



North Pender Island Local Trust Committee

Regular Meeting Agenda

Date: November 29, 2024
Time: 10:00 am
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

	Pages
1. CALL TO ORDER	10:00 AM - 10:25 AM
2. TERRITORIAL ACKNOWLEDGEMENT	
3. APPROVAL OF AGENDA	
4. TRUSTEE REPORT	
5. CHAIR'S REPORT	
6. ELECTORAL AREA DIRECTOR'S REPORT	
7. TOWN HALL AND QUESTIONS	10:25 AM - 10:40 AM
8. COMMUNITY INFORMATION MEETING - None	
9. PUBLIC HEARING - None	
10. MINUTES	10:40 AM - 10:50 AM
10.1 Local Trust Committee Minutes Dated July 26, 2024 (for Adoption)	4 - 11
10.2 Local Trust Committee Minutes of Special Meeting Dated October 26, 2024 (for Adoption)	12 - 16
10.3 Section 26 Resolutions-without-meeting Report Dated Nov 2024	17 - 17
10.4 Advisory Planning Commission Minutes Dated July 29; August 12; September 13; October 18; November 1; and November 14, 2024 (for Receipt)	18 - 44
11. BUSINESS ARISING FROM THE MINUTES	
11.1 Follow-up Action List Dated Nov 2024	45 - 47
12. DELEGATIONS	10:50 AM - 11:00 AM

12.1	Capital Regional District – Rural Housing Program	
13.	CORRESPONDENCE	11:00 AM - 11:05 AM
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
13.1	Sara Miles re April 6, 2024 Minutes	48 - 48
13.2	Raincoast Conservation Foundation re July 26, 2024 Minutes	49 - 49
14.	APPLICATIONS AND REFERRALS	11:05 AM - 12:15 PM
14.1	NP-TUP-2024.6 (Ganasi) - Staff Report (attached)	50 - 87
14.2	NP-PLTUP20240261 (Murdoch) - Staff Report (attached)	88 - 102
14.3	NP-PLDVP20240225 (Grant) - Staff Report (attached)	103 - 128
14.4	NP-PLRZ20240110 (Bigham) – Staff Report (attached)	129 - 160
14.5	Salt Spring Island Local Trust Committee Proposed Bylaws 538 and 539 Referral - For Response	161 - 163
15.	LOCAL TRUST COMMITTEE PROJECTS	12:15 PM - 1:00 PM
15.1	Raptor Nest DPA Review Project – Staff Report (attached)	164 - 192
15.2	Housing Access and Affordability Project – Staff Report (attached)	193 - 257
16.	REPORTS	1:00 PM - 1:10 PM
16.1	Work Program Report (attached)	
16.1.1	<u>Active Projects Report Dated Nov 2024</u>	258 - 258
16.1.2	<u>Future Projects Report Dated Nov 2024</u>	259 - 260
16.2	Applications Report - Verbal Report	
16.3	Trustee and Local Expense Report Dated Sept 2024 (attached)	261 - 261
16.4	Adopted Policies and Standing Resolutions (attached)	262 - 265
16.5	Local Trust Committee Webpage	
16.6	Islands Trust Conservancy Report Dated July 2024	266 - 267
17.	NEW BUSINESS	1:10 PM - 1:40 PM
17.1	Dark Sky Principles Adoption Advocacy Briefing (Attached)	268 - 271

17.2	Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP) - Staff Report (attached)	272 - 276
17.3	Natural Area Protection Tax Exemption Program Application - Information Memo (attached)	277 - 279
18.	UPCOMING MEETINGS	1:40 PM - 1:50 PM
18.1	Draft 2025-2026 LTC Meeting Schedule (attached) (for Adoption) THAT North Pender Island Local Trust Committee approve their January, 2025 to March, 2026 Meeting Schedule.	280 - 282
19.	TOWN HALL	1:50 PM - 2:05 PM
20.	CLOSED MEETING - None	
21.	ADJOURNMENT	2:05 PM - 2:05 PM

North Pender Island Local Trust Committee Minutes of Regular Meeting

Date: July 26, 2024
Location: Anglican Parish Hall
4703 Canal Road, RR#1, North Pender Island, BC

Members Present: David Maude, Chair
Aaron Campbell, Local Trustee
Deb Morrison, Local Trustee (electronic)

Staff Present: Brad Smith, Island Planner
Joe Elliott, Senior Indigenous Relations Advisor (electronic)
Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
Lisa Millard, Recorder (electronic)

Others Present: There were ten (10) members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 10:00 a.m. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Item 15.5 Wildfire Exposure Risk
- Item 16.2 Bylaw Enforcement on Development Permit Areas - Discussion
- Item 17.2 September 28, 2024 Meeting Date - Discussion

By general consent, the agenda was adopted as amended.

3. TRUSTEE REPORT

Trustee Morrison reported the following:

- Attended Trust Council and highlighted motion and request for decision she put forward including writing a letter to the Province regarding a governance review and dark sky initiative
- Involved in Sub-Trustee working group discussing tiny home regulations and options

Trustee Campbell reported the following:

- Attended Trust Council and noted housing crisis occurring on Salt Spring Island
- Ongoing conversation with residents regarding their concerns about the approval of the Razor Point Road Development Variance and the potential issuance of the 4185 Schooner Way property development permit

4. CHAIR'S REPORT

Chair Maude reported the following:

- Continuing work on the draft Trust Policy Statement to lay foundation for public engagement beginning in the fall
- Attended Trust Council and highlighted Member of Legislative Assembly Adam Olsen's talk on inclusive government

5. ELECTORAL AREA DIRECTOR'S REPORT - None

6. TOWN HALL AND QUESTIONS

Several members of the public spoke to the approval of the Razor Point Road Development Permit Variance and the following questions and comments were noted:

- What was the rationale for approving a building size larger than allowed within the bylaw?
- Property is sub-dividable and multiple large homes could still be built
- Variances are typically minor and do not allow for public input as compared to rezoning
- Staff Report did not recommend approval
- There are no guarantees that the landowner will do what they say they are going to do
- Variance approval sets a precedent
- Local Trust Committee should rescind the decision
- Property can be subdivided into 18 lots and Trustees approved a variance to build a 12,000 square foot home and 2,000 square foot cottage in exchange for a legally non binding verbal statement that the landowner would not subdivide
- Trustees have eroded the preserve and protect mandate and set a precedent going forward
- Trustees need to find a way to fix this situation as the precedent to build larger homes will impact future generations
- Recommendation made in Staff Report used sound reasoning but the Trust object was not mentioned in the rationale and Trustees have a statutory obligation to make decisions in light of the Trust object
- The bigger the house the larger the impact on the natural environment
- Local Trust Committee considered the bylaw on several occasions prior setting the maximum floor allowance at 4,500 square feet
- Road to the property narrows to single lane and decision to allow a 12,000 square foot house to be built at the site will impact neighbours for several years due to lengthy construction period and construction vehicles using the road
- Construction will include rock removal which could affect the aquifer
- There should have been community engagement regarding the application
 - Trustees noted the concerns and comments and replied as follows:
 - Bylaw setting out maximum floor area is not binding as an applicant can apply for a variance
 - Applicant would still be able to apply for subdivision and a variance to build larger homes and each application would be looked at individually
 - Property could be subdivided however the intent of the landowner is to put a covenant on the property or rezone to remove the density
 - Applicant was prepared to subdivide the property and build three separate buildings to equal the square footage that was approved in the variance and this action would have caused more forest fragmentation

- Trustees could have requested a rezoning but the landowner had the right to move forward through the Province and subdivide right away
- Multiple conversations and site visits took place prior to a decision to approve the variance and it was a judgement call to look at a variance application versus rezoning
- While not known at the time of variance approval the landowner, through their family foundation, made a significant donation to the Raincoast Conservation Foundation which points to their interest in protection of the island

Island Planner Smith clarified the following:

- Variance decision could only be rescinded if there was an error in the process or some blatant misrepresentation of fact pertinent to the variance itself
- Paperwork related to a covenant or density reduction had not been received to date and there is no obligation on the part of the property owner to do so
- Trustees have full discretionary decision on a development variance
- Applicants can also apply for a variance through the Board of Variance

Trustee Morrison stated comments from the public were well made, the Local Trust Committee should have asked for rezoning instead of variance so that community input could have been heard, and she apologized to the community stating the community is correct.

A member of the public thanked staff for their work on getting realistic quotes for the rehabilitation work required on the Schooner Way property.

A member of the public noted that the Schooner Way property was for sale.

7. COMMUNITY INFORMATION MEETING - None

8. PUBLIC HEARING - None

9. MINUTES

9.1 Local Trust Committee Minutes Dated June 14, 2024 (for Adoption)

By general consent the North Pender Island Local Trust committee meeting minutes of June 14, 2024 were adopted.

9.2 Section 26 Resolutions-without-meeting Report - None

9.3 Advisory Planning Commission Minutes - None

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated July 2024

Received for information.

11. DELEGATIONS - None

12. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

13. APPLICATIONS AND REFERRALS

13.1 NP-DP-2023.3 (Shave) - Staff Report

Island Planner Smith stated that a cost estimate for site restoration has been completed and is included in the Staff Report for consideration.

Discussion ensued and the following comments and answers to questions were noted:

- The property has been listed for sale
- Development Permit applies to the land and a new owner would be subject to the conditions of the permit
- Development Permit (DP) is registered to land title
- An approved DP can be sent to the real estate listing agent, it is understood the agent would be required to disclose permit requirements to potential buyers, and relevant information included in the Staff Report has been sent to the agent
- If the DP application is withdrawn, Bylaw Compliance and Enforcement would take action on the property and said action would follow through to a new owner
- The DP is attached to the land and not tied to the building of a house
- In the Development Permit Security Deposit Section W(c) (iii) add words “for a total of \$27,750”

NP-2024-049

It was Moved and Seconded,

that North Pender Island Local Trust Committee approve issuance of Development Permit NP-DP-2023.3 (Shave), as amended.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Housing Project – Project Charter and Work Plan - Staff Report

Island Planner Smith noted the proposed Project Charter, Work Plan, and Engagement Strategy were presented within the report and asked that the Local Trust Committee consider initiating a web-based housing needs survey.

Discussion ensued and Trustees made the following comments:

- The housing needs survey should seek data on existing housing stock and ask if short-term vacation rental housing would be part of the rental housing stock if not used for a vacation rental
- Two Community Information Meetings on the topic of housing have resulted in limited public participation and a survey can reach a wider audience
- It was unclear if the community is interested in housing
- Trustees are not hearing from people struggling with housing
- It is difficult to engage people that are struggling to find, or afford, housing and then engage those that already own property to supply additional housing
- Bylaw changes and regulations could free up housing options for future needs
- Engagement should include conversation with the Pender Islands Housing Society, Anglican Church, and other groups already working on the issue

- Opportunity to have Advisory Planning Commission provide input on the direction of the project or give feedback on the Housing Options Took Kit
- Purpose is to try to remove barriers and set the foundations to enable options

NP-2024-050

It was Moved and Seconded,

that North Pender Island Local Trust Committee endorse the attached Project Charter, Work Plan and Engagement Strategy for the North Pender Island Housing Access and Affordability Project.

CARRIED

NP-2024-051

It was Moved and Seconded,

that North Pender Island Local Trust Committee direct staff to initiate a web-based qualitative housing needs survey targeting local residents and property-owners to gather additional data for use in the North Pender Island Housing Access and Affordability Project.

CARRIED

14.2 Housing Project - Business Case - Staff Report

Staff are seeking endorsement of the business case for the Local Trust Committee’s project for the next fiscal year.

NP-2024-052

It was Moved and Seconded,

that North Pender Island Local Trust Committee endorse the attached business case for the Housing Access and Affordability Project for fiscal year 2026 and that staff forward the business case to the relevant committees and to Trust Council.

CARRIED

14.3 Raptor Nest DPA Review Project – Staff Report

Island Planner Smith noted that the Staff Report includes the final report from a qualified environmental professional which identified new active and potentially viable sites.

NP-2024-053

It was Moved and Seconded,

that North Pender Island Local Trust Committee directs staff to prepare a draft bylaw to update Schedule O of the North Pender Island Official Community Plan No. 171, 2007 and associated Development Permit Area 7 provisions consistent with the final professional report submitted by Caurinus Environmental, including the recommendations to increase nest tree buffering radiuses consistent with provincial guidelines.

CARRIED

NP-2024-054

It was Moved and Seconded,

that North Pender Island Local Trust Committee directs staff to schedule a Community Information Meeting for the Raptor Nest DPA Review Project as part of the Saturday September 28, 2024 special meeting agenda, and to advertise this meeting in the Pender Post.

CARRIED

15. REPORTS

15.1 Work Program Report

15.1.1 Active Projects Report Dated July 2024
Received for information.

15.1.2 Future Projects Report Dated July 2024
Received for information.

15.2 Applications Report - Verbal Update

Received for information.

15.3 Trustee and Local Expense Report Dated May 2024

Received for information.

15.4 Adopted Policies and Standing Resolutions

Received for information.

15.5 Local Trust Committee Webpage

Chair Maude circulated information received from the Capital Regional District about wildfire exposure risks on North Pender Island and inquired about posting it on the Local Trust Committee's webpage.

NP-2024-055

It was Moved and Seconded,

that North Pender Local Trust Committee request staff explore providing a link to the Capital Regional District Wildfire Exposure Map for North Pender to the Local Trust Committee webpage.

CARRIED

15.6 Islands Trust Conservancy Report Dated April 2024 and May 2024

Received for information.

16. NEW BUSINESS

16.1 North Pender Island Bylaw Compliance and Enforcement Policy - Staff Report

Bylaw Compliance and Enforcement Manager Dingman summarized the Staff Report and highlighted the following:

- Proposing to incorporate all current standing resolutions and local polices for bylaw enforcement into one document

- Document will define roles of Bylaw Officers and how they conduct business such as when to close files and how to manage frivolous or repeat complaints
- Regional Planning Committee will be reviewing the document template and forwarding it for consideration by Trust Council before it comes back to the Local Trust Committee for additions and amendments

Discussion ensued and Trustees indicated that they would like a quarterly update with speaking points on current bylaw enforcement so they can provide accurate information to the community in order to eliminate rumours.

16.2 Bylaw Enforcement on Development Permit Areas - Discussion

A Trustee asked for clarification on options available when the Province will not enforce on Develop Permit Area violations and asked if a punitive component to violations is possible.

Bylaw Enforcement and Compliance Manager Dingman replied resolution to an issue related to work done without a permit is typically sought by filing a notice of claim for a court order demanding the property owner comply with the remediation guidelines. He clarified that a notice of civil claim does not provide punitive damages but does require that a defendant pay legal costs of the claimant if the defendant loses the case.

17. UPCOMING MEETINGS

17.1 Next Special Meeting Scheduled for September 28, 2024 at the Pender Island Community Hall, Pender Island

17.2 September 28, 2024 Meeting - Discussion

Island Planner Smith noted that the September 28, 2024 meeting would need to be rescheduled and will provide Trustees with alternate dates for consideration.

18. TOWN HALL

A member of the public spoke to the housing issue and stated that the Local Trust Committee should do the following:

- Ask what land is available, for what purpose, if it can support development, and how septic can be managed
- Ask the status of any citizen group that is trying to achieve the objective, invite the group to provide information on what they are doing and what they need to achieve their goals
- Recognize that short term vacation rentals are not going to turn into rental housing
- Find land to preserve and take a small part of it for housing

19. CLOSED MEETING - None

20. ADJOURNMENT

By general consent the meeting was adjourned at 12:33 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Recorder

DRAFT

**North Pender Island Local Trust Committee
Minutes of Special Meeting**

Date: October 26, 2024
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: David Maude, Chair
Aaron Campbell, Local Trustee
Deb Morrison, Local Trustee

Staff Present: Brad Smith, Island Planner
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately fifteen (15) members of the public present

1. CALL TO ORDER

Chair Maude called the meeting to order at 12:39 p.m. He acknowledged that the meeting was held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following amendments to the agenda were presented for consideration:

- Re-order items 4.1 and 4.2

By general consent, the agenda was approved as amended.

3. BUSINESS ITEMS

3.1 July 26, 2024 Local Trust Committee Minutes (for Adoption)

Adoption of the minutes was deferred to the November, 2024 regular business meeting.

4. COMMUNITY INFORMATION MEETING

4.1 Raptor Nest Development Permit Area (DPA) Project

Island Planner Smith provided a presentation and highlighted the following:

- Current North Pender development permit areas for raptor nests was mapped in late 2000's
- Official Community Plan includes provision for the protection of habitat used for nesting and breeding by bald eagles, other raptors, and blue herons
- Updated mapping has been undertaken by a consultant, with support from a volunteer field naturalist, both of which have local expertise and knowledge of the previous mapping work
- Provincial guidelines for raptor conservation have been incorporated

- Development within the development permit area needs to meet specific guidelines to avoid disturbance, and retain the natural habitat, of raptor nests
- Owners of property containing a nest site have been sent information about the development permit area
- Development permit areas includes buffer zones that are associated with the particular habitat feature, such as a tree along with surrounding trees
- Most significant proposed change is an increase to the current buffer zone from thirty to fifty metres to sixty to five-hundred metres; however, a range of buffers could be considered based on various factors
- Next steps include continued engagement with property owners and First Nations, site visits to reaffirm assessments, drafting proposed bylaw amendments, and conducting a public hearing

The following comments and questions from members of the public were noted:

- Resident owns property adjacent to a property with a raptor nest but did not receive a letter about the development permit area
 - Island Planner Smith noted letters were only sent to property owners where nests were located and not to those who might be impacted by buffer zones; however, Local Trust Committee could direct broader communication prior to a public hearing
- Member of the public asked how infractions are reported and how one would know that a complaint is being followed up on
 - Island Planner Smith stated infractions would be reported to bylaw enforcement
 - A Trustee noted the Local Trust Committee receives reports on open bylaw enforcement files which would indicate that a complaint was being investigated
- Two members of the public spoke to the potential impacts that the proposed buffer zone will have on properties including changing intended uses and affecting ability to sell the property and they requested the Local Trust Committee consider smaller buffer zones
 - Island Planner Smith noted that the Local Trust Committee could determine varying buffer sizes for different areas and property owners could apply for a development permit if developing in DPA areas
- Member of the public noted the following:
 - There are 23 new nests, of which 14 are eagles nests
 - BC Guidelines for Raptor Conservation Report indicates neither ospreys or eagles are at risk and both have tolerance to coexist with humans which suggests there is no pressing need for an alteration of the buffer zones
 - Staff Report does not speak to impacts on the eagle population or number of nests if new guidelines were imposed
 - Requested GPS coordinates and visual evidence of the nests at the mapped sites and that staff warrant private property was not trespassed on by anyone connected with the study
 - Cost benefit study for the project has not been provided
 - Based on issues highlighted the project should not go forward

- The Islands Trust Act requires protection of environment and unique amenities for the benefit of residents
- Member of the public asked if buffer zones include a radius from the top of the tree upwards and if so would Transport Canada have to remain out of the aerial corridor
 - Island Planner Smith noted that Transport Canada regulates air transportation not the Islands Trust
- Member of the public spoke to the importance of protecting the land and eagles and noted trees in the buffer zone create important habitat
- Member of the public stated that issues such as ground water availability and raptor nest protection speak to the density of development allowed by Islands Trust and the object of the Trust needs to come first in planning processes

The meeting was recessed for a break 1:37 p.m. and reconvened at 2:00 p.m.

4.2 Housing Access and Affordability Project

Island Planner Smith provided a presentation and highlighted the following:

- Regional Planning Committee working on housing strategy, housing toolkit, and suitable land analysis
- Several Local Trust Areas have housing projects underway
- Islands Trust authority is limited to land use and zoning functions and not actual development; therefore, it is important for Trustees to work together with, and provide advocacy to, other levels of government
- Local Trust Committee housing project action plan could focus on increasing housing options through rezoning, secondary suite initiatives, limiting short-term vacation rentals, and consideration of permitting alternative dwelling units
- Housing Needs Survey is being undertaken with 340 survey submissions received to date and final results will be provided at the November 29, 2024 Local Trust Committee meeting
- Current phase of Housing Review Project focusses on consultation and reviewing options and the next phase will look at changes to zoning and other regulations to enable preferred options as well as housing action plan development

North Pender Advisory Planning Commission (APC) Chair Peter Pare provided an update on the recent work of the APC and highlighted the following:

- Local Trust Committee asked APC to review existing relevant reports and studies and provide recommendations on how best to amend the Official Community Plan to improve access to affordable housing
- To date the APC has reviewed the Housing Toolkit, Official Community Plan and relevant Land Use Bylaws, looked at initiatives, policies, and regulations implemented in other Local Trust Areas, considered implications of potential housing alternatives on water resources and the natural environment, and provided input to the Housing Needs Survey
- Recommendations concerning density should be based on parameters including forest cover, water availability, septic capacity, ecosystem value and preservation, restoration plans, and proximity to amenities
- Housing needs identified include a diversity of affordable below market housing options for seniors, families, and workers who do not currently own property

- Local Trust Committee does not produce housing; therefore, creating below market rental and ownership opportunities would require funding from government and other sources with community groups advocating for said funding with the support of the Local Trust Committee
- Preliminary possible recommendations for the consideration of the Local Trust Committee include lobbying provincial government to extend the speculation vacancy tax, model the housing plan on other Local Trust Area plans, incorporating flexible housing options into the Official Community Plan, increase options for additional residences throughout the island, permitting long term use of recreational vehicles and tiny homes provided they have water supply and proper sewage connections, opting in to the provincial short-term accommodation regulations, and allowing clusters of manufactured homes that meet provincial and federal construction standards

The meeting was recessed for a break at 2:52 p.m. and reconvened at 3:00 p.m.

Discussion ensued and the following questions and comments were noted:

- Most recreational vehicles have smoke and carbon dioxide alarms and dampness and mould issues can be managed with proper care
- Standards for allowing recreational vehicles as dwelling units need to be established including septic hook ups, water availability, and suitable locations
- Vancouver Island Health Authority requires an entity to hold liability for water quality for multi-family water systems and do not allow rain water collection as a potable water source and these issues are under review
- Speculation taxes go into general revenue and if there is opt-in to the program the community should retain the taxes collected
- Rental housing diminished when the short-term vacation rental market demand increased and houses became a commodity item
- Official Community Plan currently has policies that restrict increased density and these policies will be looked at using the build out analysis and suitable land analysis
- Rental housing has diminished as properties have sold and owners are living in them and working remotely
- If a short-term vacation rental is removed the property will not necessarily be put into the rental market
- A regional exception to some requirements of the BC Building Code can be requested if reasonableness of using a different building method, or materials, can be shown to provide the same standard of construction
- Modular housing is an important factor in affordable housing
- Tiny homes on wheels can be built for less than a regular home; however, foundations are essential in keeping a home safe in a high level seismic area
- One needs to ask why secondary suites and accessory dwelling units are not being built and the provincial secondary suite incentive program has not had any uptake
- Many home owners do not want to be landlords and deal with potential tenant issues
- Opting into the provincial regulations on short-term vacation rentals would result in the Local Trust Committee losing some ability for regulation and reliance on the province for enforcement

- There are housing issues on North Pender Island now and the Local Trust Committee wishes to be proactive and work on potential solutions

5. ADJOURNMENT

By general consent the meeting was adjourned at 4:00 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

DRAFT



Resolutions Without Meetings Log

North Pender Island

Resolution Number	Action	Date
2024-004 To Adopt APC Terms of Reference That the North Pender Island Local Trust Committee endorses the Terms of Reference for the special Advisory Planning Commission reviewing housing dated September 3, 2024.	Carried	11-Sep-2024
2024-003 To reschedule Sept 28 mtg that the North Pender Island Local Trust Committee re-schedule their special community information meeting from September 28, 2024 to October 26, 2024.	Carried	27-Aug-2024

ADOPTED

North Pender Island Advisory Planning Commission MINUTES

Date: July 29, 2024

Location: Electronic

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Brad Smith, Island Planner
Carly Bilney, APC Secretary

There were no members of the public present.

1. Call to Order

The Advisory Planning Commission Secretary called the meeting to order at 10:00 a.m.

Introductions were made and Planner Smith provided an overview of the roles of Advisory Planning Commission members including items such as:

- Meetings are open to the public and notification must be made five days in advance
- Three people will constitute a quorum on this Commission
- Minutes of each meeting are to be sent to the Islands Trust within seven days
- Meetings can be hybrid (virtual and in-person) as long as a public place for convening is provided
- It is up to the Commission to decide who will author reports and recommendations to submit to the Local Trust Committee, and the Chair will have final signing authority
- The Local Trust Committee has full discretion as to how to consider advice from the Advisory Planning Commission
- Commission members are to be transparent and properly manage conflict of interest
- If requested, staff can provide the Commission with examples of reports from other Advisory Planning Commissions for guidance

Discussion was held about the specific referral currently before the Advisory Planning Commission (NP-2024-36), and the following comments were made:

- The North Pender Local Trust Committee has not yet opted into the housing statute changes
- Currently, the temporary-use permit (TUP) guidelines allow short-term vacation rentals (STVR) on North Pender; if the Local Trust Committee opted into the new rules, residents could not have a TUP for STVR

- The Advisory Planning Commission might discuss ways in which the Housing Toolkit can effectively apply to North Pender, or how the Toolkit can be improved; it may be helpful to look at what other islands are doing
- The Housing Toolkit is part of a larger Housing Access and Affordability Project that is just kicking off
- Planner Smith will send to the Advisory Planning Commission the Staff Report in the July 26 Local Trust Committee meeting agenda package that outlines the web-based qualitative housing needs survey on North Pender

Planner Smith left the meeting at 11:00 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. Selection of APC Chair

NP-APC-2024-001

It was Moved and Seconded,

that the North Pender Advisory Planning Commission appoints Peter Pare as Chair.

CARRIED

4. Selection of APC Vice-Chair

NP-APC-2024-002

It was Moved and Seconded,

that the North Pender Advisory Planning Commission appoints Mary Beth Rondeau as Vice-Chair.

CARRIED

5. Discussion of Referral NP-2024-36

Discussion was held about how to proceed with the referral. The Commission agreed to create a list of questions that relate to the housing statute changes, and to send this list to Islands Trust staff before the next Advisory Planning Commission meeting. The following questions were raised:

- Have any other Local Trust Committees in the Islands Trust opted into the new housing statutes?
- Is it possible to opt in to only a portion of the statute?
- If buildout was maximized on North Pender, how much housing would there be?
- What are impediments to building low-cost housing?
- What are the Islands Trust bylaws that impede development of low-cost housing?

The following comments were made:

- Opting into the housing statute changes would have a profound effect on a number of things on North Pender
- The Housing Toolkit is very strong and should be implemented on North Pender

The Commission agreed to send their questions by August 6 (before the next meeting on August 12) to Chair Pare who would forward them to Planner Narissa Chadwick, a primary author of the Housing Toolkit; the Chair will also invite Planner Chadwick to attend the next meeting.

6. Next Meeting

Next Advisory Planning Commission meeting scheduled for August 12, 2024 at 9 a.m. via Zoom

7. Adjournment

By general consent the meeting was adjourned at 11:30 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder



ADOPTED

North Pender Island Advisory Planning Commission MINUTES

Date: August 12, 2024

Location: Electronic

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Brad Smith, Island Planner
Carly Bilney, APC Secretary

There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:00 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender July 29, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of July 29, 2024 were adopted.

4. Discussion of Referral NP-2024-36

Planner Smith explained that Advisory Planning Commissions are provincially legislated to meet in person in a public forum. Members of the Advisory Planning Commissions expressed a preference for meeting electronically, and Planner Smith agreed to look into the mechanism by which they may do so in the future. Planner Smith also will look into whether hybrid meetings are valid. (ie some members join an in-person meeting, electronically.

Planner Smith reviewed questions the Advisory Planning Commission posed since it last met.

Questions Regarding Housing Statutes and Housing Toolkit

- 1. The project charter mentions that "Terms of Reference to guide the work of the Advisory Planning Commission is a project deliverable." When will they be available?*

- Staff will provide them to the Advisory Planning Commission before its next meeting.

2. *Are there any specific timelines that the Advisory Planning Commission should be aiming for to submit a response? In the project charter timeline “LTC Review of Options” starts in November. Is that a reasonable deadline or do you want input on the Project Charter, Statutes and/or Toolkit before that?*

- Staff will bring a report to the Local Trust Committee at the November 26 meeting that summarizes engagement meetings that have been held and the results of a survey that will be launched in the next couple of weeks.
- A report from the Advisory Planning Commission could also be received at that meeting.

3. *Specifically there is a planned Community Information session on Saturday, September 28. Should we be aiming to have our recommendations for that meeting?*

- The Community Information Meeting will likely be in October (possibly October 26 though not yet confirmed). It would be helpful if the Advisory Planning Commission provided preliminary information or draft recommendations at that time.

4. *As regards to community consultation the charter lists “Directed engagement with community groups, stakeholders and First Nations (including meeting with Pender Islands Housing Society) and the holding of several Community Information Meetings,” but these engagements are not specifically included on the timeline. Are these meetings scheduled in addition to the CIM? Should our report precede these meetings?*

- No, the Advisory Planning Commission is just to consider the referral it has been given.

5. *Can we be involved in formulating the questions on the housing survey?*

- The Local Trust Committee would need to make a referral to the Advisory Planning Commission about the housing survey questions, and could do so by Resolution Without Meeting. Planner Smith will follow up.

6. *Some of the Statutes are relevant to the Southern Gulf Islands, some are not. Bills 46 and 47 do not apply. To be clear, are we being asked to only advise on Bill 33, Bill 44 and the Speculation and Vacancy Act? Or is it specifically Bill 35?*

- The Advisory Planning Commission should primarily consider what is in the scope of the Islands Trust.
- Whether or not North Pender should opt into the short term accommodation regulation is the only item the Local Trust Committee has the ability to make decision on. However, it could be helpful for the Local Trust Committee to understand the community’s perspective on other Housing Statute Changes if the Advisory Planning Commission feels it is warranted.

7. *Are individual LTCs allowed to opt into specific statutes and not the whole statute? Or is it all or nothing?*

- The only Housing Statute Change where the Islands Trust has leverage is the short term accommodation regulation.
- Currently on North Pender, home occupation regulations allow owners to apply for a temporary use permit for short term accommodation of their house or cottage. Opting into

the new legislation will mean that short term accommodation can only be rented out if it is the owner's principal residence.

- There are ten temporary use permits currently issued for short term vacation rental on North Pender.
- Removing the ability to issue temporary use permits for short term accommodation could potentially free up the ten houses for long term rental, though some property owners may decide to not rent out their house so they can use it themselves.
- Planner Smith will follow up with Regional Planning Manager Kojima about what would happen to the ten temporary use permits if the provincial legislation changed – i.e. Would the adoption of the statute related to short-term vacation rentals be retroactive or proactive?

8. *Have any other Local Trust Committees in the Islands Trust opted into the new housing statutes?*

- Only Gabriola Island
- The decision to opt in has an annual deadline (next one is March 2025)

9. *Is there a plan to do a build out analysis for potential dwellings and potential subdivision? The Toolkit describes the process but does not give a timeline for completion.*

- Build out analysis could be considered as part of this project, but it is not yet a definite plan. It can be quite complex and challenging, but can provide some very useful information.
- Comment on a potential build out analysis from the Advisory Planning Commission would be helpful.

10. *The Executive Committee recommended that LTCs consider opting into the provincial short-term accommodation regulation for the 2025 intake which was due March 2024. Has this been considered? Please provide any background information on this.*

- The Local Trust Committee decided to defer it for a year.

11. *The purpose of Bill 44 from the provincial housing statute change is to take action to deliver the kinds of homes people in B.C. are looking for (“homes for people”). Bill 44 requires action by local governments to amend their zoning bylaws. Could we be provided with information on what the North Pender Island LTC has done so far?*

- The Local Trust Committee is embarking on this project by looking at a range of potential bylaw and other policy amendments that would result in more housing and flexibility for increased density.
- The Housing Access and Affordability Project is meant to look at all the mechanisms to create a more flexible regulatory regime that would allow more housing to be considered in the future.
- The Advisory Planning Commission should be considering what policy changes would be the most effective for North Pender and what are some of the obstacles.

12. *The NPI Housing Project Charter is called: Housing Access and Affordability, and states that the purpose is: “To engage in community consultation, to consult with First Nations, and to engage with stakeholder groups to review housing options and to undertake amendments to the OCP and LUB and development of a housing action plan to improve access to affordable housing in the community.” There are all kinds of homes, and all kinds of people looking for them. Are we talking about homes*

for minimal wage earners looking for affordable tiny homes? We need to know what population the LTC wants to encourage the development of housing for.

- Everyone needs safe, adequate and affordable housing – young families, service workers, seniors; specific demographics related to housing needs have not yet been measured and the survey will hopefully provide greater input.
- At this point, housing needs should be examined broadly.
- The Advisory Planning Commission can target a broad range of housing options for people with consideration of those who need housing most significantly.
- The Commission can have input as to whom the effort should be aimed at.
- There are studies that measure housing shortages on North Pender such as the Capital Regional District's 2021 Housing Strategy Report, as well as the Census.
- There are a qualitative and quantitative studies planned for across the Trust area.

13. Re: Speculation and Vacancy Tax Act. What obstacles are there to applying this tax on North Pender Island?

- Currently the Speculation and Vacancy Tax does not apply to Islands Trust Area.
- It could potentially carry weight if enough Local Trust Committees recommended it be applied as Gabriola Island did.

14. Has the North Pender LTC the authority to do what is needed to make variances for alternative, low-cost dwelling units possible, either on their own or in addition to a primary residence?

- The Local Trust Committee has authority to allow for increased density, and allow for flexible dwelling unit approaches. It has a broad range within its land use planning authority to change bylaws to enable different schemes.

15. Can we be involved in formulating the questions on the housing survey?

- Planner Smith will confirm, though comments would be needed quickly so the survey can be distributed soon.

Discussion ensued about tiny homes and the following comments were made:

- The Capital Regional District issues building permits and does not have a mechanism for issuing building permits for structures that are portable (tiny homes on wheels).
- If someone wants a tiny home with a permanent foundation on their property, they need a building permit.
- A lot of working is going on to enable tiny homes, but it is a challenging regulatory environment.
- Tiny homes on wheels are considered recreational vehicles and have tight requirements to be able to be driven on roads.
- Tiny homes that are small footprint homes (on a permanent foundation) are regulated by the building code to ensure fire safety, wheelchair accessibility, protection of the natural environment, etc.

Planner Smith noted that Planner Chadwick would like to join a future Advisory Planning Commission meeting.

Planner Smith left the meeting at 9:51 a.m.

Discussion ensued among Commission members about how to proceed. It was suggested that Commission members individually meet with housing experts, such as Rob Fenton, Karl Hamson, Paul Hamson and Paul Brent, and bring input back to the group for discussion at a future meeting. Lisa and Peter agreed to come up with questions to be asked.

Discussion ensued about the Housing Toolkit and the Housing Access and Affordability Project. The following comments were made:

- There are many things about the Housing Toolkit that will lead to a good process for housing.
- The Advisory Planning Commission will benefit from getting into the Toolkit and all of its components.
- The Commission needs to determine which aspects of the Housing Toolkit are important steps to complete in a qualitative or quantitative way.
- There is not enough in the Housing Access and Affordability Project Charter to get into the detail of the important aspects of the Housing Toolkit.
- There are things in the Housing Toolkit that could be applied to a housing plan.
- There are value elements in the Housing Toolkit that should be incorporated into the Housing Access and Affordability Project Charter.
- We should ensure there is enough time to incorporate the components of the Housing Toolkit into the Project Charter.

Discussion continued about which areas of the Housing Toolkit should be emphasized.

NP-APC-2024-001

It was Moved and Seconded,

That the North Pender Advisory Planning Commission suggests that the Housing Toolkit is a valuable document and wants to ensure there is enough time incorporated into the Housing Access and Affordability Project Charter to implement the Toolkit's key elements, particularly: the Discussion Paper (Tool 2), Suitable Land Analysis (Tool 4), and Build-Out Analysis (Tool 5).

CARRIED

Discussion continued about how best to use Planner Chadwick's time if she is able to join a meeting of the Advisory Planning Commission. Suggestions were made to ask Planner Chadwick to walk the Commission through the Housing Toolkit and explain how, as an Advisory Planning Commission, the document could be used to influence the housing process.

5. Next Meeting

Chair Pare will invite Planner Chadwick to join the next meeting of the Advisory Planning Commission at a date and time that suits her availability. The Advisory Planning Commission Secretary and Islands Trust staff will work with Commission members to confirm the next meeting, which will be in-person.

Commission members emphasized their preference for holding fully electronic meetings in the future.

6. Adjournment

By general consent the meeting was adjourned at 10:26 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder

**North Pender Island Advisory Planning Commission
MINUTES**

Date: September 13, 2024
Location: Fireside Room, St. Peter's Church

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair (electronic)
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Narissa Chadwick, Island Planner (electronic)
Carly Bilney, APC Secretary (electronic)

There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:03 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender August 12, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of August 12, 2024 were adopted.

4. Discussion of Referral NP-2024-36

4a. Q&A Session with Planner Chadwick

Chair Pare welcomed Planner Chadwick and explained that the members of the Advisory Planning Commission are seeking a briefing on the Housing Toolkit.

Planner Chadwick introduced herself as the planner for Mayne Island and a member of the Regional Planning Team who has been involved in housing projects for Gabriola, Mayne and Denman Islands. She made the following comments:

- Planner Smith is undertaking work for North Pender that is in sync with what is happening on Denman and Mayne Islands; the work will be mutually beneficial for other islands
- The Islands Trust will work with local governments to provide information and assistance with the implementation of Bill 35 and related bills across the province

- The Advisory Planning Commission can rule out Bill 44 that focuses on density and housing around transit

The following questions were asked at the meeting (as follow-up to questions sent previously to Planner Chadwick and recorded in a separate document):

Q1. If a Local Trust Committee opted for the prohibition of Short Term Vacation Rentals as per the provincial statute, could the prohibition be only proactive (ie. no new Temporary Use Permits)? Would existing Temporary Use Permits lapse after their three years are up? Has Gabriola done it proactively or retroactively or both?

A1. I think if you opted in, existing Temporary Use Permits would lose their permission immediately. There may be an option to opt in after Temporary Use Permits have expired. I will look into that.

Q2. What is the implication for Short Term Vacation Rentals as a consequence of the recent decision to allow the Trust access to the Provincial Rental Registry information?

A2. Access to the registry identifies how many are engaged in Short Term Vacation Rentals. The province has oversight through Bill 35 relating to Short Term Vacation Rentals that there is a requirement for registration, and they have hired a team to look into those that are not registered; the Province would not be doing that on behalf of Local Trust Committees unless they opt in. The details are new to everyone and the implications are not necessarily fully understood yet.

Q3. How long would it take for a build out analysis for potential dwellings and potential subdivision to be completed for North Pender Island?

A3. Build out requires preliminary maps to be made that identify what the bylaws outline; next, some regulatory information that exists within the system can identify what subdivision potential would be. After that, the planners would review the maps and identify the properties that have covenants that may influence the potential. A build out map is a detailed piece of work that must be done as part of a project as it depends on the planner's schedule. The Advisory Planning Commission does not necessarily need a build out map in order to make recommendations to the Local Trust Committee.

Q4. Can you summarize the different options for implementing more flexible regulations for additional dwelling units? What has been done, and worked, on other islands?

A4. Mayne Island

The Local Trust Committee has driven the work related to housing on Mayne Island. Analysis done on Mayne related to water and ecologically sensitive areas identified areas where more density might be suitable. Mayne Island's land use bylaw now includes "flexible housing zoning" where floor area in a single lot is distributed across smaller houses rather than one large house.

The experience created a model for suitable land analysis that allows decision makers and staff to determine areas that would work for this kind of zoning.

Mayne Island has also been looking into how to facilitate the donation of property to not-for-profit organizations. They are working with Habitat for Humanity on an affordable ownership model that focuses primarily on family housing and facilitates land ownership through low interest loans.

Planner Chadwick agreed to send to the Advisory Planning Commission bylaws, staff reports and information that outlines the work done on Mayne Island, particularly related to the flexible housing zoning.

Denman Island

Denman Island has a regulation that requires temporary use permits for additional dwelling units, and work is being done to remove that requirement. Denman has three tiers of options to address housing: 1) land use bylaw changes 2) changes to the Official Community Plan, and 3) looking at expanding density in some areas (based on a suitable land analysis). Denman also had an Advisory Planning Commission that did a lot of community consultation that was very detailed and time-consuming.

Planner Chadwick agreed to send to the North Pender Advisory Planning Commission the document from Denman Island's Advisory Planning Commission.

Gabriola Island

Gabriola is undergoing a full Official Community Plan review and housing is a priority. They had a housing Advisory Planning Commission that went through the Housing Toolkit systematically and focused on expanding permissions for additional dwelling units. They are interested in a tiny home village concept.

Planner Chadwick agreed to see if the Gabriola Advisory Planning Commission would share its spreadsheet and other background work with the North Pender Commission.

Q5. Tiny Homes and Recreational Vehicles are increasingly being used as primary dwellings or Additional Dwelling Units on Pender. Although this is not permitted by bylaws the North Pender Local Trust Committee has deferred enforcement on this issue. This leaves the residents of such dwellings in an awkward position, subject to potential enforcement at any time. What do you see as a way to regularize this practice? What limitations could be applied (e.g. must have approve sewage disposal?). Have other island successfully done this?

A5. For a long time, Mayne Island has had support for Recreational Vehicles in its land use bylaw, and they require hookup to septic and water. This allows these dwellings to be legally sited.

Q6. Of all elements of the Housing Toolkit, a Suitable Land Analysis seems most important; should it be done first?

A6. We used North Pender as the pilot for Suitable Land Analysis. When the Official Community Plan was done for North Pender, the planner did an analysis that looked at the various layers related to understanding the land. The Analysis has just been completed and will be shared first with Local Trust Committees.

Q7. Does Pender Island have water mapping done?

A7. Mapping has been done on water recharge for the Southern Gulf Islands, which is one half of water use assessment. Preliminary work has been done to look at water allocations, and a project on Galiano is developing methodology to understand the water balance. Suitable Land Analysis includes recharge data, but not output data.

Q8. Is a Development Permit Area the most effective way to look after the water supply?

A8. A Development Permit Area does not prevent development; it provides guidelines relating to how people can develop on their properties.

Planner Chadwick left the meeting at 10:00 a.m.

4b. Q&A with Planner Smith

A number of questions sent to Planner Smith prior to the meeting are also recorded in a separate document. The Commission decided not to review the answers at the meeting.

5. Review of the Housing Needs Assessment Survey questions and recommended changes

It was noted that members of the Advisory Planning Commission are collating their suggestions for the Housing Needs Assessment Survey for Planner Smith via Chair Pare. Comments were raised about whether giving input on the survey was a part of the referral from the Local Trust Committee.

6. Review of the Advisory Planning Committee Terms of Reference

Discussion was held about the draft Terms of Reference for the North Pender Advisory Planning Commission, and whether the current group constituted a stand-alone, special Commission to review housing on North Pender or whether it would form the Advisory Planning Commission for all referrals from the North Pender Local Trust Committee. Chair Pare agreed to follow up with Planner Smith.

Discussion was held about how the Commission would like to respond to the referral. Support was expressed for work done by the Gabriola Advisory Planning Commission, and Chair Pare agreed to create a similar draft template that Commission members could fill out.

Comments were made that Commission members should aim to finish the report by mid-October to be included in the agenda of the November 29 Local Trust Committee meeting.

7. Next Meeting

Next meeting is on Friday, October 11 at 9:00 a.m. in the Fireside Room at St. Peter's Church hall (location tbc)

8. Adjournment

By general consent the meeting was adjourned at 10:27 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder



**North Pender Island Advisory Planning Commission
MINUTES**

Date: October 18, 2024
Location: Fireside Room, St. Peter’s Church

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Brad Smith, Island Planner
Carly Bilney, APC Secretary (electronic)

There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:00 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender September 13, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of September 13, 2024 were adopted.

4. Discussion of Referral NP-2024-36

4.1 Review of draft recommendations document

Chair Pare invited members to discuss the draft recommendations document that had circulated electronically. The following comments were made:

- It was recommended that density be increased on lots within a 2.5km radius of the Driftwood Centre; it was noted that this radius was arbitrarily chosen; a suggestion was made to instead put the actual roads where flexible housing zoning could be achieved, or to consider an appropriate corridor which may include the village centre (the Driftwood) and surrounding properties
- The Suitable Land Analysis is comprehensive and should be reviewed as part of Advisory Planning Committee input
- Smart planning puts residential dwellings close to the village centre
- Support and opposition were expressed for flexible housing zoning

- Magic Lake is already zoned for secondary suites and the Magic Lake Property Owners Society wants to expand that to allow for accessory dwelling suites (e.g. a unit above a garage or a cottage); zoning could be changed to allow that
- Increasing density gives property owners more income opportunity; it is important that increasing density ensures housing is affordable for people who need it
- Providing affordable housing for five years at below market rate (as outlined in the provincial Secondary Suite Incentive Program) is too short of a time. What happens after 5 years
- The province’s program is very restrictive; the Capital Regional District is looking to provide funding for housing and we should work with them to make their program suit us
- All we can do is make recommendations that enable the development of affordable housing that are within the purview of the LTS: ie bylaws and the Official Community Plan
- Studies have not proven that short-term vacation rentals (STVR) are a problem for housing; we need to embrace a certain amount of tourism as it brings money in and we cannot assume that extra units will become STVR
- Increasing housing supply in specific areas is the foundation of solving any housing crisis
- Support was expressed for developing co-op housing; there are lots of different kinds of co-op housing each with different rules
- We should advocate to the Local Trust Committee to improve the likelihood of co-op housing, perhaps by advocating to senior levels of government

Planner Smith joined the meeting at 9:33 a.m. Discussion continued and the following comments were made:

- The Suitable Land Analysis is still a work in progress; it would be a useful tool to narrow down where appropriate places would be for higher density particularly with respect to water; the Advisory Planning Commission could recommend that the Local Trust Committee use the Suitable Land Analysis to determine where areas of higher density might be appropriate. Planner Smith noted he would make it clear that the Advisory Planning Commission sees value in seeing the draft Suitable Land Analysis as it contemplates recommendations
- The Advisory Planning Commission members could collate their recommendations and reach a consensus, could vote on recommendations or could include minority positions.
- The Local Trust Committee could direct staff to advocate for support from the non-profit sector, similar to what Planner Chadwick has done with Habitat for Humanity on Mayne Island. However, there is land on Mayne Island that is already zoned and earmarked for subsidized housing; on North Pender, it would be more reasonable for the Advisory Planning Committee to suggest that the Local Trust Committee analyze which lots would be appropriate for subsidized housing via organizations like Habitat for Humanity or through society-built co-op housing

4.2 Discussion of potential groups to meet with, and meeting dates

Comments were made that North Pender Island does not seem to have designated land to develop for housing, or a society that is actively looking at suitable housing for families and workers. Discussion ensued about which groups the members of the Advisory Planning Commission should meet with to assess housing opportunities on North Pender – specifically, to ask what their capacity is to take on more housing if there was a viable project and land could be identified. Members suggested meeting with the following:

- The Board of Plum Tree Court
- The Capital Regional District (Paul Brent, Justine Starke, Rob Fenton)
- Magic Lake Property Owners Society

- Housing NOW (a program of the Community Resource Centre)
- Susan Mark (St. Peter’s Church) – The Church has expressed interest in providing land for housing

Staff agreed to take responsibility in setting up the meetings which, it was noted, can be a formal part of the Advisory Planning Commission meetings or more informally (the Advisory Planning Commission may not have a quorum at informal meetings). Members agreed to set up informal meetings with Plum Tree Court and the Church, and to invite representatives of the Capital Regional District to join the next meeting of the Advisory Planning Commission.

Planner Smith agreed to contact the Plum Tree Court Board to explore a possible meeting opportunity and to contact representatives of the Capital Regional District to ask if they would present at the next meeting. Julia will contact Susan Mark from St. Peter’s Church to explore possible meeting opportunities.

4.3 Discussion of the timeline for our report

Comments were made that the Local Trust Committee meets on November 29. Planner Smith expressed gratitude for the work of the Advisory Planning Commission and noted more time may be taken if needed to complete a report.

4.4 Oct 26 Community Information Meeting presentation planning

Planner Smith reviewed the plan for the Community Information Meeting on October 26 and noted the Advisory Planning Commission will speak for about ten minutes followed by a Q&A period.

- Chair Pare agreed to create a draft power point to share with Commission members
- Planner Smith will also share his power point with the Commission prior to the meeting
- Mary Beth agreed to send the housing survey to the Magic Lake membership (survey deadline is November 11, but can be extended)

A question was raised about whether there are data that show initiatives to increase housing have worked. The following comments were made:

- The data has not been measured and, anecdotally, the uptake has so far been low
- The tools the Local Trust Committee has are through zoning; if the zoning is there it can enable people to create more housing, and if it is not it is an obstacle
- The best way to get secure long-term housing is through multi-unit developments with housing agreements in place as they have a smaller footprint, tight restrictions and build community
- Work is ongoing at the Islands Trust to address how a housing agreement can be managed with an individual property owner renting out a secondary suite

5. Next Meeting

Next meeting is Friday, November 1 at 9am in the Fireside Room at St. Peter’s Church.

6. Adjournment

By general consent the meeting was adjourned at 10:30 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder



**North Pender Island Advisory Planning Commission
MINUTES**

Date: November 1, 2024
Location: Fireside Room, St. Peter’s Church

Members Present: Peter Pare, Chair
Mary Beth Rondeau, Vice-Chair
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Staff Present: Brad Smith, Island Planner (electronic)
Carly Bilney, APC Secretary (electronic)
Guest: Patrica Callender, St Peter’s Anglican Church

There was 1 member of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:04 a.m.

2. Approval of Agenda

The following amendments to the agenda were proposed:

- Add Item 4 Patricia Callendar – Anglican Church
- Add Item 6.4 Greg Barbour’s Expression of Interest

By general consent, the agenda was approved as presented.

3. North Pender October 18, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of October 18, 2024 were adopted.

4. Patricia Callendar – Anglican Church

Patricia Callendar, representing the Anglican Church on North Pender Island and also a board member of the Pender Island Housing Society, provided a brief background about Plum Tree Court and made the following comments:

- Units at Plum Tree Court must be offered at affordable rates, but they are no longer heavily subsidized
- There is desire to expand Plum Tree Court, but two applications to BC Housing have been denied
- Regulations are approved for six additional units, but money is needed to build them
- In response to a question about whether there is sufficient water for the additional units, Patricia was unable to definitively confirm

- Planner Smith agreed to follow up with Rodney Kirkwood, President of Pender Island Housing Society

Patricia provided the following comments about the Anglican Church property and its potential to create housing:

- Around 2018, the Parish, which is part of the Anglican Diocese of British Columbia based in Victoria, began to discuss adding affordable housing cottages to the 10-acre church property
- The Parish received funding to hire M'akola Housing Society to help and got close to submitting an application to BC Housing based on the Diocese leasing part of the land for an unspecified number of units (multi-units)
- The plan did not get as far as land rezoning by Trustees at the time; the Diocese backed out
- Community members had expressed concerns over density at the time
- The property has an extremely good water supply
- Public opinion has since changed because the need for housing is more acute
- There is potential at the Diocese head office to rekindle interest in the opportunity

Discussion ensued and the following comments were made:

- The church property is a viable development site for housing
- There may be benefit to having the Parish parcel pre-zoned to allow for potential additional housing units, though proof of water will be key
- The Advisory Planning Commission could recommend that the Local Trust Committee consider zoning this property to allow housing
- Plum Tree Court has considered the church property for housing
- The Advisory Planning Commission is unanimous in strongly supporting affordable housing options on the island

Paul Brent and Justine Starke joined the meeting at 9:30 a.m.

5. Presentation by Capital Regional District (Justine Starke)

Justine Starke, manager of Southern Gulf Islands Service Delivery at the Capital Regional District (CRD), gave a presentation on the CRD's Rural Housing Program pilot project and provided the following comments:

- Senior government funding for purpose built housing often has criteria that cannot be met by the Gulf Islands
- The housing crisis is causing our island communities to struggle
- We want to encourage the existing settlement pattern without changing the way the islands look and feel
- The CRD recently approved its 2025 budget that includes \$1 million for the Rural Housing Program
- Through partnership with the Southern Gulf Islands Tourism Partnership, we aim to help property owners with the cost of adding a secondary suite
- We are looking to piggy back on the province's Secondary Suite Incentive Program with a fund that will be available to homeowners in 2025 and can be stacked with provincial funds (homeowners could receive up to \$80,000 as a forgivable loan to build a secondary unit)
- The aim is to enable islanders to provide housing for islanders
- Another idea is to provide pre-development grants to allow housing societies and others to do the work of developing concrete affordable housing plans and support

- Land use bylaws are very important and Local Trust Committees can enable accessory dwelling units
- Local Trust Committees across the Southern Gulf Islands should set a standardized floor area for cottages and secondary suites that is big enough for two bedrooms and is the same across the region; this would help companies create standardized products like prefab and modular housing for the islands
- There is need for a whole government approach
- Home owners are encouraged to fill out the housing survey available online: <https://getinvolved.crd.bc.ca/crd-rural-housing-program>; another survey will follow for renters

Discussion ensued and the following comments were made:

- The Rural Housing Program provides grants structured as forgivable loans; the CRD is in the middle of designing the criteria and the survey will help determine that criteria
- It was suggested that the criteria for a forgivable loan should not include income or land value limits
- The CRD needs senior government partnerships as it only has enough funds for 12 incentives across the five islands
- The \$1 million in funding for the Rural Housing Program is split – half for incentives for accessory units and half for applications by non-profit multi-unit affordable housing units
- The Southern Gulf Islands Tourism Partnership only markets the islands for off-season tourism; their message in the summer focuses on sustainable tourism
- BC Housing is too complicated
- Any proponent of affordable housing should hire a professional planner to help guide them through the process
- Plum Tree Court exemplifies why we need a Rural Housing Program

Paul Brent, Southern Gulf Islands CRD Director, reported that the CRD recently passed a motion to lobby the Province to have a housing stream. He commented that, in dealing with the Province, everything with respect to housing tends to be a one size fits all, which creates massive issues and rarely leads to funding for the islands.

Justine Starke and Paul Brent left the meeting at 10:00 a.m.

6. Discussion of Referral NP-2024-36 – Review of draft recommendations document

Chair Pare explained that the Commission has prepared categories of recommendations in draft form and suggested each member work on specific areas to hone the recommendations, as follows:

- Chair Pare to research the role of Island Health in influencing housing including self composting toilets
- Lisa to research tiny homes and related bylaws including the Islands Trust’s Regional Planning Committee’s paper on tiny homes
- Mary Beth to research subsidized programs for secondary suites and cottages, and work on recommendations specific to the potential role of Magic Lake Estates in addressing housing needs
- Julia and Gregory to continue research on multi-unit housing like Plum Tree Court and the Church and impediments they face

Discussion ensued and the following comments were made:

- Secondary suites or accessory dwelling units are needed to deliver the housing we need, but there has been minimal uptake and we should figure out why
- We should focus on examples of people who have offered to build housing units (e.g. Greg Barbour and the Church) as case studies and outline a model for delivery and identify barriers to building
- We should examine case studies that have been successful around the islands
- BC Housing is a long game that does not often meet success and we should prioritize market solutions
- One easy change in zoning bylaws would be to allow for worker housing at the fire hall, which currently has temporary use permits. Similar zoning changes for other commercial sites (Browning)
- The Driftwood Centre is zoned to develop worker housing, but has not yet done so

6.1 Review of October Community Information Meeting

Comments were made that Chair Pare’s presentation on behalf of the Advisory Planning Commission was well received at the Community Information Meeting.

6.2 Review of Survey Results to Date

Commission members agreed to encourage residents to complete the survey, which has so far received 371 responses.

