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Halifax, Nova Scotia  
B3J 3A5 Canada

TO: Chair and Members of Halifax Watershed Advisory Board

FROM: Jacqueline Bélisle, Planner, Community Development

DATE: August 31, 2011

**SUBJECT:** Case # 17169: Application by Bragg Communications Inc. (EastLink) to construct a new 60 meter telecommunication tower at 230 Lucasville Road, Middle Sackville.

## INFORMATION REPORT

An application has been received by EastLink to construct a new telecommunication tower on the lands of Hefler Forest Products Ltd. at 230 Lucasville Road. The purpose of this report is to ensure that HWAB is aware of this proposal.

### Synopsis of Proposal:

The applicant is proposing to construct a 60 m (197 ft.) free standing self support telecommunication tower and associated equipment cabinets on a leased portion of the lot. The tower is not proposed to be painted or illuminated as per Transport Canada's requirements.

### Site Features:

- Located at 230 Lucasville Road, adjacent to the 101 Highway and the Sackville River (See Plan)
- Existing land use on the property is a lumber yard and saw mill (Hefler Forest Products)

### Planning Process:

Halifax Regional Municipality is not the approving authority for communication installations. Industry Canada is the licensing body which 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 telecommunication installations.

Municipal governments have little jurisdiction to interfere, however municipalities do have opportunity to review telecommunication proposals and provide comment. These comments will

be considered by Industry Canada, who will then determine whether or not a license is to be granted and will stipulate any conditions that may apply.

As part of HRM's process a public information meeting (PIM) will be held. This application will also be subject to review by the North West Planning Advisory Committee before North West Community Council makes a recommendation to Industry Canada regarding the proposal.

This memo is for information as there is a watercourse on the property (the Sackville River). However, this proposal meets the required watercourse setbacks as found in Attachment A (highlighted section).

**Attachments:**

Attachment A: Excerpt from the Sackville Land Use By-Law

Map 1: Site Plan

**Attachment A**  
**Excerpt from the Sackville Land Use By-Law**

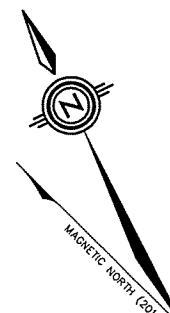
**4.23 WATERCOURSE SETBACKS AND BUFFERS**

- (1) (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.
- (b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.
- (c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
- (d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m<sup>2</sup> or a combination of an accessory structure and attached deck not exceeding 20 m<sup>2</sup>, fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure.
- (e) Notwithstanding clause (a), the required buffer shall be 30.5m of the rim of the Sackville or Little Sackville rivers except for activities specified under clause (d).
- (f) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.
- (g) Within the buffer required pursuant to clauses (e) and (f), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.
- (h) Activity within the required buffer pursuant to clause (e), shall be limited to the placement of board walks, walkways and trails, conservation uses, parks on public lands, historic sites and monuments, public roads and wastewater, storm and water infrastructure.
- (2) Notwithstanding subsection (1), where an existing residential main building is located within the required buffer, accessory structures, subject to meeting other requirements of this by-law, shall be permitted provided they are located no closer to the watercourse than the existing main building.
- (3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to the effective date of the Regional Municipal Planning Strategy, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

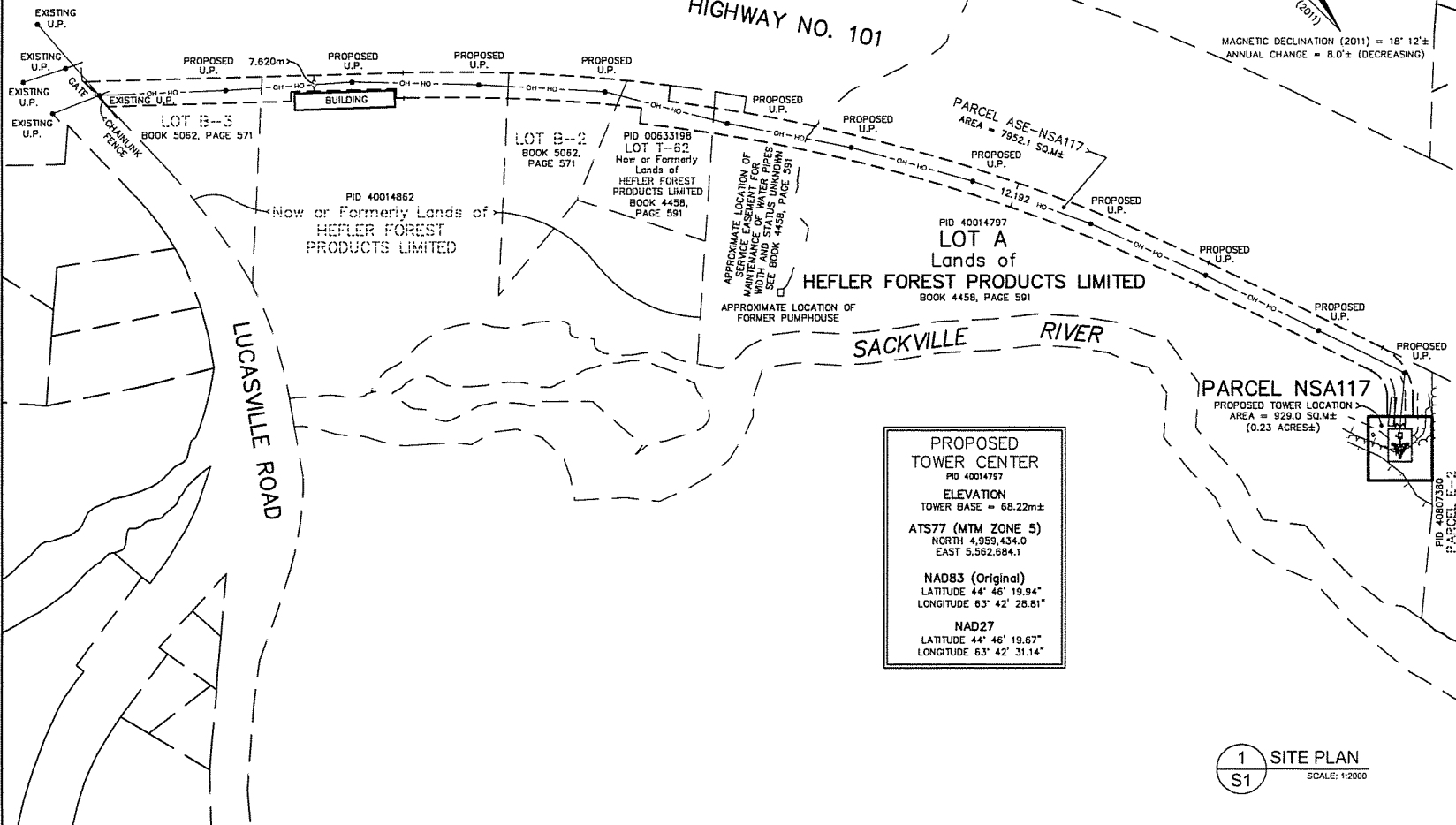
- (4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.
- (5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.
- (6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required buffers, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section. (RC-Jun27/06;E-Aug26/06)

PID 40308611  
LOT MG-52X

HIGHWAY NO. 101



MAGNETIC DECLINATION (2011) = 18° 12' ±  
ANNUAL CHANGE = 8.0' ± (DECREASING)



**PROPOSED TOWER CENTER**  
PID 40014797  
**ELEVATION**  
TOWER BASE = 68.22m ±  
**ATS77 (MTM ZONE 5)**  
NORTH 4,959,434.0  
EAST 5,562,684.1  
**NAD83 (Original)**  
LATITUDE 44° 46' 19.94"  
LONGITUDE 63° 42' 28.81"  
**NAD27**  
LATITUDE 44° 46' 19.67"  
LONGITUDE 63° 42' 31.14"

**PARCEL NSA117**  
PROPOSED TOWER LOCATION  
AREA = 929.0 SQ.M ±  
(0.23 ACRES ±)

KEY MAP (N.1.1)

REFERENCE DRAWINGS

NOTES

THE INFORMATION CONTAINED IN THIS SCHEMATIC PLAN IS SOLELY INTENDED AS A GENERIC REPRESENTATION OF EQUIPMENT LOCATION. THESE DRAWINGS ARE COPYRIGHT AND THE PROPERTY OF GENIVAR INC. AND MAY NOT BE USED UNTIL MARKED AS ISSUED FOR CONSTRUCTION. REPRODUCTION OF THESE DRAWINGS WITHOUT THE CONSENT OF THE ENGINEER, IS STRICTLY PROHIBITED. DO NOT SCALE THESE DRAWINGS. ANY ERRORS OR DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER.

LEGEND

OVERHEAD WIRES . . . . . OH-HO  
UNDERGROUND WIRES . . . . . UG-DN

PID 40807380  
PARCEL E-2  
Now or Formerly Lands of  
307949 NOVA SCOTIA LIMITED  
BOOK 7461, PAGE 263

**EASTLINK**

NO.	DATE	REVISIONS	BY
1	07/23/11	ISSUED FOR REVIEW	K.B.

**GENIVAR**  
1 SPECTACLE LAKE DRIVE  
DARTMOUTH NOVA SCOTIA  
CANADA B3B 1X1  
PHONE: (902) 834-0022 • FAX: (902) 835-1645  
WWW.GENIVAR.COM

**SITE PLAN**

DESCRIPTION  
60m SELF SUPPORT TOWER

PROJECT  
LUCASVILLE ROAD and HIGHWAY 101

DATE  
JULY 22, 2011

SCALE  
1:2000

PROJECT NO.  
NSA117

GENIVAR PROJECT #  
DA11356

DESIGNED BY  
K.B.

DRAWN BY  
M.H.

PAGE NO.  
1

1 SITE PLAN  
S1  
SCALE: 1:2000