



Local Planning Committee Agenda

Date: Thursday, February 15, 2018
Time: 10:00 am - 2:00 pm
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

1. CALL TO ORDER 10:00 AM - 10:00 AM
2. APPROVAL OF AGENDA
3. ADOPTION OF MINUTES/COORDINATION
 - 3.1 Minutes of Meetings
 - 3.2 Resolutions Without Meeting
None
 - 3.3 Follow-up Action List
4. WORK PROGRAM ITEMS
 - 4.1 Telecommunications Strategy - RFD and Final Report
 - 4.2 Coastal Douglas-fir and Associated Ecosystems - RFD and Project Charter
 - 4.3 Housing Needs Assessment - Verbal Update and Review of Final Reports
5. BUSINESS
 - 5.1 Update on Housing Agreement Administration Program - Briefing Note
6. NEW BUSINESS
7. LOCAL PLANNING COMMITTEE - WORK PROGRAM
8. NEXT MEETING
Need to identify locations of 2018 meetings
9. ADJOURNMENT 2:00 PM - 2:00 PM



Local Planning Committee Minutes of Regular Meeting

Date: November 9, 2017
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Members Present: Melanie Mamoser, Chair
Paul Brent, Local Trustee
Tony Law, Local Trustee (joined at 10:30 a.m.)
Sandy Pottle, Local Trustee - teleconference attendee
Laura Busheikin, Executive Committee Representative
Peter Luckham, Ex Officio Member

Members Absent: Alex Allen, Vice Chair
Timothy Peterson, Local Trustee
Lee Middleton, Local Trustee

Staff Present: David Marlor, Director, Local Planning Services
Claire Frater, Director, Trust Area Services
Justine Starke, Island Planner
Robert Barlow, Recorder

1. CALL TO ORDER

Chair Melanie Mamoser called the meeting to order at 10:09 a.m.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. ADOPTION OF MINUTES/COORDINATION

3.1 Minutes of Meetings

Local Planning Committee Minutes of August 17, 2017

By general consent the Local Planning Committee Minutes of August 17, 2017, were adopted.

3.2 Resolutions Without Meeting

None

3.3 Follow-up Action List

The follow-up action list was provided for information and review.

4. WORK PROGRAM ITEMS

4.1 Community Housing

4.1.1 Draft Stage 1 – Southern Region Housing Needs Assessment
Planner Starke provided an update.

4.1.2 Northern Region Housing Needs Assessment
Planner Starke provided an update.

LPC-2017-013

It was MOVED and SECONDED,

that Local Planning Committee request Trust Area Services to consult with Bowen Island Municipality on cost sharing an updated Housing Needs Assessment for Bowen Island using the same methodology as used in the 2017 housing needs assessments for local trust committees.

CARRIED

4.1.3 Housing Agreement Administration – Briefing Note
Director Marlor and Planner Starke presented the Briefing Note for information and review.

4.1.4 Housing First Policy – Briefing Note
Director Marlor and Planner Starke presented the Briefing Note for information and review.

4.2 Land Use Consultation for Radio Communication Towers

4.2.1 Draft Report on Telecommunications Strategy – Request for Decision

LPC-2017-014

It was MOVED and SECONDED,

that Local Planning Committee request staff to extend the consultant's contract to consult with industry representatives and suggest amendments to the draft report, "Model Program for Antenna Systems," dated November 01, 2017.

CARRIED

5. BUSINESS

5.1 Budget Request – Coastal Douglas-fir and/or a toolkit in using land use planning tools to reduce community ecological footprint

Director Marlor indicated that staff will return to the next Local Planning Committee in February, 2018, with a project charter for a Coastal Douglas-fir project.

6. NEW BUSINESS

None

DRAFT

7. LOCAL PLANNING COMMITTEE - WORK PROGRAM

The work program was provided for review.

LPC-2017-015

It was MOVED and SECONDED,

that the work program be amended to remove Top Priority #2 "Shoreline Marine Planning" and to place it into the Projects list; and to remove "Protect Coastal Douglas-fir and Associated Ecosystems" from the Projects list and to place it as Top Priority #2.

CARRIED

LPC-2017-016

It was MOVED and SECONDED,

that Local Planning Committee withdraw the \$15,000 budget request allocated to Shoreline Marine Planning.

CARRIED

LPC-2017-017

It was MOVED and SECONDED,

that Local Planning Committee recommend to Trust Council to hold a workshop for Trust Council on Shoreline Marine Planning.

CARRIED

8. NEXT MEETING

8.1 Local Planning Committee 2018 meeting schedule

By general consent the schedule was approved.

The next meeting will take place on February 15, 2018.

9. ADJOURNMENT

By general consent the meeting was adjourned at 12:35 pm.

Melanie Mamoser, Chair

CERTIFIED CORRECT:

Robert Barlow, Recorder

Follow Up Action Report

Local Planning Committee

09-Nov-2017

Activity	Responsibility	Target Date	Status
4.1.2 - Trust Area Services to consult with Bowen Island Municipality on cost sharing an updated Housing Needs Assessment for Bowen Island using the same methodology as used in the 2017 housing needs assessments for local trust committees.	David Marlor	15-Feb-2018	Done
4.2.1 - Extend the consultant's contract to consult with industry representatives and suggest amendments to the draft report,	David Marlor	15-Feb-2018	Done
5.1 - Project charter for a Coastal Douglas-fir project	Justine Starke	15-Feb-2018	Done
7 - Advise the Financial Planning Committee that the Local Planning Committee withdraws the \$15,000 budget request allocated to Shoreline Marine Planning	David Marlor	15-Feb-2018	Done
7 - Local Planning Committee recommend to Trust Council to hold a workshop for Trust Council on Shoreline Marine Planning	David Marlor	13-Mar-2018	On Going
7 - Amend the work program to remove Top Priority #2 Shoreline Marine Planning and to place it into the Projects list; and to remove Protect Coastal Douglas-fir and Associated Ecosystems from the Projects list and to place it as Top Priority #2	David Marlor	15-Feb-2018	Done

REQUEST FOR DECISION

To: Local Planning Committee

For the Meeting of: February 15, 2018

From: Justine Starke, MCIP, RPP
Island Planner

Date Prepared: February 9, 2017

SUBJECT: MODEL TELECOMMUNICATIONS STRATEGY

RECOMMENDATIONS:

1. That the Local Planning Committee receive the Model Telecommunication's strategy dated February 2018 and refer to Trust Council for information and consideration of implementation.
2. That the Local Planning Committee refer the Model Telecommunication's strategy dated February 2018 to Local Trust Committees for information and consideration of implementation.
3. That the Local Planning Committee advise Local Trust Committees to amend their fees bylaws to introduce an application fee for Telecommunication's applications.

DIRECTOR'S COMMENTS:

To be provided verbally.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Recommendations from Local Planning Committee on how Trust Council can assist local trust committees in responding to radio broadcast and cellular towers can be considered as model consultation programs, model bylaws or model Official Community Plan amendments.

FINANCIAL: This project was funded using a budget of \$6700 from the Local Planning Services Technical Services Budget.

POLICY: The Islands Trust Policy Statement contains the following relevant policy:

5.3.1 Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.

IMPLEMENTATION/COMMUNICATIONS: Communication will be by regular updates to Trust Council from the Local Planning Committee. The Model Telecommunication's Strategy can be distributed to Local Trust Committees for consideration of implementation.

OTHER: No other implications.

BACKGROUND

The federal Ministry of Innovation, Science and Economic Development Canada (ISED) (formerly Industry Canada) has jurisdiction over telecommunications uses, such as radio broadcast towers and cellular telephone towers, which are licensed under the federal Telecommunications Act. ISED recommends land use authorities establish a documented public consultation process to guide cell tower proponents. ISED also advises the land use authority issue a letter of concurrence or non-concurrence with the consultation process and the proposal.

Within the Islands Trust, the consultation process on these types of applications was previously guided by the Letter of Understanding (LOU, signed October 30, 1996) that existed between ISED and the Islands Trust Council, on behalf of Trust Area Local Trust Committees, for proposed towers of over 25m in height measured from ground level. Since ISED updated its *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03) in 2014 to include a Default Public Consultation Process, the Trust Council/ISED LOU was rescinded by ISED under the terms of the agreement.

When a land use authority does not have an established or documented public consultation process, proponents of radio towers must use the ISED default process outlined in the *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03).

On **November 9, 2017**, Local Planning committee passed the following resolution:

That the Local Planning Committee request staff to extend the consultant's contract to consult with industry representatives and suggest amendments to the draft report, "Model Program for Antenna Systems," dated November 01, 2017.

On **August 17, 2017**, Local Planning Committee (LPC) endorsed a [project charter](#) for this work program. This was preceded by earlier direction of the LPC as follows:

At the **May 24, 2017** Local Planning Committee passed the following resolution:

THAT the Local Planning Committee direct staff to prepare a report regarding options to fund a consultant to review antennae siting consultations.

In **March 2016**, Trust Council passed the following resolution:

THAT the Islands Trust Council request the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.

Model Program for Antenna Systems (Final Report):

This report presents the report, "Model Program for Antenna Systems," dated February 6, 2018, which has been prepared by a consultant (James Van Hemert) under contract with Islands Trust. The report provides a literature review and summary of the background materials that were reviewed as part of the report's creation. It includes a model consultation program, land use siting criteria, and model official community plan policies. The report also presents content for a draft brochure to provide general information to public on the ISED consultation and approval process and the role of Islands Trust.

Local Planning Committee reviewed the first draft of this report on November 9, 2017 and directed staff to consult with industry representatives (via the contract consultant). A meeting with representation from Telus, Rogers, and Shaw was held on January 23, 2018. The meeting was very informative and productive,

offering insights into the telecommunications industry needs as well as offering industry representatives insights into the unique community needs within Islands Trust.

Consultation with industry representatives has resulted in some minor changes to the report that improve its practical application. Staff from the Federal government at ISED suggests that land use authorities have more success with the process to bring in telecommunications infrastructure when there has been good consultation with industry providers.

The consultant also recommends that in addition to establishing consultation protocols, each Local Trust Area should establish a fee for reviewing antenna system proposals. The Regional District of Nanaimo has established a flat fee of \$4,000. LTAs could have reduced fees for local businesses, emergency services providers, and amateur radio operators.

REPORT/DOCUMENT:

1. "Model Strategy for Antenna Systems," dated February 5, 2018.

KEY ISSUE(S)/CONCEPT(S):

Create model bylaws and policies to assist local trust committees with responding to applications for radio broadcast and cellular towers, which is the jurisdiction of the federal government.

DESIRED OUTCOMES:

Trust Council endorsement of a model strategy to assist local trust committees in responding to radio broadcast and cellular tower applications through a consistent policy framework.

RESPONSE OPTIONS

Recommended:

1. That the Local Planning Committee receive the Model Telecommunication's strategy dated February 2018 and refer to Trust Council for information and consideration of implementation.
2. That the Local Planning Committee refer the Model Telecommunication's strategy dated February 2018 to Local Trust Committees for information and consideration of implementation.
3. That the Local Planning Committee advise Local Trust Committees to amend their fees bylaws to introduce an application fee for Telecommunication's applications.

Alternatives:

1. That the Local Planning Committee direct staff to.....

Prepared By: Justine Starke, MCIP, RPP
Island Planner

Reviewed By/Date: David Marlor
Director, Local Planning Services

MODEL STRATEGY FOR ANTENNA SYSTEMS

LOCAL PLANNING COMMITTEE

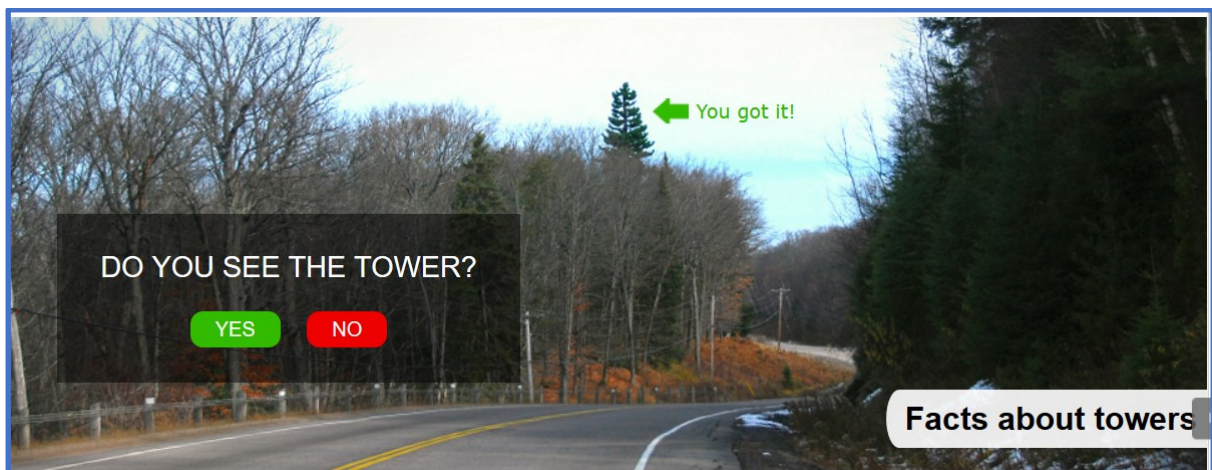


Figure 1 Innovation Science Economic Development Canada --Information for citizens about towers in their community.

Draft prepared February 5, 2018

V A N H E M E R T & C O .

Planning Healthy Communities

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1 INTRODUCTION

Local Trust Committees (LTC) have recently been grappling with how best to consult with the public and to address local concerns around proposed cellular and radio communication towers. At the same time Innovation Science and Economic Development Canada (ISED) notes that there is a growing demand for denser wireless connectivity by citizens generally, as well as students, public service providers including 911 services, and small business. While people enjoy the relatively remote Gulf Island life, it also means they need to have adequate wireless access, including emergency services. This is especially true for the aging population on the islands who require access to health care more often and may avail of e-health services in communities with limited specialized medical staff.

The model *protocol* within this document has been prepared to help Local Trust Areas (LTA) effectively and efficiently assess antenna system proposals within their own unique contexts. The document provides a description of ISED's default public consultation process, a model public consultation *protocol*, model siting criteria, model Official Community Plan policies, and definitions. The model *protocol* may be adopted in its current form as a stand-alone document; or it may be customized for local considerations. The model siting criteria and the Official Community Plan policies may be incorporated into the *protocol* or included within an Official Community Plan. Existing processes and by-laws for each separate Local Trust Area should be reviewed in light of adopting the model *protocol* and be revised or rescinded.

The *protocol* has been developed with input and insight from Islands Trust planning staff, Local Trust Area Trustees, ISED, other land use authorities and representatives from the telecommunications industry. It should be noted, however, that input from the industry does not necessarily constitute support.

Note that words in *italics*, and not otherwise a document, legislative act or agency, are words defined in Section 7 Definitions.

2 INTERVIEWS AND REVIEW OF LITERATURE

2.1 Introduction

The model consultation *protocol* is informed by the department of Innovation Science and Economic Development (ISED) Canada's foundational guides, the Federation of Canadian Municipalities *protocol* template¹, and Health Canada's Safety Code 6 (2009) regarding limits to human exposure to radiofrequency electromagnetic fields. A discussion on the respective roles of federal government and local land use authorities sets the foundation for a defensible and effective *protocol*. Documents and telephone interviews with staff and a trustee served as an overview of the Islands Trust experience in reviewing antenna system proposals. This information provides a practical and experiential foundation of the local context. Rounding out the review, interviews were conducted with IEDC, other local government jurisdictions, and representatives of the telecommunications industry.

