



City of Kawartha Lakes

File: D38-2021-027

Final Preconsultation Con

Circulation Date: March 26, 2021

Appendix " F "

to

Report PLAN2021-059

File No: D44-2021-005

Final preconsultation comments are typically current for six (6) months from the date of the preconsultation circulation. Preconsultation does not imply or suggest any decision whatsoever on behalf of City staff or the Corporation of the City of Kawartha Lakes to support or refuse the application. Comments are considered confidential until such time as a Planning Act application is filed with the City.

Preconsultation Circulation Date:	Circulated By Email – Friday, March 26, 2021 Comments Due By – Friday, April 9, 2021
File Number:	D38-2021-027
City Departments and Agencies who may have an interest:	Development Services Department Planning Division Building and Septic Division Economic Development Division Engineering and Corporate Assets Department Public Works Department Otonabee Region Conservation Authority Ministry of Transportation
Applicant and Consultants Present for Meeting:	Circulation by email only
Owner:	William and Anita Durant Tel:
Applicant:	Tango Networks Inc. c/o Jacqueline Johnston Tel: 780.885.9380 Email: jjohnston@tangonetWORKSinc.ca
Project Description:	The applicant proposes to use approximately 225 square metres (2,422 square feet) of the property to install a 45 metre in height lite duty self-supported lattice radiocommunications tower, with access via a new entrance from Sandy Hook Road, driveway and path.
Site Address / Location:	1060 Sandy Hook Road; Part of Lot 18 Concession 2, Geographic Township of Manvers
Roll Number:	165100801024800
Property Identification No.:	632690632
Lot Area:	30.4 ha. (75.1 ac.) of which 225 sq. m. (2,422 sq. ft.) are proposed for the development

Method of Servicing:	Other: Electrical services only
Housing Affordability:	Not Applicable
Entrance/Road Access & Other Road Frontages:	Municipal – Local (Sandy Hook Road) Provincial – Abutting Highway 115 (No access)
Widening, Easement, Etc.:	Not Anticipated
Municipal Drain:	Not Applicable
Heritage Designation:	Not Applicable
Source Water Protection:	Not Applicable
Conservation Authority Regulatory Jurisdiction:	Otonabee Region Conservation Authority (Otonabee Conservation) – Ontario Regulation 167/06
Agencies Who May Have Interest/Jurisdiction & Reason:	Otonabee Conservation – Memorandum Of Understanding (MOU) for Natural Heritage and/or Hazards Ministry of Transportation (MTO) – Within 1 km of Hwy 115
Applicable Provincial Policy and Plan(s):	Provincial Policy Statement, 2020 (PPS, 2020) A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020 (2020 Growth Plan) Oak Ridges Moraine Conservation Plan, 2017 (ORMCP)
Provincial Policy and Plan Comments:	In accordance with the ORMCP, an application for the development of infrastructure in or on land in a Natural Core Area shall not be approved unless the applicant demonstrates that the requirements of Section 41.(3) have been met.
Growth Management Strategy (GMS):	The proposal is not within the Settlement Boundary Area identified in the City's 2011 Growth Management Strategy
Official Plan Designation:	'Natural Core Area' (Schedule '2') with 'Significant Woodlands' (Schedule '6'), 'Hydrologically Sensitive Area' (Schedule '7'), 'High and Low Aquifer Vulnerability' (Schedule '8') and 'Landform Conservation Area Category 2' (Schedule 9) in the Oak Ridges Moraine Official Plan (ORMOP)
Official Plan Comments:	The development is within the 'Natural Core Area' designation, which permits transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been technically demonstrated and there is no reasonable alternative, subject to Part III and IV of the ORMCP.

Zoning:	Oak Ridges Moraine Core Area (ORMCA) Zone' and 'Oak Ridges Moraine Environmental Protection (EP) Zone' (Schedule 'A') with 'Heritage Features (Wetlands/ANSIs)', 'Area of High Aquifer Vulnerability', 'Landform Conservation Category 2' and 'Significant Woodlands' (Schedules 'C', 'D', 'E' and 'F') in the Oak Ridges Moraine Zoning By-law 2005-133, as amended
Zoning Comments:	The erection of telecommunication towers shall be outside of any areas delineated as Environmentally Protected in the applicable zoning, and in accordance with the provisions of the ORMOP and ORMCP.
Applications required for the proposal to proceed:	While the erection of cellular and telecommunications towers are exempted from Planning Act approvals, the applicant must consult with the City on locational issues and seek municipal concurrence for the proposal, before Innovation, Science and Economic Development Canada (ISED) – formerly Industry Canada (IC) can issue an approval for the proposal. The applicant will be required to submit to the City a Telecommunications Application pursuant to Council Policy CP2018-014, the City's Telecommunications and Antenna System Siting Policy.

Background:

The applicant proposes to erect a lite duty self-supported lattice radiocommunications tower with a height of 45 metres. Access would be from Sandy hook Road utilizing a new entrance, driveway, and path.

Comments:

Planning Division

Further to the Preconsultation circulation and our review, staff provide the following comments for consideration:

Please note: The proposed tower location is currently placed in the natural heritage feature (Significant Woodlands). In accordance with the Oak Ridges Moraine Conservation Plan (ORMCP), new infrastructure would not be supported within the natural heritage feature. As there is an existing development footprint and clearing on this property, the proposed tower should be moved to the already disturbed portion of this property, with access to be provided by the existing entrance. Staff could then be in a position to support a proposed tower on this property. On this basis, the following information would be applicable:

The applicant should review the City's approved Telecommunications and Antenna Siting Policy (CP2018-014), as revised (attached), and ensure that the proposal meets all of the Policy's siting requirements. All agency technical comments should be incorporated into the proposal. The City encourages co-location of cellular infrastructure

where possible. The application will be subject to a concurrence by Council, and the Council Resolution will be forwarded to Innovation, Science and Economic Development Canada (ISED) – formerly Industry Canada (IC), for their consideration in approval of an application. **As a condition of the concurrence, the applicant will be required to enter into a Development Agreement with the City. A template copy of the current Telecommunications Facility Development Agreement is attached. This template will form the basis for the Development Agreement prepared by staff through the review of the application.**

The subject land is within the Oak Ridges Moraine Conservation Plan, 2017 (ORMCP) area and is subject to the policies of the ORMCP. Review and comment of the application, in accordance with these policies, is through the Otonabee Region Conservation Authority (Otonabee Conservation).

Based on the proposal, we advise that there is a requirement for the proponent to **confirm any existing entrance(s) and/or proposed entrance(s)** comply with the City's By-law 2017-151: A By-law to Regulate Access to Municipal Right of Ways. A copy of the By-law can be obtained from the City's website. The purpose of this request is to ensure that if the Telecommunications Concurrence application is successful, that the appropriate Access Permit(s) can be granted for any new entrance or if any upgrades are required to an existing entrance, based on the appropriate (largest) entrance standard for all uses on the property (i.e. Residential, Agricultural, Commercial, Industrial, etc.). The City will review any potential new or revised access to the property to ensure compliance with the By-law.

In order to fulfill this request, a completed '**Application for the Review and Authorization of a Road Entrance**' along with the associated application fee shall be submitted to the Building Division or at any Municipal Service Centre. On Page 2 of the application, check off the '**For Review Purposes Only**' checkbox. The application form is available in person at any Service Centre (subject to availability), or can be found on the City's website under the 'Building Permits' section, within the 'Forms, applications and information sheets' heading:

<https://www.kawarthalakes.ca/en/living-here/my-property.aspx>

In addition to the applicable **application form(s)** and associated **processing fee(s)** required, the following studies and/or plans are also required in support of the proposed development. All studies/plans/reports/etc. listed below will also be included in a checklist at the end of this document, indicating the required number of copies. **A copy of this checklist must be submitted with the application(s).** Where multiple requirements are captured in one report, please note that on the submitted checklist. **All reports and studies must be current:**

- **A Tower Justification Report (TJR)** outlining how the proposal fulfills the City's Telecommunications and Antenna Siting Policy (CP2018-014). The report will need to confirm that **co-location options have been analyzed**; rationalize how setbacks in the Policy are being met; identify the **type of lighting** to be installed on the tower, and provide **photo renderings** (pre and post-development) of the tower from various vantage points;

- A **Site Plan Layout** is required to illustrate existing and new buildings (for electrical, etc.), entrance(s), and landscaping, including **Planting Plan** for visual screening of the facility/compound;
 - A **Constraints Map** is recommended to confirm the overall constraints (including environmental hazards, natural heritage features, etc.) on or around the property, in proximity to the proposed tower and any components (access, compound, etc.). These constraints can be shown on the Site Plan Layout above;
- **Tower Elevations** showing the details of the proposed tower (type, height, etc.) and including dimensions. These details can be shown on the Site Plan Layout above;
- A **Lot Grading/Drainage Plan** consisting of a topographical survey with elevations and/or directional arrows indicating direction of existing and proposed stormwater flow. These details can be shown on the Site Plan Layout above;
- An **Entrance Permit Review Confirmation Letter** is required, to verify the existing or proposed entrance(s) comply with By-law 2017-151 for all proposed uses. If any works are required to upgrade or install an entrance, a full **Entrance Permit** would be required at a later stage (i.e. upon completion of the required Telecommunications Concurrence application);
- A **Cost Estimate** for all required securities, including deposits for landscaping (100%). If an entrance permit is required, the value of the securities for these works will be determined by Public Works – Roads, and may be collected separately or as part of the Telecommunications Concurrence application.

These comments reflect the understanding of the requirements based on the submission materials. The Planning Division reserves the right to provide additional comments should any updated information become available through processing of an application. Should the proponent have additional detail or information to provide for review prior to the formal submission of any application, we recommend a follow-up meeting to confirm the requirements.

Engineering and Corporate Assets Department

Further to our review of the pre-consultation summary for the proposed construction of a light duty self-supported lattice radio communications tower with a height of 45 metres, at 1060 Sandy Hook Road, Manvers Twp. we confirm that there are no comments from an engineering perspective.

These comments reflect our understanding of the application request. Engineering may provide additional comments if the application varies from the summary.

Economic Development Division

The Economic Development Division's Economic Development Officer – Agriculture advises the following:

- I have no concerns with this application outside those already noted by Planning preliminary comments, except to request that the tower be located such that a minimal amount of forested land is removed from production.

Otonabee Region Conservation Authority (Otonabee Conservation)

Full comments may be circulated under separate cover, as an addendum to this report.

Building and Septic Division

The Plans Examiner advised the following:

- The Building Division has no concerns with the proposal provided that all necessary building permits are obtained for all new construction, if applicable. If a building is proposed, permits may be required under the Ontario Building Code.

The Part 8 Sewage System Supervisor advised the following:

- The proposal to establish a tower on the property will ensure that the minimum clearance distances to the existing sewage system are maintained. As such, I have no concerns.

Ministry of Transportation (MTO)

The Ministry of Transportation's Planning Intern provides the following:

- MTO understands that the proposal is to construct a radiocommunication cell tower on the property with access via a new entrance from Sandy Hook Road. MTO has reviewed the submission and is providing the following comments as the property falls within the MTO permit control area and an MTO permit is required prior to any construction occurring on site;
- MTO has no concerns in principle with the proposed radiocommunications tower development but **additional information is required**. Please note that the proposed concept plan does not show the setback distance of the tower from the property line that fronts Highway 115. MTO requires that radio towers meet the standard 14m setback plus the height of the tower, meaning a 59 metre setback is required for this development from the property limit (the setback is taken from property limit);
- MTO will require the proponent submit a **site plan drawing that includes the 59 metre setback** to ensure that the tower is placed at a required distance to ensure that any collapse of the tower will not infringe on the highway right of way. The site plan will need to include all anchor lines. The site plan will also need to depict the proposed **entrance location** and a **letter from the property owner** acknowledging they are supportive of the tower on their property;

- There appears to be a power line proposed that comes into the site via Sandy Hook Road and then appears to run along the Highway 115 corridor. It is unclear where this power line is proposed, and additional information will be required. MTO does not permit any utility to run parallel into a highway right of way and additional information is required on where the utilities connecting. An **engineering site plan with cross-sections** for any buried plant that is proposed is required.

A full copy of their comments is attached to this report.

Follow-up:

If the applicant wishes to pursue this proposal, the applicant shall submit a Telecommunications Concurrence Application and the review fee (currently \$2,286.00 for 2021, subject to change by Council direction) for consideration. Should Council support the Telecommunication Concurrence Application to receive approval by Innovation, Science and Economic Development Canada (ISED), the applicant will be required to enter into a Development Agreement with the City as a condition of the concurrence.

Application Fees:

The application forms, process guides, and application fees are available upon request via email from the Planning Division, or on the City website at:

<https://www.kawarthalakes.ca/en/business-growth/development-applications.aspx>

The Conservation Authority fees are found at the end of the Planning Application fee document.

Please note, upon submission of the application(s) to the City, an electronic copy of the complete submission is required to accompany the paper reports / studies / plans noted below in the checklist. Electronic submissions will not be accepted through the City's email or online file sharing programs (they must accompany the hard copy submission).

Applications which are not accompanied by the required materials and/or the electronic copy will be deemed incomplete, and will be returned to the applicant for resubmission.

A copy of the attached checklist is required to accompany your submission. A cover letter should also be attached, indicating where multiple reports have been consolidated into one report.

Additional Notes:

1. The above noted comments and attached checklist are based on the proposal as reviewed by the Preconsultation Committee. If significant changes are proposed, the comments and/or reports may require amending, or require a new Preconsultation circulation to review the revised proposal.

2. During the review of the application, it may be determined that additional studies and/or information will be required to be submitted as a result of issues arising during the processing of the application, or subsequent revisions that have been made to an application.
3. The purpose of the above comments and attached checklist are to identify all the relevant information required to be submitted in order to deem these application(s) complete.
4. The comments are based on the current Provincial Legislation, Regulations, Policies and Plans that are in effect, and the City's official plans and zoning by-laws that existed at the time the Committee considered this matter. While the City has an official plan which came into effect in 2012, there are portions of the plan which remain under appeal. The City has adopted secondary plans which are also under appeal. If decisions are made by the appeal body (Local Planning Appeal Tribunal) regarding these appeals, the documents could change the contents of this report as it relates to the proposal.
5. The City is currently in the process of consolidating the existing zoning by-laws. If passed by Council, these documents could also change the comments above as they relate to this proposal. If passage of these documents is imminent, then this will be noted in the comments.
6. The final preconsultation comments are typically **current for six (6) months** from the date of the preconsultation circulation. Prior to submitting your application(s), you may wish to contact the Development Services – Planning Division office and confirm if any of these above noted documents have been passed by Council, or have come into effect.
7. **If the final preconsultation comments have expired**, please contact the Development Services – Planning Division office to determine if these comments and checklist are still valid, or if a new preconsultation application will be required, prior to filing the required applications.
8. An application submitted without the required information identified in this Preconsultation Report may be recommended for refusal based on insufficient information to properly evaluate the application.
9. Please note that even if a study is mentioned more than once or similar studies are mentioned by various agencies (i.e. Geotechnical Report and Geotechnical Analysis), the studies may be consolidated into one comprehensive report which addresses multiple agency issues, where applicable.

Contacts:

<p>Mr. Ian Walker Planning Officer – Large Developments Planning Division, Development Services Department City of Kawartha Lakes 180 Kent Street West Lindsay, ON K9V 2Y6 Tel: (705) 324-9411 x1368 Fax: (705) 324-4027 iwalker@kawarthalakes.ca</p>	<p>Ms. Sherry Rea Development Planning Supervisor Planning Division, Development Services Department City of Kawartha Lakes 180 Kent Street West Lindsay, ON K9V 2Y6 Tel: (705) 324-9411 x1331 Fax: (705) 324-4027 srea@kawarthalakes.ca</p>
<p>Ms. Christina Sisson Supervisor, Development Engineering Engineering and Corporate Assets Department City of Kawartha Lakes 322 Kent Street West Lindsay, ON K9V 5R8 Tel: (705) 324-9411 x1152 Fax: (705) 324-2982 cssisson@kawarthalakes.ca</p>	<p>Ms. Susanne Murchison Chief Building Official Building and Septic Division, Development Services Department City of Kawartha Lakes 180 Kent Street West Lindsay, ON K9V 2Y6 Tel: (705) 324-9411 x1200 Fax: (705) 324-5514 smurchison@kawarthalakes.ca</p>
<p>Ms. Anne Elmhirst Part 8 Sewage Systems Coordinator Building and Septic Division, Development Services Department City of Kawartha Lakes 180 Kent Street West Lindsay, ON K9V 2Y6 Tel: (705) 324-9411 x1882 Fax: (705) 324-5514 aelmhirst@kawarthalakes.ca</p>	<p>Ms. Kelly Maloney Economic Development Officer – Agriculture Economic Development Division, Development Services Department City of Kawartha Lakes 180 Kent Street West Lindsay, ON K9V 2Y6 Tel: (705) 324-9411 x1208 Fax: (705) 324-4965 kmaloney@kawarthalakes.ca</p>
<p>Mr. Chris Porter Manager, East Area Public Works Department City of Kawartha Lakes 123 East Street Bobcaygeon, ON K0M 1A0 Tel: (705) 324-9411 x3587 cporter@kawarthalakes.ca</p>	<p>Mr. Calvin Northover Supervisor, Manvers East Area Public Works Department City of Kawartha Lakes 123 East Street Bobcaygeon, ON K0M 1A0 Tel: (705) 324-9411 x3582 cnorthover@kawarthalakes.ca</p>

<p>Mr. Matt Wilkinson Planner Otonabee Conservation 250 Milroy Drive Peterborough, ON K9H 7M9 Tel: (705) 745-5791 x213 Fax: (705) 745-7488 mwilkinson@otonabeeconservation.com</p>	<p>Ms. Cheryl Tolles Senior Project Manager Ministry of Transportation Highway Corridor Management Section 1355 John Counter Blvd. PO Bag 4000 Kingston, ON K7L 5A3 Tel: (613) 545-4744 Cheryl.Tolles@ontario.ca</p>
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Proposed Plan

SITE ID: Manvers – ON7994

PIN:

Legal Description: 1060 Sandy Hook Rd., Pontypool, Ontario L0A 1K0

Owner Name: DURANT, ANITA JOAN; DURANT, WILLIAM JOHN

LAT: 44.098590°

LONG: -78.577942°

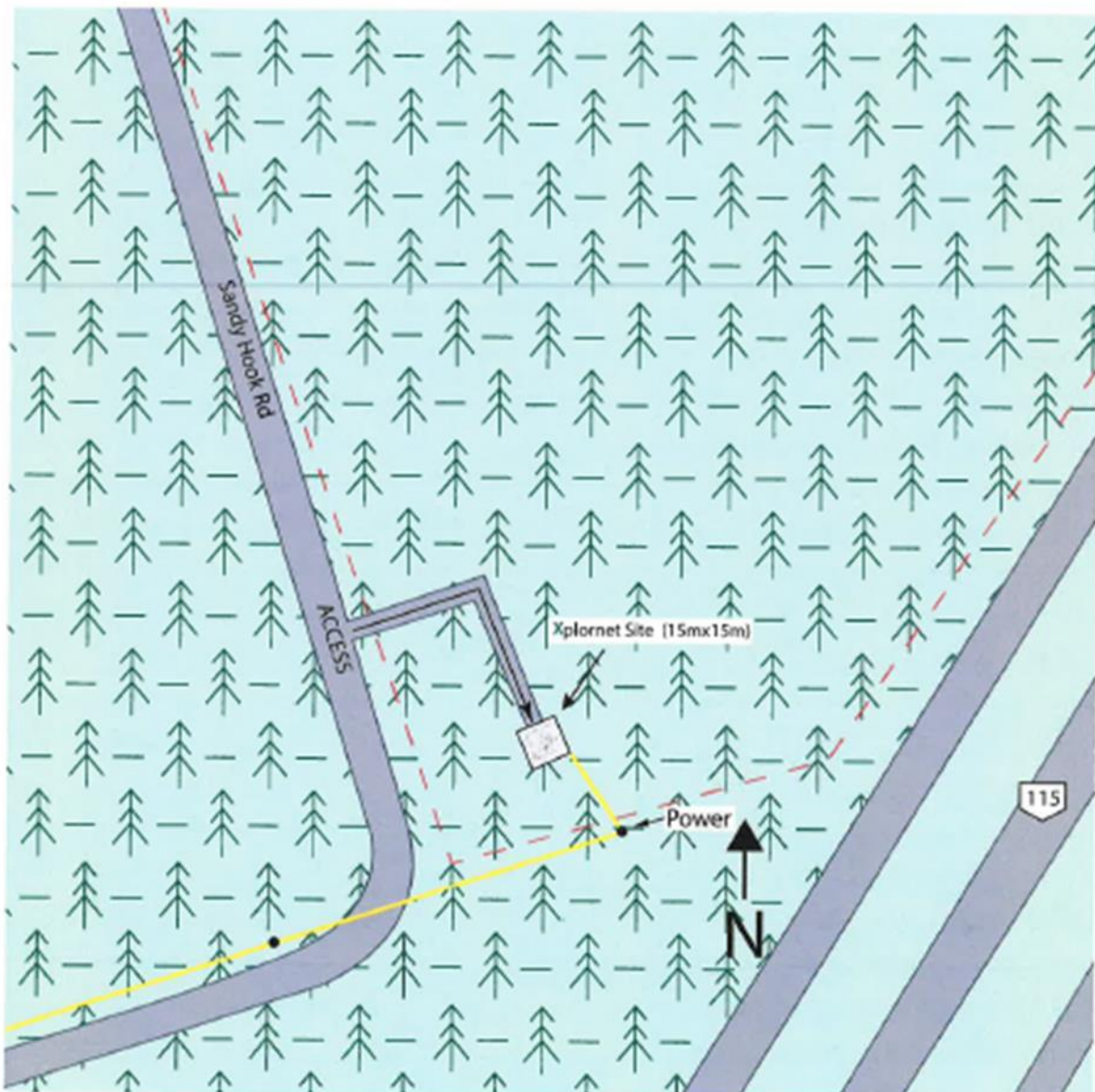
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XPLORNET

RECEIVED

JAN 26 2021

City of Kawartha Lakes
Development Services
Planning Division



Supporting Reports/Studies/Plans Required to Process and Evaluate the Proposal. Should you wish to further discuss these requirements, kindly contact Ian Walker, Planning Officer – Large Developments, iwalker@kawarthalakes.ca or 705-324-9411 extension 1368.

Required Reports, Studies, Plans & Number of Copies	OPA	ZBA	Subdivision	Condominium	Site Plan	Consent	Telecom	Copies
Study Requirements for Proposal – Lite duty self-supported lattice radiocommunications tower with a height of 45 metres								
Application Form(s) with Associated Processing Fee(s)							√	1 Telecom
Tower Justification Report (TJR) **Including photo renderings**							√	6
Site Plan Layout **Including Planting Plan**							√	6 Large 6 Small
Constraints Map **May be included on Site Plan Layout above**							√	6
Tower Elevations **May be included on Site Plan Layout above**							√	6
Lot Grading/Drainage Plan **May be included on Site Plan Layout above**							√	6
Entrance Permit Review Confirmation Letter							√	2
Cost Estimate							√	2
Additional Information requested by MTO							√	5
Electronic copy of all the above on Thumb Drive or CD (When multiple applications submitted concurrently, all documents can be compiled in one electronic package)								1
<p>Other Development Permits, Approvals and/or Processes that may potentially be required along with or after the Telecommunications Concurrence process (please note, this is not an exhaustive list – for information purposes only):</p> <ul style="list-style-type: none"> • MTO Building / Land Use Permit, Entrance Permit and/or Sign Permit • Conservation Authority Permit (if works in regulated area) • Building Permit (for any structures which meet the definition of a building) 								