


**North West Planning Advisory Committee
December 7, 2011**

TO: Chair and Members of North West Planning Advisory Committee

SUBMITTED BY: 
Phil Townsend, Director, Planning and Infrastructure

DATE: November 7, 2011

SUBJECT: Case 17189: Telecommunication Tower – Hammonds Plains

ORIGIN

Application by Bragg Communications Inc. (EastLink) for a 42.7 metre (140 ft) self support telecommunication tower and associated equipment cabinets off of Daisywood Drive (PID #00423491), Hammonds Plains.

RECOMMENDATION

It is recommended that 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 42.7 metre (140 ft.) self support telecommunication tower and associated equipment cabinets off of Daisywood Drive (PID #00423491) Hammonds Plains, as shown on Map 1 and Attachment B.

BACKGROUND

EastLink wishes to erect a 42.7 m (140 ft.) self support telecommunication tower and associated equipment cabinets off of Daisywood Drive (PID #00423491), Hammonds Plains. The land is owned by the Halifax Regional Water Commission (Halifax Water) and consists of an access road to Tomahawk Lake and adjacent properties owned by Halifax Water. The subject property is 40.6 hectares (100.5 acres.) in total area (Map 1). The proposed site layout is shown on Attachment B.

The proposed tower:

- is approximately 42.7 m (140 ft.) in height (Attachment C);
- is located approximately 370 m (1213 ft.) from Daisywood Drive and Tattenham Crescent (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 and an anti-climb apparatus; 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:

- PWS (Protected Water Supply) zoning under the Beaver Bank, Hammonds Plains and Upper Sackville Land Use By-law (Map 2);
- bounded on the south by single unit residential development, also zoned PWS;
- bounded on the east by single unit residential development, zoned MR-1 (Mixed Resource);
- bounded on the north and west by undeveloped lands currently owned and maintained by Halifax Water; and
- as proposed, access to the tower is provided through use of an existing access road and a new 30 meter (98.4 ft.) long driveway.

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 Beaver Bank, Hammonds Plains and Upper Sackville Municipal Planning Strategy (MPS) contains no specific guidance with respect to telecommunication towers. However, this application was evaluated against Policy P-137, which is a general implementation policy in the MPS which all planning applications are evaluated against. Policy P-137 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 original location of the proposed telecommunication tower was approximately 121.9 m (400 ft.) south of the current proposed location. Following the Public Information Meeting on October 3, 2011, the applicant provided a revised site plan denoting a new location for the proposed tower (Attachment B). As such, the former site plan has been superseded and provided for reference as Attachment F.

The subject property is designated Rural Resource and zoned PWS (Protected Water Supply) given its proximity to the Tomahawk Lake Watershed. The PWS zone permits agricultural and forestry uses (involving no buildings), residential uses, public parks, conservation uses and municipal water distribution or purification facilities. A list of the permitted uses in the PWS zone is presented as Attachment G.

Within the Rural Residential designation, all permitted types of development are encouraged to proceed in an environmentally sensitive manner, subject to the regulations and guidelines of all applicable departments and agencies. As such, the location of the proposed tower has been reviewed by Halifax Water officials and has been deemed an appropriate distance from the watershed and Tomahawk Lake.

Visual Impact

From a community perspective there may be visual impact from various points throughout Hammonds Plains where the tower may be visible, similar to other established towers. In this case, the tower will be most visible to commuters travelling within portions of the White Birch Hills Subdivision.

From a more localized perspective, the three primary locations of concern related to visual impact are for residents situated along portions of Daisywood Drive, Tattenham Crescent and White Hills Run. Staff are of the opinion that the proposed tower will not dominate the landscape or adversely affect the residents clustered along the north-western portion of the White Birch Hills Subdivision as the tower is set back approximately 370m (1213 ft.) from Daisywood Drive and Tattenham Crescent.

During the Public Information Meeting (PIM) on October, 3, 2011, residents and the area councillor expressed concern with respect to the proposed location of the tower. Following the PIM, residents, area councillors and the applicant met on-site to discuss an alternate location for the proposed tower. Since meeting, the applicant has proposed a new location for the tower approximately 121.9 m (400 ft.) northwest of the original location. Staff are of the position that the new location provides greater separation between neighbouring properties and the proposed tower. Further, staff are of the position that the new proposed location generates less visual impact than the original location.

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 50m (164ft.) from the abutting property to the west and a minimum of approximately 260m (853ft.) from all other properties. Therefore, in the unlikely case that the tower should fall, it would not be possible for it to reach any abutting property. Further, it should be noted that there are no buildings or dwellings within the 42.7m (140ft.) distance from the base of the tower therefore there is no physical risk.

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.

Summary

With this proposal, EastLink must demonstrate to Industry Canada that all federal requirements are met. Through the consultation process, the applicant recognized local area concerns and amended the proposed location of the telecommunication tower to ensure less visual impact and to provide greater separation from adjacent residential properties. 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 Planning Advisory Committee recommend 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 H 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, Halifax Water, 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 42.7 metre (140 ft.) self support telecommunication tower and associated equipment cabinet off of Daisywood Drive (PID #00423491), Hammonds Plains.
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.

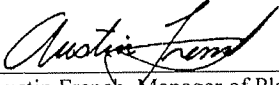
3. Identify to Industry Canada that the North West Community Council is not in favour of the proposal.

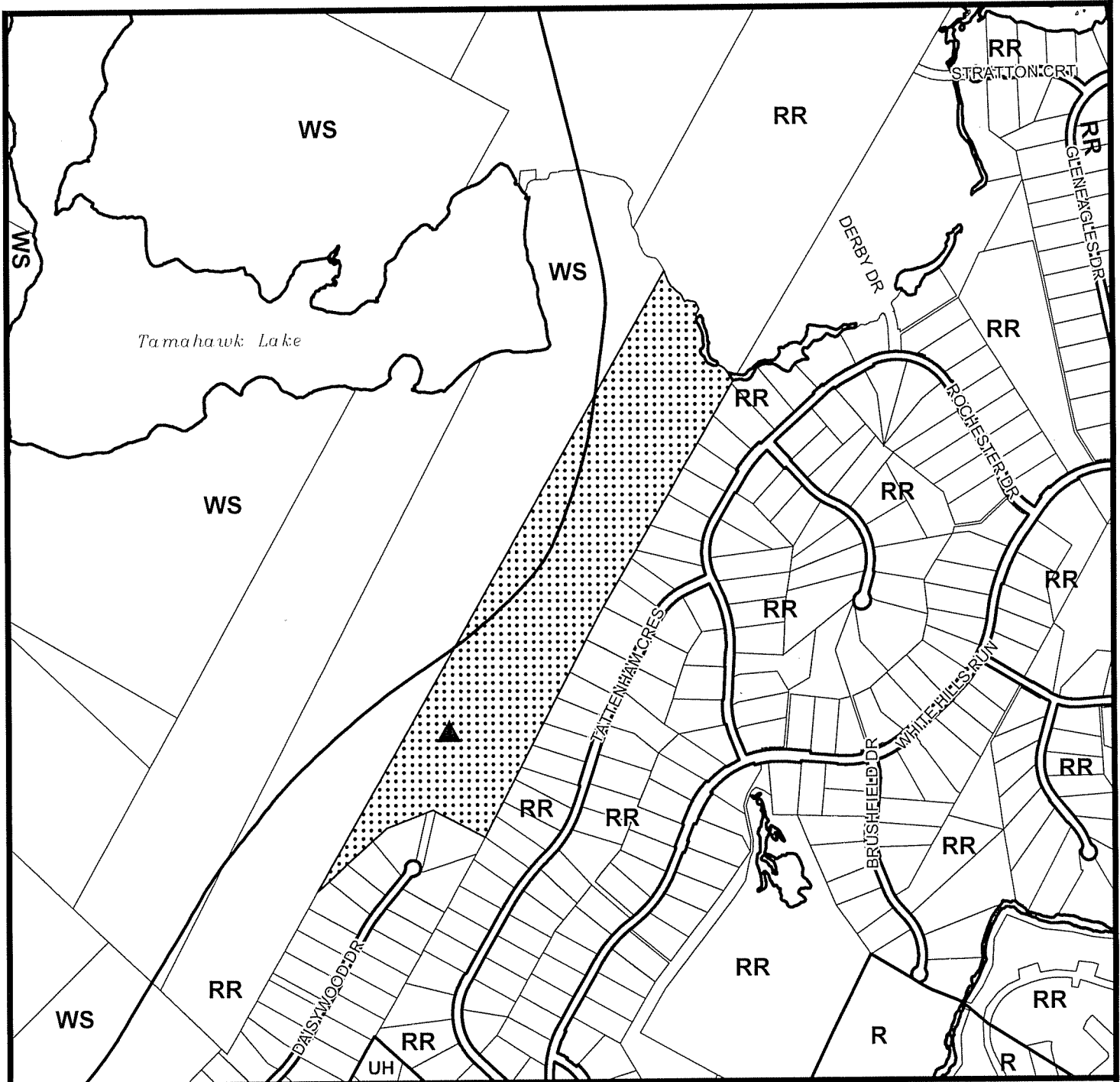
ATTACHMENTS

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:	Original Proposed Location (Superseded Site Plan)
Attachment G:	Excerpts from the Sackville Land Use By-law
Attachment H:	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: Tyson Simms, Planner 1, Planning Services, 869-4747

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



Map 1
Generalized Future Land Use



Subject Property

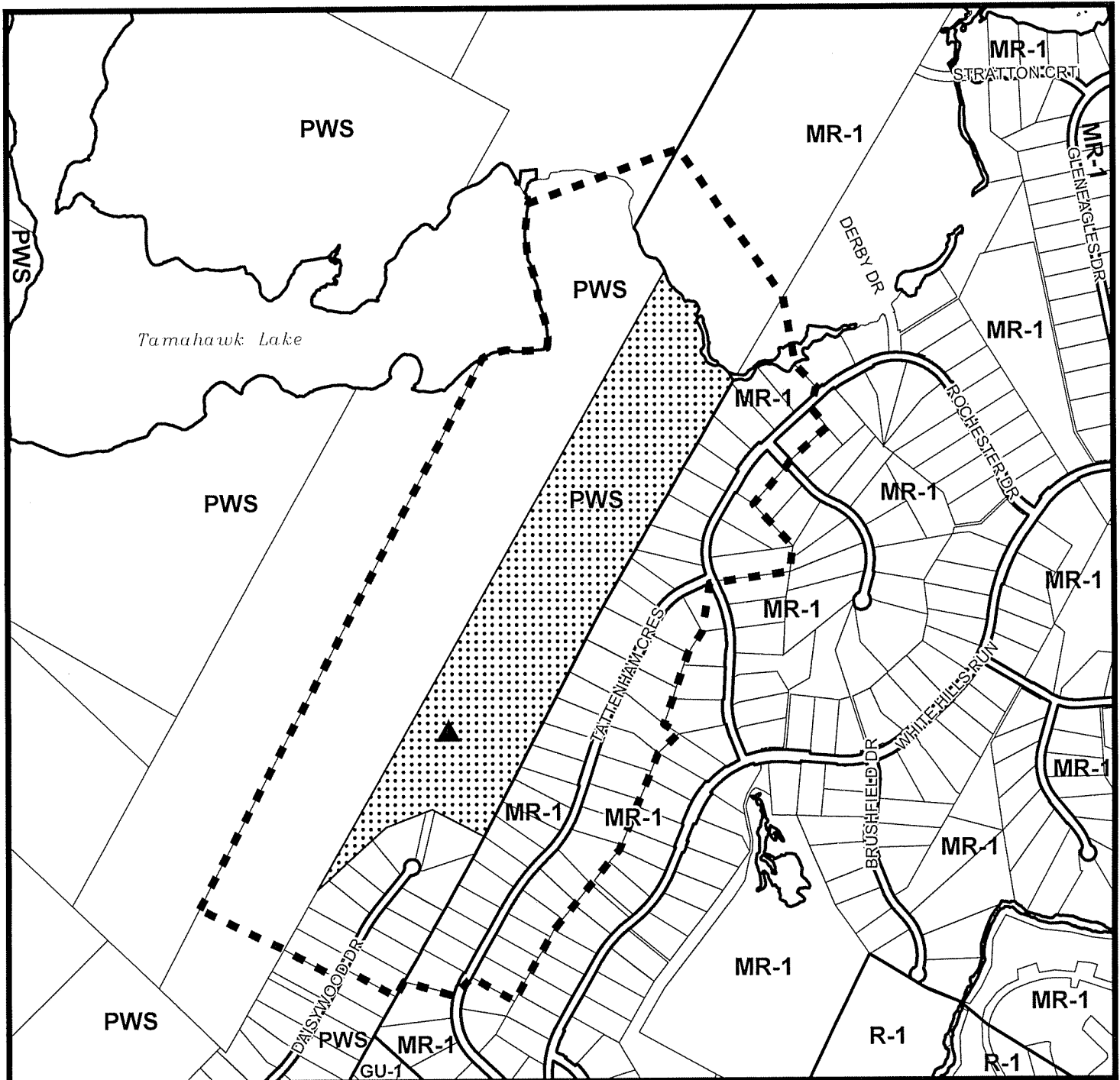


Approximate location of tower

- R Residential Designation
- RR Rural Resource Designation
- WS Watershed Designation

HALIFAX
REGIONAL MUNICIPALITY
Planning Services





**Map 2
Zoning**

- R-1 Single Unit Dwelling Zone
- MR-1 Mixed Resource Zone
- GU-1 General Use Zone
- PWS Protected Water Supply Zone



Subject Property



Notification Area



Approximate location of tower





Eastlink
P.O. Box 8660, Station A
6080 Young Street, 6th Floor
Halifax, NS B3K 5M3
Off: 902 404-3739

August 23, 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;

Bragg Communications Inc. (carrying on business as "EastLink") is proposing to construct a 42.7m self support telecommunications tower in Hammonds Plains 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. Please see the attached rationale regarding co-location potential for this search ring.

Location:

The telecommunications tower will be installed on a 30m X 30m portion of PID#00423491 Tomahawk Lake, Hammonds Plains, Tower center co-ordinates are 44 46 04N / 63 47 37W.

Access/Demarcation:

Access to the tower will be from Daisywood Drive via an existing access road, a metal gate will be installed to prohibit access to the site; the gate will be locked at all times. The base of the tower and equipment cabinet(s) will be enclosed with steel wire fencing, the fencing will be 6'-8' 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 42.7m 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):

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 27.1 cm

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.

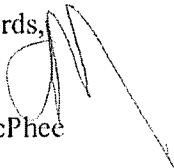
For further information pertaining to antenna systems please refer to Industry Canada's Spectrum Management and Telecommunications website (<http://strategis.ic.gc.ca/antenna>)

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-secureit_sansfil-eng.php)

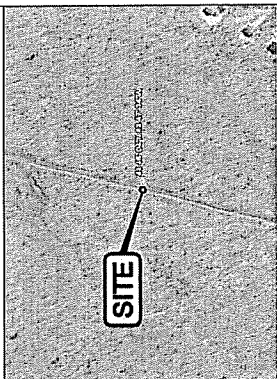
Best Regards,

Colin MacPhee





WIRELESS

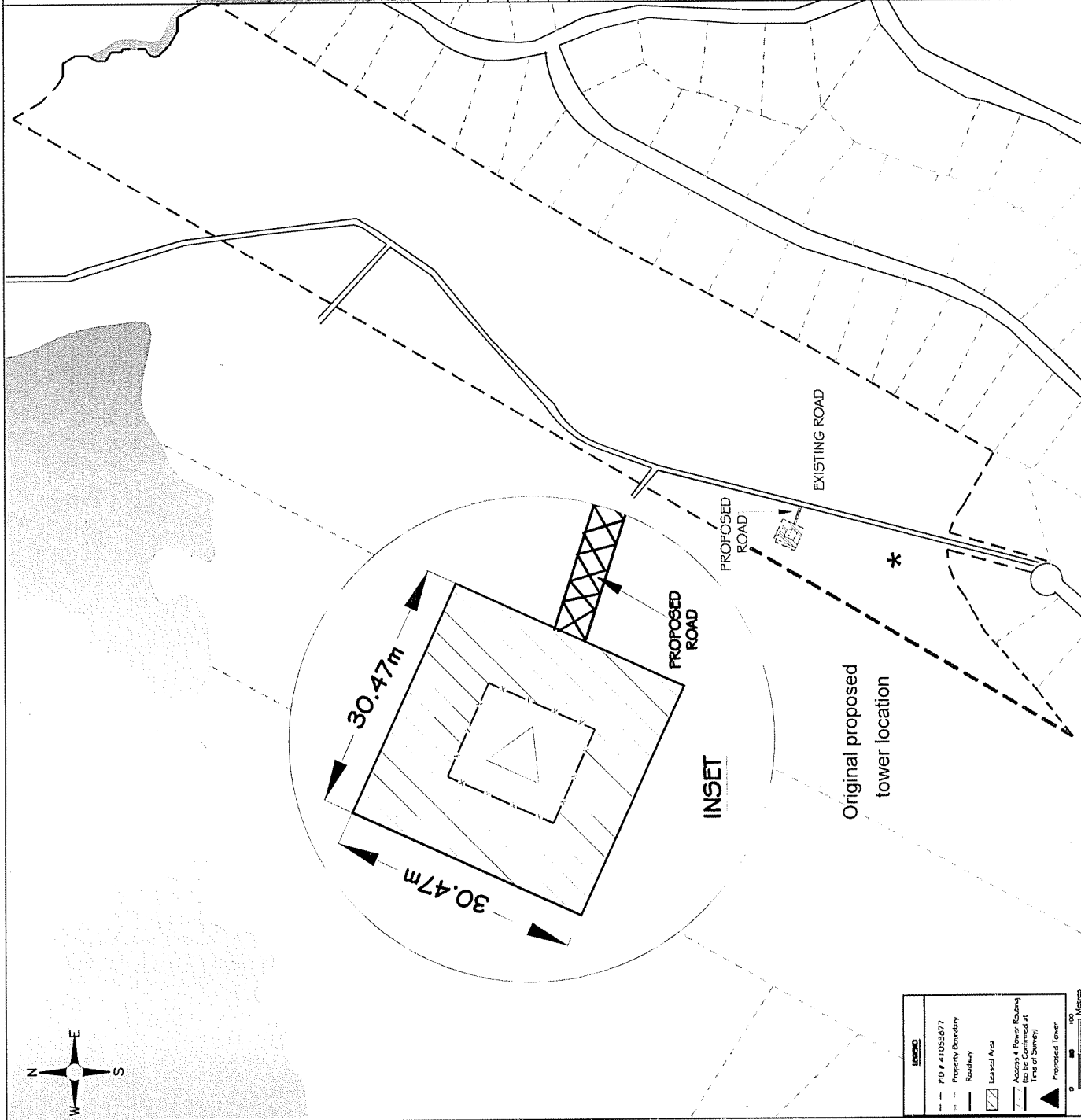


REVISIONS

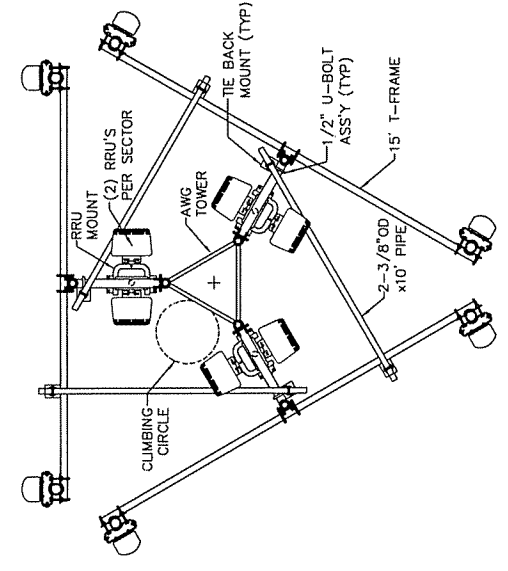
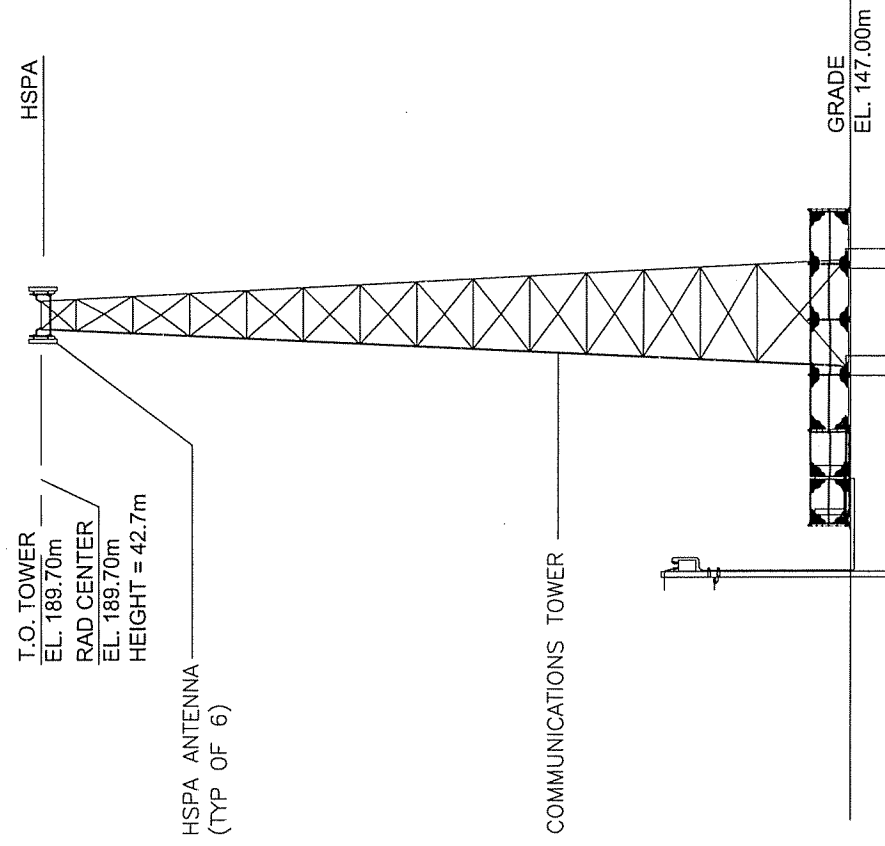
NO.	DATE	DESCRIPTION

PROJECT INFORMATION

TITLE:	SITE PLAN
SITE NAME:	ENGLISH CORNER
SITE ID:	NSA1.34
DRAWING ID:	NSA1.34-CV-SP-001
DESIGNED:	OCTOBER 2011
DRAWN BY:	B. WARREN
	A. PINTO



Attachment C



1 HSPA ANTENNA LAYOUT
SCALE: 1:50

1 TOWER ELEVATION - LOOKING NORTHWEST
SCALE: 1:250

KEY MAP

REFERENCE DRAWINGS

NOTES

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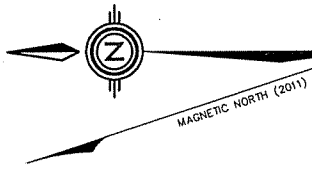
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1	ISSUED FOR CONSTRUCTION		

GENIVAR

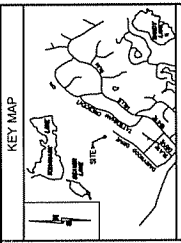
10000 LAKELAND DRIVE
SUITE 100
SCARBOROUGH, ONTARIO M1V 4W5
TEL: 416 291-1111
WWW.GENIVAR.COM

PROJECT	TOWER ELEVATION
CLIENT	42.7m SELF SUPPORT TOWER
LOCATION	ENGLISH CORNER
DATE	AUGUST 5, 2011
SCALE	1:250
DESIGNER	MSA134
CHECKER	DA11383
DATE	JULY 28, 2011
PROJECT NO.	S3
SCALE	1:250
REVISED BY	R.E.
SCALE	3

PID 00423491
PARCEL HD2
 Lands of
HALIFAX REGIONAL WATER COMMISSION
 BOOK 7980, PAGE 393



MAGNETIC DECLINATION (2011) = 18° 10'±
 ANNUAL CHANGE = 8.0± (DECREASING)



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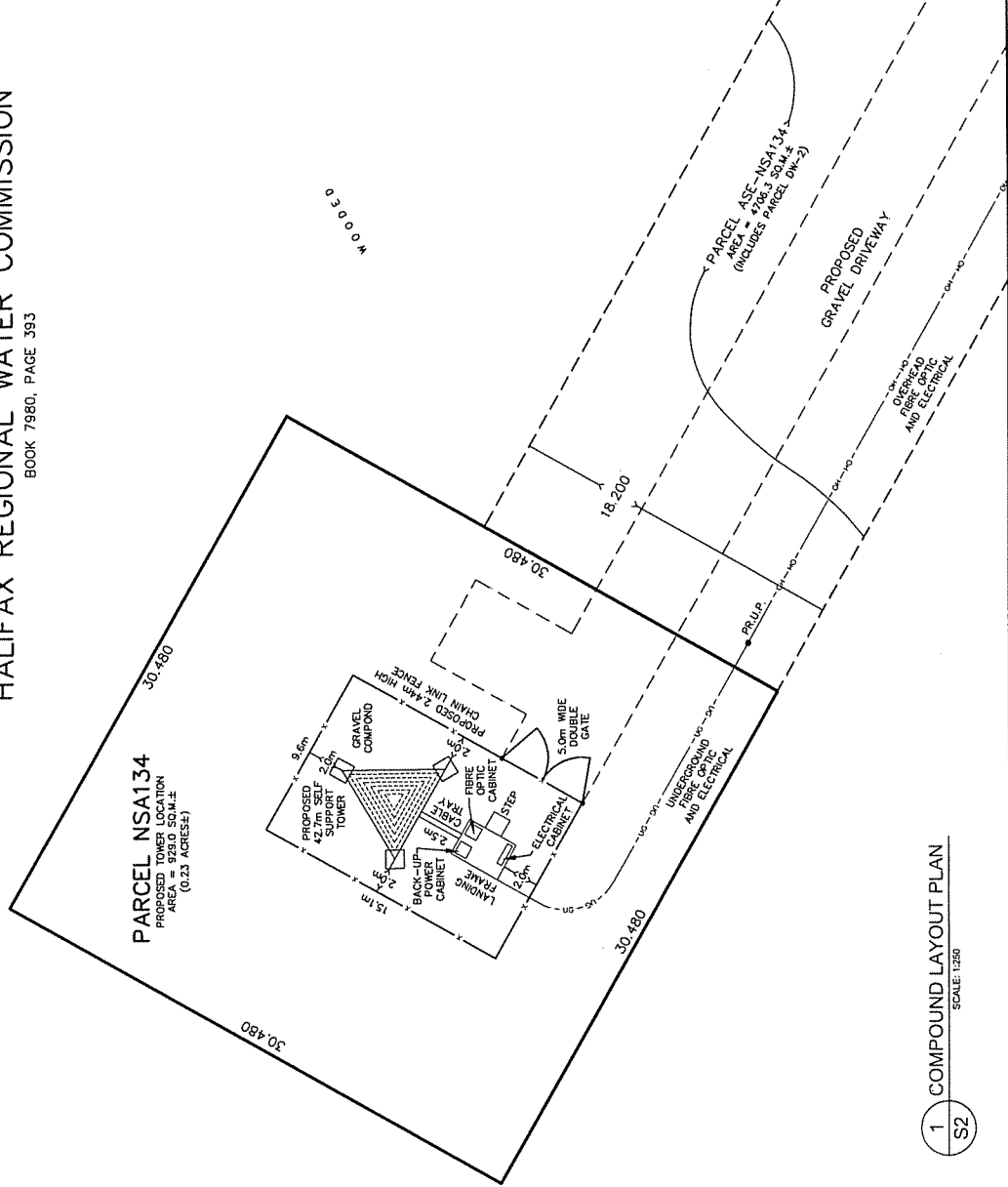
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 UNDERGROUND WIRES: --- UG-01



NO.	DATE	DESCRIPTION	BY	CHKD.

GENIVAR
 1000 UNIVERSITY AVENUE
 SUITE 1000
 HALIFAX, NS B3H 2Y4
 PHONE: 902.426.0141 FAX: 902.426.1445
 WWW.GENIVAR.COM

PROJECT NO.	COMPOUND LAYOUT PLAN
CLIENT	HALIFAX REGIONAL WATER COMMISSION
DATE	AUGUST 5, 2011
SCALE	1:250
PROJECT NAME	PARCEL HD2
PROJECT NO.	NSA134
PROJECT NAME	DA11383
PROJECT NO.	S2
PROJECT NAME	2



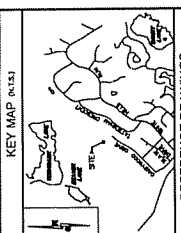
1 COMPOUND LAYOUT PLAN
 SCALE: 1:250

Attachment E

Excerpts from the Sackville Municipal Planning Strategy and Policy Review

P-137 In considering development agreements and amendments to the land use by-law, in addition to all other criteria as set out in various policies of this Plan, 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 Plan and with the requirements of all other municipal by-laws and regulations;	The Beaver Bank, Hammonds Plains and Upper 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 P-137 provides a list of general planning matters under which the proposal can be examined.
(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 the proposed development.
(ii) the adequacy of central or on-site sewerage and water services;	This development does not require any water or sanitary service.
(iii) the adequacy or proximity of school, recreation or 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 Daisywood Dr. and there will be a service easement over the subject property 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 subject property is undeveloped compatibility concerns are minimal.
(ii) height, bulk and lot coverage of any proposed	The tower is proposed at 42.7m (140 ft.) in height.

building;	Some visual impact is anticipated as the tower may be visible from various locations throughout the White Birch Hills Subdivision.
(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 onsite 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 properties would not be impacted. Further, there are no structures located within 42.7m (140 ft.) of the towers base.
(d) that the proposed site is suitable in terms of steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding;	The proposed location of the tower has been reviewed by Halifax Water officials and has been deemed an appropriate distance from the watershed and Tomahawk Lake.
(e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy P-81", 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 development does not involve subdivision.



Attachment F

PROPOSED TOWER CENTER
 PID 00423491
 ELEVATION
 TOWER BASE = 147.0m±
 AT577 (MTM ZONE 5)
 NORTH 4,558,879.6
 EAST 3,555,972.4
 NAD83 (Original)
 LATITUDE 44° 45' 04.00" N
 LONGITUDE 63° 47' 37.00" W
 NAD27
 LATITUDE 44° 46' 03.73" N
 LONGITUDE 63° 47' 39.32" W

PID 00423491
PARCEL HD2
 Lands of
HALIFAX REGIONAL WATER COMMISSION
 BOOK 7980, PAGE 393

PID 40416638
 Now or Formerly Lands of
HALIFAX REGIONAL WATER COMMISSION
 BOOK 8028, PAGE 445



MAGNETIC DECLINATION (2011) = 18° 10' ±
 ANNUAL CHANGE = 8.0' ± (DECREASING)

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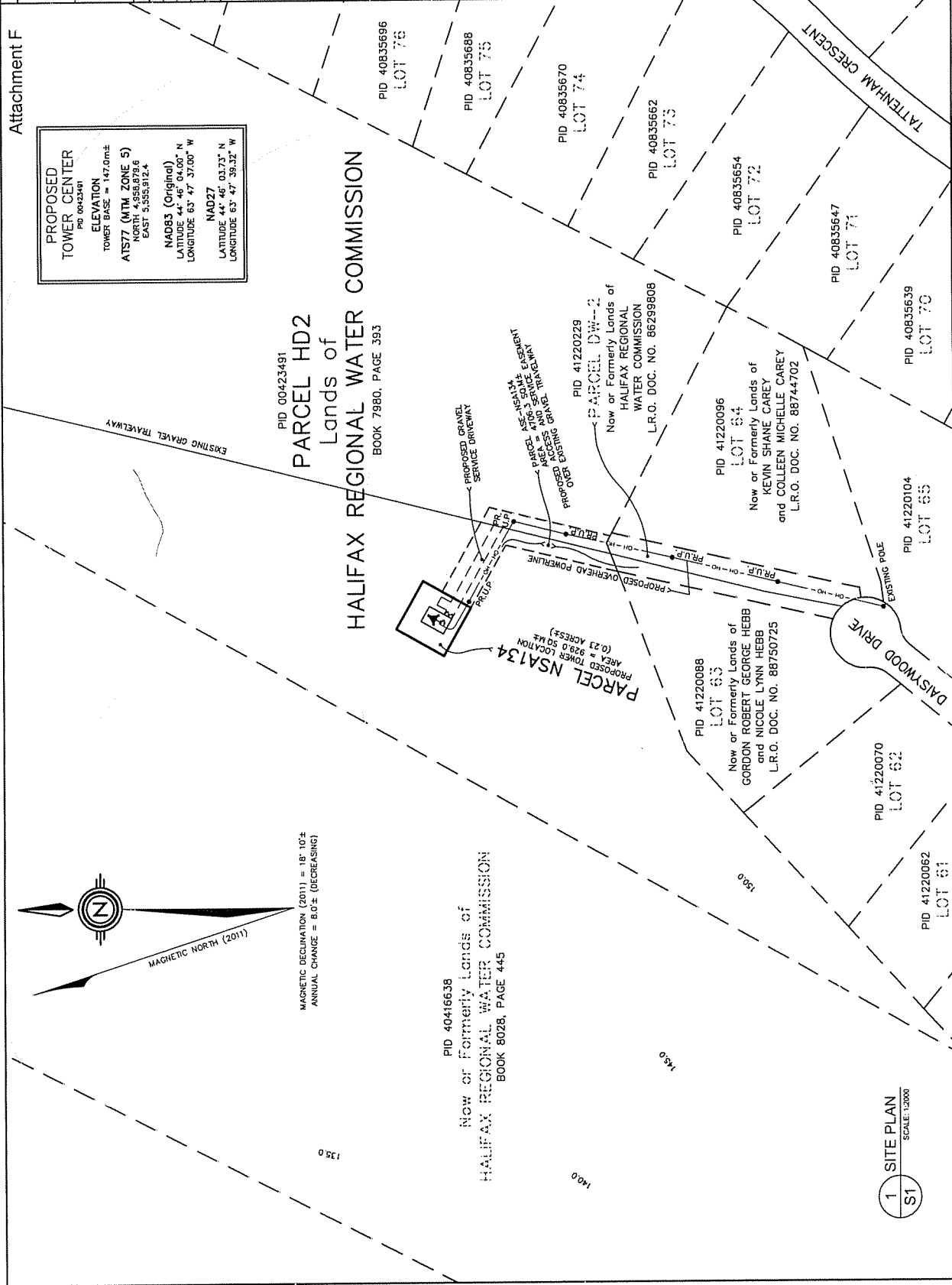
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 UNDERGROUND WIRES: - - - - - UG--DT



NO.	DATE	REVISION
0	08/05/11	ISSUED FOR REVIEW
1	08/05/11	REVISIONS

GENIVAR
 1000 UNIVERSITY AVENUE, SUITE 100
 HALIFAX, NS B3H 2Y4, CANADA
 PHONE: 902.429.8100 FAX: 902.429.8101
 WWW.GENIVAR.COM

SITE PLAN
 42.7m SELF SUPPORT TOWER
 ENGLISH CORNER
 AUGUST 5, 2011
 NS13.34
 PID 00423491
 SHEET NO. S1
 OF 1



1 SITE PLAN
 SCALE: 1:2000
 S1

Attachment G
Excerpts from the Sackville Land Use By-law

24.1 PWS USES PERMITTED

No development permit shall be issued in any PWS (Protected Water Supply) Zone except for the following:

- Municipal water distribution or purification facilities
- Conservation uses
- Public Parks
- Agriculture and forestry uses involving no buildings, Single Unit Dwellings and Mobile Dwellings (WRCC-Dec18/06;E-Jan6/07)
- Uses accessory to the foregoing uses

Attachment H
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 electromagnetic 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 filter 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 MHz (2.1 GHz) and receive at 1700 MHz (1.7 GHz). 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 MHz and there is some future look towards 2500 MHz (2.5 GHz). 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.