

DATE OF MEETING July 28, 2025

AUTHORED BY VICTOR FOCA, PROPERTY AGENT, REAL ESTATE

**SUBJECT PROPOSED LICENCE DISPOSAL – TELUS
TELECOMMUNICATION FACILITY – SHEPHERD AVENUE**

OVERVIEW

Purpose of Report

To seek Council's approval for a Licence of Use Agreement for the siting of two-15.7-meter-tall, TELUS owned, streetlight/antenna poles, to be located on City right-of-way located on the east side of Shepherd Avenue and west of 601/609 Bruce Avenue.

Recommendation

That Council:

1. Approve the Licence of Use Agreement for two TELUS-owned 15.7m telecommunications streetlight/antenna poles to be located on City right-of-way on the east side of Shepherd Avenue and west of 601/609 Bruce Avenue; and
2. Direct the Mayor and Corporate Officer to execute the Licence of Use Agreement.

BACKGROUND

Reliable mobile coverage has become indispensable for both personal and professional communication. Despite this critical need, numerous areas across the City continue to suffer from weak or nonexistent wireless network coverage, leaving residents and businesses at a disadvantage and potentially compromising public safety.

The area surrounding Shepherd Avenue and Fifth Street, offers a wide range of essential amenities to the public and is currently assumed to be in an area of poor coverage.

TELUS has informed Staff that they have secured a funding plan to proceed with the acquisition process for several wireless network sites across Nanaimo that collectively will fix a lot of long-standing coverage issues. TELUS seeks to collaborate with the City by securing Licence of Use Agreements on City-owned land to potentially build the proposals starting at the end of 2025 to 2027.

At the 2024-DEC-02 "In Camera" Council meeting, Council directed Staff to:

- "1. Enter into Licence of Use Agreement negotiations with TELUS for the installation of TELUS infrastructure on City-owned property located at... Shepherd Avenue to address wireless network deficiencies; and,*
- 2. Return to Council for final approval of the Licence of Use Agreements upon completion of negotiations."*

Federal Approval and Council Concurrence

Proposals for telecommunications towers within the City are subject to a Federal approvals process (Innovation, Science and Economic Development Canada (ISED)), which includes consultation with the local land use authority (City of Nanaimo) as a commenting body in the process. In an accompanying Staff Report dated 2025-JUL-28, prepared by Current Planning, Council is provided with information regarding the Telus proposal and Staff have sought direction from Council to provide a letter of concurrence to ISED.

With negotiations completed, and if Council concurrence has been received, Staff are seeking Council's approval to the proposed Licence of Use Agreement.

DISCUSSION

TELUS is proposing to install new infrastructure to address the deficiencies and Staff have negotiated an agreement with TELUS with the following key terms:

	Equipment Included	Height and Area	Proposed Annual Rent	Term
Shepherd Avenue (Attachment A)	(2) streetlight/antenna poles (2) equipment cabinets	15.7m (Height)	\$14,000 (\$7,000 for each streetlight/antenna pole)	30 years (6 x 5 years renewals)

Shepherd Avenue – Streetlight/Antenna Poles

The proposed streetlight/antenna poles will be constructed within the City right-of-way immediately to the east of Shepherd Avenue and west of 601/609 Bruce Avenue. The proposal includes two 15.7-meter-tall streetlight/antenna poles, with projecting streetlights approximately 9.0m above grade, and two equipment cabinets located at-grade adjacent to the streetlight/antenna poles.

Staff have reviewed the location for the streetlight/antenna poles on Shepherd Avenue and can confirm that the installation within the City's right-of-way will not interfere with the sidewalk or road functions. City streetlight poles that are removed, and replaced with the TELUS streetlights, will be delivered to the City's Public Works Yard upon removal. No tree removal will be required at this location.

Rent

Staff have negotiated an annual rent of \$14,000 for the two streetlight/antenna poles and equipment cabinets at Shepherd Avenue, with a term of 30 years based on six five-year renewals. Upon each right of renewal for the Licence of Use Agreement, the rent will increase by an amount equal to the change in the Consumer Price Index Canada.

Staff and an independent fair market appraiser have reviewed TELUS's market rent proposal and have compared the rates from other municipal-owned property and against privately owned

property on Vancouver Island and in the Lower Mainland and can confirm they are consistent with industry standards on rents to be received.

Public Notification

As of 2025-JUL-28, Staff has prepared and published the Notice of Disposition as required under Section 26 and 94 of the *Community Charter* for the two streetlight/antenna poles located at Shepherd Avenue.

