

## Request for Decision

**Proposed Telecommunications Tower, Bell Mobility, PIN 73521-0407, Part Lot 11, Concession 1, Norman Township, City of Greater Sudbury - 31 Frank Street, Capreol**

Presented To:	Planning Committee
Presented:	Monday, Sep 29, 2014
Report Date	Thursday, Sep 11, 2014
Type:	Routine Management Reports

### Recommendation

THAT the City of Greater Sudbury advise Industry Canada that they concur with the issuance of a licence for the development of a 76 metre high self support telecommunications tower at, PIN 73521-0407, Part Lot 11, Concession 1, Norman Township, City of Greater Sudbury by Bell Mobility.

### Background

Applications for telecommunications facilities are under the jurisdiction of Industry Canada. Industry Canada requires that the proponent of a new telecommunication facility must consult with the municipality and indicate whether the municipality concurs with the application. It is noted that telecommunications facilities are not subject to municipal zoning regulations and municipal concurrence is not necessarily required in order for Industry Canada to issue a licence.

Bell Mobility is proposing the construction of a 76 m (250 ft.) high telecommunications self-support tower on lands located to the north of Frank Street in Capreol. The closest dwelling to the tower is located approximately 220 m to the south at 24 Randolph Street. To the north is forested Crown land and to the west is a large forested Rural zoned property. Approximately 200 m to the south is Foch Street and the start of a residential area which extends further to the south along Lloyd, Randolph, James, Frank and other streets to the east. To the east of the tower is most of the 6.6 ha (16.5 acre) property on which the tower is to be located and Crown lands further to the east.

Bell Mobility has advised that the tower is intended to provide capacity relief and service to underserved areas in Capreol and to provide HSPA/LTE (high speed packet access and long term evolution wireless broadband technology) service to Hanmer Lake and Frenchman Lake.

### Co-location Opportunities

#### Signed By

**Report Prepared By**

Eric Taylor  
Manager of Development Approvals  
*Digitally Signed Sep 11, 14*

**Recommended by the Division**

Mark Simeoni  
Acting Director of Planning Services  
*Digitally Signed Sep 11, 14*

**Recommended by the Department**

Paul Baskcomb  
Acting General Manager of Growth & Development  
*Digitally Signed Sep 11, 14*

**Recommended by the C.A.O.**

Doug Nadorozny  
Chief Administrative Officer  
*Digitally Signed Sep 12, 14*

As required by Industry Canada and the City's Telecommunications Policy, existing communication towers, water towers and other structures need to be considered by proponents prior to a new tower being installed. Bell Mobility has advised that the existing CN tower located in Capreol is too light to accommodate Bell Mobility's equipment loading and would not provide adequate coverage of the targeted areas for service. Bell Mobility has indicated that the tower will accommodate additional carriers should another carrier express interest in locating on the tower.

### Tower Proposal

Below is a summary of the details of the proposed tower.

- Tower type – 76 m high self-support;
- 1.6 m x 2.4 m equipment shelter located at the base within an enclosed 3.3 m high prefabricated galvanized steel shelter with a 2.5 m high chain link security fence;
- Access to the tower will be from a new access driveway to the tower which will link with the existing driveway which provides access to Frank Street for the residence on the property
- The structure will meet Transport Canada's aeronautical obstruction marking requirements in Canadian Aviation Regulations, Standard 621

Bell has also advised that the tower will comply with Health Canada's Safety Code 6 limits and that the antenna system will be constructed in compliance with the National Building Code. Prior to installation NAV Canada and Transport Canada must review and approve assessment applications for the tower.

### **Department and Agency Comments**

#### Traffic and Transportation Section

No concerns

#### Building Services

The tower will not require a building permit, however any building greater than 108 sq. ft. will require a building permit and regardless of size meet zoning setbacks.

### **Public Consultation**

In accordance with the Council adopted Telecommunication Facilities Policy, this tower is classified as "significant" as it is greater than 16.6 m in height and is located within 300 m (984 ft.) of a residential dwelling, residential zone or Living Area Designation in the Official Plan.

In accordance with the City's policy, for "significant" structures the proponent was required to hold a neighbourhood meeting and provide notice in the following manner:

- newspaper notice
- a notice mailed to all property owners within 228 metre radius from the base of the tower, (3 times the height of the tower)
- notice to the Ward Councillor
- notice to the Director of Planning Services
- notice to Industry Canada

Bell has advised that in accordance with the City Telecommunications policy, on August 6, 2014 they mailed

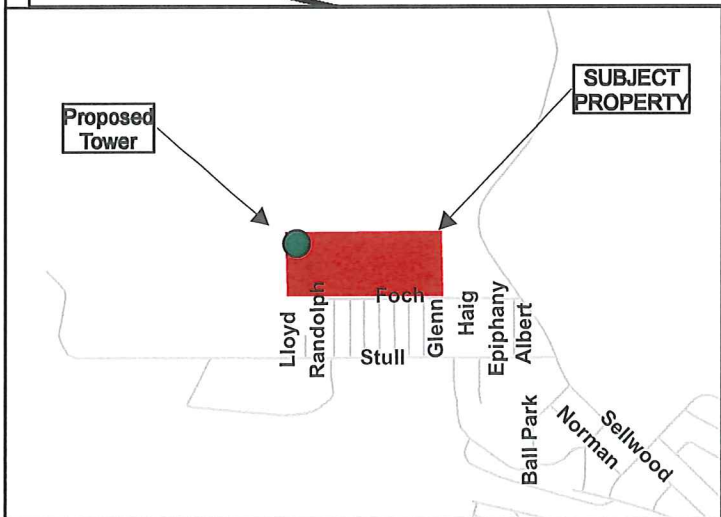
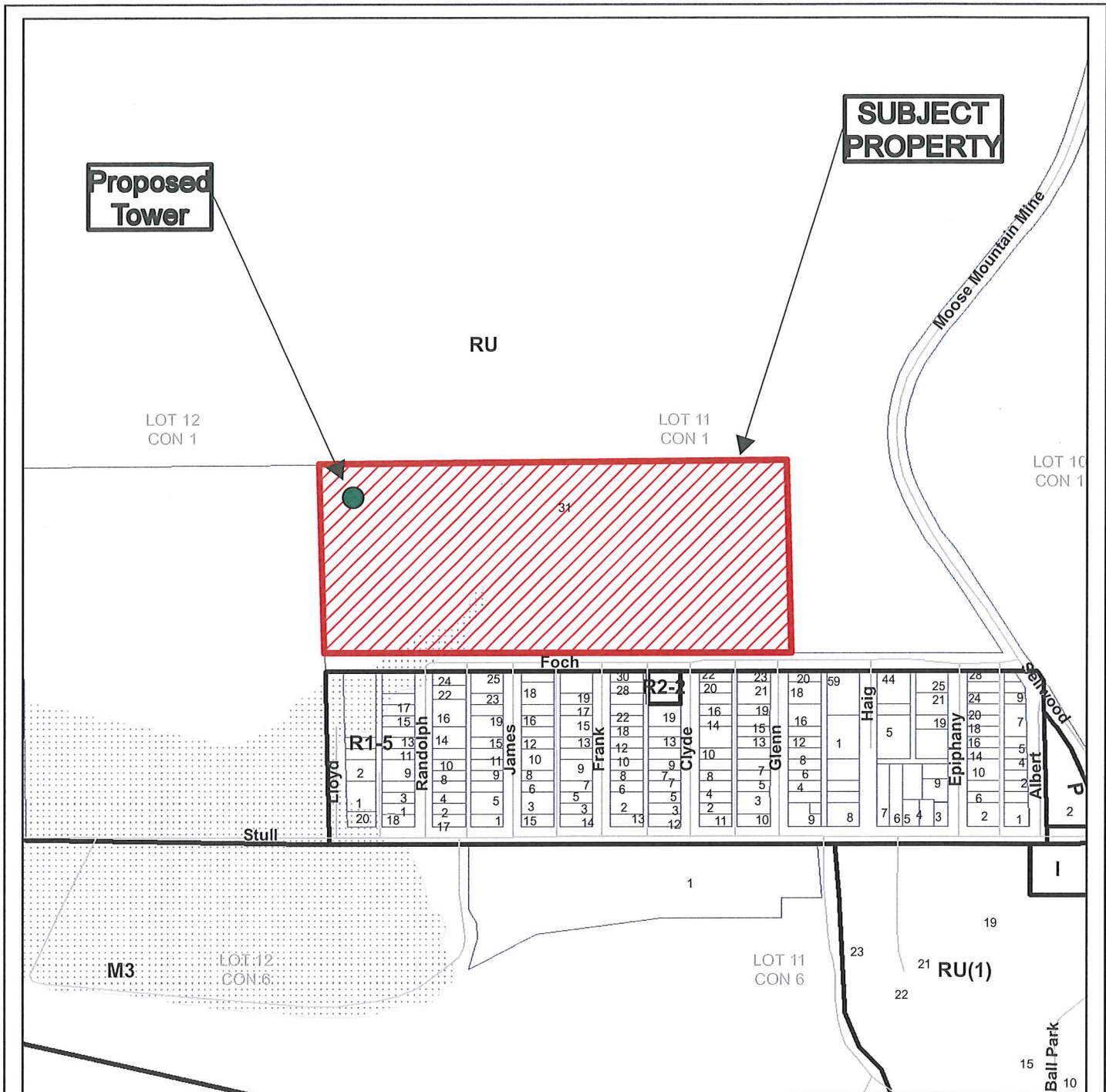
a notice to 6 property owners located within 228 metres from the base of the tower as well as Industry Canada, the Ward 9 Councillor and the City Planning Department. The notice included a survey sketch depicting the tower location, tower height and requesting comments by September 5, 2014. In addition, Bell placed a notice in the Sudbury Star on August 8, 2014 providing the public the opportunity to make written submissions via mail or email and the timing and location of the public information session which was held on August 18 at 7 PM at the Capreol Community Centre, 20 Meehan Avenue, Capreol. Bell has advised that in addition to the two owners of the land on which the tower is to be located one member of public, a resident owning the abutting property to the west, attended the information session.

Bell has advised that the abutting property owner to the west had no objection to the tower or its location but questioned why an access road could not be built from Lloyd/Foch Streets since this would enable him to gain more access to his property. The resident was advised that Bell and the owner had agreed to use the existing driveway on 31 Frank Street, as the north end of Lloyd and the west end of Foch Streets are unopened road allowances and a creek crossing would also need to be constructed on the road allowance.

Bell received one email from a resident from Randolph Street, questioning why he had not received a notice and expressing that the tower would be an eyesore and suggesting other locations where the tower could be located. Bell responded to the resident advising that his property was located outside of the three times the tower height (228 m) notification radius from the base of the tower. The resident suggested the use of Bell Canada lands located approximately 185 m to the east of Sellwood Avenue. Bell has advised that the 61 m (200 ft.) high tower on this property was dismantled in 2007 as it could not obtain access to it over Crown land from the Ministry of Natural Resources. Bell has noted that this landlocked property and former tower location was not considered as a candidate area for the new tower as it is located too far east of the target service area of Hanmer and Frenchman Lake.

## **Summary**

In conclusion, Bell Mobility has completed the consultation requirements under the City's Telecommunications Facility Policy and has considered opportunities for co-location. One member of the public attended the public information meeting and written comments were received from one other member of the public on the proposed tower. It is recommended that Industry Canada be advised of the City's concurrence with the licence application.



**Growth and Development  
Department**



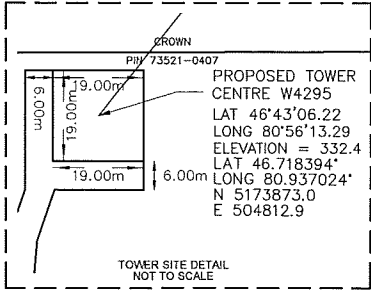
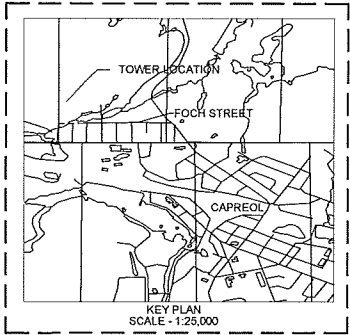
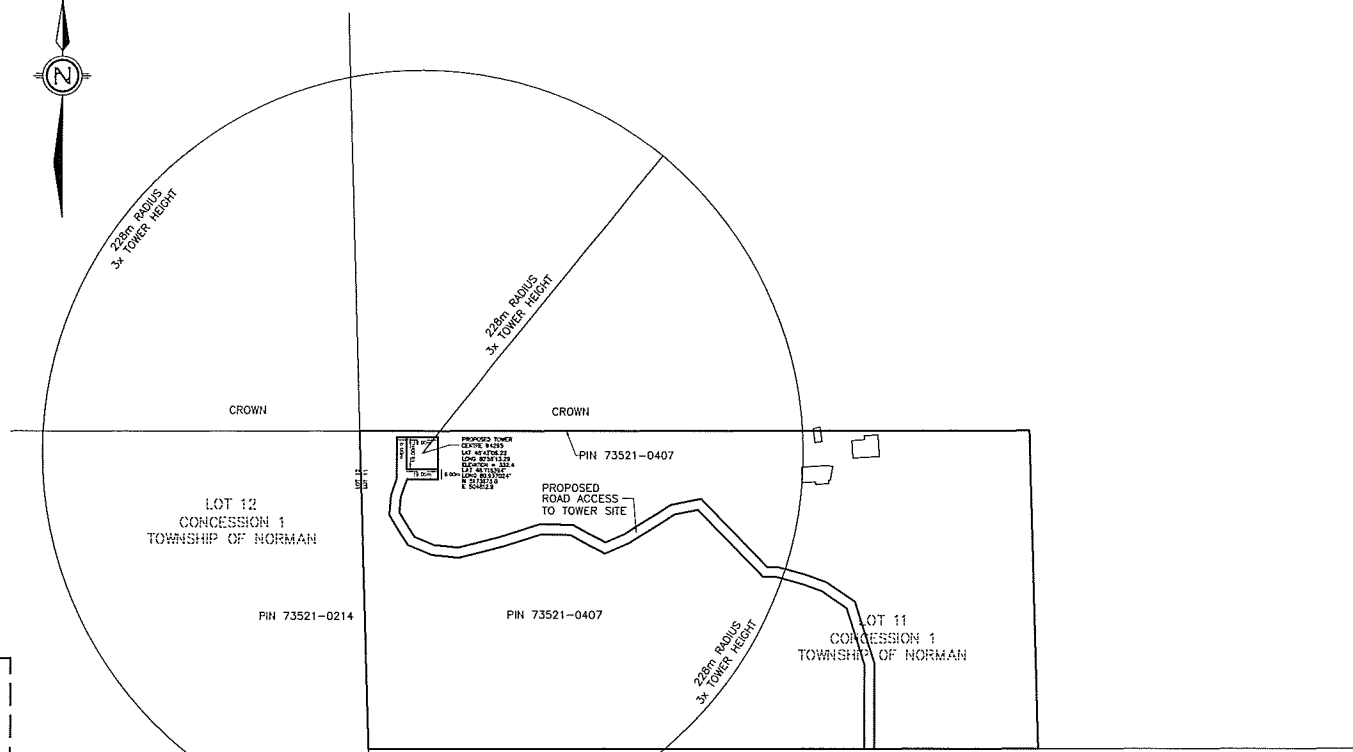
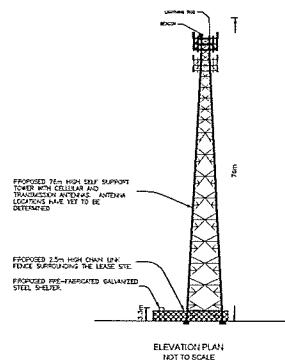
Subject Property being PIN 73521-0407,  
Parcel 3058 SES, part of Lot 11,  
Concession 1, Norman Township,  
31 Frank Street, Capreol, City of Greater  
Sudbury

Sketch 1  
NTS

**Bell Mobility Proposed  
Telecommunications Tower**  
Date: 2014 07 31

PROPOSED TOWER LOCATION W4295 CAPREOL  
31 FRANK STREET - GEOGRAPHIC TOWNSHIP OF NORMAN

PROPOSED TOWER CENTRE W4295 LAT 46°43'06.22 LONG 80°56'13.29 ELEVATION = 332.4 LAT 46.718394° LONG 80.937024° N 5173873.0 E 504812.9	PROPOSED TOWER COMPOUND AREA = 361sq.m PROPOSED ACCESS/ PARKING /TURN AROUND AREA = 2814 sq. m
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REGISTERED PLAN M-70 "A"										REGISTERED PLAN M-70 "A"													
LLOYD STREET					FRANK STREET					FRANK STREET					CLYDE STREET								
213	159	155	171	157	143	129	115	101	87	73	59	212	158	154	170	156	142	128	114	100	86	72	58
211	158	154	170	155	141	127	113	99	85	71	57	197	157	153	169	154	141	127	113	99	85	71	57
210	156	152	168	154	140	126	112	98	84	70	56	198	156	152	168	153	139	125	111	97	83	69	55
208	155	151	167	153	139	125	111	97	83	69	55	199	154	150	166	152	138	124	110	96	82	68	54
206	154	150	166	152	138	124	110	96	82	68	54	207	153	149	165	151	137	123	109	95	81	67	53
207	153	149	165	151	137	123	109	95	81	67	53	206	152	148	164	150	136	122	108	94	80	66	52
206	152	148	164	150	136	122	108	94	80	66	52	205	151	147	163	149	135	121	107	93	79	65	51
205	151	147	163	149	135	121	107	93	79	65	51	204	150	146	162	148	134	120	106	92	78	64	50
204	150	146	162	148	134	120	106	92	78	64	50	203	149	145	161	147	133	119	105	91	77	63	49
203	149	145	161	147	133	119	105	91	77	63	49	202	148	144	160	146	132	118	104	90	76	62	48
202	148	144	160	146	132	118	104	90	76	62	48	201	147	143	159	145	131	117	103	89	75	61	47
201	147	143	159	145	131	117	103	89	75	61	47	200	146	142	158	144	130	116	102	88	74	60	46
200	146	142	158	144	130	116	102	88	74	60	46												

REGISTERED PLAN M-70 "A"      REGISTERED PLAN M-70 "A"

LOT 12 CONCESSION 6 TOWNSHIP OF CAPREOL      LOT 11 CONCESSION 6 TOWNSHIP OF CAPREOL

BELL MOBILITY SITE W4295 CAPREOL  
SKETCH SHOWING THE LOCATION  
PROPOSED TOWER SITE  
AND ACCESS ROAD TO TOWER SITE

**PART OF  
LOT 11  
CONCESSION 1**  
GEOGRAPHIC TOWNSHIP OF NORMAN  
CITY OF GREATER SUDBURY  
DISTRICT OF SUDBURY  
TERRY DEL BOSCO, ONTARIO LAND SURVEYOR  
2014

SCALE 1 : 2000  
0 40 80 120 METRES  
TULLOCH GEOMATICS INC.

METRIC  
DISTANCES AND COORDINATES SHOWN  
HEREON ARE IN METRES AND CAN BE  
CONVERTED TO FEET BY DIVIDING BY 0.3048

SURVEYOR'S CERTIFICATE  
I CERTIFY THAT  
THE FIELD SURVEY FROM WHICH THIS SKETCH  
HAS BEEN DERIVED WAS COMPLETED ON  
\_\_\_\_\_, 2014.

"SUDBURY, ONTARIO"      "TERRY DEL BOSCO"  
JUL 30, 2014

1942 REGENT STREET SUDBURY, ONTARIO  
UNIT L P3E 5V5 705-671-2295  
FILE 145619 SKETCH2 PREPARED BY KG

## **Summary of Consultation**

### **Bell Site W4295 CAPREOL, City of Greater Sudbury**

Bell Mobility is constantly striving to improve and expand its infrastructure to meet the ever growing demand for high quality reliable wireless voice and data service. As the number of wireless users and various types of wireless devices increases, Bell Mobility's network is burdened by a combination of poor voice and data quality resulting in high "dropped" call rates and customer complaints.

#### **Proposed New Tower Location:**

**Landowner:** Bryan Jacques; Natasha Saradoc  
**Municipal Address:** 31 Frank Street, Capreol  
**Legal Description:** Part of Lot 11, Conc 1, Township of Norman; PIN 73521-0407  
**Tower Base Coordinates:** N46° 43' 06.22" W80° 56' 13.29"  
**Site Access:** Access to the tower site is proposed via the existing driveway at 31 Frank Street.

#### **Tower Description**

The proposed tower is a 76m self-support, with a 6' x 8' equipment shelter located at the base of the tower. Access is proposed via the existing driveway at 31 Frank Street.

#### **Purpose of the Tower**

The purpose of this tower is to provide capacity relief and service to unserved areas in the Town of Capreol and to provide HSPA/LTE service to Hanmer Lake and Frenchman Lake. The Town of Capreol is currently being served by Bell Mobility W1936 Linden, located on Linden Drive.

#### **Telecommunications Policy Requirements**

Bell Mobility is regulated and licensed by Industry Canada to provide inter-provincial wireless voice and data services. As a federal undertaking, Bell Mobility is required by Industry Canada to consult with land-use authorities in siting tower locations. The consultation process established under Industry Canada's authority is to allow local land use authorities the opportunity to address land use concerns, providing meaningful input while respecting the federal governments exclusive jurisdiction in the siting and operation of wireless and data systems.

As the provisions of the Ontario Planning Act and other municipal by laws and regulations do not apply to federal undertakings, Bell is however required to follow established and documented wireless protocols or processes set forth by local land use authorities.



## City of Greater Sudbury Telecommunications Policy

Bell Mobility acknowledges that the City of Greater Sudbury has a Telecommunications Policy in place and has followed the process as outlined.

The proposed telecommunications facility falls under the category of “significant structure”:

- towers 16.6 metres in height and greater, and located closer than 300 metres from a residential dwelling, Residential Zone or Residential District.

Accordingly, the following protocol was completed:

- a notification package was mailed on August 6, 2014 to all property owners within a radius of three times the tower height of the proposed tower (228m), measured from the tower base, and to Eric Taylor, Manager of Development Approvals, Ward Councillor Dave Kilgour, and Industry Canada. The mailing list is attached, derived from the survey sketch prepared by Terry DelBosco, OLS.
  - the notification brochure, attached, included the survey sketch depicting the tower location, the tower height, and radius of three times the tower height, as well as Health Canada brochures in reference to Health and Safety (attached), and photo renderings (attached). The last day to receive comments was September 5, 2014.
- a neighbourhood meeting was held on August 18th, 2014 at 7:00 P.M. in the Capreol Community Centre–Arena Hall, 20 Meehan Ave, Capreol. The meeting was hosted by Deborah Williamson, Bell Mobility Real Estate Contractor, and attended by two Bell Mobility representatives, Steve Stone-RF Engineer, and Mike Powell-Construction Manager.
- a newspaper notice was published in The Sudbury Star on August 8, 2014 which provided the location and height of the proposed tower, the time, date, and location of the neighbourhood meeting, and the invitation to provide comments.

## Responses from the Public

### Public Meeting

There were three attendees at the public meeting on August 18<sup>th</sup>:

- Hubert Jensen, 7 Lincoln Cres, Capreol
- Bryan Jacques, 31 Frank Street, Capreol (subject land landowner)
- Natasha Saradoc, 31 Frank Street, Capreol (subject land landowner)

Hubert Jensen had no objection to the tower or its location; however, he questioned why the access road could not be built from Lloyd/Foch Street, as depicted below, since this would enable him to gain access to his property. Both Bell Mobility and the landowner explained to Mr. Jensen, that both parties agreed to utilize the existing driveway, as Lloyd/Foch is an unopened road allowance and a bridge would have to be constructed to cross over the creek.



