



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: March 2, 2015
Location: Galiano South Community Hall
141 Sturdies Bay Road, Galiano Island, BC

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

Staff Present: Robert Kojima, Regional Planning Manager
Kim Farris, Acting Planner 2
Colleen Doty, Recorder

Media and Others Present: There were 27 members of the public present and no media present.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:30 pm. She acknowledged the meeting was being held in traditional territory of the Coast Salish First Nations. She introduced members and staff present.

2. APPROVAL OF AGENDA

Regional Planning Manager (RPM) Robert Kojima noted Galiano Green would like to withdraw from the agenda. Item 10.3 became 10.2.

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Andrew Loveridge spoke in support of the cell tower on the basis of increased coverage to facilitate improved emergency care services.

A member of the public noted that the issue of the tower was divisive in the community. She stated that the latitude and longitude of the site is an active earthquake line, with 91 active incidents around this area. She wants Industry Canada to address the seismic risks.

Elizabeth Latta noted their residence is within 400 meters of the tower and this proximity will subject them to increased cancer rates. She questioned what research has been done to prove the claim that cell service will help health care safety. She asked whether the Trust could undertake its own research as to whether the tower is necessary. If coverage already exists why do we need another cell tower?

A/Planner 2 Kim Farris provided a quick update. She had contacted Telus to them, along with other telecommunications providers, to attend the upcoming Community Information Meeting (CIM) of March 14th.

Tom Hennessy commented that radiation from cell phones is more dangerous than radiation from towers.

Roger Pettit noted that the current tower has the CREST radio transmitters that serve the needs of emergency measures. Telus has poor reception, according to his personal experience. There are dead spots. He spoke in favour of cell phones and cell towers.

Brad Lockett stated that he has a new cell phone which works well everywhere on the south end. He thinks that what Rogers is doing is redundant. He came to Galiano to get away from the excesses of technology. He is concerned that people are quick to support this, and asks the public to put themselves in the shoes of those who live nearby. The International Association of Firefighters (IAFF) opposes the use of stations on their property due to the poorly understood effects of radiation. He noted that District Lot 12, site of the proposed tower, is within the *Private Managed Forest Land Act (PMFLA)*, and asked whether the area for the cell tower has been declassified from the *PMFLA*.

Chair Busheikin noted his questions will be addressed at the end of the Town Hall.

Louise Decario commented on the divisive nature of the cell tower issue. She noted the neighbours are opposed because they are concerned about their own health and the health of their animals. The map that Rogers put out only addresses the south end. The north end is lacking in service, and will continue to lack in service if the new tower is installed. She suggested the community put more weight on the neighbours, and less on the people who live far away. Is the tower in the wrong place?

Nadia Krebs stated she is less than one kilometer away from the proposed tower. She understands that Islands Trust has a number of policies with respect to cell towers. It was noted that Rogers will be allowed to have other providers collocate. Will Rogers have to consult with the public in order to collocate?

Chair Busheikin requested that staff try to address a few of the questions raised.

RPM Kojima indicated that the *PMFLA* applies to the land of the proposed cell tower site.

There was discussion about the constitutional division of authority. The *PMFLA* is a provincial statute, and Industry Canada is federal, with processes around consultation.

Trustee Pottle noted that the proposed site is within a Development Permit Area (elevated groundwater catchment). Cell tower activity is not in Schedule A of the *PMFLA*, and therefore not an authorized activity.

RPM Kojima stated that a Development Permit would be needed in order to construct a building if one did not already exist.

There was further discussion around: possible scenarios if the LTC didn't think a permit was appropriate; when a piece of land exits the *PMFLA*; the legislation which shapes the LTC response to this issue (i.e.: Provincial *PMFLA* or *Islands Trust Act*).

Chair Busheikin asked staff to comment on whether there were policies under the LTC with respect to cell towers.

RPM Kojima noted there were some procedural policies adopted approximately 10 years ago, based on Salt Spring Island's policies. Consultation procedures are being followed.

A/Planner 2 Farris noted that, with respect to a collocation request, the community may have to be notified. She stated the importance of posing the question to Rogers and the other telecommunication providers at the CIM.

Richard Dewinitz asked whether the LTC has the right to say "no" to a tower if this is a federal jurisdiction.

Trustee Pottle and Chair Busheikin both noted we have the right to object, but in so far as the possible outcome of such objection, there is ambiguity, as there are greater precedents now with respect to community consultation. West Vancouver was cited as an example of successful community opposition to cell towers.

RPM Kojima stated that the Trustees would be voting on the cell tower proposal at the April LTC meeting.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1. Local Trust Committee Minutes Dated February 2, 2015

The following amendments to the February 2, 2015 draft minutes were made:

- Change Petit to Pettit throughout
- Page 3, paragraph beginning with Gary Coward, Islands "Trusts" should be corrected to "Trust."
- Item 15, page 11 "Galiano Green" should be replaced with "GLCHT."
- Item 10.3, 3rd paragraph, restate last sentence as "She advised Galiano Green to clarify their approach".
- page 12, paragraph starting Therese Ramond. Remove last sentence beginning with "Once one tower is in..."

By general consent the February 2, 2105 draft minutes were adopted as amended.

6.2. Section 26 Resolutions without Meeting Report

None

6.3. Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated February 2015

A/Planner 2 Farris summarized the report.

8. DELEGATIONS

8.1. Rose Longini re: Cell Towers

Chair Busheikin clarified that the role of staff is to provide a referral. What staff hears from the delegations will inform the process.

Rose Longini presented a petition against the cell tower. On the basis of 14 points, petitioners ask for a moratorium on the tower. The petition was circulated to members and staff. In her closing remarks she noted that Rogers has said that the tower won't be visible, but the north east slope of Stockade Hill is actually the face of Galiano upon approach to our island. For every ferry that comes and goes, the face of Galiano is seen and she wondered what that said about our protection of natural amenities?

8.2. Therese Ramond re: Cell Towers

Therese Ramond cited numerous studies on the dangers presented to human and animal health by cell tower microwave radiation. Some of the main points covered were: the effects of chronic, cumulative exposure; factors affecting radiation; and the pervasiveness and proximity of radiation in relation to health risks. She presented research demonstrating linkages between cancer and microwave technology. In view of the evidence presented, Ms. Ramond favoured a moratorium on the cell tower. She stated that the radiation levels should be made public, and stressed the importance of residents feeling safe in their homes. Rogers coverage on Saturna Island will be much improved with this proposed tower. She suggested the community weigh the slight improvement of Rogers's customer's cell phone reception against the safety of neighbours.

Kiyo Okuda spoke against the cell tower proposal, and expressed concern that human radiation is not on the table for consideration.

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1. GL-DVP-2015.1 (Mateer) & GL-DP-2015.1 (Mateer)

A/Planner 2 Farris reviewed the Staff Report dated February 20, 2015, summarizing the two applications related to the same piece of property.

There are no sensitive ecosystems affected by the applications. Eel grass was not noted or located near the dock proposal. Eelgrass was identified in a cove just north of this property. There is no anticipated impact on the eel grass bed. Ministry of Transportation and Infrastructure and the CRD were referred the application and have no concerns with the dock. There are no shell fish beds. A/Planner 2 Farris received three letters of support for the application from neighbours. Guideline 52 (page 30) is not correctly noted but noted as Guideline 5 in the package. Staff did not foresee any type of impact and recommended approval.

Trustee Pottle noted the property owners would like to retain the existing dock if new dock is approved. She was pleased to see a thorough application.

GL-2015-007

It was MOVED and SECONDED,

That Development Permit GL-DP-2015.1 (Mateer) BE APPROVED.

CARRIED

GL-2015-008

It was MOVED and SECONDED,

That Development Variance Permit GL-DVP-2015-1 (Mateer) BE APPROVED.

CARRIED

10.1.1 Late Correspondence re: GL-DVP-2015.1 (Mateer) & GL-DP-2015.1 (Mateer)

An email dated December 20, 2014 from Ronald Brown and Gillies Malnarich sent to Kimberly Kerns, re: Lot 20 dock Parker Island was received.

10.2. North Pender Island Local Trust Committee Bylaw No. 198 Referral

RPM Kojima summarized the bylaw referral relating to a dock rezoning application on North Pender Island.

There was some discussion as to the relevancy of the application to Galiano Island.

GL-2015-009

It was MOVED and SECONDED,

That the interests of the Galiano Island Local Trust Committee are unaffected by Bylaw No. 198 referral from the North Pender Island Local Trust Committee.

CARRIED

Note: There was a break at 2:02pm and the meeting was called back to order at 2:21pm.

Upon reconvening, Chair Busheikin drew attention to the petition presented earlier under item 8.1 and suggested the LTC receive the petition.

By general consent, the Galiano Island Local Trust Committee received the petition dated February 2015 regarding the Rogers proposed tower, noting that the wording of the petition may be reworked at a later date.

There was some discussion about Galiano developing its own telecommunications strategy.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Home-Based Contractor Yards Project

A/Planner 2 Farris reviewed the Staff Report dated Feb. 19, 2015 and outlined options for next steps.

There was discussion about the recommendations presented.

GL-2015-010

It was MOVED AND SECONDED,

That the Galiano Island Local Trust Committee request staff to provide a staff report looking at summarizing various options to permit home-based contractor yards in the Galiano Island Land Use Bylaw No. 127.

There was further discussion about the motion; specifically, that several options have already been explored under past LTCs. Options other than Temporary Use Permits (TUPs) had already been deemed unsatisfactory after much analysis.

GL-2015-011

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee amend motion GL-2015-010, replacing the words “summarizing various options” with “request staff to provide a staff report looking at the use of Temporary Use Permits to permit home-based contractor yards.”

The motion as amended was then put.

CARRIED

GL-2015-012

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to amend the project charter for the Home-based contractor project.

CARRIED

11.2. Secondary Suites

Regional Planning Manager Kojima reviewed the Staff Report dated February 18, 2015.

There was discussion about how quickly secondary suites could be expedited. The importance of community consultation was noted as being an iterative process, especially when dealing with the details of bylaw formation. Community information meetings typically happen after the crafting of bylaws, consultation with Advisory Planning Commission (APC), as well as other community groups.

RPM Kojima indicated it was up to the LTC to decide what is sent to the APC.

There was some discussion about the timeline of the project charter, and the need to differentiate between various types of housing.

GL-2015-013

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to report back with a draft project charter as soon as possible and staff report outlining policy and regulatory options for the Secondary Suite Review project.

CARRIED

Trustee Harris reported that he had consulted with Chief Administrative Officer (CAO) Linda Adams and has confirmed that his wife Karen Harris may seek renewal of her term as a member of the APC. Trustee Harris reported that both he and Karen Harris must act independently, and be perceived as acting independently, when making decisions.

11.3. Cottage Review

Regional Planning Manager (RPM) Kojima reviewed the Staff Report dated February 18, 2015 with respect to increasing cottage square footage and height restrictions.

RPM Kojima noted that the cottage review is easier than secondary suites, because the scope is more limited.

GL-2015-014

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request that staff draft a project charter and report outlining policy and regulatory options for the Cottage Review project.

CARRIED

There was some discussion about how fast the cottage review could be expedited and when the LTC could present bylaws.

RPM Kojima noted that further consultation was required with respect to decisions around lot size, height, and square footage, for instance.

12. REPORTS

12.1. Work Program Reports

12.1.1. Top Priorities Report Dated February 2015

A/Planner 2 Farris reviewed the report presented. Staff confirmed that numbers reflect priority assigned.

12.1.2. Projects List Report Dated February 2015

A/Planner 2 Farris reviewed the report presented.

12.2. Applications Report Dated February 2015

A/Planner 2 Farris reviewed the report. Application GL-DP-2014.5 is in process, having received further information from the applicant. It was noted that a rezoning application was received that did not make it on the list. Staff are hoping to get a preliminary report on the next agenda.

12.3. Trustee and Local Expense Report Dated January 2015

A/Planner 2 Farris reviewed the report.

12.4. Adopted Policies and Standing Resolutions

Regional Planning Manager Kojima reviewed the Policies and Standing Resolutions, noting that Bylaw Enforcement Manager (BEM) Drew, will be attending the next LTC meeting to discuss the Short Term Vacation Rental (STVR) bylaw.

There was discussion around costs of Temporary Use Permit (TUP) fees.

Trustee Harris wanted to propose that the newspaper publication, The Active Page be included as a newspaper to post public notices in it.

There was discussion over how best to make it happen, since the rules of posting and what qualifies as a newspaper are defined by statute.

Chair Busheikin suggested that Trustee Harris present the issue at Trust Council. The requirement for STVRs to have TUPs will increase the need for more postings.

12.5. Local Trust Committee Webpage

The Galiano Island Local Trust Committee web page can be found at: www.islandstrust.bc.ca/islands/local-trust-areas/galiano

There were no recommendations.

Trustee Pottle was complimentary of the effectiveness of the website.

There was discussion about whether TUPs and rezoning could go on the website. It was agreed there would be ongoing consideration of this.

12.6. Chair's Report

Chair Busheikin reported that the upcoming Trust Council, with a very full agenda, will be held on Gabriola Island. The budget analysis involves a lot of work. A significant topic of debate is the proposal to have a full-time staff member as "Senior Aboriginal Advisor" (2-year term), someone who can support staff and trustees in all the work they are doing. Responsibilities would involve relationship building, advocacy, and conflict resolution, for example. Demands for such a role have been increasing. On the Executive Committee it has been challenging to manage advocacy resources. We are a land-use planning body, but advocacy demands are significant. Resources are limited, so the challenge becomes how to manage priorities and demands. Chair Busheikin reported that she is enjoying her work and appreciates making connections between the islands.

12.7. Trustee Report

Trustee Pottle joined the Local Planning Committee which had its first meeting on February 12. There have been conversations with Van City for a community development fund to promote economic development on island. She has received lots of correspondence with respect to the cell tower. She will be going to Pender to meet with people involved with the Coastal Douglas Fir action plan. She will also be meeting with CRD Director David Howe. She will be going to Gabriola for Trust Council March 10-12. She thanked the public for attending today.

Trustee Harris acknowledged the work of his colleagues Trustee Pottle and Chair Busheikin. He is on the Financial Planning Committee and is gaining confidence in financial management. He noted that Salt Spring Island (SSI) will be undertaking, upon direction from Ministry of Community, Sport, and Cultural Development, a feasibility study of SSI becoming a municipality.

It was noted by Trustee Pottle that Bowen Island, also within the Trust, is a municipality.

Trustee Harris is a member of the Economic Development Commission. He spoke with CAO Linda Adams, who counselled him, as a Trustee, to be careful of land use decisions/ issues if they overlap with economic development commission. He would have to recuse himself in the event of a potential conflict.

There was discussion about the parking challenges at Montague, which have become a public safety issue. The Ministry of Transportation and Infrastructure (MoTI) has responsibility. With letters from other agencies, such as the Trust, MoTI might be more inclined to act.

Chair Busheikin suggested we look at this next meeting. The March 31 Trustee Roundtable would be a good forum for looking at this issue. Trustee Harris could get letters from other agencies before the March 31st meeting.

12.8. Trust Fund Board Report

Chair Busheikin received the report and noted the completion of eel grass mapping. She thanked the Trust Fund board and staff for all their work.

13. NEW BUSINESS

None

14. UPCOMING MEETINGS

14.1. Next Regular Meeting Scheduled for April 13, 2015, at 12:30 pm, at the North Community Hall

The Galiano Island Local Trust Committee has scheduled a Special Meeting March 14, 2015, at 12:30 pm at the Lions Hall, 992 Burrill Road.

15. TOWN HALL

Sheila Midgely, Harbours Commissioner, noted that unless the parking challenges at the harbours are addressed, she could not, in good conscience, advocate for increased moorage space. There are significant safety issues. The lack of washroom facilities is also important.

Chair Busheikin noted that Trustee Harris could speak with Trustee Susan Morrison from Lasqueti who worked on similar issues.

Member of the public noted there is a large triangle of land just past Clanton Road. MoTI has been approached to use that as potential parking and she suggested that might be a good place to start. With respect to secondary suites with accessory cottages, she asked whether LTC might be considering three units within a property. She questioned, where, on Galiano, is ground water not a concern? She recommended that LTC consider one secondary suite or one cottage, but not both. She wondered how many property owners took advantage of the increased square footage for cottages. Will there be strata-title ownership of these suites? How many cottages are currently built, and what is the potential build out? She spoke in favour of regulating accessory buildings.

Bowie Keefer discussed how one effect of climate change is that the warming of the high Arctic will cause very dry summers and increased risk of forest fire. He would like to see a community-wide effort to educate and reduce fire risk around houses. Such an undertaking will require resources.

Member of the public sought clarification on cell towers and asked whether Telus was no longer installing land lines?

Chair Busheikin noted that it was beyond our jurisdiction but somewhat relevant to the cell tower issue.

Roger Pettit thanked the Trust for considering cabin size and secondary suites. Restrictions around cottages and secondary suites were putting pressure on his ability to continue farming operations.

Stephen Rybak shared concerns with respect to cottages and secondary suites. He suggested that the Union of BC Municipalities was a possible information resource for strategies on housing challenges. The LTC might consider a certain lot size for cottages, but not necessarily for a secondary suite. Consent of neighbours and water districts for approvals of water usage would be important. He thought that the people of Galiano should choose the type of housing which will work for this island.

Kiyo Okuda was concerned about the parking issues related to harbour activity. Rather than “pave paradise” for another parking lot he thought a community bus service would be a better solution. He suggested that sewage could be an innovative source of income. He expressed concern about increasing the size of Short Term Vacation Rentals (STVRs) and cottages, which will drive up the cost of rent. He referred to the large number of vacant houses on Galiano. He spoke about water concerns, and stated that water catchment is not a viable solution on its own, in the face of increasing drought conditions.

16. CLOSED MEETING

16.1. Motion to Close the Meeting

GL-2015-015

It was MOVED and SECONDED,

That the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, 90(1) (a) & (d) for the purpose of considering:
Adoption of In-Camera Meeting Minutes Dated November 3, 2014
Appointment of APC Members, and that the recorder and staff attend the meeting.

CARRIED

Note: the public was asked to adjourn at 4:35 p.m.

See separate In Camera Meeting minutes dated March 2, 2015.

16.2. Recall to Order

The meeting was recalled to order at 4:47pm.

16.3. Rise and Report

Chair Busheikin reported that the In-Camera Meeting Minutes dated November 3, 2014 were adopted, and that the LTC appointed Sheila Anderson, Ursula Deshield, Elizabeth Olson, and Karen Harris to the Advisory Planning Commission for a one-year term effective Feb. 1, 2015 to Feb. 1, 2016.

17. **ADJOURNMENT**

By general consent the meeting was adjourned at 4:49pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder