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March 21, 2013

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Toronto City Council
City of Toronto
Attn: Mrs. Ulli S. Watkiss, City Clerk
City Hall, 100 Queen St. W., 13th Floor West Tower
Toronto ON M5H 2N2

Re: Item PG 21.1 - Draft Zoning By-law

To The Mayor and Members of Council,

Bell Canada appreciates the efforts of staff to address Bell's concerns as they relate to the Draft Zoning By-law. However, as expressed in our letter dated January 7, 2013, we continue to have significant concerns with the Draft Zoning By-law due in part to the complexity of coordinating design and ensuring the timely provision of services within the City. Bell acknowledges that the Draft Zoning By-law permits public utility uses within certain zones, however the technique that the Draft Zoning By-law undertakes to permit such uses is to specifically identify which zone it is permitted within and in some cases applies "conditions" to this permission. Bell's preferred approach and one that has been requested in previous comment letters is to permit public utility uses in all zones. Bell believes the approach taken in the Draft Zoning By-law could result in misinterpretation of the intent of the By-law and therefore impede the timely provisioning of services.

To illustrate this concern, we note that there are 16 zones where public utility uses are permitted, however, on a conditional basis. For example, Section 10.10.20.20 permits public utility uses in the Residential Zone with specific conditions being applied to an electrical transformer station, such as being fully enclosed by walls and complying with the lot coverage, minimum building setback and maximum building height. Since there are varying definitions of an electrical transformer station, some of which could be interpreted as part of the telecommunication infrastructure, Bell believes there is a risk that provisions may be misinterpreted or reinterpreted in the future to apply to telecommunication utility facilities, posing an impediment on Bell's ability to provide services.

On the basis of these provisions, Bell Canada objects to the Draft Zoning By-law. We would like to reiterate our previous request that Section 5.10.20.20 be revised to include public utilities as a permitted use in all zones, and remove the conditions that apply in specific zones, in order to ensure clear interpretation of the intent of the By-law.

Bell Canada
Development and Municipal Services Control Centre
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Please provide Bell Canada with written notice on any decisions and recommendations related to the Zoning By-law Review to our Development and Municipal Services Control Centre:

Mr. John La Chapelle, MCIP, RPP
Associate Director – Municipal Relations
Access Network Provisioning, Ontario
Bell Canada
444 Millard Ave., Floor 2
Newmarket, Ontario
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If you have any questions, please direct them to the undersigned.

Yours truly,



John La Chapelle, MCIP, RPP
Associate Director – Municipal Relations
Access Network Provisioning, Ontario

cc: Jennifer Keesmaat, Chief Planner and Executive Director, City Planning Division
Joe D'Abramo – Acting Director, Zoning and Environmental Planning, City Planning Division
City Clerks – Planning and Growth Management Committee
Chris Tyrrell - MMM Group Ltd