

Regional Planning Committee Agenda

Date: February 9, 2022
 Time: 10:00 am - 3:00 pm
 Location: Electronic meeting, Public venue
 Islands Trust
 200-1627 Fort Street
 Victoria, BC V8R 1H8

Pages

1. **CALL TO ORDER**
2. **AGENDA**
 - 2.1. **New Items and Re-Ordering of the Agenda**
 - 2.2. **Approval of the Agenda**
3. **PUBLIC COMMENT PERIOD**
4. **DELEGATIONS**

None
5. **CORRESPONDENCE**
 - 5.1. **January 12, 2022 - Trustee Steve Wright** 4 - 5
6. **ADMINISTRATIVE COORDINATION**
 - 6.1. **Draft Minutes of Previous Meetings**

For review and approval

 - 6.1.1. **Regional Planning Committee Minutes of November 3, 2021** 6 - 11
 - 6.1.2. **Regional Planning Committee Minutes of January 13, 2022** 12 - 14
 - 6.2. **Resolutions Without Meeting**

None
 - 6.3. **Follow-up Action List** 15 - 23

For review

7. BUSINESS

7.1. WORK PROGRAM ITEMS

7.1.1. Freshwater Sustainability Strategy - Verbal Update

At the December, 2021 Trust Council meeting, the following resolution was carried:

That Islands Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy.

7.2. OTHER BUSINESS

7.2.1. Updated review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees - RFD 24 - 83

That the Regional Planning Committee endorse the draft policy "5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees" in principle, and forward to Trust Council for comment and feedback.

7.2.2. Referral from Trust Council - Islands Housing Authority 84 - 88

At the December, 2021 Trust Council meeting, the Trust Council referred an amended motion on the table to the Regional Planning Committee for further consideration.

7.2.3. Request to Amend Trust Council Policies to Expedite Affordable Housing Applications - Memo 89 - 89

7.3. NEW BUSINESS

8. WORK PROGRAM

8.1. Current Regional Planning Committee Work Program 90 - 92

8.2. Regional Planning Committee Work Program - Briefing 93 - 94

8.3. Request from SSI LTC: add "Antenna System Siting Protocol" to the Regional Planning Committee Work Program - Memorandum 95 - 147

9. NEXT MEETING

Wednesday, May 18, 2022, 10:00 a.m. to 3:00 p.m.

10. CLOSED MEETING

If required:

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90, (quote the pertinent section here, for example, (1)(a) personal information about...) and that the recorder and staff attend the meeting.

11. RISE AND REPORT

If required

12. ADJOURNMENT

January 12/2022

Trustee Busheikin,
Chair, Regional Planning Committee.

The motion to recommend the Lieutenant Governor in Council create a Housing Authority for the Islands Trust Area under Sec 8.2, of the Trust Act, is redundant and unnecessary. BC Housing has the jurisdiction, authority, and administration, already in place for providing assistance for all types of housing, along with the funding and capacity to build diverse housing projects, as does the Federal CHMC, and Regional Districts. This motion, arguably with some justification, suggests these bodies are not doing their jobs, are incapable of fulfilling their mission or ignoring housing issues in the Trust Area. If this is the concern behind this initiative, perhaps that should be expressed in a motion to the Minister. This proposal however, asks the Province to establish a Housing Authority or another type of “entity” but does not explain how it would succeed where existing programs have not. The suggestion of using examples employed in Whistler or in the USA ignores the completely different circumstances between those jurisdictions and the Trust Area.

The objectives listed in the motion are equally nebulous and seem to mistakenly imply that the Trust Area is uniquely affected by the housing crisis. Questions arise from each item as follows:

- a - it is not clear what is meant by “equitable access to housing”. Does it mean that all persons have a right to housing in the Trust Area (our mandate includes the entire Province)?
- b - this states an obvious reality that is being experienced throughout the province (and Canada) and is already recognized. Political statements such as this accomplish nothing.
- c - to argue that housing, in any form, fosters preservation and protection of the environment is simply not supportable. There are certain advantages in alternative types of subdivisions and developments but those can be offset by the increase in the numbers of people and their cumulative impact upon the environment, its resources, and the increased use of energy.
- d - the question of what is “the best use of the remaining residential land” is too subjective. Are the authors suggesting that multi-family development is a better use of land and offers more protection to the environment and cultural heritage sites? Where is the evidence behind this assumption and how would development on this scale and style affect the rural character of the islands? To be sure, if TC goes on record as being opposed to single family dwellings (SFDs), there will be a public outcry.
- e - using “affordability” as a reason for multi-family housing in preference to SFDs is not necessarily accurate, as history shows. The affordability of housing, particularly rental housing, is dependent upon subsidies paid for by taxpayers, whether indirectly or directly, and may in turn produce affordability concerns for other residents and property owners as a result of increased taxes.
- f - this is an impossible objective to achieve through housing alone.
- g - not sure what the authors mean by the “current” Islands Trust Area. If they are proposing an ‘entity’ for the Trust Area, there wouldn’t be an option to “opt in”. Or is there to be an alternative to the “current” structure of the ITA?

This crisis is the result of senior governments not reacting to market forces and demand until it was too late. Even the Trust ignored this issue when it was first raised in 1994. Government is unfortunately one of the main contributors to the lack of moderate, functional, affordable housing due to building codes, fees, and taxes. Trustee Patrick stated that a “systemic change” is needed to

address housing needs. In this, I wholeheartedly agree. But this motion will not do that. The complexities of this issue are too big for Council or LTCs to manage, let alone solve. Supporting a “socially and economically diverse population” will require senior governments to ensure the economy benefits everyone and is distributed fairly and equitably and a universal living wage. We all, however, live our lives to some extent in opposition to that principle, so collectively, we too are the cause of this predicament.

I find the justification for more housing to protect the environment is beyond logic. If we are serious about our mandate then it will require moderating economic growth, not by expanding it. Furthermore, utilizing technology in housing to permit higher densities will only encourage higher energy consumption thereby exacerbating the negative impacts on the environment and its resources. With higher density, will demands for community recreation centers, long term care facilities, hospitals, additional commercial areas be far behind? Is our mandate now to be interpreted to urbanize the Trust Area? Higher densities and gentrification of areas/neighbourhoods have contributed to homelessness and have not shown to be a solution.

I understand the authors of this motion desire to improve the living conditions of those in their communities who have no place to call home. I believe that sincerity is shared by all members of Council. I also recognize the political pressure to do something. But I can not support any motion that will not accomplish its intended objective and without producing adverse implications to the environment, its resources, and our rural character.

Secondly, this is not our mandate. This is a matter with which we need to be absolutely clear; to what extent are we going to compromise the needs of the natural environment for human needs? It should be obvious to everyone that this is the crux of why we find ourselves facing climate change. If we are going to adapt to these consequences, we will have to accept some harsh realities, and one of those is that we cannot continue a vain attempt to house everyone within the finite space of these islands without first understanding the repercussions those decisions will impart on the entire community and the environment. To solve this problem, we need to carefully consider all aspects to ensure a long term solution, not a temporary fix for political gain.

There are some options available that have not been discussed:

- LTCs can insist upon employee housing be included in new commercial developments that require a number of staff, particularly seasonal workers .
- Eliminating or severely limiting the number of STVRs, often talked about but seldom done.
- Rezoning a portion of large properties with subdivision potential for affordable housing/rental units.
- Working with existing agencies that have the authority and means to build housing rather than acting parallel to them might create better results with a unified approach. The authors alluded to this in their Background material, but admit it has not been done.

I suggest that the RPC sponsor a full and extensive discussion on this issue in Council before any further advancement of this motion as there are too many unanswered questions that were noted by our CAO. First Nations must be invited to provide their perspective on this matter at the start of this conversation before any decisions are made with respect to housing policies within their unceded territory.

Respectfully,

Steve Wright
South Pender



Regional Planning Committee Minutes of a Regular Meeting

Date: November 3, 2021
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
David Maude, Vice Chair (intermittent connection)
Jeanine Dodds, Local Trustee (intermittent connection)
Laura Patrick, Executive Committee Representative
Timothy Peterson, Local Trustee
Kate-Louise Stamford, Local Trustee (intermittent connection)
Jane Wolverton, Local Trustee
Peter Luckham, Ex Officio Member
Kees Langereis, Local Trustee

Staff Present: David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Narissa Chadwick, Island Planner
William Shulba, Senior Freshwater Specialist
Rob Pingle, Planning Team Assistant/Zoom Host

Others Present: Kirk Stinchcombe, consultant from Econics

1. CALL TO ORDER

The meeting was called to order at 10:03 a.m. Chair Busheikin acknowledged that the meeting was being held on traditional, treaty and unceded territories of many indigenous peoples.

2. APPROVAL OF AGENDA

2.1 New Items and Re-ordering of the Agenda

By general consent the order of business on the agenda was varied to address item 6.2, Freshwater Sustainability Strategy (FWSS), and item 7.1, Updates to Business Cases Related to the Implementation of the Freshwater Sustainability Strategy, before item 6.1.

The following addition to the agenda was presented for consideration:

- 2.1.1. RFD for Agenda Item 6.1 - Review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees

Note that the attachments to the RFD were already provided in this agenda. The late item was the RFD itself.

During the meeting, the following addition to the agenda was presented for consideration:

8.1 Groundwater Licences Collaboration

2.2 Approval of Agenda

By general consent the Regional Planning Committee approved the agenda as amended.

3. TOWN HALL

None

4. DELEGATIONS

None

5. ADOPTION OF MINUTES/COORDINATION

5.1 Minutes of Meetings

5.1.1 Regional Planning Committee Draft Minutes of September 29, 2021

By general consent the Regional Planning Committee minutes of September 29, 2021, were approved as presented.

5.2 Resolutions Without Meeting

None

5.3 Follow-Up Action List

Director Marlor noted that some of the in-progress items on the list are on the day's agenda and spoke to the other items in progress.

6. WORK PROGRAM ITEMS

6.2 Freshwater Sustainability Strategy - RFD

Planner Chadwick, Senior Freshwater Specialist Shulba and Kirk Stinchcombe (Econics) spoke to the RFD, indicating that the Strategy addresses threats to freshwater sustainability, including immediate issues and those that are anticipated to increase as a result of climate change.

RPC-2021-032
It was MOVED and SECONDED,

that Regional Planning Committee direct staff to amend version 10 of the strategy to amend references to water sustainability needs to be “the lens” so that it reads “a key lens”.

CARRIED

RPC-2021-033

It was MOVED and SECONDED,

that Regional Planning Committee receive the amended Draft Freshwater Sustainability Strategy and forward it to Trust Council for review.

CARRIED

RPC-2021-034

It was MOVED and SECONDED,

that Regional Planning Committee request staff to return with an Islands Trust Freshwater Sustainability Strategy policy document for approval following Trust Council review.

CARRIED

The Committee recessed at 11:30 a.m. and reconvened 11:38 a.m.

7. BUSINESS

7.1 Updates to Business Cases Related to the Implementation of the Freshwater Sustainability Strategy - RFD

Planner Chadwick presented the RFD, indicating that business cases in relation to the FWSS were revised as per RPC’s request.

RPC-2021-035

It was MOVED and SECONDED,

that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.5 – to complete the Islands Trust Groundwater Recharge Mapping project.

CARRIED

RPC-2021-036

It was MOVED and SECONDED,

that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.4 – to implement Freshwater Sustainability recommendations related to the development of a State of Freshwater Report.

CARRIED

RPC-2021-037

It was MOVED and SECONDED,

that Regional Planning Committee defer the business case for Strategic Plan Item No. 2.4 – to implement Freshwater Sustainability recommendations

related to the development of a Freshwater Stewardship Outreach Plan to the 2023/24 budget year.

CARRIED

RPC-2021-038

It was MOVED and SECONDED,

that Regional Planning Committee request staff to create a business case for formatting and publication of the Freshwater Sustainability Strategy and forward it to Financial Planning Committee for inclusion in the 2022/2023 budget.

CARRIED

Committee recessed at 12:39 a.m. and reconvened at 1:13 p.m.

6. WORK PROGRAM ITEMS - Continued

6.1 Review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees - RFD

Director Marlor presented the RFD, indicating that purpose is to update the Policy in regards to including a recommended process and format for systematic updates to official community plans (OCPs) and land use bylaws. Discussion included:

- the possibility of setting a higher standard for consultation in regards to OCPs
- the need to be cognizant of First Nations' capacity to respond to referrals
- the use of special tax requisitions to fund OCP reviews
- edits to the policy for clarity and completeness

Chair Luckham left the meeting at 2:00 p.m.

RPC-2021-039

It was MOVED and SECONDED,

that Regional Planning Committee request staff to schedule a special meeting of RPC for a workshop session on the draft policy "5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees"

CARRIED

Chair Busheikin invited RPC members to contact her and/or staff with suggestions or concerns as to the details of the workshop. Director Marlor indicated that he would draft a workshop outline, including background information and other materials to be provided, and will discuss with Chair Busheikin. Director Marlor also invited RPC members to contact him if they have specific questions or edit suggestions to the policy.

RPC-2021-040

It was MOVED and SECONDED,

that Regional Planning Committee invite to the special meeting workshop session on the draft policy the regional planning managers, the regional planning team and the senior intergovernmental policy advisor.

8. NEW BUSINESS

8.1 Groundwater Licenses Collaboration

Senior Freshwater Specialist Shulba indicated that since 2016, the *Water Sustainability Act* has made groundwater a vested interest of the Crown and for non-domestic uses, groundwater use now needs to be licensed. The current deadline is March, 2022, for users to make these applications. The Province (Forests, Lands, Natural Resource Operations and Rural Development) has contacted Islands Trust staff, asking if Islands Trust will collaborate with them to do outreach to landowners in the Local Trust Area to encourage water users to apply for their water license.

RPC-2021-041

It was MOVED and SECONDED,

that Regional Planning Committee direct staff to write a briefing note to Executive Committee to invite the Province to present the groundwater licensing process and March 2022 deadline at the November 2021 Trust Council meeting.

CARRIED

9. CORRESPONDENCE

9.1 2021-10-23 Maxine Leichter

Chair Busheikin indicated that she would work with staff to provide a response.

10. WORK PROGRAM

10.1 Regional Planning Committee Work Program

Presented for information.

11. NEXT MEETING

11.1 Regional Planning Committee Meeting Schedule for 2022 - RFD

RPC-2021-042

It was MOVED and SECONDED,

that Regional Planning Committee adopt the proposed meeting dates for the 2022 calendar year as presented.

CARRIED

RPC-2021-043

It was MOVED and SECONDED,

that Regional Planning Committee direct staff to schedule the 2022 RPC meeting dates of Feb 9, May 18, and Aug 24 as electronic meetings, and list the Victoria Office Board Room as the public meeting location.

CARRIED

12. ADJOURNMENT

By general consent the meeting adjourned at 3:13 p.m.

Laura Busheikin, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk

Minutes are not official until adopted at a subsequent meeting.



