

# **CITY OF CALGARY**



## **PROTOCOLS FOR AMATEUR RADIO ANTENNA SUPPORT STRUCTURES IN RESIDENTIAL AREAS**

Adopted by City Council 2012 July 30 (PUD2012-0433)

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## Definitions

- (the) Administration:*** means, for the purposes of this document, the staff of The City of Calgary’s Development and Building Approvals – Planning Implementation business unit, which is tasked with receiving, evaluating and processing submissions for amateur radio antenna support structures.
- Affected Residences:*** means all residences to which notification regarding an amateur radio antenna support structure must be sent.
- Amateur Radio:*** means a device that operates within the Amateur Service.
- Amateur Service:*** means “a radiocommunication service for the purpose of selftraining, intercommunication and technical investigations carried out by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.”<sup>1</sup>
- Amateur Radio Antenna Support Structure:*** means any pole, tri-pole, lattice work or other tower, either freestanding or ground mounted and attached to a dwelling, including supporting lines, cables, wires, and braces intended for the purpose of mounting an amateur radio antenna or series of antennas on it.
- Height:*** the measurement to determine the height of any proposed or existing amateur radio antenna support structure, shall be taken from the ground (not the top of the base that the tower sits on) and extends to the highest point of the antenna support structure, which includes any antenna, lightning rod or other attached device associated with the amateur radio antenna support structure and its operation.

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1. Owen, Michael; VK3KI, WRC-03 IARU Observer Team Member, International Amateur Radio Union News Release: Definition of Amateur Service. July 3, 2003.

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- Letter of Concurrence:** means a letter from The City of Calgary supporting an operator's proposal for the installation of an amateur radio antenna support structure within the city.
- Letter of Non-concurrence:** means a letter from The City of Calgary signifying no support for an operator's proposal to install an amateur radio antenna support structure within the city.
- Notification Area:** means that portion of a residential neighbourhood that contains the specific residential properties (*Affected Residences*) that must be given notice by the operator of a proposed amateur radio antenna support structure.
- Notification Package:** means a bundle of information distributed by an operator to all residences in the notification area for the purpose of informing the residents therein of a proposed erection of an amateur radio antenna support structure (see subsection 7.7 for specific content requirements).
- Operator:** means a person or persons operating or proposing to operate in the Amateur Service.
- (the / these) Protocols:** means the provisions of The City of Calgary's *Protocols For Amateur Radio Antenna Support Structures In Residential Areas*.
- Public Consultation Process:** means information regarding a proposed amateur radio antenna support structure given by the operator to residences within the notification area. The information may be given by the operator through meeting(s) or by a notification package, and is for the specific purpose of informing and soliciting pertinent comments regarding the proposal from these residents (see Section 7.0 for specific details and requirements.)
- Residential Properties:** means land subdivided and designated for residential development that either has existing residential buildings on it or residential buildings that are under construction but not yet occupied.
- Submission:** means an information package regarding a proposed amateur radio antenna support structure submitted by

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an operator to The City of Calgary for concurrence, and containing materials for review such as site plans, photographs, and detailed drawings of the structure (see subsection 5.3 for specific requirements.)

## 1.0 Purpose and Objectives of the Protocols

### 1.1 Purpose

In the introduction to Industry Canada's *Client Procedures Circular, Radiocommunication and Broadcasting Antenna Systems* (CPC-2-0-03), it states:

*"In exercising its mandate, Industry Canada believes that it is important that antenna systems be deployed in a manner that considers the local surroundings."*

The purpose of the *Protocols For Amateur Radio Antenna Support Structures In Residential Areas* is to establish procedural standards and criteria that will allow, in those cases where the federal regulations do not exclude consultation, relevant concerns from both The City and the residences that will be adjacent to an amateur radio antenna support structure to be received and considered prior to its installation.

The protocols are also intended to assist City Council, City Staff (the Administration), amateur radio operators (the operators) and the public in being aware of and understanding the opportunities for co-operation between the various parties as well as the limitations of The City's authority in this regard.

### 1.2 Objectives

The objectives of these Protocols are:

1. To establish a procedure and criteria for the consistent and equitable review, evaluation, and decision making method for amateur radio antenna support structures proposed within The City of Calgary.
2. To provide clear and reasonable requirements for the effective participation and cooperation between amateur radio operators and The City of Calgary.
3. To encourage and promote opportunities for improved notification and communication between the operators, the community and The City.
4. To provide an opportunity for residents located in close proximity to a proposed amateur radio antenna support structure or to an existing amateur

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radio antenna support structure that is to be increased in height\* to ask questions or raise concerns relating to the proposal, make the operator aware of local concerns and provide recommendations regarding the placement, appearance and operation of the antenna structure.

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\* **Note:** Does not include additions to the height of an existing antenna support structure of 25% or less, pursuant to Section 6 of Industry Canada's *Client Procedures Circular CPC-2-0-03*.

## 2.0 The City's Authority Concerning Amateur Radio Antenna Support Structures

The City of Calgary **is not the approving authority** for amateur radio antenna support structures.

The federal Minister of Industry **is the approving authority** for the development and operation of radiocommunication in Canada, including amateur radio antenna support structures, pursuant to the *Radiocommunication Act*. Industry Canada\* is tasked with, among other things, administering the orderly development and operation of amateur radio antenna support structures.

In this regard, Industry Canada requires that, in certain cases, the local land use authority (in Calgary's case, The City) and the public must be consulted for input regarding the proposed placement of an amateur radio antenna support structure. The City of Calgary's Development & Building Approvals business unit is responsible for reviewing these submissions on The City's behalf and, depending on the nature of the proposal, a letter of support (concurrence) or non-support (non-concurrence) is sent to the operator upon completion of its review of the proposal.

The Development & Building Approvals business unit reviews each proposed submission for an amateur radio antenna support structure based on specific physical criteria. This involves reviewing and evaluating such things as the proposed location of an amateur radio antenna support structure on the subject residential property and aspects of its design, including, but not limited to height, attachments such as guy wires, advertising, flags, graphics and other such elements unrelated to the function of the amateur radio antenna support structure, antenna setbacks from the property lines, lighting, visual screening and compliance with The City of Calgary's *Protocols For Amateur Radio Antenna Support Structures In Residential Areas*. Based on this review, a letter of concurrence or non-concurrence is issued.

Note that in cases where The City does not support a proposal, it cannot prevent an operator from ultimately gaining permission from Industry Canada to install an amateur radio antenna support structure even if it contravenes the provisions of The City's amateur radio antenna support structures Protocols.

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\* For additional information regarding Industry Canada's mandate and the application of its authority over amateur radio antenna support structures, please consult Industry Canada's *Client Procedures Circular CPC-2-0-03*. This publication is available at <http://strategis.gc.ca/spectrum>.



### 3.0 The City's Role Regarding the Public Consultation Process

The City of Calgary performs three main functions with respect to the public consultation process concerning amateur radio antenna support structures. These are:

1. To scrutinize the process:
  - by observing how and what information is provided to the public by the operator about the proposed amateur radio antenna support structure and its intended location;
  - by observing what questions arise from the public about the proposed support structure;
  - by observing what answers to these questions are provided by the operator; and
  - by observing how concerns and other issues regarding the proposed amateur radio antenna support structure's placement are resolved.
  
2. To clarify the provisions of The City's *Protocols For Amateur Radio Antenna Support Structures In Residential Areas* as required:
  - by explaining the procedures regarding the notification process;
  - by articulating what is expected in terms of resolving the issues brought forward by the public; and
  - by outlining the circumstances required for the issuance of a letter of concurrence or non-concurrence.
  
3. To explain The City's role in the deployment of amateur radio antenna support structures, which includes:
  - ensuring the provisions of The City's *Protocols For Amateur Radio Antenna Support Structures In Residential Areas* are followed;
  - evaluating each proposal for an amateur radio antenna support structure based on specific criteria and development guidelines; and
  - confirming that the operator has conducted the public consultation process appropriately and completed any follow-up work arising from that procedure.

## 4.0 The City's Role in Reviewing an Amateur Radio Antenna Submission

The City of Calgary reviews and evaluates each submission it receives for amateur radio antenna support structures. The specific elements and issues observed, reviewed, analyzed, evaluated and decided upon in reaching a decision to either support or not support a submission are predominantly, but not limited to, the following\*:

- proposed location on the property;
- other existing and proposed on-site structures;
- adjacent residential properties and their existing and proposed structures;
- compliance with The City's *Protocols For Amateur Radio Antenna Support Structures In Residential Areas*;
- design aspects of the proposal, including:
  - height,
  - colour,
  - type of support structure (lattice work, monopole),
  - freestanding support structure or attached to the dwelling,
  - structural supports required (brackets, guy wires, etc.),
  - number, type and size of antennas,
  - location of the support structure on the site,
  - distance to property lines,
  - distance to nearest adjacent dwelling(s)
  - proposed signage, markings and lighting,
  - landscaping and screening to reduce visual impacts on adjacent properties (Note: applies to the bottom 3 metres of the antenna support structure as measured from grade),
  - impact potential on on-site parking facilities, access to the property, garbage facilities and utility R.O.W.s, and
  - removal of redundant antenna support structure(s) and antennas (if a re-build or replacement is being proposed).

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\* The City of Calgary does not assess any submission for an amateur radio antenna support structure with respect to **health and radiofrequency exposure issues** or any other non-placement or non-design related issues. Any questions or comments the public may wish to make regarding health issues related to amateur radio antenna support structures and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at [healthcanada.gc.ca](http://healthcanada.gc.ca). Industry Canada, Spectrum Management Operations Branch may also be contacted for information by phone at 403-292-4575 or by e-mail at [spectrum.calgary@ic.gc.ca](mailto:spectrum.calgary@ic.gc.ca).

## 5.0 Submissions to The City

### 5.1 Submissions Not Required

The City of Calgary acknowledges that amateur radio operators are not required, under federal regulation, to provide notification to either The City or the public for those amateur radio antenna support structures that meet the *less than 15 metres in height* federal provision. Therefore, a submission is not required in these cases.

Also pursuant to federal regulations, notification to The City or the public regarding an installation in support of local, provincial or national emergency operations for the duration of the emergency, the maintenance of existing radio apparatus and additions or modifications to existing antenna support structures that will not result in an overall height increase above 25 % of the original support structure's height are not required. Accordingly, a submission to The City is not required in these circumstances.

Despite these provisions, The City requests that amateur radio operators provide a courtesy notification so that the Administration may keep track of the number, type and location of amateur radio antenna support structures being erected in Calgary. There is no fee for this undertaking; however, The City requests that the information be submitted following, as much as possible, the requirements set out in subsection 5.3 of this Protocol. In addition, The City will review and evaluate a proposal that is less than 15 metres in height if requested by the operator. In these cases, a submission, complete with appropriate fee, is required.

### 5.2 Essential Submission Forms

The information and materials to be provided by an operator in support of a submission to The City of Calgary for a proposed amateur radio antenna support structure must include a completed copy of the *Submission Requirement list – Amateur Radio Antenna Support Structure* form and a completed copy of the *Amateur Radio Antenna Support Structure Information Form*. Both forms can be found online at [www.calgary.ca](http://www.calgary.ca) or obtained by calling 403-268-5311 and asking for copies to be forwarded by mail, fax or e-mail. Note that all of the information requested on these two forms must accompany a submission or it will not be considered complete and The City will be unable to process the submission.

### 5.3 Submission Content Requirements

The information and materials requested by the two aforementioned forms includes:

- 1) the operator's name, address and telephone number;

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- 2) the municipal address of the proposed residential location;
- 3) the name of the registered property owner, if different from the operator of the proposed amateur radio system, and a letter of authorization from the said registered property owner verifying the operator's authority to make a submission for an antenna support structure at the subject address;
- 4) the type of amateur radio antenna support structure (monopole, lattice tower, etc.) proposed;
- 5) the height of the proposed amateur radio antenna support structure;
- 6) the identification of any guy wires, brackets, anchors, bracing or other reinforcement that will be used as part of the supporting mechanism for the antenna support structure;
- 7) colour photographs of the property showing the proposed location of the amateur radio antenna support structure;
- 8) scaled drawings (may be hand drawn provided the information shown is clear, concise and accurately representative of what is being proposed), preferably to a scale of 1:100, of a site plan showing:
  - municipal address of the property,
  - north arrow (should be located at the top right hand corner of the drawing),
  - location of the amateur radio antenna support structure on the property, including the distance from the side and rear property lines, the dwelling, and all other existing buildings on the property,
  - existing and proposed landscaping around the base of the antenna support structure (i.e.: fencing, screening, plantings),
  - distance from the base of the antenna support structure to the nearest neighbouring dwelling
- 9) scaled drawings (may be hand drawn provided the information shown is clear, concise and accurately representative of what is being proposed), preferably to a scale of 1:100, of the proposed amateur antenna support structure showing:
  - dimensioned height of the amateur radio antenna support structure,
  - dimensions and locations of all antennas, wires and any other elements associated with and attached to the amateur radio antenna support structure,
  - details of the base of the antenna support structure, and

- if the support structure is to be attached to the dwelling, details of where and how this will be done.
- 10) a brief or letter detailing the addresses of the residences where notification of the proposed amateur radio antenna support structure was given, what issues arose as a result of the notification and how those issues were resolved. Information should also be included regarding any issues that could not be resolved and why; and
- 11) any other additional information or material that either the operator or the Administration considers to be necessary and appropriate to properly evaluate the proposed submission. This information may be submitted/requested at the time the submission is made or during the review and evaluation period and will depend upon the complexity of the proposal as determined by the Administration.

#### **5.4 Submission Processing Time**

Upon receipt of a complete amateur radio antenna support structure submission, a copy will be forwarded by the Administration to the appropriate Ward Alderman for information purposes. The Administration may, at its discretion, also forward a copy to the appropriate Community Association. The proposal will then be reviewed and evaluated by the Administration and a decision of either concurrence or non-concurrence rendered and sent by letter to the applicant. It is anticipated that The City of Calgary will render this decision within 10 working days of receiving a complete amateur radio antenna support structure submission.

#### **5.5 Extending the Submission Processing Time Period**

The 10 working day processing time period may be extended by the operator or The City of Calgary when:

- additional information is determined by the Administration to be required;
- further negotiations are deemed by either party to be required;
- additional notification is deemed by either party to be required; or
- a public consultation process that was not initially thought to be required is determined by The City of Calgary to be necessary.

#### **5.6 Concurrence**

When a submission is given concurrence, the operator will receive a letter of concurrence and a set of the drawings stamped *Concurrence Rendered on This Plan*

from The City of Calgary documenting its decision. A copy of the letter will also be sent to the Ward Alderman and to Industry Canada for information purposes.

### **5.7 Non-Concurrence**

When a submission is given a non-concurrence decision, the operator will receive a letter of non-concurrence and a set of drawings stamped *Non-Concurrence Rendered on This Plan*. The City of Calgary will provide the reasons for its position, and send copies of the correspondence to the Ward Alderman and to Industry Canada for information purposes.

### **5.8 Rescinding a Concurrence**

- 1) Except as provided in 2) below, if, following the issuance of a concurrence, it is determined by The City of Calgary that the submission contained a misrepresentation or a failure to disclose all of the pertinent information regarding the proposal, or the plans and conditions upon which the concurrence was issued have not been complied with, and a resolution cannot be reached to correct the issue, The City may rescind its concurrence. Notification of any such action will be given in writing to the operator and to Industry Canada and will include the reason(s) for the rescinding of its concurrence.
- 2) The foregoing provision in 1) above does not apply to those cases where changes to an antenna support structure occur pursuant to the exemptions set out in the federal provisions contained in the *Radiocommunication and Broadcasting Antenna Systems CPC-2-0-03* regarding additions, maintenance or modifications of existing radio apparatus.

## 6.0 Development Requirements for Concurrence

Concurrence for the proposed erection or modification of an amateur radio antenna support structure will not be given unless all of the following requirements are addressed to the satisfaction of The City:

- A) A public consultation process for a proposed antenna support structure has been conducted, pursuant to the provisions set out in Section 7.0 of this Protocol, prior to any submission being made to The City.
- B) An amateur radio antenna support structure must not be located in a front yard. In addition, The City discourages antennas mounted on the roof of a dwelling or any accessory building located on the property.
- C) The antennas or other devices attached to or associated with an amateur radio antenna support structure must not project closer to any property line on the site than 1 metre. This provision does not apply in cases where the rotation of the antenna support structure while the system is in operation will cause some of the elements to exceed the 1 metre limit.
- D) The use of guy wires and other similar structural support devices, excluding those that may be required to fasten the amateur radio antenna support structure to a dwelling, are discouraged.
- E) The total height of an amateur radio antenna support structure, including antennas, when measured from grade, must not exceed 18.75 metres (61.5 feet). The City will consider supporting an exception to this provision where an antenna support structure that can be raised above 18.75 metres during radiocommunication operations can then be lowered so as not to exceed 18.75 metres when not in use for radiocommunication purposes.
- F) Except where required by federal regulation, an amateur radio antenna support structure must not be illuminated nor have attached to it any advertising, markings, graphics, lights, flags or any other similar such devices not related to the specific functioning of the antenna support structure or its associated radiocommunication operation.
- G) As a minimum, the first 3.05 metres (10 feet) of an amateur radio antenna support structure, measured from grade, should be screened or camouflaged through the use of appropriate landscaping measures or other methods acceptable to The City of Calgary in order to hide or obscure the bottom of the support structure from view.

## **7.0 The Public Consultation and Notification Process**

### **7.1 Public Consultation Process Required**

Except as specified in subsection 7.2 below, a public consultation is required for any proposed amateur radio antenna support structure 15 metres (49.2 feet) or more in height.

### **7.2 Public Consultation Process Not Required**

A public consultation process for an amateur radio antenna support structure is not required in the following circumstances:

- 1) maintenance of the existing antenna system and support structure;
- 2) additions and modifications to an existing antenna support structure providing these additions and modifications do not increase the overall height more than 25% above the original structure's height;
- 3) an installation in support of local, provincial or national emergency operations for the duration of the emergency; and
- 4) the erection of a new amateur radio antenna support structure, including antennas, with a height less than 15 metres (49.2 feet) above ground level.

In addition, the operator will not be required to apply for a letter of concurrence from The City of Calgary for any of the above noted circumstances pursuant to Section 6 of Industry Canada's *Client Procedures Circular CPC-2-0-03*.

### **7.3 Purpose of the Public Consultation Process**

The purpose of the public consultation process is to inform nearby residents of a proposal to erect and operate an amateur radio antenna support structure and system that is 15 metres or more in height, gather and discuss their concerns about that proposal and work with them to resolve any issues or apprehension arising on the matter.

### **7.4 Determining the Notification Area for Consultation**

When a public consultation is required, the notification area for the consultation will be based on a radius of three times the height of the proposed antenna support structure and determined by measuring this distance outward from the property lines of the



subject site. In this regard, the operator may obtain a map from The City of Calgary showing all the residences to be notified and a list with the corresponding addresses of these residences (contact 403-268-5311 to request this information).

### **7.5 Public Consultation Timing**

The public consultation process must be conducted and completed prior to making a submission to The City for concurrence. The City of Calgary recommends at least a 16 day interval between the date the operator conducts a consultation and the date a submission to The City is made to ensure time for post-consultation inquiries and comments to be received from the public and answered by the operator.

### **7.6 Public Consultation Method**

It is the operator's responsibility to conduct a public consultation process regarding his/her amateur radio antenna support structure proposal with all residences located within the notification area detailed in subsection 7.4 of this Protocol. The operator may decide which of the following two methods of consultation to use. One method is to conduct a meeting with all residents within the notification area, either on a residence by residence basis or as a group, to present information about the proposal. Or, the operator may choose to deliver a notification package to each affected residence to solicit comments. If using the notification package method, the package must be hand delivered by the operator, or an agent designated by the operator for this purpose, to each residence and address detailed in the notification information that the operator must obtain from The City. A copy of the notification package must also be sent to the Ward Alderman for information purposes and to the Administration.

### **7.7 Information for the Consultation that must be provided by the Operator**

Whether conducting a meeting or series of meetings with the affected residences or providing a notification package to them, the operator must include all of the following information in fulfillment of the public consultation process:

- A copy of the vicinity map showing the location of the operator's property.
- The operator's phone number or other contact information and an indication of the best time(s) of the day to be contacted should the person receiving the notification package have questions or concerns.
- Contact phone numbers for Industry Canada and The City of Calgary.
- A specified time period for submitting questions and concerns to the operator with the end date for this period clearly provided.
- A brief explanation as to why the type and height of the amateur radio antenna support structure is needed.

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- A copy of the scaled drawings of the site plans showing the information as detailed in subsection 5.3 of these Protocols.
- A copy of the scaled drawings containing the information regarding the antenna(s) as detailed in subsection 5.3(8) and 5.3(9) of these Protocols.
- A copy of the **Addendum** information contained in subsection 7.9 of these Protocols.
- Any other information about the proposal that the operator believes to be helpful or beneficial in terms of an explanation.

### 7.8 Post Consultation Work

Following the end of the time period set aside for receiving replies from the consultation process, the operator shall assemble a brief documenting the names and addresses of all residents contacted, all concerns and issues raised, resolutions achieved, and any outstanding issues remaining with an explanation as to why a resolution could not be reached. This brief will then be presented as part of the information package sent to The City in support of a submission for concurrence pursuant to the provisions in subsection 5.3 of this Protocol. The City will not consider the public consultation process completed until all comments and issues received within the prescribed response time have been documented and addressed as stipulated by this Protocol.

### 7.9 Addendum Information to be included in the Consultation Process

The following information (see **Addendum** on the next page) is to be included as a hand-out at any consultation meeting or as part of a notification package as a supplement to the information being provided by the operator. The Addendum contains important information for those residences being notified about the proposed amateur radio antenna support structure. Accordingly, The City regards this Addendum as a vital element of the consultation and notification process. Failure to include it in a meeting or a notification package means the process is incomplete and deficient and The City will not consider the public consultation to have been appropriately and correctly conducted.

## ADDENDUM

### The City of Calgary's Role regarding the approval of Amateur Radio Antenna Support Structures

The City of Calgary is **NOT** the Approving Authority for amateur radio antennas and support structures.

The federal Minister of Industry is the approving authority for amateur radio antenna support structures under the *Radiocommunication Act*, and Industry Canada is tasked with ensuring the orderly development and operation of amateur radio communication structures throughout Canada.

In this regard, Industry Canada requires that, in certain cases, the local land use authority and the public must be consulted for input regarding the proposed placement of an amateur radio antenna support structure. The City of Calgary's Development & Building Approvals business unit is responsible for reviewing these submissions on the City's behalf and, depending on the nature of the proposal, a letter of support (concurrence) or non-support (non-concurrence) is sent to the operator of the proposed system upon completion of its review of the proposal.

The Development & Building Approvals business unit reviews each proposed submission for an amateur radio antenna support structure based on *land use planning criteria*. This includes reviewing and evaluating such things as the proposed location of the structure and aspects of its design, including height, colour, type, number of antennas to be placed on the structure, screening and compliance with The City's amateur radio antenna support structures protocols. Based on this review, a letter of concurrence or non-concurrence is issued to the operator.

Note that in cases where The City does not support a proposal, it cannot prevent an operator from ultimately gaining permission from Industry Canada for an amateur radio antenna support structure to be erected, even if it contravenes The City's protocols.

In addition to providing your comments and concerns to the party seeking to erect the amateur radio antenna support structure, you may also contact The City of Calgary's Development and Building Approvals business unit to discuss your concerns about the ***planning*** aspects of the proposed structure or obtain information regarding The City's amateur radio antenna support structure protocols. In this regard, please call 403-268-5311.

Please note that any comments regarding health and safety issues should be directed to Health Canada on-line at [healthcanada.gc.ca](http://healthcanada.gc.ca). Any other non-planning related issues should be directed to Industry Canada, Spectrum Management Operations Branch at 403-292-4575 or [spectrum.calgary@ic.gc.ca](mailto:spectrum.calgary@ic.gc.ca).

## **8.0 Redundant Amateur Radio Antennas and Support Structures**

When an amateur radio antenna or antenna support structure becomes redundant to an operator's system, The City of Calgary requests that the operator removes the amateur radio antennas or antenna support structure and all associated equipment from the site.

The City recommends the removal of any such unneeded elements take place within 60 days of the amateur radio antenna or antenna support structure becoming redundant. In addition, notification to The City is requested within 30 days of the operator's abandoning / decommissioning an amateur radio antenna support structure.