March 31, 2014

Industry Canada
VIA EMAIL: spectrum.operations@ic.gc.ca

RE: PROPOSED AMENDMENTS TO ANTENNA TOWER SITING PROCEDURES

Thank you for the opportunity to provide comments regarding the proposed changes to Industry Canada’s Antenna Tower Siting Procedures. Clearwater County is a large rural municipality between Red Deer, Alberta and the Banff Park Boundary and as such, we have many telecommunication towers providing service to residents, industry and tourists in our area.
Generally speaking, Clearwater County does not have issue with any of the proposed changes; they seem to reflect our own experience with proponents and some of the concerns we’ve heard expressed by residents.

I would like to comment specifically on the following proposed changes:

1. Section 5.1 Antenna Siting Procedures:
The new terminology more accurately reflects the wording of Clearwater County’s Land Use Bylaw.

2. Section 5.2 Public Notification:
Clearwater County agrees with the proposal to clearly mark the face of the envelope so that recipients realize they are in a notification area. Clearwater County has a public consultation process documented in our Land Use Bylaw. We send out our own consultation package to affected landowners, giving 30 days to respond. One of the common issues we face is proponents not understanding or following our consultation area and timelines. Because we are a rural municipality with landowners owning larger parcels, our minimum consultation area includes an 800-metre radius from a tower, which usually exceeds Industry Canada’s requirement of 3x the tower height. We encourage proponents to send their consultation packages to the same landowners following the same timeline as ours because otherwise it’s confusing for the recipients.
3. Section 5.3 Post-Consultation Construction Time Limit:
Clearwater County’s Land Use Bylaw requires that construction of a development be started within one year and completed within two years of a development permit approval being issued. If a tower was not completed within two years of receiving approval, the proponent would need to apply for a time extension (up to six months) or may have to re-apply for development permit approval.

3. Section 5.4 Exclusions:
Clearwater County is pleased with the proposed changes requiring all proponents to consult with the land-use authority unless specifically excluded. Our Land Use Bylaw requires all telecommunications towers regardless of height to get a development permit but it does not require public consultation unless the tower exceeds 15 metres in height and is within 600 metres of a residence. Proponents often ask us to provide written concurrence of public consultation after a development permit has been issued; in our opinion, a development permit should be proof of concurrence since they are required to follow our documented consultation process and we would not issue a development permit unless this process had been followed.

Should you have questions concerning the above, please contact me at epengelly@clearwatercounty.ca or 403 845 4444.

Yours truly,

Eleanor Pengelly
Development Officer