6.3 Meetings with other groups (Plum Tree, MLE Homeowners, Housing NOW)

6.4 Greg Barbour – Expression of Interest

Commission members agreed to set up a meeting with representatives of Plum Tree Court and the Housing NOW Project, and consider an additional meeting after with Magic Lake Estates.

Planner Smith commented that the zoning for the fire hall’s temporary use permit could easily be amended to allow for accessory worker housing, and this might perhaps also be possible at the Driftwood Centre.

Comments were made that it is important to listen to housing proposals like those put forward by the Anglican Church and Greg Barbour (who expressed interest to the Commission separately via email in providing land for housing).

Mary Beth agreed to research the Driftwood Centre to understand why it has not yet created housing units. Chair Pare agreed to follow up with Greg Barbour.

7. Next Meeting

The next meetings were tentatively scheduled for Thursday, November 14 and Friday, December 13, 2024.

Planner Smith agreed to invite representatives of Plum Tree Court (Rodney Kirkwood and Karl Hamson), as well as Patricia Callendar to further discuss housing potential with the Anglican Church.

8. **Adjournment**

By general consent the meeting was adjourned at 10:33 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder



North Pender Island Advisory Planning Commission
MINUTES

Date: November 14, 2024
Location: Fireside Room, St. Peter’s Church

Members Present: Peter Pare, Chair
Gregory Nicholls, Member
Julia Nicholls, Member
Lisa Baile, Member

Regrets: Mary Beth Rondeau, Vice-Chair

Staff Present: Brad Smith, Island Planner (electronic)
Carly Bilney, APC Secretary (electronic)

Guests: Patricia Callender, Pender Islands Housing Society
Karl Hamson, Pender Islands Housing Society

There were no members of the public present.

1. Call to Order

Chair Pare called the meeting to order at 9:07 a.m.

2. Approval of Agenda

By general consent, the agenda was approved as presented.

3. North Pender November 1, 2024 APC Minutes (for Adoption)

By general consent, the North Pender Advisory Planning Commission Minutes of November 1, 2024 were adopted.

4. Anglican Church, Patricia Callendar

Planner Smith joined the meeting at 9:16 a.m.

Patricia Callendar, representing the Anglican Church on North Pender Island and also the Chair of the Pender Islands Housing Society, reported that she has contacted the Diocese to discuss potential housing options on the Church property. She made the following comments:

- She has not yet heard back from the Diocese, but is led to believe that there is room for optimism

- There is more enthusiasm for pursuing housing opportunities now than there was four years ago

Patricia gave the Advisory Planning Commission the feasibility study that was created by M'akola Housing Society, the consulting team that was initially hired around 2020 to assess the potential project; she noted she will advise the Commission when she receives a response from the Diocese. Lisa will scan the document and distribute

5. Plum Tree Court, Karl Hamson

Chair Pare noted that one of the recommendations of the Advisory Planning Committee is to encourage the development of non-profit housing. He welcomed Karl Hamson, Vice President of the Pender Islands Housing Society, who made the following comments about Plum Tree Court:

- The agreement Plum Tree Court has with BC Housing expires in 2028
- The land is owned outright (mortgage paid off), but BC Housing is still very much involved (i.e. provides funding for the administrative director, contributed to cost of a septic upgrade, etc.); there is hope that the buildings are upgraded to more current requirements before the agreement with BC Housing expires
- As of recently, all new tenants at Plum Tree Court must pay market rates so the system for selecting tenants is now based on ability to pay whereas it was previously based on need
- Plum Tree is zoned for 14 units and have demonstrated sufficient water for 12, but there are currently only six units
- Plum Tree applied twice for more funding from BC Housing and was unsuccessful
- Plum Tree is looking into modular construction methods for additional units that would cost less and could be built more quickly
- BC Housing complicates everything (e.g. professionals are needed at every stage of a project)
- The preference is to proceed with building the remaining units without BC Housing, but there is a lack of funding

Planner Smith reported on his recent conversation with Rodney Kirkwood, President of the Pender Islands Housing Society, and made the following comments:

- There does not seem to be another obvious piece of land or landowner willing to give land away for a housing project other than the Church (Who would sell at market rate or lease)
- The Advisory Planning Commission could recommend that the Local Trust Committee further engage with the Church to try to develop a traditional society-driven affordable housing project
- Key requirements for projects with BC Housing include: the land being owned by the proponent, land zoned for the use, and water sufficiency
- The waiting list at Plum Tree Court has at least 20 people on it, which demonstrates a need in the community

Discussion ensued and the following comments were made:

- It is unclear whether residents at Plum Tree Court currently receiving a housing subsidy will continue to do so after 2028 when the Society takes complete financial responsibility
- Operating Plum Tree Court would be difficult on existing rents as the maintenance costs are high

- There is high level of frustration given the land is available, a site is prepared, the desire to build exists, but there is no funding
- The Trust should look into enabling tiny homes and mobile homes

Planner Smith suggested working with the Local Trust Committee to zone the parcel of land on the Church property that has been identified for potential housing, and that this be included in an action plan that looks into zoning amendments in the next fiscal year.

Patricia left the meeting at 9:36 a.m.

Comments were made about property currently for sale that could benefit the community.

Karl left the meeting at 9:39 a.m.

6. Discussion of Referral NP-2024-36 – Review of draft recommendations document

Chair Pare noted the draft recommendations document has been shared among Commission members. He commented on a recent discussion with Tobi Elliot who outlined work being done by the Island Trust's Regional Planning Committee regarding tiny homes on wheels; Tobi advised the Advisory Planning Commission to separate analysis and recommendations concerning recreational vehicles and trailers from tiny homes on wheels because approval for regional district regulations for tiny homes on wheels is more plausible (and different) than for trailers.

Comments were made that an inventory of unregulated trailers and tiny homes would be useful, but collecting that data would be tricky.

Planner Smith outlined next steps for bringing the Advisory Planning Commission's draft report to the Local Trust Committee and developing an action plan based on work to date. He left the meeting at 9:50 a.m.

Discussion ensued about temporary use permits for short-term vacation rentals on North Pender. Support was expressed for allowing existing temporary use permits to run out, and issuing no further ones after.

The Commission agreed to provide feedback to the Chair on the updated draft recommendations for Chair Pare to send to Planner Smith by Wednesday, November 20. Discussion followed about inviting other community members to join the Advisory Planning Commission for future meetings.

7. Next Meeting

The next meeting is scheduled for Friday, December 13, 2024.

8. Adjournment

By general consent the meeting was adjourned at 10:03 a.m.

Peter Pare, Chair

Certified Correct:

Carly Bilney, Recorder

DRAFT

Follow Up Action Report

North Pender Island

05-Apr-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 13.3 NP-RZ-2024.1 (Grimmer) - LTC directed staff to proceed - staff to draft amending bylaw and send TOR (Done) to applicant Jas - please create new LUB and OCP bylaw # - Done - BLs 236-237	Brad Smith Jas Chonk	Target: 24-May-2024	Completed
50%	2 16.2 BEN Bylaw - Enforcement schedule a webinar about current bylaw enforcement practices and policies in North Pender Island Bylaw Enforcement produce a Bylaw Compliance and Enforcement Policy Document in plain language for public awareness	Warren Dingman	Target: 10-May-2024	In Progress

14-Jun-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 6.2 NP-DP-2018.5 (PICSS) - DP approved as presented - staff to issue permit <u>after</u> deposit received for landscaping, and close out file	Jas Chonk Phil Testemale	Target: 28-Jun-2024	In Progress
0%	2 In-Camera 1) Feb 23, 2024 In camera meeting minutes adopted as presented - DONE 2) Carly Bilney appointed as APC secretary - DONE	Emily Bryant Jas Chonk	Target: 28-Jun-2024	Completed

Follow Up Action Report

North Pender Island

26-Jul-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 9.1 June 14, 2024 LTC minutes adopted as presented	Emily Bryant	Target: 09-Aug-2024	Completed
0%	2 13.1 NP-DP-2023.3 (Shave) DP approved as amended with security deposit of \$18,500; staff to issue permit after security deposit received.	Jas Chonk	Target: 09-Aug-2024	Completed
0%	3 14.1 Housing Project - staff to 1) Finalize project charter/work plan - DONE 2) Initiate web based survey 3) Update project web content - DONE	Brad Smith	Target: 30-Aug-2024	Completed
0%	4 14.2 Housing Project Business Case - endorsed as presented - staff to forward to Regional Planning Committee and Financial Planning Committee	Jas Chonk Robert Kojima	Target: 09-Aug-2024	Completed
0%	5 14.3 Raptor DPA project 1) Staff to develop amending bylaw/Schedule O Map based on recommendations of QEP 2) Staff to schedule CIM for Oct 26 and initiate Sept Pender Post ad 3) Send letter to property owners with DP on land 4) Send final QEP report to FNs - Done	Barb Dashwood Brad Smith	Target: 16-Aug-2024	Completed
0%	6 16.2 Fire risk mapping - staff to explore where on IT webpage to include link to CRD fire risk web mapping https://www.crd.bc.ca/docs/default-source/fire-and-emergency-programs/pender-island-wildfire-exposure.pdf?sfvrsn=f96a30ce_1	Brad Smith Emily Bryant	Target: 09-Aug-2024	Completed



Islands Trust

Print Date: November 21, 2024

Follow Up Action Report

North Pender Island

26-Oct-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 3.1 July 26, 2024 LTC meeting minutes deferred to Nov 29 meeting	Emily Bryant Jas Chonk	Target: 08-Nov-2024	Completed

From: Sara Miles <[REDACTED]>
Sent: Friday, July 26, 2024 4:43 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: Minutes

Dear Committee member:

Your April 6/24 minutes are biased.

I spoke for ten minutes about Port Washington Road, and there are two sentences summarizing the contents of my presentation.

Mr Bigham spoke for two minutes, also about Port Washington Rd, but you listed most of his speech in bullet points, taking up almost half a page.

Fairness is important for a just community.

Regards
Sara

sara miles
[REDACTED]

From: Misty MacDuffee <[REDACTED]>
Sent: Thursday, October 24, 2024 11:51 AM
To: Deb Morrison <dmorrison@islandstrust.bc.ca>; David Maude <dmaude@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>; [REDACTED]; [REDACTED]>
Subject: Fwd: retraction of statement in July 26 LTC minutes Re 6601 Razor Pt Rd

Good afternoon Deb,

At the June 2024 meeting of the North Pender Island LTC, residents learned that a request to build a primary dwelling of more than 12,000 sq ft at the recently purchased property at 6601 Razor Point Road was approved by the LTC. This approval was granted despite a staff report recommendation to not approve a variance for a house 2.7 times the maximum size permitted on North Pender.

At the subsequent July meeting of the North Pender LTC, you conveyed the justification for this decision to support the variance via the following statement, which is currently in the LTC draft minutes:

“While not known at the time of variance approval the landowner, through their family foundation, made a significant donation to the Raincoast Conservation Foundation which points to their interest in protection of the island.”

This statement is both highly misleading and a significant mischaracterization; it may also be potentially defamatory. As such, we request the you expunge this statement from the official minutes.

We have cc'd LTC chair David Maude and south island staff as well. Thank you very much for your attention to this.

on behalf of Raincoast,

Misty MacDuffee

--

Misty MacDuffee
Wild Salmon Program Director
Raincoast Conservation Foundation
[REDACTED]
[REDACTED]

WSÁNEĆ Territory





File No.: NP-TUP-2024.6 (Ganasi)
(NP-TUP-2020.4;
NP-TUP-2019.3)

DATE OF MEETING: November 29, 2024

TO: North Pender Island Local Trust Committee

FROM: Phil Testemale, Planner 2
Southern Team

COPY: Brad Smith, Island Planner

SUBJECT: Temporary Use Permit for STVR
Applicant: Joshua Ganasi and Jenice Yu
Location: 3745 Privateers Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Temporary Use Permit NP-TUP-2024.6 (Ganasi) for a period of three (3) years.

REPORT SUMMARY

The purpose of the report is to consider a Temporary Use Permit (TUP) for a Short Term Vacation Rental (STVR) within a dwelling unit.

BACKGROUND

A TUP for the STVR use was first issued for property in 2019 (NP-TUP-2019.3) for one (1) year and renewed in June of 2021 (NP-TUP-2021.2) for a further three (3) years. There have been no complaints received since the original TUP was issued.

Issuance of the proposed TUP will allow for the STVR use to continue in compliance with the Land Use Bylaw (LUB). The STVR is proposed within a modestly sized, existing dwelling (Attachment 2). The dwelling is connected to both the CRD Magic Lake water and sewer systems and the applicant has provided hydro and water consumption usage data for the past three (3) years (Attachment 4). The maximum proposed guest capacity would continue to be five (5) guests, and they are requesting to rent for a maximum of one hundred and eighty (180) days in the summer months. They rent for an estimated total of 25 weeks per year and it is used by the applicants, family and friends for the balance of time.

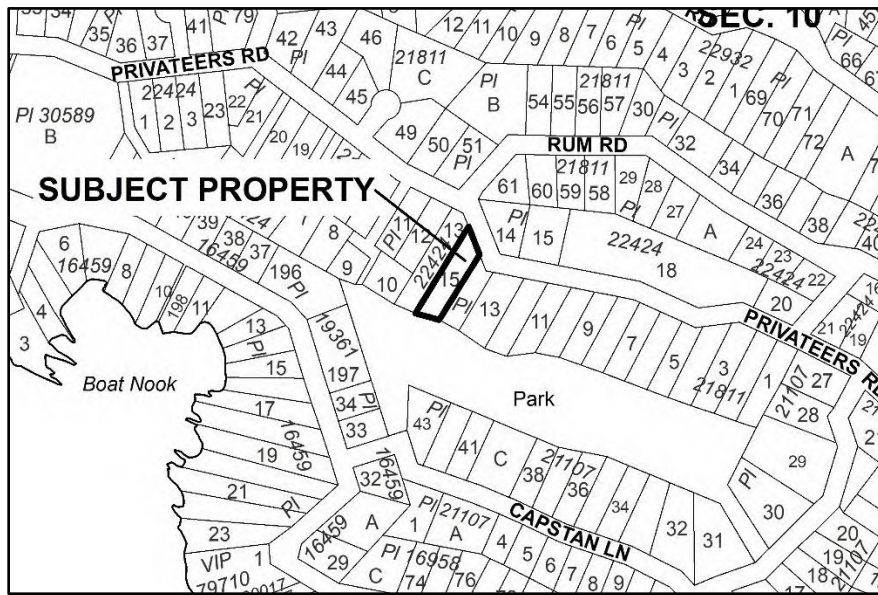
The property is 0.23 ha (0.57 ac) in size and located on Privateers Road in the Magic Lake Estates (Figure One). The property is relatively level where it fronts Privateers then slopes toward the south and then steepens toward the community park at the southernmost boundary (Attachment 1). The driveway is able to facilitate the minimum of two (2) cars.

The applicants completed a Guidelines Checklist (Attachment 3) and submitted a copy of the 'Guest Information' provided to all visitors that includes water conservation information (Attachment 5). An on-island contact has also been provided.

There is no new construction or land alteration associated with this application.

A copy of the Notice is Attachment 7 and the proposed NP-TUP-2024.6 is Attachment 8.

Figure 1 – Location of subject property



ANALYSIS

Policy/Regulatory

Official Community Plan:

The property is designated as **RR (Rural Residential)** in the North Pender Island Official Community Plan No. 171, 2007 (OCP).

Guidelines for TUP applications for STVRs are contained in the OCP. The application is and is substantively consistent with the OCP guidelines as analyzed within TUP Checklist in Attachment 6 with the exception being the number of rental days permitted in the summer months.

There are no **Development Permit Areas (DPAs)** on the subject property.

Land Use Bylaw:

The property is zoned **Rural Residential (RR)** in the North Pender Island Land Use Bylaw No. 224, 2022. **RR** zoning permits a single-family dwelling and accessory uses.

The renewal of the TUP will allow the specific STVR use to continue on the property in compliance with the LUB.

Figure 2 – Orthophoto of Subject Property



Issues and Opportunities

Compliance - Original TUP

Staff contacted the applicant requesting confirmation that: they have complied with all conditions over the valid period of the prior TUP (s); that all contacts are current and, if they were updated, that those have been supplied to neighbours; and whether there have been any changes to the STVR use or use of the property. The applicant has confirmed in writing that they have adhered to all permit conditions.

STVR/TUP Guidelines

The guidelines are analyzed in Attachment 6. With the exception of the guideline for a limitation on the amount of days permitted in the summer months, the TUP conforms to the guidelines. The maximum of 180 days is consistent with the application NP-TUP-2023.6 (Kroeker - 2601 Harpoon) approved in February. Other recent applications have been approved at 60 to 90 days.

Cumulative Impacts, Proximity and Number of STVRs

Assessing cumulative impacts entails that the LTC exercise its discretion to determine where the threshold for impacts lie for a local neighbourhood and the island as a whole on a case-by-case basis. Compliance with existing guidelines for maximum guest capacity, a cap on STVRs numbers in Magic Lake Estates, distance to other STVRs, and other information provides guidance for that determination.

The closest STVR (NP-TUP-2022.2) is 485 metres west located at 2703 Yawl Lane. Guideline Policy 6.4.18 limits the maximum number of permits to twenty (20). There are currently ten (10) TUPs issued for STVRs, all are in Magic Lake Estates with one exception.

TUP Conditions

TUP conditions have the objective of ensuring that the use does not have an unreasonable impact on neighbours and the local area, and, in the event it does, provide the ability to enforce compliance with the conditions of the TUP. The recommended term of three (3) years is the maximum permitted by legislation (above), and the owners would be eligible to apply to renew for a further three (3) years. The LTC may opt to reduce that timeframe if they judge that a shorter time to gauge any impacts and concerns prior to a renewal application is preferable.

There are other guidelines that have not been included in the draft TUP that the LTC may opt to include by amendment. These are as follows:

- *The following **mitigating measures** are required:*
 - *retention of existing screening and fencing; and/or,*
 - *the installation of addition screening; and*
- *The **dates** during which the use may occur are limited to _____.*

Consultation

Statutory Requirements

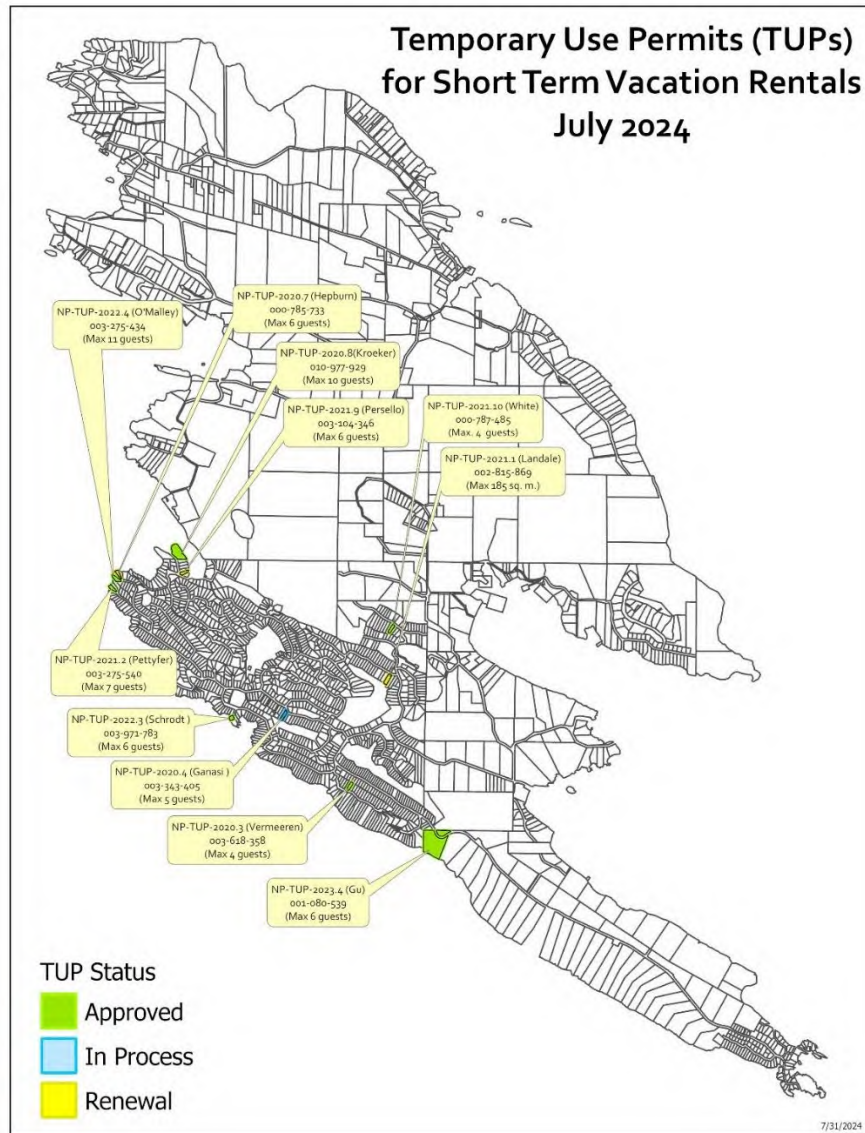
TUP Notices were circulated to surrounding property owners and residents, published in the *Driftwood* newspaper (Attachment 8) and posted on North Pender Island community bulletin boards. The notification period ended at 4:30 p.m. on November 20, 2024.

At the time of writing, staff has received no response to notification. Any submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

First Nations

There is no additional development proposed outside the current footprint of the existing dwelling with no proposed disturbance or impact to any possible archaeological sites. 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. 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.

Figure 3 – STVR Map



Rationale for Recommendation

- There have been no complaints about the STVR since the original TUP was issued in 2019.
- The guest capacity is modest at five (5).
- One Hundred and Eighty (180) rental days in the summer is consistent with some recent, applications.
- The application substantively meets the TUP guidelines of the OCP.
- There has been no response to notification.
- The permit provides conditions to ensure that the use does not have an unreasonable impact on the local area, and, in the event it does, there is the ability to enforce compliance with the TUP.

ALTERNATIVES

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

1. Issue for a different time period

The LTC may opt to approve the renewal for a longer or shorter time period. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee approve application NP-TUP-2024.6 (Ganasi) for a period of ____year(s).

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific application, the information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request that the applicant for application NP-TUP-2024.6 (Ganasi) submit to the Islands Trust the following _____.

3. Amend or Add conditions

The LTC may wish to further amend the TUP by placing further limits on the adding conditions. If selecting this alternative the LTC should specify the additional conditions. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee amend Temporary Use Permit NP-TUP-2024.6 (Ganasi) be amended by the addition of the following condition(s): _____

4. Deny the application (s)

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny application NP-TUP-2024.6 (Ganasi)

Submitted By:	Phil Testemale, Planner 2	November 13, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 14, 2024

ATTACHMENTS

1. Site Context
2. Photographs
3. Applicant Checklist
4. Utility Records
5. Guest Information
6. STVR Checklist
7. Notice
8. Proposed NP-TUP-2024.6

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 15 SECTION 10 PENDER ISLAND COWICHAN DISTRICT PLAN 21811
PID	003-343-405
Civic Address	3745 Privateers


LAND USE

Current Land Use	Rural Residential
Surrounding Land Use	Rural Residential and Community Park (South)

HISTORICAL ACTIVITY

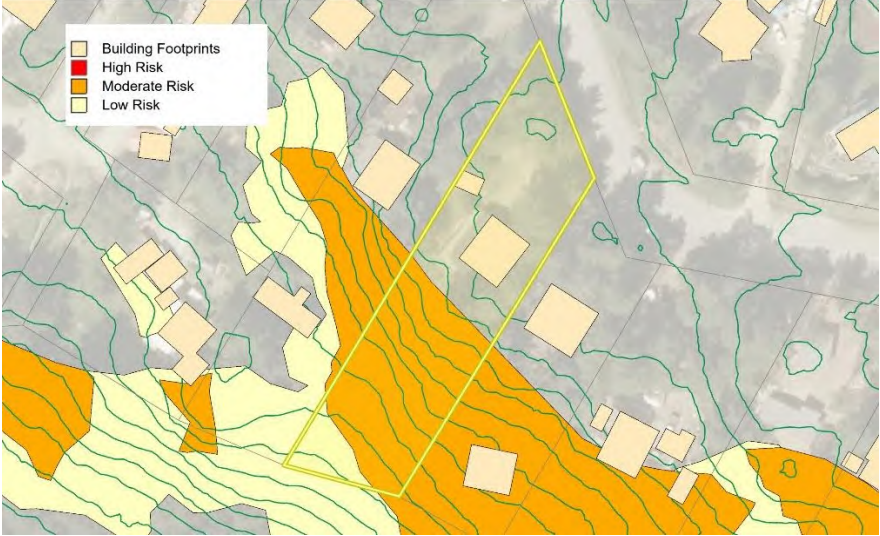
File No.	Purpose

POLICY/REGULATORY

Official Community Plan Designations	The property is designated as RR – Rural Residential designation and North Pender Island Official Community Plan No.171, 2007: There are no Development Permit Areas designated on the property.
Land Use Bylaw	The property is zoned as Rural Residential (RR) in the North Pender Island Land Use Bylaw No. 224, 2024  <i>Orthozoning</i>
Other Regulations	N/A
Covenants	N/A
Bylaw Enforcement	NP-BE-2018.21 – violation is for the STVR use.

SITE INFLUENCES

Z:\09 Current Planning\09 NP\3540 TUP\25 Applications (P)\2024\NP-TUP-2024.6 (Ganasi) x ref NP-TUP-2020.4\06 Staff Reports\Attachments\A 1 Site Context.docx

Islands Trust Conservancy	The proposal has no implications for the Island Trust Fund.
Regional Conservation Strategy	The proposal has no implications for the Regional Conservation Strategy.
Species at Risk	None/ No development associated with application
Sensitive Ecosystems	None (SE Mapping). The draft TUP does contain the requirement to provide information provided by staff on the Coastal Douglas fir ecosystem.
Hazard Areas	<p>Areas of Moderate and Low Steep slope hazard on the lower portion of the property.</p>  <p><i>Steep Slope Hazard/ 2 m Contour Mapping</i></p>
Archaeological Sites	Archaeological Potential on property (See report under 'First Nations')
Climate Change Adaptation and Mitigation	No development associated with application.

ATTACHMENT 2 – PHOTOGRAPHS (2019)

2.1 PHOTOS

FRONT OF DWELLING, PARKING AND DWELLING TO EAST



WEST SIDE OF DWELLING LOOKING SOUTH



2.1 PHOTOGRAPHS (CONT'D)

VIEW WEST (ROOF OF NEIGHBOURING DWELLING)



EAST SIDE OF DWELLING LOOKING SOUTH



2.1 PHOTOGRAPHS (CONT'D)

SIGN ON WALL OF DWELLING FACING PRIVATEERS



ACCESSORY BUILDING (STUDIO)





200-1627 Fort Street,
Victoria BC V8R 1H8
Telephone **(250) 405-5151**
Fax (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

North Pender Island Local Trust Committee
Temporary Use Permit Applications
for Short Term Vacation Rentals (STVRs)
Development Approval Information Checklist

The attached checklist is intended to assist land owners and their agents in submitting complete and relevant information to the Local Trust Committee when applying for a Temporary Use Permit (TUP) to operate a Short Term Vacation Rental (STVR) on North Pender Island.

Instructions

A completed checklist and supporting documentation or professional reports must be submitted to the Islands Trust along with the standard [Temporary Use Permit](#) application form.

Where one of the listed items cannot be provided or may not be relevant to the application, provide Islands Trust staff with the reason(s) for not providing the information in the 'Comments' or 'Additional Comments' section at the end of the checklist.

Note

It is at the determination of the Islands Trust planner whether or not specific information is required. Failure to provide complete information without prior consultation with, and the approval of, the Islands Trust may result in delays in processing an application or requirements for additional information.

OFFICE USE ONLY

File No: _____

NORTH PENDER ISLAND STVR TUP CHECKLIST

Issue	Information and Documentation Required	✓	Comments	
Site Plan	Depending on the proposal, a site plan <i>may</i> be required.	<input type="checkbox"/>	NA	
	Site Plans must be drawn to scale and based on a legal survey, and contain the following:			
	Existing buildings and structures labeled as to their use and their floor area.	<input type="checkbox"/>		NA
	Roads and driveways	<input type="checkbox"/>		NA
	Streams or other water bodies	<input type="checkbox"/>		NA
	Natural boundary of the sea	<input type="checkbox"/>		NA
	Well location	<input type="checkbox"/>		NA
	Septic field location	<input type="checkbox"/>		NA
	Off-street parking area showing dimensions sufficient to accommodate at least two vehicles, and more as required by the proposed use	<input type="checkbox"/>		NA
Any fences or vegetative screening between adjacent lots or the road	<input type="checkbox"/>	NA		
Intensity of Use Proposed	Applicant should provide the following information:	<input checked="" type="checkbox"/>		
	No. of bedrooms proposed for STVR use	<input type="checkbox"/>	2	
	Maximum no. of guests to be permitted at one time. Note: the number is limited to six (6) for properties located within the Magic Lake Estates Water System Area	<input type="checkbox"/>	5	
	No. of weeks per year unit is proposed to be available. :	<input type="checkbox"/>	25	
	No. of days from May 1 to September 30 in a calendar year. Note: maximum of thirty (30)	<input type="checkbox"/>	180	
Potable Water	Where the subject property is serviced by groundwater, the applicant should provide:	<input type="checkbox"/>	NA	
	A written statement concerning the quantity and quality of water available on the subject lot.	<input type="checkbox"/>	NA	
	Any available supporting documentation related to the quantity and quality of potable water on the subject lot.* *Islands Trust staff may ask for further information, including professional reports, related to quantity and quality of available water.	<input type="checkbox"/>	NA	
	Where a subject property has insufficient groundwater to support the proposed use, applicant should provide: Plans for a rainwater catchment, storage, and delivery system.	<input type="checkbox"/>	NA	
Septic Capacity	Where the property is serviced by a septic system, the applicant should provide:	<input type="checkbox"/>	NA	
	A written statement about the septic system on the subject property including: <ul style="list-style-type: none"> • Date of installation • Capacity of the system 	<input type="checkbox"/>	NA, No septic.	

NORTH PENDER ISLAND STVR TUP CHECKLIST

Issue	Information and Documentation Required	✓	Comments
	Any available supporting documentation related to the quantity and quality of potable water on the subject lot.* *Islands Trust staff may ask for further information, including professional reports, related to sewage disposal systems.		NA
Residential Appearance	If building or land alterations are proposed as part of the STVR use, they should not alter the residential appearance of any existing residence and the applicant should provide:		NA, No alterations planned.
	Plans showing form, character and floor area of proposed building or land alterations.		NA
Sensitive Ecosystems	Where a property is located within, or contains, a sensitive ecosystem*, applicant should provide: A copy of the information intended to be provided to guests indicating the location of the sensitive areas, and information on how to avoid impacting these sensitive features. Applicant should state how this information will be conveyed to guests. *Use Islands Trust’s MapIT program or the Development Permit Area map for North Pender Island to identify sensitive ecosystems on your property. Or, contact Islands Trust staff for further information. Please note, where new development or vegetation removal is to be undertaken as a part of the proposed STVR use, a Development Permit for work within a sensitive ecosystem may be required.		NA
Building Information	Confirmation of an occupancy permit		NA
	Is there are monitored fire detection system	✓	2 Fire Alarms, 2 Fire Extinguishers, 1 Carbon Monoxide Detector
On-Island Contact	Applicant should provide contact information for an on-Island owner or manager to address issues that may arise from the proposed use, 24 hours/day, seven days per week.	✓	
Information for Guests	Applicant should provide a copy of information to be provided to guests that:	✓	Information is sent via message to guests prior to arrival, as well a binder with information attached in application is on the dining table upon arrival.
	Reminds them they are in a residential area	✓	
	Provides information regarding noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care, and control of pets (if pets permitted)	✓	
	Provides emergency service contact information and offers use of a phone for the duration of the stay, if required. Emergency contact information should include the civic address of the property.	✓	
	Application should also demonstrate where above information will be posted in the building	✓	Water conservation and fire safety signage is placed throughout the building. As well an information binder is readily available and visible.
Signage	If signage is proposed, applicant should provide a rendering of the proposed sign that includes its dimensions.		NA

NORTH PENDER ISLAND STVR TUP CHECKLIST

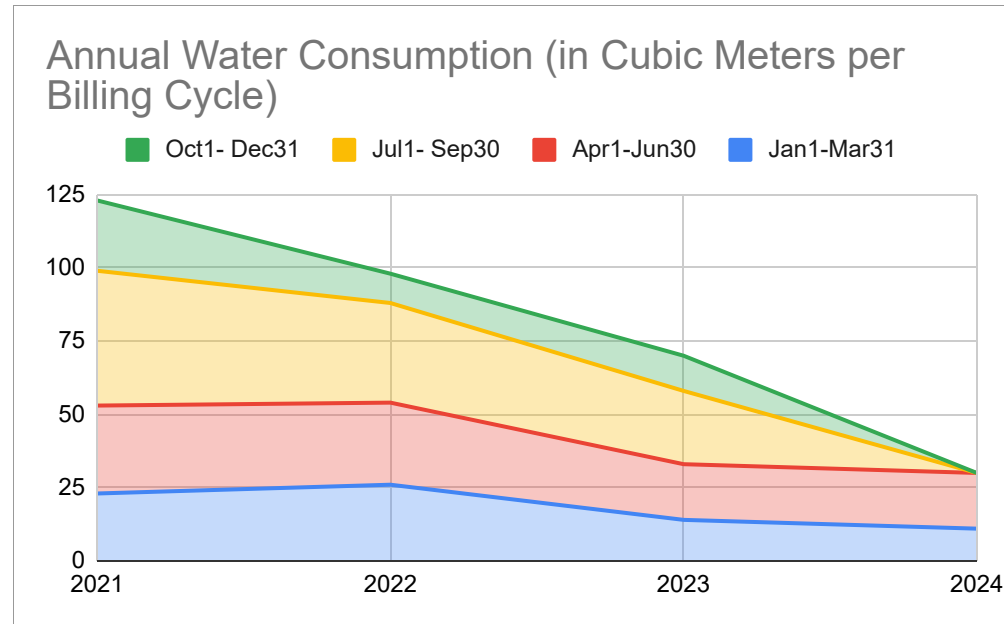
Issue	Information and Documentation Required	✓	Comments
	Confirmation that there is clearly marked civic address signage at the driveway	<input checked="" type="checkbox"/>	
Accessory Buildings	If the proposed use is to occur in an accessory building, the applicant should provide information demonstrating:		NA
	That accessory building has an occupancy permit for residential use under the BC Building Code		NA
	That the total floor area of all buildings on the property does not exceed 185 m ² .		NA

Additional Comments	<p>On island contacts: Joshua Ganasi (604) 813-0610 and Candace Aldridge (250) 858 0825</p> <p>Information for Guests:</p> <p>We will continue to care and maintain the property and land throughout this permits time frame. We will set parameters on which guests must accept prior to booking/staying at our home. Clear rules and boundaries for all guests will be in place via email at the time of booking as well they will be printed and visible in our home and available in a information binder. Attached is an example of our rules and information provided for guests in our binder.</p> <p>At least one of our on-island contacts at a time will be available 24 hours to assist with any quesitons or concerns.</p>
---------------------	--

3745 Privateers Rd

Water Consumption by per Billing Cycle (in Cubic Meters)

Year	Jan1-Mar31	Apr1-Jun30	Jul1- Sep30	Oct1- Dec31	Annual Consumption
2021	23	30	46	24	123 cubic meters
2022	26	28	34	10	98 cubic meters
2023	14	19	25	12	70 cubic meters
2024	11	19	n/a	n/a	30 cubic meters





Accounts listing



3745 PRIVATEERS

MANAGE ACCOUNT SHOW ALL

Move, start or cancel service Account settings

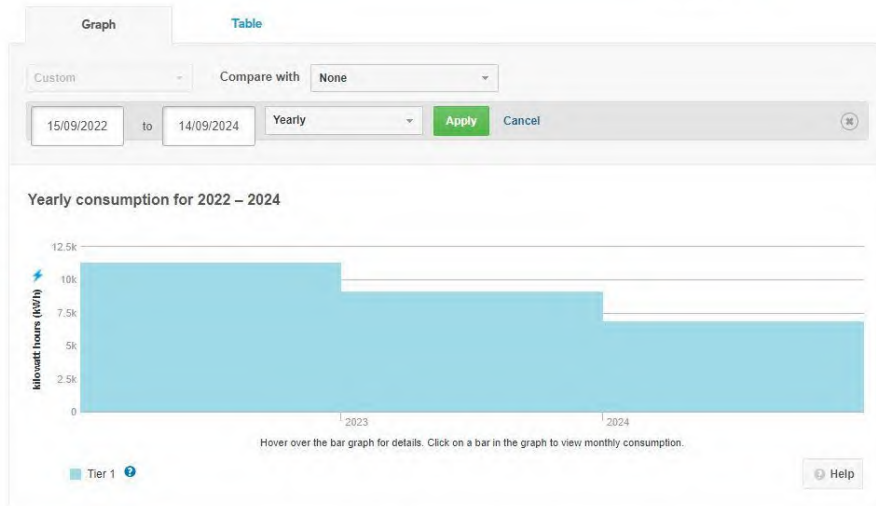
Consumption data

Current billing period: Sep 14 to Nov 14, 2024

\$4*
Cost to date
at Sep 15

Current billing period
starts at Sep 14

\$118*
Projected cost
at Nov 14



NORTH PENDER ISLAND TUP APPLICATION

3745 PRIVATEERS ROAD, PENDER ISLAND BC

JOSHUA GANASI & JENICE SZE CHUNG YU
JADE & SCOTT MERRIMAN

TABLE OF CONTENTS

- INTRODUCTION
- IN HOME INFORMATION BINDER FOR GUESTS
- IN HOME SIGNAGES
- OUR SCREENING PROCESS
- MOOSE N BRIX CONTACTS



INTRODUCTION



Moose n' Brix cottage is named
after our family's children:
Maximus 'Moose' G & Brixton M.

IN HOME INFORMATION BINDER FOR GUESTS



Our information binder includes all necessary details for our guests. It includes house and neighbourhood rules, emergency contact information, a quick island guide, and includes many local attraction pamphlets.

IN HOME INFORMATION BINDER FOR GUESTS (CON'T)

Welcome to
Moose 'n Brix Cottage

3745 Privateers Road, Pender Island, BC



1

Welcome

We want to welcome you to our home!

Our community is very quiet and we have a close relationship with our neighbors. We ask that you respect our neighbor's privacy and monitor noise levels during the night time. Our property is a non-smoking environment.

IN HOME INFORMATION BINDER FOR GUESTS (CON'T)

House Rules

CHECK IN : 3PM CHECK OUT : 11AM QUIET HOURS : 10PM - 8AM

We have provided basic amenities including fresh towels and fresh bed sheets. Feel free to use anything in our cupboards and refrigerator. If you need to do any laundry you have full access to our washer and dryer.

- ★ We're a smoke free property, including back yard, front yard and driveway.
- ★ No Parties. No outside visitor/guests without prior approval.
- ★ No food in bedrooms.
- ★ No shoes on carpet.
- ★ If you break or damage something, please let us know and arrange for its replacement or repair.
- ★ Do not leave any food out that will attract uninvited animal/pests.
- ★ Please do not throw anything but toilet paper into the toilet.

3

In case of emergency, call 911

FIRST AID KIT - in cupboard above fridge

FIRE EXTINGUISHER - above the dryer on the shelf

ELECTRICAL SHUT OFF - breaker box in left bedroom.

Pender RCMP 1 250 629 6171
Coast Guard 1 800 855 6655
Oil Spill Hotline 1 800 663 3456
BC Nurse's Line 1 866 215 4700

In the event of an earthquake or a prolonged power outage, you will have access to our emergency cabinet that has water, flash light and non-perishable food.

CONTACT US:
604-813-0610
By phone or text

IN HOME INFORMATION BINDER FOR GUESTS (CON'T)

Quick Guide

GROCERIES	TRU VALU	4605 Bedwell Harbour Rd
CONVENIENCE STORE	TRUSS	5827 Schooner Way
LIQUOR STORE	MEDICINE BEACH LIQUOR STORE	5827 Schooner Way
	BC LIQUOR STORE	4605 Bedwell Harbour Rd
DINER	COPPER OTTER	4605 Bedwell Harbour Rd
COFFEE	SLOW COAST COFFEE	5827 Schooner Way
WINERY	SEA STAR	6621 Harbour Hill drive
GAS STATION	DRIFTWOOD CENTER	4605 Bedwell Harbour Rd

Check out instruction

Please,
Take your recycling with you.
Turn off all electronics, and all the Smart thermostats.
Turn off all lights.
Close + Lock all windows and doors.
Ensure all dishes are cleaned and put away.

Waste can be dropped off in the Slow Coast Coffee complex for a disposal charge of \$8/bag, or can be consolidated into one bag and placed in our locked/ enclosed garbage shed at the end of our driveway.

Thank you for your stay. We wish you a safe trip back home.

IN HOME SIGNAGE - FIRE SAFETY

Forest Fire Threat Level

Is currently

EXTREME

WHEN THE FIRE RISK IN THE GULF ISLANDS IS EXTREME OUTDOOR OR INCINERATOR BURNING IS NOT ALLOWED.

PLEASE

- NO SMOKING ANYWHERE ON THIS PROPERTY.
- Watch those cigarette butts anywhere on this island - a careless toss and we could experience a wildfire
- Be vigilant and alert - Call 911 immediately if you see or smell unexplained smoke
- Observe the total ban on all open burning
- ALL HIGH RISK/INDUSTRIAL ACTIVITY MUST CEASE EXCEPT WITH THE WRITTEN PERMISSION OF THE FIRE CHIEF
- In EXTREME fire risk conditions fires will start very easily and spread very quickly. During these conditions it is simply too risky to take unnecessary chances.

BALANCING FIRE RISK SAFETY WITH ECONOMIC CONSEQUENCES

Persons responsible for starting wildfires can be held responsible for all fire fighting costs (\$1.2 million on Galiano Island in 2006) and are subject to fines up to \$1 million dollars or to imprisonment of up to three years or both.

For more details please visit www.penderfire.org



Moose 'n Brix Cottage

3745 Privateers Road, Pender Island, BC

Forest Fire Threat Level

Is currently

HIGH

OUTDOOR OR INCINERATOR BURNING IS NOT ALLOWED IN JULY, AUGUST AND SEPTEMBER UNDER CRD BYLAW 3452; AND WHEN THE 'NO FIRES ANYWHERE' SIGNS ARE POSTED.

PLEASE

- NO SMOKING ANYWHERE ON THIS PROPERTY.
- Watch those cigarette butts anywhere on this island - a careless toss and we could experience a wildfire
- Be vigilant and alert - Call 911 immediately if you see or smell unexplained smoke
- Observe the total ban on all open burning
- In HIGH fire risk conditions fires will start very easily and spread very quickly. During these conditions it is simply too risky to take unnecessary chances.

When the fire risk is high activities that may start a fire must be completed before 1 p.m. each day. If you need to work with power tools use them in the mornings when the relative humidity and fuel moisture is highest and temperatures are cooler. You must stay on site and watch the area for smoke for two hours after you finish your work. If you do this, and have some water on hand you will not likely start a large fire. WHY 1 PM? If a fire does start there is a much higher chance that it can be contained before dark if it is reported early in the day. Fires will grow in size after dark. It is extremely dangerous and sometimes impossible to fight fires in dense smoke and darkness. Water bombers and helicopters must return to base one hour before sunset. We must have the time to contain fires in daylight or we may all be looking for another place to live.

For more details please visit www.penderfire.org



Moose 'n Brix Cottage

3745 Privateers Road, Pender Island, BC



Back to back laminated signage, with the correct threat level displayed according to Pender Fire. Displayed in kitchen by stove.

IN HOME SIGNAGE - FIRE SAFETY



Smoking is strictly prohibited on this property. We have physical signs on our front door and deck, as well as in our house manual and check-in information that's sent to every guest's email.

IN HOME SIGNAGE - WATER CONSERVATION



CRD Notice specific to Magic Lake Estates, is placed in our guest information binder.



Rules on water usage are around the house, and displayed in the bathrooms.

New laundry machines installed that are more water and energy efficient.



OUR SCREENING PROCESS



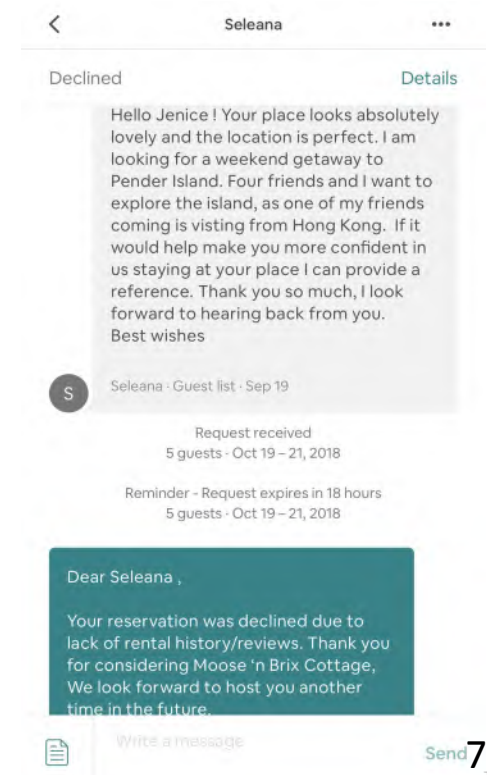
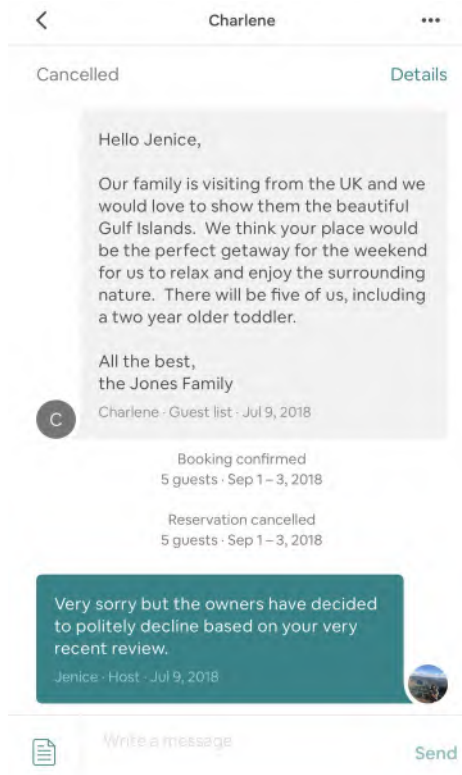
- We do not take bookings over 5 people.
- If guests are booked via Airbnb, we only accept guests with previous positive reviews, verified government ID and a verified telephone number.
- Every visiting guest is made aware of noise, water and fire/smoking regulations on our property along with other house rules via email one week before their visit.
- Joshua or Candace (our property manager) always greets guests upon arrival OR within 2 hours to inspect guest # and also address any additional house rules, etc.

OUR SCREENING PROCESS (CON'T)



More often than not, we decline reservation requests if the inquirers lack reviews or have had previous bad reviews.

Example A
Example B



Check-in information email - sent to all visiting guests prior to arrival

Dear ****NAME****,

Thank you for choosing Moose 'n' Brix Cottage!

ADDRESS: 3745 PRIVATEERS ROAD, PENDER ISLAND BC

CHECK IN : 3PM CHECK OUT : 11AM

The code set specifically for the duration your stay will be [xxxx]. Unlock door by pressing the code and then the lock button. Pull the door handle towards you while entering the code. Lock door by pressing the lock button.

THE BASICS

We have provided basic amenities including fresh towels and fresh bed sheets. The kitchen is fully equipped (fridge, stove, microwave, pots, pans, dishes, cutlery, etc). Feel free to use anything in our cupboards and refrigerator.

NO SMOKING

We're a smoke free property, including back yard, sun deck, front yard and driveway.

Check-in information email - sent to all visiting guests prior to arrival (con't)

FIREPLACE

The wood burning fireplace is accessible to guests. You're welcome to our axe and hatchet in our wood filled shed. You can also bring your own store-bought pre-cut firelogs, they are available at the Medicine Beach convenience store and Tru Valu on the island.

GARBAGE REMOVAL

Upon checkout please take away all your waste (garbage and recycle). When waste is left outside of the house for days before garbage day, it attracts all the deers in the neighbourhood! Waste can be dropped off in the Slow Coast Coffee complex, for a disposal charge of \$8/bag. Any waste left behind will be subject to a \$25/bag charge, with the option to have this deducted from your reservation deposit.

We appreciate your understanding of the limited waste removal on our island, and our deer friends who like to make there way through garbage left behind.

NEIGHBOURHOOD

Our community is very quiet and we have a close relationship with our neighbors. We ask that you respect our neighbor's privacy and monitor noise levels during the night time. Quiet Time: 10pm to 8am.

We are very excited for your stay and hope that you enjoy your time at Moose 'n' Brix Cottage. Please feel free to contact us by phone or text if you need anything or have any questions : 604 908 3111. Thanks again for your reservation!

MOOSE N BRIX CONTACTS

We are available anytime via email, phone, text:

Josh Ganasi	6048130610;	iganasi@gmail.com
Jenice Yu	6049083111;	jeniceyu@gmail.com
Jade Merriman	778 388 5233;	jadeganasi@gmail.com
Scott Merriman	604 684 3552;	merrimix@gmail.com

on-island contact available anytime via phone or text:

CandaceAldridge	250-858-0825
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Attachment 6: TUP Checklist for Short Term Vacation Rental

NP-TUP-2024.6 (Ganasi)
3745 Privateers Road

Guidelines	Comments
Overall TUP Guidelines	
a) Time Period - For the purpose of a temporary use permit, “short term vacation rental” means the use of a dwelling or cottage as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier.	The proposed use meets the definition of STVR.
b) Residential Appearance - The Local Trust Committee may consider issuance of a short term vacation rental permit provided the proposal would not alter the residential appearance of the residence	No exterior changes proposed.
c) Cumulative Effects - The Local Trust Committee may consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals.	The STVR has operated for the past 5 years. No cumulative effects are expected.
d) Distance to Another STVR - The Local Trust Committee should not approve more than one short term vacation rental temporary use permit within a 200 metre radius from another short term vacation rental temporary use permit.	There is one STVR TUP 485 metres from the subject property (STVR Map in Report)
e) Water Supply - The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use:	
i. Private Well - If the property is serviced by a private well, the applicant must demonstrate the well has adequate quality and quantity of water for the short term vacation use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater cistern may be required as a condition of the permit.	N/A
ii. Community Water System (Magic Lake & Razor Point) - If the property is serviced by a community water system, the draft permit must be sent to the water system for information.	Yes - Property is on Magic Lake Water. If approved, staff will refer the TUP to the CRD.
iii. Trincomali Improvement District - A short term vacation rental temporary use permit must not be issued if located within the Trincomali Improvement District.	N/A

Attachment 6: TUP Checklist for Short Term Vacation Rental

Guidelines	Comments
f) Parking - the landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two (2) vehicles	Complies.
g) Sensitive Ecosystems - If the proposal is located on a property identified as containing a sensitive ecosystem, the permit should require that the landowner provide information for guests indicating the location of the sensitive areas, and information on how to avoid impacting the sensitive features.	N/A Applicant voluntarily provides information on Coastal Douglas-fir and Woodland Ecosystems to guests.
h) Signage - The Permit should restrict advertising to one unilluminated sign, with a maximum area of 0.6 m ² .	Yes – condition in TUP.
i) Operator Contact - The permit should require that the owner or other contact be available on North or South Pender Island by telephone 24 hours/day, seven days per week.	Yes – condition in TUP.
j) Operator Contact & TUP to Neighbours - The permit should require the owner or manager provide neighbours within a 100 metre radius of the vacation rental with the owner or manager’s phone number, and a copy of the temporary use permit	Yes – condition in TUP.
k) Guest Information - The permit should require the landowner post the following information for guests:	
i. remind guests that the property is located in a residential area;	Yes
ii. information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted);	Yes
iii. emergency services contact information, and to provide a means for contacting them if the property is located in an area with no cellular service; and,	Yes
iv. the applicant provide the name and contact information of the property owner or designated contact who is available on North or South Pender Island at all times when the short term vacation rental is in use.	Yes
l) Permit Conditions - In addition to any other conditions the LTC may consider appropriate, the permit may:	
i. limit the number of bedrooms that can be used for short term vacation rentals;	A maximum of two (2) bedrooms as stated in TUP condition.
ii. limit the number of guests to six (6) for properties located within the Magic Lake Estates Water System Area;	Complies. Maximum is five (5) in TUP.

Attachment 6: TUP Checklist for Short Term Vacation Rental

Guidelines	Comments
iii. limit the number of days the short term vacation rental may be in use from the period of May 1 to September 30 in a calendar year to a total of thirty days;	Does not comply: Applicant has requested a limit of 180 days from May 1 st to September 30 th . Staff report addresses recent issued permits.
iv. require mitigating measures to address neighbours' concerns , such as retention of existing screening and fencing, or installation of additional screening;	Not a condition, property and dwelling reasonably isolated from neighbours.
v. require the landowner/operator to post contact information and permit information at the entrance to the property;	Yes, a condition of the TUP.
vi. prohibit camping or occupancy of RVs on the property;	Yes, a condition of the TUP.
vii. prohibit the rental or provision of motorized personal watercraft;	Yes, a condition of the TUP.
viii. prohibit watercraft that has been brought from off island to be used on Magic Lake or Buck Lake;	Yes, a condition of the TUP.
ix. prohibit outdoor fires; and	Yes, a condition of the TUP.
x. establish the dates during which the use may occur.	Not a condition.
m) Agriculture Land Reserve - A temporary use permit a short term vacation rental on a parcel in the Agricultural Land Reserve must require the approval of the Agriculture Land Commission prior to the permit being issued.	N/A
n) Owner Occupancy - An application for a short term vacation rental temporary use permit must not be considered if the dwelling unit is not occupied on a regular basis by the property owners.	The family (applicant) does not reside full time, however the home is used extensively all year and for extended periods in the summer months.
o) Maximum Number of STVRs - The Local Trust Committee must not approve more than twenty (20) temporary use permits for short term vacation rentals within the Magic Lake Estates Water System Area.	The total number of issued TUPs in Magic Lakes is eleven (10).
p) Occupancy Permit - A short term vacation rental temporary use permit must not be issued in a dwelling or cottage that does not have Occupancy Permit approval	Yes.
q) Bylaw Enforcement - The Permit should include a provision stating that the bylaw enforcement officer may enter the property between certain hours, without prior consultation, if a complaint is received	Yes, condition of TUP.



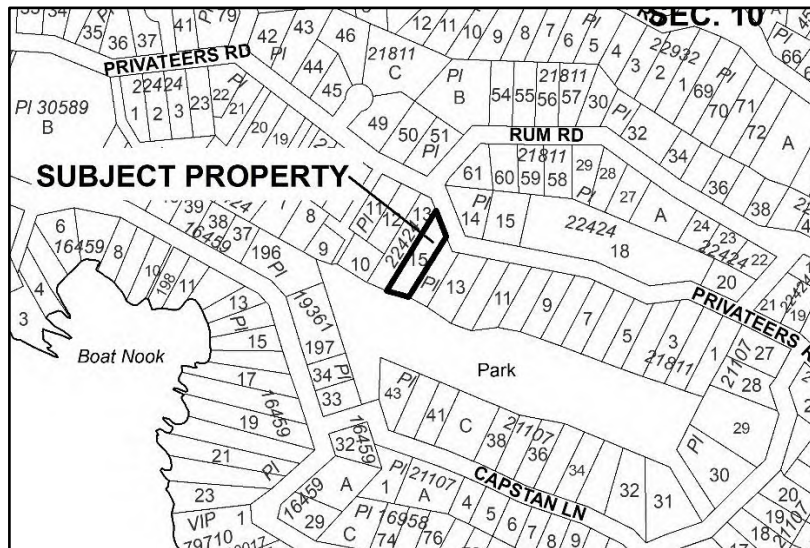
NOTICE
NP-TUP-2024.6
North Pender Island Local Trust Committee

NOTICE is hereby given pursuant to Section 494 of the *Local Government Act* that the North Pender Island Local Trust Committee (LTC) will be considering a resolution allowing for the issuance of a Temporary Use Permit. The proposed permit would apply to Lot 15, Section 10, Pender Island, Cowichan District, Plan 21811 (PID: 003-343-405). This property is located at **3745 Privateers Road**, North Pender Island.

The purpose of this temporary use permit would be to permit a **Short Term Vacation Rental** use within the Dwelling Unit.

The establishment of these uses would be subject to the conditions specified in the attached proposed permit. The permit would be issued for three (3) years and the owner may apply to the LTC to have it renewed once for an additional three (3) years. The use has been permitted by a previous Temporary Use Permit that was issued in 2019 and renewed in 2020.

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **November 8, 2024** and continuing up to and including **November 20, 2024**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on North Pender Island.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 p.m., **November 20, 2024**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **10:00 a.m., November 29, 2024** at the **St. Peter's Anglican Hall, 4703 Canal Road**, on North Pender Island.

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.

PROPOSED



**North Pender Island Local Trust Committee
Temporary Use Permit
NP-TUP-2024.6 (Ganasi)**

3745 Privateers Road

To: Joshua Ganasi and Jenice Yu

1. This Permit applies to the land described below:

Lot 15, Section 10, Pender Island, Cowichan District, Plan 21811
(PID: 003-343-405).

2. This Permit is issued for the purpose of permitting the owner to conduct the following use on their property:

a) a **Short Term Vacation Rental** within the Dwelling Unit.

3. and is subject to the following conditions:

- a) A **parking** area that will accommodate a minimum of two (2) vehicles for the Short Term Vacation Rental (STVR) is required and must be wholly contained on the subject property;
- b) **signage** advertising the STVR use may not exceed 0.6 m²;
- c) either the property owner or other designated **contact** must be available on North or South Pender Island by telephone 24 hours per day, seven days per week when the STVR is in use, and the name (s) and contact information shall be provided to STVR guests upon arrival;
- d) either the property owner or other designated **contact** must provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit;
- e) the property owner must post within the dwelling the following **information for guests**:
 - i. remind guests that the property is located in a residential area;
 - ii. information on noise bylaws, water conservation, fire safety, storage and disposal of garbage and recycling, septic care and control of pets (if pets are permitted); and
 - iii. emergency services contact information, including the civic address of the property, and to provide a means for contacting them if the property is located in an area with no cellular service;
 - iv. the name and contact information of the property owner or designated contact who is available on North or South Pender Island at all times when the STVR is in use;
- f) the **maximum number of bedrooms** that can be used for the STVR use is limited to **two (2)**;
- g) the **maximum number of guests** is limited to **five (5)**;
- h) the STVR use is limited to a **one hundred and eighty (180) days** from the period of May 1 to September 30 in a calendar year;
- i) The following activities are **prohibited**:

- i.* camping and occupancy of recreational vehicles;
 - ii.* the rental or provision of motorized personal watercraft;
 - iii.* the use on Magic Lake or Buck Lake of watercraft brought from off island; and,
 - iv.* outdoor fires;
 - j) the holder of this Permit, will be held accountable for any violation of the conditions of this Permit. The Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation with the holder of the Permit, or STVR renter for the purpose of investigating a complaint;
4. This permit is valid for **three (3)** years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including approvals from the Capital Regional District, Island Health and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ##TH DAY OF MONTH, 2024.

Deputy Secretary, Islands Trust

Date Issued



File No.: NP-PLTUP20240261
x.ref (NP-TUP-2021.8; NP-TUP-2018.4 & NP-TUP-2016.1)

DATE OF MEETING: November 29, 2024
TO: North Pender Island Local Trust Committee
FROM: Phil Testemale, Planner 2
Southern Team
COPY: Brad Smith, Island Planner
SUBJECT: Renewal Temporary Use Permit
Applicant: Dorothy Murdoch
Location: Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822

RECOMMENDATION

- 1. That the North Pender Island Local Trust Committee approve issuance of renewal Temporary Use Permit PLTUP20240261 (Murdoch) for a period of three (3) years.**

REPORT SUMMARY

The purpose of this report is to consider the renewal of a Temporary Use Permit (TUP) for the following uses on a 1.0 ha (2.47 ac.) portion on the subject property (Figure 2):

- The storage and processing of landscape materials (soil and mulch).
- The storage of gravel (aggregates).
- Storage of equipment and materials that are directly required for the maintenance and construction of the Driftwood Centre only, and specifically limited to the following:
 - Construction, electrical and plumbing material.
 - Motorized equipment and vehicles.
 - Landscaping materials including soils, mulch, and plants.
- For certainty, and for the purposes of this permit, processing is defined as screening and sorting, but does not include crushing or washing.

The uses are necessary for the operation and maintenance of the Driftwood Centre.

BACKGROUND

This is the fourth application the North Pender Island Local Trust Committee (LTC) has received regarding the above requested uses:

- The applicant first applied for a TUP in 2016 (NP-TUP-2016.1). The LTC of the day who approved the TUP for a period of two years with the amendment that the permit would not include gravel screening.
- A renewal application was approved for three (3) years in 2018 (NP-TUP-2018.4).

- The renewal TUP expired on June 27, 2021 and a new TUP application was made with unchanged conditions which was approved and issued on November 3, 2021 for three (3) years. At that time a minor infraction was reported to the LTC where landscape material was stored outside of the designated landscaping storage area which was subsequently moved to comply.

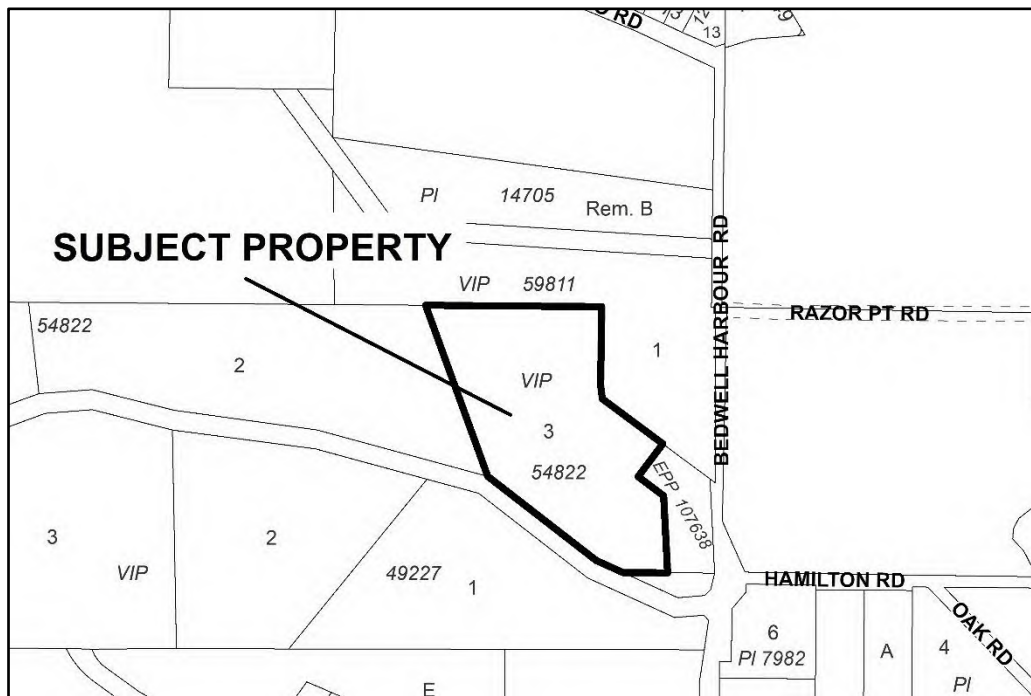
The owner is now applying for the renewal of the TUP. Staff notes that, as a renewal, there can be no changes made to the permit with the exception of the length of the issuance period.

Staff contacted the applicant upon receipt of the application to verify that the uses remain unchanged and that the conditions of NP-TUP-2021.8 have been adhered to. That was confirmed by email on October 30th.

Staff conducted a site visit this fall and found no compliance violations or other issues.

A copy of the draft PLTUP20240261 (Murdoch) permit is Attachment 3.

FIGURE 1 - SUBJECT PROPERTY



ANALYSIS

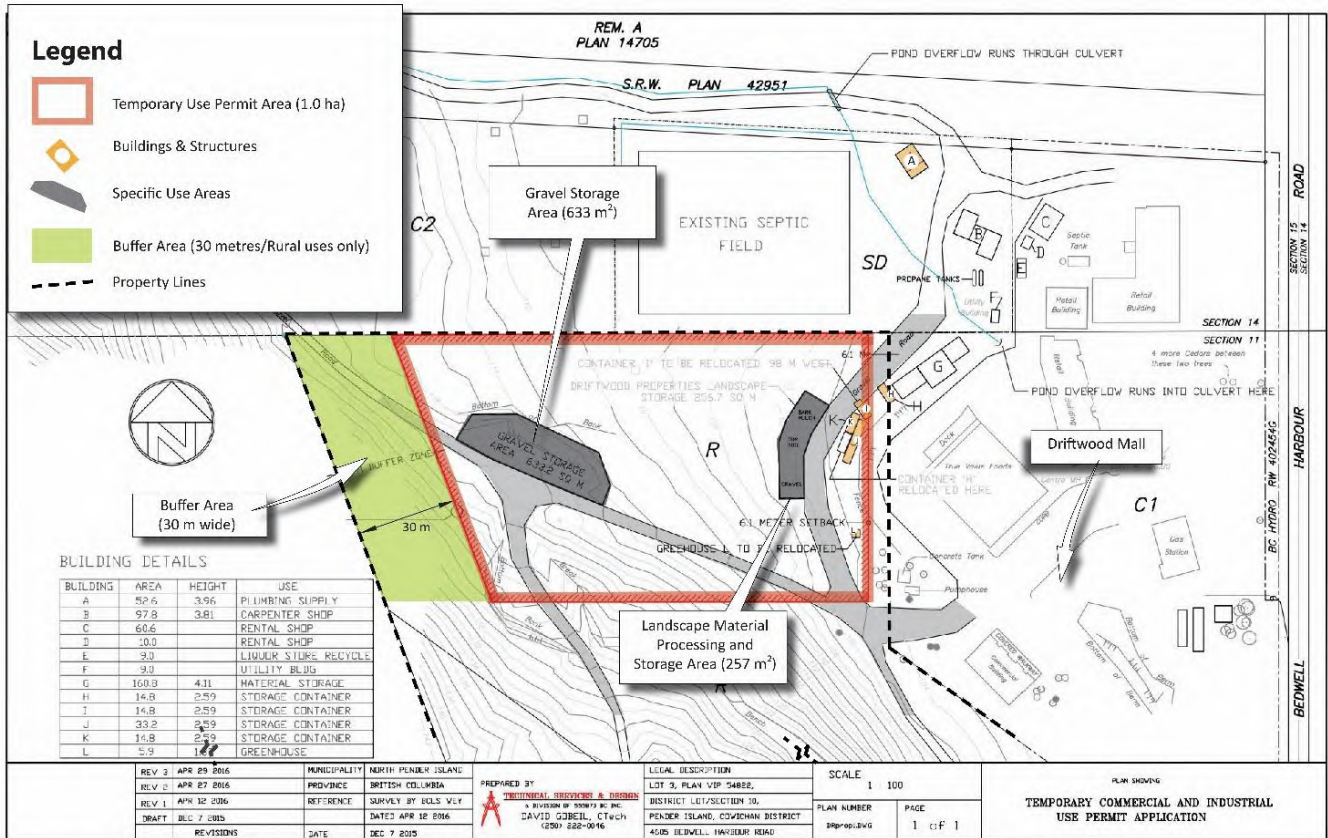
Islands Trust Policy Statement:

The following ITPS policies are relevant and support the proposal:

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.

5.7.2 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.

FIGURE 2 – SITE PLAN



Official Community Plan:

The property is designated as **R - Rural and Community Service** in the North Pender Island Official Community Plan No. 171, 2007 (OCP).

Guidelines for TUP applications are contained in the OCP. In summary, the proposal meets the applicable guidelines.

Land Use Bylaw:

The property is split-zoned **Rural (R)** in the North Pender Island Land Use Bylaw (LUB) No. 224, 2022, 1996 (LUB). The **Community Service (o) (CS[o])** zoned portion (Nu to Yu) was subdivided from the subject property in 2023.

The renewal will permit the continued specific uses on property in compliance with the LUB.

Issues and Opportunities

Uses

The uses permitted are required for ongoing construction and maintenance of the Driftwood Centre (adjacent) property which has a limited area to facilitate and screen them from view. All of the buildings and structures permitted in the TUP are not permanently sited and easily removed.

Impacts on Neighbouring Properties

There is a 30 metre buffer strip between the TUP Use Area and the rural property as shown on the site plan (Figure 2). This is to limit potential noise, dust and visual impacts on the direct neighbours. All other neighbours are either separated by substantial distances or owned by the applicant. Furthermore, the uses of gravel storage and landscape materials are to be located in specified areas only and contained by structural blocking.

Over the past eight (8) years there have been no complaints received by planning and enforcement staff, nor have any impacts on neighbouring properties been observed or reported. In addition to the minor compliance issue in 2021 noted above, bylaw enforcement also identified the storing of derelict vehicles and garbage outside of the TUP area on the property. The applicant removed the items in question from the property.

Statutory Requirements

There is no statutory notification required for a TUP renewal application, as the permit conditions are unchanged from the original. Any change in conditions would require that the applicant re-apply in order for notification to neighbouring property owners to occur.

First Nations

Islands Trust notes that the subject property is subject to archaeological potential as noted in the Remote Access to Archaeological Data (RAAD). The Islands Trust has advised the applicant to seek clarity from the Archaeological Branch and the Heritage Conservation Act about permitting to understand that it is illegal to impact both known and unknown archaeological sites.

Rationale for Recommendation

In summary, the recommendation on page 1 for the renewal of the TUP is supportable as:

- The uses are necessary and reasonable for the operation of the Driftwood Centre.
- There has been no change in uses since the first TUP application in 2016.
- The applicant has complied with the conditions of the TUP with only one minor infraction in 2021 that was rectified.
- There have been no reported adverse effects on neighbouring properties.
- The renewal TUP would be valid for a period of three (3) years upon at which time an application for a new TUP or rezoning will be required to continue the use.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. 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 North Pender Island Local Trust Committee request that the applicant submit to the Islands Trust _____.

2. Renew for a different time period

The LTC may opt to approve the renewal for a shorter period. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee approve renewal application PLTUP20240261 (Murdoch) for a period of _____ year(s).

3. Deny the application

The LTC may deny the application and proceed no further. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny renewal Temporary Use Permit PLTUP20240261 (Murdoch)

Submitted By:	Kim Stockdill, Island Planner	November 14, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 14, 2024

ATTACHMENTS

- 1. Site Context
- 2. Maps & Photos
- 3. Draft renewal PLTUP20240261

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP 54822
PID	018-191-941
Civic Address	4605 Bedwell Harbour Road

LAND USE

Current Land Use	Rural (No permanent improvements) and uses authorized under NP-TUP-2021.8
Surrounding Land Use	North is Driftwood Centre (commercial retail); East across Bedwell Harbour Road is Agricultural; West and South are Rural and Community Service (Nu to Yu site)

HISTORICAL ACTIVITY

File No.	Purpose
NP-TUP-2021.8	Subject renewal application.

POLICY/REGULATORY

Official Community Plan Designations	R – Rural and Community Service in OCP Designation]North Pender Island Official Community Plan No. 171, 2007. There are no DPAs or Heritage Conservation Areas designated on the property.
Land Use Bylaw	Property is currently zoned Rural (R) and CS(o) in the North Pender Land Use Bylaw No. 224, 2022 (Attachment 2.3)
Other Regulations	
Covenants	EF10096 – CRD No Build on adjacent (to west) Lot 2
Bylaw Enforcement	NP-BE-2021.12 is for the storage of derelict vehicles on the property (outside of TUP area). Applicant has indicated that derelict vehicles have now been removed.

SITE INFLUENCES

Islands Trust Conservancy	This 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	N/A
Sensitive Ecosystems	The only identified sensitive ecosystem is Mature Forest (Attachment 2.5)
Hazard Areas	See Attachment 2.5 and comments in main body of report.
Archaeological Sites	See 'First Nations' in Report

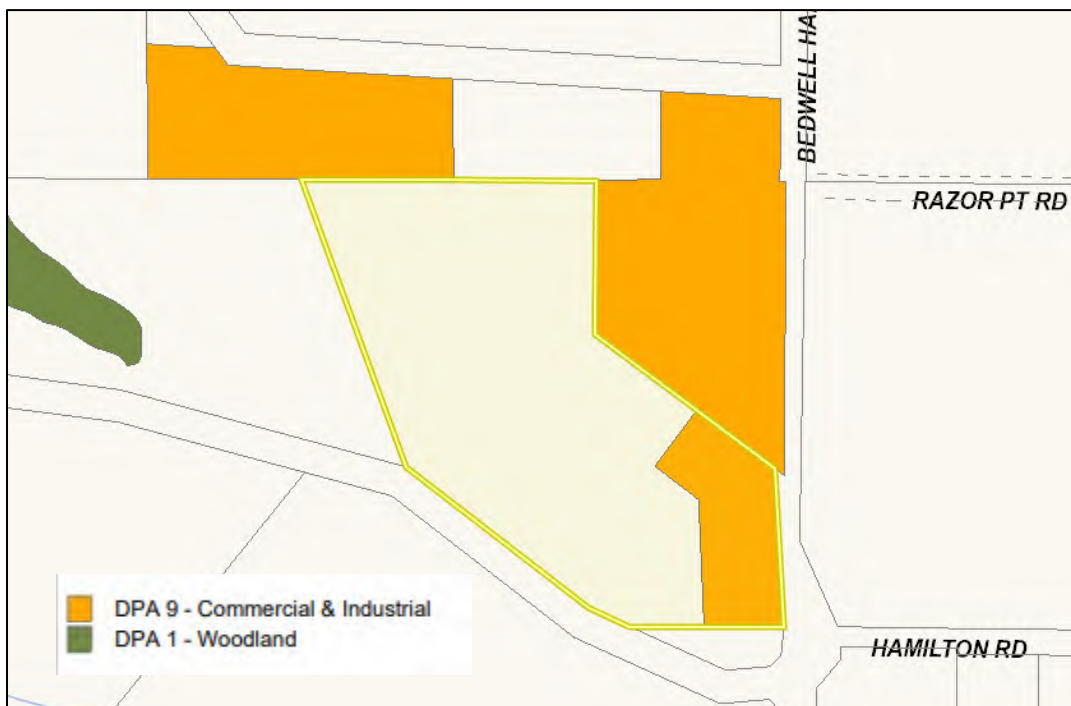
Climate Change Adaptation and Mitigation	The uses are temporary and all structures are non-permanent. The location has limited exposure to climate change induced hazards (i.e. sea level rise.)
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ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

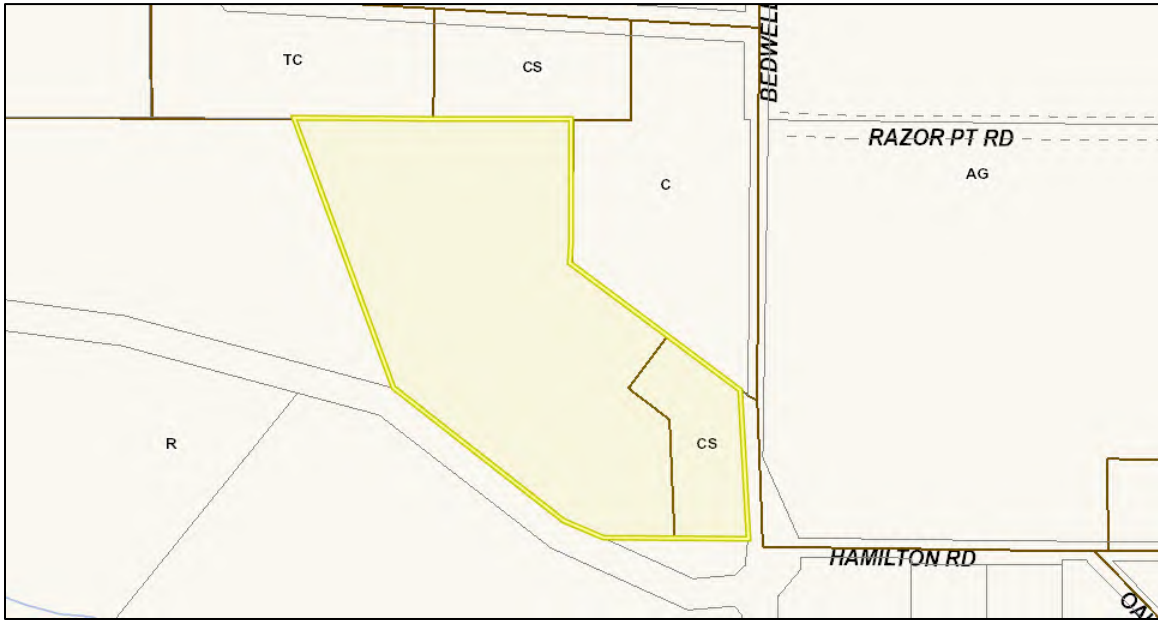
2.1 ORTHOPHOTO



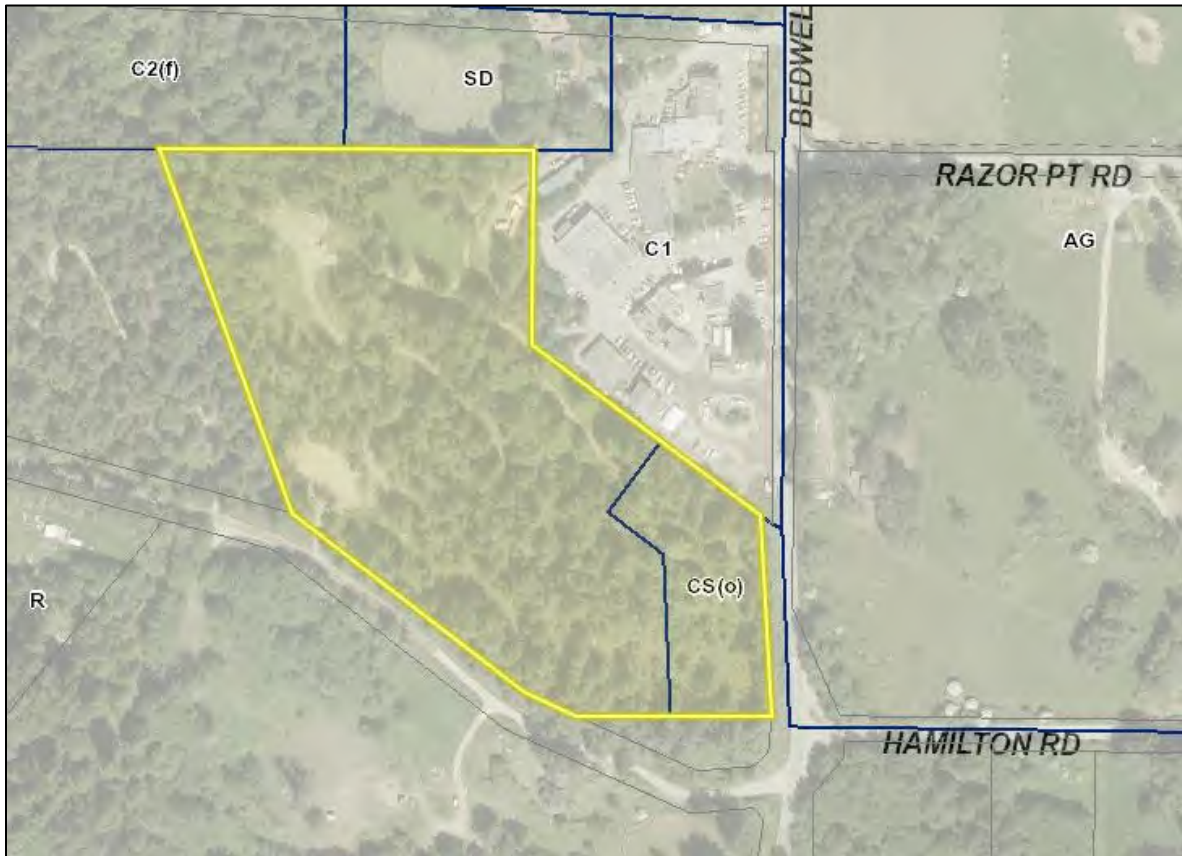
2.2 DPAs



2.3 CURRENT OCP DESIGNATIONS



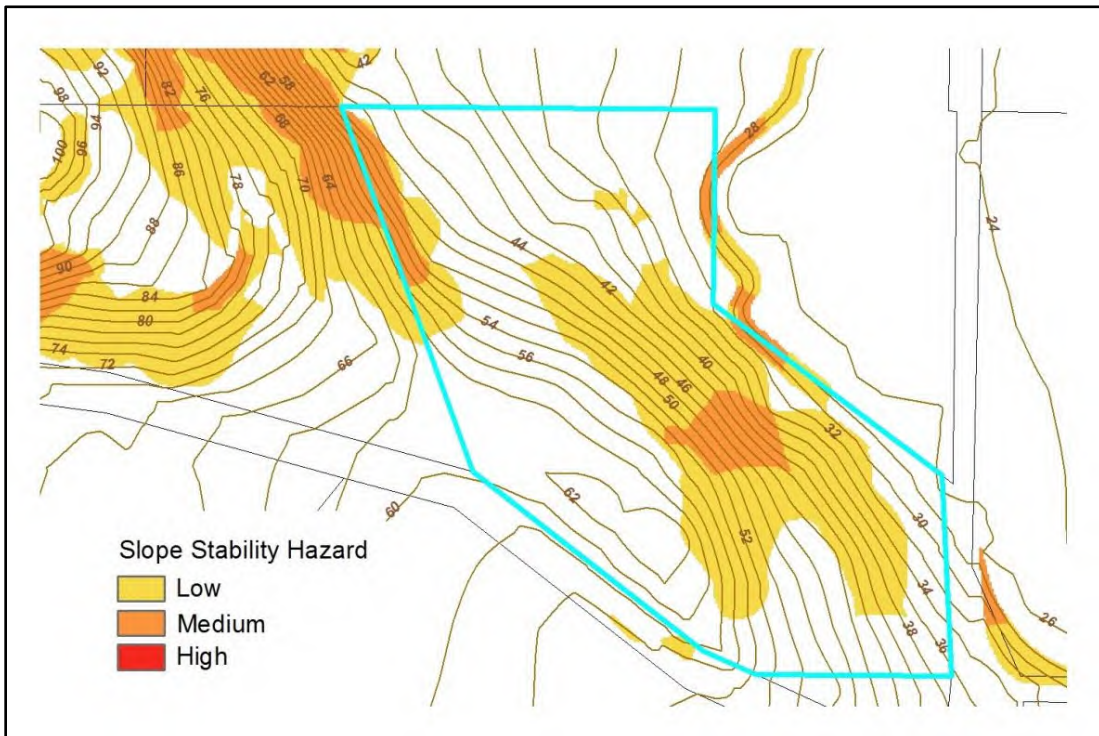
2.4 CURRENT ZONING



2.5 SENSITIVE ECOSYSTEM MAPPING



2.5 STEEP SLOPE MAPPING



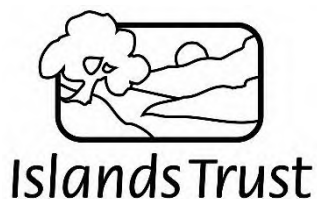
2.6 SITE VISIT PHOTOS – (2018)

LOOKING NORTH TOWARDS GRAVEL STORAGE AREA



LOOKING SOUTH - LANDSCAPING MATERIAL THAT APPLICANT NEEDS TO RELOCATE TO DESIGNATED LANDSCAPING MATERIAL STORAGE AREA





**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
PLTUP20240261 (Murdoch)**

Renewal of NP-TUP-2021.8 (Murdoch)

To: Hardal Management Inc.
c/o Dorothy Murdoch

1. This Permit applies to the land described below:

That portion of:

Lot 3, Section 10, Pender Island, Cowichan District, Plan VIP54822
(PID: 018-191-941)

indicated as 'Temporary Use Permit Area' on Schedule 'A' attached to and forming part of this permit.

2. This Permit is issued for the purpose of allowing the following uses in the 'Temporary Use Permit Area':
 - a) The storage and processing of landscape materials (soil and mulch).
 - b) The storage of gravel (aggregates) directly required for the maintenance and construction of the Driftwood Centre only.
 - c) Storage of equipment and materials that are directly required for the maintenance and construction of the Driftwood Centre only, and specifically limited to the following:
 - i. Construction, electrical and plumbing material.
 - ii. Motorized equipment and vehicles.
 - iii. Landscaping materials including soils, mulch, and plants.
 - d) For certainty, and for the purposes of this permit, processing is defined as screening and sorting, but does not include crushing or washing.
3. The uses may be carried out in the 'Temporary Use Permit Area' subject to the following conditions and specifications and shall be substantively consistent with Schedule 'A', attached to and forming part of this permit:
 - a) No on-site composting or storage of composted materials is permitted.
 - b) No transfer or storage of waste materials.
 - c) No accessory storage or use of the Temporary Use Permit Area by tenants of the Driftwood Centre or others, with the sole exception of the storage and processing of landscape materials as permitted by this Permit.
 - d) No burning is permitted on any portion of the subject property.
 - e) No commercial sales.
 - f) No screening or sorting of aggregates (gravel).

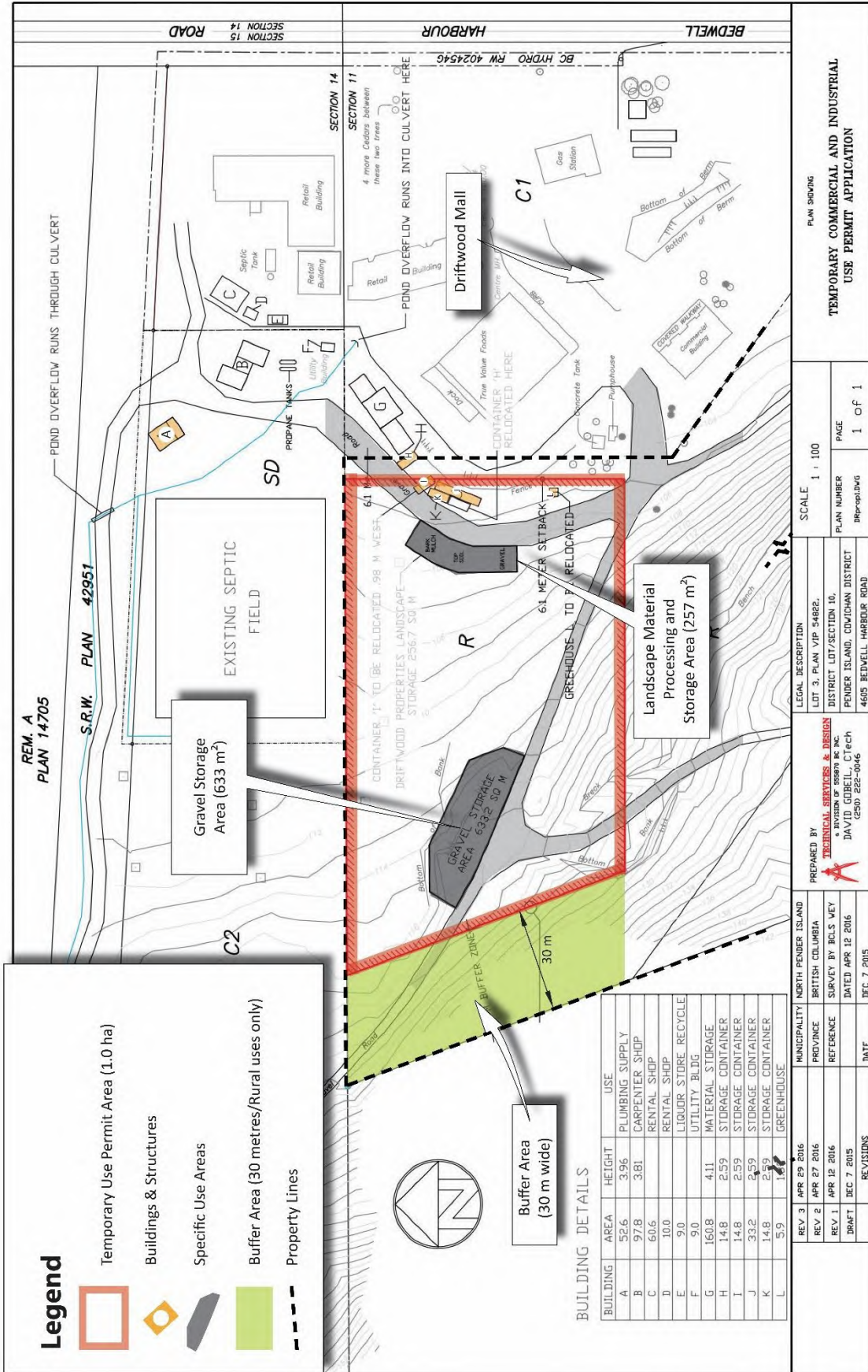
- g) Processing of aggregates, soils and mulch is restricted to 8:00 a.m. to 4:30 p.m. Monday through Saturday.
 - h) Aggregates and landscape materials stored on-site shall be contained within areas delineated along three sides with concrete lock block walls measuring a maximum height of 2 blocks (1.5 m) in the specific use areas shown on Schedule 'A'.
 - i) The maximum volume of aggregates and landscape materials stored at one time is limited to 900 m³ (1177 yd³).
 - j) One greenhouse, not to exceed 28 m² (300 ft²) in size is permitted in the 'Temporary Use Permit Area' identified on Schedule 'A'.
 - k) All equipment and materials permitted by this Permit are to be removed from the site by the date of the expiry of this permit.
4. This permit is valid for three (3) years from date of issuance of the permit and upon expiry of the permit the owner of the site shall discontinue the temporary use to the satisfaction of the Islands Trust, or apply for a renewal of this permit.
5. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "North Pender Island Land Use Bylaw No. 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including, but not limited to, approvals from the Ministry of Transportation and Infrastructure.

**AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS
 ___TH DAY OF MONTH, 2024.**

 Deputy Secretary, Islands Trust

 MONTH, DAY, 2024
 Date Issued

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-TUP-2021.8
SCHEDULE 'A'





File No.: PLDVP20240225 (Grant)

NP-DVP-2018.2 (Yuan)

DATE OF MEETING: November 29, 2024

TO: North Pender Island Local Trust Committee

FROM: Phil Testemale, Planner 2
Southern Team

COPY: Brad Smith, Island Planner

SUBJECT: Development Variance Permit

Applicant: Brendan Grant
Location: 5909 Pirates Road

RECOMMENDATION

1. That the North Pender Island Local Trust Committee approve issuance of Development Variance Permit PLDVP20240225 (Grant).

REPORT SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) for the height of a proposed accessory building (garage) to be sited on the subject property.

RATIONALE FOR VARIANCE

The rationale for the height variance is to allow for construction of a replacement prefabricated metal accessory building destroyed by fire. It would have the same floor area as the destroyed one but with an increased height.

BACKGROUND

The purpose is to comply with the North Pender Land Use Bylaw No. 224, 2024 (LUB). The specific variance to the LUB is as follows:

- a) Subsection 3.4 (3) which states that an accessory building or structure may not exceed 4.6 metres in height and one storey is varied to permit the construction of an accessory building (garage) 6.0 metres in height.

The proposed building would replace one that was granted a height variance in 2018 (NP-DVP-2018.2) and was recently destroyed by a fire. The new building is the same model and footprint dimensions as the previous, however would be 6 m (19.7 ft.) versus the 5.6 m (18.4 ft.) in height. As such the building requires a new variance in order to obtain a CRD Building Permit.

The building was ordered by the applicant and delivered when approved by the insurance company as the same model that was available. However, unbeknownst to the applicant, the height and pitch of the model was altered by the manufacturer in the past few years. The height difference was only identified with the submission of the plans to the CRD Building Inspection Department for a Building Permit. The building is a prefabricated 'Quonset' design and cannot feasibly be altered to reduce the height. The CRD Building Inspector confirmed an inspection of the foundation and stated it is acceptable for reuse.

The proposed use of the building would remain unchanged as the storage of vehicles and equipment associated with the residential and bed and breakfast operation on the property.

Given the proximity of the Development Permit Area 1 – Woodland Sensitive Ecosystem (DPA – see Figure 2), an exemption letter was required with the previous application. That 2018 letter by Caurinus Consulting identified that there was no sensitive ecosystem in the area of construction and is Attachment 3.

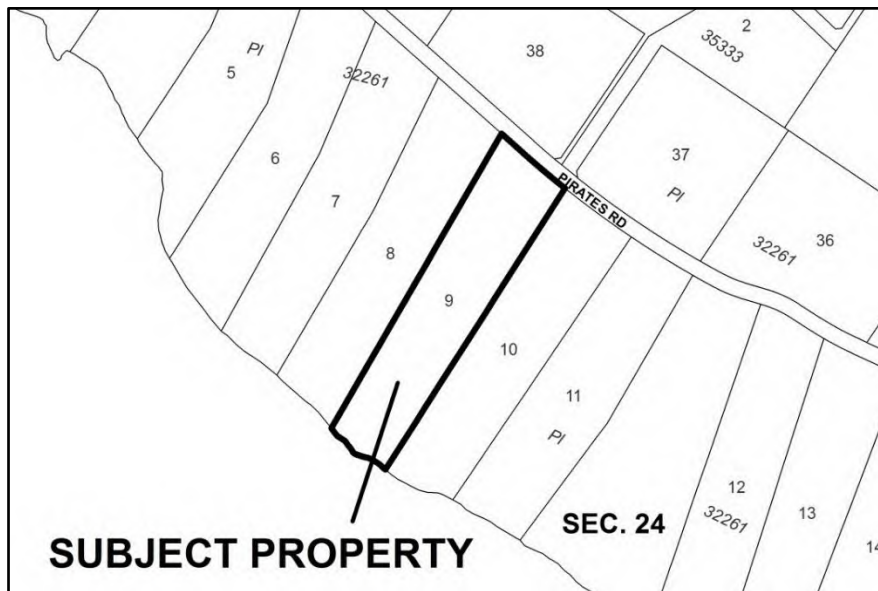
The applicant submitted a narrative letter explaining the rationale which is Attachment 4.

If the application is denied, the owners could apply to the Board of Variance.

A copy of the Notice and proposed permit PLDVP20240225 (Grant) are Attachments 5 & 6.

Staff have not visited the property with this application due to scheduling and ferry cancellations. The photos in Attachment 2.2 are from 2018.

Figure 1 – Subject Property



ANALYSIS

Policy/Regulatory

Official Community Plan:

The property is designated as **Rural (R)** in the North Pender Island Land Use Official Community Plan (OCP) No. 171, 2007.

As stated above **Development Permit Area (DPA) One – Woodland Sensitive Ecosystem** is designated on the subject property in proximity to the proposed garage (see Figure 2 and Attachment 1). In addition, **DPA Two - Herbaceous Sensitive Ecosystem** and **DPA Five – Cliff Sensitive** are also designated but distant from the proposed development.

Land Use Bylaw:

The property is zoned as **Rural (R)** in the North Pender Island Land Use Bylaw No. 224, 2022.

The continuance of the accessory building's uses as well as the existing residential use and accessory bed and breakfast home business comply with use and density provisions of the zone on the property.

Issues and Opportunities

Impact on Neighbouring Properties

The requested variance is minor in nature and replaces a six (6) year old building with one that is substantively the same. The size and configuration of the subject property indicates that the proposed garage building would have a minimal visual impact on the two adjacent properties (Attachment 2.1). Further, the siting on the property and tree cover means that the garage is not readily visible from neighbouring dwellings.

In addition, the original excavation cuts into the surrounding embankment on three sides effectively lowering the buildings height (Figure 3). With a conventional building built with a perimeter poured foundation, there would be the ability for the applicant to otherwise back-fill in order to comply with the height restriction.

Lastly, the design and size of the building is not uncommon for rural areas.

Overall, the impacts on neighbouring properties with approval of the variance would be small and largely unchanged from those with the previously approved permit.

The Intent of the Regulation being Varied

The overall purpose of siting regulations are to minimize impacts on adjacent properties related to:

- Limiting the visual impact of development on adjacent properties.
- Establishing a consistent development pattern within a local area.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.

- Establishing certainty with respect to development by maintaining consistent height and siting regulations.

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.

Figure 2 – Detail Site Plan

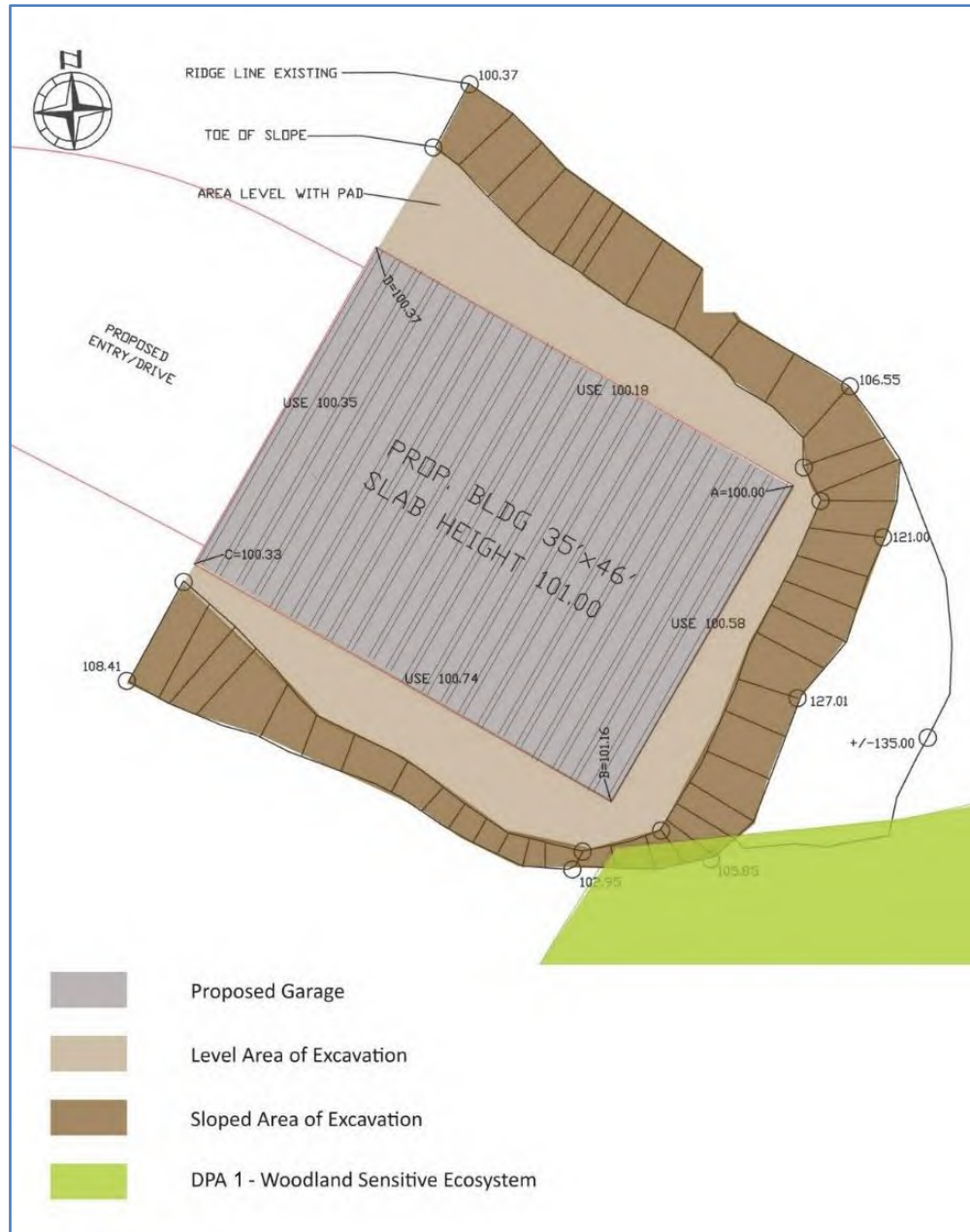
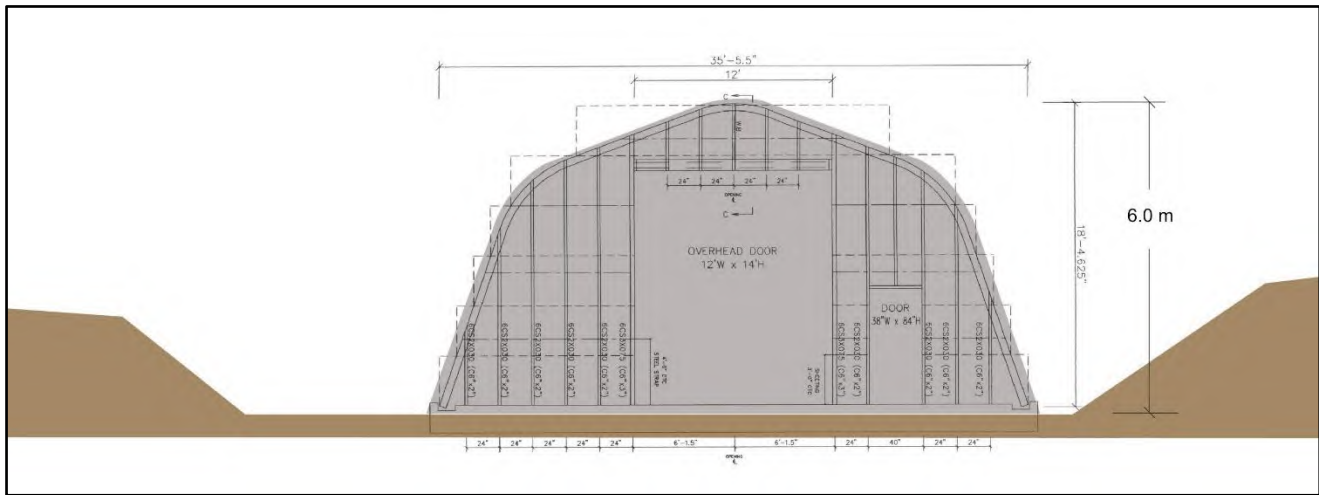


Figure 3 – Excavation Cross Section – Effective Height



Circulation/Consultation

DVP Notices were circulated to surrounding property owners and residents. The notification period ended at 4:30 p.m. on November 20, 2024

At the time of writing, staff has received two written submissions (Attachment 5). One letter expresses objections from the neighbour two properties to the east. The dwelling on that property is oriented to the southwest away from the subject building and 150 metres distant. Addressing the concern raised about notification in 2018: Islands Trust notification records indicate the writer was on the list for mail (to an address in the U.S.A.) and hand delivery, and, as staff received phone responses from other neighbours in response, there is no reason to suspect the that address was somehow omitted.

A letter from another neighbour states no objection to the proposed variance. There are comments about tree removal and lighting concerns which the owners can address voluntarily given that conditions cannot be added to a DVP, nor can approval of issuance be made conditional.

Any further submissions received prior to the LTC Meeting will be forwarded to the LTC and reported at the meeting.

First Nations

There is no additional land alteration outside the existing foundation for the accessory buildings with no proposed disturbance or impact to any possible archaeological sites. 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. 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.

Rationale for Recommendation

The recommendation on Page 1 is supported as:

- The rationale for the variance is reasonable.
- The variance is minor in nature and replaces an existing building one of the same design but with a lower height.
- Impacts on neighbouring properties from approval of the variance would be small given that it is replacing the same buildings with a small increase in height.
- The applicant has limited options given that the building prefabricated system that cannot be adapted.
- The proposed variances do not challenge the intent of the regulation.
- At the time of writing, there have been two responses to the notification balanced one in favour and one against.

Alternatives

- **Request further information**

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should be advised to describe the specific information needed and the rationale for this request.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request that the applicant submit to the Islands Trust...

- **Deny the application**

The LTC may deny the application.

Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee deny application PLDVP20240225 (Grant)

NEXT STEPS

Submitted By:	Phil Testemale	November 21, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 21, 2024

ATTACHMENTS

1. Site Context
2. Maps, Plans, Photographs
3. Letter from Caurinus Consulting (2018)
4. Rationale from Applicant
5. Correspondence
6. Notice
7. Draft DVP PLDVP20240225 (Grant)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 9, Sections 7 and 24, Pender Island, Cowichan District, Plan 32261
PID	001-080-695
Civic Address	5909 Pirates Road


LAND USE


Current Land Use	Rural with Home Business (B&B)
Surrounding Land Use	Rural

HISTORICAL ACTIVITY

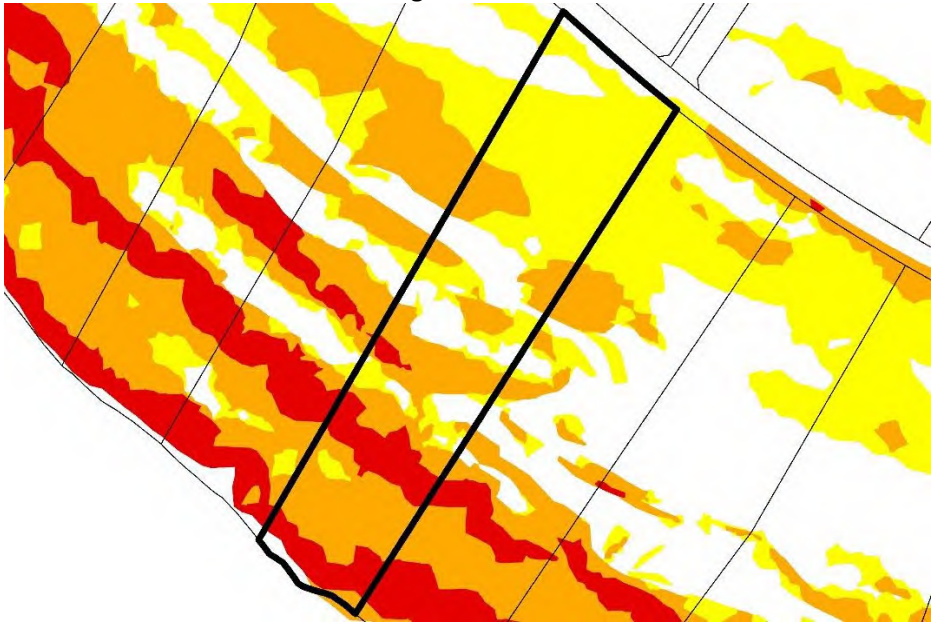
File No.	Purpose
NP-BP-2017.21	BP for accessory building - subject of application.
NP-DVP-2018.2	Prior DVP for accessory building that was destroyed by fire.

POLICY/REGULATORY

<p>Official Community Plan Designations</p>	<p>The property is designated as R – Rural in the North Pender Island Official Community Plan 171, 2007. The following Development Permit Areas (DPAs) are designated on the subject property:</p> <ul style="list-style-type: none"> • Development Permit Area One – Woodland Sensitive Ecosystem • Development Permit Area Two – Herbaceous Sensitive Ecosystem • Development Permit Area Five – Cliff Sensitive Ecosystem <div data-bbox="553 1230 1000 1388" style="border: 1px solid black; padding: 5px;"> <p>DPA</p> <ul style="list-style-type: none"> Woodland Sensitive Ecosystem Herbaceous Sensitive Ecosystem Cliff Sensitive Ecosystem </div>  <p><i>DPA Mapping</i></p>
<p>Land Use Bylaw</p>	<p>The subject property is zoned as Rural (R) North Pender Island Land Use Bylaw No. 224, 2022.</p>

	 <p><i>Orthozoning</i></p>
Other Regulations	N/A
Covenants	None
Bylaw Enforcement	N/A

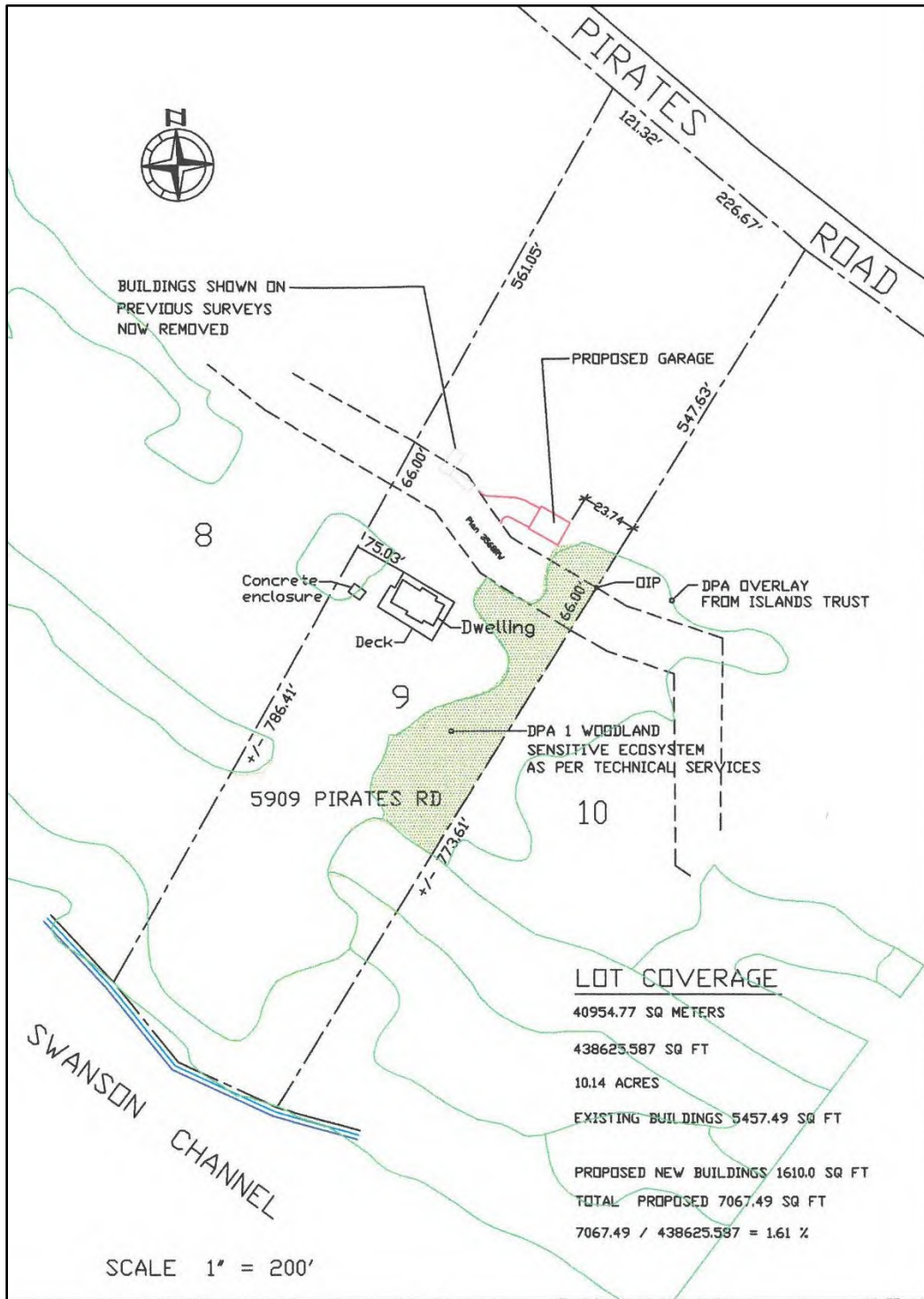
SITE INFLUENCES

Islands Trust Conservancy	This 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	None listed
Sensitive Ecosystems	As designated in DPAs (above)
Hazard Areas	<p>There are areas of High, Medium and Low Steep Slope Hazards on the property. The area of the proposed garage is on a relatively level area outside of the hazard areas. There is no regulation.</p>  <p><i>Steep Slope Mapping</i></p>

Archaeological Sites	Archaeological potential on property (see 'First Nations' in report).
Climate Change Adaptation and Mitigation	Associated GHG increases due to clearing of forest area and new construction. There Elevation and indicate that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Rock Shoreline - Low Rock/Boulder

ATTACHMENT 2 – SITE PLAN & PHOTOGRAPHS (2018)

2.1 OVERALL SITE PLAN



2.2 PHOTOGRAPHS (2018)

SOUTHEAST CORNER OF EXCAVATION (LOOKING SE TOWARD DPA)



NORTH EAST CORNER OF EXCAVATION (LOOKING NNE)



LOOKING EAST FROM EXCAVATION



LOOKING WEST FROM EXCAVATION





Phil:

On April 15, 2018, we visited the property at 5909 Pirates Road to assess an area that was cleared for the purposes of building a garage located on the south side of the shared road adjacent to the Woodland DPA (Appendix A; Fig 1.) The purpose of the visit was to determine if any infringement occurred to the western boundary of the Woodland DPA during excavation. The Woodland DPA adjacent to the cleared area consists of a large rocky outcrop covered with a variety of moss, lichen, herbaceous plants, juvenile Douglas-fir (*Pseudotsuga menziesii*) and a mature arbutus (*Arbutus menziesii*). The edge of the Woodland DPA is clearly delineated by the rocky outcrop and presently, the cleared area for construction is absent of a sensitive ecosystem (due to mapping error) and therefore does not cross into the Woodland DPA. It is therefore our professional opinion that no permanent damage has been done to the Woodland DPA, and low level remediation is needed in the form of reducing the grade of the slope along the western edge of the Woodland DPA as well as minimal planting with native species (e.g. Roemer's fescue, sword fern, kinnikinnick and wood sorrel) to stabilize the soil and to prevent erosion (see attached Appendix A, Fig. 1-4).

