



Thetis Island Local Trust Committee Minutes of Regular Meeting

Date: June 11, 2019

Location: Chemainus Legion,
9775 Chemainus Road
Chemainus, BC

Members Present: Laura Patrick, Chair
Doug Fenton, Local Trustee
Peter Luckham, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager (RPM)
Marnie Eggen, Island Planner
Sarah Shugar, Recorder

Others Present: Chad Marlatt, Cypress Land Services
Doug Anastos, Telus Communications
Approximately thirty-five (35) members of the public

1. CALL TO ORDER

"Please note the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Patrick called the meeting to order at 9:14 am. She introduced herself, the Trustees and staff and acknowledged that the Local Trust Committee is meeting within Coast Salish Territory.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 4.4 Local Trust Committee Special Meeting Minutes dated May 31, 2019 – For Adoption
- 4.5 Local Trust Committee Public Hearing Record dated May 31, 2019 – Bylaw No. 103 (Ruxton Island Private Moorage Structures Project) - For Receipt

By general consent the agenda was approved as amended.

3. TOWN HALL

A member of the public expressed concerns regarding the proposed Telus telecommunications facility and submitted materials entitled "Record Book of Thetis Island Residents Not In Favour of the Proposed Telecommunication Tower Sited at Lot 155 Pilkey Point Road, Thetis Island" and "Extracts of Documents Provided by the Thetis Island Residents Not In Favour of the Proposed Telecommunication Tower Sited at Lot 155 Pilkey Point Road, Thetis Island".

A member of the public expressed concerns regarding the proposed Telus telecommunications facility including its impact on the sale of a property that is in close proximity to the proposed tower.

Robert Sam spoke on behalf of Penelakut Tribe and expressed concerns regarding the proposed Telus telecommunications facility including close proximity to an ancestral burial site.

A member of the public expressed concerns regarding the proposed Telus telecommunications facility including electromagnetic frequency (EMF) radiation.

A member of the public expressed concerns regarding the proposed Telus telecommunications facility including concerns regarding the lack of consultation with the Penelakut First Nation and submitted a document entitled "LTC Meeting Tuesday June 11, 2019, Chemainus, BC."

4. MINUTES

4.1 Local Trust Committee Minutes dated April 23, 2019 - For Adoption

The following amendment to the minutes was presented for consideration:

12.2 Replace "Islands Trust staff will be developing a vision [plan]" with "Local Trustees consider how public engagement will roll out in their community".

By general consent the minutes were adopted as amended.

4.2 Section 26 Resolutions-Without-Meeting – none

4.3 Advisory Planning Commission Minutes – none

4.4 Local Trust Committee Special Meeting Minutes dated May 31, 2019 – For Adoption

By general consent the minutes were adopted as presented.

4.5 Local Trust Committee Public Hearing Record dated May 31, 2019 – Bylaw No. 103 (Ruxton Island Private Moorage Structures Project) - For Receipt

By general consent, the Thetis Island Local Trust Committee received the Public Hearing Record dated May 31, 2019.

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List dated June 3, 2019

The Follow-up Action List was presented. Regional Planning Manager Kjerulf reported the Cowichan Valley Regional District will provide the Archaeological Chance Find Procedures document to building permit applicants.

6. APPLICATIONS AND REFERRALS

6.1 TH-OTH-2019.1 (TELUS) - Staff Report

Planner Eggen presented a staff report dated June 4, 2019 regarding a Telus Communication Telecommunications Facility Proposal at 155 Pilkey Point Road.

Doug Anastos, Telus Communications Inc. and Chad Marlatt, Cypress Land Services spoke to the application.

Discussion ensued and the following comments were noted:

- There was a question regarding whether Telus Communications is engaged in research regarding electromagnetic frequency (EMF) radiation in general and specifically regarding impacts to sensitive ecosystems such as the bat caves that are

in close proximity to the proposed tower.

- There was a question regarding whether Telus Communications would engage in consultation with First Nations.
- There is a need to balance the need for technology services with the safety and health concerns of the community and environment.
- Acknowledgement that the applicant provided a 3D rendering of the proposed facility for information.