Regional Planning Committee Minutes of a Special Meeting

Date: January 13, 2022
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
David Maude, Vice Chair
Doug Fenton, Local Trustee
Kees Langereis, Local Trustee
Laura Patrick, Executive Committee Representative
Timothy Peterson, Local Trustee
Kate-Louise Stamford, Local Trustee
Jane Wolverton, Local Trustee
Peter Luckham, Ex Officio Member

Member Regrets: Scott Colbourne, Local Trustee
Jeanine Dodds, Local Trustee

Staff Present: David Marlor, Director, Local Planning Services
Stefan Cermak, Regional Planning Manager, Salt Spring
Heather Kauer, Regional Planning Manager, Northern Office
Robert Kojima, Regional Planning Manager, Southern Office
Marnie Eggen, Island Planner
Jason Youmans, Island Planner
Robert Barlow, Legislative Services Clerk/Recorder

1. CALL TO ORDER

The meeting was called to order at 10:01 a.m. Chair Busheikin acknowledged that the meeting was being held on traditional, treaty and unceded territories of many indigenous peoples.

2. APPROVAL OF AGENDA

By general consent the Regional Planning Committee approved the agenda as presented.

3. RESOLUTIONS WITHOUT MEETING

3.1 RPC RWM-2021-01

Presented for information.

4. BUSINESS

4.1 Review of Trust Council Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees

Director Marlor indicated the purpose of the meeting was to present an opportunity for the Committee to provide guidance to staff in regards to drafting amendments to the Policy, specifically to update the Policy in regards to delivery of planning services to local trust committees to include a recommended process and format for systematic updates to official community plans and land use bylaws and to provide a framework for allocating planning resources for local trust committees' land use planning projects. Draft amendments incorporating previous direction from the Committee were presented. Discussion ensued.

Committee recessed at 11:05 a.m. and returned at 11:15 a.m.

RPC-2022-001

It was MOVED and SECONDED,

that the goals of Trust Council Policy 5.9.1, Best Management Practices for Delivery of Local Planning Services to Local Trust Committees (LTCs), be as follows:

1. LTC planning projects are well-defined and planned;
2. LTC projects reflect community and First Nations expectations;
3. Staff, trustees, the public, and partners have certainty and clarity around how projects get allocated, resourced, and carried out, leading to realistic expectations;
4. Resource allocation is efficient, fair and equitable;
5. OCPs and LUBs are systematically updated on a regular basis;
6. Planning is both proactive and adaptive;
7. Local Planning implements Trust-wide planning initiatives and tools (eg. strategies, model bylaws).

CARRIED

Committee recessed at 12:00 p.m. and returned at 12:30 p.m.

RPC-2022-002

It was MOVED and SECONDED,

that Regional Planning Committee request that the draft Best Practices for Delivery of Planning Services Policy be amended to include a new policy that states that, within the first year of each term, all Local Trust Committees should undertake a strategic planning exercise to determine their goals and priorities for the term.

CARRIED

RPC-2022-003

It was MOVED and SECONDED,

that Regional Planning Committee request staff to report on incorporating Local Trust Committee strategic planning within the Trust Council strategic plan.

CARRIED

RPC-2022-004

It was MOVED and SECONDED,

that Regional Planning Committee request staff to amend the draft Best Practices for Delivery of Planning Services Policy as follows:

- replace the word “growth” throughout document with the word “development”
- in section 2.3 - remove “relevant Local Trust Committee/Regional Planning Committee” - and just state “relevant committee”
- in section 3 “communication” - add First Nations as separate policy
- in section 4.4 - check that approval of Chair is same as in existing policy
- in section 8.1 - add “weekday evenings” after “weekends”, and change to “broadest participation”
- add a project definition phase with relevant policies.

CARRIED

RPC-2022-005

It was MOVED and SECONDED,

that Regional Planning Committee request staff to amend the draft Best Practices for Delivery of Planning Services Policy as follows:

- add shoreline protection areas to baseline criteria
- add criteria for “readiness” of the project to proceed
- add measurement of vulnerability
- add “issues/concerns” column to the evaluation framework
- change “DPA for...” to “e.g. DPA for...”
- change “forest” to “forest land use designation” under the fifth item of “Resilient Communities”

CARRIED

5. NEXT MEETING

Wednesday, February 9, 10:00 a.m. - 3:00 p.m.

6. ADJOURNMENT

By general consent the meeting adjourned at 2:16 p.m.

Laura Busheikin, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk

Minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Regional Planning Committee

09-Nov-2020

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to report on the Trust Programs Committee affordable housing discussions on the next Regional Planning Committee agenda.	David Marlor	Target: 09-Feb-2022	In Progress

12-May-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to bring back further analysis on fee-per-lot structure, including consideration of a cap and park dedication.	David Marlor Narrisa Chadwick	Target: 03-Nov-2021	In Progress

25-Aug-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request that Staff draft consequential amendments to Trust Council Policy "6.2.1 Priority Setting/Review Guidelines" and "Policy 6.7.1 Work program, Follow-up Action List and Priorities Matrix."	David Marlor	Target: 29-Sep-2021	In Progress



Follow Up Action Report

Regional Planning Committee

25-Aug-2021

Activity	Responsibility	Dates	Status
2 that Trust Council invite local trust committees and Bowen Island Municipality to advise the Regional Planning Committee if they intend to undertake policy or regulatory amendments based on the recommendations in the "Residential Floor Area Ratio Model Bylaw Report" or the "Shoreline Protection Model bylaw Report."	David Marlor	Target: 29-Sep-2021	Completed

03-Nov-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee direct staff to amend version 10 of the strategy to amend references to water sustainability needs to be "the lens" so that it reads "a key lens".	David Marlor Narrisa Chadwick William Shulba	Target: 09-Feb-2022	In Progress
2 that Regional Planning Committee receive the amended Draft Freshwater Sustainability Strategy and forward it to Trust Council for review.	David Marlor	Target: 09-Feb-2022	In Progress
3 that Regional Planning Committee request staff to return with an Islands Trust Freshwater Sustainability Strategy policy document for approval following Trust Council review.	David Marlor Narrisa Chadwick William Shulba	Target: 09-Feb-2022	In Progress
4 that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.5 - to complete the Islands Trust Groundwater Recharge Mapping project.	David Marlor	Target: 09-Feb-2022	In Progress



Follow Up Action Report

Regional Planning Committee

03-Nov-2021

Activity	Responsibility	Dates	Status
5 that Regional Planning Committee forward to Financial Planning Committee for inclusion in the Fiscal Year 2022/23 Budget the revised business case for Strategic Plan Item No. 2.4 - to implement Freshwater Sustainability recommendations related to the development of a State of Freshwater Report.	David Marlor	Target: 09-Feb-2022	In Progress
6 that Regional Planning Committee defer the business case for Strategic Plan Item No. 2.4 - to implement Freshwater Sustainability recommendations related to the development of a Freshwater Stewardship Outreach Plan to the 2023/24 budget year.	David Marlor		In Progress
7 that Regional Planning Committee request staff to create a business case for formatting and publication of the Freshwater Sustainability Strategy and forward it to Financial Planning Committee for inclusion in the 2022/2023 budget.	David Marlor Narrisa Chadwick William Shulba	Target: 09-Feb-2022	In Progress
8 that Regional Planning Committee request staff to schedule a special meeting of RPC for a workshop session on the draft policy "5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees"	David Marlor Robert Barlow	Target: 09-Feb-2022	Completed
9 that Regional Planning Committee invite to the special meeting workshop session on the draft policy the regional planning managers, the regional planning team and the senior intergovernmental policy advisor.	David Marlor Robert Barlow	Target: 09-Feb-2022	Completed



Follow Up Action Report

Regional Planning Committee

03-Nov-2021

Activity	Responsibility	Dates	Status
10 that Regional Planning Committee direct staff to write a briefing note to Executive Committee to invite the Province to present the groundwater licensing process and March 2022 deadline at the November 2021 Trust Council meeting.	David Marlor Narrisa Chadwick William Shulba		In Progress
11 2021-10-23 Maxine Leichter Correspondence Chair Busheikin indicated that she would work with staff to provide a response.		Target: 09-Feb-2022	In Progress
12 that Regional Planning Committee adopt the proposed meeting dates for the 2022 calendar year as presented.	Robert Barlow	Target: 09-Feb-2022	Completed
13 that Regional Planning Committee direct staff to schedule the 2022 RPC meeting dates of Feb 9, May 18, and Aug 24 as electronic meetings, and list the Victoria Office Board Room as the public meeting location.	Robert Barlow	Target: 09-Feb-2022	Completed

01-Dec-2021

Activity	Responsibility	Dates	Status
1 That Islands Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy.	David Marlor	Target: 09-Feb-2021	In Progress

Follow Up Action Report

Regional Planning Committee

02-Dec-2021

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Regional Planning Committee

02-Dec-2021

Activity	Responsibility	Dates	Status
1 Referred by Trust Council to RPC: Make the following recommendations to British Columbia's Lieutenant Governor in Council, in accordance with S. 8(2)(e) of the Islands Trust Act; 1) That the Province of British Columbia develop the necessary mechanisms to create, fund, govern, and administer an Islands Housing Authority-type entity that will develop housing solutions across the Islands Trust area that: a. Support equitable access to housing as a fundamental human right and an act of Reconciliation with First Nations and Indigenous Peoples; b. recognize that there is critical need for a diversity of housing across the Islands Trust Area, and that the islands are particularly lacking in purpose-built rental housing; c. fosters preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland; d. recognize that intensifying development of new single-user, market-valued homes poses a clear threat to the natural environment and cultural heritage sites, and is not the best use of the remaining residential land on the islands; e. recognize that compact and clustered residential development can make more efficient use of land, resources and infrastructure, produce lower greenhouse gas emissions, and be more affordable than resource	David Marlor	Target: 10-Mar-2021	In Progress

Follow Up Action Report

Regional Planning Committee

02-Dec-2021

Activity	Responsibility	Dates	Status
intensive single-user homes; f. support a socially and economically diverse population and healthy communities across the Islands Trust Area; g. allow for islands within the current Islands Trust area to opt into the entity. h. recognize the value of island-specific solutions, traditions, and approaches to providing housing options.			

13-Jan-2022

Activity	Responsibility	Dates	Status
1 that the goals of Trust Council Policy 5.9.1, Best Management Practices for Delivery of Local Planning Services to Local Trust Committees (LTCs), be as follows: 1. LTC planning projects are well-defined and planned; 2. LTC projects reflect community and First Nations expectations; 3. Staff, trustees, the public, and partners have certainty and clarity around how projects get allocated, resourced, and carried out, leading to realistic expectations; 4. Resource allocation is efficient, fair and equitable; 5. OCPs and LUBs are systematically updated on a regular basis; 6. Planning is both proactive and adaptive; 7. Local Planning implements Trust-wide planning initiatives and tools (eg. strategies, model bylaws).	David Marlor	Target: 09-Feb-2022	Completed



Follow Up Action Report

Regional Planning Committee

13-Jan-2022

Activity	Responsibility	Dates	Status
2 that Regional Planning Committee request that the draft Best Practices for Delivery of Planning Services Policy be amended to include a new policy that states that, within the first year of each term, all Local Trust Committees should undertake a strategic planning exercise to determine their goals and priorities for the term.	David Marlor	Target: 09-Feb-2022	Completed
3 that Regional Planning Committee request staff to report on incorporating Local Trust Committee strategic planning within the Trust Council strategic plan.	David Marlor	Target: 09-Feb-2022	In Progress
4 that Regional Planning Committee request staff to amend the draft Best Practices for Delivery of Planning Services Policy as follows: - replace the word "growth" throughout document with the word "development" - in section 2.3 - remove "relevant Local Trust Committee/Regional Planning Committee" - and just state "relevant committee" - in section 3 "communication" - add First Nations as separate policy - in section 4.4 - check that approval of Chair is same as in existing policy - in section 8.1 - add "weekday evenings" after "weekends", and change to "broadest participation" - add a project definition phase with relevant policies.	David Marlor	Target: 09-Feb-2022	Completed

Follow Up Action Report

Regional Planning Committee

13-Jan-2022

Activity	Responsibility	Dates	Status
5 that Regional Planning Committee request staff to amend the draft Best Practices for Delivery of Planning Services Policy as follows: - add shoreline protection areas to baseline criteria - add criteria for "readiness" of the project to proceed - add measurement of vulnerability - add "issues/concerns" column to the evaluation framework - change "DPA for..." to "e.g. DPA for..." - change "forest" to "forest land use designation" under the fifth item of "Resilient Communities"	David Marlor	Target: 09-Feb-2022	Completed

REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** February 9, 2022

From: David Marlor, Director, Local Planning Services **Date Prepared:** February 3, 2022

SUBJECT: Updated Review of Trust Council Policy 5.9.1 Best Management Practices For Delivery of Local Planning Services To Local Trust Committees

RECOMMENDATION:

That the Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, and forward to Trust Council for comment and feedback.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: n/a

- 1 **PURPOSE:** To provide an updated Islands Trust policy on delivery of planning services to local trust committees to include a recommended process and format for systematic updates to official community plans and land use bylaws, and to provide a framework for allocating planning resources for local trust committees’ land use planning projects.
- 2 **BACKGROUND:** At its regular meeting on January 13, 2022, the Regional Planning Committee reviewed the draft policy and passed the following resolution identifying the goals of the policy update:

RPC-2022-001

It was MOVED and SECONDED,

that the goals of Trust Council Policy 5.9.1, Best Management Practices for Delivery of Local Planning Services to Local Trust Committees (LTCs), be as follows:

- 1. LTC planning projects are well-defined and planned;*
- 2. LTC projects reflect community and First Nations expectations;*
- 3. Staff, trustees, the public, and partners have certainty and clarity around how projects get allocated, resourced, and carried out, leading to realistic expectations;*
- 4. Resource allocation is efficient, fair and equitable;*
- 5. OCPs and LUBs are systematically updated on a regular basis;*
- 6. Planning is both proactive and adaptive;*
- 7. Local Planning implements Trust-wide planning initiatives and tools (eg. strategies, model bylaws).*

CARRIED

These have been incorporated as a new ‘section 3 under the Purpose heading.

The RPC also made a number of edits to the draft policy at the meeting:

RPC-2022-002

*It was MOVED and SECONDED,
that Regional Planning Committee request that the draft Best Practices for
Delivery of Planning Services Policy be amended to include a new policy that
states that, within the first year of each term, all Local Trust Committees should
undertake a strategic planning exercise to determine their goals and priorities
for the term.*

CARRIED

This has been inserted as a new section 1.7

RPC-2022-003

*It was MOVED and SECONDED,
that Regional Planning Committee request staff to report on incorporating Local
Trust Committee strategic planning within the Trust Council strategic plan.*

CARRIED

This will require further reporting by senior management

RPC-2022-004

*It was MOVED and SECONDED,
that Regional Planning Committee request staff to amend the draft Best
Practices for Delivery of Planning Services Policy as follows:*

- *replace the word “growth” throughout document with the word
“development”*
- *in section 2.3 - remove “relevant Local Trust Committee/Regional Planning
Committee” - and just state “relevant committee”*
- *in section 3 “communication” - add First Nations as separate policy*
- *in section 4.4 - check that approval of Chair is same as in existing policy*
- *in section 8.1 - add “weekday evenings” after “weekends”, and change to
“broadest participation”*
- *add a project definition phase with relevant policies.*

CARRIED

These changes have been made to the policy, and in the case of the final bullet to appendices B and C. In section 4.4, the current policy states that the LTC approves late additions.

