



North Pender Island Board of Variance Meeting Agenda

Date: July 16, 2026

Time: 10:00 a.m.

Location: Electronic Meeting

-
- 1. CALL TO ORDER**
 - 2. APPROVAL OF AGENDA**
 - 3. SELECTION OF BOARD OF VARIANCE CHAIR**
 - 4. MINUTES**
 - 4.1 September 28, 2023 (attached)**
 - 5. UPDATE FROM SECRETARY**
 - 6. APPLICATIONS**
 - 6.1 NP-PL-BOV-2026-0105 (De Sousa) - Staff Report (attached)**
 - 7. ADJOURNMENT**



DRAFT

North Pender Island Board of Variance Minutes of a Hearing

Date: September 28, 2023
Location: Electronic Meeting (Zoom Webinar)

Members Present: Andrew MacLean, BOV Member (Acting Chair)
Bert Hol, BOV Member

Staff Present: Brad Smith, Island Planner
Sarah Shugar, Recorder

Applicants: Heather Cameron
Kevin Zembik

1. CALL TO ORDER

Chair MacLean called the meeting to order at 10:03 a.m.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. MINUTES

3.1 North Pender Board of Variance Minutes Dated September 13, 2023

By general consent, the North Pender Board of Variance meeting minutes of September 13, 2023 were adopted as presented.

4. UPDATE FROM SECRETARY

Island Planner Smith reported a notice to fill the vacancy on the Board of Variance (BOV) will close at the end of October 2023. The membership applications likely will be considered at the November 24, 2023 North Pender Island Local Trust Committee meeting. There was a question regarding whether members of the public can be appointed to more than one Committee at a time. Island Planner Smith will look into this and report back to the Board of Variance Members.

5. APPLICATIONS

5.1 NP-BOV-2023.1 (Cameron) - Staff Report

Island Planner Smith presented a staff report dated September 28, 2023 regarding Board of Variance application NP-BOV-2023.1 (Cameron). The application is to vary the North Pender Island Land Use Bylaw No. 224, 2022 to permit the construction of a new

dwelling and decks along with associated retaining walls and the replacement of existing septic tanks, all to be located within lot setbacks at 1604 Chart Drive. Discussion ensued and the following comments were noted:

- The applicants have addressed the concerns raised at the July 26, 2023 Board of Variance meeting
- The requested variances are considered relatively minor
- The BOV has determined there would be undue hardship if the variances were not granted due to the constraints of the building site
- The applicant reported the design has been modified and Ryzuk Engineering has confirmed the applicants are following the best approach regarding the retaining walls and upgrading the existing concrete septic tanks for easier removal or repair if needed. The applicants and staff met with Capital Regional District and Ryzuk Engineering regarding the proposed building design and siting and no concerns were raised
- Island Planner Smith reported no responses were received following the second BOV notification period
- The applicants advised they are looking forward to proceeding with the project

NP-BOV-2023-04

It was Moved and Seconded,

that having considered the matters set out in Section 542(1)(c) of the *Local Government Act*, and having found that undue hardship would be caused to the applicant if Section 3.3 (1)(a) and Section 5.1.5 (a) of the North Pender Land Use Bylaw No. 224, 2022 is complied with, the North Pender Island Board of Variance approves application NP-BOV-2023.1 (Cameron) as presented in Schedule 'A', of the NP-BOV-2023.1 September 28, 2023 Notice of Hearing.

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 10:25 a.m.

Recorder

Date



File No.: PL-BOV-2026-0105

DATE OF MEETING: July 16, 2026

TO: North Pender Island Board of Variance

FROM: Bruce Belcher, Planner 2
Southern Team

COPY: Mary Storzer, Regional Planning Manager

SUBJECT: PL-BOV-2026-0105
Applicant: Dany De Sousa
Location: 6632 Razor Point Road, North Pender Island

REPORT SUMMARY

The purpose of this staff report is to present an appeal to the Board of Variance to vary the North Pender Island Land Use Bylaw No. 224, 2022 (LUB) for a proposed shoreline concrete retaining wall, a two-tiered boulder wall, and a new wood staircase for foreshore access all within 0.0 metres of the natural boundary of the sea.

The proposed variance is to Subsection 3.3(1)(a) which currently states that *“no building or structures, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a building or structure within 15 metres upland of the natural boundary of the sea or within 1.5 metres from the natural boundary of the sea as measured on the vertical plane”* and would vary for this specific case the LUB as follows to allow:

- a. The siting of a new a two-tiered 1.2 metre boulder wall within 0.0 metres of the natural boundary of the sea;
- b. The siting of a new 0.6 metre rock wall within 0.0 metres of the natural boundary of the sea;
- c. The siting of a reinforced concrete retaining wall within 0.0 metres of the natural boundary of the sea;
- d. The siting of a new wood staircase for foreshore access within 0.0 metres of the natural boundary of the sea.

This application is being made under Section 540 (a)(i) of the Local Government Act for a variance to a bylaw respecting the siting, size or dimensions of a building or other structure.

APPLICANT’S RATIONALE

- The slope on the property is experiencing ongoing erosion from natural ground water and rain water which has resulted in loss of vegetation and an existing beach house which was supported by concrete blocks.
- The erosion presents a hazard to the existing house foundation and footings, which will require monitoring as the erosion continues.
- The two-tiered shoreline wall would mitigate the shoreline erosion and enhance the slope stability.

BACKGROUND

The applicant submitted a Board of Variance application to vary the natural boundary setback to the sea to the Islands Trust prior to initiating construction for the new shoreline erosion structures to mitigate ongoing shoreline erosion. The proposed construction requires a variance since the location of the structures is along the natural boundary of the sea on the owner’s property. The applicant’s rationale letter is included as Attachment 4.

The property is located at 6632 Razor Point Road, which is a waterfront property facing south. The property has an existing single-family dwelling and an existing private dock with a crown tenure.

A Geotechnical Assessment, included as Attachment 3, was completed by a professional engineer to design the structures and assess the ongoing erosion. The Geotechnical Assessment identified that the shoreline boulder walls and reinforced concrete retaining wall designs would be the most effective solution to prevent further bank erosion given the steepness of the slope. The Geotechnical Assessment also recommended reshaping the steepest parts of the coastal slope and replanting with native plants.

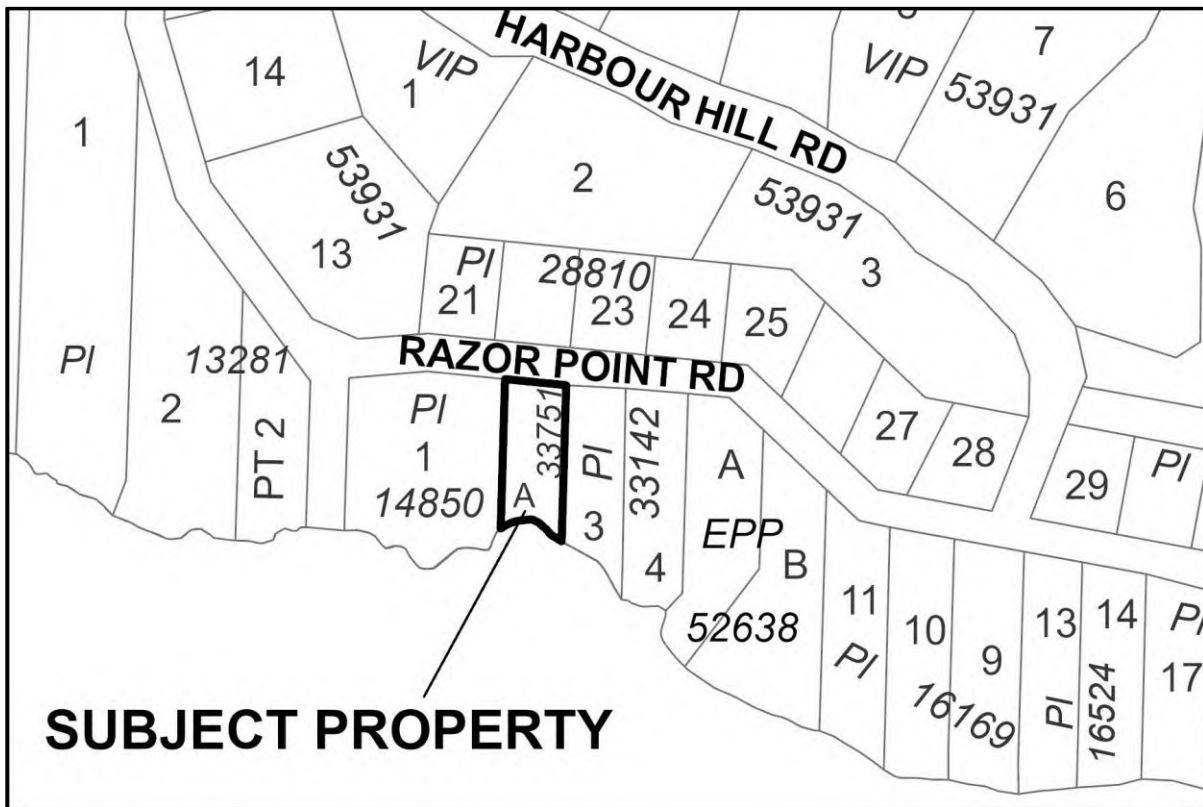


Figure 1 - Subject Property

ANALYSIS

Official Community Plan:

The property is designated as **RR (Rural Residential)** in the North Pender Island Official Community Plan No. 171, 2007 (OCP). Part of the foreshore adjacent to the property is located within Development Permit Area 6 – Intertidal Sensitive Ecosystem, as shown in Attachment 1. The location of the proposed construction requiring a variance is not within the Development Permit Area.

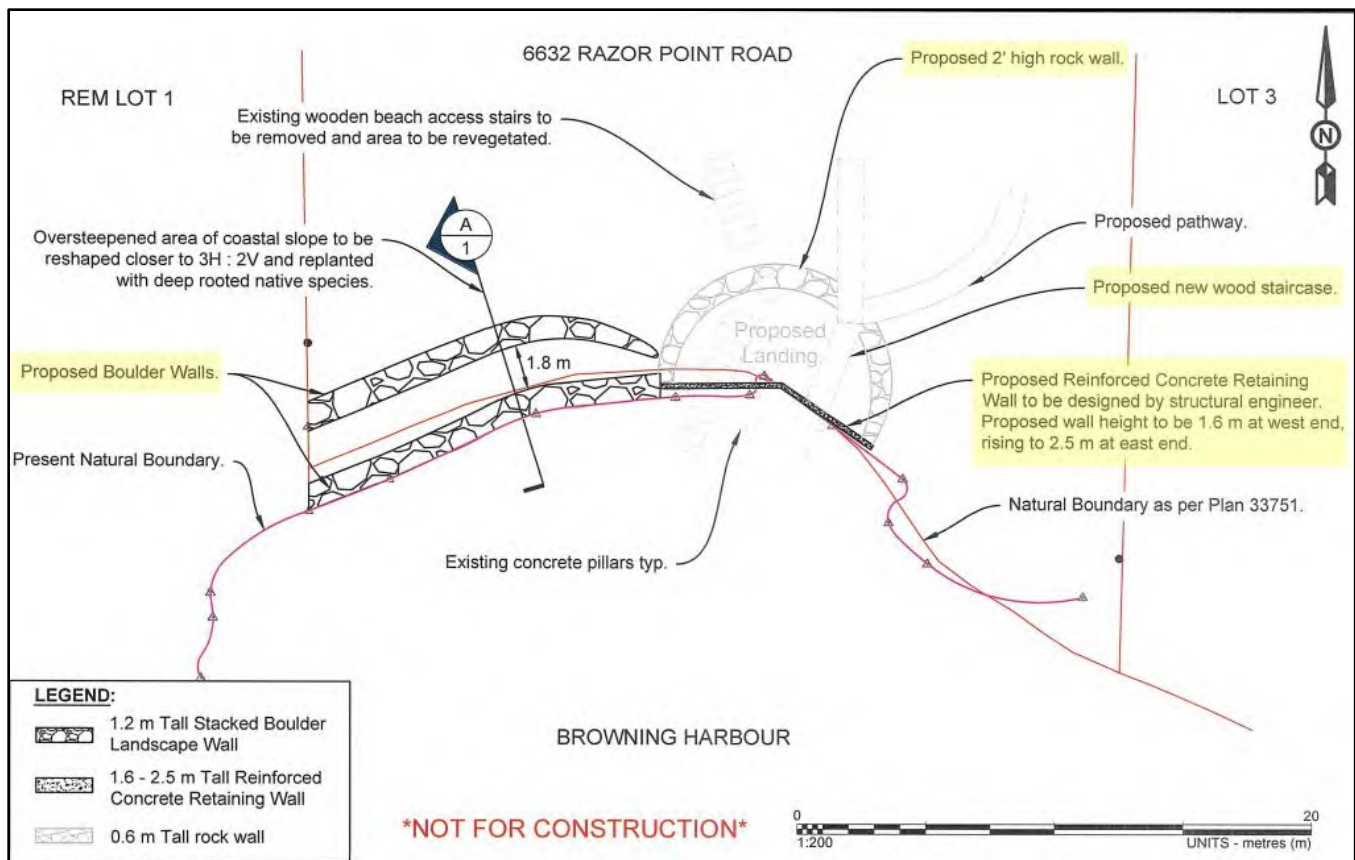


Figure 2: Site Plan, Highlighted Sections Requiring Variance

Intent of Regulations Being Varied

Section 542 (c)(v) of the Local Government Act states that the Board may grant a minor variance if the Board is of the opinion that the variance does not defeat the intent of the bylaw. Although the Board must form its own opinion, the following assessment of the intent of the natural boundary setback regulation may assist:

- Ensuring that buildings and structures are located outside of environmentally sensitive areas;
- Ensuring that a sufficient distance from the water is established to avoid impacts from changing shoreline and marine conditions;
- Protection for the public use and access to the foreshore;
- Establishing consistent development patterns;
- Protecting development from hazards;
- Limiting the visual impact of shoreline development;
- Protection of indigenous cultural heritage, archaeological sites, and ancestral places.

Potential Impacts of Granting the Variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, each application should be evaluated on its own merits.

If the variance is approved the anticipated visual impacts on neighbouring properties would be minimal as the structures would not impact the views of any properties due to the proposed height of the shoreline walls being slightly higher than the existing bank.

Circulation

Notices of the proposed variance were circulated to all adjacent properties on July 2, 2026. The notification period will end on July 14, 2026. No submissions have been received at the time of writing. Any comments received subsequently will be forwarded to the Board of Variance and reported at the meeting. A copy of the notice is included as Attachment 5.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. The applicant is aware of a known archaeological site along the foreshore, adjacent to the subject property. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants with the initial application.

Statutory Requirements

Section 536 of the Local Government Act stipulates that any local government that has adopted a zoning bylaw must establish a Board of Variance. Each Local Trust Committee within the Islands Trust has a Board of Variance. A person may apply to the Board of Variance for an order to vary certain zoning bylaw provisions where an applicant can adequately demonstrate, to the satisfaction of the Board, that compliance with the bylaw provisions would cause the applicant undue hardship. It is up to the Board of Variance to determine what constitutes a minor variance and whether or not undue hardship has been proven.

This application is being made under Section 540 (a)(i) of the Local Government Act where:

A person may apply to a board of variance for an order under section 542 if the person alleges that compliance with any of the following would cause the person hardship:

- (a) a bylaw respecting*
 - (i) the siting, size or dimensions of a building or other structure*

Section 542 (1) establishes that the board of variance may only order that a minor variance be permitted from the requirements of the bylaw, if the board of variance:

- (a) has heard the applicant and any person notified under section 541,*
- (b) finds that undue hardship would be caused to the applicant if the bylaw or section 531 (1) is complied with, and*
- (c) is of the opinion that the variance or exemption does not do any of the following:*
 - (i) result in inappropriate development of the site;*
 - (ii) adversely affect the natural environment;*
 - (iii) substantially affect the use and enjoyment of adjacent land;*

- (iv) vary permitted uses and densities under the applicable bylaw;*
- (v) defeat the intent of the bylaw.*

Further, Section 542 (2) establishes that the board of variance must not make an order that would:

- (a) be in conflict with a covenant registered under section 219 of the Land Title Act or section 24A of the Land Registry Act, R.S.B.C. 1960, c. 208;*
- (b) deal with a matter that is covered in a land use permit or covered in a land use contract;*
- (c) to (e) deal with matters covered by a phased development agreement; a floodplain specification; or apply to a property with heritage protection applies.*

Staff is satisfied that all other requirements set out in the Local Government Act section 542 (1) and (2) have been met. Specifically:

- The statutory notification has been undertaken with no responses;
- The proposed variance is of a minor nature involving new structures to be sited along the natural boundary of the sea where previous structures have existed;
- The natural environment would not be adversely impacted through the siting of the erosion protection infrastructure;
- The variance would not impact the use and enjoyment of neighbouring properties;
- The variance would not vary permitted uses or densities;
- The variance would not defeat the intent of the bylaw;
- The variance would not be in conflict with any covenants or permits.

