

From Sandra Racco

Dear Mr. Behar,

Thank you for your email. As I have indicated below, telecommunications towers are regulated by Industry Canada, and there is very little authority that the City has in these matters through official plan policies and zoning by-law requirements. The tower that was erected on top of the medical building was done so through an agreement between the landowner and the telecommunications company, and licensed through Industry Canada. The City had no authority in approving or licensing that tower.

The new proposed telecommunications tower is located approximately 190 m away from the existing Day Nursery. The existing rooftop telecommunications installation owned by Rogers Communications is located approximately 70 m away from the Day Nursery. The new proposed Bell Mobility telecommunications tower is located approximately 2.5 times farther from the Day Nursery than the Rogers rooftop installation, and is located at the farthest possible location away from the Day Nursery on the subject lands. In addition, Bell Mobility attests that the technical provisions are available for co-location on the proposed tower, thereby providing Rogers the opportunity to remove their rooftop installation and co-locate on the proposed Bell Tower upon expiry of their existing lease with the landowner.

Although Vaughan Council adopted a protocol for establishing telecommunications, our protocol is superseded by Industry Canada's Protocol, June 2014. The City of Vaughan Telecommunications Protocol states that applications for telecommunication towers located within the urban area require the Proponent to provide notice of a Community Information Meeting by regular mail to all landowners within a radius of 120 m from the tower base, or within a distance of three times the height of the proposed tower, whichever is greater. On May 15, 2014, the Proponent held a Community Information Meeting at the Maple Community Centre from 6:00 pm to 8:00 pm. In accordance with the City's Protocol, notice for this meeting was provided by regular mail within a 120 m radius to all notified residents a minimum of 20 days in advance of the Community Information Meeting. No residents attended the Public Consultation Meeting and no concerns by residents were received by the Planning Department. The subdivision to the north was at its initial planning stage; there were no homeowners living there at that time.

The height of the proposed tower is 35 m. Section 4.2 of the Industry Canada Protocol requires local land use authorities (i.e. the Municipality) to inform all landowners within a radius of three times the tower height. The Industry Canada Protocol also gives authority for local municipalities to set reasonable public notification distances appropriate for their communities when establishing their own

protocols. The City's Protocol requires the proponent (i.e. Bell Mobility) to give notice of a community meeting by regular mail to all owners within a radius of 120 m or within a distance of three times the height of the proposed tower, whichever is greater. As the proposed height of the tower was 35 m ($35 \times 3 = 105$ m), the Proponent was required to notify residents within a 120 m radius.

Health Canada has established safety guidelines for exposure to radio frequency fields, in its Safety Code 6 publication entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz". Industry Canada has adopted this guideline for the purpose of protecting the general public, which concludes that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6. It is the responsibility of proponents and operators of the installations to ensure that all radiocommunication and broadcasting installations comply with Safety Code 6 at all times, including the consideration of combined effects of nearby installations within the local radio environment. For all proponents following Industry Canada's Default Public Consultation Process, the proponent's notification package must provide a written attestation that there will be compliance with Safety Code 6 for the protection of the general public, including consideration of nearby radiocommunication systems. The notification package must also indicate any Safety Code 6 related signage and access control mechanisms that may be used. Prior to Industry Canada's approval of a telecommunication tower, the Proponent must submit a signed attestation or an acceptable analysis to Industry Canada indicating compliance with Safety Code 6. The Industry Canada departmental officer processing the application is expected to exercise judgment on the validity of the submission. If there is any doubt about the compliance or if the application is not accompanied by an attestation or an analysis, further testing for Safety Code 6 compliance may be required as outlined in the technical requirements of Industry Canada's "Safety Code 6 Radio Frequency Exposure Compliance Evaluation Template". Compliance with Safety Code 6 is an ongoing obligation. At any time, antenna system operators may be required, as directed by Industry Canada, to demonstrate compliance with Safety Code 6 by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures. Proponents and operators of existing antenna systems must retain copies of all information related to Safety Code 6 compliance such as analyses and measurements.

And in regards to the case in Mississauga, the difference is that this case is the tower was constructed without Industry Canada's guidelines for municipal consultation being followed (as per section 4.2 noted above). Industry Canada informed Wind of the consultation process, and that this would still need to occur even though the tower was already up. In this case the proponent followed the process and successfully received approval by Industry Canada.

Trusting I answered your questions,

Sandra Yeung Racco

Councillor, Concord/North Thornhill

City of Vaughan

“For the Community”

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