

## Recommendation for the Review of a Telecommunication Proposal at 314 Main Street

Staff Report TOK202541

Meeting Date: May 12, 2025  
Department: Planning and Development  
Strategic Priority: Housing and Planning

### FOR RECOMMENDATION

### RECOMMENDATION

**THAT** Council Advisory Committee:

Recommends that Council direct staff to consider a more robust telecommunications facilities policy during the plan review process AND to maintain reliance on the ISED process to the current proponent.

### BACKGROUND

The Town has received notification from Canacre, on behalf of Bell Mobility Inc., of a proposed telecommunication tower at 314 Main Street (PID 55527691), located within the General Commercial (C1) Zone. The tower is intended to enhance wireless and broadband coverage in Kentville and surrounding areas.

### Proposal Summary (Attachment A)

- Location: 314 Main Street (PID 55527691)
- Structure Type: 30-metre meso and radio equipment shelter
- Design: Location selected to minimize visual impact, design indicated in Attachment B is subject to change based on final engineered design and final land survey
- Purpose: Improve telecommunications infrastructure and fill local service gaps

### DISCUSSION

The purpose of this report is to introduce the proposed telecommunication tower application for Council's consideration. The proposal is subject to federal approval under the Radiocommunication Act by Innovation, Science and Economic Development Canada (ISED).

Although the Town of Kentville does not have approval authority, ISED requires that the proponent undertake public consultation in coordination with the local land use authority.

As the Town does not currently have an established public consultation program specific to antenna systems, the proponent is following the ISED default public consultation process. The proponent ultimately seeks the concurrence of the land use authority, in this case Town Council, for the location of the tower.

Further, this report outlines the ISED's public consultation process, reviews the approach taken by other Nova Scotian municipal units, and examines options for this and future telecommunications facilities applications.

## Planning Policy

### Kentville Municipal Planning Strategy (Attachment C)

Section 4.2.13 was written to provide guidance on the role of the Town in reviewing applications for telecommunications facilities.

*Policy GD-15 – It shall be the intention of Council to require telecommunication providers to notify the Town before erecting or altering any telecommunication facility and require the applicant to submit detailed information outlining the proposed telecommunication facility.*

This report provides the required notification and detailed site information on the proposed facility. As the Town does not have a specific policy regarding the public process related to the siting of telecommunication facilities, the ISED default program is being utilized by the Proponent and will be described below.

In keeping with the Town's role with respect to locating telecommunications facilities, Policy GD-16 provides guidance on where the Town would prefer to see such developments:

*Policy GD-16 - It shall be the intention of Council when considering proposals for telecommunication towers that Council take the following into consideration:*

- a) To promote and encourage co-location on existing and new towers as an option rather than construction of additional single-antenna towers and to reduce the number of such structures needed in the future; and*
- b) To encourage all communication towers to locate no closer than three times the tower height from a property line.*

The proposed location does not meet either consideration as it is a new tower and is located less than three times its height from a property line.

## **Kentville Land Use By-law (Attachment C)**

While a development permit application is anticipated for the foundation of the tower, the direction provided in the Land Use Bylaw Section 4.1.29(a) is not reflected in policy. A future amendment of the planning documents may look to add this section to Policy GD-16.

*Section 4.1.29 – Telecommunication Facilities states:*

- a) Strongly discourage Telecommunication Towers in all Residential Zones and the General Commercial (C1) Zone; and*
- b) Encourage the co-location of telecommunication infrastructure*

Under CPC-2-0-03: Radiocommunication and Broadcasting Antenna Systems, ISED mandates that proponents consult with local land use authorities. While the Town's planning documents are not entirely clear on the rationale for its preferences, staff is assuming that by discouraging the placement of telecommunications facilities in all residential zones and the General Commercial (C1) that there is a policy rationale which considers the value of the public spaces and overall aesthetics of the downtown area which should be reflected in the MPS.

## **ISED Public Consultation Process**

The following excerpt describing the default public consultation process was copied from the ISED Client Procedures Circular 2-0-03, released in July 2022:

*Proponents must follow ISED's default public consultation process where the local land-use authority does not have an established and documented public consultation process applicable to antenna siting. ISED's default process has three steps whereby the proponent:*

- 1. provides written notification to the public, the land-use authority and ISED of the proposed antenna system installation or modification (i.e. public notification)*
- 2. engages the public and the land-use authority in order to address relevant questions, comments and concerns regarding the proposal (i.e. responding to the public)*
- 3. provides an opportunity to the public and the land-use authority to formally respond in writing to the proponent regarding measures taken to address reasonable and relevant concerns (i.e. public reply comment)*

To date, the Proponent has drafted a newspaper advertisement (Attachment D) and a mail-out (Attachment E) for all properties within 90m of the proposed location and will proceed pending Council's decision. The initial consultation process lasts 30 days. At the end of the full consultation process, the Proponent will send a summary to the Town for Council's consideration.

## **Concurrence Process**

The Proponent is required to consult with the land use authority (Council) as a commenting body in the siting of antenna support structures. As a form of comment, the Proponent will

be looking for concurrence from the Town in the form of a resolution that addresses the following items:

- That the Town is satisfied with the Proponent's consultation process, as outlined in the current telecommunication policy;
- That the proposed design and location is acceptable;
- That the Town has been consulted and concurs with the tower location.

## **Comparative Review**

Staff conducted an initial review of relevant policies from the Municipality of the District of Chester (Attachment F) and the Municipality of the District of Lunenburg. Both policies provide a detailed set of requirements for the application format, public consultation process, and specific design and siting preferences which are then utilized by proponents in place of the ISED default processes. Council may wish to consider a more robust policy development in line with the above examples should they wish to have more control over the facility location and public process.

## **Conclusion**

The Town of Kentville plays a key role in the public consultation process for federally regulated telecommunications infrastructure through the provision of public feedback and a statement of concurrence/non-concurrence.

Beyond the ISED default program being conducted by the Proponent, Council has options going forward should they wish to tailor a more specific policy for the siting of telecommunication facilities. The Proponent has expressed flexibility in working with the Town in public consultation and in the design of the tower. Staff recommends that a more robust policy be considered during the plan review process.

CAC may also consider for this application:

1. Recommending a policy be created immediately; or,
2. Scheduling a Public Hearing to allow for direct feedback from all town residents, not just those in the notification area or who respond to the newspaper ad; or
3. Both (1) and (2); or
4. Maintaining reliance on the ISED process.

## **Recommendations**

THAT the Council direct staff to consider a more robust telecommunications facilities policy during the plan review process AND to maintain reliance on the ISED process for the current proponent.

## Financial Implications

There are no financial implications to the Town regarding the preparation of this report.

Respectfully submitted,

Darren Shupe, Director of Planning and Development  
Town of Kentville

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## Attachments:

- **Attachment A: Proponent Information Package**
- **Attachment B: Concept Design**
- **Attachment C: Relevant MPS and LUB Sections**
- **Attachment D: Draft Newspaper Ad**
- **Attachment E: Draft Mail-out Content**
- **Attachment F: MODC Radiocommunication Facility Proposal Consultation Policy Policy P- 116**

**Subject:** Information Package  
Proposed 30m Meso Telecommunications Installation

**Address:** 314 Main Street

**Coordinates:** Latitude: N 45°4' 34.91", Longitude: W 64°29' 39.93"

**Bell Site Reference:** J4539 – Kentville

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### 1. Proposed Location

Bell Mobility Inc. ("Bell") is proposing to locate a new meso at the above referenced location, on land owned by a Bell-Aliant. The proposed tower is being proposed to bring high-speed wireless mobile network coverage and capacity. The site is located on lands designated as "General Commercial" in the Town of Kentville's Municipal Planning Strategy and "C1 – General Commercial" in the Town of Kentville's Zoning By-Law (please note radio installations are federally regulated and not subject to the Planning Act). The site is located west of Prospect Avenue and Highland Avenue. Access to the tower will be entirely via a private driveway off of Prospect Avenue.

In selecting the proposed location, a number of other sites were also considered:

- a. **Evaluation of Existing Structures.** As required by Innovation, Science and Economic Development Canada ("ISED", formerly known as Industry Canada), before a new free standing tower is proposed, a telecommunications carrier must make best efforts to evaluate any existing structures - towers or rooftops - that may be available to support new equipment or to use for co-location. After careful examination, it has been determined there are no viable existing structures in the area that would be suitable for the operations of Bell's network equipment.
- b. **Alternative Sites Considered.** Other properties were investigated by Bell but were determined not to be appropriate or feasible for hosting new telecommunications equipment for various reasons. These sites were assessed by a detailed analysis conducted by Bell's Radio Frequency Engineering Department, and subsequently in the field by conducting multiple site visits by the project team personnel. The proposed site location and alternative sites considered are depicted under **Appendix 1: Proposed and Alternative Site Locations.**

The reasons for rejecting the alternate candidate sites are as follows:

**Proposed Site (“CAN1B”):** CAN1B is the optimal location as the trees and shrubbery minimize aesthetic impacts to nearby residents and the installation is set back from the right of way.

**Alternate Site 1 (“CAN1A\_Alliant”):** The CAN1A rooftop was rejected in favour to CAN1B as it would not meet radio-frequency objectives.

**Alternate Site 2 (“CAN1C”):** CAN1C is not optimal as the location creates aesthetic impacts for nearby residents due to the lack of existing shrouding and proximity to the right-of-way.

**Alternate Site 3 (“CAN2”):** The CAN2 rooftop was rejected in favour to CAN1B as it would not meet radio-frequency objectives.

## 2. Proposed Design

In order to enhance wireless service, Bell is proposing to install a 30-metre meso and radio equipment shelter, located in the northern portion of the property to support a new radiocommunications facility that will service the area.

Bell has completed a survey plan (see **Appendix 2: Survey Plan**) of the proposed meso. The tower will use a private right-of-way (driveway) for safe vehicular access into the site. The proposed design is subject to change based on final engineered design and final land survey.

Bell has made efforts to minimize the visibility of the tower to the area residents. This location was selected because it had the least visual impact compared to all the viable sites and also provides the community with the highest network coverage and capacity improvements.

Bell welcomes any comments from the Town of Kentville in regards to the proposed tower location and design.

## 3. Public Consultation Process

The Town of Kentville Lakes follows the ISED CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems for the consultation process. Although ISED has exclusive jurisdiction in the licensing of radiocommunication sites, such as the proposed tower, ISED also requires proponents to consult with the local land use authority and public.

Since the proposed tower is within 90 metres of other properties (measured from the base of the tower), these property owners will be sent a notification package that includes the proposal and consultation details. Additionally, an ad will be published in a local newspaper determined by planning staff. The consultation period will run for 30 days where members of the public can submit comments and questions



During the consultation period, any questions, comments or concerns will be acknowledged within 14 days and address in writing all reasonable and relevant concerns within 60 days of receipt. Members of the public will have 21 days from the date of the correspondence to reply to the proponent's response

In order to move forward with the public consultation process, Bell has submitted an application for a tower installation to the Town of Kentville. At the conclusion of the consultation process, Bell will prepare and submit a summary of comments received from the community and the replies provided by Bell.

#### **4. Concurrence Requirements**

Although Bell is exclusively regulated by the Federal Government, ISED requires Bell to consult with the land use authority as a commenting body in the siting of antenna support structures. As a form of comment, Bell will be seeking support or concurrence from the Town in the form of a Resolution, Minutes of a committee meeting or council and/or a letter that addresses the following items:

- The Town is satisfied with Bell's consultation process, as outlined in the current telecommunication policy;
- The proposed design and location is acceptable;
- That the Town has been consulted and concurs with the tower location.

#### **5. Health and Safety Compliance**

The installation and operation of the proposed tower will be in compliance with the following safety standards:

##### **a) Safety Code 6**

Bell attests that the proposed tower will at all times comply with Health Canada's Safety Code 6 which limits the public's exposure to radiofrequency electromagnetic fields (EMF) and ensures public safety. This code is based on current, accepted scientific data. Additional information on health and safety may be found on-line at:

[http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h\\_sf01702.html](http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/h_sf01702.html)

Safety Code 6 takes into account all RF emissions in the area to ensure levels in EMF energy operate within the safety limits. Safety Code 6 exposure limits are not device specific, but the limits do take into account the total exposure from all sources of RF energy.

For more detailed information on Safety Code 6, please see:

[https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/ewh-semt/alt\\_formats/pdf/consult/2014/safety\\_code\\_6-code\\_securite\\_6/final-finale-eng.pdf](https://www.canada.ca/content/dam/hc-sc/migration/hc-sc/ewh-semt/alt_formats/pdf/consult/2014/safety_code_6-code_securite_6/final-finale-eng.pdf)

##### **b) Environmental**

There are no environmental restrictions for this proposed site location. Bell will undertake all the necessary environmental assessment(s) to mitigate potential impacts in the siting and



construction of the proposed tower.

**c) Engineering Practices**

Bell attests that the proposed tower will be constructed in compliance with all applicable building standards and comply with good engineering practices including structural adequacy.

**d) Transport Canada's Aeronautical Obstruction Marking Requirements**

The proposed tower is in compliance with Transport Canada and NAV CANADA aeronautical safety requirements. Bell submitted an application to Transport Canada and NAV CANADA and is awaiting approvals from both agencies.

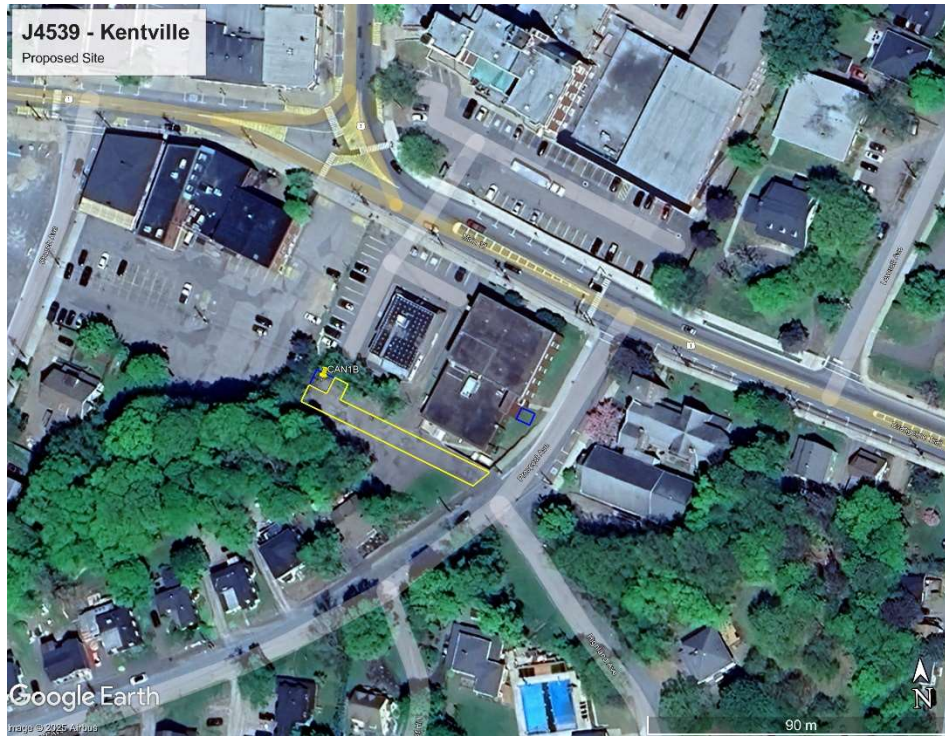
## **6. Conclusion**

Bell is seeking to improve high speed wireless service to the residential community and businesses by improving **high-speed mobile (LTE) network coverage** in the Kentville area. To provide service Bell is proposing the construction of a new tower. After investigating the area, reviewing local regulations and considering Bell's technical requirements, Bell finds the proposed infrastructure appropriate as it has taken into consideration the following:

- The proposed tower location will bring much needed mobile wireless network coverage and capacity;
- The proposed tower is designed to provide high quality service to Bell customers in the Kentville community and surrounding areas;
- The proposed tower is located over 30 metres away from the closest residential dwelling;
- The proposed tower is located over 60 metres away from the nearest public road; and
- The proposed tower is well located due to the trees and shrubbery that acts as an aesthetic barrier, minimizing the aesthetic impacts.
- Visual simulations will be provided once they have been prepared

## Appendix 1 – Proposed and Alternative Site Locations

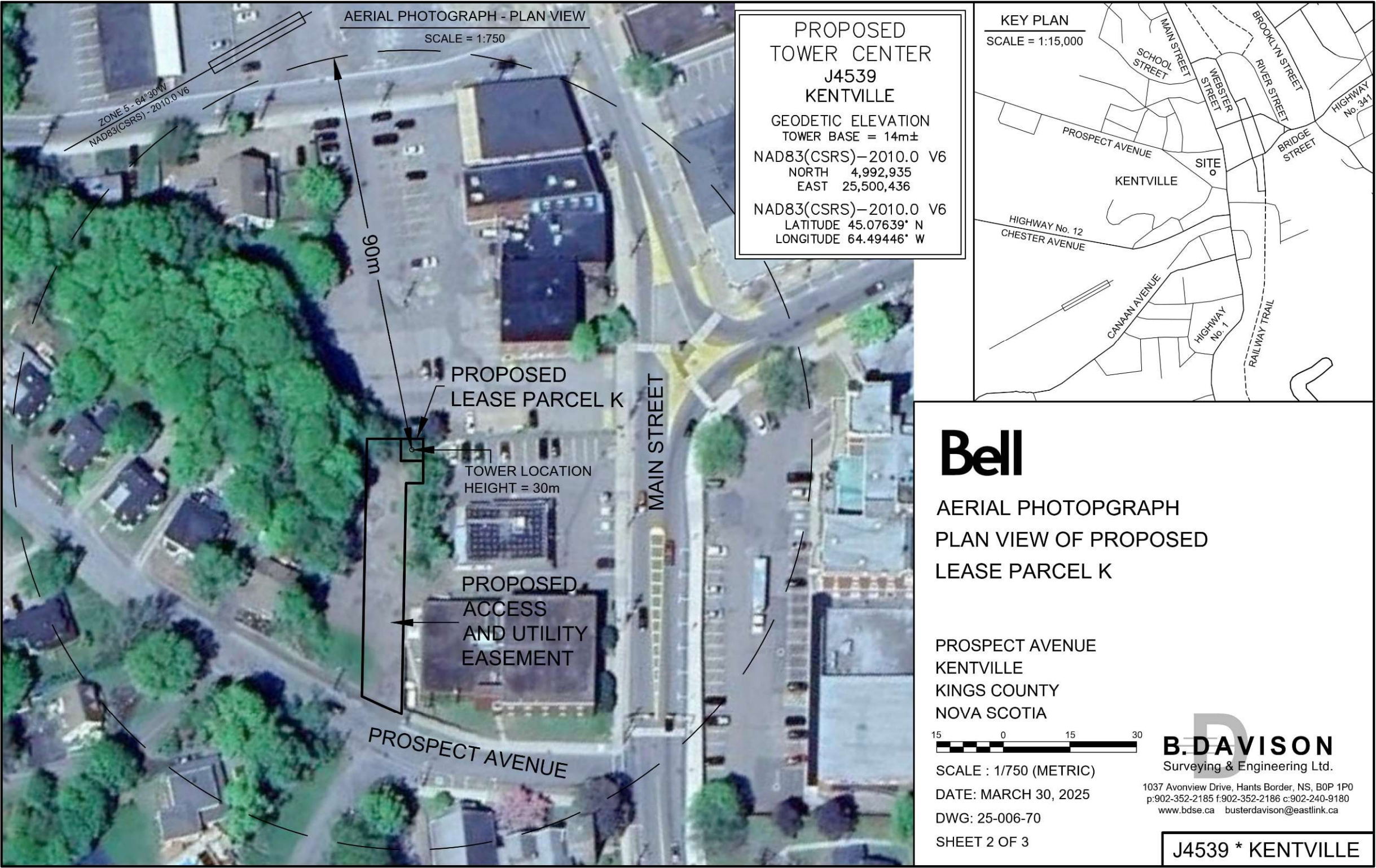
### *Proposed Site*



### *Proposed and Alternate Locations*







PROPOSED  
TOWER CENTER  
J4539  
KENTVILLE

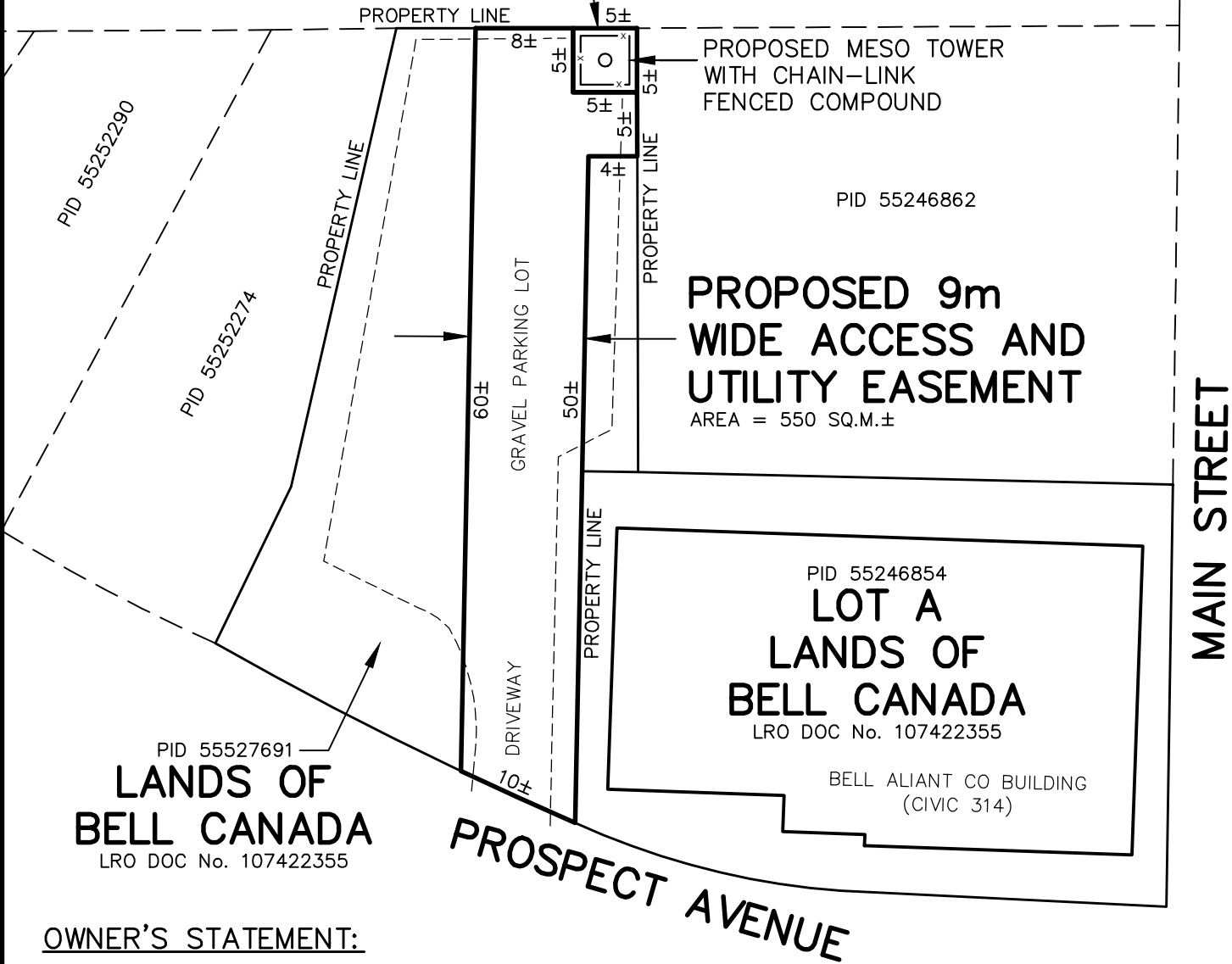
GEODETIC ELEVATION  
TOWER BASE = 14m±

NAD83(CSRS)–2010.0 V6  
NORTH 4,992,935  
EAST 25,500,436

NAD83(CSRS)–2010.0 V6  
LATITUDE 45.07639° N  
LONGITUDE 64.49446° W

PROPOSED  
LEASE PARCEL K  
AREA = 25 SQ.M.±

PID 55246888



OWNER'S STATEMENT:

I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT I AM THE REGISTERED OWNER OR OWNER'S REPRESENTATIVE OF THE PROPERTY SHOWN HEREON AND DO HEREBY GRANT APPROVAL TO THIS PLAN AS OUR INTERESTS MAY APPEAR.

SIGNATURE

NAME

DATE

SKETCH SHOWING PROPOSED LEASE PARCEL K  
AND PROPOSED ACCESS AND UTILITY EASEMENT  
ON LANDS OF BELL CANADA

PROSPECT AVENUE, KENTVILLE  
KINGS COUNTY, NOVA SCOTIA



SCALE = 1:500 (METRIC)

DATE: FEBRUARY 14, 2025

DWG: 25-006-60

**Bell**

**B. DAVISON**  
Surveying & Engineering Ltd.

1037 Avonview Drive, Hants Border, NS, B0P 1P0  
p:902-352-2185 f:902-352-2186 c:902-240-9180  
www.bdse.ca busterdavison@eastlink.ca

J4539 \* KENTVILLE



## Attachment C: Relevant MPS and LUB Sections

### MPS - Section 4.2.13

#### Telecommunication Facilities

Every day, millions of Canadians connect via communication technologies. These technologies link the country by providing us with TV and radio broadcasting, cable TV, cellphone networks, two-way radios and other services and would not work without antennas which, to function effectively, are often supported by towers or other tall structures. The public, businesses, police, firefighters, ambulances, air navigation systems and national defense use antenna systems, including towers, to ensure reliable communication.

Industry Canada is the federal licensing authority for all forms of telecommunication facilities and Health Canada provides radio frequency guidelines which all radio stations/communications must operate within. Though approving the location of telecommunications facilities fall under the jurisdiction of Industry Canada, the Federal Government does recognize that municipalities do have a vested interest in their location and has therefore established a policy outlining the processes a proponent must follow for community review. Procedures therefore require that land-use authorities be consulted, by the proponent, prior to the building of significant antenna structures. The process is designed to allow communities to effect the location of a telecommunication tower.

The purpose of this policy is to provide general guidance for the siting of telecommunication towers in the Town of Kentville and to create a clear procedure for public participation in the review of such proposals.

**Policy GD-15**      It shall be the intention of Council to require telecommunication providers to notify the Town before erecting or altering any telecommunication facility and require the applicant to submit detailed information outlining the proposed telecommunication facility.

**Policy GD-16**      It shall be the intention of Council when considering proposals for telecommunication towers that Council take the following into consideration:

- a) To promote and encourage co-location on existing and new towers as an option rather than construction of additional single-antenna towers and to reduce the number of such structures needed in the future; and
- b) To encourage all communication towers to locate no closer than three times the tower height from a property line.

## **LUB Section 4.1.29**

### **Telecommunication Facilities**

The Town of Kentville recognizes that Industry Canada has the ultimate authority over the placement of radio communication facilities but it has been Industry Canada's practice to work with municipal governments to ensure that local concerns are addressed in the approval process. Council therefore shall:

- a) Strongly discourage Telecommunication Towers in all Residential Zones and the General Commercial (C1) Zone; and
- b) Encourage the co-location of telecommunication infrastructure;



**PUBLIC NOTICE**

**PROPOSED BELL MOBILITY RADIOCOMMUNICATIONS FACILITY  
TELECOMMUNICATION TOWER**

Bell Mobility Inc. ("Bell") is committed to providing Canadian communities high speed wireless voice and data services. To improve service, Bell is proposing to construct a **30 metre slim monopole antenna installation** with ancillary radio equipment. As part of the public consultation process as required by Innovation, Science and Economic Development Canada (formerly known as Industry Canada) ("ISED"), Bell's regulator under the Radiocommunications Act, Bell is inviting the public to comment on the proposed tower location before **[DATE]**. This tower is fully compliant with ISED's guidelines, as found under the Client Procedures Circular (CPC-2-0-03).

**TOWER LOCATION:** 314 Main Street

**COORDINATES:** Latitude: N 45°4' 34.91", Longitude: W 64°29' 39.93"

**ANY PERSON MAY** comment by close of business day on **[DATE]** with respect to this matter.

**BELL CONTACT:**

Pauline Pangilinan  
Canacre Ltd.  
Agent for Bell

Unit 201  
5520 Explorer Drive  
Mississauga, ON, L4W 5L1  
Fax: (416) 352-0707  
Email: [consultation@canacre.com](mailto:consultation@canacre.com)





Share your thoughts on Bell’s proposed antenna tower. Our experts will answer your questions and address any feedback.

If you have specific questions about the proposed plans to upgrade the wireless network in your community, you can email your Bell representative, Pauline Pangilinan at [consultation@canacre.com](mailto:consultation@canacre.com) by **[DATE]**.

For additional information about antenna systems, you can visit the government of Canada at [www.ic.gc/towers](http://www.ic.gc/towers) or you can contact:

**Your Local Government Contact**

Ben Croll, Development Officer and Coordinator  
Town of Kentville  
354 Main Street  
Kentville, NS B4N 1K6  
(902) 679-2530  
[Planning@Kentville.ca](mailto:Planning@Kentville.ca)

**Your Innovation, Science and Economic Development Canada (formerly known as Industry Canada) Contact**

50 Brown Avenue  
Dartmouth NS B3B 1X8  
Tel: 1-855-465-6307  
Fax: 902-426-1000  
Email: [spectrumnsd-spectredne@ised-isde.gc.ca](mailto:spectrumnsd-spectredne@ised-isde.gc.ca)

Canacre Ltd.  
Agents for Bell Mobility  
Unit 201  
5520 Explorer Drive  
Mississauga, ON, L4W 5L1  
Fax: (416) 352-0707

**Important Information Enclosed**

TO:

You are receiving this notice because you own property within 90 metres of a proposed telecommunications tower.

**Attachment E**



# Notice of Public Consultation

You’re receiving this notice because you own property within **90 metres** of a proposed telecommunications tower.

Inside you will find information on the proposed antenna tower as well as an invitation to share any questions and comments on this proposal.

## Have your say.

In order to improve service in your neighbourhood, Bell is proposing to install 30 metre antenna tower at 314 Main Street. Latitude: N 45°4' 34.91", Longitude: W 64°29' 39.93".

Bell is committed to working closely with our communities. This means providing any desired information in a transparent and straightforward fashion, hearing your views, and addressing any questions or comments you may have.

To this end, we invite you to email comments to your Bell representative, Pauline Pangilinan at [consultation@canacre.com](mailto:consultation@canacre.com) by **[DATE]**.



Proposed Site

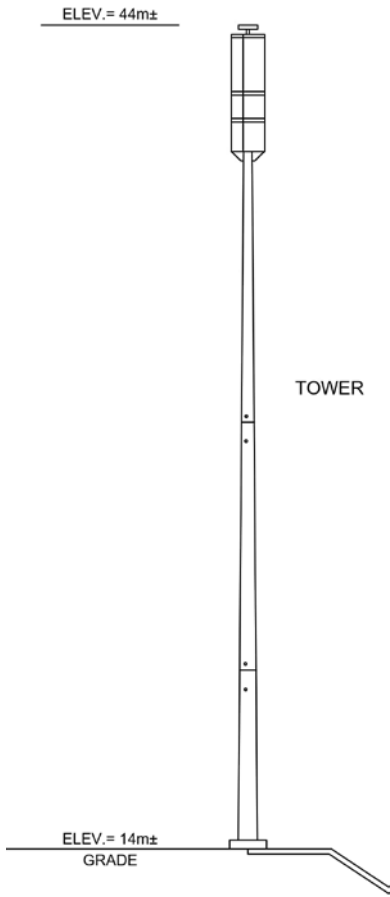
# Understanding the process

<b>Step 1:</b> <b>Proposal</b> Bell proposes a site in accordance with ISED’s and the Township’s consultation Process. Bell submits a plan and initiates a dialogue with the Town of Kentville	<b>Step 2:</b> <b>Notification</b> Packages are mailed to the local public, neighbouring land use authorities, businesses, property owners and landowners within the area inviting them to the consultation process.	<b>Step 3:</b> <b>Consultation</b> Landowners are invited to comment within 30days.	<b>Step 4:</b> <b>Acknowledgement</b> Bell must acknowledge receipt of comments within 14 days.	<b>Step 5:</b> <b>Response</b> All reasonable and relevant concerns will be addressed by Bell within 60 days.	<b>Step 6:</b> <b>Feedback</b> Landowners have 21 days to respond to Bell.	<b>Step 7:</b> <b>Approval</b> A summary of consultation is shared with the land use authority and a request is submitted for concurrence.
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## What is an antenna tower?

An antenna tower supports the low power short-range radio systems that allow us to enjoy our mobile devices, such as our smart phones and tablets.

The purpose of the tower is to provide dependable advanced telecommunication service to the surrounding businesses and residences.



## Why now?

Canadians are using wireless devices more and more in their daily lives. Currently, more than half of all phone connections in Canada are now wireless, including 70 percent of all 911 calls.

Canadian Radio-television and Telecommunications Commission (2013): <http://www.crtc.gc.ca/eng/publications/reports/rp130705.htm>

In order to provide the high quality of service that Canadians have come to expect, Bell must enhance its networks to meet this increased demand.

By adding new antenna sites, Bell customers will continue to benefit from dependable, high speed and high quality wireless service.

## Is it safe?

The consensus among Canadian health organizations and the scientific community is that wireless antennas are safe and in fact, this antenna tower will operate well below the levels established by Health Canada under Safety Code 6.

Bell is committed to the health and safety of Canadian communities. That is why we take great pride in our compliance with all current health and safety guidelines while continuing to provide Canada’s first-rate wireless coverage.

“Health Canada, along with independent experts from across the country, continually monitor the scientific literature to ensure that Safety Code 6 is based on the best available evidence and has significant margins of safety for the Canadian population.”

**Dr. Patricia Daly, MD, FRCPC, Chief Medical Health Officer & Vice President Public Health.**

## Why here?

The quality of service in this area does not currently meet Bell standards and the needs of people in the neighbourhood.

Bell first looked at the possibility of sharing an existing antenna tower in order to minimize the number of new antennas in the area. Unfortunately, none of the existing structures were determined suitable for site-sharing.

Bell is proposing to install the new antenna installation 314 Main Street. Latitude: N 45°4' 34.91", Longitude: W 64°29' 39.93". This site was carefully identified because it met various factors including land use restrictions, interaction with existing structures and the surrounding environment, and line of sight requirements.

## What is Safety Code 6?

The purpose of this code is to establish safety limits for human exposure to radiofrequency (RF) energy in the frequency range from 3 kHz to 300 GHz. The safety limits in this code apply to all individuals working at, visiting, or living at or near federally regulated sites.

Bell attests that the proposed antenna tower will be installed and operated on an ongoing basis in accordance with Health Canada’s Safety Code 6, as may be amended from time to time, for the protection of the general public, including all combined effects within the local radio environment.

## Is it environmentally friendly?

Bell attests that the proposed antenna tower is not subject to an environmental assessment under the Impact Assessment Act (CL 2019, c.28.art.1).

**What are the standards and practices?**

The proposed antenna tower will be built in accordance with the highest professional engineering standards and practices, including structural adequacy.

## What will it look like?

- Bell is proposing a 30 metre slim monopole installation that will support antennas, and associated radio equipment.
- With the public’s safety in mind, the area will not be accessible to the general public.
- Bell will incorporate suitable elements to the proposed antenna tower in accordance with Transport Canada’s aeronautical obstruction marking requirements. Both Transport Canada and NAV Canada applications have been applied for, and it is expected that lighting will not be required for this tower.



Before



After

**Municipality of the District of Chester**

# **RADIOCOMMUNICATION FACILITY PROPOSAL CONSULTATION POLICY**

**Policy P-116**

**Effective Date: March 28, 2024**

**POLICY P-116****RADIOCOMMUNICATIONS FACILITY PROPOSAL CONSULTATION POLICY****1.0 INTRODUCTION****1.1 Purpose**

The purpose of the Radiocommunications Facility Proposal Consultation Policy (RFPC Policy) is to establish a consultation process for proponents seeking a license from Innovation Science and Economic Development Canada (ISED Canada) to install new radiocommunications facilities in the Municipality of the District of Chester (Municipality).

**1.2 Application**

Applicable Radiocommunication Facility (RF) proposals located in the Municipality are subject to the RFPC Policy. Any other applicable federal requirement not specifically mentioned herein, or as amended from time to time, shall apply.

**1.3 Objectives**

The objectives of the RFPC Policy are to:

- Provide a consultation process for proponents of applicable RF's proposed within the Municipality;
- Confirm roles and responsibilities of the various parties in the consultation process;
- Provide proponents and ISED Canada with an informed statement, or "concurrence" or "non-concurrence," regarding a proposed RF installation upon the completion of related requirements in the RFPC Policy.

