

# COMMITTEE AGENDA

CONSOLIDATED AS OF DECEMBER 6, 2013



TO **Planning & Building, Engineering and Environment Committee**

DATE December 9, 2013

LOCATION Council Chambers, Guelph City Hall, 1 Carden Street

TIME 2:00 p.m.

## DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

**CONFIRMATION OF MINUTES** – November 5, 2013 Open and Closed Meeting Minutes

## PRESENTATIONS (Items with no accompanying report)

a) None

## CONSENT AGENDA

*The following resolutions have been prepared to facilitate the Committee's consideration of the various matters and are suggested for consideration. If the Committee wishes to address a specific report in isolation of the Consent Agenda, please identify the item. The item will be extracted and dealt with separately. The balance of the Planning & Building, Engineering and Environment Committee Consent Agenda will be approved in one resolution.*

ITEM	CITY PRESENTATION	DELEGATIONS	TO BE EXTRACTED
PBEE-2013.40 The Canadian Radiocommunications Information and Notification Service (CRINS-SINRC)		<ul style="list-style-type: none"><li>• Todd White, CRINS-SINRC</li><li>• Stephen D'Agostino</li><li>• Sue Lebrecht</li><li>• Tracey Manton</li><li>• Dan Welland</li><li>• Wendy Cockburn</li></ul>	✓
PBEE-2013.41 Brownfield CIP Environmental Study Grant Agreement Amendment- 5 Gordon Street			
PBEE-2013-42 Sign By-Law Variances 72-78 Macdonell Street			

PBEE-2013.43 Consideration for the Establishment of an Advisory Committee for Multi- Residential Waste Management		<ul style="list-style-type: none"> <li>• Ted Pritchard, Fair Tax Campaign</li> <li>• Echo Oliver</li> <li>• Cavan Acheson</li> </ul>	✓
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Resolution to adopt the balance of the Planning & Building, Engineering and Environment Committee Consent Agenda.

**ITEMS EXTRACTED FROM CONSENT AGENDA**

Once extracted items are identified, they will be dealt with in the following order:

- 1) delegations (may include presentations)
- 2) staff presentations only
- 3) all others.

**CLOSED MEETING**

THAT the Planning & Building, Engineering and Environment Committee now hold a meeting that is closed to the public with respect to:

- S. 239 (2) (b) personal matters about an identifiable individual
- S. 239 (2) (c) proposed acquisition or disposition of property

**STAFF UPDATES AND ANNOUNCEMENTS**

**ADJOURNMENT**

**NEXT MEETING** – February 3, 2014

**Submission from Stephen D'Agostino**

# **Building Canada's Advanced Wireless Networks: The Future is Here**

City of Guelph Planning & Building, Engineering and  
Environment Committee  
December 9, 2013



## Our Request

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For the reasons set out herein we request that:

- Council not accept the staff recommendation; And,
- Staff be directed to develop a made in Guelph protocol in consultation with affected stakeholders, including the wireless carriers licensed to provide service in Guelph and report back to Council.



## A Paradigm Shift

- Changing technology and growing competition are creating a paradigm shift in the wireless industry.
- 2010 marked the year when mobile data transactions eclipsed traditional voice;
  - Data traffic is expected to double every year through 2014;
  - Data requires exponentially greater broadband capacity than voice;
  - As demand for **CAPACITY** increases at a cell site, the **COVERAGE** area decreases.
- This is compounded by the growing number of entrants in the wireless industry;
  - 3 incumbent providers: Bell, Rogers and TELUS;
  - new entrants actively building networks in Ontario: Wind, Public Mobile, Dave Wireless.
- The only solution that will meet the escalating growth in demand for wireless service is construction of additional wireless facilities.



## Municipal Approval Process

- The wireless industry wants to work with local government to develop protocols that enable us to meet the needs of your community...our customers...and the regulator (Industry Canada).
- **Clarity, certainty** and **timeliness** are key elements of any approval process:
  - With these in place, industry can focus its resources on securing successful sites, sensitive to their surrounds and land uses.
- We recognize and are mindful of community concerns with regard to site aesthetics:
  - Wherever possible and where appropriate, wireless providers will share (co-locate) facilities and/or locate infrastructure on existing structures;
  - For sensitive geographies, we implement customized, stealth design options to minimize visual impact;
  - We will partner with local government where possible to leverage existing infrastructure.



## Our Clients' Support Protocols

- Our clients support the adoption of a Wireless Telecommunications Protocol.
- We don't think Industry Canada's or CRINS' one size fits all approach to protocols is appropriate for a modern dynamic City like Guelph.
- Our clients have been involved in the development of protocols with municipalities across the country since the early 90's; **in fact they invented protocols as a way to ensure local input into siting decisions** notwithstanding the Federal Government's exclusive jurisdiction.
- Protocols were endorsed by the Federal Government's National Antenna Tower Policy Review Study in 2004.
- **We provided comment and background materials to support Guelph's 2001 protocol. We are pleased to do so again.**



## Concerns With CRINS' Approach

### The CRINS' Presentation

- Although CRINS holds itself out to be a not for profit corporation it was created under the **Canada Business Corporations Act**, not the Canada Not-for-profit Corporations Act. There is no explanation for this anomaly on CRINS' website.
- The slide titled "**Heads of Power**" erroneously states that the Province and City have jurisdiction over the antenna support structure. That jurisdiction lies exclusively with the federal government.
- The presentation overstates the value of the CRINS' protocol. To be clear, their document is a **one size fits all process protocol** that provides little guidance to proponents concerning the location of a proposed facility. Nor does it contain provisions designed to reduce visual impact on visually sensitive areas.



## Concerns With CRINS' Approach

### Legal Concerns

- According to the Federal Government's information service, CRINS is a share company incorporated under the Canada Business Corporations Act not the Canada Not-for-profit Corporations Act. The two directors listed are not municipal representatives. **It is unclear if the municipal members have the legal authority to control the corporation.** As a result CRINS lies outside the municipal sphere even though it has an advisory board.
- CRINS' 2012 information return to Corporations Canada is overdue by 11 months. Its status going forward is unclear.



## Concerns With CRINS' Approach

### Legal Concerns

- CRINS is not a “wholly owned” Corporation as defined by the *Municipal Act*. As result, the information provided to it is not protected by the *Municipal Freedom of Information and Protection of Privacy Act*, nor are its directors and officers subject to the *Municipal Conflict of Interest Act*.
- Since CRINS is not a wholly owned corporation the City may not “**bonus**” it. In our view, the payment scheme designed by CRINS constitutes a bonus since it avoids the requirement that fees be cost based as would be the case, for example, pursuant to Section 69 of the Planning Act .



## Concerns With CRINS' Approach

### Legal Concerns

- The CRINS approach also creates a **monopoly** contrary to Section 18 of the *Municipal Act*.
- Given the lack of process transparency set out in the protocol and the CRINS website it is unclear whether or not the delegation of authority proposed meets the requirements of the *Municipal Act*.



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### Siting

- Not consistent with the **Provincial Policy Statement** which requires that the City ensure the necessary telecommunications infrastructure be provided to support current and projected needs.
- Fails to provide a **hierarchy of preferred siting options**.
- Fails to provide incentives designed to encourage proponents to voluntarily locate away from visually sensitive areas. Instead, it **encourages co-location which has the effect of exacerbating visual impact**. Such an approach may be inappropriate.
- Fails to provide any direction for facilities required in areas identified by the city to be sensitive.



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### Siting

- Fails to provide direction to proponents on the use of municipally owned land and structures. Many municipalities have chosen to be the **landlord of first choice** in order to take advantage of the income stream generated and/or the contractual advantages that come with being a landlord.
- Fails to recognize that proponents are subject to siting constraints that limit siting choices. Rather, it mistakenly suggests that proponents can site in "almost any location."
- Creates controversy by prohibiting structures in significant views and vistas without defining same.



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### Public Consultation

- Misapprehends the role of public consultation in the CPC by not providing for a meaningful conclusion. Rather, the process creates the prospect of a never ending loop of correspondence between the public and a proponent without any right of arbitration by either side.
- Fails to provide a framework for the application of the three levels of consultation leading us to conclude that it is arbitrary.
- **Public's personal information is not protected by *Municipal Freedom of Information and Protection of Privacy Act*.**



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### Public Consultation

- Public consultation requirement that notice be the greater of 120 m or three times the tower height will result in an encouragement to proponents to construct taller towers on average.
- Requires public meetings whereas virtually all other municipal protocols require **public open houses** in recognition of the fact that telecommunications is a complex subject and benefits from one-on-one interaction.
- Requirement that proponents use the CRINS name and logo in notices will confuse the public and undermine Council's role in the decision-making process.



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### Exemptions

- Effect of the Confirmation of Exemption Process is to undermine Industry Canada's requirement that modest installations be exempt from processing. Instead, **it subjects activities with little or no impact, such as routine maintenance, to pre-consultation, an application and confirmation process.** No other land-use in the City is subject to such micro management.



## Concerns With CRINS' Approach

### Concerns With the CRINS' Protocol

#### CRINS website

- Requirements that proponents provide commercially confidential information to CRINS annually or as part of pre-consultation is inappropriate given that the City is unable to protect it pursuant to the *Municipal Freedom of Information and Protection of Privacy Act*, **nor can the information be protected from commercial misuse** since its directors and officers are not subject to the *Municipal Conflict of Interest Act*.
- Citizen's private information is not protected by the *Municipal Freedom of Information and Protection of Privacy Act*.



## Concerns With CRINS' Approach

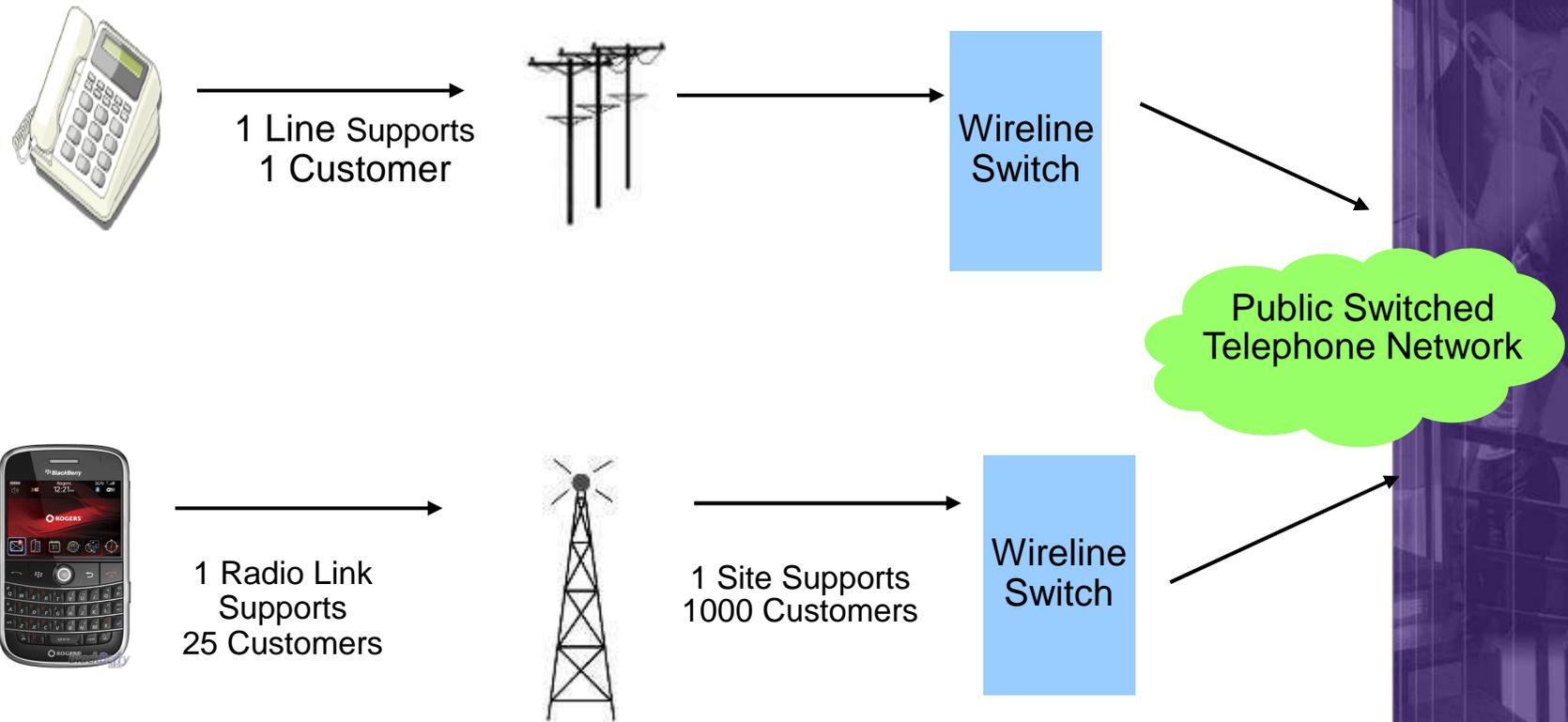
### Concerns With the CRINS' Protocol

#### Other matters

- Fails to take advantage of the City's best opportunity to influence a proponent's siting decision in that:
  - It requires the submission of commercially confidential information that is not protected. As a result proponents will leave pre-consultation to a late stage of their process in order to avoid the risk of premature announcement;
  - It fails to create an environment by which the proponent and City can discuss each other's needs and determine appropriate siting based on local conditions without a committed site.
- **Attempts to fetter Industry Canada's jurisdiction** with respect to Safety Code 6 requirements for signage.

