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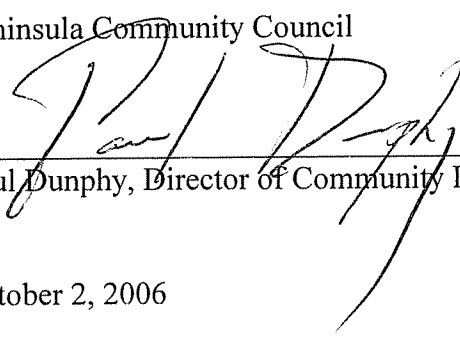


PO Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

Peninsula Community Council  
November 6, 2006

**TO:** Peninsula Community Council

**SUBMITTED BY:**

  
Paul Dunphy, Director of Community Development

**DATE:** October 2, 2006

**SUBJECT:** Case 00912: Proposed Telecommunication Equipment and Shed, 3792  
Novalea Drive, Halifax.

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### SUPPLEMENTARY REPORT

#### ORIGIN

July 10, 2006 motion of Peninsula Community Council to defer its recommendation on the proposed telecommunication installation until after the holding of a public meeting.

#### RECOMMENDATION

It is recommended that Peninsula Community Council:

1. Forward a positive recommendation to Industry Canada supporting the proposed installation of three antennas and a shed at 3792 Novalea Drive, Halifax.
2. Further recommend to Industry Canada that the three antennas be moved back as far away as possible from the edge of the roof.

## **BACKGROUND**

Telus Mobility proposes to install telecommunication equipment on the roof of a senior citizens' complex at 3792 Novalea Drive, Halifax (Map 1). This is to be comprised of:

- 3 cellular antennas, each having a height of 3.21 metres (10'6") above the roof; and,
- A shed containing telecommunication related equipment. The shed is proposed to have a height of 4.04 metres (13'3") above the roof and an area of 15.7 square metres (51.5 square feet) (see Attachment "A").

The equipment is intended to improve coverage of cellular service within the area.

## **DISCUSSION**

A public information meeting was held on September 28, 2006. Minutes of this meeting are provided as Attachment "B" of this report. Community attendees were mainly concerned with health related issues, rather than the visual impact of the equipment.

As discussed in the previous report, municipal authorities are provided with an opportunity from Industry Canada to comment on the location of telecommunication structures within their respective communities. However, comments are to address aesthetic and visual concerns only.

In terms of potential health impacts, Industry Canada requires that telecommunication facilities operate in accordance with safety guidelines established by Health Canada. Prior to receiving a license, the operator must show that the installation meets these safety requirements. Health Canada has clearly defined that they have the sole authority over the potential health impacts of any telecommunication installation and municipal authorities may not provide comments on any perceived health impacts.

The proposal has little visual impact upon its surroundings. Due to the location of the antennas and the shed on the roof, it will be relatively innocuous from the street level. It is therefore recommended that no objections be raised with this proposal.

## **BUDGET IMPLICATIONS**

There are no budgetary implications.

## **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

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

**ALTERNATIVES**

The following alternatives are presented to Peninsula Community Council for consideration:

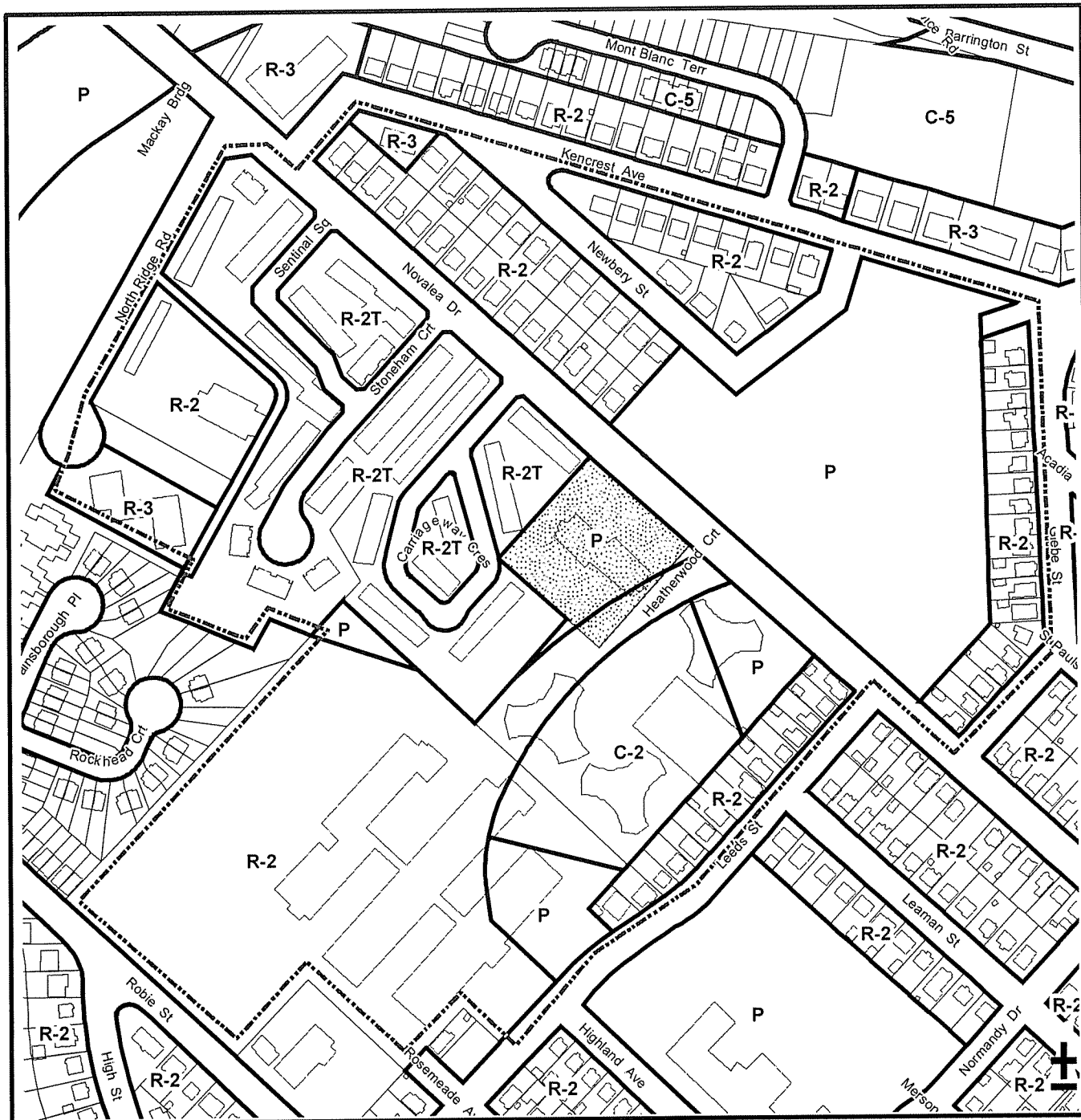
1. It is recommended that Peninsula Community Council forward a positive recommendation to Industry Canada supporting the proposed installation of three antennas and a shed at 3792 Novalea Drive, Halifax. This is the staff recommendation.
2. In the event that Peninsula Community Council has objections, the reasons should be articulated and Staff will notify the local office of Industry Canada accordingly.

**ATTACHMENTS**

Map 1	Location and Notification Area
Attachment "A"	Elevation Drawing
Attachment "B"	Minutes from the September 28, 2006 Public Information Meeting
Attachment "C"	Letter Against the Proposal
Attachment "D"	Petition Against the Proposal

Additional copies of this report and information on its status can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.


Report Prepared by : Luc Ouellet, Planner I, 490-3689



Map 1: Location and Zoning

3792 Novalea Drive  
Halifax

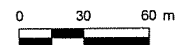
Halifax Peninsula By-Law Area

 Subject property

**Zone**

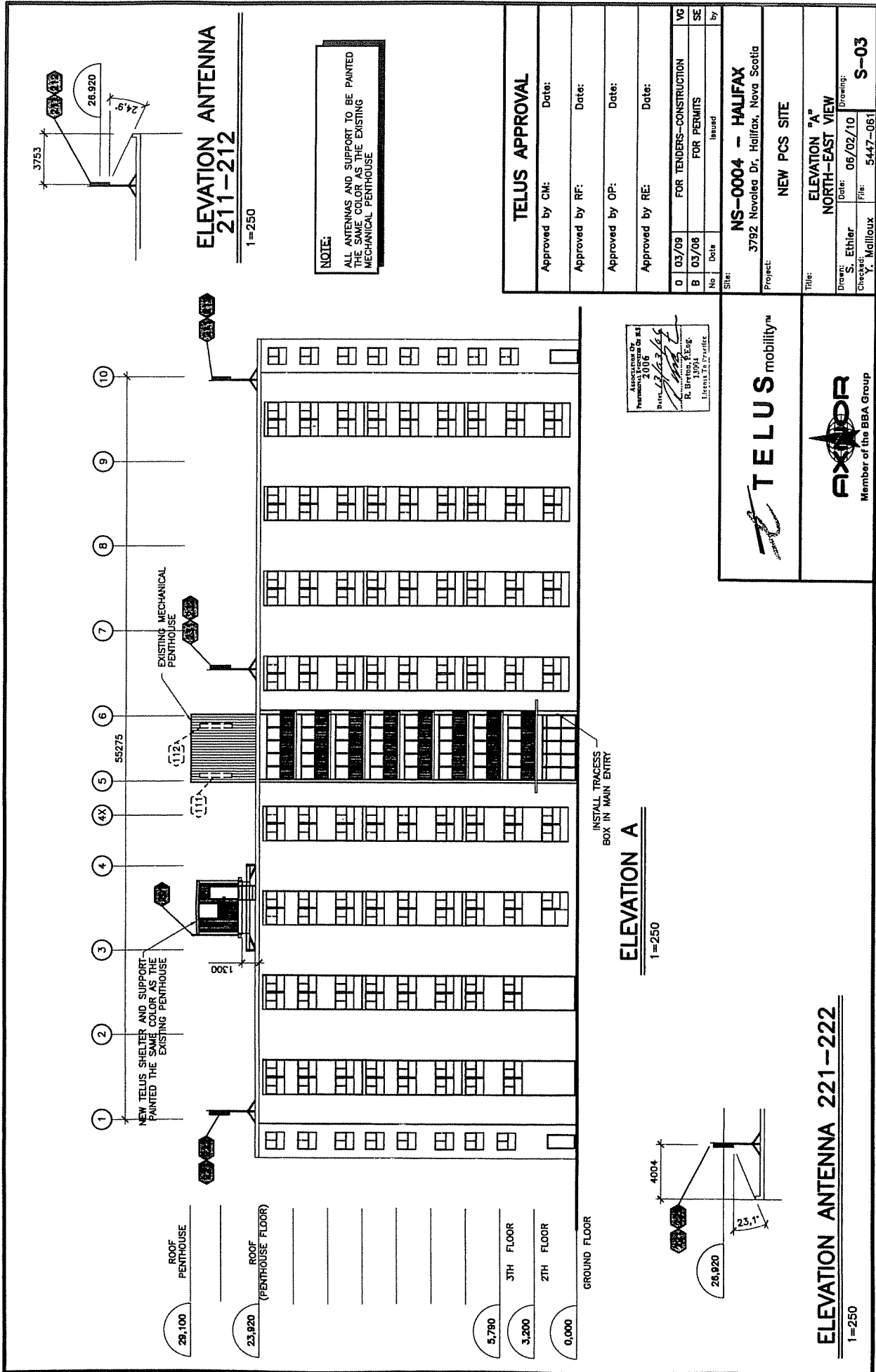
- R-2 General Residential
- R-2T Townhouse
- R-3 Multiple Dwelling
- C-2 General Commercial
- C-5 Harbour Related Industrial
- P Park and Institutional

**HALIFAX**  
REGIONAL MUNICIPALITY  
PLANNING AND  
DEVELOPMENT SERVICES



This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula By-Law Area

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



<b>TELUS APPROVAL</b>	
Approved by CM:	Date:
Approved by RF:	Date:
Approved by OP:	Date:
Approved by RE:	Date:
0 03/09	FOR TENDERS-CONSTRUCTION
B 03/06	FOR PERMITS
No	Date
by	Issued

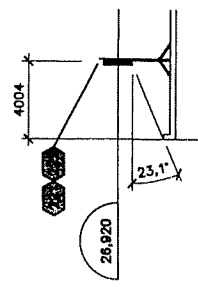
Site:		NS-0004 - HALIFAX	
Project:		3792 Nova Scotia Dr, Halifax, Nova Scotia	
Title:		NEW PCS SITE	
Drawn:		Elevation "A"	
Checked:		NORTH-EAST VIEW	
S. Ethier	Date:	06/02/10	Drawing:
T. Malloux	File:	5447-061	S-03

Approved By:  
 2006  
 Registered Professional Engineer  
 R. B. [Signature]  
 1994  
 License To Practice



**ELEVATION A**  
1=250

**ELEVATION ANTENNA 221-222**  
1=250



- ROOF PENTHOUSE
- ROOF (PENTHOUSE FLOOR)
- 3TH FLOOR
- 2TH FLOOR
- GROUND FLOOR

**Attachment B**  
**Public Information Meeting**  
**Case 00912**  
**September 28, 2006**

In attendance: Councillor Murphy  
Councillor Sloane  
Maria Jacobs, Telus Mobility  
Philippe Leggett-Bachand, Telus Mobility  
Luc Ouellet, Planner, Planning Services  
Gail Harnish, Planning Services

**Councillor Murphy** called the public information meeting (PIM) to order at approximately 7:10 p.m. at St. Stephen's School.

**Mr. Luc Ouellet** noted the proposal is for telecommunication equipment. We have been asked to provide comments to Industry Canada, who is the lead agency for this type of application and issues the license. There is a policy across Canada where they like industry to consult with the municipalities. It is mostly based on aesthetic values. In terms of health and safety issues, although they are able to ask questions, that is the privy of Health Canada. The staff recommendation will be to Community Council and their comments will be forwarded to Industry Canada based on aesthetic values.

It was questioned whether it was said the recommendation from this meeting would only be sent to Industry Canada regarding the aesthetics.

Mr. Ouellet responded our recommendation to Council and the comments to Industry Canada will be based on aesthetics. That is the mandate provided to HRM. If they have questions about health, the representatives from Telus will be happy to respond. HRM staff do not have the expertise to gauge the impact of this equipment. There are strict regulations which must be adhered to by Health Canada. The applicants have to meet Safety Code 6 guidelines.

Mr. Ouellet advised we received an application for telecommunication equipment. Tonight we are at the meeting step. We either hold a PIM or we notify by mail and the report is tabled with Community Council. In this instance, we went the latter route but when it went to Community Council on July 10<sup>th</sup>, because of the many calls and letters, Peninsula Community Council decided to defer it and asked that a PIM be held. Following this meeting, he would prepare a supplementary report with a recommendation to Community Council. It will either go to the meeting next Monday or their following meeting in November. Once Community Council has made its decision, the Clerks Office will forward it onto Industry Canada. On the back page of the handout are some web sites of interest.

**Mr. Philippe Leggett-Bachand** stated he was responsible for the Maritime development of their cell network. They have thirty-five sites like this in HRM.

Mr. Leggett-Bachand indicated it is a simple installation. In this case, there is no need to build a tower. There are buildings in the area that are tall enough. The antenna will be 4' x 1'. They can be painted whatever colour to match the wall. They had a couple of options but they decided to go with this building which is owned by the Halifax Housing Authority.

**Ms. Maria Jacobs** indicated when they put cell sites in an area, it is either to put capacity where there is none or provide more lines for capacity where there is coverage but the existing facility cannot support all the users. This facility is specific for that usage. There is such a need in that area that the actual system cannot provide adequate capacity.

It was questioned whether she was referencing the site on Young Street.

Ms. Jacobs responded the area is covered by several sites. It is to add more telephone lines. These type of sites are very important for the industry. These are areas where the cell service is being used to its maximum. It is needed for technical purposes; it is adding lines. The height is a key element. Many people will say why don't you go higher. That is not always the best option. Right now people are losing the line because there are so many users of the network.

Mr. Leggett-Bachand displayed a photo simulation of what it would look like with the antennas. There would be three antennas placed on top of the roof. All three are the same height.

Ms. Jacobs noted it is covered with a shed of the same materials and colours as the existing building to blend in. The antennas are in three different locations, pointing in different directions. They started the project back in March.

**Councillor Sloane** questioned why they are so close to the edge.

Mr. Leggett-Bachand indicated they can be setback the same distance as the height of the tripod.

**Ms. Diane Thimot** questioned whether they started any construction.

Ms. Jacobs responded no, just electricity because they need to have their own power.

Mr. Leggett-Bachand clarified there is no shed or antenna there now.

Ms. Thimot commented most people probably threw the notice in the garbage. She kept the last one because a co-worker fought against one and she started thinking about it.

Mr. Leggett-Bachand indicated cell sites have been used for twenty years and it is something fairly common. There are probably about 100 sites in HRM.

Ms. Jacobs commented there were probably 1,000,000 cell phones ten years ago and now there are more than 16,000,000.

Mr. Leggett-Bachand noted the costs are going down as well since there is more interest.

Ms. Jacobs commented everybody is using them for various reasons. Three weeks ago in Dawson College there were so many cell phone users that the system shut down in many places. They are putting more sites in not because of that tragedy but because there is a huge use.

Mr. Leggett-Bachand also noted more people are leaving their fixed phone site for a cell site.

Ms. Jacobs commented 4-5% of Canadians are leaving the old land line.

**Mr. Michael Melanson** questioned how the system worked and whether it was a microwave.

Mr. Leggett-Bachand responded it is electricity; a signal like Morse and a TV antenna.

Ms. Jacobs stated this one consists of three antennas. Each are raised to the shelter. Inside the shelter are radios. This one will be a T1. The T1 is the telephone line that links one site to the other. The signal comes to one antenna. It has a receiver and a transmitter. This is why they have three antennas. Two are used to transmit and one is used to receive.

Mr. Melanson questioned whether there is any power output from this site.

Ms. Jacobs responded it works like electricity. There are batteries in case of a power failure.

Mr. Leggett-Bachand commented that if you go inside one it looks like a sound system.

**Ms. Melony Melanson** questioned whether there would be any noise like a hum.

Mr. Leggett-Bachand responded there will be a need to put an air conditioner in the site. They install this kind of site on schools and apartment buildings.

Ms. Melanson commented it is kind of noisy in the area now.

Mr. Leggett-Bachand indicated they will put a muffler on it.

Ms. Jacobs said she is too far away to hear it. It is setback about 8' from the roof line.

**Ms. Thimot** questioned the strength of the wave going out.

Ms. Jacobs indicated they did not have the equation with them that would calculate the emission. It has to meet Safety Code 6 which is a guideline from Health Canada and Industry Canada that all



providers of telephone, etc., must meet. They are not talking about a broadcast site which is way higher than this. They are less than 100 times below what is acceptable.

Ms. Jacobs stated distance is a major factor. The further away, the lower the emission. They took the signal for the worst case scenario and said it is 100 times less. This type of equipment is installed on hospitals so they have reviewed them before. They have had discussions with hospitals and schools before they installed them.

**Councillor Sloane** questioned whether the waves would go through the building or are they being directed away.

Ms. Jacobs responded part of it is going in the building but the largest part is going outside. This would not interfere with pace makers. They have sites located on hospitals, senior citizens housing, and a research building, similar to this proposal, and it is not a problem. Safety Code 6 provides guidelines for workers and for the general public.

**Councillor Murphy** noted the building is owned by the Province of Nova Scotia and questioned whether they have entered into an agreement with them for the space. It was responded yes. Also, there is a similar installation on the Gordon Isnor Building.

Councillor Murphy questioned whether the Housing Authority has come in and talked to the people at the site.

Ms. Jacobs responded they met with the people in the building in March.

Mr. Leggett-Bachand stated they were advised by the Housing Authority that they would consider their citizens before they signed their lease and had an informal meeting with them. They did that twice.

Ms. Jacobs noted a sign was put in the front of the building as well.

**Ms. Thimot** questioned what the Health Canada guideline was.

Ms. Jacobs responded Safety Code 6 which has been developed by Health Canada. It is a calculation which they have to make sure their site respects. They cannot get their license if they do not meet that Code.

Ms. Thimot questioned what the magic number is.

Ms. Jacobs responded it depends on the area and is calculated on a case by case basis.

Mr. Leggett-Bachand advised the technical number is provided to Industry Canada.

**Councillor Sloane** questioned whether they go out and do inspections.

Ms. Jacobs responded they could if they want to. She was aware of some sites where they did do inspections and they passed. It is their responsibility to make sure their installation complies. If not, their license is immediately revoked. It is not a risk they would think of taking.

Mr. Leggett-Bachand stated they have 4500 sites like this across the country so they would not take the risk at any site.

Ms. Jacobs clarified they would not get the specific number from the web site. They have to do the calculations and if they are above the specific amount of emission per second, then they cannot do the site. The calculation takes into consideration the specific installation.

**Ms. Thimot** questioned whether they could increase their installation without notifying the people.

Mr. Leggett-Bachand indicated they are increasing the number of lines. They have some sites in rural areas where they could cover 15 kms but that is because the number of people using the system is less. In cities there are more sites but less coverage.

Ms. Thimot questioned whether this has been approved by Industry Canada.

Mr. Leggett-Bachand responded no. They need to follow a few steps. They have complied with all their license requirements so far. He noted they also have a mandate from Industry Canada to provide coverage from coast to coast. If they said they did not want to provide coverage here, then Industry Canada would revoke their license. They have to meet Safety Code 6.

Ms. Thimot questioned whether there were other sites in the area they could use rather than this building.

Mr. Leggett-Bachand responded there are a few buildings of the same height in the area.

Ms. Thimot referenced a petition with approximately eighty-six signatures against the proposal to locate on this building.

Ms. Jacobs indicated they are in the cell phone service. In this area there are not many buildings that meet this height. The further away they go, the less the capacity. They are near the bridge and there is lots of usage in that area. Because the radius is so little, they think this site becomes very important. It is not just a matter of providing the service; it is a link between all the sites together. They have to make sure they are not creating interference to other sites or overlapping.

It was commented that all the sites they are putting these on government buildings.

Ms. Jacobs responded they have quite a few sites on private lands with private landlords.

**Mr. Robert McGregor** questioned how much rent they would pay.

Ms. Jacobs indicated she was the Manager of Real Estate. They signed a contract with the Housing Authority but she could not give out that information without their permission. They are paying rent but she could not divulge the amount.

It was commented they understood this type of installation would decrease their property value.

Ms. Jacobs responded there was a study done which indicates otherwise. Property value is very personal. Some people want to live in a specific area. There are a lot of developments being done around hydro towers and people still choose to locate there.

Mr. Leggett-Bachand commented this type of antenna would have the same effects as an Express View or Star Choice antenna.

Ms. Jacobs indicated there are some areas where people want to live no matter what. They have seen that in some areas of Halifax where there is a boom. Real estate is more a question of surroundings.

It was commented it may also be a question of not knowing there will be adverse effects on their health.

Ms. Jacobs stated we have been surrounded by invisible waves all our life. We have things like computers and cordless telephones in our home. It is the 21<sup>st</sup> century.

**Ms. Melanson** questioned whether the towers would be put on the edge or moved back.

Mr. Leggett-Bachand responded they could be put back by perhaps 1 metre.

Mr. Ouellet indicated he has seen the plans. The distance from the edge is more than their actual height. At certain angles you will not even see them. Also, the antenna is on a tripod.

It was questioned whether many phone calls were received about the application.

**Councillor Murphy** responded that he did initially. Most of the calls had to do with health concerns. Luc is only working within the system he has. They have to look at the planning and aesthetic issues. It would be nice if somebody from Industry Canada was in attendance. Reference was made to the Kencrest Tower. Quite a bit of electricity is going through the North End. It goes right through the North End of the Peninsula and takes power to Clayton Park. We also have antennas on our cars. They could have just passed this at Community Council. He spoke to Councillor Hum who had a situation with another provider where she went to Community Council and had a lot of calls about not having a public meeting, so he thought it was good to at least have a public meeting where people could come and ask questions.

Councillor Murphy indicated that in terms of aesthetics, it does not look like a big difference to the building, but he was not a microwave technologist. He was a little disappointed with the low turnout at the meeting.

**Ms. Thimot** commented this is just one more thing to affect them. It is something she could protest against.

**Councillor Sloane** suggested they might want to call their Provincial MLA since the building is owned by the Province.

**Councillor Murphy** questioned if the site is secure from the general public.

Mr. Leggett-Bachand indicated the public is not allowed to go on the rooftop. It is locked at all times. You need the janitor's access to go on the roof. The tripod with the antenna and a suitable platform together is 3.21 metres high.

Councillor Sloane noted representatives of Industry Canada did not attend the meeting at Gordon Isnor either, which they were disappointed about.

Ms. Jacobs stated the guidelines consider rooftop antennas to be insignificant.

Councillor Murphy suggested they could send a letter to Alexa McDonough, their Federal representative.

Mr. Leggett-Bachand indicated they have to comply with Safety Code 6. The other consideration is aesthetics. They have been answering questions since March. They are cooperating but they also have to understand that studies have been done and limits have been developed which they comply with.

Ms. Jacobs commented they are in the cell phone business but they also have people using cell phones and some of their families are using them. There is no cell phone business that will do things unsafely because they would lose their customers.

Mr. Leggett-Bachand stated they rely on a competent government. They develop guidelines and we rely on them to lay out what is acceptable.

**Councillor Sloane** advised she did not have any complaints in the last three years after they put them on the Gordon Isnor building.

Mr. Leggett-Bachand stated they will respect the setback.

**Councillor Murphy** questioned whether they had to have three antennas.

It was responded yes. Also, there has to be 360 degree coverage.

**Ms. Thimot** commented cell phones are a relatively new phenomena and they don't know the long term health effects because they have not been around that long.

Ms. Thimot stated she did not like the idea of having this in her neighbourhood because it is one more thing she had to worry about. The studies were probably done on healthy people but often those living in apartments are older and weakened.

Ms. Jacobs indicated they have an installation on a hospital and they have had to respond to questions about safety. People have looked at it and they could not come up with any conclusions indicating there would be ill effects. Cell phones have been around for twenty to twenty-five years but many more people are using them now. It is like the walkman when everybody had one in the 1980s. Cell phones have become something used for business, safety, and day to day use.

Ms. Thimot stated she still did not want them there. She thought it affects their body in some way.

Mr. Ouellet noted the only thing the Municipality can comment on is the aesthetics. If they have some concern about Safety Code 6, they should debate that with Health Canada and not the Municipality. When the industry submits their applications to Industry Canada, they do have the opportunity to check off the box that says they believe it is minor and do not believe they have to get comments from the Municipality but Telus has always come to the Municipality. We do receive calls from industry indicating they will check the box and not come for comments.

Mr. Leggett-Bachand stated they think they should consult with City residents because they are their customers.

**Councillor Murphy** questioned whether there are any alternative sites.

Ms. Jacobs responded not in that area.

Mr. Leggett-Bachand commented there is a building two streets away but the results would be the same. They could build a tower but they did not think it was appropriate in this area.

**Councillor Sloane** spoke in favour of the antennas being moved back. She questioned if they could all be put together as opposed to being separate.

Mr. Leggett-Bachand responded they could put a pole up on the roof but this way it is less visible.

It was questioned if it would take very long to construct.

It was responded that the shelter comes with the equipment in it. They just bring it with a crane and it is up in a few hours. Programming the equipment takes the longest.

Luc Ouellet commented the Municipality does not have the power to stop these types of installations. They can only provide comments to Industry Canada who issues the license. The only time the Municipality can stop it is on its own property.

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

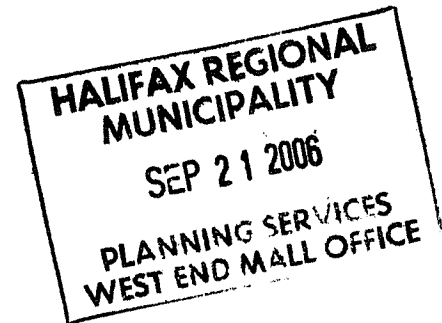


# REAL ESTATE MANAGEMENT LTD.

Suite 1804  
45 Alderney Drive  
Dartmouth, N.S.  
B2Y 2N6  
Phone (902) 422-1591  
Fax (902) 464-8523

September 19, 2006

Halifax Regional Municipality  
P.O. 1749  
Halifax, Nova Scotia  
B3J 3A5



Attn: Planning and Development Services

To Whom It May Concern:

Reference: Application by Telus Mobility – Case 00912

On behalf of the Board of Directors for Halifax Condominium Corporation #6, which is Convoy Towers located at 5572 Northridge Road, Halifax, N.S. we wish to object to the proposal for the installation of three (3) antennas and a mechanical shed on the roof of 3792 Novalea Drive.

Yours truly,  
RJC Real Estate Management Ltd.

Richard Carrier  
President

c/c-Mr. Pat Murphy, Councillor-District 11

September 26, 2006

**BY FAX ONLY 490-5450**

Councillor Patrick Murphy  
District 11  
City Hall  
Halifax, NS

Dear Councillor Murphy:

**RE: Telus Mobility Application - Case 00912**

Attached please find a Petition from concerned residents of Convoy Towers located at 5572 Northridge Road, Halifax. We wish to object to the proposal for the installation of three antennas and a mechanical shed on the roof of 3792 Novalea Drive which is located in a residential area. This technology is recent and there certainly hasn't been sufficient time to understand it's long term impact on health. One does seem to hear enough controversy though that we are not comfortable with one in our neighbourhood.

I am faxing this information to you prior to the public information meeting being held on Thursday, 28 September. The original will be given to you on that evening which may contain more signatures.

Thank you.

Sincerely,



Diane Thimot  
Unit 808  
5572 Northridge Road

dt

Enclosure - Petition

cc: Mayor Peter Kelly (490-4012 fax)  
Philippe Leggett-Bachand, Telus Mobility (514-832-2849 fax)  
Henry Klain, Industry Canada (426-1000 fax)  
Luc Ouellet, Planner I (490-4406 fax)



**Petition against installing a Telus Mobility antenna and shed on the Senior's Complex on Samuel Prince Manor, 3793 Novalea Drive.**

Maude Mae Lued  
Leanne Theriot  
~~Richard~~  
~~Paul J. Mignone~~  
Matthew Manning  
Janet Pottier  
Gwonne Nozeman  
M. Sandra Simpel  
L. Simper  
~~Tom~~ Elmore  
J. Bartulis  
Oleg Kay  
Gary M. Madsen  
~~W. H. H.~~  
Barry Wood  
Ken Chisholm  
Aubrey Maw  
Robert Cox  
Delorah Huskins  
Bernd Landner  
Heidi M. Smith  
Marion Cameron

Verna B. Hales  
Raylene Maclean  
Barbara A. Meser  
~~Bill~~  
Alice Clark  
Sandra + Jim McDonald  
Thomas Deffer  
Carla Kemp  
Linda Mullins  
~~Robert~~  
P. Duda  
Valerie A. Tingley  
Bernice Bennett  
~~Ed~~ Duda  
Barry #1207  
Mairin B. Pender  
Betty Johnson  
Marian Tucker  
~~Ed~~  
Eleanor Long  
James Hanson  
~~Bill~~

~~KB~~  
K P Ken

~~Angela Jones~~  
~~J M Ombry~~  
Chris Redford.

~~James Howell~~  
~~R G Elliot~~  
David Macdonald

Terry Hawes  
Tony Phelan  
Paul Galsbury  
Bob Gill  
Tommy Kyle  
Amanda Oh

John Harvey  
~~G B Elliott~~  
Barrie Rodenhair  
Nancy Clarke

Laurie Richardson  
~~Walter Under~~  
Dale Dixon  
William Burras  
Robert S  
Ned Burns

Sarah Burke  
Karen M Gutt  
Thom Gurni

~~David~~  
Valley Galt  
David M Smith  
Elizabeth Hoyle  
Debra Bradley

Office  
D Jerrid  
G Mullis  
Libby Pimentel  
Carol McLaughlin  
Sandy Hager