



File No.: PLRZ20240104 (Connected Coast)

DATE OF MEETING: December 16, 2024

TO: Lasqueti Island Local Trust Committee

FROM: Stephen Baugh, Island Planner
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: PLRZ20240104 (Connected Coast)
Applicant: Renée LaBoucane
Location: Weldon Boat Ramp Road, Lasqueti Island

RECOMMENDATION

1. That the Lasqueti Island Local Trust Committee Bylaw No. 104, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024”, be read a first time.
2. That the Lasqueti Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 104, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the Lasqueti Island Local Trust Committee request staff to refer Bylaw No. 104 to the following First Nations, agencies, and organizations:

Cowichan Tribes, Da’naxada’xw First Nation, Halalt First Nation, K’omoks First Nation, Lyackson First Nation, Mamalilikulla First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Snaw-Naw-As First Nation, Snuneymuxw First Nation, Stz’uminus First Nation, Te’mexw Treaty Association, Tla’amin Nation, Tlowitsis Nation, Ts’uubaa-asatx First Nation, We Wai Kai Nation, Wei Wai Kum Nation, qathet Regional District, Department of Fisheries and Oceans, Lasqueti Advisory Planning Commission, and the Lasqueti Internet Access Society.

REPORT SUMMARY

The purpose of this report is to introduce a draft bylaw amendment to the Lasqueti Island Land Use Bylaw to permit a fibre optic cable connection to Lasqueti Island. Staff are recommending the bylaw be read a first time, that the LTC confirm the bylaw is not contrary to the policy statement, and that the bylaw be referred to First Nations, agencies and organizations.

BACKGROUND

The LTC passed the following resolutions related to this application at their meeting on October 21, 2024:

LA-2024-009

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff to prepare a draft bylaw to amend the Lasqueti Island Land Use Bylaw No. 78 cited as “Lasqueti Island Land Use Bylaw No. 78, 2005” for a site specific zone to permit public utilities associated with the application PLRRZ20240104 (Connected Coast).

CARRIED

LA-2024-010

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request staff report back on December 16, 2024 to provide a revised timeline to expedite the process and include a Public Hearing for the application PLRRZ20240104 (Connected Coast).

CARRIED

LA-2024-011

It was MOVED and SECONDED

that the Lasqueti Island Local Trust Committee request the Lasqueti Advisory Planning Commission be included in referrals related to Bylaw 3.2 Policy 6.

CARRIED

Since the previous meeting, the applicant has also submitted revised plans for the landing site and removed the earthquake sensor infrastructure and solar panels that were initially part of this application. Staff have also drafted a bylaw to permit fibre optic telecommunication public service utility in the specific locations where the proposed fibre optic cable will be located. Finally, this report also presents two possible timelines for this application that include a Public Hearing.

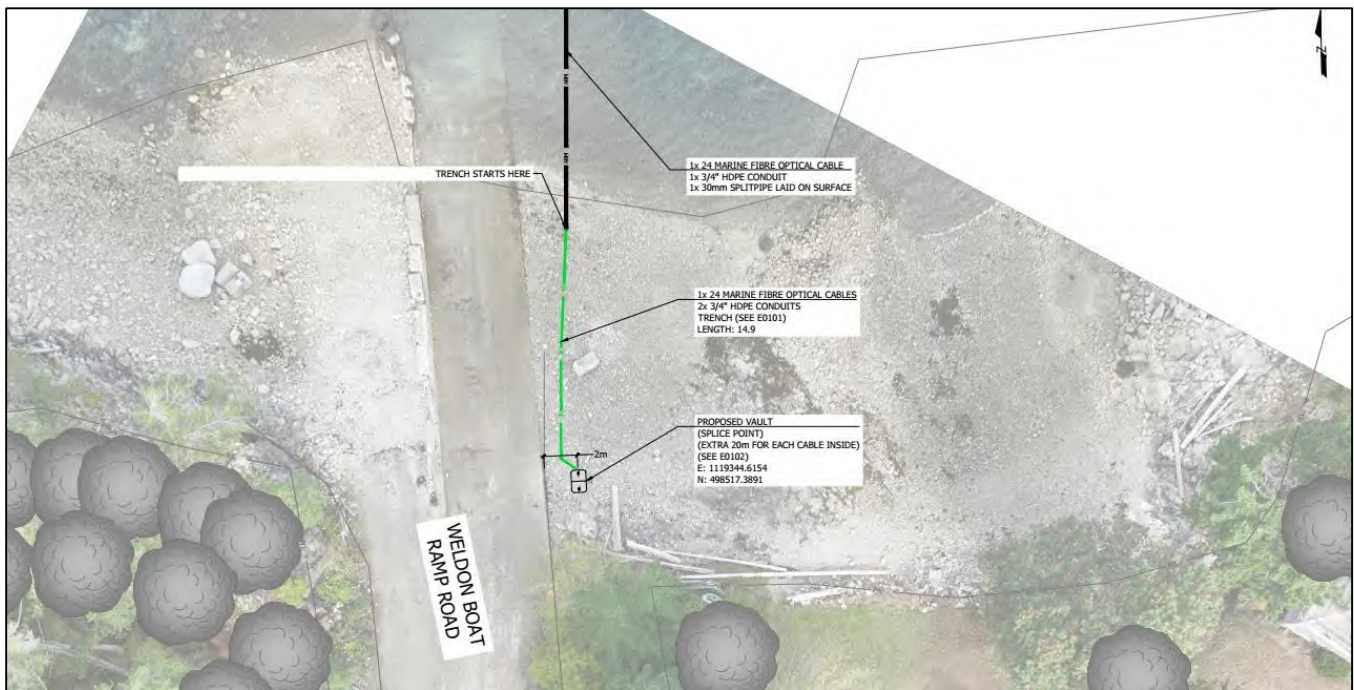


Figure 1 Revised site plan at landing site

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff have reviewed the draft bylaw against the Islands Trust Policy Statement (ITPS) Directives Only Checklist (Attachment 2) and have concluded that Draft Bylaw No. 104 is not contrary to or at variance with the ITPS.

Official Community Plan:

A detailed analysis of the Lasqueti Island Official Community Plan (OCP) is provided as Attachment 3. Overall, staff consider this application consistent with the relevant OCP policies. Staff also note that this application is for public utility connection and not for commercial or industrial purposes.

Land Use Bylaw:

This application proposes to permit a utility use on Lasqueti Island and in the surrounding marine area to facilitate the installation of a fibre optic cable connection to Lasqueti Island. The cable is proposed to pass through the Marine Conservation (M1), Marine General (M2), Marine Multi-Use Ramp (M9) and Land Based (LB) zones.

Currently, there are no zones on Lasqueti Island which permit public utilities. The LTC has directed staff to draft a site-specific zone to permit the proposed fibre optic telecommunication public service utility connection to Lasqueti Island as proposed in this application and not in other areas of Lasqueti Island.

The draft bylaw is included as Attachment 1 of this report.

Issues and Opportunities

The draft bylaw proposes to create four new sub-zones that are site-specific: LB (1), M1 (1), M2 (1), and M9 (1). Each of these zone variants permit the proposed fibre optic telecommunication public service utility and maintain the other uses permitted in their respective zones. In addition, the bylaw amends the zoning map in the location of the proposed fibre optic cable to the appropriate zone variant.

The effect of this is that the zoning is changed to permit the fibre optic cable in the proposed location and no others, although a buffer of 10 metres around the proposed location is included to allow for a small amount of variance from the plans for the installed cable. As directed by the LTC, this draft bylaw will not permit public utilities of any other type other than fibre optic cable and will not allow the fibre optic cable in any other location other than where the cable is currently proposed to be located. This means that any 'last mile' connections that would allow use of the fibre optic connection throughout Lasqueti Island will not be permitted by the Lasqueti Island Land Use Bylaw unless the bylaw were amended in the future.

Timeline

While there is limited ability to expedite rezoning applications, the timelines below represent 2 of the possible options which each include a Public Hearing. The first timeline represents a typical bylaw amendment application timeline, and the second represents an expedited process.

The applicant has stated that they wish for this application to be completed by February 1, 2024. After reviewing the legislative steps, staff have concluded that it is not possible for this bylaw to be adopted by that date, however the bylaw readings process will be underway. Some contributing factors are the Public Hearing, referral period and meeting schedules for Executive Committee and the LTC. Nonetheless, the expedited process below does present the ability for the process to be followed approximately 5 months faster than a typical application.

Finally, it is important to note that the timelines represent the fastest possible timeline. They do not include additional time should feedback from the public or referral agencies be received which result in amendments to the bylaw.

Key Dates (*2025 LTC meeting are proposed dates)	OPTION 1. Typical Bylaw Amendment Process with Public Hearing	OPTION 2. Expedited process including a Public Hearing
1st LTC Meeting Oct 21, 2024	Preliminary Report LTC Direction: Draft Bylaws, confirmed they want a PH, indicated they would like to refer bylaw to APC	Preliminary Report LTC Direction: Draft Bylaws, confirmed they want a PH, indicated they would like to refer bylaw to APC
2nd LTC Meeting December 16, 2024	1 st reading and send referrals (90 day referral period)	1 st Reading, 2 nd Reading, Send Referrals and Schedule Public Hearing
3rd LTC Meeting *February 10, 2025	(90 day referral period)	Shorter Referral Period (55 days between December and February Meetings), Public Hearing, 3 rd Reading, and Send to Executive Committee
Executive Committee Meeting dates: February 26, March 26		Executive Committee Approves Bylaw
February 27-March 27		Bylaw Adoption by Resolution without Meeting
4th LTC Meeting May 12, 2025	Consider referral responses and amend bylaw, 2 nd Reading, and schedule Public Hearing	
5th LTC Meeting July 14, 2025	Public Hearing, 3 rd Reading, send to Executive Committee for approval	
Executive Committee Meeting dates: August 6, September 3	Executive Committee Approves Bylaw	
6th LTC Meeting or RWM August 7 – October 6, 2025	Bylaw Adoption	

First Nations

Staff understand that engagement with First Nations has been a component of the Connected Coast project and conducted through the Crown Lease process. However, the proponent and staff from the Ministry of Water, Land and Resource Stewardship have indicated that they are unable to publically share the First Nations engagement summaries. As a result staff are recommending the bylaw be referred to the following First Nations: Cowichan Tribes, Da’naxada’xw First Nation, Halalt First Nation, K’omoks First Nation, Lyackson First Nation, Mamalilikulla

First Nation, Penelakut Tribe, Qualicum First Nation, Snaw-Naw-As First Nation, Snuneymuxw First Nation, Stz'uminus First Nation, Te'mexw Treaty Association, Tla'amin Nation, Tlowitsis Nation, Ts'uubaa-asatx First Nation, We Wai Kai Nation, Wei Wai Kum Nation.

Consultation

As this bylaw amendment application does not involve an OCP amendment, the LTC is not required to refer the bylaw to organizations and authorities it considers will be affected. However, in order to support relationship building and collaboration, this is a good practice. The LTC has also indicated they are interested in receiving feedback through a referral to the Advisory Planning Commission and by holding a Public Hearing. Similarly, staff recommend that the LTC seek feedback from others who may be affected by the bylaw amendment.

If the LTC does not specify a shorter referral period, the standard 90 day referral period will be used which would result in a similar timeframe as shown in Option 1 of the table. However, the LTC may consider a shorter referral period as a way of expediting this application which could result in a timeline closer to Option 2.

Rationale for Recommendation

Staff recommend that Draft Bylaw No. 104 be given First Reading, the LTC confirm the bylaw is not contrary to the policy statement, that the bylaw be referred to First Nations, agencies and organizations, and that the LTC schedule a Public Hearing. These recommendations are supported by the following rationale:

- The application is consistent with the OCP and Islands Trust Policy Statement
- The steps are consistent with the legislative requirements for rezoning applications

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Expedite the application

The LTC may consider expediting the application, and staff advise that the implications of this are a reduced timeframe for referral agencies and First Nations to respond the bylaw referral. Recommended resolutions for this option are the following, in addition to the resolutions on the first page of this report:

1. *That the Lasqueti Island Local Trust Committee Bylaw No. 104, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024", be read a second time.*
2. *That the Lasqueti Island Local Trust Committee request staff to refer Bylaw No. 104 to the following First Nations, agencies, and organizations with a referral period of 30 days:*

Cowichan Tribes, Da'naxada'xw First Nation, Halalt First Nation, K'omoks First Nation, Lyackson First Nation, Mamalilikulla First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Snaw-Naw-As First Nation, Snuneymuxw First Nation, Stz'uminus First Nation, Te'mexw Treaty Association, Tla'amin Nation, Tlowitsis Nation, Ts'uubaa-asatx First Nation, We Wai Kai Nation, Wei Wai Kum Nation, qathet Regional District, Department of Fisheries and Oceans, Lasqueti Advisory Planning Commission, and the Lasqueti Internet Access Society.

3. *That the Lasqueti Island Local Trust Committee request staff to schedule a Public Hearing for Bylaw No. 104, cited as "Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024".*

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are that the timeline for this application will be extended. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Lasqueti Island Local Trust Committee request that the applicant submit to the Islands Trust [identify information requested and rationale].

3. Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are that a fibre optic cable connection is unlikely to be brought to Lasqueti Island if this alternative is selected. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Lasqueti Island Local Trust Committee proceed no further with land use bylaw amendment application PLRZ20240104 (Connected Coast).

NEXT STEPS

If the LTC proceeds with the staff recommendation, the bylaw will be referred to the First Nations, agencies and organizations listed in the resolution. After a referral period of 90 days, the bylaw will be presented at a Public Hearing.

Submitted By:	Stephen Baugh, Island Planner	November 26, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	December 2, 2024

ATTACHMENTS

1. Draft Bylaw No. 104
2. Islands Trust Policy Statement Directives Checklist for Bylaw No. 104
3. OCP Policies

DRAFT

LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 104

A BYLAW TO AMEND LASQUETI ISLAND LAND USE BYLAW NO. 78, 2005

The Lasqueti Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Lasqueti Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024”.

2. Lasqueti Island Local Trust Committee Bylaw No. 78, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005”, is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

DRAFT BYLAW NO. 104 (LUB)

LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 103

Schedule "1"

1. **Schedule "A"** of Lasqueti Island Land Use Bylaw No. 78, 2005 is amended as follows:

1.1. **PART 4 ZONE PROVISIONS**, Section **4.2 LAND BASED (LB)**, is amended by adding the following new Subsection after Subsection (3) **Regulations**:

"(4) Site Specific Regulations

(a) The regulations listed in Subsections (1) through (3) of this Section apply to the land identified on Schedule B (Land Use Zoning Map) by the Site Specific Zone listed in the table in Article (b) of this Subsection, except as varied by the relevant Site Specific Regulation.

(b)

Site Specific Zone	Site Specific Regulation
LB (1)	In addition to the Permitted Uses listed in Subsection (1) of this Section, fibre-optic cable telecommunication public service utility is a permitted uses.

1.2. **PART 4 ZONE PROVISIONS**, Section **4.14 MARINE CONSERVATION (M1)**, is amended by adding the following new Subsection after Subsection (2) **Permitted Structures**:

"(3) Site Specific Regulations

(a) The regulations listed in Subsections (1) through (2) of this Section apply to the land identified on Schedule B (Land Use Zoning Map) by the Site Specific Zone listed in the table in Article (b) of this Subsection, except as varied by the relevant Site Specific Regulation.

(b)

Site Specific Zone	Site Specific Regulation
M1 (1)	<p>In addition to the Permitted Uses listed in Subsection (1) of this Section, fibre-optic cable telecommunication public service utility is a permitted use.</p> <p>In addition to the Permitted Structures listed in Subsection (2) of this Section, fibre-optic cable is a permitted structure.</p>

1.3. **PART 4 ZONE PROVISIONS**, Section **4.15 MARINE GENERAL (M2)**, is amended by adding the following new Subsection after Subsection (3) **Regulations**:

"(4) Site Specific Regulations

(a) The regulations listed in Subsections (1) through (3) of this Section apply to the land identified on Schedule B (Land Use Zoning Map) by the Site Specific

DRAFT BYLAW NO. 104 (LUB)

Zone listed in the table in Article (b) of this Subsection, except as varied by the relevant Site Specific Regulation.

(b)

Site Specific Zone	Site Specific Regulation
M2 (1)	<p>In addition to the Permitted Uses listed in Subsection (1) of this Section, fibre-optic cable telecommunication public service utility is a permitted use.</p> <p>In addition to the Permitted Structures listed in Subsection (2) of this Section, fibre-optic cable is a permitted structure.</p>

1.4. **PART 4 ZONE PROVISIONS, Section 4.22 MULTI USE RAMP (M9),** is amended by adding the following new Subsection after Subsection (3) **Regulations:**

“(4) Site Specific Regulations

(a) The regulations listed in Subsections (1) through (3) of this Section apply to the land identified on Schedule B (Land Use Zoning Map) by the Site Specific Zone listed in the table in Article (b) of this Subsection, except as varied by the relevant Site Specific Regulation.

(b)

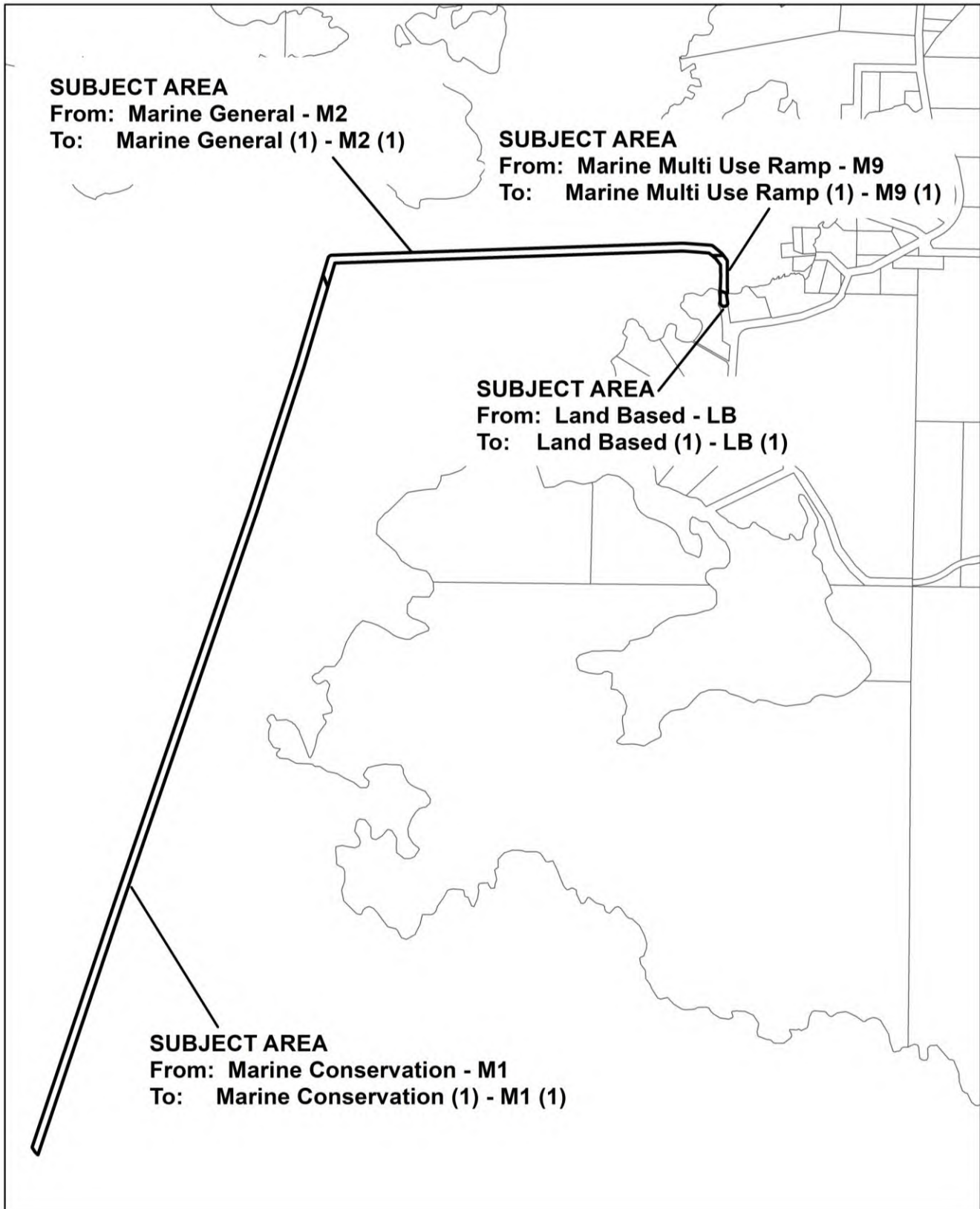
Site Specific Zone	Site Specific Regulation
M9 (1)	<p>In addition to the Permitted Uses listed in Subsection (1) of this Section, fibre-optic cable telecommunication public service utility is a permitted use.</p> <p>In addition to the Permitted Buildings and Structures listed in Subsection (2) of this Section, fibre-optic cable is a permitted structure.</p>

2. **Schedule “B”** of Lasqueti Island Land Use Bylaw No. 78, 2005 is amended as follows:

2.1 Schedule “B” – is amended by changing the zoning classification to site specific zones as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 78 as are required to effect this change.

DRAFT BYLAW NO. 104 (LUB)
LASQUETI ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 104

Plan No. 1





File No.: PLRZ20240104
File Name: Connected Coast (Bylaw
No. 104)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council’s guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council’s position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
✓	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
n/a	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
n/a	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
n/a	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
n/a	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

ATTACHMENT 2 – OCP POLICIES

LASQUETI ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 77, 2005

OCP Objective/Policy	Complies	Planner Comments
3.3 Heritage, Archaeologic and Historic Matters		
Policy 3 The Lasqueti Island Local Trust Committee wishes to support proactive and mutually respectful interests by consulting with the Tla’amin (Sliammon) First Nation.	Yes	Staff are recommending the bylaw be referred to First Nations with interest in the Lasqueti Local Trust Area, including the Tla’amin First Nation.
Policy 4 The Local Trust Committee recognizes that past, present and future generations have shared and will share experiences on Lasqueti Island and the Trust Area; it is encouraged that fair and reasonable discussion and action occurs to preserve the natural and human-made sites.	Yes	The site has been chosen, in part, to avoid conflict with a known archaeological site. Notwithstanding, the proposed cable will be installed within 200m of a known archaeological site and in an area of high archaeological potential. The applicant states they have engaged Baseline Archaeological Services Ltd. to review the installation area.
Policy 6 The Local Trust Committee recognizes that treaty negotiations with First Nations continue to be unresolved and until the resolution of First Nation interests within the Lasqueti Planning Area relationship building and cooperation between the Local Trust Committee and other First Nations may be developed over time.	Yes	Staff are recommending the bylaw be referred to First Nations with interest in the Lasqueti Local Trust Area, including the Tla’amin First Nation.
3.5 Lands Identified as Subject to Hazardous Conditions		
Policy 1 Development on lands known or suspected to be subject to flooding, landslide, avalanche or other hazardous conditions should be limited, unless protective measures are taken to prevent any detrimental consequences such as damage to property or risks to inhabitants.	Yes	Fibre optic cable will be installed on the sea bed and foreshore areas and is designed to withstand the conditions in these areas.
3.6 Environmental Management – General Policies		
Policy 1 The Lasqueti Island Local Trust Committee should undertake initiatives to identify environmentally sensitive and important ecosystems and flora and fauna to assist in future decision making.	Yes	For LTC information.

Policy 3 Lasqueti Island's rural marine landscape and scenic views should be maintained and protected.	Yes	Fibre optic cable is expected to have negligible visual impact to the marine landscape, structures to support the utility except for the cable itself are set back from the shoreline. The applicant has stated that when possible the split pipe covering the cable is covered in order to obscure it from view.
Policy 5 Native flora and fauna should be retained to protect natural habitats of local significance.	Yes	The utility will be installed in an area that has been previously disturbed at the edge of a road right of way. As a result there will be minimal disruption to flora and fauna. In addition, the applicant states that an Environmental Monitor will be on site during construction. The Management Plan provided by the applicant contains strategies to minimize impacts to flora and fauna.
Policy 8 When fill or debris is placed on land in such a way that it could lead to discharge of deleterious material into a water course, adequate mitigative design and construction measures are required acceptable to Fisheries and Oceans Canada, Ministry of Sustainable Resource Management, and the Ministry of Water, Land and Air Protection.	Yes	Applicant states that no fill will be used on this project and that backfilling will be done using native materials. In addition, the cable routing for each segment has included engagement with First Nations, fishing associations, Pacific Pilotage Authority/BC Coast Pilots and Transport Canada. The applicants have also worked with DFO on mitigations for installation.
3.6 Environmental Management – Marine Coastal Policies		
Policy 9 Native flora and fauna should be retained to protect natural habitats of local significance along the foreshore and in the intertidal areas.	Yes	The utility will be installed in an area that has been previously disturbed at the edge of a road right of way. As a result there will be minimal disruption to flora and fauna. In addition, the applicant states that an Environmental Monitor will be on site during construction. The Management Plan provided by the applicant contains strategies to minimize impacts to flora and fauna including eelgrass beds.
Policy 10 The marine environment, including associated riparian areas, should be adequately protected from unreasonable adverse effects or inadequate mitigation measures resulting from development.	Yes	There are potential impacts to the marine environment and riparian areas, the applicant does have a Management Plan with mitigation measures.