Native species can be found at many locations. See link

http://www.goert.ca/gardeners_restoration/buying_native_plants.php

Please let us know if you require any additional information.

Best regards,

Dan Baxter B.Sc., R.P.Bio.
Erin O'Brien Ph.D.
Caurinus Environmental

APPENDIX A



Figure 1. Polygon in yellow depicting the cleared area adjacent to the Woodland DPA. The cleared area for construction is absent of a sensitive ecosystem (due to mapping error).



Figure 2. Area of clearing looking east along the western edge of the Woodland DPA at 5909 Pirates Road.



Figure 3. View looking North where slope levelling is needed to prevent erosion of dug out slope.



Figure 4. Close up of area needing remediation (slope leveling and replanting).

Attachment 4

From: Brendan Grant <brendan@downsconstruction.com>
Sent: Tuesday, October 1, 2024 10:52 AM
To: Emily Bryant
Subject: RE: Receipt & Notice of Incomplete Application: PLDVP20240225 - 5909
PIRATES RD, PENDER ISLAND, BC V0N 2M2

Hi Emily

The purposed steel building is a replacement for a structure destroyed in a fire. It was being used as a garage to store RV's, boats and cars in use by the Shangela bed and breakfast. The foundation was undamaged by the fire so a Quonset style metal building with the exact same footprint is required. The kit building manufactured at this footprint leaves the total height of the building at 19'9. This would provide a covered and organized parking area for the Bed and breakfasts clients and equipment.

Thanks
Brendan Grant
Downs Construction
1 250 883 4577

From: daniel statnekov <[REDACTED]>
Sent: Tuesday, November 12, 2024 6:29 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Subject: proposed variance for metal bldg. at 5909 Pirates Rd. Pender Island

To: The North Pender Islands Trust Commission c/o Phil Testemale.

Dear Trustees,

I'm writing now following my telephone conversation this afternoon with the planner, Phil Testemale, regarding the proposed variance to allow for additional height to an accessory metal building on a nearby property which will extend the previous variance granted for the building's original construction in 2018.

The building site for the proposed replacement accessory building sits within a few feet of the private roadway known as "Oak Bluffs Road" which serve the homes which follow the ridge known as "Oak Bluffs"; while the address of the properties on that private road are registered as addresses on Pirates Road; our address is 5919 Pirates Road, property #11 on the map supplied with the notice re: the proposed variance.

My wife, Deborah Van Dyke, and I are writing to register our objection to the metal building in its entirety as well as the proposed variance under consideration; it is simply not in keeping with a residential neighborhood, while the additional height asked for in the proposed variance will only add to the visual injury of the unsightly structure which was previously on the site. Although Mr. Testemale has informed me that notice was sent to us c/o my business address in Wilmington, Delaware in the United States, I can tell you that we didn't receive that original notice, not at the Wilmington, Delaware address nor hand-delivered as mandated at our home on Pender Island; why else would we not have responded to that notice as we are responding this one now?

Consequently, for the past six years my wife and I and our neighbors and guests have had to endure the sight of what most reasonable people would describe as a huge, metal quonset hut with a gaping rectangular opening at its most visible end, the totality of which appears designed to house sand or some other bulk material used by a highway department, while it's rectangular opening looks as if it was designed to facilitate the movements of a front-end loader to bring sand in and out of the building as road conditions require. Simply put, the proposed accessory building is not aesthetically in keeping with the other structures in the neighborhood; perhaps with the encouragement of the Trustees and people in the Planning Department, the petitioners will reconsider and build something more in keeping with their proposed building's surroundings.

It is difficult to write a letter such as this in opposition to our neighbors for whom we have sincere feelings of affection, but the truth of how we feel with regard to an unsightly metal building, so out of keeping with our bucolic residential neighborhood, requires our honesty with regard to expressing our true feelings of opposition to the re-erection of the metal structure along with the additional height variance sought by the petitioner.

As a final note, we would like to go on the record and ask for a professional opinion of the condition of the concrete pad on which the rebuilt metal building will stand and ask that the CRD seek an engineer's opinion with regard to the damage that the fire which destroyed the metal structure previously located on the site may have caused to the concrete foundation and to please confirm that it is suitable to be built upon again.

Thank you for considering all of the above in your deliberations.

Sincerely,
Daniel K. Statnekov

From: Mary Reher <[REDACTED]>
Sent: Monday, November 18, 2024 12:31 PM
To: SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Deb Morrison <dmorrison@islandstrust.bc.ca>; Aaron Campbell <acampbell@islandstrust.bc.ca>
Subject: comment regarding Variance , 5909 Pirates Road

To the Planner, Mr. Testemale,

We have no objections to the increased height, as this should not impact our view. The exception to this would be if the owners made an excessively large clearing of all trees around the building. If this were the case, such a development including the increased height would stand out starkly on the hillside, clearly visible to our housesite which is across the valley.

We are respectfully asking that the owners only clear what is required for them to build their accessory building.

In addition, the ongoing use of floodlights in the garage area would greatly impact us. This has happened before and after a conversation, I noticed the landowners did take measures to change the lighting so it would not impact us so much. This was wonderful. I am requesting that they consider us again as neighbours who will be subject to light pollution, should they install a floodlight. We do recognize there may be a need for light at specific times.

We are respectfully asking that a light only be used as needed, rather than left on at all times. And that care be taken not to direct the light to the east/north, across the valley.

Any sensitivity to us as neighbours would be deeply appreciated!

Best wishes to Mr. and Mrs. Yuan, for a smooth and successful re-build.

Sincerely,

Mary Reher and Andy Nowak

[REDACTED] Pender Island, B.C. [REDACTED]



NOTICE
NP-PLDVP20240225
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE

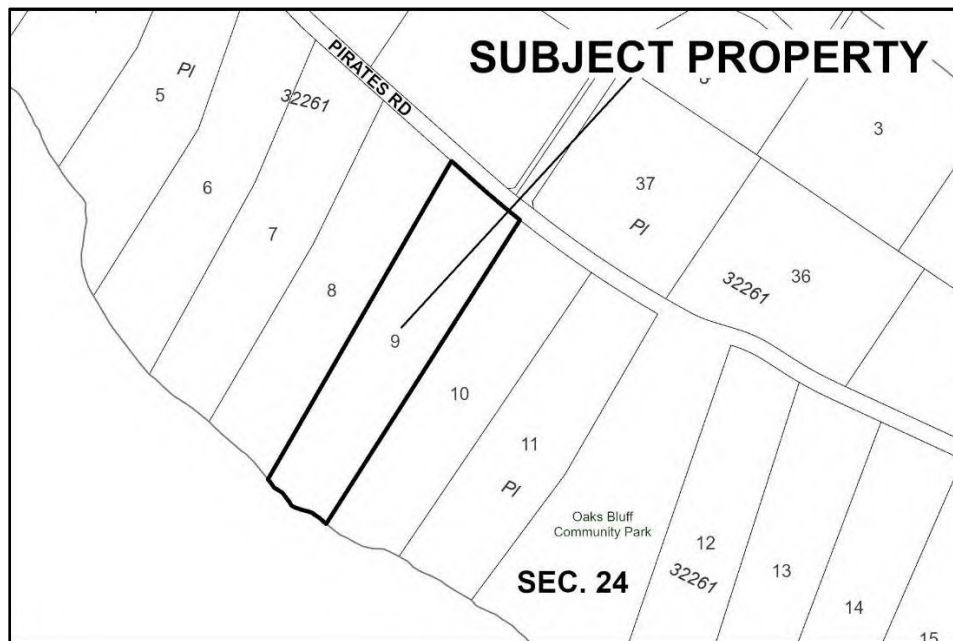
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the North Pender Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, the proposed permit would vary the North Pender Island Land Use Bylaw No. 224, 2022 by:

- A variance to the maximum height regulations from 4.6 to 6.0 metres for a proposed accessory building (garage).

The property is located at **5909 Pirates Road** and is legally described as Lot 9, Sections 7 & 24, Pender Island, Cowichan District, Plan 32261 (PID: 001-080-695).

The proposed building would replace one previously permitted under NP-DVP-2018.2 that was destroyed by fire.

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



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, BC. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **November 8, 2024** and continuing up to and including **November 20, 2024**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on North Pender Island.

Enquiries or comments should be directed to Phil Testemale, Planner 2 at (250) 405-5170, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: southinfo@islandstrust.bc.ca before 4:30 pm, **November 20, 2024**.

The North Pender Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **10:00 a.m.** on **November 29, 2024**, at the **St. Peter's Anglican Hall, 4703 Canal Road**, on North Pender Island.

All applications are available for review by the public with prior appointment. Written comments made in response to this notice will also be available for public review.



Islands Trust

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
NP-PLDVP20240225**

To: Xueping Yuan

1. This Development Variance Permit applies to the land described below:

Lot 9, Sections 7 & 24, Pender Island, Cowichan District, Plan 32261
(PID: 001-080-695)

2. North Pender Island Land Use Bylaw 224, 2022 is varied as follows:

- a) Subsection 3.4 (3) which states that an accessory building or structure may not exceed 4.6 metres in height and one storey is varied to permit the construction of an accessory building (garage) 6.0 metres in height.

The development shall be consistent with Schedules 'A', 'B' and 'C' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the "North Pender Island Land Use Bylaw 224, 2022" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE THIS ____th DAY OF _____, 2024.

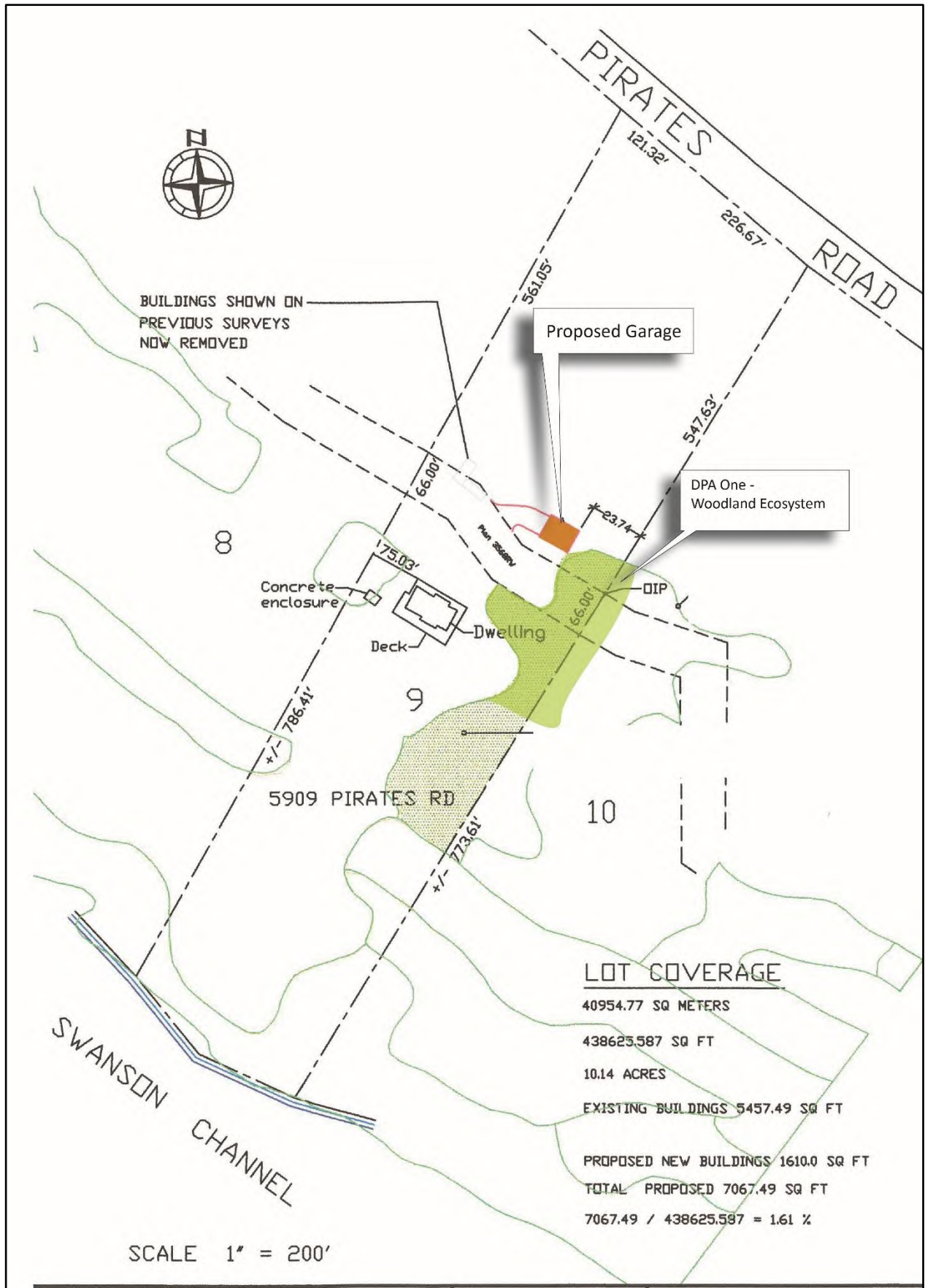
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE __th DAY OF ____, 2026, THIS PERMIT AUTOMATICALLY LAPSES.

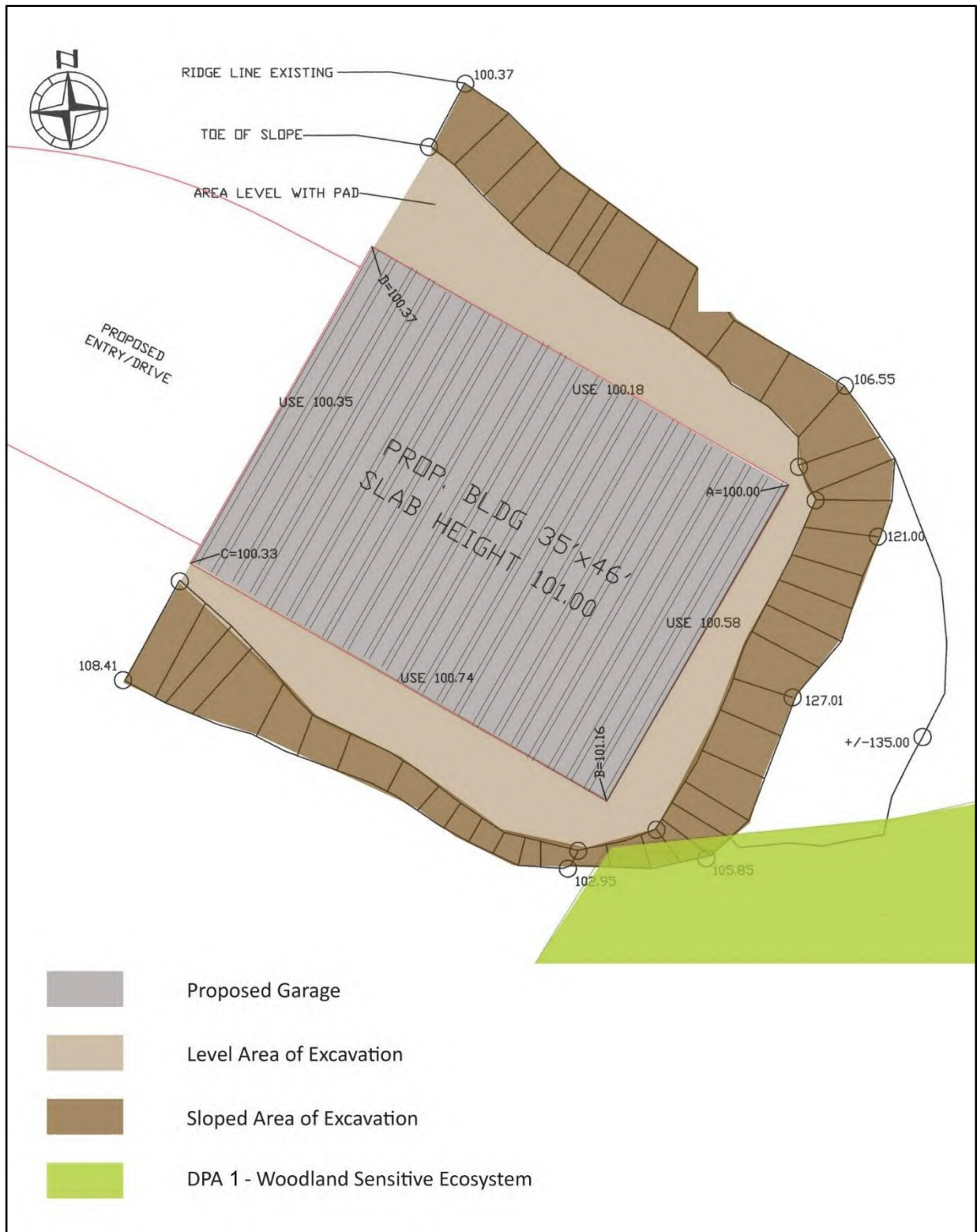
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-PLDVP20240225

SCHEDULE 'A'



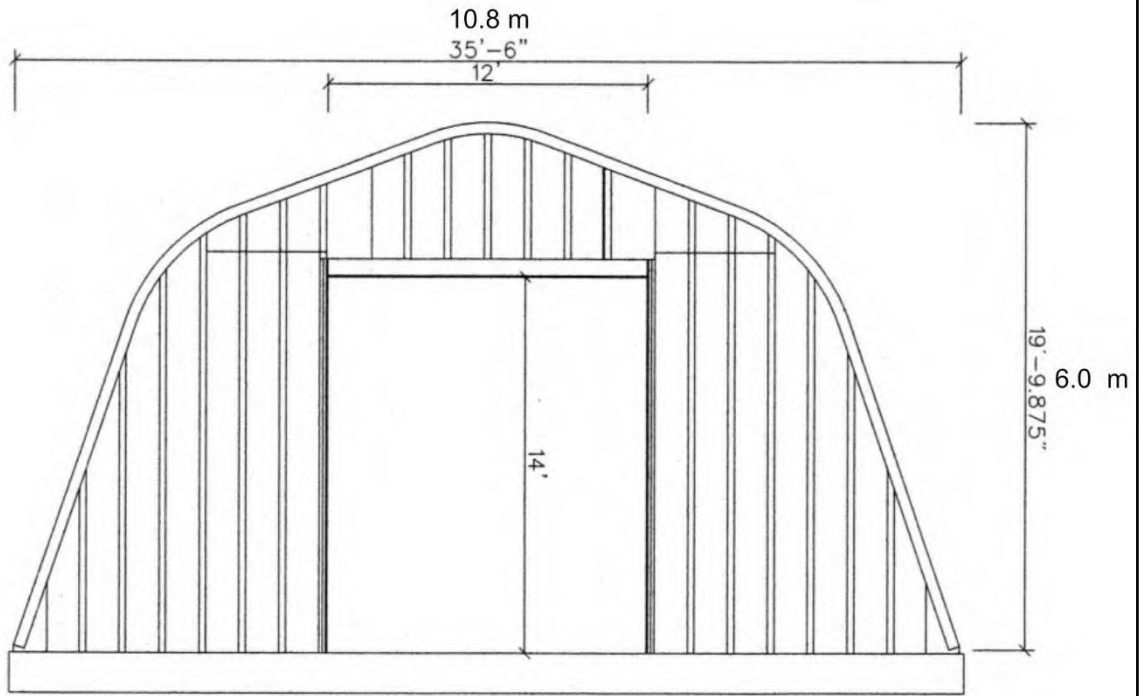
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-PLDVP20240225

SCHEDULE 'B'



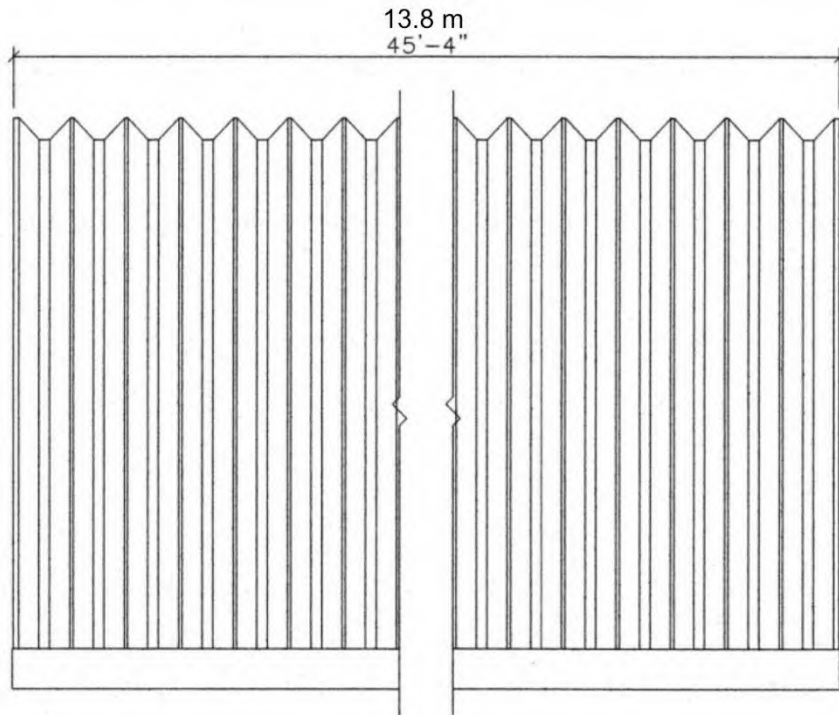
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
NP-PLDVP20240225

SCHEDULE 'C'



FRONT ELEVATION

OVERHEAD DOOR TO BE DESIGNED
AND SUPPLIED BY OTHERS



SIDE ELEVATION



DATE OF MEETING: November 29, 2024
 TO: North Pender Island Local Trust Committee
 FROM: Southern Team
 COPY: Robert Kojima, Regional Planning Manager
 SUBJECT: Rezoning Application – Contractor and aggregate storage/sales yard
 Applicant: Braedon Bigham - Big Digem Contracting
 Location: 3334 Port Washington Road, Pender Island

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee directs staff to proceed with application PLRZ20240110 (Bigham) and to prepare a draft bylaw.
2. That the North Pender Island Local Trust Committee permits the current industrial land use to continue during consideration of application PLRZ20240110 in accordance with standing resolution 2020-010 policy option 15.1(b); and directs that bylaw enforcement actions, including the issuing of notices, to cease.

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application PLRZ20240110 (Bigham) and to seek direction from the North Pender Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of a draft bylaw.

The above recommendation is supported as:

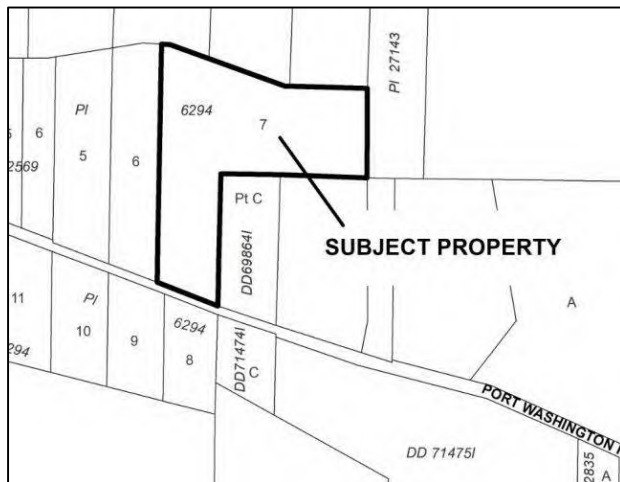
- The area proposed for rezoning is designated as Industrial and the proposed use appears consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP);
- The business provides an important community service, is located in a broader area designated for and actively utilized for industrial use, and has been operating via Temporary Use Permits since 2011;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant; and,
- Proceeding with draft bylaws will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

BACKGROUND

The property owner and business operator have submitted a rezoning application to permit the continued operation of aggregate storage, retail sales and associated uses on a portion of the subject property located at 3334 Port Washington Road (Figure 1), which is currently zoned Rural (R) and does not permit industrial uses.

The current industrial use on the property has been occurring for several years via Temporary Use Permits (TUPs). The business operator is now seeking to come into compliance with the North Pender Island Land Use Bylaw No. 224 (LUB) in respect of the ongoing industrial uses on the property.

Figure 1 – Subject Property



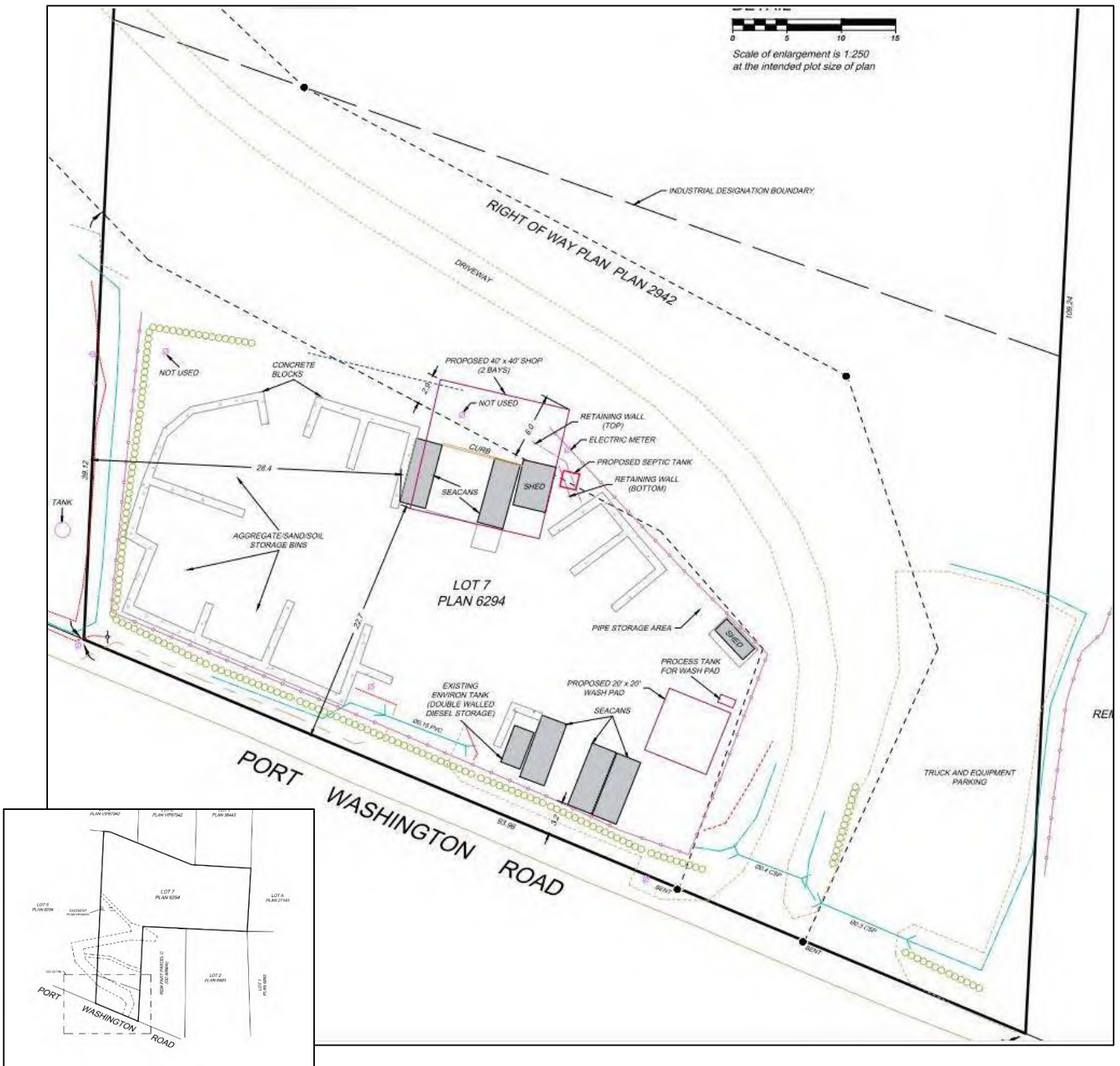
The following provides a brief history of land use:

- **2011** - TUP first issued for storage and sales of aggregate and associated uses
- **2014, 2016, 2020** - TUPs renewed for continuation of aggregate business
- **2015** - Bylaw enforcement file opened for non-permitted uses – issue addressed and file closed
- **2021** - LTC started LUB review – included consideration of zoning change to industrial
- **2022** - Bylaw enforcement file opened for non-permitted uses after TUP expired– file still open
- **2023** - LTC finished LUB review project and decided to not amend zoning through project to permit industrial uses, directed business operator to apply for rezoning rather than seeking another TUP
- **2024** - Property owner and business operator have submitted rezoning application seeking to rezone a portion of the property from Rural (R) to General Industrial (GI).

Figure 2. shows the proposed site plan for the industrial portion of the lot. Proposed uses include:

- Contractor Yard
- The storage, handling and wholesale of aggregates, soils and mulches - maximum 460 m² (550 yards)
- Storage of recreational vehicles
- Storage of motorized and non-motorized vehicles and equipment directly required for the business
- Water Wagon (500-gallon water trailer) for fire suppression / mitigation.
- Covered Trailer (plumbing / septic part storages) storage.
- Drainage/sewer pipe/culvert and new septic tank storage
- Superior Propane Tank Storage – Empty Propane Tank Storage to a maximum of 15, for island emergencies
- Storage of 10,000 liters of diesel for company use on off road equipment.
- 12 x 12 metre shop for working maintaining and servicing company owned vehicles and equipment
- 6 x 6 m concrete wash pad for washing of company owned vehicles and equipment - connected to water catchment /filtration system.

Figure 2. Site Plan of Proposed Industrial Uses



Additional site context is included as Attachment 1, and maps and plans in Attachment 2. Staff have conducted a site visit and identified no significant issues with the current operation.

The applicant has submitted a letter further describing the proposed uses and rationale. It is included as Attachment 3.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The proposed rezoning to permit the site-specific industrial uses listed above on the portion of the lot designated for industrial use does not appear to be contrary or at variance with any Policy Statement directive policies; however a more comprehensive review with a checklist would be provided at consideration of First Reading if the application proceeds.

Official Community Plan

The property is split designated as Rural (R) and Industrial (I) in the OCP as shown below. As the portion of the property proposed for rezoning is already designated Industrial, rezoning would not require an OCP amendment, only a LUB amendment.



The Industrial Land Use Policies of the OCP need to be considered, including minimizing impacts on neighbouring properties and the environment.

Industrial Land Use Objectives from the OCP include:

- 1) To encourage on-island industrial enterprises that do not adversely affect rural character and lifestyle.
- 2) To limit industrial development to specific areas of the island.
- 3) To prevent strip development.
- 4) To ensure that any industry is sited to minimize adverse effects upon neighbouring properties.

The most relevant associated OCP policies include:

- 2.5.1 Industrial development which may have a deleterious impact on adjacent land uses will not be permitted.
- 2.5.2 Priority may be given to the following locations for new or additional industrial development: a) **by application to rezone the industrially designated land on Port Washington Road;**

- 2.5.4 Applications for industrial rezoning must prove sustainable water supply and waste disposal capability, and include provision for remediation of any existing contamination, and in reviewing any application for new industrial uses, the local trust committee should consider potential climate change impacts.
- 2.5.6 Industrial activity, parking and storage areas should be screened.

The proposed area of rezoning on the subject property falls within the industrially designated land area referenced in Policy 2.5.2.

Consistent with policy 2.5.4, the applicant will be required to prove sustainable water supply and waste disposal capability. Screening should also be required for industrial activity, parking and storage areas. The existing GI zone includes screening requirements.

Development Permit Areas

There is DPA 2 - Herbaceous and DPA 1 – Woodland located in the upper portion of the property designated Rural. There are no DPAs in the lower portion designated Industrial.



As with all industrial zoned properties on North Pender, if the zoning amendment proceeds, the industrial zoned portion would become subject to the requirements of DPA 9 - Commercial and Industrial Form and Character. As such, the applicant would be need to obtain a development permit consistent with DPA 9 prior to operating.

Land Use Bylaw

The subject property is currently zoned Rural (R) in the LUB. Rural zoning does not permit the current industrial use for aggregate storage and sales. As such, up to now, TUPs have been issued for the business to operate.

As with other industrial zoned parcels on North Pender, if the LTC proceeds, staff would recommend site-specific zoning.

Terms of Reference

Should the LTC direct staff to proceed, staff will issue a terms of reference (TOR) consistent with the [North Pender Island Development Approval Information Bylaw No. 134 \(DAI\)](#). This TOR will further describe the reporting requirements of the applicant in respect of the rezoning proposal.

Standing Resolution 2020-010

Standing resolution 2020-010 provides policy options for bylaw enforcement compliance on unlawful uses.

2020-010 (Standing)	Carried	30-Jan-2020
<p>15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses</p>		
<p>that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p>		
<p>a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased.</p> <p>b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.</p> <p>c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue</p> <p>d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.</p>		

The applicant has requested that the LTC consider proceeding with consideration of the application while the use is continuing; and that the LTC direct that bylaw enforcement actions, including the issuing of notices, cease, consistent with 15.1(b) (request included in Attachment 1 Rationale Letter).

Section 219 Covenant

The LTC could require that the applicant grant a s. 219 Land Title Act covenant to the LTC for any additional restrictions not included in the LUB amendments. For example, a covenant could include ongoing conditions for water use/quality monitoring and reporting, or a more detailed site plan such as that shown in Figure 2 that describes very specifically where structures can be located, size etc.

Issues and Opportunities

Community Benefit and Surrounding Land Uses

It is understood by staff that the local business provides an important service to the island and it appears to be well operated. The area proposed for rezoning is already identified in the OCP for industrial use.

Surrounding land uses include Home Hardware, Emcon Contracting Services, BC Hydro, a specialty grocery store, and a residence. The neighbour living at 3330 Port Washington Road has raised several concerns with the current industrial land use and has expressed opposition to the rezoning proposal. Access to this property is via across the subject parcel.



Water Supply Considerations

A well was drilled on the property in October 2023, intended to service both the future residential use on the upper portion of the lot and the industrial use below. Well yield by air lifting was assumed to be 3 US gallons per minute, or an estimated 16353 litres/day (well record included as Attachment 4).

To service the residential use, the LUB standard for domestic potable water at time of subdivision is 2000 litres/day. It is typical to apply these standards at the time of rezoning. The applicant is also proposing commercial groundwater use via a bathroom facility in the proposed shop building.

To demonstrate proof of potable water, the applicant will be required to submit a report from a professional hydrogeologist confirming the well can produce a sufficient quantity of potable water for the proposed residential use plus whatever the hydrogeologist determines is a minimum volume required for the workshop use.

For other commercial water use requirements to service the business, the applicant is proposing to install a rainwater catchment system for rainwater harvesting off the proposed new shop building. Water captured, to be stored in a 3000-gallon cistern, will be used for all equipment /truck washing as well as fire suppression.

Given the proposal to use rainwater catchment, the LTC could require that no groundwater be used for any other commercial water use other than the workshop as a condition of a s. 219 covenant. Alternatively, the applicant could have the hydrogeologist estimate future additional potential groundwater use and demonstrate proof of water, as required above for the shop bathroom.

As the groundwater used for servicing the proposed shop bathroom will be for a commercial use, the applicant will also be required to obtain a commercial water license consistent with the *Water Sustainability Act*. This would be obtained through the province.

Waste Disposal Considerations

Septic

The applicant has submitted a plan from a Registered Onsite Wastewater Practitioner for a septic system to service the future residential use and the industrial workshop. The plan has been filed with Island Health (Attachment 5).

Other Wastewater and Stormwater

The applicant is proposing to construct a concrete wash pad for washing of equipment and vehicles used as part of the associated business. The wash pad will be connected to a water catchment and filtration system.

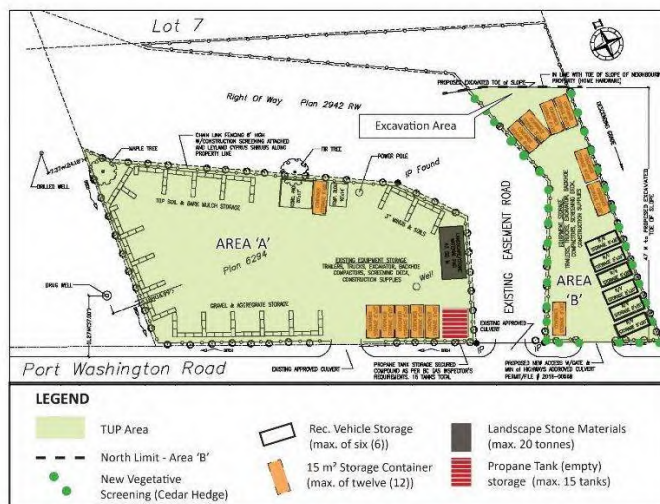
To effectively manage waste water, staff recommend that the applicant be required to submit a water management plan, from a qualified professional, that also includes consideration of stormwater management. Staff would include this as a requirement in the TOR.

The LTC could include relevant aspects of a wastewater management plan as a condition of a s. 219 covenant.

TUP Geotechnical Condition

TUP-2016.3 included the following condition with respect to proposed site excavation in Area B:

- n) This permit allows for the excavation of the area indicated as 'Excavation Area' on Schedule 'B' to facilitate an additional, level area for the uses specified in 2. above.
- o) All excavation work specified in 3) n) above shall be under the supervision of a registered Geotechnical Engineer (P.Eng.) to ensure the geotechnical stability of the sloped area to the north of the permit area and the driveway in 'Access Right of Way'.
- p) The monitoring P. Eng. cited in 3. o) above shall prepare and submit to the Islands Trust written confirmation of the geotechnical stability of the sloped area to the north of the permit area and the driveway in 'Access Right of Way' within one (1) month of the excavation work being completed.



The applicant has submitted two letters from Ryzuk Geotechnical, dated 2017 and 2018 (Attachment 6), confirming that this work is completed in accordance with Ryzuk’s recommendations and that geotechnical stability has been maintained (Attachment 6).

Highway Access Permit

The applicant has submitted an approved Highway Access Permit for the business use (Attachment 8).

Consultation

A draft amending bylaw would be sent to potentially affected government agencies and First Nations for referral. In this case, as there is no required OCP amendment, the LTC could choose whether to hold a public hearing or not. If the LTC chooses to not hold a public hearing, then staff would need to provide notice of first reading, and the LTC should pass the following resolution:

That, pursuant to Local Government Act s. 464(2), the North Pender Island Local Trust Committee resolves to not hold a public hearing for Bylaw No.235, and that staff give notice of First Reading in accordance with s.467 of the Local Government Act.

If a public hearing is held, public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing, including notification of the proposed rezoning to all properties located within 100 metres of the subject property.

Typically, a Community Information Meeting (CIM) is also held prior to a public hearing. With direction from LTC, these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least First Reading. If no public hearing is held, the LTC could still choose to hold a CIM.

Archaeological Sites

Islands Trust reviews all applications/permits to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there are no registered archaeological sites on the subject property, however there is archaeological potential identified in the vicinity.

Further to that review, staff direct the applicant to the following guidelines:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites), and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

Rationale for Recommendation

The recommendation on page 1 is supported as:

- The area proposed for rezoning is designated as Industrial and the proposed use appears consistent with the Industrial land use policies of the North Pender Island Official Community Plan No. 171 (OCP);
- The business provides an important community service, is located in an a broader area designated for and actively utilized for industrial use, and has been operating via Temporary Use Permits since 2006;
- Directing staff to proceed will trigger the issuance of a terms of reference (TOR) that will identify any additional information and professional reports required from the applicant; and,
- Proceeding with draft bylaws will facilitate First Nations and agency referrals and public input to identify any issues or concerns with the proposed rezoning.

ALTERNATIVES

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

1. Request further information

The LTC may refer back to staff requesting further information prior to making a decision. Recommended wording for a resolution is as follows:

That the North Pender Island Local Trust Committee request that staff report back with...

2. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee proceed no further with application NP-PLR20240110 (Bigham).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

4. Receive for information

The LTC may receive the report for information

NEXT STEPS

Based on direction from the LTC, staff will initiate the drafting of an amending bylaw and issue a TOR to the applicant consistent with the DAI bylaw.

Submitted By:	Brad Smith, Island Planner	November 13, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 14, 2024

ATTACHMENTS

1. Site Context
2. Mapping and Plans
3. Proposed Uses and Rationale Letter from Applicant
4. Well Drilling Report
5. Island Health Record of Sewerage System
6. Ryzuk Geotechnical Reports 2017 and 2018
7. Highway Access Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 7, Sections 18 And 22, Pender Island, Cowichan District, Plan 6294
PID	005-837-693
Civic Address	3334 Port Washington Road, Pender Island, BC

LAND USE

Current Land Use	Rural (Residential, agriculture [grazing, orchard] and quarry.
Surrounding Land Use	North – Rural and Community Service (Library; Nu to Yu) East – Rural Residential and Agriculture South – Community Service (Community Centre) and Rural West – Industrial (site specific) and Rural

HISTORICAL ACTIVITY

File No.	Purpose
NP-TUP-2006.1, 2009.1	Historical TUP files to permit the operation of a waste transfer station
2011.1, 2014.2, 2016.3, 2020.1	TUP files to permit the operation of the current aggregate storage and service company

POLICY/REGULATORY

Official Community Plan Designations	The property is split as designated Rural (R) and Industrial (I) in the North Pender Island Official Community Plan No. 171, 2007 (OCP). (See Mapping) There is DPA 2 - Herbaceous and DPA 1 – Woodland located in the upper portion of the property designated Rural. There are no DPAs in the lower portion designated Industrial.
Land Use Bylaw	The property is zoned Rural (R) in the North Pender Island Land Use Bylaw No. 224, 2022 (LUB).
Other Regulations	None
Covenants	None
Bylaw Enforcement	NP-BE-2015.32 – Closed file - Non permitted uses in association with TUP. NP-BE-2022.14. Active file. Industrial uses of land without zoning

SITE INFLUENCES

Islands Trust Conservancy	The upper portion of the lot is adjacent to a parcel owned by the Islands Trust Conservancy.
Regional Conservation Strategy	N/A
Species at Risk	None
Sensitive Ecosystems	Some Woodland and Herbaceous sensitive ecosystem areas in the upper portion of the lot, none in the portion designated as Industrial.

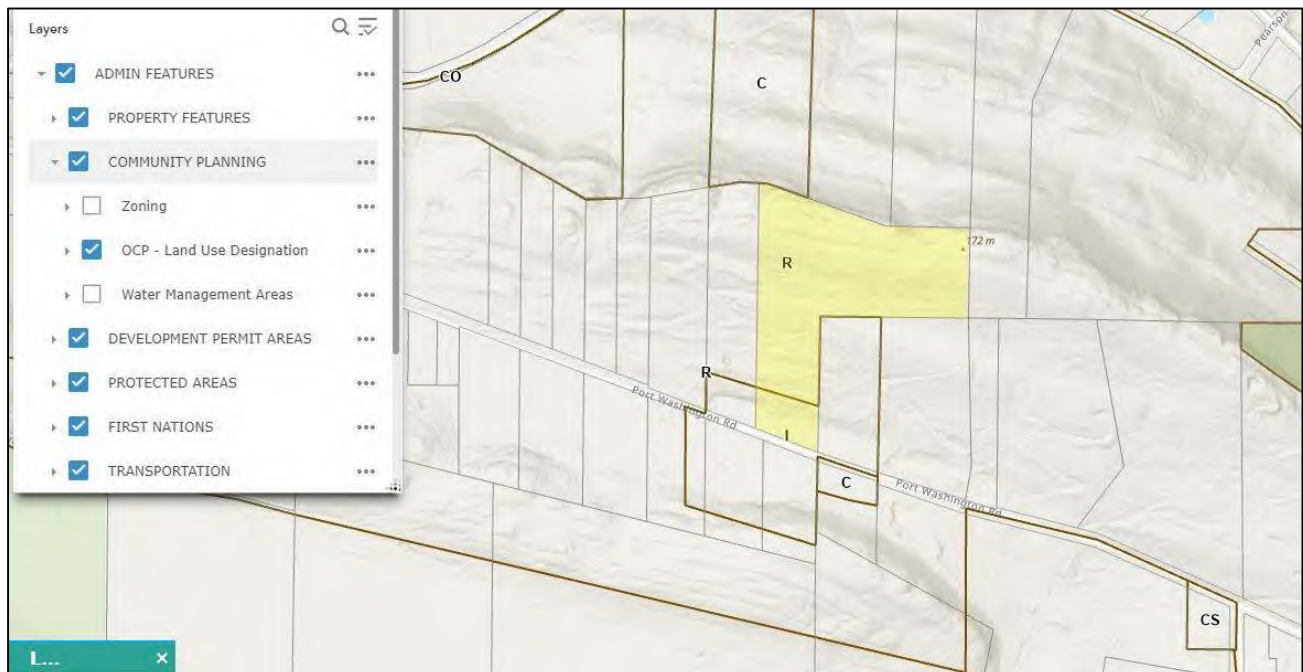
Hazard Areas	Some steep slope – predominantly low to moderate risk (see mapping)
Archaeological Sites	There are no designated archaeological sites on the property or in the immediate vicinity. However, owners and the applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not Applicable

ATTACHMENT 2 – MAPS, PLANS, DRAWINGS, PHOTOGRAPHS

2.1 ZONING



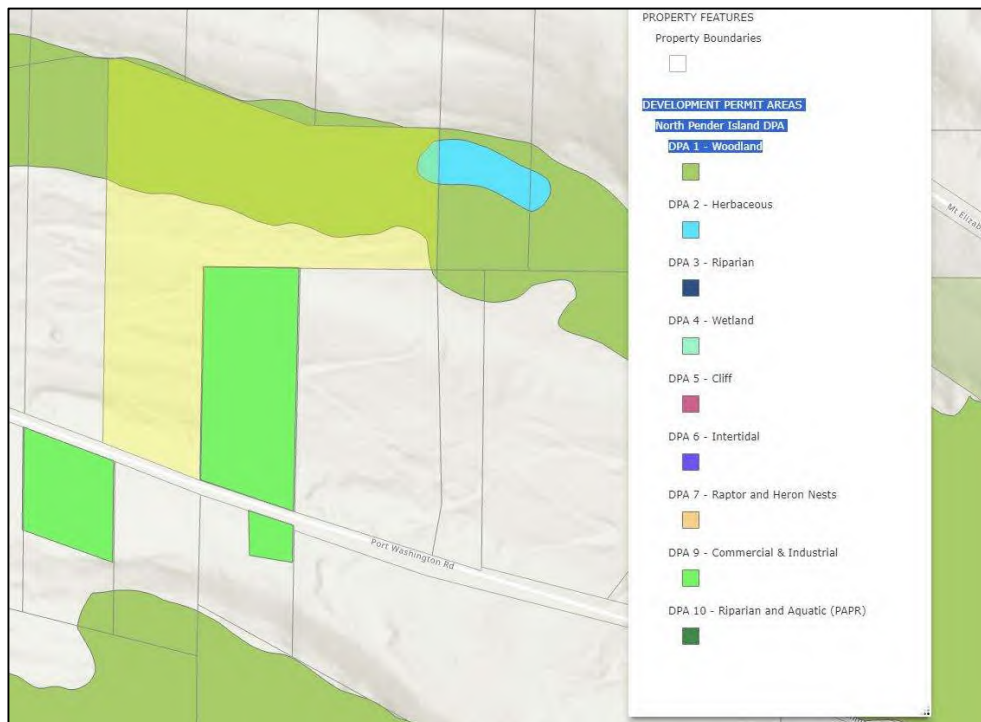
2.2 OCP DESIGNATIONS



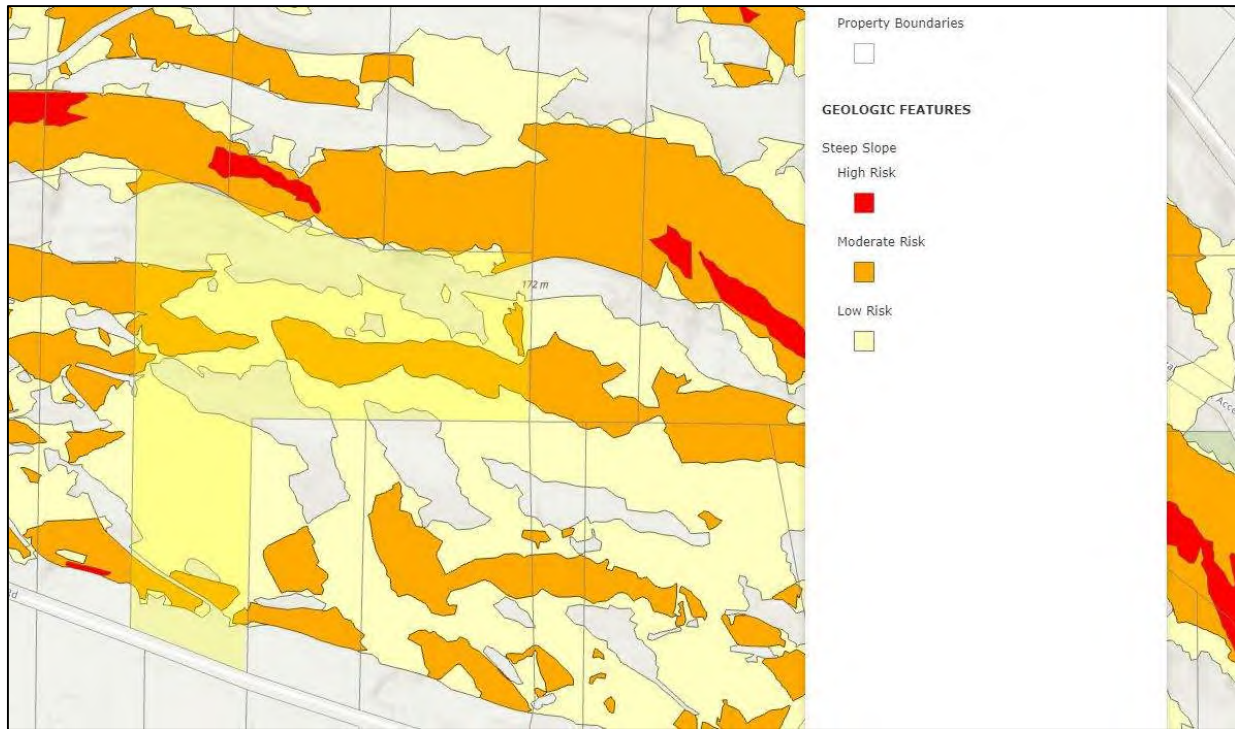
2.3 2021 ORTHO AND OCP DESIGNATIONS



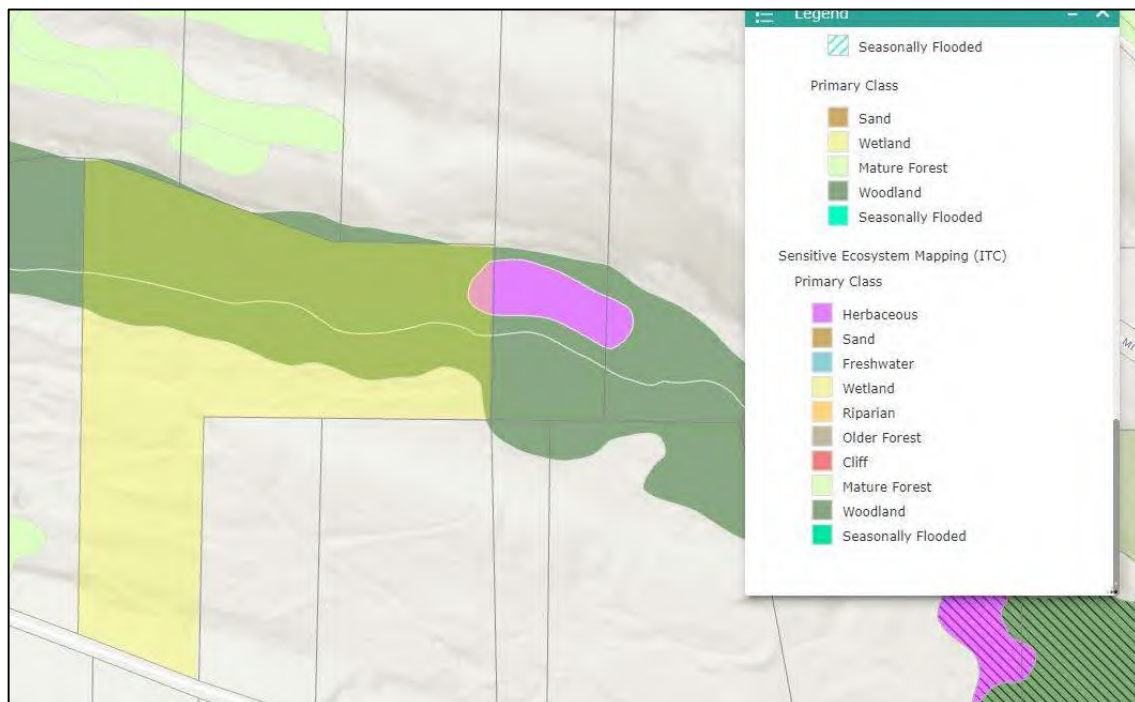
2.4 DEVELOPMENT PERMIT AREAS



2.5 STEEP SLOPE MAPPING



2.6 SENSITIVE ECOSYSTEMS





BDE Site Plan

LEGEND Operational Layers



229.3

0

114.7

229.3 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Islands Trust



1:4,514

April 18, 2024

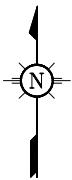
DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. Islands Trust makes no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



SITE PLAN OF PART OF LOT 7, SECTIONS 18 AND 22, PENDER ISLAND, COWICHAN DISTRICT, PLAN 6294

FID 005-837-693



The intended plot size of this plan is 560mm in width by 864mm in height (D-Size) when plotted at a scale of 1:2000.

All distances are in metres and decimals thereof, unless otherwise noted.

