursuant to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. The TRCA Permit will be required prior to the issuance of municipal grading and/or building permits. A condition to this effect is included in the recommendation of this report.

The TRCA has leased the proposed compound area and access route to the Proponent for the exclusive use of the telecommunication tower and accessory radio equipment cabinet. In accordance with the lease agreement, the Proponent is to carry out an Archaeological Investigation. As well, the TRCA has advised that the Proponent is also to provide an effective erosion and sediment control plan to prevent construction impacts within the Greenbelt Area, which is also a condition of approval as identified in the recommendation of this report.

#### **Relationship to Vaughan Vision 2020/Strategic Plan**

This staff report is consistent with the priorities set forth in Vaughan Vision 2020, particularly "Plan & Manage Growth & Economic Well-being".

#### **Regional Implications**

The Region of York Planning Department undertook a review of its Telecommunication Facility Siting Protocol in light of Industry Canada's revised procedures for installing radio communication and broadcasting systems, which has been in effect since January 1, 2008. In 2008 and early 2009, the Region of York Planning Department met with area municipalities (including Vaughan) and industry stakeholders to update its Protocol. As a result, on April 23, 2009, the Region of York adopted Industry Canada's Protocol (CPC-2-0-03) outright 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 the Region of York's adopted Protocol.

#### **Conclusion**

The Vaughan Development Planning Department has reviewed the proposal for a 40 m high telecommunication tower and accessory radio equipment cabinet in accordance with the Official Plan, Zoning By-law, 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 40m high circular steel monopole and accessory radio equipment cabinet on a 148.6 m<sup>2</sup> compound area is considered acceptable, and

accordingly, the Development Planning Department can support the approval of Site Development File DA.11.115.

**Attachments**

1. Context Location Map
2. Location Map
3. Site Plan
4. Compound Layout Plan & Tower Elevation

**Report prepared by:**

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Respectfully submitted,

JOHN MACKENZIE  
Commissioner of Planning

GRANT UYHEYAMA  
Director of Development Planning

/LG



# Attachment 1

File: DA.11.115  
Date: May 28, 2012



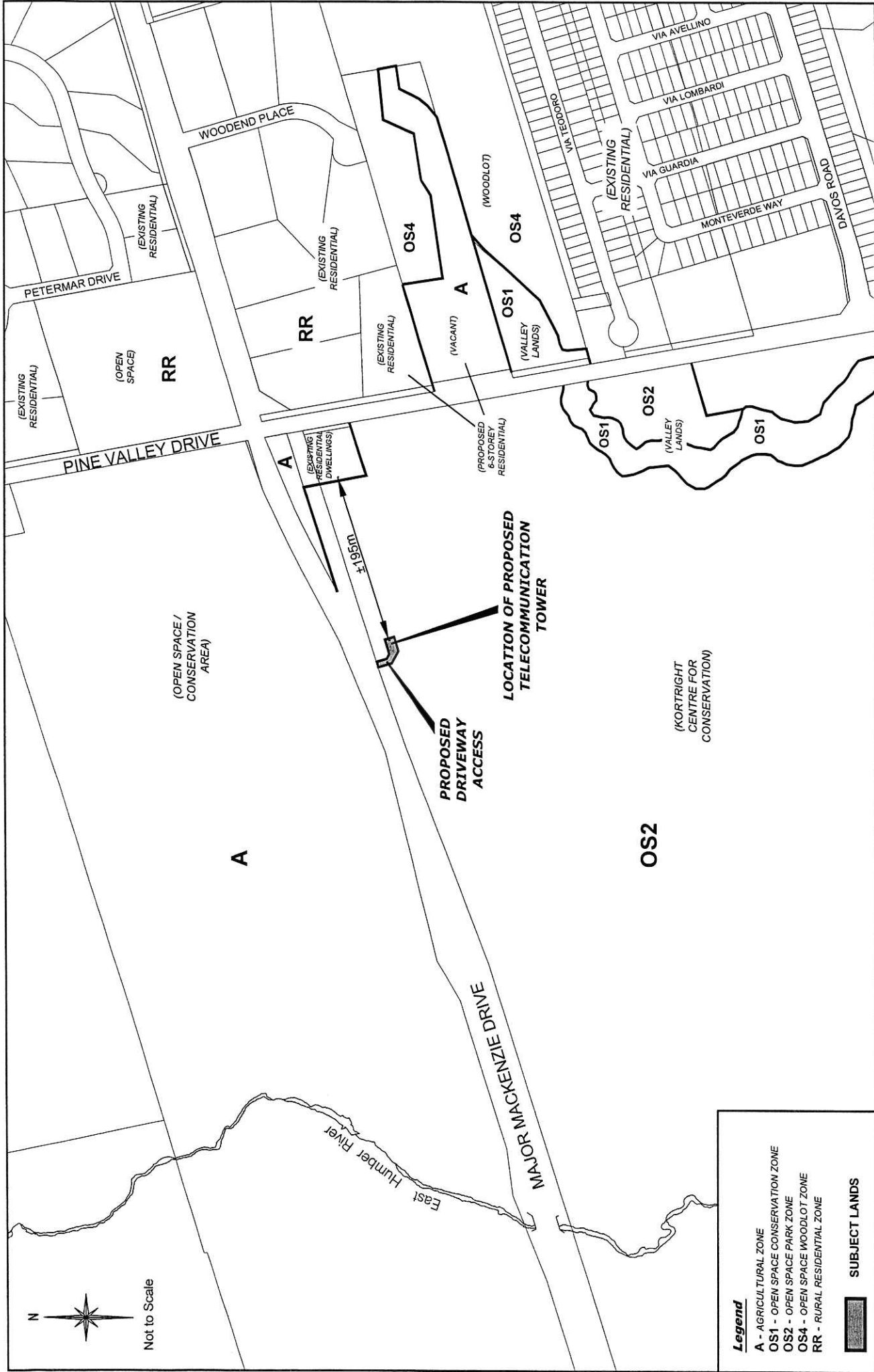
# Context Location Map

Location: Part of Lot 20,  
Concession 7

Applicant:  
Toronto and Region Conservation Authority

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**Legend**

- A - AGRICULTURAL ZONE
- OS1 - OPEN SPACE CONSERVATION ZONE
- OS2 - OPEN SPACE PARK ZONE
- OS4 - OPEN SPACE WOODLOT ZONE
- RR - RURAL RESIDENTIAL ZONE

**SUBJECT LANDS**

# Location Map

Location: Part of Lot 20,  
Concession 7

Applicant:  
Toronto and Region Conservation Authority

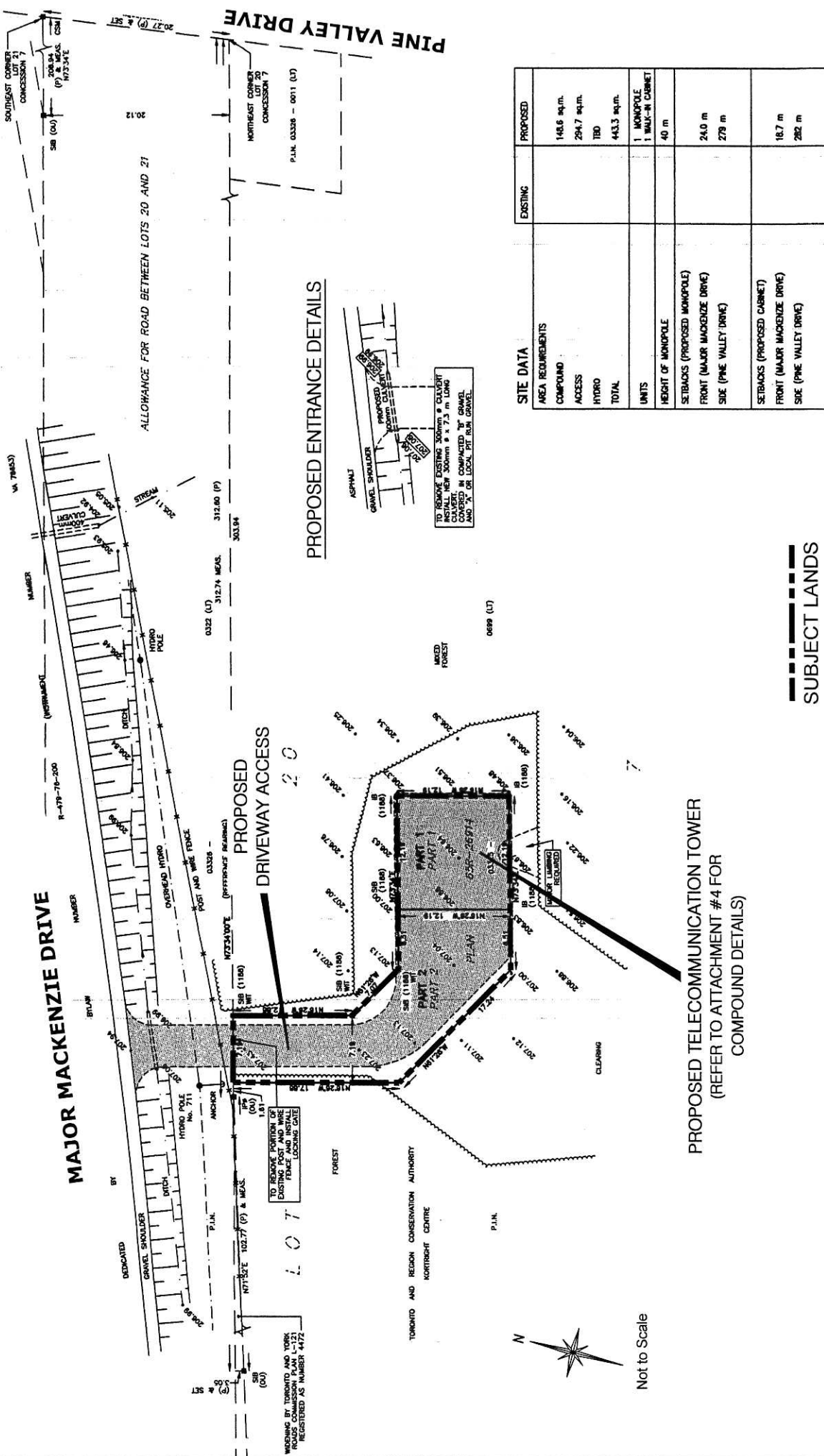


# Attachment

File: DA.11.115  
Date: May 28, 2012

# 2

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SITE DATA	EXISTING	PROPOSED
AREA REQUIREMENTS		
COMPOUND		148.6 sq.m.
ACCESS		294.7 sq.m.
HYDRO		TBD
TOTAL		443.3 sq.m.
UNITS		1 MONOPOLE 1 MULT-IN CABINET
HEIGHT OF MONOPOLE		40 m
SETBACKS (PROPOSED MONOPOLE)		
FRONT (MAJOR MACKENZIE DRIVE)		24.0 m
SIDE (PINE VALLEY DRIVE)		279 m
SETBACKS (PROPOSED CABINET)		
FRONT (MAJOR MACKENZIE DRIVE)		18.7 m
SIDE (PINE VALLEY DRIVE)		282 m

--- SUBJECT LANDS

Not to Scale



# Attachment 3

File: DA.11.115  
Date: May 28, 2012

## Site Plan

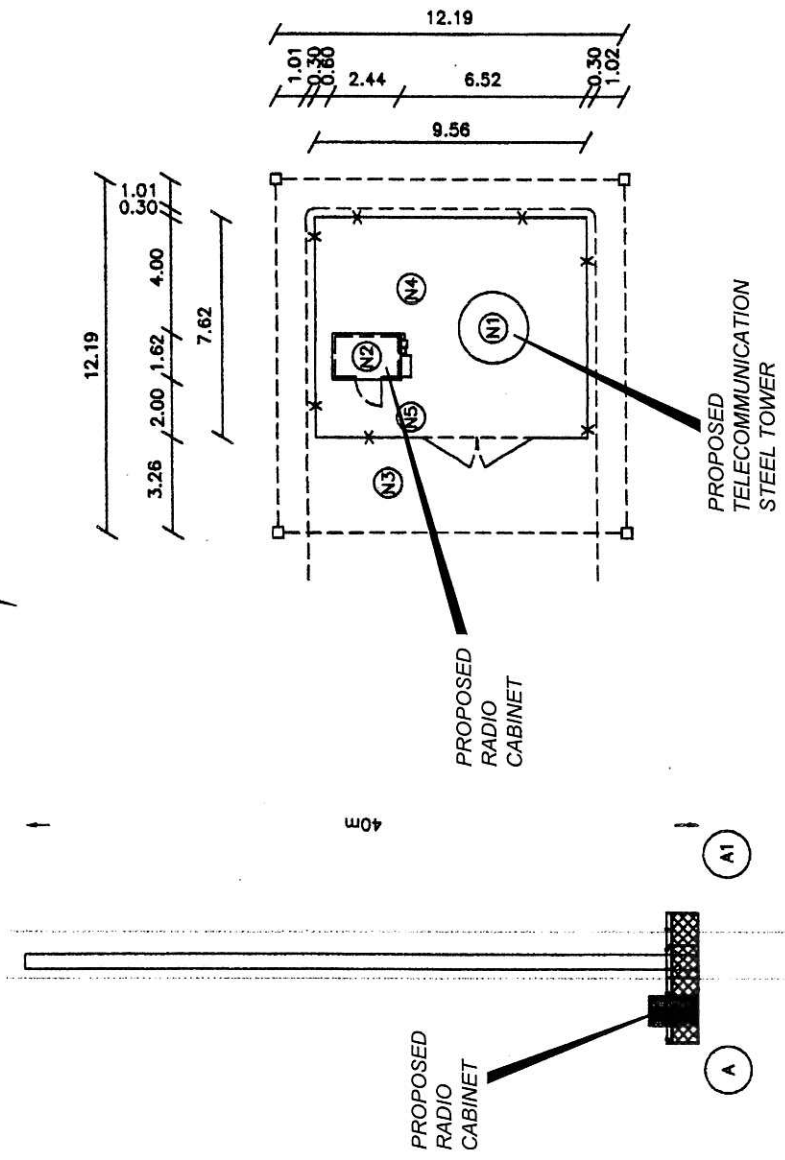
Location: Part of Lot 20, Concession 7

Applicant:  
Toronto and Region Conservation Authority



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**NOTES**

- (N1) PROPOSED CIRCULAR STEEL MONOPOLE ON CONCRETE CAISSON. PAINT COLOUR ACCORDING TO MUNICIPALITY'S REQUIREMENTS (SUBJECT TO NAV CANADA REQUIREMENTS). ANTENNAS TO BE HIDDEN BEHIND FIBREGLASS SHROUD. FOUNDATION DESIGN PENDING SOIL REPORT.
- (N2) PROPOSED PREFABRICATED GALVANIZED STEEL WALK-IN RADIO EQUIPMENT CABINET ON CAST IN PLACE REINFORCED CONCRETE SLAB.
- (N3) HYDRO AND FIBRE CONNECTIONS AND BURIED 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. 300 mm ABOVE EXISTING GRADE AND SLOPED AWAY FROM PROPOSED STRUCTURES AT MIN. 1% ON ALL SIDES TO PROVIDE ADEQUATE DRAINAGE.
- (N5) PROPOSED 1.8 m HIGH CHAIN LINK SECURITY FENCE TOPPED WITH BARBED WIRE SURROUNDING COMPOUND.

PROPOSED COMPOUND LAYOUT PLAN

ELEVATION PLAN



Compound Layout Plan & Tower Elevation

Applicant: Toronto and Region Conservation Authority  
Location: Part of Lot 20, Concession 7