



Lasqueti Island Local Trust Committee

Minutes of Regular Meeting

Date: February 10, 2025
Location: Judith Fisher Centre
#1 China Cloud Bay Road
Lasqueti Island, BC

Members Present: Tobi Elliott, Chair
Timothy Peterson, Local Trustee
Mikaila Lironi, Local Trustee

Staff Present: Renée Jamurat, Regional Planning Manager (electronic)
Stephen Baugh, Island Planner
Nadine Mourao, Legislative Clerk/Deputy Secretary
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 39 members of the public in attendance.

1. CALL TO ORDER

Chair Elliott called the meeting to order at 11:05 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Elliott acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. REPORTS

4.1 Trustee Reports

Trustee Lironi reported the following:

- Attended Regional Planning Committee meeting; and
- Housing Needs Survey was sent out as per provincial government requirements.

Trustee Peterson reported the following:

- Attended Chief Administrative Officer Performance Evaluation Committee meeting;
- Ongoing attendance at Committee of the Whole Meetings to discuss the draft Policy Statement; and
- Attended Financial Planning Committee meeting in preparation for upcoming Trust Council budget deliberations.

4.2 Chair's Report

Chair Elliott reported attendance at a recent Financial Planning Committee meeting to review draft budget and to work on a process of public engagement for future budgets.

4.3 Electoral Area Director's Report - none

5. COMMUNITY INFORMATION MEETING - Proposed Bylaw No. 104 - PLRZ20240104 Connected Coast

5.1 Planner Presentation

The Planner provided a presentation and highlighted the following:

- The proposed Land Use Bylaw amendment is being considered to permit a fibre optic cable telecommunication public service utility which will facilitate the ability for the Connected Coast fibre optic project to reach Lasqueti Island;
- The bylaw amendment will not enable last mile connections or utilities in other locations;
- There is a recommendation that the fibre optic cable be exempted from setbacks to the natural boundary of the sea which would enable the cable to terminate on land; and
- Bylaw referrals were sent out to 18 First Nations, Department of Fisheries and Oceans, Lasqueti Advisory Planning Commission, qathet Regional District, and Lasqueti Internet Access Society.

It was noted that the applicant was in attendance and available to answer questions.

5.2 Question and Answer Period

The following questions and answers were recorded:

Why is Land Based 1 zoning being used when it does not allow public utility?

Planner: There is currently no zone on Lasqueti that permits public utility and the proposal is to amend the Land Use Bylaw to allow an additional site-specific use for fibre optic cable.

Why isn't this considered a commercial operation?

Planner: A public utility is considered a different use than a commercial use.

Why has Global Positioning System (GPS) information been used instead of a survey? Is this now the accepted standard?

Planner: Islands Trust uses a professional reliance model for surveys; thereby, relies on the standards and type of survey that the professional association uses. Islands Trust does not rely on one particular type of survey.

Applicant: Our construction and survey teams conducted a physical location survey at a variety of potential landing sites and this data was used to prepare the drawings that were included in the application.

Does the proposed rezoning add a use to the Land Base zone?

Planner: The application is proposing to rezone the road right of way and Crown lands extending into the marine area.

Where in the application is the applicant's survey information?

Applicant: A physical onsite survey was done using a Turnball Collector in addition to a regular GPS, and Turnball Collector information was not included as it was not data that was requested.

The landing site allows for 2.5 meters from the Forbes property to the concrete ramp, which is located on bedrock, and the area to be rezoned is 10 meters wide. Why are 10 meters being proposed to be rezoned when only 2.5 meters of land is available, and is the barge ramp being rezoned?

Planner: The area proposed to be rezoned is the width of the road right of way. The zone allows the use and, while the cable may be narrower than 10 metres, the use would be permitted where the zoning applies.

Have Trustees, staff, and the applicant been to the ramp physically?

The Trustees have, the applicant's operations and survey teams have, and the Planner has not.

Will there be an incursion onto private property?

Planner: Permission from the land owner would be required if there was an incursion, zoning is within the Ministry of Transportation and Transit's (MOTT) right of way, and the applicant has permission from MOTT to use the right of way.

The Ministry of Transportation and Transit (MOTT) permit shows a status of pending.

Applicant: The MOTT permit has been approved and the provincial government has offered Crown lease tenure. At the time of application, the MOTT application had not been approved but it has since been and provided to the Planner.

There are only two submissions shown under public correspondence on the Islands Trust website and no other correspondence has been added to the Public Hearing binder including the speaker's correspondence.

Legislative Clerk: As of 4:00 pm Friday February 7 only 2 items of correspondence had been received, an additional 13 submissions were received over the weekend and all of them have been forwarded to the Local Trust Committee for their review prior to the close of the Public Hearing.

Is the entire public access being rezoned?

Planner: The width of the right of way is being rezoned as well as some land on either side of it.

The landing area is solid bedrock and a conduit cannot be trenched in. Did geotechnologists do an assessment of the site and determine the feasibility of digging a trench in bedrock?

Planner: The zoning change does not control the means of installation, it only permits the use, and the use is what is under consideration of the bylaw amendment.

Applicant: A geotechnologist assessment was not done and the construction team confirmed they can install the cable.

How will power be supplied to the fibre optic cable for use?

Applicant: The application is just to install the cable to the land, and if and when last mile comes into place a new application would be required.

Chair: The initial application included power connected to a solar panel; however, due to concerns about placing the equipment in the area, the applicant removed that aspect from the application.

What is the cost of running the line from Qualicum Beach to Lasqueti?

Applicant: A very rough estimate for the line is a minimum of \$80,000, and the cost of mobilization of crews to install the cable would be approximately \$1,000,000.

If the zoning is denied what is the likelihood of CityWest trying for another location?

Applicant: The funding for installation expires March 31, 2025.

There are concerns about the integrity of the barge ramp. If the ramp is damaged who would pay for repairs, how fast would repairs be undertaken, and will the barge ramp be taken out of service during installation and, if so, for how long?

Applicant: Does not know the answer regarding damage and repairs. Installation timelines are one day.

What is the expected lifespan of the cable?

Applicant: At least 35 years.

Does CityWest know how long the technology will be relevant?

Applicant: Does not have an answer.

The meeting was recessed at 12:00 p.m. to assess internet connectivity failure and was reconvened at 12:27 p.m.

Is there an overall estimate for the project and was the Spring Bay location considered at all?

Chair: Strathcona Regional District website indicates funding to provide 159 landing sites is \$45,400,000 and the applicant has estimated the Qualicum to Lasqueti link to cost \$80,000.

Applicant: Would need to speak with construction team to get proper estimate.

If Islands Trust works on a professional reliance model, does this also apply to the engineering team?

Planner: Yes, the applicant has proposed a location and is seeking a bylaw amendment to land the cable and Islands Trust staff would assume the result is that the applicant can carry out the project.

The rezoning would allow Connected Coast to put a fibre optic cable at the landing area, will the zoning allow other utilities such as BC Hydro or Telus to use the zoning?

Planner: The zoning allows the use of fibre optic cable only.

If this goes forward is there any tax obligation to residents?

Applicant: No, there is no obligation to Lasqueti residents to take on maintenance as all maintenance would be done through Connected Coast and the Ministry of Transportation and Transit.

What happens to the funding if the project does not proceed?

Applicant: The funds are allocated for this installation, if the deadline passes, Connected Coast is not planning on retracting the application; however, they do not know what the funds would be used for if the project does not proceed.

Would the use of the area for a fibre optic cable endanger the use of the barge ramp because the internet is deemed more important, and what happens if the barge ramp is rendered unusable and who is responsible for that?

Planner: The road right of way is under the jurisdiction of the Ministry of Transportation and Transit and, if they wanted to close access to the right of way for any reason that is their decision.

Applicant: There are trenching and backfilling standards that are required to be met after installation. The permit is specific and only allows installation.

What is the process for making a final decision?

Chair: The Local Trust Committee is the decision-making body regarding rezoning applications. The process today is to hold a Community Information Meeting to provide information and answer questions, hold a Public Hearing to hear from the public regarding their opposition or support of the Land Use Bylaw amendment, then, the Local Trust Committee determines if the application will be approved and move toward second and third readings and approval by the Ministry, or if it will be disallowed.

Why was the community not informed about the application sooner?

Trustee Peterson: Several local notices have been posted, reported in Trustee reports, discussed the application at the October and December, 2024 meetings, and provided notices in the January and February local news.

Why wasn't a meeting scheduled earlier in the process so residents could decide if this is something they want?

Trustee Peterson: Connected Coast provided a presentation on July 16; however, until an application for rezoning is received, there is nothing for the Local Trust Committee to consider, the application came to Islands Trust very late in the process and the Local Trust Committee has informed the applicant that this was not a good way to proceed.

What happens if the cable breaks in the middle of the ocean, who pays for repairs, and what happens if the cable is vandalized?