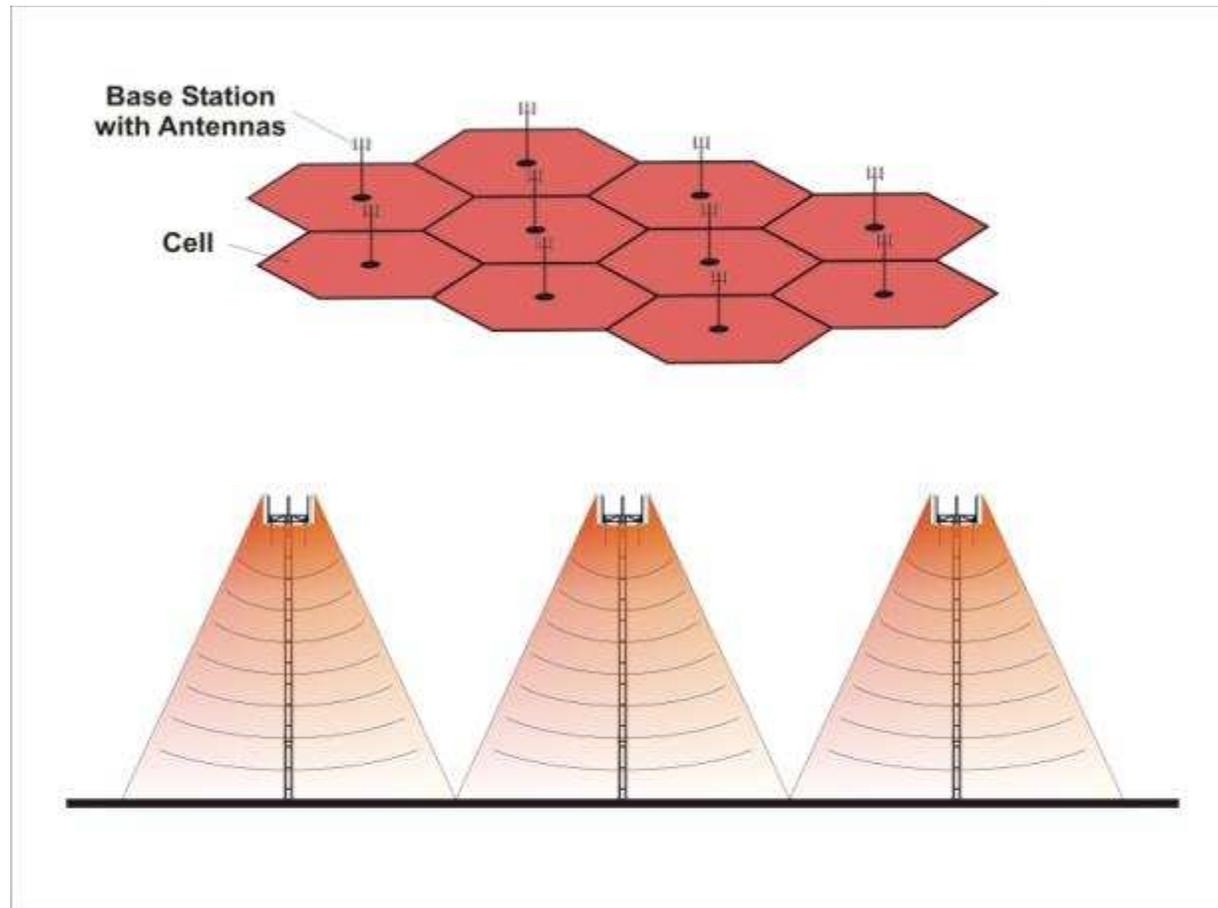


# Wireless Telecommunications: How it works

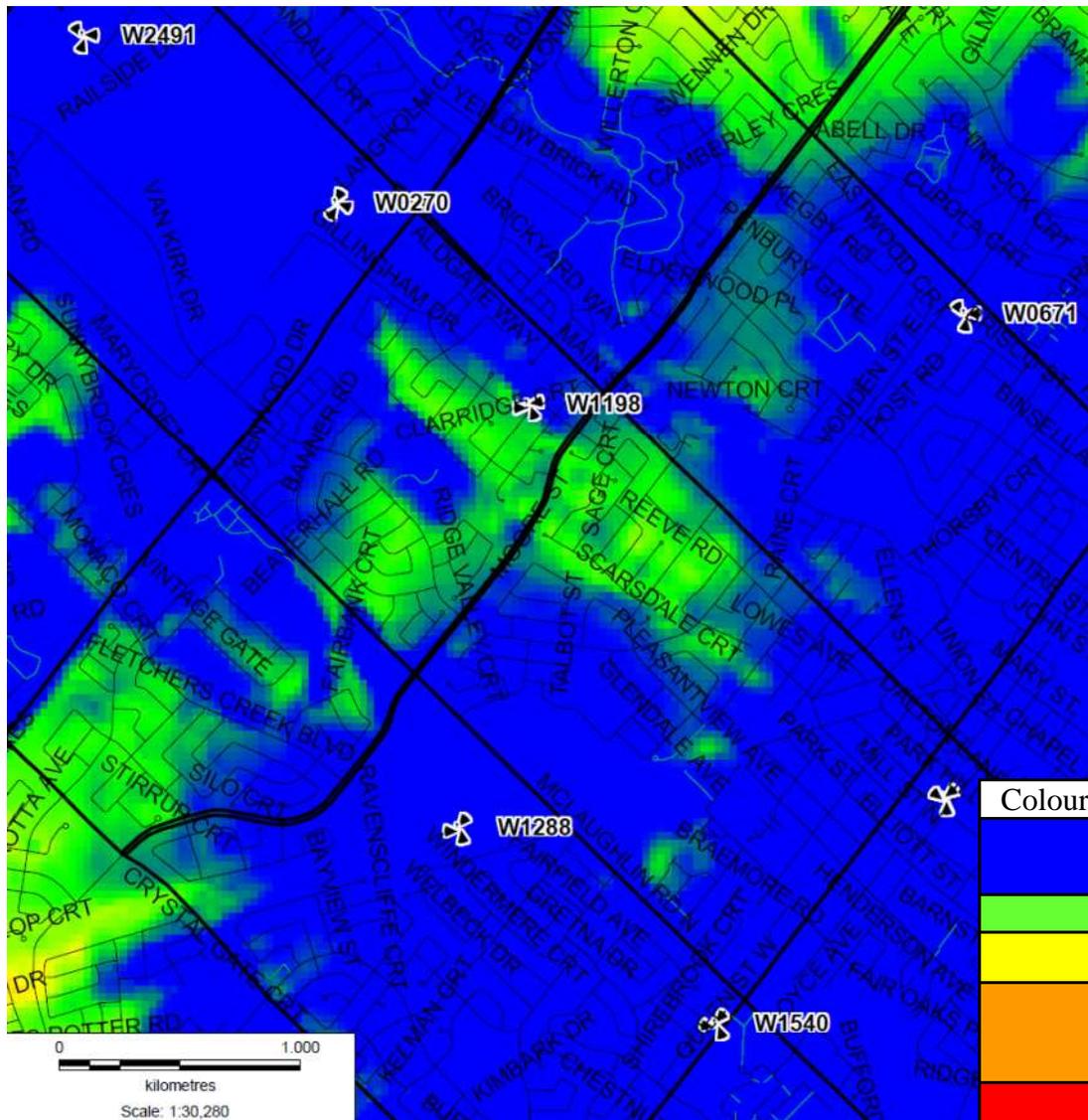


## What is a Cellular Network?

A network is a series of interconnected parts.



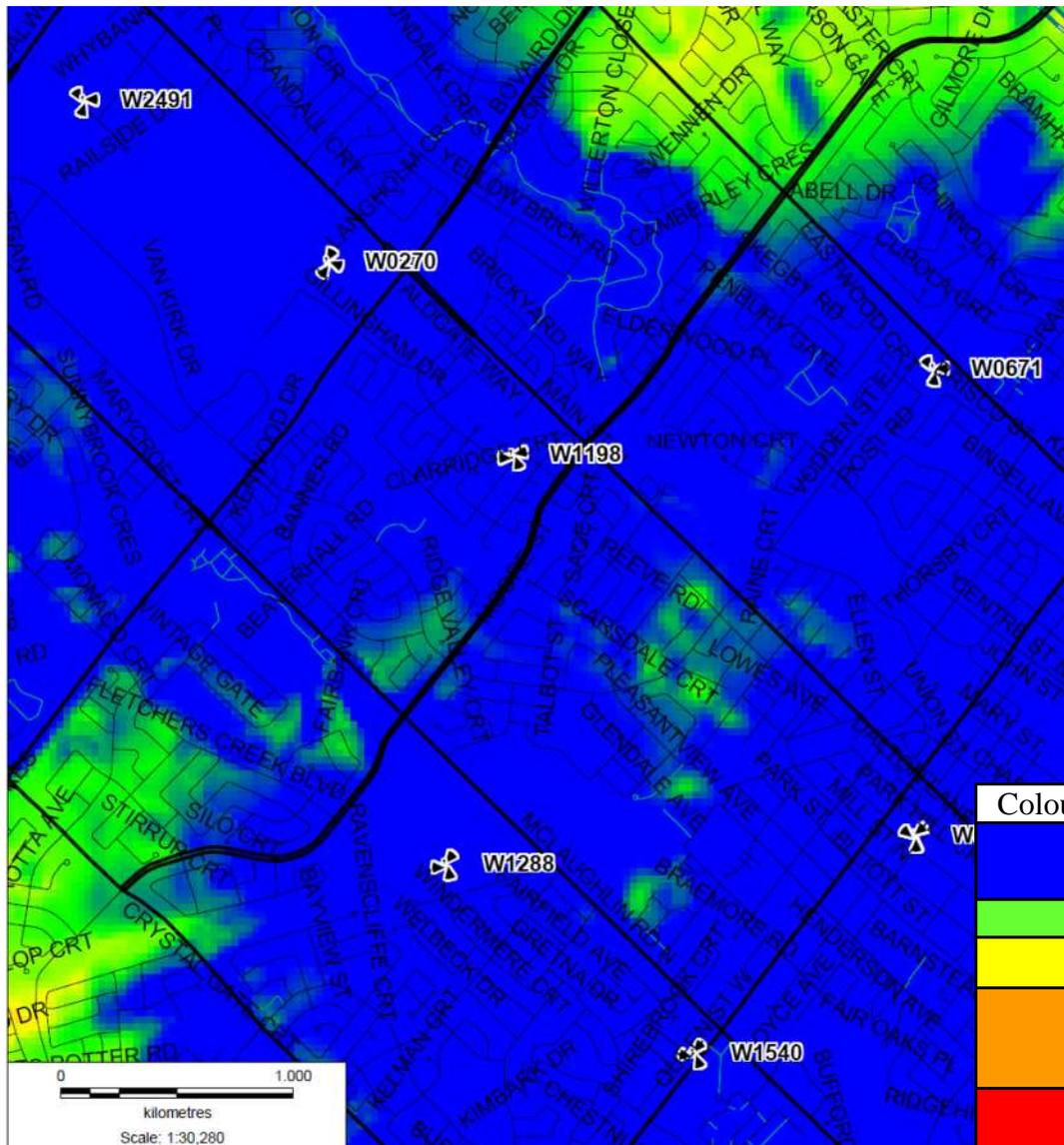
# Wireless Telecommunications: Existing Coverage Example



Colour	Notes on Service Level
Blue	Excellent Quality Service (high speed data; able to penetrate underground)
Green	Acceptable Quality Service
Yellow	Marginal Quality Service
Orange	Poor Quality Service (Call Drops Expected)
Red	No Service



# Wireless Telecommunications: Coverage with New Tower Example

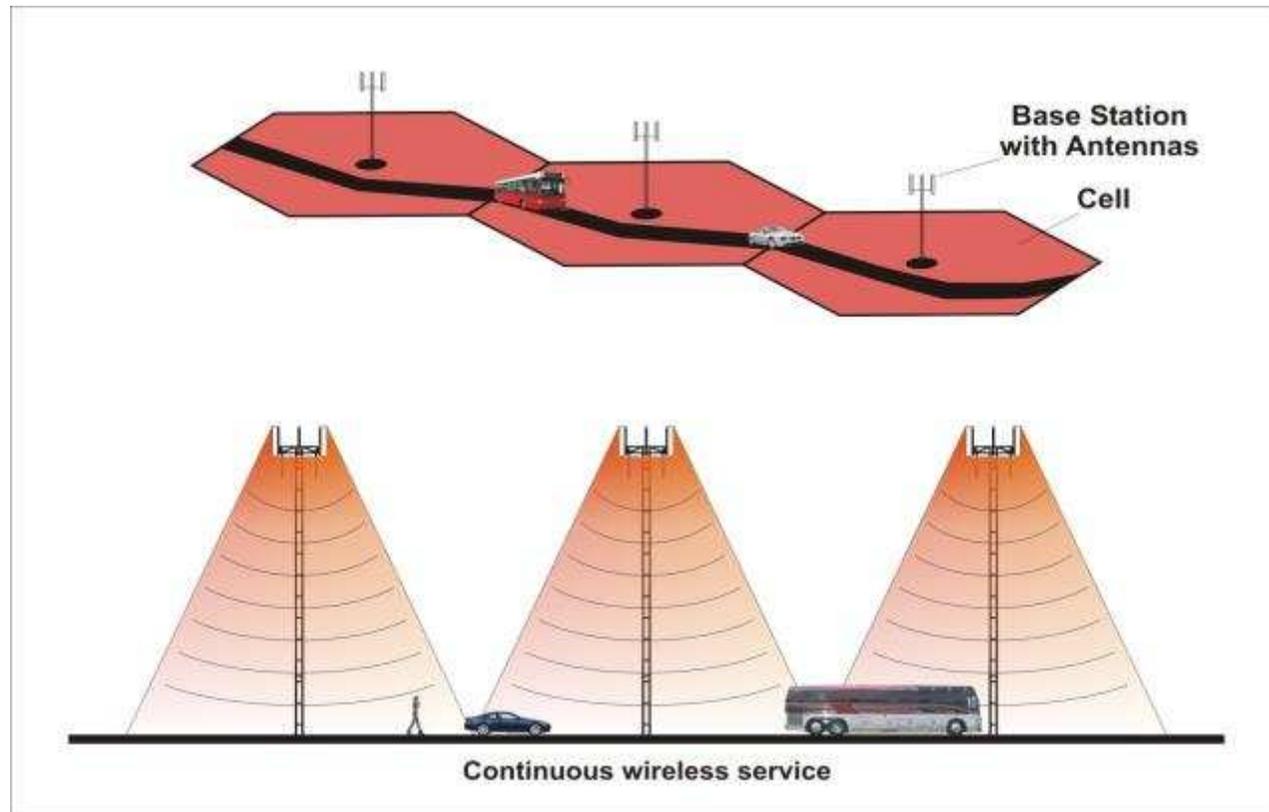


Colour	Notes on Service Level
Blue	Excellent Quality Service (high speed data; able to penetrate underground)
Green	Acceptable Quality Service
Yellow	Marginal Quality Service
Orange	Poor Quality Service (Call Drops Expected)
Red	No Service



## Evolution of the Cellular Network

### A continuous cellular service network

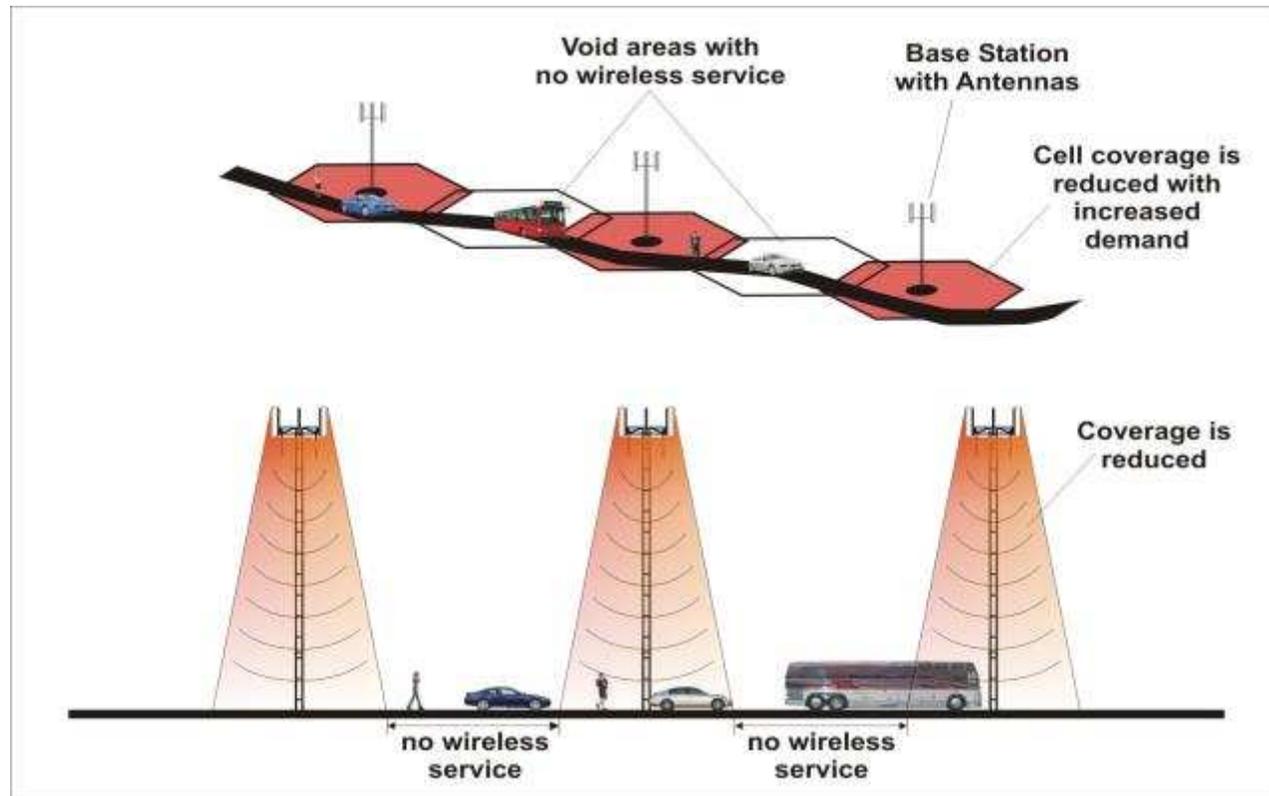


Each cell only serves a fixed number of calls



## Evolution of the Cellular Network

Increased users creates gaps in service

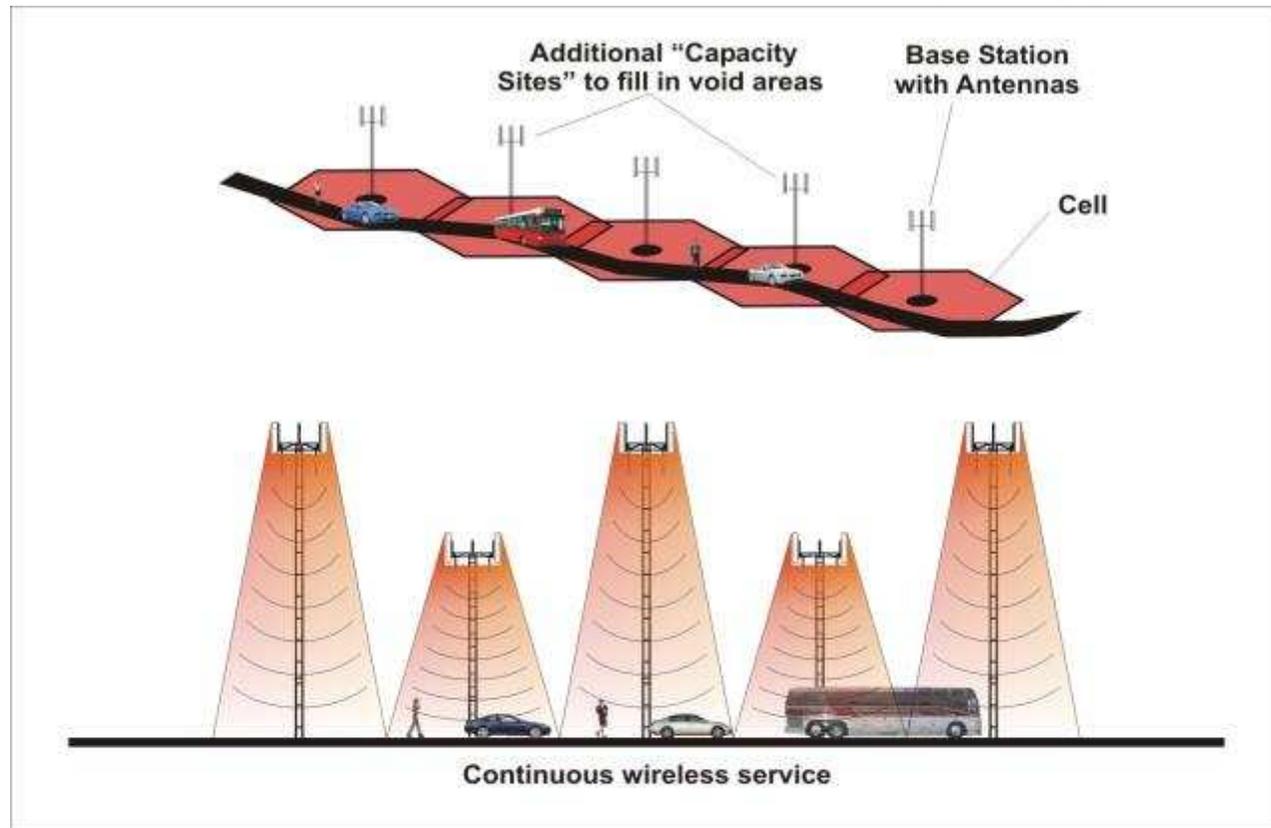


Number of calls in a cell is limited. When a cell reaches its maximum capacity it reduces its footprint in order to provide service to the strongest (closest) signals.



# Evolution of the Cellular Network

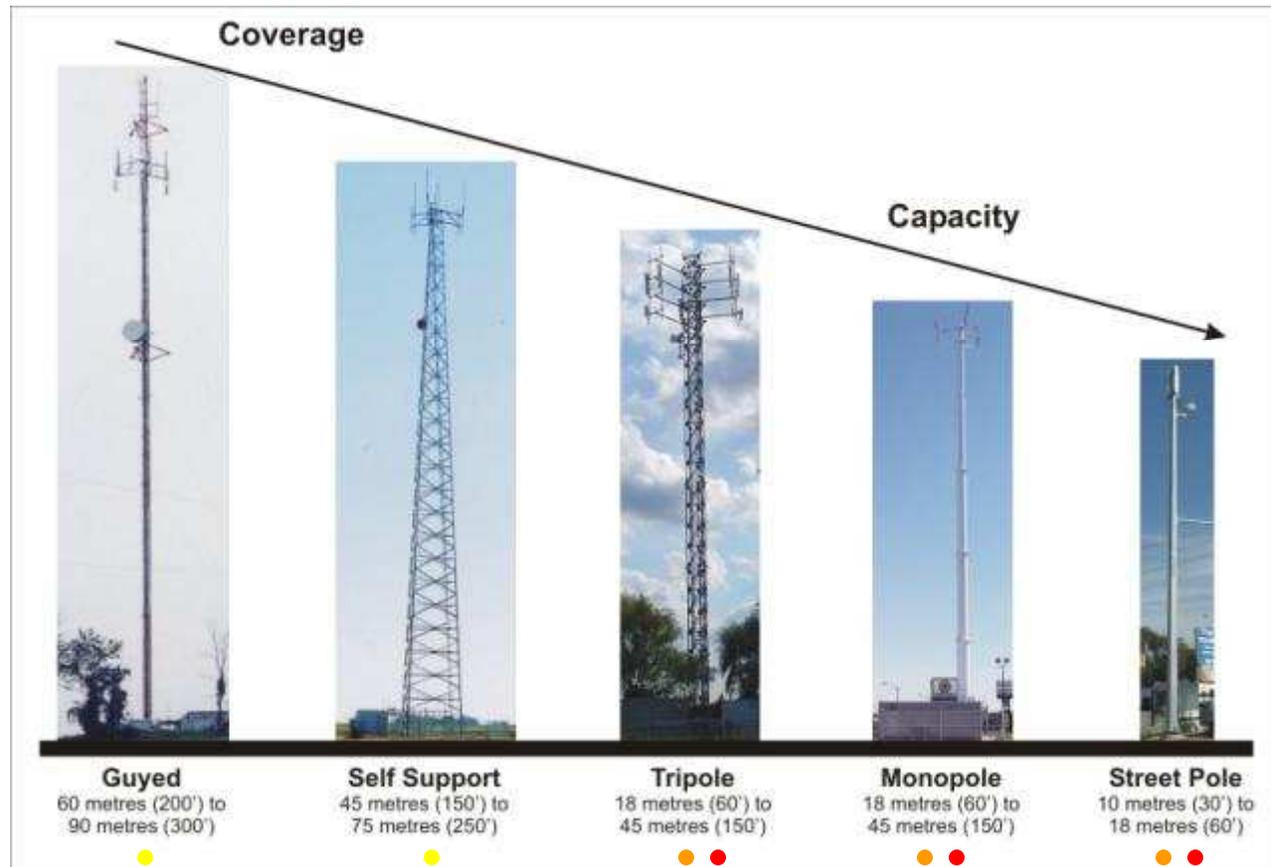
## Continuous cellular network restored by filling gaps



New towers constructed to fill in the void areas, restoring continuous wireless service

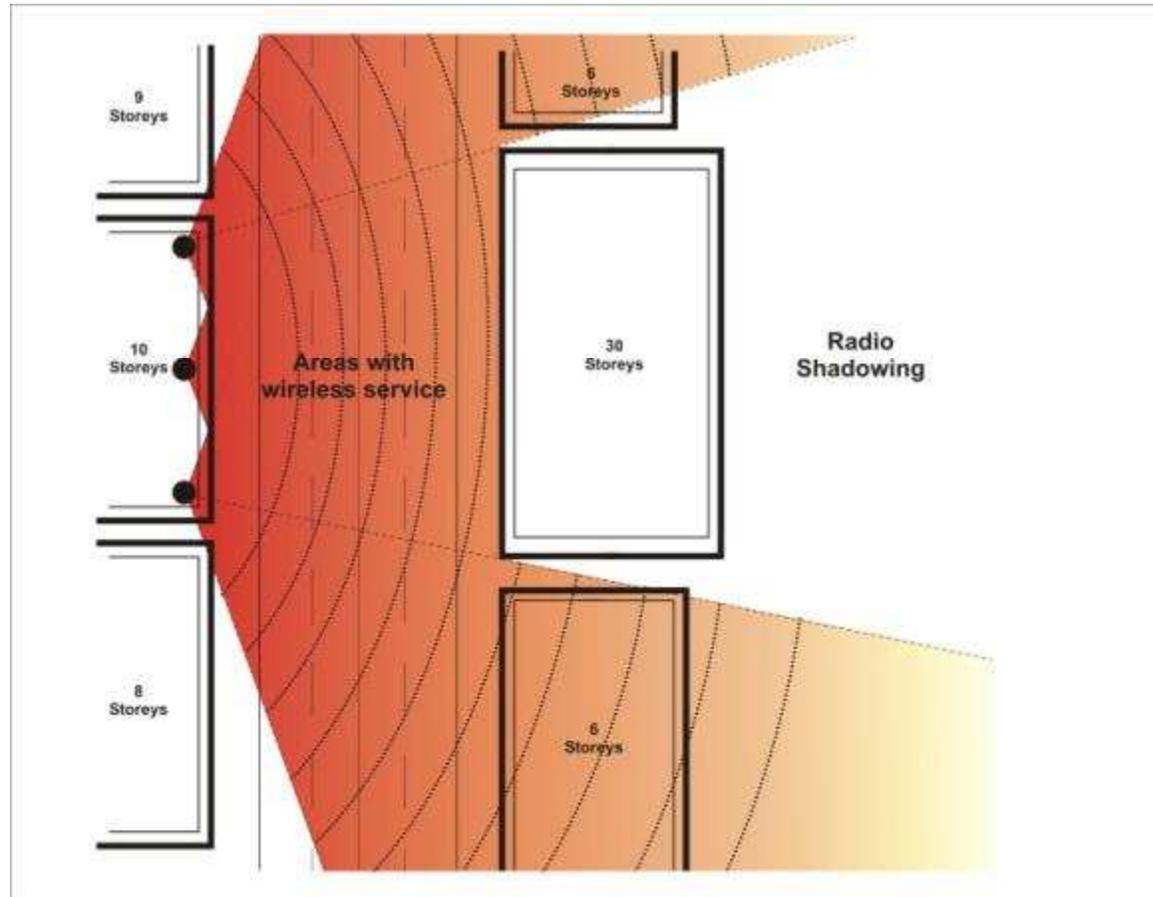


## Coverage vs. Capacity



# LIMITATIONS OF CELLULAR SERVICES

Radio Signals are much like the light from a lamp



## SITING CONSTRAINT SUMMARY

- expected usage patterns of wireless service including proximity to users;
- local terrain and building types which can be a significant challenge as a result of shadowing;
- interaction with existing radio base stations;
- line of site requirements for high quality communications;
- opportunities to use existing structures;
- the availability of a willing landlord; and
- the industry's commitment to high service standards and customer satisfaction.



## Co-location Is Generally Visually Obtrusive

Visual Impact of Single-Carrier tower vs. Co-location tower



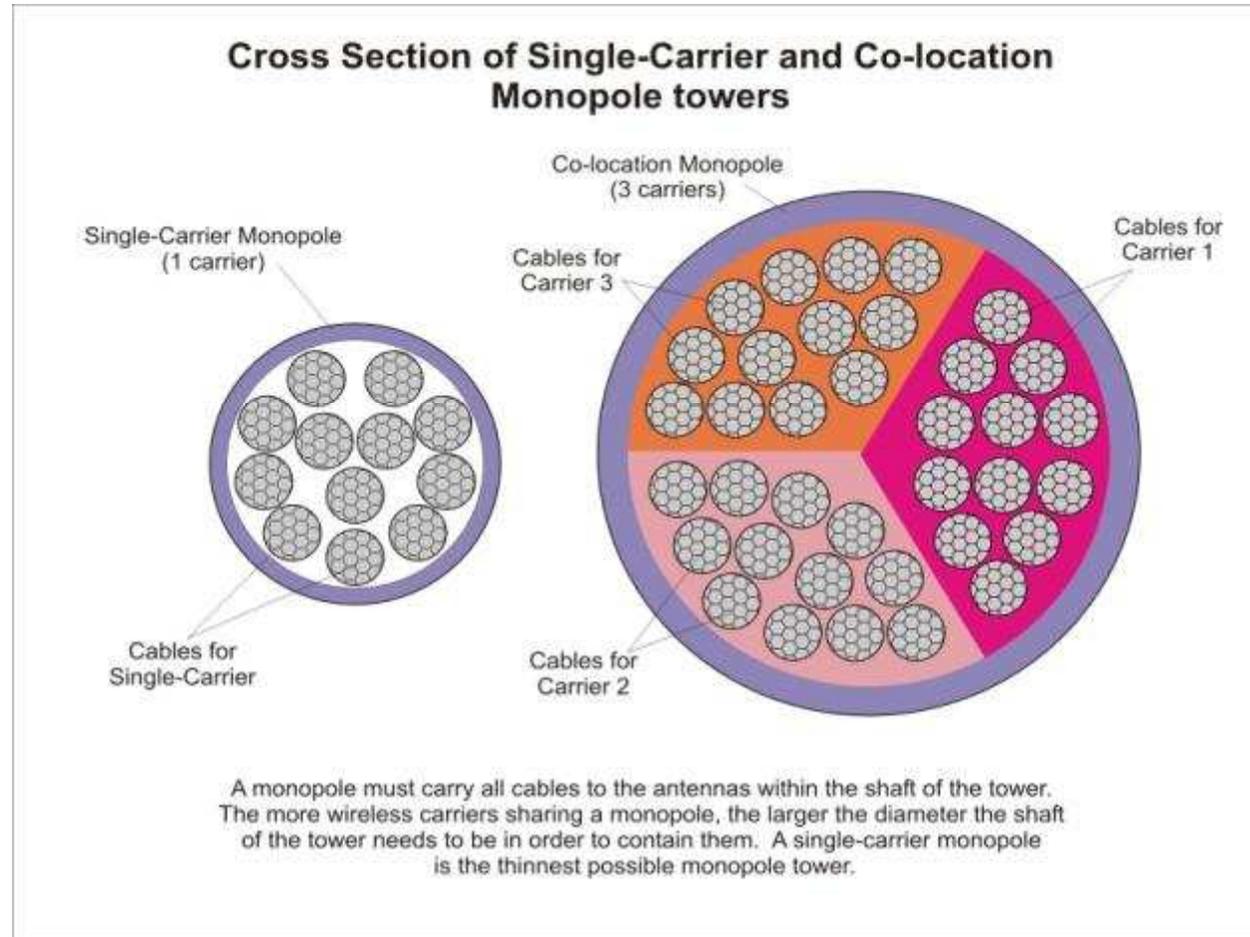
Single-Carrier Tower



Co-location Tower



## Co-location Is Generally Visually Obtrusive



## A Better Co-location Approach

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Because co-location is visually intrusive compared to single carrier sites, many Councils use a hybrid approach that articulates a preference for co-located towers in locations away from residential areas and lower single carrier sites in locations close to residential areas.



## EMERGING TECHNOLOGY - LTE

- The wireless industry constantly needs to upgrade network coverage and capacity to maintain momentum with new and emerging technologies.
- LTE (Long Term Evolution 4G) is the latest upgrade to the HSPA UMTS 3G technology wireless networks.
- Massive demand for high-speed wireless mobile data services have created capacity issues for all carriers' networks.



Windows  
Phone



 **TELUS**

 **ROGERS™**

**Bell**

## EMERGING TECHNOLOGY - LTE

- LTE (4G) brings about unparalleled data transmission speeds (download, upload, video-streaming) as well as new services (mobile gps, mapping, high-speed wireless internet etc...)
- Many homes, businesses and community services will take advantage of the option to become completely 'wireless' without sacrificing service quality.



 TELUS

 ROGERS™

 Bell

## EMERGING TECHNOLOGY - INFRASTRUCTURE

- The Wireless Carriers will need to convert existing roof-top and tower locations to LTE as a preliminary step.
- The networks will also require a good number of 'capacity' sites in order to handle the high volume of users on the network.
- Capacity sites \*typically\* require less height than regular coverage sites and less antenna loading.
- Capacity site placement needs to be close to its users.



## Carriers and the Federal Government

- The Federal Government has exclusive and comprehensive jurisdiction over radio communications and telecommunications.
- Industry Canada governs the way carriers consult with land use authorities with regard to antenna systems (Client Policy Circular CPC-2-0-03).
- This policy identifies a number of circumstances under which carriers are excluded from the requirement to consult with land use authorities including:
  - New antenna systems less than 15 m;
  - Addition or modifications to existing systems.
- Broader exclusions are permitted designed to encourage the development of low-impact sites in exchange for an expedited approval process. This form of encouragement is the hallmark of all successful protocols.



## Spectrum Licenses

- The Wireless Carriers operate their networks based on spectrum licenses issued by the Federal government.
- Compliance with CPC-2-0-03, including the requirement for municipal concurrence and public consultation is a condition of those spectrum licenses.
- As a result Industry Canada does not make a decision with respect to specific sites unless there is a dispute between a carrier and a land use authority.
- In other words, a spectrum license provides preapproval for the construction of wireless facilities within a specific geographic area subject to conditions similar to the draft approval of a subdivision.
- Once the conditions have been satisfied, the carrier is free to construct wireless facilities in accordance with its license.



## Opportunities For Effective Consultation

- Given that CPC-2-0-03 and carrier's standard conditions of license require municipal concurrence, land use authorities such as Guelph are often able to effectively influence the siting and design of wireless facilities provided network radio requirements are met. Practically, this puts Guelph in the same position as it would be in a zoning application where the Ontario Municipal Board has supervisory powers on appeal.
- CPC-2-0-03 provides specific opportunities for municipalities that adopt a protocol.



## Opportunities For Effective Consultation

### The use of existing infrastructure

- The CPC requires that existing infrastructure be used where possible. We note that Industry Canada gives land use authorities the opportunity to influence or opt out of this requirement in their Policy.
- As we read the CPC, the Wireless Carriers are required to co-locate and allow colocation if feasible, unless it is the municipality's preference that a new structure be constructed. This may not be appropriate in residential or other visually sensitive areas.
- As a result, in order to permit proposals which are less visibly obtrusive, and less controversial, we believe that the protocol ought to express a clear preference for less obtrusive designs over co-location where feasible in and adjacent to residential areas where the density of use will often permit the use of smaller towers.



## Opportunities For Effective Consultation *Adjacent municipalities*

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- The CPC expects notification of adjacent municipalities but restricts that to municipalities located within a radius of 3 times the tower height measured from the tower base.
- The details associated with such a notice could be set out in the protocol.
- As well, the protocol should set out Guelph's process and policy interests when it is the adjacent municipality. CRINS does not address this.



## Opportunities For Effective Consultation

### *Limitations on public notice*

- The CPC sets out Industry Canada's requirements for public consultation. The CPC restricts notice to a radius of 3 times the tower height, measured from the tower base in recognition of the fact that the notice radius should be proportional to the expected land-use impact.
- Protocols work best when policies are created that encourage carriers to move from their preferred locations by providing for expedited processes or process exemptions. Public notice requirements are an obvious place to use this strategy.
- That is to say by requiring public notice only when towers are located in close proximity to residential zones, our clients can be expected to attempt to locate their facilities away from those zones in order to reduce approval times and complexity thus creating, where technically feasible, a voluntary buffer between the tower and residential uses.



## Opportunities For Effective Consultation Exemptions

- The CPC sets out 5 exemptions to the usual requirement for consultation with land use authorities and the public. Protocol provisions may not require consultation where the CPC provides for an exemption. However, the exemptions may be expanded.
- Exemptions provide a powerful tool to encourage carriers to develop facilities in particular locations or in an identified built form.
- Exemptions may be devised that permit a carrier to bypass the need to consult with the municipality or the public.



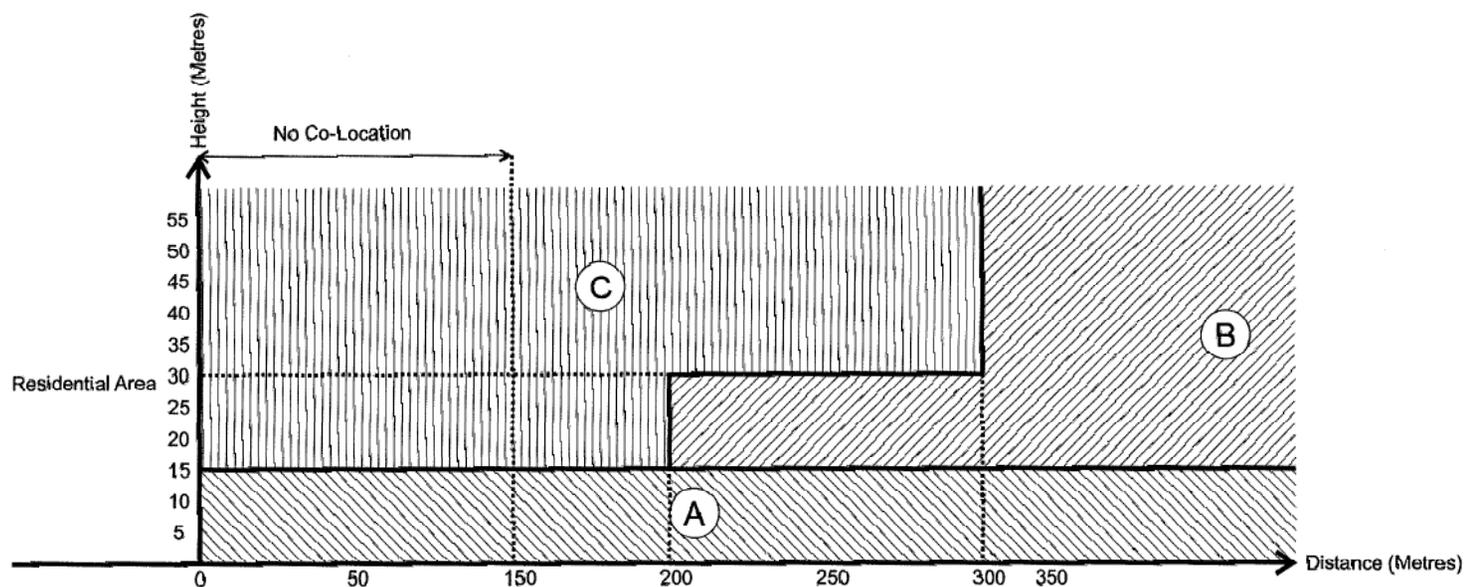
## Opportunities For Effective Consultation Design and Siting Preferences

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- The CPC expects that a protocol will provide direction to carriers on matters of design and siting provided they are reasonable.
- Carriers always look to determine whether they can meet a protocol's design and siting requirements early in their site search process.



## Opportunities For Effective Consultation Vaughan Example



Legend:

Area "A": Exempted from Municipal Review Process (Notification Only)

Area "B": Staff Review and Approval (No Council Approval)

Area "C": Full Review Process



Thank you.



Sue Lebrecht Submission regarding The Canadian Radiocommunications Information and Notification Service (CRINS-SINRC)

On September 10th, at the last PBEE meeting at council, a resolution was passed that:

1. a) changes be made to the cell tower policy - hence the move to adopt CRINS - which is fabulous, and, b) there be an advocacy for a review of Safety Code 6.

It doesn't look like the advocacy part of the resolution has been addressed yet. May I suggest the following:

That "The City of Guelph calls upon the Minister of Industry not to approve any new radiocommunication facilities within the City of Guelph until the review of Safety Code 6 is improved."

This is not advising a moratorium on cell towers - which could have set backs - rather it is requesting one. And it's a big step in the right direction:

1. It says we're concerned about the possible health risks of these structures. It says, there's enough cause for reasonable doubt on the safety of these structures, and we'd like to err on the side of caution. It sends a message and adds a bit pressure to the present review of SC6. Again, this is what Oakville did in August (attached) followed by the town of Thorold (attached).
2. It shows leadership, and I truly believe Guelph could help pave the way for Canada towards a safer technological environment. As mentioned at the previous PBEE meeting: Canada has the worst standard in the world on allowable exposure to electromagnetic radiation. Our allowable levels are 100 times more lenient than most countries. The World Health Organization has classified EMR as a Class 2B carcinogen, putting it in the same category as lead and DDT. And studies around the world are showing cancer clusters around cell towers. The latest, in Brazil, in a city around the size of Toronto, showed 7,000 deaths among those within half a mile of a tower (see the death chart below).
3. Perhaps it could cause a delay with regard to the Grange & Starwood tower, buying us some more time while Safety Code 6 is under review.

On October 28th, I was part of the public consultation in front of the panel that's reviewing Health Canada's Safety Code 6. It was a day with videoconferencing filled with electrosensitive people, doctors and scientists across Canada, all having their say. Yet as Frank Clegg, CEO of Canadians for Safe Technology points out, the panel is conflicted with ties to the industry. I think, it would have to be conflicted, because undoubtedly, an independent and unbiased panel listening to this very moving and very persuasive outpouring of testimony, medical observations and scientific research, would have put an immediate stop to this rampant, free-for-all installation of cell towers everywhere - until they had a chance to review all the material.

We have in our power to do something crucially important - let's do it, and request a moratorium.

With regard to the resolution, point 2, regarding the matter of the pending cell tower at Grange and Starwood, I'd like you to know that I just found out that despite my best efforts, the landlord of the property has decided to allow the tower. The landlord was my last hope. I will now have to move.

I'm not just an electrosensitive person I'm a single mother of a young child. I live in a semi-detached home with a legal basement apartment that provides \$900/month. I need the monthly income, I like my neighbourhood, I love my immediate neighbour. I despise the idea of having to move, and of having to uproot my child - again. After my separation, my child needs stability, and not more broken attachments of neighbourhood friends that have been made.

As for me, I finally have just managed to get my house quiet, in terms of electromagnetic radiation, quiet enough, at least, that my symptoms are tolerable. It started with tinnitus, then headaches, vertigo, low blood pressure, light-headedness, then heart palpitations, sleep problems, and a mass amount of anxiety. The ringing in my head has been so severe I've curled into fetal position and balled my eyes out, on more than one occasion. The sleep problems are brutal. I often wake up at 1am, after just two or three hours, and can't get back to sleep.

It's taken me a long time to realize I'm electrosensitive. For more than two years I've been seeking relief without knowing the cause. After all the blood tests, and heart monitor and blood pressure monitor and seeing an endocrinologist and a cardiologist, and ending up at hospital emergency three times, I have been given a clean bill of health from our esteemed physicians, and dismissed. All my reserve money has gone into alternative medicine and therapy. I've seen an energy therapist, a naturopath, a homeopath, a massage therapist and chiropractor. I also tried conventional therapy, Emotional Freedom Technique therapy, cranioscral therapy, and Reiki, trying to find something - anything - that would provide relief.

Now that I know I'm electrosensitive, I'm completely hardwired - without Wifi or cordless phones. I've had to paint graphite fibre on walls; it's \$400 to cover a single wall. I've put up aluminum screening, and shielding fabric, shielded my Smart Metre, purchased an RF Metre, scoured southern Ontario on Kijiji for the one model of cordless phone - no longer on the market - that only radiates on demand, not 24/7. I got my neighbours to use these phones. I found a tenant who is copasetic to being hardwired and not using a cell phone. I also finally got my immediate neighbour to drop Wifi for hardwiring. I know where my hot spots are in the house, which I avoid, and have to sleep with my head on the opposite side of the bed. And also I've managed an agreement with Guelph Hydro to opt-out of my Smart Metre, though at a cost.

So, to finally get my home where it needs to be, and then have a cell tower at the top of my street is devastating. I can't survive it. Yet, I don't have a place to move. If you look at the Canadian Cell Tower Map you'll see in Guelph there are very, very few places without a tower

within 1 km. I'm in one of those rare spots -on purpose. Where can I move now that's affordable with rental income, not close to a tower?

This is not acceptable. In fact, it's criminal. Who is liable? I've spent the past six months fighting this tower with all I've got. While I would rather be getting on with reinventing myself professionally, I'm spending every possible moment advocating for this cause. And worse, I'm stuck in a state of alarm, trying to act normal while fighting panic, just trying to feel safe.

I told my story to the property landlord at Grange and Starwood, but he's going to put up the tower anyway, because he can, because our system allows it.

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To be clear, this isn't just about me. The Bioinitiative Report 2012 estimates 3% to 5% of the population is electrosensitive. I'm not alone, I'm just one of the few that have figured it out. Directly adjacent to Grange and Starwood, where the tower is going up, is a low rise apartment building, a block of townhouses and five streets with close knit detached and semi-detached houses. So, within 100 metres of the tower, I would estimate there are roughly 300 people, which means there are between 9 and 15 people in the immediate area that are already suffering symptoms similar to mine - or soon will be.

Within a 300 metre radius of the cell tower we have two elementary schools and a third one being built. How many kids are in a school? 500? So between the three schools, there are 45 to 75 kids who are, or will be, electrosensitive, trying to make sense of, and find relief from hellish symptoms.

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Studies around world are now showing cancer clusters around cell towers. Here is the death count from the latest study done in Brazil:  
Within 100 meters = 3,569 deaths  
Within 200 meters = 3,569 + 1,408 deaths = 4,977 deaths  
Within 300 meters = 4,977 + 973 deaths = 5,950 deaths  
Within 400 meters = 5,950 + 482 deaths = 6,432 deaths  
Within 500 meters = 6,432 + 292 deaths = 6,724 deaths  
and so on within 1000 meters Beyond 1000 meters + 147 deaths  
Total amount of .....= 7,191 deaths

As you can see, there were 6,400 cancer deaths within 500 meters of a cell tower. Beyond 1,000 metres, there were only 147 cancer deaths, yet within 1,000 meters were 6,724 deaths, so the likelihood of cancer are 45 times greater living within 1,000 meters of a cell tower.

Sue Lebrecht

### **FOURTEENTH Meeting - Special Session**

The Town of Oakville Council met in special session to consider planning matters on this 14<sup>th</sup> day of May, 2012 in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville commencing at 7:00 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams  
- Keith Bird  
- Pam Damoff  
- Cathy Duddeck  
- Allan Elgar  
- Dave Gittings  
- Marc Grant  
- Max Khan  
- Jeff Knoll  
- Ralph Robinson
- Staff - R. Green, Chief Administrative Officer  
- J. Clohecy, Commissioner of Planning and Development  
- D. Carr, Town Solicitor  
- D. Anderson, Director, Planning Services  
- J. Courtemanche, Director of Strategy, Policy and Communications  
- J. Nethery, Manager of Zoning By-law Project  
- E. Tamas, Policy Advisor, Office of the Mayor and Council  
- V. Tytaneck, Assistant Clerk  
- J. Marcovecchio, Committee Coordinator
- Regrets: Councillors - Alan Johnston  
- Roger Lapworth

### **Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**Committee of the Whole**

Moved by Councillor Duddeck      Seconded by Councillor Adams

That this meeting proceed into a Committee of the Whole session.

CARRIED

**AGENDA ITEMS**

1.    **Supplementary Information for the Radiocommunications  
Facilities Protocol Special Meeting**
  - **Report from Planning Services Department, May 2, 2012**
  
2.    **Proposed Final Radiocommunications Facilities Protocol**
  - **Report from Planning Services Department,  
March 6, 2012**

**RECESS**

The Mayor recessed the meeting until Tuesday, May 15, 2012, at 7:00 p.m., to be reconvened in the Council Chambers of the Oakville Municipal Building.

The meeting recessed at 9:58 p.m.

### **FOURTEENTH Meeting - Special Session**

The Town of Oakville Council reconvened in special session this 15<sup>th</sup> day of May, 2012 to complete the Council meeting of May 14, 2012. The meeting was held in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams  
- Keith Bird  
- Pam Damoff  
- Cathy Duddeck  
- Dave Gittings  
- Marc Grant  
- Max Khan  
- Jeff Knoll  
- Ralph Robinson
- Staff - R. Green, Chief Administrative Officer  
- J. Clohecy, Commissioner of Planning and Development  
- D. Carr, Town Solicitor  
- D. Anderson, Director, Planning Services  
- J. Nethery, Manager of Zoning By-law Project  
- V. Tytaneck, Assistant Clerk  
- J. Marcovecchio, Committee Coordinator
- Regrets: Councillors - Allan Elgar  
- Alan Johnston  
- Roger Lapworth

### **RECESS**

The Mayor recessed the meeting until Thursday, May 17, 2012, at 7:00 p.m., to be reconvened in the Council Chambers of the Oakville Municipal Building.

The meeting recessed at 9:53 p.m.

#### FOURTEENTH Meeting - Special Session

The Town of Oakville Council reconvened in special session this 17<sup>th</sup> day of May, 2012 to complete the Council meeting of May 14, 2012. The meeting was held in the Council Chamber of the Oakville Municipal Building, 1225 Trafalgar Road, Oakville, commencing at 7:00 p.m.

- Present: Mayor - Rob Burton
- Councillors - Tom Adams  
- Keith Bird  
- Pam Damoff  
- Cathy Duddeck  
- Allan Elgar  
- Dave Gittings  
- Marc Grant  
- Max Khan  
- Jeff Knoll  
- Ralph Robinson (*Arrived 7:11 p.m.*)
- Staff - R. Green, Chief Administrative Officer  
- J. Clohecy, Commissioner of Planning and Development  
- D. Carr, Town Solicitor  
- D. Anderson, Director, Planning Services  
- J. Courtemanche, Director of Strategy, Policy and Communications  
- J. Nethery, Manager of Zoning By-law Project  
- V. Tytaneck, Assistant Clerk  
- L. Morgan, Committee Coordinator
- Regrets: Councillors - Alan Johnston  
- Roger Lapworth

1. **Supplementary Information for the Radiocommunications Facilities Protocol Special Meeting**
  - **Report from Planning Services Department, May 2, 2012**
2. **Proposed Final Radiocommunications Facilities Protocol**
  - **Report from Planning Services Department, March 6, 2012**

*The Mayor transferred the Chair to Councillor Gittings in order to speak to this matter.*

Moved by Mayor Burton

1. Resolved, that report PD-008-12, dated March 6, 2012, and titled "Proposed Final Radiocommunications Facilities Protocol" be received;
2. That report PD-041-12 dated May 2, 2012, and titled "Supplementary Information for the Radiocommunications Facilities Protocol Special Meeting" be received;
3. That the town's Interim Telecommunications Facilities protocol that established a 200 meter setback from sensitive land uses be maintained with the following amendments:
  - a. Replace all references to telecommunications facilities with radiocommunications facilities;
  - b. Replace all references to "Municipal Letters of Concurrence" with "Municipal Letters of Comment"; and
  - c. That staff be authorized to make any other necessary minor wording changes that do not change the intent of this protocol;
4. That any application to the town for a new radiocommunications facility will not be considered complete and will not be processed without a letter of endorsement from the Member of Parliament for the riding in which the proposed installation is to be located; and
5. That the Region of Halton be requested to consider amendments to its Municipal Access Agreement related to radiocommunications facilities and develop a regional radiocommunications facilities protocol.

*The Mayor resumed the Chair.*

The Mayor called for the vote on the foregoing motion subject to the separation of Clause 4.

CARRIED on a recorded vote,  
Council voting as follows:

**Recorded Vote**

**Yeas**

Councillor Khan  
Councillor Adams  
Councillor Grant  
Councillor Knoll  
Councillor Elgar  
Mayor Burton  
Councillor Gittings  
Councillor Bird  
Councillor Damoff  
Councillor Duddeck  
Councillor Robinson

**Nays**

The Mayor called for the vote on Clause 4 of the foregoing motion.

CARRIED on a recorded vote,  
Council voting as follows:

**Recorded Vote**

**Yeas**

Councillor Khan  
Councillor Adams  
Councillor Elgar  
Mayor Burton  
Councillor Gittings  
Councillor Bird  
Councillor Damoff  
Councillor Duddeck  
Councillor Robinson

**Nays**

Councillor Grant  
Councillor Knoll

**RISE AND REPORT TO COUNCIL**

Moved by Councillor Elgar

That this committee rise and report.

CARRIED

The Mayor arose and reported that the Committee of the Whole has met and has made recommendations on Discussion Items 1 and 2, as noted by the Clerk.

Moved by Councillor Robinson      Seconded by Councillor Knoll

That the report and recommendations of the Committee of the Whole be approved.

CARRIED

**CONSIDERATION AND READING OF BY-LAWS**

Moved by Councillor Elgar      Seconded by Councillor Khan

That the following by-law(s) be passed:

2012-050    A by-law to confirm the proceedings of a meeting of Council.

CARRIED

**ADJOURNMENT**

The Mayor adjourned the meeting at 9:53 p.m.

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ROB BURTON  
MAYOR

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VICKI TYTANECK  
ASSISTANT CLERK



Where Ships Climb The Mountain...

May 9, 2013

R-3(c)

Health Canada  
458 Confederation Building  
Ottawa, ON K1A 0A6

Attention: Honourable Leona Aglukkaq, Minister of Health

Dear Minister Aglukkaq:

**Re: Federal Government Regulations – Telecommunication Towers**

Please be advised that Thorold City Council, at its May 7, 2013 meeting, adopted the following resolution:

WHEREAS Health Canada's Safety Code 6 for Radiofrequency Exposure (RF) are based on preventing tissue damage due to direct heating effects

AND WHEREAS an accumulating body of evidence from animal and human studies shows that non-thermal biological effects from RF exposure do exist

AND WHEREAS the general public is increasingly aware of and concerned about the non-thermal biological effects of RF exposure

AND WHEREAS the current approval process for Telecommunication Towers does not allow local Municipalities to play a meaningful role in to what is a local land use decision

NOW, THEREFORE, BE IT RESOLVED, THAT the Council of the City of Thorold urge Health Canada to re-evaluate the safety limits contained within Safety Code 6 that relate to Radiofrequency Exposure.

...2

**City of Thorold**

P.O. Box 1044, 3540 Schmon Parkway, Thorold, Ontario L2V 4A7

[www.thorold.com](http://www.thorold.com)

Tel: 905-227-6613

AND THAT Industry Canada re-evaluate its approval processes for Telecommunication Towers and allow municipal Councils to be more engaged in the decision making process.

Yours truly,



Donna Delvecchio,  
Deputy City Clerk

DD:cd

- ec: F. Fabiano, Chief Administrative Officer  
A. Arbour, Director of Planning and Building Services  
S. Daniels, City Clerk
- c: Honourable Christian Paradis, Minister of Industry  
Malcolm Allen, M.P., Welland Riding

# Health Canada's process to update safety code on radiation by wireless devices needs a reboot

**It is time for Health Minister Rona Ambrose to reboot the whole process around updating Safety Code 6. The proceedings with the Royal Society Expert Panel should be put on hold.**

By [FRANK CLEGG](#) | Published: Monday, 11/04/2013 12:00 am EST

Health Canada is in the midst of a process to update Safety Code 6 (SC6). This obscure piece of regulation affects the health of every Canadian and is currently being corrupted by Health Canada.

Here's why:

The government regulation is highly controversial and the Royal Society of Canada has been selected to review it, but Health Canada is interfering in the Royal Society's independent review.

SC6 sets the upper limit for the radiation emitted from wireless devices. SC6 is the document that provincial governments depend on when placing smart meters on our residences and businesses and when installing Wi-Fi in our children's schools.

Telecommunications companies use SC6 as the upper radiation limit in their placement of cell towers and antennae. SC6 dictates the limit for manufacturers of baby monitors, game consoles, tablets and other wireless devices. As we continue to expand the number of wireless devices we use and are exposed to and the length of time we use them, Safety Code 6 is a very critical limit. Canadians need to be able to trust it.

On Oct. 28, 2013, the Royal Society of Canada Expert Panel on Safety Code 6 held public consultations. The review of the expert panel is the next step in Health Canada's latest update of Safety Code 6.

In addition, on Oct. 28, C4ST (Citizens for Safe Technology) published documents we feel prove that Health Canada is interfering with the independence of the expert panel and manipulating its findings. The documents, obtained under Access to Information, include a memo from Health Canada to the Royal Society, suggesting certain panel members be included in this "independent" review. They also show suggested questions the panel should ask. This makes the review far from "independent."

On Oct. 28, the Royal Society heard submissions from individuals across Canada who have become debilitated by wireless radiation, but it may be a wasted effort.

Health Canada has kept secret the Royal Society's mandate for this review. This "public" review of a "public" document to be held in a "public" process is being handled almost entirely in secret. Even the criterion by which Health Canada selects the science it relies on is not being made public. Its "weight of evidence" process which Health Canada continually claims allows government employees to dismiss scientific papers that show cellphones and other wireless devices cause harm, is also part of the running secret. Standard scientific practice is that the criteria for "weight of evidence" are published, now.

SC6 has not had any significant changes since the 1980s, before smart phones and tablets were even invented. SC6 is based on 6 minutes of exposure. Not only is average cell phone use far longer than six minutes, exposure to cell towers, smart meters and Wi-Fi is hours in length for days on end. SC6 does nothing to acknowledge the particular vulnerability of children. Studies show

that while penetration into an adult skull from radiation is about 10 per cent, it reaches 70 per cent in a five-year-old child. China, Russia, Italy and Switzerland already have safety limits 100 times safer than Canada. As long as Safety Code 6 remains rooted in 1980, more Canadians will continue to develop headaches, nausea, vertigo, neurological disorders, and possibly according to the World Health Organization—cancer.

It is time for Health Minister Rona Ambrose to reboot the whole process around updating Safety Code 6. The proceedings with the Royal Society Expert Panel should be put on hold. The minister should instruct her department to run a proper evaluation that follows an open and transparent process of scientific research and evaluation based on international procedures. When the Royal Society is then engaged, give them the mandate and the resources to do a proper evaluation. Canadians deserve, and expect, no less.

*Frank Clegg is CEO of Canadians for Safe Technology (C4ST) and corporate chairman of Navantis Inc.*

[news@hilltimes.com](mailto:news@hilltimes.com)

*The Hill Times*