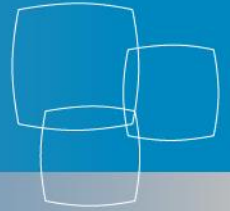




Industry
Canada

Industrie
Canada



Radiocommunication and Broadcasting Antenna Systems: CPC 2-0-03- Issue 4



Industry Canada
Oakville Information Session
May 14, 2012

Canada 



Agenda:

- 1.0 Brief History:**
- 2.0 Where Is The Regulatory Authority Derived?**
- 3.0 Why Have a Process?**
- 4.0 Elements of the Default Industry Canada's antenna siting procedures:**
- 5.0 Dispute Resolution Process (Impasse):**
- 6.0 IC Public Consultation Process - Example**





1.0 Brief History:

- Implementation of Cellular technology in Canada began in 1983 and with it, the implementation of additional tower sites.
- Consultation with public, municipalities and proponents (2002 to 2004)
- Townsend Report (Dec. 6th 2004)
- Telecom Policy Review (2005 to 2006)
- Issue 4 of Industry Canada's antenna siting procedures became effective on Jan 1st 2008





2.0 Where Is The Regulatory Authority Derived?

Radiocommunication Act, Sect. 5

- The Minister of Industry may, taking all relevant matters into account ensure the orderly development and efficient operation of radiocommunications in Canada,
 - **issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located.**
 - **The Minister may approve the erection of all masts, towers and other antenna-supporting structures.**
- Industry Canada (IC) believes that concerns or suggestions expressed by land-use authorities (LUAs) are important elements to be considered by proponents.
 - **IC requires proponents to consult directly with the appropriate land-use authorities- to optimize, but not prohibit infrastructure deployment**
- Where LUAs have specific concerns regarding a proposed antenna system, they are expected to discuss reasonable alternatives and/or mitigation measures with the proponents.





3.0 Why Have a Process? (known as a protocol)

- Industry Canada (IC) believes that concerns or suggestions expressed by land-use authorities (LUAs) are important elements to be considered by proponents
- There are 2 choices- develop your own process or use ours:
 - **IC requires proponents to consult directly with the appropriate land-use authorities- to optimize, but the intent is not to prohibit infrastructure deployment**
- Where LUAs have specific concerns regarding a proposed antenna system, in the context of their land-use expertise, the expectation, is that reasonable alternatives and/or mitigation measures would be discussed with the proponents.





4.0 Industry Canada's Default Antenna Siting Procedures:

Antenna/Tower Proponents Are Required To:

1. Investigate Sharing Opportunities:

- Proponents are required to consider sharing an existing antenna system, tower, or existing structure (roof-top, water tower, etc.) within search radius.

2. Engage LUAs (if site is not excluded)

- Proponents are required to contact LUAs to discuss antenna siting and determine local consultation requirements.

3. Exclusions include:

- maintenance of existing sites
- towers less than 15 metres
- special events / emergency installations
- an addition or modification of a site provided the addition or modification does not result in an overall height increase above the existing structure of 25% of the original structure's height.





4.0 Industry Canada's Default Antenna Siting Procedures:

4. Intent of Exclusions:

- ALL** installations must comply with all requirements of the CPC including Safety Code 6, CEAA, Aeronautical Safety, National Building Code and RF Immunity to electronic devices, etc.
- The exclusion criteria is designed to balance need to deploy technology against the proliferation of stand alone support structures **by using existing structures where possible.**

5. Conduct Public Notification (if required)

- Local requirements are determined in consultation with each LUA
- If an LUA has an antenna siting protocol, the protocol generally includes public notification requirements which a proponent must follow, provided it is reasonable for the location of the structure within it's environment.
- Where LUA protocols differ from the CPC-2-0-03 process, the LUA or proponent may seek guidance from IC.





4.0 Industry Canada's Default Antenna Siting Procedures:

Public Notification: (Known as the IC Default Process Page 5)

First Step:

Involves mailing out a Notification Package with 12 pieces of information as per Appendix 2 on Page 15, - for example, reason a site is required, location, attestations for SC-6 & CEAA, Transport Lighting and Marking etc)

Essential Requirement of a IC Default Notification:

- 1. Newspaper ad required for towers above 30 metres**
- 2. Public notification (minimum cull distance is 3 times the tower height), allows 30 days for comments.**
- 3. Proponent must acknowledge receipt of questions within 14 days.**
- 4. Proponent must address in writing all reasonable and relevant concerns within 60 days**
- 5. The commenting party has 21 days to reply to the proponent's response**





4.0 Industry Canada's Default Antenna Siting Procedures:

- Proponent must respond to all reasonable and relevant issues, and obtain written concurrence from the LUA**
- Note! A Building permit is not considered concurrence**
- Proponent must also contact the adjoining LUA within 3x the tower height for to obtain its comments and questions and respond as they would for any member of the public**





5.0 Dispute Resolution Process:

- In the case of a Bona fide requirement for a site in any given area an LUA can refuse to issue their concurrence or agreement to proceed to any proponent.

Before We Get to Impasse:

- It is prudent that both the LUA and Proponent review the issues and areas of contention with the local Industry Canada staff in order to attempt to avoid the impasse, if possible.

The proponent has three choices:

- 1- Withdraw its proposal
- 2- Amend its proposal to satisfy the LUA
- 3- In writing, to a local Industry Canada office declare that an impasse has occurred and ask that Industry Canada render a decision on the matter





5.0 Dispute Resolution Process: (con't)

- **If an Impasse Cannot be Avoided:**

Next Steps:

- Industry Canada will then ask the LUA in writing to provide all relevant information as to why the site should not be built in the location specified
- At the same time Industry will ask the proponent to justify why a site is essential to the network and it's customers in the location under contention

Review of Information from Both Parties:

- If the information is complete, Industry Canada will make a decision on the issue in question and advise both parties,

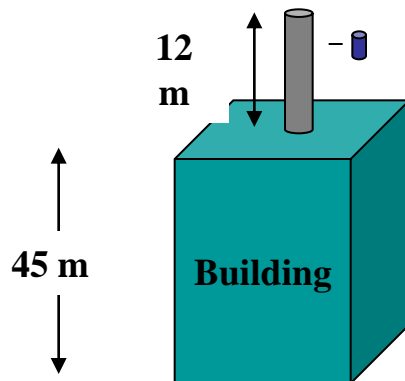




6. IC Public Consultation Process - Example

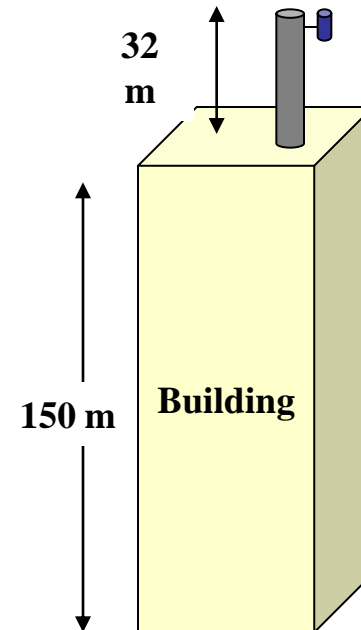
Not Excluded

LUA and Public Consultations required (>25% of building height)



$$45\text{m} \times .25 = 11.25\text{m}$$

Excluded



$$150\text{m} \times .25 = 37.5\text{m}$$

Excluded from LUA and Public Consultations (<25% of building height). Therefore, notice in newspaper not required.



NOTE: Height of tower includes total structure, including any masts/antennas above



6.0 IC Public Consultation Process - Example