2.2 Local Trust Committee Jurisdiction and ISED's Requirements and Recommendations

The ISED's *Radiocommunication and Broadcasting Antenna Systems Client Protocol Circular CPC 2-0-03* (CPC) (hereinafter referred to as the CPC) is the foundation for understanding public consultation requirements and the appropriate role of the land use authority. It identifies the **mandate**, established in Section 5 of the *Radiocommunications Act* states that the Minister (of ISED) may, taking into account all matters considered relevant for ensuring the **orderly development** and **efficient** operation of radiocommunication in Canada, issue radio authorization, and approve each site on which radio apparatus, including *antenna systems*, may be located. A certain measure of flexibility is required in siting *antenna systems* in order to achieve adequate coverage for service areas.

The CPC emphasizes the importance of considering **local surroundings** in deploying *antenna systems*. Accordingly, the default public consultation process requires *proponents* of certain *antenna systems* to engage land-use authorities with regard to **site options, local public engagement and review processes, addressing reasonable and relevant concerns**, and ultimately obtain **land-use authority concurrence** in writing. Land-use authorities are encouraged to establish **reasonable, relevant, and predictable** consultation processes specific to *antenna systems* and consider matters such as designation of suitable contacts or responsible officials, proposal submission requirements, public consultation, documentation of concurrence process, and the establishment of milestones to ensure consultation process completion within 120 days. To that end, the ISED publishes the *Guide to Assist Land-use*

¹ *Antenna System Siting Protocol* template published by the Federation of Canadian Municipalities in consultation with the telecommunications industry. Available online at: https://fcm.ca/Documents/reports/FCM/Antenna_System_Siting_Protocol_Template_EN.pdf Accessed on October 2017.

Authorities in Developing Antenna System Siting Protocols which was referred to in developing this model strategy.

Certain types of proposals (listed below) are excluded from land-use authority and public consultation requirements; however, all *proponents* must consider whether or not it is prudent to undertake consultation for an excluded proposal on the basis of:

- the proposal's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location and proximity to neighbouring residents;
- the likelihood of an area being a community sensitive location; and
- Transport Canada's marking and lighting requirements for the proposed structure.

Exclusions include the following:

- new *antenna systems* where height is less than 15 metres, but does not apply to *antenna systems* proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- existing *antenna systems* where modifications are made, antenna added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial *antenna system* installation;
- non-tower structure antenna on buildings, water towers, lamp posts, etc. may be excluded provided the height of the ground of the site of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%; and
- temporary *antenna systems* used for special events or emergency operations.

The CPC provides examples of relevant concerns that may be raised during public consultation, including, for example, why use of existing *antenna systems* may not be used, alternative sites, and what is being done to integrate antenna into local surroundings. Concerns that are **not** relevant include disputes with members of the public relating to *proponent's* service, potential effects that proposed *antenna system* will have on property values or municipal taxes, and questions whether or not *Safety Code 6*, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

2.3 Islands Trust Experience

Information about Islands Trust experience was gleaned from special studies, staff reports and *protocol* documents from the following Local Trust Areas: Galiano Island, Gabriola Island, Hornby Island, and Salt Spring Island. Documents reviewed included:

- Local Planning Committee briefing of January 28, 2015
- Galiano Island LTA:
 - Rogers Cell Tower referral, April 24, 2015
 - Telecommunications Strategy staff report to LTC, March 30, 2016
 - Telecommunication Strategy Project staff report, March 27, 2017

- Antenna System and Siting Consultation Protocol, March 2017
- Hornby Island LTA--TELUS tower, public consultation package, staff reports of November 22, 2016 and May 5, 2017
- Gabriola Island LTA--Resolution GB-025-2010 regarding Communication Towers and Antennae
- Salt Spring Island:
 - Cellular Antennae Proposal Form
 - Procedural Guideline, April 26, 2001

Interviews for gaining insights and information were conducted with current and former Islands Trust planning staff with experience managing *antenna system* proposals. These included Marnie Eggen, Justine Starke, Aleksandra Brzozowski, and Robert Kojima. Tony Law, a trustee for Hornby Island LTA was also interviewed for his perspective on dealing with a particularly controversial application.

Additionally, to round out the perspective from other stakeholders, representatives from the telecommunication industry (Doug Anastos, TELUS) and their process consultant, Brian Gregg (SitePath), were interviewed. Industry input, however, does not necessarily mean support for the draft *protocol* as presented.

ISED representative, Jeff Stanhope, was interviewed and he also provided comments on a draft of the public consultation *protocol*. No red flags were raised regarding consistency with the CPC, the foundational guiding document of ISED.

Following an initial review of this protocol by the Local Planning Committee further input from the telecommunication Industry was received via a roundtable discussion in January of 2018. Representatives included Doug Anastos (TELUS), Kiersten Enemark (Shaw), and Samuel Sugita (Rogers Communications).

Experience in Other Jurisdictions included the following:

- Regional District of Nanaimo
- District of North Saanich
- District of Saanich
- District of Maple Ridge
- City of North Vancouver
- Village of Pemberton

3 MODEL CONSULTATION PROGRAM

3.1 Information Science & Economic Development Canada (ISED) Application & Default Public Consultation Process

A. *Description of ISED's Application and Default Public Consultation Process*

ISED provides on its website a user-friendly text summary and infographic about how decisions are made regarding cell towers. The five-step process applies to all *telecommunication antenna systems* that are not expressly excluded from public consultation.

1. **Share**

Is a new tower necessary? Rules require companies to share towers, whenever possible, instead of building new ones.

2. **Propose**

Companies must submit a plan to the local municipality.

3. **Notify**

Once a company has a plan, it must notify local residents of the upcoming consultation. Rules require notifications be clearly marked – no confusion with junk mail. All residents within an area three times the height of the tower must be notified.

4. **Consult**

The company must consider the community's views.

Impasses are rare. <0.1% of cases require Industry Canada's decision.

5. **Build**

Following the consultation, and once the company and local municipality agree, the tower must be built within three years.

CELL TOWERS IN YOUR COMMUNITY: HOW THE DECISION IS MADE

The Government of Canada
 regulates tower siting decisions,
 settles disputes, and sets health
 and safety standards.

New towers give wireless customers
 better, more reliable mobile service.



1 SHARE

Is a new tower necessary? Rules require
 companies to share towers, whenever
 possible, instead of building new ones

2 PROPOSE

Companies must submit a
 plan to the local municipality.



3 NOTIFY

Once a company has a plan, it
 must notify local residents of
 the upcoming consultation.

* Rules require notifications be clearly
 marked – no confusion with junk mail.
 All residents within an area 3x the height
 of the tower must be notified.

4 CONSULT

The company must consider
 the community's views

* Impasses are rare. <0.1% of cases
 require Industry Canada's decision.



BUILD 5

Following the consultation, and
 once the company and local
 municipality agree, the tower
 must be built within three years.



Canada

Proponents of siting and constructing an *antenna system* are required to present their plans and consult with the local land use authority; they are not required to make a formal application to ISED for siting an antenna facility. They are required, however, to provide information and notify ISED at the following points in the process in order to proceed:

- **public notification**: provide notification package;
- **responding to the public**: copy of all public reply comments; and
- **concluding consultation**: if applicable--for example, in cases where a land use authority does not provide a clear form of land-use concurrence, --the *proponent* may request ISED to confirm its concurrence that the public consultation process requirements have been met.

The ISED Default Public Consultation Process applies to *proponents* if the land-use authority does not have its own established and documented consultation process for antenna siting. ISED's default process has three steps for consultation with the public and land-use authority whereby the *proponent*:

- provides **written public notification** of the proposed *antenna system* installation or modification;
- engages and **responds to the public** to address relevant questions, comments and concerns; and
- provides an opportunity for **public reply** in writing to the *proponent* regarding measures taken to address reasonable and relevant concerns.

Details on timing, content, communication channels, and style of communication for each step are summarized below.

1. *Public Notification*

- a) *Proponent* must provide a **notification package** to the following within a **radius of three times the tower height**:
 - the local public (including residences, community gathering areas, public institutions, schools, etc.);
 - neighbouring land-use authorities, and
 - businesses, and property owners.
- b) The notice of an upcoming consultation must be clearly marked, making reference to the proposed *antenna system*.
- c) Must provide at least **30 days** for written public comment.
- d) In areas of **seasonal residence**, the *proponent* must work with the land-use authority to determine the best manner to notify such residents to ensure their engagement.

- e) In addition, for *antenna system* of 30 metres or greater in height, notice must be placed in a local community newspaper circulating in the proposed area. Timing must be synchronized with the distribution of the public notification package, must be legible and placed in the public notice section of the newspaper. Further, it must include:
- description of proposed installation;
 - location and street address;
 - *proponent* contact information and mailing address; and
 - invitation to provide public comments to *proponent* within 30 days of the notice.
- f) In areas without a local newspaper, other effective means of public notification must be implemented.

2. *Responding to the Public*

Proponents must address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. When a question comment or concern is raised the *proponent* is required to:

- respond to the party in writing within **14 days** acknowledging receipt;
- address in writing all reasonable and relevant concerns within **60 days** of receipt or explain why concerns are not reasonable or relevant; and
- in written communication referred to above clearly note that the party has **21 days** from date of correspondence to reply to *proponent's* response.

The *proponent* may respond to a party via telephone, engaging in a community meeting or having an informal personal discussion.

3. *Public Reply Comments*

Examples of relevant concerns to address may include:

- Why is the use of an existing *antenna system* or structure not possible?
- How is the *proponent* trying to integrate the antenna into the local surroundings?
- What is the *proponent* doing to ensure that the *antenna system* is not accessible to the general public?
- What options are available to satisfy aeronautical obstruction making requirements at this site?
- What are the steps the *proponent* is taking to ensure compliance with the general requirements of the *Innovation Science Economic Development Canada's Client Procedures*

CPC 2-0-03, the *Canadian environmental Assessment Act* (CEAA), and *Safety Code 6* of the *Health Act*?

Concerns that are **not relevant** include:

- Disputes with members of the public relating to the *proponent's* service, but unrelated to antenna installations;
- Potential effects that a proposed *antenna system* will have on property values or municipal taxes;
- Questions whether the *Radiocommunication Act*, this document, *Safety Code 6*, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

4. *Concluding Consultation*

Installation or modification of an *antenna system* may only be commenced after the consultation process has been completed by the land-use authority, or ISED confirms concurrence of the consultation portion of the default process, and after all other process requirements have been met by the *proponent*.

B. Analysis and Observations of ISED's Default Public Consultation Process

1. *ISED Limits of Public Consultation*

The limits of ISED's CPC include the following matters on which it is either silent or does not have a requirement:

- application requirements to the land use authority;
- cost recovery;
- pre-consultation; and
- a means for community based dialogue beyond providing public information.

Further, the time restrictions on notice, responses, as well as the overall consultation time frame could be restrictive in addressing controversial proposals and the efforts needed to mitigate and search for alternatives. In practice, however, some consultation takes longer than the timeframes set out in the Default process. Carriers appreciate a predictable process, but understand that certain sites may require more time.

2. *Analysis*

The CPC clearly notes that its default consultation process is a **minimum** process and anticipates through direct reference that local land-use authorities may **augment** the process by developing its own *protocol* which can address, for example, notification of additional entities, expanded

minimum prescribed notification distances, pre-consultation meetings, and community information sessions.

The CPC also contains an important clause suggesting that even though a proposal may otherwise be exempt from public consultation, there are cases where “it may be prudent for the *proponent* to consult even though the proposal meets an exclusion.” Considerations for this decision include:

- the *antenna system’s* physical dimensions, including the antenna, mast, and tower, compared to the local surroundings;
- the location of the proposed *antenna system* on the property and its proximity to neighbouring residents;
- the likelihood of an area being a community-sensitive location; and
- NAV Canada and Transport Canada’s marking and lighting requirements for the proposed structure.

The companion *Guide to Assist Land-Use Authorities in Developing Antenna Siting Protocols* complements the CPC and addresses the role *land use authorities* (LUA)s can play in effectively participating and influencing decisions with respect to the proposed *antenna system* within the ISED’s siting procedures and sets out elements that LUAs might wish to include in establishing their own local *protocol*. These elements are incorporated in the model *protocol* described in this document.

Local knowledge is valued, particularly with regard to amenities, cultural or environmental sensitivities, Local Trust Area planning priorities such as those related to telecommunication connectivity, and other relevant characteristics of the area.

Although recognizing that the LUA or public’s preferred locations for siting may not always be feasible for strategic and technical reasons, the guide notes:

LUAs are encouraged to develop protocols that are clear and within their area of responsibility. Protocols can include promoting the placement of antennas in optimal locations from a land-use point of view, or excluding certain types of installations from protocol requirements. Through protocols, an LUA can highlight its local knowledge and expertise related to area sensitivities, including environmental or cultural concerns, and land-use compatibility.²

It is appropriate, therefore, for a local government to establish by way of policy in its Official Community Plan or Land Use Bylaw, and a *protocol* document, land use preferences, land use

² Guide to Assist Land-use Authorities in Developing antenna system Siting Protocols, Industry Canada (now Innovation, Science, Economic Development Canada), Issue 2, August 2014, Section 2.1, page 3.

sensitivities, and *design guidelines*. for siting of an *antenna system*. This conclusion has been confirmed in a conversation with an ISED representative.³

The guide suggests LUAs may consider preliminary consultation which will serve to inform, advise, guide, and indicate preferences to *proponents*. Communities such as the Regional District of Nanaimo have established a preliminary consultation step in the form of a site investigation meeting.

Further, the guide acknowledges that a LUA can set the format for public consultation in its *protocol*. These formats may take the form of a community open house, town hall style meeting, or another format preferred by the LUA. Ideally, the LUA and *proponent* will arrive at a mutually agreeable format.

In its outline template, the guide provides a set of considerations and suggested principles for a community in developing its own local *protocol*. The Regional District of Nanaimo, for example, has used this template effectively for establishing a *protocol* for all its Electoral Areas.

C. Addressing the Limitations of the ISED's Default Process

A model *protocol* for the Local Trust Areas can effectively compliment and address the inherent limitations of ISED's default process in the following manner:

- specify application requirements in detail;
- require pre-consultation;
- require information to the Local Trust Area, even if public consultation is not required;
- address cost recovery separately through an application fee;
- establish the desired format for public consultation beyond information packages;
- increase written notification area;
- identify specific groups to notify;
- establish siting criteria via OCP policy or via incorporation within a separate *protocol* document; and
- establish its own time frames, provided they do not exceed limitations of the CPC; however, the CPC provides for an opportunity to extend time frames under certain circumstances, particularly if there is an opportunity to mitigate and review options.

³ Conversation with Jeff Stanhope, Spectrums Operations Manager, Spectrum Management Operations Branch, ISED, September 29, 2017.

3.2 Model Public Consultation Protocol for Local Trust Areas

A. Introduction

Telecommunications systems that provide full coverage and service are essential to for a healthy and well-connected community. This protocol serves as a foundation to ensure that communities benefit from high quality, dependable telecommunication services that effectively support daily life activities, emergency services, citizen engagement, tourism, and local business all of which are important to the Islands Trust.

B. Objectives

The objectives of this *protocol* are:

1. to acknowledge that ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada;
2. to establish a siting and consultation process for use by all Local Trust Areas (LTA)s that is harmonized with ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03)* and *Guide to Assist Land-use Authorities in Developing Antenna Siting Protocols* for reviewing land use issues associated with *antenna system* siting proposals;
3. to set out an objective process, criteria and guidelines that are transparent, consistent and predictable for the evaluation of *antenna system* siting proposals that:
 - minimize the number of new antenna sites by encouraging co-location;
 - encourage designs that integrate with the surrounding land use and public realm;
 - establish when local public consultation is required; and
 - allow ISED and *proponents* to identify and resolve any potential land use, siting or design concerns with the LTA at an early stage in the process.
4. to provide an expeditious review process for *antenna system* siting proposals;
5. to establish a local land use consultation framework that ensures the LTA and members of the public contribute local knowledge that facilitates and influences the siting--location, development and design (including aesthetics) --of *Antenna system* within LTA boundaries;
6. to contribute to the orderly development and efficient operation of a reliable, strong radiocommunication network within all LTAs;
7. to provide LTAs with the information required to satisfy the requirements of ISED regarding local land use consultation, resulting in an informed statement of concurrence, concurrence with conditions, or non-concurrence from the LTA at the end of the process; and

8. to establish administrative fees to be paid by telecommunication *proponents* with consideration given to the costs to Islands Trust to evaluate and process proposals.

C. Jurisdiction

1. Role of Innovation, Science and Economic Development Canada

Under the *Radiocommunication Act*, the Minister of ISED has sole jurisdiction over inter-provincial and international communication facilities. The final decision to approve and license the location of *telecommunication antenna system* is made only by ISED. All technical aspects and siting of telecommunication and broadcasting services are regulated by the Federal government under the *Radiocommunication Act*. ISED has an established procedure, the *CPC*, which prescribes the process and review of proposed telecommunication structures. As part of the process, *proponents* are required to notify the local land-use authority and nearby residents. Moreover, the *proponent* is required to address the public's questions, concerns and comments through ISED's prescribed public consultation process.

2. Other Federal Legislation

Public Health

With regard to public health, ISED refers to the standards set by Health Canada for determining acceptable levels of radiofrequency electromagnetic energy produced by telecommunication infrastructure. All telecommunication *proponents* are required to follow the guidelines outlined in Health Canada's *Safety Limits of Human Exposure to Radiofrequency Electromagnetic Fields in the Frequency Range from 3 kHz to 300 GHz – Safety Code 6 (2009)*.⁴ This code is accompanied by the *Technical Guide for Interpretation and Compliance Assessment of Health Canada's Radiofrequency Exposure Guidelines*, to assist users in understanding and assessing the safety of electromagnetic exposures in working and living environments. This code is also accompanied by a fact sheet, *What is Safety Code 6?* (available online at <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/reports-publications/radiation/fact-sheet-what-safety-code-6.html>). The document is self described as 'busting myths' with a summary of facts. The introduction to this document, cited in the following paragraphs, provides a clear summary.

The Government of Canada is committed to protecting the health and safety of Canadians from environmental risks, including those posed by exposure to radiofrequency (RF)

⁴ LTAs do not assess any submission for an Antenna System 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 cell phones, cell towers and radiofrequency exposure guidelines (Safety Code 6) should be directed to Health Canada on-line at healthcanada.gc.ca and to the *proponent's* representative. The document is available online at <https://www.canada.ca/en/health-canada/services/environmental-workplace-health/consultations/limits-human-exposure-radiofrequency-electromagnetic-energy-frequency-range-3-300.html> (accessed October 27, 2017).

electromagnetic energy - the kind of energy given off by various electronic devices such as cell phones and Wi-Fi, as well as broadcasting and cell phone towers.

Health Canada has a guideline, known as Safety Code 6, which recommends limits for safe human exposure to RF electromagnetic energy. The limits established in Safety Code 6 incorporate large safety margins to provide a significant level of protection for all Canadians, including those working near RF sources.

Health Canada scientists monitor the scientific literature on this issue on an ongoing basis. Safety Code 6 is reviewed on a regular basis to verify that the guideline provides protection against all known potentially harmful health effects.

While Health Canada recommends limits for safe human exposure, Health Canada does not regulate the general public's exposure to electromagnetic RF energy. However, many provinces and territories apply the exposure limits in Safety Code 6 for general public exposure. Wireless devices and their associated infrastructure (such as cell towers) are regulated by Industry Canada, and are required to comply with Safety Code 6.

Canada's limits are consistent with the science-based standards used in other parts of the world (e.g., the United States, the European Union, Japan, Australia and New Zealand) and provide protection against all known adverse health effects from RF energy.

Environmental and Aeronautical Legislation

In addition to Health Canada's requirements, *proponents* must comply with the Canadian Environmental Assessment Act and any painting and lighting requirements for aeronautical safety prescribed by NAV Canada and Transport Canada.

3. Role of Local Government

Local governments are referred applications for proposed towers and are given the opportunity to comment on the proposal. Ultimately, the role of the Local Trust Committee (LTC) is to issue a statement of concurrence or non-concurrence to the *proponent* and ISED.⁵ The statement considers the land-use compatibility of the antenna structure, the responses of the impacted residents and the *proponent's* adherence to this *protocol*. In addition, local government can communicate and provide guidance to the *proponent* on the particular sensitivities, planning priorities, and characteristics of an area, and establish siting guidelines. Local government may adopt the default public consultation process as defined in ISED's CPC or augment the process with its own consultation process, subject to the time limitations established in the CPC.

D. Antenna Structures for which Public Consultation is Required

⁵ Regardless of whether the LTA issues a statement of concurrence or non-concurrence, ISED has exclusive jurisdiction over the approval of the siting and installation of telecommunication infrastructure in Canada.

- **New antenna systems:** where the height is greater than 15 metres
- **New antenna systems:** where the height is less than 15 metres proposed by telecommunication carriers, broadcasting undertakings or third-party owners
- **Existing antenna systems:** where modifications exceed a cumulative height increase of greater than 25%
- **Non-Tower Structures:** where the height above ground of the non-tower structure, exclusive of appurtenances, is increased by more than 25%

E. Excluded Antenna Structures & Information Requirements

This section outlines the criteria for identifying *Antenna system* excluded from the consultation process by ISED, the need to consider local circumstances for all exempt structures, and the process for *proponents* to notify and discuss proposed exempt structures with the LTA.

1. Exemptions from Antenna System Siting Proposal Review and Public Consultation

For the following types of installations, *proponents* are generally excluded by ISED from the requirement to consult with the LTA and the public, **but must still fulfill the General Requirements outlined in Section 7 of the CPC.**

- **New antenna system:** where the height is **less than 15 metres** above ground level proposed by business, government, Crown agencies, general public; this exclusion does not apply to *antenna system* proposed by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Existing antenna system:** where modifications are made, antennas added or the tower replaced⁶, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial *antenna system* installation⁷. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to *antenna system* using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third-party tower owners;
- **Non-tower structure:** antennas on buildings, water towers, lamp posts, and similar structures, **are excluded** from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25% and have been reviewed by Islands Trust staff who will provide comment in accordance with LTA *design guidelines*; and
- **Temporary antenna systems:** used for special events or emergency operations and must be removed within three months after the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing *antenna system*

⁶ The exclusion for the replacement of existing antenna systems applies to replacements that are similar to the original design and location.

⁷ Initial antenna system installation refers to the system as it was first consulted on, or installed.

2. *Design Guidelines for Antenna Systems*

The appendix in Chapter 8 of this protocol document is a matrix of telecommunication design illustrating typical tower designs, rooftop antennas, utility poles and light standards. An LTA may choose to further exempt from public consultation any of the specific antenna systems illustrated in the matrix. Note that antennas affixed to buildings, utility poles and light standard are already exempt from public consultation, unless they exceed a 25% increase in height.

3. *Voluntary Public Consultation*

The CPC states that:

Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria above should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponents to consult the LTA and the public even though the proposal meets an exclusion noted above.

Therefore, when applying the criteria for exclusion, *proponents* are encouraged to consult the LTA when it is **prudent** to do so in consideration of any of the following:

- The *antenna system's* physical dimensions, including the antenna, mast, and tower, is significant compared to the local surroundings,
- The relative location of the proposed *antenna system* on the property and its proximity to neighbouring residents;
- The likelihood of an area being in a community-sensitive location; and
- The nature of Transport Canada's marking and lighting requirements for the proposed structure.

F. *Notification and LTA Review of Exempt Antenna system*

Notwithstanding ISED's exemption criteria for certain *Antenna system*, LTAs should be informed of all new *antenna system* installations within their boundaries so they can:

- be prepared to respond to public inquiries once construction/installation has begun;
- be aware of site *co-location* within the LTA;
- maintain records to refer to in the event of future modifications and additions; and
- engage in meaningful dialogue with the *proponent* with respect to the appearance of the *antenna system* and structure prior to the *proponent* confirming a final design.

Therefore, *proponents* are required to undertake the following steps for **all exempt antenna system installations before commencing construction**.

1. *Building/Structure-Mounted Antenna System:*

The *proponent* will in all cases provide the following **information** for all new *antenna system* or modifications⁸ to existing *antenna system* that are mounted to an existing structure, including (but not limited to) a building/rooftop, water tower, utility pole or light standard, and which are exempted from public consultation in sub-section 3.2 D. 1.:

- a) the location of the *antenna system* (address, name of building, rooftop or wall mounted);
- b) description of proposed **design** with respect to the measures used by existing systems on that site;
- c) the height of the *antenna system*;
- d) the height of any modifications to existing systems.

The Islands Trust staff may notify the *proponent* of any inconsistency with the preferences and sensitivities expressed in the siting criteria and /or design preferences and the parties (proponent and Islands Trust staff) will work towards a solution that minimizes visibility.

2. *Additions that Increase the Height of Freestanding Antenna system:*

The *proponent* will confirm to the LTA that an addition that extends the height of an existing *freestanding antenna system* meets the exclusion criteria in subsections 3.2 D. 1 by providing the following:

- a) the location, including its address and location on the lot or structure;
- b) a short summary of the proposed addition including a preliminary set of drawings or visual rendering of the proposed system; and
- c) a description of how the proposal meets one or more of the Article 3.2 D. 1 exclusion criteria.

The Islands Trust staff will review the documentation and will contact the *proponent* where there is a site-specific basis for modifying the exemption criteria based on the siting criteria preferences and discouragements expressed of the *protocol*. In such cases, the Islands Trust staff and the *proponent* will work toward a mutually agreeable solution, which may include the Islands Trust staff requesting the proposal be subject to all or part of the pre-consultation, proposal submission and public consultation process defined in Subsections F. 2. a) b) and F. 2. of this *protocol*, as applicable, concluding with a letter of concurrence or non-concurrence.

3. *Additional Exemptions*

Local Trust Areas may exclude from all or part of the consultation process any *antenna system* installation in addition to ISED's basic exemptions listed in articles 3.2 B. 1. & 3.

⁸ Providing information is required for modifications that materially or noticeably change the appearance of the system. Maintenance works that do not result in such changes are excluded from the information requirement.

- a) A new *antenna system* proposed to be located outside the LTA's preferred distance from the nearest lot line;
- b) Notwithstanding Subsection E. 1. Building/ Structure Mounted Antenna System, the Islands Trust staff may additionally, on a case-by-case basis, exempt a *proponent* from all or part of the consultation requirements under Section F of this *protocol*.⁹ For example, exemptions may be granted where the proposed location is separated from a *residential area* or heritage area or structure by an arterial roadway, and/or is buffered by substantial tree cover, topography, or buildings.
- c) Antenna system greater than 15 metres in height proposed by government agencies such as police, fire protection, ambulance, other emergency services, BC ferries, and BC Hydro who maintain their own two-way telecommunication networks, except, however, such systems are not exempt if they are proposed in partnership with a commercial telecommunication service provider.

G. Consultation Process

1. Consultation Objectives

The *protocol* for public consultation is designed to:

- inform;
- incorporate local knowledge;
- harmonize with ISED regulations and guidelines;
- be transparent;
- be consistent;
- be predictable; and
- be expeditious.

2. Process Steps, Requirements and Time lines

a) Pre-Consultation with the LTA

Commentary

For free-standing towers, pre-consultation is one of the most important elements in the antenna siting process as it generally occurs at a point before the proponent is committed to a site or design.

⁹ For example, a LTA may decide to exclude certain proposals from the requirement to hold a public meeting, but not from issuing a public notification to affected property owners/tenants within the *Prescribed Notification Distance*.

As a result, it represents the best opportunity to influence the siting decision since the proponent will more likely become committed to a site once the detailed engineering has been completed. While a discussion of submission requirements is appropriate, the proposal will benefit most from early direction on matters of siting and design. Proponents are strongly encouraged to initiate pre-consultation as early as possible in the antenna siting process for exempt and non-exempt structures. The process of building a good working relationship with telecommunication providers may begin even before a proposal is considered: Local Trust Areas are encouraged to invite potential proponents for a conversation about telecommunication at any time, the earlier the better.

Prior to submitting an *antenna system* proposal that does not meet any of the exemptions listed in Subsection D. 1. 3. the *proponent* will undertake the following preliminary consultations with the LTA:

Step 1: Pre-Consultation

i. Pre-Consultation

The purpose of the pre-consultation phase is for the proponent to share with the LTA representative the network objectives, provide possible site options and receive preliminary feedback. The pre-consultation steps include:

- the *proponent* notifies the LTA representative that locations in the community are being assessed for potential *antenna system* siting;
- the proponent provides the LTA representative potential locations and invites feedback on preferred locations and/or designs; and
- the proponent may offer to host a community workshop to provide options and invite feedback on possible solutions, although not necessary.

ii. Site Investigation Meeting

Based on comments from the pre-consultation step, the proponent will provide a summary of a site-specific location, including:

- **Site Location:** location, type and height of the proposed *telecommunication antenna system*;
- **Alternative Locations:** summary of what other alternative locations were considered, including options to co-locate on existing structures;
- **Site Design:** preliminary drawings and/or visual renderings of the proposed *telecommunication antenna system*;
- **Co-location:** summary of efforts proponent has made to allow other companies to co-locate on the tower, as well as indication from other companies regarding interest in co-locating on new telecommunications structure.

The purpose of the site investigation meeting is to:

- identify preliminary issues of concern;
- give opportunity for the *proponent* to outline the proposal to the LTA;
- give opportunity for the LTA to provide initial feedback to the *proponent*;
- identify any potential *sensitive community locations* as defined by this policy;
- identify any potential *neighbouring land-use jurisdictions, school districts, emergency service providers and community associations* that may be required to provide comment on the proposal as outlined in this policy;
- guide the proponent on creating *localized content* for public notification and distribution; and
- Inform the *proponent* of the LTA's preference of taller towers over shorter towers and supporting future *Co-location* opportunities.

iii. *LTA Preferences and Requirements*

Following the Site Investigation Meeting, planning staff will provide the proponent with an information package within a timeframe determined by the Islands Trust that includes:

- **Public consultation:** confirmation if, (a) public consultation is required, and if so, the process the proponent needs to follow, including a list of any other agencies, jurisdictions, and First Nations to be consulted, and if a Public Information Meeting is required or, (b) public consultation is not required;
- **Site design:** comments on proposed location and design; and
- **Studies and permits:** a list of plans, studies and/or permits that may be required (i.e. environmental impact statements) as well as any fees that need to be paid to the LTA for processing application.

