



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: June 5, 2017
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

Members Present Laura Busheikin, Chair
Sandy Pottle, Local Trustee
George Harris, Local Trustee

Staff Present Rob Milne, Islands Planner
Colleen Doty, Minute-Taker

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:33 p.m. and acknowledged the meeting was being held in territory of the Coast Salish First Nations. Introductions were made. Approximately 11 members of the public were present.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Chair Busheikin indicated that this Town Hall was for items on the agenda.

Elizabeth Latta, member of the former Telecommunications Special Advisory Planning Commission (SAPC), prepared a written statement in response to the Staff Report on the Telecommunications Strategy Protocol Report. She acknowledged the validity of concerns about the collection of data given available resources. She felt that BC Hydro's Smart Meter electromagnetic radiation should be factored into the radiofrequency environment. Proposals for placement of any cell tower or microcells should be viewed with great caution. She spoke of the opportunity on Galiano to maintain a pristine environment, and was concerned for those with sensitivities and the impact of cumulative effects, noting that it takes 10-15 years for developing cancers to be identified. She supported the precautionary principle, even if some cause and effect relationships are unknown. She was concerned about the elimination of footnotes with respect to Safety Code 6 (SC6) and the HESA Report to Parliament being removed, but was comfortable with the removal of the introduction. Ms. Latta provided a copy of her letter to the Local Trust Committee.

Joan Robertson, member of the former SAPC, endorsed Ms. Latta's comments, especially with respect to the HESA Report. She was pleased not to see the introduction reprinted here as it failed to acknowledge the precautionary principle.

Andrew Loveridge thanked the LTC for its efforts on non-profit housing.

Louise Decario read the Staff Report on the Telecommunications Strategy Protocol Report. Industry Canada would likely consider what the LTC has to say. She was disappointed the report said nothing about locations as she felt it was important to know where antennae locations might be appropriate, because there are areas where antennae should not be. She supported a proactive approach to site consideration. The LTC could then communicate the community's wishes to Industry Canada (IC).

Kiyo Okuda, member of the former SAPC, referenced the Staff Report on the Telecommunications Strategy Protocol Report. He was happy the introduction was dropped. There were three questions proposed to IC. He proposed more questions and issues. He noted that the LTC, as a land-use authority, can provide concurrence with conditions about installations even under 15 meters, and needs to be able to speak to all installations, under or over 15 metres. His second point pertained to BC Hydro and whether they should also be liable to inform LTC of locations and specifications of their hubs, as they are one of the larger contributors to the local radiofrequency environment. With respect to the question on page three of the staff report (page 28 of the package) as to who will review and assess the information requested from proponents in Points 7-9 of the "Proposal Submission", Mr. Okuda noted that the individuals who are installing new antennae would have to analyse and assess the technical information to ensure their own compliance. The proponent would be liable and would have to report back to LTC that they comply with Safety Code 6 (SC6). Then, the LTC can assume they've done the assessment. He was concerned about not having any standard right now, nor having any inventory of the known radiofrequency environment. As Health Canada changes their guidelines, the carriers can then respond to the new guidelines. He would like to see a map. He did not think the cost of maintaining an inventory would be significant. He noted that the public is becoming increasingly concerned about the microwave environment, and underlined the importance of being able to protect ourselves.

Stephen Rybak, chair of the former SAPC, noted that, while most of the SAPC recommendations were reflected in the Staff Report, some were absent or required clarification. He provided four specific comments: 1) He felt the Staff Report overreacted to the suggestion, arising from a concern with cumulative impacts, that technical data from proponents be collected for future users. The SAPC saw the role of staff to hold information, maintain a register, but not analyse or quantify it. The onus of the work is upon the proponent, not the LTC. The SAPC wanted to minimize the work to be undertaken by LTC staff. The information would be filed or registered, and it would be up to the proponent to ensure the proposal is compliant with regulations. If a proponent were not compliant with SC6, their project would be a non-starter; 2) With respect to public consultation the SAPC had prepared section 4.6.6 Public Consultation Process of the Antennae Systems Siting Protocol, yet this was absent from the Staff Report. The SAPC had set out a clear protocol that everyone would use. Mr. Rybak urged that this section be added to Staff Report, as this will help the LTC determine whether proponents met the LTC requirements for consultation; 3) With respect to section 4.3 of the SAPC report, "Role of the Galiano Island Local Trust Committee", the SAPC envisaged this would be a standalone document. The SAPC thought it necessary to

spell out the policies of the Official Community Plan (OCP) and the Land Use Bylaw (LUB), to have them in the document, so if someone were to consult this document, the information would all be in one place. He wanted to see this section back in the Staff Report. 4) With respect to BC Hydro lines as a preferred siting location, he questioned whether the LTC could suggest these lines be used for antennae sites, without talking to BC Hydro first.

Tom Hennessy noted that SC6 is outdated and does not reflect the most current information on health issues.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated May 1, 2017 (for Adoption)

By general consent the Local Trust Committee meeting minutes of May 1, 2017 were adopted.

6.2 Section 26 Resolutions Without Meeting Report

None

6.3 Advisory Planning Commission Draft Minutes Dated May 23, 2017 (for Receipt)

It was noted the minutes reflected a thorough discussion that flagged previously unidentified issues.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated May 2017

Information as provided.

Planner Milne reported that the May 8th meeting with the Penelakut First Nation, Senior Intergovernmental Policy Advisor, Fiona MacRaild and himself was productive. They discussed the possibility of a C2C (Community to Community) meeting now that funds have been approved and must be spent by end of fiscal 2018. The Penelakut are interested in protecting some beaches for harvesting. There are process issues to sort out. Islands Trust staff are getting clarity on their interests and how the Penelakut see their role in the dock review process. There

may be another meeting in the last half of July. There was a question as to capacity within the Penelakut for ongoing consultation. Planner Milne noted they do not have a lot of capacity; however, Galiano is an important island to them.

With respect to possibly publishing a smaller statutory notification in the Driftwood newspaper, Planner Milne was informed the advertisements in the Driftwood are currently as small as they can be. There is a 2010 standing resolution with respect to advertising. Additional advertising is an additional expense. It was noted the Island Tides newspaper is no longer in hard copy and was probably not money well-spent; the Active Page newspaper was identified as a better option for notifying the public.

Chair Busheikin noted interest from all committee members to move along the lines of what Lasqueti did with respect to electronic meetings. This would be an administrative bylaw.

GL-2017-046

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to prepare a draft electronic meeting bylaw, using Lasqueti Island as a model.

CARRIED

Planner Milne circulated definitions of “campgrounds” from other islands, for information only. Galiano’s zoning bylaw does not mention campgrounds, because the OCP precludes them. If the bylaw does not mention it, one should not have a definition of it.

8. DELEGATIONS

None

9. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage.

None

10. APPLICATIONS AND REFERRALS

10.1 North Pender Island Local Trust Committee Bylaw No. 213 Referral

GL-2017-047

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee notes its interest are unaffected by the bylaw.

CARRIED

There was some discussion as to the value of referrals and draft motions coming to the LTC from other islands and the benefits of having this information.

A break was called at 1:31pm. The meeting reconvened at 1:46pm.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Telecommunications Strategy - Staff Report

Planner Milne provided an overview of the Staff Report. There was discussion about proponents making their own determinations of compliance (the “professional reliance model”), and there being ambiguity around the level of information potentially collected by the LTC. It was noted that LTC staff are not qualified to make determinations of compliance or the quantification of technical information with respect to the known radiofrequency environment.

It was noted that Industry Canada, upon receipt of an application, would have collected information on radiofrequency from proponents and the LTC could ask for whatever information has already been collected. There were questions as to whether the LTC would be provided with such information from Industry Canada.

There was extensive discussion around making the protocol implementable.

With respect to one of the unresolved issues identified by the SAPC, as to whether or not antennas should be permitted only on properties which are considered in full compliance with land use bylaws, Planner Milne responded that there is not necessarily a relationship between another building not in compliance and the application before the LTC. If an application is permissible within the Land Use Bylaw, the LTC would likely approve it.

There was concern expressed about the LTC taking on the responsibility of monitoring radiofrequency.

With reference to the word “new” in point #2 on the bottom of page 37 of the agenda package, there was a question as to whether old antennae systems would have to be monitored.

Kiyo Okuda noted the SAPC was split over this issue. He questioned whether Industry Canada (IC) was tracking the information on installations under 15 metres and doubted if they had an inventory. Antennae 15 metres and over are open to community consultation. Information is still available to the LTC from IC for purposes of maintaining Safety Code 6. He stated we have a mandate to care, are empowered to care, and should ask for the information. He recommended the LTC ask applicants for all their technical data, to be provided to future applicants to assess, without any expectation that the LTC would have to analyse it. Such information would include interested home-buyers. He would like to see this information for installations under 15 meters, and noted that the

LTC has responsibility to concur or not concur for all installations, but that the duty to consult the public is only for installations over 15 meters.

Planner Milne emphasized that, with respect to the authority of local government, the LTC can provide concurrence, concurrence with conditions, or non-concurrence. Industry Canada takes that under advisement.

Mike Hoebel, member of the former SAPC, noted that the recommendation to get a copy of radiofrequency information was forward-looking. There was no assumption that the LTC will analyse this data, except when considering possible concurrence or non-concurrence.

Stephen Rybak reinforced that the antennae system protocol was for new installations only. The LTC would provide known radiofrequency information in a preferred environment. The LTC may respond that they do not have any information on a known radiofrequency environment. The LTC would not be responsible for describing the entire radiofrequency environment at this time. Any antennae systems that are licensed with IC, must comply with SC6 provisions. The additional information is to assure people that SC6 is being observed.

With respect to the highlighted bullet on page 32 of the package, there was agreement that the phrase “as currently available” could be added to “information on the known local radio frequency environment.”

There was discussion about additional, ongoing work being required on the telecommunications strategy project. The LTC were advised that since there were further issues to resolve, with more to follow after a community information meeting, then the telecommunications SAPC would have to be re-appointed.

GL-2017-048

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to contact Industry Canada to seek all available information with respect to current telecommunications installations within the Galiano Local Trust Area.

CARRIED

Trustee Pottle would like Industry Canada to include information regarding the methodology by which Industry Canada comes to the determination of compliance within SC6.

GL-2017-049

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee requests staff to schedule a Community Information Meeting on the telecommunications protocol.

CARRIED

Kiyo Okuda noted that “concurrence with conditions” presented a viable means of gathering information on antennae systems that do not require public consultation.

Planner Milne suggested drafting a Terms of Reference prior to posting a new notice for the Telecommunications SAPC. It was suggested that a newly constituted commission could be appointed by way of Resolution without Meeting (RWM).

GL-2017-050

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to prepare a staff report with Terms of Reference for a Special Advisory Planning Commission on telecommunications.

CARRIED

11.2 Housing Project - Staff Report

As noted in the Staff Report of June 5, 2017, the Capital Regional District (CRD) Southern Gulf Islands Housing Needs assessment is expected to be completed by December 2017. Consideration of this assessment is included in draft Terms of Reference for the anticipatory Affordable Housing Special Advisory Planning Commission.

GL-2017-051

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee review and endorse the draft Terms of Reference for the Special Advisory Planning Commission and the draft Project Charter for the Affordable Housing Strategy.

CARRIED

GL-2017-052

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to advertise for positions for the Affordable Housing Special Advisory Planning Commission.

CARRIED

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated May 2017

With respect to the dock review it was noted that consultation may take longer than the target date initially identified.

12.1.2 Projects List Report Dated May 2017

Information as presented.

12.2 **Applications Report Dated May 2017 (attached)**

With respect to Galiano Green, Chair Busheikin reported she has a covenant to sign, and once signed, it will come back to the LTC for adoption.

Planner Milne would ask Regional Planning Manager (RPM) Robert Kojima about the mechanics for adoption and whether an RWM would be feasible.

Information is outstanding from applicants Dean and Patricia Taylor with regards to GL-DP-2016.5, retaining wall at 754 Ellis.

12.3 **Trustee and Local Expense Report Dated April 2017 (attached)**

For information.

12.4 **Adopted Policies and Standing Resolutions (attached)**

GL-2017-053

It was MOVED and SECONDED

That the Galiano Island LTC amends the intention of Resolution GL-LTC-115-10 and that the *Active Page* be the priority magazine used in public hearing notices.

CARRIED

12.5 **Local Trust Committee Webpage**

The Galiano Island LTC webpage may be found at:
www.islandstrust.bc.ca/galiano

12.6 **Chair's Report**

Chair Busheikin reported that the upcoming Trust Council will be meeting on Lasqueti Island. There will be a presentation on species at risk. Consideration would also be given to asking the provincial government to amend the *Islands Trust Act*; consensus would need to be developed around what types of changes would be requested.

12.7 **Trustee Report**

Trustee Harris reported that office hours have been quiet. He's on the Financial Planning committee, and there's been discussion around the reserve fund. This year they've underspent by \$200,000; the reserve fund budget is going up to

\$600,000, and there's concern about how to deal with surplus funds, recognizing these funds could be impacted by a Salt Spring Island incorporation vote.

Adam Olson's election as our Member of the Legislative Assembly represents a larger voice for the Gulf Islands.

June 23-25 is Tour Des Îles.

Trustee Pottle reported she attended the Local Planning Committee (LPC) meeting by telephone. They will be studying whether the LTC could hold housing agreements. Consideration of allowing the Trust Fund Board to hold land for affordable housing has raised questions around the mandate of the Trust Fund Board. They've also considered whether Trust Council could hold land for affordable housing. The LPC is involved in telecommunications and it was thought that Galiano would lead the way in this regard. She has been asked to make available the SAPC report. She noted that Short Term Vacation Rentals (STVR) seem to be of concern to many people. She knows of three conversions of longer-term rentals into STVR's. Rental supply has dwindled.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 2016-2017 Annual Report - Approval of Galiano Island Local Trust Committee Section - RFD (attached)

By general consent the Local Trust Committee approves the text.

13.2 Trust Area Services - Wells & Groundwater Workshops - Memo and Poster (attached)

It was noted that this course can be considered for credit as a small water systems technician.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 10, 2017, at 12:30 pm, at the North Community Hall, Galiano Island

15. TOWN HALL

Louise Decario asked whether analysis has been done on repeated surpluses within the Islands Trust's budgets and whether the surpluses are related to a lack of capacity. She asked about using more contractors to continue the work of the Trust.

Trustee Harris noted that staff shortages have been an issue.

Chair Busheikin noted that the Executive Committee has discussed staffing shortages which still exist. A position is advertised in the Northern Office, and a Salt Spring Island position has also been advertised for a while. Analysis is being done by Islands Trust Chief Administrative Officer (CAO), Russ Hotsenpiller. Vancouver Island University has a planner program. In terms of budget surplus, the vast majority of surplus is from unfilled staff positions.

Tom Hennessy noted Trustee Pottle's concerns about the health of Galiano Islanders with respect to the radiofrequency environment; he noted that industry has its biases.

Stephen Rybak noted that Planner Milne, in conversations with Industry Canada, might want to ask: 1) if there was a standard methodology for determining compliance with Safety Code 6; and 2), whether or not IC regulates any of BC Hydro's telecom facilities or activities?

Doug Latta noted that if SC6 is accepted as the standard, nothing will change; change comes from small community. He asked to what extent did the SAPC question SC6?

Kiyo Okuda noted that Galiano is the last stand, and commented that IC has no mandate or interest in human health. Their interest is in business and we don't know anything about its monitoring or safety. He stated that no one else has the mandate to preserve or protect. Radio silence is an amenity. He highlighted the usefulness of "concurrency with conditions" as a means of giving the LTC authority to ask for information, consistent with the mandate to preserve and protect.

Tom Hennessy wanted to see Galiano as a leader in preserving and protecting.

Akasha Forest commented on the importance of data collection in general, across several aspects of Trust business, noting that good data collection is tied to quality analysis, regulation and good decision-making.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:55 pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder