

**SITE DEVELOPMENT FILE DA.07.002**  
**SHIPLAKE INVESTMENTS (RUTHERFORD) LIMITED - BELL MOBILITY INC.**

**Recommendation**

The Commissioner of Planning recommends:

1. THAT Site Development File DA.07.002 (Shiplake Investments (Rutherford) Ltd. - Bell Mobility Inc.) BE APPROVED, to permit the construction of a 37m high Bell Mobility flagpole telecommunications tower and associated equipment cabinet, as shown on Attachment #3, subject to the following conditions:
  - a) that prior to the issuance of a Building Permit:
    - i) the final site plan, landscape treatment and elevation plan shall be approved to the satisfaction of the Development Planning Department;
    - ii) the requirements of the Building Standards Department shall be satisfied;
    - iii) all hydro requirements of PowerStream Inc. shall be satisfied.

**Economic Impact**

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

**Communications Plan**

N/A

**Purpose**

Bell Mobility has submitted a Site Development Application on the subject lands shown on Attachment #1 to permit the construction of a 37m high flagpole telecommunications tower and associated equipment cabinet (1.32 m x 0.76 m x 1.39 m) on lands to be leased from Shiplake Investments (Rutherford) Ltd., on approximately a 15 m<sup>2</sup> compound, as shown on Attachment #2.

**Background - Analysis and Options**

The subject lands are located at the southwest corner of Rutherford Road and Bathurst Street, specifically, at the southwest corner of the property at the rear of the Sobey's grocery store.

The surrounding land uses are:

- North - Rutherford Road; existing industrial use (M1 Restricted Industrial Zone) and large vacant parcel (C4 Neighbourhood Commercial Zone)
- South - existing farm and residence (A Agricultural Zone)
- East - Bathurst Street; townhouses and residences (Town of Richmond Hill)
- West - the East Don River (OS1 Open Space Conservation Zone), church (A Agricultural Zone)

The City has adopted a Protocol for the Establishment of Telecommunication Tower and Antenna Facilities, and as a result of this protocol, any facility which is not exempt from municipal approval must make an application to the City to have their proposal reviewed and assessed in light of this protocol.

The protocol requires those antenna facilities that are located within 120m of a residential area to undergo a Public Information Meeting process, and to report back to the City with the name of the attendees and the outcome of the meeting.

On May 10, 2007, Bell Mobility held a Public Information Meeting, by notifying residents within 120m of the proposed development and the Town of Richmond Hill. By letter dated May 14, 2007, Bell Mobility indicated that no persons attended the Public Information Meeting, which was held at the Vellore Village Community Centre. The applicant (Bell Mobility Inc.) has informed that no objections were received in regard to the proposal. The notice circulated by Bell Mobility Inc. inadvertently identified the subject land as City-owned. The subject lands are leased from Shiplake Investments (Rutherford) Limited by Bell Mobility Inc. and are privately-owned.

A letter dated May 17, 2007 from The Christian Community Movement for Religious Renewal, located at 901 Rutherford Road is objecting to the proposal based on the following reasons:

1. The church has no record of being notified of the meeting.
2. They wish to voice their concern with respect to radiation dangers posed by the specific location of the transmission towers, as one already exists further west of the church on Rutherford Road. They do not wish to be in the middle of two towers as there are children and seniors in the area and wish all precautions to be taken to ensure their safety from potentially harmful effects of microwave transmission.
3. Request that the Council request Industry Canada make a closer examination of this proposal and report back its findings.

Bell Mobility has provided, as per the requirements of the City's Telecommunication Tower/Antenna Protocol, a list of all persons notified. The Church of the Christian Community of Canada (901 Rutherford Road) appears on the mailing list.

#### Official Plan

The subject lands are designated "Medium Density Residential/Commercial" by OPA #600. The proposed flagpole telecommunications tower use conforms to the Official Plan.

#### Zoning

The subject lands are zoned Neighbourhood Commercial Zone by By-law 1-88, subject to site-specific Exception 9(1076). The Building Standards Department advises that the proposal complies with all requirements of the Zoning By-law.

The Building Standards Department also advises that a Building Permit is required for the proposed telecommunications structure.

#### Site Design

The proposed 37 m high flagpole telecommunication antenna structure (Attachment #3) and associated equipment cabinet (Attachment #4) are proposed to be located at the southwest corner of the Sobeys grocery store, within a landscaped island comprising a 15 m<sup>2</sup> compound, which is to be surrounded by 10 circular steel concrete-filled bollards to protect the proposed structures. The applicant is proposing to relocate the existing tree in the vicinity of the telecommunications tower. If this tree cannot be transplanted, alternatively, a tree of a 60 mm caliper should be planted to compensate, in a location satisfactory to the Development Planning Department. The Development Planning Department is satisfied with the proposed site layout.

#### Elevations

The Development Planning Department has reviewed the proposed flagpole telecommunication and cabinet enclosure and are satisfied with the proposed elevations.

Staff is working with the applicant to finalize the landscape treatment as noted previously in the site design component of this report. Accordingly the applicant shall demonstrate to the satisfaction of the Development Planning Department that appropriate alternate trees have been planted in suitable locations on site.

PowerStream Inc.

All hydro requirements to service the telecommunication tower and cabinet must be to the satisfaction of PowerStream Inc.

Region of York Transportation and Works Department

The Region of York Transportation and Works Department has reviewed the application and has advised that it has no comments.

Richmond Hill Planning Department

The Richmond Hill Planning Department has reviewed the application and has advised that it has no comments.

**Relationship to Vaughan Vision 2007**

This report is consistent with the priorities set forth in Vaughan Vision 2007, particularly 'A-5', "Plan and Manage Growth".

**Regional Implications**

N/A

**Conclusion**

The Development Planning Department has reviewed the proposed Site Development Application in accordance with the Official Plan and Zoning By-law, and the area context. The location and development of the 37 m high flagpole antenna structure and associated equipment cabinet is considered to be acceptable. Accordingly, the Development Planning Department can support the approval of the Site Development Application, subject to the recommendations in this report.

**Attachments**

1. Location Map
2. Site Plan & Details
3. Flag Pole Antenna Details
4. Cabinet Details

**Report prepared by:**

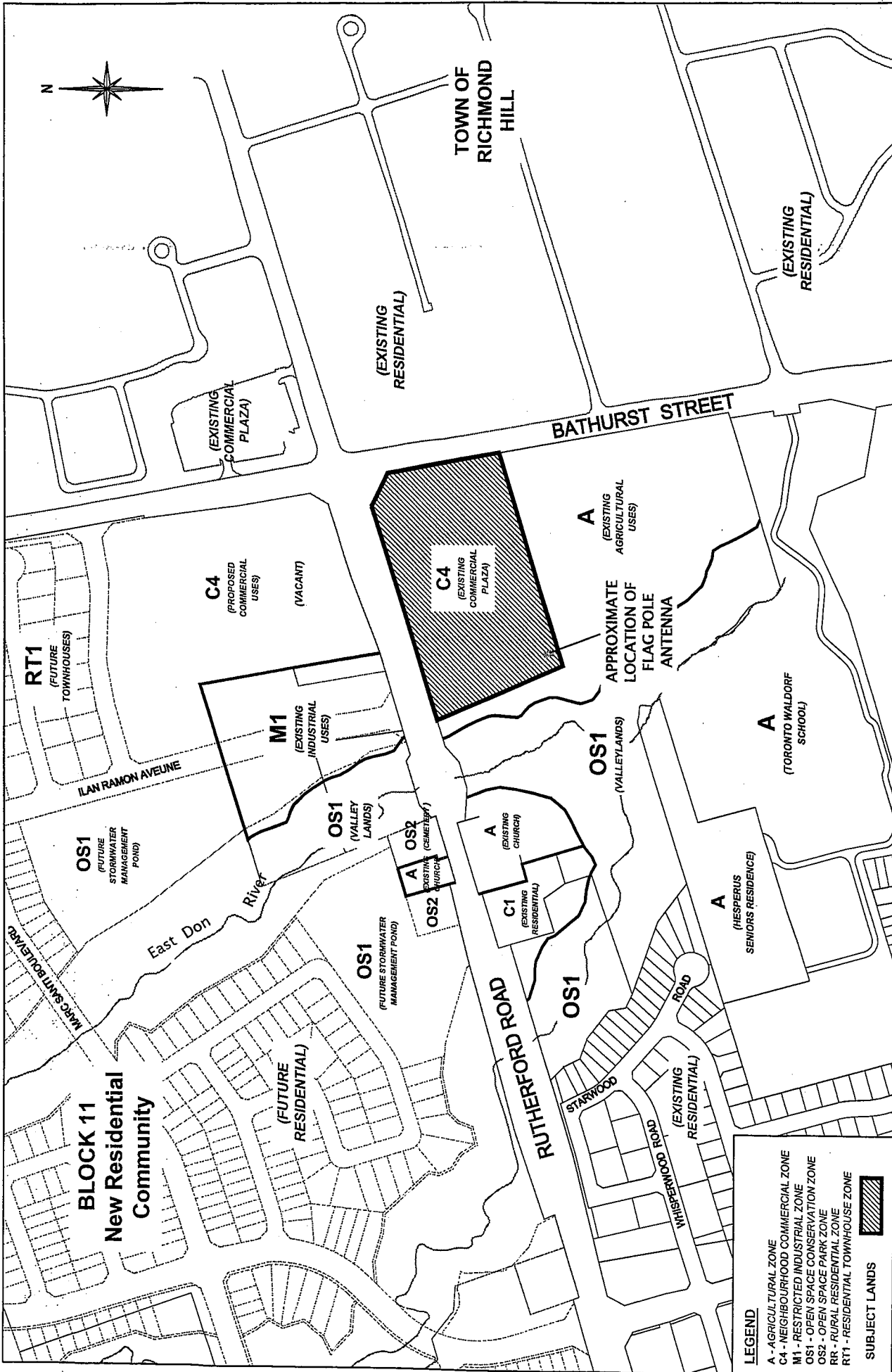
Arto Tikiryan, Senior Planner, ext. 8212  
Grant Uyeyama, Manager of Development Planning, ext. 8635

Respectfully submitted,

JOHN ZIPAY  
Commissioner of Planning

MARCO RAMUNNO  
Director of Development Planning

/LG



# Location Map

Part of Lot 15,  
Concession 2  
 APPLICANT: SHIPLAKE INVESTMENTS  
 (RUTHERFORD LIMITED (BELL MOBILITY INC.))  
 N:\D\F\1 ATTACHMENTS\DA\06.07.002

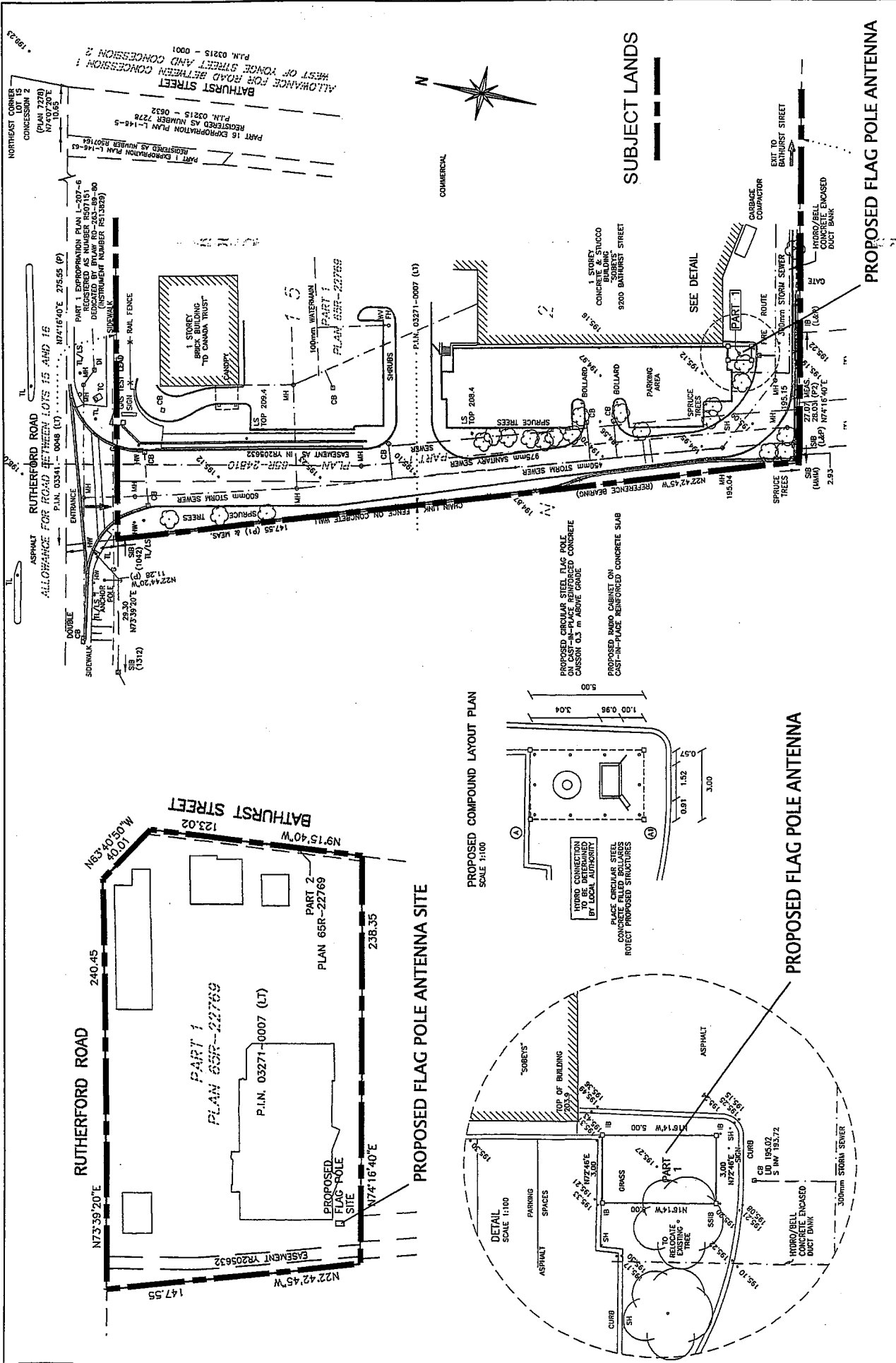


*The City Above Toronto*

Development Planning Department

# Attachment 1

FILE No.:  
DA.07.002  
 Not to Scale  
 May 17, 2007



# Site Plan & Details

Part of Lot 15,  
Concession 2  
APPLICANT: SHIPLAKE INVESTMENTS  
(RUTHERFORD LIMITED (BELL MOBILITY INC.))  
N:\DPT\1 ATTACHMENTS\DA\06.07.002



The City Above Toronto

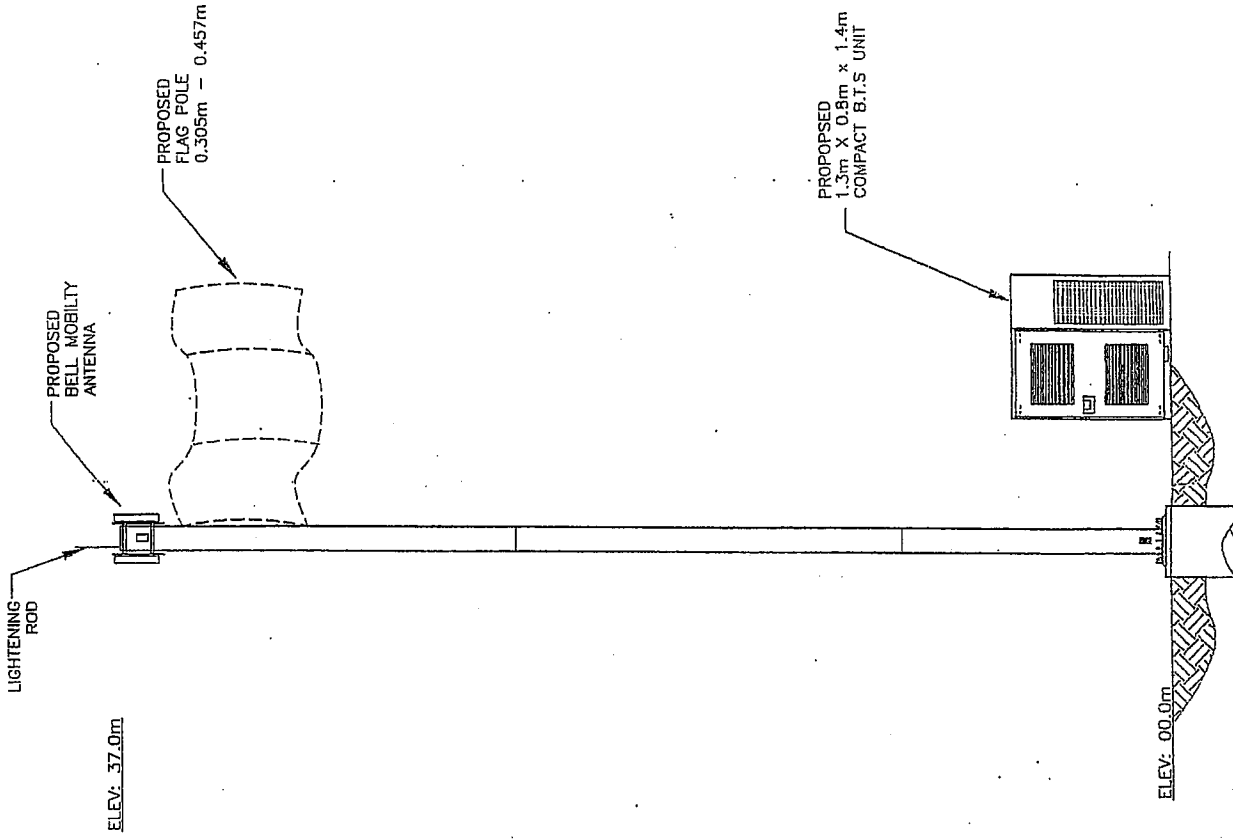
Development Planning Department

# Attachment 2

FILE No.:  
DA-07.002

Not to Scale

January 19, 2007



# Flag Pole Antenna Details

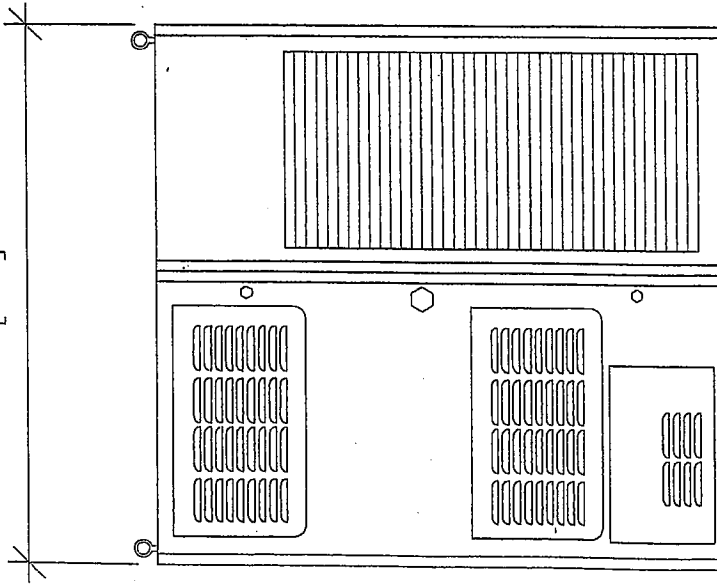
Part of Lot 15,  
Concession 2  
 APPLICANT: SHIPLAKE INVESTMENTS  
 (RUTHERFORD LIMITED (BELL MOBILITY INC.))  
 N:\DFT\1 ATTACHMENTS\DA\06.07.002



Development Planning Department

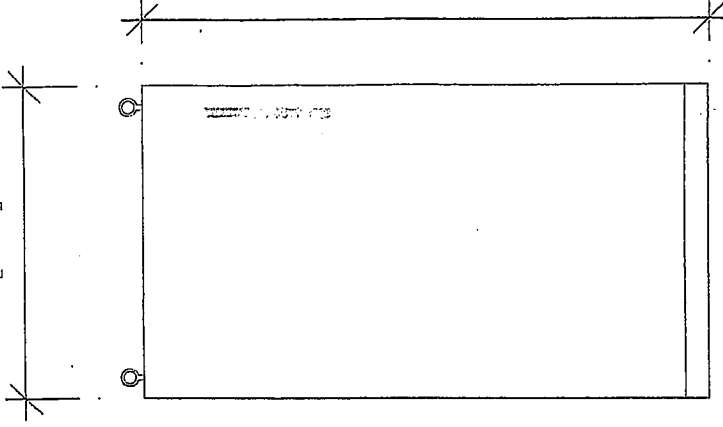
**Attachment 3**  
 FILE No.: DA.07.002  
 Not to Scale  
 January 19, 2007

1320mm  
[52"]



FRONT VIEW

765mm  
[30"]



1393mm  
[54.84"]

SIDE VIEW

NOTE: MAX WEIGHT OF NT CMO APPROX. 2200LBS

# Cabinet Details

Part of Lot 15,  
Concession 2  
 APPLICANT: SHIPLAKE INVESTMENTS  
 (RUTHERFORD LIMITED (BELL MOBILITY INC.))  
 N:\DFT\1 ATTACHMENTS\DA\06.07.002



Development Planning Department

# Attachment 4

FILE No.:  
DA.07.002  
 Not to Scale  
 January 19, 2007