



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: April 3, 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
Collen Doty, Recorder

Others Present Approximately 14 members of the public and no media

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following items were presented as additions to the agenda for consideration:

7.1.1 Conservancy rezoning

10.4.1 Letter re: GL-TUP-2017.1 (Pankratz)

12.1.1 Discussion of C2C (Community to Community) Funding

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Kiyo Okuda requested to speak to Item 11, the Special Advisory Planning Commission (SAPC) Telecommunications Strategy Report when the agenda item was to be discussed. The Chair agreed he could provide comments at that time.

Tom Hennessy expressed concern about microwave radiation and felt there was no safe limit. He was concerned about increasing the number of smaller towers around the island.

Doug Latta expressed concern about WIFI in schools and cell tower radiation generally. Most studies are done by industry which is problematic. He urged the LTC to exercise the precautionary principle, questioning the efficacy of Safety Code 6 as an adequate standard.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated March 21, 2017 (for Adoption-Pending)

By general consent the Local Trust Committee meeting minutes of March 21, 2017 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 March 2017

GL-2017-20

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to put Affordable Housing on the next agenda and that Trustees study the Affordable Housing Toolkit, indicating which recommendations they wish to follow.

CARRIED

With respect to GL-RZ-2016.2, Planner Milne indicated he would like to see the Galiano Conservancy's rezoning application on next month's agenda.

With respect to the Dock Project, it was noted that Senior Intergovernmental Policy Advisor Fiona MacRaid will be making the initial contact regarding the dock project and C2C application with Penelakut staff. It is anticipated there will be some walkabouts; while some time will be added to the process, the duty to consult must be met.

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 Salt Spring Island Local Trust Committee Bylaws No. 488, 489 & 490 Referral

There was discussion about the early consultation process with First Nations (FNs), with Planner Milne noting there has been a lot of community interest and attention put on these bylaws, such that the content is not new to FNs. Trustee Pottle noted Cowichan Tribes' concerns about having industrial work done within 30 metres of foreshore of Fulford Harbour.

There was discussion about the referral process between LTAs, which has not always been done. The referrals are about this locality, and whether the interests of people of Galiano are deemed to be affected. There has been talk of not having this referral process as it is time-consuming.

GL-2017-021

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee confirms that its interests are unaffected by Bylaws 488, 489, 490 and request that meaningful consultations with First Nations continue.

CARRIED

10.2 GL-DVP-2017.1 (Wilshire) - Staff Report

Mr. Wilshire, applicant, was present and stated he has tried to minimize the impact of the proposed dock on shore and trees. Planner Milne noted that the Development Variance Permit (DVP) has to be approved before the Development Permit (DP) is approved. Letters of support were received from immediate neighbours. Planner Milne noted a correction on page 27 of the package with respect to the number of support columns which should read one instead of two.

Trustee Harris asked what the circulation of *The Driftwood* publication is on Galiano. It was noted that statutory requirements respecting notification have been addressed. The Procedures Bylaw could be amended if Trustees would like to see additional notification. Planner Milne noted that, at one time, the size of the ad was prescribed, but is no longer as tightly prescribed. There are budgetary considerations with respect to advertising. The *Interpretation Act* has not caught up with social media. The following resolution was not for the Wilshire application, but for future applications:

GL-2017-022

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee requests staff to investigate the cost of the *Driftwood* ad and if possible, make it smaller, and redirect monies to local publications such as the *Active Page* and *Island Tides*.

CARRIED

Mr. Whilshire noted that the contractor was contacting FNs with respect to moorage.

GL-2017-023

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2017.1 (Wilshire).

CARRIED

GL-2017-024

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2017.1 (Wilshire).

CARRIED

10.4 GL-TUP-2017.1 (Pankratz) - Staff Report

Planner Milne provided background. He noted that staff is considering mapping the locations of known Vacation Rentals that are not in compliance. This application raises a question as to how many are out there. The CRD has confirmed that the Sticks Allison water system is metred. One letter of objection was received with respect to this application.

The applicants were present and stated concern about the 16,000 litre cistern requirement for the Temporary Use Permit (TUP). Sally Pankratz noted that, under their water district rules, they are entitled to have 10,000 litres per month added to their water system. She reported that some gardeners on their system use up to 30,000 litres per month. The applicants felt the cistern would be unnecessary because they are probably not going to use the water, nor would the presence of the cistern alter their water consumption.

LTC members explained that commercial use triggers the need for a cistern. Chair Busheikin noted that the LTC cannot dictate how or if people use the water, nor who will own the land in the future. The rules are about bringing a careful approach to water. The owners may decide to hook it up to toilets.

In response to a question Planner Milne noted that the term “runs with the land” means it is registered on title. Under the *Local Government Act*, a notice has to be registered on title, attached to the property, valid for the term for which it is registered. It is not a business license. The TUP is about land-use planning. There was some discussion as to whether BC assessment could then levy commercial taxes on the land if a permit has been registered. There was a concern about protecting residential uses above commercial uses.

There was discussion about a tennis court, situated on a different property owned by the applicant, not on the property which is the subject of the TUP application, being used by the occupants of the CVR. Although Ms. Pankratz verbally agreed to allow only family and friends, not paying customers, to use the tennis court, it was noted that one cannot legally put conditions in the permit with respect to who could use the tennis court.

GL-2017-025

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee approve issuance of Temporary Use Permit GL-TUP-2017.1 (Pankratz).

CARRIED

Note: Item 12 was moved ahead of Item 11, and all agenda items renumbered accordingly.

11. REPORTS

11.1 Work Program Reports (attached)

11.1.1 Top Priorities Report Dated March 2017

There was extensive discussion around timelines for projects and how to juggle priorities in the event the LTC's C2C grant application is successful. C2C grant money has to be used by March 2018.

Trustee Pottle noted that the dock review, which involves initiating discussion with FNs, is a top priority and a part of the C2C process. There was consensus the C2C grant would be covered within the dock review Top Priority. It was also agreed that at least one of the existing Top Priorities could be completed in time to conduct C2C consultations.

GL-2017-026

It was MOVED and SECONDED

that the Galiano Local Trust Committee ask staff to submit the Regional Community to Community Forum Program application as presented.

CARRIED

11.1.2 Projects List Report Dated March 2017

Information as provided.

11.2 Applications Report Dated March 2017 (attached)

Planner Milne summarized the applications, noting that GL-TUP-2016.10 (Rosnick) has been completed and should be removed from the list.

A break was called at 2:26pm. The meeting was reconvened at 2:40pm.

11.3 Trustee and Local Expense Report Dated February 2017

No comments

11.4 Adopted Policies and Standing Resolutions (attached)

No comments

11.5 Local Trust Committee Webpage

No comments

11.6 Chair's Report

There is an upcoming Executive Committee meeting. Chair Busheikin reported on an interesting meeting with Malahat FN. The new council and chief had run on an anti-LNG platform, and had consulted with the community. The Malahat are not necessarily proceeding with the LNG deal. They were very receptive to meeting with the Islands Trust and having meaningful consultation.

11.7 Trustee Report

Trustee Harris reported that the two negotiating groups for Crystal Mountain are continuing discussions, and have agreed to a third meeting, though no date has been set.

Trustee Pottle reported that office hours have been quiet.

11.8 Trust Fund Board Report

None

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Special Advisory Planning Commission Telecommunications Strategy Report - Staff Report

Kiyo Okuda, one of the commissioners of the SAPC, submitted a letter to the LTC entitled "Minority Position: Proponent Provided Protection". He read from his letter outlining some unresolved issues and his suggestions to the LTC. One of his questions was: As there is no one maintaining a record of locally installed devices, how will an installer become aware of the local radio environment? Also, he recommended the LTC adopt a position of providing "concurrence with conditions" for all systems installed by telecom carriers on towers under 15 metres. He suggested the LTC maintain a record of this information to be able to inform any other applicant or installer of telecommunications systems, and the public, of the local radio environment. He also suggested that areas of silence, without waves of energy, be preserved and protected as an amenity. Radio service could be focussed towards areas of high residential entitlement with little spill over into non-residential or ecologically sensitive areas. The Montague Basin, including Parker Island, Wise Island and Philmore Point could be an appropriate area to begin with.

SAPC commissioner Elizabeth Latta noted she would be submitting her own comments as well. She expressed appreciation for Minute-Takers Colleen Doty and Heather Martin, and Chair Stephen Rybak. She learned a lot from the process of studying a complex, difficult subject.

Stephen Rybak, chair of the SAPC, wished to acknowledge SAPC commissioner Peter Midgely for his mathematical acumen and commissioner Okuda for his graphics. Mr. Rybak supported the LTC addressing the discontinuity between Official Community Plan (OCP) and Land Use Bylaw (LUB). He clarified that the SAPC recommendation to expand pay phones did not make any linkages to the OCP, nor should it have. The unresolved issues were presented as info only. If LTC is going to require that a database or public record of antennae systems be established or maintained for Galiano, then there will be staff and resource implications. He would invite others to comment. He was disappointed that hard copies of the SAPC report were not part of the agenda package.

Peter Midgely, SAPC commissioner, is looking forward to the LTC's next steps.

SAPC commissioner Mike Hoebel commented that he thought the SAPC membership represented the full spectrum on this matter on island. There were several months of interesting discussion. He commended Peter Midgely for organizing the survey, which contains the most concrete material we have to work with. He noted islanders' high levels of engagement.

Louise Decario has several questions: she wondered about the survey and how many towers the SAPC had considered.

In response, commissioners noted the following points:

- The SAPC wished to make a protocol for proponents. There was no limit as to the number of possible proponents.
- If the protocol were made difficult, there would be no towers or antennae. There was no clear answer as to how many potential transmitting sites there could be.
- Deliberations were technology-neutral and they could not forecast what was going to be coming down the road.
- Their work centred on the expectations of a possible proponent coming to the island.

Louise Decario asked whether the SAPC explored areas that were least covered.

Mike Hoebel affirmed that had been part of the survey, to document what people were using and what was their view and coverage. The SAPC was also involved in fact-finding: contacting all of the carriers, to confirm what they thought they knew about coverage, and plans for expansion. The SAPC did not see themselves as designers. They sought to recommend a process for what the LTC could use to guide proponents.

Louise Decario asked if the SAPC explored the fibre-optic option.

SAPC commissioners confirmed this infrastructure was explored and recommended the LTC approach a carrier to expand fibre-optic.

Trustee Pottle noted there was federal government money to expand or lease Telus' fibre-optic cable, and that the Federal Government has upgraded the minimum criteria for citizens.

Chair Busheikin acknowledged the impressive expertise and time provided by the SAPC.

Chair Busheikin asked whether an antennae proposal guide could include recommendations for siting.

Planner Milne commented that Industry Canada would view that favourably, but would not be bound by such guidelines if IC felt a site should go elsewhere. He clarified that there are no antennae applications pending.

There was extensive discussion with respect to considerations and unresolved issues presented in the Staff Report.

GL-2017-027

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to draft Antenna Proposal Consultation Guidelines based on recommendations made in the Special Advisory Planning Commission Recommendation Report dated March 2017.

CARRIED

GL-2017-028

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee request that staff consider BC Hydro rights of way as potential site locations.

CARRIED

GL-2017-029

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee requests that staff consider other possible preferred locations that have been identified, including parks, community forests or covenanted lands; other community-owned lands; or bylaw compliant private property.

DEFEATED

The SAPC had agreed that the above-noted items would come before the public for future consultation. The commission had run out of time in its mandate.

GL-2017-030

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to consult with Industry Canada about questions raised in Staff Report dated March 27, 2017.

CARRIED

GL-2017-031

It was MOVED and SECONDED

that the Galiano Island Local Trust Committee request staff to research options for an application fee for antennae proposals.

CARRIED

13. NEW BUSINESS

None

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for May 1, 2017, at the South Community Hall, Galiano Island

15. TOWN HALL

Akasha Forest enquired as to what could be reported about the incorporation of Salt Spring Island and the FN consultation process.

Chair Busheikin reported that September 9, 2017 had been set for the vote. There was no information with respect to FN consultations.

Akasha Forest wondered if Senior Intergovernmental Policy Advisor Macrauld would have any role in facilitating FN consultations during the process leading up to the incorporation vote.

It was noted the Islands Trust has no responsibility with respect to consultations during the incorporation vote.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 4:15 pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder