

**North West Planning Advisory Committee
May 2, 2012**

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: 
Brad Anguish, Director of Community & Recreation Services

DATE: April 3, 2012

SUBJECT: Case 17462 Telecommunication Tower – Rocky Lake Drive, Bedford

ORIGIN

Application by Bell Mobility.

RECOMMENDATION

It is recommended that the North West Planning Advisory Committee recommend that North West Community Council inform Industry Canada that they have no objection to the proposal by Bell Mobility to erect a new, 50 metre (164 foot), self-supporting telecommunication tower and associated equipment cabinet located behind 468 Rocky Lake Drive (PID #00428458) Bedford, as shown on Attachment B of this report.

BACKGROUND

Bell Mobility wishes to erect a 50 meter (164 ft.) self support telecommunication tower and associated equipment cabinet on a property located behind 468 Rocky Lake Drive in Bedford. The subject property is owned by Target 1 Real Estate Limited and is combined with 5 other properties which make up the Havill's Mini and Mobile Homes site. The subject property is a 4.68 hectare landlocked parcel behind Rocky Lake Drive (11.5 acres) (Map 1). Access to the proposed telecommunication tower would be gained from an existing driveway at 498 Rocky Lake Drive. The proposed site layout for the telecommunication tower is shown on Attachment B.

The proposed tower:

- is located approximately 104.5 m (343 ft.) from Rocky Lake Drive (Attachment B);
- includes an equipment cabinet located at the base of the tower (Attachment B);
- is enclosed by a 2.4 – 2.7 m (8-9 ft.) high locked, chain link fence around the equipment cabinet and tower base, anti-climb apparatus and silent alarm system; and
- is not proposed or required to be painted or illuminated as per Transport Canada's requirements.

Site Features and Surrounding Land Use

The subject property has the following characteristics:

- located within the Light Industrial designation under the Bedford Municipal Planning Strategy (Map 1);
- zoned ILI (Light Industrial) under the Bedford Land Use By-law (Map 2);
- bounded on the south-east by properties zoned CGB (General Business Zone) and RTU (Residential Two Unit Zone);
- bounded on the south-west by Bedford Jr. High School;
- bounded on the north-west and north-east by vacant land which forms part of the Northgate Retail Complex (known as the Bedford Commons);
- contains a 61 m (200 ft.) wide transmission line easement along the left side of the property in favour of Nova Scotia Power; and
- no direct access to Rocky Lake Drive but utilizes a shared driveway access with the existing business on the site (Havill's Mini Homes).

Existing Plan Policy

The Bedford Municipal Planning Strategy (MPS) classifies infrastructure such as telecommunication towers as a utility use and permits utility uses through the Land Use By-law (LUB) within the following zones:

- SU (Utilities Zone)
- ILI (Light Industrial Zone)
- IHI (Heavy Industrial Zone)

In this case, the proposed telecommunication tower is located on a property zoned ILI (Light Industrial). However, the driveway to the telecommunication tower is located on a property

zoned CGB (General Business) and the CGB zone does not permit utility uses. Therefore, the process described below must be followed.

Municipal Process

The federal government has jurisdiction over all forms of radio communication (radio and television broadcasting, microwave communication, private radio transmissions, etc.). Provincial and Municipal governments have little jurisdiction to interfere with or impair communication facilities licensed under federal law. Industry Canada is the federal agency which licenses and regulates these facilities under the provisions of the *Telecommunications Act* (S.C. 1993, c.38).

The federal government, however, has recognized that municipal authorities may have an interest in the location of antenna structures and this should be considered in the exercise of its authority. A consultation policy has therefore been instituted and this process is followed by HRM. The policy requires that an applicant notify the appropriate municipality of its intentions and the municipality is then given an opportunity to review the proposal and provide comment. If any objections arise, the municipality is to provide written notice to the local office of Industry Canada. The submissions will be reviewed by Industry Canada, who will then determine whether or not a license is to be granted and/or upon what conditions such license is granted.

DISCUSSION

The Bedford Municipal Planning Strategy (MPS) contains specific guidance with respect to telecommunication towers as it directs such uses to the three zones previously identified. However, given the driveway access to the proposed telecommunication tower is not located in one of the three zones, the application is evaluated against Policy Z-3. Policy Z-3 is a general implementation policy in the MPS which applies to all planning applications. Policy Z-3 and staff's evaluation is presented in Attachment D. Upon review of the MPS, the proposal meets the intent of the relevant policies. While the proposal is consistent with policy, staff has identified the following matters for specific discussion:

Location

The subject property is zoned ILI (Light Industrial). The ILI zone permits SU uses as well as a variety of industrial and commercial uses. The ILI and SU zones are presented as Attachment E. Given the existing land use at the proposed location is a commercial mini and mobile home sales and display centre and the proposed tower is set back over 100m (328ft) from the street and buffered from the left side by an existing Nova Scotia Utility easement, the concern for land use compatibility is minimal.

Visual Impact

From a community perspective, there may be visual impact from various points throughout Bedford where the tower may be visible, similar to other established towers and power line structures within utility corridors. From a more localized perspective, the tower will be visible within the immediate area of Rocky Lake Drive.

Physical Proximity

As there is no formal policy in the MPS to guide the location of telecommunication towers to ensure adequate separation from adjacent properties, other than the setbacks prescribed within each zone, it is prudent to examine the potential risk should the tower experience structural failure. The base of the tower is proposed to be situated approximately 45m (148ft) from the abutting property to the south-west and a minimum of approximately 72m (236ft) from all other properties. In the unlikely case the tower should fall intact, it would intrude into the abutting property by approximately 5m (16.4 ft), however, no buildings or dwellings are located in this vicinity. It should be noted there are display mobile homes and transmission lines within the 50m (164ft) distance from the base of the tower but these are located on the subject property.

The LUB prescribes setbacks in the ILI and SU zones. The table below shows, by comparison, how these setbacks are significantly exceeded by the proposed tower:

	ILI zone requirements	SU zone requirements	Proposed Setbacks
Front Yard Setback	30 feet	30 feet	148 feet (45 m)
Side yard Setback	0 feet	8 feet	236 feet (71.8 m) on left 774 feet (236 m) on right
Rear yard Setback	0 feet	20 feet	289 feet (88 m)

Health and Safety

Aside from land use planning issues, there are often concerns about potential health risks from the placement of telecommunication facilities. Industry Canada requires that such systems are operated in accordance with the safety guidelines established by Health Canada's radiation protection bureau in its publication, *Limits to Radiofrequency Fields at Frequencies from 10kHz - 300 GHz*. This is also referred to as Safety Code Six. Prior to receiving a licence from Industry Canada, the operator must submit the calculations on the intensity of the radiofrequency fields to ensure that this installation does not exceed the maximum levels contained in the Safety Code Six requirements. Information submitted in support of this proposal indicates no concerns in relation to Safety Code Six. With this proposal, Bell Mobility must demonstrate to Industry Canada that all federal requirements in this regard are met.

Summary

Staff have reviewed the proposal and are of the opinion this proposal does not appear to pose undue concerns. It is therefore recommended that North West Community Council inform Industry Canada that they have no objection to this proposal.

BUDGET IMPLICATIONS

The HRM costs associated with processing this application have been accommodated within the approved operating budget for C310 Planning & Applications.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a Public Information Meeting held on March 1, 2012. For the Public Information Meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment F contains a copy of the minutes from the meeting.

A public hearing is not included in the telecommunications process: Council simply forwards a recommendation to Industry Canada.

The location for the proposed telecommunications tower would potentially impact the following stakeholders: property owners, Bell Mobility, and Industry Canada.

ALTERNATIVES

The following alternatives are presented to North West Community Council for consideration:

1. Inform Industry Canada that North West Community Council has no objection to the proposal by Bell Mobility to erect a 50 metre (164 foot) self supporting telecommunication tower and associated equipment cabinet located behind 468 Rocky Lake Drive (PID # 00428458) Bedford, as shown on Attachment B of this report. This is staff's recommendation.

2. Identify to Industry Canada that North West Community Council has additional comments or recommendations with respect to the proposed tower. In this event, staff will notify the local office of Industry Canada of Community Council's recommendations.
3. Identify to Industry Canada that the North West Community Council is not in favour of the proposal.