### Alternate Access suggested by Hubert Jensen



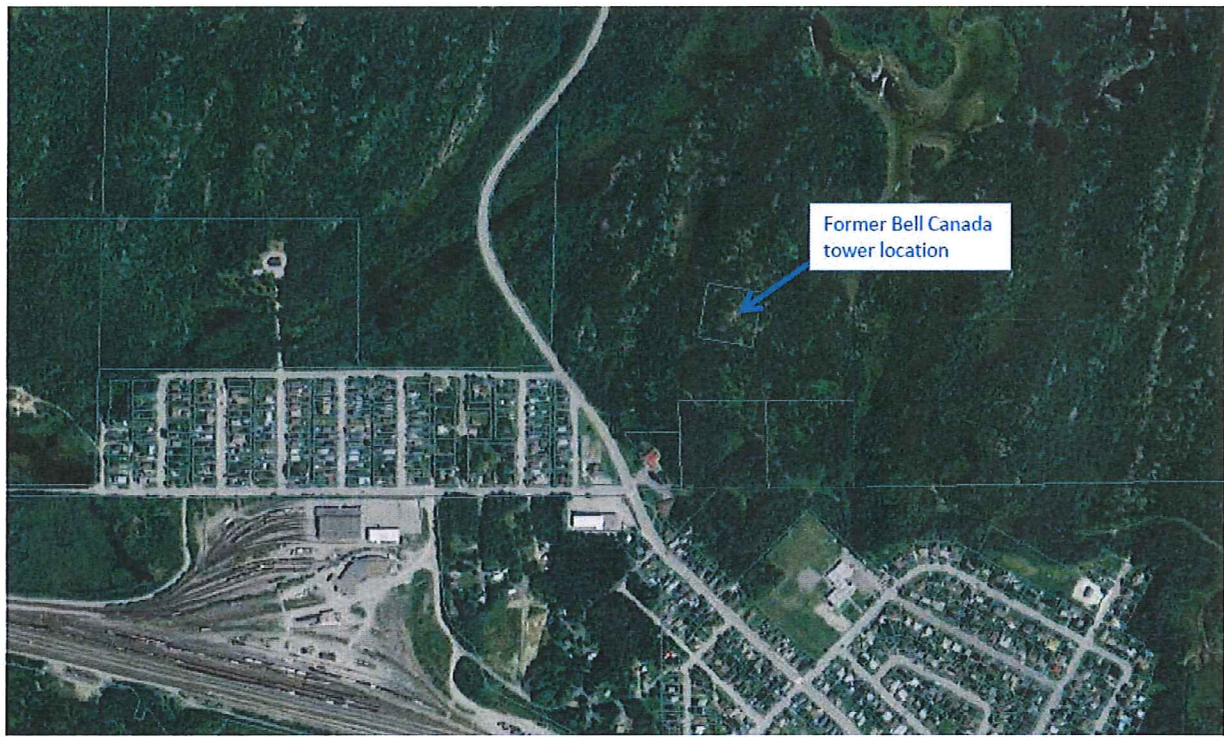
### Correspondence

There was one response from the public. An email from David Bean was received on August 25, 2014. Mr. Bean questioned why he had not received a notification and expressed his opinion that the tower would be an eyesore. He suggested a number of other locations where the tower could be located. Deborah Williamson, Bell Mobility Representative, responded on August 27, 2014, explaining the reason that Mr. Bean was not notified was that his property was not within the 3x tower height radius; she also provided answers to his questions regarding alternate tower locations. Mr. Bean responded on August 28, 2014 suggesting a location where a previous tower had stood for 40 years and commented that he would have an unobstructed view of the proposed tower location compared to the properties which were notified. Deborah Williamson responded September 2, 2014 and September 7<sup>th</sup> with information regarding the dismantled tower and property. Brian Reurink, Property Manager for Nexacor, confirmed that the tower was a 200' Bell Canada tower, located on Bell Canada property which is landlocked. It was dismantled in 2007 because it was no longer in use, however, the major reason it was dismantled was because Bell Canada could not obtain road access to it over Crown land from the Ministry of Natural Resources.





A base map showing the Bell Canada landlocked property and former tower location is depicted below. This area of Capreol was not considered as a candidate area for the new proposed tower since it's too far east of the target service area of Hanmer Lake and Frenchman Lake.



### **Co-Location**

As required by Industry Canada, and the objective of the City's Telecommunication Policy, a review of existing towers for co-location was investigated. The CN tower, in the center of the Town of Capreol, was considered and investigated. Unfortunately, it is not a suitable candidate for a co-locate as it cannot accommodate Bell Mobility's equipment loading. It is also within a working rail yard, which is a safety concern for access and rigging work.

The proposed tower will accommodate additional carriers should another carrier express interest in this tower location. Bell is open to co-location on its towers.

## Bell Tower

Capreol – W4295

76m Self Support Tower

46°43'5.69"N - 80°56'13.66"W



August 6, 2014

Rendering A: Picture taken from the SW corner of the main building (Address: 31 Frank Street).



Rendering B: 46°42'59.62"N 80°56'9.67"W (Closest Address: 24 Randolph Street)



Rendering C: 46°43'0.38"N 80°55'59.89"W (Closest Address: 30 Frank Street)



Rendering D: 46°42'41.51"N 80°55'22.96"W (Closest Address: 12 Norman Ave.)



Rendering E: 46°42'33.99"N 80°55'35.15"W (Closest Address: 26 Young Street)