<p>Policy 12 Designation and regulation of the foreshore and marine coastal areas should be designed to preserve and protect the natural environment and character and should recognize the need to dedicate areas of the foreshore for the following purposes:</p> <ul style="list-style-type: none"> • to provide for access; • to protect existing mariculture uses; • to encourage low impact public uses on and along the foreshore; • to provide for public transportation services; • to maintain public access to shellfish; • to retain the undeveloped character of the marine coastal area; • to protect marine coastal habitats for conservation purposes; • to provide for commercial and industrial uses; and • to retain representative areas of natural foreshore. 	<p>Yes</p>	<p>This application is not expected to have any long term adverse effects on the natural environment.</p>
<p>Policy 13 The type and use-level of foreshore and coastal water areas can significantly influence the rural/marine character of Lasqueti Island. Uses of Crown foreshore and water areas must be authorized by the appropriate Provincial Ministry, comply with the provisions of the Navigable Waters Protection Act administered by the Coast Guard, and also comply with the bylaws of the Local Trust Committee.</p>	<p>Yes</p>	<p>Application is seeking to amend the Lasqueti Land Use Bylaw to permit the utility as a use. Islands Trust has received a referral from the Ministry of Water, Land and Resource Stewardship for use of the crown land. The applicant is also seeking a permit from the Ministry of Transportation and Infrastructure to install the utility in the road right of way.</p>
<p>3.7 Community Servicing and Utilities</p>		
<p>Policy 3 Community services should provide a level and be conducted in a manner appropriate to the Island's needs.</p>	<p>TBD</p>	<p>For LTC consideration.</p>
<p>Policy 7 A precautionary approach should be used when considering additional and more sophisticated service facilities as they typically have significant associated costs.</p>	<p>TBD</p>	<p>For LTC consideration.</p>

<p>Advocacy Policy 11 The Local Trust Committee encourages:</p> <ul style="list-style-type: none"> • the appropriate Provincial Ministry and any company to avoid routings on Lasqueti for high tension electrical transmission lines and pipelines intended for large scale movement of fuels; and • communication companies to continue the practice of placing telephone wires underground or at grade and to follow the same practice for electrical wires in the event that electrical service is extended to Island properties. 	<p>Yes</p>	<p>Although the utility is a fibre optic cable and not electrical or telephone wires, the terrestrial portion of the fibre optic cable and the vault will be installed underground.</p>
<p>3.8 Crown Lands</p>		
<p>Policy 2 Development on Crown lands including, but not limited to, gravel extraction, road construction or community facilities must be compatible with overall conservation values.</p>	<p>Yes</p>	<p>The proposed development is not expected to have significant impacts to the natural environment. Applicant states that habitat such as eelgrass is addressed by routing, float and lower and transplants over the buried split pipe and that they have worked with DFO on mitigations for installation. The Management Plan does contain mitigation measures for impacts of the placement of the cable.</p>
<p>3.9 Climate Change Adaptation and Mitigation</p>		
<p>Advocacy Policy 8 Provincial agencies, when considering changes to infrastructure on the Islands, are strongly encouraged to take a “small footprint” approach to any proposals for public infrastructure development. The investigation of opportunities to share resources or develop common facilities is strongly encouraged.</p>	<p>TBD</p>	<p>For LTC consideration.</p>