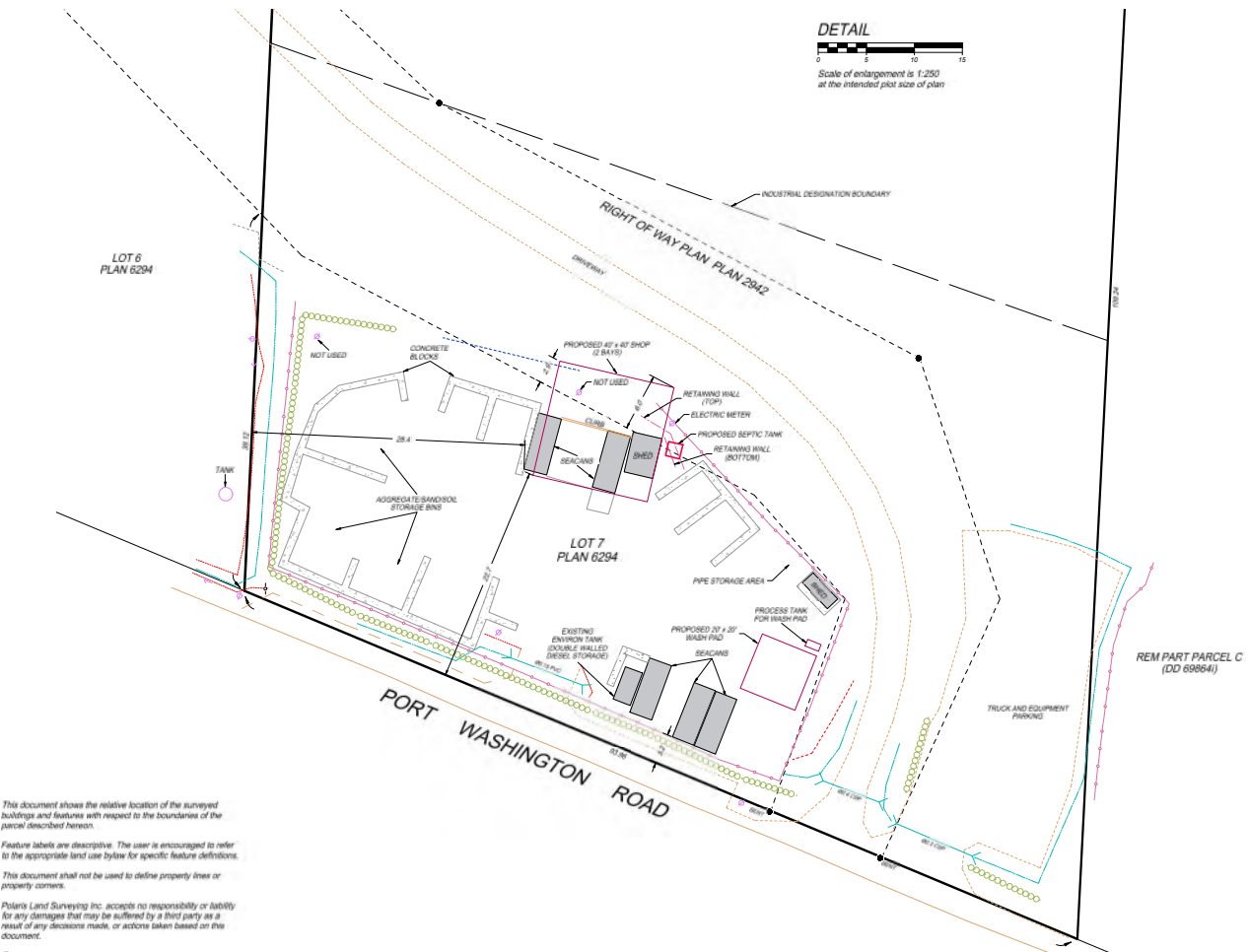
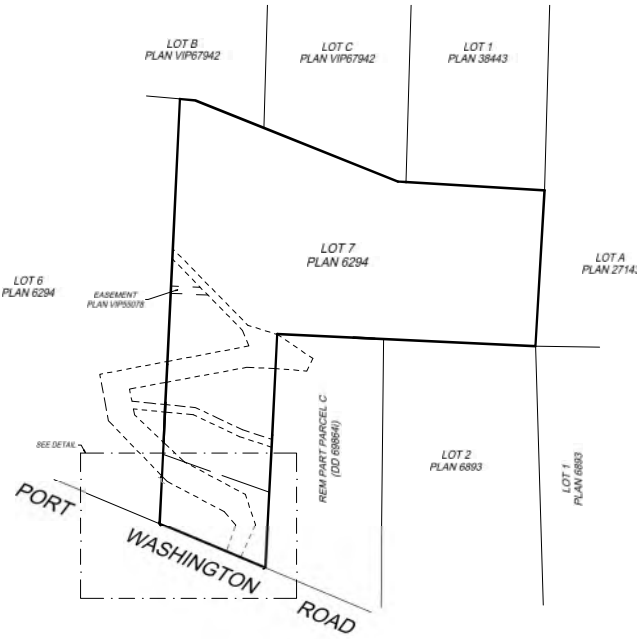
LEGEND

- denotes Standard Iron Post found
- denotes Non-Standard Post found
- denotes Traverse Hub found
- denotes Utility Pole
- denotes Anchor
- denotes Well
- denotes Sign Post
- denotes Fence/line
- denotes Top of Bank
- denotes Bottom of Bank
- denotes Bottom of Rock
- denotes Edge of Pavement
- denotes Edge of Gravel
- denotes DPA, 1 - Woodland
- denotes Hedge
- denotes Drain Bottom
- denotes Culvert
- denotes Remainder

The civic address is: 3334 Port Washington, Pender Island, BC.

The following non-financial charges are shown on the current Certificate of Title and may affect the property:

- E72936 - EASEMENT
- E72937 - EASEMENT
- E72938 - EASEMENT
- E711003 - EASEMENT
- E711005 - EASEMENT



DETAIL
Scale of enlargement is 1:250 at the intended plot size of plan

This document shows the relative location of the surveyed buildings and features with respect to the boundaries of the parcel described herein.

Feature labels are descriptive. The user is encouraged to refer to the appropriate land use bylaw for specific feature definitions.

This document shall not be used to define property lines or property corners.

Polaris Land Surveying Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

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Mailing & delivery address:
204 - 149 Furlong-Ganges Road,
Salt Spring Island, BC, V8R 2T3

Toll Free: (877) 603 7388
Telephone: (250) 537 5502
250@pols.ca
www.pols.ca

Date: 2024-04-22
File: 3414-01
Drawing: 3414-01-SITE.dwg
Layout: D-Size

Islands Trust Rezoning Application
Big Dig Em Excavating LTD
3334 Port Washington Road
Pender Island B.C.

1. Existing uses of buildings and land:
 - Contractor Yard
 - The storage and handling of aggregates, soils and mulches
 - Wholesale of aggregates, soils and mulches
 - Storage of recreational vehicles
 - Maximum Materials Volumes to be stored 550 yards
 - Storage of motorized and nonmotorized vehicles and equipment directly required for the business know as Big Dig Em Excavating & Trucking.
 - Dump Truck and Equipment Storage
 - Water Wagon (500-gallon water trailer) for fire suppression / mitigation.
 - Covered Trailer (plumbing / septic part storages) storage.
 - Equipment Implement storage (forks, hammers, compactors, buckets, etc.)
 - Hand Tool's (compaction equipment, pumps, laser grading equipment, etc.)
 - Drainage / Sewer pipe storage
 - Culvert Storage and New Septic Tank Storage
 - Superior Propane Tank Storage – Empty Propane Tank Storage to a maximum of 15, for island emergencies.
 - Storage of 10,000 liters of diesel for company use on off road equipment. Fuel tank storage is in a “Enviro Tank” which is double walled, vacuumed sealed and monitored tank, similar to what is used at Emcon Contracting Yard.
 - Servicing and maintaining heavy equipment owned by BDE.
 - Shipping Container Storage.

2. Propose uses of Land and buildings:
 - Continued as above. Plus - Building of 40' x 40' shop for working on BDE owned trucks and equipment. The shop building may include a small 10x10 office attached for a BDE office and staff room including a bathroom facility and first aid station. The building of the shop would be steel frame fire resistant, insulated interior with metal siding. This will help to mitigate any potential noise pollution and other negative environmental occurrences. Building of 20' x 20' concrete wash pad for washing of BDE owned equipment. The wash pad will be connected that a water catchment / filtration system.

3. Proposed timing of development or commencement of use:
 - BDE is currently operating at this location and has been for 13 years
 - Shop Building and Wash Pad would be built within 12 months. Relocation of 2 shipping containers and temporary canopy work shelter within 6 months. 4 shipping containers to stay onsite for storage for BDE related items.

4. Existing uses of the land and buildings on adjacent properties:
- Home Hardware, 3338 Port Washington Road.
 - Large retail building with indoor and outdoor retail spaces, including lumber, building supplies, bulk propane sales, bagged landscaping products, bagged aggregates / bagged cement products, nursery items such as plants, trees and shrubs. Tool rentals and material delivery services.

 - Emcon Contracting Services, 3323 Port Washington Road.
 - Highways Maintenance Contractor. Storage of heavy equipment such as wheel loaders, backhoes, dump trucks, street sweepers. Tree trimming contractors also rent space from Emcon Services, storing bucket trucks, tree / brush chippers. Private Excavation contractor stores an excavator and truck on site. 1 large shop building with a single bay and office attached. Storage of Sand / Salt in large coverall structure. Building storing cold mix asphalt. Storage and processing of Gravel, Rock (boulders / rip rap) for road works. Fuel Storage Tanks and fluids storage building. School Bus parking. Wood waste processing / burning and firewood processing.

 - B.C. Hydro.
 - Power Line Contractor. Large 2 bay shop building. 3 bunk storage units for hydro poles, electrical transformers storage, gravel storage for power pole installations. Bucket / Boom trucks stored on site as well as pick-up trucks.

 - 3315 Port Washington Road.
 - Private residence, Portion of Property is designated in OCP as Light Industrial. To our knowledge no industrial activities have occurred on this land.

 - 3330 Port Washington Road.
 - Property is designated in OCP as light Industrial, Industrial activities have occurred on this property for 25 plus years. Eco Source Septic Contractor - Storing and transferring of septic waste. 2 septic pump trucks, 1 hook lift bin truck with associated bins. Storage of septic waste and processing of sand and aggregates and screening of topsoil. Contractors' yard, storing of piping, septic tanks and prepackaged waste-water treatment plants.
 - Rental Yard, Boat storage, Electrical Contractor using Cube Van for Storage. B.C. Hydro stored power poles and equipment before moving across the street.

Additional Information / Reports attached:

- Ryzuk Geotechnical Assessment
 - File 8102-1, March 9, 2017 / March 20, 2018 – Report speaks about slope stability, drainage, placement of existing surrounding wells and industrial area usage.
- Well Drilling Report, Red Williams Well Drilling LTD
 - Ministry Well ID plate Number 65548, Ministry Well Tag Number 129423. Well Drilled on upper Northern Portion of Land. GPS Coordinates. Well yield by air lifting assumed to be 3 gallons per minute.
- Rainwater Capturing
 - BDE will Install a rainwater catchment system with a first flush system for rainwater harvesting off the proposed new shop building. Water captured will be used for equipment / truck washing as well as fire suppression, stored likely in a 3000-gallon cistern.
- Water Usage
 - BDE will have very limited domestic water usage requirements. Our business water requirement are minimal with water only being used for a single bathroom.
- Island Health Initial Septic Filing –
 - Record Of Sewage System File GV24/130
- MOTI Driveway access permit

Existing Buildings / Structures:

- Four 20-foot shipping containers with other units on and off site periodically as storage requirement vary.
- Plumbing Storage Shed. 6' x 12' on cement pad
- Atco Shop / Office Building. 10' x 14' on skids, connected to power and water. Use for small machine repairs, storage of tools and small office space for BDE.
- Coverall Shop Building. 20' x 33', two shipping containers with hoop canvas roof system. Covered space to work on BDE equipment, sea cans are used for shop / tool storage.

Per resolution SR 2020-010 – 15.1 b we request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and the Local Trust Committee direct that bylaw enforcement actions, including the issuing of notices, cease.



North Pender Island Local Trust Committee
Rezoning rationale for BDE Rezoning Application
3334 Port Washington Road
Pender Island B.C.
File #

Big Dig Em Excavating LTD (“BDE”) has successfully been operating under a temporary use permit (“TUP”) since early April 2011 at our current yard location at 3334 Port Washington Road. BDE has strictly followed the framework of the TUP laid out by the Local Trust Committee. Previously to BDE occupying this location there was a waste transfer site with recreational vehicle storage that also operated under a TUP for 6 years. The properties industrial use dates further back to when the site was operated as gravel pit for the purposes of ready-mix production, dating back some 50 years.

The property frontage is fully screened with Leyland Cypress’s the exception of two 7-meter-wide access points with Leyland plantings at least 2 meters in height providing a visual screen of the operation, from the road.

3334 Port Washington Road has long been designated in the North Pender Island OCP as light industrial. 3334 Port Washington Road is surrounded by commercial and industrial activities. Such businesses include Home Hardware, Emcon Services, B.C. Hydro, and Eco Source Septic. The area designated in the OCP is 0.56 hectares, which covers the entire lower portion of the property extending partially up slope. BDE activities fits in with current business operating in the Port Washington Industrial / Commercial Area.

The reasoning for this application is to come into compliance with the Islands Trust Land Use Bylaws. BDE wishes to continue its operation from this location, in a permanent legal way. Islands Trust Temporary use guidelines state “A permit may be issued for a period of up to 3 years and maybe renewed only once.” BDE has operated here for 2 of these cycles, plus during the Industrial Land Use Review was on going. We have proven the feasibility of this location for our business. The OCP / Bylaw 147 also references under section 404 Industrial, “Given the economics of operating an enterprise on these Islands, there is not anticipated to be a need to designate lands for future industrial uses.” The direction provides another solid point on why rezoning this location to follow the OCP makes the most sense. BDE provides key and essential services to the Gulf Islands and helps provide an economic drive to the Pender’s and surrounding Islands Economy. BDE employs all local people who reside with their families on Pender Island, and who are deeply rooted in the community. A number of these employees have spent time in volunteer roles with emergency services, coaching youth sports and sitting

on Island based Boards to name a few. BDE works with many of the local businesses such as building and landscape contractors, providing further economic spin off to the community.

Our everyday services provide local homeowners with soils, gravel and landscaping for their properties. We undertake the repairs, maintenance and design and installation of private waste-water systems. Our excavation services include site development (roads, utility installations, driveway building and resurfacing) and ponds.

Examples of essential services BDE provides to the community:

Snow Removal for B.C. Ferries, RCMP, Fire Dept, Pender Island Community Hall and Library. Private businesses include Driftwood Centre, Magic Lake Market to name a few. BDE also provides essential services to CRD Water and Sewer to support with routine maintenance and emergency repairs of utilities. Our services are also utilized by B.C. Hydro.

BDE helps support many local community initiatives, some recent community involvement include Pender Island Junior Sailing, Pender Island NU-TO-YU development, Pender Island Junior Baseball, Pender Parks Pump Track and are a Member of the Pender Island Chamber of Commerce.

Per resolution SR 2020-010 – 15.1 b we request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and the Local Trust Committee direct that bylaw enforcement actions, including the issuing of notices, cease.

In closing there are no other available industrial zoned or industrial designated sites on Pender Island for my business.

Braedon Bigham
Owner
Big Digem Excavating Ltd



Well Construction Report
 Well Alteration Report

RED WILLIAMS WELL DRILLING LTD
 250 248-5552

Ministry Well ID Plate Number: 65548
 Where ID Plate is attached: CASING
 Ministry Well Tag Number: 129423

See reverse for notes & definitions of abbreviations.

Well Class: Class of well (see note 2): WATER SUPPLY Sub-class of well: DOMESTIC
 Water supply wells: indicate intended water use: private domestic water supply system irrigation commercial or industrial other (specify):
 Start date of work (YYYY/MM/DD): 2023/10/24 End date of work (YYYY/MM/DD): 2023/10/25

Person Responsible for Work (print clearly): Name (first, last) (see note 3): ROBERT PARKER
 Person who completed the work: ROBERT PARKER Registration no. (see note 4): WD05051901
 Consultant (if applicable; name and company):

DECLARATION: Well construction, well alteration or well decommission, as the case may be, has been done in accordance with the requirements in the Water Sustainability Act and the Ground Water Protection Regulation.

Signature of Person Responsible: per ROBERT PARKER

Owner name: WILLIAM R SINGLEHURST and KAREN E SINGLEHURST
 Mailing address: [REDACTED]
 Well Location (see note 6): Address: Street no. 3004 Street name PORT WASHINGTON RD Postal Code V0N 2M1
 Legal description: Lot 7 Plan VIP6294 D.L. Block Sec. 18 Twp. Rg. Land District 16
 PID: 005-837-693 and Description of well location (attach sketch, if nec.): 1/22 WITHIN PROPERTY BOUNDARIES

Well Location:
 NAD 83: Zone: 10 and UTM Easting: 478423 m or Latitude (see note 8):
 UTM Northing: 5406254 m or Longitude:
 Method of drilling: air rotary dual rotary cable tool mud rotary auger driving jetting other (specify):
 Orientation of well: vertical horizontal Ground elevation: 436' ft (asl) Method (see note 9): GPS/ACCURACY/4

Lithologic description (see notes 10-15)

From ft (bgl)	To ft (bgl)	Material Description	Moisture			Colour							Hardness							Observations (e.g. other geological materials (e.g. boulders), est. water bearing flow (USgpm))						
			Dry	Damp	Moist	Black	Blue	Brown	Green	Grey	Var-coloured	Red	Tan	White	Dense	Hard	Loose	Medium	Soft		Stiff	Very Hard	Very Soft			
0	2	SANDSTONE																								
2	245	SANDSTONE																								

Casing Details:

Type: Surface Production Open Hole Steel Removed

From ft (bgl)	To ft (bgl)	Dia in	Casing Material/Open Hole (see note 16)	Wall Thickness in	Drive Shoe
0	18'	6	STEEL	.219	

Screen details:

From ft (bgl)	To ft (bgl)	Dia in	Type (see note 17)	Slot Size

Surface seal: Type: BENTONITE Depth: 18' ft
 Method of installation: Poured Pumped Thickness: 2" in
 Backfill: Type: _____ Depth: _____ ft
 Liner: PVC Other (specify): _____
 Diameter: _____ in Thickness: _____ in
 From: _____ ft (bgl) To: _____ ft (bgl)
 Perforated: From: _____ ft (bgl) To: _____ ft (bgl)

Intake: Screen Open bottom Uncased hole
 Screen type: Telescope Pipe size
 Screen material: Stainless steel Plastic Other (specify): _____
 Screen opening: Continuous slot Slotted Perforated pipe
 Screen bottom: Bail Plug Plate Other (specify): _____
 Filter pack: From: _____ ft To: _____ ft Thickness: _____ in
 Type and size of material: _____

Developed by: Air lifting Bailing Jetting Pumping Surging Other (specify): _____ Total duration: 2 hrs

Notes:
 Well yield estimated by: Pumping Air lifting Bailing Other (specify): _____
 Rate: 3 USgpm Duration: 2 hrs SWL before test: 180' ft (btoc) Drawdown: _____ ft (btoc)
 Hydro-fracturing: Yes No Increase in Well Yield due to Hydro-fracturing: _____ USgpm

Water Quality: Water sample collected: Yes No
 Date (YYYY/MM/DD) _____ Water quality odour: _____
 Characteristics: Clear Cloudy Fresh Gas Salty Sediment Other (specify): _____
 Colour: Black Black flecks Brown Clear/none grey
 Slight colour/milky Orange Other (specify): _____
 Comments: _____

Final well completion data:
 Total depth drilled: 245' ft Finished well depth: 245' ft (bgl)
 Final casing stick up: 24" in Depth to bedrock: 0 ft (bgl)
 SWL: 180' ft (btoc) Estimated well yield: 3 USgpm
 Artesian flow: _____ USgpm, or Artesian pressure: _____ ft
 Type of well cap: VERMIN PROOF Well disinfected: Yes No



RECORD OF SEWERAGE SYSTEM

Filing # (OFFICE USE ONLY)

GV241/130

1. Property Information

New Construction Alteration

Repair Amendment - Original Filing #

Tax Assessment Roll #

01-764-05693.000

PID #

005-837-693

Legal Description (Plan, Lot, District Lot, Block Numbers)

Lot 7 Sections 18 & 22 Plan 6294 Cowichan District 16

Street (Civic) Address or General Location

3334 Port Washington Road

City

Pender Island

2. Owner Information

Name of Legal Owner

Douglas Singlehurst

Mailing Address

Phone

City

Pender Island

Prov

BC

Postal Code

V0N 2M1

3. Authorized Person Information

Name of Authorized Person

Lois Kinnersley

Mailing Address

Phone

City

Pender Island

Prov

BC

Postal Code

V0N 2M1

Registration #

OW0180

Email

4. Structure Information

Sewerage System Will Serve:

Single Family Dwelling Other Structure (specify) garage/shed Other Dwelling (specify) n/a

The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one)

Less than or equal to 9,100 litres More than 9,100 litres but less than 22,700 litres

5. Site Information

Depth of native soil to seasonal high water table or restrictive layer (cm)

48 inch

Information respecting the type, depth and porosity of the soil is attached Yes No

GPS Location of System (decimal degrees)

Latitude: 48.48.32N

Longitude: 123.17.36W

Horizontal Accuracy (m) +/-3m

Recreational GPS Differential GPS

6. Drinking Water Protection

Will the sewerage system be located less than 30 m from a well? Yes No

If yes, attach a professional's report and specify the intended distance n/a (m)

Distance of proposed sewerage system to the closest body of surface water 500 m+ (m)

7. System Information

Sewerage treatment method Type 1 Type 2 Type 3

8. Legal or Regulatory Considerations

Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.

Is this filing submitted as the result of an order from the Health Authority? Yes (attach a copy of the order) No

9. Plot Plan and Specifications

Plot Plan (to scale) and specifications are attached Yes No

The plans and specifications are consistent with Standard Practice

Source of Standard Practice: Ministry of Health Standard Practice Manual Other

10. Authorized Person's Signature

Signature

Lois Kinnersley

OFFICE USE ONLY

Filing Accepted Date

April 26, 2024

Date

April 26, 2024

Receipt Number

241041KSD 38438

Lois Kinnersley

ROWP#0180



Proposed System for Plan VIP6294 Lot 7 Section 18 & 22

Land District 16 Cowichan Bay

3334 Port Washington Road , Pender Island

New Construction

Proposed house 2500 square feet with 4 bedrooms

And 1600 square foot garage

Daily flow 400 gallons

MBBR 600 Treatment Plant with 400 gallon trash trap and pump

Connected to 10 x 40 Sand Mound

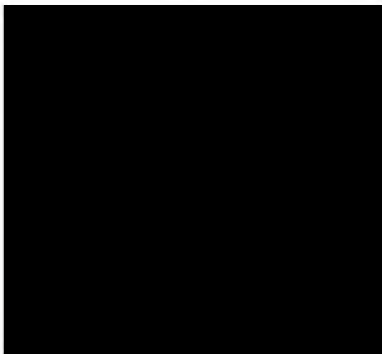
No Garborator to be installed

Property is 15 acres

Main well is 200 feet from system

Neighbouring wells 200 feet from system

System is 500 m from marine body of water

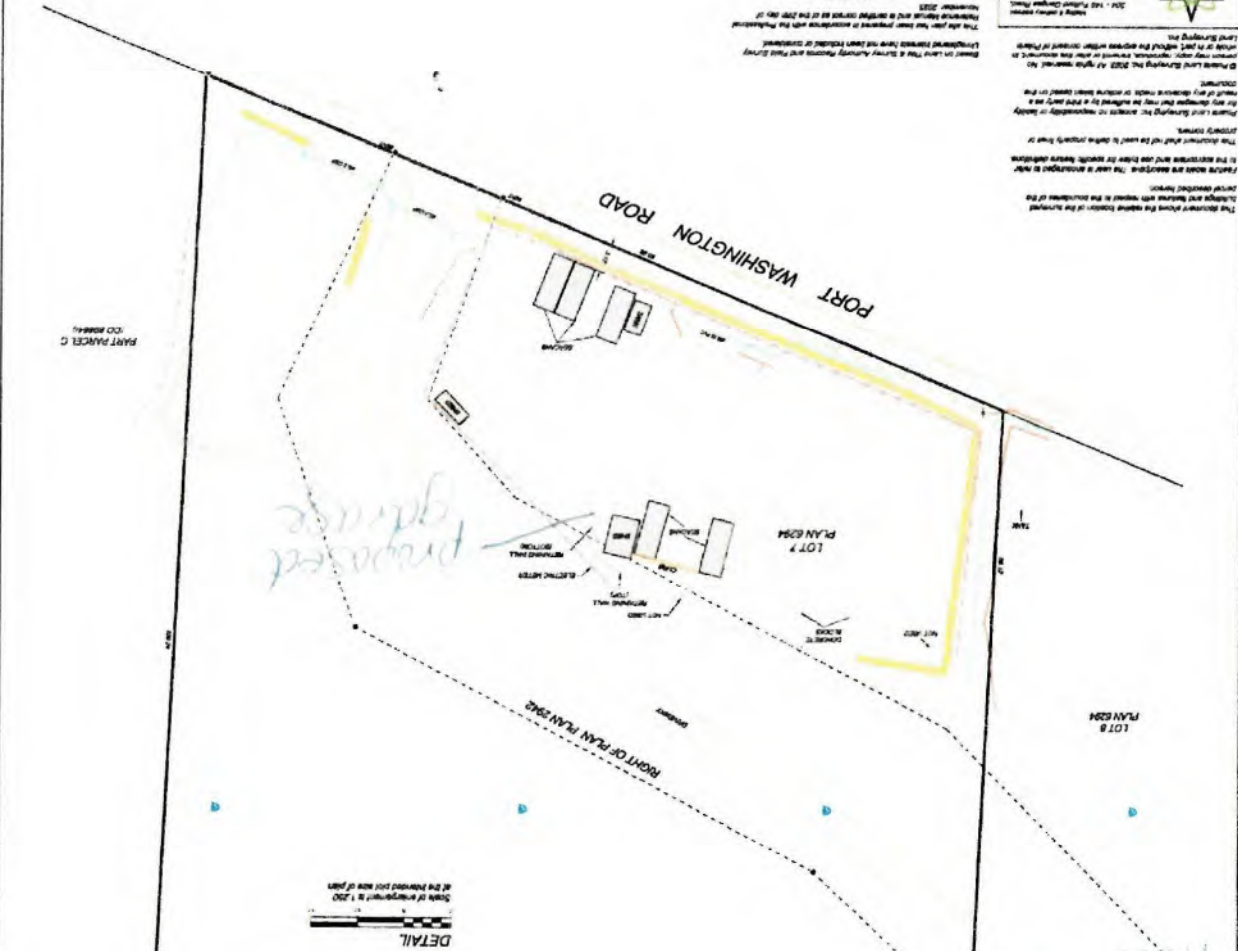


Lois



The District Board of Planning and Zoning has received the application for a site plan for the proposed development on Lot 7, Section 18 and 22, Pender Island, Cowichan District, Plan 6294. The applicant is requesting approval for the proposed development. The District Board of Planning and Zoning has reviewed the application and has found that the proposed development is in accordance with the applicable zoning regulations. The District Board of Planning and Zoning has approved the site plan for the proposed development.

The District Board of Planning and Zoning has reviewed the application and has found that the proposed development is in accordance with the applicable zoning regulations. The District Board of Planning and Zoning has approved the site plan for the proposed development.



SITE PLAN OF LOT 7, SECTIONS 18 AND 22, PENDER ISLAND, COWICHAN DISTRICT, PLAN 6294

RYZUK GEOTECHNICAL

Engineering & Materials Testing

28 Crease Avenue, Victoria, BC, V8Z 1S3 Tel: 250-475-3131 Fax: 250-475-3611 www.ryzuk.com

March 9, 2017
File No: 8102-1

Big Dig Em Excavating
4605 Bedwell Harbour Road
Pender Island, BC
V0N 2M0

Attn: Mr. B Bigham

Dear Mr. Bigham,

Re: Geotechnical Assessment
3334 Port Washington Road – Pender Island, BC

As requested, we visited the referenced site recently to review the existing hydrogeologic conditions. We understand that it is proposed to extend the existing materials wholesale depot within the lower eastern portion of the industrially zoned property. This report has been prepared in support of this proposal in general accordance with the North Pender Island Official Community Plan. Our associated observations, comments, and recommendations in this regard are contained herein. Our work has been carried out in accordance with, and is subject to, the attached Terms of Engagement.

The existing facility comprises several 'U' shaped alcoves bounded by concrete lock blocks for storage of select sand, gravel, mulch, and organic soils. The new area would maintain a similar site usage and would be limited to the gently sloped southern areas of the property slightly above the elevation of Port Washington Road.

The local terrain generally consists of a moderately steep bedrock controlled slope rising to the north of the area where shallow sandstone bedrock exists. The bedrock comprises massive, thick to medium bedded sandstone, mapped as the Geoffrey Formation. Bedding planes dip to the southwest at approximately 25 degrees from horizontal, being coincident with the slope fall. Anecdotal evidence suggests that the native subsurface soils are variable and comprise both glaciofluvial sand and gravel, as well as silty gravelly sand till.

At the time of our visit, we observed a small drainage ditch alongside the existing gravel driveway easement which bisects the lower portions of the site. This drainage, as well as the runoff from the site, merge into the existing roadside ditch along the north side of Port Washington Road which flows from this area down towards the west.


We reviewed the conditions within the lower portions of the adjacent property to the west and noted a drilled well casing protruding from the surface at approximately 8 m west of the property boundary near the toe of the bedrock slope. A concrete lid was noted within several meters of the roadside ditch at the southeast corner of this lot which we understand may be a dug well being not a potable water source. Neither of these wells are denoted on the Provincial Well Database and do not appear to be active. With regards to the drilled well, however, we expect that the steel casing would have been extend into the bedrock and sealed likely within a few meters depth below the existing surface, assuming the installation was carried out properly. All other existing wells denoted in the Provincial Database are deep bedrock aquifer wells and are located at least 75 m away from the existing and proposed materials depot limits.

We consider that the addition of several more storage alcoves containing the same materials being currently stored within the adjacent areas will not result in a significant change to the current drainage and contamination risk of the subsurface. We note that the contamination risk to the groundwater resource from such materials would generally be limited to shallow effects, or if direct surface flow were to ingress a well head. These risks are perceived to be negligible based on the site conditions and offset of the adjacent supply wells.

Given the above, we consider that the expansion of the industrial site usage would be feasible while maintaining adequate protection of the groundwater quality of the existing service wells within the area. The storage of materials would be limited to the noted inert sand and gravel, crushed rock, bark mulch, and organic soils, and we recommend that all fuel and equipment is properly managed and any spills are cleaned up entirely and immediately.

We trust that the preceding is suitable for your current requirements. Please call if you have questions.

Kind regards,


Andrew Jackson, P.Geo.
Geoscientist

Attached – Terms of Engagement

→ File

E-MAILED
20.03.18

16:39



RYZUK GEOTECHNICAL
ENGINEERING & MATERIALS TESTING

28 Crease Avenue
Victoria, B.C.
V8Z 1S3
Tel: 250-475-3131
Fax: 250-475-3611
mail@ryzuk.com

Geotechnical Field Review / Site Instruction

Project No: 8102-1
Project: Geotechnical Assessment - 3334 Port Washington Road - Pender Island, BC
Client: Big Dig Em Excavating
Contact: Breadon Bigham
Email / Fax No: raevinequipment@shaw.ca ✓
Date: March 20, 2018

Copy to:	Email / Fax:	Copy to:	Email / Fax:
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>		<input type="checkbox"/>	

As requested, we have reviewed the photographs you provided of the finished slope conditions within the northeastern portion of the referenced site where a recent permanent slope excavation occurred. Our associated observations and comments are contained herein.

The photographs show that the area has been excavated whereby the overburden soils consisting of native sand and gravel have been removed to expose the native sandstone bedrock. The sandstone bedrock is sloping at approximately 30° from horizontal and is generally consistent with the conditions within the adjacent terrain. We consider the rock slope as observed to be globally stable.

We consider that the work has been carried out in accordance with our recommendations and that the work has not resulted in an increased risk of slope instability at the referenced site.

We trust the proceeding is suitable for your current requirements. Please contact us if you have any questions or concerns.

Kind regards,



A.R. Jackson, P.Geo., Eng.L
Professional Geoscientist



PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL PUBLIC HIGHWAY

PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE NISGA'A FINAL AGREEMENT ACT.

BETWEEN:

The Minister of Transportation and Infrastructure

Saanich Area Office
240-4460 Chatterton Way
Victoria, BC V8X 5J2
Canada

("The Minister")

AND:

BIG-DIG-EM Excavating
4605 Bedwell Harbour Road
Pender Island, British Columbia V0N 2M1
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way...
B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:
The installation, operation, and maintenance of an access to a small parcel of industrial land...
C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

- 1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent...
2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia...
4. The Permittee shall make diligent attempts to determine if there are other users of the right of way...
5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit...



thereto, but the Minister shall not be responsible for any damage regardless.

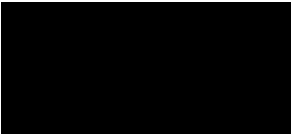
6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor or will appoint a qualified prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee or designated prime contractor will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09.pdf
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.
18. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
19. The access (or accesses) shall be graveled to an extent satisfactory to the Designated Ministry Official to prevent the tracking of mud and soil onto the highway surface.
20. The access (or accesses) shall be constructed with 400mm culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of the Permittee.
21. The profile of the access (or accesses) shall not exceed 10% grade from the ditchline for a distance of at least 5 metres as measured away from the highway along the centerline of the access.
22. The finished grade of the access (or accesses) at the ditch-line shall be 15 cm below the highway shoulder elevation.
23. Access to be constructed at 90 degrees to the highway for a distance of 5 metres from the highway shoulder.



- 24. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with;
 - I. public passage on the Highways;
 - II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or
 - III. the operation of the Highways;
- 25. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.
- 26. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.
- 27. **The permittee will be responsible for the improvement of sightlines on either side of the access through the removal of brush or other obstructions. This shall be done to the satisfaction of the designated Ministry official.**
- 28. **The permittee shall, at his cost, erect a No Parking sign on the east side of the proposed access in accordance with the Ministry of Transportation and Infrastructure Manual of Standard Traffic Signs and Pavement Markings.**

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Victoria, British Columbia, this 9 day of February, 2016



On Behalf of the Minister

From: Rob Pingle
Sent: Friday, October 18, 2024 2:52 PM
To: 'cathie.mcintyre@bcassessment.ca'; 'Breysen, Tara MOTI:EX';
'vss@bcassessment.ca'; 'cali.melnechenko@gov.bc.ca';
'realestate@crd.bc.ca'; 'gateway_office@islandhealth.ca';
'info@islandpathways.ca'; 'mtippett@cvr.bc.ca'; Jas Chonk; Nadine Mourao
Cc: Chris Buchan
Subject: Salt Spring Island Local Trust Committee Proposed Bylaw Nos 538 & 539
Referral - For Response
Attachments: SS-LTC_2024-10-18_SS-BL-538-539_ReferralFRM.pdf

Dear Referral Coordinators,

We are contacting you in regards to a referral of Bylaw Nos. 538 and 539 (attached), which propose to amend the Official Community Plan and Land Use Bylaw to permit the redevelopment of the existing ferry terminal area and wharf. Our planner is available to discuss this referral with you if you would like to ensure that your concerns or comments are considered by our elected officials.

The purpose of the bylaw amendments are to amend the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

Staff reports and other materials related to the proposed bylaw can be viewed on our website at: <https://islandstrust.bc.ca/island-planning/salt-spring/current-applications/> as SS-RZ-2024.1.

A reply is respectfully requested by **November 15, 2024**.

Should you have any questions, or require further information on the Proposed Bylaw, please contact Island Planner Chris Buchan at (250) 538-5601 or cbuchan@islandstrust.bc.ca and she would be happy to answer any questions you may have.

Referral responses should be addressed to myself at rpingle@islandstrust.bc.ca.

Thank you for your time and attention to this referral,

Rob Pingle

Legislative Clerk | Deputy Secretary

Islands Trust

1-500 Lower Ganges Road | Salt Spring Island, BC V8K 2N8

Phone: 250-538-5600 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421



BYLAW REFERRAL FORM

1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
ssiinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Salt Spring Island Trust Area

Bylaw Nos.: 538 & 539

Date: October 18, 2024

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Floridor Oprea British Columbia Ferry Corporation Inc. Suite 500 – 1321 Blanshard Street Victoria BC V8W 0B6

PURPOSE OF BYLAW:

To Permit BC Ferries Terminal Re-development / To Legalize pre-existing uses.

GENERAL LOCATION:

Terminus of Vesuvius Bay Road (BC Ferries Terminal)

LEGAL DESCRIPTION:

1. District Lot 600, Cowichan District, Plan 27TU1028; and
2. Lot 2, Section 9, Range 2 West And Section 10, Range 3 West, North Salt Spring Island, Cowichan District Plan 43894
3. LOT 1, SECTION 10, RANGE 3 WEST, NORTH SALT SPRING ISLAND, COWICHAN DISTRICT, PLAN 23440

SIZE OF PROPERTY AFFECTED:

Water lot – 0.94 Ha, Parcel 1 – 0.24 ha,
Parcel 2 – 0.39 ha

ALR STATUS:

Not in ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

Residential (R)/ Shoreline Development (SD)

OTHER INFORMATION:

The applicant is seeking an amendment to the Land Use Bylaw (LUB) to legalize the existing terminal use, while expanding the water lot Official Community Plan (OCP) designation Shoreline Development and Shoreline 3 LUB zoning to permit a redevelopment of the existing ferry loading trestle. The applicant satisfies policy within the OCP related to transportation policy and objectives, while working towards providing further environmental reports to satisfy Development Permit Area environmental protection objectives in the OCP. The proposal will allow for offshore redevelopment, while legalizing onshore use.

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Chris Buchan

(Signature)

Name: Chris Buchan

Title: Acting Island Planner

This referral has been sent to the following agencies:

First Nations

- Cowichan Tribes
- Halalt First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tsecum First Nation
- Ts'uubaa-Asatx First Nation
- Salt Spring Island Coast Salish Society

Provincial Agencies

- BC Assessment Authority
- Ministry of Transportation & Infrastructure
- Ministry of Water, Land & Resource Stewardship
- Front Counter BC

Regional Agencies

- Capital Regional District
- Vancouver Island Health Authority
- SSI Advisory Planning Commission

Non-Agency Referrals

- Island Pathways

Adjacent Local Trust Committees and Municipalities

- Galiano Island Local Trust Committee
- Mayne Island Local Trust Committee
- North Pender Island Local Trust Committee
- Thetis Island Local Trust Committee
- Cowichan Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Salt Spring Island Trust Area
(Island)

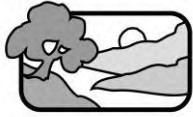
(Signature)

(Date)

538 & 539
(Bylaw Numbers)

(Title)

(Agency)



File No.: Raptor Nest DPA Review Project

DATE OF MEETING: November 29, 2024

TO: North Pender Island Local Trust Committee

FROM: Brad Smith, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Raptor Nest DPA Review Project – Draft Bylaw No. 235

RECOMMENDATION

1. That the North Pender Island Local Trust Committee receives draft bylaw 235 cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023" for use in further community and property owner consultation and directs staff to initiate draft bylaw referrals.
2. That the North Pender Island Local Trust Committee directs staff to update the Raptor Nest DPA Review Project Charter to reflect new timelines and other updates as presented in the November 29, 2024 staff report.

REPORT SUMMARY

The purpose of this staff report is to update the North Pender Island Local Trust Committee (LTC) on the Raptor Nest DPA Review Project and to present draft Bylaw No. 235 for consideration of next steps.

The above recommendations are supported as:

- The proposed bylaw amendments are consistent with the recommendations of the professional report and current provincial best practices in respect of raptor and heron protection;
- Other administrative amendments have been made to make the DPA 7 provisions more consistent with other more recent OCP updates, provincial reference documents and legislative provisions;
- Timelines have been delayed and the project charter needs updating to reflect these changes; and,
- Proceeding with a draft bylaw will facilitate First Nations and agency referrals and further public input to identify any issues or concerns with the proposed amendments prior to consideration of first reading.

BACKGROUND

The LTC has been working on the Raptor Nest Development Permit Area Review project since May 2023. The review includes potential updates to Schedule O of the North Pender Island Official Community Plan No. 171, 2007 (OCP) and associated Development Permit Area 7 (DPA 7) guidelines.

At the July 7, 2026 LTC meeting, the LTC received a draft consultant’s report for review and comment. At that meeting, the LTC passed a resolution directing staff to prepare a draft bylaw to update DPA 7 provisions and the Schedule O map consistent with the recommendations of the professional report, including increasing nest tree

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buffering radiuses consistent with updated provincial guidelines. Staff have now drafted amending draft Bylaw No. 235 in consideration of those recommendations and are seeking direction from the LTC on next steps.

ANALYSIS

Regulatory

OCP Amendment - Bylaw No. 235

Draft Bylaw No. 235 (Attachment 1) would replace the current OCP DPA 7 section with an entirely updated new section, and the existing Schedule O with a new Schedule O (Attachment 2).

The proposed changes to protect raptor trees are consistent with the recommendations of the RP. Bio and most recent [provincial guidelines](#). These guidelines provide the best practices for raptor conservation in the province of BC. Amendments are proposed to make the DPA 7 provisions more consistent with other DPA sections.

Amendments to DPA 7 provisions include:

- Additional context on special conditions or objectives that justify the designation;
- The expansion of minimum buffer areas to 60 m radius around nest trees (currently 30-50 m);
- The inclusion of increased breeding season quiet buffer requirements during nesting periods of up to a 200 m radius around nest trees (depending on species);
- Changes to critical nesting periods consistent with new provincial guidelines;
- Minor amendments and updates to the list of permit exemptions;
- Amendments to DPA guidelines to better align with new provincial best practices;
- Administrative amendments to better align section layout and wording with other more recently amended OCP sections and best practices;
- Updated referencing to provincial guidelines and legislation; and,
- Replacing Schedule O with a new updated Schedule O that includes existing and new nest trees and associated buffering distances.

Staff have reviewed other local government jurisdictions with more recent raptor DPA guidelines and they are largely consistent with the most recent provincial guidelines and the approaches already taken or recommended for North Pender, and in particular with respect to the increased buffering area requirements.

Breeding Season Quiet Buffers

As directed by the LTC, and consistent with most recent provincial guidelines, draft Bylaw No. 235 includes 'Breeding Season Quiet Buffer' requirements as follows:

- Bald Eagle - additional 100 m radius from any nest tree between February 5 to August 31.
- Great Blue Heron - additional 200 m radius from any nest tree between January 15 to September 15.

In some areas, such as in the higher density smaller lots in Trincomali, and within Magic Lake, these additional buffer areas would impact a significant number of lots where DPA requirements do not currently apply, which may make it difficult to administer and in some cases impractical.

The LTC could consider changes to the currently proposed breeding season buffering requirements, including:

- Reduce their overall radius across all areas of the island or removing them altogether;
- Make site specific zone changes where areas with higher density small lots are reduced or excluded;
- Include specific exemption(s) to allow for a reasonable amount of activity within quiet buffer areas that are deemed to not be impactful to breeding activity. For example, minor construction activities where no land alteration or building permit is required and no heavy machinery is used.

Islands Trust Policy Statement

Staff are of the view that draft Bylaw No. 235 is not contrary to or at variance with Islands Trust Policy Statement (ITPS) policies, in particular with respect to policies related to ecosystem protection and preservation, stewardship of resources, and growth and development.

The ITPS policy checklist is included as Attachment 3. Typically, staff do not seek LTC endorsement of the ITPS checklist until LTC is also ready to consider first reading. However, an alternative is for the LTC to give first reading at this meeting, and if so, the checklist should be considered prior to first reading.

Land Use Bylaw No. 224

The proposed changes to DPA 7 provisions only require an OCP amendment and thus there no associated land use bylaw amendment requirements.

DAI Bylaw

Staff have reviewed the raptor nest provisions within the North Pender Island Development Approval Information Bylaw No. 134 (DAI bylaw), and have identified no required amendments to the DAI bylaw to ensure alignment with the proposed DPA 7 OCP updates.

Issues and Opportunities

October 26, 2024 CIM

The LTC held a Community Information Meeting (CIM) regarding the project on Saturday, October 26. Approximately 15 members of the public were present.

At that meeting, staff presented the results of the consultant's report including updated mapping and recommendations for changes to associated DPA 7 provisions. Staff also presented a draft updated Schedule O map that includes newly identified and existing nests, along with updated buffers based on provincial guidelines.

A few members of the public had questions and comments on the project. Most comments were supportive of the project in general. A couple property owners did express concerns that the new nest sites and/or expanded buffers could have potential impacts on the future development of their land. Staff requested that any specific comments be provided, in writing to the LTC.

Property Owner Engagement

Staff have sent a letter to all property owners where a new or existing nest tree has been identified (Attachment 4). In response to the letter, staff have had several discussions with property owners regarding particular nest trees. These discussions have resulted in:

- One newly identified bald eagle tree removed from the updated inventory as additional follow-up assessment from the RP. Bio identified it as no longer viable;
- One existing bald eagle tree confirmed to still be viable based on a follow-up site visit from staff and consultation with the RP. Bio;
- One new bald eagle tree removed from the inventory as it was determined to be a duplicate; and,
- Several 'information' emails back and forth with property owners clarifying the proposed new provisions and how they might impact future development on the land base.

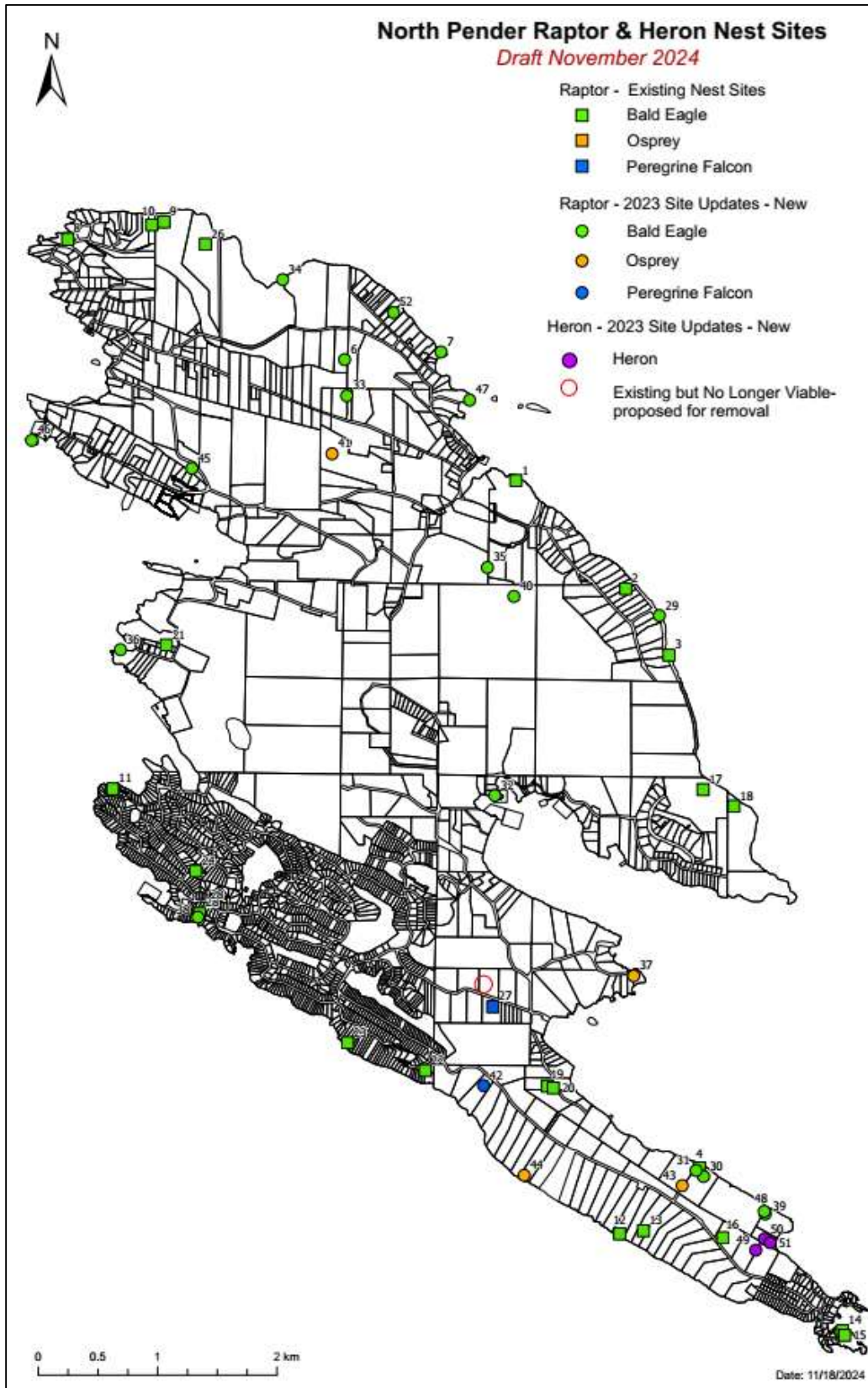
Staff continue to engage with property owners. Staff recommend that the LTC only receive the bylaw in draft form at this point so that additional time is available to inform and engage with property owners prior to consideration of first reading.

November 2024 Map Update

GIS staff have created an updated public engagement map based on further QA/QC of mapping results, and additional engagement with property owners and the RP. Bio. This mapping serves as the basis for the amended Schedule O (Figure 1. and Attachment 5) The updated map has 50 nest trees in total including:

- 41 Bald Eagle nest trees (23 existing, 18 new)
- 4 Osprey nest trees (all new)
- 3 Great Blue Heron nest trees (all new)
- 2 Peregrine Falcon nest trees (1 existing, 1 new)

Figure 1. Updated Draft Map of All Nest Sites, November 2024



Project Charter Update

To keep the project on track, staff have attached an amended project charter with updated timelines, staff resources and other relevant details for consideration of endorsement by the LTC (Attachment 6).

Consultation

First Nations Engagement

In follow-up to the initial engagement letter sent to First Nations, staff have sent the professional report to First Nations seeking comment. To date, only the Malahat Nation has responded. Staff had a follow-up Zoom meeting with the Malahat Nation referral coordinator. Feedback on the project was positive and no concerns were raised.

Should LTC proceed with Bylaw No. 235, bylaw referrals will be sent the same group of First Nations.

Agency Referrals

Staff will send draft Bylaw No. 235 to the following for bylaw referral:

- CRD, Planning and Protective Services, Building Inspection
- Ministry of Environment – Conservation Branch
- Ministry of Water, Land and Resource Stewardship – Wildlife Stewardship
- Pender Island Parks and Recreation Commission
- Islands Trust Conservancy
- Parks Canada
- Mayne Island Local Trust Committee
- South Pender Island Local Trust Committee
- Saturna Island Local Trust Committee
- Salt Spring Island Local Trust Committee

The LTC could direct staff to complete additional referrals not on this list.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- The proposed bylaw amendments are consistent with the recommendations of the professional report and current provincial best practices in respect of raptor and heron protection;
- Other administrative amendments have been made to make the DPA 7 provisions more consistent with other more recent OCP updates, provincial reference documents and legislative provisions;
- Timelines have been delayed and the project charter needs updating to reflect these changes; and,
- Proceeding with a draft bylaw will facilitate First Nations and agency referrals and further public input to identify any issues or concerns with the proposed amendments prior to consideration of first reading.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are that commencing work on the project would be delayed. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request that...

2. First Reading of Bylaw No. 235

The LTC could give first reading of draft Bylaw No. 235 prior to completion of bylaw referrals. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee Bylaw No. 235, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023” be read a first time.

If the LTC gives first reading, staff then also recommend that the LTC endorse the ITPS checklist.

That the North Pender Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 235, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023” is not contrary to or at variance with the Islands Trust Policy Statement.

3. Not Proceed with the Project

The LTC may decide to not proceed with the project.

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

With direction from the LTC, staff will initiate draft bylaw referrals and update the project charter.

Submitted By:	Brad Smith, Island Planner	November 19, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 19, 2024

ATTACHMENTS

1. Draft Bylaw No. 235 Schedule O – Redline and Clean
2. Draft Schedule O map
3. ITPS Policy Checklist
4. Property Owner Engagement Letter
5. November 2024 public engagement map
6. Updated Project Charter

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

The North Pender Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023”.

2. SCHEDULES

North Pender Island Official Community Plan Bylaw No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20__
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME 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__
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 235**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. Subsection 5.2.8 Development Permit Area Seven – Raptor Nests, is deleted in its entirety and replaced with the following:

“5.2.8 DEVELOPMENT PERMIT AREA SEVEN - RAPTOR ~~AND HERON~~ NESTS

5.2.8.1 ~~Application Requirements~~Development Approval Information

This development permit area is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. The designation of these as areas, for which development approval information may be required, is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impacts of the proposed activity or development in the form of a report from a qualified professional.

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

5.2.8.2 Designation

Development Permit Area Seven is shown in a generalized representation on Schedule O and ~~generally incorporates~~ includes a minimum 60 ~~30-50~~ metre radius around identified eagle, ~~osprey and~~ great blue heron and other raptor nesting sites ~~trees, including falcons, hawks, ospreys, and owls.~~

Development Permit Areas are designated as follows:

- a) For Bald Eagle Nest Trees – the Development Permit Area applies to all mapped trees containing bald eagle nests and is:
- i. a 60 m radius from a nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022
 - ii. a 100 m radius from a nest tree in all other zones in North Pender Island Land Use Bylaw No, 224, 2022.
 - iii. an additional 100 m radius from any nest tree during the breeding season as a ‘Breeding season quiet buffer’ of February 5th to August 31st.
- b) For Great Blue Heron Nest Trees – the Development Permit Area applies to all mapped trees containing great blue heron nests, and is:
- i. a 60 m radius from the nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022;

- ii. a 200 m radius from the nest tree in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - iii. an additional 200m radius from any nest tree during the breeding season of January 15th to September 15th.
- c) All other raptor Nest Trees or cliff nest locations (falcons, hawks, ospreys, and owls) – the Development Permit Area applies to all mapped trees or cliff sites containing raptor nests and is:
- i. a 60 m radius from the nest tree or site in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022 ; and
 - ii. a 100 m radius from the nest tree or site in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.

Schedule O depicts all trees designated as raptor and heron nest trees, including appropriate non-nesting and nesting season buffers areas for each tree based on the bird species utilizing each tree as described above.

The definitive designation and delineation of Development Permit Area Seven consists of a digital record compiled by means of air photograph interpretation and verification through field studies. This digital record is stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum radius distances apply to the actual location of the nesting tree as verified by a qualified professional.

5.2.8.3 Special Conditions or Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

The North Pender Island Local Trust Area contains habitat used by bald eagles, other raptors and great blue herons for nesting and breeding.

Bald Eagles are a regionally significant species and include both resident and wintering birds. Resident eagles establish a territory around a nest, with most pairs using the same site for all their breeding life. Nests are semi-permanent structures which represent a considerable investment of energy. Nest abandonment – either permanent or temporary – can result from tree damage or removal, nest damage or human disturbance during the critical nesting period from January 15th to August 30th.

Eagle nest trees requirements are specialized: typically large, very old trees near the water and although second growth trees are sometimes used, most nest trees are Douglas-firs over 150 years of age, usually within one kilometre of the shoreline. Human activity related to logging and land development have resulted in the loss of nest sites, which results in a permanent reduction in the nesting population. Gradual loss of nesting habitat is considered to be the most significant

factor affecting bald eagle abundance in B.C. ([Province of BC. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development](#)) and specifically on Vancouver Island and the Gulf Islands, habitats within low-elevation coastal habitats in the Coastal Douglas-fir Biogeoclimatic zone have been degraded by human developments ([Province of BC. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia 2013](#)).

'Breeding season quiet buffer': During their breeding season (Feb 5 to Aug 31), especially during early courtship and egg-laying periods, bald eagles are very sensitive to noise disturbances and may abandon their nests and young. In every case, Develop with Care series (2013): Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia should be referred to when establishing an appropriate nest site buffer.

Great Blue Herons are a Species of Special Concern in Canada and are blue-listed in British Columbia. The number of active nests on Vancouver Island and the Gulf Islands averages 525 annually. Bald eagles require large territories and generally locate nest sites 1km away from another breeding pair. Both species nest near large bodies of water such as lakes, large rivers or the ocean, near their main food source. The loss of available nesting habitat due to human disturbance reduces the birds' ability to reproduce and successfully raise their young. Section 34 of the Wildlife Act provides for the protection of bald eagles and great blue heron and several other at-risk bird species.

Great Blue Heron breeding sites are concentrated in the Strait of Georgia, with large colonies generally occurring in relatively contiguous forest, fragmented forest or solitary trees and associated with extensive estuarine mudflats and eelgrass beds. Avoid any new disturbance, especially early in the season as herons are particularly susceptible to disturbance. Great blue heron breeding window is between January 15 and September 15. Great Blue Herons are a blue-listed (threatened) species. Breeding is concentrated in the Strait of Georgia, with large colonies generally occurring in relatively contiguous forest, fragmented forest or solitary trees and associated with extensive estuarine mudflats and eelgrass beds.

'Breeding season quiet buffer': During their breeding season (Jan 15 to Sept 15), especially early in the breeding season, herons are very sensitive to noise disturbances and may abandon their nests and young.

Colonies are dynamic, especially in areas of high disturbance and habitat destruction and human disturbance has been implicated in historical colony abandonment. In particular, disturbance from humans can cause herons to temporarily abandon breeding attempts, allowing predators to take eggs. The Province of British Columbia recommends a buffer of at least 300 m in undeveloped areas, 200 m in rural areas, and 60 m in urbanized areas. An additional 200 metre 'no disturbance' buffer is recommended during the nesting season, especially for colonies not previously accustomed to people and their activities. (Develop with Care 2014: Fact Sheet #11 - Great Blue Heron: Environmental Guidelines for Urban and Rural Land Development in British Columbia).

Other Raptors include falcons, hawks, ospreys, owls and other eagle species. Healthy raptor populations are important in maintaining a balance in prey populations. Protection of habitat, including nesting areas, is important in order to maintain raptor populations.

In considering the issuance of a development permit, the LTC should be satisfied that the objectives of the DPA have been met where applicable and may impose conditions where appropriate.

The objective of this development permit area is as follows:

1. To preserve and protect ~~remaining~~ raptor and heron nesting sites.

5.2.8.4 Authority

This development permit area is established, pursuant to Section ~~919.1488~~(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the objective of the DPA has been met where applicable and may impose conditions where appropriate.

5.2.8.5 General Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

(a) land must not be subdivided,

(b) construction of, addition to or alteration of a building or structure must not be started;

(c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

~~The following activities shall require a development permit whenever they occur within Development Permit Area Seven, unless specifically exempted below.~~

~~— Subdivision of land.~~

~~— Construction of, addition to, or alteration of a building or other structure.~~

~~— Alteration of land.~~

5.2.8.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

- a) for certainty: development or alteration of land occurring outside of a development permit area;
- b) the placement of impermanent structures, such as benches, tables and garden ornaments;
- c) submission to the Islands Trust of a written statement from a registered professional biologist with relevant experience, stating that the proposed work would have no impact on any raptor or heron nesting site;
- ~~d) — in the case of eagle nest trees, construction activities more than 30 metres from the base of the nest tree between the dates of August 16th and January 14th.~~
- e)d) forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act*;
- f)e) forest management activities on land that is the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*;
- g)f) work undertaken by an agent of the Crown;

- g) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- h) ~~the maintenance of existing gardens;~~
- i) the removal of dangerous trees that have been examined by an arborist and certified to pose posing an immediate threat to life or property;
- ii) the removal of invasive, non-indigenous trees or vegetation;
- iii) the removal of trees or vegetation minimally necessary for the construction of any of the uses, buildings or structures exempted from the requirement for a development permit;
- iv) the repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation (building permit may be required); ~~or~~
- j) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing; ~~or~~
- m) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use Regulation*;

5.2.8.7 Guidelines

1. Where an application involves a proposal to subdivide land, the layout of proposed lots should be configured in such a manner as to ensure, to the extent practical, that Bald Eagle, other raptor, or Blue Heron nesting trees are protected by clustering lots through lot averaging or bare land strata. Where feasible, the lot containing the nesting tree should be of a sufficient size to accommodate the permitted level of development, including driveway access, septic disposal systems, and accessory uses, in addition to an adequate buffer around the nesting tree.
2. Where an application involves proposals to construct or locate new buildings, structures, roads, driveways, utility corridors, or to clear or alter undisturbed land or vegetation in areas within the DPA, development should, where feasible:
 - a) Avoid disturbance of occupied nesting, roosting and feeding sites.
 - b) Consider potential impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area.
 - c) Consider the timing of development in respect of minimizing impacts during breeding season timing windows and ensure that species specific breeding season quiet buffers are applied where applicable.
 - d) Retain existing natural habitats suitable for raptors and herons, such as potential or currently unoccupied nesting trees, perches, roosting trees, snags, and trees with cavities.
 - e) Where possible, retain groups of trees rather than isolated single trees to provide an inter-locking canopy.
 - f) Maintain an effective buffer of undisturbed vegetation around nest sites. Larger buffer areas may be suitable on larger lots; lesser buffer areas may be suitable in

areas of longstanding development, on small lots and where on-going activity has habituated birds to human presence.

~~e)~~ Locate new trails, buildings and roads away from nesting, roosting and foraging areas.

~~g)~~
~~b)~~

~~h)~~ Consider restoration or enhancement of key habitat features where they have been disturbed

~~a)~~.

~~3.~~ Permits may include conditions respecting the timing or phasing of development work, including conditions restricting significant work to periods when eggs and young are not present in the nesting sites, and restoration or enhancement of key habitat features.

~~4.~~ Where a qualified professional recommends additional mitigation measures based on site-specific observations, permits may include conditions to:

~~a)~~ i-protect trees, cliffs or other specific sites that are in regular use for roosting, perching or feeding.

~~b)-ii-~~ protect primary foraging sites such as shorelines, wetlands, shrubby areas, hedgerows and riparian areas.

~~3-5.~~ The LTC may consider variances to relax siting, size or subdivision regulations where the variance may result in enhanced protection of a nesting tree or colony or habitat feature.

~~2.~~ Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) is deleted in its entirety and replaced with an updated Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) attached to and forming part of this bylaw.

DRAFT

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 235

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

The North Pender Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2023”.

2. SCHEDULES

North Pender Island Official Community Plan Bylaw No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	_____	DAY OF	_____	20__
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20__
READ A SECOND TIME 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__
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 235**

SCHEDULE 1

The North Pender Island Official Community Plan Bylaw No. 171, 2007, is amended as follows:

1. Subsection 5.2.8 Development Permit Area Seven – Raptor Nests, is deleted in its entirety and replaced with the following:

“5.2.8 DEVELOPMENT PERMIT AREA SEVEN - RAPTOR AND HERON NESTS

5.2.8.1 Development Approval Information

This development permit area is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. The designation of these as areas, for which development approval information may be required, is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impacts of the proposed activity or development in the form of a report from a qualified professional.

All applications shall be consistent with all requirements established in the fees bylaw, development procedures bylaw and development approval information bylaw adopted by the North Pender Island Local Trust Committee.

5.2.8.2 Designation

Development Permit Area Seven is shown in a generalized representation on Schedule O and includes a minimum 60 metre radius around identified eagle, great blue heron and other raptor nest trees, including falcons, hawks, ospreys, and owls.

Development Permit Areas are designated as follows:

- a) For Bald Eagle Nest Trees – the Development Permit Area applies to all mapped trees containing bald eagle nests and is:
 - i. a 60 m radius from a nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022
 - ii. a 100 m radius from a nest tree in all other zones in North Pender Island Land Use Bylaw No, 224, 2022.
 - iii. an additional 100 m radius from any nest tree during the breeding season as a ‘Breeding season quiet buffer’ of February 5th to August 31st.
- b) For Great Blue Heron Nest Trees – the Development Permit Area applies to all mapped trees containing great blue heron nests, and is:
 - i. a 60 m radius from the nest tree in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022;

- ii. a 200 m radius from the nest tree in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.
 - iii. an additional 200m radius from any nest tree during the breeding season of January 15th to September 15th.
- c) All other raptor Nest Trees or cliff nest locations (falcons, hawks, ospreys, and owls) – the Development Permit Area applies to all mapped trees or cliff sites containing raptor nests and is:
- i. a 60 m radius from the nest tree or site in high density areas (lands zoned Rural Residential One in North Pender Island Land Use Bylaw No. 224, 2022; and
 - ii. a 100 m radius from the nest tree or site in all other zones of North Pender Island Land Use Bylaw No. 224, 2022.

Schedule O depicts all trees designated as raptor and heron nest trees, including appropriate non-nesting and nesting season buffers areas for each tree based on the bird species utilizing each tree as described above.

The definitive designation and delineation of Development Permit Area Seven consists of a digital record compiled by means of air photograph interpretation and verification through field studies. This digital record is stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.

In some instances, exact nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the minimum radius distances apply to the actual location of the nesting tree as verified by a qualified professional.

5.2.8.3 Special Conditions or Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

The North Pender Island Local Trust Area contains habitat used by bald eagles, other raptors and great blue herons for nesting and breeding.

Bald Eagles are a regionally significant species and include both resident and wintering birds. Resident eagles establish a territory around a nest, with most pairs using the same site for all their breeding life. Nests are semi-permanent structures which represent a considerable investment of energy. Nest abandonment – either permanent or temporary – can result from tree damage or removal, nest damage or human disturbance during the critical nesting period from January 15th to August 30th.

Eagle nest trees requirements are specialized: typically large, very old trees near the water and although second growth trees are sometimes used, most nest trees are Douglas-firs over 150 years of age, usually within one kilometre of the shoreline. Human activity related to logging and land development have resulted in the loss of nest sites, which results in a permanent reduction in the nesting population. Gradual loss of nesting habitat is considered to be the most significant factor

affecting bald eagle abundance in B.C. (Province of BC. Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development) and specifically on Vancouver Island and the Gulf Islands, habitats within low-elevation coastal habitats in the Coastal Douglas-fir Biogeoclimatic zone have been degraded by human developments (Province of BC. Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia 2013).

‘Breeding season quiet buffer’: During their breeding season (Feb 5 to Aug 31), especially during early courtship and egg-laying periods, bald eagles are very sensitive to noise disturbances and may abandon their nests and young. In every case, Develop with Care series (2013): Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia should be referred to when establishing an appropriate nest site buffer.

Great Blue Herons are a Species of Special Concern in Canada and are blue-listed in British Columbia. The number of active nests on Vancouver Island and the Gulf Islands averages 525 annually. Bald eagles require large territories and generally locate nest sites 1km away from another breeding pair. Both species nest near large bodies of water such as lakes, large rivers or the ocean, near their main food source. The loss of available nesting habitat due to human disturbance reduces the birds’ ability to reproduce and successfully raise their young. Section 34 of the Wildlife Act provides for the protection of bald eagles and great blue heron and several other at-risk bird species.

Great Blue Heron breeding sites are concentrated in the Strait of Georgia, with large colonies generally occurring in relatively contiguous forest, fragmented forest or solitary trees and associated with extensive estuarine mudflats and eelgrass beds. Avoid any new disturbance, especially early in the season as herons are particularly susceptible to disturbance. Great blue heron breeding window is between January 15 and September 15.

‘Breeding season quiet buffer’: During their breeding season (Jan 15 to Sept 15), especially early in the breeding season, herons are very sensitive to noise disturbances and may abandon their nests and young.

Colonies are dynamic, especially in areas of high disturbance and habitat destruction and human disturbance has been implicated in historical colony abandonment. In particular, disturbance from humans can cause herons to temporarily abandon breeding attempts, allowing predators to take eggs. The Province of British Columbia recommends a buffer of at least 300 m in undeveloped areas, 200 m in rural areas, and 60 m in urbanized areas. An additional 200 metre ‘no disturbance’ buffer is recommended during the nesting season, especially for colonies not previously accustomed to people and their activities. (Develop with Care 2014: Fact Sheet #11 - Great Blue Heron: Environmental Guidelines for Urban and Rural Land Development in British Columbia).

Other Raptors include falcons, hawks, ospreys, owls and other eagle species. Healthy raptor populations are important in maintaining a balance in prey populations. Protection of habitat, including nesting areas, is important in order to maintain raptor populations.

In considering the issuance of a development permit, the LTC should be satisfied that the objectives of the DPA have been met where applicable and may impose conditions where appropriate.

The objective of this development permit area is as follows:

1. To preserve and protect raptor and heron nesting sites.

5.2.8.4 Authority

This development permit area is established, pursuant to Section 488(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity. In considering the issuance of a development permit, the LTC should be satisfied that the objective of the DPA has been met where applicable and may impose conditions where appropriate.

5.2.8.5 General Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

- (a) land must not be subdivided,
- (b) construction of, addition to or alteration of a building or structure must not be started;
- (c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

5.2.8.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

- a) for certainty: development or alteration of land occurring outside of a development permit area;
- b) the placement of impermanent structures, such as benches, tables and garden ornaments;
- c) submission to the Islands Trust of a written statement from a registered professional biologist with relevant experience, stating that the proposed work would have no impact on any raptor or heron nesting site;
- d) forest management activities on land classified as managed forest land under the *Private Managed Forest Land Act*;
- e) forest management activities on land that is the subject of a valid and subsisting woodlot license or tree farm license under the *Forest Act*;
- f) work undertaken by an agent of the Crown;
- g) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land;
- h) the removal of dangerous trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
- i) the removal of invasive, non-indigenous trees or vegetation;
- j) the removal of trees or vegetation minimally necessary for the construction of any of the uses, buildings or structures exempted from the requirement for a development permit;
- k) the repair, maintenance, alteration or reconstruction of existing legal or legal non-conforming buildings, structures or utilities provided there is no alteration of undisturbed land or vegetation (building permit may be required);

- l) the repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing; or
- m) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use Regulation*;

5.2.8.7 Guidelines

1. Where an application involves a proposal to subdivide land, the layout of proposed lots should be configured in such a manner as to ensure, to the extent practical, that Bald Eagle, other raptor, or Blue Heron nesting trees are protected by clustering lots through lot averaging or bare land strata. Where feasible, the lot containing the nesting tree should be of a sufficient size to accommodate the permitted level of development, including driveway access, septic disposal systems, and accessory uses, in addition to an adequate buffer around the nesting tree.
2. Where an application involves proposals to construct or locate new buildings, structures, roads, driveways, utility corridors, or to clear or alter undisturbed land or vegetation in areas within the DPA, development should, where feasible:
 - a) Avoid disturbance of occupied nesting, roosting and feeding sites.
 - b) Consider potential impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area.
 - c) Consider the timing of development in respect of minimizing impacts during breeding season timing windows and ensure that species specific breeding season quiet buffers are applied where applicable.
 - d) Retain existing natural habitats suitable for raptors and herons, such as potential or currently unoccupied nesting trees, perches, roosting trees, snags, and trees with cavities.
 - e) Where possible, retain groups of trees rather than isolated single trees to provide an inter-locking canopy.
 - f) Maintain an effective buffer of undisturbed vegetation around nest sites. Larger buffer areas may be suitable on larger lots; lesser buffer areas may be suitable in areas of longstanding development, on small lots and where on-going activity has habituated birds to human presence.
 - g) Locate new trails, buildings and roads away from nesting, roosting and foraging areas.
 - h) Consider restoration or enhancement of key habitat features where they have been disturbed
3. Permits may include conditions respecting the timing or phasing of development work, including conditions restricting significant work to periods when eggs and young are not present in the nesting sites, and restoration or enhancement of key habitat features.

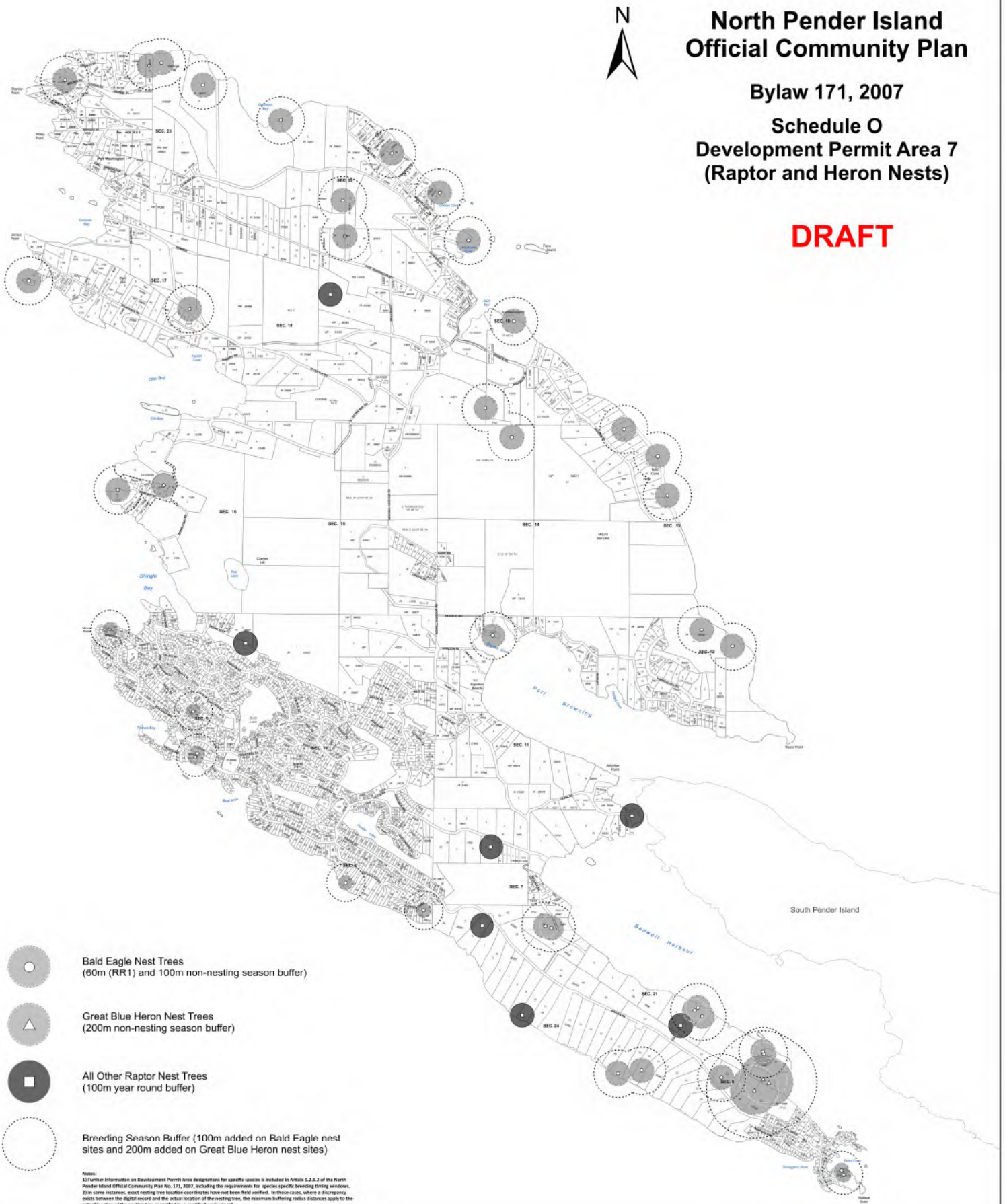
4. Where a qualified professional recommends additional mitigation measures based on site-specific observations, permits may include conditions to:
 - a) protect trees, cliffs or other specific sites that are in regular use for roosting, perching or feeding.
 - b) protect primary foraging sites such as shorelines, wetlands, shrubby areas, hedgerows and riparian areas.
 5. The LTC may consider variances to relax siting, size or subdivision regulations where the variance may result in enhanced protection of a nesting tree or colony or habitat feature.
-
2. Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) is deleted in its entirety and replaced with an updated Schedule O - Development Permit Area 7 Map (Raptor and Heron Nests) attached to and forming part of this bylaw.





North Pender Island Official Community Plan

Bylaw 171, 2007

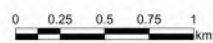
Schedule O
Development Permit Area 7
(Raptor and Heron Nests)

DRAFT



-  Bald Eagle Nest Trees
(60m (RR1) and 100m non-nesting season buffer)
-  Great Blue Heron Nest Trees
(200m non-nesting season buffer)
-  All Other Raptor Nest Trees
(100m year round buffer)
-  Breeding Season Buffer (100m added on Bald Eagle nest sites and 200m added on Great Blue Heron nest sites)

Notes:
1) Further information on Development Permit Area designations for specific species is included in Article 5.2.8.2 of the North Pender Island Official Community Plan No. 171, 2007, including the requirements for species specific breeding string windows.
2) In some instances, nest nesting tree location coordinates have not been field verified. In those cases, where a discrepancy exists between the digital record and the actual location of the nesting tree, the maximum buffering radius distances apply to the actual location of the nesting tree as verified by a qualified professional.



North Pender Island

North Pender Island
Local Trust Committee

Schedule O
DPA 7



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: **Bylaw No. 235, Raptor Nest DPA Review Project**
LTC Endorsement: _____

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	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
N/A	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.
N/A	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.
N/A	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
✓	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.
N/A	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
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



200 – 1627 Fort Street, Victoria BC V8R 1H8

Telephone **(250) 405-5151** Fax (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

October 4, 2024

IT File: NP-LTC
Raptor Nest DPA Review Project

NAME
ADDRESS

Dear Property Owner:

Re: Raptor Nest Development Permit Area Review Project

I am writing to you on behalf of the North Pender Island Local Trust Committee (LTC) to apprise you of the LTC's **Raptor Nest Development Permit Area (DPA) Review Project** and to inform you that recently completed raptor nest mapping has identified one or more raptor or heron nest trees located either on your property or closely adjacent to your property line.

The North Pender Island Official Community Plan No. 171 (OCP) includes development permit area (DPA) requirements for the protection of natural ecosystems, the environment, its ecosystems and biological diversity. The objective of **DPA 7 – Raptor Nests** is to preserve and protect raptor and heron nest trees and their associated habitat.

DPA 7 regulations were first established in 2007. Since then, there have not been any updates to the underlying mapping data or the associated guidelines. The LTC is now working to update the DPA 7 mapping, as well as review the DPA 7 provisions to consider community and First Nation interests and current best practices.

As part of the project the LTC has hired a professional biologist to conduct a study of existing designated and potential new nesting trees on North Pender Island. The biologist's report identifies several new nesting sites that the LTC is now considering for inclusion in DPA 7, in addition to the already existing sites (except for one heron nest tree that is deemed no longer viable).

The biologist's report also provides recommendations for potential amendments to DPA 7 OCP policy provisions based on updated provincial guidelines, **including a proposed increase in buffering distances from nesting trees where future development may be limited.**

As the LTC reviews the report and considers policy and regulatory changes in respect of DPA 7 on North Pender Island, including potential mapping and OCP policy updates, the LTC is seeking your input on these changes. **For reference, attached to this letter is the recently completed report from the biologist, dated June 2024, including a draft map of identified nesting trees.** A more recent draft map has also been included, dated August 2024, that corrects some minor mapping anomalies in the original draft version.

.../2

As part of the public engagement on this project, on **October 26, 2024, the LTC is holding a Community Information Meeting (CIM)** to present results of the study and provide an opportunity for the community to ask questions and provide input. The meeting starts at 12:00 pm at the Pender Island Community Hall, 4418 Bedwell Harbour Road, North Pender Island.

You can also provide your questions, comments and input directly to me via email: bsmith@islandstrust.bc.ca or contact me by phone at (778) 679-5185.

More information on the project, including the project charter and staff reports, and a digital version of the professional report with mapping, is located here: <https://islandstrust.bc.ca/island-planning/north-pender/projects/>

Respectfully,

BSmith

Brad Smith
Island Planner – North Pender Island Local Trust Area

cc: North Pender Island Local Trust Committee

Attachments: Raptor and Heron Nests Development Permit Area (DPA) Review Report, June 2024 -
Caurinus Environmental
Raptor Nest Draft Map v2. – August 2024



File No.: NP-6500-20-2023: Housing Access and Affordability Project

DATE OF MEETING: November 29, 2024

TO: North Pender Island Local Trust Committee

FROM: Brad Smith, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: Housing Access and Affordability Project – Project Updates and Next Steps

RECOMMENDATIONS

1. That the North Pender Island Local Trust Committee directs staff to initiate the development of a draft Housing Action Plan that considers the recommendations of the Special Advisory Planning Commission on Housing and results of community engagement including the housing needs survey results.
2. That the North Pender Island Local Trust Committee requests that the Special Advisory Planning Commission on Housing review the 2024 Housing Needs Assessment survey results and provide input into the development of a draft Housing Action Plan.

REPORT SUMMARY

This report updates the North Pender Island Local Trust Committee (LTC) on their Housing Access and Affordability Project and seeks direction on next steps, including development of a draft Housing Action Plan.

The recommendations above are supported as:

- Significant work has been done to collect and analyse information related to housing needs, barriers and potential opportunities;
- The Advisory Planning Commission (APC) has been very engaged to date and their further involvement in Action Plan development will result in a more community-based Action Plan; and,
- The timing of Action Plan development is consistent with project charter timelines; and,
- Having a draft Action Plan available will allow for more community and LTC dialogue and input on potential housing goals, objectives and priorities.

BACKGROUND

The LTC has initiated a Housing Access and Affordability Project. At the July 26, 2024 LTC meeting, staff endorsed the proposed project charter, workplan and engagement strategy and directed staff to proceed. Since that meeting, the following project tasks have been completed:

- Early engagement letter sent to First Nations with project details and invitation to participate
- Advisory Planning Commission (APC) Terms of Reference approved by LTC

- Advisory Planning Commission work initiated and a recommendations report submitted to LTC
- Engagement with CRD planning staff, Pender Islands Housing Society and representatives of the Anglican Church (through APC) to discuss housing initiatives and opportunities
- Engagement with Driftwood Centre and fire service reps to discuss the provision of housing for workers
- Web-based housing needs assessment survey conducted between September 15 – November 11, 2024
- Project materials including endorsed project charter and workplan updated on project webpage
- CRD presentation on their Rural Housing Program arranged for November 29 LTC meeting agenda

Staff are now seeking direction on next steps for the project, including the development of a draft Housing Action Plan. Additional project information, including previous staff reports, is available here:

<https://islandstrust.bc.ca/island-planning/north-pender/projects/>

ISSUES AND OPPORTUNITIES

October 26, 2024 Community Information Meeting

The LTC held a Community Information Meeting regarding the project on Saturday, October 26. Approximately 15-20 members of the public were present. Draft meeting minutes are included as Attachment 1.

At the CIM, staff presented [preliminary results](#) of the housing needs assessment survey, and the chair of the APC presented [preliminary findings](#) of the APC. Several members of the public had questions and comments and the meeting concluded with a discussion of potential housing priorities, actions and opportunities.

Housing Needs Assessment Survey Results

A qualitative web-based housing needs assessment survey was conducted between September and mid-November 2024 using Survey Monkey. The survey had 16 questions in total with a focus on better understanding current demographics, housing needs and potential housing solutions.

The survey targeted both North and South Pender island residents and property owners. In total there were 478 responses. The scope of survey questions included:

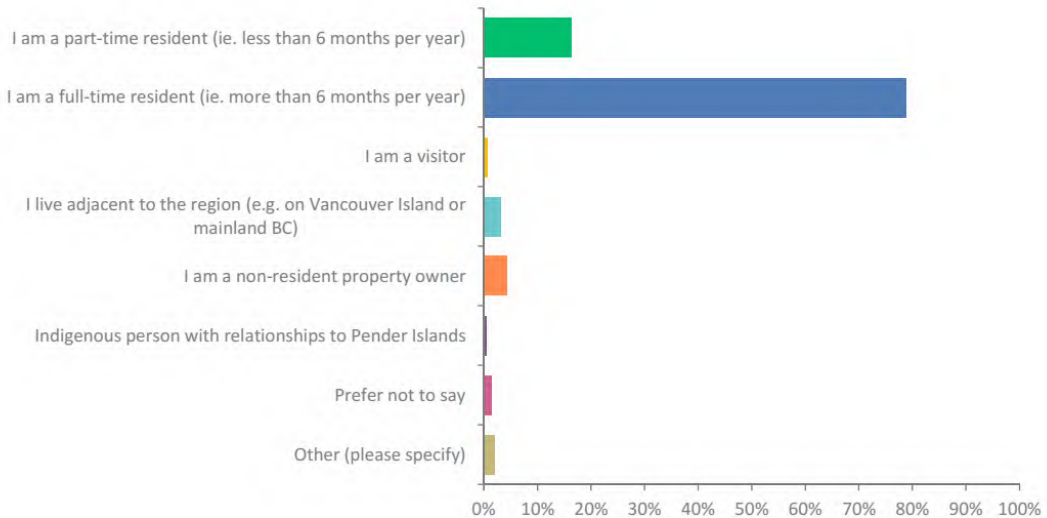
- What are your household demographics?
- What are your current and future housing needs?
- Are those housing needs currently being met? If not, why?
- What would help you to realize those housing needs?
- Are there any specific regulatory or policy changes that you could see would help?
- What other actions would you like to be seen to improve housing access and affordability?

Key Findings

- Over 95% of respondents were most connected with North Pender (84.9%) or South Pender (10.5%)
- Over 92% of respondents were part-time (16.3%) or full-time island residents (78.9%)

Q2: The Islands Trust Area occupies almost 5,200 square kilometers within the Salish Sea. What is your connection to the islands? Check as many as apply:

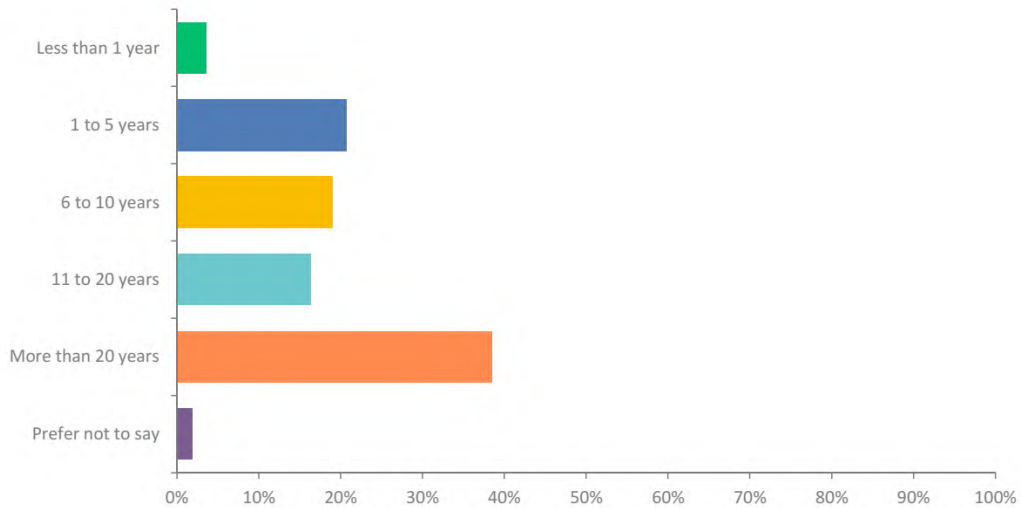
Answered: 478 Skipped: 0



- Almost 40% of respondents have lived on island for over 20 years

Q3: If you are a resident or property owner, how long have you lived in, or owned a property in the Islands Trust Area?

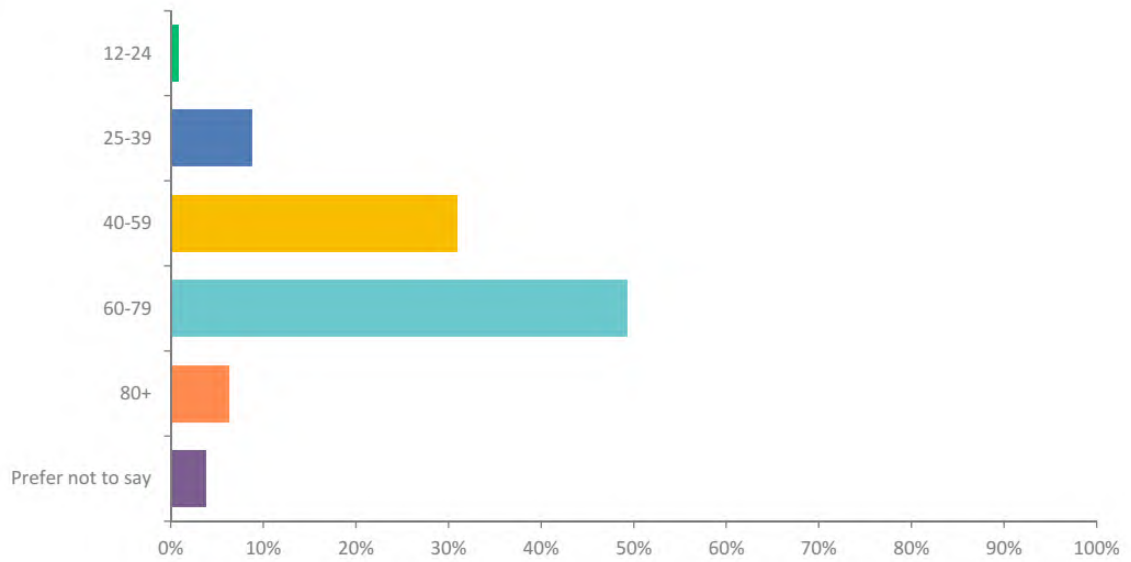
Answered: 478 Skipped: 0



- Almost 50% of respondents were aged 60-79, and an additional 31% 40-59
- Less than 10% of respondents were 12-24 or 25-39 age range

Q5: Please indicate your age:

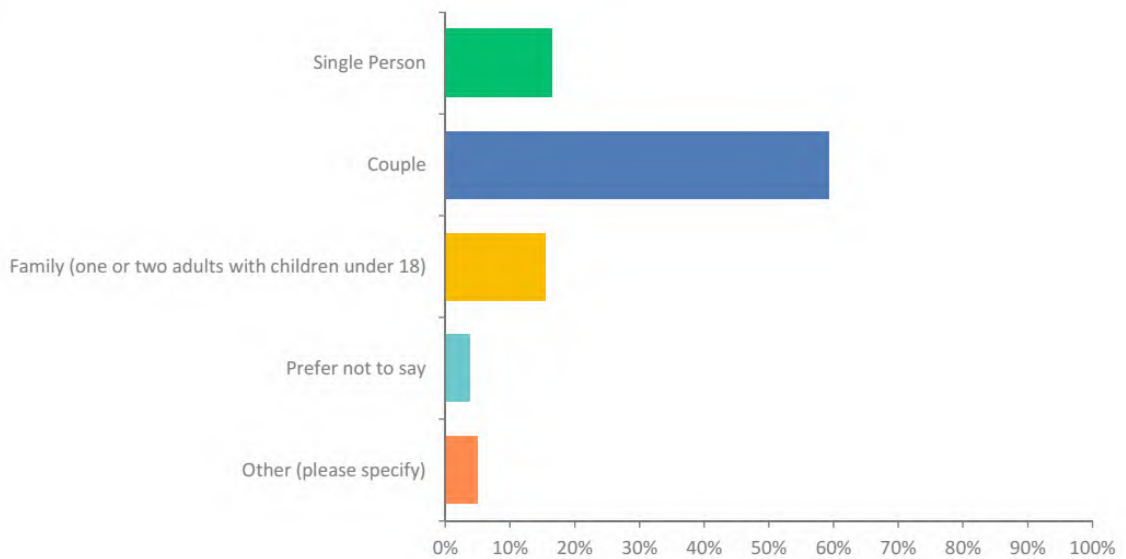
Answered: 478 Skipped: 0



- 16 respondents self-identified as First Nations and 17 others as member of a visible minority
- Over 59% of respondents were couples with no children under 18

Q7: How would you describe your household?

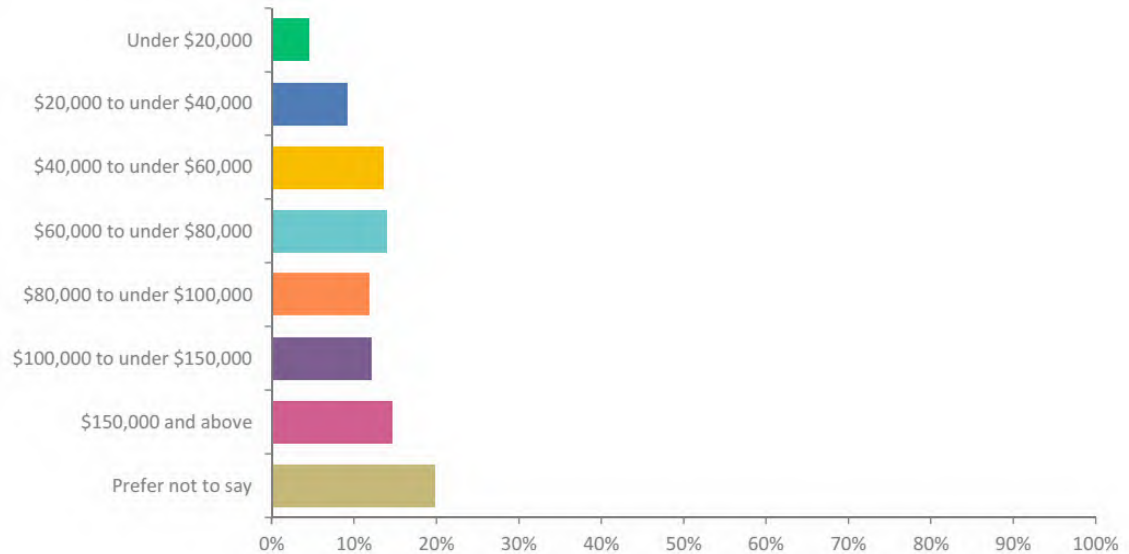
Answered: 478 Skipped: 0



- There is a wide range of income of household income levels in the community

Q8: Which of the following categories best describes your total household income per year before taxes?

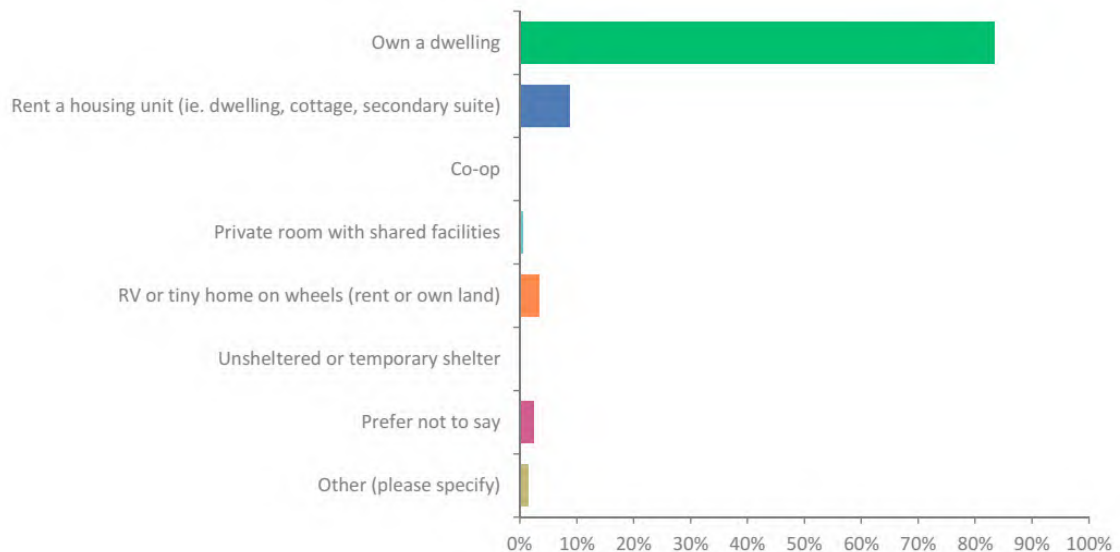
Answered: 478 Skipped: 0



- Over 83% of respondents owned a dwelling, 9% rentals
- 16 respondents were living in RVs or tiny homes on wheels, no respondents were unsheltered

Q9: How would you describe your current living situation?

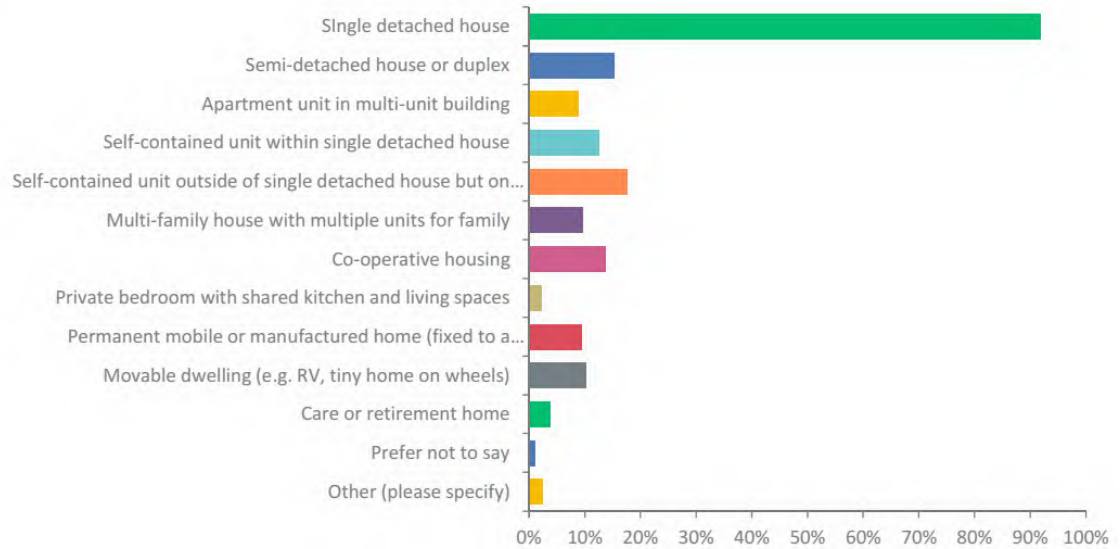
Answered: 458 Skipped: 20



- A vast majority of respondents preferred a single detached home, other preferred options are semi-detached house or duplex, and self contained cottages accessory to primary dwelling
- 17 respondents prefer care or retirement home living

Q10: Which accommodation type is your preferred housing option? (Select all that apply)

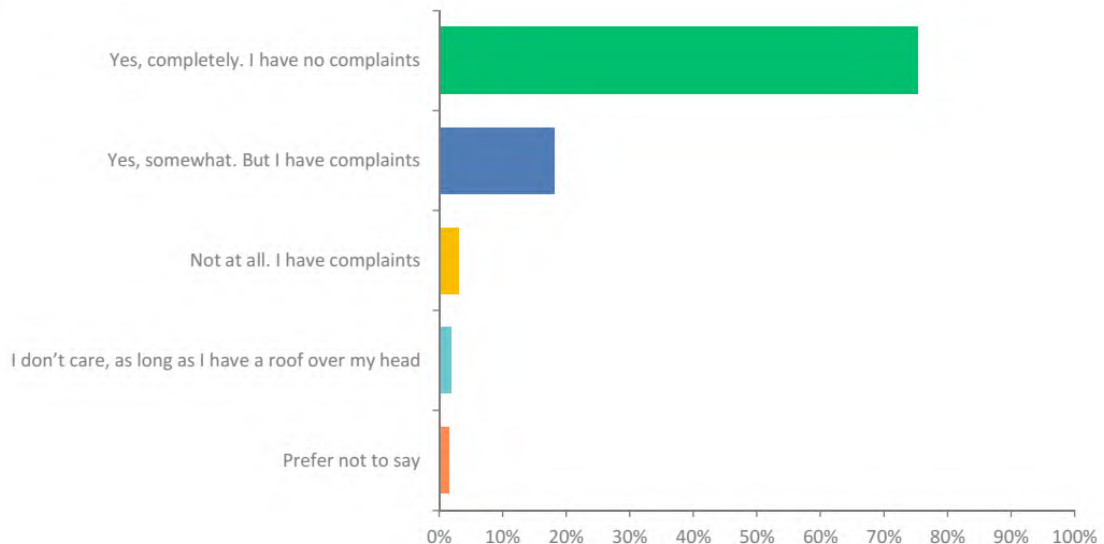
Answered: 458 Skipped: 20



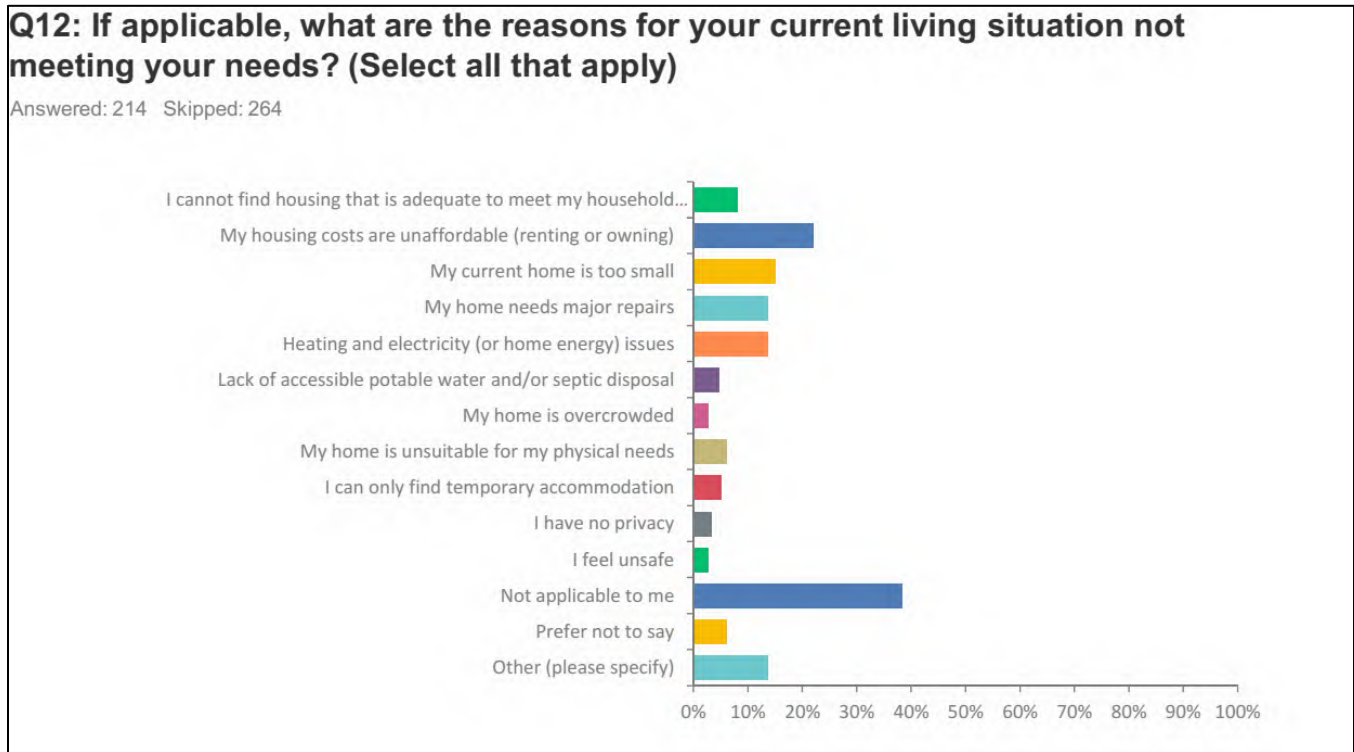
- A vast majority of respondents currently have their housing needs met

Q11: Does your current living situation meet your housing needs?

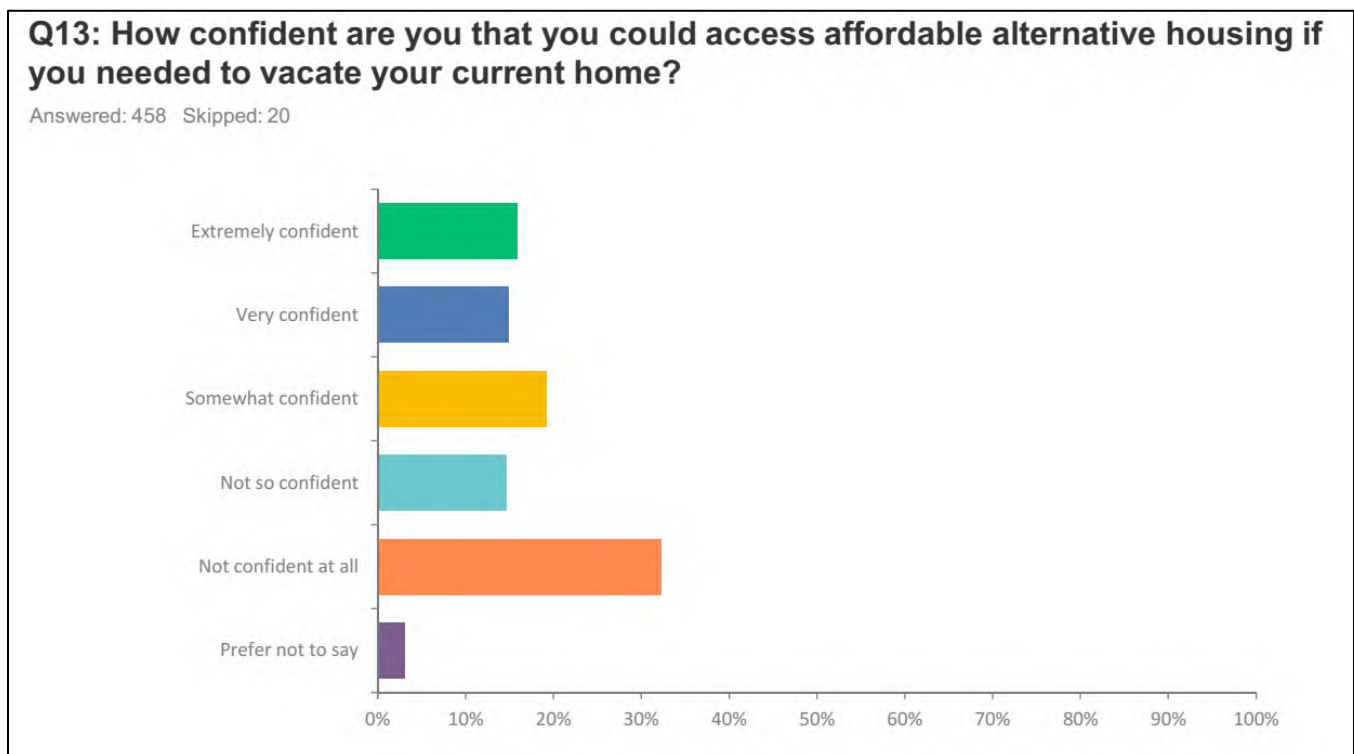
Answered: 458 Skipped: 20



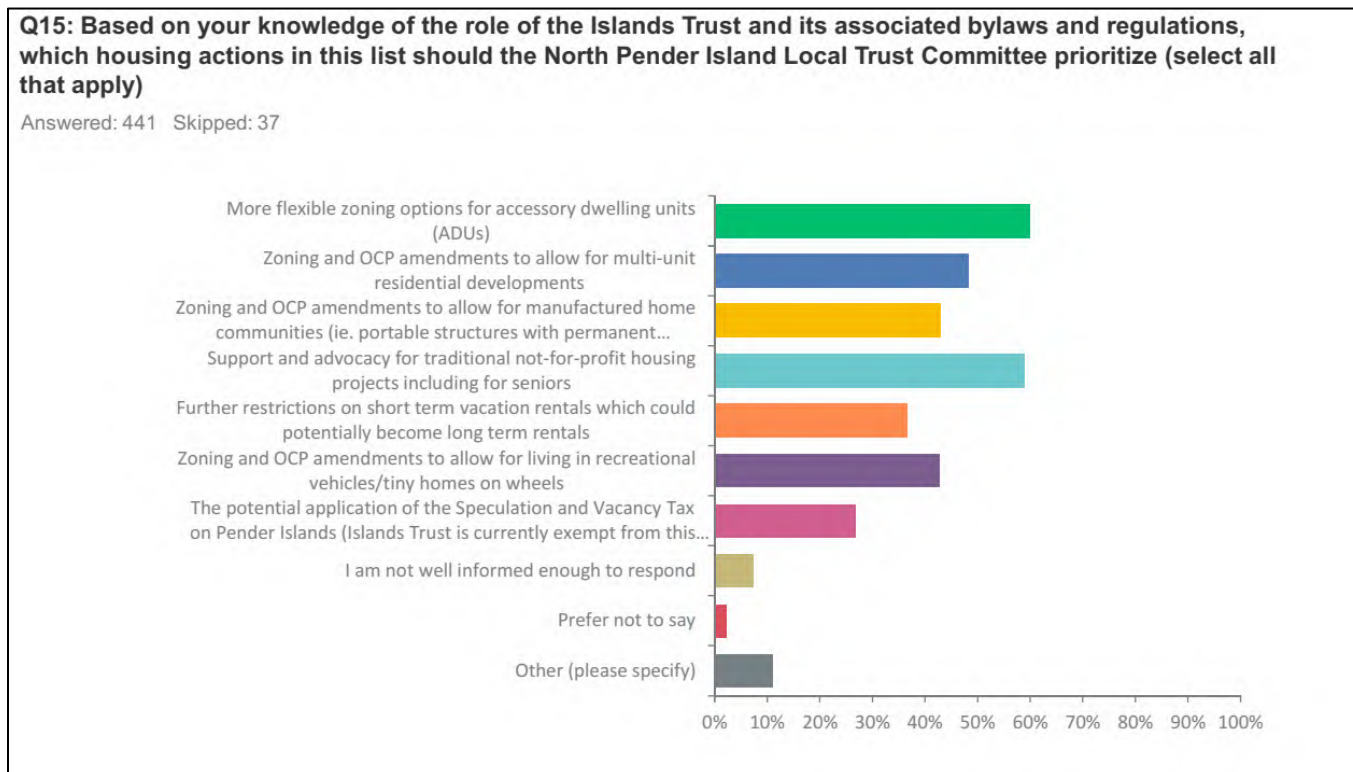
- Affordability is the largest factor for housing not meeting needs (22%) followed by house size, maintenance/repair issues, and home energy issues



- Almost 50% of residents are not confident they could access alternative housing if needed



- A vast majority of residents are at least somewhat aware of the role of the Islands Trust in housing
- Respondents have prioritized flexibility in zoning options for accessory dwellings, advocacy for a not-for-profit housing project, and other zoning amendments to enable more density and housing flexibility
- Changes to STVR regulations and inclusion in the provincial Speculation and Vacancy Tax were less prioritized but still had a significant number of responses



All survey results, including open-ended comments is included as Attachment 2.

Overall, the open-ended responses were respectful and largely reflect the range of opinion heard through other community engagement including the need for broader flexibility in zoning, more traditional not-for-profit housing, and other creative housing solutions. There was also caution raised on the impacts of increasing density/development and the need to ensure water, septic and other ecological impacts are considered.

Staff recommend that the LTC refer the survey results to the APC for more review and analysis.

Advisory Planning Commission Report

Work of the APC to date has included:

- A comprehensive review of existing literature and relevant reports in respect of island housing needs, provincial legislation and the Islands Trust toolkit;
- The holding of several public meetings to discuss and analyse housing information;
- Review/comment and beta testing of web-based housing needs survey prior to public access;
- Met with Capital Regional District planning staff and the Electoral Area director to better understand CRD housing programs and initiatives;
- Met with Pender Islands Housing Society and Anglican Church representative to discuss potential housing projects on church owned land

- The drafting of the attached recommendations report

APC Recommendations

The recommendations of the APC are divided into seven categories:

1. Review of 2024 IT housing options toolkit
2. Review of Provincial Statutes
3. General Recommendations
4. Recommendations regarding secondary suites and cottages
5. Recommendations regarding RVs
6. Recommendations regarding Tiny Homes
7. Recommendations regarding Multi-unit subsidized housing developments

Some of the most significant recommendations of the APC include that the LTC:

- Complete a land suitability analysis particularly related to water availability and a build-out analysis
- Advocate other levels of government for legalization of Alternative Dwelling Units, such as Tiny Homes, that are not currently allowed by building codes
- Advocate for inclusion in the *Speculation and Vacancy Tax Act*
- STVRs - not Opt into Bill 35 in 2025 but allow existing TUPs for such STVRs to lapse after their 3 year extension and not be extended beyond that
- Seek innovative and collaborative approaches to increase affordable market rental housing stock
- Permit under-used commercial properties to be used as principal residences
- Consider rezoning existing built commercial accommodation units for residential use
- Permit increased density on suitably zoned lots situated relatively close to the Driftwood Centre by increasing the permitted number of dwelling units on appropriate parcels of land
- Institute a Flexible Housing Option on North Pender similar to the one introduced on Mayne Island.
- Increase options for additional residences in all parts of the island by expanding the types of properties where secondary suites and ADUs are permitted
- Permit the use of RVs and Tiny Homes on appropriate properties considering set-backs, parking, access, septic, available water and visual aesthetics (informed by Suitable Land Analysis).
- Continue to dialogue with the North Pender Island Housing Society, the Anglican Church and other community groups to explore potential parcels of land suitable for affordable housing

Many of these priorities are consistent with the priorities identified through the housing needs survey results and other community consultation.

Housing Action Plan Development

Staff are of the view that, with the detailed APC report, along with the input from public consultation, there is enough information to begin the development of a draft Housing Action Plan.

The draft Housing Action Plan would be based on the [Islands Trust Housing Toolkit Action Plan template](#). For reference, the [draft Mayne Island Housing Action Plan](#) has been created using this template. The LTC could request inclusion of additional items in the draft action plan or exclusion of recommended actions from the draft at this point.

Project Timelines

The project is on track with the project workplan as shown below. Work the remainder of this fiscal will focus on Action Plan development; next fiscal year work will focus on legislative amendments and on Action Plan implementation and communications. The LTC has requested a budget of \$8,000 for the project next fiscal year.

Figure 1. Endorsed Project Workplan

Workplan Overview	
Deliverable/Milestone	Target Date
<i>Project Charter endorsed and project initiation</i>	Jul 2024
<i>Engagement letter to First Nations</i>	Aug 2024
<i>Conduct web-based housing needs assessment survey/</i>	Aug - Oct 2024
<i>Draft Terms of Reference for APC</i>	Sep 2024
<i>Preliminary report with analysis</i>	Nov 2024
<i>LTC review of options</i>	Nov 2024 – Jan 2025
<i>Initiate drafting of housing Action Plan</i>	Jan 2025
<i>Recommendations to LTC, LTC review, direction to prepare bylaws</i>	Feb 2025
<i>Community consultation on draft bylaws, bylaw referrals, First Nations engagement, Finalize Housing Action Plan</i>	Feb – Apr 2025
<i>Legislative process to amend LUB/OCP (timeline much shorter if not requiring OCP amendments)</i>	May – Dec 2025
<i>Implementation and communications</i>	Jan – Mar 2026

Rationale for Recommendation

The recommendations on page 1 are supported as:

- Significant work has been done to collect and analyse information related to housing needs, barriers and potential opportunities;
- The APC has been very engaged to date and their further involvement in Action Plan development will result in a more community-based Action Plan; and,
- The timing of Action Plan development is consistent with project charter timelines; and,
- Having a draft Action Plan available will allow for more community and LTC dialogue and input on potential housing goals, objectives and priorities.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are that commencing work on the project would be delayed. Recommended wording for the resolution is as follows:

That the North Pender Island Local Trust Committee request that...

2. Not Proceed with the Project

The LTC may decide to not proceed with the project.

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

With direction from the LTC, staff will finalize project planning documents, initiate a web-based survey, and update the Islands Trust website with project materials.

Submitted By:	Brad Smith, Island Planner	November 19, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	November 21, 2024

1. October 26, 2024 draft CIM minutes
2. Housing Needs Survey Results Summary
3. November 2024 APC Report

**North Pender Island Local Trust Committee
Minutes of Special Meeting**

Date: October 26, 2024
Location: Pender Island Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Members Present: David Maude, Chair
Aaron Campbell, Local Trustee
Deb Morrison, Local Trustee

Staff Present: Brad Smith, Island Planner
Lisa Millard, Meeting Administrator/Recorder (electronic)

Others Present: There were approximately fifteen (15) members of the public present

1. CALL TO ORDER

Chair Maude called the meeting to order at 12:39 p.m. He acknowledged that the meeting was held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following amendments to the agenda were presented for consideration:

- Re-order items 4.1 and 4.2

By general consent, the agenda was approved as amended.

3. BUSINESS ITEMS

3.1 July 26, 2024 Local Trust Committee Minutes (for Adoption)

Adoption of the minutes was deferred to the November, 2024 regular business meeting.

4. COMMUNITY INFORMATION MEETING

4.1 Raptor Nest Development Permit Area (DPA) Project

Island Planner Smith provided a presentation and highlighted the following:

- Current North Pender development permit areas for raptor nests was mapped in late 2000's
- Official Community Plan includes provision for the protection of habitat used for nesting and breeding by bald eagles, other raptors, and blue herons
- Updated mapping has been undertaken by a consultant, with support from a volunteer field naturalist, both of which have local expertise and knowledge of the previous mapping work
- Provincial guidelines for raptor conservation have been incorporated

- Development within the development permit area needs to meet specific guidelines to avoid disturbance, and retain the natural habitat, of raptor nests
- Owners of property containing a nest site have been sent information about the development permit area
- Development permit areas includes buffer zones that are associated with the particular habitat feature, such as a tree along with surrounding trees
- Most significant proposed change is an increase to the current buffer zone from thirty to fifty metres to sixty to five-hundred metres; however, a range of buffers could be considered based on various factors
- Next steps include continued engagement with property owners and First Nations, site visits to reaffirm assessments, drafting proposed bylaw amendments, and conducting a public hearing

The following comments and questions from members of the public were noted:

- Resident owns property adjacent to a property with a raptor nest but did not receive a letter about the development permit area
 - Island Planner Smith noted letters were only sent to property owners where nests were located and not to those who might be impacted by buffer zones; however, Local Trust Committee could direct broader communication prior to a public hearing
- Member of the public asked how infractions are reported and how one would know that a complaint is being followed up on
 - Island Planner Smith stated infractions would be reported to bylaw enforcement
 - A Trustee noted the Local Trust Committee receives reports on open bylaw enforcement files which would indicate that a complaint was being investigated
- Two members of the public spoke to the potential impacts that the proposed buffer zone will have on properties including changing intended uses and affecting ability to sell the property and they requested the Local Trust Committee consider smaller buffer zones
 - Island Planner Smith noted that the Local Trust Committee could determine varying buffer sizes for different areas and property owners could apply for a development permit if developing in DPA areas
- Member of the public noted the following:
 - There are 23 new nests, of which 14 are eagles nests
 - BC Guidelines for Raptor Conservation Report indicates neither ospreys or eagles are at risk and both have tolerance to coexist with humans which suggests there is no pressing need for an alteration of the buffer zones
 - Staff Report does not speak to impacts on the eagle population or number of nests if new guidelines were imposed
 - Requested GPS coordinates and visual evidence of the nests at the mapped sites and that staff warrant private property was not trespassed on by anyone connected with the study
 - Cost benefit study for the project has not been provided
 - Based on issues highlighted the project should not go forward

- The Islands Trust Act requires protection of environment and unique amenities for the benefit of residents
- Member of the public asked if buffer zones include a radius from the top of the tree upwards and if so would Transport Canada have to remain out of the aerial corridor
 - Island Planner Smith noted that Transport Canada regulates air transportation not the Islands Trust
- Member of the public spoke to the importance of protecting the land and eagles and noted trees in the buffer zone create important habitat
- Member of the public stated that issues such as ground water availability and raptor nest protection speak to the density of development allowed by Islands Trust and the object of the Trust needs to come first in planning processes

The meeting was recessed for a break 1:37 p.m. and reconvened at 2:00 p.m.

4.2 Housing Access and Affordability Project

Island Planner Smith provided a presentation and highlighted the following:

- Regional Planning Committee working on housing strategy, housing toolkit, and suitable land analysis
- Several Local Trust Areas have housing projects underway
- Islands Trust authority is limited to land use and zoning functions and not actual development; therefore, it is important for Trustees to work together with, and provide advocacy to, other levels of government
- Local Trust Committee housing project action plan could focus on increasing housing options through rezoning, secondary suite initiatives, limiting short-term vacation rentals, and consideration of permitting alternative dwelling units
- Housing Needs Survey is being undertaken with 340 survey submissions received to date and final results will be provided at the November 29, 2024 Local Trust Committee meeting
- Current phase of Housing Review Project focusses on consultation and reviewing options and the next phase will look at changes to zoning and other regulations to enable preferred options as well as housing action plan development

North Pender Advisory Planning Commission (APC) Chair Peter Pare provided an update on the recent work of the APC and highlighted the following:

- Local Trust Committee asked APC to review existing relevant reports and studies and provide recommendations on how best to amend the Official Community Plan to improve access to affordable housing
- To date the APC has reviewed the Housing Toolkit, Official Community Plan and relevant Land Use Bylaws, looked at initiatives, policies, and regulations implemented in other Local Trust Areas, considered implications of potential housing alternatives on water resources and the natural environment, and provided input to the Housing Needs Survey
- Recommendations concerning density should be based on parameters including forest cover, water availability, septic capacity, ecosystem value and preservation, restoration plans, and proximity to amenities
- Housing needs identified include a diversity of affordable below market housing options for seniors, families, and workers who do not currently own property

- Local Trust Committee does not produce housing; therefore, creating below market rental and ownership opportunities would require funding from government and other sources with community groups advocating for said funding with the support of the Local Trust Committee
- Preliminary possible recommendations for the consideration of the Local Trust Committee include lobbying provincial government to extend the speculation vacancy tax, model the housing plan on other Local Trust Area plans, incorporating flexible housing options into the Official Community Plan, increase options for additional residences throughout the island, permitting long term use of recreational vehicles and tiny homes provided they have water supply and proper sewage connections, opting in to the provincial short-term accommodation regulations, and allowing clusters of manufactured homes that meet provincial and federal construction standards

The meeting was recessed for a break at 2:52 p.m. and reconvened at 3:00 p.m.

Discussion ensued and the following questions and comments were noted:

- Most recreational vehicles have smoke and carbon dioxide alarms and dampness and mould issues can be managed with proper care
- Standards for allowing recreational vehicles as dwelling units need to be established including septic hook ups, water availability, and suitable locations
- Vancouver Island Health Authority requires an entity to hold liability for water quality for multi-family water systems and do not allow rain water collection as a potable water source and these issues are under review
- Speculation taxes go into general revenue and if there is opt-in to the program the community should retain the taxes collected
- Rental housing diminished when the short-term vacation rental market demand increased and houses became a commodity item
- Official Community Plan currently has policies that restrict increased density and these policies will be looked at using the build out analysis and suitable land analysis
- Rental housing has diminished as properties have sold and owners are living in them and working remotely
- If a short-term vacation rental is removed the property will not necessarily be put into the rental market
- A regional exception to some requirements of the BC Building Code can be requested if reasonableness of using a different building method, or materials, can be shown to provide the same standard of construction
- Modular housing is an important factor in affordable housing
- Tiny homes on wheels can be built for less than a regular home; however, foundations are essential in keeping a home safe in a high level seismic area
- One needs to ask why secondary suites and accessory dwelling units are not being built and the provincial secondary suite incentive program has not had any uptake
- Many home owners do not want to be landlords and deal with potential tenant issues
- Opting into the provincial regulations on short-term vacation rentals would result in the Local Trust Committee losing some ability for regulation and reliance on the province for enforcement

- There are housing issues on North Pender Island now and the Local Trust Committee wishes to be proactive and work on potential solutions

5. ADJOURNMENT

By general consent the meeting was adjourned at 4:00 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

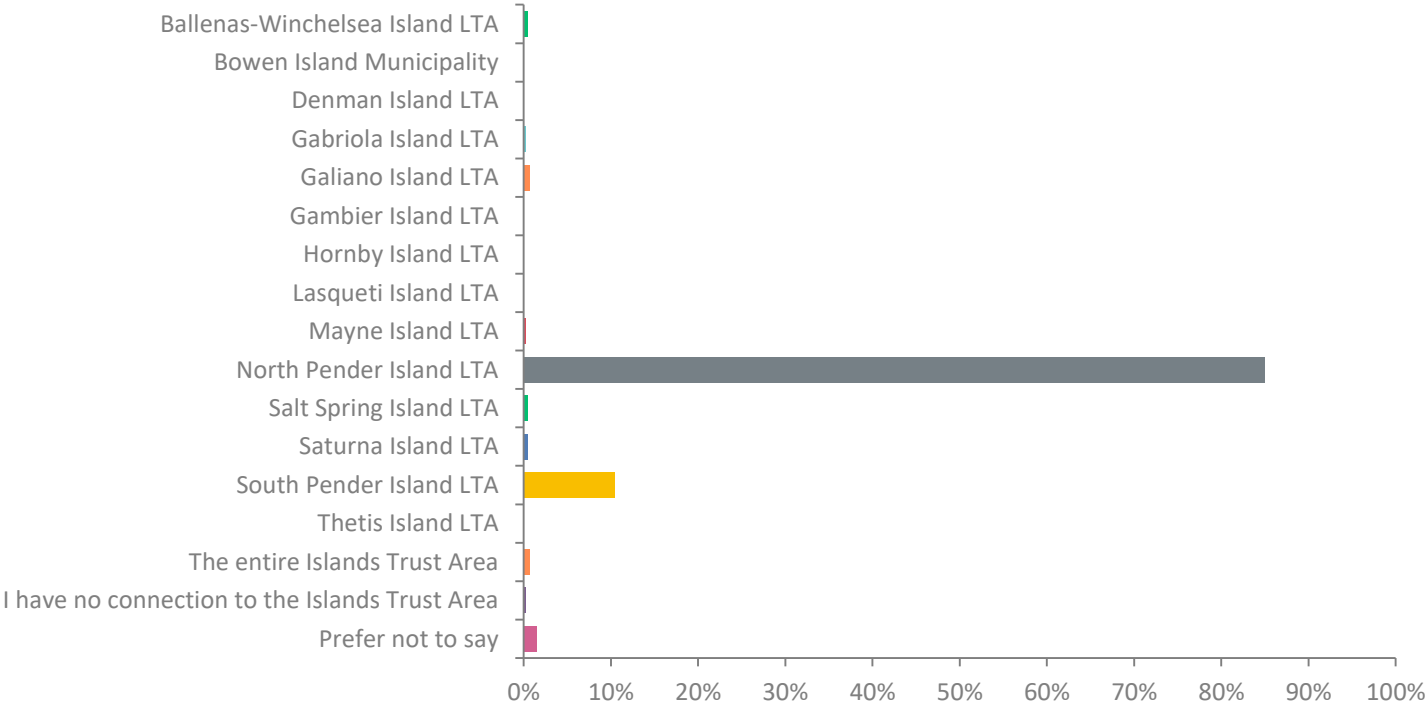
DRAFT

Pender Islands Housing Needs Survey, Fall 2024

Wednesday, November 20, 2024

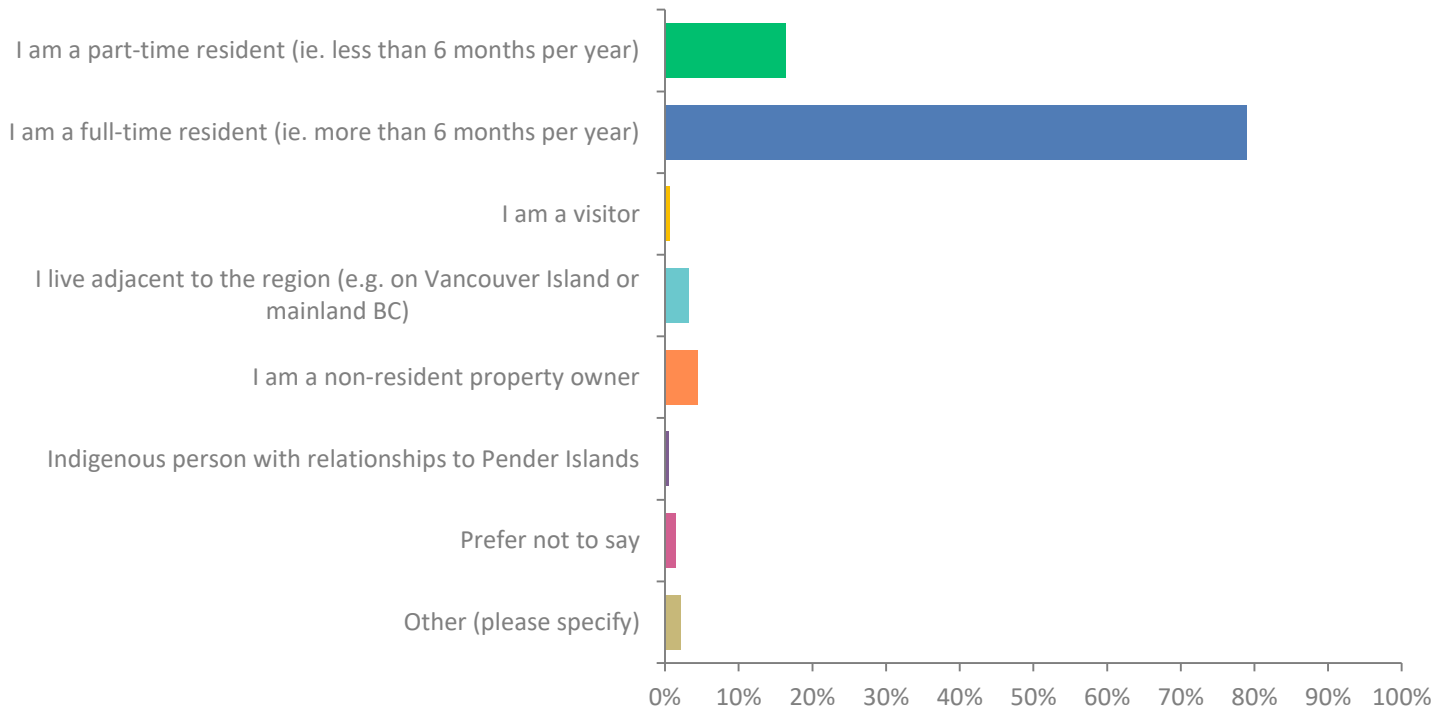
Q1: The Islands Trust Area is made up of 13 local trust areas (LTA) and Bowen Island Municipality. Which one do you feel most connected with?

Answered: 478 Skipped: 0



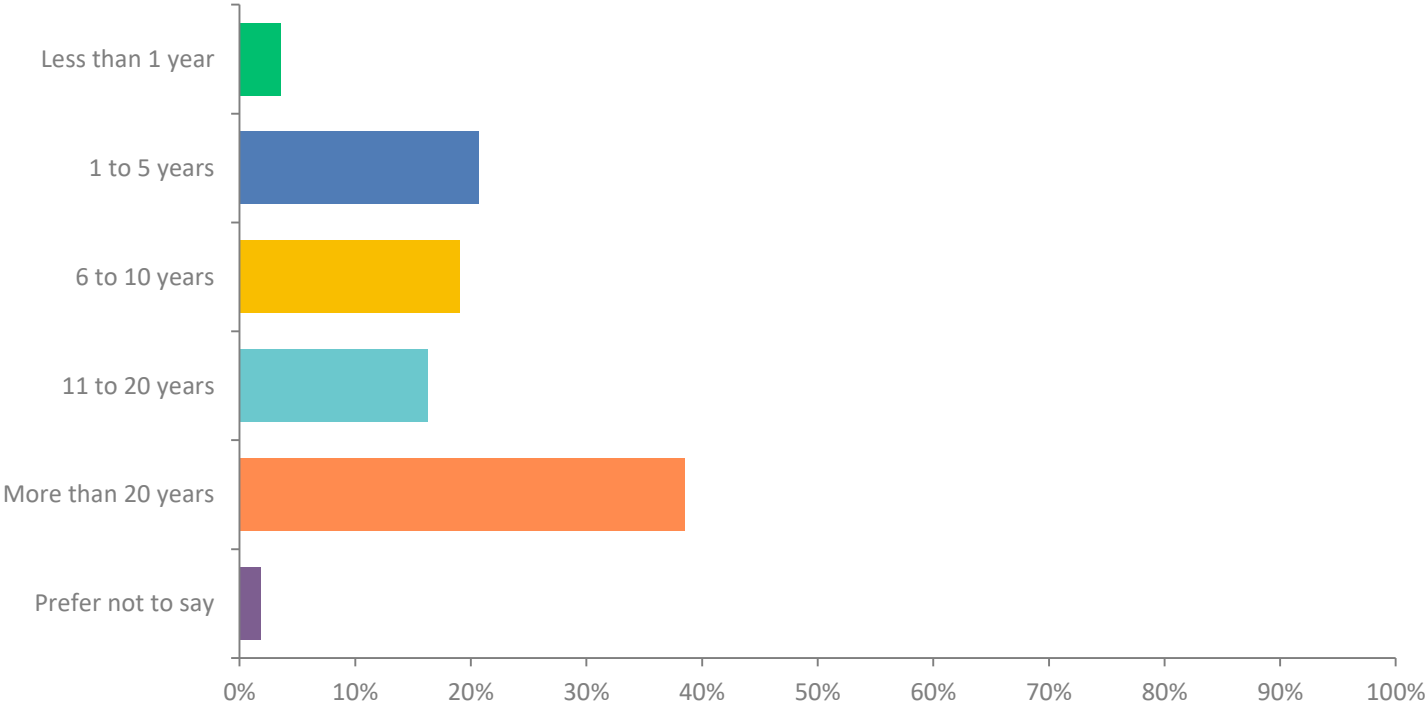
Q2: The Islands Trust Area occupies almost 5,200 square kilometers within the Salish Sea. What is your connection to the islands? Check as many as apply:

Answered: 478 Skipped: 0



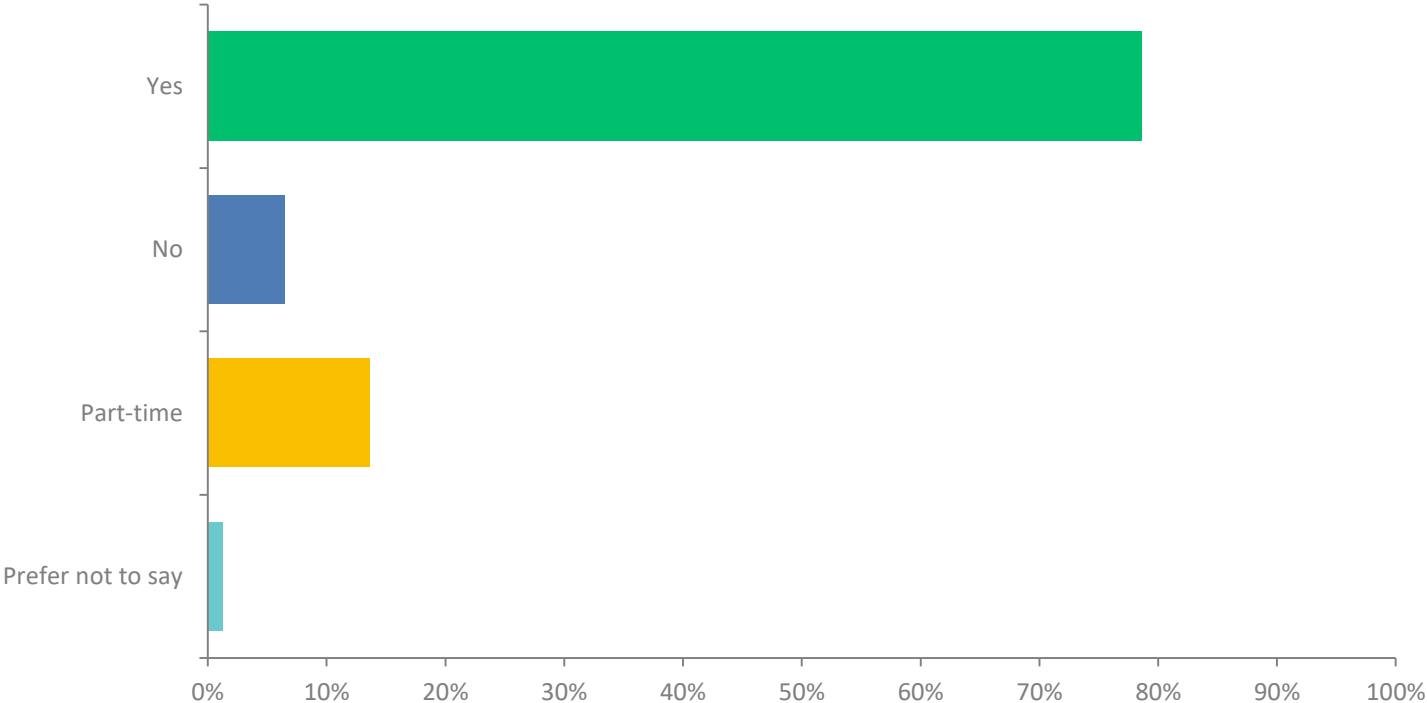
Q3: If you are a resident or property owner, how long have you lived in, or owned a property in the Islands Trust Area?

Answered: 478 Skipped: 0



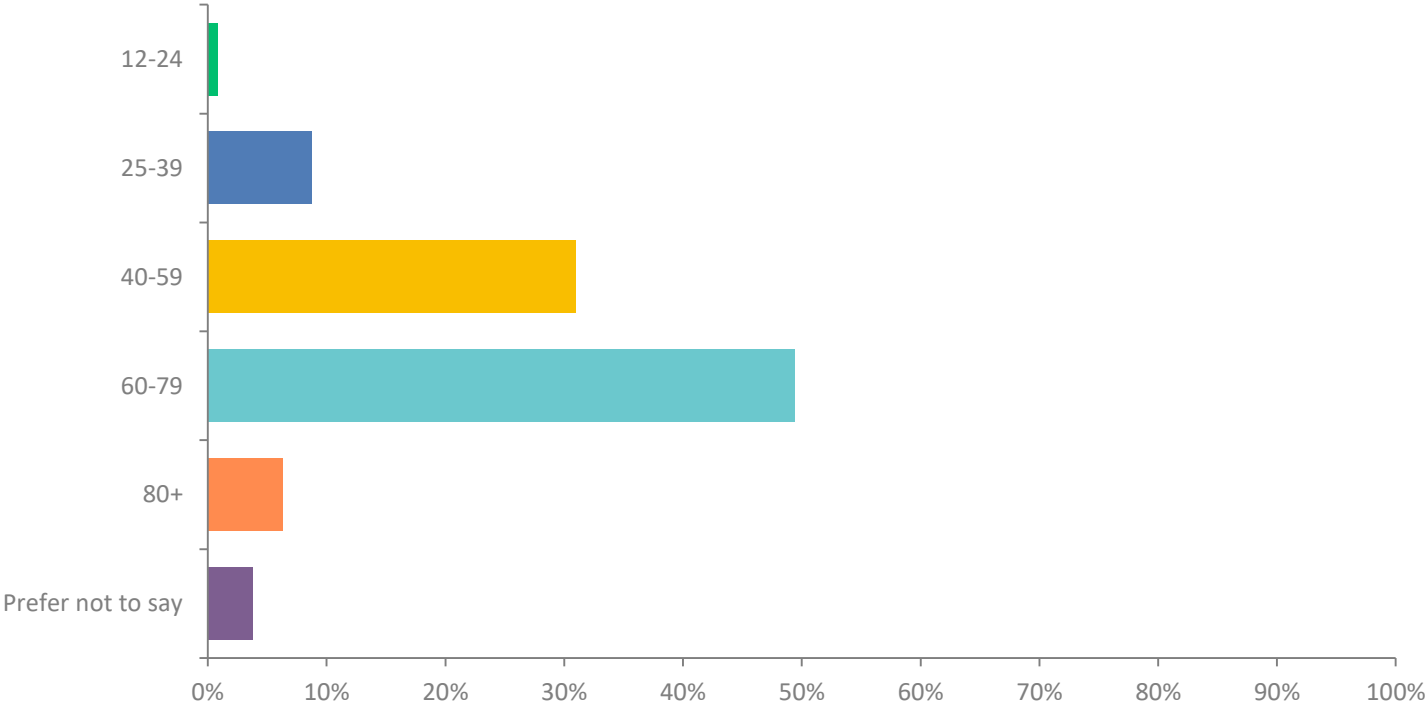
Q4: Do you currently live in the Pender Islands community?

Answered: 478 Skipped: 0



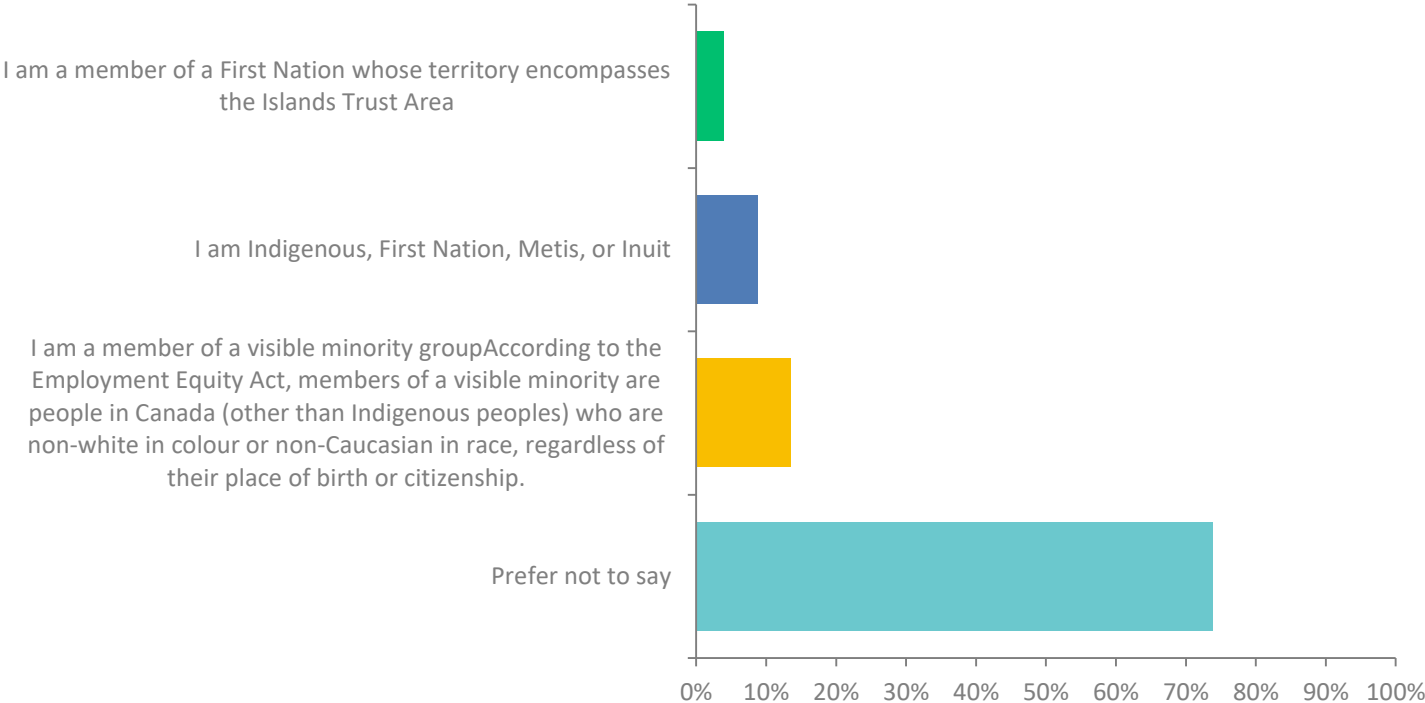
Q5: Please indicate your age:

Answered: 478 Skipped: 0



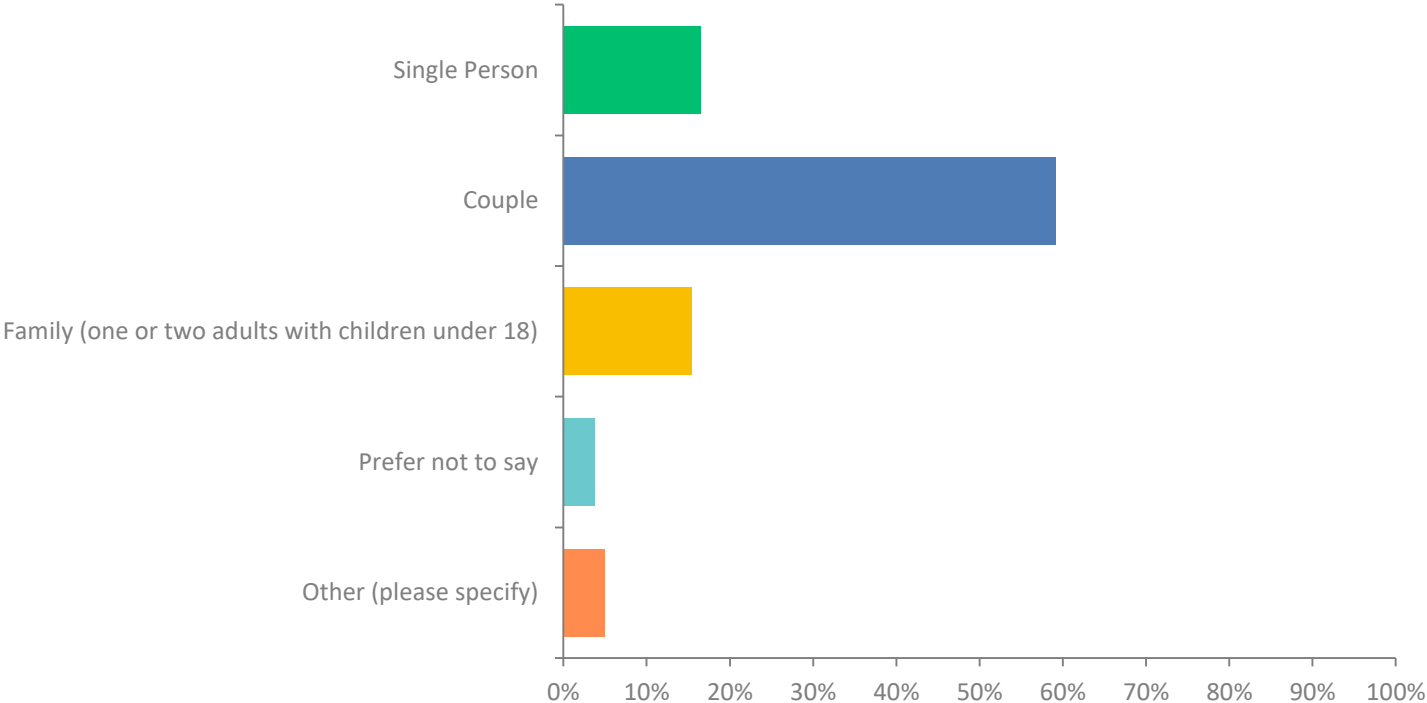
Q6: Please indicate if you identify with one of these groups:

Answered: 126 Skipped: 352



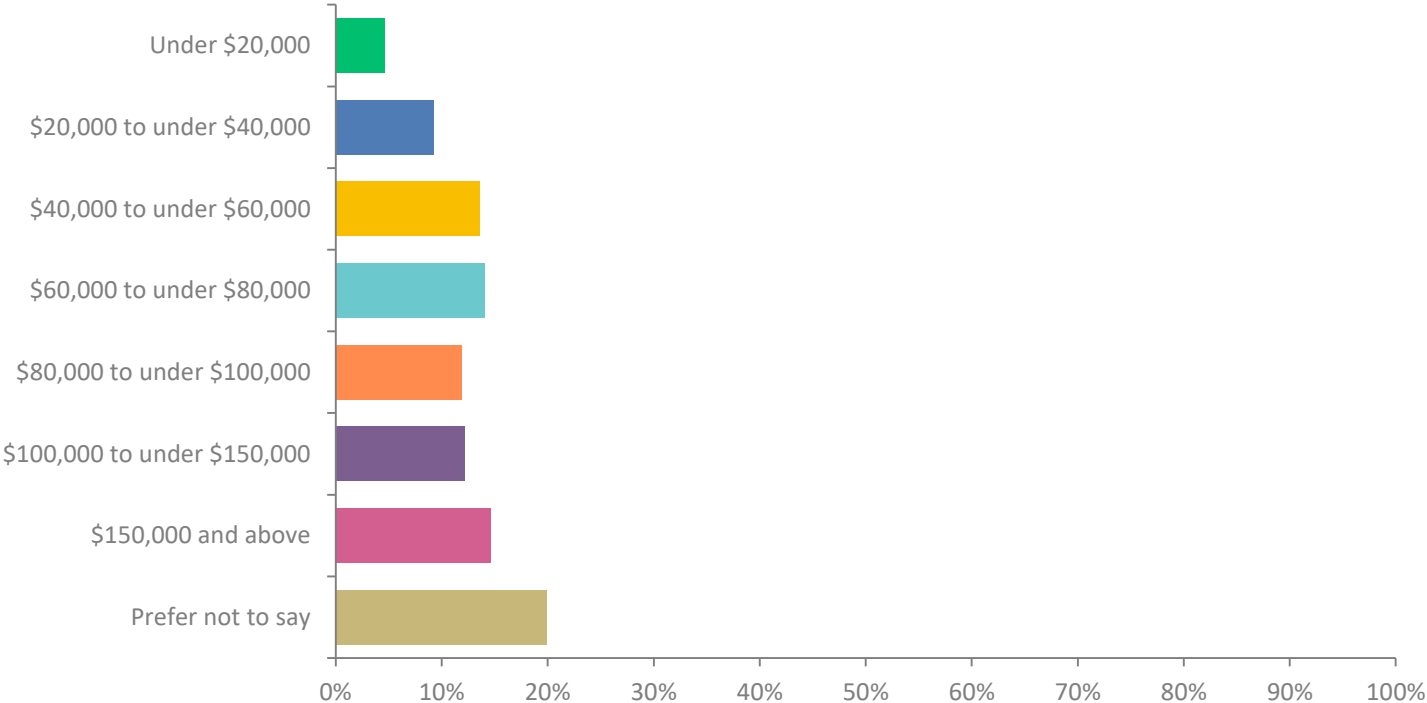
Q7: How would you describe your household?

Answered: 478 Skipped: 0



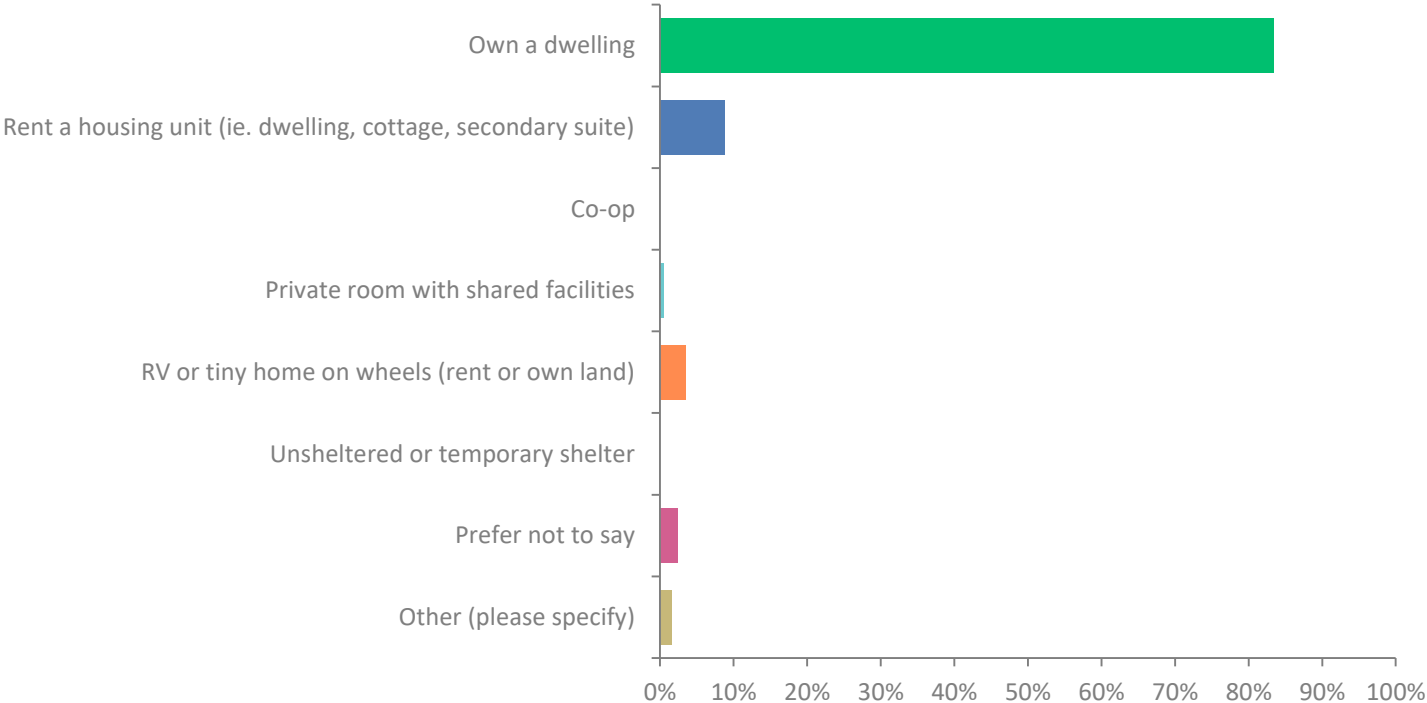
Q8: Which of the following categories best describes your total household income per year before taxes?

Answered: 478 Skipped: 0



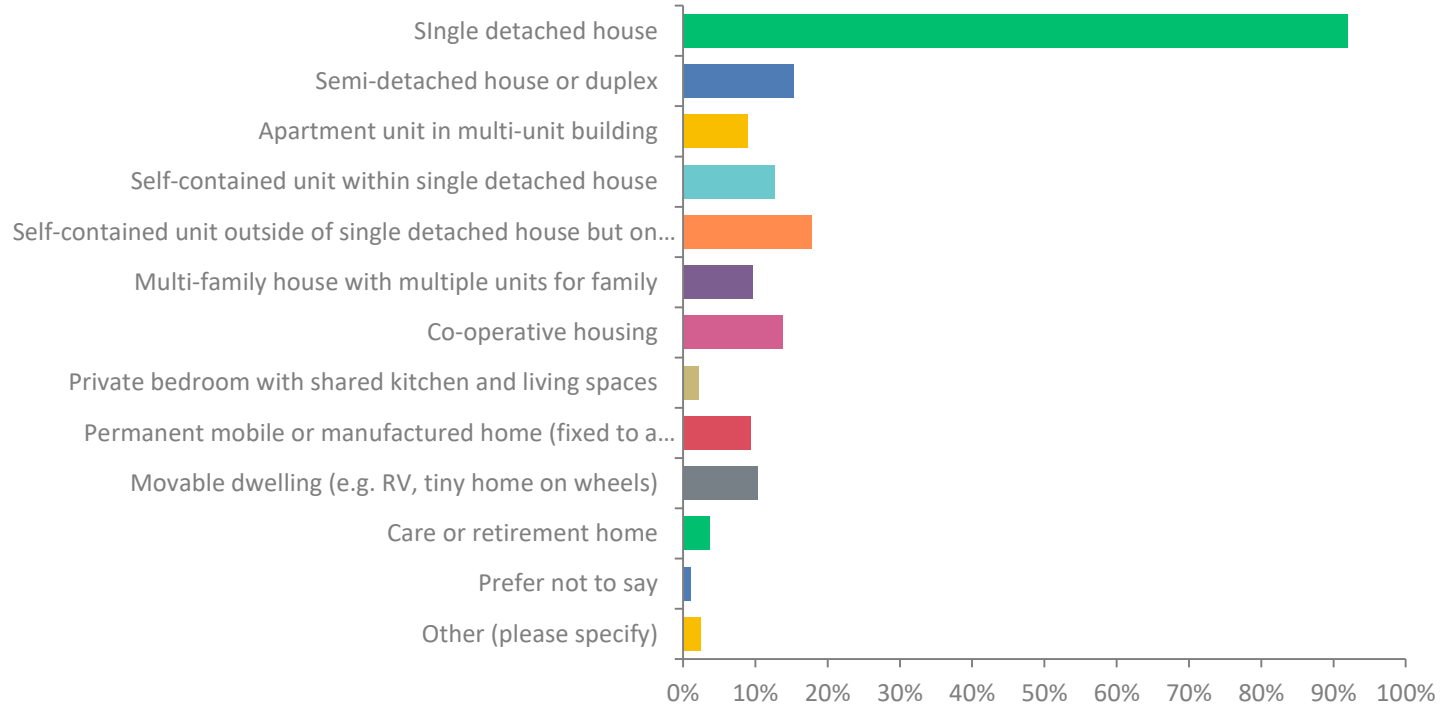
Q9: How would you describe your current living situation?

Answered: 458 Skipped: 20



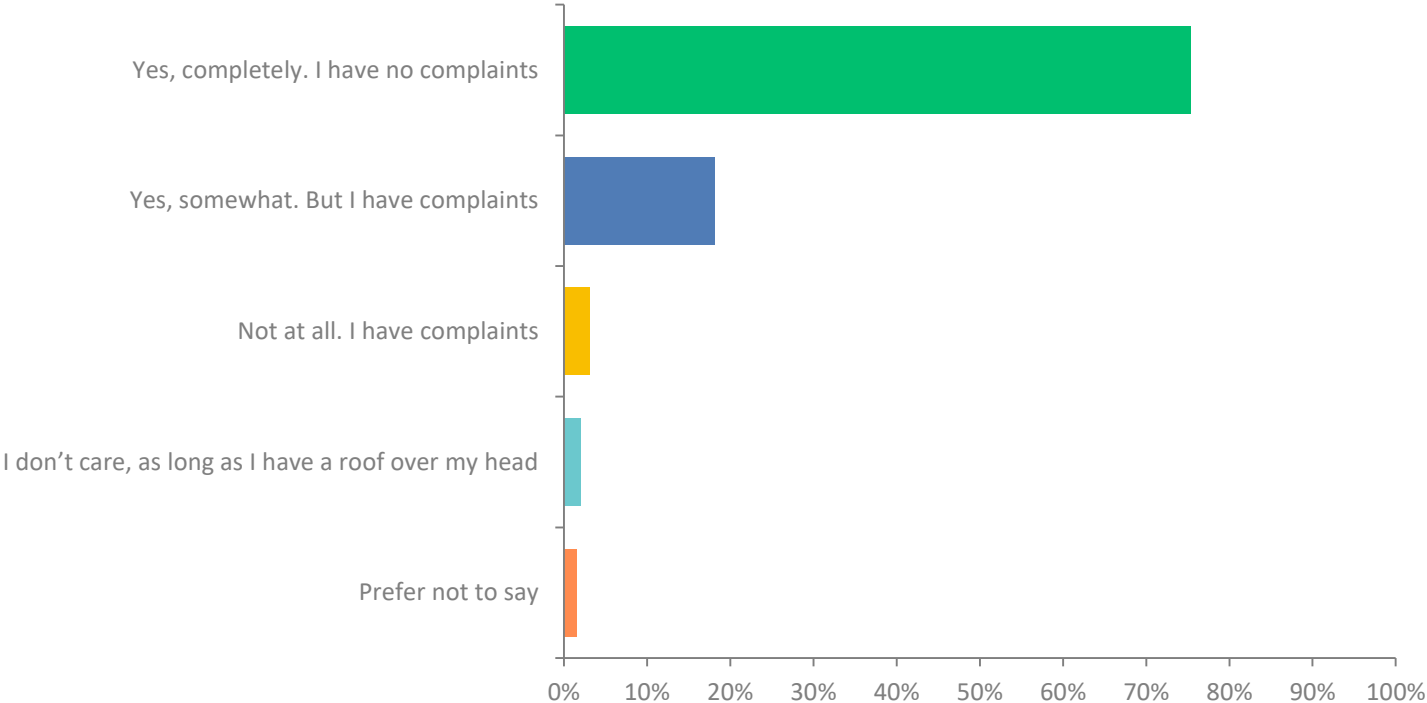
Q10: Which accommodation type is your preferred housing option? (Select all that apply)

Answered: 458 Skipped: 20



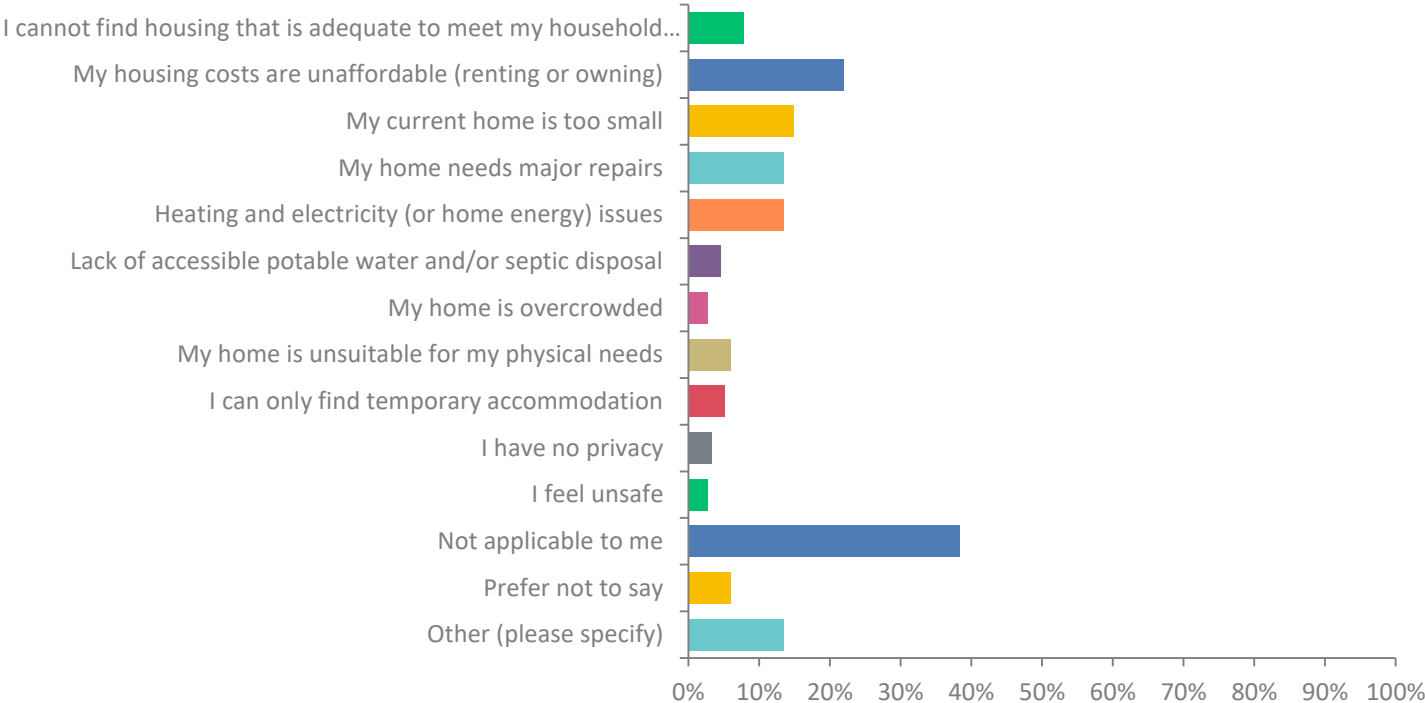
Q11: Does your current living situation meet your housing needs?

Answered: 458 Skipped: 20



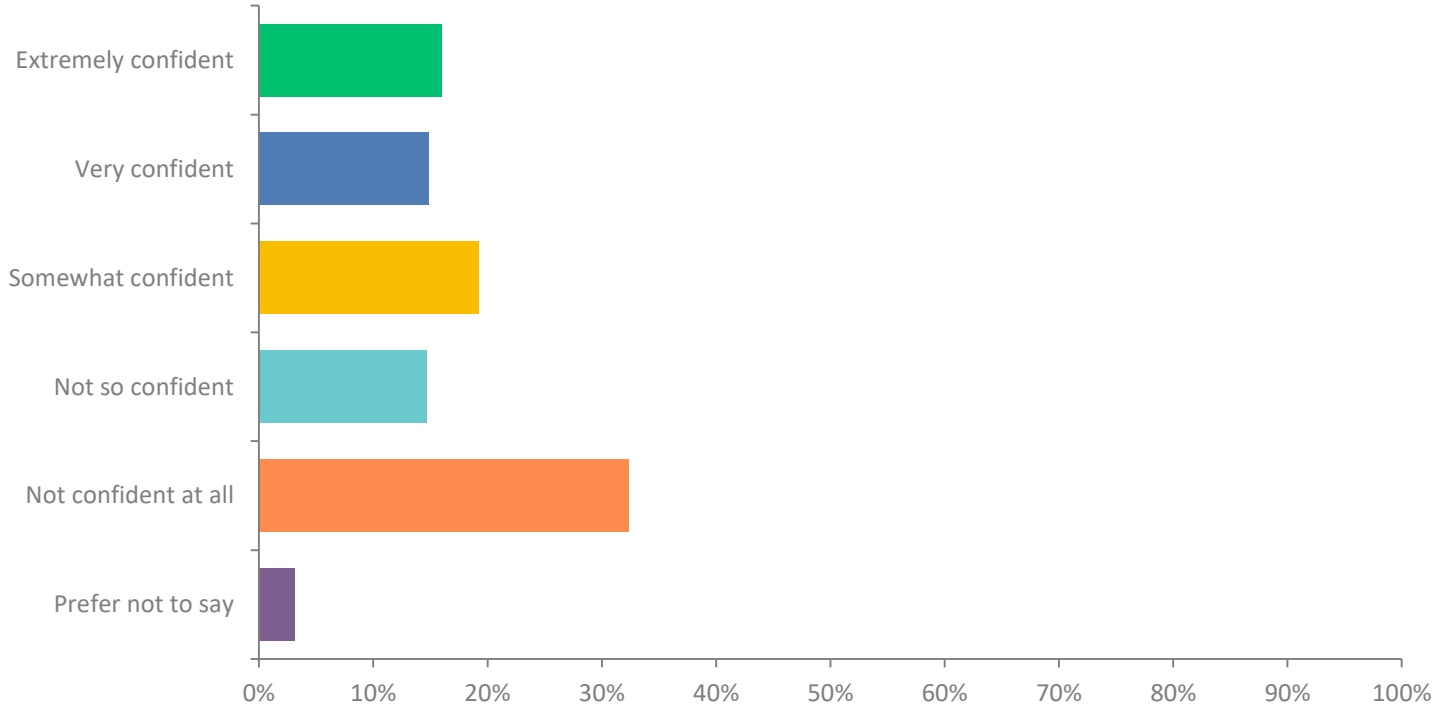
Q12: If applicable, what are the reasons for your current living situation not meeting your needs? (Select all that apply)

Answered: 214 Skipped: 264



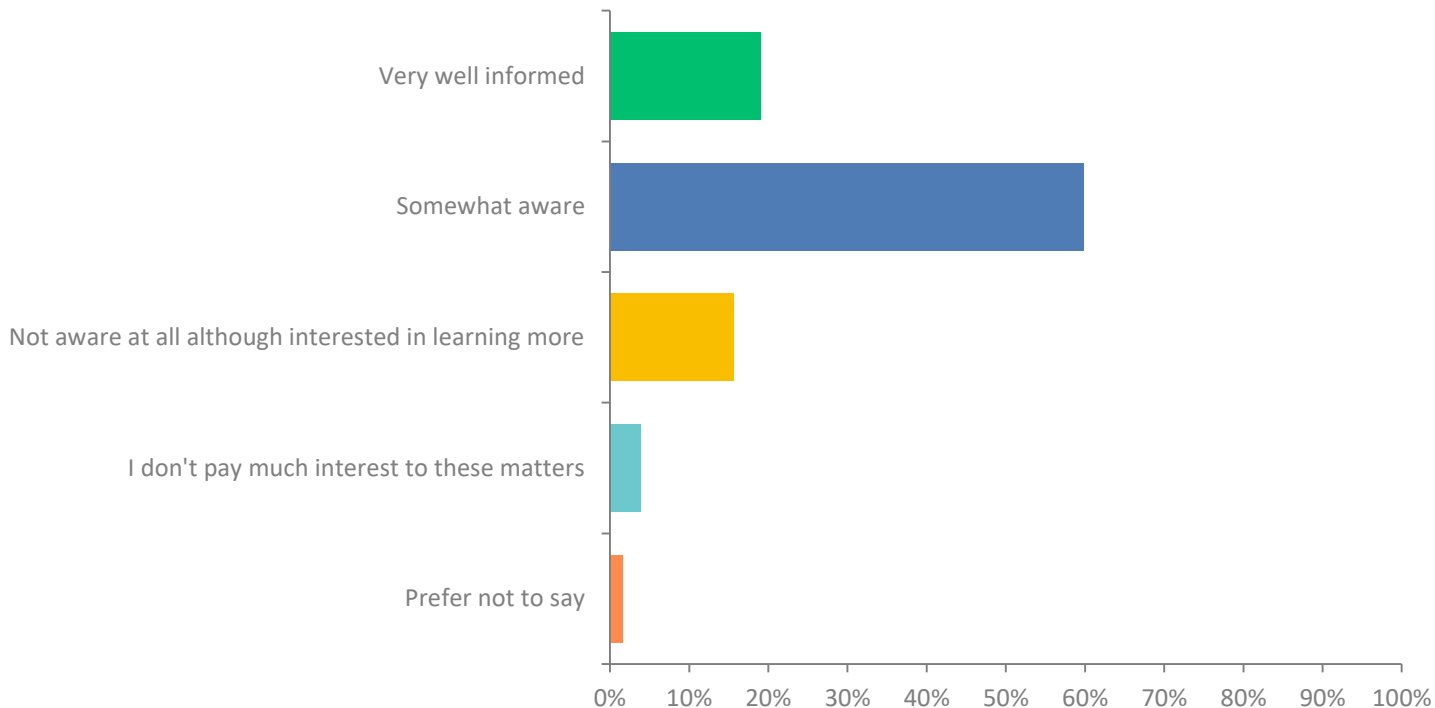
Q13: How confident are you that you could access affordable alternative housing if you needed to vacate your current home?