A member of the public asked if the applicant is willing to consider design strategies to help the tower blend in with the natural surroundings such as strategies used to disguise antennae towers in California.

TH-2019-035

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request the proponent of application TH-OTH-2019.1 (TELUS) to provide the following:

- Refer the application to surrounding First Nations and that Telus communicate with First Nations;
- An archaeology assessment be conducted in consultation with the Penelakut Nation;
- A Qualified Environmental Professional (QEP) report be brought to the Thetis LTC as recommended by the Nature Trust of BC;
- A fire suppression system including tower and ground level fire suppression including onsite water storage be included in the plan;
- The height of the antenna and service restrictions be reconsidered including vegetation management;
- A full 360 degree landscape plan be provided, including a security deposit to ensure permanence;
- Further public consultation be conducted and
- A restriction be placed on deployment of 5G technology conduct further public consultation at the time of planning.

CARRIED

TH-2019-036

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request the proponent of application TH-OTH-2019.1 (TELUS) follow the Ministry of Innovation, Science and Economic Development Canada Default Public Consultation Process for a proposed Telecommunications Facility at 155 Pilkey Point Road, Thetis Island and that the applicant conduct a second public consultation opportunity.

CARRIED

TH-2019-037

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to advise the proponent of application TH-OTH-2019.1 (TELUS) of applicable Thetis Island Official Community Plan policies and Land Use Bylaw regulations as per Attachments 1 & 2 of the staff report dated June 11, 2019.

CARRIED

TH-2019-038

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request the proponent of application TH-OTH-2019.1 (TELUS) confirm:

- a) whether the proposal is only for the servicing of Thetis Island residents and property owners and those of nearby adjacent islands; and
- b) whether the proposal considers minimizing the degree of visual disruption and controls the invasion of non-native species.

CARRIED

TH-2019-039

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee request staff to schedule a special meeting to consider new input regarding application TH-OTH-2019.1 (TELUS) prior to July 26, 2019.

CARRIED

The meeting recessed at 10:40 a.m. and reconvened at 10:47 a.m.

6.2 TH-DVP-2015.2 Trincomali Holdings Ltd. - Staff Report

Regional Planning Manager Kjerulf presented a staff report dated June 4, 2019 regarding a Development Variance Permit application to authorize a retaining wall within the required 6.0 metre rear setback of the subject property located at 204 Pilkey Point Road.

Applicant Dan Wickham spoke to the application.

Discussion ensued and the following comments were noted:

- The importance for management of the foreshore ecosystem going forward.
- The importance of recognizing the archaeological site and cultural values going forward.
- Support was expressed to request the applicant to work with the Archaeology Branch to place a Notice of Heritage Status on the property title.
- Concern was expressed that removing the retaining wall may be harmful.
- Support was expressed for the applicant's undertaking with the Archaeology Branch that no further development will occur on the property without required permits.
- Concern was expressed regarding the proposed enforcement policy.
- Support was expressed for designation of a Development Permit Area on Thetis Island.

TH-2019-040

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee approve issuance of application TH-DVP-2015.2 (Trincomali Holdings).

CARRIED

Trustee Patrick OPPOSED

7. LOCAL TRUST COMMITTEE PROJECTS

7.1 Ruxton Island Private Moorage Structures Project - Bylaw No. 103 - Staff Report

ADOPTED

Planner Eggen presented a staff report dated June 5, 2019 regarding Ruxton Island Private Moorage Structures Review Project – Bylaw No. 103 and presented the Local Trust Committee Special Meeting Minutes dated May 31, 2019 and the Local Trust Committee Public Hearing Record dated May 31, 2019.

TH-2019-041

It was MOVED and SECONDED,

that third reading of Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be rescinded.

CARRIED

TH-2019-042

It was MOVED and SECONDED,

that Thetis Island Local Trust Committee Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be amended by adding a new section after section 1.9 that states: “PART 5 ZONES, Section 5.11 Marine Ruxton (W3), Subsection Siting and Size 5.11(2) is deleted in its entirety and the bylaw is renumbered accordingly.”

CARRIED

TH-2019-043

It was MOVED and SECONDED,

that Thetis Island Local Trust Committee Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be read a third time, as amended.

CARRIED

TH-2019-044

It was MOVED and SECONDED,

that Thetis Island Local Trust Committee Bylaw No. 103, cited as “Thetis Associated Islands Land Use Bylaw, 2014, Amendment Bylaw No. 1, 2018”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

A member of the public acknowledged the Local Trust Committee for all of the work on the Ruxton Island Private Moorage Structures Review Project.

8. DELEGATIONS - none

9. CORRESPONDENCE - none

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

10. NEW BUSINESS

10.1 Public Engagement on Thetis Island for Visions 2099 - The Future of the islands in the Salish Sea -Staff Report - for decision

A staff report regarding Public Engagement in the Thetis Island Local Trust Area for Visions 2099: The Future of the islands in the Salish Sea was presented.

There was discussion and it was noted world café, web conferencing and online presence would be important to include although there is a lack of venues on Thetis Island.

TH-2019-045

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee endorse the recommended public engagement activities to take place in the Thetis Island Local Trust Area in support of the Trust Council's Visions 2099: The Future of the islands in the Salish Sea, as outlined in the June 11, 2019 staff report.

CARRIED

10.2 Board of Variance Appointments – Memorandum

Regional Planning Manager Kjerulf presented a memorandum regarding Board of Variance Appointments dated June 5, 2019.

TH-2019-046

It was MOVED and SECONDED,

that the Thetis Island Local Trust Committee appoint Jack Woodward, Laurie Jackson and Sheila Ray to the Thetis Island Board of Variance for a three-year term effective July 27, 2019.

CARRIED

11. REPORTS

11.1 Trustee Reports

Trustee Fenton reported on the following:

- Attended an Islands Trust Conservancy meeting regarding funding options.
- Attended the Special Meeting in Nanaimo regarding the Ruxton Island Private Moorage Structures Project and highlighted the need to advocate for ecosystem protection in the Salish Sea and noted the Green Shores programs.

Trustee Luckham reported on the following:

- Attended the Spring 2019 Howe Sound Community Forum and noted the Howe Sound Biosphere Region Initiative.
- Attended a number of meetings on Salt Spring Island including the Industrial Lands Review project and the CREST radio tower application.
- Has resigned from the Penelakut Elders Advisory Committee.
- Will attend the Roberts Bank Terminal 2 public consultation meeting on June 12, 2019 and present concerns regarding shipping safety, oil spill protection, vessel anchorages, oil spill prevention and species at risk.
- The Province of BC declared that Vancouver Island and the Gulf Islands are at drought level 3. He attended a CBC radio interview concerning the announcement.
- Spoke to consideration of habitat protection for FireSmart planning and programs.

11.2 Chair's Report

Chair Patrick reported the next Trust Council will be held June 18 to 20, 2019 on Galiano Island.

11.3 Trust Conservancy Report - none

11.4 Electoral Area Director's Report - none

11.5 Applications Report dated June 3, 2019

Received.

11.6 Trustee and Local Expense Report dated March 2019

Received.

11.7 Adopted Policies and Standing Resolutions

Received.

11.8 Local Trust Committee Webpage

No changes.

12. WORK PROGRAM

12.1 Top Priorities Report dated June 3, 2019

It was noted Item 2 – Ruxton Island Private Moorage Review should be amended to replace “Review regulation regarding private moorage related structures and community docks.” with “Review regulation regarding private moorage related structures”.

The report was received.

12.2 Projects List Report dated June 3, 2019

Received.

13. CLOSED MEETING - none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, August 20, 2019 at 9:00 am at the Chemainus Legion, 9775 Chemainus Road.

15. ADJOURNMENT

By general consent the meeting was adjourned at 12:20 pm.

Laura Patrick, Chair

Certified Correct:

Sarah Shugar, Recorder