Applicant: The pipe is encased to provide protection and, if it were to break, crews would be mobilized to conduct repairs. CityWest is responsible for maintenance and repairs. They do not know what the process would be if the cable was purposely cut.

What are the benefits of having the cable installed?

Trustee Peterson: It could be a benefit for future community members. An associated funding source contacted him regarding last mile and indicated it was likely the community would get funding; however, that is a separate project and this application is to bring the cable to the landing site.

Why was this site selected, what other sites were considered and why were they rejected?

Applicant: The site was selected in terms of closeness to the community. The initial request was to install it at the ferry terminal, China Bay and several other locations were looked at and rejected due to the vessel not being able to land the cable at those locations. Several areas had archeological sites and displacement of known sites was not ideal and would require a long permitting process.

If the cable is installed and damaged due to barge ramp use, would the maintenance contractor consider relocating the landing site?

Applicant: The installation is under Connected Coast risk and it is understood that it is a busy area.

Does the cable have any sound associated with it and have there been any unbiased studies done to assure the public there are no health risks associated with high-speed internet?

Applicant: This is a fibre cable that is terminated at the vault and it is not powered. They have no information about any long-term or short-term studies about health impacts.

Trustee Peterson: There have been studies that show fibre optic cable, as opposed to broadcast, to be safer than cellular electromagnetic fields.

Does the cable need to be powered to provide a signal to homes.

Chair: Yes, and another application for a separate project would need to be undertaken in order to power it.

How would a signal be distributed to homes without the use of lines?

Trustee Peterson: If this application is approved, then, a project to do the distribution would need approval and, until there is an application, to consider the method of distribution is speculation.

If last mile connections require the use of the roadway to run lines, will the Ministry of Transportation and Transit allow rezoning for that use?

Planner: There is not an application for last mile connections at this point.

Does the Province of BC accept GPS coordinates as an acceptable survey for subdivision?

Chair: The question is not relevant to this project.

What is the power requirement to make the fibre optic cable viable for the rest of the island and where will the power be supplied from?

Chair: The question is not relevant to this project.

Why is the applicant requesting to rezone 10 meters when only 1.5 meters is required?

Planner: This would allow some variance for laying cable on ocean floor and provides a buffer.

Can the cable be placed anywhere within the 10-meter allowance?

Planner: The zoning would permit it.

Has the applicant clearly established where the cable is going to go?

Planner: The Ministry of Transportation and Transit has specified where it can land.

Why are we allowing ourselves to be rushed to make a decision on the applicant's timeline?

Trustee Peterson: The applicant has known about the project for several years and the Local Trust Committee has addressed the issue with the applicant. The purpose of the Public Hearing is for the community to have their say so the Local Trust Committee can hear from the public.

Once the cable lands what happens next? Is it possible that big changes could be made in the future?

Trustee Peterson: The Local Trust Committee can permit, or not permit, the landing of the cable.

Why is the public notice still at the False Bay dock? It is misleading and the public still thinks the cable is going to land at that location.

Planner: Does not know why the notice is still in place.

Will the Local Trust Committee require the applicant to rezone the area as commercial when the fibre optic cable becomes operational?

Planner: Public utilities are not considered commercial use.

Does this zoning allow hydro to be run to the landing site?

Planner: The only permitted use is for fibre optic cable.

Is there a legal requirement for community consultation to be included in the Public Hearing binder?

Legislative Clerk: There is no legal requirement to include community consultation in the binder. Community Information Meetings are often held on a different day than the Public Hearing and, in those circumstances, the Community Information Meeting information would be included.

Is there any way to know how many more amendments will be made to the proposed bylaw?

There is one exemption being proposed and this amendment is included in the agenda package.

If the Local Trust Committee agrees to change the permitted use, can they change it back in the future and, if the permitted use was removed, would the cable need to be removed?

Planner: A Local Trust Committee could amend a bylaw to remove use; however, if there is an existing use that is occurring at that time it is considered legal and would be allowed to continue.

Who owns the cable?

Planner: CityWest.

Who owns the rights to use the cable?

Planner: Unsure if an organization would need to negotiate with CityWest to use the cable.

Member of the public: The Canadian Radio-Television and Telecommunications Commission governs that and separates ownership and who is allowed to put a signal on it.

6. PUBLIC HEARING

6.1 Recess for Public Hearing

The regular meeting was recessed at 2:45 p.m.

6.2 Recall to Order

The regular meeting was recalled to order at 3:35 p.m. and it was determined to adjourn the meeting due to time constraints.

19. ADJOURNMENT

By general consent, the meeting was adjourned at 3:35 p.m.

Tobi Elliott, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder