

Date: 28/01/2022

To: Chair and Directors, Committee of the Whole

And To: John MacLean, Chief Administrative Officer

From: Nigel Whitehead, Manager of Planning Services

Date of Meeting: Committee of the Whole_Feb03_2022

File: 6410-01

Short Summary:

Telecommunications Tower Siting Procedures

Background:

Innovation, Science and Economic Development (ISED) Canada (previously Industry Canada), in conjunction with the CRTC where applicable, regulates the installation, design, safety standards, and siting of telecommunications towers in Canada. ISED Canada specifies minimum public consultation standards for siting (i.e. placement) of these towers. When a local government does not have their own requirements, telecommunications companies must follow the [ISED Canada minimums](#). This is the case in the CRD.

The key steps of the ISED policy are:

1. Proponent informs local government of their intent to site a tower. Local government has opportunity for initial feedback. Absent Board policy, staff do not have any requirements beyond ISED minimums.
2. Proponent provides written notice to property owners within 3x the height of the tower, measured from the tower base.
3. If tower exceeds 30 m. height, an advertisement in the local newspaper is required.
4. Proponent has minimum 30 day public comment period. Proponent must track all written submissions and attempt to address public comments and concerns within 60 days.
5. Those responded to by the proponent are given a further 21 days to correspond back with the proponent.
6. All correspondence is tracked by the proponent, compiled, and provided to the local government for review.
7. Proponent requests local government concurrence or non-concurrence with the proposal (this is done by CRD Board, although ISED Canada does allow delegated authority to staff).

8. If there is dispute between local government and proponent, the proponent and local government must attempt to reasonably resolve. If there is no resolution, ISED Canada can be asked by the local government to adjudicate the disagreement.
9. ISED Canada makes final approval decision.

For tower proposals on Crown land, CRD Proposals for Communications Towers and Accessory Structures on Crown Land Policy 11-07A-24 (see attachment 1) was endorsed in July 2011, which defaults to the Provincial Crown process, and CRD does not substantially participate, other than a brief staff review of the tower proposal.

Discussion:

The general trend observed by Planning staff is that telecommunications service providers are capitalizing on federal and provincial funding to quite aggressively fill in service gaps at the community/neighbourhood level. This inevitably leads to a focus on tower locations closer to residential and rural populated areas, rather than an initial blanket service provided from remote mountain tops.

Local governments have the ability to develop and implement additional engagement and siting review procedures, provided they are deemed reasonable by ISED Canada. These are generally established via Board policy. Any process or requirements beyond ISED Canada minimums would be the responsibility of the local government to administer. It is unknown at time of drafting whether a regional district has legislated authority to charge a fee for such administration. There is wide variation across the province regarding different levels of additional consultation and approval processes. The TNRD has the same requirements as the CRD currently (i.e. ISED minimum on private lands, and deference to Crown process on provincial lands).

A review and development of a proposed telecommunications policy will take staff time and effort to research and develop. It will not require a reinvention of the wheel, but will take staff resourcing nonetheless. It is not within the current 2022 workplan. Focusing on this policy development risks delaying an existing project or projects identified in the 2022 workplan. Further, the development of additional telecommunications tower procedures will incrementally increase the long-term base level workload on staff.

Attachments:

1. PL13.1 Proposals for Communications Towers and Accessory Structures on Crown Land Policy 11-07A-24

Receipt Only:

That the memorandum dated January 28th, 2022, from Nigel Whitehead, Manager of Planning Services, regarding Telecommunications Tower Siting Procedures be received.