City Plan

Several City goals have been identified within City Plan that support the need for an increase in reliable telecommunications connectivity. By using City-owned property as the location for the infrastructure it assists to achieve the goals. The following goals identified are:

Goal	Topic Area	Desired Outcome
Community Wellbeing & Livability	C3.1 – Community Safety & Security	Enhance safety and security in all parts of the city by supporting a diversity of community members and businesses to thrive.
Community Wellbeing & Livability	C3.1.1 – Planning, Engagement & Strategy	Continuing to enhance public safety and security and enable the coordination and delivery of policing and fire services, by maintaining and regularly updating relevant plans, policies and protocols.
Thriving & Resilient Economy	C5.1 - Economic Capital	Investing in quality physical infrastructure, including telecommunications amenities, supports a diversified economy that make the city a place where people want to live and work.
Thriving & Resilient Economy	C5.3 – Business Development	Ensure Nanaimo is competitive to other business locations in British Columbia.
Thriving & Resilient Economy	C5.4 – Innovation and Technology	Build and support initiatives that take advantage of Information and Communication Technologies (ICT) in order to solve urban challenges and achieve greater efficiency and sustainability.

Next Steps:

Should Council final approval be received the following next steps will occur:

1. The Mayor and Corporate Officer will execute the Licence of Use Agreement; and
2. Staff will continue to work with TELUS to facilitate the construction of the streetlight/antenna poles within the licenced area.

OPTIONS

1. That Council:
 1. Approve the Licence of Use Agreement for two TELUS-owned 15.7m telecommunications streetlight/antenna poles to be located on City right-of-way on the east side of Shepherd Avenue and west of 601/609 Bruce Avenue; and
 2. Direct the Mayor and Corporate Officer to execute the Licence of Use Agreement.
 - The advantages of this option:
 - i. TELUS has been in consultation with Staff for many years to find suitable locations for proposals to address network deficiencies, however not until now has TELUS had a secured funding plan to move forward with this project.
 - ii. Working in partnership with TELUS will allow for the provision of a market-based service and will advance City Plan goals without having a negative budgetary impact.
 - iii. TELUS will bear all costs to construct, maintain the area and repair the two streetlight/antenna poles.
 - iv. It will show that Council is committed to achieving the goals within City Plan and will address network deficiencies potentially to be resolved within a few years.
 - The disadvantages of this option: None identified
 - Financial Implications: The City will receive \$14,000 per annum from the proposed development.
2. That Council deny the approval of the Licence of Use Agreement for two TELUS-owned 15.7m telecommunications streetlight/antenna poles to be located on City right-of-way on the east side of Shepherd Avenue and west of 601/609 Bruce Avenue.
 - The advantages of this option: None identified
 - The disadvantages of this option:
 - i. Not entering into a Licence of Use Agreement with TELUS would be inconsistent with trying to achieve the goals within City Plan Policies under “A Connected Nanaimo: Equitable Access & Mobility, A Healthy Nanaimo: Community Wellbeing & Livability, A Prosperous Nanaimo: Thriving & Resilient Economy”.
 - ii. Not entering into a Licence of Use Agreement with TELUS will close an opportunity to improve the telecommunication reception areas throughout the City; and
 - iii. The opportunity may not be presented again.
 - Financial Implications: The loss of revenue from TELUS for the proposals.

SUMMARY POINTS

- Areas across the City are experiencing poor wireless network coverage and impact day-to-day living and emergency response.
- The area located at Shepherd Avenue and Fifth Street is within an area of poor telecommunication wireless coverage.
- TELUS seeks to collaborate with the City by securing a Licence of Use Agreement within City right-of-way at Shepherd Avenue and to potentially build the proposal starting at the end 2025 to 2027.

- Staff have negotiated an annual rent of \$14,000 for the two streetlight/antenna poles and equipment cabinets located in City right-of-way at Shepherd Avenue for a total term of 30 years.
- Staff have prepared and published the Notice of Disposition as required by the *Community Charter*.
- Staff are seeking Council's approval for the proposed Licence of Use Agreement with TELUS.

ATTACHMENTS:

ATTACHMENT A: Location Plan

Submitted by:

Nancy Skeels
Manager, Real Estate

Concurrence by:

Laura Mercer
General Manager, Corporate Services

Bill Sims
**General Manager, Engineering and Public
Works**