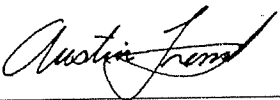


Harbour East Community Council
September 15, 2011

TO: Chair and Members of Harbour East Community Council

SUBMITTED BY: 
Austin French, Manager, Community Development

DATE: September 1, 2011

SUBJECT: **Case 16986: Telecommunication Tower, Cole Harbour Road, Cole Harbour**

ORIGIN

Application by Bragg Communications Inc. (Eastlink), for lands of Sci-Com Ltd., for a proposed 40 metre (131 feet) self supporting telecommunication tower and associated equipment shelters at 1000 Cole Harbour Road, Cole Harbour.

RECOMMENDATION

It is recommended that Harbour East Community Council forward a **negative recommendation** to Industry Canada in relation to the proposal by Bragg Communications Inc. for a proposed 40 metre self supporting telecommunication tower and associated equipment shelters at 1000 Cole Harbour Road, Cole Harbour.

EXECUTIVE SUMMARY

Eastlink has submitted an application to locate a 40 m tower on lands at 1000 Cole Harbour Road, Cole Harbour. The lands are designated Community Commercial and zoned C-2 (General Business). A residential community backs onto the subject lands. Eastlink's telecommunication towers are required by the federal regulator, Industry Canada, to look at co-location options for new towers that, in this case, did not meet coverage objectives. Industry Canada requires the applicant to engage in a public consultation process with HRM that was in the form of a public meeting. Staff prepared a recommendation report to Community Council recommending against support of the tower with the proposed location based on an evaluation of community compatibility, visual impact and aesthetic concerns.

BACKGROUND

Eastlink has applied to erect a new 40 metre (131 feet) high self supporting type telecommunication tower on a portion of the lands located at 1000 Cole Harbour Road (Map 1) in Cole Harbour. The subject property is commercially developed and the tower is proposed to be located approximately 120.5 metres (395 feet) from Cole Harbour Road within a small portion of the subject property (Attachment A). Access to the site will be via the existing access and driveway on the property.

The proposed tower coverage objectives for this site is south of Forest Hills, Highland Acres, Colby Village and Willowdale (Map 3).

The Tower, Antennas and Equipment

The tower:

- will be self supporting and 40 metres (131 feet) in height;
- will be a steel monopole and will be site specific engineered;
- is not required by Transport Canada to have lighting and painting at this location;
- is approximately 120.5 metres (395 feet) from Cole Harbour Road;
- is approximately 48 metres (160 feet) from the nearest residential dwelling;
- will have an equipment shelter located at the base of the tower;
- will be enclosed with 6-8 feet high steel wire fencing at the base and be equipped with anti climb apparatus; and
- will support six panel antennas and 3 to 6 radios mounted at a height of 39 metres.

Subject Property Location, Designation, Zoning and Surrounding Land Use

The subject property is:

- located on the south side of Cole Harbour Road just prior to the intersection of Cole Harbour Road and Forest Hills Parkway/Cumberland Drive (Map 1);
- designated Community Commercial along both sides of Cole Harbour Road (see Map 1) under the Cole Harbour/Westphal Municipal Planning Strategy. This designation is intended to support a commercial area that principally serves the local community. Because the designation shares rear lot lines with existing residential development larger commercial and residential developments may be considered by development agreement to ensure the size of the use is appropriate, adequate separation is maintained from existing residential uses and buffering is provided between commercial and residential uses;

- zoned C-2 (General Business) (see Map 2) under the Cole Harbour/Westphal Land Use By-law. The C-2 zone permits general commercial uses (less than 10,000 square feet floor area), existing dwellings, higher density residential units up to 12 units, and medical and day care centres; and
- surrounded by other C-2 uses, a R-1 (Single Unit Dwelling) community south and southwest of the rear of the property, and to the east, across Forest Hills Parkway/Cumberland Drive, some R-4 (Multiple Unit Dwelling) and P-2 (Community Facility) uses with a PUD Planned Unit Development) directly across Cole Harbour Road.

Municipal Process

Under the *Constitution Act, 1867*, the areas of telecommunication and radiocommunication are exclusively within federal jurisdiction. Industry Canada is the federal agency that licenses and regulates communication towers, including authorizing the location and installation of antenna systems and enforcement of telecommunication activities. Industry Canada believes it is important that communication towers be deployed in a manner that considers the local surroundings. Proponents of new telecommunications facilities are therefore required to consult with the local municipality to ensure that telecommunication facilities are built with reasonable regard for the needs and concerns of the local community.

The municipality is then given an opportunity to review the proposed antenna system and site and provide comments on the aesthetic and visual qualities of the facility and site. If any reasonable or relevant concerns arise the municipality may provide written notice to the local Industry Canada office. The submissions are reviewed by Industry Canada, who will then determine whether or not a license is to be granted and upon what conditions, if any, such license may be granted.

DISCUSSION

The Cole Harbour/Westphal Municipal Planning Strategy (MPS) does not contain policy specific to locating telecommunication towers or any policy criteria to be used in evaluating such a proposal although there is general evaluative criteria for locating new land uses in the commercial designation that shares rear lot lines with residential neighbourhoods. The MPS also does not establish a protocol or procedures for dealing with locating of such towers, antenna sites and wireless service facilities.

Compliance with Consultation

Industry Canada has issued policies pursuant to which the Eastlink licence is issued and operated. One of these policies and circulars applicable to Eastlink's operations, besides the Spectrum Licencing Policy, is the Client Procedures Circular (CPC-2-0-03). The CPC provides for the applicable guidelines for the installation of telecommunication towers, antenna sites and wireless service facilities.

Under the conditions imposed by the CPC, Industry Canada explicitly recognizes that municipalities do not have jurisdiction to regulate the location, siting, height or type of structure as these concerns are exclusively within the competence of the federal government. Notwithstanding this view the CPC has the effect of creating a process by which

telecommunication companies consult with municipalities to establish that their concerns have been addressed. The CPC also provides for a dispute resolution process where there is an “impasse” in which event Industry Canada makes the final decision. Eastlink has recognized its obligation to engage in municipal consultation and to ensure it remains in compliance with Industry Canada’s regulatory scheme and the conditions of its licence by submitting this application to engage in public consultation.

Co-Location Installation

Industry Canada requires that telecommunications companies co-locate their antennas or radio stations where possible. Co-location involves the location of a radio or antennas on an existing site operated by another telecommunication company where possible or an attempt to use any feasible existing infrastructure such as rooftops, water towers or church spires. For the purposes of this application Eastlink explored both types of co-location but were unsuccessful in achieving a co-location option. Eastlink investigated two options as outlined below:

Option 1: Existing Rogers Tower

This tower is located at 1412 Cole Harbour Road and is approximately 1.5 km west of the Eastlink’s proposed location at 1000 Cole Harbour Road. Eastlink found the existing tower too far west of the search area to meet the coverage objective for this location. Also, the existing monopole currently has three “pinwheels” installed and Eastlink would not be able to secure a suitable height on the existing structure to be above the treeline.

Option 2: Metro Transit Link Terminal

This site is located 1.2 km to the east of the Eastlink proposed location at 1000 Cole Harbour Road. This location was deemed by Eastlink to fall outside of the search area and would only provide 50% of the intended coverage because it is limited by topography.

At the public meeting residents suggested utilizing the existing Rogers’ tower in conjunction with a new tower at the Transit terminal to replace the proposal for the tower at 1000 Cole Harbour Road. Eastlink advised that this would still leave a “gap” in the middle of their coverage objective and the height required for the Transit location tower would possibly be subject to interference with other towers.

Community Compatibility

When a new land use is proposed for an area, compatibility concerns related to the nature of the land use, height/bulk/lot coverage, traffic generation, open storage or signs inevitably arise. Visual impact is often included as a compatibility concern. Cole Harbour/Westphal MPS policy for the Community Commercial designation (Map 1) talks about addressing the impact between commercial and residential areas by ensuring uses are compatible. The compatibility of the proposed telecommunication tower is important to the character of the surrounding area. The character of the existing landscape should be the basis of determining appropriate characteristics of the proposed project. A 40 metre tower within a commercial area like Cole Harbour Road having light standards, utility poles and other towers may be somewhat compatible with that character and any impact is lessened. However, a 40 metre tower that extends above the surrounding residential buildings within the view from local residential streets, such as Hickory Lane, Hallmark Crescent and Hampshire Way, and the attached private and public spaces, should

most importantly not cause the line of sight to move so far up that the surrounding features are out of view, thereby detracting from the original view. This visual impact is difficult or impossible to screen and staff believe it is a significant compatibility issue.

In the short term there will be some localized impacts on the community compatibility relating to site development that are temporary effects and are not considered relevant in the visual mitigation of the proposal.

Visual Impact

Visual impact is considered one of the adverse effects generally associated with the location of a telecommunication tower. Adequate horizontal separation distance is often the only effective buffer for mitigating the visual impact of telecommunication towers. Within a built environment, where the concern is primarily visual, distances of 300 feet are regarded as sufficient separation distances.

The three closest dwellings, 35, 39 and 43 Hickory Lane, that back onto the subject property are all located 200 feet or less (Attachment A) distant from the tower and the visual impact is significant. Once construction is complete and the monopole tower (Attachment B) is erected, it is anticipated that the visual impact should have a moderate impact on people working, or travelling through Cole Harbour Road due to the separation distance of 120.5 metres (395 feet). However, staff believes that the location of the proposed telecommunication tower creates a demonstrable adverse visual effect through introduction of a prominent element that is significantly out of scale and out of character with the surrounding residential area's immediate views. Attachment C is a location map showing where views of the tower in situ were imaged from across Cole Harbour Road (Attachment D: View A) and from Hickory Lane (Attachment D: View B).

Eastlink has provided an image of a stealth type monopole tower (Attachment E) that was suggested at the public meeting for Community Council's consideration. The principle is that the fiberglass sheathed tower without the "pinwheel" antenna array of the proposed monopole (Attachment B) is not as visible against the skyline as the tower with the antenna array. The antennas on the stealth tower are inside the structure and are limited to two sets. Staff viewed the actual stealth tower from the abutting street, nearby streets and commercial developments and found it to have less visual impact in the commercially developed area but still prominent against the skyline. Also, there is staff concern that if more antennas were needed for additional coverage or capacity beyond the two enclosed sets that a second tower could be located adjacent to or in close proximity to the existing tower.

Aesthetics

The most preferred landscape image is one where the mid to foreground is a fairly open area having low ground cover, vegetated with trees and shrubs, often with a water body or feature. Landscapes that contain buildings or structures are preferred less, with a few exceptions, but structures in the mid to foreground do not hold the viewers focus or cause the same affective response as the preferred scenic landscape. The existing visual aesthetics along Cole Harbour Road (Attachment D: View A) will likely not be significantly diminished by the location of the tower. However, the location of a visual element, such as the proposed tower, near the preferred

landscape image held within the nearby residential enclave is likely to significantly alter existing perceptions of the landscape by impairing the character or integrity of the aesthetic landscape. This diminishment of the visual enjoyment and appreciation of the streetscape/landscape from Hickory Lane (Attachment D: View B), Hallmark Crescent and Hampshire Way is a significant adverse aesthetic effect for this case.

Health and Safety

The proposed 40 metre (131 feet) tower in this application is located between two buildings on the subject property (Attachment A) and is about 48 metres (160 feet) away from the closest dwelling. Due to the residential density and lots in the area, a collapse of the tower could potentially pose a safe concern to persons and property within the collapse zone. There are no required setbacks for structures such as telecommunication towers.

Aside from land use issues there are often concerns about potential health risks from the placement of telecommunication towers. Industry Canada requires that such systems are operated in accordance with the safety guidelines established by Health Canada in their document entitled *Limits of Human Exposure to Radiofrequency Electromagnetic fields in the Frequency Range from 3kHz to 300GHz*, commonly referred to as *Safety Code 6*. This document specifies the maximum recommended human exposure levels to radiofrequency energy from radiation emitting devices. Prior to receiving a licence from Industry Canada the operator must submit the calculations on the intensity of the radiofrequency fields to ensure that this installation does not exceed the maximum levels contained in *Safety Code 6* requirements. Information submitted in support of this proposal indicates no concerns in relation to *Safety Code 6* (Attachment C).

BUDGET IMPLICATIONS

The HRM costs associated with processing this planning application can be accommodated within the approved operating budget for C310.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through a public information meeting held on February 3, 2011. For the public information meeting, notices were posted on the HRM website, in the newspaper and mailed to property owners within the notification area as shown on Map 2. Attachment D contains a copy of the minutes from the meeting.

A public hearing is not included in the telecommunication application process; Community Council simply forwards a recommendation to Industry Canada.

ALTERNATIVES

1. Inform Industry Canada that Harbour East Community Council objects to the proposal by Bragg Communications Inc. to erect a 40 metre tower (131 feet) telecommunication tower at 1000 Cole Harbour Road. This is the recommended due to the reasons outlined in this report.
2. Inform Industry Canada that Harbour East Community Council has issues/concerns with respect to the proposed tower. In this event, staff will notify the local office of Industry Canada of Council's concerns.
3. Inform Industry Canada that Harbour East Community Council does not object to the proposal by Bragg Communications Inc. to erect a 40 metre tower (131 feet) telecommunication tower at 1000 Cole Harbour Road.

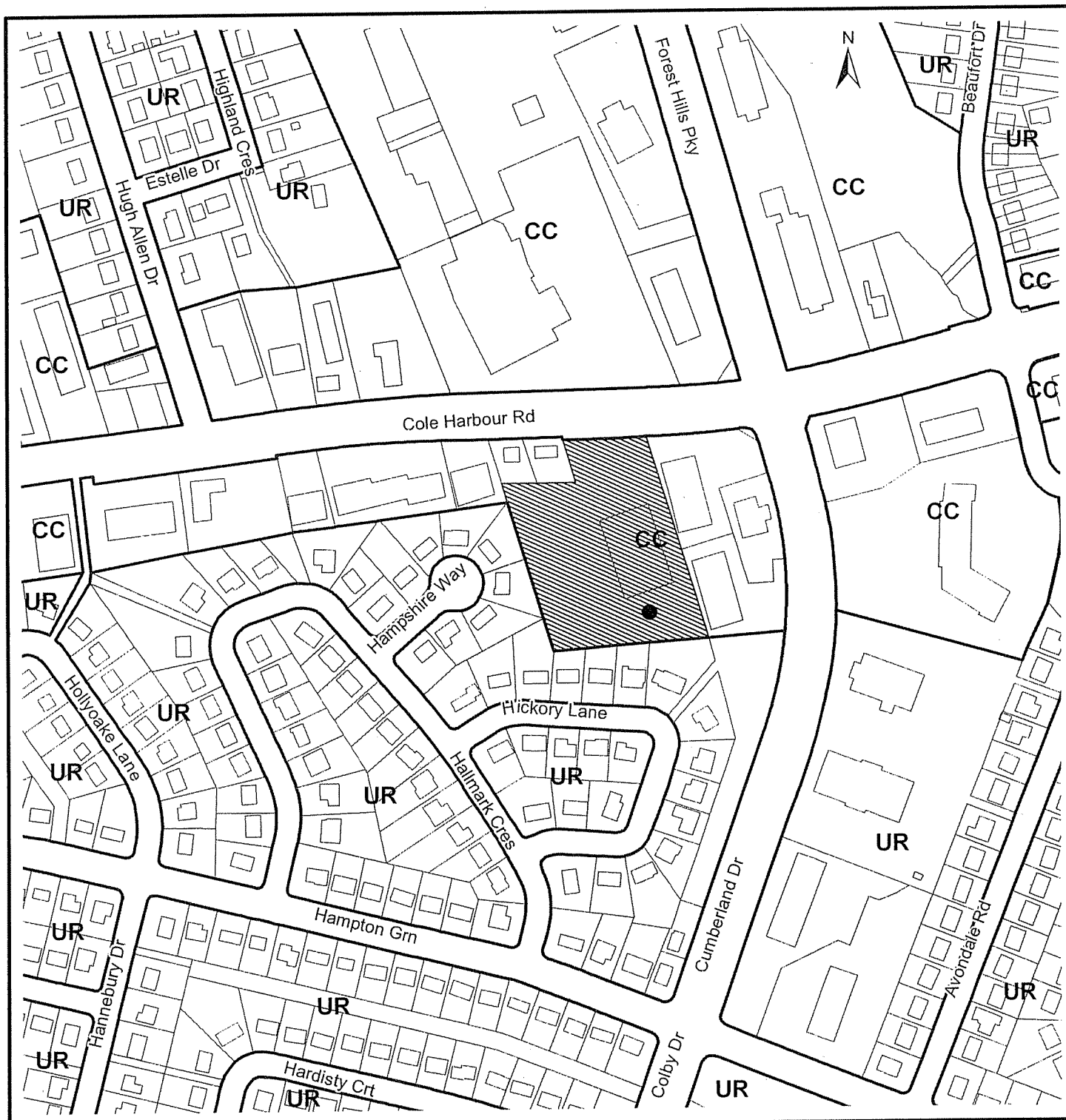
ATTACHMENTS

Map 1	Generalized Future Land Use
Map 2	Land Use By-law Zoning and Notification
Map 3	Eastlink Coverage from Proposed Site
Attachment A	Site Plan
Attachment B	Monopole Image
Attachment C	Location Map showing Origin of Views A and B
Attachment D	View A and View B of Proposed Tower
Attachment E	Stealth Tower
Attachment F	Safety Code 6 Attestation
Attachment G	Minutes from Public Information Meeting
Attachment H	Comments Received from Public and Agencies

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/cc.html> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by : Darrell Joudrey, Planner 1, 490-4181

Report Approved by: Austin French, Manager, Planning Services, 490-6717



Map 1- Generalized Future Land Use

1000 Cole Harbour Road

Designation



Subject Property



Approximate Tower Location

UR Urban Residential
CC Community Commercial

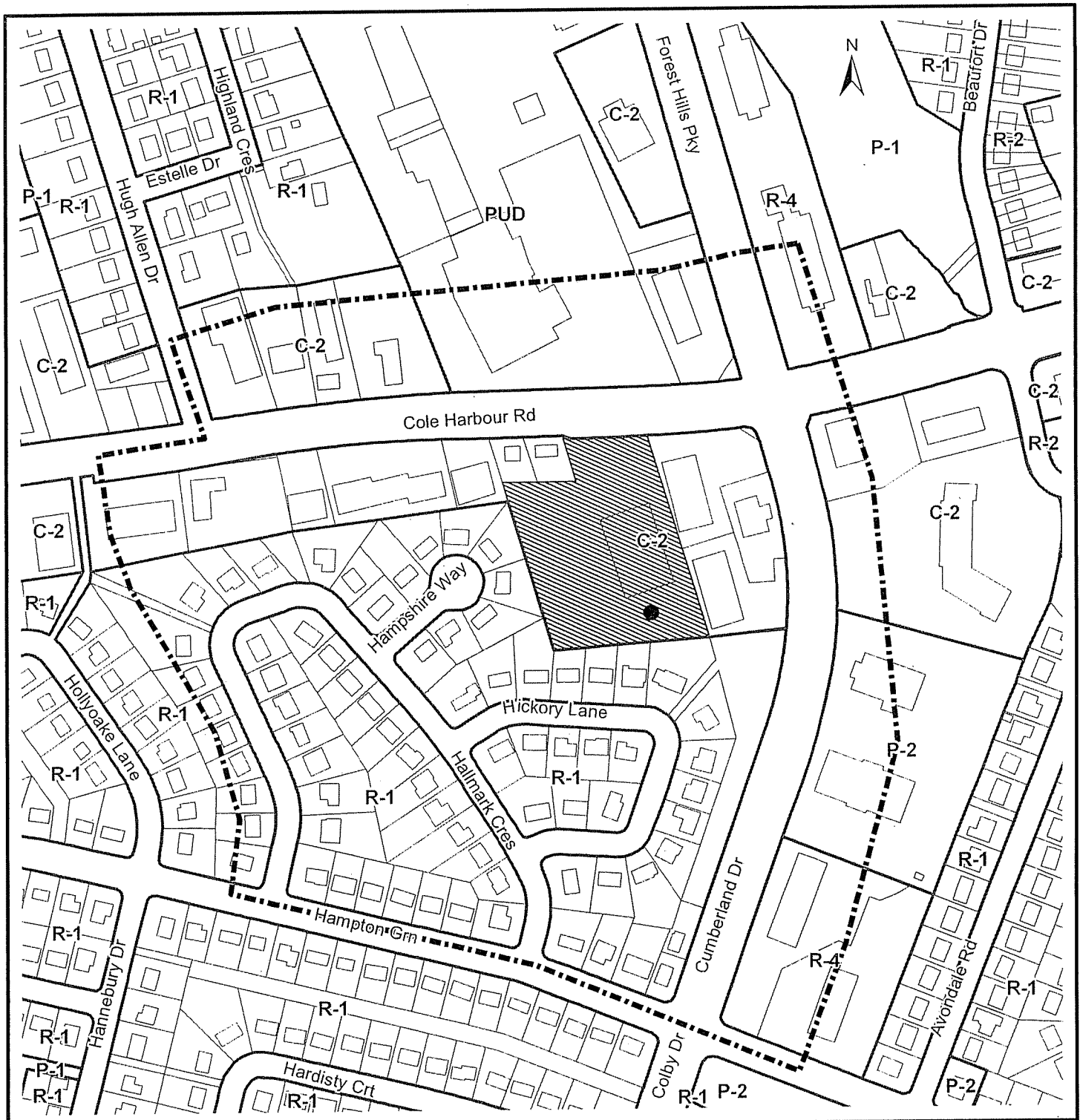
Cole Harbour/ Westphal Plan Area

HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 75 150 300 450
Feet




This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Cole Harbour/Westphal Plan Area

HRM does not guarantee the accuracy of any representation on this plan



Map 2 - Zoning and location

1000 Cole Harbour Road

-  Subject Property
-  Notification Area
-  Approximate Tower Location

Cole Harbour/ Westphal Plan Area

Zone

- R-1 Single Unit Dwelling
- R-2 Two Unit Dwelling
- R-4 Multiple Unit Dwelling
- C-2 General Business
- P-1 Open Space
- PUD Planned Unit Development

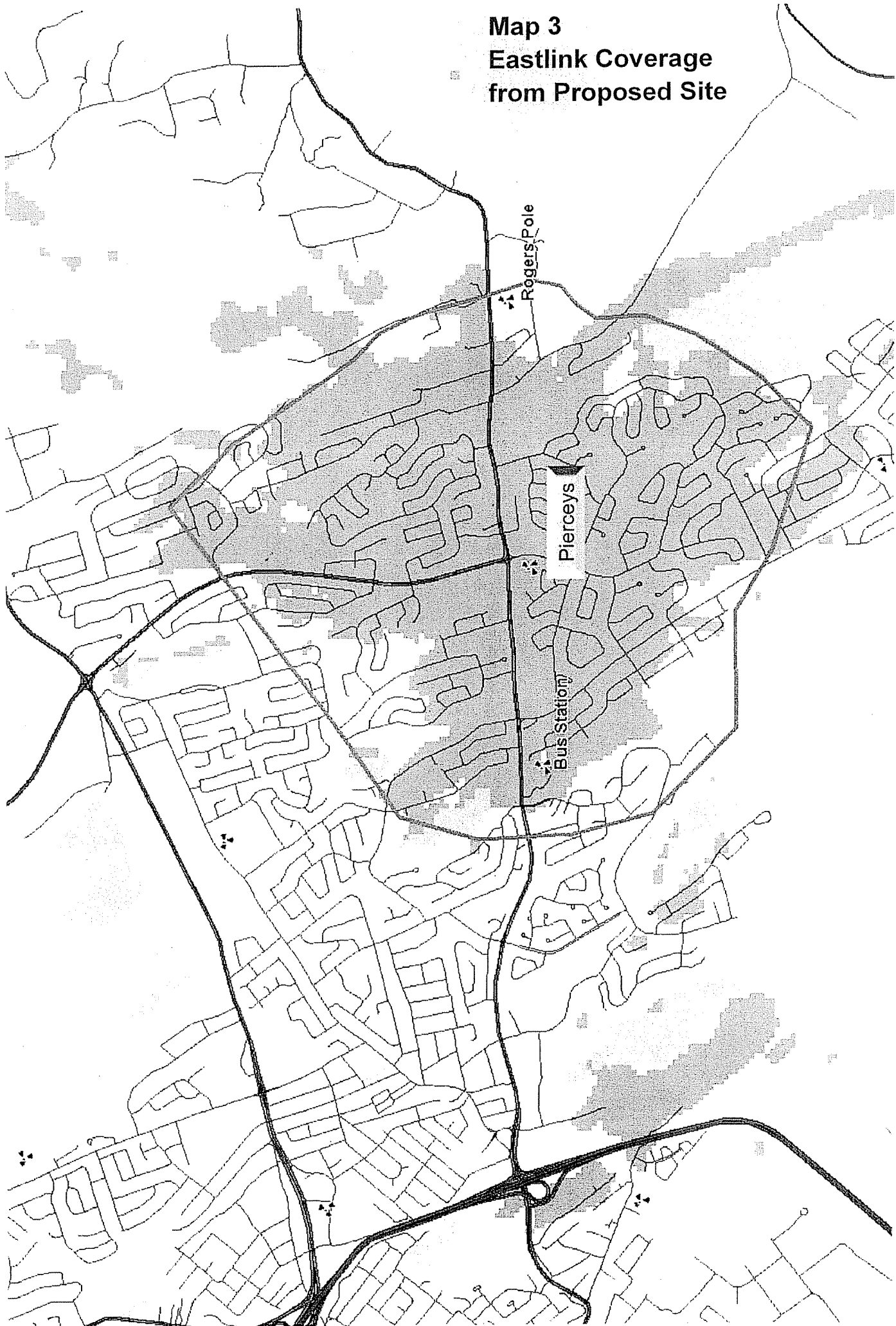
HALIFAX
REGIONAL MUNICIPALITY
COMMUNITY DEVELOPMENT
PLANNING SERVICES

0 75 150 300 450 Feet

This map is an unofficial reproduction of a portion of the Zoning Map for the Cole Harbour/Westphal Plan Area

HRM does not guarantee the accuracy of any representation on this plan

Map 3
Eastlink Coverage
from Proposed Site



Coverage of Pierceys Candidate

EASTLINK WIRELESS

REVISIONS

NO. DATE: DESCRIPTION

SITE

PROJECT INFORMATION

TITLE:

SITE PLAN

SITE NAME:

FOREST HILL

SITE ID:

NSAO62

DRAWING ID:

NSAO62-SA-SP-001

DATE:

MAY 2010

CHECK BY:

J. PIPER

DRAWN BY:

A. PINTO

COLE HARBOUR ROAD

Existing Road

Fence 6' Around

PID# 40126997

Pierce's Building

19

1

5

Hampshire Way

57

47

43

39

35

Hickory Lane

31

Cumberland Drive

Hallmark Crescent

LEGEND

PID # 40126997

Other

Property Boundary

Roadway

Building

Leased Area

Existing Road

Access & Tower Right

Proposed Tower

Tree

0 15 30

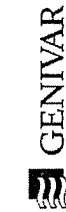
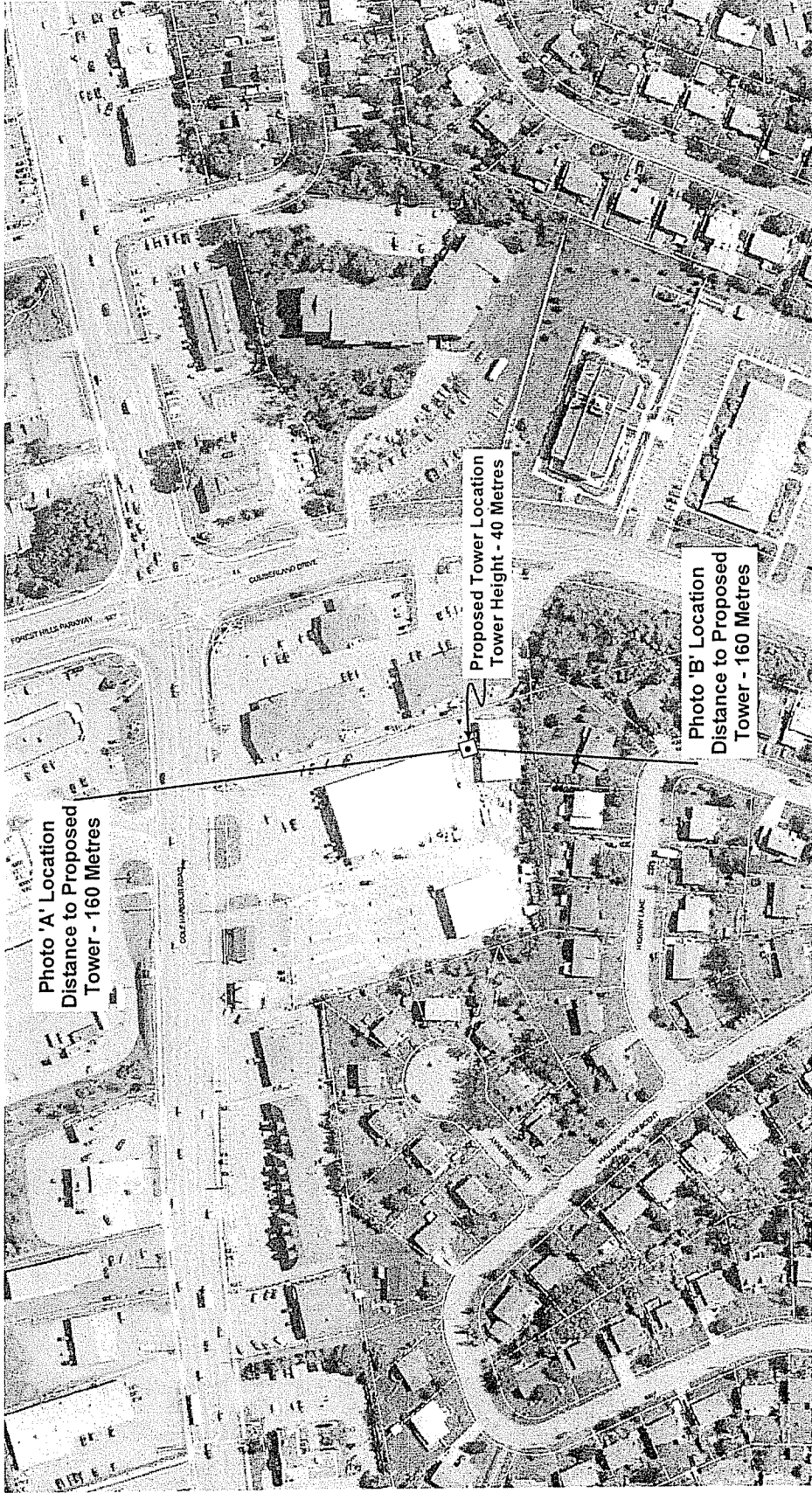
Metres

FILE CREATED: Wednesday, May 19, 2010 BY: ALMA PINTO

FILE CREATED: Wednesday, May 19, 2010 BY: ALMA PINTO



PROJECT INFORMATION		NO.		DATE		REVISIONS	
TITLE:						DESCRIPTION	
SIMULATION OF MONOPOLE 40m							
SITE NAME: FOREST HILL							
DATE: MAY 2010							
SITE ID: NSAO62							
CHECK BY: J. PIPER							
DRAWING ID: NSAO62-SA-MP-001							
DRAWN BY: A. PINTO							



1000 LAKELAND DRIVE
SUITE 100
CANADA B3B 1K4
PHONE: 514-341-1234



0 30 60 90 120 m

PROPOSED CELLULAR TOWER PHOTO LOCATIONS AND DISTANCES

Case Harbor, Nova Scotia
June 6, 2011 - DA11250-100

Attachment C Location Map showing Origin of Views A and B

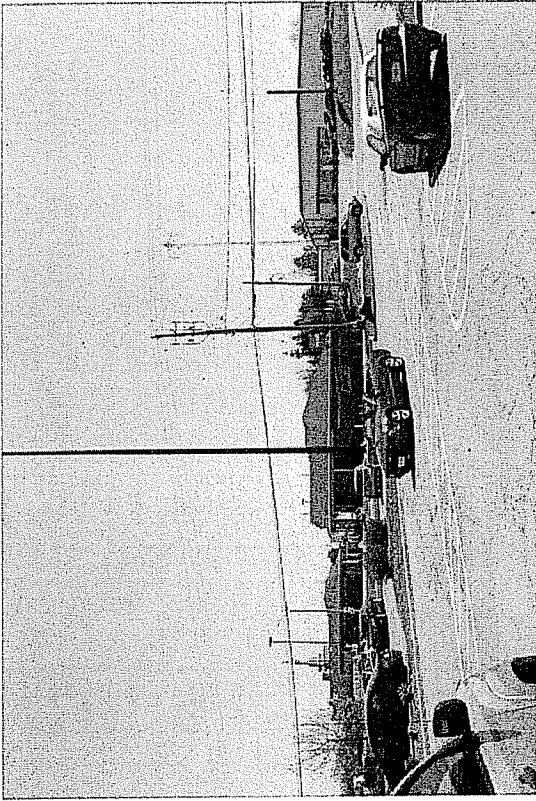
HRM does not guarantee the accuracy of any base information.



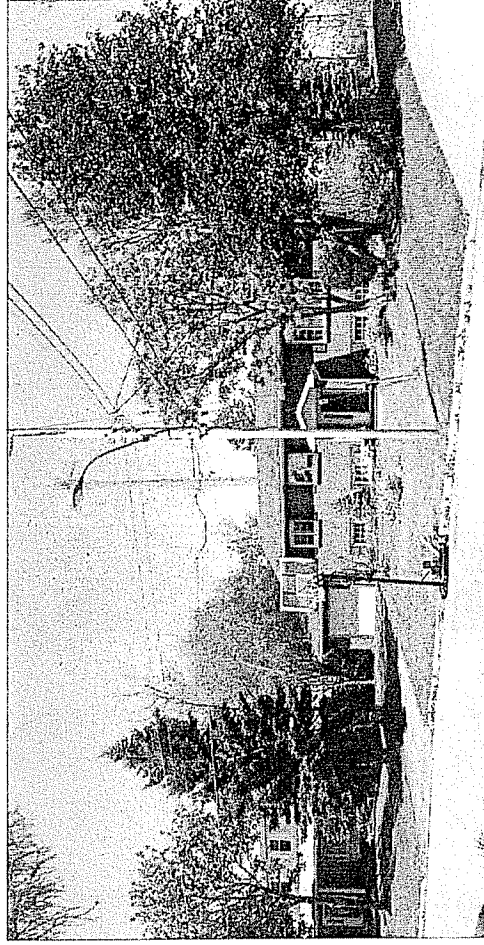
August 25, 2011

Case 16986

T:\work\planning\Holly\Official_Maps\case_maps\Case_16986\16986 Attachment C.PDF (HK)



View A

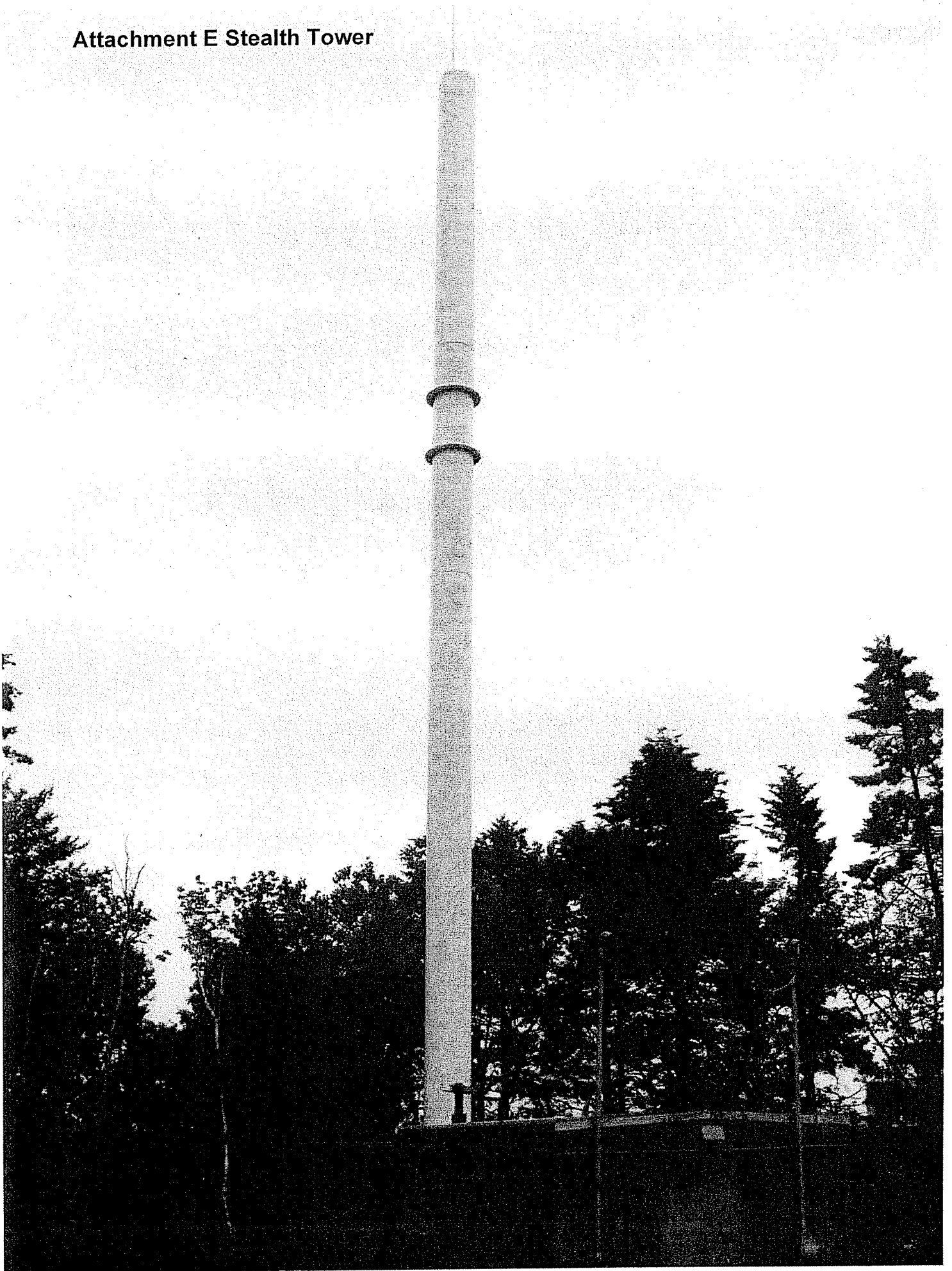


View B

Attachment D View A and View B of Proposed Tower

HRM does not guarantee the accuracy of any base information.

Attachment E Stealth Tower



Attachment F Safety Code 6 Attestation



Safety Code 6 Attestation

Summary

The below explanations and accompanying calculations are intended to demonstrate that Eastlink's radio installation at site **NSA062** complies with the radio emission limits as described in Health Canada's Safety Code 6.

Equipment

Eastlink's installation consists of the following equipment:

Item	Equipment Name	Max Power /Gain	Quantity
1	UMTS Remote Radio Head (RRU's)	46dBm (40Watt)	6
2	Kathrein 80010504 Panel Antenna (1710 - 2200MHz)	15.73 dBd (17.87 dBi)	6

Near Field vs Far Field

When calculating the level of emissions from a given radio installation, it is first required to identify whether the area under test is in the Near or Far Field of the antennas in question. In the case of Eastlink's UMTS-AWS Band installations, small antennas are being used, antenna considered to be small if the antenna length is less than the wavelength. (Please note that the installed Antenna is composed of array of small antenna elements). The following equation determined the Near-field limit for emissions from the site (small antenna):

$$R_s = \frac{\lambda}{2\pi} = \frac{0.143}{6.283} = 0.0227 \text{ [Meters]}$$

Where:

R_s = extent of the reactive near-field region [meters]

λ = wavelength [meters] (BS-TX of the AWS band (2100MHz))

Therefore, the area under test (ground level, **35m** from the antennas bottom) can be considered to be in the Far Field region of the transmitting antennas.

Attachment F Safety Code 6 Attestation



Power Density

Per Safety Code 6, exposure limits are set based on Power Density (W_{\max}) of emissions at a given location relative to the transmitting antenna. Generally, in the case of tower mounted antennas, Power Density on the ground where the General Public might be exposed can be estimated as:

$$W_{\max} = \frac{EiRP_{\max}}{4\pi r^2} \text{ [Watts / meter}^2\text{]} \text{ (Far Field Power Density)}$$

Where:

W_{\max} = Maximum Power Density [Watts / meters²]

$EiRP_{\max}$ = Maximum Effective isotropic Radiated Power [Watts]

(total maximum radiated power from all the antennas installed at the site arriving at the ground)

r = antenna height off the ground [meters]

Eastlink's installation consists of direction antennas meaning that the level at which the radiated signal reaches the ground is greatly reduced from the main beam radiated power. The antennas being deployed radiate downwards to the ground (90 degrees from the main beam) with a gain of 36.2dB less than maximum. Therefore, for Eastlink's installation on site **NSA062**, a total maximum EiRP directed at the ground, including all UMTS RRU's (6@46dBm[40W]). Assuming antennas bottom will be at the tower mounting height of **35m**, the maximum possible Power Density at the ground is:

$$W_{\max} = \frac{6 * (46\text{dBm} + (17.87\text{dBi} - 36.2\text{dB}))}{4\pi(35)^2} = \frac{6 * 0.585}{15393.8} = 0.000228 \text{ [Watts / meter}^2\text{]}$$

Conclusion

Within the operating transmit frequency range for AWS Band the maximum allowed Power Density for exposure to the General Public is 10 Watts/meter². Therefore, Eastlink's installation at site **NSA062** falls well below the acceptable Radio Frequency emission limits set forth by Safety Code 6 (**actually more than 43,000 times less than allowed**).

Attachment G: Minutes from Public Information Meeting

**HALIFAX REGIONAL MUNICIPALITY
PUBLIC INFORMATION MEETING
CASE NO. 16986 TELECOMMUNICATION TOWER APPLICATION
1000 COLE HARBOUR ROAD**

**7:00 p.m.
Monday, June 20, 2011
Cole Harbour Place, Westphal Room
51 Forest Hills Parkway, Dartmouth**

**STAFF IN
ATTENDANCE:** Darrell Joudrey, Planning Applications
Holly Kent, Planning Technician
Jennifer Purdy Little, Planning Controller

**ALSO IN
ATTENDANCE:** Councillor Lorelei Nicoll
Carolyn Weaver, Eastlink
Alex Forest, Eastlink
Colin MacPhee, Eastlink
Jill Laing, Eastlink

**PUBLIC IN
ATTENDANCE:** 48

The meeting commenced at approximately 7:04 p.m.

Opening remarks/Introductions/Purpose of meeting

Mr. Darrell Joudrey introduced himself as the planner guiding this application through the process; he introduced Holly Kent, Planning Technician, HRM Planning Applications, Jennifer Purdy Little, Planning Controller, HRM Planning Applications, and Councillor Lorelei Nicoll, District 4.

The purpose of this public meeting is to identify to the community early in the process that a telecommunication tower application has been received and what policies allows it to be considered.

Mr. Joudrey reviewed the application process, noting that the public information meeting is an initial step, whereby HRM reviews and identifies the scope of the application and seeks input from the neighborhood. The application will then be brought forward to Harbour East Community Council which will make a recommendation on the proposed telecommunication tower location and forward it to Industry Canada.

