

From: Jan Kennedy [REDACTED]
Sent: Tuesday, January 10, 2023 3:44 PM
To: Alex Allen; Grant Scott; northinfo
Cc: heather caton; Daniel Siegel; Arbour, Daniel
Subject: Re: Proposed Rogers tower for Hornby Island - W6420

Hi Alex and Grant, and Is.Trust Northern office,

Regarding the cell tower proposal for Hornby Island by Rogers:

- September 9, 2022 - The Islands Trust Model Strategy for Antenna Systems was adopted at our Local Islands Trust Committee meeting. The Minutes of that meeting record the adoption of that document along with a comment from Regional Planning Manager Kauer that "the Model Strategy federally compels companies to engage in extensive public consultation before installation of cell towers."

- Nov.14, 2022 - A notice is sent to Hornby residents/landowners that Rogers is "proposing to build a 63.0 meter tall self-support tower on Provincial Crown land....." this notice incorrectly lists ISED'S Default Public Consultation process as the process to be used. No correction has been issued, to my knowledge, by Brian Gregg, to acknowledge that the Islands Trust Model Strategy for Antenna Systems is the process that must be used.

- Dec.8, 2022 - Brian Gregg, Roger's consultant held a one hour public digital zoom meeting for public input and information. He appears, since that meeting, through numerous written communications to be very reluctant to hold an in-person on-island public information session for Hornby Island residents.

* Of note regarding digital meetings; many Hornby Is. residents and ratepayers do not have sufficient internet access to attend a zoom meeting.

The process for community information and discussion around the proposed tower has been woefully inadequate and flawed. Rogers has not even given a clear picture of where, and by how much, cell phone reception would be increased by having a cell tower on Hornby Island. This is vital information to cell phone users who want more coverage.

Cell phone coverage is already available in many areas throughout Hornby Island, via off-island already installed towers. It is not clear what improvement to existing cell phone access would be achieved by this proposal.

In addition, City West is in the process of bringing vastly improved internet coverage, via fiber optic cable, to every Hornby Island residence that wants it. This very much improved internet connection will facilitate educational, recreational and business opportunities opportunities for all and can even facilitate phone use through apps such as Facebook Messenger.

Concerns expressed about the need for increased cell phone coverage for safety reasons could benefit from a public presentation by the Fire Department and First Responders as to what "workarounds" they are currently using, and how improved cell coverage would assist them. Given Hornby Island topography and the number of trees on the island, promises or assumptions of wide improvement in cell coverage are vague and unsubstantiated.

Will the existing Hornby Island Radio station, in quite close proximity to the proposed Rogers cell tower site, be adversely affected by the cell tower output?

Given the above points, I would like to request that the Rogers cell tower proposal be postponed until after the City West fiber optic installation is up and running on Hornby Island. This would also give Roger's consultant, Brian Gregg, the opportunity to improve upon his initial approach with a fulsome timeline of steps and phases of the public consultation process that he is compelled federally to do.

Sincerely,

Jan Kennedy

42 year Hornby Island resident

On Fri, Jan 6, 2023 at 10:40 AM Brian Gregg <briangregg@sitepathconsulting.com> wrote:

Dear Jan:

Comments are below in blue. Since you have many questions, would you like to arrange time for a phone call as well? You are welcome to call me at 778 870 1388.

Hi again, Brian,

I have included my responses to yours, in red.

Jan Kennedy

[REDACTED]
Hornby Island, BC [REDACTED]

Brian Gregg

PO Box 20138,

Vancouver RPO, Fairview, BC V5Z 0C1

briangregg@sitepathcounsulting.com

January 5, 2023

Re: Proposed Roger's Cell Tower Location on Hornby Island

I have read the package that you have made available regarding the proposed 63.0 meter Rogers Communications Radiocommunications Tower, Rogers File: W6420 – Hornby Island.

With regard to carrying out the obligation to consult with the local community:

I attended the one-hour digital public information meeting which you hosted on Dec. 8, 2022.

As you know, our local Islands Trust Committee is our land use authority on Hornby Island.

We have been working proactively with the Islands Trust for many months. We are reviewing expected next steps with ISED as well since the proposal is on crown land.

As you discovered at the Dec.8 digital meeting, our Local Islands Trust Committee adopted the “Model Strategy for Antenna Systems” at the Sept.9, 2022 local Islands Trust public meeting, making it the protocol of use to help our Local Trust Area elected representatives to assess any antenna system proposal within their own unique context, rather than the ISED’s Default Public Consultation process.

We are reviewing with ISED as the Islands Trust planning staff were unaware when we set out on the consultation process. We will have to confirm whether the protocol was properly adopted and whether it has any implications going forward. We are not yet clear on this.

