



Report to: Development Services Committee

Report Date: December 11, 2012

SUBJECT:	RECOMMENDATION REPORT Application for Site Plan Approval by Public Mobile Inc. for a lattice tri-pole telecommunication tower and associated equipment compound at 7851 McCowan Road, File No. SC 11 127338
PREPARED BY:	Rick Cefaratti, MCIP, RPP, Planner II – East District
REVIEWED BY:	David Miller, MCIP, RPP, Manager – East District

RECOMMENDATION:

That the report dated November 20, 2012, entitled “RECOMMENDATION REPORT Application for Site Plan Approval by Public Mobile Inc. for a lattice tri-pole telecommunication tower with a height of 29.9 m (98.0 ft) and associated equipment compound at 7851 McCowan Road, File No. SC 11 127338”, be received;

That the presentation by Jay Lewis of Summit Telecom Services on behalf of Public Mobile Inc., regarding the proposed telecommunications tower, be received;

That the site plan application be approved, subject to conditions of Site Plan Approval as identified in Appendix ‘A’ to this report;

That Industry Canada be advised in writing, of this approval (concurrence), and that this approval is with respect to this location only;

And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

PURPOSE:

This report provides an overview and consideration of the proposed site plan application submitted by Summit Telecom Services on behalf of Public Mobile Inc. The report recommends approval of the site plan application and that Industry Canada be notified of the approval (concurrence), subject to conditions.

BACKGROUND:

The subject land is located on the east side of McCowan Road, south of Highway 407 ETR and immediately north of the Canadian National Railway line and Father Michael McGivney Catholic High School. A Telus Mobility Telecommunication Tower with a height of 35 m (115 ft) currently exists within the same property and is approximately 25 m (82 ft) to the west of the proposed location for Public Mobile’s Telecommunication tower. A network of hydro transmission towers are also located immediately north of the proposed tower location. This property is also located within the Parkway Belt West (See Figure 1).

OPTIONS/ DISCUSSION:**Description of Proposed Telecommunications Tower**

On September 13, 2011, on behalf of Public Mobile Inc., the Summit Telecom submitted an application for site plan approval to permit a lattice tri-pole telecommunications tower on the subject property. The proposed 29.9 m (98 ft) high tower will be located within a 200 m² (2,153 sq ft) fenced compound (Figures 3 & 4).

DISCUSSION:**Jurisdiction**

Telecommunication facilities are regulated by the Federal Government and Industry Canada is the approval authority for the location and operation of telecommunication facilities in Canada. Industry Canada acknowledges the importance of municipal consultation as part of the approval process. Therefore, proponents are encouraged to consult with the local municipality to obtain their input and comments.

City's new Telecommunication Policy 2012

On January 24, 2012, Council adopted a new entitled "Policy for Establishing Telecommunication Towers 2012". Section (ii) of the City's new policy is as follows:

- ii. *Telecommunication Towers are exempt from Public Consultation "within industrial, institutional and commercial zoned areas, where the Telecommunication Tower base is located a minimum of 120 metres or a distance of 3 times the height of the proposed Telecommunication Tower, whichever is greater, away from lands that contain known sensitive land uses such as residential, schools and daycares."*

The proposed tower is located within an a Canadian National Railway owned right-of-way and is located approximately 200 m (656 ft) from the nearest residentially zoned lands to the west across McCowan Road. However, the proposal did not meet the criteria for exemption from Public Consultation as the tower will be located approximately 45 m (150 ft) from the north lot line for Father Michael McGivney Catholic Academy which is considered a sensitive land use.

Public Consultation Meeting Held

On March 1, 2012, the public consultation meeting was held at the Markham Village Community Centre. The Ward Councilor, Staff, and the applicant attended the meeting. The applicant was in attendance to provide information on the proposal to answer questions. No members of the Public attended this public information session. No comments were received from the public in relation to the proposal.

The Ward Councillor also attended a meeting with representatives of Father Michael McGivney Catholic Academy and there were no formal objections received from that meeting.

Co-location not feasible

Public Mobile approached Telus Mobility with a view to co-locate their equipment on the existing lattice tri-pole Telus Tower to the west. Telus has confirmed in writing that the opportunity to co-locate Public Mobile equipment on their tower would be limited to a maximum of 19 m (62.3 ft). Based on the coverage objectives of Public Mobile, this height was determined to be inadequate and a new tower is required.

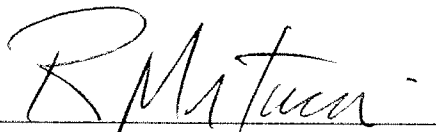
Municipal Concurrence

As per City policy, the applicant has made a request for Municipal Concurrence, and is required to make a deputation to the Development Services Committee to seek approval of the site plan application. If the application is approved by the Development Services Committee, a copy of the resolution and the approved plan will then be forwarded to Industry Canada for their final approval. The approved plan will be accompanied by a letter of concurrence from the Director of Planning & Urban Design.

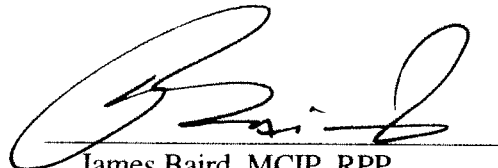
CONCLUSION:

Staff are of the opinion that the proposed telecommunications tower is located an appropriate distance from the nearest sensitive land use (Father Michael McGivney Catholic Academy), and more than 200 m (656 ft) away from the closest residential uses situated on the west side of Old McCowan Road. The proposed tower will be located close to a similar looking lattice tri-pole Telus Tower and six hydro transmission towers that currently exist on the subject lands. The proposal will also improve wireless services in the area. Consequently, Staff is satisfied that the lattice tri-pole design of the tower is appropriate for the location, is compatible and complementary to the its surroundings, and mimics the look of the existing utility towers describe above. The proposed lattice tri-pole design will accommodate co-location by other telecommunication providers in the future that could potentially limit the requirement for future wireless telecommunication towers to be constructed in the immediate area.

Staff recommends approval of the proposed 29.9 m (98.0 ft) high lattice tri-pole telecommunications tower and associated fenced compound, subject to conditions attached as Appendix 'A'. Staff also recommends that Industry Canada be advised, in writing, of this approval (concurrence).

RECOMMENDED BY:

Rino Mostacci, MCIP, RPP
Director, Planning and Urban Design



James Baird, MCIP, RPP
Commissioner, Development Services

ATTACHMENTS:

- Figure 1 Location Map
- Figure 2 Air Photo
- Figure 3 Site Layout for Proposed Telecommunications Facility
- Figure 4 Photo Simulation – Tri-Lattice Design
- Appendix 'A' Conditions of Site Plan Approval

File path: Amanda\File 11 127338\Documents\Recommendation Report

Figure 1 Location Map

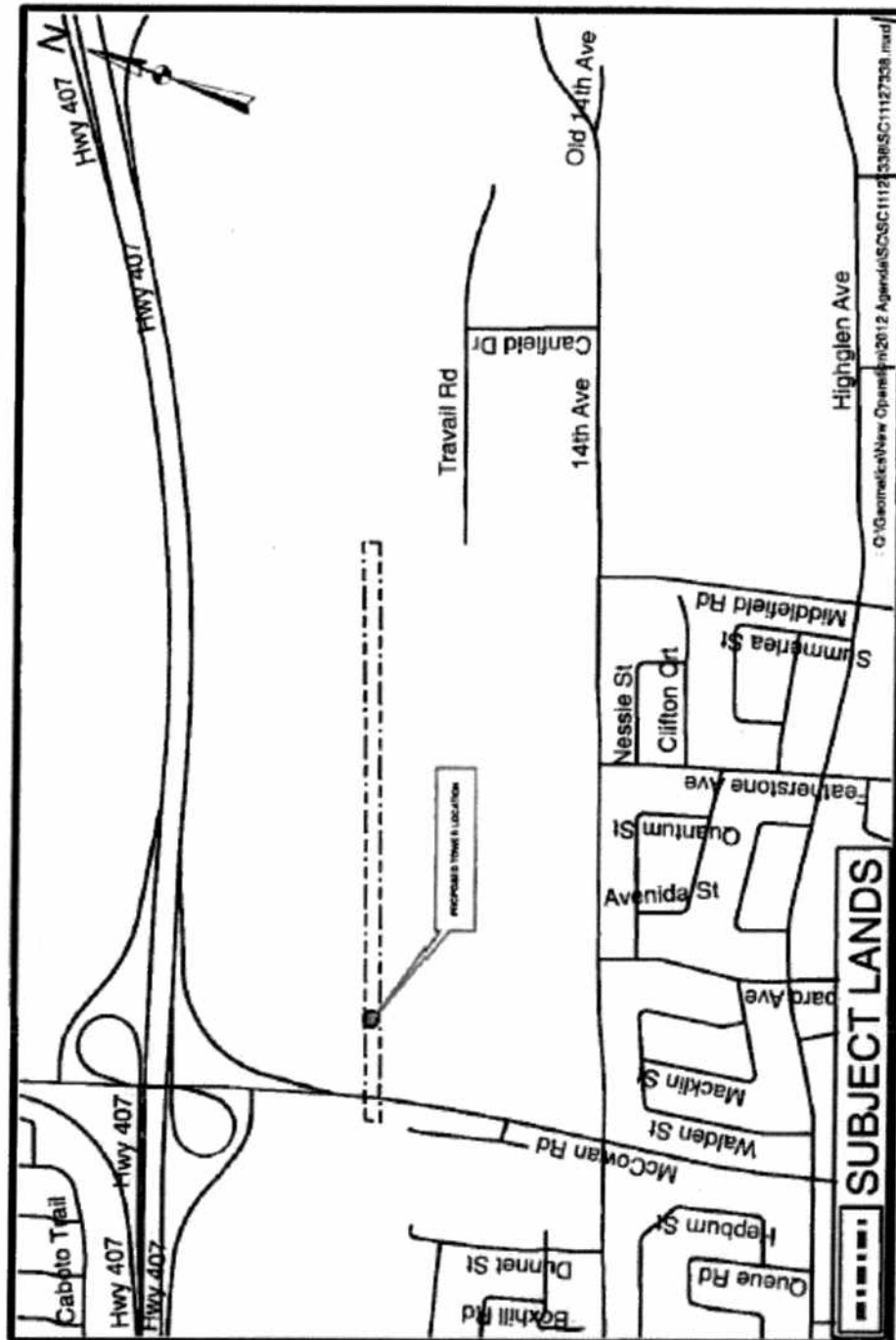


Figure 2

Air Photo

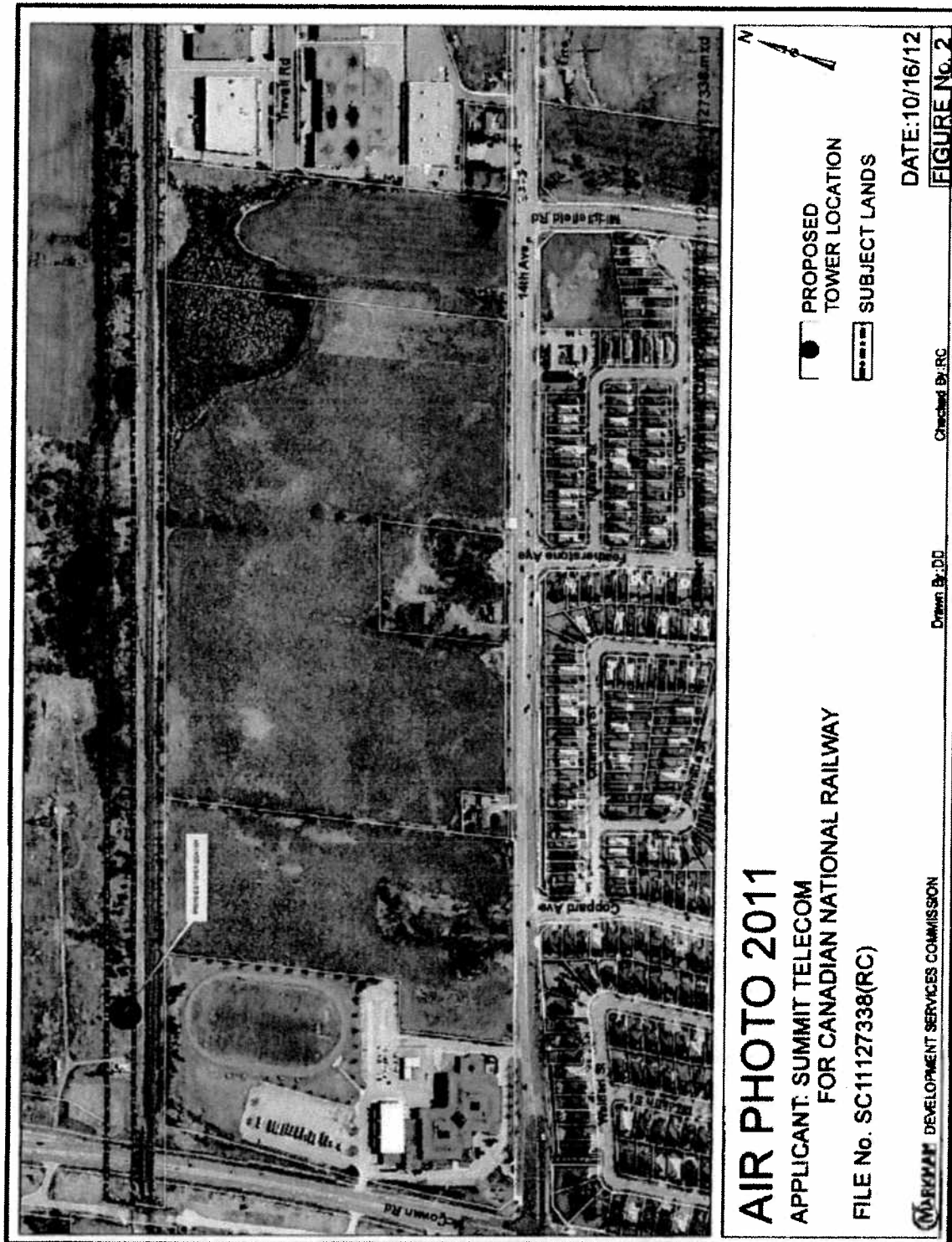


Figure 3 Site Layout for Proposed Telecommunications Facility

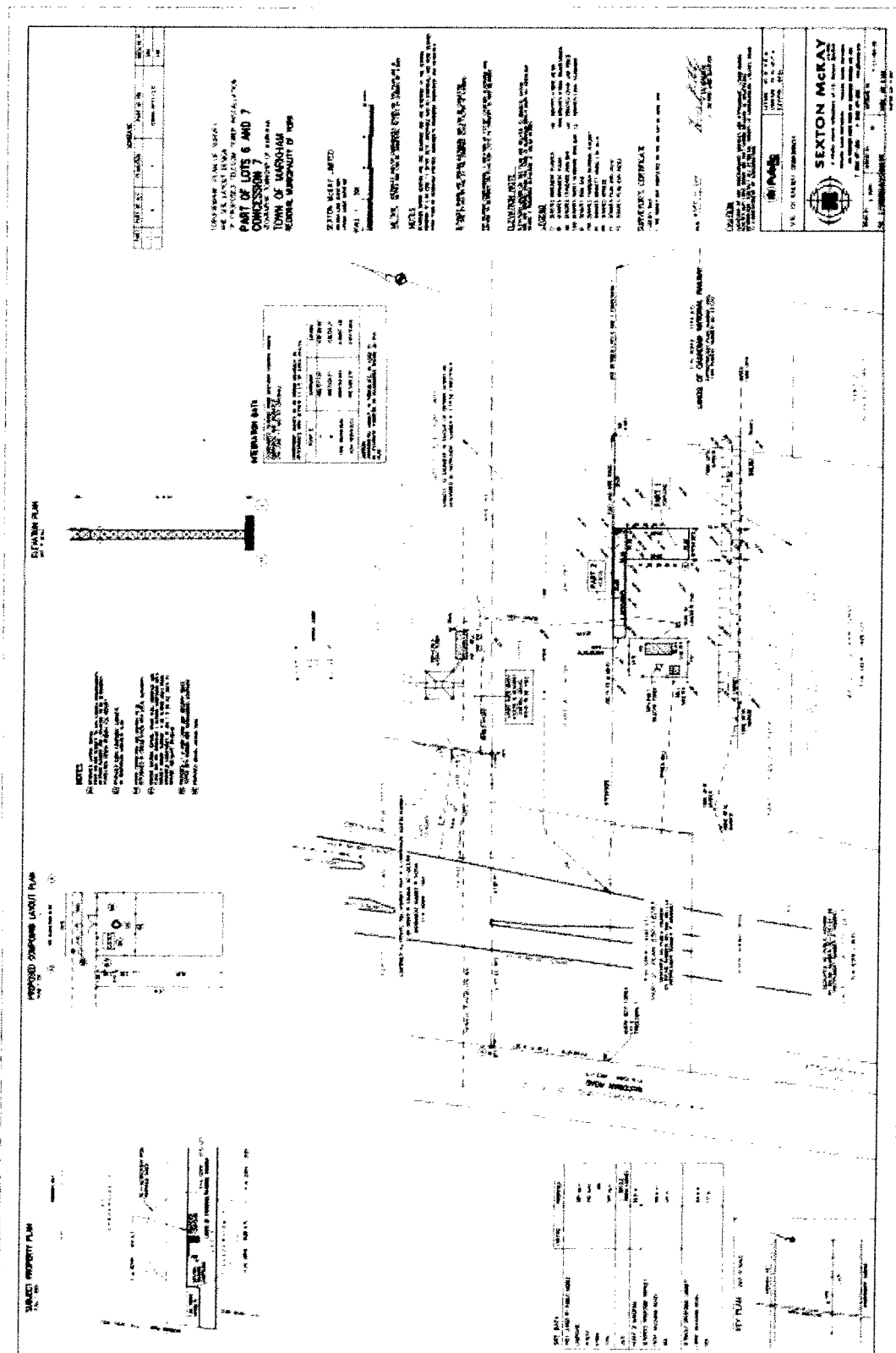


Figure 4

Photo Simulation



Appendix 'A'

Conditions of Site Plan Approval

1. The owner shall submit final drawings, and comply with all requirements of the Town and authorized public agencies, to the satisfaction of the Commissioner of Development Services;
2. That a building permit be obtained from the Town; and,
3. That site plan approval and municipal concurrence shall lapse after a period of three years commencing December 11, 2012, should the development not proceed.