

May 09, 2023

David Duckworth

City Manager
P.O. Box 2100, Stn. M
Calgary, Alberta
Canada T2P 2M5

Dear Mr. Duckworth

RE: Approval of Telecommunications Structures

Recently the City of Calgary (City) provided concurrence for the construction of the ANT2022-008 / W6000 Willow Park North telecommunications structure – a cell tower – at 9947 Fairmount Drive SE (Fairmont Tower) in the community of Willow Park. Willow Ridge Community Association (WRCA) would like to provide feedback to the City on the experience of its community members that participated in the limited consultation process and propose recommendations for future reviews to better address the concerns of Calgarians.

WRCA acknowledges that the siting of cellular towers is controversial. WRCA is not opposed to the location of cellular towers in Willow Park, but the location of the Fairmont Tower selected by Rogers and their agent *Evolve Surface Strategies Inc.* (Evolve) was counter to the City's own *Telecommunications Antenna Structures Siting Protocols* and had significant opposition from local community members.

WRCA is aware that the City is not the final decision maker for telecommunications structures that are ultimately approved by *Innovation Science and Economic Development Canada (ISED)*. However, the role of ISED is to conduct a regulatory review to ensure that requirements have been completed. Telecommunications structures also require the City's concurrence and the City's approval process offers the greatest opportunity for Calgarians to have their opinions heard and addressed.

A summary of these concerns is set out below.

Issues with the Fairmont Tower

1. According to the City's *Telecommunications Antenna Structures Siting Protocols*, the location of the Fairmont Tower is located in at least two concurrent "Discouraged Locations" (see section 4.2.b). Specifically, it is within the residential setback of two multi-residential structures and, more concerningly, within the recommended 100 metre buffer to a school, being directly adjacent to the *Calgary Kids Montessori Academy Ltd.* for young learners at 9937 Fairmount Drive SE. Further, it is not clear that the location fulfills *any* one of the eight "preferred locations" established by the City (see section 4.2.a).
2. On 01 June, 2022 the WRCA provided official community feedback on the proposal at the request of Jamie Fandrich Senior Planning Technician with Planning & Development. In that feedback the WRCA recommended that the tower instead be located 100 meters north at the commercial centre at the intersection of Southland Drive and Fairmount Drive. At this location, a telecommunications structure would be much closer aligned with the City's protocol. WRCA consulted with City's *Wireless Infrastructure Development (WID)* team regarding the proposal, but WID stated that they do not have authority to dictate where an applicant could

site a telecommunications structure. However, WID did indicate that it had already discouraged Evolve from the selection of a nearby location, believed to be at the *Willow Park Gardens* multi-residential complex at 364 99 Ave SE, and that WID had instructed Evolve to shroud the tower to increase its aesthetics and conceal the number of individual antennas contained therein. Residents of Willow Park submitted comments directly to WID on the Fairmont Tower project, yet WID informed WRCA that it does not review, consider, or even reply to, any direct public comments regarding proposed telecommunication structures.

3. The public notification package distributed by Evolve to Willow Park residents residing within 300 metres of the Fairmont Tower also contained errors. Information contained within the technical diagram of the structure conflicted with the written information describing the structure. This is particularly true in regard to the number and type of antenna the proposed structure housed. As such, the Willow Park community was provided with incorrect information on the development. Although the City may not consider these errors as material, they are symptomatic of a lackadaisical approach taken by Evolve in ensuring the accuracy of the information provided to the community of Willow Park.

General Process Issues

1. One significant process concern WRCA would like to highlight is that development applications for telecommunications structures are not posted on the City's public online "DMAP" development map. There was also no notice published at the location of the Fairmont Tower to request public comment on the proposed development. As a result, WRCA is not aware of the City providing any public notification whatsoever to Calgarians that a telecommunications structure may be proposed in their neighbourhood. This can and should be addressed to provide clear notice for future projects.
2. Even if notice was provided and comments were received, WID does not review, consider, or even reply to, any public comment regarding proposed telecommunication structures not solicited by a telecommunications company. Without a process for community engagement, it is unclear what criteria were being evaluated by the City to provide concurrence on telecommunication projects in Calgary and whether they are in the best interest for the affected community.
3. WRCA understands that the City relies heavily upon community engagement carried out by the telecommunications company or its agent; however, this results in an inherent conflict of interest for the company conducting the engagement. In this case, WRCA understands that Evolve held a single virtual meeting attended by an estimated twelve Willow Park residents (about 0.24% of the community population). Virtual meetings are inaccessible to many elderly residents, which within Willow Park are demographically over double the City average. Evolve was also required to collect and respond to written public comments it received within a 30-day period; however, it responded with the same electronic letter to every single public comment with no individual commentary and these letters were delivered **after** the 60-day response period required under federal ISED guidelines. These challenges can be addressed by creating a means for direct public comments to be solicited and reviewed by WID or the City.
4. The *Subdivision & Development Appeal Board* (SDAB) does not have a process for Calgarians to appeal any telecommunications structure approved by the City. This leaves affected persons without an avenue of appeal without resorting directly to the courts.

Overall, it is the opinion of the Board of Directors for the WRCA that the Fairmont Tower has been sited inappropriately. We also believe that the City should reposition the structure to a location in line with the City's existing guidelines through a transparent process that includes meaningful local community engagement. We request your comment to our opinion.

RECOMMENDATIONS

However, WRCA believes that when offering criticism of an existing process, it has a responsibility to provide constructive feedback on how it could be improved for all Calgarians.

Consequently, WRCA would like to provide the following suggestions for enhancing the current process for approving proposed telecommunications structure developments:

1. **Community Engagement.** Establish meaningful requirements that telecommunications companies and their agents must abide by on community engagement. They should be required to provide evidence that they have engaged a certain percentage of the community before the project can be considered (a mail package is not sufficient).
2. **DMAP.** All proposed telecommunications structure developments should be posted and viewable within the City's online DMAP. Additionally, signage should be posted at the location noting the City has received a telecommunications development application with contact information for Calgarians to provide comment.
3. **Independent City Review.** WID, or another City department, should be required to receive, review, consider and respond to, the comments and concerns of Calgarians on proposed telecommunications structures.
4. **Siting Protocol.** The *Telecommunications Antenna Structures Siting Protocols* should include enforcement requirements to strongly encourage telecommunications companies, and their agents, to locate structures within the City's designated "preferred locations".
5. **Appeal.** The City should allow for a 60-day appeal process for telecommunications structures through the SDAB or otherwise.
6. **Rejection.** The City should have an established process for the local community to reject any telecommunications structure (e.g., petition) if it would violate its *Telecommunications Antenna Structures Siting Protocols*.

The WRCA is committed to further discuss this issue in detail with any interested party, and in addition, we request a meeting with the City Manager to address our concerns directly.

We thank you for your ongoing commitment to our city,

Board of Directors
Willow Ridge Community Association

cc:

Mayor Jyoti Gondek
Ward Councillors
Federation of Calgary Communities
Willow Ridge Neighbours (Facebook Page)
www.mywillowridge.ca

APPENDIX – WRCA COMMUNITY INVOLVEMENT

The Willow Ridge Community Association undertook the following actions and engagements regarding the ANT2022-008 / W6000 Willow Park North telecommunications structure proposal:

1. **Virtual Open House:** The WRCA Civic Affairs Team attended the virtual open house held by Roger’s agent Evolve Surface Strategies Inc. regarding the W6000 development. (27 January 2022)
2. **Community Engagement Booth:** An W6000 development community engagement booth at The Willow Ridge Community Association Winter Carnival. Direct engagement with Ward 11 Councillor Kourtney Penner occurred. (12 February 2022)
3. **AGM:** Question and Answer session occurred with WRCA membership about the proposed W6000 development during annual General Meeting. (20 April 2022)
4. **Civic Affairs “Open House”:** Local community meeting on the W6000 development following the Willow Ridge Community Association Annual General Meeting. (27 April 2022)
5. **ISED:** Numerous verbal and written correspondence with *Innovation Science and Economic Development Canada* (February – June 2022)
6. **Ward 11 Councillor:** Numerous verbal and written correspondence with Ward 11 Councillor Kourtney Penner and her ward team. (February 2022 - Ongoing)
7. **Community Association Feedback:** Completed an official request from the City of Calgary to provide comment on the ANT2022-0008 development proposal (01 June 2022)
8. **Social Media:** – Community engagement provided to the Civic Affairs team over social media site Facebook on the W6000 development. (February 2022 - Ongoing)
9. **Email Correspondence:** The Civic Affairs team received numerous emails from local community members regarding the W6000 development. (February 2022 - Ongoing)