

From: Doncrest Community

Sent: Monday, September 16, 2024 2:34 PM

To: Clerks Richmondhill clerks@richmondhill.ca

Subject: ADDRESSING STAFF REPORT FOR ITEM 11.5 SRPBS.24.089

Dear Clerks of Richmond Hill,

I have registered as a delegate through xxx, and I request the attached document as correspondence for all the delegates for the Committee of the Whole Meeting Agenda CW#12-24 Wednesday, September 18, 2024 at 9:30 A.m. ; Item: 11.5 SRPBS.24.089 - Request for Comments - Radio-Communication Application - 120 West Beaver Creek Road - TELE-22-0001. Thank you very much.

Kind Regards,

Jack Tai

**Addressing Staff Report for Item 11.5 SRPBS.24.089 - Request for Comments - Radio-Communication Application - 120 West Beaver Creek Road - TELE-22-0001; Committee of the Whole Meeting Agenda CW#12-24 Wednesday, September 18, 2024 at 9:30 a.m.
(yellow highlighting added for reference purposes)**

SECTION 1. PUBLIC NOTIFICATION RADIUS

SECTION 2. PUBLIC CONSULTATION

SECTION 3. STAFF REPORT – UNDERSTANDING GOVERNMENT JURISDICTION

SECTION 4. LIABILITY INSURANCE

**SECTION 5. POTENTIAL ADVERSE IMPACTS ON HEALTH; TOO CLOSE TO SCHOOL; RESIDENTS;
RECREATIONAL AREAS**

SECTION 6. NO GAP IN SERVICE

SECTION 1. PUBLIC NOTIFICATION RADIUS

The 2021 RADIO-COMMUNICATION AND BROADCASTING ANTENNA SYSTEMS PUBLIC CONSULTATION APPLICATION FORM (“Richmond Hill Protocol”) For the processing of applications undertaking public consultation and obtaining a Council position in accordance with the City’s Public Consultation Protocol for Radio-Communication and Broadcasting Antenna Systems <https://www.richmondhill.ca/en/shared-content/resources/documents/2021-Development-Applications/2021-Radio-Communication-and-Broadcasting-Antenna-Systems-Public-Consultation-App.pdf> is posted on the City of Richmond Hill website and is accessible to the public. The residents put their trust in the City’s employees and the duly elected officials, to ensure this Protocol is fully complied with as written and that public health and safety is priority.

Quoting the Richmond Hill Protocol: **APPENDIX “5” - NOTIFICATION LETTER TO CIRCULATED RESIDENTS TEMPLATE (note Forbes Bros acting in their capacity as agent to Rogers Communications (“Proponent”) failed to follow this requirement of the Richmond Hill Protocol)**

*“In accordance with the City’s Public Consultation Protocol for Radio-communication and Broadcasting Antenna Systems, please find attached to this letter all materials required to be provided to residents located within XXXX METRES (XXXX FEET - **four times the tower height/eight times the tower height**) as measured from the base of the proposed facility in accordance with Section 6.1 of the City’s protocol.”*

Quoting: **Department: Planning and Building Services Division: Development Planning
Subject: SRPBS.24.089 - Request for Comments - Radio-Communication and Broadcasting Antenna System Application Public Consultation Application - 120 West Beaver Creek Road -TELE-22-0001 (“Staff Report”)**

“Background:

*On September 8, 2022, the applicant on behalf of Rogers Canada Communication Inc. submitted a Radio Communication and Broadcasting Antenna Systems Public Consultation Application (City File D25-22001) to facilitate the installation of a **27 metre (88.58 feet) steel lattice tri-pole style telecommunications tower** and related equipment shelter on the subject lands. The application was subsequently circulated to City departments and external agencies for review and comment in accordance with the City’s Protocol for Public Consultation for Radio- Communication and Broadcasting Antenna Systems (City’s Protocol). The applicant was provided with the necessary circulation information from the City in order to **provide the required Notification***

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Package to residents located within 100 metres (328.08 feet) of the proposed tower measured from the tower base in accordance with the City's Protocol."

Public notification was not provided to the full notification radius.

27 meters x 4xheight of tower = 108 meters (100 metres – 108 meters = 8 meters)

88.58 feet x 4xheight of tower = 354.32 feet (328.08 feet – 354.32 feet = 26.24 feet)

SECTION 2. PUBLIC CONSULTATION

Public Consultation Period was not met for neither the **Richmond Hill Protocol** nor **Innovation, Science and Economic Development (ISED) CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems ("CPC-2-0-03")**

Quoting: CPC-2-0-03 **4. Land-use authority and public consultation**

"The 120-day consultation period commences only once proponents have formally submitted, in writing, all plans required by the land-use authority, and does not include preliminary discussions with land-use authority representatives."

Referencing Richmond Hill Protocol

Appendix "3" – Public Consultation Protocol Flowchart; the timeframe from *Notification Package Sent to Circulated Public & Public Notice Sign Installed to Council Ratifies Final Comments to Proponent & Industry Canada Decision* is maximum 141 days.

Staff Report Timeline:

January 13, 2022 – Pre-consultation meeting with City Staff

March 30, 2023 – Community Information Session

May 30, 2023 – Quoting a widely distributed email from Mr. Ogilvie on May 30, 2023; *"Forbes has submitted to the City of Richmond Hill a draft copy of the consultation summary report. With that submission we have also requested an extension as we are still receiving/expecting some public input and follow-up replies from members of the public. As of this writing we do not have any date confirmed for this proposal to go to Council and have not received any formal recommendation or report from the planning department supporting or opposing the proposed tower site. With the extension we want to ensure there is adequate time for follow up replies or questions from those members of the public who reached out regarding the proposed site."*

January 12, 2024 – Notification received from the Proponent (Forbes Bros. acting for Rogers Communications) they are now preparing to put their proposal before Council (no date was provided)

September 18, 2024 – Council Agenda

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The Proponent is solely responsible for the delay in meeting the consultation period - March 30, 2023 to September 18, 2024 = 538 days.

SECTION 3. STAFF REPORT – UNDERSTANDING GOVERNMENT JURISDICTION

Quoting the **Staff Report Understanding Government Jurisdiction** *“It is for this reason that municipal governments facilitate consultation between the public and proponents albeit strictly from a land use planning perspective.”* I would like to clarify there are TWO aspects of the Protocol that duly elected officials must consider equally in order to decide on a concurrence or non-concurrence vote - the Land Use Authority aspect AND the Public Consultation aspect.

Quoting response from Adam Blais Spectrum Management Officer / Spectrum Management and Operations Branch Innovation, Science and Economic Development Canada / Government of Canada; to request for confirmation of information noted during a conversation.

*“RE: Follow up to our conversation August 8, 2024 - re Rogers proposed cell tower in
XXXXXXXXXXXXXX*

I just read through them more thoroughly and they are fundamentally correct, there are some small additions below in blue to clarify the statements.

*-ISED does not issue a formal authorization letter, a license or any kind of permit, to a proponent to build a cell tower installation. A letter of concurrence **from each LUA involved** is considered to be the Approval to proceed with putting up a cell tower, **but only after all the necessary consultation steps are complete per the relevant protocol.***

*-It is the responsibility of the duly elected officials at the local government level ("Council") to provide a letter of concurrence or non-concurrence to the proponent/ISED for a proposed cell tower application. ISED **generally** respects the Council's decision as it is up to the Council to determine that the protocol in place has been fully complied with and both the Land Use Authority ("LUA") and the public consultation aspects have been satisfactorily completed. If a Council submits a letter of concurrence that includes comments about concerns, ISED would have no role in trying to remediate those concerns nor question the Council's ultimate decision which was to give concurrence/approve to a cell tower application. If the Council has relevant concerns relating to the satisfactory completion of the protocol process whether relating to LUA and/or the public consultation, the council has the option to submit a letter of non-concurrence, **or request the initiation of the ISED dispute resolution process.***

*-CPC-2-0-03 uses the term "Stakeholder" to mean the proponent or the Council; not the general public or individuals who may disagree with a Council's decision. The general public or individuals may send their concerns to ISED, **but are encouraged to remain engaged with the***

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proponent and Council before and after a Council has submitted their decision (i.e. concurrence). Only a Stakeholder may request CPC-2-0-03 Dispute resolution process.

I hope this information helps to clarify the process.

Kind Regards,

Adam Blais

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*Agente de gestion du spectre Direction générale des opérations de la gestion du spectre
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SECTION 4. LIABILITY INSURANCE

Insurance Liability

As taxpayers, we request the proponent to document possession of liability insurance that does not exclude health claims due to radiofrequency (RF) radiation exposure.

Quoting Rogers Communications Inc., 2023 ANNUAL REPORT ROGERS COMMUNICATIONS INC. RISK MANAGEMENT REGULATORY RISKS (Page 66)

“Radio frequency emissions

From time to time, media and other reports have highlighted alleged links between radio frequency emissions from wireless devices (including new 5G technology) and various health concerns, including cancer, and interference with various medical devices, including hearing aids and pacemakers. This may discourage the use of wireless devices or expose us to potential litigation even though there are no definitive reports or studies stating that these health issues are directly attributable to radio frequency emissions. Future regulatory actions may result in more restrictive standards on radio frequency emissions from low-powered devices like wireless devices. We cannot predict the nature or extent of any restrictions.” <https://about.rogers.com/wp-content/uploads/Rogers-2023-Annual-Report-1.pdf>

Quoting Environmental Health Trust

“Electromagnetic Field Insurance Policy Exclusion Are The Standard

“Wireless and non ionizing electromagnetic radiation are defined as a type of “pollution” by wireless companies themselves. According to pg. 10 of the Verizon Total Mobile Protection Plan, “Pollution” is defined as “The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or nonionizing radiation and/or waste. We found similar definitions for pollution in the product protection plans for AT&T, Sprint, Verizon, T-Mobile and Asuria.

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*Insurance companies themselves define electromagnetic fields as pollutants. Ironshore Environmental uses this definition, "Broad definition of Pollutants including mold, legionella, **electromagnetic fields, radioactive materials** medical, infectious and pathological wastes."*

<https://ehtrust.org/key-issues/electromagnetic-field-insurance-policy-exclusions/>

SECTION 5. POTENTIAL ADVERSE IMPACTS ON HEALTH; TOO CLOSE TO SCHOOL; RESIDENTS; RECREATIONAL AREAS

There is ample evidence that if this proposed cell tower moves forward and is activated, people will be harmed. The Doncrest Public School is within 400 meters from the proposed cell tower. Numerous peer reviewed scientific studies recommend a buffer zone of 500 meters between schools and cell towers. Families with young children have homes 110 meters from the proposed cell tower. More than 40 peer reviewed scient studies have proved long term biological harm to people living within 400 meters. See Appendix A.

The Canadian Human Rights Commission **The Medical Perspective on Environmental Sensitivities** By: Margaret E. Sears (M.Eng., Ph.D.) May 2007 https://www.chrc-ccdp.gc.ca/sites/default/files/envsensitivity_en.pdf

ABSTRACT: Approximately 3% of Canadians have been diagnosed with environmental sensitivities, and many more are somewhat sensitive to traces of chemicals and/or electromagnetic phenomena in the environment. People experience neurological and numerous other symptoms, and avoidance of triggers is an essential step to regaining health.

Quinte Health (in Ontario) which consists of Belleville General Hospital, North Hastings Hospital, Prince Edward County Memorial Hospital and Trenton Memorial Hospital, include Electromagnetic Hypersensitivities in their Accessibility - Environmental Sensitivities policies.

<https://quintehealth.ca/wp-content/uploads/2023/06/2.3.2-Accessibility-Environmental-Sensitivities-May-2023.pdf>

An estimation¹ of people affected by Electromagnetic Hypersensitivity (EHS) in Richmond Hill

Est. Population of Richmond Hill, ON, 2021	0.65% Can't Work	1.5% Severe	5% Moderate	30% Mild
202,022	1,313	3,030	10,101	60,606

¹Michael Bevington's paper titled The Prevalence of People with Restricted Access to Work in Man-Made Electromagnetic Environments 2019.

<https://www.researchgate.net/publication/331378367> The Prevalence of People With Restricted Access to Work in Man-Made Electromagnetic Environments

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SECTION 6. NO GAP IN SERVICE

The Proponent did not provide any documentation that this proposed cell tower site at 120 West Beaver Creek was mandated by ISED or the Radio-Communication Act and stated in their information package *“The site as proposed will provide wireless voice and data services for subscribers to the Rogers network.”*

Rogers has not demonstrated that there is a gap in service whereby Rogers customers, in the affected area, currently have no voice or data service access. Of the 121 homes within the impacted area, 117 (96.7%) oppose the tower to be built within 400 meters from where they live, indicating that they DO NOT want or need this service, 3 (2.5%) don’t care if it’s built or not; 1 (0.8%) acknowledges the issue but doesn’t wish to sign anything.

APPENDIX A

Potential Adverse Impacts on Health: Too Close to School, Residents, Recreational Areas.

Numerous peer reviewed science studies recommended a buffer zone of at least 500 meters between school and cell towers. <https://ehtrust.org/wpcontent/uploads/5GCell-Towers-Near-Schools-Children-Scientific-Research-Briefing-.pdf>

More than 40 peer reviewed science studies have proved long term biological harm to people living within 400 meters <https://ehtrust.org/cell-towers-and-cell-antennae/compilation-of-research-studies-on-cell-tower-radiation-and-health/>

A recent review:

Balmori, A. (2022). Evidence for a health risk by RF on humans living around mobile phone base stations: From radiofrequency sickness to cancer. Environmental Research, 113851.
<https://doi.org/10.1016/j.envres.2022.113851>

Other relevant studies indicating harm for people living close to cell towers (base stations):

1. Rodrigues, N. C. P., Dode, A. C., de Noronha Andrade, M. K., O’Dwyer, G., Monteiro, D. L. M., Reis, I. N. C., ... Lino, V. T. S. (2021). The Effect of Continuous Low-Intensity Exposure to Electromagnetic Fields from Radio Base Stations to Cancer Mortality in Brazil. International Journal of Environmental Research and Public Health, 18(3). <https://doi.org/10.3390/ijerph18031229>

2. Zothansiam, -, Zosangzuali, M., Lalramdinpuui, M., & Jagetia, G. C. (2017). Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations. Electromagnetic Biology and Medicine, 1–11.
<https://doi.org/10.1080/15368378.2017.1350584>

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Limits for human exposure in Safety Code 6 for cell tower type emissions are based only on thermal/heating effects based on a 6-minute exposure. See Table 5: <https://www.canada.ca/en/health-canada/services/publications/healthrisks-safety/limits-human-exposure-radiofrequency-electromagnetic-energy-range-3-300.html>

Radiofrequency radiation (RF) is an agent classified by the World Health Organization's International Agency for Research on Cancer (WHO-IARC) as "Group 2B, a possible human carcinogen."
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5504984/#:~:text=RF%20radiation%20was%20classified%20as,health%20hazards%20from%20RF%20radiation>

Radiofrequency-Electromagnetic Radiation (RF-EMR) is scheduled to be re-evaluated by WHO-IARC. Many medical doctors and researchers assert that there is now enough evidence that RF-EMR should be classified as a Group 1 known carcinogen.

Please see the following peer-reviewed paper by Anthony B. Miller, a Canadian MD and cancer epidemiologist. Dr. Miller worked on the monograph which presented the evidence for a Group 2B classification.

1. Miller, A. B., Morgan, L. L., Udasin, I., & Davis, D. L. (2018). Cancer epidemiology update, following the 2011 IARC evaluation of radiofrequency electromagnetic fields (Monograph 102). *Environmental Research*, 167(673- 683). DOI.10.1016/j.envres.2018.06.043).
<https://doi.org/10.1016/j.envres.2018.06.043>

2. Miller, A. B., Sears, M. E., Morgan, L. L., Davis, D. L., Hardell, L., Oremus, M., & Soskolne, C. L. (2019). Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices. *Frontiers in Public Health*, 7. <https://doi.org/10.3389/fpubh.2019.00223>

Abstracts available in Appendix.

APPENDIX - ABSTRACTS:

1. Balmori, A. (2022). Evidence for a health risk by RF on humans living around mobile phone base stations: From radiofrequency sickness to cancer. *Environmental Research*, 113851. ABSTRACT: The objective of this work was to perform a complete review of the existing scientific literature to update the knowledge on the effects of base station antennas on humans. Studies performed in real urban conditions, with mobile phone base stations situated close to apartments, were selected. Overall results of this review show three types of effects by base station antennas on the health of people: radiofrequency sickness (RS), cancer (C) and changes in biochemical parameters (CBP). Considering all the studies reviewed globally (n = 38), 73.6% (28/38) showed effects: 73.9% (17/23) for radiofrequency sickness, 76.9% (10/13) for cancer and 75.0% (6/8) for changes in biochemical parameters. Furthermore,

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studies that did not meet the strict conditions to be included in this review provided important supplementary evidence. The existence of similar effects from studies by different sources (but with RF of similar characteristics), such as radar, radio and television antennas, wireless smart meters and laboratory studies, reinforce the conclusions of this review. Of special importance are the studies performed on animals or trees near base station antennas that cannot be aware of their proximity and to which psychosomatic effects can never be attributed. <https://doi.org/10.1016/j.envres.2022.113851>

2. Miller, A. B., Morgan, L. L., Udasin, I., & Davis, D. L. (2018). Cancer epidemiology update, following the 2011 IARC evaluation of radiofrequency electromagnetic fields (Monograph 102). *Environmental Research*, 167(673-683). DOI. 10.1016/j.envres.2018.06.043). ABSTRACT: Epidemiology studies (case-control, cohort, time trend and case studies) published since the International Agency for Research on Cancer (IARC) 2011 categorization of radiofrequency radiation (RFR) from mobile phones and other wireless devices as a possible human carcinogen (Group 2B) are reviewed and summarized. Glioma is an important human cancer found to be associated with RFR in 9 case-control studies conducted in Sweden and France, as well as in some other countries. Increasing glioma incidence trends have been reported in the UK and other countries. Non-malignant endpoints linked include acoustic neuroma (vestibular Schwannoma) and meningioma. Because they allow more detailed consideration of exposure, case-control studies can be superior to cohort studies or other methods in evaluating potential risks for brain cancer. When considered with recent animal experimental evidence, the recent epidemiological studies strengthen and support the conclusion that RFR should be categorized as carcinogenic to humans (IARC Group 1). Opportunistic epidemiological studies are proposed that can be carried out through cross-sectional analyses of high, medium, and low mobile phone users with respect to hearing, vision, memory, reaction time, and other indicators that can easily be assessed through standardized computer-based tests. As exposure data are not uniformly available, billing records should be used whenever available to corroborate reported exposures. <https://doi.org/10.1016/j.envres.2018.06.043>

3. Miller, A. B., Sears, M. E., Morgan, L. L., Davis, D. L., Hardell, L., Oremus, M., & Soskolne, C. L. (2019). Risks to Health and Well-Being From Radio-Frequency Radiation Emitted by Cell Phones and Other Wireless Devices. *Frontiers in Public Health*, 7. ABSTRACT: Radiation exposure has long been a concern for the public, policy makers and health researchers. Beginning with radar during World War II, human exposure to radio-frequency radiation (RFR) technologies has grown more than 100,000-fold over time. In 2011, the International Agency for Research on Cancer (IARC) reviewed the published literature and categorized RFR as a 'possible' (Group 2B) human carcinogen. A broad range of adverse human health effects associated with RFR have been reported since the IARC review. In addition, three large-scale carcinogenicity studies in rodents exposed to levels of RFR that mimic lifetime human exposures have shown significantly increased rates of Schwannomas and malignant gliomas, as well as chromosomal DNA damage. Of particular concern are the effects of RFR exposure on the developing brain in children. Compared with an adult male, a cell phone held against the head of a child exposes deeper brain structures to greater radiation doses per unit volume, and the young, thin skull's bone marrow absorbs a

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roughly 10-fold higher local dose. Recent reports also suggest that men who keep cell phones in their trouser pockets have significantly lower sperm counts and significantly impaired sperm motility and morphology, including mitochondrial DNA damage. Based on the accumulated evidence, we recommend that IARC re-evaluate its 2011 classification of the human carcinogenicity of RFR, and that WHO complete a systematic review of multiple other health effects such as sperm damage. In the interim, current knowledge provides justification for governments, public health authorities, and physicians/allied health professionals to warn the population that having a cell phone next to the body is harmful, and to support measures to reduce all exposures to RFR.

<https://doi.org/10.3389/fpubh.2019.00223>

4. Rodrigues, N. C. P., Dode, A. C., de Noronha Andrade, M. K., O'Dwyer, G., Monteiro, D. L. M., Reis, I. N. C., ... Lino, V. T. S. (2021). The Effect of Continuous Low-Intensity Exposure to Electromagnetic Fields from Radio Base Stations to Cancer Mortality in Brazil. *International Journal of Environmental Research and Public Health*, 18(3).

ABSTRACT: BACKGROUND: this study aims to estimate the rate of death by cancer as a result of Radio Base Station (RBS) radiofrequency exposure, especially for breast, cervix, lung, and esophagus cancers. METHODS: we collected information on the number of deaths by cancer, gender, age group, gross domestic product per capita, death year, and the amount of exposure over a lifetime. We investigated all cancer types and some specific types (breast, cervix, lung, and esophagus cancers). RESULTS: in capitals where RBS radiofrequency exposure was higher than 2000/antennasyear, the average mortality rate was 112/100,000 for all cancers. The adjusted analysis showed that, the higher the exposure to RBS radiofrequency, the higher cancer mortality was. The highest adjusted risk was observed for cervix cancer (rate ratio =2.18). The spatial analysis showed that the highest RBS radiofrequency exposure was observed in a city in southern Brazil that also showed the highest mortality rate for all types of cancer and specifically for lung and breast cancer. CONCLUSION: the balance of our results indicates that exposure to radiofrequency electromagnetic fields from RBS increases the rate of death for all types of cancer. <https://doi.org/10.3390/ijerph18031229>

5. Zothansiam, -, Zosangzuali, M., Lalramdinpuii, M., & Jagetia, G. C. (2017). Impact of radiofrequency radiation on DNA damage and antioxidants in peripheral blood lymphocytes of humans residing in the vicinity of mobile phone base stations. *Electromagnetic Biology and Medicine*, 1–11. ABSTRACT: Radiofrequency radiations (RFRs) emitted by mobile phone base stations have raised concerns on its adverse impact on humans residing in the vicinity of mobile phone base stations. Therefore, the present study was envisaged to evaluate the effect of RFR on the DNA damage and antioxidant status in cultured human peripheral blood lymphocytes (HPBLs) of individuals residing in the vicinity of mobile phone base stations and comparing it with healthy controls. The study groups matched for various demographic data including age, gender, dietary pattern, smoking habit, alcohol consumption, duration of mobile phone use and average daily mobile phone use. The RF power density of the exposed individuals was

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significantly higher ($p < 0.0001$) when compared to the control group. The HPBLs were cultured and the DNA damage was assessed by cytokinesis blocked micronucleus (MN) assay in the binucleate lymphocytes. The analyses of data from the exposed group ($n = 40$), residing within a perimeter of 80 m of mobile base stations, showed significantly ($p < 0.0001$) higher frequency of micronuclei when compared to the control group, residing 300 m away from the mobile base station/s. The analysis of various antioxidants in the plasma of exposed individuals revealed a significant attrition in glutathione (GSH) concentration ($p < 0.01$), activities of catalase (CAT) ($p < 0.001$) and superoxide dismutase (SOD) ($p < 0.001$) and rise in lipid peroxidation (LOO) when compared to controls. Multiple linear regression analyses revealed a significant association among reduced GSH concentration ($p < 0.05$), CAT ($p < 0.001$) and SOD ($p < 0.001$) activities and elevated MN frequency ($p < 0.001$) and LOO ($p < 0.001$) with increasing RF power density. <https://doi.org/10.1080/15368378.2017.135058>