

DATE OF MEETING March 17, 2025

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SUBJECT PROPOSED TELECOMMUNICATIONS FACILITY – 6675 MARY ELLEN DRIVE

OVERVIEW

Purpose of Report

To present Council with information regarding a request from Rogers Communications for land use concurrence for a proposed telecommunications tower at 6675 Mary Ellen Drive.

Recommendation

That Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.

BACKGROUND

Site Path Consulting Ltd., on behalf of Rogers Communications (Rogers), has requested concurrence from the City of Nanaimo (the “land-use authority”) for a proposed telecommunications facility at 6675 Mary Ellen Drive, the existing location of the Woodgrove Crossing Shopping Centre. Rogers has entered into a private agreement with the property owner to allow the placement, construction, and operation of the facility within the site.

The regulation of telecommunication facilities is within the exclusive jurisdiction of the Innovation, Science and Economic Development Canada (ISED). Proposals for telecommunications facilities are subject to a federal approval process, which includes consultation with the local land-use authority. Subsection 6.1.1(c) of the “City of Nanaimo Zoning Bylaw 2011 No. 4500” (the “Zoning Bylaw”) permits utilities, such as telecommunication towers, in all zones and these structures are exempt from height restrictions (Subsection 6.8.1.1).

The City of Nanaimo does not have an established siting protocol or public consultation process for the siting of telecommunications facilities; therefore, Site Path Consulting Ltd. has utilized ISED’s Default Public Consultation Process in accordance with CPC-2-0-03: Radiocommunication and Broadcasting Antenna Systems. The ISED process requires, at a minimum, that the proponents provide a notification package to the local public (including nearby residences, community gathering spaces, public institutions, and schools), neighbouring land-use authorities, businesses, and property owners, located within an area three times the tower height.

DISCUSSION

The subject property is zoned Woodgrove Urban Centre (CC4) and is located within the Dover Neighbourhood in North Nanaimo. The surrounding properties contain multiple shopping centres

and a 300-unit apartment development (North Grove Apartments) immediately to the west. The proposed telecommunications tower and compound will be located within an existing landscape buffer in the northwest corner of the subject property adjacent to the Island Highway and a public walkway, and the onsite commercial loading area for the shopping centre. The proposed improvements include:

- A 31m tall white monopole tower (30m tower with 1m lighting rod) with seven flush-mounted antennas;
- 100m² compound area, partially screened with a 2.4m high cedar fence;
- 4.4m² equipment shelter with motion sensor downlit lighting; and,
- Right-of-way through the commercial site to facilitate access to the compound.

The proposed telecommunications facility is intended to enhance existing wireless service to meet the growing personal, business, and emergency demands of the neighbourhood. A development permit is not required for the proposed telecommunications facility; however, a Tree Removal Permit will be required. Two trees are anticipated to be removed to facilitate the construction and maintenance of the tower (Attachment E). The compound will be largely screened at-grade from the adjacent Island Highway and public trail by retained trees and vegetation and cedar fencing. The compound will be protected from on-site operations using bollards located behind the existing curb. The proposed siting avoids conflict with existing City utilities and easements within the subject property.

The proponent conducted pre-consultation with City staff beginning in 2023 and has corresponded with the City to address questions and concerns regarding visual impacts on the neighbouring development, screening of the compound, lighting, tree retention and tower siting. The proponent distributed an information package to properties within the prescribed distance (93m) of the telecommunications facility, and two newspaper advertisements were published on 2024-FEB-07 and 2024-FEB-14. The 30-day public consultation process concluded on 2024-MAR-18 and thirteen responses were received (Attachment C). Through the consultation process neighbourhood concerns were raised about the proposed tower including its proximity to the apartment development, tower height, and site selection.

To mitigate these concerns, the applicant subsequently revised their plans and the compound was relocated approximately 10m to the east to increase the distance from the neighbouring apartment building and to retain additional trees (approximately two storeys in height) to assist with screening. A cedar fence is now proposed between the compound and the apartment building, and the monopole will be painted white to complement the surrounding urban context. It was confirmed by Rogers and Site Path Consulting Ltd. that the telecommunications facility will meet the requirements of Safety Code 6, which provides the safety requirements for the installation and use of the facility, as well as the recommended limits for exposure to radiofrequency electromagnetic fields (EMF).

A number of existing buildings and sites in the surrounding area were considered by the applicant to determine whether they could be utilized. The applicant advised that none of the existing structures were adequate to support the operations of the proposed telecommunications facility and Rogers was able to secure land rights on the subject property. While co-location of services on existing towers is not achievable, Rogers expects to receive tower-sharing requests from other licensed carriers.

The City's practice is to encourage the co-location of infrastructure within existing commercial and industrial sites. The proposed tower will be located within the Woodgrove Secondary Urban Centre, which is the City's northern gateway providing a mix of regional commercial services, multi-family residential, and recreational uses. The proposal is intended to enhance existing wireless service in this neighbourhood while avoiding impacts on existing on-site commercial operations. The applicant has proposed measures to mitigate off-site impacts to the adjacent residential development, including landscape retention and screening at-grade from neighbouring properties.

Following the conclusion of the ISED default public consultation process, the proponent has requested a letter of concurrence from the City for the proposed telecommunications facility at 6675 Mary Ellen Drive.

OPTIONS

1. That Council direct Staff to provide a letter of concurrence to Innovation, Science, and Economic Development Canada in response to a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: The Rogers wireless services would be enhanced.
 - The disadvantages of this option: While the applicant has revised the proposal, visual impacts remain for the neighbouring residential development.
 - Financial Implications: None identified.
2. That Council direct Staff to provide a letter of non-concurrence to Innovation, Science, and Economic Development Canada indicating the reasons and/or concerns regarding a proposed telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: This option would allow Council to identify any concerns for ISED's consideration.
 - The disadvantages of this option: Non-concurrence could delay improvement to the Rogers wireless services.
 - Financial Implications: None identified.
3. That Council direct Staff to provide a letter to Innovation, Science, and Economic Development Canada advising that the City has no comment regarding the proposed telecommunications facility at 6675 Mary Ellen Drive.
 - The advantages of this option: None identified.
 - The disadvantages of this option: ISED is the approving authority, thus the Rogers telecommunications facility may be approved by ISED, as proposed, provided the technical requirements are met.
 - Financial Implications: None identified.

SUMMARY POINTS

- The City has received a request for a letter of concurrence for a proposed 31m telecommunications facility at 6675 Mary Ellen Drive.

- The proponent concluded the required ISED default public consultation process on 2024-MAR-18 and subsequently revised the design to address concerns where possible.
- The proposed telecommunications facility is compatible with the permitted uses of the site.

ATTACHMENTS:

ATTACHMENT A: Aerial Photo
ATTACHMENT B: Subject Property Map
ATTACHMENT C: Public Consultation Summary & Land Use Concurrence Request
ATTACHMENT D: Tower Elevations & Compound Details
ATTACHMENT E: Preliminary Tree Survey

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