How unfortunate that you chose to speak only with Islands Trust planning staff who are not “local” and did not advise you correctly!

A simple check of the Minutes of the Sept.9, 2023 Local Trust Committee meeting islandstrust.bc.ca/document/hornby-ltc-regular-meeting-minutes-5/ shows:

”HO-LTC-2022-053

It was MOVED and SECONDED,
that the Hornby Island Local Trust Committee adopt the Islands Trust Model Strategy for Antenna Systems.

CARRIED

Regional Planning Manager Kauer noted that the Model Strategy federally compels companies to engage in extensive public consultation before installation of cell towers.”

This excerpt from the Islands Trust Minutes shows proper process. Also interesting to read the Is.Trust Planning Manager's note as to the implications going forward.

As noted we will discuss with ISED and the Islands Trust. We have an appointment to do so.

As I read the Islands Trust "Model Strategy for Antenna Systems", I see that it is designed to facilitate "**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 of the Antenna system within LTA boundaries**" as well as "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;"

Thanks for sharing this. Presumably you are aware that the proposed facility is a permitted use in the Islands Trust own land use by-law. I am not clear as to any other such location that offers this land use designation where Rogers would be prepared to propose such a facility from a technical perspective. Are you aware of such a location?

Specifically, the proposed tower is proposed to be sited on land that is zoned PU-Public Use. The PU zone specifically permits Public Use facilities (utilities) as well as radio stations. Further, Public Service Uses are permitted in all zones and are defined to include telephone or emergency services as well as uses regulated under the *Radio Communication Act* (cell towers fall under this legislation).

As context, the surrounding land uses include a fire hall directly to the east on Crown Grant land, the Hornby Island Recycling Depot to the West on a Crown Lease, the Hornby Island Radio Station (CHFR) also to the east (including an existing radiocommunication facility), public trails to the south that enter Mt Geoffrey Regional Nature Park and crown land to the north also with trails. There are also a number of recreational facilities (Hornby Island Disc Golf course) and commercial establishments including the Hornby Island Farmer's Market along Central Road. There do not appear to be any residences in the immediate vicinity which we hope represents respectful tower siting.

Page 36 of the Model Strategy for Antenna Systems, Article D lists 9 "Discouraged Locations", a number of which could be seen to apply to the currently proposed site.

We will discuss with ISED and the Islands Trust. Extensive pre-consultation on the proposed location occurred with the Islands Trust staff, local emergency responders as well as via the current consultation. We do think it is noteworthy

that the proposal is compliant with the preferences in the land use bylaw as stated above.

Despite the stated intention to establish a “**local**” land use consultation framework, an oversight happened, and our local (Hornby Island) Islands Trust elected representatives, Alex Allen and Grant Scott, were not informed of this cell phone tower application until months after your consultation process had started. Clearly, consultation with Local Island Trust Authority and with this community has not yet taken the form advocated by the “Islands Trust Model Strategy for Antenna Systems”.

As noted we will discuss with ISED and also will be meeting with the Islands Trust planning staff again and have an appointment scheduled. We are not clear based on a preliminary review of the model protocol what we would need to do differently in any case but we will review and confirm with ISED and the Islands Trust.

As I read the Model Strategy for Antenna Systems, any proponent is tasked with attempting to resolve any outstanding issues prior to submitting its antenna system siting proposal and to undertake public consultation. A one-hour digital meeting could not and did not provide the time and the structure to take a list of resident’s concerns and work through them one by one to find resolution. Rogers risks being seen as not being willing to act in good faith.

There had been much more engagement with the Islands Trust, Province, First Nations and emergency responders prior to commencing the consultation process. We wish to proceed in good faith via this consultation process.

There is significant public interest about the Rogers proposal, as evidenced in several ongoing discussion threads on Hornby Island Facebook pages, “Word of Mouth” and “Hornby Community Connections”. We are an engaged community and a proper **local** land use consultation framework is appreciated and supported. The Islands Trust “Model Strategy for Antenna Systems” even suggests holding a community workshop and I would urge you to consider using this format. As the Model Strategy advises, local knowledge and our local Hornby Island Islands Trust Bylaws are to be considered in this process.

We already hosted a digital public meeting. My prior experience with an in person meeting on Hornby Island was very problematic. I faced a lot of aggression including people cursing at us on a megaphone, people crossing out with permanent ink markers the materials on our poster boards (someone even wrote curse words on top of our boards), people refusing to respect the format of the meeting and setting up chairs in the middle of the room to host their own

event, etc. We have also been advised by certain leadership figures in your community that our security and safety cannot be ensured at such a meeting given some of the people potentially involved. Thus, we will need to carefully consider how to best welcome additional input. Certainly, we have tried to offer a digital public meeting that was well attended and have been responsive to all who have commented or called us for information. We will continue to explore creative ways to enable people to get their opinions heard.

I am sorry that a few people expressed themselves in such unpleasant ways during an in-person meeting about the proposed Telus tower a number of years ago. However, as a professional, I am sure you are aware that facilitation style and meeting format can be key in controlling unruly behaviour in meetings where people have strong feelings and concerns that they feel may not be taken seriously.

It seems very unprofessional to suggest that you cannot hold an in-person meeting on Hornby Island about the proposed tower because you would be in danger from people who might “potentially” be involved. Sounds like so much conjecture. And exactly who are these “certain leadership figures” that are giving you this “advice”?

Have you asked the advice of the Hornby Island Residents and Ratepayers Association Chairperson, Daniel Siegel for advice on how to conduct a productive meeting when some people attending are feeling emotional and concerned? He is a trained mediator and negotiator and a rabbi and I am sure he would have some good suggestions for you.

I have spoken with Daniel and others. You are welcome to contact Daniel to discuss. While the discussions are ongoing and we will reconvene potentially next week, he has acknowledged similar concerns and we have not arrived at a solution as of this time.

First, we will have our meeting with the Islands Trust and ISED next week to confirm any applicable policy requirements. From there, we should be able to confirm more accurately potential next steps.

Please let me know of your decision.

Sincerely,

Jan Kennedy,

42 year resident of Hornby Island

Thanks Jan. I am not a decision maker and am rather a facilitator of the required consultation process. Thus, I cannot provide you with any decision at this time

but I can confirm that we will be discussing with ISED, Rogers and the Islands Trust.

Please note that as per ISED protocols you will have 21 days if you wish to comment further.

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Brian Gregg, RPP, MCIP

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PO Box 20138, Vancouver RPO, Fairview, BC V5Z 0C1

Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

Fax: 604-829-6424 | www.sitepathconsulting.com

On Fri, Jan 6, 2023 at 9:48 AM Jan Kennedy [REDACTED] wrote:

Hi again, Brian,

I have included my responses to yours, in red.

Jan Kennedy

[REDACTED],

Hornby Island, BC [REDACTED]

Brian Gregg

PO Box 20138,

Vancouver RPO, Fairview, BC V5Z 0C1

briangregg@sitepathconsulting.com

January 5, 2023

Re: Proposed Roger's Cell Tower Location on Hornby Island

I have read the package that you have made available regarding the proposed 63.0 meter Rogers Communications Radiocommunications Tower, Rogers File: W6420 – Hornby Island.

With regard to carrying out the obligation to consult with the local community:

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As you know, our local Islands Trust Committee is our land use authority on Hornby Island.

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We are reviewing with ISED as the Islands Trust planning staff were unaware when we set out on the consultation process. We will have to confirm whether

the protocol was properly adopted and whether it has any implications going forward. We are not yet clear on this.

How unfortunate that you chose to speak only with Islands Trust planning staff who are not “local” and did not advise you correctly!

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Thanks for sharing this. Presumably you are aware that the proposed facility is a permitted use in the Islands Trust own land use by-law. I am not clear as to any other such location that offers this land use designation where Rogers would be prepared to propose such a facility from a technical perspective. Are you aware of such a location?

Specifically, the proposed tower is proposed to be sited on land that is zoned PU-Public Use. The PU zone specifically permits Public Use facilities (utilities) as well as radio stations. Further, Public Service Uses are permitted in all zones and are defined to include telephone or emergency services as well as uses regulated under the *Radio Communication Act* (cell towers fall under this legislation).

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As noted we will discuss with ISED and also will be meeting with the Islands Trust planning staff again and have an appointment scheduled. We are not clear based on a preliminary review of the model protocol what we would need to do differently in any case but we will review and confirm with ISED and the Islands Trust.

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Brian Gregg, RPP, MCIP

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Cell: 778-870-1388 | Email: briangregg@sitepathconsulting.com

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On Thu, Jan 5, 2023 at 10:32 AM Brian Gregg <briangregg@sitepathconsulting.com> wrote:

Dear Jan:

Thanks for your input. Please find below our responses in green text.

Jan Kennedy

██████████,

Hornby Island, BC ██████████

Brian Gregg

PO Box 20138,

Vancouver RPO, Fairview, BC V5Z 0C1

briangregg@sitepathcounseling.com

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On Thu, Jan 5, 2023 at 9:57 AM Jan Kennedy [REDACTED] wrote:

Jan Kennedy

[REDACTED],

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Brian Gregg

PO Box 20138,

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