



Gambier Island Local Trust Committee

Minutes of Special Meeting

Date: January 9, 2024

Location: Electronic Meeting

Members Present: Peter Luckham, Chair
Kate-Louise Stamford, Trustee
Joe Bernardo, Trustee

Staff Present: Renée Jamurat, Regional Planning Manager
Marlis McCargar, Island Planner
Diane Corbett, Recorder

Others Present: There were approximately two (2) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:00 am. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations. Trustees gave introductory comments. Staff and the Recorder were introduced.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PUBLIC COMMENTS

A member of the public asked that the Chair clarify regarding their concerns expressed at the previous meeting on expediting the Keats Island zoning bylaw amendment.

The member of the public noted the ecological and environmental impacts of the fibre optic cable, toxic in its mode of production, and stated it should be acknowledged that this is another example of the process of colonization, and that these decisions regarding the fibre optic cable should be made with humility.

4. BUSINESS ITEMS

4.1 Keats Island Marine General Zone Amendment

Island Planner McCargar discussed the staff report on the Keats Island Marine General Zone Amendment – Draft Bylaw No. 158, to permit the establishment and use of telecommunication utilities in the Marine General (MG) zone. The Local Trust Committee (LTC) was asked for input regarding the wording in the draft bylaw and if the LTC wished to undertake consultation. No planning analysis had been conducted. If the LTC wanted to meet the Connected Coast deadline of March 2024, an expedited approval process would be required.

One item of correspondence had been received from the public, with a concern that this could permit cellphone towers.

Connected Coast did not plan to submit an application for a zoning amendment as the LTC was proceeding with this amendment. The Island Planner indicated the earliest possible timeline for completion of this process would likely be three up to six months.

Trustee Bernardo noted: the contrast between following the usual process, as suggested by staff, and one following an expedited timeline; the urgency of the situation to enable people on Keats access to broadband and the Connected Coast project, which goes up and down the Coast and Vancouver Island; there is nothing about the amendment that would result in a cell tower put in on the sea bottom.

Points and questions from further discussion included:

- The LTC does not have the reporting that would come with an application or analysis. Do not understand what that deadline means; it seems arbitrary.
- Is a foreshore permit required from the province? Is there reason to believe there may be concerns by Fisheries and Oceans regarding the initiative?
 - Staff advised that the applicant would be responsible for getting provincial permits before undertaking construction.
 - Staff recommended referral to Fisheries and Oceans Canada.
- Discussion of word changes, permitted uses, potential impacts of wording on future projects.
- The cable will be laying on the bottom of sea for a distance, and the bottom of the sea will be excavated in order to bury the cable; and it will transition from the high-water mark through the setback to the sea. Is there a setback from the sea for this particular area, and is a development permit required for installation of the cable within the setback to the sea?
 - Staff advised a Development Permit for that work would not be required.
- Where will the cable be coming onto the island? Have been receiving comments from the mainland about seeing staking notices, installed by City West, with information about how they will bury cables to Gambier and Keats. Where it is coming in, on the map in the staff report, it looks like at a park and private property. Want to ensure those kinds of questions and concerns are considered.
- The reason we find ourselves in a position of urgency is that the Marine General zoning was overly specific and narrow in not anticipating the need for this.

Chair Luckham called for a break at 10:57 am and reconvened the meeting at 11:20 am.

GM-2024-001

It was MOVED and SECONDED

that Draft Bylaw No. 158 be amended to read as follows:

Schedule "1"

1. Schedule "A" of Keats Island Land Use Bylaw, 2002 is amended as follows:

PART 4 – ZONE REGULATIONS, Section 4.16 MARINE GENERAL (MG) ZONE, Subsection 4.16.1 is amended by deleting the word "and" after the word "interpretation" in the first bullet, by inserting the word "and" after the words "navigational uses" in the

second bullet, and by inserting a third bullet followed by the words “the establishment and use of telecommunication utilities;” and Subsection 4.16.2 is amended by deleting the words “a navigational aid” and replacing them with the words “navigational aids or telecommunication utilities.”

CARRIED

GM-2024-002

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee add Keats Island Marine General Zone Amendment to the minor projects list, make it first priority and pause the current minor project.

CARRIED

GM-2024-003

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee confirm that Bylaw No. 158, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GM-2024-004

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee draft Bylaw No. 158 be referred to the following for comment:

First Nations: Squamish Nation, Snuneymuxw First Nation, Lyackson First Nation, Cowichan Tribes, Penelakut Tribe, Lake Cowichan First Nation, Stz'uminus First Nation, Halalt First Nation, Tsleil-Waututh Nation, Musqueam Nation

Local Governments and Agencies: Sunshine Coast Regional District, Islands Trust Conservancy, Ministry of Forests, Ministry of Transportation and Infrastructure and Fisheries and Oceans Canada.

CARRIED

GM-2024-005

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a first time.

CARRIED

GM-2024-006

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a second time.

CARRIED

GM-2024-007

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a third time.

CARRIED

GM-2024-008

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

There was acknowledgement of the comment made during the public comment period that this technological advancement has land use and environmental impacts and was advancing colonial interests. The importance of the referral to First Nations was noted for their input on that particular location with respect to historical or traditional uses.

Trustee Bernardo thanked trustees and staff for their flexibility and adaptability in this situation. He clarified, for the record, his acknowledgment that this was not the optimal way to proceed and should not be viewed as a precedent. The usual procedure as outlined by staff was the preferable route to follow. The Local Trust Committee had steered from the usual route in light of the circumstances faced, and the risk of the possibility of missing out on the opportunity to access broadband internet for Keats Island.

Staff requested clarification on the referral process in light of the expedited timeline. Chair Luckham agreed to review a cover letter for the referrals indicating the special circumstances with this particular referral.

5. ADJOURNMENT

By general consent the meeting was adjourned at 11:36 a.m.

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder