

Mon, Sept 5, 2022 at 1:26 p.m.

Rogers Communication Inc. (Rogers) tower proposal W2716 at Channel Ridge, Salt Spring Island

**Oona McOuat** <oonasong@yahoo.com>

**To:** David Marlor

**Cc:** Elizabeth - M.P. May, Elizabeth - M.P. May, Elizabeth May, Laura Patrick, Stefan Cermak

Hi David,

I hope you had a lovely long weekend.

Last week, I received the message below from Susan Hart, Executive Director General of Spectrum Management for ISED.

Ms. Hart notes that it was the Trust and not ISED that declared our 2001 antenna siting protocol obsolete.

"ISED also confirmed with the Salt Spring Island Land Trust Committee (SSLTC), as the land-use authority, that they deemed their 2001 Cellular Antennae Proposal Form and Procedural Guideline to be obsolete at the time. As such, the SSLTC instructed Rogers to proceed with the ISED default consultation process, as per CPC-2-0-03, but with some additional elements to meet SSLTC's new requirements."

Meanwhile, a staff report found in the agenda package from the July 27, 2021 LTC meeting states:

"In preliminary discussions with staff, the proponent was advised the SS LTC has not adopted a telecommunications policy following ISED's revoking of the 2001 Procedure for Cellular Phone Antenna Proposals and Letter of Understanding (due to dated procedural guidelines).

There are at least 2 letters written by me found in the public record, sent before the LTC wrote their letter of concurrence, which question the statement above and ask for clarification on how ISED could revoke a policy passed by a local government by resolution, with no response. I also asked the same question in person to the SSI LTC during a Town Hall and was actually belittled in response.

I still hold to my belief that given that the 2001 Procedural Guideline was passed by resolution, the Community Charter and the Local Government Act affirm it needed to have been amended or revoked by resolution before it was cast aside by the Salt Spring LTC. David, you have said this was not the case. (There is no record of the SSI LTC having passed a resolution to alter or cast aside this 2001 guideline before or at the time of the Channel Ridge siting application.)

Further, Rogers did not fulfill the "additional elements" the SSLTC requested, and in truth, the LTC was not entitled to make any "new requirements" during the tower siting application process as the Model Antenna Siting agreement was not adopted by the LTC until November 2021, *after* the August 19, 2021 letter of concurrence was written.

In response to your August 26 comment that:

As this is Federal, the Provincial legislation does not apply. The process is owned by ISED, not the local trust committee,

Is there anything in the provincial legislation that governs how local governments make decisions that says that it does not apply to antenna siting protocols? You do realize that land use authorities are given the right by ISED to write letters of non-concurrence if a proposed tower does not comply with the land use requirements established by their protocols?

Ms. Hart states that:

"The consultation process provides the opportunity for municipalities to make an informed decision regarding providing their concurrence for the proposed antenna structure. ISED does not become involved in the process unless requested by the land-use authority (LUA) or the proponent."

Further, ISED, as you know, encourages local governments to create antenna siting protocols, like our 2001 document, in order to ensure that local land use preferences are clear to proponents. The 2001 policy guideline had very specific steps in it that proponents had to take when proposed cell towers were to be built within 500 meters of homes, as is the case in this Channel Ridge siting. (The nearest home is 43 meters from the tower site.) These steps were not taken by Rogers.

What can be done to remedy this situation?

All the Best,  
Oona

----- Forwarded Message -----

**From:** STS DGSO / DGOGS SST (IC) <ic.stsdgso-dgogssst.ic@ised-isde.gc.ca>

**To:** oonasong@yahoo.com <oonasong@yahoo.com>

**Cc:** STS DGSO / DGOGS SST (IC) <ic.stsdgso-dgogssst.ic@ised-isde.gc.ca>

**Sent:** Tuesday, August 30, 2022 at 06:07:29 a.m. PDT

**Subject:** Rogers Communication Inc. (Rogers) tower proposal W2716 at Channel Ridge, Salt Spring Island

Dear Oona McOuat:

On behalf of the Honourable François-Philippe Champagne, Minister of Innovation, Science and Industry, I would like to thank you for taking the time to share your concerns with us in your email of August 11, 2022 regarding the Rogers Communication Inc. (Rogers) tower proposal W2716 at Channel Ridge, Salt Spring Island, British Columbia.

Innovation, Science and Economic Development (ISED) Canada recognizes the need to have a collaborative and consultative policy with respect to antenna-supporting structures. To facilitate this, our document entitled "[CPC-2-0-03 Radiocommunication and Broadcasting Antenna Systems](#)" (CPC-2-0-03) was established to set out the procedures to be followed by all radiocommunication operators, including providers of cell phone services, broadcasters and public utilities. These procedures include the requirement for the proponent of an antenna system to respond to all reasonable and relevant concerns received during the public consultation process.

CPC-2-0-03 requires that proponents consult with municipalities and notify local residents before an antenna structure is installed. The consultation process provides the opportunity for municipalities to make an informed decision regarding providing their concurrence for the proposed antenna structure. ISED does not become involved in the process unless requested by the land-use authority (LUA) or the proponent.

In regards to the Rogers tower proposal at Channel Ridge, Salt Spring Island, Rogers conducted a public consultation process through its agent, Cypress Land Services (Cypress), using the ISED default public consultation process as outlined in CPC-2-0-03. ISED also confirmed with the Salt Spring Island Land Trust Committee (SSLTC), as the land-use authority, that they deemed their 2001 Cellular Antennae Proposal Form and Procedural Guideline to be obsolete at the time. As such, the SSLTC instructed Rogers to proceed with the ISED default consultation process, as per CPC-2-0-03, but with some additional elements to meet SSLTC's new requirements. On August 19, 2021, the SSLTC provided concurrence regarding this tower proposal.

Since then, ISED has reviewed the public consultation process conducted by Cypress and found that the process was properly administered and conducted in compliance with the CPC-2-0-03. ISED has also determined that Cypress and Rogers took measures which exceeded our requirements. As such, ISED determined that the regulatory processes have been properly followed.

I encourage you to remain engaged in the process and communicate any further concerns to the SSLTC or Rogers.

Thank you for taking the time to share your concerns with the Department.

Sincerely,

Susan Hart

Executive Director General, Spectrum Management Operations Branch

Spectrum and Telecommunications Sector