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**SUBJECT:** RECOMMENDATION REPORT  
Norman and Mary Drudge  
Application for Site Plan Approval to facilitate a 59.5 metre high  
monopole style telecommunications tower within a 100 square  
metre equipment compound at 5474 19<sup>th</sup> Avenue.

File No: SC 12 120598

**PREPARED BY:** Stephen Corr, B.E.S. Ext. 2624  
Planner II, East District

**REVIEWED BY:** Dave Miller M.C.I.P. R.P.P. Ext. 4960  
Manager, East District

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**RECOMMENDATION:**

- 1) That the report dated June 11, 2013, entitled "RECOMMENDATION REPORT, Norman and Mary Drudge, Application for Site Plan Approval to facilitate a 59.5 metre high monopole style telecommunications tower within a 100 square metre equipment compound at 5474 19<sup>th</sup> Avenue, File No: SC 12 120598", be received;
- 2) That the presentation by Johnpaul Loiacono, Planner with the Biglieri Group Ltd., regarding the proposed telecommunications tower, be received;
- 3) That the application for site plan approval be approved, subject to conditions of Site Plan Approval as identified in Appendix 'A' to this report;
- 4) That Industry Canada be advised in writing, of this approval (concurrence), and that this approval is with respect to this location only;
- 5) And that Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

This report presents an overview and evaluation of the site plan application submitted by Norman and Mary Drudge. The report recommends approval (concurrence) of the site plan application, subject to conditions.

**BACKGROUND:**

**Property and Area Context**

The property at 5474 19<sup>th</sup> Avenue is approximately 41.3 hectares (102 acres) and is located on the north side of 19<sup>th</sup> Avenue and east side of Mc Cowan Road, as shown on Figures 1 through 4. The subject property consists primarily of agricultural fields and is developed with a single detached dwelling and several out buildings and barns. Surrounding uses are predominantly agricultural and also include single detached dwellings on rural residential properties in the vicinity.

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**Description of Proposed Telecommunications Tower**

On October 22, 2012, the Biglieri Group, acting on behalf of the property owners, Norma and Mary Drudge and telecommunication infrastructure provider, SBA Canada, submitted an application for site plan approval to permit a 59.5 metre high monopole style telecommunication tower on the subject property, within a 100 square metre equipment compound. The proposed telecommunication tower is anticipated to provide cellular service to Wind Mobile as an anchor tenant, and will provide opportunities for co-location of other cellular providers on the same tower.

The original site plan submitted as part of this application, indicated that the proposed telecommunication tower was to be situated on the south portion of the subject property, setback approximately 6.23 metres (20.4 feet) from 19<sup>th</sup> Avenue and approximately 860 metres (2,821.5 feet) east of Mc Cowan Road. Staff had concerns over the visual impact of the proposed tower given its proximity to 19<sup>th</sup> Avenue and requested that the proponents re-site the tower further northwards onto the subject property.

**Revised Location**

To address the concerns raised by staff and the public (at the Public Consultation Meeting held on January 30<sup>th</sup>, discussed later in this report) regarding the visual impact of the proposed telecommunication tower and its proximity to 19<sup>th</sup> Avenue, a revised site plan was submitted on March 14, 2013 depicting the tower and associated compound has been re-sited further north on the subject property, approximately 236.6 metres (776.2 feet) from 19<sup>th</sup> Avenue. A site plan of the proposed telecommunication tower and fenced in compound is attached as Figure 5. A photographic elevation rendering of the proposed telecommunication tower in the revised location is attached as Figure 6, illustrating the north view, as seen from 19<sup>th</sup> Avenue.

**DISCUSSION:****Jurisdiction**

The Federal Government has exclusive jurisdiction over telecommunication facilities. The Radiocommunication Act appoints Industry Canada as the approval authority for the location and operation of telecommunication facilities in Canada. Industry Canada does recognize the importance of municipal consultation as part of the approval process and as such, encourages proponents to consult with the local municipality to obtain their input and comments.

**City's Telecommunication Policy 2012**

On January 24, 2012, Council adopted a new policy regarding telecommunication infrastructure entitled "Policy for Establishing Telecommunication Facilities". The proposed tower is located within an agricultural zone and is located approximately 180 metres (590.5 feet) from the nearest residentially zoned lands and approximately 280 metres (918.6 feet) from the nearest residential dwelling to the southeast. Under the City's telecommunication policy, the proposed tower is not exempt from the public consultation process.

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**Public Consultation Meeting**

The City's telecommunication policy requires circulation of proposed towers exceeding a height of 15.0 metres to owners of all properties within a radius 120 metres or 3 times the height of the proposed telecommunication tower, measured from the base of the tower or the outside of a supporting structure, whichever is greater. In this instance, the required circulation boundary is 180 metres, measured from the perimeter of the 100 square metre equipment compound surrounding the proposed telecommunication tower. However, given the rural context of the area, the Ward Councilor expanded the circulation boundary, and the application was circulated to all City of Markham property owners within 450 metres of the original site proposed. Figure 4 is provided to identify the circulation boundary radius associated with this application.

On January 30, 2013, the public consultation meeting was held. Twenty-two members of the public, the Ward Councilor and Staff attended the meeting. The proponents were in attendance to provide information on the proposal and answer questions. The proponents also invited members of the community to submit any written comments or questions, which would be addressed in a subsequent public information package, prepared by the proponent and distributed by the Ward Councilor. Based in part, on the comments from this meeting, the proposed telecommunication tower proposal was revised.

**Community Input and Subsequent Information Package**

In response to written comments and questions that were received, a subsequent information package was prepared by the proponents and circulated to residents who requested additional materials related to the proposal. This subsequent package was circulated on March 22, 2013.

As a result of the revised telecommunication tower proposed location, additional properties within the Town of Whitchurch Stouffville fell within the 180 metre circulation boundary. These additional property owners and the Town of Whitchurch Stouffville were circulated notification packages on March 22, 2013.

Both packages requested any additional written comments to be submitted to the proponents by April 22, 2013. At the time this report was prepared, no additional written comments had been received with regards to the proposed telecommunication tower.

**Municipal Concurrence**

As per City policy, SBA Canada has made a request for Municipal Concurrence. The proponent 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.

**CONCLUSION:**


Staff are of the opinion that the proposed telecommunications tower is located in a suitable location on the subject property and is of sufficient distance from the nearest

residential dwelling, which is approximately 280 metres (918.6 feet) to the southeast. The tower would provide improved wireless services to the surrounding area. Staff are satisfied with the revised location of the telecommunication tower, which is less visually intrusive than the initial proposal, abutting 19<sup>th</sup> Avenue.

For the reasons identified in this report, Staff recommend approval of the 59.5 metre high monopole style telecommunications tower contained within a 100 square metre (1,076 square feet) fenced equipment compound at 5474 19<sup>th</sup> Avenue, subject to conditions attached in Appendix 'A'. Staff also recommend that Industry Canada be advised in writing, of this approval (concurrence), and that this approval is with respect to this location only.

**RECOMMENDED BY:**

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



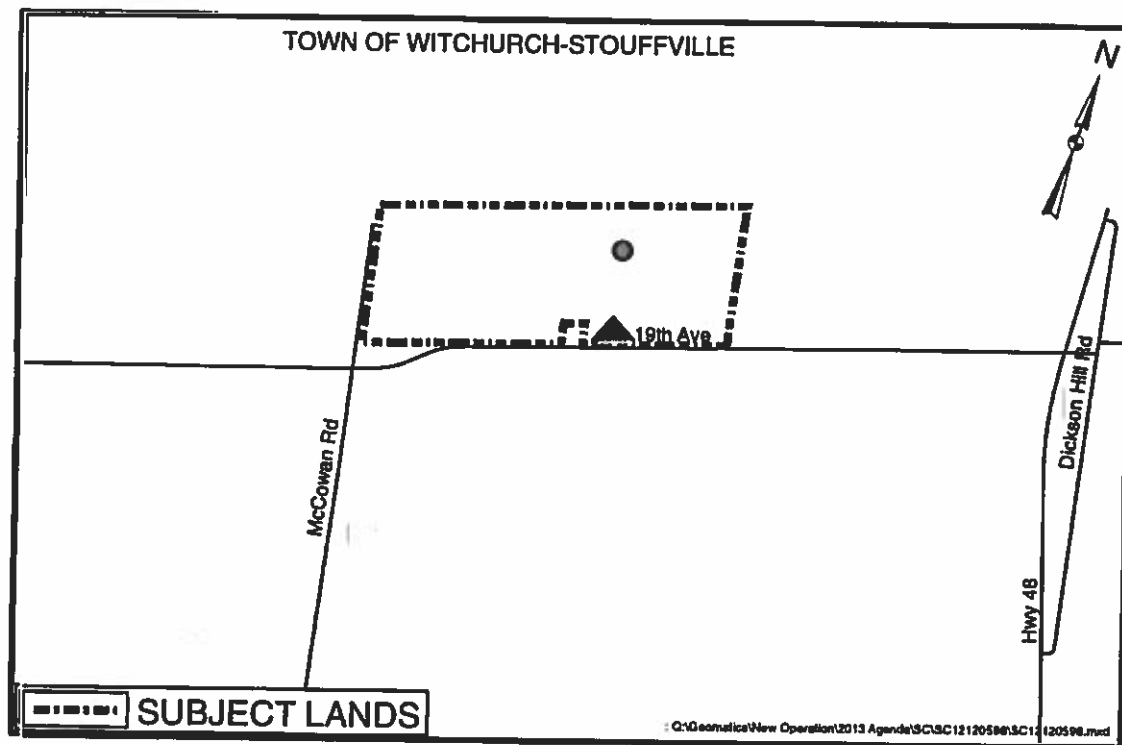
Jim Baird, MCIP, RPP  
Commissioner, Development Services

**ATTACHMENTS:**

- |              |  |
|--------------|--|
| Figure 1     | Location Map                                   |
| Figure 2     | Area Context Map and Zoning                    |
| Figure 3     | Air Photo                                      |
| Figure 4     | Circulation Boundaries                         |
| Figure 5     | Compound and Telecommunication Tower Site Plan |
| Figure 6     | Photographic Elevation Rendering               |
| Appendix 'A' | Conditions of Site Plan Approval               |

File path: Amanda\File 12 120598\Documents\Recommendation Report

Figure 1 Location Map



- Location of Proposed Tower
- ▲ Original Location of Proposed Tower

Figure 2 Area Context and Zoning

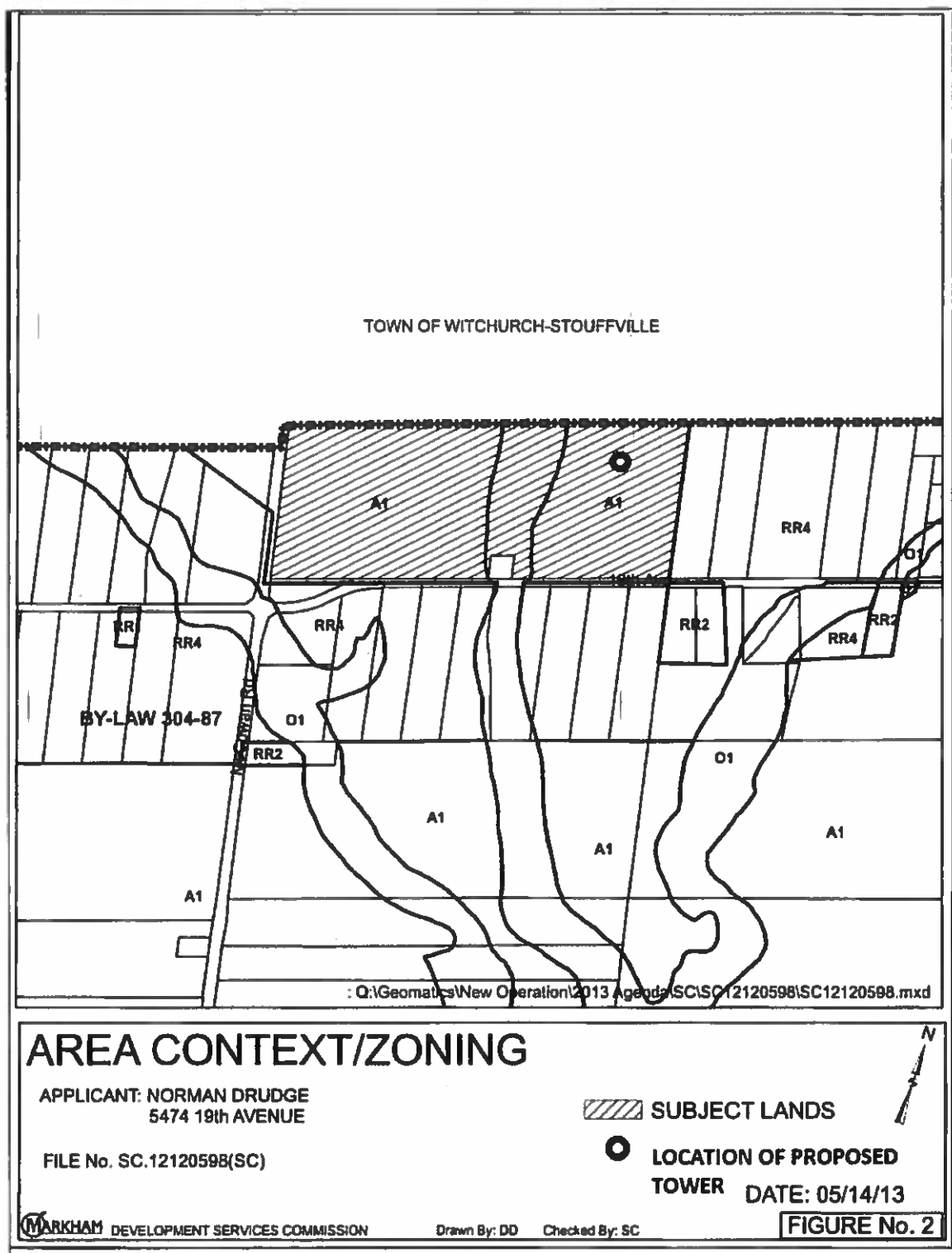
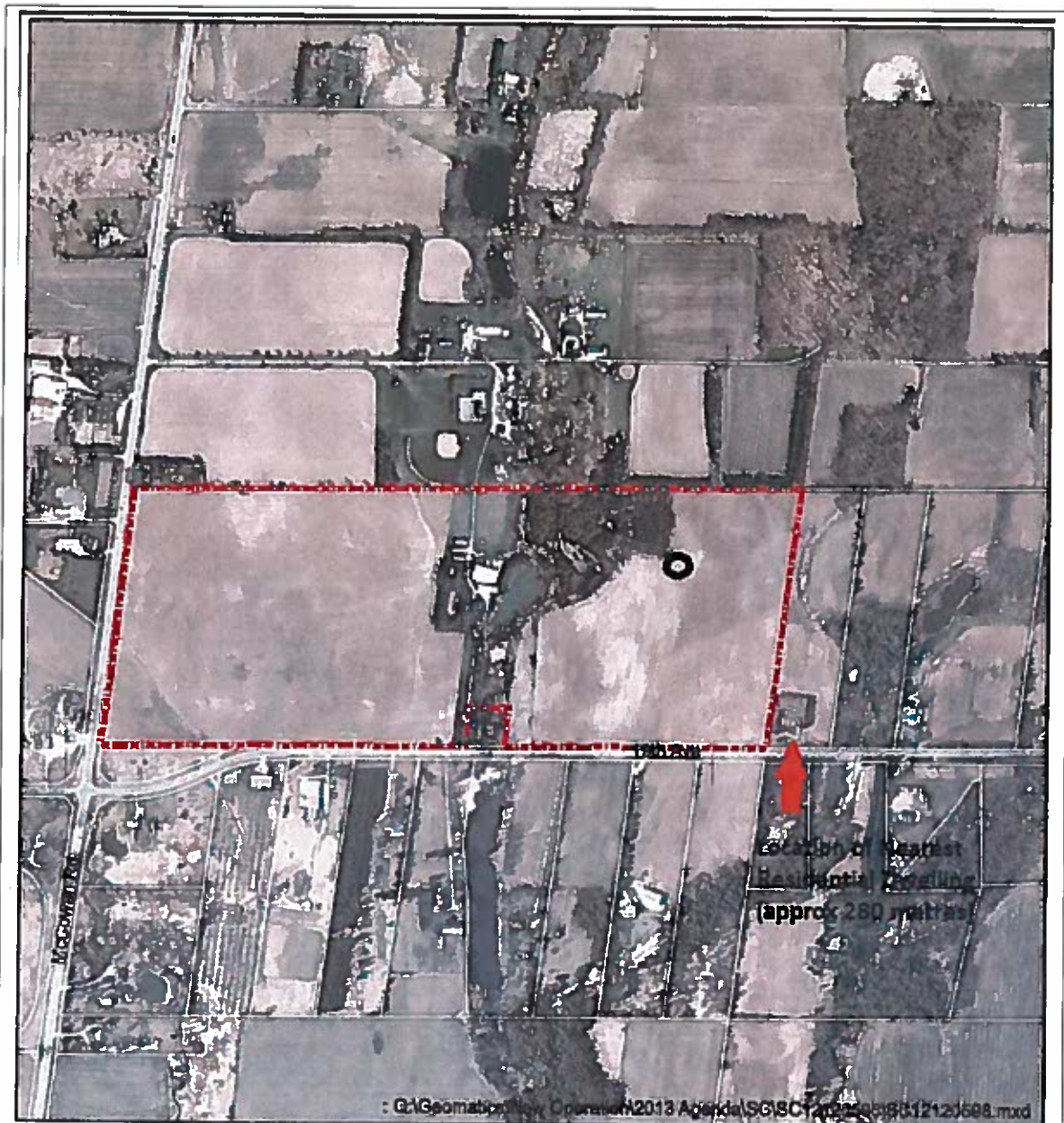


Figure 3 Air Photo



## AIR PHOTO 2012

APPLICANT: NORMAN DRUDGE  
5474 19th AVENUE

FILE No. SC.12120598(SC)

 SUBJECT LANDS

 LOCATION OF PROPOSED  
TOWER

DATE: 03/26/13

 MARKHAM DEVELOPMENT SERVICES COMMISSION

Drawn By: DO Checked By: SC

FIGURE No. 3

Figure 4 – Circulation Boundaries

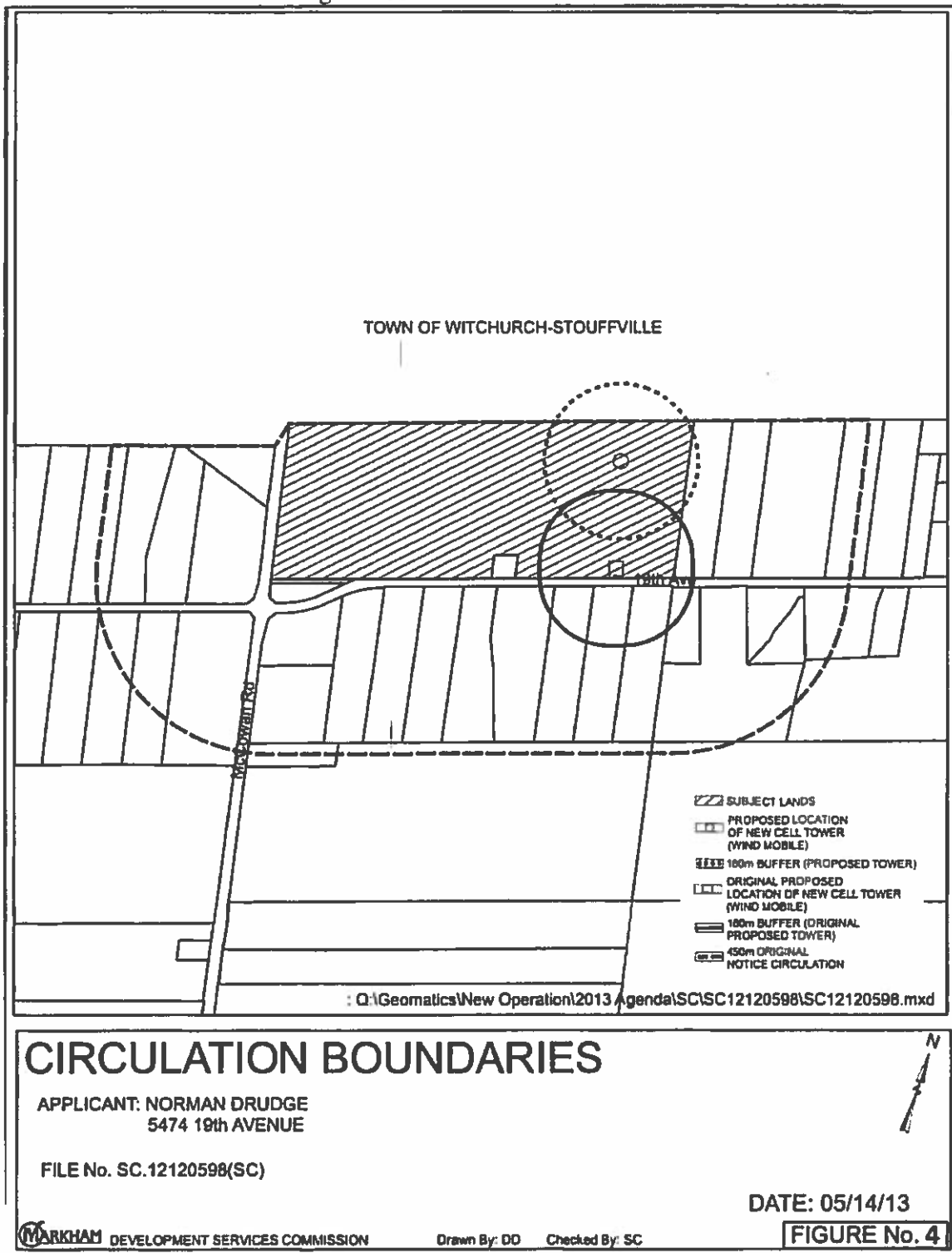




Figure 5 Site Layout for Proposed Telecommunications Facility

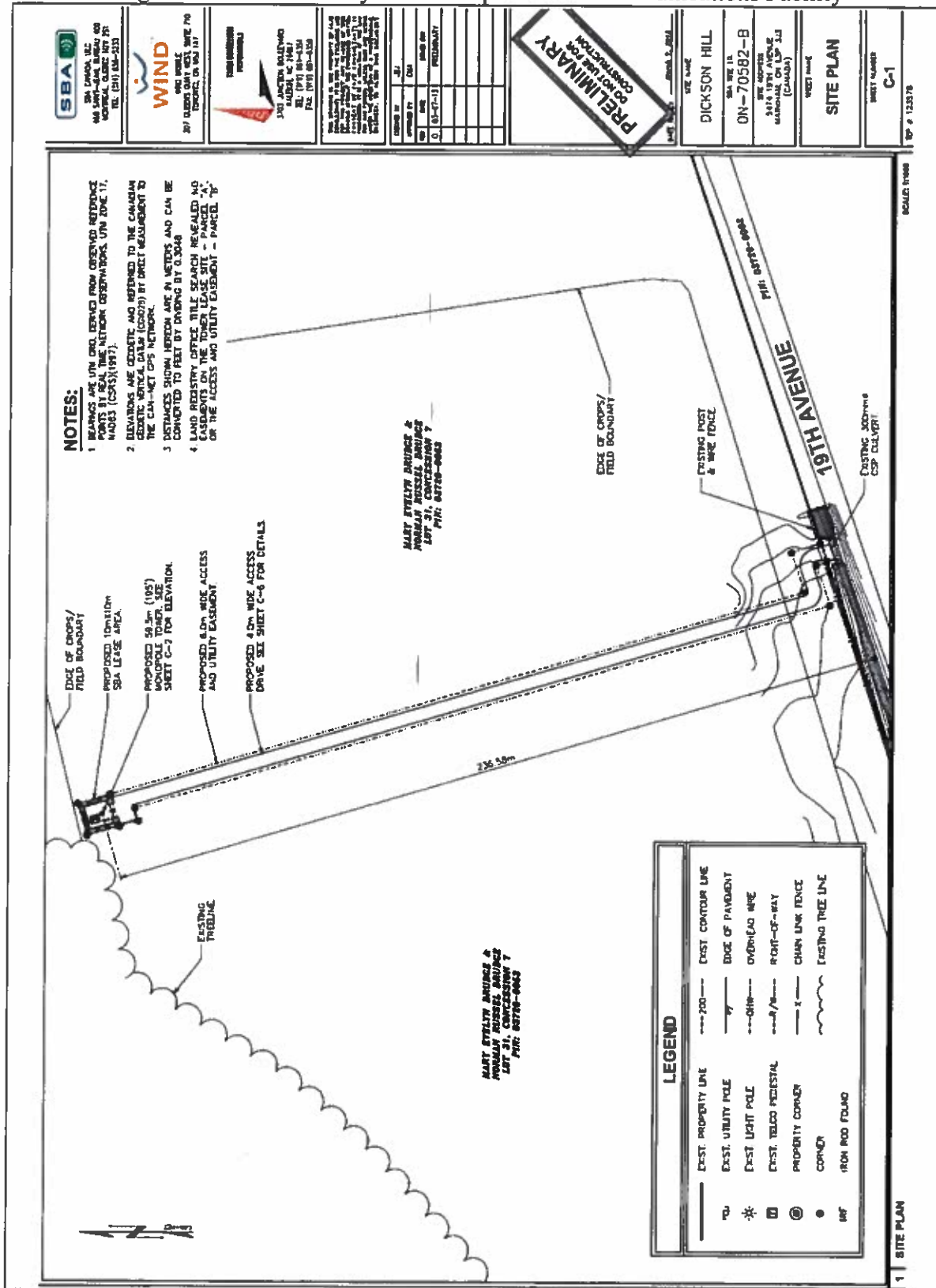


Figure 6 Photo Simulation



North View from 19<sup>th</sup> Avenue

## Appendix 'A'

### Conditions of Site Plan Approval

1. The owner shall submit final drawings, and comply with all requirements of the City and authorized public agencies, to the satisfaction of the Commissioner of Development Services;
2. That a letter of concurrence be sent to Industry Canada for their final approval;
3. That the telecommunication tower be designed in a manner that provides for co-location opportunities for other cellular providers on the same tower;
4. That a building permit be obtained from the City for the associated mechanical equipment compound; and,
5. That site plan approval shall lapse after a period of three years commencing June 11, 2016, should the development not proceed in a timely manner.