Presentation on Application

Mr. Joudrey explained that Eastlink has submitted an application for a new telecommunication tower at 1000 Cole Harbour Road. The purpose of this procedure is to ensure land use authorities are aware of significant antennas proposed within their boundaries. Industry Canada believes that local concerns related to land use are important to the community and that municipalities have an opportunity to make their views known with regards to the locating of these telecommunication towers. The requirement of the applicant to notify and consult with municipal authorities is intended to have land use concerns addressed while respecting federal jurisdiction in the matter of installation and operation of telecommunication towers.

There are no policies or guidelines in the Cole Harbour and Westphal Municipality Planning Strategy regarding the locating of telecommunication towers. Most of the former County of Halifax area plans have no policies regarding such towers. Because the location of towers are not contemplated by the Land Use By-Law, the applicant is required to go through the telecommunication tower consultation process. Where the Land Use By-Law permits towers as a land use, the applicant is required to go through the Building Permit Process. Mr. Joudrey added that there are no guidelines or policies against which to evaluate the application. Staff will review the application based on the compatibility with the community; visual impact and aesthetics.

Jill Laing, Eastlink Representative thanked the residents for coming to the meeting and gave a brief description on who Eastlink is and what they provide to their customers across Canada, explaining that they now intend to expand current services to allow for wireless service. They currently offer video, internet, local and long distance telephone. She explained that a few years ago Eastlink invested in a license to be able to provide wireless service in Nova Scotia and in PEI. Eastlink believes that they will be able to bring competition to the market place and that it will be comparable or even improve the coverage at a better value. She added that there are over 100 Eastlink Wireless Employees in Nova Scotia and this number continues to grow. They are currently in the network design phase in launching their wireless service.

Alex Forest, Eastlink Representative introduced himself and explained what criteria are involved in selecting a proposed location and why 1000 Cole Harbour Road is being considered. The factors include:

- **Elevation:** The higher the ground makes for a better coverage in the area which leads to better service and fewer dropped calls.
- **Location:** The number of customers for which they can provide coverage.
- **Land Availability:** Local terrain (land, buildings, trees etc.,) causing the least amount of impact.
- **Environmental:** Least amount of impact to the area while providing for the best possible coverage and service.

Mr. Forest explained that they have also reviewed three different alternative locations: the bus station (Metro Transit Terminal), however the coverage provided by this is limited by the topography, preventing it from providing coverage toward the East; The Rogers existing

monopole, however the available height would be below approximately 15m, which is below the tree line and will also limit coverage; and the backyard of Piercy's, which location with a 40m tower will provide a coverage to more than 90%.

Mr. Forest explained that for safety and security concerns, Eastlink ensures locked gates to deter access; fencing around the base of the tower and equipment along with anti-climbing apparatus.

Ms. Laing explained that Eastlink follows Health Canada guidelines very closely. They are legislated to comply. She explained that radiofrequency energy from cell phone towers is too low to cause adverse health effects in humans and the levels emitted from cell phone towers are typically thousands of times below those specified to be of any concern. She explained that there are no pollutants and that the installation would not release any pollutants, the structure would not be built within 30 meters of a body of water and no part of the structure has a footprint of more than 25m².

Comments/Questions

Mr. Lee MacRae, Cole Harbour asked how many antennas does Eastlink intend to put on top of the tower.

Mr. Forest explained that at a typical site there would be six antennas on top. With the current technology and current network requires this amount however, if Rogers or Bell Mobility requested to put their equipment on their tower, they would allow that.

Mr. MacRae addressed concern with visual pollution and explained that it is much more invasive when the number of antennas is increased. He explained that NAVCanada requires a 40m tower to have a light on the top and asked what kind of lighting Eastlink is proposing.

Mr. Forest explained that NAVCanada evaluates towers on a case by case basis depending on where they are. In this particular case, there is no lighting required.

Mr. MacRae asked what the wireless service will provide.

Mr. Forest explained that voice and data services will be provided.

Mr. MacRae asked about the distance.

Mr. Forest explained that it is 2-3km. Sometimes less depending on the density of the area.

Mr. Roy Thibault, Cole Harbour, addressed concern about the requirement for a light to be changed very easily. He gave an example of planes flying low for the air show. He expressed concern with looking out his window and seeing the tower and also with the value of his house being diminished because of this tower.

Ms. Carolyn Weaver, Eastlink Representative, explained that there have been no studies conducted to show that there had been a decrease or increase in property values.

Mr. Thibault explained that he is strongly opposed.

Ms. Cheryl Matheson, Cole Harbour, explained that this area is not a commercial area but it is a highly residential area with a small strip of commercial. She asked if there is radiation emitted.

Mr. Forest explained that there is some energy emitted from the site.

Ms. Matheson, added that it is radiation and expressed concern for the children in the area.

Mr. Forest explained that they meet the guidelines that Health Canada has laid out for the operation of a site like this one and added that the levels are much lower than allowable.

Ms. Matheson explained that there is no safe level of radiation for children.

Mr. Forest explained that on Health Canada's website they have detailed information as to how they come to their conclusions on the limits.

Ms. Matheson asked what the benefits are to the residential community as a whole.

Mr. Forest explained that the main benefit is the great coverage and the competition will provide better value for customers.

Mr. Bob Angus, Cole Harbour, asked what the height of the Rogers Tower is.

Mr. Forest explained that the Rogers Tower is similar in height.

Mr. Angus noted that if it is similar, than they probably wouldn't be asking Eastlink to use their tower.

Mr. Forest explained that as they advance in the level of service, they may wish to increase their number of sites they have in the area.

Mr. Angus expressed concern with the levels of radiation and it concerns him that if in the future Rogers or Bell adds to the tower, the levels of radiation will be increased.

Mr. Forest explained that all installations to this site will need to meet the limits established by Health Canada.

Mr. Angus expressed concern with the view of the tower from their property and added that they are against the proposal.

Mr. Joudrey explained that they received a testation from an Engineer submitted as part of this application stating that radio frequency admission where more than forty-three thousand times less than allowed by Safety Code 6 for this site. He also added that Transport Canada has

submitted a letter indicating that in consulting with NAVCanada the tower does not have to be painted or lighted.

A gentleman asked if that was subjected not to change.

Mr. Joudrey explained that he couldn't guarantee that there wouldn't be a change in the future.

Mr. Don Fahie, Cole Harbour, asked if it is true that the Government in Europe are doing studies and are not taking these never as being correct. He also explained that in Spain there has been recent developments that proves that the emissions from these towers interfere with sparrows and other birds. He asked if they have ever considered erecting an invisible tower.

Mr. Forest explained that they take their guidance from Health Canada because they are licensed under the federal government and is not aware of the European standards. He encouraged Mr. Fahie to speak with Health Canada regarding his concerns and for clarification as to how they come to their determination.

Mr. Fahie explained that Safety Code 6 is universal. He explained that Aliant (prior to Bell) wanted to put a tower in the area. The community got together and was able to move the tower into the outlying area. Cole Harbour currently has Rogers, TELUS, Bell, and the service is fine. If the parameters can go from Cole Harbour to Sackville, why can't Caldwell Road.

Mr. Forest explained that it is a network of sites, each have their own area to cover and all work together.

Mr. Fahie asked if they had the results on the survey that was conducted?

Ms. Laing explained that there was a third party company that conducted some research so that Eastlink could get a better understanding of what the level of interest is in this area. Some early results showed that there was a 40% interest; 30-35% remained neutral and the remaining responded based on the tower location.

A gentleman asked how many household were surveyed.

Ms. Laing explained that there were a few hundred homes that were spread out to approximately a 3000 ft. radius of the area being reviewed. She explained that they can get the results back out to the community as soon as possible as a follow up.

A show of hands to who received the survey was had.

Mr. Ken Raisbeck, Cole Harbour, referring to the site map, showing the coverage. Why not just use HRM's land and erect tower by the bus terminal. He believes it is cost that Eastlink is interested in. How can I trust what is being said here tonight. The community doesn't want and doesn't trust Eastlink. He gave some examples of issues with Eastlink. Suggested building tower over by Rogers.

Eastlink rep said it would try to limit the number of sites that they need to acquire. It is not the cost.

Mr. Tom Puthiakvnnel, 35 Hickory Lane, backyard backs on Piercey's. Does not care what the size of the tower is etc. he stated he does not want the tower there. He also has concern with radiation. We have plenty of reception as is. He stated he was opposed to the tower.

Mr. Greg Pendlebury – 47 Hickory Lane, his concerns is about aesthetics, it is not attractive. Lived in house for 26 years; has concern with value of property. Strongly opposed to installation and sure Eastlink has other options.

Mr. Dave Lafave – 103 Halmark, is CRTC approval required?

Mr. Colin MacPhee – CRTC – it is not CRTC but Industry Canada. Eastlink respects what Industry Canada has to say and respects what the community has to say.

Mr. Ralph MacLean, 57 Hickory, one property away from Piercy's, soon to be Rona, does that have an impact on who owns the property? He wanted to know who owned SciCom Limited? Eastlink owns the site. Strongly opposed. How could you miss all the people in the telephone survey?

Mr. Colin MacPhee - The property is owned by SciCom Limited.

Ms. Carolyn Weaver – Bragg owns SciCom Limited.

Ms. L. MacKinney, 16 Hickory Lane, Trusts that the radiation levels are below the radiation levels. Concerns that the real estate value may go down. Concerns with making tower higher. Was not part of the survey - would like to know what was stated on the survey. Would like to know what the survey said. How do residents stop this from happening?

Mr. John Hanlin, 110 Halmark Cres., Farthest away from the tower and is opposed for it to be put in his neighborhood. He was contacted by the survey. He made suggestion on alternative placement of tower.

(tape was changed so missed the residents name and question in full)

Mr. Colin MacPhee, Land owned by Bragg prior to proposal.

Mr. Bob Clark, 43 Hickory Lane, hopes HRM are neutral. Hopes HRM will see that resident are just as important. Wants to further their lives asks that HRM take them into account, the concern of their day to day living.

Mr. Tim Gerard, 19 Hampshire, Opposed to this very serious issue. If this proposal was declined what secondary location is being considered?

Mr. Colin MacPhee – start examining options and look for another site or another option is to take to Industry Canada.

Mr. Tim Gerard – There is no secondary option?

Mr. Colin MacPhee– No

Mr. Steve VanHelden, 28 Halmark Cres., Has young children, concerns with radiation. Concerns with the study to come in 10-15 years from now what they thought was okay now isn't then. Concerns with equity/value of home. Also affects local businesses because if people start moving out these are supported by residents. Steve and wife oppose this.

Ms. Gerrie Irwin, 84 Hampton Green, Opposed to this. Bragg owns Piercy's, now Rona, who owns the property?

Tim Gerard – Whole property is owned by SciCom Limited which is Bragg?

Ms. Carolyn Weaver– Same as Halifax at the Piercy's on Robie St.

Ms. Gerrie Irwin – how big a piece of land is going to be retained for this tower?

Ms. Carolyn Weaver – proposed small area - 20 feet x 20 feet.

Ms. Gerrie Irwin – don't believe that there isn't another option. What other areas nearby does Eastlink have for options?

Ms. Carolyn Weaver – this location offers significant height. Less requirement to have to put in multiple towers.

Ms. Gerrie Irwin – concern with commercial property, have you worked with the business association or asked their opinion? If tower goes up she will no longer be Eastlink customer.

Mr. Don Fahie, 1000 Cole Harbour Rd., what is in building behind Piercy's?

Mr. Darrell Joudrey– doesn't think that question is relevant to the application.

Mr. Don Fahie – Going by the LUB, that states under 4.5 that only one main building allowed but there is two: they were given the permit for a storage shed.

Mr. Darrell Joudrey – There is only one main building on the property and the second building is permitted as an accessory building. The records show that it was built for storage. Suggested to talk to Development Officer.

Ms. Stacy Gerrard, 19 Hampshire Way – would like to ask the gentleman in the white shirt and tie if he works for Eastlink or HRM?

Mr. Darrell Joudrey - HRM

Ms. Stacy Gerrard, 19 Hampshire Way, how many cell phone towers does Eastlink have in NS?

Alex Forest – plans for NS and PEI - there are 400 sites.

Ms. Stacy Gerrard, how many are close to residential areas?

Mr. Alex Forest – don't know the exact number

Ms. Stacy Gerrard – her understanding is that you need to have a public consultation.

Mr. Alex Forest – it is part of the process

Ms. Stacy Gerrard – you have a tower on Bissett Rd. correct? Why can't Eastlink use that same location?

Mr. Alex Forest – the location proposed would serve the area where they are trying to fill the gap. A new tower at the Bissett Rd. location wouldn't do a good enough job.

Ms. Stacy Gerrard – what is the process after this meeting

Mr. Darrell Joudrey – will go over process at the end of the meeting.

Mr. Roy Thibault – could you build a taller tower at Bissett Rd.?

Mr. Alex Forest –the higher we go typically the further we can cover there is also a limit to capacity for each of these sites. In areas like this we try to keep them lower we want to maintain a good level of service for people served by that site. If too big it would serve too many people.

Ms. Gerrie Irwin – does Eastlink own any more land in Cole Harbour or surrounding area?

Ms. Carolyn Weaver – does not know off hand

Ms. Gerrie Irwin – is the location where the tower is on Bissett Rd., is that owned by Eastlink?

Ms. Carolyn Weaver– owned by Rogers, and they would have an agreement with landowner

Mr. Roy Thibault – asked how many towers does Eastlink have and does Eastlink offer cell phone coverage - if so where?

Mr. Alex Forest – do not offer any mobile service. Have fixed wireless internet service that is offered in southern half of province; for that project built 100 sites.

Mr. Roy Thibault – you don't now have cell phone service, so you are getting started here; I think you should start somewhere else.

Ms. Joan Clark, 64 Cumberland Dr., Building large tower in center is trying to find cheapest way of doing it

Mr. Darrell Joudrey – reviewed next steps, tonight was the public information meeting; after this HRM staff review and the criteria for visual impact, aesthetic and community compatibility will be looked at as part of evaluation as well as comments received tonight along with any email received. Will get the name of the business improvement committee and get their comments to add to this.

Lady - would a petition be worthwhile?

Mr. Darrell Joudrey – would be worthwhile to put together and submit to area councillor or to the municipal clerk. If submitted early it would be part of the report; part of public record. Staff prepares report for community council. Then the recommendation would be forwarded to Industry Canada and Industry Canada has final say in matter.

Mr. Roy Thibault – ask how much time would they have to do it.

Mr. Darrell Joudrey – would have month or so.

Mr. Roy Thibault – so would sending the petition to Industry Canada be better? How to know when this is going to council?

Mr. Darrell Joudrey – Colin will provide contact info for Industry Canada. The report will be available online when it is made available for the Councillors.

Mr. Darrell Joudrey - there is no public hearing involved with this process. All public comments are welcome and emails will be attached as part of public record. The Council meeting date will be posted on the HRM calendar or in your Councillor's communiqué. Minutes of meeting will be attached to staff report.

Mr. Roy Thibault – no other possibilities for location if HRM negative recommendation; then a process is initiated, to examine other areas.

Ms. Stacy Gerrard, 19 Hampshire – what background does the HRM staff have?

Mr. Darrell Joudrey – his background environmental planning, and landscape architecture.

Ms. Stacy Gerrard – do you look at urban planning and what it will look at in another 10-15 years

Mr. Darrell Joudrey - we look at the MPS, at the policy in place. We don't look at Safety Code 6

Ms. Stacy Gerrard – Aliant went through similar process? Do you reference previous proposal?

Mr. Darrell Joudrey – early in process will review past applications to look at planners judgment and how they have treated the policy and how they have applied it.

Mr. Roy Thibault – KFC building wall behind property line, 40 metres – can't hide with fence; going to canvas community with petition.

Another gentleman – noted that Eastlink didn't show alternate locations.

Mr. Darrell Joudrey – that part of the process is through Industry Canada- that they showed that they did diligently look at other locations.

Mr. Roy Thibault – Eastlink said they don't have a plan B.

Ms. Carolyn Weaver – they always have to look at existing towers. Viewed existing tower on Bissett Rd. Due to amount of equipment already on tower and the height you can get on the tower it would not meet Eastlink's coverage objectives. Even if they did they would have to have a meeting in regards to building another tower in the area for the coverage objective. Another option spoke of the HRM property at the Link terminal and based on coverage objectives that would not provide the coverage for the area.

Mr. Roy Thibault – could using the existing tower at Bissett Road and a new one at transit terminal combine to provide the same coverage?

Mr. Alex Forest – the expectation they have is they want to cover the area with one site not two. At this piece of property building is a commercial site.

Gentleman – inaudible question

Ms. Gerrie Irwin – at the beginning of the presentation Eastlink stated that the current designation was urban residential but current use of the site is commercial however the surrounding area is residential.

Mr. Roy Thibault – concern he has is because there is no plan B - because no other options. Suggests that they should have to submit alternative locations, there has to be other real estate in the area that meets their requirements.

Mr. Darrell Joudrey – this is the application before us for the site, if it does not get positive approval from parties then we meet and discuss alternatives and maybe we do go back with Industry Canada to look for resolution. New information has to come forward to resolve the impasse.

Mr. Roy Thibault – during the impasse is there any community involvement?

Mr. Darrell Joudrey – not that he is aware of - he believes it is just HRM and the applicant with Industry Canada.

Ms. Gerrie Irwin – who is considered affected? Some people notified and some not.

Mr. Darrell Joudrey – for notification HRM usually does 250-300 ft. from the subject property but in this case it was expanded into the residential area at Councillor Nicoll's request so we would capture more household than would usually do.

Mr. Roy Thibault – everyone is opposed to application and can that be taken into account and mentioned in staff report?

Mr. Darrell Joudrey – Yes it certainly can.

Mr. Roy Thibault – asked how many people are at the meeting (there were 48); he asked for show of hands of how many are Eastlink customers and how many would be if this was to be approved.

Councillor Nicoll – this application happened about a year ago and she informed Eastlink that it was going to meet resistance, has to remain impartial. The location that makes it so prime is the fact that the density of residents and that is a concern to her. She proposed that they look at other locations, mention the MetroLink, south Cole Harbour Rd. She is not convinced that they looked at all the possible options and locations. She encouraged them to continue to look. She thanked everyone for coming out.

Meeting adjourned at 8:38 pm

Attachment H: Communication Received from Citizens

I write this email to you as a concerned resident of Cole Harbour. The plan by Eastlink to erect a 40 m telecommunications tower on the Piercey's property must be stopped. I attended the public meeting on June 20th at Cole Harbour Place and was pleased to see so many of my neighbours in attendance. They did their due diligence to find out the underlying story of Bragg (Eastlink) owning the Piercey's property. The Eastlink representatives did not let us in on this fact. This comes down to Eastlink planning to save lots of money at our expense. Our property values will decline and we have been in our home at 8 Hampshire Way for over 28 years. Many of our neighbours are original home owners.

A little history - we bought our home in 1983 and were told by Clayton Development that there was a green belt along the property line of the lumberyard and Hampshire Way and Hickory Lane. When Clayton sold the last lot in our area, the chainsaws came out, very early one Saturday morning, and all the trees were cut down. The neighbours have since planted trees along their backyards and they are now mature and beautiful. They will not hide the unsightly proposed Eastlink tower.

We ask that Eastlink be a good neighbour and chose a site that is not close to residential areas or put a new tower next to an existing site.

Enough is enough.

Regards, Kelly Dillman

I live at 16 Hampshire Way, just metres from where Bragg Communications is applying to construct the telecommunications tower. I would like to go on record as being vehemently opposed to the construction of this tower. In no particular order here "some" of the reasons:

NO BENEFIT TO THE COMMUNITY

-Cole Harbour is very well serviced for wireless coverage. In my backyard I have a very strong cellular signal, and I have the choice of at least five service providers (Bell, Rogers, Telus, Koodo, Virgin etc.). Construction of this tower will have a very negative effect on the quality of life in Cole Harbour.

VISUAL AESTHETICS

-The majority of the residents of Colby Village will now be forced to see an ugly telecommunications tower instead of the beautiful tree line we now see. It is not only residents that will be forced to live beside this tower that will be impacted. As you know Cole Harbour has recently formed a business association where one of the major issues that they

want to tackle is beautification, and aesthetics along Cole Harbour Rd. This monstrous tower will take the community a huge step backwards instead of moving us forward.

HEALTH RISKS

-Telecommunications towers emit radiation. Health Canada's "current position" is that the risk associated with this amount of radiation is minimal. However the World Health Organization has new data to support that cellular technology may be cancer causing. There is a children's day care very close to the proposed site, and a large number of children live and play literally several feet from the base of the proposed tower. No amount of radiation is safe for children and young adults. Here is a quote from one of the world's leading experts on this matter:

"Children's skulls and scalps are thinner. So the radiation can penetrate deeper into the brain of children and young adults. Their cells are dividing at a faster rate, so the impact of radiation can be much larger," Dr. Keith Black, chairman of neurology at Cedars-Sinai Medical Center in Los Angeles" told CNN.

THE SITE LOCATION WAS CHOSEN BY THE CORPORATION FOR COST SAVINGS ONLY.

-The land at 1000 Cole Harbour Road is owned by the Bragg family. The corporation admitted at the public consultation meeting last night that they do not have a plan B for site selection. They do not appear open to the idea of leasing land or co-locating with other wireless providers, which is motivated strictly by their bottom line.

=====

I urge you to consider the many comments, and concerns of all of the members of the community through the public consultation process last evening.

Respectfully yours,
Jonathan Bishop

As a follow up to the meeting last night, I would like the contents of this email attached to the report that goes to council. Although Eastlink proclaims a 43000 times less radiation than approved by Health Canada, other countries have done a more thorough research. As a matter of fact, the government is studying the effects to see if health Canada is correct in its levels.

In Germany, a study has documented illness in dairy cows caused by cell phone towers radiation. This included decreased milk production, infertility, abortions, birth deformities,

behavioral problems and early death. Autopsies revealed that the cows died of acute circulatory collapse and bleeding from several organs.

In France, a study found that if people live closer to cell phone tower, they are more likely to experience dizziness, nausea, memory loss and other neurological symptoms.

In Spain, similar results were observed in studies.

The Dutch government sponsored double blind experiment in a laboratory. They found that people exposed to cell phone towers radiation experienced dizziness, nervousness, chest pain, shortness of breath, numbness, weakness and difficulty concentrating.

In US, a study found that childhood cancer rates in San Francisco were linked to proximity to the antenna-laden Sutro Tower.

In Sweden, Professor Olle Johansson of Karolinska Institute showed some revealing facts in a study. The rise and fall of asthma and certain cancers during the 20th century closely paralleled changes in public exposure to radio waves in every country they looked at. They found that radio waves pose similar risk factor in causing lung cancer as cigarette smoking.

Here is a small sampling of studies, which link a number of health problems to cell phone towers radiation.

Headaches, nausea and impaired alertness

A Dutch study exposed 36 people to electromagnetic radiation similar to cell phone towers emission at a level well within government limits.

Most of them reported "detrimental effects on well-being" including nausea, tingling and headaches, as well as impaired memory, reaction time and alertness (Netherlands Organization for Applied Scientific Research, 2003).

Regards,

Don Fahie _____
Don & Audrey Fahie

Hello, I am e-mailing with regards to my concern regarding the cell tower proposed for Leslie Road. As a physician my main concern is the potential health risks involved with these towers in populated areas. My concern being that there has simply not been enough time to fully appreciate the health effects these towers will have. All medical review articles I have read state that although there is no evidence currently more research has to be done to determine the risk. Stating that there is no risk, or no evidence is misrepresenting the data as no one will know the effects for another few years, it would be unfortunate to learn within 20 years that these towers are a great

risk to children's development and look back to say "we had no evidence and took the risk at the time". In much the same way smoking was looked at as having no definite risk to health in the 50s and 60s and of course if we knew then what we know now things may have been conducted differently.

I understand there is a meeting tonight, unfortunately I am unable to attend the meeting due to work.

Thank you for your time.
Daniel Boudreau MD CCFP (EM)

My husband and I live at 46 Hickory Lane in Colby Village. We are totally against the telecommunications Tower being installed in our area. We feel that the visual impact of the tower will lower the value of our home. We feel that Eastlink should investigate other areas where they could have the tower erected.

Sincerely,
Debby and Mark Shantz

Thank you for the opportunity provided for the concerned residents to air their thoughts regarding the proposed Communication tower application from Eastlink. I would like to formally lodge my disagreement of such a tower in close proximity to residential buildings due to set forth reasons hereunder –

- a. Safety – In case the tower collapses it would have no clearance to residential buildings. I refer your attention to the recommendations made by the HRM staff to the council with reference to erection of windmills on August 17, 2010, on page 5.

I quote, "Set back regulations are in place so that should a turbine fall, it would likely fall onto its own property."

I suggest that same rule should apply to this proposed tower as well. Is the nearest building at least 40 meters away from the proposed tower?

- b. Sensitive land use – I refer to you again your staff proposal regarding wind turbines.

Again I quote, "The proposed urban wind turbine locations include: - commercial campuses, business

parks and some marine industrial locations. Locations were chosen based on the distances from sensitive land uses (i.e. Residential dwellings, hospitals and hotels) and where non-sensitive business activity may benefit from the technology.”

As such how can, a Communication Tower of 40 meters could be treated differently.

- c. Right for Light – Will this not contravene your own by-law regarding right for light?
Immediate neighbours
will have a shadow cast over their property denying their right for light.
- d. I share a property line with a commercial establishment. They were allowed to erect a single story building
with a covenant in place, that they would erect a 10 foot blinding fence. If this applies to one commercial
entity bordering a residential property then it should apply to other cases as well.
What type of blinding
wall can Eastlink erect to hide a 40 foot tower?

Ramya Samarasekera

I was away at the time of the consultation meeting but would like to add my name as being opposed to the construction of the Bragg Communications telecommunications tower (1000 Cole Harbour Road). It seems the only reason that Bragg wants to put this tower too close to our residential area is financial, they should consider what would be in the best interest of the people who support their business.

Respectfully,
Debbie Fram

Being an RF technician for the Navy as well as a father of two young children, I had some especial interest in the situation. Based on the location and specifications of the tower, however, I personally see no reason for concern. I also noted that the public meeting regarding the tower installation was over a month ago, so obviously the petitioners are a little late to the party.

Thanks again--your assistance was greatly appreciated.

- Matt