**1.4 Guiding Framework**

The RFPC Policy has been prepared in accordance with the federal government's Radiocommunications Act (Section 5) and ISED Canada's Radiocommunication and Broadcasting Antenna System Client Procedures Circular CPC-2-0-03, Issue 6, 2022 (CPC-2-0-03). The CPC-02-0-03 provides minimum consultation criteria for proponents and provides options for municipalities to establish enhanced criteria for certain aspects of the consultation.

**2.0 SUBMISSIONS****2.1 Pre-Application Consultation**

Proponents shall contact the Municipality to determine local consultation requirements and to discuss local preferences regarding antenna system siting and/or design prior to the Municipality deciding on the completeness of a formal application. The pre-application consultation shall include a review and discussion of surrounding uses and any potential impacts.



## 2.2 Designated Municipal Official

An application for an RF proposal within the Municipality shall be submitted to the Director of Community Development & Recreation.

## 2.3 Application

The following information shall be submitted to the Municipality through an application for consultation for applicable proposed RFs:

### 2.3.1 Letter of Intent

A letter from the proponent is to be submitted to the Designated Municipal Official describing the specific purpose of the related installation, its intended future use, and the rationale for the site selection. Letters of Intent are to acknowledge and document the proponent's review of existing radiocommunication structures in the area and to address why any existing structures could not be used.

### 2.3.2 Engineering Drawings & Related Site Plan Information

Drawings, site plans, and details are to be submitted identifying the proposed development, to including:

- a) The specific location, height, and type of radiocommunication equipment and related structures to be installed on the property;
- b) Elevation drawings of the proposed structure;
- c) Scaled site plans, identifying setback distances from property lines, topographic features, and other relevant site features;
- d) Details pertinent to existing environmental site conditions;
- e) Details regarding site access and lot configuration impact on site safety (e.g., fencing and lighting), utilities, and any proposed accessory structures related to the installation; and,
- f) A description of the property's location in the general community, and current use of the subject site and surrounding lands, including scaled drawings identifying the distance between the proposed installation and the nearest residential dwellings.

### 2.3.3 Land Ownership

Confirmation of legal ownership of the property on which the development will be installed, or a signed letter from the registered property owner(s) acknowledging their consent and agreement with the proposed installation, as described.

### 2.3.4 Certification / Attestation of the Proponent's Compliance

Where RFs are to conform with requirements determined by other agencies of government, the application is to include:

- a) Copies of any other permits or approvals required by the Province of Nova Scotia, the Government of Canada, or other agencies as identified (e.g., Navigation Canada);
- b) Attestation by a duly authorized representative that the proposed structure will meet all structural requirements, including loading and environmental factors, and will be built using best engineering practices and in compliance with all laws and regulations;

- c) Certification by a duly authorized representative that the structure, and any related use of the site surrounding the structure, complies with the Canadian Environmental Assessment Act, or is to be considered exempt from the Act; and/or,
- d) Attestation by a duly authorized representative that the proposed installation will comply with any regulations and standards determined by Health Canada, in protecting the public from potential health hazards.

### **2.3.5 Contact Information**

Applications are to include applicable contact information for representatives of the proponent and the owners of the identified property.

### **2.3.6 Fees**

Applications are to include application fees and/or deposits, as set out in the Municipality's Fees Policy P-20.

### **2.3.7 Application Form**

Proponents shall include a completed application form with the application.

## **2.4 Municipal Acknowledgment of an Application**

### **2.4.1 Complete Application**

The Municipality shall review materials and inform the proponent within **14 calendar days** if the application is complete, including confirming the proponent consultation requirements.

### **2.4.2 Determination of Permits by Municipal Staff**

Upon receipt of a complete application, the Municipality shall inform the proponent where there may be any additional applications required for municipal permits, in regard to the proposed installation. Where no additional municipal applications are required, the Municipality shall provide notification in writing.

### **2.4.3 Outline of Public Consultation Requirements**

Upon receipt of a complete application, the Municipality shall inform the proponent of related public consultation and public notice requirements in writing, as outlined in Section 3.1 Notification, regarding the installation proposal. Where the Municipality does not consider there to be any consultation requirements by this municipal policy, the Municipality shall provide notification in writing.

## **2.5 Changes Made to a Submitted Application**

Where changes may be made to a proponent's application following its submission, the Municipality may determine that certain consultative processes, outlined in Section 3.1 Notification, are to be undertaken by the proponent for a second time.

## **3.0 PUBLIC CONSULTATION PROCESS**

The proponent will ensure the local public is made aware of the proposal and is given an opportunity to provide comments. All comments shall be addressed by the proponent, be provided in digital format to the Municipality and incorporated into the final municipal staff report for consideration in the decision on concurrence. The consultation begins subsequent to the Municipality notifying the proponent of a complete application.



### 3.1 Notification

Proponents shall complete the process of providing notification to the public as follows:

#### 3.1.1 Recipients

Notification is to be provided to:

- a) Property owners within 150 m (492 ft), or three times the height of the tower, whichever is greater, measured from the nearest extent of any part of a structure for the proposed facility;
- b) Any adjacent municipalities within 300 metres (984 ft) of the proposed installation; and,
- c) the Designated Municipal Official.

#### 3.1.2 Method of Delivery

The Municipality will provide a notification package, to be prepared by the proponent, by regular mail to all property owners identified in Section 3.1.1.

#### 3.1.3 Notification Contents

Notification shall consist of the following:

- a) a description of the proposed structure, including the specific height, type, and design of the antenna installation;
  - b) a site plan identifying the location of the structure in relation to adjacent properties;
  - c) a drawing of the proposed structure, or a picture of a materially similar structure;
  - d) contact information for the proponent, outlining to whom any questions or concerns are to be directed;
  - e) contact information for the district office of ISED Canada and the municipal office; and,
  - f) the deadline date for the receipt by the proponent of any public responses to this particular proposal.
- The deadline date for public responses must be at least **30 days** after all notices have been sent or delivered.

#### 3.1.4 Communicating in Both Official Languages

Notification is to be provided to Recipients, from the proponent, in both official languages (French and English); and should recipients respond in French the Proponent is required to provide continued correspondence with said party in French for the lifecycle of the consultation, in accordance to CPC-2-0-03 Section 4.4, as amended from time to time.

#### 3.1.5 Public Notice in Newspaper

In the case of a proposed tower 30 metres or more in height, the Proponent will advertise a Public Notice in the weekly newspaper, concurrent to the distribution of the neighbour notification package. The Notice shall include:

- a description of the proposed RF;
- the proposed RF location and street address;
- the proponents contact information and mailing address; and,
- an invitation to provide public comments to the proponent within **30 calendar days** of the notice.

#### 3.1.6 Proponent Response

The proponent has up to **15 calendar days** to respond to public comments.

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### 3.2 Written Record of Consultation

The proponent will keep a record of all correspondence that occurred during the consultation process, including records related to any agreements that may have been reached and/or any concerns that remain outstanding, and provide copies of all written correspondence to the Municipality.

## 4.0 DESIGN AND SITING PREFERENCES

### 4.1 Design Preferences

The Municipality encourages proponents to consider the following design preferences:

#### 4.1.1 Setbacks

Design preferences to address proximity, safety and aesthetic matters respecting adjacent property:

- a) Proposed RFs are encouraged to be no closer than 100 metres (328 ft), or three times the height of the tower, whichever is greater, measured from the nearest extent of any part of a structure for the proposed facility, from any primary residential building, excluding any residence on the subject lands.

#### 4.1.2 Screening

Design preferences to address aesthetic matters, respecting adjacent property and the public realm:

- a) Existing vegetative screening should be preserved wherever possible and/or new plantings provided to screen the base of the tower and any structures on the ground where existing vegetation may not provide adequate screening to nearby buildings or the public realm; and,
- b) Provide design details (plans, elevations, etc.) for any proposed vegetative screening and/or proposed fencing to screen the base of the tower where existing vegetation may not provide adequate screening to nearby buildings or the public realm.

#### 4.1.3 Roadway and Emergency Services Access

Design preferences to address adequate access to a public road:

- a) Access to the site of a proposed installation from a public road should be appropriately marked with signage, such as a civic address sign or other wayfinding signage; and,
- b) Access to the site of a proposed installation from a public road should be appropriately maintained to provide emergency vehicles with the ability to access the installation area.

#### 4.1.4 Security

Design preferences to address the integrity of proposed antenna structures from trespass:

- c) Security fencing at least two (2.0) metres in height, or a combination of walls, fencing and structures, should enclose any proposed free-standing installation, and any related accessory structures;
- d) Identified anti-climbing measures should be incorporated with each proposal.

#### 4.1.5 Signage and Lighting

Design preferences to address potential matters respecting the impact of signage and associated lighting on adjacent property:

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- a) Signs posted by the proponent in relation to the proposed installation should be for safety and wayfinding purposes only and may include posting of small identification signs identifying contact information of the property owner or installation provider; and,
- b) Lighting not subject to federal approvals should be limited to illumination for safety reasons and be located so that nearby properties are not illuminated to the extent that a hazard or nuisance will result.

## 4.2 Site Preferences

Proponents should note the following preferences established by Council in regard to encouraging or discouraging the potential development of proposed radiocommunication installations in specified locations in the Municipality:

### 4.2.1 Preferred Locations

The following are location preferences, in specific order from the top:

- Existing towers
- Industrially zoned lands
- Commercially zoned lands
- Municipal owned or Crown lands
- Lands distant 100 metres from any lands zoned primarily for residential uses

### 4.2.2 Discouraged Locations

The following are discouraged locations:

- Lands zoned primarily for residential uses
- Land where there may be an impact to sensitive environmental lands
- Lands within 100 metres of any registered heritage property

## 5.0 MUNICIPAL STATEMENT OF CONCURRENCE / NON-CONCURRENCE

### 5.1 Procedure

#### 5.1.1 Staff Report to Council

Upon a proponent completing associated aspects of the RFPC Policy, municipal staff will prepare a report to Council, outlining the pertinent aspects for consideration, in regard to the proponent's application.

#### 5.1.2 Timeline

Consultation with local land use authorities is part of ISED Canada's review of proposed installations. The Municipality commits to communicating effectively with proponents in response to their application.

The following timeline is considered as a guideline, in the Municipality making its determination regarding concurrence:

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Step	Timing	Action/Aspect	Agent	Related Policy
A	*	Submission of a <b>Complete</b> Application to Municipality.	Proponent	Section 2
B	A+14	Correspondence from Municipality identifying Complete Application and comments on Consultation Requirements.	Municipality	Section 2
C	B+21	Notification sent.	Proponent	Section 3
D	C+30	Period for Public Response.	Public	Section 3
E	D+15	Period for Follow-up Communications.	Proponent	Section 3
F	E+7	Submission of identified Consultation materials to Municipality.	Proponent	Section 3
G	F+30	Preparation of, and presentation of, a Report to Council.	Municipality	Section 5
H		<b>Council Determination</b>	Municipality	
I	H+3	Correspondence from Municipality to Proponent and ISED Canada.	Municipality	Section 5

## 5.2 Determination


### 5.2.1 Concurrence

The Municipality will provide a letter of concurrence to ISED Canada and the proponent where, in Council's consideration, the proponent's proposal has satisfactorily addressed the requirements established in the RFPC Policy. This determination specifically relates to fulfilling requirements for consultation and addressing identified design and siting preferences of the Municipality.

### 5.2.2 Non-Concurrence

The Municipality will provide a letter of non-concurrence to ISED Canada and the proponent where, in Council's consideration, the proponent's application did not satisfactorily address feedback from the Municipality based on the RFPC Policy.



Annotation for Official Policy Book	
Reason for Adoption	Council identified the preparation of a design and siting policy review for Radiocommunication Facility consultations as one of the Municipality's 2021-24 Strategic Priorities. The RFPC Policy provides the framework for the consultation process for proponent consultation applications for proposed radiocommunication facilities.
Notice of Intention to Adopt	Council - December 14, 2023
Date of First Notice at Council	Council - March 14, 2024 (2024-126)
Date of Second Notice at Council	Council - March 28, 2024 (2024-153)
Effective Date	March 28, 2024
I certify that this Policy was adopted by Council as indicated above.	
 _____ Pamela M. Myra, Municipal Clerk	April 10, 2024 _____ Date

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 Second Notice – Council – March 28, 2024 (2024-153)  
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