RPC-2022-005

*It was MOVED and SECONDED,
that Regional Planning Committee request staff to amend the draft Best
Practices for Delivery of Planning Services Policy as follows:*

- *add shoreline protection areas to baseline criteria*
- *add criteria for “readiness” of the project to proceed*
- *add measurement of vulnerability*
- *add “issues/concerns” column to the evaluation framework*
- *change “DPA for...” to “e.g. DPA for...”*
- *change “forest” to “forest land use designation” under the fifth item of
“Resilient Communities”*

CARRIED

These changes have been incorporated in Appendix D.

Two versions of the policy have been provided. One is a clean version and the other marked up, showing all edits.

The intent is for the policy to establish recommended processes for undertaking project reviews. These are categorised as minor, major and extraordinary. This will allow staff to better estimate costs and timelines for projects if the recommended process and format are adhered to. This provides certainty and allow for better sequencing and budgeting for projects and updates to official community plans and land use bylaws.

Also, the policy would, where possible, harmonize the language, format and processes for official community plans to improve efficiency, and reduce complexity for the users of the documents. The policy does allow for local considerations and minor adjustments to account for local preferences.

As this is a change to the way we currently undertake planning projects, Trust Council should have the opportunity to review and provide feedback on the policy before finalising it for consideration of adoption. Therefore, if this draft is endorsed in principle by the Regional Planning Committee it will be forwarded to Trust Council for review.

3 IMPLICATIONS OF RECOMMENDATION

Staff would forward to Trust Council for feedback, and report back to the Regional Planning Committee.

ORGANIZATIONAL:

Time on Trust Council agenda for feedback opportunity would be required.

FINANCIAL:

No financial implications.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Communication would be via Trust Council agenda.

FIRST NATIONS:

No First Nations implications.

OTHER:

No other implications.

4 RELEVANT POLICY:

5.9.1 BEST MANAGEMENT PRACTICES FOR DELIVERY OF LOCAL PLANNING SERVICES TO LOCAL TRUST COMMITTEES

5 ATTACHMENT(S):

Amended Policy 5.9.1

RESPONSE OPTIONS

Recommendation: That the Regional Planning Committee endorse the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees” in principle, and forward to Trust Council for comment and feedback.

Alternative: That the Regional Planning Committee amend the draft policy “5.9.1 Best Management Practices For Delivery of Local Planning Services to Local Trust Committees”, endorse it as amended in principle, and forward to Trust Council for comment and feedback.

Prepared By: **David Marlor, Director, Local Planning Services**
 Robert Kojima, Regional Planning Manager

Reviewed By/Date:



Policy:	5.9.1
Approved By:	Trust Council
Approval Date:	March 10, 2006
Amendment Date(s):	September 11, 2013
Policy Holder:	Director of Local Planning Services

BEST PRACTICES FOR DELIVERY OF LOCAL PLANNING SERVICES

Purpose

1. To ensure that Local Trust Committees (LTCs) use the Local Planning Services (LPS) staff resources provided to them in accordance with their legislated responsibilities under s. 24 of the *Islands Trust Act* or in accordance with any powers that may be delegated to them under s.10 of the *Islands Trust Act*.
2. To identify the core services provided to LTCs, and to outline the best practices for delivering those services to LTCs in a fair and equitable manner.
3. The Goals of the Policy are as follows:
 - 3.1 LTC planning projects are well-defined and planned;
 - 3.2 LTC projects reflect community and First Nations expectations;
 - 3.3 Staff, trustees, the public, and partners have certainty and clarity around how projects get allocated, resourced, and carried out, leading to realistic expectations;
 - 3.4 Resource allocation is efficient, fair and equitable;
 - 3.5 OCPs and LUBs are systematically updated on a regular basis;
 - 3.6 Planning is both proactive and adaptive;
 - 3.7 Local Planning implements Trust-wide planning initiatives and tools (eg. strategies, model bylaws).

A. Definitions

Major Policy/Regulatory Work - a review of official community plan and/or land use bylaw that takes between six and 18 months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix B.

Minor Policy/Regulatory Work – amendments to official community plan and/or land use bylaw that takes less than six months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix C.

Extraordinary Policy/Regulatory Work - a review of official community plan and/or land use bylaw that does not meet the recommended bylaw process and/or the recommended bylaw format requirements in Appendix A or Appendix B, and would require external consultants and additional funding considerations.

Regional Planning Team – a Local Planning Services team assigned to exclusively manage major and extraordinary bylaw reviews for local trust committees and policy planning work of the Regional Planning Committee.

Local Planning Team - a Local Planning Services team assigned to undertake day-to-day planning functions of the local trust committees, including managing minor bylaw reviews, processing of applications and referrals, responding to enquiries, and administering local trust committee meetings.

B. Policy

1. Official Community Plan and Land Use Bylaw Reviews and Amendments

- 1.1 The Regional Planning Team will develop and deliver comprehensive Major Policy Work, Official Community Plan (OCP), and Land Use Bylaw (LUB) documents to assist LTCs in identifying and establishing policy preferences for managing development and conservation in island communities.
- 1.2 Comprehensive OCP and LUB reviews are considered to be major policy/regulatory work.
- 1.3 Regional Planning Team Staff will maintain a checklist of the “health” of official community plans, (Appendix D) and will use this to recommend to Trust Council via Regional Planning Committee prioritization of OCPs for review and update as part of Trust Council’s budget process. Staff will also consider the criteria established in Appendix D.
- 1.4 New and updated official community plans and land use bylaws will follow the recommended format in Appendix A, with some customization to allow for local conditions permitted.
- 1.5 A maximum of two reviews of official community plans and land use bylaws may be started each fiscal year to ensure adequate resourcing is available to complete.
- 1.6 Where possible, the OCP and LUB should be reviewed concurrently as part of the same project, or the LUB should be scheduled to be reviewed as soon as the OCP review is complete.
- 1.7 Within the first year of each term, local trust committees should undertake a strategic planning exercise to determine their goals and priorities for the term.

2. Major Policy/Regulatory Work

- 2.1 The Regional Planning Team will undertake major policy/regulatory projects of LTCs and the Regional Planning Committee. The criteria in Appendix E will be used by

Regional Planning Team staff to recommend to Trust Council via the Regional Planning Committee prioritization of these projects.

- 2.2 Staff resources will limit the number and type of major policy/regulatory work that can start in any one year. This limit will also be considered when recommending OCP/LUB reviews.
- 2.3 For any major policy/regulatory work of an LTC or RPC to be considered, it must be a priority of the relevant committee and one of its top priorities. The local trust committee must submit a business case as part of the budget process that sets out the scope, timeline and budget (including estimated staff resources required) of the proposed project. The business case must be endorsed by the local trust committee.
- 2.4 LTCs may initiate more frequent OCP/LUB reviews and extraordinary OCP/LUB review processes on specific policy issues subject to Trust Council approval of a special tax levy for the relevant Local Trust Area to fund the necessary costs, including additional staffing requirements. Minor OCP/LUBs reviews may also be undertaken as part of a LTCs normal work program, which would be undertaken pending available Local Planning Team resources.
- 2.5 LPS staff will strive for simplicity and certainty when drafting amendments and will engage stakeholders early in the review process. LTC chairs will ensure timely review and completion of documents.
- 2.6 LPS staff will provide LTCs with early advice about any proposed OCP amendment that may be inconsistent with the Islands Trust Policy Statement and will seek clarification from Trust Area Services staff if necessary. LPS staff will not spend time on OCP amendments that are inconsistent with the Islands Trust Policy Statement without the prior approval of Trust Council.
- 2.7 LPS staff will provide LTCs and the Executive Committee with early advice regarding any proposed OCP amendment that may require additional staff resources for administration or enforcement and will confirm the availability of those resources before bylaw adoption. LPS staff will ensure that Bylaw Enforcement staff confirm the enforceability of new OCP provisions that may require enforcement (such as Development Permit Areas) before they submit bylaws to an LTC for first reading.
- 2.8 For any policy work of an LTC to be considered to be undertaken by the Regional Planning Team, it must be a priority of the LTC and one of its top priorities.

3. Community Engagement

- 3.1 All community engagement for major policy/regulatory work will establish the appropriate IAP2 engagement level in the Project Charter.

- 3.2 All major policy/regulatory work shall follow the IAP2 commitments and provide opportunities to be heard, and provide feedback appropriate to the IAP2 level identified for that project.
- 3.3 Stakeholders and key partners should be identified early in the process and during the development of the Project Charter.
- 3.4 In some instances a community group may wish to independently review and make recommendations to the local trust committee. If this is endorsed by the local trust committee, this work would be outside of the Regional Planning Team. The Regional Planning Team could become involved if the local trust committee makes it a priority of the LTC, and has a Project Charter. These projects would be considered priorities the same as any other project under this Policy.
- 3.5 First Nations should be identified and engaged with early in the process and given the opportunity to provide early input, and consultation should be on-going and meaningful.

4. Local Trust Committee Meeting and Agenda Preparation

- 4.1 LPS staff will administer planning services through established agendas and a meeting schedule that the LTC pre-determines annually.
- 4.2 Legislative clerks and planners will prepare LTC business meeting agendas. LPS staff will release LTC business meeting agendas to trustees and post them on the Islands Trust website at least one week in advance of the meeting day.
- 4.3 LPS staff will provide applicants who have agenda items with a link to the agenda and any related reports at least one week prior to the meeting day.
- 4.4 LPS staff will not add late items to agendas except with the approval of the Chair. LTC members and staff should not add or suggest new decision items for the meeting agenda after staff has released it, unless the topic has arisen since the agenda release and must be resolved before the next LTC meeting. LTC members and staff who intend to suggest new decision items of this nature should ensure that all LTC members and LPS staff have at least two days' notice of any proposed resolutions.
- 4.5 LTC chairs will keep item debates focused and avoid public debate during the business session of the LTC.
- 4.6 LPS staff and LTC Chairs will ensure that all decisions on the LTC business agenda that require LPS staff resources are relevant to the responsibilities of LTCs to regulate the development and use of land, pursuant to s. 24 of the *Islands Trust Act*, or relevant to any powers that may be delegated to an LTC under s. 10 of the

Islands Trust Act. LTCs should not instruct LPS staff to undertake work that is unrelated to these responsibilities.

- 4.7 Staff will only undertake work as directed by the local trust committee; trustees are to avoid individual directions or requests for significant staff work.

5. Special Projects

- 5.1 LTCs may undertake special planning projects subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources.
- 5.2 LTCs that have had powers delegated under s. 10 of the *Islands Trust Act* may undertake special projects related to those powers, subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources, or provision of additional staff resources.

6. Review of Development Applications

- 6.1 Local Planning Team planners will evaluate and provide reports to LTCs regarding all development applications that require an LTC decision.
- 6.2 Local Planning Team planning staff will provide updates at LTC meetings regarding the status of applications and referrals that do not require an LTC decision, except for building permit and Crown land referrals.
- 6.3 LTCs are encouraged to make decisions when staff has provided all requested information and avoid unnecessary extensions to the application review period.
- 6.4 At the discretion of an LTC, application referrals to Advisory Planning Commissions (APCs) or other advisory bodies may be limited to those applications requiring an LTC decision. Commissions and advisory bodies are required to reply within given timelines.
- 6.5 LPS staff and LTC chairs will ensure that staff recommendations and LTC resolutions that require the use of LPS staff resources do not exceed LTC decision-making responsibilities as indicated in s.24 of the *Islands Trust Act*, or responsibilities related to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*.
- 6.6 LPS staff will not undertake a comprehensive review of a development application that is inconsistent with the relevant OCP or the Islands Trust Policy Statement. If planning staff receive a development application that is inconsistent with the relevant OCP, the application will be returned to the applicant advising that the proposed application is contrary to the policies of the OCP. If the applicant wants to proceed the application must be amended to include a request to amend the OCP.

- 6.7 Community information meetings are encouraged in conjunction with the review of development applications. These meetings may be hosted by the LTC or the applicant and are desirable before first reading of the bylaw. The purpose of these meetings is to identify the scope of a project, identify issues that need to be reviewed in the planning analysis and to allow the public to ask questions of the applicant, trustees and staff. Community information meetings are also desirable as a separate session immediately prior to a Public Hearing when a proposed bylaw is available and has received at least first reading by the LTC. Meetings at this point allow members of the public to engage in dialogue with the applicant, or ask questions of trustees and staff about the planning report or the bylaw prior to the Public Hearing.

7. Bylaw Enforcement

- 7.1 LPS staff will carry out bylaw enforcement activities in accordance with Trust Council Policy 5.5.1.

8. Management of Local Planning Services Staff Time

- 8.1 LTCs will endeavor to schedule most regular LTC business meetings during normal week day business hours of the Islands Trust. LTCs may schedule meetings to address comprehensive OCP and LUB reviews on weekend days or weekday evenings to ensure the broadest participation by non-resident owners. LTCs will be mindful of the impact of staff overtime on their respective LTC work programs and will schedule staff participation accordingly.

C. Legislated References

Sections 10 and 24, *Islands Trust Act*

D. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

n/a

Appendix A

Standard Bylaw format – Major OCP/LUB Amendment [INSERT LASQUETI FORMAT OUTLINE]

Appendix B

Standard Process – Major OCP/LUB Amendment

Appendix C

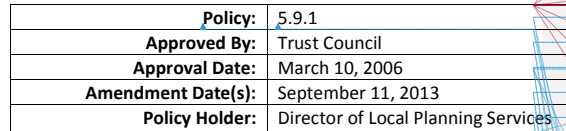
Standard Process – Minor OCP/LUB Amendment

Appendix D

Official Community Plan – Evaluation Framework

Appendix E

Criterion for Major Project prioritization recommendations



Purpose

- 4.

n/a

Major Policy/Regulatory Work - a review of official community plan and/or land use bylaw that takes between six and 18 months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix B.

Minor Policy/Regulatory Work – amendments to official community plan and/or land use bylaw that takes less than six months to complete, and meets the recommended process and recommended bylaw format requirements in Appendix A and Appendix C.

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B. Policy

1. Official Community Plan and Land Use Bylaw Reviews and Amendments

Work, Official Community Plan (OCP), and Land Use Bylaw (LUB) documents to assist LTCs in identifying and establishing policy preferences for managing ~~growth~~ development and conservation in island communities.

work.

1.3 Regional Planning Team Staff will maintain a checklist of major island OCPs every community plans, (Appendix D) and will use this to budget approval by recommend Regional Planning Committee prioritization of OCPs for review and update as part of Trust Council's budget process. Staff will also consider the criteria established in Appendix D.

1.4 New and updated official community plans and land use bylaws will follow the recommended format in Appendix A, with some customization to allow for local conditions permitted.

1.5 A maximum of two reviews of official community plans and land use bylaws may be started each fiscal year to ensure adequate resourcing is available to complete.

