



File No.: PLRZ20240104
(Connected Coast)

DATE OF MEETING: February 10, 2025

TO: Lasqueti Island Local Trust Committee

FROM: Stephen Baugh, Island Planner
Northern Office

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 amended as follows:
 - a. Schedule 1, insert new Section 1.5 after Section 1.4, as follows:
 - 1.5 PART 3 GENERAL PROVISIONS, Section 3.5 Siting and Setback Provisions, Subsection (4) Minimum Setback for Buildings and Structures from the Natural Boundary of the sea, Article (a) is amended by adding the words “fibre-optic cable,” after “boathouse,”.
2. 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, as amended.
3. 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 Third time.
4. That the Lasqueti Island Local Trust Committee proposed Bylaw No. 104, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024”, be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

This is a post public hearing report supporting next steps for proposed Bylaw No. 104 (LUB amendment). This bylaw seeks to facilitate the installation of a fibre optic cable connection to Lasqueti Island.

Staff are recommending the LTC amend proposed Bylaw No. 104 so that the fibre optic cable utility is not subject to setbacks, give Second and Third Readings and forward the bylaw to Executive Committee approval to consider approval.

BACKGROUND

The Local Trust Committee is considering a bylaw to amend the Lasqueti Island Land Use Bylaw No. 98 to permit the use “fibre optic telecommunication public service utility” which will facilitate a fibre optic cable connection to Lasqueti Island. Bylaw No. 104 was given First Reading on December 16, 2024. The bylaw was referred to First Nations, agencies and organizations in December 2024 with a 30-day referral period.

A Public Hearing is scheduled for February 10, 2025. A Public Hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Final LTC consideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner’s consent.

If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

SUGGESTED AMENDMENT TO BYLAW NO. 104 (LUB)

Staff are proposing an amendment to Proposed Bylaw No. 104 to exempt the fibre-optic cable from setback requirements to the natural boundary of the sea. This amendment is proposed so that the proposed fibre-optic cable can be installed in the proposed location. Without an exemption from the siting regulation, the use would be permitted, but siting regulations would prohibit the siting of the cable to be located within 15 metres of the natural boundary of the sea making it impossible for the cable to connect to the island without further permitting.

Rationale for Recommendation:

Staff are recommending the LTC give Second and Third Reading, that the Bylaw be forwarded to Executive Committee for approval, and that the LTC indicate they wish to adopt the bylaw via a resolution without meeting. The recommendations are supported because:

- All statutory requirements have been completed including the required notification and holding of a Public Hearing consistent with the *Local Government Act*;
- Public, government agency or First Nation concerns raised with the proposed bylaws have been considered by the LTC;
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption; and

- The LTC has indicated a desire to expedite this application.

ALTERNATIVES

1. Make further amendments to the bylaw(s)

The LTC may amend the bylaw provided the amendments would not alter use or increase density

That the Lasqueti Island Local Trust Committee proposed Bylaw No. 104, cited as “Lasqueti Island Land Use Bylaw No. 78, 2005, Amendment No. 2, 2024”, be amended as follows: [explain the amendment here]

2. Deny the application

The LTC may deny the application.

That the Lasqueti Island Local Trust Committee proceed no further with Bylaw No. 104.

3. Defer Second and Third Readings to a future LTC Meeting

The LTC may choose to defer consideration of Second and Third Readings to a future LTC meeting. If the LTC chooses this option, no resolution is needed and proposed Bylaw No. 104 will be brought forward at a subsequent meeting.

NEXT STEPS

If the recommendations are supported for proposed Bylaw No. 104, as amended, then it will be sent to Executive Committee for approval and following this the proposed bylaw can be adopted by a Resolution Without Meeting.

Submitted By:	Stephen Baugh, Island Planner	January 24, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	January 27, 2025

ATTACHMENTS

1. Bylaw No. 104 – Track changes copy
2. Bylaw No. 104 – Clean copy

PROPOSED

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 16TH DAY OF DECEMBER , 2024

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

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

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 use.

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

PROPOSED 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>

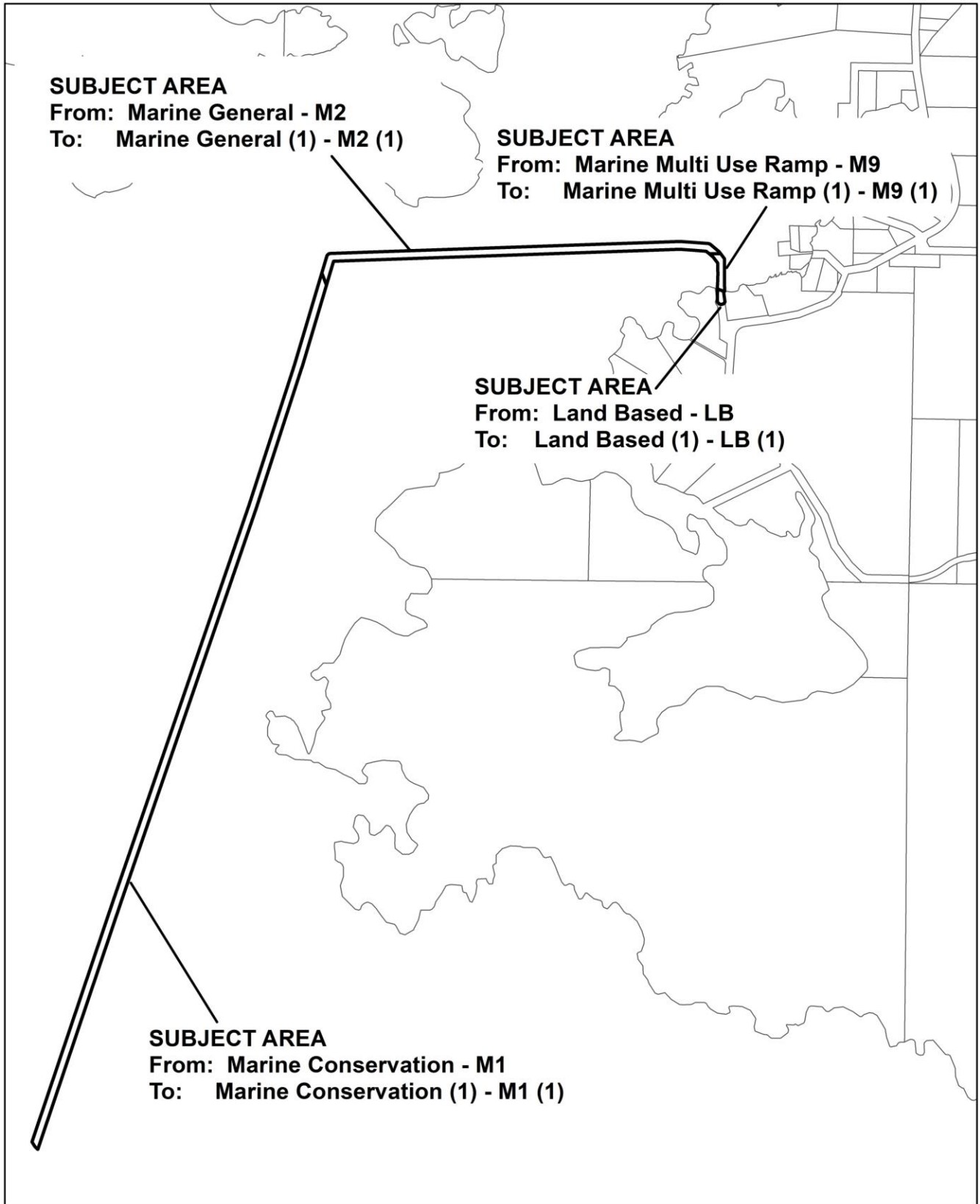
1.5 PART 3 GENERAL PROVISIONS, Section 3.5 Siting and Setback Provisions, Subsection (4) Minimum Setback for Buildings and Structures from the Natural Boundary of the sea, Article (a) is amended by adding the words “fibre-optic cable,” after “boathouse,”.

1. **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.

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

Plan No. 1



PROPOSED

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 16TH DAY OF DECEMBER , 2024

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

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

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 use.

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

PROPOSED 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>

1.5 **PART 3 GENERAL PROVISIONS, Section 3.5 Siting and Setback Provisions, Subsection (4) Minimum Setback for Buildings and Structures from the Natural Boundary of the sea**, Article (a) is amended by adding the words “fibre-optic cable,” after “boathouse,”.

1. **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.

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

Plan No. 1

