



ADOPTED

Galiano Island Local Trust Committee Minutes of Regular Meeting

Date: July 10, 2017
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: Gary Richardson, Island Planner
Colleen Doty, Recorder

Members of the public present: There were 20 members of the public in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 12:34 p.m. and acknowledged the meeting was being held in territory of the Coast Salish First Nations. She explained the role of the minute-taker: to record decisions, not to take verbatim notes.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

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

Stephen Rybak, Chair of the former telecommunications Special Advisory Planning Commission (SAPC), had questions concerning the Terms of Reference (TOR) for the reconstitution of the telecommunications SAPC. One major task, according to the TOR, was to help present the “Antennae System Siting & Consultation Protocol” at a future Community Information Meeting (CIM). He wanted to clarify that was the focus, not the overall strategy. As to presenting the protocol, which protocol would the SAPC be asked to present? The one prepared by the SAPC for the LTC, or the one prepared by Staff, which amended the recommendations and presented concerns? He was unsure he felt comfortable being reappointed. With respect to the Staff Report of July 10, 2017 containing the TOR, he was unclear as to what the Chair was being asked to do (TOR, s.13), especially with regard to providing written summaries. The SAPC minutes clearly outline those discussions. He asked whether there needed to be a separate report or whether the minutes sufficed. He noted that Staff has not commented on other matters brought forward by SAPC.

Akasha Forest asked if the LTC could continue to have CRD reports at LTC meetings. The CRD has an impact on our island in terms of how money is spent and which directions are being pursued.

It was noted that CRD updates had been dropped off the agenda.

GL-2017-054

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to invite the CRD to provide a report before every Local Trust Committee meeting.

CARRIED

Planner Richardson said he would put this on the follow-up action list. It was noted that Andrea Mills is now the alternate for David Howe.

Kiyo Okuda, member of the former telecommunications SAPC, urged the LTC to address the questions of the original SAPC, noting significant issues that need to be tackled by the community at large. Bylaw compliancy was considered important by the SAPC, yet this recommendation was dropped in the staff report. He noted that Trustees need to decide the approach taken with respect to a telecommunications strategy.

Elizabeth Latta, member of the former telecommunications SAPC, echoed remarks by Mr. Rybak and Mr. Okuda. She has offered to stand for another term on the SAPC, even though the TOR, as they currently stand, are skewed and need further refinement. She suggested a facilitator might be helpful at the future CIM as CIM's can be extremely fraught and contentious.

Kiyo Okuda noted that a representative from Industry Canada had been present at a telecommunications meeting several years ago. He encouraged the Trustees to have representation from Health Canada and Industry Canada.

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated June 5, 2017 (for Adoption)

The following amendments to the minutes were presented for consideration:

- Page 6 of the minutes, change to "Trustee Pottle would like Industry Canada to include information regarding the methodology by which Industry Canada comes to the determination of compliance within SC6."

By general consent the Local Trust Committee meeting minutes of June 5, 2017 were adopted as amended.

6.2 Section 26 Resolutions Without Meeting Report

None

6.3 Advisory Planning Commission Adopted Minutes Dated May 23 & 30, 2017 (for Receipt)

6.3.1 APC Draft Minutes Dated June 12, 2017 (for Receipt)

The exemplary work of the APC was commended.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Dated June 2017

Information as provided.

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 Bylaws 487 & 496 Referral (attached)

GL-2017-055

It was MOVED and SECONDED

That the Galiano Island Local Trust Committee considers their interests unaffected by Salt Spring Island proposed bylaws 487 and 496.

CARRIED

10.2 GL-DP-2016.5 (Taylor/Diamond) - Staff Report

Planner Richardson summarized the Staff Report of July 10, 2017.

The Applicant was present and stated he had been unaware that a Development Permit had been required to repair the seawall.

There was extensive discussion about how a situation like this could be avoided in the future. The LTC considered the option of designing and providing an information pamphlet to owners. The role of local realtors in advising prospective owners of bylaws was discussed.

The applicant was asked whether the wall was exactly the same length as before the recent work was conducted. The applicant indicated the length had not changed, but that the height had increased.

Concern was expressed about the practice of doing the work, then pursuing the permit after the fact. There was discussion about what the LTC policy was when people retroactively seek a permit.

Planner Richardson acknowledged the difficulty of the situation because of ignorance.

Chair Busheikin noted that the closest thing to a bylaw policy is for the LTC to get compliance, and not pursue punitive measures. She referred to a case on another island where a seawall was removed. Seawalls are particularly controversial. There was discussion about whether, had the LTC been aware of the situation earlier, they would have recommended a greener approach. The earlier seawall was put in place at a time when climate change wasn't as well understood.

It was noted that the Islands Trust supports a Green Shores approach and the LTC would have worked hard to implement such an approach, as Development Permit Areas are based upon principles of sustainable shoreline use. The softest protection measures are encouraged and embedded within the permit.

Daphne Arber, a neighbour, noted that the whole coast has lost 10-15 feet of foreshore over the last 60 years. She asked why the seawall wasn't simply grandfathered.

Planner Richardson noted that it wasn't being grandfathered because they didn't know about it. There is consideration that a seawall has been there for a long time.

Louise Decario agreed that although a wall has been there, there are new and better ways of protecting the shore line. Seawalls tend to undercut, and that's why the bylaws are there now. She noted that a Green Shores approach was taken on Gossip Island.

GL-2017-056

It was Moved and Seconded'

That the Galiano Island Local Trust Committee approve issuance of Development Permit GL-DP-2016.5 (Diamond/Taylor).

CARRIED

10.3 GL-DVP-2017.2 (Taylor/Diamond) - Staff Report

GL-2017-057

It was MOVED and SECONDED,

That was Galiano Island Local Trust Committee approve issuance of Development Variance Permit GL-DVP-2017.2 (Taylor/Diamond).

CARRIED

10.4 GL-RZ-2011.1 (Galiano Green) - Staff Report

Bylaws No. 233, 234 & 261

GL-2017-058

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 233, cited as Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 15, 2011, be Adopted.

CARRIED

GL-2017-059

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 234, cited as Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 4, 2011, be Adopted.

CARRIED

GL-2017-060

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 261, cited as Galiano Island Housing Agreement Bylaw No. 261 be Adopted.

CARRIED

Chair Busheikin thanked Regional Planning Manager (RPM) Robert Kojima and Acting Planner 2 Kim Stockdill, and acknowledged the volunteers behind this affordable housing project. She recommended they contact the Islanders' Secure Land Association (ISLA) on Hornby.

10.5 GL-RZ-2016.2 (Galiano Conservancy) - Staff Report

Representatives from the Galiano Conservancy Association (GCA) were present. The representatives and the APC were thanked for their work.

There were questions about the road dedication and public access. Follow-up would occur with Island Planner Rob Milne. Aside from needing further clarity with respect to the mechanisms for the road dedication and public access, Trustee Pottle noted her general agreement with the other recommendations of the APC.

Louise Decario, GCA board member, noted she had been impressed by the thoroughness and dedication of the APC. GCA is concerned about extra expense of the road dedication. As far as the beach access, when there isn't a program, that road is open. There is discussion underway about creating another access (high bank). All their trails are open to the public, except when a program is in progress. She stated they would like to meet the objectives of the Road Network plan. The issue was the cost.

It was noted that the Nature Conservancy of Canada would have to be consulted as there is a covenant on the land.

Heather Martin, APC recording secretary, noted that applicants are invited to APC meetings. To avoid the situation of invitations being lost to spam boxes, invitees are now requested to confirm receipt of emails.

Suzanne Fournier, GCA board member, noted that the GCA needs the ability to have separation from public access when programs are in session.

GL-2017-061

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee receives the June 12, 2017 Advisory Planning Commission minutes and recommendations for information and consideration in a future staff report which summarizes the results of the general referral of proposed Bylaw Nos. 262 and 263.

CARRIED

GL-2017-062

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee send a letter of thanks to the members of the Advisory Planning Committee for their work.

CARRIED

A break was called at 1:46 p.m.

The meeting reconvened at 2:09 p.m.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Telecommunications Strategy Special Advisory Planning Commission (APC) Terms of Reference - Staff Report

There was discussion with respect to the proposed Terms of Reference (TOR) for a newly constituted telecommunications SAPC. It was noted that the Staff Report appeared to be focussed on the Antennae Siting protocol. Questions were raised as to which version of the protocol goes forward to the anticipatory Community Information Meeting. There was general agreement that the TOR

required fine-tuning. A suggestion was made to change all references in the TOR to the Siting Protocol to “consultation protocol,” to broaden the scope.

Former SAPC Chair **Stephen Rybak** suggested that the LTC hold off from taking any further action on the matter, and, before moving forward to a CIM, examine, in more detail, what the SAPC had suggested as a strategy, with particular consideration to those unresolved jurisdictional-type issues.

It was acknowledged that the SAPC report needed to be kept in focus.

It was also noted that it would be desirable to leverage some of the federal money available to entice Telus to facilitate access their fibre-optic cable.

The LTC decided not to take any further action at this time and to have the telecommunications strategy TOR appear on the next agenda. It was noted that Planner Milne may wish to talk to Stephen Rybak upon his return from holidays.

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report Dated June 2017

Information as provided.

12.1.2 Projects List Report Dated June 2017

Information as provided.

12.2 Applications Report Dated June 2017(attached)

Information as provided.

12.3 Trustee and Local Expense Report Dated May 2017

Information as provided.

12.4 Adopted Policies and Standing Resolutions (attached)

Information as provided.

12.5 Local Trust Committee Webpage

There was discussion about how best to proactively communicate information to the public about such issues as Development Permit Areas and the Green Shores approach to shoreline conservation, before structures were illegally in place.

Planner Richardson noted that a public education activity would not have to be made into a project if the scope were contained.

In terms of scope, there was discussion about whether to limit the mail-out to waterfront property owners, or, to engage the entire community about all DPAs and sensitive ecosystems.

Specifics noted in the discussion:

- A double-sided fact sheet is available in the LTC office.
- One of the key messages to emphasize is for people to phone/email a planner if they are considering building something.

GL-2017-063

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee request staff to determine the cost of a mail-out to all waterfront property owners.

CARRIED

12.6 Chair's Report

Chair Busheikin reported that Trust Council was last held on Lasqueti Island, and good feedback was received on the presentations and work completed. There is an upcoming meeting with the Trust Fund Board soon. The Chair of Trust Council, Peter Luckham and the Chief Administrative Officer, Russ Hotsenpillar have been meeting with newly elected MLA's in the region, which is not typically done after an election. There is a lot of interest in making those connections and potentially opening up the *Islands Trust Act* with the aim of obtaining broader powers for the Islands Trust. Salt Spring Island's incorporation vote is September 9th and there is high engagement. The well water workshops and the "educate before regulate" approach have received positive feedback.

12.7 Trustee Report

Trustee Harris' office hours will not be held over the summer. He noted that despite the lack of infrastructure on Lasqueti Island, Trust Council was served very well by that venue. He commented on how the NDP government of 1974 created the Islands Trust to preserve and protect, and how now, under a new NDP government, there is almost no financial support to the Islands Trust. The Trust Fund Board, which we pay for, protects land for the whole province. He would like to get more support for the Islands Trust and now is a good time. He is pleased that affordable housing has been approved, on top of secondary suites and larger cottages.

Trustee Pottle noted her interest in where the Islands Trust is going and expressed concern that the new CAO keeps hearing from Trustees that we are being hemmed in by our preserve and protect mandate. She does not know what the intent is of some Trustees to open up the *Islands Trust Act*. Economic development is much more in line with what some Trustees are in favour of doing. She supports economic development as long as it is in line with preserve and protect. No funds have been allocated to potential new islands coming into the Galiano Island Local Trust Area. She attended the Well Water Workshop and was impressed with the presentation. She went back and reviewed the "Galiano

Groundwater Study” by Waterline Resources, 2011. She has been impressed also by the work that the SAPC and APC have done. She commended the work and dedication of the Galiano Green volunteers and thanked the members for their commitment. She will also support the affordable housing Special APC too. She noted that Hornby Island is going down the same path as Galiano Green. She hoped that concerns around water have been resolved by the covenant.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 Galiano Island Local Trust Committee Draft Meeting Procedures Bylaw No. 264 - Staff Report

GL-2017-064

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 264, cited as “Galiano Island Local Trust Committee Meeting Procedure Bylaw No. 162, 2004, Amendment No. 1, 2017,” be read a First Time.

CARRIED

GL-2017-065

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 264, cited as “Galiano Island Local Trust Committee Meeting Procedure Bylaw No. 162, 2004, Amendment No. 1, 2017,” be read a Second Time.

CARRIED

GL-2017-066

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 264, cited as “Galiano Island Local Trust Committee Meeting Procedure Bylaw No. 162, 2004, Amendment No. 1, 2017,” be read a Third time.

CARRIED

GL-2017-067

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee Bylaw No. 264, cited as “Galiano Island Local Trust Committee Meeting Procedure Bylaw No. 162, 2004, Amendment No. 1, 2017,” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for September 11, 2017 at the South Community Hall, Galiano Island

15. TOWN HALL

Akasha Forest referred to No. 3 on the Top Priorities list (p. 200 of the package), Docks Review, and wondered if “Dock Review” should be expanded to include structures like seawalls and floating boat houses. Foreshore structures will impact First Nations’ interests, endangered ecosystems, endangered species, and public access to the foreshore. She stressed the importance of being proactive and having the community understand the issues, which have a way of suddenly landing, unanticipated, on communities.

Tom Hennessy commented on microcells, and referred to Telus putting microcells along the road in place of cell towers. He expressed concern for exposure to harmful frequencies. He just got rid of his WIFI and wondered if anyone considered the value of doing that, as part of a telecommunications strategy? He noted that “preserve and protect” has been modified to be flexible and support viable communities. He commended Chair Busheikin and Trustee Harris for their efforts in support of Galiano Green, and thanked Trustee Pottle for her comments today.

Kiyo Okuda commented on the prospective mail-out for DPA’s. He had been hoping it would become a project as he thinks the issue will be ongoing. He would like staff to coordinate a website effort with a slogan such as: “When you want to bust, go to the Trust.” He was concerned about work related to Short Term Vacation Rentals. He thinks it should be made easier for residents in any zone to find out more information about their bylaw zoning. The telecommunications SAPC worked hard to identify and resolve unresolved issues. He would like to see staff examine these issues and he provided examples of several unresolved issues.

Louise Decario emphasized education and, referring to the prospective mail-out for DPA’s, she was concerned that targeting just the water-front owners was too specifically focused. She wanted to see more public education about sensitive ecosystems, riparian areas and wetlands. She referred to a resident who had recently put a road through an unmapped wetland. She urged the LTC to remind people they are in the protected Trust Area. People come here because of what we have, and then wish to proceed to change it. She supported broadening the content of the mail-out and considered that it would be feasible to do so.

16. CLOSED MEETING (Distributed under Separate Cover)

16.1 Motion to Close the Meeting

GL-2017-068

It was MOVED and SECONDED,

That the Galiano Island Local Trust Committee regular business meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1) (a & d) for the purpose of considering:
Adoption of In-Camera Minutes Dated December 5, 2016
Appointment of SAPC Members and that the recorder and staff attend the meeting.

CARRIED

The public was asked to adjourn for a Closed Meeting at 3:40pm.

16.2 Recall to Order

The meeting was recalled to order at 3:48pm.

16.3 Rise and Report

The Chair reported the LTC had adopted In-camera minutes dated December 5, 2016, as amended, and reappointed three members of the SAPC.

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:50pm.

Laura Busheikin, Chair

Certified Correct:

Colleen Doty, Recorder