

## Item CC7.5

*Considered by City Council on April 23 and 24, 2007*

CC7.5	AMENDED			
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### **CC7.5 Appeal of Court Decision Re: Telus Communications Company Challenge to Site Plan By-law**

#### **City Council Decision**

City Council on April 23 and 24, 2007, adopted the following motions:

1. City Council adopt the confidential recommendations in Attachment 1.
2. Council's instructions to staff related to this matter be authorized for public release at the conclusion of the Council meeting.
3. The matter of the siting of the telecommunications tower be referred to the Planning and Growth Management Committee for the development of a protocol for carriers to follow in siting telecommunications towers.
4. The City Solicitor be requested to report to Planning and Growth Management Committee on the extent to which City staff can apply the new architectural control authority recently acquired by the City of Toronto Act to the design of telecommunication towers and incorporate that into the protocol.
5. The Chief Planner and Executive Director, City Planning, be requested to develop a protocol or guidelines with respect to municipal and community consultation for the installation of telecommunication towers that adheres to Industry Canada's policy at the earliest possible time.

The following recommendations contained in Confidential Attachment 1 to the report (April 16, 2007) from the City Solicitor, are now public. The balance of Attachment 1 remains confidential, in accordance with the provisions of the City of Toronto Act, 2006, as it contains information that is subject to solicitor-client privilege:

1. The appeal to the Ontario Court of Appeal from the decision of Justice Lederman dated March 2, 2007 be abandoned.
2. The City Solicitor be authorized to take the appropriate steps to implement the above recommendation.

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### **Link to Background Information**

Council considered the following:

- [Report \(April 16, 2007\) from the City Solicitor. \(CC7.5\)](#)