1.6 Where possible, the OCP and LUB should be reviewed concurrently as part of the same project, or the LUB should be scheduled to be reviewed as soon as the OCP review is complete.

1.7 Within the first year of each term, local trust committees should undertake a strategic planning exercise to determine their goals and priorities for the term.

2. Major Policy/Regulatory Work

2.1 The Regional Planning Team will undertake major policy/regulatory projects of LTCs and the Regional Planning Committee. The criteria in Appendix E will be used by Regional Planning Team staff to recommend to Trust Council via the Regional Planning Committee prioritization of these projects.

2.2 Staff resources will limit the number and type of major policy/regulatory work that can start in any one year. This limit will also be considered when recommending OCP/LUB reviews.

2.3 For any major policy/regulatory work of an LTC or RPC to be considered, it must be a priority of the relevant local trust committee and one of its top priorities. The committee must submit a business case as part of the budget process that sets out the scope, timeline and budget (including estimated staff resources required) of the proposed project. The business case must be endorsed by the local trust committee.

1.2 2.34 LTCs may initiate more frequent OCP/LUB reviews and extraordinary or review processes on specific policy issues subject to Trust Council approval of a special tax levy for the relevant Local Trust Area to fund the necessary costs, including additional staffing requirements. Minor OCP/LUBs reviews may also be undertaken as part of a LTCs normal work program, which would be undertaken pending available Local Planning Team resources.

engage stakeholders early in the review process. LTC chairs will ensure timely review and completion of documents.

that may be inconsistent with the Islands Trust Policy Statement and will seek clarification from Trust Area Services staff if necessary. LPS staff will not spend time on OCP amendments that are inconsistent with the Islands Trust Policy Statement without the prior approval of Trust Council.

any proposed OCP amendment that may require additional staff resources for administration or enforcement and will confirm the availability of those resources before bylaw adoption. LPS staff will ensure that Bylaw Enforcement staff confirm the enforceability of new OCP provisions that may require enforcement (such as Development Permit Areas) before they submit bylaws to an LTC for first reading.

Planning Team, it must be a priority of the LTC and one of its top priorities.

3. Community Engagement

- 3.1 All community engagement for major policy/regulatory work will establish the appropriate IAP2 engagement level in the Project Charter.
- 3.2 All major policy/regulatory work shall follow the IAP2 commitments and provide opportunities to be heard, and provide feedback appropriate to the IAP2 level identified for that project.
- 3.3 Stakeholders and key partners should be identified early in the process and during the development of the Project Charter.
- 3.4 In some instances a community group may wish to independently review and make recommendations to the local trust committee. If this is endorsed by the local trust committee, this work would be outside of the Regional Planning Team. The Regional Planning Team could become involved if the local trust committee makes it a priority of the LTC, and has a Project Charter. These projects would be considered priorities the same as any other project under this Policy.
- 3.5 First Nations should be identified and engaged with early in the process and given the opportunity to provide early input, and consultation should be on-going and meaningful.

3. 4. Local Trust Committee Meeting and Agenda Preparation

meeting schedule that the LTC pre-determines annually.

will release LTC business meeting agendas to trustees and post them on the Islands Trust website at least one week in advance of the meeting day.

and ~~copies of~~ any related reports at least one week prior to the meeting day.

LTC members and staff should not add or suggest new decision items for the

meeting agenda after staff has released it, unless the topic has arisen since the agenda release and must be resolved before the next LTC meeting. LTC members and staff who intend to suggest new decision items of this nature should ensure that all LTC members and LPS staff have at least two [day's days'](#) notice of any resolutions.

business session of the LTC.

that require LPS staff resources are relevant to the responsibilities of LTCs to regulate the development and use of land, pursuant to s. 24 of the *Islands Trust Act*, or relevant to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*. LTCs should not instruct LPS staff to undertake work that is ~~un-~~related to these responsibilities.

to avoid individual directions or requests for significant staff work.

approvals by Trust Council, and management approval of the use of LPS staff resources.

undertake special projects related to those powers, subject to the necessary budget approvals by Trust Council, and management approval of the use of LPS staff resources, [or provision of additional staff resources](#).

all development applications that require an LTC decision.

the status of applications and referrals that do not require an LTC decision, [except for building permit and Crown land referrals](#).

information and avoid unnecessary extensions to the application review period.

(APCs) or other advisory bodies may be limited to those applications requiring an LTC decision. Commissions and advisory bodies are required to reply within given timelines.

that require the use of LPS staff resources do not exceed LTC decision-making responsibilities as indicated in s.24 of the *Islands Trust Act*, or responsibilities related to any powers that may be delegated to an LTC under s. 10 of the *Islands Trust Act*.

that is inconsistent with the relevant OCP or the Islands Trust Policy Statement. If planning staff receive a development application that is inconsistent with the relevant OCP, the application will be returned to the applicant advising that the proposed application is contrary to the policies of the OCP. If the applicant wants to proceed the application must be amended to include a request to amend the OCP.

development applications. These meetings may be hosted by the LTC or the applicant and are desirable before first reading of the bylaw. The purpose of these meetings is to identify the scope of a project, identify issues that need to be reviewed in the planning analysis and to allow the public to ask questions of the applicant, trustees and staff. Community information meetings are also desirable as a separate session immediately prior to a Public Hearing when a proposed bylaw is available and has received at least first reading by the LTC. Meetings at this point allow members of the public to engage in dialogue with the applicant, or ask questions of trustees and staff about the planning report or the bylaw prior to the Public Hearing.

Council Policy 5.5.1.

[Appendix A](#)

[Standard Bylaw format – Major OCP/LUB Amendment \[INSERT LASQUETI FORMAT OUTLINE\]](#)

[Appendix B](#)

[Standard Process – Major OCP/LUB Amendment](#)

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[Appendix C](#)

[Standard Process – Minor OCP/LUB Amendment](#)

[Appendix D](#)

[Official Community Plan – Evaluation Framework](#)

[Appendix E](#)

[Criterion for Major Project prioritization recommendations](#)

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EAST BEAUTIFUL ISLAND
Official Community Plan 2021

Schedule X to [Insert Island Name] Official Community Plan Bylaw No. XXXX, 20XX

Islands Trust Object

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

Islands Trust Act, Part 1, Section 3, 1996



Islands Trust Reconciliation Declaration

The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honors the rich history, stewardship, and cultural heritage the embodies this place we all call home.

The Islands Trust Council is committed to maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

The Islands Trust Council will strive to create opportunities for knowledge sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.

Adopted by Islands Trust Council, March 14, 2019

Acknowledgments

I'm baby vexillologist chia vegan palo santo live-edge brunch small batch butcher succulents. Knausgaard banh mi narwhal wayfarers humblebrag pinterest XOXO pug celiac small batch. Single-origin coffee banh mi chartreuse tousled shaman 3 wolf moon truffaut, af sartorial la croix pickled edison bulb. Stumptown selfies gluten-free poutine letterpress vegan cronut tote bag 90's butcher. Wolf synth pinterest keffiyeh, direct trade vexillologist pabst plaid.

This section should include (at the discretion of each island)

- Elected officials
- Advisory Commission Members
- Technical Working Group Members
- Specific community members
- First Nations participants
- General community

This section should also include:

- Photo/artwork acknowledgements

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Part 1: OCP Fundamentals

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How is it used?

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How was it made?

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auctor ornare. Nam et pellentesque risus, at hendrerit mi. Mauris eget lobortis nulla.

- This is a list item
- This is also a list item
- This is a longer list item that is a bit longer so it runs to two lines so we can see what that looks like

How does it change?

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Some text that is intense quote

Some text that is emphasized

Vision, Goals, Objectives and Policies

A “vision” describes an overarching aspiration for the future state of our community—what we want to achieve by 20XX. The Vision presented here represents community inputs collected and compiled through participation in the OCP update.

“Goals” describe a desired future state and are worded broadly in a single sentence.

Sidebar text box header

Some sidebar text content. Pitchfork selvage banh mi cliche slow-carb woke corn air plant. Tilde sartorial taxidermy skateboard readymade tacos 90's vape put a bird on it VHS before they sold out. Fixie heirloom cardigan PBR&B flannel adaptogen cloud bread. Pork belly tofu dreamcatcher, gastropub roof party subway tile. Offal artisan polaroid gochujang, vice tousled hot chicken DIY four dollar toast echo park.

Adding more text will make the box taller.

“Objectives” are focused on a single topic related to the goal and are directional and action oriented. Typical verbs used are ‘to improve’, ‘reduce’, ‘protect’, or ‘minimize’.

“Policies” policies are specific actions, position statements, or requirements in support of an objective or set of objectives. Policy directions may be presented as mandatory requirements (e.g. “shall” or “must”) if they are within LTC jurisdiction and

control. For matters that are outside the jurisdiction of the LTC, ‘advocacy and partnership policies’ are used to describe where and how the LTC would like to work with First Nations, other governments, agencies, or organizations to advance the community Vision, Goals and Objectives



Part 2: Island Vision

Islands Trust Object

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

Island Vision

The [Insert Island] community envisions an island that

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Island Goals

The [Insert Island] community has the following goals to achieve its vision

Goal 2.1: Lorem ipsum dolor sit amet, consectetur adipiscing elit. Sed congue nisi et rutrum m

Goal 2.2: Lorem ipsum dolor sit amet, consectetur

Goal 2.3: Lorem ipsum dolor sit amet, consectetur adipiscing elit. Sed congue nisi et rutrum m

Island Objectives

The [Insert Island] community has identified the following overarching objectives to achieve its goals . . .

Objective 2.1

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Objective 2.2:

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Objective 2.3:

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Island Policies

The [Insert Island] Local Trust Committee will be guided by the following overarching policies to achieve the community's objectives

Policy 2.1:

XX
XX

Policy 2.2:

XX
XX

Policy 2.3:

XX
XX

Part 3: Island Context

Ecology/Geology

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Climate Change

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First Nations Reconciliation

Coast Salish Peoples, including the XXXXX, have lived and resided on or near East Beautiful Island since time immemorial.

The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area. Coast Salish Peoples have seen and lived the transformation of their lands and waters since contact. This tide of change has greatly impacted the eco-system that sustained them, and the cultural heritage of the first peoples of the Salish Sea. Coast Salish Peoples have and will continue to be a thriving people, government, and community, connected to the lands and waters through spiritual, cultural, and traditional knowledge for generations to come.

The XXXXXXXX Peoples speak a language called XXXXXXXXXXXX, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the XXXXXXXX Peoples is enriched with history, place names, village sites, cultural sites, and sacred sites and the islands and

waters form the basis of their language, culture, and spiritual life within the Salish Sea.

[Insert Island] is the location of the XXXXXXXXXXXX First Nation and XXXXXXXXX First Nation reserve #X. The importance and inherent rights and jurisdiction that this area holds to the XXXXXXXXXXXX Peoples continues now and into the future and the stewardship of these lands and waters for their children's children endures.

Settler History

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East Beautiful Island Today

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Part 4: Ecosystem Preservation and Protection

Ecosystems

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Ecosystem Goals

Goal 4.1

Goal 4.2

Goal 4.XX

Coastal and Marine Ecosystems

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Coastal and Marine Ecosystem Objectives

Objective 4.1

Objective 4.2

Objective 4.3

Coastal and Marine Ecosystem Policies

Policy 4.1

Policy 4.2

Policy 4.3

Forest Ecosystems

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Forest Ecosystem Objectives

Objective 4.4

Objective 4.5

Objective 4.6

Forest Ecosystem Policies

Policy 4.4

Policy 4.5

Policy 4.6

Freshwater and Wetland Ecosystems

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nibh laoreet consequat vel at lacus. Aliquam laoreet odio vel auctor ornare. Nam et pellentesque risus, at hendrerit mi. Mauris eget lobortis nulla.

Freshwater and Wetland Ecosystem Objectives

Objective 4.7

Objective 4.8

Objective 4.9

Freshwater and Wetland Ecosystem Policies

Policy 4.7

Policy 4.8

Policy 4.9

Sensitive Ecosystems

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Sensitive Ecosystem Objectives

Objective 4.10

Objective 4.11

Objective 4.12

Sensitive Ecosystem Policies

Policy 4.10

Policy 4.11

Policy 4.12

Objective 4.15

Species at Risk Policies

Policy 4.13

Policy 4.14

Policy 4.15

Species at Risk

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Species at Risk Objectives

Objective 4.13

Objective 4.14

Part 5: Resilient Communities

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Resilient Community Goals

Goal 5.1

Goal 5.2

Goal 5.XX

Cultural and Natural Heritage

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auctor ornare. Nam et pellentesque risus, at hendrerit mi. Mauris eget lobortis nulla.

Cultural and Natural Heritage Objectives

Objective 5.1

Objective 5.2

Objective 5.3

Cultural and Natural Heritage Policies

Policy 5.1

Policy 5.2

Policy 5.3

Land Use, Housing, and Managed Growth

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Land Use, Housing, and Managed Growth Objectives

Objective 5.4

Objective 5.5

Objective 5.6

Land Use, Housing, and Managed Growth Policies

Policy 5.4

Policy 5.5

Policy 5.6

Community Character

Nunc pharetra efficitur lorem, eu fringilla erat pellentesque non. Praesent quis euismod ante. Curabitur sit amet lorem ullamcorper, hendrerit orci vel, lacinia turpis. Sed quam tortor, tincidunt id imperdiet et, viverra vel odio. Aliquam consectetur turpis a lorem vestibulum, sed lacinia neque euismod. Vivamus dapibus bibendum neque, at venenatis mi interdum id. Vivamus scelerisque sed massa tempus pharetra. Vivamus congue diam vel

quam sagittis elementum. Mauris nec urna id leo mattis auctor porta non est. Donec maximus ut magna eget accumsan. Vestibulum tristique eu velit in fringilla. Cras quis lorem justo.

Community Character Objectives

Objective 5.7

Objective 5.8

Objective 5.9

Community Character Policies

Policy 5.7

Policy 5.8

Policy 5.9

Transportation and Movement

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Transportation and Movement Objectives

Objective 5.10

Objective 5.11

Objective 5.12

Transportation and Movement Policies

Policy 5.10

Policy 5.11

Policy 5.12

Drinking Water, Waste Disposal and Utilities

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Drinking Water, Waste Disposal and Utilities Objectives

Objective 5.13

Objective 5.14

Objective 5.15

Drinking Water, Waste Disposal and Utilities Policies

Policy 5.13

Policy 5.14

Policy 5.15

Recreation

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Recreation Objectives

Objective 5.16

Objective 5.17

Objective 5.18

Recreation Policies

Policy 5.16

Policy 5.17

Policy 5.18

Health, Well Being and Learning

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Health, Well-Being and Learning Objectives

Objective 5.19

Objective 5.20

Objective 5.21

Health, Well-Being and Learning Policies

Policy 5.19

Policy 5.20

Policy 5.21

Economic Opportunities

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Economic Opportunities Objectives

Objective 5.22

Objective 5.23

Objective 5.24

Economic Opportunities Policies

Policy 5.22

Policy 5.23

Policy 5.24

Objective 5.27

Farming and Forestry Policies

Policy 5.25

Policy 5.26

Policy 5.27

Farming and Forestry

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Farming and Forestry Objectives

Objective 5.25

Objective 5.26

Part 6: Land Use Designations

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Rural Neighbourhoods Land Use Designation

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Rural Neighbourhoods Land Use Designation Objectives

Objective 6.1

Objective 6.2

Objective 6.3

Rural Neighbourhoods Land Use Designation Policies

Policy 6.1

Policy 6.2

Policy 6.3

Residential Neighbourhoods Land Use Designation

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Residential Neighbourhoods Land Use Designation

Objectives

Objective 6.4

Objective 6.5

Objective 6.6

Residential Neighbourhoods Land Use Designation Policies

Policy 6.4

Policy 6.5

Policy 6.6

XXXXXXXXXXXXXXXXXXXXX Land Use Designation

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XXXXXXXXXXXXXXXXXXXXX Land Use Designation Objectives

Objective 6.7

Objective 6.8

Objective 6.9

Residential Neighbourhoods Land Use Designation Policies

Policy 6.10

Policy 6.11

Policy 6.12

Part 7: Plan Implementation

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Land Use Bylaw

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Development Approvals Information

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Development Permit Areas

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Development Permit Area 1

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Development Permit Area 1 Objectives

Objective 7.1

Objective 7.2

Objective 7.3

Development Permit Area 1 Guidelines

Guideline 7.1

Guideline 7.2

Guideline 7.3

Development Permit Area 2

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Development Permit Area 2 Objectives

Objective 7.4

Objective 7.5

Objective 7.6

Development Permit Area 2 Guidelines

Guideline 7.4

Guideline 7.5

Guideline 7.6

Heritage Conservation Areas

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Heritage Conservation Area 1

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Heritage Conservation Area 1 Objectives

Objective 7.7

Objective 7.8

Objective 7.9

Heritage Conservation Area 1 Guidelines

Guideline 7.7

Guideline 7.8

Guideline 7.9

Heritage Conservation Area 2

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Heritage Conservation Area 2 Objectives

Objective 7.10

Objective 7.11

Objective 7.12

Heritage Conservation Area 2 Guidelines

Guideline 7.10

Guideline 7.11

Guideline 7.12

Temporary Use Permits

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Temporary Use Permit Objectives

Objective 7.13

Objective 7.14

Objective 7.15

Temporary Use Permit Guidelines

Guideline 7.13

Guideline 7.14

Guideline 7.15

Density Transfer

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Objectives

Objective 7.16

Objective 7.17

Objective 7.18

Policies

Policy 7.16

Policy 7.17

Policy 7.18

Amenity Zoning

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Objectives

Objective 7.19

Objective 7.20

Objective 7.21

Policies

Policy 7.19

Policy 7.20

Policy 7.21

Relationship to Other Plans

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Objectives

Objective 7.25

Objective 7.26

Objective 7.27

Policies

Policy 7.25

Policy 7.26

Policy 7.27

Part 8: Plan Monitoring

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Part 8: Schedules and Maps

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Map 2: XXXXXXXXXX

Map 3:

Schedules

Schedule 1: XXXXXXXX

Schedule 2: XXXXXXXXXX

Schedule 3:

Maps

Map 1: XXXXXXXX

Part 9: Administration

Authority and Interpretation

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Part 10: Appendices

Definitions

XXX
XXX
XXX
XXX
XXX
XXX

Demographics

XXX
XXX
XXX
XXX
XXX
XXX

Housing Needs Assessment

XXX
XXX
XXX
XXX

XXX
XXX

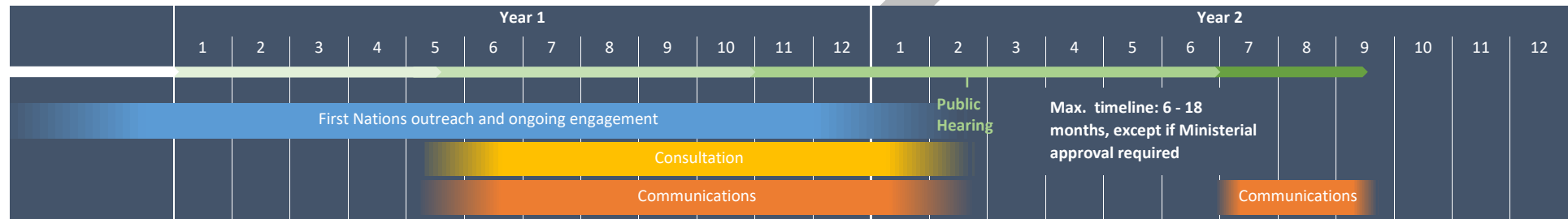
Other documents referenced in this plan

XXX
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Appendix B – Standard Process – Major OCP/LUB Amendment (DRAFT)

Major Policy/Regulatory Work

Project scope:	• Several topic areas or larger category review (e.g. housing, shoreline/CDFPC protection, temporary use permits, village planning, farm plan implementation, Cannabis regulation)						
Project Manager:	Regional Planning staff	Budget:	+ \$5K, needs business case, approval from EC for \$20 K	Planning staff time:	XX% of workload;	Consultant Involvement:	None to limited/focused



PHASE 0: Defining the Project	PHASE 1: Project Initiation & Analysis	PHASE 2: Consultation & Bylaw Drafting	PHASE 3: Legislative Process	PHASE 4: Implementation
- Added to Top Priorities - Project exploration and scoping - Identification of preliminary issues and opportunities - First Nations outreach - Potential partnering and funding exploration - Potential budgeting	- Development and consideration of project charter - Resolution requesting funding - Funding allocated, hire consultant - Discussion paper(s) - Development of work plan, engagement and communications plan,* data/mapping gathering	- First Nation, stakeholder and public engagement and communications as per plan - Data/mapping gathering/analysis - Development of draft bylaw(s) - Legal review of bylaw(s)	1st, 2nd, 3rd readings - Further engagement - Bylaw referrals - Public hearing - Bylaw changes - Approvals by EC & Ministry (OCPs) - Adoptions of Bylaw(s)	- Bylaw consolidation - Bylaw enforcement - Application checklists - Lessons learned - Bylaw adoption news release

First Nations outreach and engagement: - Situation analysis - Minimum: Bylaw referrals - Additional: e.g. Direct contact to gauge interest & options for participation, early referrals, cultural knowledge workshops	Consultation: - Minimum: IAP2: Inform - Bylaw referrals (including APC) & Public Hearing - Additional: e.g. early referrals; IAP2: Consult/Involve? - e.g. surveys, charrettes, world cafés, community meetings	Communications: - Minimum: Regular website updates, 1 community information meeting (CIM) / open house - Additional e.g.: additional CIM / open house, project news releases, mailouts re: commencement & bylaw adoption, plain language guide for bylaws
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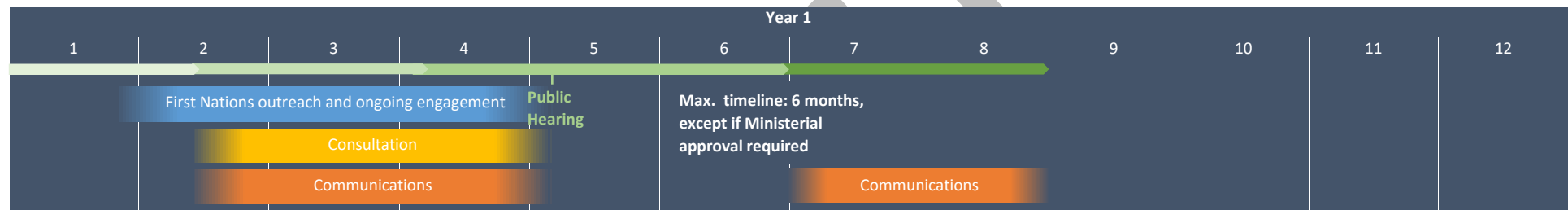
*engagement and communications plans includes the three elements in this box

DRAFT

Appendix C – Standard Process – Minor OCP/LUB Amendment (DRAFT)

Minor Policy/Regulatory Work

Project scope:	- Technical review (e.g. correct errors, review definitions, up date references, improve readability (format, style, organization, spelling/grammar, references)); and/or - a smaller topic focus (e.g. new DPA; updating general/subdivision regulations; minor LUB amendments that implement OCP amendments, update dock or commercial zoning regulations; adopt model bylaw, First Nation recognition, administrative bylaw amendments (fees, procedures, etc.), OCP map amendments)				
Project Manager:	Local Planning staff	Budget:	Max \$5K, from LTC Project Bdgt	Planning staff time:	XX% of workload; influenced by other work
		Consultant Involvement:		None	



PHASE 0: Defining the Project - Added to Top Priorities - Project exploration and scoping - Potential budgeting	PHASE 1: Project Initiation & Analysis - Added to Top Priorities - Preliminary scoping - Consideration of project charter - Funding allocated - Discussion paper/other analysis - Development of work plan, engagement and communications plan,* data/mapping gathering	PHASE 2: Consultation & Bylaw Drafting - First Nation, stakeholder and public engagement and communications as per plan - Development of draft bylaw(s) - Legal review of bylaw(s)	PHASE 3: Legislative Process 1st, 2nd, 3rd readings - Bylaw referrals - Public hearing - Bylaw changes - Approvals by EC & Minister (OCPs) - Adoptions of Bylaw(s)	PHASE 4: Implementation - Bylaw consolidation - Bylaw enforcement - Application checklists - Lessons learned - Bylaw adoption new release
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First Nations outreach and engagement: - Situation analysis - Minimum: Bylaw referrals - Additional: e.g. Direct contact to gauge interest & options for participation, early referrals, cultural knowledge workshops	Consultation: - Minimum: IAP2: Inform - Bylaw referrals (including APC) & Public Hearing - Additional: e.g. early referrals; IAP2: Consult - e.g. surveys, charrettes, world cafés, community meetings	Communications: - Minimum: Regular website updates/news releases, 1 community information meeting (CIM) / open house - Additional e.g.: additional CIM / open house, mailouts re: commencement & bylaw adoption, plain language guide for bylaws
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*engagement and communications plan includes the three elements above

APPENDIX D - Official Community Plan - Evaluation Framework

This evaluation framework is currently in draft form. Staff will be working to better align the framework with the OCP template.

Baseline Data/ Context	Does not Contain	Contains	Needs Updating	Issues / Concerns
Douglas fir ecosystem condition (where info is available)				
Groundwater conditions/ vulnerability projections (where info is available)				
Groundwater regions (where info is available)				
Conservation Profile				
Climate Projections				
Climate Change Targets				
Natural Assets Inventory				
Population projections/demographic trends				
First Nations Territorial Recognition				
Economy				
Shoreline Protection Areas				
Provincially Required Content	Does not Contain	Contains	Needs Updating	
Statements and map designation for residential development required to meet anticipated housing needs over a period of at least five years.				
Statements and map designation for present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses.				
Statements and map designation for present and proposed public facilities, including schools, parks and waste treatment and disposal sites.				
Statements and map designation for sand and gravel deposits that are suitable for future sand and gravel extraction.				
Statements and map designation for phasing of any major road, sewer and water systems.				
Statements and map designation for restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development				

Housing Policies for affordable housing, rental housing and special needs housing				
Targets for the reduction of greenhouse gas emissions, and policies and actions of the local government proposed to achieve those targets				
Riparian Area Regulation				
First Nations Reconciliation	Does not Contain	Contains	Needs Updating	
First Nations acknowledgment				
First Nations history				
First Nations goals and policies - HCA (Part 15 of LGA)				
Protection of culturally significant species				
Ecosystem Preservation and Protection				
Policies related to forest ecosystem preservation and protection - e.g. DPA for Coastal Douglas fir ecosystem				
Policies related to wetland ecosystem and riparian area protection - Regulatory bylaws for the protection of foreshore and nearshore - e.g. Riparian Area DPAS				
Policies related to coastal and marine ecosystem preservation - locations of boat launches, docks, anchorages that do not degrade sensitive marine or coastal areas - e.g. Marine Environmental Protection DPAs				
Policies protecting sensitive ecosystems				
Policies protecting species at risk				
Policies protecting native species				
Policies related to the management of invasive species				
Ground water maps				
Policies supporting freshwater sustainability - ground water budgets - greywater recycling - rainwater catchment				

- density and intensity limits where problems with water quantity and quality				
Resilient Communities				
Policies related to the protection of agricultural land				
- Agricultural land designations				
Preservation , protection, encouragement of farming , sustainable farming				
Crown lands for agricultural leases				
Impacts of farming addressed				
Policies addressing the retention of large parcels for sustainable forest use.				
- Forest land use designations				
Policies addressing reducing the fragmentation of forests				
- DPAs for forest protection				
- Forest ecosystem reserves				
Policies protecting soils and other subterranean				
- DPA?				
Community Safety and Resilience (Emergency Management and Climate Change Adaptation)				
Policies addressing slope instability				
Policies addressing erosion				
Analysis of climate change vulnerability				
Policies supporting and encouraging local food production				
Policies addressing drought				
- Policies and regulations to align with development potential as identified through mapping of aquifers, development of water consumption budgets and identification of salt water intrusion risks.				
- Policies encouraging rainwater capture				
Policies addressing wildfire mitigation				
- DPA re: hazardous conditions				
Policies addressing storm surge and other flooding				
- Enact regulations under s.479 of the Local Government Act and flood level regulation under s. 524 of the LGA				
Policies addressing sea level rise				
- DPA				

- Setbacks (LUBs)				
- Softshores/greenshores DPA?				
Designation of areas for the landing of emergency helicopters				
Low Carbon Communities (GHG Reduction)				
Policies encouraging compact, complete and connected land use				
Policies minimizing emission intensive transportation				
Policies supporting and encouraging active transportation				
Policies encouraging low carbon agriculture and food production				
Policies supporting renewable energy systems and efficient building siting and design				
Policies related to carbon sink preservation				
- Park designation				
- Policies related to type of agriculture?				
- Lot coverage maximums				
- DPAs related to forest, ecosystems, eelgrass etc.				
Accommodations for recycling, re-use and composting facilities				
Healthy and Prosperous Communities				
Policies supporting economic activities that are compatible with community character and the preservation and protection of islands ecosystems				
Policies addressing health-related facilities				
Polices related to cultural and recreational facilities and services				
Satisfying LGA requirements				
Indicators				

LTA	Bylaw area	OCP adoption date	Over 5 years Since Major OCP Update	Years Since OCP Amended	Multiple OCPs/LUBs in LTA	Missing Prov. Req'd Elements (legal vulnerability 1-5)	Urgency prompted by external inputs (yes/no)	On Top Priorities List	Notes
BW	BW	2013	X	6					
Denman	Denman	2008		2				X	<i>Funds in draft 2022/23 budget for OCP/LUB Housing Update</i>
Gabriola	Decourcy	2001	X	8	X				
Gabriola	Mudge	2007	X	5	X				
Gabriola	Gabriola	1997		1	X			X	<i>Housing + Freshwater OCP/LUB Project on-going and funded since 2018; no amendments pending</i>
Galiano	Galiano	1995		1					<i>Major OCP amendments adopted in 2011</i>
Gambier	Gambier	2001		2	X			X	<i>Funds in draft 2022/23 budget for Major OCP / LUB update</i>
Gambier	Gambier Associated Islands	2009		2	X				
Gambier	Keats	2002		1	X			X	<i>Shoreline OCP / LUB update anticipated for adoption in 2022</i>
Hornby	Hornby	2014		1				X	<i>Major OCP amendment adopted in 2014; Funds in 2022/23 draft budget for another Major update</i>
Lasqueti	Lasqueti	2005	X	9				X	<i>Major OCP update currently underway</i>
Mayne	Mayne	2007		1					
North Pender	North Pender Associated Islands	2002	X	9	X				<i>Major update in 2011</i>
North Pender	North Pender	2007		3	X				
Salt Spring	Salt Spring	2008		3	X				
Salt Spring	Piers Island	1982	X	40	X				
Saturna	Saturna	2010		2					
South Pender	South Pender	2011		0.5					
Thetis	Thetis Associated Islands	2014	X	5	X				
Thetis	Thetis	2011		3	X				

TC-2021-128

It was Moved by Trustee Colbourne and Seconded by Trustee Patrick,

That Islands Trust Council:

Make the following recommendations to British Columbia's Lieutenant Governor in Council, in accordance with S. 8(2)(e) of the Islands Trust Act;

1) That the Province of British Columbia develop the necessary mechanisms to create, fund, govern, and administer an Islands Housing Authority-type entity that will develop housing solutions across the Islands Trust area that:

- a. Support equitable access to housing as a fundamental human right and an act of Reconciliation with First Nations and Indigenous Peoples;
- b. recognize that there is critical need for a diversity of housing across the Islands Trust Area, and that the islands are particularly lacking in purpose-built rental housing;
- c. fosters preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland;
- d. recognize that intensifying development of new single-user, market-valued homes poses a clear threat to the natural environment and cultural heritage sites, and is not the best use of the remaining residential land on the islands;
- e. recognize that compact and clustered residential development can make more efficient use of land, resources and infrastructure, produce lower greenhouse gas emissions, and be more affordable than resource-intensive single-user homes;
- f. support a socially and economically diverse population and healthy communities across the Islands Trust Area;
- g. allow for islands within the current Islands Trust area to opt into the entity.

TC-2021-129

It was Moved by Trustee Busheikin and Seconded by Trustee Colbourne,

Amend motion TC-2021-128 by adding:

- h. recognize the value of island specific solutions, traditions and approaches to providing housing options.

CARRIED

TC-2021-130

It was Moved by Trustee Morrison and Seconded by Trustee Dodds,

That we refer the motion on the table (TC-2021-128) to the Regional Planning Committee for further consideration.

CARRIED

It was discussed that the intent of the referral motion to Regional Planning Committee could bring improvements to the motion for consideration at March Trust Council.



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** November 30, 2021

From: Laura Patrick,
Salt Spring Trustee, and
Scott Colbourne,
Gabriola Trustee **Date Prepared:** November 2, 2021

SUBJECT: Housing Equity and Workforce Shortage Crisis

RECOMMENDATION:

That the Islands Trust Council:

1. Declare that a Housing Equity and Workforce Shortage Crisis exists in many of the islands within the Islands Trust Area, including Salt Spring, Gabriola, Galiano, [add islands].
2. Make the following recommendations to British Columbia's Lieutenant Governor in Council, in accordance with S. 8(2)(e) of the Islands Trust Act;
 - a) That the Province of British Columbia develop the necessary mechanisms to create, fund, govern, and administer an Islands Housing Authority-type entity that will develop housing solutions across the Islands Trust area that:
 - a. Support equitable access to housing as a fundamental human right and an act of Reconciliation with First Nations and Indigenous Peoples;
 - b. recognize that there is critical need for a diversity of housing across the Islands Trust Area, and that the islands are particularly lacking in purpose-built rental housing;
 - c. fosters preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland;
 - d. recognize that intensifying development of new single-user, market-valued homes poses a clear threat to the natural environment and cultural heritage sites, and is not the best use of the remaining residential land on the islands;
 - e. recognize that compact and clustered residential development can make more efficient use of land, resources and infrastructure, produce lower greenhouse gas emissions, and be more affordable than resource-intensive single-user homes;
 - f. support a socially and economically diverse population and healthy communities across the Islands Trust Area;
 - g. allow for islands within the current Islands Trust area to opt into the entity.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1. PURPOSE:

To request that Trust Council pass the recommended motions that recognize that housing is integrated with commitments made in two previous declarations – the Climate Emergency and Reconciliation.

In the Islands Trust Climate Emergency Declaration, Trust Council included a “central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts, and most in need of support in transitioning to renewable energy.”

In Trust Council’s Declaration on Reconciliation, it states a commitment “to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust ... understands that this commitment is a long-term relationship-building and healing process.”

Supporting the motion will facilitate and further enable requesting resources and support from the Province to pursue housing solutions that further Trust Council’s commitments, the mandate of the Islands Trust, and integrated land use planning.

2. BACKGROUND:

Housing and development patterns in the islands reflect historical practices and policies.

The rental housing market has collapsed, due to increased demand for retirement and vacation homes, and with the added pressure of the recent remote/working from home trend. There are many reasons for the collapse of the rental housing market including:

- the preponderance of single user market real estate across the Trust Area;
- there is little to no purpose-built rental housing in the islands;
- existing rental stock is being lost to sales to off-island owners and the lure of lucrative vacation rentals;
- there is a lack of serviced land available for new multifamily housing projects;
- the costs and risks of servicing and rezoning land for multifamily housing is prohibitive to private, non-profit and public housing developers; and
- there is significant competition for funding for subsidized housing projects. Without the ability to own or develop land, the Islands Trust is especially inhibited in its ability to enter into partnerships and leverage resources for residential development.

For real change to occur in the availability of housing options that will meet the needs of islanders, cooperation is needed with all levels of government, non-profits and community groups, as well as the private sector and small businesses. The Islands Trust is not resourced to take on the coordination of such a program. An Islands Housing Authority-type entity that is specifically designed to own land, undertake planning work, apply for any necessary rezoning, undertake development projects, apply for, receive, and administer grants, manage projects/programs, manage housing agreements and undertake planning work, would have the capacity to work more efficiently and effectively with the required partners, from other levels of government to individual not-for-profits, right across the seven regional districts involved.

The Islands Housing Authority type entity needs a mandate that includes entry level and non-market homeownership and shared owner housing models. This is a “missing middle” issue. We need rentals but we also desperately need other compact ownership options. The Whistler Housing Authority is a model to consider.

Understanding the very different regulatory world of our neighbours to the south – the San Juan Islands’ centralized Land Bank Commission, funded through a real estate excise tax, appears to be working well with the individual island land trusts to create innovative housing solutions.

3. IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Planning and rezoning processes would proceed much more smoothly, and with fewer resources needed, due to the Housing Authority’s familiarity in working with the Local Trust Committees and vice versa.

FINANCIAL: If the Housing Authority budget could be funded through a customized instrument, such as a real estate excise tax, the financial burden to the Islands Trust, in both direct cost and significant staff time, would be greatly decreased.

POLICY: *Islands Trust Act*, Section 8 (Responsibilities of Trust Council).

(2) For the purpose of carrying out the object of the trust, the Trust Council may:

... (e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment.

IMPLEMENTATION/COMMUNICATIONS: The process for equitable and affordable housing solutions, where suitable, could be more efficient. The benefits to Local Trust Committees in terms of less work while retaining oversight and planning approval will need to be clearly communicated.

FIRST NATIONS: Immediate and continued relationship building with all Nations in the Trust area must continue including the role First Nations could choose to take in such an Islands Housing Authority.

A First Nations Housing and Infrastructure Council has been founded by Indigenous Leadership to create a housing and infrastructure authority in British Columbia. Its mandate includes assuming authority and control for First Nations housing and infrastructure program delivery in the province. <https://www.fnhic-bc.ca/>

OTHER: Good collaboration, information sharing and partnership building with existing non-profit housing organizations and land trusts in the Trust area would be required.

4. RELEVANT POLICY(S):

5. ATTACHMENT(S):

RESPONSE OPTIONS

Recommendation:

Alternative:

Prepared By:

Reviewed By/Date:

MEMORANDUM

File No.: 6500-20 (Housing Action Program)

DATE OF MEETING: February 9, 2022

TO: Regional Planning Committee

FROM: Louisa Garbo, Island Planner, Salt Spring Team

SUBJECT: **Request to Amend Trust Council Policies to Expedite Affordable Housing Applications**

PURPOSE

The purpose of this memorandum is to forward a request from the Salt Spring Island Local Trust Committee (SS LTC) to the Islands Trust Regional Planning Committee to consider amending Trust-wide policies to support expediting rezoning applications for affordable housing.

BACKGROUND

On August 19, 2021, Salt Spring Island Local Trust Committee's Housing Action Program Task Force proposed some immediate actions for SS LTC to consider in response to the community's need for immediate actions to help ease the housing crisis. The recommendations proposed by the Task Force included a recommendation to the SS LTC to develop procedures to expedite affordable housing, supportive housing, and social housing projects that prioritize affordable housing rezoning applications. After consideration, the SS LTC carried the following resolutions:

1. **That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation and request staff to forward a request to the Islands Trust Regional Planning Team to consider necessary amendment to Trust-wide policies that support expediting rezoning applications for affordable housing.**
2. **That the Salt Spring Island Local Trust Committee endorse the Housing Action Program Task Force's recommendation and request staff, upon amendment to the Trust-wide policies, to undertake necessary amendment to the Salt Spring Island Trust Committee Development Procedure Bylaw No. 304, 1992, to expedite applications that support the development of affordable housing.**

NEXT STEPS

Next steps to be considered by the Regional Planning Committee.

Respectfully Submitted By:	Louisa Garbo, Island Planner, Salt Spring Island Team	November 30, 2021
Concurred By:	Stefan Cermak, Regional Planning Manager, Salt Spring Island Team	November 30, 2021

Top Priorities Report

Regional Planning Committee

1. *Manage Trust Council Strategic Plan Action Items 1.2., 2.2., 2.3., 2.4., 2.5., 4.4iii., 4.4 iv., and 4.8*

Strategic Plan item #1.2 - Model CDF bylaws - to begin fall 2021

Strategic Plan item #2.2 - Map extent of Eelgrass beds - underway,, consultant engaged completion December 2021

Strategic Plan item #2.3 - Shoreline Review - David Marlor

Strategic Plan item #2.4 - Freshwater Sustainability Strategy - Narissa Chadwick and William Shulba

Strategic Plan item #2.5 - Groundwater Mapping - William Shulba

Strategic Plan item #4.4 iii - Using Floor Area Ratio for Affordable housing - to Trust Council September 2021 - David Marlor

Strategic Plan item #4.4 iv- Model density bonus bylaws for Affordable housing - start in September 2021 - David Marlor

Strategic Plan item #4.8- develop heritage conservation overlay mapping - underway, consultant engaged - Lisa Wilox/David Marlor

Responsible

Dates

David Marlor
Narissa Chadwick
William Shulba

Rec'd: 29-Jul-2020
Target: 31-Mar-2022

Projects Report

Regional Planning Committee

1. *Shoreline Marine Planning*

Responsible

Date Received

Trust Council - 2015-2018 Strategic Plan Item

09-Nov-2017

Conduct a working group session to brainstorm possible directions.

2. *Preserve, protect and advocate for forest and terrestrial ecosystems*

Responsible

Date Received

1. Map contiguous tracts of the Coastal Douglas-fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems (underway by contractor for completion March 31, 2020) (2018-2022 Strategic Plan item 1.1).

12-Feb-2020

2. Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area (2018-2022 Strategic Plan item 1.2).

3. *Preserve and protect marine ecosystems*

Responsible

Date Received

1. Map the extent of eelgrass and kelp beds throughout the Trust Area (2018-2022 Strategic Plan item 2.2).

12-Feb-2020

2. Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore (2018-2022 Strategic Plan item 2.3).

4. *Protect quality and quantity of fresh water resources of the Trust Area*

Responsible

Date Received

Projects Report

Regional Planning Committee

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 2.5)
2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 2.6).

12-Feb-2020

5. *Strengthen housing affordability throughout the Islands Trust Area*

Responsible

Date Received

Implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council:

12-Feb-2020

1. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iii).
2. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iv).
3. Develop model bylaws to address the use of building stratas as a tool for affordable housing (2018-2022 Strategic Plan item 4.4 v).

6. *Mitigate and adapt to climate change impacts*

Responsible

Date Received

1. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater. (2018-2022 Strategic Plan item 3.2).

12-Feb-2020

BRIEFING

To:	Regional Planning Committee	For the Meeting of:	February 9, 2022
From:	David Marlbor, Director, Local Planning Services	Date Prepared:	January 26, 2022
SUBJECT:	Items Referred from Trust Council		

PURPOSE: To provide an overview of the work items referred to the Regional Planning Committee from Trust Council, and to assist the Regional Planning Committee in prioritization of them and responding.

BACKGROUND:

Trust Council has referred several items to the Regional Planning Committee for consideration. They are as follows:

1. Staff to work with the Regional Planning Committee to review policies and fees related to the Agricultural Land Commission Exclusion Regulation which comes into effect October 1, 2020. – (Sep 15, 2020)
2. Trust Council refer the Residential Floor Area report back to the Regional Planning Committee and request that the report incorporate the work being done on North Pender and South Pender and to update the report to identify environmental benefits. (Sept 2021)
3. Trust Council request that the Regional Planning Committee add to its work program the development of an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy. (Dec 2021)
4. That the Trustee RFD referred resolution, as amended re: Housing Equity and Workforce Shortage Crisis be sent to Regional Planning Committee (Dec 2021)

Discussion:

The Regional Planning Committee has been focused on working on strategic plan items that were budgeted for Fiscal Year 2021/22. These include:

1. **Freshwater Strategy** – that is completed and was presented to Trust Council in December 2021. As a result of this, Trust Council passed the resolution in item 3 above. This item is budgeted for FY2022/23 and to complete the Freshwater Strategy and to begin implementation, should be a priority of the Regional Planning Committee in FY2022/23.
2. **Groundwater Mapping** – this project is on-going and the budget for FY2022/23 includes funding to complete the work by undertaking the mapping on the remaining islands. This work should be a priority in FY2022/23. The work is mostly done by consultants and managed by the Senior Freshwater Specialist.
3. **Develop a model land use regulation regarding freshwater sustainability** including groundwater, rainwater catchment and greywater recycling. \$5,000 was allocated to this project with work expected to begin in December 2021.
4. **Map Extent of Eelgrass Beds** – this work is expected to be completed by end of March 2022 at a level 1 survey (air-photo interpretation), and a report will identify where a level 2 survey is

necessary before using the data for mapping projects. This work should only take place if and when a local trust committee wishes to undertake mapping in their OCP or LUB. Further work on this would be for a future fiscal year subject to need and budget.