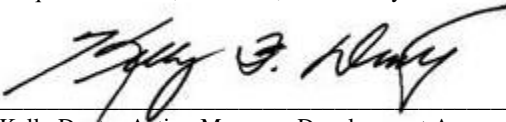
ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning
Attachment A:	Proposal details
Attachment B:	Site Plan
Attachment C:	Tower Elevation
Attachment D:	Excerpts from the Bedford Municipal Planning Strategy and Policy Review
Attachment E:	Excerpts from the Bedford Land Use By-law
Attachment F:	Public Information Meeting Minutes


A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

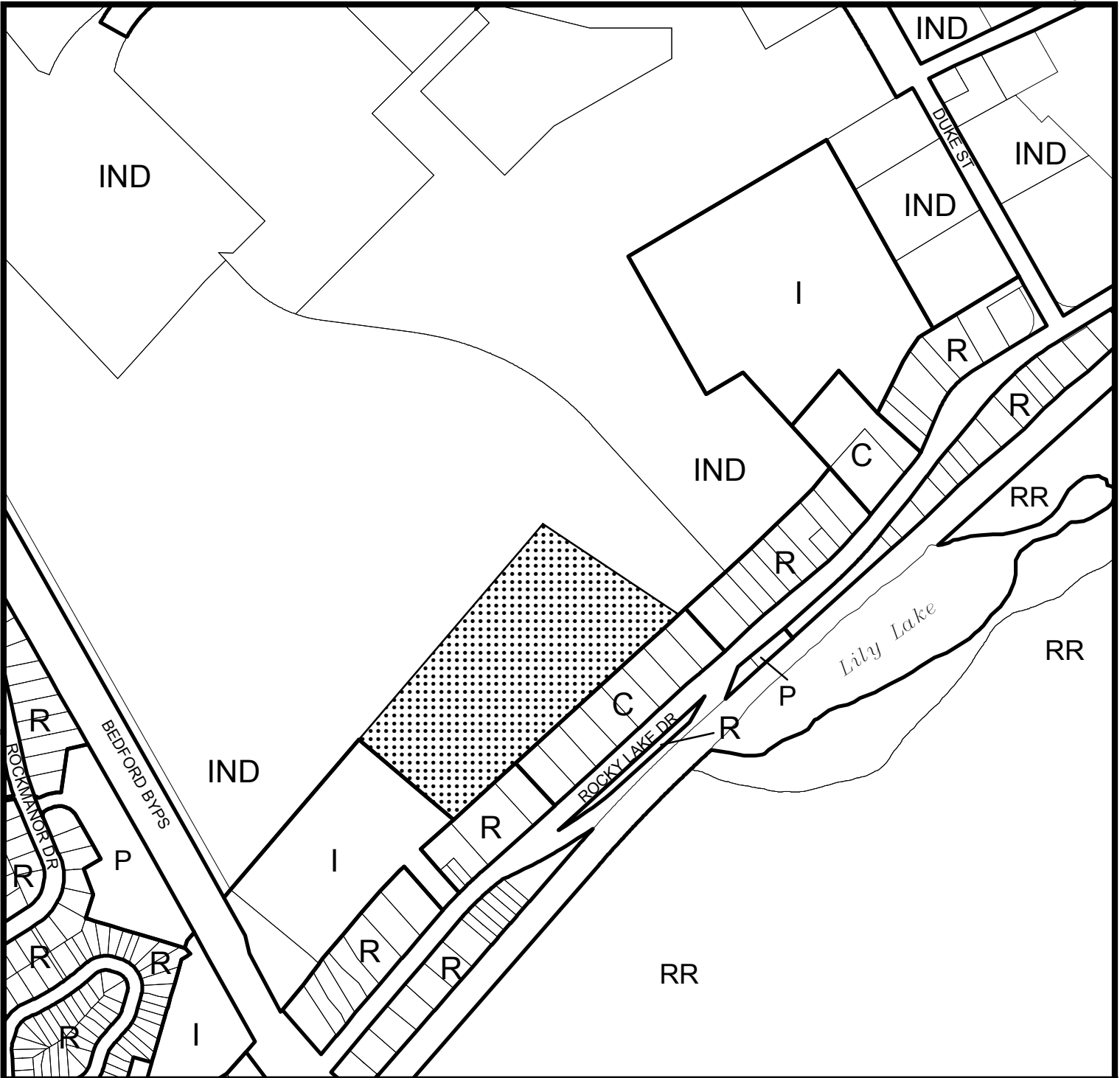
Report Prepared by: Jacqueline Bélisle, Planner 1, Community and Recreation Services, 869-4262

Report Approved by:

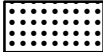

Kelly Denty, Acting Manager, Development Approvals, 490-4800

Financial Approval by:


Greg Keefe, A/Director of Finance & Information Technology/CFO, 490-6308



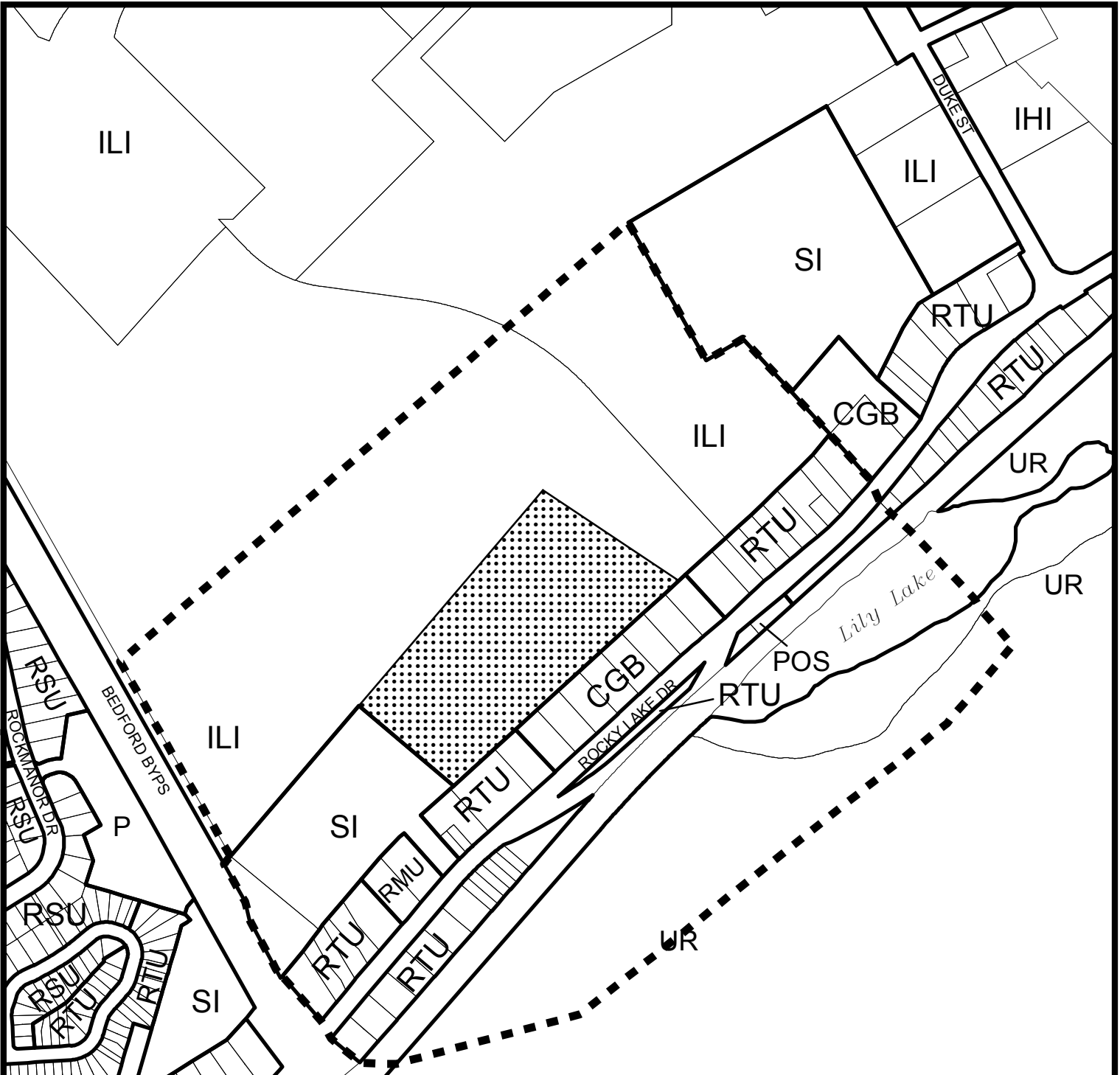
Map 1
Generalized Future Land Use

 Subject Area

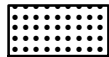
- R Residential Designation
- RR Residential Reserve Designation
- P Park and Recreation Designation
- I Institutional Designation
- IND Industrial Designation

