



# ADOPTED

## Galiano Island Local Trust Committee Minutes of Regular Meeting

**Date:** April 13, 2015  
**Location:** North Community Hall  
20925 Porlier Pass Road, Galiano Island, BC

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

**Staff Present:** Robert Kojima, Regional Planning Manager  
Kim Farris, Acting Planner 2  
Miles Drew, Bylaw Enforcement Manager  
David Millership, Recorder

**Members of the Public and Media Present:** There were approximately 28 members of the public present and no members of the media

### 1. CALL TO ORDER

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

### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

### 3. TOWN HALL AND QUESTIONS

**Andrew Loveridge** stated support for not for profit housing.

**Therese Ramond** spoke to the Rogers Cell Tower Proposal and commented that such is effecting property sales within a one (1) kilometre (km) radius of the tower.

**Tom Hennessy** commented that Galiano Green is working with lawyers regarding the housing agreement. He stated concern with the emitting of microwaves pertaining to the Rogers Cell Tower Proposal.

**Doug Latta** stated concern with the emitting of microwaves pertaining to the Rogers Cell Tower Proposal. He encouraged people to read the book *Overpowered* by Martin Blank, PhD.

**Elizabeth Latta (speaking for Nadia Krebs, who couldn't attend)** stated concern with the Rogers Cell Tower Proposal. She stated support for more information to be received, including answers to questions raised at the March 14, 2015 Special Meeting (SM) and higher quality mapping. She asked the Local Trust Committee (LTC) to allow more time for public consultation and process.

**Elizabeth Latta** stated concern with the Rogers Cell Tower Proposal and commented that neighbours as well as past LTCs have consistently opposed cell towers. She noted that there are seven (7) properties within a 500 metre (m) radius of the tower and sixty-two (62) properties within a 1000 m radius of the tower and that their values are diminished. She commented that health hazards, community divisiveness and unknown risks to groundwater, agricultural land and organic farming are of particular concern. She stated that this is an issue of land use legality and asked the LTC to consider a bylaw review and Official Community Plan (OCP) amendment process.

**Debbie Holmes** stated concern with the Rogers Cell Tower Proposal, specifically relating to misinformation presented on the antenna proposal form. She stated that increasing the height of the tower is a modification to an existing structure and commented that it is important for assessments to be done independently and not by the landowner(s) and/or applicant(s).

**Louise Decario** spoke to the Rogers Cell Tower Proposal and commented that she looked at Galiano's OCP and Land Use Bylaws (LUBs). She stated that LUB policy says to keep Galiano "rural in nature" and that cell tower transmission is not a permitted use in any zone. She stated that Galiano's LUB guidelines should be respected and that the LTC needs to decide whether or not they are going to uphold Galiano's bylaws or not. She provided some history regarding cell towers on Galiano and noted that neighbours as well as past LTCs have consistently opposed cell towers.

**Sheila Anderson** spoke to the Rogers Cell Tower Proposal and stated support for extending the public submission/consultation period. She stated support for comments made by Elizabeth Latta on behalf of Nadia Krebs.

There was some discussion regarding process, public submission/consultation and notification dates. A/Planner 2 Farris will obtain, in writing from Industry Canada, specific deadline dates relating to the Rogers Cell Tower Proposal, including deadlines for LTC decision making.

There was some discussion regarding whether or not the LTC is permitted to receive further comments/submissions from the public regarding the Rogers Cell Tower Proposal, due to the current notification period having ended.

Regional Planning Manager (RPM) Kojima stated that it is ok for the LTC to receive further comments/submissions from the public and to discuss issues surrounding the Rogers Cell Tower Proposal. He commented that process surrounding the Rogers Cell Tower Proposal is unlike that of a Public Hearing (PH).

**Louise Bentley** stated support for the Rogers Cell Tower Proposal and increased cell coverage in general. She commented that cell coverage is an essential service and is a health and safety issue. She stated concern that this issue is dividing the community and asked the LTC to listen to all voices and consider facts not emotions. She stated that cell towers do not cause cancer.

**Ted Bentley** stated support for the Rogers Cell Tower Proposal and referenced an article in *The Economist* magazine. He asked the LTC to consider the value/benefit(s) of approving the application, specifically relating to community building, health and safety and environmental monitoring.

Trustee Pottle commented that there are new studies going on pertaining to electromagnetic radiation (EMR).

**Christina Stechishin** stated support for the Rogers Cell Tower Proposal and commented that so does the majority of the community, with only approximately fifteen (15) members opposed. She stated that reasons for support are mostly to do with safety, benefits to paramedics, ability to report forest fires via \*5555 and cell coverage being linked to increased property values. She noted that the World Health Organization (WHO) says studies do not support connections between EMR and cancer.

**Cathy Stephenson** stated support for the Rogers Cell Tower Proposal and commented that she is a physician and that cell towers do not pose significant health risks. She stated that the risk(s)/benefit(s) ratio needs to be considered and that, in her opinion, the benefit(s) outweighs the risk(s). She stated that cell phones save lives (i.e.: during the Calgary floods) and mentioned that if cell towers are to be banned on Galiano then so too should alcohol, cigarettes, cars etc.

**Brad Lockett** stated opposition to the Rogers Cell Tower Proposal. He commented that his property is within 500 m of the tower and that he has significant concerns regarding his and his families' health and quality of life as well as process surrounding the application. He stated that much more information is needed and misinformation clarified before any decisions are made, including the proposed height of the tower. He stated that corporations rely on dividing communities and that he came to Galiano to get away from things like cell towers.

**Akasha Forest** stated concern with the way the Rogers Cell Tower Proposal is dividing the community, process and the application being incomplete. She commented that many questions still need to be answered and that accurate mapping and information is needed in order for the LTC and public to make informed decisions. She noted that: there would be a minimal increase in cell coverage on Galiano; cell towers are not internet service providers; one of Rogers objectives is increased receptivity and connectivity for BC Ferries; and it is not yet clear if the cell tower would help Galiano paramedics to do their work properly.

Trustee Pottle commented that even though she is a paramedic, she is not authorized to speak on behalf of the BC Ambulance Service. She agreed that lots of information is needed in order for the LTC to make an informed decision.

**Colleen Doty** stated that she does not support the Rogers Cell Tower Proposal because the application does not meet stated objectives. She commented that one hundred and sixty-five (165) people have signed a petition opposing the Rogers Cell Tower Proposal.

**Geoff Gaylor** stated that he attended the March 14, 2015 SM and has concerns regarding the Rogers Cell Tower Proposal. He commented that: the benefit(s) seems to be almost nothing and that cell coverage would not be enhanced; in the city, lots of little cell towers (that emit little EMR) provide overall service whereas the proposed tower for Galiano is a big one (that would emit more EMR); there seems to be a risk involved and he wouldn't want his grandchildren near the tower; and the people who live near the tower should be the ones to decide on the proposal as they are the ones taking the risk.

**Ken Morrisette** stated that he attended the March 14, 2015 SM and is concerned that the Rogers Cell Tower Proposal does not comply with Galiano's OCP and LUBs, meaning it is illegal.

RPM Kojima commented that cellular communications are under federal jurisdiction and that local government cannot regulate against it. He stated that federal jurisdiction supersedes Galiano's OCP and LUBs.

**Chuck Garland** stated support for the Rogers Cell Tower Proposal. He commented that: he receives cell coverage from a tower on Salt Spring Island and that a global outlook is needed; cell and internet coverage is essential; and increased cell coverage is better for property values and overall communications.

**Art Moses** stated he has mixed feelings regarding the Rogers Cell Tower Proposal. He commented that the application doesn't seem like the right one for Galiano and supported leveraging the idea to include a benefit such as better internet service. He referenced Rogers latest advertising campaign that shows people using their cell phones to post selfies etc., when in remote places, and questioned the necessity of the ability to do so.

Trustee Pottle commented that Industry Canada/ Canadian Radio-television and Telecommunications Commission (CRTC) recently announced an initiative to help fund increased internet connectivity in rural areas.

**Doug Latta** stated that he would be happy to donate \$1,000 (\$1k) toward better internet service for Galiano.

**Tom Hennessy** stated that he would be happy to donate \$1k toward better internet service for Galiano.

Chair Busheikin commented that Galiano is a strong community, and that having a diversity of opinions does not imply division, and encouraged everyone to respect all opinions and to work together.

**4. COMMUNITY INFORMATION MEETING**

None

**5. PUBLIC HEARING**

None

**6. MINUTES**

**6.1. Local Trust Committee Minutes**

6.1.1. Local Trust Committee Minutes Dated March 2, 2015

**By general consent** the Local Trust Committee meeting minutes of March 2, 2015 were adopted.

6.1.2. Local Trust Committee Special Meeting Minutes Dated March 14, 2015

**By general consent** the Local Trust Committee meeting minutes of March 14, 2015 were adopted.

**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 April 2015**

A/Planner 2 Farris summarized the report.

Regarding No. 2 (Landworks) Activity No. 4, a draft cost recovery agreement has been received.

**8. DELEGATIONS**

**8.1. Brad Lockett RE: Cell Towers**

Chair Busheikin introduced Brad Lockett and he spoke to his letter dated March 17, 2015.

Mr. Lockett stated that cell towers are not a permitted land use on Galiano. He commented that: his property is within 500 m of the tower; he is still waiting to receive official notification of the Rogers application; he is considering legal action; public consultation and process should continue; there are many community concerns to consider in addition to his own; this has had a negative effect on his and his families health and quality of life; he is concerned for Rose Longini's health, who is at home sick today; the 500 acre horseshoe around the proposed tower includes agricultural land; he is a bee keeper and is concerned for the health of his bees as well as possible consequences on their ability to pollinate; and he is also speaking for nature (eagles, birds, butterflies etc.), asking the community and LTC to take care of nature by opposing the Rogers Cell Tower Proposal.

**9. CORRESPONDENCE**

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

**10. APPLICATIONS AND REFERRALS**

**10.1. GL-RZ-2015.1 (Galiano Conservancy Association)**

A/Planner 2 Farris provided information from the Staff Report.

Trustee Pottle stated that Marjorie McClelland would be very pleased.

Trustee Harris stated that he is sure this application has island wide support and that he hopes it doesn't take a lot of time for it to be approved.

**GL-2015-016**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee directs staff to proceed with application GL-RZ-2015.1 (Galiano Conservancy Association) and to prepare draft bylaws.

**CARRIED**

Ken Millard commented that the Executor is pleased and that the Islands Trust Fund Board has approved and signed the related covenant, which the Galiano Conservancy Association will also sign next week.

**10.2. 3445-50 CT (Rogers)**

A/Planner 2 Farris provided information from the Memorandum.

There was some discussion regarding:

- Trustees not receiving some information from staff in a timely fashion;
- Process and the need for more information;
- Keeping an open mind when making decisions.

Chair Busheikin stated that discussion would continue at the next meeting.

Note: there was a break at 2:15 p.m. and the meeting reconvened at 2:35 p.m.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1. Home-based Contractor Yards Project**

A/Planner 2 Farris provided information from the Staff Report.

There was some discussion regarding:

- Past and current process;
- Home-based contractor yards being outside home occupation guidelines;
- Ability for neighbour consultation being important;
- Temporary Use Permits (TUPs) being fair and less onerous than rezoning and bylaw amendments.

**GL-2015-017**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee requests staff to draft a bylaw to amend Official Community Plan Bylaw No. 108, 1995 to include Temporary Use Permit guidelines for home-based contractor yards.

**CARRIED**

## 11.2. Land Use Bylaw (LUB) Technical Amendment

A/Planner 2 Farris provided information from the Staff Report.

### **GL-2015-018**

**It was MOVED and SECONDED,**

THAT, Galiano Island Local Trust Committee Draft Bylaw No. 250, cited as Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015 be given First Reading.

**CARRIED**

### **GL-2015-019**

**It was MOVED and SECONDED,**

THAT, Galiano Island Local Trust Committee Proposed Bylaw No. 250, cited as Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2015 be given Second Reading.

**CARRIED**

### **GL-2015-020**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee requests staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw No. 250 to be held in conjunction with the June 1, 2015 regularly scheduled meeting of the Galiano Island Local Trust Committee.

**CARRIED**

### **GL-2015-021**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Proposed Bylaw No. 250 is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

## 11.3. Secondary Suite Review

Regional Planning Manager (RPM) Kojima provided information from the Staff Report.

There was some discussion regarding:

- There being a \$2500 budget for this project;
- Approaching the review by zone;
- Islands Trust and building inspection staff being involved under the early consultation stage;
- Water issues and systems, bylaws, building permits, septic and plumbing;
- Lots that do not permit a cottage can be permitted to have a secondary suite unless the LTC decides against it;
- Approach taken by Mayne Island Local Trust Committee;
- Role of Water Districts;

- Lots larger than 2 ha being permitted secondary suites in addition to a cottage;
- Definition of affordable housing maybe including the words “attainable housing”.

**GL-2015-022**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee endorse the project charter attached to the Staff Report dated April 1, 2015 Re: Secondary Suites Review.

**CARRIED**

**GL-2015-023**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee requests staff to report back with draft bylaws as outlined in the Staff Report dated April 1, 2015 Re: Secondary Suites Review.

**CARRIED**

**11.4. Cottage Review**

RPM Kojima provided information from the Staff Report.

There was some discussion regarding:

- Increasing the permitted floor area and height of cottages;
- Need for an OCP amendment;
- 70 square metres (m<sup>2</sup>) being the optimal permitted floor area for cottages and their height being consistent with the current height of existing dwellings;
- Cottages maybe not being an “accessory to a dwelling” but rather a “resort cabin” or something to that effect;
- Addressing cottage height issues (i.e.: sightlines and views);
- Draft bylaws.

**GL-2015-024**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee endorse the project charter attached to the Staff Report dated April 2, 2015 Re: Cottage Review Project.

**CARRIED**

**GL-2015-025**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee requests staff to report back with draft bylaws as outlined in Staff Report dated April 2, 2015 Re: Cottage Review Project.

**CARRIED**

**12. REPORTS**

**12.1. Work Program Reports (attached)**

#### 12.1.1. Top Priorities Report Dated April 2015

Provided for information.

There was some discussion regarding having more than three (3) Top Priorities items. RPM Kojima explained that when one item is sent for Ministry approval then another item is chosen to replace it at that time.

#### 12.1.2. Projects List Report Dated April 2015

Provided for information.

### **12.2. Applications Report Dated April 2015**

A/Planner 2 Farris provided information.

Regarding GL-RZ-2014.1 (Crystal Mountain Society), staff met with the applicant and the applicant is working hard to provide the requested information.

### **12.3. Trustee and Local Expense Report Dated February 2015**

Provided for information.

### **12.4. Adopted Policies and Standing Resolutions**

Provided for information.

### **12.5. Local Trust Committee Webpage**

The Galiano Island Local Trust Committee webpage can be found at:  
[www.islandstrust.bc.ca/islands/local-trust-areas/galiano](http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano)

No specific updates were made; routine items will be updated as necessary.

### **12.6. Chair's Report**

Chair Busheikin stated that she attended the Association of Vancouver Island and Coastal Communities (AVICC) convention and that an Islands Trust initiated resolution asking the federal government to fund the Coastal Douglas Fir Working Group was passed. She commented that she attended a beneficial workshop regarding what municipal governments can do to assist with affordable housing initiatives and that the Islands Trust affordable housing toolkit was singled out as an excellent resource, as well as perseverance. She stated that she attended a recent Executive Committee (EC) meeting where: a communications plan was considered and that a general review of EC communications would be looked at; there was a presentation by Western Canada Marine Response regarding oil spill response, which was both reassuring and not reassuring as capacity is limited; and a resolution was passed asking for a 25% reduction in BC Ferries fares on minor/smaller routes.

### **12.7. Trustee Report**

Trustee Pottle stated that: she attended a Southern Trustee roundtable where collecting fares within the parking lot of ferry terminals was discussed; funding is

in place until 2019 pertaining to the Capital Regional District (CRD) Solid Waste Management Plan; she talked to Vancity regarding the community investment fund; she met with Gary Holman, MLA; and has been busy talking with members of the community whilst also attending to regular business and office hours.

Trustee Harris stated that: he attended a Southern Trustee roundtable and that it was interesting to see the process; he spoke with Brad Boyden from the Ministry of Transportation and Infrastructure (MoTI) regarding parking/emergency access issues at Sturdies Bay and Montague Harbour; he has received many emails and phone calls and has been guiding residents regarding correct processes to follow; the cell tower issue is overwhelming; being a Trustee is an invigorating job; and he met with Gary Holman, MLA, raising concerns related to Galiano.

Chair Busheikin commented that the Ministry of Community, Sport and Cultural Development will be funding an incorporation study for Salt Spring Island.

#### **12.8. Electoral Area Director's Report**

None

#### **12.9. Trust Fund Board Report**

None

#### **12.10. Bylaw Enforcement**

##### **12.10.1. Trust Council Briefing & Statistics**

Received for information.

##### **12.10.2. Short Term Vacation Rentals (STVR) Enforcement Policy**

Bylaw Enforcement Manager (BEM) Drew provided information from the Staff Report.

There was some discussion regarding:

- Voluntary compliance and guidelines;
- What other Local Trust Committees do;
- Process and how operators/public will be informed;
- The need for TUPs;
- Clarification of Staff Report recommendations six (6) and seven (7).

**Louse Decario** commented that the intention of the bylaws is to permit property owners, who live on their property, to have a short term vacation rental (STVR) whilst property owners, who want to have an STVR but do not live on their property, would need to apply for a TUP.

There was some discussion regarding:

- Anticipation of issues that might arise;
- Enforcement process, litigation and policy/guidelines;
- Residential versus commercial being an issue;

- Whether or not a standing policy is needed when a clear policy to allow STVRs has been created already;
- Keeping things simple;
- Seeking advice from the Galiano Advisory Planning Commission (APC).

**GL-2015-026**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee refers Staff Report dated April 13, 2015 Re: Galiano Island Bylaw Enforcement Policy for Short Term Vacation Rentals in Residential Zones to the Galiano Advisory Planning Commission for comment before a final decision is made.

**CARRIED**

**13. NEW BUSINESS**

**13.1. 2014-15 Annual Report - Galiano Island Local Trust Committee Section**

Chair Busheikin noted the following typo in the attached *Text for Inclusion in 2014-15 Annual Report*.

- Paragraph three (3) – replace “Temporary Use Permit” with “Temporary Use Permits”

**GL-2015-027**

**It was MOVED and SECONDED,**

THAT, the Galiano Island Local Trust Committee approves the attached *Text for Inclusion in 2014-15 Annual Report*, as amended, for approval by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

**CARRIED**

**14. UPCOMING MEETINGS**

**14.1. Next Regular Business Meeting Scheduled**

May 4, 2015 at 12:30 pm, at the Galiano Island South Community Hall.

The meeting is scheduled as stated.

**15. TOWN HALL**

**Debbie Holmes** stated concern regarding: increased density associated with permitting secondary suites; secondary suites not being to do with increasing affordability; and increased density associated with permitting an increase in cottage size, which essentially results in subdivision because two dwellings of primary size would be permitted on one property. She referred to the minutes of March 2, 2015 and asked Trustee Harris if his land consulting business is still active.

Trustee Harris responded that his land consulting business is formally closed.

**Sheila Anderson** stated support for cottages remaining an accessory to residential use.

**Louise Decario** stated support for cottages remaining an accessory to residential use.

**Stephen Ryback** asked if TUP fees for home-based contractor yards are the same as ones for other TUPs.

A/Planner 2 Farris responded with confirmation and RPM Kojima noted that a TUP fee pays for required advertisements and mail outs.

**16. CLOSED MEETING**

None

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 4:40 pm.

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Laura Busheikin, Chair

Certified Correct:

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David Millership, Recorder