HALIFAX
REGIONAL MUNICIPALITY

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Community Council
January 26, 2012

TO: Chair and Members of North West Community Council

SUBMITTED BY: Ann Merritt, Chair, North West Planning Advisory Committee

DATE: December 7, 2011

SUBJECT: **Case 17169 Telecommunication Tower – 230 Lucasville Rd, Sackville**

ORIGIN

North West Planning Advisory Committee Meeting – December 7, 2011.

RECOMMENDATION

It is recommended that North West Community Council forward a positive recommendation to Industry Canada supporting the proposal by EastLink for the construction of a new 60 metre (197 foot) self support telecommunication tower and associated equipment cabinets at 230 Lucasville Road (PID # 40014797), Middle Sackville, as shown on Map 1 and Attachment B of the staff report dated November 9, 2011.

BACKGROUND/DISCUSSION

At its meeting of December 7, 2011 the Committee reviewed and discussed the proposal to erect a 60 m (197 ft.) self support telecommunication tower and associated equipment cabinets at 230 Lucasville Road (PID # 40014797), Middle Sackville.

BUDGET IMPLICATIONS

There are no budget implications.

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

As per staff's report dated November 9, 2011.

ALTERNATIVES

North West Community Council may choose to:

1. Inform Industry Canada that North West Community Council has no objection to the proposal by EastLink to erect a 60 metre (197 foot) self support telecommunication tower and associated equipment cabinet at 230 Lucasville Road (PID # 40014797), Middle Sackville

2. Identify to Industry Canada that North West Community Council has additional comments or recommendations with respect to the proposed tower. In this event, staff will notify the local office of Industry Canada of Community Council's recommendations.

3. Identify to Industry Canada that the North West Community Council is not in favour of the proposal.

ATTACHMENTS

Staff report dated November 9, 2011.

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: Donna Honeywell, Administration/PAC Coordinator 490-4937

HALIFAX
REGIONAL MUNICIPALITY

P.O. Box 1749
Halifax, Nova Scotia
B3J 3A5 Canada

North West Planning Advisory Committee
December 7, 2011

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: Phillip Townsend, Director, Planning and Infrastructure

DATE: November 9, 2011

SUBJECT: **Case 17169 Telecommunication Tower – 230 Lucasville Rd, Sackville**

ORIGIN

Application by Bragg Communications Inc. (EastLink).

RECOMMENDATION

It is recommended that the North West Planning Advisory Committee recommend that North West Community Council forward a positive recommendation to Industry Canada supporting the proposal by EastLink for the construction of a new 60 metre (197 foot) self support telecommunication tower and associated equipment cabinets at 230 Lucasville Road (PID # 40014797), Middle Sackville, as shown on Map 1 and Attachment B of this report.

BACKGROUND

EastLink wishes to erect a 60 m (197 ft.) self support telecommunication tower and associated equipment cabinets at 230 Lucasville Road (PID # 40014797), Middle Sackville. The land is owned by Hefler Forest Products Ltd. and comprises 3 parcels which are used as a lumber yard. The Hefler Lands are 6.9 hectares (17 acres.) in area with 180 m (590 ft.) of frontage along Lucasville Road (Map 1). The proposed site layout is shown on Attachment B.

The proposed tower:

- is approximately 60 m (197 ft.) in height (Attachment C);
- is located approximately 500 m (1,640 ft.) from Lucasville Road and approximately 70 m (230 ft.) from the travelled way of Highway 101 (Attachment B);
- includes three equipment cabinets (electrical, fibre optic and back-up power cabinet) located at the base of the tower (Attachment D);
- is protected by a 2.44 m (8 ft.) high locked chain link fence around the equipment cabinets and tower base, anti-climb apparatus and an alarm system; and
- is not proposed or required to be painted or illuminated as per Transport Canada's requirements.

Site Features and Surrounding Land Use
The site has the following characteristics:

- R-6 (Rural Residential) and P-3 (Floodplain) zoning under the Sackville Land Use By-Law (Map 2);
- bounded on the south by the Sackville River;
- bounded on the north by Highway 101; and
- the proposed tower is to share driveway access with the existing business on the site (Heftler Forest Products Limited).

Municipal Process:
The federal government has jurisdiction over all forms of radio communication (radio and television broadcasting, microwave communication, private radio transmissions, etc.). Provincial and Municipal governments have little jurisdiction to interfere with or impair communication facilities licensed under federal law. Industry Canada is the federal agency which licenses and regulates these facilities under the provisions of the *Telecommunications Act* (S.C. 1993, c.38).

The federal government, however, has recognized that municipal authorities may have an interest in the location of antenna structures and this should be considered in the exercise of its authority. A consultation policy has therefore been instituted. The policy requires that an applicant notify the appropriate municipality of its intentions. The municipality is then given an opportunity to review the proposed antenna structure and site and provide comment. If any objections arise, the municipality is to provide written notice to the local office of Industry Canada. The submissions

will be reviewed by Industry Canada, who will then determine whether or not a license is to be granted and/or upon what conditions such license is granted.

DISCUSSION

The Sackville Municipal Planning Strategy (MPS) contains no specific guidance with respect to telecommunication towers. However, this application was evaluated against Policy IM-13, which is a general implementation policy in the MPS under which all planning applications are evaluated. Policy IM-13 is presented as Attachment E. Upon review of the MPS, the proposal meets the intent of the relevant policies. While the proposal is consistent with policy, staff has identified the following matters for specific discussion:

Location

The subject land is zoned both R-6 (Rural Residential) and P-3 (Floodplain), given its position in relation to the Sackville River as shown on Map 2. The telecommunication tower being proposed is situated on the portion of the land zoned R-6. The R-6 zone permits residential, resource and community uses. A list of the permitted uses in the R-6 zone is presented as Attachment F. Given the existing land use at the proposed location is a lumber yard, and that the closest residential dwelling is located on Evangeline Court on the north side of Highway 101, the concern for land use compatibility is minimal.

Visual Impact

From a community perspective, there may be visual impact from various points throughout Sackville where the tower may be visible, similar to other established towers. In this case, the tower will be highly visible to commuters travelling in either direction on Highway 101 and as such, a comparison can be drawn to the existing tower on the Walker Service Rd., which is also highly visible from Highway 101.

From a more localized perspective, the two primary locations of concern related to visual impact are for residents situated along the Lucasville Road and on Evangeline Court. It is staff's opinion that the tower will not dominate the landscape or adversely affect the residents clustered along the Lucasville Road as the tower is set back approximately 500m (1640ft) from the road. The residents on Evangeline Court may be subject to a greater impact as the cul-du-sac of Evangeline Court is located approximately 200m (656ft) from the proposed tower. However, within the 200m (656ft) is Highway 101, therefore the impact is considered to be minor.

Physical Proximity

As there is no formal policy in the MPS to guide the location of telecommunication towers to ensure adequate separation from adjacent properties, it is prudent to examine the potential risk should the tower experience structural failure. The base of the tower is proposed to be situated approximately 11m (36 ft) from the abutting property to the east, approximately 30m (98 ft) from the Highway 101 right-of-way to the north and approximately 60m (197 ft) from the Sackville River. Therefore, in the unlikely case that the tower should fall, it would be possible for it to reach the abutting property (undisturbed and vacant) to the east and the Highway 101 right-of-

way. However, it would not likely reach the traveled-way of Highway 101 or the Sackville River. Given the existing constraints on the lands with respect to the existing land use pattern of the lumber yard and the configuration of the property in relation to the Sackville River and Highway 101, there is no alternative location on the lands which would be considered more suitable for this installation. It should be noted that there are no buildings or dwellings within the 60m (197ft) distance from the base of the tower, therefore, there is no apparent risk for damage to physical property.

