March 28, 2014

Director
Spectrum Management Operations
Industry Canada
235 Queen Street,
Ottawa, Ontario K1A OH5

Subject:   Canada Gazette Part 1, March 1, 2014,
Consultation on Amendments to Industry Canada’s Antenna Tower
Siting Procedures, Notice No. DGSO-001-14

Radio Amateurs of Canada (RAC) welcomes the opportunity to respond to this consultation, DGSO-001-14, on the subject of amending Industry Canada's Client Procedures Circular CPC-2-0-03. We understand that these procedures apply to everyone seeking to install or modify an antenna system and therefore we have given close attention to their influence on the installation of antenna structures by radio amateurs.

Radio Amateurs of Canada is the national association representing the radio amateurs in Canada. Accordingly, it is vitally concerned with the procedures for siting antenna systems, as antennas are essential for the operation of the amateur radio service. We understand the concerns that local residents and municipalities have expressed about antenna siting that have resulted from the tremendous growth of the mobile phone industry since the present Client Procedures Circular CPC-2-0-03, Issue 4, Radiocommunication and Broadcasting Antenna Systems, came into effect on January 1, 2008.

Amateur radio is not experiencing the explosive growth of commercial mobile communications. The number of Canadians authorized to participate in the service continues to grow at roughly the rate of the growth of the Canadian population.

Amateur radio is an activity focused on self-training, intercommunication and technical investigation undertaken solely for personal aim with no pecuniary interest on the part of the participant. Prospective radio amateurs need to demonstrate a required level of knowledge and competence before they are authorized by the Federal Government to operate in the amateur radio service. Activities in the amateur radio service develop valuable skills making radio amateurs an important resource for the communities in which they live. It is not a coincidence that the first word from areas affected by major
disruptions of power and communications networks are usually from radio amateurs in the affected region. Their experience in communicating significant distances without an infrastructure or permanent facilities is invaluable in those circumstances. Radio Amateurs of Canada sponsors the Amateur Radio Emergency Service (ARES), which cooperates closely with emergency management organizations at the local, provincial and national levels. Less dramatically but far more frequently, radio amateurs provide volunteer communications services to a wide variety of community and public service events in all parts of the country.

The consultation document notes that the objective of many of the proposed changes is to allow local residents and municipalities to be informed about new commercial towers in their communities. RAC has no concerns with such an objective. The proposed amendments do continue an emphasis on commercial structures that has been present throughout CPC-2-0-03 from the beginning. It can lead those not familiar with radiocommunications to think the examples given apply to all antenna structures. Some sections such as that dealing with sharing infrastructure are clearly much more relevant to commercial structures. This option is not available to radio amateurs who must install their antenna structures near their residence. On the other hand, radio amateurs can easily make significant reductions to the visible impact of their antenna structure by simply locating it behind their residence, an option often unavailable to commercial proponents.

Amateur radio antennas and their structures come in a great variety of shapes and sizes because of the broad range of frequencies authorized for the amateur radio service. Many amateur radio antenna structures are not at all like the visible and frequently controversial cell phone towers. Amateur radio antenna systems, especially those used for the High Frequency bands, are frequently next to invisible to all but those who use them. They are often constructed of thin wire and supported by natural structures like trees or existing buildings. Procedures based on the assumptions that all antenna structures are like cell phone towers can needlessly discourage present or prospective radio amateurs and thereby diminish the pool of expertise that supports emergency and public service communications. Requiring the same fee for a public consultation on a multi-million dollar cell tower installation and a small structure supporting an amateur radio antenna in the back yard of a residence would no doubt be very discouraging.

One of the unfortunate by-products of the CWTA/FCM protocol and its dissemination to municipalities and associated press coverage is that some municipal officials believed that it provided a model for dealing with the installation of all types of antenna structures and not just those proposed by CWTA members. In several cases this misunderstanding adversely affected discussions or understandings between municipalities and radio amateurs. RAC confirmed that neither the CWTA nor the FCM had intended this. In the cases we know of, municipal officials ultimately understood the specific nature of the CWTA/FCM protocol and followed through with the arrangements they had discussed with radio amateurs. It is possible, however, that in some
communities such a misunderstanding has not yet been corrected. We trust that this will be resolved when the process of amending CPC-2-0-03 is completed.

The default consultation process in CPC-2-0-03 sets an important base process amounting to minimum standards expected nationally. However, as pointed out in the original CPC-2-0-03 document and in the document proposing amendments, land use authorities can establish additional exclusions to minimize the administrative burden particularly for locations or types of antenna structures that they decide not likely to be contentious in their jurisdiction.

Radio Amateurs of Canada has supported amateur radio clubs and groups across Canada in discussions with municipalities that were establishing their own Municipal Concurrence and Public Consultation Processes. Radio amateurs have made clear the significant differences between the smaller and less visible structures to be erected on the property of their residence that are required by private citizens and the structures proposed by wireless companies that are usually much larger, more imposing or more numerous.

The municipalities that have considered the differences between the larger commercial structures and those used by radio amateurs or more generally for "personal use" have usually adopted simpler consultation procedures, lower administrative costs for consultation and higher height limits for exemption from consultation for amateur radio or "personal use" antenna systems. As well they have made specific exemptions for low visibility structures such as wire antennas regardless of height and specifically focused on structures erected for the sole purpose of supporting antennas.

The following presents Radio Amateurs of Canada's comments on the specific amendments proposed in the consultation document.

**Section 1.2: Application.**
RAC supports the rewording of the sentence noting that the basic meaning has not been changed and it is now clearer with the statement "Anyone who proposes, uses or owns an antenna system must follow these procedures."

**Section 4.2 Public Notification.**
RAC has no concerns with the additional specifications on the marking and method of delivery of public consultation documents on a proposed antenna system, the definition of height of an antenna structure or the requirement that the construction of the proposed structure must take place within three years and further delay would require an additional consultation.

**Section 6 Exclusions from the requirement to consult with the Land Use Authority and the Public.**
Some of the changes in this section amount to a reorganizing of previous text and are acceptable. RAC understands the reasons for and has no concerns with the removal of the 15m exclusion for new structures proposed by broadcasting undertakings and
telecommunications carriers. We can accept the requirement that the exclusion for modifications or replacement of existing towers provided the total height increase is less than 25% of the initial antenna system cannot be used within one year of the completion of initial construction. We support the other small changes in this section.

Section 7.4 Canadian Environmental Protection Act 2012
RAC has no concerns with the updates to CPC-2-0-03 to reflect the requirements of the Canadian Environmental Protection Act of 2012.

Sincerely yours,

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