In considering the appeal, the Board should be satisfied that the requirements under Local Government Section 542 (1) and (2) are met:

1. That the owner would experience a hardship if the appeal is not granted; and,
2. That the proposed variance is of a minor nature.

If the appeal for variance is not granted, the applicants could make a subsequent Development Variance Permit application for consideration by the North Pender Island Local Trust Committee (LTC), or alter the proposed plans to conform to the LUB setback requirements.

Submitted By:	Bruce Belcher, Planner 2	July 8, 2026
Concurrence:	Mary Storzer, Regional Planning Manager	July 9, 2026

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Geotechnical Assessment
4. Applicant Rationale
5. Notice

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT A, SECTION 12, PENDER ISLAND, COWICHAN DISTRICT, PLAN 33751
PID	000-256-331
Civic Address	6632 Razor Point Road, North Pender Island
Lot Size	0.24 hectares

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential and Marine

HISTORICAL ACTIVITY

File No.	Purpose
N/A	

POLICY/REGULATORY

<p>Official Community Plan Designations</p>	<p>Development Permit Area Six – Intertidal Sensitive Ecosystem Development Permit Areas</p> <p>2026-07-08, 3:25:24 p.m.</p> <ul style="list-style-type: none"> Property Boundaries Zoning DPA 6 - Intertidal Civic Address DPA 1 - Woodland <p>Source: Esri, Vertica, Earthstar Geographics, and the GIS User Community Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community</p> <p>Islands Trust Islands Trust GIS Department</p>
<p>Land Use Bylaw</p>	<p>Rural Residential 2</p>

Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	The application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	Sharp-tailed Snake, Branched Clover
Sensitive Ecosystems	N/A
Hazard Areas	<p>Moderate to Low-risk steep slopes</p>
Archaeological Sites	Existing archaeological site and potential along the foreshore adjacent to the property. Applicant has been provided with information relating to the <i>Heritage Conservation Act</i> and the owner’s responsibility regarding development near known archaeological sites.
Climate Change Adaptation and Mitigation	N/A

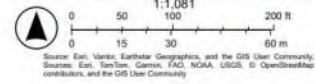
Shoreline Classification

Marine Environment



2026-07-08, 4:43:40 p.m.

- Property Boundaries
- Civic Address
- Zoning
- Coastline Type
- Coastal Banks or Bluffs
- Low Rock / Boulder
- Shoreline Type (Islands Trust)
- Low Rock/Boulder
- Sea Cliff
- Fringing, Patchy
- Eelgrass Meadows (2022)
- Undetermined
- Forage Fish Potential Spawning Habitat (2014)
- Surf Smelt/ Pacific Sanddancer



Source: Esri, Vector, Earthstar Geographics, and the GIS User Community; Sources: Esri, TomTom, Garmin, FAD, NOAA, USGS; © OpenStreetMap contributors, and the GIS User Community

Islands Trust
Islands Trust GIS Department

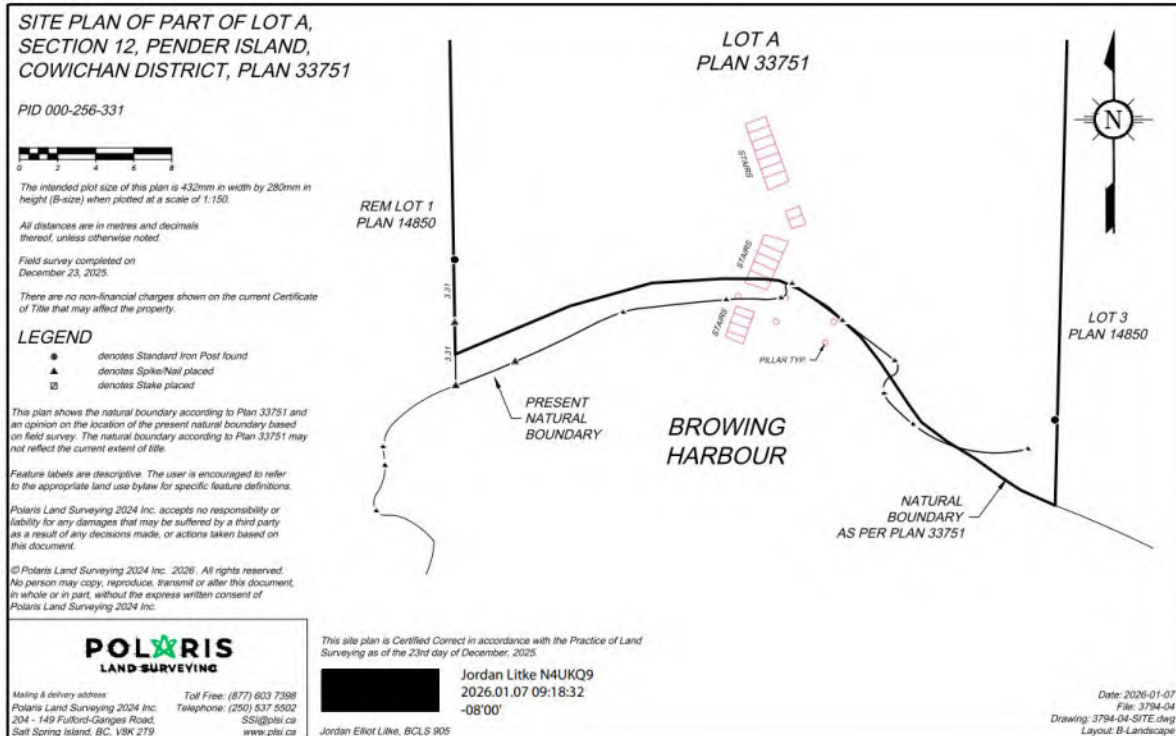
Low Rock/Boulder

Shoreline Data in TAPIS

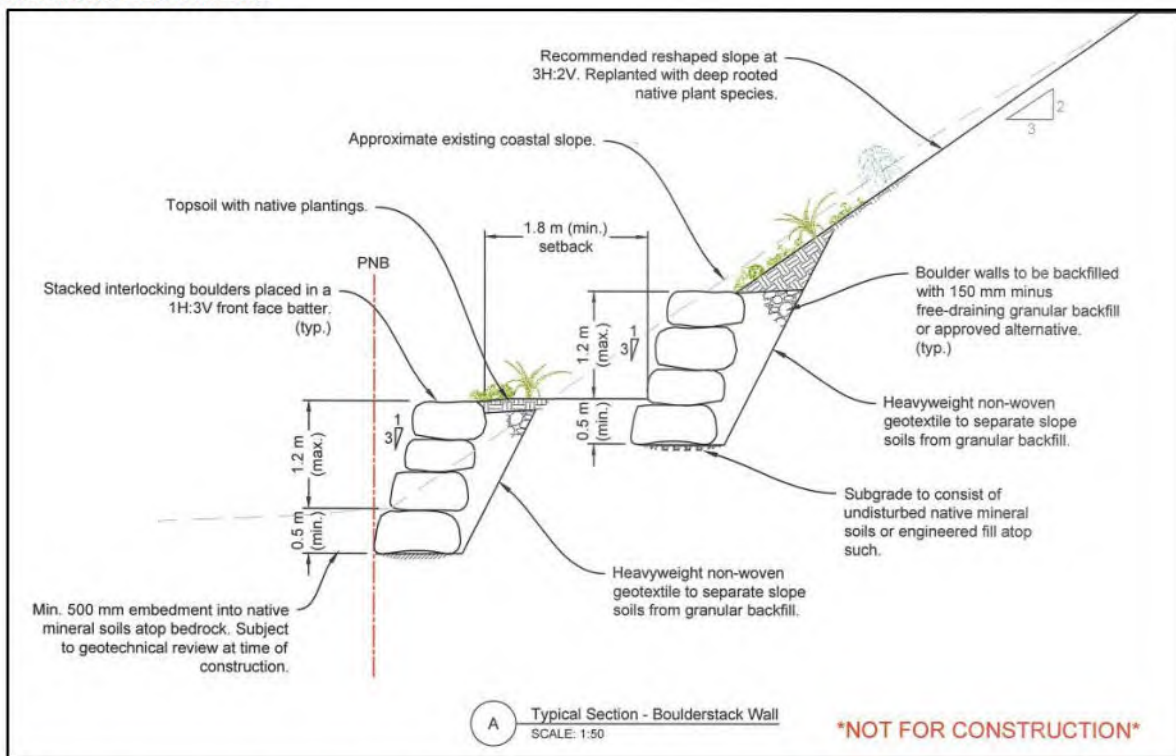
Low Rock/Boulder

ATTACHMENT 2 – MAPS, PLANS, PHOTOGRAPHS

2.1 PROPERTY SURVEY



2.2 STRUCTURE ELEVATIONS



General Notes

G1. Purpose: This drawing is intended to provide structural specifications for the proposed new retaining walls near the shoreline at the noted address, ranging in height from 1.6 m to 2.5 m. Upon our satisfaction that the work has been carried out in substantial conformance with our specifications, we expect to issue a corresponding letter of observation or sealed site report.

G2. Scope: Our scope is limited to the structural notes and details shown on this drawing. Unless noted otherwise, items not included in our scope include but are not limited to staircases, handrails, guards, drainage systems, and walk-on-grade.

G3. Subs: This drawing is not intended to provide specifications for construction safety and we take no responsibility for safety on the jobsite or in any activity associated with the fabrication or erection of any of the elements shown or not shown on this drawing necessary for construction. The contractor is responsible for the design and erection of all form, temporary structures, shoring, false work or any other element required to complete the work.

G4. Changes: As is typically the case with any construction project, various assumptions have been made concerning the design. As more information is made available, we expect that structural changes may occur, altering the specifications made in this drawing. Therefore, the information in this drawing is subject to revision.

G5. Dimensions: Except where specifically dimensioned by Island Structural Engineering Ltd., this drawing is not intended to be used for dimensioning. The location of elements shown on this drawing is intended to be approximate only. This drawing is intended to supplement the architectural drawings, and if further information is needed or if discrepancies are found, contact the architect and/or engineer for further clarification.

G6. Codes: All work on this drawing is to be carried out in accordance with the 2024 BC Building Code and applicable referenced documents and with instructions provided by Rybak Geotechnical.

Design Loads

D1. Code: The noted new structural elements included in this drawing has been designed in accordance with BCDC 2024.

D2. Soil (all as per Rybak Geotechnical): Bearing Capacity: 800 kPa (18,700 psf) (18.5); Soil Class: "C"; heath soil density: 2100 kg/m³ (130 pcf); sliding friction coefficient: 0.5; Active Ka: 0.20.

D3. Concrete: Kc (PGA + 0.850 g): 0.23.

D4. Rebar: concrete: 23.6 Mpa (3.41 ksi).

D5. Anchor Resistance: 10 kN tensile and shear resistance for 15M bars grouted 0.6 m into rock @ 9.9 m c.c. as per geotechnical engineer.

D6. Yielding Condition: These retaining walls have been designed as yielding (unrestrained). If a non-yielding (restrained) wall is desired, please contact us for a more robust redesign. A yielding wall is able to move a minimum of 0.2% of the height of the wall (rotation or translation) to allow active earth pressure to develop, as per Rybak Geotechnical.

Note: All reinforcing steel to be epoxy-coated in conformance with CSA-G30-16 (2019).

Concrete Notes

C1. Code: Concrete work to conform to CSA-A23.1-19 and referenced documents and to meet CSA A23.1 Exposure Class C-1 requirements.

C2. Concrete shall be Portland Type 10, unless noted otherwise.

C3. Concrete shall be stone with a unit weight of 23.6 kN/m³ (150 pcf), shall have a 28-day strength of at least 35 MPa and 4-7% air entrainment.

C4. Slump not to exceed 75mm (3") for all footings, walls, and columns.

C5. Aggregate size not to exceed 20mm (3/4").

C6. Placement of concrete to be uniform to prevent the formation of cold joints and other planes of weakness. Do not place concrete in water, ice, or on frozen ground.

C7. Restrictions: Do not pour concrete if air temperature is below 5° Celsius for 2 days from the time of the pour. Do not use admixtures other than air entrainment, standard water reducers, or super plasticizers without prior approval of the engineer.

C8. Site Review: Do not pour concrete until approved in writing by the structural engineer of record. Provide 5 business days advanced notification when site reviews are required.

Reinforcing Notes

R1. Code: Reinforcement shall be billet steel conforming to G30-18-09 (R2019). Because of its proximity to the ocean all reinforcing steel is to be epoxy coated in accordance with G30-18-09.

R2. Splices: Horizontal splices shall be at least 900mm (36") for 12"Ø bars, and 1170mm (46") for 15M bars unless noted otherwise. Vertical splices shall be at least 760mm (30") for 12"Ø bars, and 900mm (36") for 15M bars unless noted otherwise.

R3. Cover: Minimum concrete cover shall be 75mm (3") for surfaces placed directly to ground, 50mm (2") for formed surfaces exposed to ground, 50mm (2") for columns, 30mm (1.25") for walls, and 40mm (1.57") for beams.

R4. Corner: Wall reinforcing to be continuous with hooks or corner bars used at all junctions. Scribed hooks to be side of wall. Corner bars to be located on the outside face of the wall.

Foundation Notes

F1. Drainage: Provide 10mmØ weep holes located at 2/3 down from the top of the wall, spaced 2m c.c. along its length, as per Rybak Geotechnical. Medium weight fabric should be laid against the soil bank and wrapped across the top of the free draining backfill to prevent fines migration / redistribution of the backfill, as per Rybak Geotechnical.

F2. Backfill: Backfill with free-draining, well-graded, coarse granular material, with less than 5% passing the #20 sieve such as 25mm clear angular crushed gravel, or 75mm minus crushed gravel as per Rybak Geotechnical. Backfill should be placed and compacted in maximum 300mm thick lifts to at least 95% of the material's Standard Proctor Maximum Dry Density (SPMD) value or judged equivalent by the geotechnical engineer, as per Rybak Geotechnical.

F3. Rating: It is the client's responsibility to retain a professional geotechnical engineer to provide bearing capacity, advice, supervision, and field review, and we take no absolute responsibility for any geotechnical aspects of this project.

1 6'-0" Heel Retaining Wall
Scale: ±1/2" = 1'-0"

2 7'-0" Heel Retaining Wall
Scale: ±1/2" = 1'-0"

3 8'-3" Heel Retaining Wall
Scale: ±1/2" = 1'-0"

Island Structural Engineering Ltd.
(250) 888-9126
www.islandstructural.ca

Scale: ±1/2" = 1'-0"	Progress Plan: Subject to Revision	CRD - Pender Island
First Draft Date: May 21, 2026	Update Date: June 19, 2026	For: Dany De Sousa 6632 Razor Point Road, Pender Island, BC
Designed & Drawn by: RS	Project File: ST26-064	Notes & Details Permit to Practice #: 1003437

Notes & Details
Permit to Practice #: 1003437

2.4 PHOTOGRAPH TITLE



NATURAL BOUNDARY, LOOKING WEST



EXISTING STAIRS, DOCK, AND BOATHOUSE FOUNDATION, LOOKING SOUTH-EAST



EXISTING STAIRS, LOOKING NORTH UP SLOPE TOWARDS EXISTING DWELLING

March 5, 2026
Project #: 12760-1

Dany De Sousa
6632 Razor Point Road
Pender Island, BC, V0N 2M1
By Email: [REDACTED]

GEOTECHNICAL ASSESSMENT OF SHORELINE EROSION AND COASTAL SLOPE 6632 Razor Point Road – Pender Island, BC

1. INTRODUCTION

We attended the referenced property on December 23, 2025, to meet with you and complete a visual geotechnical assessment of the shoreline and coastal slope. This assessment was requested by the landowner to provide observations and a geotechnical opinion, as well as to offer recommendations and a conceptual design to mitigate ongoing shoreline erosion and improve slope stability. Our associated observations, assessment, conclusions, and recommendations in this regard are contained herein. Site photographs are attached to the end of this report, as well as a conceptual design drawing for shoreline erosion protection and slope improvements.

We understand this report and the attached drawing may be submitted to the Islands Trust (IT) and/or the Capital Regional District (CRD) for permitting purposes, and we declare the IT and the CRD to be authorized users of this report, and they may rely on its contents for decisions related to the noted project at the subject property. Our work has been undertaken in accordance with, and is subject to, the previously accepted Terms of Engagement.

2. SCOPE OF WORK

Our scope of work has included a desktop study of site background information, a site meeting and foot traverse of the shoreline, coastal slope and property conducted on December 23, 2025, and the preparation of this report.

3. PROPERTY AND BACKGROUND STUDY

The property is oceanfront, located along the shoreline of Browning Harbour. The property is rectangular in shape with an approximate area of 0.24 hectares and marine shoreline approximately 37 m in length. It is bordered by Razor Point Road to the north, residential properties to the east and west, and the Present Natural Boundary (PNB) of Browning Harbour to the south. The property is currently occupied by a single-family home just behind the crest of the coastal slope, a detached garage close to the road, a paved driveway and grass/landscaping. We

understand that shoreline erosion, slope instability in the form of localized slips, and tension cracking have been observed along the coastal slope. Erosion from a large storm last year resulted in undermining and damage to the boathouse previously located on the slope, which was subsequently demolished as a result.

According to published surficial geology mapping (*Soils of the Gulf Islands, North Pender, South Pender, and Prevost Islands, Land Resource Research Centre, 1987*), the property is underlain by gravelly sandy loam to gravelly loamy sand (30-100 cm thick) marine, fluvial, or glaciofluvial deposits over compact, unweathered till within 100 cm. This is consistent with our experience in the area. Bedrock geology mapping for the area (*Map 1553A, Geology, Victoria, published by the Geological Survey of Canada, Department of Energy, Mines and Resources, 1980*) indicates that the property is underlain by the Upper Cretaceous Cedar District Formation of the Nanaimo Group. This formation is composed of shale and siltstone with minor sandstone.

4. OBSERVATIONS AND SITE CONDITIONS

During our visual assessment of the coastal slope and shoreline area, we noted the following:

1. **Topography and Vegetation:** The property features a steep coastal slope approximately 7 m high along an approximate 37 m long stretch of marine shoreline. The coastal slope is generally sloped at between 25 to 35 degrees above horizontal, shown in Photos 1 and 2. A wooden staircase leads down to the beach from the top of the slope. The vegetation on the slope consists predominantly of grasses with some low-lying shrubs.
2. **Soil and Geology:** Very stiff /dense silty sand was detected upon the coastal slope. Sedimentary siltstone bedrock (Photo 3) was observed within the east half of the base of the slope along the beach and at the PNB, with a layer of very dense silty sand with gravel and cobbles (glacial till) above.
3. **Shoreline and Coastal Features:** The shoreline consists of a relatively flat beach composed of sand and gravel, transitioning landward to a steeply sloping coastal bank. A set of wooden stairs and remnant concrete piles associated with the original boathouse remain in place along the shoreline (Photo 4). At the back of the beach and behind overhanging vegetation and logs, an approximately 0.5 to 0.75 m high erosional scarp was present at the toe of the coastal slope, where it appears waves and high water are impacting the slope. Review of aerial imagery also indicates ongoing shoreline erosion and beach formation. Neighboring shorelines appear to be comprised of bedrock.
4. **Soil Erosion and Landslips:** Several minor erosional scarps are visible on the slope, some covered by vegetation, concentrated within the steepest areas of the slope, as shown in Photo 5. Additionally, there are obvious areas of ongoing soil erosion due to patches of missing vegetation/bare soil on the coastal slope (Photo 6). Minor tension cracking was also noted near the top of the coastal slope.

5. CONCLUSIONS AND RECOMMENDATIONS

Based on our visual assessment of the coastal slope and shoreline, it is apparent that shoreline erosion and shallow slope instability are occurring and are expected to continue if no mitigation measures are implemented, especially considering the predicted impacts of future climate change. The rate of erosion and coastal slope regression is unpredictable and will likely increase in the face of climate change and sea level rise.

We understand that it is desired to protect and stabilize the slope to prevent further loss of property as well as soil down onto the beach area. To halt the shoreline erosion and improve slope stability, we recommend you consider implementation of the following:

1. Reshaping of the steepest parts of the coastal slope between 2H:1V to 3H:2V and replanting with native plants.
2. Construction of shoreline erosion protection as per the attached Erosion Protection & Slope Improvement conceptual drawings, dated February 6, 2026. This includes a two-tiered boulder stack wall placed at the toe of the slope/behind the PNB and a reinforced concrete retaining wall placed behind the existing stairs and boat house foundations at the base of the slope.

The work would need to be completed during dry weather and a period of low tides to minimize sediment creation. Completion of the erosion protection works may be subject to regional or other government permit approvals. Further guidance with regard to the ecological elements and sediment control during construction will likely be necessary and such would be provided by others.

We understand that you would like to remove the existing wood staircase on the slope and build a new one further to the east, together with a pathway from the top of slope. The footprint of the existing staircase would be replanted with native plants. A stone enclosed gravel landing would be constructed behind the proposed concrete retaining wall. We consider these improvements to be geotechnically feasible without negatively impacting slope stability.

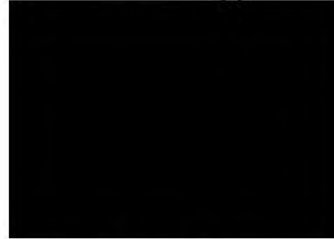
6. CLOSURE

It should be noted that our attached design drawings have been prepared for project team discussion and development permit purposes (if necessary), however, further design and analysis may be required prior to submission for building permit and/or construction.

Our scope of work has not included detailed slope stability analysis of the coastal slope or the existing home site.

We trust the preceding is suitable for your purposes at present. If you require anything further or have any questions with respect to the above, please contact us.

Sincerely,
Ryzuk Geotechnical
Permit to Practice Number: 1002996



Emilie Dubois, M.Eng.
Junior Associate

Patrick Sails, P.Eng.
Lead Geotechnical Engineer

Attachments:

- Site Photographs
- Conceptual Design Drawing of Shoreline Erosion Protection

Site Photographs – December 23, 2025



Photograph 1: Looking southwest from top of slope.



Photograph 2: View of slope and staircase, looking east.



Photograph 3: Remnant concrete foundations from the boathouse.



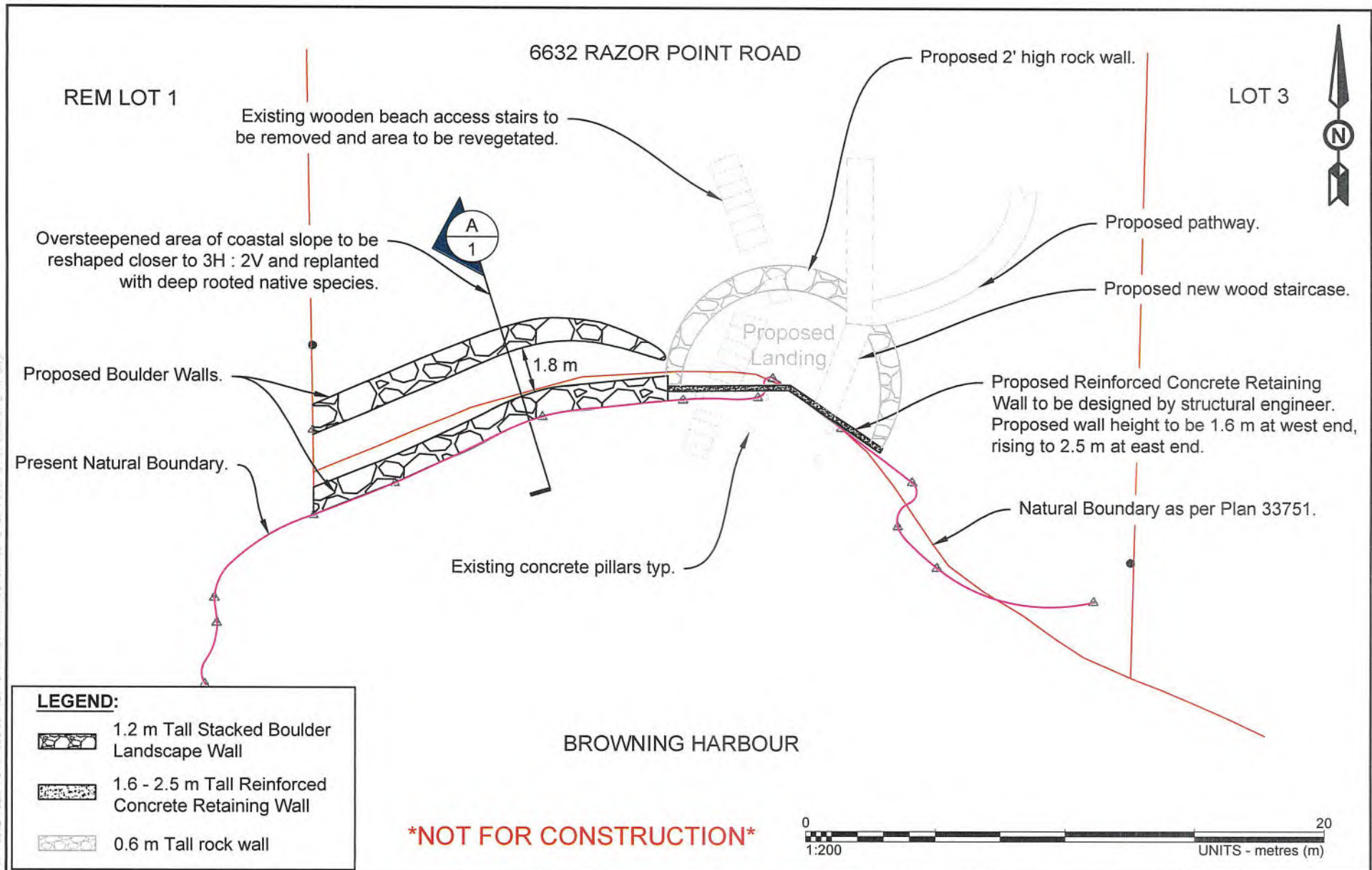
Photograph 4: View of the beach and coastal slope.



Photograph 5: Soil erosion and landslip visible by the wooden staircase.



Photograph 6: Soil erosion and landslip visible by the wooden staircase.




LEGEND:

-  1.2 m Tall Stacked Boulder Landscape Wall
-  1.6 - 2.5 m Tall Reinforced Concrete Retaining Wall
-  0.6 m Tall rock wall

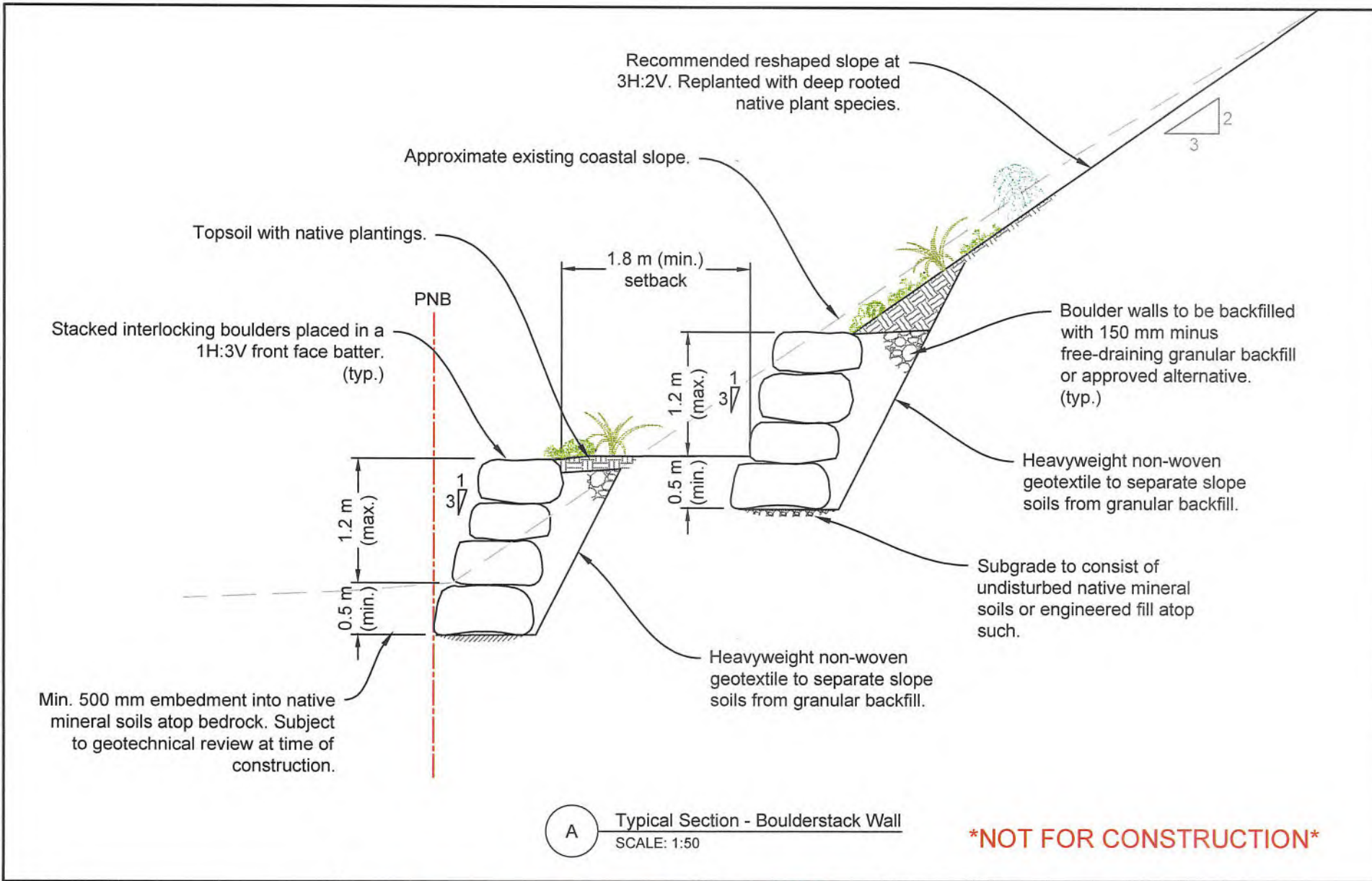
NOTES

1. This drawing is scaled for 8.5x11 sheet and does not require further scaling to fit. Scales will differ if printed on different sheet size.
2. Base Plan taken from Polaris Land Suveying's Site Plan, Plan 33751, dated January 7, 2026.

RYZUK
GEOTECHNICAL
 100 - 771 Vernon Avenue - Victoria, BC V8X 5A7
 250-475-3131 mail@ryzuk.com

SEAL

 PTPN: 1002996

DRAWN BY DRM	CLIENT Dany De Sousa
EOIR/LEAD PMS	PROJECT TITLE Erosion Protection & Slope Improvements
REVIEW PMS	PROJECT ADDRESS 6632 Razor Point Road - Pender Island, BC
SCALE 1:200	DRAWING NAME Site Plan
DATE 2026/02/06	PROJECT No. 12760-1
	SHEET No. 1 of 2
	REVISION



NOTES

1. This drawing is scaled for 8.5x11 sheet and does not require further scaling to fit. Scales will differ if printed on different sheet size.

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PTPN: 1002996

DRAWN BY DRM	CLIENT Dany De Sousa
FOR/LEAD PMS	PROJECT TITLE Erosion Protection & Slope Improvements
REVIEW PMS	PROJECT ADDRESS 6632 Razor Point Road - Pender Island, BC
SCALE 1:50	DRAWING NAME Typical Section
DATE 2026/02/06	PROJECT No. 12760-1
	SHEET No. 2 of 2
	REVISION

Project Narrative

March 10 2026

6632 Razor point Road North Pender

Variance and hardship details

On this property we would like to Build a two tier boulder wall to mitigate ongoing shoreline erosion and slope stability. In addition to the boulder wall a concrete wall will need to be built on the East end of the lower boulder wall. To assist with holding back the soil another circular boulder wall 2 feet high would be required to hold the dirt back from this natural circular landing. We are also wanting a pathway to be created on the East side of the slope. The pathway would connect an existing walkway that comes down the East side of the house. These “structures” can be seen on the site Plan created by Ryzuk Geotech. It should be noted that there is an existing wooden staircase, that is in rough shape, that will be replaced. Pathway and staircase may be exempt from section 3.3(1) as these lead to a private dock. The property is oceanfront. Over the years the slope from the house down to the beach has eroded from natural ground water and rain water. Sections of the dirt slope have slipped away and tumbled down the slope towards the water. Often on wet days black dirt water can be seen trickling /contaminating into the ocean. Vegetation that was once there is no longer due to the ongoing erosion from the slope. Evidence of this is currently present on the slope with many tension cracks. Previously there was a 12 foot x 15 foot beach house that was supported on the slope with concrete blocks. Last year the beach house slid down the slope so much that it was in danger of falling into the ocean. The beach house was removed/demolished. It was a hazard to personal injury and the oceanfront. Our house that sits on top of the slope will, within a few years be needing monitoring to ensure house foundation and footings continue to be stable due to the soil erosion. The erosion will be close enough to the house to be a concern for the house foundation and stability.

Key points/Hardships

- Slips and tension cracking on steep slope
- Large erosion scarps
- Several minor erosion scarps
- Areas of ongoing soil erosion

-Dirt eroding into the ocean

-Our home is just behind the crest of the eroding slope (future foundation problems)

-require stable slope for dock access.



NORTH PENDER ISLAND BOARD OF VARIANCE

NOTICE OF HEARING

NOTICE is hereby given pursuant to Section 541 of the *Local Government Act* to the persons who deem that their interest in property is affected that there will be an **electronic hearing** of the North Pender Island Board of Variance held on **July 16, 2026, starting at 10 am**.

The Board will consider the following appeal: **PLBOV20260105 (De Sousa)**

Re: 6632 Razor Point Rd, North Pender Island

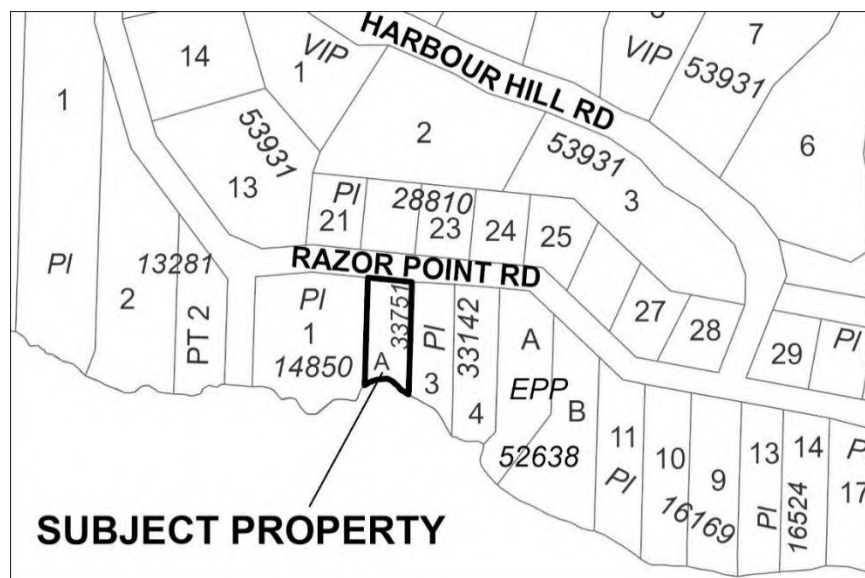
Legally described as: LOT A, SECTION 12, PENDER ISLAND, COWICHAN DISTRICT, PLAN 33751 (PID: 000-256-331)

The purpose of the appeal is to:

Allow for a variance to the North Pender Island Land Use Bylaw No. 224, 2022 (LUB) respecting the siting, size, or dimensions of a building or other structure. The proposed variances are to the “Siting and Setback Regulations” under the General Regulations, as shown on the attached Schedule ‘A’ and Schedule ‘B’ specifically as follows:

1. Subsection 3.3(1)(a) which states that “*no building or structures, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a building or structure within 15 metres upland of the natural boundary of the sea or within 1.5 metres from the natural boundary of the sea as measured on the vertical plane*” is varied to permit the following:
 - a. The siting of a new a two-tiered 1.2 metre boulder wall within 0.0 metres of the natural boundary of the sea;
 - b. The siting of a new 0.6 metre rock wall within 0.0 metres of the natural boundary of the sea;
 - c. The siting of a reinforced concrete retaining wall within 0.0 metres of the natural boundary of the sea;
 - d. The siting of a new wood staircase for foreshore access within 0.0 metres of the natural boundary of the sea.

The general location of the subject property is shown on the sketch below:



Any person whose property may be affected by an appeal to a Board of Variance has the right to be heard and give evidence at the hearing, or to be represented by some other person authorized by them in writing to do so.

Written submissions may be delivered as follows:

1. To the Secretary to the North Pender Island Board of Variance, at the office of Islands Trust #200 - 1627 Fort Street, Victoria, BC, V8R 1H8, telephone (250) 405-5179, fax (250) 405-5155, or by email to southinfo@islandstrust.bc.ca, before **4:30 p.m. Tuesday, July 14, 2026**.
2. After **4:30 p.m., Tuesday, July 14, 2026** by attending the hearing on **July 16, 2026** and making a representation to the North Pender Island Board of Variance.

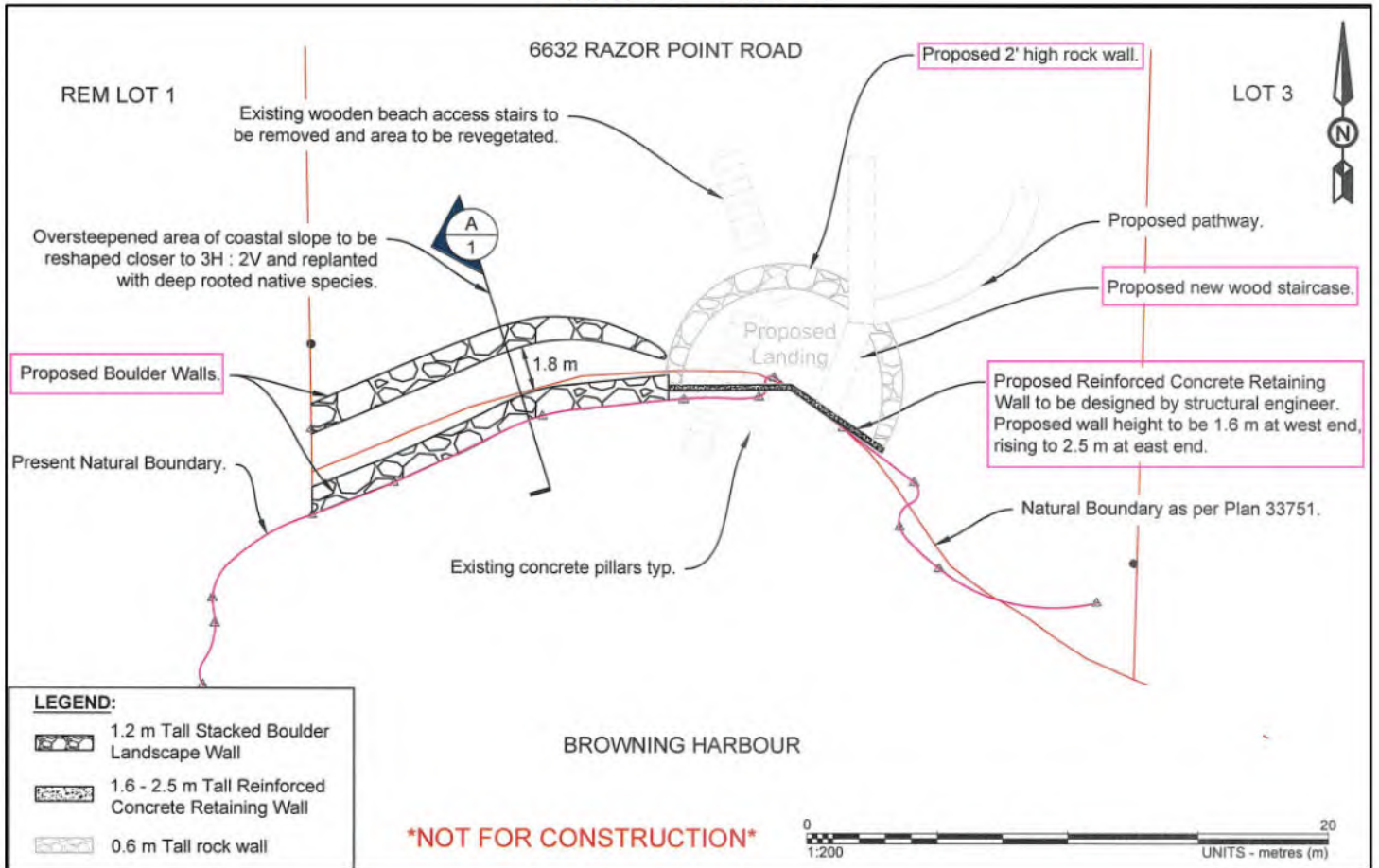
Enquiries or questions should be directed to: Bruce Belcher, Planner at (250) 405-5179 for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review. A copy of the notice and additional information including how to connect to the **electronic hearing** can also be viewed on the Islands Trust webpage: <https://islandstrust.bc.ca/event/north-pender-board-of-variance-hearing-2/>

Bruce Belcher
Secretary to the North Pender Island Board of Variance

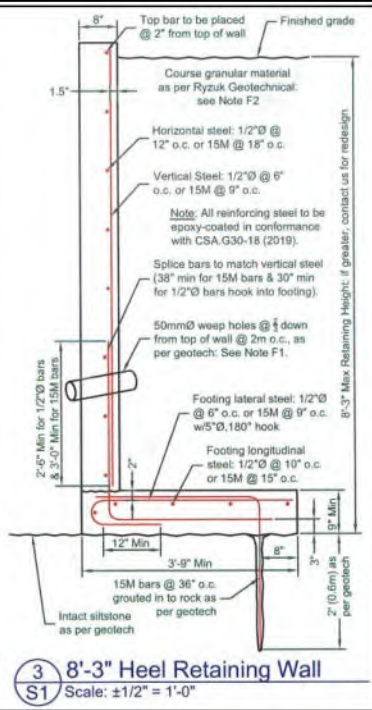
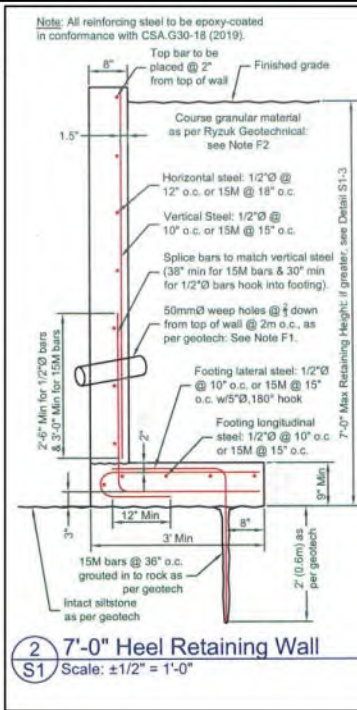
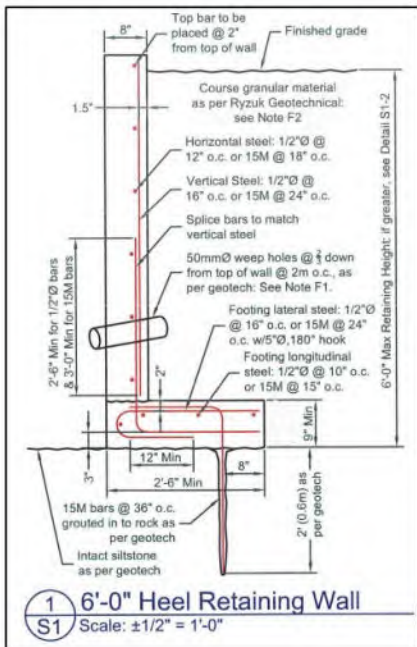
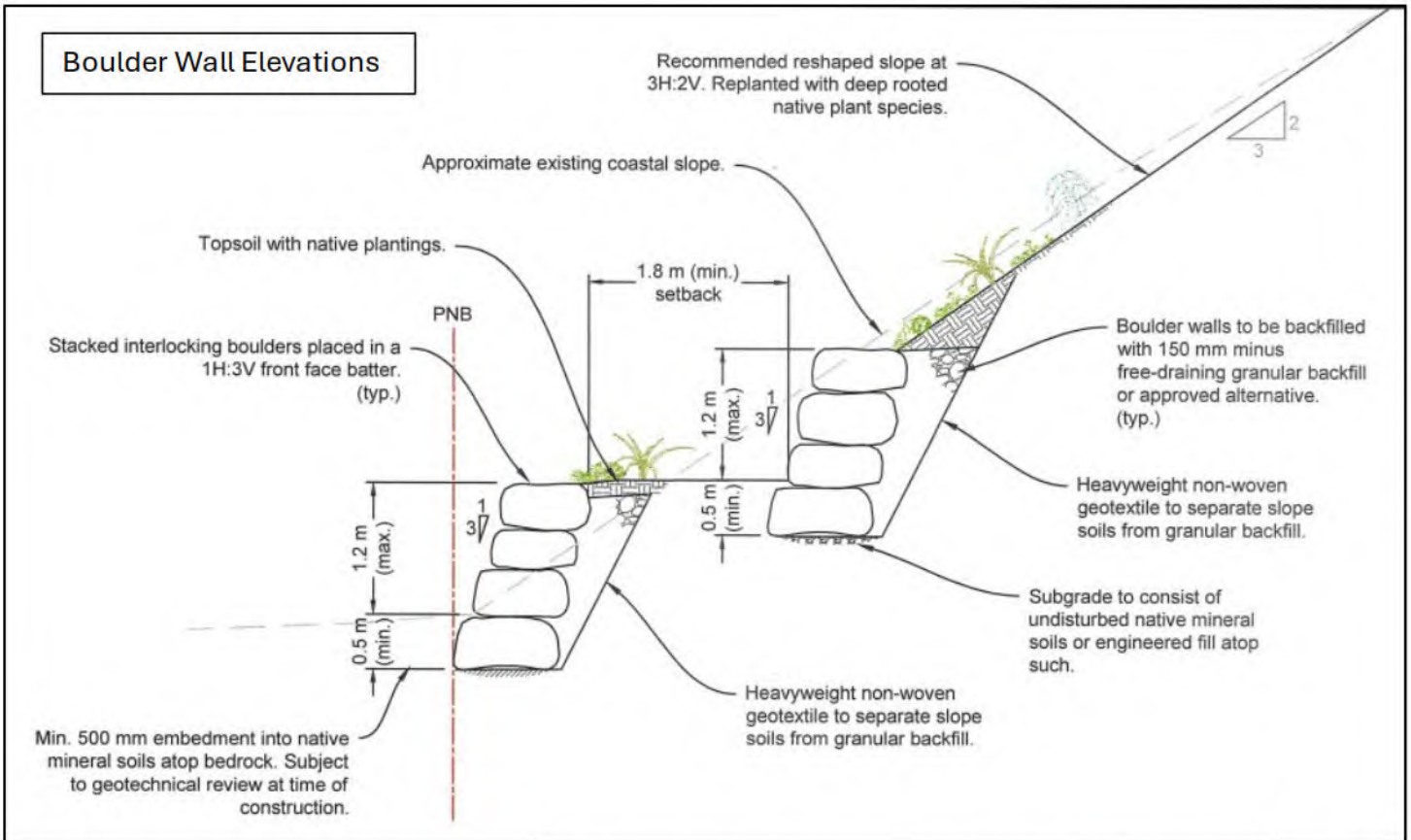
NORTH PENDER ISLAND BOARD OF VARIANCE

Schedule 'A' - Site Plan



NORTH PENDER ISLAND BOARD OF VARIANCE

Schedule 'B' – Elevation Plans



Reinforced Concrete Retaining Wall Elevation