



## Peace River Regional District REPORT

R-10

To: Regional Board

Date: September 10<sup>th</sup>, 2013

From: Ken Kalirai, Asst. Manager of Development Services

**Subject: Consultation Concurrence on Private Land for Telecommunications Facilities  
Regarding Industry Canada Consultation Guidelines CPC-2-0-03**

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### RECOMMENDATION(S):

That the Regional Board approve the following **"Concurrence Policy for Telecommunication Facilities on Private Land"**:

- a) That in relation to Industry Canada's Consultation Guidelines CPC-2-0-03, consultation requirements for telecommunications infrastructure, where such facilities are proposed to be sited on private land and meet Official Community Plan and Zoning Bylaw requirements, that the Peace River Regional District requires no further public consultation; and

That staff are authorized to provide land use concurrence letters to Industry Canada and the proponent where proposed telecommunications infrastructure meets Official Community Plan and Zoning Bylaw requirements.

### BACKGROUND/RATIONALE:

At the October 25, 2012 meeting the Board heard a request from Telus to establish a policy of concurrence with Provincial consultation actions on Crown land, with regard to Industry Canada requirements for local government consultation on the installation of communication facilities. In addition, Industry Canada, who authorizes the licensing of the facilities requires consultation with local governments and a letter of concurrence by resolution of the local government (see attached). This adds an additional layer, when the installation of communication facilities is promoted and supported by community planning and zoning.

To simplify the process, Telus has asked that the Regional Board authorize staff to provide concurrence, as sufficient for local government consultation, when a proposal meets official community plan and zoning requirements, for response to the Industry Canada requirements.

A similar policy has previously been approved by the Board for proposals on Crown land. At the February 14, 2013 meeting, the Board approved the following:

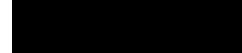
- a) That in relation to Industry Canada's Consultation Guidelines CPC-2-0-03, consultation requirements for telecommunications infrastructure, where such facilities are proposed to be sited on Crown Land which is either zoned or unzoned for such use, the Province of BC's *"Land Use Operational Policy – Communication Sites"* satisfies the consultation requirements of the Peace River Regional District; and,
- b) That staff are authorize to provide land use concurrence letters to Industry Canada and the proponent.

Staff Initials: KK

Dept. Head:



CAO:



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By adoption of this policy for private land, the Board would acknowledge that being consistent with official community plan and zoning requirements is sufficient to preclude the need for additional public consultation in regard to proposals on private land, in order to meet Industry Canada consultation requirements.

## **Federal consultation requirements for all communications sites (Industry Canada)<sup>2</sup>**

### **1) Public notification**

For every site over 30-meters, telecommunications carriers must post a notification in the legal section of a local newspaper for one week with contact information of the proponent. The public comment period is 30 days with an additional period of time in which the public can follow-up with additional questions. Although TELUS typically includes a map with the posting, posts for two consecutive issues, and posts in multiple papers as applicable, strictly speaking, Industry Canada's protocol does not require these extra steps.

When public responses are received, the proponent carries out public consultation and provides Industry Canada with a summary of all reasonable and relevant concerns and responses to these concerns as outlined in Industry Canada's CPC 02-0-03.

### **2) Direct notification**

For all proposed sites between 15 meters and 30 meters, telecommunications carriers must issue direct notification to all nearby residents within 3 x the tower height. Much like a referral, direct notification includes information on the purpose of the site and includes various plans and drawings showing location and design. This notification may initiate a period of public consultation that is guided by the reasonable and relevant concerns and timelines outlined in the CPC.

### **3) Local / regional government consultation**

Industry Canada is the regulating body for all telecommunications in Canada; however, IC requires consultation with local government for all proposed sites over 15 meters. As part of this process, carriers are required to gain land use concurrence from the Council/Board level through a resolution, meeting minutes or a letter.

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<sup>2</sup> Refer to Industry Canada's Client Procedures Circular (CPC 2-0-03) for more information:  
[http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc2003-issue4e.pdf/\\$FILE/cpc2003-issue4e.pdf](http://www.ic.gc.ca/eic/site/smt-gst.nsf/vwapj/cpc2003-issue4e.pdf/$FILE/cpc2003-issue4e.pdf)