Health and Safety
Aside from land use planning issues, there are often concerns about potential health risks from the placement of telecommunication facilities. Industry Canada requires that such systems are operated in accordance with the safety guidelines established by Health Canada's radiation protection bureau in its publication, Limits to Radiofrequency Fields at Frequencies from 10kHz - 300 GHz. This is referred to as Safety Code Six. 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 the Safety Code Six requirements. Information submitted in support of this proposal indicates no concerns in relation to Safety Code Six. With this proposal, EastLink must demonstrate to Industry Canada that all federal requirements are met.

Summary
Staff have reviewed the proposal and are of the opinion this proposal does not appear to pose undue concerns. It is therefore recommended that North West Community Council inform Industry Canada that they have no objection to this proposal.

BUDGET IMPLICATIONS

The HRM costs associated with processing this application have been accommodated within the approved operating budget for C310 Planning & Applications.

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 October 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 G contains a copy of the minutes from the meeting.

A public hearing is not included in the telecommunications process: Council simply forwards a recommendation to Industry Canada.

The location for the proposed telecommunications tower would potentially impact the following stakeholders: property owners, EastLink, and Industry Canada.

ALTERNATIVES

The following alternatives are presented to North West Community Council for consideration:

1. Inform Industry Canada that North West Community Council has no objection to the proposal by EastLink to erect a 60 metre (197 foot) self support telecommunication tower and associated equipment cabinet at 230 Lucasville Road (PID # 40014797), Middle Sackville.

2. Identify to Industry Canada that North West Community Council has additional comments or recommendations with respect to the proposed tower. In this event, staff will notify the local office of Industry Canada of Community Council's recommendations.

3. Identify to Industry Canada that the North West Community Council is not in favour of the proposal.

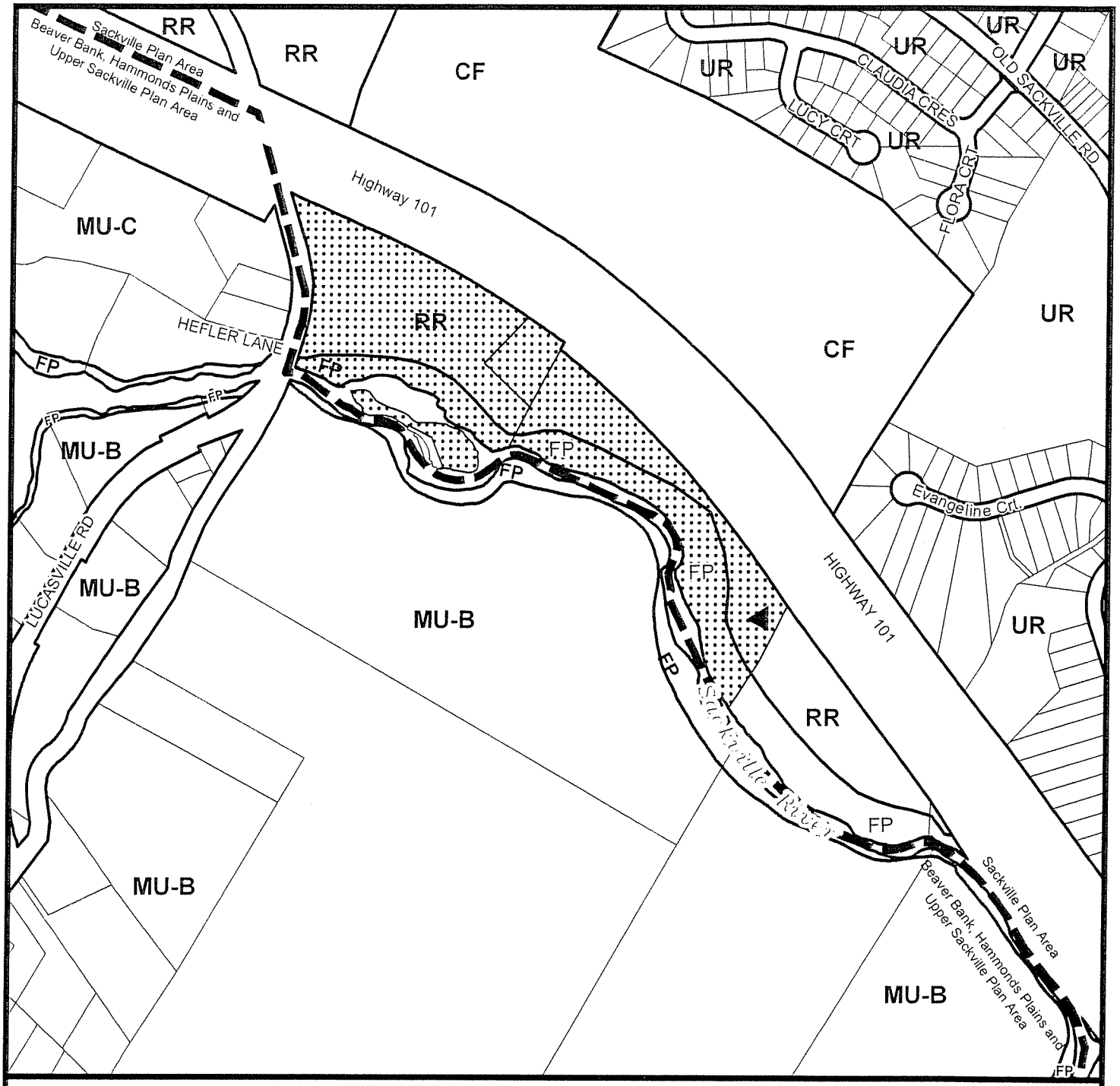
ATTACHMENTS

Map 1:	Generalized Future Land Use
Map 2:	Zoning
Attachment A:	Proposal details
Attachment B:	Site Plan
Attachment C:	Tower Elevation
Attachment D:	Compound Layout
Attachment E:	Excerpts from the Sackville Municipal Planning Strategy and Policy Review
Attachment F:	Excerpts from the Sackville Land Use By-law
Attachment G:	Public Information Meeting Minutes

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: Jacqueline Belisle, Planner 1, Planning Services, 869-4262

Report Approved by: Kelly Denty, A/Manager of Planning Services, 490-6011



Map 1
Generalized Future Land Use

Hefler Forest Products Ltd. Lands

Approximate location of tower

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Planning Services

N

Sackville Plan Area

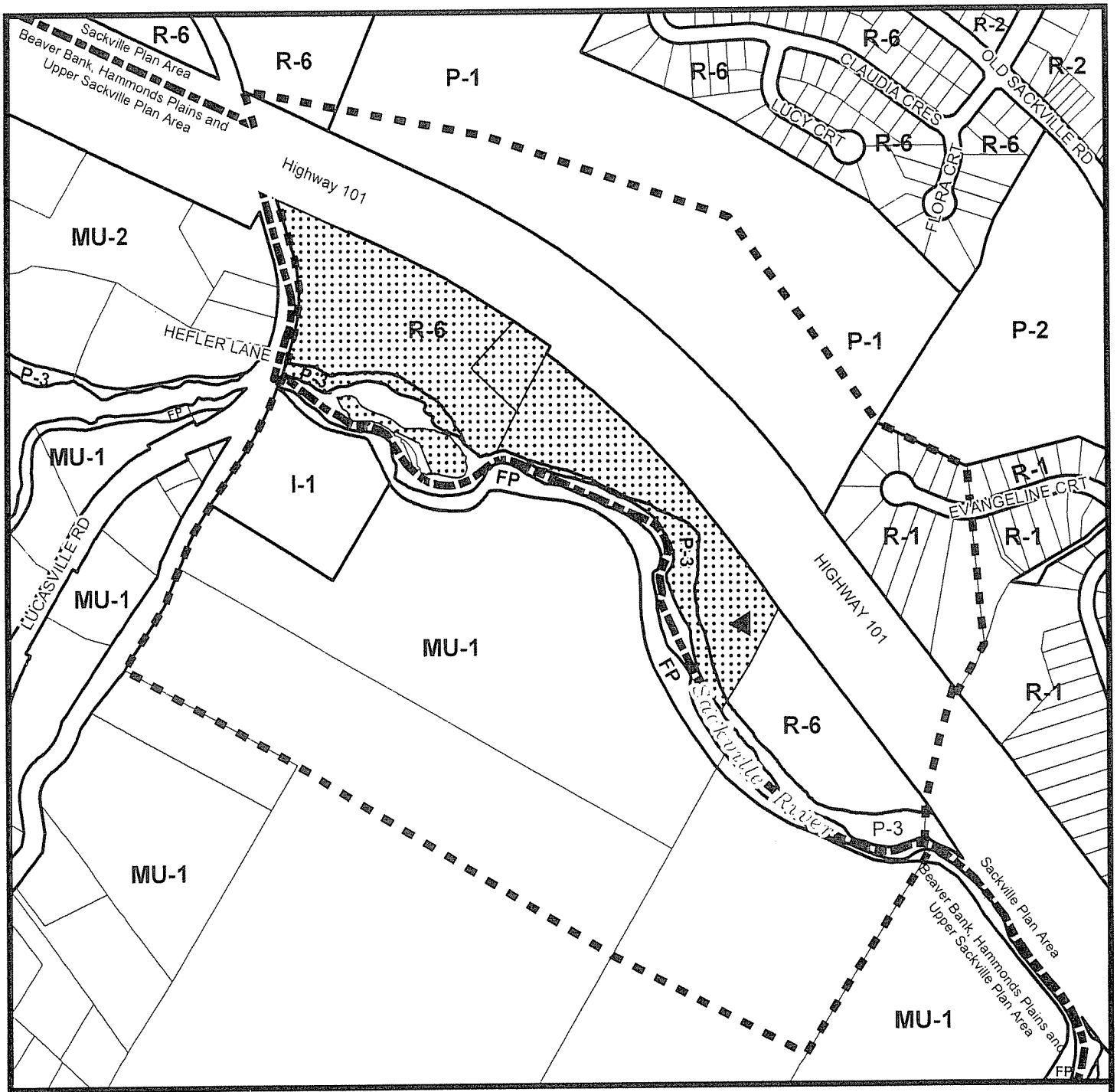
UR	Urban Residential Designation
RR	Rural Residential Designation
CF	Community Facility Designation
FP	Floodplain Designation

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area

RR	Rural Resource Designation
MU-B	Mixed Use B Designation
MU-C	Mixed Use C Designation
FP	Floodplain Designation

120 0 120 240
Meters

Oct 17, 2011 HRM does not guarantee the accuracy of any base map information on this map T:\Repmaps\Devagree\17169\Gflum mxd (AKT)



Map 2
Zoning

Hefler Forest Products Ltd. Lands

Notification Area

Approximate location of tower

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Planning Services

N

Sackville Plan Area

- R-1 Single Unit Dwelling Zone
- R-2 Two Unit Dwelling Zone
- R-6 Rural Residential Zone
- P-1 Open Space Zone
- P-2 Community Facility Zone
- P-3 Floodplain Zone District

Beaver Bank, Hammonds Plains and Upper Sackville Plan Area

- R-6 Rural Residential Zone
- FP Floodplain Zone
- I-1 Mixed Industrial Zone
- MU-1 Mixed Use 1 Zone
- MU-2 Mixed Use 2 Zone

120 0 120 240 Meters

Oct. 17, 2011

HRM does not guarantee the accuracy of any base map information on this map

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EASTLINK

Eastlink
P.O. Box 8660, Station A
6080 Young Street, 6th Floor
Halifax, NS B3K 5M3

July 29, 2011

Colin MacPhee
EastLink
Wireless Planner
6080 Young Street
Halifax N.S.

Halifax Regional Municipality
Jacqueline Belisle
Planner
636 Sackville Drive
Sackville NS

Ms. Belisle;

This letter pertains to the resubmission of this application which was originally submitted on June 28, 2011.

Bragg Communications Inc. (carrying on business as "EastLink") is proposing to construct a 60 m self support telecommunications tower in Lower Sackville, to bring the residents and businesses of this community EastLink cellular service. Eastlink has assessed and determined there are no suitable existing structures located within the search ring for this tower site. Included in this application is a detailed candidate justification rationale.

Location:
The telecommunications tower will be installed on a 30m X 30m portion of PID# 40014797 (of civic address) at 230 Lucasville Road, Lower Sackville. Tower center co-ordinates are 44 46 20N / 63 42 30W.

Access/Demarcation:
Access to the tower will be from Lucasville Road via an existing driveway, The base of the tower and equipment cabinet(s) will be enclosed with steel wire fencing, the fencing will be 2.4m in height, the tower will be equipped with anti climb apparatus.

An environmental assessment is not required for this location as the proposed structure is not located within 30m of a water body, and does not involve the likely release of pollutants into a water body and neither the antenna nor its supporting structure nor any of its supporting lines have a foot print of more than 25m squared.

Antenna System:
Supporting Structure 60 m Self Support Tower:
The proposed supporting structure for this location is a 60m or Self Support tower; the tower is constructed of steel lattice and will be site specific engineered. The width at the base of the tower is approximately 7m X 7m X 7m the foundation footings are approximately 8 feet x 8 feet below ground.

The proposed supporting structure for this location is a 60m or 197ft Self Support tower; the tower is constructed of steel lattice and will be site specific engineered. The width at the base of the tower is approximately 7m X 7m X 7m the foundation footings are approximately 8 feet x 8 feet below ground.

Antennas:
Six antennas will be mounted on the supporting structure (tower) at a height of 60 meters along with three to six radios at a height of approximately 59 meters on the supporting structure (tower).

The antenna is a dual polarized directional antenna. It consists of a dipole array on an aluminum base with a UV stabilized ASA radome for superior weatherability. The antenna is at DC ground to aid in lightning protection.

Radio: Remote Radio Units
Length: up to 60cm
Width: up to 35cm
Depth: up to 11.2cm
Weight: up to 20kg

Radio: Mounting Kit
Length: up to 17.7cm
Width: up to 48.3 cm
Depth: up to 27.1cm
Weight: up to 25kg

Antennas: Multi-band panel antenna
Antenna Dimensions:
Length: up to 263.7cm
Width: up to 37.4cm
Depth: up to 10.3cm
Weight: up to 17.3kg

Industry Canada Regional Office:

50 Brown Ave
Burnside Industrial Park
Dartmouth, NS
B3B 1X8

George Hastings
District Director
Industry Canada
Spectrum
Telephone: 902 426-3459

Transport Canada Requirements:
Painting or lighting: None required.

For further information pertaining to antenna systems please refer to Industry Canada's Spectrum Management and Telecommunications website (http://strategis.ic.gc.ca/antenna)

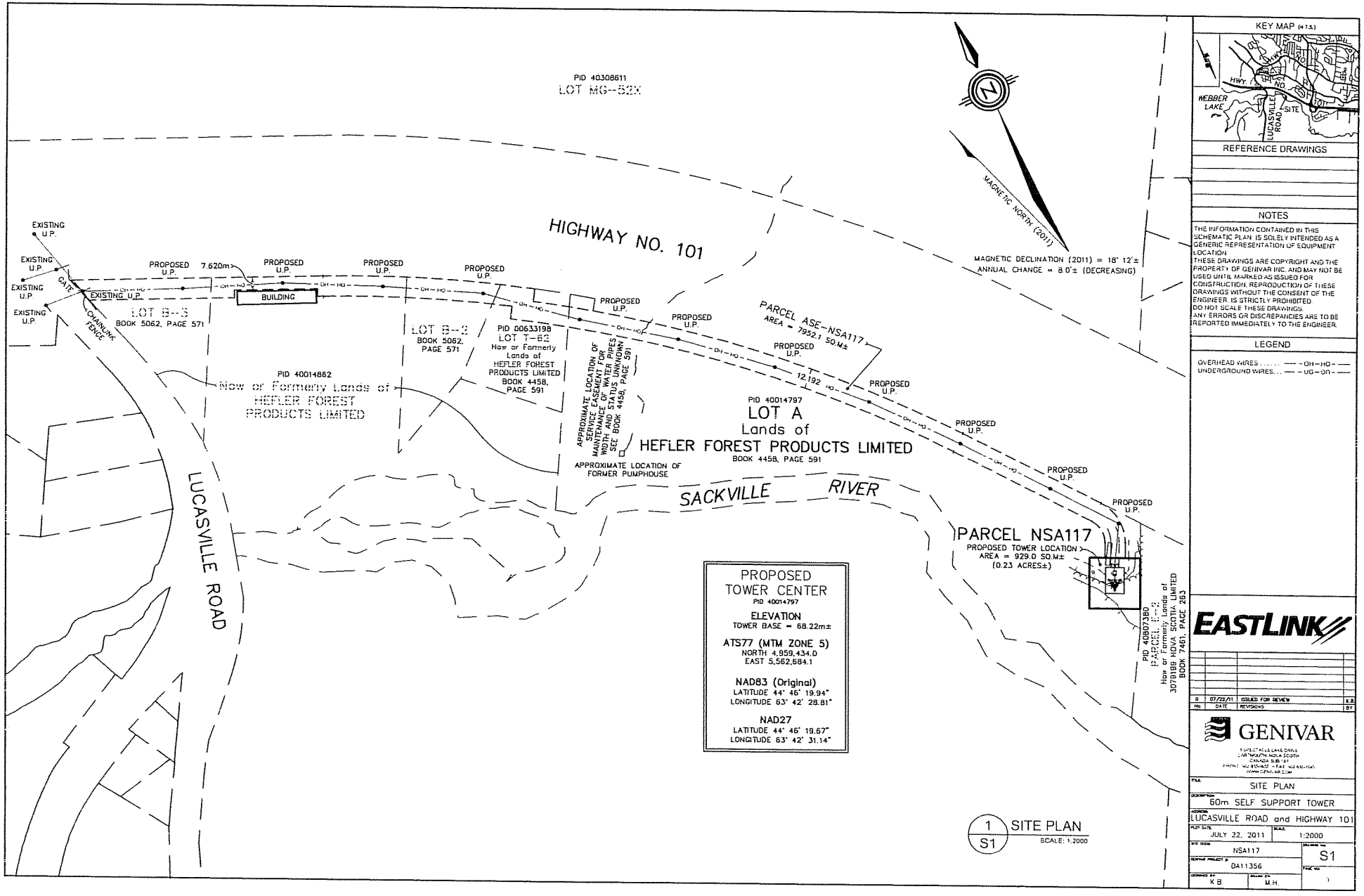
Safety Code 6 information may be found on Health Canada's website at:
(http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/wireless_safe-securit_sansfil-eng.php)

World Health Organization: (http://www.who.int/mediacentre/factsheets/fs322/en/index.html)

Best Regards,

Colin MacPhee

Attachment B



KEY MAP (N.T.S.)

REFERENCE DRAWINGS

NOTES

THE INFORMATION CONTAINED IN THIS SCHEMATIC PLAN IS SOLELY INTENDED AS A GENERIC REPRESENTATION OF EQUIPMENT LOCATION.

DO NOT SCALE THESE DRAWINGS.
ANY ERRORS OR DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER.

LEGEND

OVERHEAD WIRES . . . . . —OH—HD—
UNDERGROUND WIRES . . . —UG—DN—

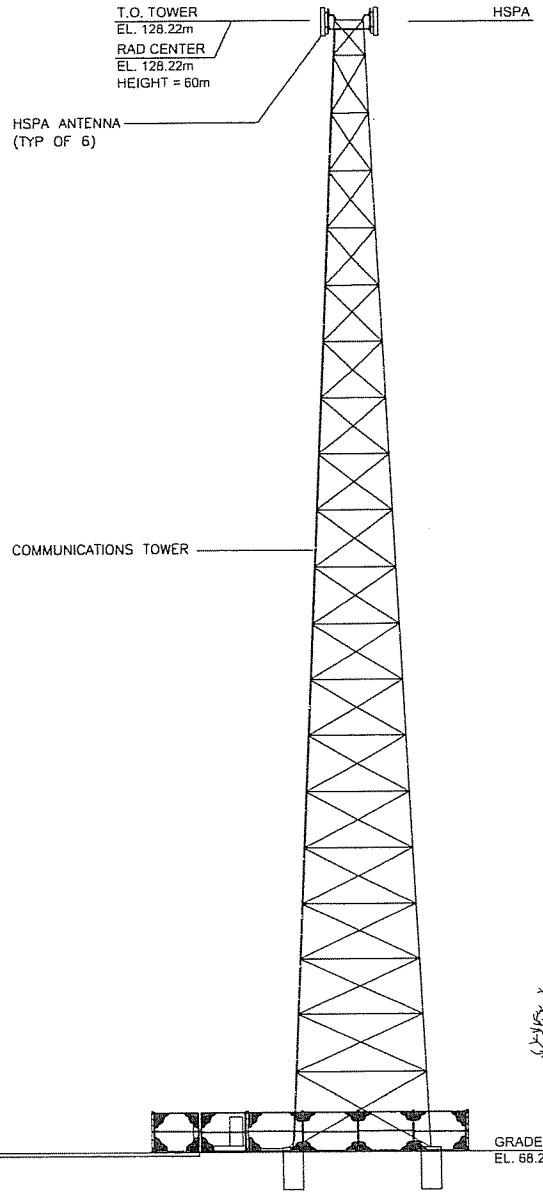
EASTLINK

NO	DATE	REVISIONS	BY
0	07/22/11	ISSUED FOR REVIEW	K.B

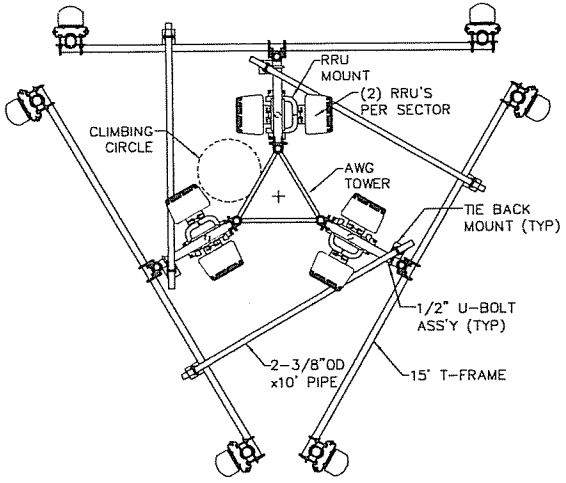
GENIVAR

TITLE	SITE PLAN
DESCRIPTION	60m SELF SUPPORT TOWER
ADDRESS	LUCASVILLE ROAD and HIGHWAY 101
PLOT DATE: JULY 22, 2011	SCALE: 1:2000
SITE NAME: NSA117	DRAWING NO.: S1
GENIVAR PROJECT #: DA11356	PAGE NO.: 1
DESIGNED BY: K.B	DRAWN BY: M.H.

Attachment C

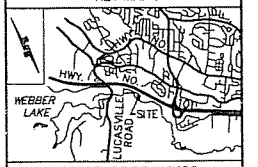


1 / S3 TOWER ELEVATION - LOOKING SOUTHEAST
SCALE: 1:250



1 / S3 HSPA ANTENNA LAYOUT
SCALE: 1:50

KEY MAP (N.T.S.)



REFERENCE DRAWINGS

NOTES

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EASTLINK

NO.	DATE	REVISIONS	
0	07/22/11	ISSUED FOR REVIEW	K.B.

GENIVAR

TITLE: TOWER ELEVATION

DESCRIPTION: 60m SELF SUPPORT TOWER

ADDRESS: LUCASVILLE ROAD and HIGHWAY 101

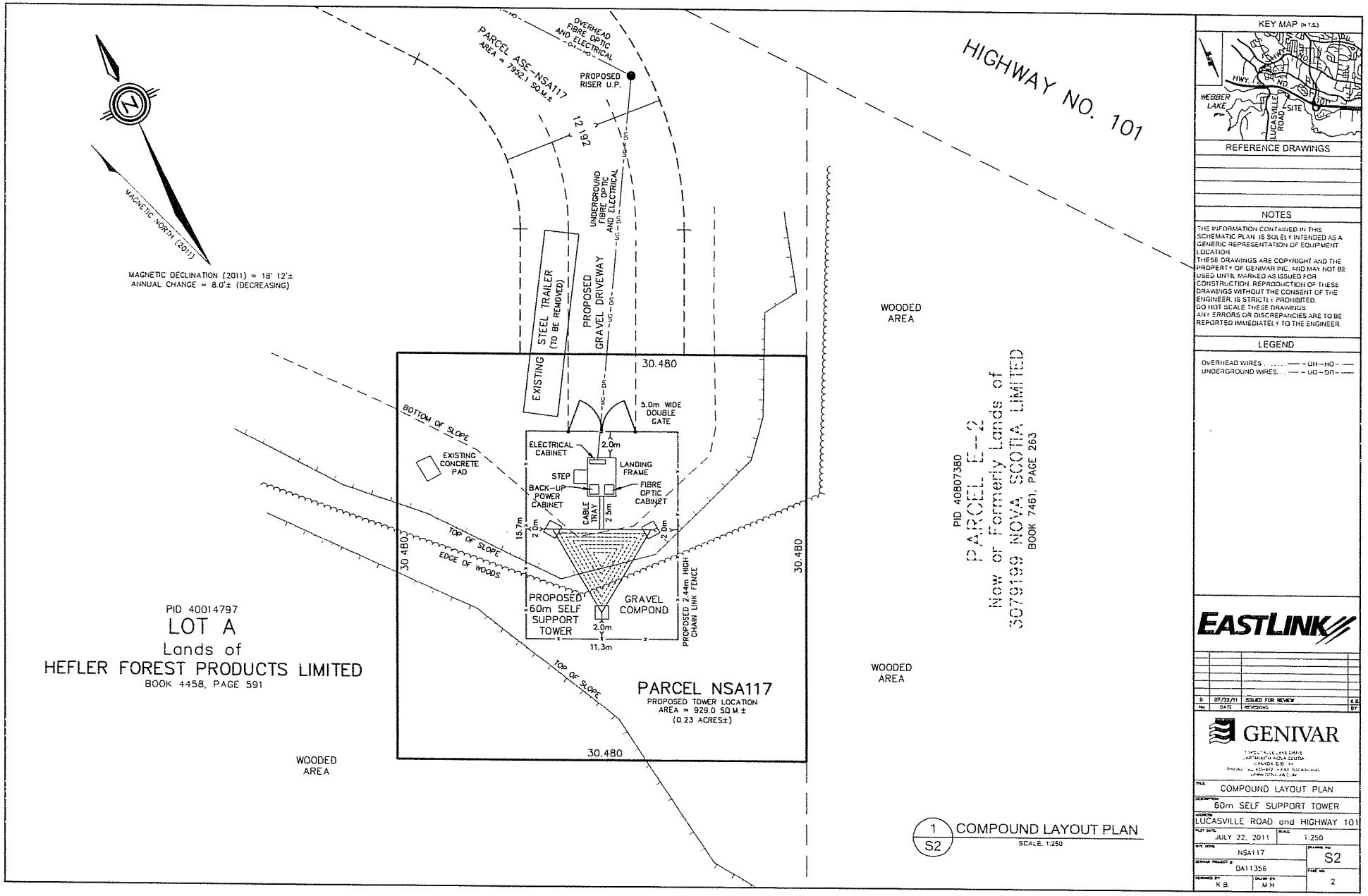
PLOT DATE: JULY 22, 2011 | SCALE: 1:250

SITE CODE: NSA117 | DRAWING NO: S3

GENIVAR PROJECT #: DA11356 | FILE NO: 3

DESIGNED BY: K.B. | DRAWN BY: M.H.

Attachment D



1 / S2 COMPOUND LAYOUT PLAN
SCALE: 1:250

KEY MAP (N.T.S.)

REFERENCE DRAWINGS

NOTES

THE INFORMATION CONTAINED IN THIS SCHEMATIC PLAN IS SOLELY INTENDED AS A GENERIC REPRESENTATION OF EQUIPMENT LOCATION.

DO NOT SCALE THESE DRAWINGS.
ANY ERRORS OR DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER.

LEGEND

OVERHEAD WIRES ..... —OH—HO—
UNDERGROUND WIRES... —UG—SR—

EASTLINK

No.	DATE	REVISIONS	BY
0	07/22/11	ISSUED FOR REVIEW	K.B.

GENIVAR

TITLE: COMPOUND LAYOUT PLAN
DESCRIPTION: 60m SELF SUPPORT TOWER
LOCATION: LUCASVILLE ROAD and HIGHWAY 101
PLOT DATE: JULY 22, 2011
SCALE: 1:250
W.O. NO.: NSA117
DRAWING No.: S2
GENIVAR PROJECT #: DA11356
PAGE NO.: 2
DESIGNED BY: K.B.
DRAWN BY: M.H.

Attachment E
Excerpts from the Sackville Municipal Planning Strategy and Policy Review

IM-13 In considering amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this planning strategy, the Sackville Community Council shall have appropriate regard to the following matters:	
Policy Criteria	**Staff Comment**
(a) that the proposal is in conformity with the intent of this planning strategy and with the requirements of all other municipal by-laws and regulations;	The Sackville MPS contains no specific policy with respect to telecommunication installations. When the MPS contains no guidance staff evaluate the proposal against general planning principles, in this instance general implementation Policy IM-13 provides a list of general planning matters under which we can examine the proposal.
(b) that the proposal is not premature or inappropriate by reason of:	
(i) the financial capability of the Municipality to absorb any costs relating to the development;	The municipality will not be responsible for any cost associated with this development
(ii) the adequacy of sewer and water services;	This development does not require any water or sanitary service
(iii) the adequacy or proximity of school, recreation and other community facilities;	This development does not require any associated dwelling units which would increase the school age population
(iv) the adequacy of road networks leading or adjacent to, or within the development; and	The road network leading to the development does not raise any concerns, the site can be accessed from Lucasville Rd. and there will be a service easement over the Hefler Lands for access to the tower
(v) the potential for damage to or for destruction of designated historic buildings and sites.	There are no known historic buildings or sites or areas of elevated archaeological significance in the area
(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by reason of:	...
(i) type of use;	From a land use perspective, telecommunication towers do not appear to raise compatibility issues such as hours of operation, noise, traffic generation, or intensity of the use. Given that the existing land use at the proposed location is a lumber yard compatibility concerns are minimal.
(ii) height, bulk and lot coverage of any proposed building;	The tower is proposed at 60m in height. Some visual impact is expected as the tower may be visible from

	various locations throughout Sackville.
(iii) traffic generation, access to and egress from the site, and parking;	Telecommunication installations do not generate significant traffic. Occasionally a maintenance vehicle will visit the site. There is ample space on site to accommodate these visits
(iv) open storage;	No open storage is proposed with this application
(v) signs; and	No signs are proposed with this application
(vi) any other relevant matter of planning concern.	There are no prescribed setbacks specifically related to telecommunication towers. Should the tower experience structural failure the neighbouring property to the east, and the Highway 101 right of way could be impacted. However, there are no structures located within 60m of the tower's base.
(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, potable water supplies, marshes or bogs and susceptibility to flooding;	A portion of the property is zoned P-3 (Floodplain) as the property is bounded on the south side by the Sackville River. The requirements of the Sackville Land Use By-law require a 30m watercourse setback / buffer from the rim of the Sackville River. The tower is not located within the 30m setback or the P-3 zone.
(e) any other relevant matter of planning concern; and	Health and safety concerns are often raised regarding telecommunication installation applications; Health Canada has imposed standards with respect to these concerns.
(f) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy IC-6", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS.	This proposal does not involve subdivision.

Attachment F
Excerpts from the Sackville Land Use By-law

12.1 R-6 USES PERMITTED

No development permit shall be issued in any R-6 (Rural Residential) Zone except for the following:

Residential Uses
Single unit dwellings
Day care facilities for not more than fourteen (14) children and in conjunction with permitted dwellings
Bed and breakfasts in conjunction with permitted dwellings
Business uses in conjunction with permitted dwellings

Resource Uses
Agricultural uses
Forestry uses
Fishing and fishing related uses

Community Uses
Open space uses
Institutional uses except day care facilities, medical clinics and fraternal centres and halls

21.1 P-3 USES PERMITTED

No development permit shall be issued in any P-3 (Floodplain) Zone except for the following:

Resource Uses
Agricultural uses
Forestry uses
Fishing and fishing related uses

Open Space Uses
Parking areas involving no grade alternations, provided the capacity of the floodway is not reduced
Public and private parks and playgrounds
Recreation uses
Conservation related uses

Attachment G
Public Information Meeting Minutes

HALIFAX REGIONAL MUNICIPALITY
Public Information Meeting
Case No. 17169 and 17189

Monday, October 3, 2011
7:00 p.m.
Wallace Lucas Community Centre, Lucasville

STAFF IN ATTENDANCE:	Jacqueline Belisle, Planner, HRM Planning Services Tyson Simms, Planner, HRM Planning Services Alden Thurston, Planning Technician, HRM Planning Services Cara McFarlane, Planning Controller, HRM Planning Services
ALSO IN ATTENDANCE:	Councillor Brad Johns, District 19 Councillor Peter Lund, District 23 Colin MacPhee, Eastlink, Supervisor, Municipal Planning and Regulation Stephen Banks, Eastlink, Site Acquisition Specialist Alex Forest, Eastlink, Manager, Radio Network Engineering Jill Laing, Eastlink, Manager, Public and Media Relations
PUBLIC IN ATTENDANCE:	Approximately 42

1. Call to order, purpose of meeting – Tyson Simms

There are two telecommunication applications, Case 17169 and 17189, from the same applicant, Eastlink, that will be discussed during this public information meeting (PIM). Case 17169 is for a proposed cell tower at 230 Lucasville Road and Case 17189 is for a proposed cell tower on Daisywood Drive.

Mr. Simms introduced his colleagues, Jacqueline Belisle, Alden Thurston and Cara McFarlane, HRM Planning Services; Councillor Brad Johns, District 19; Councillor Peter Lund, District 23; and Eastlink representatives, Colin MacPhee, Alex Forest, Stephen Banks and Jill Laing.

The purpose of the PIM is to identify that HRM has received an application, receive feedback and to give information about the proposal. No decisions are made at the PIM.

The PIM agenda was reviewed.

2. Overview of planning process – Tyson Simms

In terms of process, telecommunication applications are different from our typical planning applications in HRM because the Federal government has jurisdiction over radio communication.

Municipal governments, in this case HRM, have very little jurisdiction to interfere in these processes. Industry Canada is the Federal agency which licenses and regulates telecommunication facilities. Those agencies recognize that municipalities have an interest in these applications and therefore require the applicant to notify the municipality. The municipality then has an opportunity to review the proposal and provide comment. These comments will be considered by Industry Canada who will then determine whether or not a license will be granted and conditions will be stipulated at that time.

The process of a typical telecommunication application was shown: a) application received by HRM; b) staff conduct a preliminary review of the application; c) a PIM held; d) conduct a detailed review of the proposal; e) staff compile a staff report with a recommendation to the North West Planning Advisory Committee (NWPAC) who will then forward that onto the North West Community Council (NWCC) for recommendation; and f) NWCC then forward their recommendation to Industry Canada.

Presentation of Applicable Policy – Jacqueline Belisle

The sites being discussed fall into to two separate plan areas. There is no specific policy in either plan that deals specifically with telecommunication installations. There is general implementation policy in both plans that is considered when evaluating these applications and making a recommendation to NWCC. Some factors include: a) the compatibility with the surrounding uses; b) the accuracy of the road network leading to and from the site; c) potential for damage to historic sites; d) height, bulk, and lot coverage; e) suitability of the site in terms of the topology; and, f) any other relevant matters of planning concern.

The first property for discussion is located on the Hefler Forest Products property at 230 Lucasville Road (highlighted in yellow). The proposed telecommunication tower site was highlighted in red. The property falls within the Sackville plan area. Under the Municipal Planning Strategy (MPS) a portion of the property is designated Rural Residential and a portion is designated Flood Plain because of the Sackville River. The property is zoned R-6 (Rural Residential) under the Sackville Land Use By-law (LUB).

The second proposed site is on Daisywood Drive in Hammonds Plains. The property is owned by Halifax Water. The property falls within the Beaver Bank, Hammonds Plains and Upper Sackville plan area and is designated both Rural Resource and Watershed under the MPS and zoned PWS (Protected Water Supply) under the LUB. The approximate location of the proposed tower installation was highlighted in red.

3. Presentation of Proposal – Colin MacPhee, Site Planner, Eastlink Wireless

Eastlink provides a wide range of telecommunication services including wire line telephone service to your home, high speed internet, etc. It is a Nova Scotia based company with over 1500 employees Canada wide as the operations in cable and internet have expanded across the country.

Eastlink is constructing a world class 4G wireless network that will be capable of supporting voice and data over a wide array of wireless devices.

There are four main criteria to consider when choosing our wireless telecommunications sites: elevation, location, land availability and the environmental impacts, if any, that are present. Eastlink is subject to what is known as a radio network engineering requirement. In order to operate properly and provide coverage, there needs to be a certain distance between sites.

All of Eastlink's free-standing sites are guide towers. The bases are fenced and anti-climb apparatus is provided. In addition, any existing roads leading to the towers, or ones needing to be built, are typically gated as required.

Mr. MacPhee said health and environment issues would be explained as per the public's questions during the PIM.

Eastlink is fully required to comply with what is known as Safety Code 6 as set forth by Health Canada. In addition, Transport Canada and NAVCanada approvals are needed to make sure that any towers sticking up out of the ground are safe with regards to air traffic. Eastlink's ultimate regulator is Industry Canada.

If a land use authority, in this case HRM, has a process in place, then that process is followed. Eastlink is here tonight to engage and receive feedback from the community for the proposed sites. One very important thing to mention is that much of our bill before the Province of Nova Scotia and HRM will consist of what is known as co-locations. Eastlink is mandated to co-locate antenna equipment wherever possible. When not possible, it becomes necessary to build a new free-standing antenna.

4. Questions and Comments

Gordon Hebb, Daisywood Drive – The proposed site plan on Daisywood Drive shows the civic number as 400 Daisywood Drive which is his civic address. He has and the community is full of young families. He moved to the location because there is 300 acres of empty land behind him. He was told that land would not be developed. Why does this tower have to be so close when there is 300 acres of empty land behind? The City of Edmonton has a policy that discourages locating these towers in low density, residential areas where the area consists of predominately single-detached, semi-detached, duplex, mobile or manufactured homes. The City of Toronto discourages new towers within adjacent neighbourhoods, apartments, centres and other sensitive land uses. He understands the need for a tower but there is ample room to put a tower far back in the woods away from any residence. **Alex Forest, Manager of Radio Networking Engineering, Eastlink,** pointed out that the towers are part of a network. These are the sites that were put in place such that they will work together and provide coverage over the area. The additional point is that Eastlink is a new entrant into a well-established market which means competing directly with Bell Rogers, Telus and making sure that the coverage and level of service provided exceeds the coverage the competitors have in place today. Eastlink has received permission from the property owners to erect the tower on the proposed sites. The purpose of

these meetings is to listen to the community and possibly pursue other suggestions to avoid alienating any potential customers.

Mr. Hebb – The trees at the Daisywood Drive site have been cut down. Is the decision already made? What is this meeting about? Mr. MacPhee explained that some preliminary site investigative work and soil testing had to be completed prior to Halifax Water's cutoff date of September 30. In order to build the tower safely and in accordance with regulations, some preliminary work of the site had to be done. Mr. Simms read a statement from Halifax Water: "The work completed to date was done to determine if soil conditions were satisfactory to support the structure. It does not imply the project has been approved nor guaranteed to move forward and the approval process interviews still need to occur." HRM staff investigated the situation immediately and contacted Halifax Water and the applicant to ensure no more onsite activity occurred. The application is still subject to consideration by NWCC and then approval subject to Industry Canada's decision.

Gary Dunham, Lucasville – Lives adjacent to the proposed Lucasville site and does not want the tower. Eastlink made him a proposal to put the tower on his property because of the high elevation. After some thought and doing some research, he decided against it. He was the founding president of the Sackville Rivers Association who was responsible for cleaning up the river. Putting a tower on the proposed site will take away from the area aesthetically. There is no reason why the tower cannot be placed two or three miles back in the woods. He would like to have more information on the health risks. Mr. Forest said that health concern issues commonly come up. Health Canada has a set of regulations that have to be adhered to in terms of the energy that is coming from these sites. Eastlink is far below the set levels. The site is safe. Health Canada does a lot of research and continuously updates their studies. If new information was to come forward, the regulations, if need be, would change.

Jean Harquail, Tattenham Crescent – She read, "There is strong evidence that electro-magnetic radiation from cell phone towers is damaging to human and animal health." Bavarian State Government in Germany published in 1998, "The erection of the tower caused adverse health defect resulting in a drop in milk yield". A human study in Kempton West in 2007 measured blood levels of serotonin and melatonin, important hormones involving brain messaging, mood, sleep regulation and immune system function, both before and five months after the activation of new cell sites. Twenty-five participants lived within 300 metres of this site. Substantial unfavorable changes occurred within respect to both hormones. Over 1000 scientists and positions at Boston and Harvard Universities (School of Public Health), have called cell phone towers a radiation hazard. Ms. Harquail was told her land was a protected area with covenants. Where are the covenants? A study performed by doctors from Nalia, Germany, monitored 1000 residents who lived in an area around two cell phone towers for ten years. During the last five years of the study they found that those living within 400 metres of either tower had a newly diagnosed cancer rate three times higher than those who lived further away. Breast cancer topped the list but cancers of the prostate, pancreas, bowels, skin, melanoma, lung and blood cancer were all increased. For example, in a case known as Tower of Doom, two cell masts were installed in 1994 on a five storey apartment building in London. Residents complained of many health problems in the following years. Seven of them were diagnosed with cancer. The cancer rate on the top floor closest to the tower was ten times the national average.

The damage from radiation exposure accumulates over many years but the breakdown in health happens only after all body defences and repair mechanisms have been exhausted. At an international health conference, thirty-three delegates from seven countries declared cell phone towers a public health emergency. Radiation levels from a single cell site vary depending on usage. Even maintenance issues can affect how much radiation a cell site is currently producing. For some people, short term effects include the following: headaches, sleep disorders, poor memory, confusion, anxiety, depression, appetite disturbances and listlessness. Not one person on Tattenham Crescent supports the cell tower.

Anthony Wiseman, Tattenham Crescent – Understands the business side of it, but all the residents purchased land in the area and built homes (some with "greenspace"). There is a flaw in HRM planning. Mr. Hebb's house is worth a certain value. What do you think will happen to the value the day after the tower is constructed? Mr. Wiseman is in a viewplane. Himself and 90% of the residents will see that tower. He believes this has to go back to the municipal level to develop policy. The residents will fight this, but there is a problem when HRM comes here to host a meeting when it is someone else's jurisdiction. This property is HRM. This is the watershed for HRM. HRM granted the land to Eastlink to build this tower and now the residents are fighting. The residents are here now trying to protect property values, viewplanes and, hopefully not, the health of our children, but the most recent study says exactly that. It recommends children not use cell phones because the bone density in their head is too soft. What do the councillors think about the policy? He would like to see an alternative that is suitable for all of the residents (Daisywood, Lucasville and any other site). Ms. Belisle explained that HRM does not have jurisdiction over telecommunication towers. The Federal government and Industry Canada would ultimately make the decision of issuing a permit. This is our opportunity, as a municipality, to do some public consultation and make opinions from staff's perspective (professional opinion) and from the resident's perspective (voices heard to Industry Canada). Staff reports are based on these issues and forwarded to the NWPAC who then forwards their recommendation onto NWCC and in the end, it is NWCC that is giving a recommendation to Industry Canada. HRM does not have the same jurisdiction that the Federal government does in these applications, but this is an opportunity to make your voices heard.

Melinda Dollar-Thompson, Daisywood Drive – Has been in contact with the people of Avonport who are also fighting to keep a cell phone tower away from their homes. It is not Eastlink we are fighting against and she does not question their need for a cell phone tower. She does question the need for it in her backyard. She also questions the timing of the applications. The people of Avonport are farmers and in the middle of their harvest, the residents had to prepare all of their information for a public meeting. In her case, the families in the community have two parents working, kids in school and this is the busiest time of year. Application paperwork comes in at the same time that information for the kid's activities comes making it hard to prepare the fight. She started collecting a lot of information in regards to electro-magnetic fields. She pointed out that she has access to the same information that the people from Avonport presented to Eastlink before. The residents of Daisywood Drive have the same feelings in regards to that information.

Ms. Dollar-Thompson said according to experts, technology that is used today is too fast for Health Canada to keep up with. Safety Code 6 is probably outdated at this time. Why are these

going up so close to our homes? The same information about greenspace behind our homes and it being in a watershed was accessed before she bought her property. A lot of residents feel they may move if this is approved.

There were two robberies on her street over the last couple of weeks which has kept a lot of residents home this evening. A petition will be sent around for those people to sign. She feels there has to be another area to erect the tower that is not right on top of the homes.

Andrew Finlay, Tattenham Crescent – He was promised that his property was protected as watershed land and then Daisywood Drive appeared. It is happening again. If this is protected land, then do so. HRM, please draw the line and stop this now. People have built their homes and suddenly the rules are changing.

Eastlink is out there to make money, to run a business, that's fair, that's fine, but if there are no customers in the area, which will probably be the result of this, there is no point. He will drop Eastlink. What is the point of putting it in someone's backyard if that is the person you want to service? There are lots of access roads within that 300 acres. Make the community happy and proud of Eastlink. Don't turn them against Eastlink.

Mark Walker, Daisywood Drive – Supports local business. He is interested in what other areas within the 300 acres have been scouted out. Was the closest, most convenient site with easy road access and requiring fewer phone poles chosen? What would the lighting requirements be for a tower of that size? Is there a tower of similar structure and footprint that residents can look at? He is curious as to why Eastlink's competitors can pull off coverage without having a tower right in the middle of the neighbourhood. **Stephen Banks, Site Acquisition Specialist, Eastlink,** explained that the tower needs to be positioned in a way to provide coverage to people in the area that is being served. Halifax Water also indicated where on the property the tower would be allowed. With regards to the lighting of the tower, Transport Canada regulates lighting and painting of the towers. In this case, neither is required. There is a similar tower that can be viewed on the Hammonds Plains Road just across from Voyageur Estates. Mr. Walker wondered if those towers could be used. Mr. Banks mentioned that Industry Canada requires, if possible, that existing towers be used. Coverage plots are required by Industry Canada before a license is issued. Mr. Forest added that the license band that is used determines how well a site can cover. The band that Eastlink uses does not cover as far a spectrum as Rogers and Bell currently uses.

Mr. Walker asked if Halifax Water is willing to move the location back further (2,000 or 3,000 feet). Is there that much sensitivity between the distance of towers? If elevation is a problem, could you make it an extra 20 feet high? Mr. Forest said that the area has a lot of trees and roaming hills which can make a difference. Typically, the coverage radius from a site like this would be in the neighbourhood of 2 km so to move it 1 km away from where it is today would significantly change the area that it covers. Other spots can be investigated if presented to Eastlink. Eastlink would have to look into increasing the tower height to make up for distance. Mr. Walker wondered if that would be an option. Mr. Forest has not been presented with that option because the proposed location is where Halifax Water was willing to accommodate the tower.

Royce Hefler, Hefler Lane – Was not voting for or against the tower. He wanted to clarify that his property was sold in 1999. He no longer owns it and no one has ever made a proposal to him to construct a tower.

Kim Blanchette, Tattenham Crescent – Has lived in Whitehills for approximately twelve years and was told the land behind and around her was protected. Over the past ten years, she has become ill and is concerned her condition will worsen. What kind of 4G service does the watershed require when these houses already have service? Technology does have a place and purpose but what is the limit? Is more wireless coverage and faster service really needed? She is also concerned about the children in the junior high and private schools close by. What are they subject to from the tower emissions?

Joyce Evans, Pockwock Road – Does not live near either site. She grew up on a large piece of farm land and has a lot of respect for nature but from past experience she has little faith in Health Canada.

Kevin D'Aguiar, Daisywood Drive – Voiced that Eastlink, HRM and Halifax Water are going to make a lot of enemies and they are going to make a lot of people upset. If another spot is considered, it will make a lot of people happy.

Councillor Lund – Is the purpose of this tower to fill gaps or to enhance an existing service? What area will it cover? What is the radius of that servicing? Is it considered as a radius? Mr. Forest said that it is a gap filler but not in the sense of road coverage. Eastlink will be co-locating or mounting equipment on existing towers along Hammonds Plains Road. This site will extend coverage by probably a 1 to 2 km radius into residential areas. As far as enhancing services, Eastlink currently offers high speed internet, telephone and cable TV, those will remain the same. We want to basically offer the same as what Bell Mobility offers today (I-Phone, Blackberry, wireless data device). Eastlink would offer a similar service but with a better value to customers.

One resident –What's going to stop more towers from developing because another competitor wants to come in and offer a better deal? What is protected, economics?

Councillor Lund –How was this particular site selected? Is it because of convenience or is it because there were a number of other sites that were selected within a certain radius and this came out to be a preferred option? Is there any other location along that corridor where the tower could be located? Why or why not? Mr. Forest explained that the first step in the selection process is to make a plot plan on a map. The first dots looked at are the existing towers. Eastlink looks at any buildings that are tall enough to suit a site installation as well as other tower owners. The best alternative is to go with something that exists. Once an area where there is a gap in coverage is identified, a search ring (a circle drawn on a map that shows the need for a tower) is put in place. Quite frankly, Eastlink needs a willing property owner. In this case, that is really what it came down to. Councillor Lund asked if it could have been located further along. Mr. Forest said that there is not another option available in the area at this time.

One resident – The two applications should have been dealt with separately as it is confusing.

Ms. Belisle explained that the two applications are for telecommunication towers by the same applicant, it follows the same HRM planning process and there is similar policy in place.

One resident – Does Eastlink have in production these new devices to coexist with the proposed towers? Are they on the market already? Mr. Forest said they are on the market but not available for purchase from Eastlink.

One resident – Built their house here because of the water quality. Special filer equipment was installed due to their daughter's kidney disease. Will any kind of commercial pesticides be sprayed on the property? Has the property been treated to keep the trees from growing back? Are there any plans to do that in the future?

Mr. Walker – If the tower is erected in the place that is proposed, is there any assurance that it will not grow in height down the road when needs change? Mr. Forest said that the regulations allow an increase by 25% without having to go through another public process and reapplying for approval through NAVCan and Transport Canada to ensure that it is not increased to a height that needs lighting or paint or is in fact perhaps not permitted.

Mr. Walker – With respect to the suggested site on Daisywood Drive, is that the only location that Halifax Water would allow? Mr. Banks said it was a negotiation that both Halifax Water and Eastlink made together. Mr. Simms read some information provided by Halifax Water which will be entered into the record for the PIM. "Halifax Water, as a land owner, is considering a lease to the telecommunication company for the placement of a tower to service this area. The lease is conditional on the telecommunication company receiving all of the appropriate municipal, provincial and federal approvals. Should these approvals not be obtained, the land would not be leased for the placement of a tower."

Councillor Johns – What is the minimum distance recommended by Health Canada? Mr. Banks said that there is no minimum distance recommended as long as the criteria of Safety Code 6 is met. Councillor Johns asked what the industry standard minimum distance typically is. Mr. Banks believes it varies from each individual site.

Thea Langille - It has been a challenge from the municipality's perspective because HRM does not have the authority over this particular land use. Typically, a municipality has the ability, through the HRM Charter, to regulate where certain land uses are permitted. However, telecommunication towers are a bit different. HRM has been given an opportunity though to talk to the residents, find out what their concerns are and provide them with a path in which to channel comments through to Council and Industry Canada. The choice that HRM has made is to make sure a PIM is held, find out what the public thinks about what's being proposed, take that information and put it into a staff report, present it to NWCC and they will make a recommendation to Industry Canada. There is no recommended minimum distance, no magic number, but compatibility is considered. Your comments will be put forward.

Andrew Finlay – What is the possible radio-frequency emissions of the proposed cell tower? What would be the possible radio-frequency of the tower with a 25% increase in height? As a result of some internet research, a 400 metre distance seems to be quite popular. Mr. Forest

explained that the radios (typically three or six per tower) operate at 40 Watts. The bottom line is that we always have to be in compliance with the regulations set forth by Safety Code 6. These sites are monitored remotely 24 hours a day.

One resident – Is that for one band or two? Mr. Forest said currently, Eastlink is licensed for only one band in which to operate which is Advanced Wireless Services (AWS). The frequency is split. We transmit at 2100 MHertz (2.1 GHertz) and receive at 1700 MHertz (1.7 GHertz). The resident asked what the other band is. Mr. Forest explained that there is a lot of discussion at the moment in terms of what other bands may come available at auction. There is some discussion of 700 MHertz and there is some future look towards 2500 MHertz (2.5 GHertz). This would be peak power, the average power is much less.

Mr. Hebb – Is HRM Water profiting from this? Mr. Simms read, "The revenue generated from the leases is used to offset operational costs which ultimately reduces impacts to the rate base." Leases meaning other sites in which towers are located on Halifax Water lands as well. Mr. Hebb said HRM Water approves the land, HRM decides if it is going to go there, and Eastlink makes a lot of money. That is what it sounds like to me.

One resident from Daisywood – if there is land available and it is away from the people who don't want this tower in their backyard. The solution should be provided. Simply move it.

Mr. Simms made it clear that HRM has no jurisdiction in terms of regulating this land use. It is regulated at a Federal level. This process was devised to collect information from the public, present it to Council, and have Council make a recommendation to Industry Canada.

One resident – He does not live in the community; however, lives very close to a cell tower. He is a cancer survivor; therefore, health concerns came into play a bit more. He has researched some of the same studies previously mentioned and they have actually changed Industry Canada and Health Canada regulations. He finds there is a lot of negativity in the community. Many people in the room have cell phones. Just having a cell phone in your pocket and talking with it probably has more risk than standing near a tower. Maybe the negativity is more about how the tower is going to affect housing costs. Those are the risks we take when purchasing land.

One resident – She read, "The current US standard for cell site radiation in the US is 580 to 1000 microWatts per square centimeter. Many of the countries have set levels hundreds of times lower. The reason for the disparity is that no one really knows what level of cell tower radiation is safe. Current limits have been influenced by economic and political imperatives than by research into health and safety."

5. Closing Comments

Mr. Simms thanked everyone for coming and providing their comments. All the information that is provided relative to these proposals is on the HRM website and has recently been updated.

6. Adjournment

The meeting adjourned at approximately 8:30 p.m.