Step 2: Application

b) *Application Submission to the LTA: Initial Application Proposal*

Except for specific waivers granted for amateur operators (see Subsection 3) the *proponent* must include the following information when submitting a *telecommunication antenna system* siting proposal to the LTA that does not meet the exemption criteria for the proposal review and public consultation requirement:

- i. **Site Rationale:** a letter or report from the *proponent* indicating the need for the proposed site, the rationale for site selection, and a summary of opportunities for *co-location* potentials on existing or proposed *antenna system* within the LTA;

- ii. **Co-location:** (a) a summary of effort proponent has made to encourage others to co-locate on the proposed new infrastructure, as well as a list of parties who have expressed an interest in co-locating, and (b) a written and signed attestation that there are no *co-location* opportunities within the LTA;
- iii. **Site Design:** Preliminary engineering plans of the proposed structure which includes information outlining the number of antennas proposed on the structure, and the structure's ability to accommodate future antennas (including *co-location*). Proponents are encouraged to provide site design options;
- iv. **Visual Renderings:** visual rendering(s) of the proposed *antenna system* with best effort to superimpose to scale;
- v. **Site Plan:** a site plan showing the proposed development situated on the site;
- vi. **Site Distance to Surrounding Areas:** a map showing the horizontal distance between the proposed antenna system and the nearest residential, commercial and institutional uses;
- vii. **Letter of Authorization:** confirmation of legal ownership of the lands subject to the proposal, or a signed letter of authorization from the registered property owner of the land, their agent or other person(s) having legal or equitable interest in the land;
- viii. **Title Search:** a copy of a title search (dated within the past 30 days of proposal submission) and any restrictions, restrictive covenants, easements or rights-of-way registered against the lands the *telecommunication antenna system* is proposed on;
- ix. **Safety Code 6:** a written and signed attestation that the *telecommunication antenna system* will respect Health Canada's *Safety Code 6* which sets safe radiofrequency emission levels for these devices including the cumulative effects of multiple *telecommunication antenna system* at the location and in the immediate area;
- x. **Supplemental Documentation:** any other documentation as reasonably identified by the LTC following the site investigation meeting; and
- xi. **Fee:** the application fee as required by Local Trust Area Bylaw No. ____.
- xii. **Draft Notification:** Based on required consultation process as directed by LTA, the proponent is to provide, (a) a draft of all public notices to be delivered by mail to the public, *School Districts*, *community associations* and *neighbouring land-use jurisdictions*, which is to be approved by LTA staff prior to mail out; (b) an address list and map indicating all properties **and residents** which are to be notified by mail of the proposal, (c) a draft of newspaper advertisements indicating the time and date of any public information meeting, which is to be reviewed by LTA staff prior to publication (if a public information meeting is required); and
- xiii. **Comments from Emergency Services:** a copy of written correspondence indicating that the *proponent* has referred the proposal to local fire, police and ambulance

services, and if given, any comments received emergency services should be submitted to LTA staff prior to mail out.

3. *Waivers to Application Submissions*

- ⌘ The LTA may waive any of the Initial Application or Public Notification requirements for amateur radio operators on a case by case basis.

Step 3: Public Consultation

In addition to ISED's public consultation requirements as prescribed in *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-o-03)*, the LTA has incorporated into the requirements a number of **augmentations** to the public consultation process. Itemization of the augmented elements may be found in Table A: "Consultation and Information –Process Steps and Requirements: ISECD & Augmentation."

a) *Notification Requirements for Non-exempt Antenna Systems*

- i. The *proponent* will provide written notice, sent by regular mail or hand delivered, to all property owners and residents with a *notification distance* of 10 metres for every one metre in height from the base of the structure for a *freestanding antenna system*
- ii. The *proponent* will provide written notice, sent by regular mail or hand delivered, to all *neighbouring land-use jurisdictions, emergency service providers and school districts* with a *notification distance* of 1000 metres from the base of the structure.
- iii. The *proponent* will provide notice to ISED's regional office.
- iv. The *proponent* will provide written notification to Community Associations identified at the site investigation meeting.
- v. The proponent will place notice of the *telecommunication antenna system* proposal in at least two editions of a local newspaper.
- vi. Where a public information meeting is to be held for a proposed *telecommunication antenna system*, a notice of the meeting shall be placed in at least two editions of a local newspaper and the proponent will provide written notice of the meeting sent by regular mail or hand delivered, to all property owners, *land-use jurisdictions, emergency service providers and school districts* with a *notification distance* of 10 metres for every one metre in height for a *freestanding antenna system* and for a *building/structure-mounted antenna system*.

b) *Notice Content Requirements*¹⁰

¹⁰ These requirements are those of Appendix 1 of the CPC as well as additional requirements suitable for the Islands Trust.

The *proponent* shall include at a minimum the following information in any mailed or otherwise delivered public notice:

- i. The proposed antenna system's purpose, the reasons why existing antenna systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal;
- ii. Information on the location within the community, the geographic coordinates and the specific property or rooftop, height, type, design and colour of the proposed telecommunication antenna system, including a copy of the site plan submitted with the application;
- iii. Description of the antenna that may be mounted on the supporting structure and simulated images of the proposal;
- iv. Identification of areas accessible to the general public and the access/demarcation measures to control public access;
- v. An attestation that the general public will be protected in compliance with Health Canada's Safety Code 6 including combined effects within the local radio environment at all times;
- vi. An attestation that the installation will respect good engineering practices including structural adequacy;
- vii. Transport Canada's aeronautical obstruction marking requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available;
- viii. Information on the environmental status of the project, including any requirements under the Canadian Environmental Assessment Act, 2012;
- ix. Clear information on the role of ISED as the sole approving authority for the siting of telecommunication Antenna system and that the LTA only provides a statement of siting concurrence/non-concurrence at the request of the proponent;
- x. Notice that general information relating to antenna systems is available on ISED Canada's Spectrum Management and Telecommunications website (<http://www.ic.gc.ca/towers>);
- xi. Reference to any applicable local land-use requirements such as local processes, protocols, etc.;
- xii. Information that comments and responses should be directed to the proponent and that all submissions received by the proponent will be forwarded to the LTA for their records;
- xiii. Information that citizens may request their name and contact information be kept confidential within the published records;

- xiv. The name and contact information of a contact person for the *proponent*;
- xv. The name and contact information of ISED;
- xvi. The name and contact information of the LTAs planner;
- xvii. An attestation that the *telecommunication antenna system* will respect Health Canada's *Safety Code 6* which sets safe radiofrequency emission levels for these devices; and
- xviii. The date, time and location of the public information meeting where required.
- xix. closing date for submission of written public comments (not less than 30 days from receipt of notification).
- xx. The notification shall be sent in an envelope addressed to the "Occupant" and/or "Tenants" and shall clearly show in bold type on the face of the envelope the statement: "NOTICE FOR RESIDENTS: NEW PROPOSED CELL TOWER - INFORMATION IS ENCLOSED."

5. *Public Information Session*

The LTA requests the *proponent* chair a public information meeting for all proposed *telecommunication Antenna system* exceeding 15 metres in height **or where there is significant public interest in the new free standing proposed telecommunication antenna system**. The type of public meeting to be conducted is up to the discretion of the proponent, however:

- an appropriate date, time and location for the public information meeting will be determined in consultation with the LTA's Island Planner;
- the *proponent* will make available at the public information meeting an appropriate visual display of the proposal, including a copy of the site plan submitted with the application and an aerial photograph of the proposed site;
- all information and materials presented should consist of *localized content*;
- the *proponent* shall not schedule a public information meeting less than seven day prior to the close of the public consultation period; and
- the *proponent* may request LTA staff attendance and participation in the meeting.

6. *Online Community Engagement*

- A proponent may augment the public information session with an online forum to allow information sharing and feedback from people who may not be able to attend a public forum

Table A: Consultation and Information –Process Steps and Requirements: ISED & Augmentation		
Step	Default ISED Requirement	LTA Augmentation
Pre-consultation		
Informal meetings	None	Yes
Information about exempt antenna systems	None	Yes
Notification	None	Yes
Site investigation meeting	None	In some cases
Confirmation of LTA preferences and requirements	None	Yes
Application		
Initial application proposal	None	Yes
Submission Prior to Notification –for staff review and approval	None	○ Draft of all public notices ○ Address list and map of all property owners and residents to be notified ○ Draft of newspaper ads ○ Copy of written notice referencing emergency services providers referral comments
Public Consultation		
Written notice	Property owners within 3 X tower height prescribed distance	○ Include property owners and all residents, including seasonal residents
	Neighbouring land use jurisdictions, emergency service providers, and school districts within 3 X tower or building/ structure height	○ Community associations
Newspaper notice	Notice regarding proposal in one edition of a local newspaper	○ Proposal and information meeting ○ Optional community workshop ○ Two editions of local newspaper ○ Website and/or social media notification ○ Optional online forum
Notice content	12 points of the CPC Appendix 1 ‘Public Notification Package’	○ Site plan ○ Statement on respective roles of ISED and LTA
Public information session	None	○ For all proposals exceeding 15 m in height or where there is significant public interest

7. **Step 4: Request for Concurrence**

a) *Submission to the LTA: Request for Concurrence*

Prior to submitting a formal request for siting concurrence, the proponent must include the following information to the LTA:

- i. A summary of and a copy of all public submissions and responses, as well as the proponent's response to public submissions as outlined in ISED's *Radiocommunication and Broadcasting Antenna Systems Client Procedures Circular* (CPC-2-0-03);
- ii. A letter outlining any NAV Canada and Transport Canada requirements for lighting and painting on the proposed *telecommunication antenna system*;
- iii. A copy of all plans and studies (i.e. Environmental Review) required for the construction of the proposed *telecommunication antenna system*;
- iv. A package summarizing the results of the public information meeting containing at a minimum, the following:
 - The time, date, location and number of people in attendance of any public information meeting held;
 - A List of attendees, including names, addresses and phone numbers (where provided voluntarily);
 - Copies of all letters and other written communications received; and
 - A letter outlining how all the concerns and issues raised by the public were addressed.

b) *Statement of Concurrence or Non-concurrence*

Commentary

The purpose of this protocol is to provide the LTC with consistent procedures and information with which to evaluate the siting of a telecommunication antenna system. Following the commencement of the consultation period, the proponent may request a statement of concurrence from the LTC. Once a request is received, Islands Trust staff will prepare a report with a recommendation to the LTC. The staff report will include information on the proposed telecommunication antenna system, a site plan, the location of the proposal, an overview of the application and all public consultation materials submitted by the proponent for the Committee's review. It is the discretion of the LTC to provide a statement of siting concurrence or non-concurrence or- The proponent can ask for a decision from the LTC. If nothing is forthcoming, after a certain amount of time, they can ask ISED what to do next. Should a proposal ever go to impasse (rare), ISED will look at the default process as a minimum and also consider the LTC's protocol. In reaching a decision

the ISED will consider such questions as 'Did the proponent address all requirements?', 'Did the proponent adequately address all reasonable and relevant concerns?' and 'Can the proponent argue that the LTC's process was overly onerous and unrealistic?'

The statement of concurrence or non-concurrence shall occur within 120 days of acceptance of a complete application, unless otherwise agreed to by the proponent and ISED.

c) Duration of Concurrence

- i. Concurrence remains in effect for a maximum period of 3 years from the date it was issued by the LTC. If construction has not commenced within this time period, the concurrence expires and a new submission and review process, including public consultation as applicable, is necessary prior to any construction activity.
- ii. Request notification of intent to construct 60 days prior commencement of construction activity (OR, building permit).
- iii. Once concurrence has been issued, it may be transferred from the original proponent to another proponent without the need for further consultation provided that:
 - All information gathered by the original *proponent* is transferred to the new *proponent*;
 - The structure and *antenna system* for which the concurrence was issued to the original *proponent* is what the new *proponent* builds, and
 - Construction of the structure is begun within the duration of the concurrence period.

d) Letter of Undertaking

The Proponent may be required by the LTC to provide a Letter of Undertaking which may include the following requirements:

- i. posting of a security for the construction of any proposed fencing, screening or landscaping or
- ii. building permit requirements determined by the regulations of the _____Regional District.

H. Terms of Use of This Policy

The LTA is not in any way bound by this policy and is free to apply, or not apply, any evaluation criterion it deems appropriate in its consideration of applications.

4 LAND USE SITING CRITERIA

4.1 Introduction

Antenna systems should be sited and designed to respect local sensitivities and preferences as identified by the LTA, including making efforts to being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate.

Commentary

An outright ban on any type of antenna system is not defensible and may ultimately not be in the LTA's best interest as the ISED has the ultimate approval authority; better to have a progressive policy that recognizes telecommunication antenna systems need to go "somewhere" and use siting criteria to help proponents find the "least worst" spot. Siting criteria puts the LTA in a position of having some control, rather than being ultimately powerless.

These criteria address co-location, re-use, use of existing infrastructure, and new *antenna systems*.

Consideration is requested in the following order of priority:

1. **Co-location** on an existing Antenna System
2. **Re-use** of an existing telecommunication facility
3. Use of **existing infrastructure** such as a building rooftop or utility pole
4. **Stealth design** of a new antenna system
5. **New antenna system** structure

The proponent should review the guidelines identified below as early as possible and should attempt to resolve any outstanding issues prior to submitting its *antenna system* siting proposal and undertaking the public consultation, where required by the LTC. Because expressed preferences may be location or site specific, the proponent is encouraged to discuss the guidelines fully with Islands Trust planning staff during a preliminary meeting.

Proponents are also required to obtain all applicable building permits for additions and/or modifications to existing buildings. `

4.2 Criteria

Before submitting a proposal for an *antenna system* on a new site, the *proponent* must explore the following options:

- consider *co-location* by sharing an existing *antenna system*;
- explore modifying or replacing a structure if necessary; and
- locate, analyze and attempt to use any feasible **existing infrastructure**, including (but not limited to) rooftops, water towers, utility poles or light standards; and

- explore the feasibility of designing a new antenna system where the visibility of the equipment is minimized from street level, including shrouding or stealth design.

Where *co-location*, re-use, modification, use of existing infrastructure, or a *stealth design* of a new structure is not feasible, a new *antenna system* should be designed with *co-location* capacity, including in *residential areas* when identified as the LTA's preference.

The LTA recognizes that the objective of promoting *co-location* and the objective of making *antenna systems* less noticeable may sometimes come into conflict. Nevertheless, the LTA intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them. The *proponent* should, in all cases, verify the LTA's site-specific criteria preferences during the pre-submission consultation process before investing in a final design or site.

A. Preferred locations

When new *Antenna systems* must be constructed, ***where technically feasible***, the following locations are preferred:

1. Buildings & Infrastructure

- Existing buildings and/or structure mounted *antenna systems*
- Areas that can access fiber optic networks to allow for backhauling into the fiber optic network

2. Land Use Preferences

- Industrial use land
- Agricultural use land
- Highway or service commercial use land (excluding mixed residential use)
- Land owned by the Islands Trust or another government entity
- Utility institutional use land were appropriate, but not limited to those institutions that require telecommunications technology, emergency services, hospitals, colleges
- BC Hydro utility corridor rights of way
- Low density *residential areas* as defined by the Local Trust Area

B. Distance Considerations

- Distance of new free-standing towers from existing residential use property lines shall be at least one (1) times the height of the proposed tower

- Notwithstanding the distance of one (1) times the height of a proposed tower from residential use property lines, the distance may be increased by up to 25% if it is reasonably anticipated that the tower may be **increased** in height by up to 25% in the future and otherwise be exempt from any public consultation process.
- Notwithstanding the distance of one (1) times the height of a proposed tower from residential property lines, the distance may be **decreased** if the location is consistent with the land use preferences of Article 4.2 A. 2 Preferred Locations and avoids discouraged locations of Article 4.2 C Discouraged Locations.
- Set backs from non-residential uses shall be determined on the basis of the Land Use Bylaw and should serve to separate *Antenna systems* from adjacent development without unduly affecting the development potential of the lot over the lease period

C. *Discouraged Locations*

All Antenna Systems

- Locations directly in front of doors, windows, balconies or residential frontages
- Land zoned for nature protection
- Environmentally sensitive ecosystems as defined in the Official Community Plan

Free-standing Antenna Systems

- Medium and high density *residential areas* as defined by the Local Trust Area
- Schools, daycare facilities, playgrounds and similar facilities
- Areas that adversely impact view corridors
- Heritage areas (unless visibly unobtrusive) or on heritage structures unless it forms an integrated part of the structure's overall design (i.e. through the use of stealth structures).
- Sites of topographical and geographic prominence
- Sites that detrimentally affect the scenic quality of a corridor.
- Sites that detrimentally affect the foreground views of residents;

D. *Incentives*

All or part of the public consultation requirements may be waived for *antenna systems* proposed on sites that are consistent with OCP policy, preferred siting locations, that exceed setback considerations, feature innovative design to a high standard and embrace infrastructure as art, included shrouded or internal antennae, and avoid discouraged locations.

In all cases, however, the *proponent* is required to provide **information** regarding the proposed antenna system in accordance with Section 3.2 E. Notification and Municipal Review of Exempt Antenna system.

E. Criteria not to address

As described in the CPC, *proponents* have specific obligations subject to federal requirements. Additional obligations may not be imposed; however, it is appropriate to ask questions and seek clarification concerning their steps and alternatives available to satisfy these requirements.

Proponents must comply with the following:

- Health Canada’s public radio frequency exposure guidelines – Safety Code 6 (Limits of Human Exposure to Radio Frequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz – Safety Code (2009);
- Radio Frequency Interference and Immunity – EMCAB-2—Criteria for Resolution of Immunity Complaints Involving Fundamental Emissions of Radiocommunications Transmitters;
- Canadian Environmental Assessment Act, 2012 –CEAA 2012; and
- Aeronautical Safety.–Transport Canada and NAV CANADA requirements for aeronautical safety.

5 MODEL OFFICIAL COMMUNITY PLAN POLICIES

5.1 Advocacy Policies

1. Health Canada should continue to evaluate health impacts of electromagnetic radiofrequencies from telecommunication facilities, including towers, to ensure that detrimental effects on human health do not occur.
2. Support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that such is in compliance *with the Canadian Environmental Assessment Act (CEAA), and the Safety Code 6 of the Health Act*.
3. Support multi-Island public organizations such the Southern Gulf Islands Economic Sustainability Commission in its objective of improving the telecommunications services in the Gulf Islands.
4. Endorse the Canadian Radio and Television Commission policy statement on high speed broadband, especially by cable, as a basic service.
5. Encourage telecommunication providers to retain and increase the number of pay telephones in areas with poor cell coverage as an emergency back-up.
6. Encourage telecommunication providers to re-assess its fibre optic cable within the Local Trust Area (LTA) for public and institutional access and to allow third party access.
7. Promote the role of public and private wireless “hot spot” providers in improving connectivity.
9. Establish a fee schedule to recover reasonable staff and process expenditures to recover costs from telecommunication *proponents* with consideration given to the costs to Islands Trust to evaluate and process proposals.

5.2 Land Use Policy

A. Siting Objectives

1. Antenna Systems should be sited and designed to respect local sensitivities and preferences as identified by the LTA, including being unobtrusive and inconspicuous, minimizing visual impact, avoiding disturbance to natural features and reduce the need for future facilities in the same area, where appropriate.
2. Where *antenna systems* are proposed consideration is requested in the following order of priority:
 - a) **co-location** on an existing antenna system;
 - b) **re-use** of an existing telecommunication facility;

Model Strategy for Antenna Systems—Local Planning Committee

- c) use of **existing infrastructure** such as a building rooftop or utility pole;
 - d) *stealth design* of a new antenna system; and
 - e) **new** antenna system structure.
3. Where *co-location*, re-use, modification, or use of existing infrastructure is not feasible, a new *antenna system* should be designed with *co-location* capacity, including in *residential areas* when identified as the LTA's preference.
 4. The LTA recognizes that the objective of promoting *co-location* and the objective of making *Antenna systems* less noticeable may sometimes come into conflict. Nevertheless, the LTA intends to review each submission on its merits with a view to promoting both objectives and, where necessary, will determine the appropriate balance between them.

B. Land Use Preferences

1. When new *antenna systems* must be constructed; **where technically feasible**, and such systems are not of *stealth design* or otherwise exempt from public consultation, they should be sited in the following land use categories:
 - industrial use land;
 - highway or service commercial use land (excluding mixed residential use);
 - utility institutional use land is appropriate, but not limited to those institutions that require telecommunications technology, emergency services, hospitals, colleges;
 - BC Hydro utility corridor rights of way;
 - low density *residential areas*; and
 - agricultural use land.
2. In all land use designations, the following building and infrastructure considerations are preferred:
 - use of existing buildings and/or structure mounted *antenna systems*; and
 - siting in areas that can access fiber optic networks to allow for backhauling into the fiber optic network.

C. Setback Considerations

1. Preferred *setbacks* between antenna systems and lot lines should be at least 1 (one) times the height of the free-standing tower; the Local Trust Area may choose to adjust this preferred setback to reflect local conditions and preferences.
2. Notwithstanding a preferred *setback* distance of a proposed tower from residential uses, the setback distance may be **decreased** if the location is consistent with the land use

preferences of Article 5.2 B. 2 Land Use Preferences and avoids *discouraged locations of Article 5.2 D Discouraged Locations*.

3. Setbacks from non-residential uses may be determined on a case by case basis and should serve to separate *antenna systems* from adjacent development without unduly affecting the development potential of the lot over the lease period.

D. Discouraged Locations

1. Land use

- Medium and high density *residential areas*
- Schools, daycare facilities, playgrounds and similar facilities
- Areas that adversely impact view corridors
- Heritage areas (unless visibly unobtrusive) or on heritage structures unless it forms an integrated part of the structure's overall design (i.e. through the use of stealth structures).
- Nature protection areas
- Environmentally sensitive ecosystems

2. Other considerations, irrespective of land use designation

- Locations directly in front of doors, windows, balconies or residential frontages
- Community gathering places such as community halls, churches, commercial eating & drinking establishments
- Sites of topographical and geographic prominence

6 ON-LINE BROCHURE ON THE DEFAULT ISED PUBLIC CONSULTATION & APPROVAL PROCESS AND THE ROLE OF ISLANDS TRUST

Decisions to approve and license the location of *telecommunication Antenna system* is made only by Innovation, Science and Economic Development ISED Canada. The role of the Local Trust Committee (LTC) is to issue a statement of concurrence, concurrence with conditions, or non-concurrence to the *proponent* and ISED. The statement will consider the *proponent's* adherence to the ISED's Default Public Consultation Protocol. The LTC also helps guide and facilitate the siting process by advising *proponents* of particular sensitivities, community amenities, planning priorities, other relevant concerns and community consultation expectations.

The Default Public Consultation Protocol is summarized in the following five steps.

1. **Share:** *proponents* must ask 'is the new tower necessary?' ISED rules require *proponents* to share towers, whenever possible, instead of building new ones.
2. **Propose:** *proponents* must submit a plan to the Local Trust Area (LTA).
3. **Notify:** once a *proponent* has a plan, it must notify local public—including residents, community gathering areas, local businesses, and public institutions—neighbouring land use authorities, and First Nations of the upcoming consultation. In areas of **seasonal residence**, the *proponent* must work with the LTA to determine the best manner to notify such residents to ensure their engagement. In addition, for *antenna system* of 30 metres or greater in height, notice must be placed in a local community newspaper circulating in the proposed area.
4. **Consult:** the *proponent* must consider the community's views; relevant concerns to address may include, for example:
 - Why is the use of an existing antenna system or structure not possible?
 - How is the proponent trying to integrate the antenna into the local surroundings?
 - Why is the use of an existing antenna system or structure not possible?
 - How is the *proponent* trying to integrate the antenna into the local surroundings?
 - What options are available to satisfy aeronautical obstruction making requirements at this site?
 - What are the steps the *proponent* is taking to ensure compliance with the general requirements of the *Innovation Science Economic Development Canada's Client Procedures CPC 2-o-03*, the *Canadian environmental Assessment Act* (CEAA), and *Safety Code 6 of the Health Act*?

Concerns that are **not relevant** include disputes with members of the public relating to the *proponent's* service, but unrelated to antenna installations; potential effects that a proposed antenna system will have on property values or municipal taxes; questions whether the *Radiocommunication Act*, the Default Public Consultation Protocol, *Safety Code 6*, locally established bylaws, other legislation, procedures or processes are valid or should be reformed in some manner.

Proponents must address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. The *proponent* may respond to a party via telephone, engaging in a community meeting or having an informal personal discussion.

Statement of Concurrence or non-concurrence should be made within 120 days of formal notification of a proposed antenna system.

5. **Build:** installation or modification of an antenna system may only be commenced after the consultation process has been completed by the land-use authority, or ISED confirms concurrence of the consultation portion of the default process, and after all other process requirements have been met by the *proponent*. A tower must be built within three years.

7 DEFINITIONS

Antenna system (also telecommunication antenna system) means an exterior transmitting device – or group of devices – used to receive and/or transmit radio-frequency (RF) signals, microwave signals, or other federally-licensed communications energy transmitted from, or to be received by, other antennas. *antenna system* includes the antenna, and may include a supporting tower, mast or other supporting structure, and an equipment shelter. This *protocol* refers to the following three types of *telecommunication antenna system*, defined below;

Building/structure-mounted antenna system means a *telecommunication antenna system* mounted on an existing structure or building and for the purposes of height calculations, height shall be measured from the base of any building or structure to the most elevated portion of any antenna system.

Freestanding antenna system means a structure built from the ground for the expressed purpose of hosting transmitting devices; and

Tree-mounted antenna system: means an antenna system mounted on a tree.

Co-location means the placement of antennas and equipment operated by one or more *proponents* on a *telecommunication antenna system* owned by a different party, thereby creating a shared facility;

Community association means an active area or neighbourhood specific group or association within a LTA;

Distance the horizontal distance measured from the lot line to the base of a proposed freestanding antenna system or the base of any building or structure to which an antenna system is mounted to a structure, building, or facility.

Emergency service providers means any police, fire, ambulance or search and rescue organization with a typical response area within the *notification distance* of a proposed *telecommunication antenna system*;

Localized content means any public consultation materials, supporting documentation and/or other relevant promotional material provided by a *proponent* for a proposed *telecommunication antenna system* which has been tailored specifically to the context of the LTA;

Neighbouring land-use jurisdiction means any land-use authority or First Nations within a *Prescribed Notification Distance* of any proposed *telecommunication antenna system*;

Prescribed notification distance: measured horizontally from the outside perimeter of the supporting structure of the proposed *freestanding* or *building/structure-mounted antenna system*. The outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower;

Proponent: means a company or organization, including contractors or agents undertaking work for telecommunication carriers, for the purpose of providing commercial telecommunication services;

Protocol: means any written local guideline, policy or process that addresses the issue of antenna placement;

Residential area: means lands used or zoned to permit residential uses, including mixed uses (i.e. where commercial use is permitted with residential use on the same lot).

School District: means an area created or constituted as a school district under the *School Act*;

Sensitive community locations: means institutions and services, such as schools, daycares, recreation facilities, public parks, or other sensitive locations;

Stealth design: means a design of an antenna system that camouflages the antenna and supporting structure as something else such as a tree, water tower, flag pole, component of a building, or similar means.

Telecommunications antenna system: see antenna system definition.

8 APPENDIX: ANTENNA DESIGN MATRIX

Telecommunication Design

Typical Towers Designs

Guyed



Self-Supporting



Monopole



Height	30-120 m	45-60 m	14.9-45 m
Application	Rural	Rural/Suburbs/City	Rural/Suburbs/City
Compound Footprint	100m x 100m (H x 0.8 x 2)	Min. 20m x 20m	10m x 10m
Tower Diameter	Base of Pole min. 1m	Base min 10% height (H x .1 = face width)	Base footprint dependent on loading, geotechnical, environmental

Monopole Tower Designs

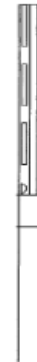
Monopole 1
(pin wheel)



Monopole 2
(flush mount)



Monopole 3
(shrouded)



Pin wheel allows tower to accommodate a larger number of antennas for futures &/or other carriers.	Flush mounted antennas minimize overall massing of the tower, but limit opportunity for future antennas, or space for other carriers	Antennas fully hidden, but diameter of the pole is wider to accommodate microwave. Can be slimmer if there is fibre to site. *Note: shrouded design does not currently support AIR antenna w. integrated RRU's
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Telecommunication Design

Tripole Tower Designs

Standard Tripole



Clock Tower design

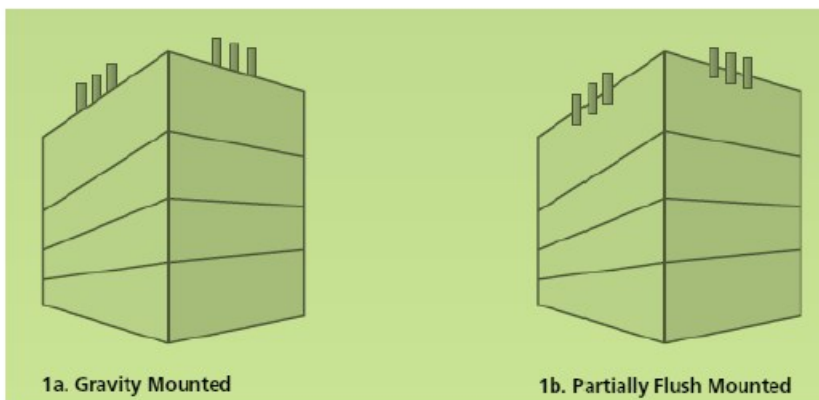


Church Cross design



Height	14.9m-60m
Application	Rural/Suburbs/City
Compound Footprint	Medium footprint 20m x 20m
Tower Diameter	* Note: Base footprint dependent on loading, geotechnical, environmental

Rooftop antennas



Telecommunication Design

Utility Poles



Light Standards



REQUEST FOR DECISION

To: Local Planning Committee **For the Meeting of:** February 15, 2018

From: Justine Starke, Island Planner
Local Planning Services **Date Prepared:** February 9, 2018

SUBJECT: Project Charter – Coastal Douglas Fir Ecosystem Protection

RECOMMENDATION:

THAT Local Planning Committee endorse the Project Charter dated February 6, 2018 for a Coastal Douglas Fir Ecosystem Protection Tool Kit.

THAT Local Planning Committee direct staff to prepare a Request for Proposals or contract for a consultant to prepare a Coastal Douglas Fir Ecosystem Protection Tool Kit.

DIRECTOR LOCAL PLANNING SERVICES COMMENTS:

To be provided verbally.

1 PURPOSE:

The purpose of this report is to seek direction from Local Planning Committee on the attached project charter which proposes development of a tool kit for the protection of Coastal Douglas-fir and associated ecosystems.

2 BACKGROUND:

About 25% of the Coastal Douglas-fir biogeoclimatic zone (CDF Zone) lies within the boundaries of the Islands Trust Area. It is the smallest and most at risk zone in British Columbia and is home to the highest number of species and ecosystems at risk in British Columbia. Less than 1% of the CDF zone remains in old growth forests, and 49% of the land has been forever altered by human activity¹. The Islands Trust Area is subject to incremental suburbanization and fragmentation of intact forest ecosystems. This trend will continue under current zoning and regulations.

The Trust Council, Trust Fund Board and several local trust committees have signed the statement of cooperation for the Coast Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP). The CDFCP has developed a [conservation strategy](http://www.cdfcp.ca/index.php/about-the-cdfcp/conservation-strategy) that sets a 30 year vision for the CDF zone and identifies five primary goals:

1. Provide sound science
2. Conduct education and outreach
3. Cultivate effective partnerships
4. Facilitate securement of additional protected ecosystems

¹ Coast Douglas-fir and associated Ecosystems Conservation Partnership (CDFCP), 2015. <http://www.cdfcp.ca/index.php/about-the-cdfcp/conservation-strategy>

5. Support active ecosystem management

Islands Trust has a role and mandate to protect the CDF zone and to collaborate with the CDFCP to help advance their goals. Trust Fund Board has contributed to the strategy and Islands Trust Fund staff participate on the CDFCP Steering Committee, but given that 80% of the CDF zone is privately owned, there is also a role for land use planning and for local trust committees to take leadership in protecting the rare and threatened CDF zone.

On November 9, 2017, Local Planning Committee moved Coastal Douglas-fir and associated ecosystems as a top priority.

Trust Council's 2018-19 draft budget proposes \$25 000 for Local Planning Committee to pursue work on Coastal Douglas-fir and associated ecosystems protection in accordance with the Trust Council Strategic Plan (2015-18). Trust Council Strategic Plan (2015-18) has strategic direction for Local Planning Committee and Local Trust Committees to:

- L.1.6.1 Amend land use bylaws to improve protection of high biodiversity areas (LTCs)
- T.1.7.1 Develop a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems (LPC).
- L.1.7.1 Use land use planning tools to protect Coastal Douglas-fir and associated ecosystems through land use planning (LTCs).

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This project will require coordination between Trust Area Services (Islands Trust Fund) and Local Planning Services and will include collaboration with the Coast Douglas-fir and associated Ecosystems Conservation Partnership (CDFCP).

FINANCIAL: This project has projected budget of \$25 000 in the Trust Council budget proposal for 2018-19.

POLICY: No implications for existing policy.

IMPLEMENTATION/COMMUNICATIONS: Communication will be by regular updates to Trust Council from the Local Planning Committee.

FIRST NATIONS: The Coastal Douglas-fir biogeoclimatic zone includes overlapping First Nation's land. Trust Council work to advance protection of the Coastal Douglas-fir and associated ecosystems may be of interest to First Nations. Future implementation of this work could involve Official Community Plan and Land Use Bylaw amendments which would be subject to First Nations referrals. There may be opportunities to collaborate with the Islands Trust Fund in their communications with First Nations regarding adoption of the Regional Conservation Plan.

RELEVANT POLICY(S): Trust Council Policy 2.3.ii – Local Planning Committee Terms of Reference

4 ATTACHMENT(S):

1. Project Charter dated February 6, 2018.
2. Map 1: Priority Lands for Conservation in the Islands Trust Area – South
3. Map 2: Priority Lands for Conservation in the Islands Trust Area – North

RESPONSE OPTIONS

Recommendation:

THAT Local Planning Committee endorse the Project Charter dated February 6, 2018, for a Coastal Douglas-fir Ecosystem Protection Tool Kit.

THAT Local Planning Committee direct staff to prepare a Request for Proposals or contract for a consultant to prepare a Coastal Douglas Fir Ecosystem Protection Tool Kit.

Alternative:

THAT Local Planning Committee amend the Project Charter dated February 6, 2018, as follows . . .

THAT Local Planning Committee direct staff to prepare a Coastal Douglas Fir Ecosystem Protection Tool Kit.

Prepared By: Justine Starke, Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services / February 9, 2018

Purpose To develop a tool kit for Trust Council and Local Trust Committees to advance protection of the Coast Douglas-fir and associated ecosystems through land use planning and conservation measures.

Background About 25% of the Coastal Douglas-fir biogeoclimatic zone (CDF Zone) lies within the boundaries of the Islands Trust Area. It is the smallest and most at risk zone in British Columbia and is home to the highest number of species and ecosystems at risk in British Columbia. Trust Council's 2015-18 Strategic Plan prioritizes the creation of a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems. Less than 1% of the CDF zone remains in old growth forests, and 49% of the land has been forever altered by human activity. The Islands Trust Area is subject to incremental suburbanization and fragmentation of intact forest ecosystems. Local trust committees can take leadership is using land use regulations to protect the 80% of the CDF zone that occurs on privately owned land within Islands Trust.

Objectives

- To provide information to LTCs on the scope of authority available to protect the CDF zone.
- To collaborate with Islands Trust Fund and the Coast Douglas-fir and associated Ecosystems Conservation Partnership (CDFCP) to ensure an integrated approach and to avoid duplication of effort.
- To present a Trust Area tool kit for protection of the CDF Zone using land use and conservation tools.

In Scope

- Legal review of LTC land use planning authorities in relation to profit a prendre.
- Contractor/consultant development of Trust Area tool kit.
- Consideration of land use and conservation tools.
- Analysis of significance of CDF zone throughout the Trust Area.
- Recommendations regarding First Nation's interests.
- Mapping of CDF zone for regulatory/conservation purposes.
- Collaboration with ITF/Mapping/CDFCP

Out of Scope

- Public consultation
- Formal First Nations consultation
- Model Bylaws

Work Plan Overview

Deliverable/Milestone	Date
Legal Opinion on LTC authority versus profit a prendre as it relates specifically to the CDF Zone.	April 15 2018
RFP or Direct Award Service Contract with Consultant to develop Tool Kit.	May 15 2018
Mapping of CDF zone in each LTA.	July 2018
Draft Tool Kit	August 2018
Final Tool Kit with Implementation Plan	October 2018

Project Team

Island Planner	Project Manager
LPS Director	Supervisor
ITF Ecosystem Protection Specialist	Project Advisor
IT GIS	Mapping
Contract Planner	Tool Kit drafting

DLPS Approval:

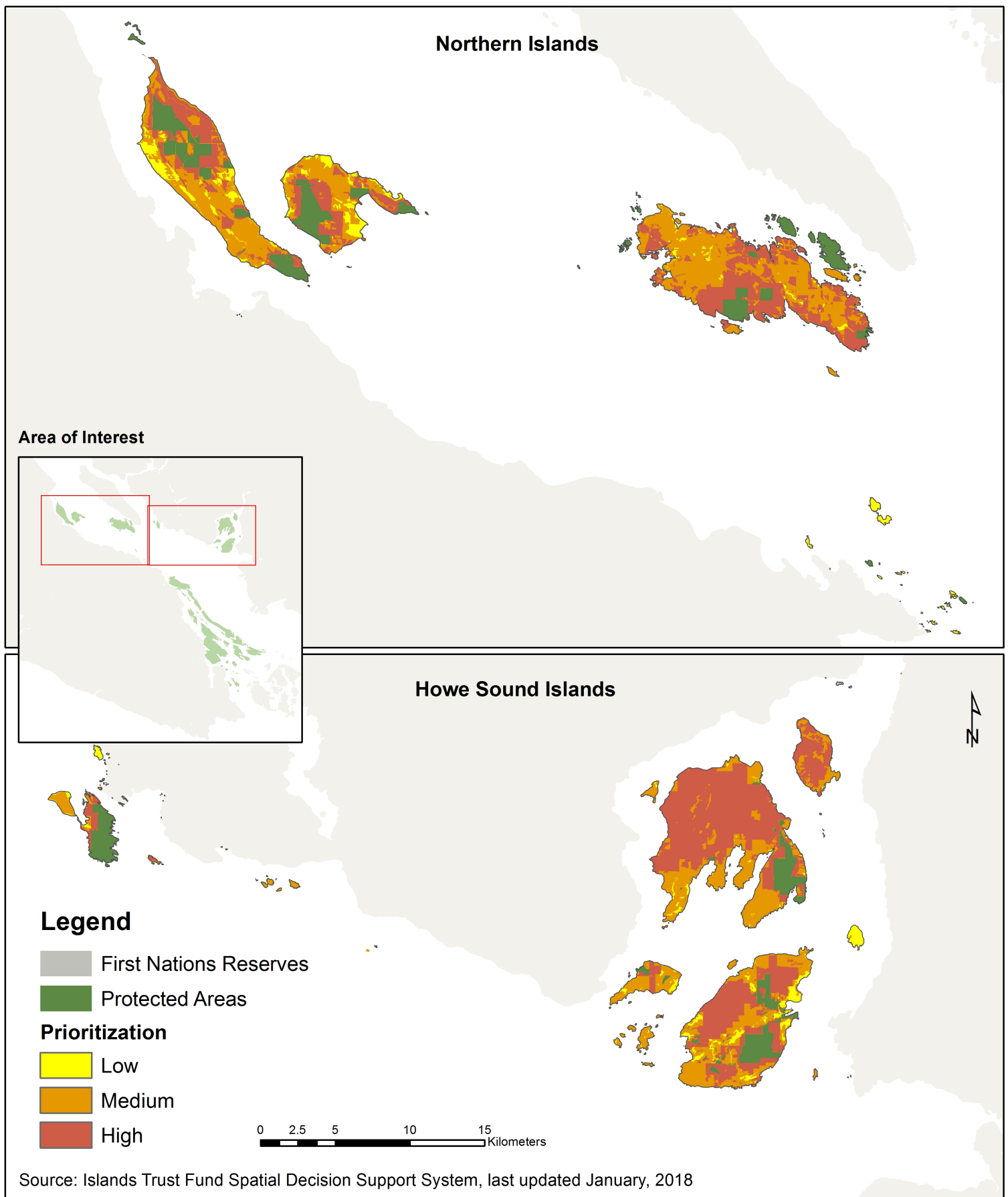
David Marlor

Date:

LPC Endorsement:

Budget: Trust Council 2018-19 Fiscal

Item	Cost
Legal	\$2 000
Contract for Tool Kit	\$10 000
Mapping support/data	\$5 000
Printing	\$1 000
Implementation (communications)	\$5 000
Contingency	\$ 2 000
Total (out of pocket):	\$25,000.00 55



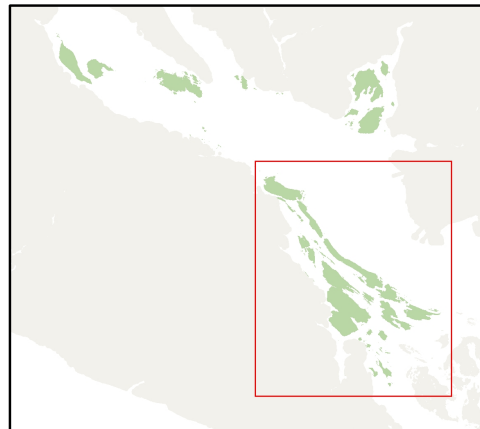
Priority Lands for Conservation in the Islands Trust Area

Biodiversity on small islands and islets may be of higher value than indicated due to challenges with connectivity and contiguity analyses where no protected areas exist. When considering conservation value of smaller islands and islets, please refer to Islands Trust Fund Biodiversity Composition analysis from the Islands Trust Fund Spatial Decision Support System.



Southern Islands

Area of Interest



Legend

First Nations Reserves

Protected Areas

Prioritization

Low

Medium

High

0 2.5 5 10 15 Kilometers

Source: Islands Trust Fund Spatial Decision Support System, last updated January, 2018

Priority Lands for Conservation in the Islands Trust Area

Biodiversity on small islands and islets may be of higher value than indicated due to challenges with connectivity and contiguity analyses where no protected areas exist. When considering conservation value of smaller islands and islets, please refer to Islands Trust Fund Biodiversity Composition analysis from the Islands Trust Fund Spatial Decision Support System.



To:	Local Planning Committee	For the Meeting of:	February 15, 2018
From:	David Marlor, DLPS	Date Prepared:	January 30, 2018
SUBJECT:	Update on Housing Agreement Administration Program		

PURPOSE

This briefing is intended to inform the Local Planning Committee of the proposed new program and procedures for administering Local Trust Committee Housing Agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

Issues with the current system for administering Housing Agreements, as well as potential solutions, were determined through consultation with Islands Trust planners, neighbouring municipalities, and community partners who currently hold LTC Housing Agreements. The two main areas of focus for improvement are: planner time spent creating the agreement and ongoing administration and monitoring.

1. Applicant Information

In recognition of the fact that most Housing Agreements are made with community organizations, thought was given to making the process easier to follow, with clear guidelines and expectations. The following documents have been created as an “applicant package”:

Application guide – this outlines the purpose, steps, and potential costs of a housing agreement, and provides references and useful contact information.

Housing Agreement Templates – these are considered “standard wording” for all future agreements, and applicants will be required to fill in specific information.

Information Brochure – this will be completed in February, and provides basic information geared towards prospective renters and leaseholders.

Roles and Responsibilities Checklist – not a legal document, but a useful guide for the applicant, LTC, and any other involved partners (such as BC Housing, CRD, CMHC etc.) to determine roles in administration of the agreement.

Updated website – existing housing agreements have been posted to the applicable Administrative Bylaws page (by island). The application guide and brochure will be made available on the Trust Council Housing Projects page once complete.

2. Planner Information

A major concern for planners is the number of hours that go into drafting a housing agreement. Some planners have dealt with multiple housing agreements, whereas for others they are much less common, meaning that information sharing between offices is vital. The new electronic file structure means that all housing agreement documents will be saved in one place. The following can be “living documents” added to by planners overtime.

Guide for planners – this detailed guide explains the housing agreement process, and provides tips and resources. This includes information regarding third-party agreements.

Monitoring and Enforcement Guide – any possible infractions will be referred to planners, to work in conjunction with the LTC. This guide outlines the steps and available courses of action.

3. Staff information – Annual Monitoring

Administrative staff are not expected to know details of each housing agreement, but will carry out the important task of annual monitoring.

Annual Monitoring Procedure – this procedure, for the legislative clerks at each office, outlines the steps for annual monitoring.

Annual Monitoring Letter Template

Housing Agreement Master List – a spreadsheet containing pertinent information regarding individual agreements, including monitoring information

Next Steps

These documents will go to the planners for review and comment before final edits are completed and approved. Once the drafts are completed, the application information will be posted to the website, final documents will be saved in the directory, and the project will be considered complete.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/

Attachments: *Note – these documents are in draft stages.*

Housing Agreement Application Guide
Housing Agreement Template (Rentals)
Roles and Responsibilities Checklist
Guide for Planners
Monitoring and Enforcement Guide
Annual Monitoring Procedure



Islands Trust

Housing Agreement Application Guide

Introduction

Housing agreements are a tool to encourage and enforce affordable housing developments. This guide has been designed to explain the Islands Trust role in a Housing Agreement, as well as the application process. Information may also be useful for potential tenants or owners interested in learning more about the agreement on the property.

What is a Housing Agreement?

The primary purpose of a Housing Agreement is to ensure affordability for current and future renters and owners. The property may be a single home, or multiple rental or strata units. While terms and conditions of the agreement vary between properties, a housing agreement usually serves to limit rental rates or sale prices, and may also stipulate who may reside at, or purchase, the property. Terms of the agreement may also include administrative requirements, property management, and an allowance for monitoring to ensure compliance. Specific terms, such as rental amounts and other charges, are determined individually at the time the Housing Agreement is drafted, with allowable increases. These may be specific rental amounts, rent geared to income, or another amount based on local statistics.

A Housing Agreement is a document, registered on the property title, signed by both the owner/society and the Islands Trust that stipulates certain terms. The Local Trust Committee passes a bylaw to enter into this agreement. By registering it on the title of the property, as a covenant, all potential future owners will be alerted to the fact that the agreement exists. The agreement is enforceable by the Local Trust Committee (see details on enforcement below).

Preliminary process

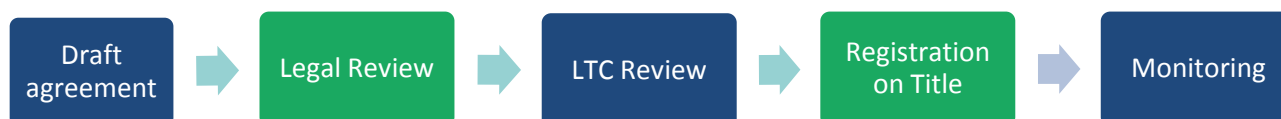
Before starting an application for a housing agreement it is important to understand what affordable housing is, including how it is defined in the Local Trust Area where the property is to be located. The Islands Trust Affordable and Special Needs Housing Guide (<http://www.islandstrust.bc.ca/trust-council/projects/housing/>) provides further information on the application and approval process for a new development. If a development is receiving funding from external agencies, there may be additional requirements that should be included in the housing agreement.

The Islands Trust requests a proposal with a clear outline of the structure and management of the unit(s) before the housing agreement is drafted. You will be required to provide the planner with a detailed proposal for the affordable housing development which includes items such as: proposed rate structure, including calculation of rate increases, and a description of who is considered to be an eligible tenant and how those tenants will be selected. A checklist for this proposal is provided as Appendix 1.

When ready to proceed, an Islands Trust planner will prepare a report for the Local Trust Committee, outlining the basic terms of the housing agreement. The Local Trust Committee must vote to accept the proposal, thus beginning work on the draft.

The Housing Agreement Registration Process

The major stages in the Housing Agreement Process are:



Step 1 — Draft Agreement

When you are ready to begin drafting a housing agreement, a planner will provide you with an agreement template. This document contains the standard terms and wording for Islands Trust housing agreements, and is designed to minimize the need for extensive edits and legal review. Note that the planner will be arranging a cost recovery agreement with you. The following information site-specific information will need to be added to the Housing Agreement:

- **Owner/Society and Site Specific Information** – Follow the template to insert information specific to the owner or management information, as well as site-specifics such as number and type of units etc.
- **Fees and Charges** – Ensure that the housing agreement clearly outlines fees, such as rent amounts, strata or leasehold fees, and additional charges. Include specific information regarding rate increases.
- **Roles and Responsibilities** – The agreement should define the roles and responsibilities of each party, including external funding sources if applicable.
- **Terms and Conditions** – Most of the terms and conditions of the housing agreement template are standard, and should not be edited or removed. Any changes should be directed through the Islands Trust planner.

Step 2 — Legal Review

Once you have entered the information into the housing agreement template it should be sent to the Islands Trust planner for review. The planner will make any suggestions and provide you with an updated copy.

- It is recommended that you obtain your own legal review of the agreement at this point. It is important that your lawyer **track changes** on the document and that all edits are made to one copy of the agreement only.
- After legal review send the document, showing any tracked changes, to the planner. The planner will then send it to the Islands Trust lawyers for review. At any time during this process the planner may refer the agreement to the Local Trust Committee for review and comment.
- Once the Islands Trust legal review is complete the planner will send you information about any further changes, for final approval.

Step 3 — LTC Review

Once the draft agreement is completed the planner will prepare a staff report for the Local Trust Committee. You may be requested to provide additional information. A public hearing is not necessarily required, but may be requested by the Local Trust Committee.

Step 4 — Registration on Title

Upon final approval from the Local Trust Committee, Islands Trust Staff will register the Housing Agreement, and associated covenant, on Title. You will be provided with a signed copy of the agreement, as well as a copy of the covenant and any other associated documents.

Step 5 — Monitoring and Enforcement

As outlined in the housing agreement, the Local Trust Committee will occasionally ask for a completed schedule (form) to ensure compliance with the terms, conditions, and assigned fees. The Islands Trust will also investigate any complaints received about the property, regarding the terms of the Housing Agreement. For example, a higher than agreed rental or sale price. Should the property be found in a state of non-compliance, the Islands Trust will work with the owner and/or society through methods laid out in the agreement to return the property to compliance.

For further information:

This information is intended to provide general guidance only and should not be interpreted as a right to a housing agreement if the steps indicated are followed. For further information, please contact the Islands Trust.

Islands Trust Victoria Office 200-1627 Fort Street Victoria, BC V8R 1H8 Phone: 250.405-5151 Fax: 250.405-5155 Email: information@islandstrust.bc.ca	Islands Trust Northern Office 700 North Road Gabriola Island, BC V0R 1X3 Phone: 250.247.2063 Fax: 250.247.7514 Email: northinfo@islandstrust.bc.ca
Islands Trust Salt Spring Office 700 North Road Gabriola Island, BC V0R 1X3 Phone: 250.247.2063 Fax: 250.247.7514 Email: ssiinfo@islandstrust.bc.ca	

Appendix 1

Housing Agreement Proposal Checklist

Before work begins on a draft housing agreement you must provide the Islands Trust planner with the following information. This information will create the basis for the draft agreement, and will be provided to the Local Trust Committee as they make their decisions whether to proceed with the agreement. Further information may be requested by the Islands Trust and/or Local Trust Committee.

Items to Include:

- Information regarding previous or ongoing development or rezoning applications
 - Details on availability of water/septic etc. may be required
- Number of units
- Proposed rate structure, including calculation of rate increases
- Description of eligible tenants and tenant selection process
- Management plan*
- Funding (including any special conditions of funding such as time limits)

*A management plan indicates who will be running the property in the long-term, whether it be a society, business, or individual. It should also include an estimate of costs associated with ongoing management of the property. It is important to note that a housing agreement will limit the rent or sale prices of each unit, therefore the building must be able to operate within the limits of that income. Operations include, but are not limited to, repairs, insurance, landscaping, general maintenance, employee salaries and reimbursements, and other related expenses.



700 North Road, Gabriola Island, BC V0R 1X3
Telephone **250-247-2063** Fax 250-247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421 Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

Islands Trust Housing Agreement Template

for properties where the housing agreement applies to RENTALS ONLY

This template is designed as a tool to assist in the drafting of Housing Agreements, for properties where the affordable housing units will be **rented**. Separate templates exist for properties that will be leased or sold, or for properties with a combination of rental and owned units.

It is important to note the following:

1. This template contains the standard housing agreement wording accepted by the Islands Trust. Minimal edits should be made. Should more substantial edits be requested the planner must be informed before work begins. A cost recovery agreement may be required to cover extensive changes and review. Extensive revisions to this document will not be accepted.
2. ALL edits and changes must be made using tracked changes.
3. Definitions and wording in this template should be edited as required to reflect the nature of the specific housing agreement. Some clauses may need to be amended, removed, or added to address the specific nature of the property.
4. Fields indicated by square brackets “[]” or “XX” highlight fields where information must be added.
5. Schedules, particularly those intended for annual monitoring, should be finalized in a format where the date and other information such as names and addresses can easily be changed.
6. The draft housing agreement should be sent for legal review by both the owner/applicant and the Islands Trust, before being sent to the Local Trust Committee to be adopted.

XXX ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. XXX

A Bylaw to Authorize a Housing Agreement

WHEREAS the XXX Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the XXX Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS Section 483 of the Local Government Act and Section 29 of the *Islands Trust Act* permit the Local Trust Committee to enter into a housing agreement;

AND WHEREAS the XXX Island Local Trust Committee wishes to enter into a Housing Agreement;

NOW THEREFORE the XXX Island Local Trust Committee enacts in open meeting assembled as follows:

1. This Bylaw may be cited for all purposes as “XXX Island Housing Agreement Bylaw No. XXX, year”.
2. Any one Trustee of the XXX Island Local Trust Committee are authorized to execute an agreement in the form attached to this Bylaw with [owner]

READ A FIRST TIME this X day of month, year

READ A SECOND TIME this X day of month, year

READ A THIRD TIME this X day of month, year

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this

 X day of month, year

ADOPTED this X day of month, year

SECRETARY

CHAIRPERSON

Preserving *Island* communities, culture and environment

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

Housing Agreement and Section 219 Covenant

THIS AGREEMENT DATED FOR REFERENCE THE [day] OF [month], [year] is BETWEEN:

[land owner/community organization,] a society incorporated under the laws of the province of British Columbia and having its office at [address]

(the “owner” or “society”);

AND:

XX ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*, having an office at 2nd Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

(the “Trust Committee”)

WHEREAS:

- A. The owner is the registered owner of the Lands situated at [address] on [Island], British Columbia and legally described as: [Legal description], commonly known as [name of development], (the “Lands”);
- B. The Lands have been rezoned by the [Island] Local Trust Committee by means of [Island] Land Use Bylaw [year] Amendment No. [#] to permit the development of a [development type here];
- C. The Owner intends to rent the units, by way of a rental agreement, at an affordable rate to Qualified Occupants;
- D. The Trust Committee may, pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands;
- E. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Trust Committee in respect of the use of land or construction on land;
- F. The owner and the Trust Committee wish to enter into this Agreement to provide affordable housing on the Lands on the terms and conditions of this Agreement; and
- G. The Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement.

THIS AGREEMENT is evidence that in consideration of [XX] paid by the Trust Committee to the owner (the receipt of which is acknowledged by the owner), and in consideration of the promises exchanged below, the Trust Committee and the owner agree, as covenants granted by the owner to the Trust Committee under Section 219 of the *Land Title Act*, and as a housing agreement between the owner and the Trust Committee under Section 483 of the *Local Government Act*, as follows:

Article 1: Definitions and Interpretation

1.1 Definitions – In this Agreement:

“Acceptable Accommodation” means accommodation that is affordable, suitable and adequate according to family income, size and composition.

“Affordable Housing Unit” means a [insert unit type here (eg. Apartment, sfd, suite etc.)] on the Lands in respect of which the construction, tenure, rental and occupancy are restricted in accordance with sections X through X of this agreement;

“Annual Household Income” means the combined gross income of all adult members of the household, as shown on line 150 of the preceding year’s T1 General Income Tax and Benefit return.

“Business days” means Monday to Friday inclusive except for those excluded days declared by lawful authority as holidays.

“CPI” means the Consumer Price Index for the [specify region] as calculated by Statistics Canada;

“Dispose” means to transfer by any method, and includes assign, give, sell, grant, charge, convey, bequeath, devise, lease, rent or sublet, divest, release and agree to do any of those things.

“Dwelling Unit” means a dwelling unit as defined in the [island] Land Use Bylaw [year], as amended or replaced from time to time.

“Household” means one or more individuals occupying the same unit;

“Lands” means that parcel of land located at [insert property description here];

“Maximum Monthly Rent” means the monthly rent agreed to by the Owner and a Qualified Renter to rent a Rental Unit which shall not exceed [XX percent (XX%)] of the total monthly household income of the Qualified Renter(s) at the time the Rental Unit is occupied by the Qualified Renter(s);

“Moderate Income” means an annual Income that is less than 90% of the median income of the [area] Electoral Area calculated from the most recent census data and as adjusted annually for the CPI;

“Qualified Renter” means a household which meets the eligibility criteria for a residential tenancy of a Rental Unit, as set out in Section C: Affordable Rental Housing Eligibility of this document.

“Residential Tenancy Act” means the most recent version of the British Columbia Residential Tenancy Act.

1.2 Interpretation –

Reference in this Agreement to:

- a. The singular includes a reference to the plural and a reference to the plural includes a reference to the singular,
- b. a “party” is a reference to a party in this Agreement,
- c. a particular numbered “article” or “section” or to a particular lettered “schedule” is a reference to the corresponding numbered or lettered article, section, or schedule of this agreement,
- d. an “enactment” is a reference to an enactment as defined in the *Interpretation Act* and is a reference to any revision, amendment or re-enactment of, or replacement for, that enactment, and
- e. the Local Trust Committee includes a reference to its successors in function, including a municipality.

1.3 Headings – The division of this Agreement into articles, sections and schedules is for convenience of reference only and does not affect its interpretation. The article and section headings used in this Agreement are for convenience of reference only and do not affect the interpretation of this Agreement.

1.4 Entire Agreement – This is the entire agreement among the parties concerning its subject and may be amended only by a document executed by all parties.

Article 2 – Affordable Housing

2.1 Agreement over the Lands – Pursuant to section 219 of the *Land Title Act* and section 483 of the *Local Government Act*, the owner covenants and agrees that the land may be used only in accordance with the following conditions:

- a. the Lands must not be used and no building or structure may be constructed on the Lands except in accordance with any development permit issued by the Local Trust Committee, and any building permit issued by the [Regional District] and this Agreement;
- b. the Lands must at all times be used and occupied in compliance with all statutes, laws, regulations, orders of any authority having jurisdiction, and this Agreement;
- c. the owner will design, construct and maintain in a reasonable state of repair [housing type] on the Lands in accordance with the terms of this Agreement.

2.2 Affordable rental housing eligibility - The Owner covenants and agrees that rental units will only be occupied under all of the following criteria:

- a. the household’s Annual Household Income does not exceed [insert terms here.]

- b. the household will occupy the Affordable Housing Unit as their permanent, principal, and sole residence.

and The Owner covenants and agrees to:

- c. include in every rental agreement a prohibition on subletting, including short-term vacation rentals, and a provision entitling the owner to terminate the rental agreement in accordance with the *Residential Tenancy Act* in the event of any breach of that prohibition;
- d. deliver to the Trust Committee a true copy of every rental agreement entered into in respect of any Affordable Housing Unit within 10 business days of any request to do so;
- e. specify in every rental agreement the existence of this Agreement and the occupancy restrictions applicable to the Affordable Housing Unit, and provide to each tenant, upon their request, a copy of this agreement;
- f. provide that if one of the individuals comprising a Qualified Renter who rents a Rental Unit dies, that individual's Spouse or adult child residing in the Rental Unit at the time of the Qualified Renter's death may continue to rent the Rental Unit for the longer of:
 - i. the balance of the fixed term under the tenancy agreement; or
 - ii. twelve (12) months on the same terms, including monthly rent, set out in the tenancy agreement.

2.3 Rental rates - The owner covenants and agrees that they will:

- a. not charge any tenant a monthly rent, exclusive of utilities, that is greater than [insert terms here]
- b. not require any tenant under a rental agreement to pay any extra charges or fees for use of any well or septic, or property taxes. For clarity, this limitation does not apply to cablevision, telecommunications, laundry, or gas or electricity utility fees or charges.
- c. Not allow the monthly payment amounts for a rental unit to exceed those amounts shown under that attached Schedule B, provided however that the Owner may adjust the maximum monthly payment every year in accordance with prevailing, with notice to the Local Trust Committee of the amount of the adjustment.

2.4 Policies/Rules and Regulations/Administration by Society –The Society is authorized to make rules, regulations and policies necessary to fully implement and achieve the policy goals set out in this Agreement. The issues to be dealt with include, but are not limited to, the following:

- a. Establishing and maintaining a wait list of potential renters
- b. Establishing, administering, and enforcing a rental policy applicable to the terms of this agreement and in line with the Residential Tenancy Act,

2.5 Monitoring and Reporting to the Local Trust Committee

- a. The Society must deliver to the Local Trust Committee once each year on or before July 1, a completed statutory declaration, substantially in the form attached as Schedule A, sworn by the Society. Additionally, the Local Trust Committee may request this statutory declaration up to four times in any calendar year, and the Society must complete and supply the completed

statutory declaration within 14 calendar days of receiving a request from the Local Trust Committee. The Society irrevocably authorizes the Local Trust Committee to make reasonable inquiries it considers necessary in order to confirm compliance with this Agreement.

Article 3 – General Terms

- 3.1 Order to Comply** - If the owner is in default of the performance or observance of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with this Agreement within the time stated in the notice. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Trust Committee, within the time stated on the notice of default provided to the owner by the Trust Committee.
- 3.2 Management** – The Owner covenants and agrees to furnish good and efficient management of the Lands. If and when the Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Trust Committee may authorize its representatives to inspect the Lands at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* and subject to the concurrent delivery of such a notice to the Owner.
- 3.3 No Transfer** – The owner must not transfer the Lands, other than to another non-profit organization or Society incorporated under the *Society Act*, having as its objective the management of affordable housing. The Local Trust Committee must approve any transfer prior to its finalization.
- 3.4 Society Standing** – The Society must maintain its standing as a society under the *Society Act*, and must not amend its Constitution in any manner that would prevent, or adversely affect, the ability of the Society to perform its obligations under this Agreement.]
- 3.5 Specific Performance of Agreement** – The owner agrees that the Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the owner of this Agreement, in view of the public interest in restricting the occupancy of the Affordable Housing Unit. The owner further acknowledges that a breach of this Agreement may constitute a breach of the Trust Committee's Land Use Bylaw, as amended from time to time.
- 3.6 Assignment** – The owner acknowledges that the Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and, in that event, any reference in this Agreement to the Trust Committee shall be interpreted as a reference to that party provided that the Trust Committee has so advised the Owner.
- 3.7 Indemnity** – The owner shall indemnify and save harmless the Trust Committee and each of its elected officials, officers, directors, employees, and agents from and against all claims, demands, actions, loss, damage, costs, and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, including breaches of this Agreement.
- 3.8 Release** – The owner releases and forever discharges the Trust Committee and each of its elected officials, officers, directors, employees, and agents and each of their heir, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or

causes of action arising out of the performance by the Owner of its obligations under this Agreement, or the enforcement of this Agreement.

3.9 Trust Committee Powers Unaffected – This Agreement does not limit the discretion, rights, duties or powers of the Trust Committee under any enactment or the common law, impose on the Trust Committee any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Lands, or relieve the Owner from complying with any enactment.

3.10 No Public Law Duty – Wherever in this Agreement an act, determination, consent, approval or agreement of the Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice shall have any application.

3.11 No Waiver – No condoning, excusing or overlooking by the Trust Committee of any default under this Agreement, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the Trust Committee of any subsequent default or of the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the Trust Committee.

3.12 Arbitration – Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Affordable Housing Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the *Commercial Arbitration Act* of British Columbia.

3.13 Notice on Title – The Owner acknowledges and agrees that this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement under Section 483 of the *Local Government Act*, and agrees that the owner will register a notice of this housing agreement against title to the Lands.

3.14 Covenant Runs with the Land – Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Trust Committee in accordance with section 219 of the *Land Title Act* in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.

3.15 Limitation on Owner's Obligations – The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

3.16 Amendment and Termination – This Agreement may not be modified or amended except by bylaw of the Trust Committee, upon an agreement in writing between the Trust Committee and the Owner.

3.17 Notices – Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be

deemed to be received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.

3.18 Enurement – This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.

3.19 Remedies Cumulative – The remedies of the Trust Committee specified in this Agreement are cumulative and are in addition to any remedies of the Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.

3.20 Severability – Each covenant and agreement contained in this Agreement is, and shall be construed to be, a separate and independent covenant or agreement and the breach of any such covenant or agreement by the Owner shall not discharge or relieve the Owner from its obligations to perform. If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

3.21 Joint and Several – In the case of more than one owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.

3.22 Included Words – Wherever the singular or the masculine is used in this Agreement, it shall be deemed to include the plural or the feminine, or the body politic or corporate, where the context or the parties so require.

3.23 Governing Law – This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.

3.24 Joint Venture – Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Trust Committee or give the Owner any authority or power to bind the Trust Committee in any way.

3.25 Time of Essence – Time is of the essence in this Agreement.

3.26 Further Assurances – The parties shall execute and do all such further deeds, acts, things and assurances as they reasonably require to carry out the intent of this Agreement.

3.27 Priority – The Owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this Agreement.

3.28 Deed and Contract – By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and

delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

DRAFT

SCHEDULE "A"

OWNER STATUTORY DECLARATION

CANADA

PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF A HOUSING AGREEMENT
WITH THE XXX ISLAND LOCAL TRUST
COMMITTEE ("Housing Agreement")

I, _____
declare that:

1. I am the _____ [director, officer, employee] of the [Society], the owner of the land known as _____, XXX Island, legally described as: _____ (the "Lands")
2. I make this declaration to the best of my personal knowledge.
3. This declaration is made pursuant to the Housing Agreement registered against the Lands.
4. For the period from _____ to _____, the Affordable Housing Units were used only by Qualified Occupants (as defined in the Housing Agreement).
5. At no time during the last year were any of the Affordable Housing Units used as a short term vacation rental.
6. The rental payments charged for the Affordable Housing Unit were in compliance with the Housing Agreement and are listed in the attached.
7. No subletting of the Lands has been permitted.
8. I acknowledge and agree to comply with all of the Owner's obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at _____, British Columbia, this ____ day of _____.

A Commissioner for taking Affidavits
in British Columbia

Signature of person making declaration

SCHEDULE "B"

Maximum Monthly Rent

Size/Type of Unit	Maximum Monthly Rent

DRAFT

[Island] HOUSING AGREEMENT BYLAW [#]

[Property Name]

ROLES AND RESPONSIBILITIES

<u>Owner</u>	Section
Construct [# and type of units]	
Ensure land used consistently with bylaws and agreements	
Enter into leasehold agreements and/or residential tenancy agreements with Qualified Leaseholders and Renters	
Collect rents and/or strata fees and leases, ensuring that any increases do not exceed those stipulated in the agreement	
Maintain standing as a society	
Remedy any breach or default	
Provide Schedule C to Islands Trust on an [x] basis	
<u>Islands Trust</u>	
Register Covenant on Title	
Receive and file annual declarations	
Investigate potential breaches	
<u>Local Trust Committee</u>	
Consider requests for extraordinary strata and/or rental fee increases	
Consider enforcement options for any uncorrected breaches	

Establishing a Housing Agreement

Purpose

This document is designed as a guide to assist planners in working with developers or community organizations to draft a housing agreement.

Background

Section 483 of the Local Government Act authorizes an LTC to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

Covenants under section 219 of the Land Title Act impose positive or negative obligations regarding the use of land. Such covenants bind successor owners of the land in question, in combination with terms written into the Housing Agreement bylaw.

Housing Agreement Proposal

When an applicant proposes a housing agreement, or is asked to apply for one as a term of a rezoning application, they should be provided with the following documents:

1. Housing Agreement Application Guide
2. Housing Agreement Template (pertaining to the type of development)
3. Roles and Responsibilities checklist

Before beginning an application for a housing agreement, the applicant should be asked to provide a detailed proposal indicating their desired terms, such as rates (rental or sale), procedure for tenant selection, and plan for administration. The housing agreement application guide provides a checklist for this proposal. They should be able to show, in some detail, a plan for funding and ongoing financial stability in order to build and manage the property.

This proposal will form the basis for the first planner report to the Local Trust Committee, as well as the draft agreement. The planner will need a resolution from the LTC in order to undertake further work on the agreement. The applicant should be made aware that Housing Agreements can take many months to draft and

register and that a cost recovery agreement will be involved.

A housing agreement may not be the right tool in every situation. Where outside funding is being provided based on affordability, or where the owner/operator is a community organization with a mandate to provide affordable housing that may be enough assurance without the additional cost and time of creating a Housing Agreement.

The Capital Region Housing Corporation (through the Capital Regional District) can also hold and administer Housing Agreements. This may be an alternative option for the islands within the CRD. The CRHC may also administer Housing Agreements on behalf of the Local Trust Committee, as a third party. At this time, the CRD is the only regional district in the Trust Area that can administer housing agreements as a third party.

Draft Agreement

Responsibility for filling out the draft agreement lies with the applicant and not the planner. They should be prepared to retain their own legal advice. The applicant should create the first draft of the agreement, based off of the original proposal. The applicant should be made aware that the templates contain the *standard* language for Islands Trust Housing Agreements and very few edits should be made. All edits should be made using track changes. The applicant should be made aware that extensive edits or changes to their proposal may result in higher legal fees and a delayed approval.

Once the planner has reviewed the first draft it should be provided to the LTC for review and comment. It is important that all parties work from one version of the agreement, continually tracking all edits and changes. The agreement should be sent for legal review; first by the applicant (unless they choose to waive this step) and then by the Islands Trust lawyers.

The Roles and Responsibilities checklist is not a legal document and will not be registered on title; however, it can be helpful in clearly outlining the administration of the agreement.

Submission to the LTC

Following legal review and necessary edits the Housing Agreement can be submitted to the LTC for reading as a bylaw or for further edits at their suggestion. If edits (other than typographical) are made the draft must be returned to the applicant and again go for legal review. The LTC may request a public hearing for a Housing Agreement. Comments arising out of the public hearing may lead to further edits and legal review.

Registering the Agreement on Title

Once a final agreement has been reached the Islands Trust will register the documents on title. See the Legislative Clerk procedure for more information on registration, as well as steps for ongoing administration and monitoring.

Final Documentation

When the final confirmation from land titles is received, the applicant should be provided with a signed copy of the agreement, along with the covenant registration documents. Originals will go in the Bylaw file in the Victoria office. There is a file in each office for annual monitoring. Any emails or relevant documents should be saved in [waiting for confirmation in new system]. Ensure that TAPIS is updated to indicate Housing Agreement.

Related Documents

Establishing a Housing Agreement

DRAFT

Monitoring and Enforcing Housing Agreements

Purpose

This document is designed as a guide to assist planners in the monitoring and enforcing of housing agreements.

Annual Monitoring

All Local Trust Committee housing agreements include a Schedule, which is to be filled out and sent to the Islands Trust either annually, as requested, or in the case of a sale or transfer of a unit. These are the primary form of monitoring available to the Islands Trust. The Legislative Clerks for each Islands Trust office will request and collect these Schedules.

Non-compliance

When a Schedule is not received after at least two requests, or when the Schedule indicates that a property is non-compliant with the agreement, the planner will be informed and will:

1. Contact, in writing, the housing agreement holder to inform them of the non-compliance, and notify them of the next steps
2. Report to the Local Trust Committee the nature of the issue, and request a decision on enforcement. Available options are listed below, but each agreement may contain different terms.

Note: Bylaw Enforcement cannot act on Housing Agreement issues. The Bylaw included with an agreement is to enter into the agreement only. The Housing Agreement itself is a separate contract between the Local Trust Committee and the property owner and should be enforced as per the terms of the agreement.

Complaints

If a complaint is received regarding a housing agreement property, such as a rental rate or sale price that is too high, the planner should contact the owner/society for more information. If there continues to be an issue then the same non-compliance steps apply.

Enforcement – Feb 2018 this section is under review and waiting for legal comment.

The standard wording in Housing Agreements is that the Local Trust Committee will send a “Notice of Default” to the owner, including a date by which remedy must be made. The notice of default is simply a letter, from the Local Trust Committee, outlining the infraction and stipulating the remedial action. That action would be at the discretion of the Local Trust Committee, but as an example could include: decreasing the rent to the acceptable amount, and/or refunding a portion or all overpaid rent. The Local Trust Committee may require proof that this has occurred, and steps may be put in place to make sure it does not occur again.

If the property continues to be non-compliant, then the Local Trust Committee can choose to go to arbitration, as written in the agreement. The final step, after arbitration, would be to go to court to enforce the agreement.



Procedure:	
Approved By:	
Approval Date:	
Amendment Date(s):	
Policy Holder:	[Position Title]

Procedure – Housing Agreement Monitoring

Purpose

To outline the process for monitoring to ensure Housing Agreement compliance. Each Housing Agreement contains a schedule that must be filled out for this purpose, on either an annual or as-requested basis.

Scope

Legislative Clerks

A. Definitions – none.

B. Procedures

1. Requesting Schedules

Each Housing Agreement has a clause whereby staff, on behalf of the Local Trust Committee, may request a signed schedule confirming that the housing agreement is being upheld. This may occur annually or by request. Details are included on the Housing Agreement tracking sheet [hyperlink/file reference].

1.1 Check the Housing Agreement tracking sheet to determine which properties require monitoring.

1.1.1 “As requested” monitoring should be done approximately once every 2 years, in the case of an enquiry or complaint, or at the request of the LTC. Annual monitoring is done on the date set in the agreement. Calendar reminders may be useful in tracking due dates.

1.2 Complete the Housing Agreement Monitoring Letter.

1.3 Print a copy of the schedule – the last page of each Housing Agreement.

1.4 Mail the letter and schedule to the contact person listed on the tracking sheet.

2. Receiving Schedules

2.1 Check to ensure that the schedule is correctly filled out and notarized.

2.2 Respond to the sender to acknowledge receipt.

2.3 Scan and save a copy in the Housing Agreement digital file.

2.4 File the paper copy in the Housing Agreement monitoring paper file 2230-20 (by island).

3. Non-Compliance/Non-Receipt

3.1 If a schedule is not received, follow up with a phone call or second letter or email. If, after two requests, the schedule is still not received, or if the response indicates non-compliance, then the planner for that island should be notified.



Top Priorities

Local Planning Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Community Housing Needs	Current: Housing Needs Assessment - Southern & Northern LTCs Planned: To Be Determined	18-Nov-2016	Justine Starke	31-Mar-2018
2	Protect Coastal Douglas-fir and Associated Ecosystems	Current: Establish a Project Charter Planned: To be determined	09-Nov-2017	Justine Starke	31-Oct-2018
3	Land Use Consultation for Radio Communication Towers	Current: Develop model consultation process (work being undertaken by consultant) Planned: Report with recommendations to Trust Council	24-May-2017	Justine Starke	15-Feb-2018

Projects

Local Planning Committee

Description	Activity	R/Initiated
Development Approval Information Model Bylaw	Staff to draft amendments to Trust Council Policy 2.1 viii in order to develop a Development Approval Information Model Bylaw.	03-Mar-2016
Letter of Agreement with the Ministry of Transportation and Infrastructure - including discussion around access to water bodies.	Staff working with the MOTI to address the Letter of Agreement; next meeting planned for May 17, 2016. Local Planning Committee is monitoring the process.	03-Mar-2016
Domestic Wind Power	Update report as required.	03-Mar-2016



Local Planning Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Blue Dot Campaign	Consideration of this proposal (added per resolution May 2015)			03-Mar-2016
	Alternative Ways of Measuring Density	Bring forward a thorough analysis of alternative ways of measuring density and how to manage any corresponding impacts before consideration of requesting model bylaws be developed for local trust committees.			25-Aug-2016
	Appropriate Economic Development	To be determined by the Local Planning Committee			18-Nov-2016
	Protect Coastal-Douglas Fir and Associated Ecosystems	Trust Council - strategic plan item			24-May-2017
	Develop tool kit to assist LTCs and island municipalities to reduce ecological footprint.	Trust Council - strategic plan			17-Aug-2017
	Shoreline Marine Planning	Trust Council - Strategic Plan Item			09-Nov-2017

LPC Meetings for 2018

Meeting Dates	Meeting Locations	Start Time
Thursday, February 15	Victoria	10:00 am
Thursday, May 24		10:00 am
Thursday, August 23		10:00 am
Thursday, October 11		10:00 am