HALIFAX
 REGIONAL MUNICIPALITY
 Planning Services





Map 2
Zoning



Subject Area



Notification Area

- RSU Single Dwelling Unit Zone
- RTU Two Dwelling Unit Zone
- RMU Multiple Unit Dwelling Zone
- UR Urban Reserve Zone
- CGB General Business District Zone

- P Park Zone
- POS Park Open Space Zone
- IHI Heavy Industrial Zone
- ILI Light Industrial Zone
- SI Institutional Zone





Site Selection and Justification Report

RE: Proposed Bell Mobility 50m Telecommunication Site at 514 Rocky Lake Drive

1. Introduction

Wireless services, such as mobile phones, are increasingly important for Canadian consumers. Mobile services are used by general public, business, police, fire fighters and ambulance services as well as government agencies, aviation systems and national defense. Wireless carriers constantly strive to improve coverage and network quality for their clients and in order to achieve a reliable wireless network for all users, carriers must provide a seamless transmission signal to alleviate any gaps in coverage. For wireless services to work, antenna systems composed of towers and rooftop antennas are required to deliver services to a given coverage area.

Bell Mobility has built the wireless network in order to provide wireless service in locations where demand has been identified. Over time, as demand for our service enters new areas such as new commercial buildings or residential developments, Bell Mobility's existing wireless network may or may not be able to provide wireless service. In the case where the existing wireless network does not provide wireless service, it is necessary for Bell Mobility to expand the wireless network to provide wireless service to these new areas.

Communication facilities are not only required in new commercial and/or residential developments, but they are also required when the demand for wireless service increases through an increase in population or increased use of data by new technology such as smart phones and tablets. The existing wireless network was designed to meet a certain demand, and over time, as demand increases, the wireless network must be upgraded in order to maintain a quality of service.

Communication facilities are selected based on critical factors such as existing locations of communication facilities within the wireless network, assumptions in demand fluctuations, and topography. Altus Group has been retained by Bell Mobility to coordinate the planning applications and approvals necessary to construct the proposed communication tower and prepare this site selection and justification report.

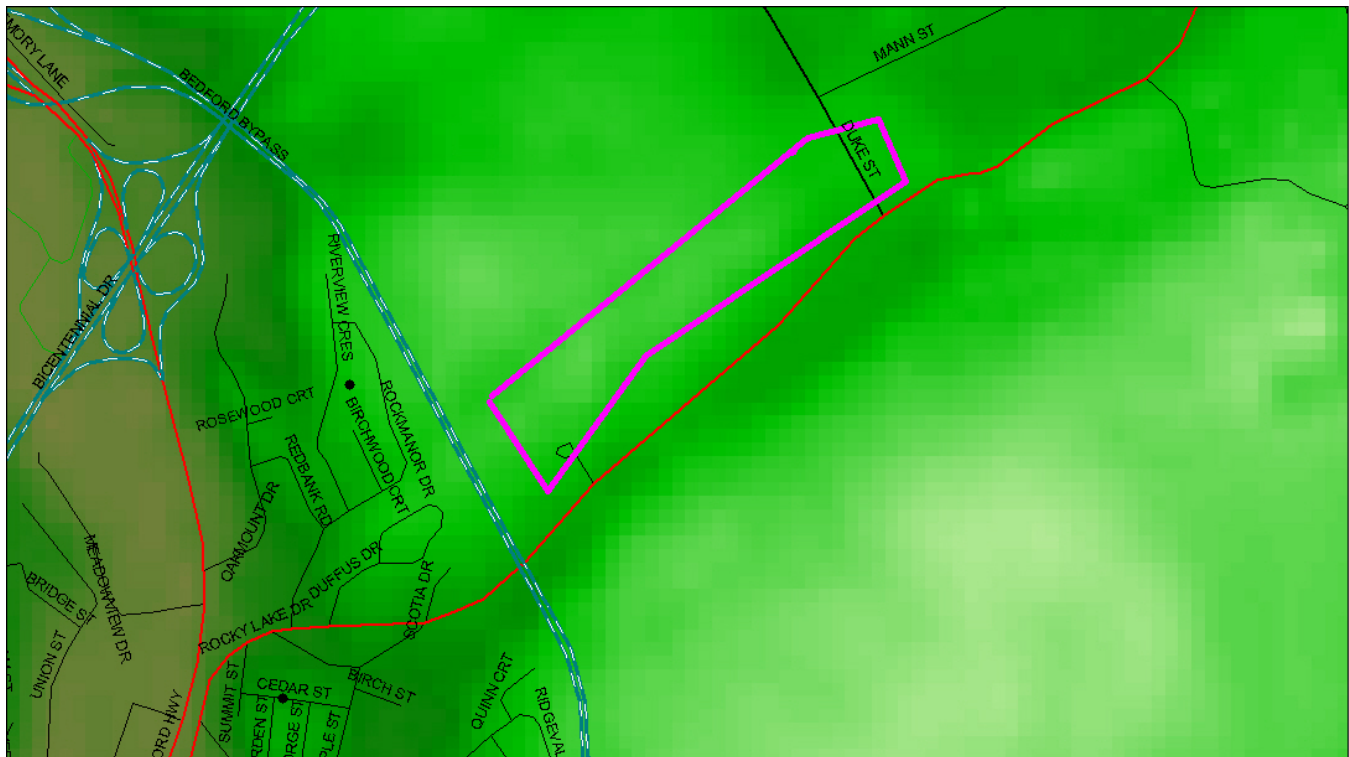
2. Justification

Two of the most important factors in providing wireless communication services are antenna and the tower. The antenna is essential as it sends and receives signals from the radio stations. The tower allows the antenna to be raised above obstructions such as trees and buildings to ensure that it can clearly send and receive communication signals. Each tower facility and its antenna systems provide radio coverage to a specific geographic area often called a cell or ring. Telecommunication providers must ensure that antenna systems are carefully located at the center of that cell/ring and provide a clear signal over the whole cell area where there is a shortage of radio frequency RF signal.

In order to meet Bell Mobility's coverage objectives, Radio frequency engineers have determined that a site must be located near the intersection of Duke & Rocky Lake.

Throughout the site selection process, special care has been taken to maximize distance from existing residential dwellings. For wireless radio frequency clearance and coverage demands, it was determined that other infrastructures such as the water tower were not suitable or located outside the search parameters.

Bell Mobility’s Search Ring

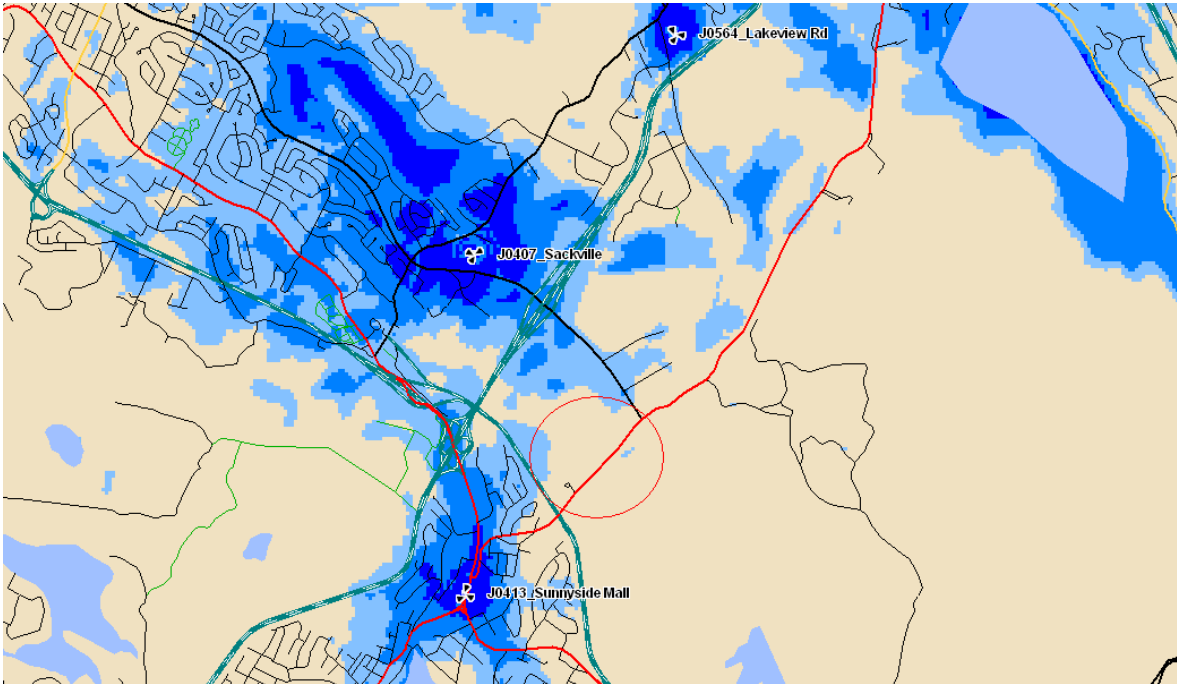


Given the dense residential area and the absence of an existing suitable structure, Bell is proposing to install a 50m self support tower to be located at 50 Rocky Lake Drive. The zoning for this site permits telecommunication towers under the HRM land use bylaw however the access driveway is not included. Applications have been made to Transport Canada and Nav Canada and it has been determined that lighting of the tower isn’t required.

3. Coverage objectives

The purpose of this site is to provide Bell Mobility customers with ubiquitous and reliable high data rate mobile services, the best in Canada. This site is intended to improve the service quality for 3G/4G wireless services. For this area, customers will primarily be business users and commuters travelling between Bedford-Sackville and Burnside districts. The area of service improvement extends approximately 4km along Rock Lake Drive, toward Bedford/Magazine Hill and into Sackville between Glendale Ave and Bedford Bypass. The map below illustrates the existing and the proposed coverage with a 50m tower located at 514 Rocky Lake Drive. The light blue area represents where the coverage is weak. The dark blue area represents the improved coverage with the proposed site (J0962).

Existing Coverage



Coverage with proposed Bell site

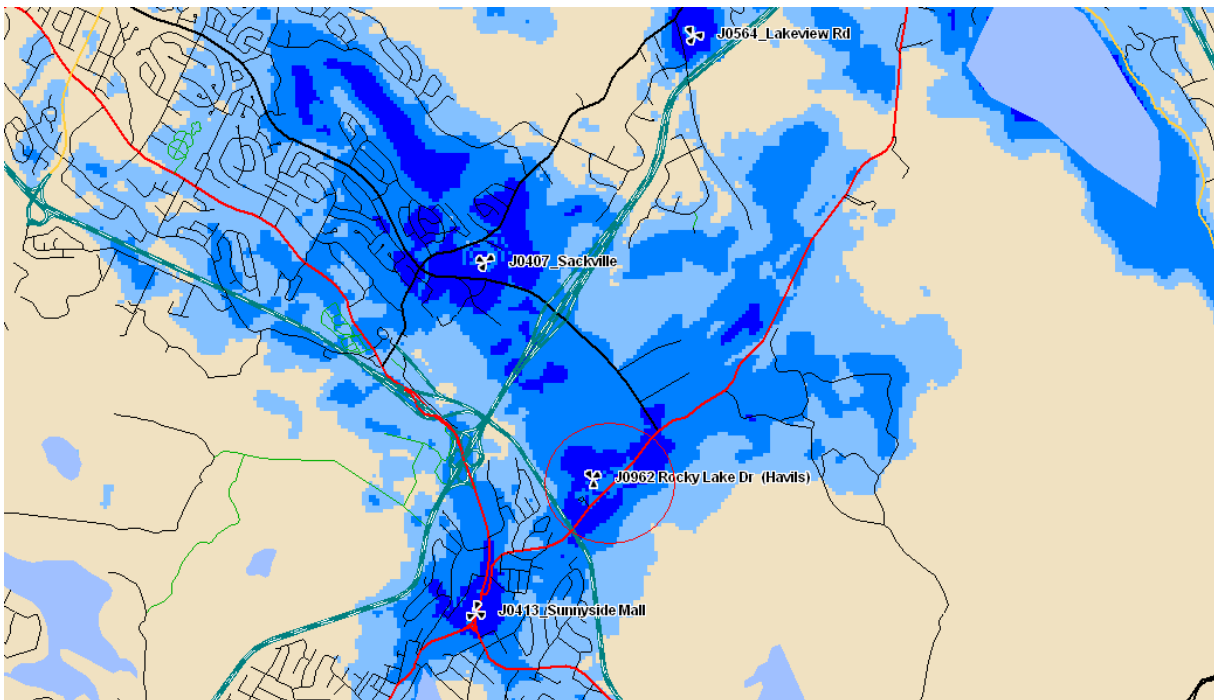


Photo Rendering

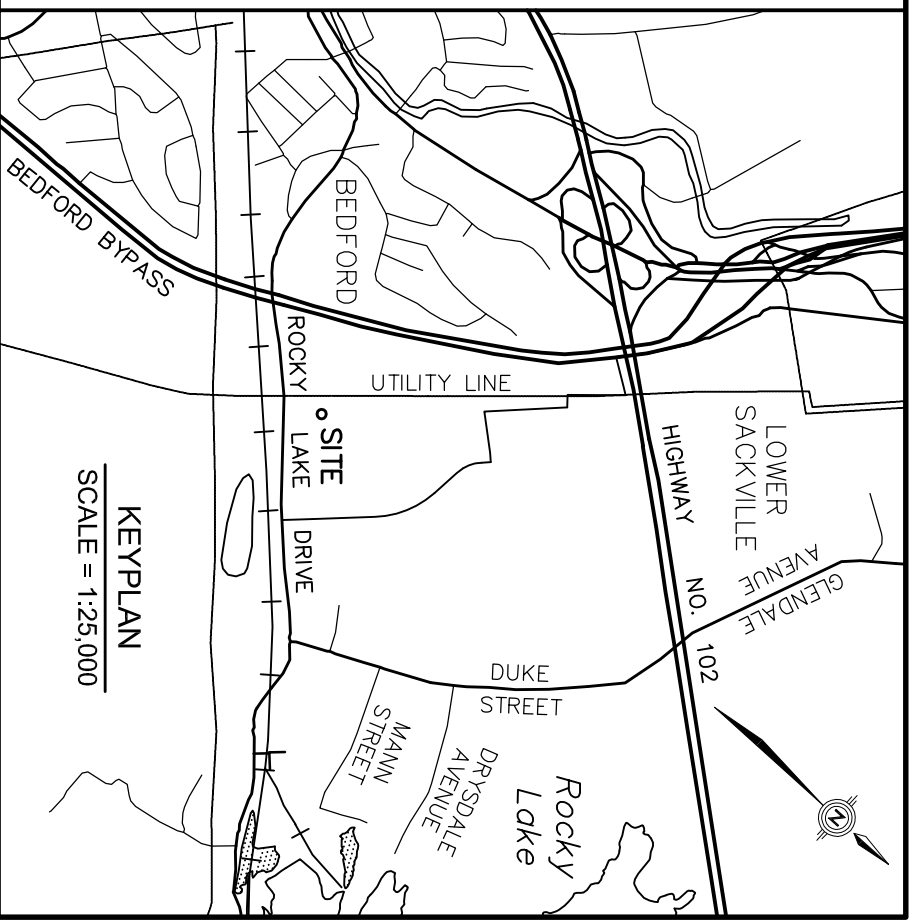
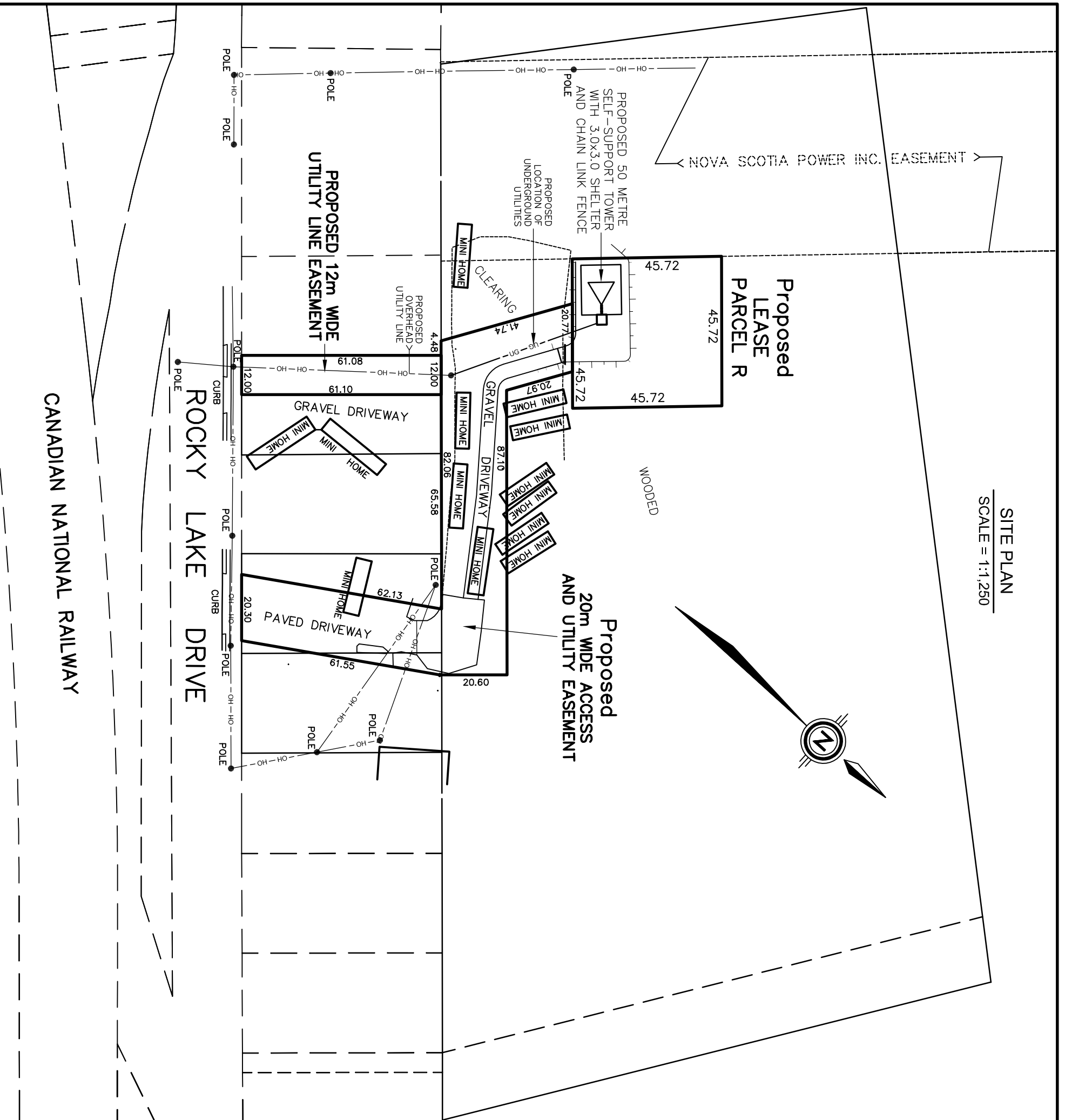


4. Conclusion

Throughout the site selection process, Bell Mobility has taken special care to ensure that the proposed tower is strategically located to maximize the distance to all existing residential dwellings while ensuring the quality of signal strength is maintained. Based on the investigation into signal strength and where tower antennas needed to be located in order to deploy a successful network, it was determined that a 50m structure at 514 Rocky Lake Drive represents the most preferred location for a site. The proposed facility will allow for future sharing opportunities with various telecommunication providers.

Respectfully Submitted,

Duane Lovelace
Associate, Municipal Consultation Site Acquisition

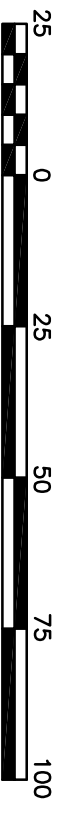


Bell GENIVAR

1 SPECTACLE LAKE DRIVE
 DARTMOUTH, NOVA SCOTIA
 CANADA B3B 1P0
 TEL: 902 855-1955
 FAX: 902 855-1945
 WWW.GENIVAR.COM

SITE PLAN OF PROPOSED LEASE PARCEL R AND ACCESS AND UTILITY EASEMENTS
 ROCKY LAKE DRIVE
 BEDFORD
 HALIFAX COUNTY
 PROVINCE OF NOVA SCOTIA

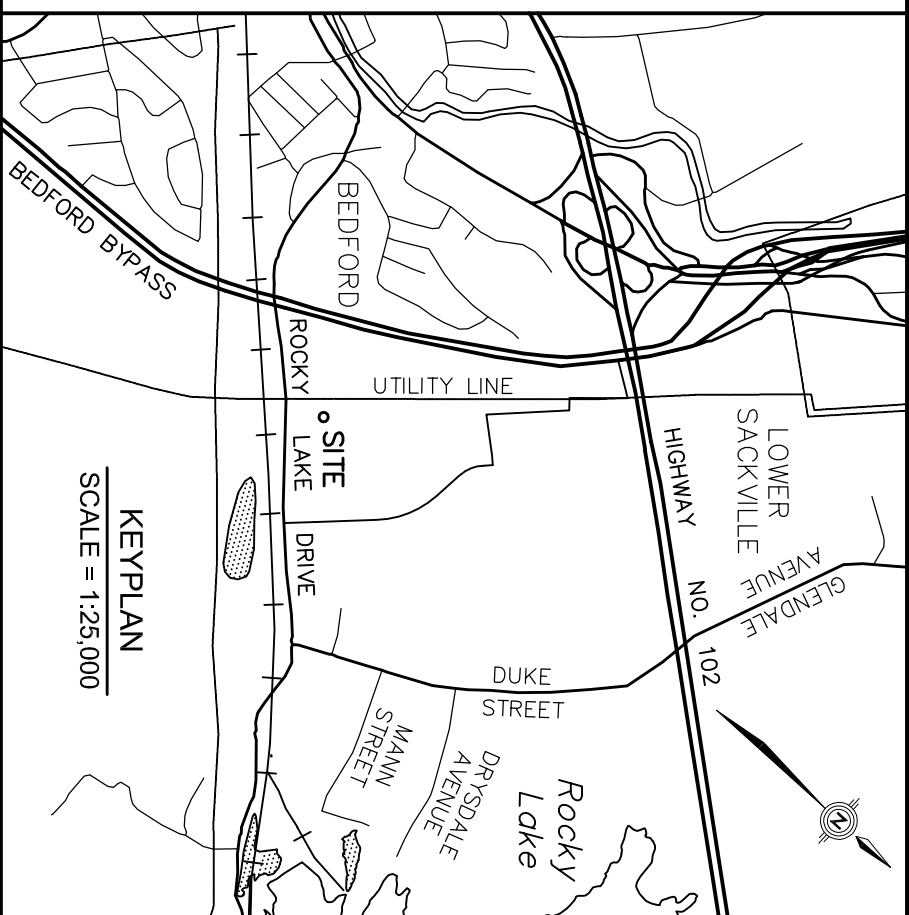
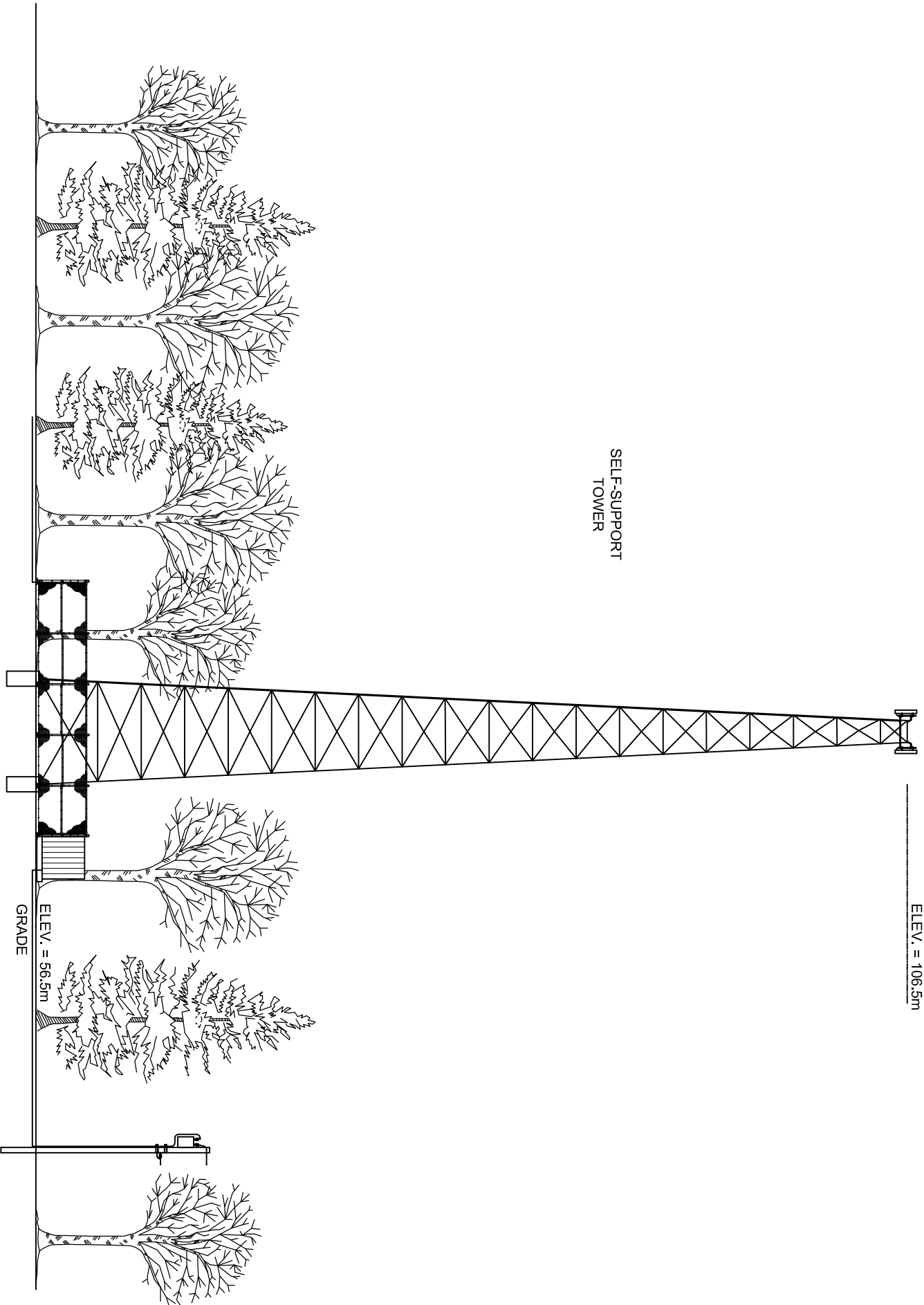
SCALE : 1/1,250 (METRIC)
 NOVEMBER 29, 2011
 SHEET 1 OF 3



ROCKY LAKE * J0962

TOWER ELEVATION - LOOKING NORTHWEST

SCALE = 1:300



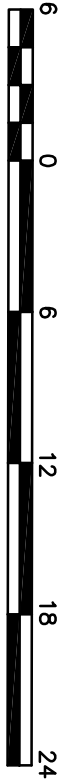
KEYPLAN
SCALE = 1:25,000



1 SPECTACLE LAKE DRIVE
DARTMOUTH, NOVA SCOTIA
CANADA, B3B 1X7
PHONE: 902 835-9955
FAX: 902 835-1640
WWW.GENIVAR.COM

TOWER ELEVATION VIEW OF
50 METRE SELF-SUPPORT TOWER
LOOKING NORTHWEST

ROCKY LAKE DRIVE
BEDFORD
HALIFAX COUNTY
PROVINCE OF NOVA SCOTIA



SCALE : 1/300 (METRIC)
NOVEMBER 29, 2011
SHEET 3 OF 3

ROCKY LAKE * J0962

Attachment D

Excerpts from the Bedford Municipal Planning Strategy and Policy Review

INSTITUTIONAL

Background

Institutional facilities within the Town of Bedford range from the post office, schools, churches, and fire halls, to activities associated with utilities such as telephone switching stations, sewage treatment plants, and water reservoirs. In the context of the MPS an Institutional land use designation shall be applied on the Generalized Future Land Use Map where institutional uses shall be permitted as per Policy S-1. Within the Land Use By-law institutional uses will be divided into two categories with two zones (Policy S-2):

- 1) Those facilities directly associated with the provision of public or private utilities, such as water, sewage collection and treatment, power, telephone, natural gas and transmission facilities, commonly referred to as 'hard services'.
- 2) Those facilities that are directly associated with the provision of 'soft services' such as schools, religious organizations, cemeteries, police and fire protection, hospitals, libraries, municipal offices, post office, and the like.

In preparing this section of the Municipal Planning Strategy the following objective was used as a guideline:

INSTITUTIONAL OBJECTIVE

To promote the development of adequate institutional facilities to meet the needs of the Town and, where appropriate, to ensure that all such facilities are of high quality, durable, energy efficient, safe and attractive design.

Utilities

As the Town expands there will be a need for an extension of services, upgrading of existing facilities, and the development of new facilities. Services such as collector and trunk lines providing sewage collection and water distribution along with electrical and telephone services are considered accessory to any development and would therefore be permitted in all land use designations and zones within the Land Use By-Law as accessory uses. The treatment facilities for sewage, storage facilities for water, and distribution or switching centres for electrical or telephone services will be considered differently. Because these facilities create an impact on adjacent uses their location and form will be regulated. These facilities will be regulated through the Land Use By-Law by a specific zone which will control their location as well as development standards such as lot size, frontage, parking, access, etc. Existing facilities will be zoned appropriately with all new proposals for such uses requiring a rezoning before a development permit may be issued (Policy S-3).

<p><u>Policy S-3:</u> It shall be the intention of Town Council to permit new utility and institutional uses on any land use designation, except WFCDD, CCDD, and RCDD designation, through the zoning amendment process subject to the rezoning criteria in Policy Z-3. No lands will be rezoned for such uses.</p>	
Policy Criteria	Staff Comment
Land use must be utility or institutional	Telecommunication Towers are classified as utility uses.
Land use designation cannot be WFCDD, CCDD, and RCDD	Designation is Industrial.

<p><u>Policy Z-3:</u> It shall be the policy of Town Council when considering zoning amendments and development agreements [excluding the WFCDD area] with the advice of the Planning Department, to have regard for all other relevant criteria as set out in various policies of this plan as well as the following matters :</p>	
Policy Criteria	Staff Comment
1. That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town By-laws and regulations, and where applicable, Policy R-16 is specifically met;	The application conforms to the intent of Policy S-3 (see above). Note: Policy R-16 is a policy involving the development of RCDD lands and does not apply to this application.
2. That the proposal is compatible with adjacent uses and the existing development form in the neighbourhood in terms of the use, bulk, and scale of the proposal;	<p>From a land use perspective, telecommunication towers do not appear to raise compatibility issues such as hours of operation, noise, traffic generation, or intensity of the use.</p> <p>The tower is proposed at 50 m in height, is setback approx. 100 m from Rocky Lake Drive and is situated next to a Nova Scotia Power utility easement. While the tower may be visible from various locations in the area it is not expected to be obtrusive.</p>
3. That provisions are made for buffers and/or separations to reduce the impact of the proposed development where incompatibilities with adjacent uses are anticipated;	The base of the tower is proposed to be situated approximately 45m (148ft) from the abutting property to the south-west and a minimum of approximately 72m (236ft) from all other properties. Therefore, the proposed site configuration does not raise any compatibility concerns. There are display mobile homes and transmission lines within the 50m (164ft) distance from the base of the

	tower but these are located on the subject property.
4. That provisions are made for safe access to the project with minimal impact on the adjacent street network;	Telecommunication installations do not generate significant traffic. Occasionally a maintenance vehicle will visit the site. There is ample parking onsite for these visits.
5. That a written analysis of the proposal is provided by staff which addresses whether the proposal is premature or inappropriate by reason of:	...
i) the financial capability of the Town to absorb any capital or operating costs relating to the development;	There is no anticipated cost to the municipality relating to the development.
ii) the adequacy of sewer services within the proposed development and the surrounding area, or if services are not provided, the adequacy of physical site conditions for private on-site sewer and water systems;	The property is serviced by municipal water and sewer, however telecommunication installations do not require these services.
iii) the adequacy of water services for domestic services and fire flows at Insurers Advisory Organization (I.A.O.) levels; the impact on water services of development on adjacent lands is to be considered;	
iv) precipitating or contributing to a pollution problem in the area relating to emissions to the air or discharge to the ground or water bodies of chemical pollutants;	Telecommunication towers do not raise any specific concern with respect to air emissions or chemical discharge.
v) the adequacy of the storm water system with regard to erosion and sedimentation on adjacent and downstream areas (including parklands) and on watercourses;	Municipal storm water services are present in the area and a grade alteration permit would be required prior to any grade alteration. However, as the telecommunication tower only requires a small portion of land to accommodate the building footprint and equipment cabinet, storm water run-off is not a concern.
vi) the adequacy of school facilities within the Town of Bedford including, but not limited to, classrooms, gymnasiums, libraries, music rooms, etc.;	This development does not involve any associated dwelling units which would increase the school age population.
vii) the adequacy of recreational land and/ or facilities;	This development does not involve any associated dwelling units which would increase the demand on recreational land or facilities.
viii) the adequacy of street networks in, adjacent to, or leading toward the development regarding congestion and traffic hazards and the adequacy	The road network leading to the development does not raise any concerns, the site can be accessed from the existing commercial

of existing and proposed access routes;	driveway on Rocky Lake Drive and there is a proposed 20 m wide access and utility easement on the property for access to the tower.
ix) impact on public access to rivers, lakes, and Bedford Bay shorelines;	N/A
x) the presence of significant natural features or historical buildings and sites;	There are no known significant natural features or historical buildings or sites where the proposed telecommunication tower is to be located.
xi) creating a scattered development pattern which requires extensions to trunk facilities and public services beyond the Primary Development Boundary;	N/A
xii) impact on environmentally sensitive areas identified on the Environmentally Sensitive Areas Map; and,	No features were identified on this property on the Environmentally Sensitive Areas Map.
xiii) suitability of the proposed development's siting plan with regard to the physical characteristics of the site.	The tower is situated to the west side of the property along the Nova Scotia Power Utility Easement. The site does not have any physical characteristics such as steep slopes or water features that would raise concern.
6. Where this plan provides for development agreements to ensure compatibility or reduce potential conflicts with adjacent land uses, such agreements may relate to, but are not limited to, the following:	As this application is not for a development Agreement the policy criteria of Z-3.6. do not apply.
7. Any other matter enabled by Sections 73 and 74 of the Planning Act.	Section 73 and 74 of the Planning Act pertained to Development Agreements and Comprehensive Development Districts. The Planning Act was replaced by the Municipal Government Act in 1998. Within the Halifax Regional Municipality the Municipal Government Act was replaced with the Halifax Regional Municipality Charter in 2008. The Section of the Halifax Regional Municipality Charter which pertain to Development Agreements and Comprehensive Development Districts are Sections 240 and 241. These sections do not apply to Telecommunication Tower proposals.

Attachment E
Excerpts from the Bedford Land Use By-law

PART 17 LIGHT INDUSTRIAL (ILI) ZONE

No development permit shall be issued in a Light Industrial (ILI) Zone except for one or more of the following uses:

- a) warehouses and storage and distribution centres
- b) manufacturing, processing, assembly, recycling, or warehousing operations which are not objectionable uses;
- c) parking and or storage of industrial or heavy commercial vehicles, equipment and similar goods;
- d) trade centres
- e) building supplies sales
- f) auto service and supplies centres/outlets
- g) uses permitted in the Shopping Centre Zone (CSC);
- h) wholesalers
- i) full service and take-out restaurants
- j) furniture stores
- k) uses permitted in the CGB Zone, except office buildings, subject to CGB Zone provisions
- l) day care facilities; (RC-Mar 3/09;E-Mar 21/09)**
- m) dry cleaning depot
- n) recycling depot
- o) uses permitted in the SU Zone
- p) bingo halls
- q) billiard/snooker club
- r) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS ILI

In any Light Industrial (ILI) Zone no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	5,000 sq. ft.
Minimum Lot Frontage.....	50 ft.
Minimum Front Yard.....	30 ft. setback
Minimum Rear Yard	0 ft. except 40 ft. where abutting a residential zone
Minimum Side Yard	0 ft. except 40 ft. where abutting a residential zone
Maximum Height of Building.....	52 ft.
Maximum Lot Coverage	70%

SPECIAL REQUIREMENTS: LANDSCAPING/ OUTDOOR DISPLAY AND STORAGE

- a) There shall be a landscaped area of at least 15 feet in depth running the length of and

directly abutting the front lot line. This landscaped area shall extend the length of the front lot line and of the flankage lot line for a corner lot. Landscaping shall consist of existing vegetation and/or plantings as per *Part 5, Section 32*.

- b) A buffer 40 feet wide, beginning at the property line, shall be required for the for side or rear yards in an Industrial Zone which abut an existing residential use, vacant land zoned for residential use, or a Park or Institutional Zone.
- c) No outdoor storage shall be located:
 - i) within any required yard; nor
 - ii) within any yard which abuts lands fronting on an arterial road; except where a fence or other visual barrier is provided to completely screen the use.
- d) Outdoor display may be permitted provided it does not occur on the required 15 Ft. landscaped area described above and required abutting yards as per Part 5, Section 24 b).
- e) External fuel storage tanks shall be screened unless located at the rear of the building.

PART 21 UTILITIES (SU) ZONE

No development permit shall be issued in a Utilities (SU) Zone except for one or more of the following requirements:

- a) telephone switching stations;
- b) electrical substations;
- c) public water reservoirs,
- d) public sewage treatment plants;
- e) natural gas facilities;
- f) highway utilities;
- g) telecommunications towers;
- h) recycling depot
- i) any uses accessory to the foregoing uses.

ZONE REQUIREMENTS SU

In any Utilities (SU) Zone, no development permit shall be issued except in conformity with the following requirements:

Minimum Lot Area	6,000 sq. ft.
Minimum Lot Frontage.....	60 ft.
Minimum Front Yard.....	Local Street 20 ft., Collector or Arterial 30 ft.
Minimum Rear Yard	20 ft.
Minimum Side Yard	8 ft.
Minimum Flankage Yard.....	Local Street 20 ft, Collector or Arterial 30 ft.
Maximum Height of Building.....	35 ft.
Lot Coverage	35%

Attachment F
Public Information Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case No. 17462

Thursday, March 1, 2012
7:00 p.m.

Basinview Drive Community School, Bedford

STAFF IN

ATTENDANCE: Jacqueline Belisle, Planner, HRM Planning Services
Alden Thurston, Planning Technician, HRM Planning Services
Cara McFarlane, Planning Controller, HRM Planning Services

ALSO IN

ATTENDANCE: Councillor Tim Outhit, District 21
Maria Medioli, Altus Group Representing Bell Mobility
Duane Lovelace, Altus Group Representing Bell Mobility

PUBLIC IN

ATTENDANCE: Approximately 4

1. Call to order, purpose of meeting – Jacqueline Belisle

Ms. Belisle, HRM Planning Applications, introduced herself as the planner facilitating Case No. 17462 through the planning process; Councillor Tim Outhit, District 21; Maria Medioli and Duane Lovelace, Bell Mobility; and Alden Thurston and Cara McFarlane, HRM Planning Applications.

The Federal government has jurisdiction over telecommunication applications, they require carriers make HRM aware of their proposal to ensure that public consultation is held and concerns are raised and captured in a staff report. HRM is not the deciding authority on the application. The purpose of all HRM public information meetings (PIMs) is only to exchange information. No decisions are made at the PIM.

The PIM agenda was reviewed.

2. Overview of planning process – Jacqueline Belisle

A preliminary review of the proposal has been completed. Following that, a PIM is scheduled (tonight's meeting); a detailed review of the application with internal staff is done; a staff report, including staff's recommendation, is prepared and submitted to the North West Planning Advisory Committee (NWPAC) then forwarded, with their recommendation, to North West Community Council (NWCC). NWCC will then make their recommendation to Industry Canada.

Basically, the staff report and recommendation from NWCC will outline any concerns for Industry Canada who makes the final decision.

3. Presentation of Proposal – Jacqueline Belisle

The property (shown in yellow), is located behind 514 Rocky Lake Drive and forms part of the Havill's Mini Home site. The property falls under the Bedford plan area, is designated Industrial under the Bedford Municipal Planning Strategy (MPS) and zoned ILI (Light Industrial) under the Bedford Land Use By-law (LUB).

The proposed tower is 50 metres (about 164 feet) in height and setback from Rocky Lake Drive approximately 120 metres (394 feet).

Within the Bedford MPS, telecommunication towers are classified as a utility use and are permitted within certain zones such as the SU (Utility) Zone, the ILI (Light Industrial) Zone (the zoning of this property) and IHI (Heavy Industrial) Zone. Generally, if a telecommunication tower is permitted within the zone, Development Services will issue a development permit. The applicant takes that permit to Industry Canada who will deal with the applicant in terms of their licensing arrangement. In this particular case, the use falls within the permitted zone (ILI Zone), however, the access to the property is by lands that are not zoned ILI. Therefore, a permit cannot be granted.

The proposal now has to be treated as if the zoning did not permit the tower. Policy Z-3 (an implementation policy) gives a variety of factors that staff considers when looking at planning applications. Some factors include compatibility with surrounding land uses; the adequacy of road networks; potential for damage to historic sites; the height, bulk and lot coverage of the proposal; the suitability of the site in terms of any geographical features or water features; and any other relevant matter of planning concern as well as a whole host of other issues.

Presentation of Proposal – Duane Lovelace, Bell Mobility

Telecommunication towers are needed to maintain the current wireless infrastructure presently located within communities. Bell is finding that they are having a data problem. More people are purchasing Blackberries, iPhones, Playbooks, and using these devices to go on the internet to download data. With this increased amount of data, not only does Bell have to maintain the current wireless infrastructure but improvements have to be made.

A wireless network is a series of interconnected parts. A cell tower, or bay station, can only provide so much coverage and handle so many phone calls at one given time. Therefore, these sites are geographically placed and all connected to form a large network. As a person moves away from one tower, all of their information is being handed to the next closest site in their location. With the increased amount of data, coverage is shrinking and creating gaps or holes in the network. People pay a monthly service fee for cell phones and they expect their phones to work all of the time.

Mr. Lovelace explained the site selection process. Bell employs a team of engineers who constantly maintain and improve the network. In this case, the engineers have identified a coverage gap, or hole, in the network. This information is relayed to the real estate team who then need to find a location within a given radius where the engineer can place equipment at a certain height. The real estate personnel consider a few things while surveying the area: 1) Are there any existing towers in the area? Industry Canada wants telecommunication carriers to explore any existing towers in the area. 2) Are there any existing infrastructures (rooftops, water tanks)? 3) The carrier has to find a willing property owner to enter into a leasing agreement.

The proposed structure is a 50 metre, self-supporting telecommunication tower housing the antennae up top. There will be an equipment shelter at the base of the structure which will be fenced in for protection and security.

A slide was shown to illustrate the coverage as it stands today (blue representing the areas of decent coverage). Another slide was shown to illustrate the coverage if the tower at Rocky Lake Drive was approved and constructed.

In 1979, Health Canada has created a set of safety guidelines know as Safety Code 6 and was recently updated by Health Canada in 2009. The exposure limits are the result of thorough and ongoing scientific review. Health Canada hires a team of doctors and scientist who specialize in this field and create the guidelines. Industry Canada has made compliance with Safety Code 6 a condition of license for all Canadian wireless carriers. Mr. Lovelace encourages people who have read reports on the internet and found a dispute of Health Canada's findings to bring those issues to Health Canada, not the carrier as the carrier is a service provider.

A photo rendering of the proposed site was shown.

Finally, additional information about towers, why they are needed and about Health Canada Safety Code 6 guidelines, can be found on the websites provided. Ms. Belisle mentioned that the Power Point presentation with the reference links to the websites will be posted on the HRM website.

4. Questions and Comments

Diana Thompson, Rocky Lake Drive, lives right next door to Havill's Mini Home site – She was concerned about the process for notifying residents of the PIM as many people who live next to the site were not notified. **Ms. Belisle** explained that a mailing list of properties within 500 feet from the Havill's property is generated from the Province's database. At times, the notification area is adjusted. Only registered property owners receive the notices. The property owner is responsible for notifying their tenants. A map of notification will be included in the staff report.

Diana Thompson – She would love to see the tower as she can only get cell phone coverage in a couple of areas within her home. She is basically on call 24/7 for work and has to carry both the home and cell phone with her at all times. Her husband would like to purchase cell phone

packages for his business but does not get any reception. The tenant next door has a garage and customers can't reach him. Presently, not many people have house phones anymore, it's cellular. The only reason we still have a house phone is because there is no cell phone coverage.

Jeremy Peck, Rocky Lake Drive, property borders the proposed site – What type of lighting system would be on the tower for airplanes? Would there be any lighting system at all? The tower would be on a flight path to the airport. **Mr. Lovelace** explained that Bell submits an application to Transport Canada and NAV Canada who in turn tells Bell what kind of lighting they want on the tower. At this point, Bell is still waiting for confirmation but typically, for this structure size, probably a red light would be installed. **Mr. Peck** mentioned that the tower will be on his back deck. At night, he doesn't want large lights shining into his house. I understand the process here tonight. **Mr. Lovelace** knows that people don't like to see those bright strobe lights so Bell has been able to shroud the light upwards. That is an option and currently, the red pulsing lights are used.

Mr. Peck asked how many homes would the proposed tower cover. The area that was shown spans across Lily Lake. **Mr. Lovelace** said that map was provided by the engineer and is his objective. **Mr. Peck** wondered if the real estate team looked at areas within the Bedford Industrial Park, just above the proposed site or near the quarry. **Mr. Lovelace** understands that the engineer provided a certain radius. The location can't be too close to another site because it would overlap and defeat the purpose of coverage. Also, the property owner has to be willing to enter into an agreement with Bell. **Mr. Peck** said that the coverage area seems to be almost 70% or more unpopulated. **Maria Medioli** understands that there is also a hole along the highway and that may be why part of the coverage area is unpopulated. **Councillor Outhit** mentioned that a new four lane highway is being built from Burnside to Rocky Lake Drive through the Dexter lands. Is that area an option? There will be thousands of people an hour by 2014 coming in and out of Burnside to Sackville and Bedford. If this one is not situated properly, another tower will be needed. It would be an area where nobody is around.

Mr. Peck asked if a bird study would be done before erecting the tower. **Mr. Lovelace** said if there is a concern with the tower being in the flight path of certain birds, a study could be done. **Ms. Thompson** mentioned that crows fly by nightly and some osprey use Lily Lake for fishing.

Mr. Peck asked if the 0.5 acre site will be stripped of vegetation. There is an extreme amount of runoff from that hill because it is all bedrock. There is concern for pedestrians and school children because the sidewalks are often icy in that area. It would be great to keep those sidewalks clear. **Mr. Lovelace** said the area would have to be cleared where the base of the tower (50 x 50) is going to go and the entrance into the tower. The access would be shoveled from time to time in order to do monthly maintenance.

Theresa Raill, Rocky Lake Drive – She does not have cell service in her home or yard which is a concern because of her aging parents. A tower is needed in that area. She pays for cell phone service and deserves the coverage.

Mr. Peck would be interested to see if Bell would consider another location in the area, in particular, to cover the proposed new highway from Burnside. **Mr. Lovelace** said that it depends

on the engineer who wants to cover the gap in the area shown and the surrounding residents. When the tower is moved the coverage shifts. If it ends up too close to an existing tower, the coverage begins to overlap defeats the purpose. The acquisition consultant probably did look in this area but again it goes back to finding a willing land owner.

Ms. Thompson asked what the timeframe would be if the tower is approved. **Ms. Belisle** explained that HRM's process generally takes about three to four months. HRM then sends a letter with a recommendation to Industry Canada. **Mr. Lovelace** said that Bell receives approval from Transport Canada and NAVCanada. Bell would then apply for building permits. From that point, it could be under one year. The actual construction of the tower does not take long.

5. Closing Comments

Ms. Belisle thanked everyone for coming and providing their comments.

6. Adjournment

The meeting adjourned at approximately 7:45 p.m.