5. **Develop model density bonus bylaws** for consideration of implementation in local trust area land use bylaws. Given that the Regional Planning Committee has requested a budget to handle the housing recommendations in the strategic plan in a comprehensive way, work on this has not started. \$10,000 was budgeted for this project.

ATTACHMENT(S):

1. **None**

FOLLOW-UP:

Decision by the Regional Planning Committee on priorities, and communication to Trust Council on those at the March 2022 meeting.

Prepared By: **David Marlor, Director, Local Planning Services**

Reviewed By/Date:

DATE OF MEETING: December 14, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
Lisa Wilcox, Senior Intergovernmental Policy Advisor
SUBJECT: Standing Resolution for First Nations Consultation for Proposed Antenna Systems

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee adopt the following standing resolution with respect to First Nations consultation in accordance with the “Strategy for Antenna Systems” in the Local Trust Area:
 - a. The proponent will consult with the Local Trust Area representative during the pre-consultation phase to determine proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential and obtain a list of First Nations rights and title holders;
 - b. The proponent is recommended to undertake consultation during the pre-consultation phase with the Islands Trust and a First Nations cultural knowledge holder for the siting of the proposed antenna system as it relates to cultural and sacred sites;
 - c. The proponent will obtain and provide a BC Archaeological Information request response from the BC Archaeology Branch to confirm proximity of the proposed antenna system to known archaeological sites and/or areas of archaeological potential including permit requirements under the *Heritage Conservation Act*;
 - d. The proponent will obtain and provide an Archeological Impact Assessment for antenna systems proposed to be sited on or within 100 metres of a known archaeological site or cultural/sacred site identified by a First Nations cultural knowledge holder; and
 - e. The proponent will provide written notice – including, if applicable, the Archeological Impact Assessment – sent by regular mail or hand delivered to all First Nations rights and title holders identified during the pre-consultation phase.
2. That the Salt Spring Island Local Trust Committee forward the staff report dated December 14, 2021 to the Regional Planning Committee.

PURPOSE

This report provides a standing resolution for First Nations consultation as an interim measure following adoption of the Strategy for Antenna Systems for the Salt Spring Island Local Trust Area.

BACKGROUND

At their meeting of November 10, 2021, SS LTC passed the following resolution:

SS-2021-221

It was **MOVED** and **SECONDED**,

That the Salt Spring Island Local Trust Committee adopt the Antenna System Siting Protocol.

CARRIED

SS-2021-222

It was **MOVED** and **SECONDED**,

That the Salt Spring Island Local Trust Committee request staff to draft a standing resolution to include First Nations consultation and cultural and sacred sites siting requirements for “Antenna System Siting Protocol”.

CARRIED

ANALYSIS

Issues and Opportunities

First Nations Consultation for Telecommunication Towers

At the SS LTC meeting of November 9, 2021, following adoption of the antenna system siting protocol, staff were requested to draft a standing resolution "to include First Nations consultation and cultural and sacred sites siting requirements for Antenna System Siting Protocol". Further to direction from the SS LTC, planning staff have collaborated with the Islands Trust Senior Intergovernmental Policy Advisor (SIPA) to formulate a standing resolution in line with the [Islands Trust Reconciliation Declaration](#) for consideration by the SS LTC. The proposed standing resolution included pre-consultation with staff, recommended consultation with a First Nations cultural holder, requirements to contact the BC Archaeological Branch, requirements for Archeologically Impact Assessments in proximity to known archaeological or cultural/sacred sites and notification to rights and title holders. Staff note that standing resolutions are meant only as a stop-gap measure while policy and protocols are in progress.

Rationale for Recommendation

The 2018 Model Strategy for Antenna Systems does not include consultation requirements for First Nations nor does it encompass considerations for buffers from cultural and sacred sites. As per the SS LTC's direction, planning staff and the SIPA have collaborated to create a standing resolution which seeks to provide guidance to telecommunication tower facility proponents for siting considerations, report requirements and consultation guidelines for First Nations. Additionally, staff recommend the SS LTC forward this staff report to the Regional Planning Commission (RPC) as a stop-gap implementation of a standing resolution for other Local Trust Areas until the Model Strategy for Antenna Systems can be put on the RPC projects list and updated.

ALTERNATIVES

The SS LTC may wish to consider the following alternatives to the staff recommendation:

1. Receive for information

The SS LTC may receive this memorandum for information. Staff advise that the implication of this option is that there would be no requirement of guidance for First Nations consultation for telecommunication facilities.

2. Request further information

The SS LTC may request further information prior to making a decision. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request staff to report back on [item]...

NEXT STEPS

If the recommended resolutions are accepted, the standing resolution will be adopted and the staff report will be forwarded to RPC.

Submitted By:	Kristine Mayes, Planner 1	November 26, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	November 30, 2021

DATE OF MEETING: November 9, 2021
TO: Salt Spring Island Local Trust Committee
FROM: Geordie Gordon, Planner 2, Salt Spring Island Team
Kristine Mayes, Planner 1, Salt Spring Island Team
COPY: Stefan Cermak, Regional Planning Manager, Salt Spring Island Team
SUBJECT: Options for Local Trust Committee Input into Consultation Plans for Telecommunications Towers

RECOMMENDATION

1. That the Salt Spring Island Local Trust Committee request the Regional Planning Committee add "Antenna System Siting Protocol" to the Regional Planning Committee Work Program to include First Nations consultation requirements; cultural and sacred sites siting requirements; and consideration of the Salt Spring Island Advisory Planning Commission recommendations.

PURPOSE

This report provides options for the Salt Spring Island Local Trust Committee (SS LTC) to provide early input into the public consultation plans of proponents proposing to locate telecommunication towers on Salt Spring Island.

BACKGROUND

At their meeting of August 31, 2021, SS LTC passed the following resolution:

SS-2021-173

It was **MOVED** and **SECONDED**,

That the Salt Spring Island Local Trust Committee direct staff to report back on options for the LTC to provide early input into the consultation plans of telecommunication tower proponents.

CARRIED

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The Islands Trust Policy Statement contains the following directive policy relevant to telecommunications proposals:

- 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.

Official Community Plan:

The following [Salt Spring Island Official Community Plan No. 434](#) (OCP) policies and objectives are pertinent to this report:

Community Objective A.4.1.4 To adopt the precautionary principle in the decision-making of the Local Trust Committee. The precautionary principle asserts that, when an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause-and-effect relationships are not fully established scientifically. In this context, the essential elements of a precautionary approach to decision-making include:

- a. a duty to take anticipatory action to prevent harm;
- b. the right for the community to know complete and accurate information on potential human health and environmental impacts as best it can be determined;
- c. requiring the proponent to supply this information to the public;
- d. an obligation to consider alternatives and select the alternative with the least potential impact on human health and the environment, including the alternative of no change;

- e. a duty to consider broader short-term and long-term costs and benefits to the community when evaluating potential alternatives; and
- f. a responsibility to make decisions in a transparent, participatory manner, relying on the best available information.

Note: Health Canada is the federal agency with authority to address health impacts of telecommunication towers.

Objective C.5.1.1.1 To accommodate the facilities that provide Salt Spring Island with necessary power and telecommunications services, while minimizing impacts on neighbourhoods, community health, the natural environment and resource lands.

Objective C.5.1.1.2 To accommodate telecommunications facilities that Industry Canada considers must be located on Salt Spring Island.

Policy C.5.1.2.1 The Local Trust Committee should ensure that land is not rezoned for higher density residential use, child care, schools, health care or public assembly in areas where electromagnetic radiation is higher than normal.

Others are Encouraged... C.5.1.2.4 Utility companies operating on Salt Spring Island are encouraged to continue to use the best management practices to control vegetation on utility line rights-of-way. The use of pesticides, herbicides and fungicides is particularly discouraged in catchment areas for community drinking water supplies and environmentally sensitive areas.

Others are Encouraged... C.5.1.2.5 Utility companies and the Integrated Land Management Bureau are encouraged to investigate the joint use of utility towers and other facilities as an alternative to the development of new or additional structures.

Land Use Bylaw:

The following Salt Spring Island Land Use Bylaw (LUB) definition and regulations are pertinent to this report:

“public utilities” means a *use* of land, or of *unoccupied* works and *structures* such as pipes, wires, poles or towers, for the provision of electricity, gas, water, sewage collection, telephone, cablevision or telecommunication *services* to the *public* of the island on which it is located; or the *use* of land or *unoccupied structures* for navigational aids.

3.1.1 The following *uses* are permitted in every zone:

(1) *public utilities*;

3.8.4 The *height* restrictions for *buildings* and *structures* set out in this Section do not apply to retaining walls, telecommunication antennae, *church* spires, monuments, chimney stacks, flag poles, lightning poles, elevator shafts, stair towers, silos, barn ventilation shafts, water towers, electrical transmission towers, navigational equipment, ferry ramp towers, fire hose towers and fire alarm towers, provided that the *lot coverage* of such *structures* does not exceed 1 per cent or, if it is located on a *building*, the *structure* does not occupy more than 10 per cent of the roof area of the *building*.

4.3.1 Unless otherwise specified, no *building* or *structure* except a fence, *pumphouse*, *public utility structure* or underground utility may be constructed within the following setbacks from *lot lines* or road access easements:

- (1) Setback from *front lot line*: 7.5 m
- (2) Setback from *rear lot line*: 7.5 m
- (3) Setback from *interior side lot line*: 3.0 m
- (4) Setback from *exterior side lot line*: 4.5 m

Issues and Opportunities

Land Use Regulations

When receiving a request for concurrence, the SS LTC considers zoning, height and siting of public utilities (towers for the provision of telecommunication services to the public). "Public Utilities" are currently permitted in every zone (Subsection 3.1.1); are not subject to height restrictions (Subsection 3.8.4); and are not subject to siting regulations (Subsection 4.3.1). Should the SS LTC wish to impose regulations on use (ie. restrictions to specific zones), height, or siting of antenna systems (ie. setbacks for lots zoned to permit residential use), the SS LTC could explore options to amend the LUB and OCP through project work. Staff note as the projects list is presently fully allocated, one or more projects would need to be removed to accommodate such a project.

Consultation

There is no statutory requirement for the Islands Trust to undertake public notification for the siting of a telecommunications facility. Notwithstanding, the SS LTC may adopt a public consultation process. The onus currently rests with the proponent to notify affected properties with limited oversight by Islands Trust staff.

Where land use authorities do not have an established and documented public consultation process applicable to antenna siting (ie. the SS LTC), proponents must follow Innovation Science and Economic Development (ISED)'s default consultation process (Section 4.2) in accordance with [CPC-2-0-03](#) (2014): *Radiocommunication and*

Broadcasting Antenna Systems. Prior to applying to construct a new telecommunication tower on Salt Spring Island, proponents must undertake notification according to the ISED default process:

1. Provide written notification to the public, the land-use authority and ISED. The notification package must be provided (mailed or hand delivered) to the local public located within a radius of three times the proposed tower height and place a notice in the local newspaper;
2. Engage the public and land-use authority to address relevant questions, comments, and concerns and provide at least 30 days for public comments;
3. Provide an opportunity for the public and land use authority to respond to measures taken to address reasonable and relevant concerns.

Model Strategy for Antenna Systems

The SS LTC has the authority to create a land-use consultation process, which then must be followed by telecommunication tower proponents. The SS LTC does not currently exercise this authority as it has not adopted a new telecommunications policy following ISED's revoking of the 2001 Procedure for Cellular Phone Antenna Proposals and Letter of Understanding (due to dated procedural guidelines).

At their meeting of February 11, 2016, the SS LTC requested the Islands Trust Council "consider an Islands Trust policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which can then be adopted and implemented by each Local Trust Committee". A Model Strategy for Antenna Systems was produced for the Local Planning Committee in May 2018 (Appendix No. 1). On May 28, 2019, the Model Strategy was considered by the SS LTC and referred to the Advisory Planning Commission (APC) and was discussed at their July 11, 2019 meeting (Appendix No. 2).

In 2020, subsequent to concerns regarding First Nations engagement for two telecommunication towers on Thetis Island¹, the Model Strategy was forwarded to the Islands Trust Senior Intergovernmental Policy Advisor (SIPA) for review for inclusion of language for cultural and sacred sites buffers and requirements for Archaeological Impact Assessments (AIA). To allocate staff resources for these proposed amendments the Model Strategy would need to be added to the Regional Planning Committee (RPC) work program.

Staff note the APC has previously provided recommendations in 2001 on policy guidelines to assist with decision making regarding the siting of telecommunication towers (Appendix No. 3).

Recommended Amendments to the Model Strategy for Antenna Systems

Several deficiencies with ISED's default strategy have been identified by the consultants – Van Hemert & Co. – in the Model Strategy for Antenna Systems, including but not limited to: application requirements, cost recovery, pre-consultation and limited community-based dialogue beyond providing public information. Additional deficiencies in respect to First Nations consultation and requirements have also been identified and should be addressed prior to adoption of the protocol in line with the [Islands Trust Reconciliation Declaration](#). The APC has also provided recommendations regarding language, mapping and assessment requirements.

The intent of the Model Strategy is to implement a standard procedure across the Islands Trust area for concurrence requests, not to create individual protocols for a specific local trust area. If the SS LTC wishes to consider amending their Top Priorities List to add "Antenna System Siting Protocol", the SS LTC should request ISED and the Director of Local Planning Services provide guidance on any proposed amendments to the Model Strategy.

Staff note that there are limitations to the Model Strategy that may not result in the type of consultation or review of telecommunication towers that some opponents of telecommunication towers are looking to the SS LTC to regulate. ISED specifies the follow areas of concern that are not relevant to the process:

- Disputes related to the proponent's service unrelated to antenna installations;
- The effect of the proposed system on property values;
- The validity of Safety Code 6 or other bylaws and legislation.

¹ Islands Trust Letter to Bernie Reis re: Antenna Systems, UNDRIP and Safety Code 6 dated October 6, 2020: <https://islandstrust.bc.ca/document/letter-to-bernie-reis-re-antenna-systems-undrip-and-safety-code-6/>

Rationale for Recommendation

On March 14, 2019, the Islands Trust Council adopted its [Reconciliation Declaration](#) – strengthening its commitment to establish and maintain mutually respectful relationships between Indigenous and non-Indigenous peoples. The 2018 Model Strategy for Antenna Systems does not include consultation requirements for First Nations nor does it encompass considerations for buffers from cultural and sacred sites. As such, staff recommend the SS LTC request the RPC add "Antenna System Siting Protocol" to their Work Program to include consultation requirements for First Nations and include siting considerations for cultural and sacred sites and requirements prior to adoption of the consultation process. Additionally, staff recommend the SS LTC forward the APC's recommendations from their July 11, 2019 meeting (Appendix No. 2) and January 23, 2001 meeting (Appendix No. 3).

ALTERNATIVES

The SS LTC may wish to consider the following alternatives to the staff recommendation:

1. Receive for information

The SS LTC may receive this memorandum for information. Staff advise that the implication of this option is that the ISED's default three-step consultation process ([CPC-2-0-03](#)) would remain in force.

2. Request further information

The SS LTC may request further information prior to making a decision. If selecting this alternative, the SS LTC should describe the specific information needed and the rationale for this request. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request staff to report back on [item]...

3. Amend the Top Priorities

The SS LTC may consider adoption of a telecommunication tower land-use consultation protocol a top priority. Staff advise that the implication of this option is that presently the Model Strategy does not include considerations for buffers from cultural and sacred sites. Staff note the projects list is presently fully allocated and one or more projects would need to be removed to accommodate this project. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee remove "[project(s)]" from the Top Priorities List and add "Antenna System Siting Protocol" to the Top Priorities List.

4. Refer to the Advisory Planning Commission

The SS LTC may consider referring the staff report to the APC for review and comment. Staff note the APC has previously provided comment on the Model Strategy for Antenna Systems at their meeting of July 11, 2019 – should the SS LTC wish to add "Antenna System Siting Protocol" to their top priorities; the Model Strategy can be re-referred to the APC. Recommended wording for resolution:

That the Salt Spring Island Local Trust Committee request staff to refer the Staff Report dated October 22, 2021, regarding Options for Local Trust Committee Input into Consultation Plans for Telecommunications Towers to the Advisory Planning Commission for review and comment.

Submitted By:	Geordie Gordon, Planner 2 & Kristine Mayes, Planner 1	October 22, 2021
Concurrence:	Stefan Cermak, Regional Planning Manager	October 28, 2021

APPENDICES

1. Model Strategy for Antenna Systems
2. APC Minutes of July 11, 2019
3. Cellular Phone Transmission Antenna Location: Recommendations of the APC

MODEL STRATEGY FOR ANTENNA SYSTEMS

LOCAL PLANNING COMMITTEE



Photo Credit: Beacon Wireless – <http://www.beaconwireless.ca/#high-speed-internet>

May 3, 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

Model Strategy for Antenna Systems—Local Planning Committee

- 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
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- * 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 ISSED'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

Model Strategy for Antenna Systems—Local Planning Committee

- Distance of new free-standing towers from existingSafety 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 property lines, the distance may be increased by the Local Trust Committee to a maximum of (3) times the height of the proposed tower. The LTC should consider a guideline of increasing the setback 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 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.
- Se backs from property lines adjacent non-residential uses may invite special consideration in the Land Use Bylaw. The setbacks 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*

Model Strategy for Antenna Systems—Local Planning Committee

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

Pending – in design phase

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

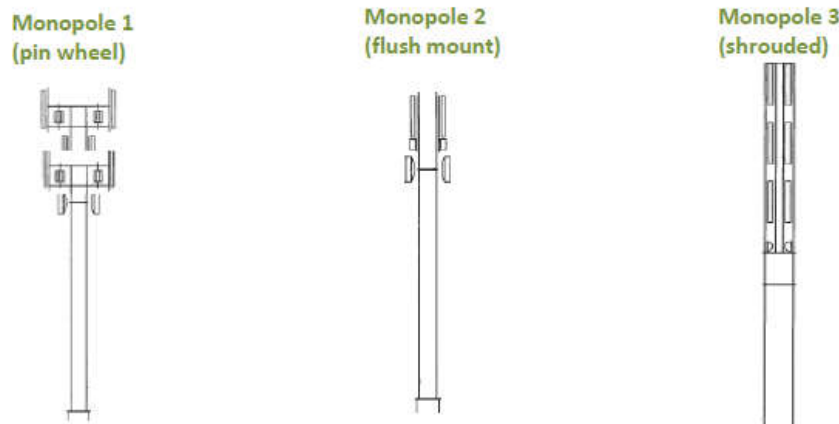
Telecommunication Design

Typical Towers Designs



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



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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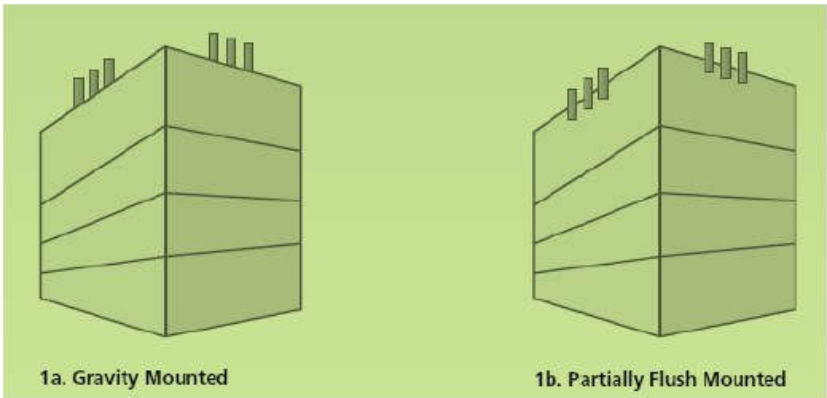
Telecommunication Design

Tripole Tower Designs



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



4. BUSINESS ITEMS

4.1 Model Strategy for Antenna Systems

Planner Gordon presented a staff report dated May 21, 2019 regarding a Model Strategy for Antenna Systems. Planner Gordon noted that if adopted, the Model Strategy for Antenna Systems protocol would be a guide for future applicants.

There was discussion and the following comments were noted:

- There was a request that the planner describe and clarify a Trust wide consultation.
- There was a question if the strategy follows the Innovation, Science and Economic Development Canada (ISED) default protocol. Planner Gordon noted the strategy was developed in consultation with a representative of ISED.
- There was a question about the purpose of the meeting, and if it was to discuss the consultation process and the protocol that has been developed. Planner Gordon noted yes.
- There was a comment that Salt Spring Island does not have a consultation process for this type of application. Planner Gordon confirmed that this was correct, stating there are guidelines but that these do not speak to the consultation process.
- There was a question regarding whether or not it was the Commissions role to create a consultation process. Planner Gordon noted the role of the Commission was to provide input or suggested revisions as to what has already been developed for the Model Strategy for Antenna Systems.
- There was a question regarding the status of the cellular antenna proposal form in the package. Planner Gordon noted that it was not currently in use but rather, was provided as a reference.
- There was a request for clarification as to why the proposal is called “model strategy” and whether other agencies may adopt this proposal model once complete. There was also a question whether this model or a similar model has been proposed to other communities. Planner Gordon responded that the term “model” was used because it is not yet adopted by the Local Trust Committee and is currently used as a guide.
- There was a question regarding the differences between our island’s proposed model strategy and the one used on Galiano Island. Planner Gordon noted that the Galiano Island model strategy was a condensed version of the Model Strategy for Antenna Systems protocol.
- There was a question regarding the mail out notification wording as the envelope indicates the term “cell phone tower” as opposed to the terms “antenna tower” or “telecommunications tower”. It was noted to review these terms and ensure that the appropriate term is applied to the notification.
- There was a comment about the term “significant public interest” and what quantifies or defines this term.
- Comments were made in regards to the document’s wording and it was suggested to reduce ambiguity and to define terms clearly.
- There was a suggestion of an online survey to replace the online forum.
- There was a comment that there was no public input in designing the model strategy. Planner Gordon confirmed that this was correct.

- There was a comment that the document is filled with “shoulds” “shalls” and “mays”, which is subjective language. It was suggested to replace these words with definite language such as “must”.
- Clarity was sought whether the Local Trust Committee could revoke their decision within the three year period, or if their decision would be final. Planner Gordon advised that he would look into this and report back his findings.

It was MOVED and SECONDED,

that the Salt Spring Island Advisory Planning Commission recommend the Salt Spring Island Local Trust Committee refine the model strategy for antenna systems in the following manner:

- Clarify, refine and define language;
- Consider replacing the online forum with an online survey;
- Define the words “reasonable” and “relevant”;
- Define the term “significant public interest”;
- Change the term “cell phone tower” to “telecommunication and antenna system” for notification packages;
- Ensure clear language on the face of the notification envelope for the recipient; and,
- Ensure the document’s language is less subjective and more objective.

CARRIED

It was MOVED and SECONDED,

that the Salt Spring Island Advisory Planning Commission recommend the Salt Spring Island Local Trust Committee:

- Prepare a visual map of discouraged locations as per Page 32, Section C of the Model Strategy for Antenna Systems; and,
- Health, visual and environmental impact assessments be required to be completed by the proponent for land use siting criteria.

CARRIED

Chair Hayden invited members of the audience to speak to the Model Strategy.

A member of the public voiced concern that health impacts are not being appropriately considered in this process and thanked the Commission for their service to Salt Spring Island.

A member of the public inquired if the documents were publicly available and thanked the Commission for their service to the community. Planner Gordon advised that the documents are available on the Islands Trust website or can be obtained at the Islands Trust office.

A member of the public representing “Gulf Islanders for Safe Technology” spoke to climate change, health impacts, and ensuring the Islands Trust Preserve and Protect mandate is upheld, as well as the precautionary principle.

Cellular Phone Transmission Antennae Location: Recommendations of the Salt Spring Advisory Planning Commission

January 23, 2001

The Salt Spring Island Advisory Planning Commission was asked by the local Islands Trust Committee to address the issue of Cellular Phone Transmission Antennae and to provide it with policy guidelines to assist it in decision-making with regard to the siting of such antennae.

From the outset it was made clear to the APC that, given that the installation of the antennae is legal within the current Canadian standard (Safety Code 6), and given that the licensing of such antennae comes under federal jurisdiction, there is no legal framework within which the construction of cell-phone antennae or their installation on existing structures could be completely blocked by the local planning authority.

The concerns which the APC considered were three-fold: (1) the health impact of cellular phone transmission antennae, (2) the visual or aesthetic impact of antennae towers, and (3) the environmental impact of cellular phone transmission antennae.

The APC also held a consultation meeting with representatives of (i) citizens' groups which had concerns regarding the health impacts of the cell-phone antennae (Island Residents Opposed to Cell-phone Antennae, IROCA), (ii) groups which sought to have improved call-phone service in the downtown Ganges area (Chamber of Commerce and Emergency Responders), (iii) Industry Canada which has final jurisdiction over the licensing of cell-phone antennae, and (iv) cell-phone companies (Telus and Rogers AT&T). Representatives from an organization called Electromagnetic Solutions were also in attendance. Input from the public in the form of written submissions was requested and received.

Having considered the extensive information at its disposal and debated the issue in depth, the APC recommends the following to the Islands Trust.

On the health issue:

The APC recognizes that its expertise on the question of the impact on human health of electromagnetic fields - in this case specifically radio frequencies emitted by cell-phone antennae - is limited. It therefore had to rely on the conclusions of studies and reviews conducted by others, as well as on the recommendations of regulatory bodies. The APC reviewed a voluminous quantity of material supplied to it, and individual members also undertook their own research on the subject on the internet. Several sources of particular value are listed at the end of this report.

The balance of information would lead the APC to conclude that there is no conclusive evidence at this time to indicate that electromagnetic radiation emitted by cell-phone antennae complying with current Canadian safety code standards poses a health risk to citizens. At the same time, given the relatively recent implementation of this technology, and the paucity of consistent and repeatable long-term studies, it is impossible for the APC to say with any reasonable certainty that there are no health risks. Because of this, the APC believes that a precautionary approach should apply. The APC therefore recommends that, to the maximum extent possible, the antennae should be sited as far away from facilities concerned with

continuous human activity as is practically feasible. They should not be located close to schools, hospitals or senior care facilities.

The APC recommends adoption of a "500/2" principle, as follows. No cell phone antenna should be installed within 500 m of any facility concerned with continuous human activity. A proponent wishing to install an antenna closer than this distance should demonstrate, using an independent consultant acceptable to the Islands Trust, that incident power density is less than 2 microwatts per square cm at any facility concerned with continuous human activity within 500 m of the proposed antenna. Additional antennae to be mounted on existing towers must also meet these standards, so that incident power density at any facility concerned with continuous human activity stays below 2 microwatts per square cm.

This recommendation is based in part on the findings of the Health Promotion and Environmental Protection Office of Toronto Public Health. In their final report (Basrur, 2000) they concluded that:

- i) "... given the ongoing research and conflicting evidence on the health impacts of low level radio frequency (RF) emissions, federal guidelines did not adequately address uncertainties in available health data"; and that
- ii) "a prudent avoidance policy should be adopted. This policy incorporates an additional "margin of safety" to keep exposure to radio frequency emissions from cell phone towers 100 times lower than current federal guidelines."

Toronto's recommended safety level is 1/100 of that prescribed by Safety Code 6. This is equivalent to a power density of between 2 and 10 microwatts per square cm, depending on the frequency of the EMR. They also note that power density is more readily assessed than SAR, thus our choice of these units.

On the visual/aesthetic issue:

The APC recommends that, wherever possible, visual impact from cell-phone antennae should be minimized. Specifically, site options where the antennae would be attached to existing structures (e.g. high voltage transmission towers), should be given preference, as long as they also meet the standard above. Co-location by multiple providers should be encouraged.

On the environmental impact issue:

The APC recommends that the environmental impact from cell-phone antennae towers should be minimized. Specifically, new antennae towers should not be constructed in ecologically sensitive areas and particularly on shorelines, in wetlands, and within areas comprising Garry oak and old growth forest. Furthermore, both new and additions to existing towers should be designed to minimize negative effects on threatened and endangered wildlife populations and, generally, to minimize bird mortality.

Application Process

The APC recommends that applications for all new antenna installations, including co-located antennae, be referred to the Islands Trust, and that the public be notified of all applications received by the Trust Committee. Public consultation will be at the discretion of the Trust Committee. The Trust Committee will

refer each application to the local Medical Health Officer. Applicants will be asked to supply information relevant to the potential impacts of the installation, including information relevant to the current OCP guidelines for telecommunication facilities.

Information provided should include:

1. predicted EMR power density levels at any facilities concerned with continuous human activity within 500m of the proposed antenna;
2. a site plan indicating distances from schools, residential areas, hospitals and senior care facilities;
3. facility plan indicating whether it is a new facility or an addition to an existing facility;
4. possible visual and aesthetic impacts; and
5. possible adverse or detrimental environmental effects on:
 - a. ecologically sensitive areas;
 - b. water bodies, ground water or soil;
 - c. legislated protected areas such as national parks, historic canals or other protected areas; and
 - d. terrestrial and aquatic habitat for wildlife and fisheries.

Given the continuing debate on the safety issue, the APC will review information in 2002 and periodically thereafter as deemed necessary. Should significant new information appear, the recommendations of the APC may be modified.

Selected references

City of Toronto references:

Basrur, S. 2000. Background: Toronto Public Health & the prudence (sic) avoidance policy on cellular phone base antenna. 4p

Basrur, S. 1999. Health effects of radio frequency fields near base telephone transmission towers (technical report). 35p

Basrur, S. 1999. Health effects of wireless telephone transmission towers – update. 8p

These references can be found at: <http://www.city.toronto.on.ca/health/hphe/pubs.htm>

Other references:

Independent Expert Group on Mobile Phones (2000) Report – *Mobile Phones and Health*. complete text at: <http://www.iegmp.org.uk/IEGMPtxt.htm>

RSC (1999) *A review of the potential health risks of radiofrequency fields from wireless telecommunication devices*. An expert Panel report prepared at the request of the Royal Society of Canada for Health Canada. <http://www.rsc.ca/english/RFreport.html>