



Telecommunication Towers

Land Use Bylaw Regulations & Applications

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ANTENNA STRUCTURES, PRIVATE means equipment designed to transmit or receive signals (electromagnetic or otherwise) for the express purpose of supporting or establishing telecommunications systems for private use only (non-federally regulated).

COMMERCIAL COMMUNICATION EQUIPMENT means equipment designed to transmit or receive signals (electromagnetic or otherwise) for the express purpose of supporting or establishing telecommunications systems for public or commercial use (federally regulated).

TELECOMMUNICATIONS TOWERS - SECTION 10.23 OF LAND USE BYLAW

1. Canada Innovation, Science and Economic Development (ISED) has full authority for regulating radio communication in Canada and for authorizing the location radio communication facilities, including communication towers.
2. Only telecommunication towers that do not fall under federal jurisdiction are required to go through the necessary site specific amendment application and Development Permit approval process.
3. Canada Innovation, Science and Economic Development (ISED) is responsible to ensure that land use authority consultation has been taken into consideration before issuing an authorization for significant antenna structures.
4. A review fee is required to be paid to the County for review of applications for Telecommunications towers in accordance with the current fee schedule.
5. Any tower proposed to be located within the Foothills County will be required to comply with all aspects of the policies adopted by Council. Council will either show its support or non-support towards the proposed location based on the required information.

POLICIES & PROCEDURE ON TELECOMMUNICATION TOWERS: (Federally Regulated only, those that do not fall under federal jurisdiction must go through the necessary applications of the Foothills County).

VISION STATEMENT: Foothills County by way of the policies listed, will take proactive steps to limit the number of towers within the County by encouraging carriers towards co-utilization. It is important to the Council of the County to have telecommunication towers placed in an area that will have the least amount of opposition to and visual impact upon nearby residents.

POLICIES:

1. Location:
 - a. New telecommunication towers should be encouraged to locate in the areas zoned as Agriculture District and Industrial District.
 - b. All equipment shelters and tower locations must meet the County's setback distances to roads and property lines.
2. Co-Location:
 - a. All carriers requesting a new telecommunication tower (freestanding antenna structure) will be required to identify any other such structure within a 5-mile radius of the proposed site location. Each request should also provide documentary evidence that co-location of the existing structures within that 5-mile radius is not a viable alternative to a second structure.
 - b. The co-location of additional carriers is preferred and supported by this County. Each new tower request should allow for co-utilization. Required are letters from registered telecommunication carriers indicating that they can or cannot co-locate on this tower. Reasons for not co-locating will be required.

- c. Future requests for towers within the vicinity of the proposed tower will not be supported by the County if that Carrier chooses not to co-locate when asked. Sufficient reasons and explanations will need to be submitted to support another tower in that area.
3. Public Consultation: (See Appendix BI attached for **temporary alternate Public Consultation – Covid**)
 - a. The carriers will be responsible for contacting area landowners within a one-mile area and for holding a public meeting prior to a submission to the County. The public consultation is intended to provide an opportunity for local community concerns to be addressed when a telecommunication tower is proposed. One staff member of the County and the Councillor for the area, or an alternative, will also attend this meeting. NOTE: Please ensure that the notice given to the area residents has a site plan that clearly identifies the site and where the tower is proposed within that site. This plan, for a more detailed point of reference, should also show all existing building locations and their measurements to the property lines, (a real property report would be preferable).
 - b. The Freedom of Information and Protection of Privacy Act restricts the County from providing the Carriers with landowner information. Therefore, the County will be responsible for sending the mailout to those area residents within one mile, at the Carrier's cost. The fees for each mailout would depend on the number of people to be contacted for each area. With each mailout, the Carrier will be responsible to submit a letter which will give notification of the location of the tower, physical details of the tower, the time and location of the public meeting, and a contact name and phone number of someone employed by the Carrier who can answer questions regarding this proposal. The mailout should be sent 20 days prior to the public meeting and the Carriers should allow an extra 5 days to give the County reasonable time to get the notices out.
 - c. From the public meeting, the Carriers will be responsible to provide the County with a copy of the agenda and the minutes indicating the topics discussed, additional concerns raised with resolutions, and any outstanding issues that the Carriers and/or Landowners could not resolve. After the Public Consultation has been held, the Carrier, if it wishes to proceed, shall submit its formal proposal to the County.
4. Design Standards - Where Transport Canada requires that a telecommunication tower be lighted, the following steps are encouraged to minimize visual impacts:
 - a. the lighting of equipment structures and any other facilities on site should be shielded from adjacent properties where possible without interfering with the requirements of Transport Canada;
 - b. all lighting should be a minimum number of low intensity white lights; and
 - c. the strobe interval should be the maximum allowable by Transport Canada, and the strobe lights should only be used if absolutely necessary.
5. Municipality Consultation & Decision:
 - a. The Carriers will submit their formal proposal to the Development Officer of the County. The Development Officer will present the proposal to Council and will provide his/her position of support or non-support towards the formal proposal.
 - b. The County will provide its position to the Carriers within a 30-day period of receiving the proposal. This decision will also be forwarded to Canada Innovation, Science and Economic Development (ISED) by the Development Officer.

TEMPORARY ALTERNATE PUBLIC CONSULTATION REQUIREMENTS FOR TELECOMMUNICATION TOWERS

Given the ongoing COVID 19 pandemic, the following alternate form of Public Consultation is deemed appropriate to fulfill the requirements of the Public Consultation portion of the Policies and Procedure under Appendix B Telecommunication Tower of the Land Use Bylaw, until otherwise directed by Council. (August 26, 2020, Council)

Proponents will be responsible to:

1. Mail a detailed notification package to landowners within the subject quarter section and for one mile surrounding.
2. Provide public access to online notification materials.
3. Draft materials, both mailed and online, are to be provided to County staff for review and acceptance. These materials must, at minimum, include:
 - a. Tower locations (including visual representation and site plan), specifications, and benefits.
 - b. Multiple forms of contact (i.e.: phone, mail, email); and options to contact the proponent, the assigned County contact, and the local office of Innovation, Science, and Economic Development Canada must be provided to the public.
 - c. ***The posting of adequate and informative signage placed in a highly visible area adjacent to the tower location. *****
 - d. Paid advertisement in the Western Wheel newspaper.
4. Where applicable, have consideration for Land-Use Authority and Public Consultation requirements as are included under Section 4.2 CPC-2-0-03 (Industry Canada).

Timelines and Requirements:

- A. The mailout of materials is at the proponent's cost and must follow the County's existing process and requirements for mailing services. As much information as possible shall be contained within the mailed notification, to accommodate any residents that may not have reliable service connections to appropriately respond to/view online materials.
- B. A 7-day time period for County staff to review all draft materials (written, online, and any signage) prior to the proponent's preparation of materials for mailing is required.
- C. The proponent is to allow 5 working days from the time of receipt of the notifications to give the County reasonable time to get the notices out.
- D. The proponent shall allow at least 30 days from the date of mailing for public comment.
- E. Record of all comments or concerns and any survey submissions, along with the proponent's response to the same, shall be forwarded to the assigned County contact as they are received.
- F. After the Public Consultation has been completed, the Proponent, if they wish to proceed, shall submit formal proposal to the County for Council's consideration.