Answered: 458 Skipped: 20



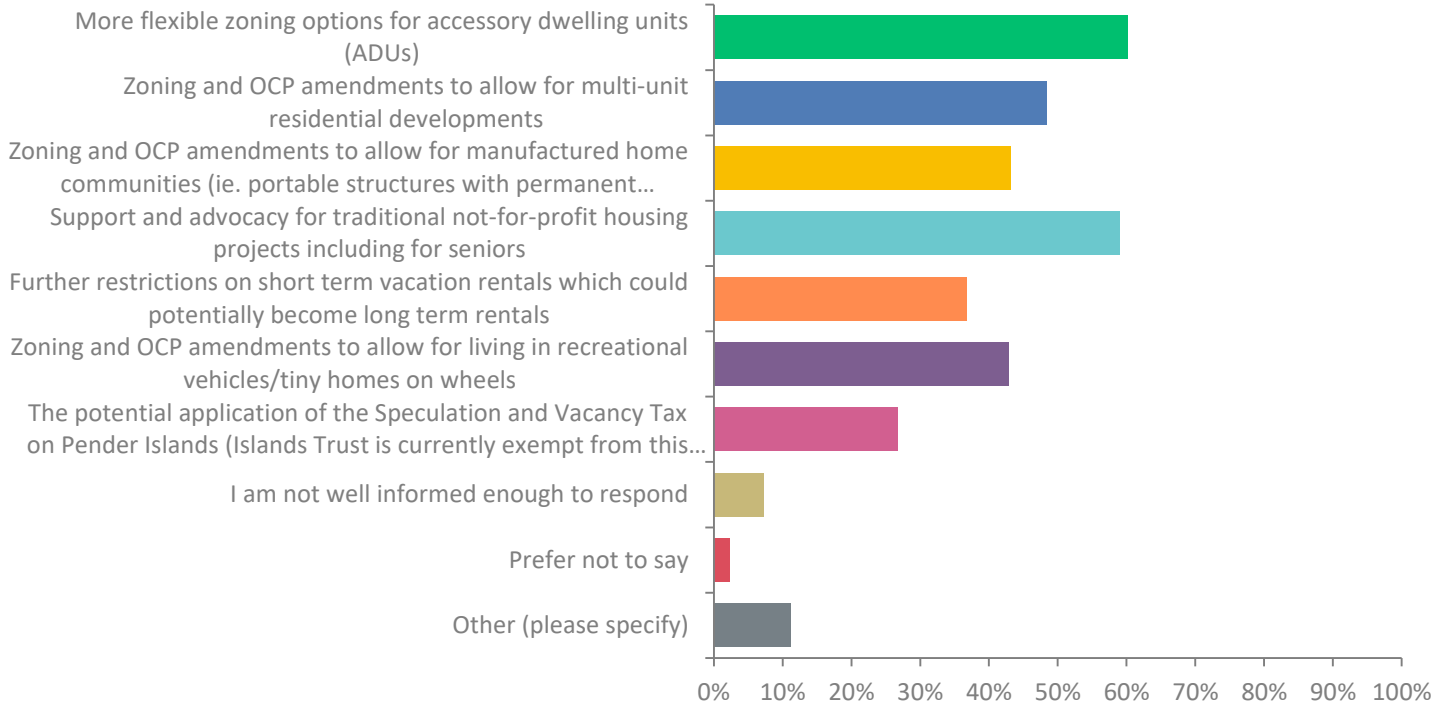
Q14: How informed are you with the role of the Islands Trust and other government agencies in the provision of housing?

Answered: 441 Skipped: 37



Q15: Based on your knowledge of the role of the Islands Trust and its associated bylaws and regulations, which housing actions in this list should the North Pender Island Local Trust Committee prioritize (select all that apply)

Answered: 441 Skipped: 37



Pender Islands Housing Needs Survey, Fall 2024

Q1. The Islands Trust Area is made up of 13 local trust areas (LTA) and Bowen Island Municipality. Which one do you feel most connected with?

Answer Choices	Responses	
Ballenas-Winchelsea Island LTA	0.42%	2
Bowen Island Municipality	0.00%	0
Denman Island LTA	0.00%	0
Gabriola Island LTA	0.21%	1
Galiano Island LTA	0.63%	3
Gambier Island LTA	0.00%	0
Hornby Island LTA	0.00%	0
Lasqueti Island LTA	0.00%	0
Mayne Island LTA	0.21%	1
North Pender Island LTA	84.94%	406
Salt Spring Island LTA	0.42%	2
Saturna Island LTA	0.42%	2
South Pender Island LTA	10.46%	50
Thetis Island LTA	0.00%	0
The entire Islands Trust Area	0.63%	3
I have no connection to the Islands Trust Area	0.21%	1
Prefer not to say	1.46%	7
	Answered	478
	Skipped	0

Q2. The Islands Trust Area occupies almost 5,200 square kilometers within the Salish Sea. What is your connection to the islands? Check as many as apply:

Answer Choices	Responses	
I am a part-time resident (ie. less than 6 months per year)	16.32%	78
I am a full-time resident (ie. more than 6 months per year)	78.87%	377
I am a visitor	0.63%	3
I live adjacent to the region (e.g. on Vancouver Island or mainland BC)	3.14%	15
I am a non-resident property owner	4.39%	21
Indigenous person with relationships to Pender Islands	0.42%	2
Prefer not to say	1.46%	7
Other (please specify)	2.09%	10
	Answered	478
	Skipped	0

Q3. If you are a resident or property owner, how long have you lived in, or owned a property in the Islands Trust Area?

Answer Choices	Responses	
Less than 1 year	3.56%	17
1 to 5 years	20.71%	99
6 to 10 years	19.04%	91
11 to 20 years	16.32%	78
More than 20 years	38.49%	184
Prefer not to say	1.88%	9
	Answered	478
	Skipped	0

Q4. Do you currently live in the Pender Islands community?

Answer Choices	Responses	
Yes	78.66%	376
No	6.49%	31
Part-time	13.60%	65
Prefer not to say	1.26%	6
	Answered	478
	Skipped	0

Q5. Please indicate your age:

Answer Choices	Responses	
12-24	0.84%	4
25-39	8.79%	42
40-59	30.96%	148
60-79	49.37%	236
80+	6.28%	30
Prefer not to say	3.77%	18
	Answered	478
	Skipped	0

Q6. Please indicate if you identify with one of these groups:

Answer Choices	Responses	
I am a member of a First Nation whose territory encompasses the Islands Trust Area	3.97%	5
I am Indigenous, First Nation, Metis, or Inuit	8.73%	11
I am a member of a visible minority group According to the Employment Equity Act, members of a visible minority are people in Canada (other than Indigenous peoples) who are non-white in colour or non-Caucasian in race, regardless of their place of birth or citizenship.	13.49%	17
Prefer not to say	73.81%	93
	Answered	126
	Skipped	352

Q7. How would you describe your household?

Answer Choices	Responses	
Single Person	16.53%	79
Couple	59.21%	283
Family (one or two adults with children under 18)	15.48%	74
Prefer not to say	3.77%	18
Other (please specify)	5.02%	24
	Answered	478
	Skipped	0

Q8. Which of the following categories best describes your total household income per year before taxes?

Answer Choices	Responses	
Under \$20,000	4.60%	22
\$20,000 to under \$40,000	9.21%	44
\$40,000 to under \$60,000	13.60%	65
\$60,000 to under \$80,000	14.02%	67
\$80,000 to under \$100,000	11.92%	57
\$100,000 to under \$150,000	12.13%	58
\$150,000 and above	14.64%	70
Prefer not to say	19.87%	95
	Answered	478
	Skipped	0

Q9. How would you describe your current living situation?

Answer Choices	Responses	
Own a dwelling	83.41%	382
Rent a housing unit (ie. dwelling, cottage, secondary suite)	8.73%	40
Co-op	0.00%	0
Private room with shared facilities	0.44%	2
RV or tiny home on wheels (rent or own land)	3.49%	16
Unsheltered or temporary shelter	0.00%	0
Prefer not to say	2.40%	11
Other (please specify)	1.53%	7
	Answered	458
	Skipped	20

Q10. Which accommodation type is your preferred housing option? (Select all that apply)

Answer Choices	Responses	
Single detached house	91.92%	421
Semi-detached house or duplex	15.28%	70
Apartment unit in multi-unit building	8.95%	41
Self-contained unit within single detached house	12.66%	58
Self-contained unit outside of single detached house but on same property	17.69%	81
Multi-family house with multiple units for family	9.61%	44
Co-operative housing	13.76%	63
Private bedroom with shared kitchen and living spaces	2.18%	10
Permanent mobile or manufactured home (fixed to a foundation)	9.39%	43
Movable dwelling (e.g. RV, tiny home on wheels)	10.26%	47
Care or retirement home	3.71%	17
Prefer not to say	1.09%	5
Other (please specify)	2.40%	11
	Answered	458
	Skipped	20

Q11. Does your current living situation meet your housing needs?

Answer Choices	Responses	
Yes, completely. I have no complaints	75.33%	345
Yes, somewhat. But I have complaints	18.12%	83
Not at all. I have complaints	3.06%	14
I don't care, as long as I have a roof over my head	1.97%	9
Prefer not to say	1.53%	7
	Answered	458
	Skipped	20

Q12. If applicable, what are the reasons for your current living situation not meeting your needs? (Select all that apply)

Answer Choices	Responses	
I cannot find housing that is adequate to meet my household needs	7.94%	17
My housing costs are unaffordable (renting or owning)	21.96%	47
My current home is too small	14.95%	32
My home needs major repairs	13.55%	29
Heating and electricity (or home energy) issues	13.55%	29
Lack of accessible potable water and/or septic disposal	4.67%	10
My home is overcrowded	2.80%	6
My home is unsuitable for my physical needs	6.07%	13
I can only find temporary accommodation	5.14%	11
I have no privacy	3.27%	7
I feel unsafe	2.80%	6
Not applicable to me	38.32%	82
Prefer not to say	6.07%	13
Other (please specify)	13.55%	29
	Answered	214
	Skipped	264

Q13. How confident are you that you could access affordable alternative housing if you needed to vacate your current home?

Answer Choices	Responses	
Extremely confident	15.94%	73
Very confident	14.85%	68
Somewhat confident	19.21%	88
Not so confident	14.63%	67
Not confident at all	32.31%	148
Prefer not to say	3.06%	14
	Answered	458
	Skipped	20

Q14. How informed are you with the role of the Islands Trust and other government agencies in the provision of housing?

Answer Choices	Responses	
Very well informed	19.05%	84
Somewhat aware	59.86%	264
Not aware at all although interested in learning more	15.65%	69
I don't pay much interest to these matters	3.85%	17
Prefer not to say	1.59%	7
	Answered	441
	Skipped	37

Q15. Based on your knowledge of the role of the Islands Trust and its associated bylaws and regulations, which housing actions in this list should the North Pender Island Local Trust Committee prioritize (select all that apply)

Answer Choices	Responses	
More flexible zoning options for accessory dwelling units (ADUs)	60.09%	265
Zoning and OCP amendments to allow for multi-unit residential developments	48.30%	213
Zoning and OCP amendments to allow for manufactured home communities (ie. portable structures with permanent foundations)	43.08%	190
Support and advocacy for traditional not-for-profit housing projects including for seniors	58.96%	260
Further restrictions on short term vacation rentals which could potentially become long term rentals	36.73%	162
Zoning and OCP amendments to allow for living in recreational vehicles/tiny homes on wheels	42.86%	189
The potential application of the Speculation and Vacancy Tax on Pender Islands (Islands Trust is currently exempt from this tax)	26.76%	118
I am not well informed enough to respond	7.26%	32
Prefer not to say	2.27%	10
Other (please specify)	11.11%	49
	Answered	441
	Skipped	37

Q 16.	Q16. Do you have any other comments on the project or ideas for improving access to affordable housing in the Pender Islands community?
Comment #	Comments
1	60 years of not allowing density is just nibyism and keeping these islands as a refuge for the wealthy. People need to live on these islands in order to have a vibrant community and that means all levels of affordable housing.
2	A trailer park or similar would be helpful. Removing restrictions on living in trailers would be straightforward, just living in one shouldn't be grounds for enforcement.
3	Adding housing will only put additional strain on our limited water resources. I don't see any resolution to the housing crunch as long as Pender remains a desirable place to live.
4	allow more flexibility to build secondary dwellings on properties smaller than the current 2 hectares
5	Allow purpose built rental accomodation to be built near the Driftwood
6	Allow secondary houses on large properties and legalize rental suites in homes.
7	Allow tiny homes/RV's etc Limit stvr's. There are a number of illegal stvr's operating on the island. The gulf islands are exempt from the new airbnb regulations enacted by the NDP last May. This has caused an influx of new stvr's on Pender. Also. Make it easier to find information on the locations of legal stvr's online so that we can report those that are running illegally.
8	Allowing a coach house or tiny home on a SFD lot, as long as it is properly connected to utilities would be an option in addition to identifying suitable land for a multi-unit complex. Currently, the various trailers and ad hoc bldgs in lots on Pender is not a viable long -term option. Basically, these structures degenerate into waste due to the climate- they are not built for heavy rain, extreme heat or cold
9	Allowing lane way type 2nd dwellings would make it easier for a young family to get a mortgage, pay a mortgage and stay on the island in their own dwelling
10	Allowing property owners to have smaller second homes on their property for long term rentals
11	Banning short term for long term rentals will not work for affordable housing. It also will be rented out at un affordable rates. Allow a second small residence or tiny home, and areas with affordable rental units in a tiny home parks. Put in bylaws that they are land scrapped, and kept tidy and presentable, with respectful conduct rules or they are kicked out. This to be independently monitored.
12	Bylaw amendment to allow Coach house on my ~ half acre acre property
13	Capable and eager working people keep leaving the island, most of the departing people cite the lack of affordable housing as the main reason. I would hope that the IT will allow high density affordable housing be built in logical areas of the island.
14	Carriage house/unit above an existing garage.
15	Changes to zoning and bylaws should only be done if community infrastructures (water & wastewater management and essential services) are in place to support expansion.

16	Clear standards for rv living so one can live within the law and not have anxiety about legality of situation
17	Common sense is needed. If there is non-arable land available, tiny homes & movable homes must be allowed.
18	CRD looks after Magic Lake, Islamds Trust needs to be gone
19	Definitely a need for low cost housing on the Island. The use of multi-unit residential properties and portable structures should be a priority.
20	define affordable.. until the building costs and regulations are significantly relaxed we will continue to face a shrinking housing stock. So long as it costs over \$400. / sq ft to build there is no incentive to build anything except high end structures. the illusion of affordability is just that. either build non profit on government owned land of which there is none on Pender and get rid of rent controls which have caused this problem in the first place. there is no incentive to build rentals here .
21	Definitely allowing people to live in mobile homes a development to accommodate this would help immensely. Low income people can't afford a house but could afford a trailer.
22	Do not advocate to apply the Spec Tax to the Gulf Islands - they are vacation properties. Adding the tax will cause collateral damage to tourism
23	Do not believe that Pender Islands is appropriate for the implementation of the speculation and vacancy tax, it would hurt the local economy and not result in more affordable housing. The majoriy of the housing stock is single family homes those are not the type of housing that becomes available or affordable through the implementation of the tax which is designed to move housing stock that is under utilized (condos) and speculative into the rental market or expensive housing (single family) into the realestate market. Not cause family cabin owners to be penalized by additional taxes.
24	Don't make this too large a priority as the root causes are well beyond the influence of the Trust. An increasing popularity in a finite region will cause housing affordability issues and this issue is not going away. Mitigate the problem with a reasonable approach to the construction of housing, and the regulations in that regard, (like for example allowing owner built houses with a severely reduced amount of red tape as is the case in the San Juan islands), in conjunction with an appropriate balance for environmental sustainability.
25	Encourage property owners with secondary units to provide rental accommodation.
26	Excessive tenant rights are a big hurdle to renting to someone. If you get a bad tenant you can't get rid of them. This is a big impediment to people wanting to rent their property to others.
27	Exempt from permit costs people with low incomes who work on island and are trying to build humble homes. Have one or two simple floor plans that pass the building code available for low income people to use.
28	Expanding our current senior situation in any direction would be wonderful
29	Focus on options to use water more effectively, so it isn't a bottleneck on approvals. E.g. Allow composting toilets / greywater system as alternative to septic field.

30	Focus on short term rentals is misguided; there's not many and eliminating them won't provide much of a solution to the housing issues.
31	Forbid the application of the Speculation and Vacancy Tax on Pender Islands. The market for long term rentals does not exist for family cottages
32	Frustrated by the restrictions on additional dwellings (the bathroom or kitchen rule) Frustrated with the Currents at Otter Bay development that brings in a bunch of second homers who use up resources such as water and healthcare without contributing to the island Frustrated that the folk who service the island - grocery store workers, cleaners, wait staff - have such a hard time finding accommodation. Why not a multi-unit development at the driftwood for these folk? Fed up with Vancouverites who bought property here 20 years ago for barely any money and who show up with entitlement to use the resources here - would love to see limitations on second home options. Frustrated that the rules around how big a new development can be seem to apply to some and not others. Some enormous developments classified as "barns" for example, that are really huge living spaces somehow get around the regs. And what's with the 12,000 square foot development on Razor Point? If you're going to have regs apply them equally.
33	Get government out of housing. Protect landlords rights and they will build more rental units
34	Has anyone done a study to see what affordable means to middle and lower income ppl What is the cost range that might be affordable once this question is answerable then build and regulate to this benchmark No point in building 400 ,000\$ accommodation is the affordability level is considerably lessbut again this should nit be in the scope of the Trust Before any steps are takensurely a review and resetting of the Trust scope is the logical first step ...the Trust has had the cart before the horse most recently when they tried to push through amendments to the Trust Plan a few years back with out adequate community feed back and involvement Thanks for listening
35	Having multiple homes is obscene. The people who work here can't afford to live here and we are losing essential services for residents as a result of empty vacation homes. Also most properties have the capacity for outbuilding rentals but bylaws prevent this, further reducing rentals. Contacting Islands Trust with these concerns is not at all accessible.
36	Housing needs to fit the demographic. Generally, seniors are well served and move off island for medical reasons. Affordable housing projects should focus on young people. But they need a job. Presently there are not many well-paying permanent jobs available. Note the staff turn over in the stores and restaurants. Perhaps what is needed is seasonal housing for staff (summer students) in the vacation season.
37	Housing will never become affordable to many people, and we will not build our way out of a housing shortage. It's disingenuous to suggest we will.
38	How many people, plus agricultural needs can our groundwater/lakes support?

39	I am in favour of keeping the spirit and community feel of the islands intact. Nit in favour of importing big city development. Definitely opposed to increasing taxes or adding the speculation tax. Allowing for some zoning flexibility would make a big difference.
40	I am strongly opposed to any possibility of a speculation and vacancy tax on Pender Islands. This would not increase 'affordable' housing in any way, and would greatly impact part time residents that comprise a significant part of the Island's economy as well as the ability to keep recreational properties.
41	I am very against the vacancy tax. (I am for it in the city, but not on the gulf islands as many people live here part time).
42	I believe that temporary housing should be allowed for seasonal employees of local establishments. Zoning would need to be changed to allow multiple units on the same property. This would create an opportunity for some select properties to become suitable to house employees. Being able to house staff for local business would boost the island in so many ways. Allowing rvs on every property would have a side risk of them being used for air BNB. While I have no problem with enabling tourism that can support our island, we need workers first to be able to support it.
43	I have lobbied with CRD and MLA to allow more RV's or tiny homes on the island. They use very, very little in the way of water resources and sewer and electric infrastructure compared to a permanent dwelling.
44	I heard that water issues is a big deterrent from progress but would at least like to see the ability to have a secondary tiny home on properties 1/2 acre plus.
45	I read constantly about young people trying to find housing on island in order to work here seasonally or full time. Is there any consideration given to Mobile home parks or other temporary yet well managed properties? Such a shame and easy enough to remedy.
46	I strongly support the development of shared living space that does not involve multi-level structures.
47	I support the idea of small homes similar to tiny homes so long as safety and sanitation is appropriately handled and the buildings are built to code (possibly a code specific to them as there are special considerations for that type of dwelling that current building code wouldn't allow for). I don't support the use of recreational vehicles/trailers as long term dwellings.
48	I think having a 4th layer of government makes the matter more complex and expensive.
49	I think that more flexible zoning for detached ADUs would benefit the community greatest. Seniors who want to age in place could rent out accessory buildings to caregivers, immediate family, caretakers, or a local family. Also serves as a mortgage helper for younger families who have a downpayment for a house but could use additional income for payments. Renting detached ADUs to seasonal workers benefits local businesses and community members. This bylaw should be number one in being revised to allow detached ADUs on smaller lots.
50	I think you are considering all of the right things already re: housing affordability, the environment, water availability, and involvement of First Nations. Overall I believe soft densification with all of these aspects in mind is the way to go.

51	I want a government body to improve access to clustered market housing, which has embedded in it affordable housing. Ideally this housing is environmentally appropriate and is available to older and younger alike.
52	I'd like to see grants for helping low income families make additions to their homes. I'd also like to see tiny houses allowed as an accessory building as I am getting older and it would be nice to have someone rent a small accessory building and be able to help with yard etc. I am a young senior but I am raising my preschool grandchild. Our home is overcrowded and we cannot afford to build an addition. Furthermore the taxes on the island are way too high and we are struggling to put taxes each year. Too much of our taxes seem to go into crd and islands trust. Islands trust should be funded by all British Columbians and not just the gulf islands.
53	I'm not sure how the Islands Trust fits into this mandate or what can really be done by it to make a difference. Many levels of government are tinkering around the edges of the problem driven by greed but no level wants to take the real decisive action needed to make a difference
54	If a cottage is on a property also with a house, zoning should be allowed so cottage can be subdivided and sold, if original property is 2 acres or more.
55	If the speculation tax is brought to North Pender we will sell our place (which is a secondary residence). I will not pay an added tax to the government to keep what I already own! We will use the proceeds from the sale to travel outside Canada, thus all of the \$ we spend in the CRD will leave.
56	In multi unit buildings - allow 1 long term rental + 1 short term vacation rental with less restrictions
57	Instead of allowing 10,000sf house size variances and relaxing waterfront setbacks on large properties for the wealthy 1%, the LTC should be focused on ensuring that our community has affordable accommodation options for those who provide the services so we can continue to live here.
58	It should not cost tens or hundreds of thousands of dollars to build a house that provides shelter, the ability to be warm and dry and has potable water. Beyond very basic structure, electrical and sewer should be the only concerns of building codes.
59	Less unnecessary application process. It's jump through hoops spend tons of money for nothing then add new rules to build on top making it cost prohibited for people to build homes
60	Leverage funds from the Building BC Community Housing Fund (CHF) to build "council homes" — locally-administered public housing for families and seniors.
61	Living on the Gulf Islands is a privilege, not a right. If one can't afford to live here, one must move on. The exception would be for those employees working on Island supporting local business.
62	Look at the end cost of your ideas and compare that to your housing goals.
63	Look at Whistler's seasonal staff accommodation. Put up a building with small 2 person suites and rent them to seasonal staff
64	Make secondary detached dwellings allowed in magic lake.

65	Most residents are older and therefore, like me, are fortunate enough to have been able to buy property while it was affordable. Property is not affordable for younger folks, who therefore can't afford to live here. The results of this survey will be skewed because people who can't afford to live here will not be completing this survey. The issue is that the younger, working people who are needed on the island cannot afford to live here.
66	Must understand availability of water.can't build new housing where there is not enough water.
67	My main concern for affordable house is to ensure there is housing for the work force we need on Pender.
68	Need to build multi- unit rentals or co-op beds. Any condo or multi- units would need to have low monthly strata fees as these combined with rent/mortgage make these units unaffordable
69	No but stop letting people to live on there RV
70	No just that I am personally supportive of BC's efforts in general to restrict short term rentals. I feel this & other policy decisions are helping somewhat to make properties available to younger people as new owners / renters. I am not supportive of the idea that people can own multiple homes without penalty when it hurts younger people and people trying to make ends meet.
71	No more people we are full
72	No speculation or vacancy tax, this market will crash and seniors will lose their nest egg and not able to move closer to medical care.
73	No trailers on wheels as permanent housing. All temporary housing hooked to sewer and water and inspected re: same
74	obviously banning all STVRs in self contained homes
75	On Pender Island we need multi family options to allow people who want to stay here. Past efforts have been rebuffed. We need flexible housing options for those perhaps want to share their homes - eg: divide into suites.
76	Only possible affordable option is tiny homes. All other options are too expensive to qualify as "affordable". Allow tiny homes on properties over 1 acre.
77	Past proposed multi unit buildings have been obstructed and discouraged until they wore the developers out. Developing property is hard work. Finding crews for all levels is expensive and finances are always limited and are eventually exhausted by NIMBYism. The pressure on individual proposals in the past (Browning and Poets Cove) are two examples which show what happened and what didn't (for no particularly good reason that I can think of). Lou Henshaw had great vision which I hope the Trust can now see with 20/20 hindsight. We would be facing a completely different picture had that development progressed. Multi units make for close bit independent situations as families morph in ways unimaginable when the Trust was founded. To not change with the times is a crime.
78	Pender Island is a rural community and we have bought a house there to enjoy rural setting, solitude, tranquility, relaxing and enjoying the natural beauty. Whatever you do, we would like to respect these aspect of Pender island. Please, please, do not turn the island in to an urban area and destroy the island's charm and beauty

79	Pender Island needs more community housing developments, similar to what is being developed on Galiano -- families and seniors supporting one another -- more cooperative housing, residential development on larger parcels of land that take the natural world into consideration. Just adding more buildings in Magic Lake area, when it is already overdeveloped and sewer and water supply is stressed is not very forward thinking.
80	People living fulltime in campers and trailer, which is currently against bylaws, BUT the IT is currently NOT enforcing, should only be allowed in a contained separate dedicated and approved location. When it occurs in an otherwise single family buildings area, it lowers the value and enjoyment of others!
81	Permanent RV Park or Tiny House Park on permanent foundations.
82	permit the building of small homes on existing lots half an acre can accommodate this provided appropriate setbacks are maintained
83	Propective buyers need to be informed somehow that the labour pool is limited, difficult to get trades, and we have bylaws they should read. More people would rent out long term instead vacation rentals if it was easier to get rid of bad tenants. It takes months for a hearing and you will probably lose not matter how bad it is. People are scared to rent long term.
84	put in place zoning for duplexes and carriage houses
85	Rental caps would be awesome
86	Restrict AirB&B licensing so that \$\$ stays on Island. No absentee owners.
87	Restricting STVRs will not increase availability of rental homes until legislative change offering protection to home owners in brought about. People are not willing to lose their homes or access to their family property for a renter that can destroy the place with years of red tape through the RTB with uncertain outcomes, if any, in favour of the home owner. People lose/foreclose their homes to bad renters before these issues are resolved in the current system. Simply not worth the risk, therefore limiting STVRs doesn't address the housing crisis issue.
88	Restrictions on the square footage of new homes being built. Zone a specific area of land for a multi unit rental development. Mirror bylaw changes related housing on South Pender. Vacant building tax and restrictions for short term rentals to discourage homes sitting empty and create more opportunities for first time homebuyers. Eg, newly established short term rentals must have a full time resident on the same property, or create an incentive for this model, to encourage a more sustainable local vacation economy.
89	Secondary suites Grants and tax incentives for landlords creating permanent rental accommodation Pressure the Province to create more equitable rental laws that don't drive landlords out of the rental market
90	Seems like you're on the right track...let's just get past the stage of talking about it and let's actually make some real workable changes!
91	Self-contained units for seniors
92	Setbacks (side and front) that are generous enough for privacy and coastal protection dictate house size - reducing house size not the answer given housing shortage and need for workers.

93	Short term rentals are not the problem to housing issues. Affordability is. Pender doesn't have enough low income subsidized housing to support the needs of low income earners. This is a social issue not an issue that should be pushed on existing owners. People wouldn't afford the rent of the homes being used as short term rentals.
94	So many abandoned boats and trailers. Is there a group yhat eoyld collect these, upgrade them and sell/rent them as housing as long as they are attached to septic or sewer on a single dwelling home to accommodate the housing needs.
95	Something that would keep people from buying houses and letting them sit empty or buying homes simply to invest would be to reinstate squatter's rights.
96	Streamline permit process. Reduce timeline for permits.
97	STV take homes from full time renters. Tiny homes or RVs will need sewer and water. No pump outs should be allowed.
98	Subsidies or other assistance for businesses to commission workforce housing.
99	Suggestion: Pressure the provincial gov't to amend the Residential Tenancy Act to allow island residents to offer FIXED-TERM, seasonal rentals, i.e. with definite end dates. Lack of housing for seasonal workers is a big problem on Pender. Current RTA legislation has no provision to allow seasonal rentals. With this one change, you would see a flood of new seasonal rentals available on the Gulf Islands.
100	Support applications for acerages to subdivide small 1/4 acre buiding lots along existing road frontages.
101	take a second to look up how many air bnbs Pender is zoned for, then go on the website and look at how many there are. Regulating this, and bringing in the speculation tax would very quickly make collosal improvements to to penders housing crisis
102	taking no issue with illegal suites, allow them, don't force people to hide advertising. Many people here live in unhealthy situation with mold etc and the quality of structures needs to be addresses since the majority of homes were built in the 70s and 80s - find a way to get grants for those committing to long term rental properties, like 10 years and register that commitment on title and a financial penalty for breaking it.
103	The CRD approves building permits, the need to include the Island Trust in these applications, additional information requests costs money and adds to the cost of building. The Islands Trust should consider a path that does not add to the cost of building. A Trust wide housing strategy is not appropriate, each Island is unique, has unique features, a strategy recognize this and address each Island appropriately. Allow desalination.
104	The current allowance of one house per property doesn't take into account the size of the land at all. This feels very disproportionate for a lot of the areas outside of magic lake estates on Pender and is a huge issue for housing.

105	The government and island trust should allow people who have worked hard to afford their own house and property on Pender to do as they please (within reason, as long as the owners are not doing anything illegal). The more government reach there is the more difficult and expensive everything gets for citizens, and more division of class is created when implementing taxes. Affordable housing should be encouraged and implemented, but there shouldn't be any extra taxes added (like the vacancy tax). Property owners who live part time or vacation only on Pender pay property taxes like all of us. And there shouldn't be restrictions on property owners renting out or airbnb-ing their dwellings out because that creates tourism and tourism boosts the economy, more jobs are created and there is less poverty.
106	The Island Trust is supposed to preserve and protect the unique ecosystem on both Penders. Making it into a growing housing market zone, whether it be affordable or not, flies in the face of this mandate. We don't need more development! We need less tourism, fewer people and fewer businesses or all of our precious and pristine natural beauty will be lost. Look what happened to Banff and Jasper!!
107	The Islands Trust is now getting in the housing business when its primary goal is to preserve and protect. The Islands Trust is NOT proficient nor has the knowledge to be in the housing business. This can only mean ONE thing and that will be that the Islands Trust will now hire more staff to study and manage housing related issues when it is the responsibility of the Provincial and Federal Governments. This in turn will increase our property taxes due to the Islands Trust stepping outside their mandated boundaries.
108	The natural environment is more important than any other issue on this island. Tree removal or disturbances to eco-systems for alternative housing is unacceptable. I believe that expansion and improvement at Plum Tree Court is an obvious vision for Pender seniors. I am in favour of tiny homes on present dwellings, this would be acceptable. Sustaining the rural nature of the island and MINIMAL effect on the environment is paramount.
109	The original purpose and mandate of the Islands Trust was to preserve and protect environmental related issues. Now the Islands Trust is trying to be everything to everyone and is taking on the role of housing which will only lead to hiring more staff and increase the taxes imposed on properties and people living in the Islands Trust area. Housing should ONLY be the responsibility of the Provincial and Federal Governments.
110	The problem with affordable housing initiatives is that by definition most or all of them will increase the rate of population expansion on the islands. This must be detrimental to the environment and to resources such as water. One way to make housing more affordable is to restrict the size of houses. I would like to see large lots with small houses on them. That will keep population density down but the cost of housing is kept down due to the size of the houses being restricted.
111	The reality is only manufactured homes will provide quick affordable housing The cost and funding for anything else is virtually nonexistent unless it is for the rich

112	The rules around allowing secondary accommodation on properties in Magic Lake Estates are too restrictive. We have a large site (nearly 2/3rds of an acre) with a small 670 sq ft house. If allowed we could have a 2nd living area that could be rented to a permanent tenant. We have no interest in running short term rentals.
113	The South Pender Trust has lagged behind and is actively hindering housing solutions- for example secondary suites, even for family are not allowed. The Trust could be advocating for the people with other regulatory bodies such as the CRD to make building more affordable and plausible. Some regulations are necessary, some are nothing more than corruption and gouging people trying to put a roof over their heads.
114	The speculation tax and the STVR restrictions will not solve the housing issue on North Pender. There is a need for more affordable housing to be built and the only way this will happen is by changing zoning and bylaws to allow more housing. People who are currently not renting out their home because it is a family vacation home will not change their mind and put their vacation home into the long term rental pool due to more restrictive rules regarding STVRs or because they pay the speculation tax.
115	The speculation tax is a punishing tax that has no reflection on anyone actually speculating. We have been owners on PI for over 30 years. The tax would cause us to be forced to sell after contributing to PI's economy after all those years. Thirty years of ownership should prove a lack of speculation, but it would'nt in the eyes of government. It is a tax grab that takes advantage of British Columbians who are just trying to enjoy the province they live in.
116	The speculation tax is a red herring and would do nothing to increase housing but would definitely harm the local economy, thus providing less work for those currently living on the island
117	There definitely is a need for more non profit housing for seniors. Currently the situation is outrageous. More and more this will become a outstanding issue as Baby Boomers age into their senior latter years and for their pets.
118	There needs to be a good mix of short term rentals and secondary long term suites as we need the tourism economy as well as housing for residents and staff of our services provided
119	this is important without wrecking the integrity of the island. As well as not taxing more of the environment and infrastructure. "Trailer park" and/or bunk house with common area type idea, rent to own, multi co living opportunities, small homes- less footprint. Upgrade infrastructure to support a second dwelling or self contained suite. Proof of proper infrastructure to support these. Approval of water catchment and grey water systems.
120	This is outside the IT mandate, but one crucial key to increasing affordable housing is to fix the landlord tennant act and dispute resolution process to protect tennants from unreasonable landlords AND to protect landlords from irresponsible tennants. People with space available are understandably hesitant to rent them given the horror stories out there (refusing to pay rent, damaging premises, etc etc). And as long as this is the case, tennants will have a hard time finding places to live. Disputes must be resolved quickly and enforced effectively, not months and years after the problems arise. The IT could advocate for this with other levels of government.
121	This should never have become an LTC issue!!!!

122	Tiny home “villages” for seniors, or community based living for aging seniors Multi Unit Residential Building at the Driftwood Centre Exploring Poets Cove Resort as a potential acquisition for housing seasonal staff, or high season housing for those who live in off-season rentals
123	Tiny home community
124	Tiny home community would make sense with a shared community space
125	Tiny home community, apartments, retail space with living space above are all needed as well as rent control
126	Tiny houses with a common building that would provide for shared living necessities such as cooking space, freezers, showers, storage, socializing.
127	Under no circumstance should any solution involve any additional taxation!! For anyone!! We are all already over taxed and underserved!!!!
128	Unfortunately being a landlord is not a lucrative business at all; it’s actually a burden unless you own your rental home outright and not worth the hassle and extreme expenses in my opinion. I was a landlord and sold my home because it cost more to run than it could bring in, in monthly long term rental fees. I think everything done up until now (province wide) has actually made the situation way more complicated and much less desirable to rent out accommodations. The only options for people looking for housing may be to find some type of very alternative housing arrangements at least while they are saving up money to invest in a home if that’s even an option for their future. If we don’t allow it, it’s still going to happen because it’s just what people can afford or do... they are desperate
129	We are in a housing crisis- put yourselves in other people’s’ shoes and be more flexible with zoning, by-laws and unique Island life.
130	We find that the decision to allow trailers means inadequate storage area for them and some areas which are becoming cluttered
131	We need an assessment of the maximum size of populations that can be supported on each island. This includes adequate local supply of food, water and services even is we are cut off from the adjacent cities for a lengthy period. Communities must be resilient to disruption.
132	We need residents who are interested in contributing to the community. Young people are an important part of this and they need a decent place to live.
133	We need to address this problem urgently! The current approach is not working. We are losing valuable members of the community of all ages and income levels

134	We need to move away from the capitalist system. Property values and rents have increased for no apparent reason, squeezing out those with marginal incomes. Also, renters rights/homeowners restrictions are almost too strict - many homes stay vacant because people are afraid to rent out their places, as renters do not always treat the property respectfully, and it is difficult/impossible to exit out of a rental agreement. There needs to be a middle ground - a compromise way to respectfully monitor rental situations, so homeowners can be reassured and therefore willing to offer a rental.
135	We need workers for maintenance and building projects; there are not enough here because there isn't enough housing for them, as I understand it.
136	While I fully support STVR restrictions, and implementing the speculation tax, housing is not the responsibility of the Trust (its the CRD in the SGI). OCP amendments for housing are contentious for several reasons: 1) because seniors, affordable or community housing options are often proposed for natural, forested or sensitive areas that are valued by the community for these reasons. Higher density housing options need to be proposed on land already developed or buying and converting existing large houses that are up for sale, and turned into rental units operated by a credible not for profit/or the CRD. It won't work to propose OCP amendments for housing problems that erode sensitive habitat and just allow more homes. You're just pitting people against each other; people that are concerned for both these issues. 2) The Trust has a horrible track record when it comes to thoughtful land use decisions that reflect climate & ecosystems concerns & water limitations. Because of this, proposals for more development will be met with scepticism and often opposition. 3) the CRD (and the Trust) needs to demonstrate that it can operate thoughtfully when it comes to development. Its makes promises for sensitive, careful planning and I have yet to see this when it comes to on-the ground decision making and planning on my isalnd. 4) Its laughable that the islands trust states its concerned about affordable housing, puts in (justified) house size bylaws and then grossly violates them by permitting a12,000 sq ft single family home. Huge credibility problem. 5) I support tiny house options or RVs that are thoughtfully planned, aren't slums (and bad for peoples health) like many of the trailers on Pender currently are. I think working with land owners to clean up the existing moldy trailers and the unsanitary/unsafe trailer rental options currently being utilized, in favour of small, clean and attractive solutions would be widely supported.
137	Why is this under Islands Trust, other than the zoning?
138	Would like to see more units built for low income seniors or families ie Plum Tree Court.
139	Yes, if we are talking about the Penders Magic Lake is already full to add more people or relax restrictions that have worked well for many years. Relax rules in South Pender or large rural areas in North Pender

North Pender Island Advisory Planning Commission Recommendations regarding the housing referral

- Members of the North Pender Special Advisory Panel Committee (NP S-APC) on housing want to thank the staff of the Island Trust for their support and prompt response to requests in the development of this report. Specifically, planners Mr Brad Smith and Ms Narissa Chadwick. We also thank Ms Carly Bilney who acts very effectively as Secretary to the APC.
- The APC also congratulates the Trust on the development of the Housing Toolkit which we found very helpful in understanding current housing issues and available options.

Options for increasing the availability and affordability of housing on North Pender Island, 2024

- The North Pender APC met several times during the Summer and Fall of 2024 to develop a response to the housing referral from the LTC which briefly was to:

Review existing relevant reports and studies prepared by or for the Islands Trust and/or the LTC including the Housing Toolkit and gather other information to provide LTC with recommendations on how best to amend the Official Community Plan and Land Use Bylaws to improve access to affordable housing in the community.

To develop these recommendations the APC and its members:

- Reviewed the Housing Toolkit and the many resources and links contained in the toolkit.
- Reviewed existing North Pender Island Official Community Plan policies and Land Use Bylaw regulations related to housing.
- Considered initiatives, policies and regulations implemented in other Local Trust Areas. Met individually or in groups (less than a quorum) with key individuals who have interest and expertise in island housing issues and opportunities. (Including Mr Karl Hamson, Mr Rob Fenton, Gabriola Trustee Tobi Elliott)

- Met as a quorum with individuals and groups involved in Housing issues including members of the Pender Island Housing Society, the Capital Regional District (Gulf Islands director and staff) and the St Peter’s Anglican Church on Pender
 - Considered the implications of potential housing alternatives on available water resources and the natural environment.
 - Reviewed the results of the Housing Survey conducted by the North Pender LTC. (The Housing Survey has been particularly useful and the NP S-APC has incorporated the results into its recommendations).
- An overriding factor that the NP S-APC considered in making its recommendations was to ensure as completely as possible that its suggestions are in accord with the Islands Trusts principal mandate, to Preserve and Protect the Natural Environment of these unique islands.
 - Recognizing that the Province created the Islands Trust in 1974 *“in response to the potential environmental effects of dense residential subdivisions that were in development in the Gulf Islands”* it might seem paradoxical that some of our recommendations have the potential to increase population density on some parts of the Island. However, we believe that increased density in specific regions that have the capacity offers the opportunity to **decrease** the overall impact of human settlement on the land.
 - The NP S-APC proposes that the LTC consider recommendations around density on the basis of site-specific parameters, including forest cover, water availability, septic capacity, ecosystem values, ecosystem preservation, and restoration plans, as well as proximity to amenities. (eg. A comprehensive Suitable Land Analysis). Any proponents of such developments must be able to demonstrate that regulations related to these issues are complied with. Limitations to the number of residents allowed on an existing property and on a new development should be considered on the basis of these factors.
 - There is an acute need for affordable housing on North Pender Island, and there is likely to be a long term need for such housing. Thus, recommendations include those that would have an immediate potential impact on the availability of affordable housing units, and

recommendations that will have effects over a period of years or decades. Both types of recommendations should be considered but the short-term options need expedited implementation.

The Need:

- A diversity of housing options is needed on North Pender Island for seniors, families, and workers who do not currently own property, as well as for seniors who own property but would like to downsize. The traditional approach to land use planning in the Islands Trust Area has resulted in zoning that has almost exclusively supported the development of single-family dwellings.
- BC Housing considers housing “affordable” when 30% or less of a household’s income goes towards paying for their housing costs.
- On North Pender, according to the 2021 Statistics Canada Census Data, 12% of households are spending more than 30% of their income on housing **BUT** 34% of renters are spending more than 30% of their income on housing.
- The housing that is needed urgently is:
 - Affordable and below market rental,
 - Affordable and below market ownership
 - Market rental housing.

Recommendations:

We have divided our recommendations into the following categories:

1. Review of 2024 IT housing options toolkit
2. Review of Provincial Statutes
3. General Recommendations
4. Recommendations regarding secondary suites and cottages
5. Recommendations regarding RVs
6. Recommendations regarding Tiny Homes
7. Recommendations regarding Multi-unit subsidized housing developments

1. REVIEW OF 2024 IT HOUSING OPTIONS TOOLKIT

- The North Pender Special APC (S-APC) considers the Housing Options Toolkit to be a very positive and comprehensive approach to resolving the housing issues facing the islands and specifically North Pender Island.
- A fundamental element of the toolkit is **Tool 4. Suitable Land Analysis**. The S-APC strongly encourages the completion of this analysis for North Pender particularly related to water availability.
- **Tool 6 Housing Action Plan/Local Housing Options Strategy Template**, encourages the review of other islands' APC recommendations for housing. The NP S-APC followed this suggestion and based many of their recommendations on these documents.
- **Tool 6**, includes a question: "**Housing for Who?**". The NP S-APC encourages monitoring and updating of the useful documents already provided. Specifically, an updated **Housing Needs Analysis** to confirm housing needs as time goes by. The CRD has provided useful documents concerning housing strategy specifically for the SGI, including North Pender, which have provided fundamental guidance to the S-APC. These have established that the primary need is for more affordable rental and ownership units for workers, families and seniors including seniors who own property on the island but would like to downsize.
- The S-APC supports the description of the need based on the shaded area in **Table 1: Spectrum of Housing Needs (P. 32 - Tool 6)**.

Table 1:

Short-Term Accommodation	Affordable Housing		Market Housing	
Emergency Shelter and Transitional	Affordable or Below Market Rental	Affordable and Below Market Ownership	Market Rental Housing	Single Detached Market Housing

- The NP S-APC has also urged advocating for Alternative Dwelling Units, such as Tiny Homes, that are not currently allowed by building codes

2. REVIEW OF PROVINCIAL STATUTES

In the referral to the S-APC, the NP LTC also requested comments on the Housing Statute Changes to British Columbia Legislation (staff memorandum found on p. 166 of the April 5, 2024 LTC agenda package).

Speculation and Vacancy Tax Act (a.k.a. Empty Homes Tax)

- The Act applies to municipalities in the Capital Regional District and is presently not applicable to the Islands Trust area. The majority of S-APC members support advocating for this Act to apply to North Pender with the hope that it will be extended to all parts of the Trust area.
- The rationale for those supporting this recommendation was:

Given the pressing shortage of affordable housing on North Pender, and elsewhere in the Trust area, the implementation of the vacancy tax has the potential to induce the rental of some of the many empty homes on the island. Alternatively, if the owners do not want to pay the tax they might sell the property to someone who needs a place to live. In addition, the tax may discourage the further construction of “holiday homes” on the island. These are often large buildings on sensitive areas, which have a substantial impact on the ecosystem. Revenue from the tax could be transferred to an affordable housing fund for Pender Island.

- One S-APC member did not support expanding the Act to include North Pender citing the lack of studies establishing the benefits of tourism on the local island living and economy.

The Short-Term Rental Accommodation Act (Bill 35)

- The Act requires that short-term rental accommodations be advertised on platforms that are registered with the Province and that rental units must be in the property owner's principal residence or in not more than one ***“accessory dwelling unit that is in a prescribed location in relation to the property host's principal residence”***. (We think this means a cottage or alternative dwelling on the property of the principal resident)
- The rationale for this change is the hope that some of the STVRs will be repurposed as long-term rental accommodation.
- Opting into this is available for LTCs each year. The next opportunity is March 2025 for implementation in 2026. It is understood that among LTCs only the Gabriola LTC opted in last year.
- NP S-APC has concerns that the Act also removes protection of legal non-conforming short-term rental accommodation as well as those permitted by TUP's (Temporary Use Permits). As such owners of such units would immediately lose this source of income and the LTC would lose oversight of non-conforming rental accommodation. On this basis, the majority of the S-APC suggest that the NP LTC not Opt into Bill 35 in 2025 but allow existing TUPs for such STVRs to lapse after their 3 year extensions and not be extended beyond that. This provides owners of such units time to adjust to the change. An alternate suggestion is to 'wait and see' what happens with the Gabriola experience. A comprehensive report back from staff on the impacts on Gabriola would be helpful.

The Housing Statutes (Residential Development) Amendment Act Bill 44

- The Islands Trust Area is excluded from the provincially mandated minimum density requirements by an amendment, therefore most of this bill does not apply.
- However, as part of this Act, local governments are required to update their “Housing Needs Reports Amendments”. As mentioned below, the S-APC

supports regular updating of housing needs and this can be incorporated into the regular updating of island OCP's.

Housing Statutes (Development Financing) Amendment Act Bill 46

- The new legislation for Amenity Cost Charges appears to apply to regional districts and would not apply to the Islands Trust LTCs and therefore is not applicable.

Housing Statutes (Transit Oriented Areas) Amendment Act Bill 47

- The Islands Trust LTCs are excluded from these density requirements related to transit and therefore this statute is not applicable.

3. GENERAL RECOMMENDATIONS:

- The NP S-APC recommends that the LTC support and enable staff engagement and resourcing in seeking innovative and collaborative approaches to increase affordable market rental housing stock on North Pender.
- The NP S-APC recommends that the LTC make the recently completed **Suitable Land Analysis** available for review as soon as possible and use this analysis in making other decisions
- The NP S-APC recommends that the North Pender LTC complete a comprehensive **build-out analysis** to determine how much land could ultimately be developed if existing land development laws remain unchanged, and to illustrate what the resulting density and location of such development could be. At what density and where? And with what potential impact on the community and the island's ecosystems?

A build-out analysis projects the maximum residential and commercial development allowed under law in a given area.

Analysis can also explore the impact of development on things like tax base, traffic, school enrollment, natural and historic resources, biodiversity, and quality of life. The results are usually conveyed through maps and charts.

- The NP S-APC recommends that the LTC permit under-used commercial properties to be used as principal residences and consider rezoning existing built commercial accommodation units for residential use in coordination with regulating STVRs. TUPs could be used in some situations.
- The NP S-APC recommends that the rules around STVR's, and ADU's be written more clearly on the web site. At present, B&B's and STVR bylaws are in the North Pender Island Land Use Bylaw No. 224, 2022, Part 3.7 heading: "Home Business Regulations". There needs to be a separate section for B&B's and STVR's. These sections need to be clearly defined and the rules that are in place need to be stated so that bylaw enforcement personnel and residents can work together with a clear understanding.
- The NP S-APC recommends that a section on the Islands Trust website lists grants and subsidies available for homeowners as well as a section for information on water collection and any environmental conservation initiatives.

4. RECOMMENDATIONS REGARDING SECONDARY SUITES AND COTTAGES

- The NP S-APC recommends that the NP LTC model its housing plans on the excellent work already done on other Southern Gulf Islands. In particular the APC was impressed with the Mayne Island Housing Action Plan Draft of May 2024. The North Pender S-APC endorses, for the most part, the six recommendations in this document. With some modification these could be implemented on North Pender.
- The NP S-APC recommends that the LTC make changes to allow increased density on suitably zoned lots situated relatively close to the Driftwood Centre by increasing the permitted number of dwelling

units on appropriate parcels of land. **“Appropriate”** to be defined by the afore-mentioned **Suitable Land Analysis**. This would lead to less pressure to build out to maximum possible density in other more sensitive parts of the island. Concentration of density in specific areas close to amenities would also reduce the need for transportation which forms the biggest single contributor to the Island’s greenhouse gas emissions.

- Specifically, the NP S-APC recommends that the NP LTC institute a **Flexible Housing Option** on North Pender similar to the one introduced on Mayne Island. Flexible Housing Zoning would allow additional secondary suites and cottages to be built in areas of the island close to amenities on appropriately sized lots with proven sufficient water supply. Criteria for rezoning for Flexible Housing could be similar to those on Mayne island:
 - One secondary suite and one additional dwelling on lots less than 0.6 ha (1.5 acres) in area (Total combined floor area of all dwellings not to exceed 232 m² (2500 ft²).
 - Two dwellings, one secondary suite and a cottage on lots greater than 0.6 ha (1.5 acres) up to 1.2 ha (3 acres) in area. (Total combined floor area of all dwellings and cottages not to exceed 325m² (3,500ft²).
 - Three dwellings and a cottage on lots greater than 1.2 ha (3 acres) up to 5 hectares (12.35 acres. (Total combined floor area of all dwellings and cottages not to exceed 436 m² (4,750 ft²).
- Cisterns for catchment and storage of freshwater with minimum capacity of 13,640 litres (3600 gallons) would be required for each secondary suite, cottage and additional dwelling.
- The Flexible Housing Option could be limited to a region within walking distance (or approximately 2.5 km) of the Driftwood Centre, Included could be:
 - Hoosen Road
 - Bedwell Harbour Road between the Nu to Yu and road end
 - Short Road
 - Razor Point Road till the Harbour Hill turn off

- Hamilton Road
 - Canal Road between its start at the Hamilton Road and the turn off onto the bridge to South Pender Island
 - Scarff Road
- NP S-APC recommends that the NP LTC increase options for additional residences in all parts of the island by expanding the types of properties where secondary suites and Accessory Dwelling Units are permitted.

Additional Information:

- There is incentive to create new secondary suites based on the \$40,000 forgivable loan program recently instituted by the Province. The Provincial Secondary Suite Incentive Program (SSIP)
See: (<https://www.bchousing.org/housing-assistance/secondary-suite>).
- Suites built with SSIP support must be rented out below market rates for at least 5 years.
- This initiative would be amplified by the recently announced CRD Housing initiative which includes an additional \$40,000 forgivable loan for construction of such units.
- The CRD RHP incentive program is parallel to the BC SSIP and the funding can be stacked onto the BC SSIP.
- However, the Provincial SSIP has restrictive eligibility requirements some of which are not well suited to the Gulf Island context. These include:
 - Registered owner(s) of the property
 - Canadian citizens or permanent residents
 - Live in the property as their primary home
 - Combined gross annual income of all homeowners on title of less than \$209,420 (in the previous tax year)
 - Have a BC Assessment value below B.C.'s homeowner grant threshold (\$2.15 million in 2024)

- Unit must be a new legal self-contained unit with a kitchen and full bathroom (improvements to existing rental units are not eligible)
 - Received municipal building permits on or after April 1, 2023 (ie not for new construction)
- The NP S-APC considers that some of the provincial restrictions could be removed for the CRD program and recommends that the LTC advocate with the CRD for such changes. For example, the primary residence restriction would eliminate part time cottagers from making an application, the maximum property value may not be realistic given the large land parcels on the islands, and the income cap could also restrict applicants. It would be of interest to track if there has been any enrollment in the Provincial SSIP within Islands Trust jurisdictions since April 2024.
 - The NP S-APC recommends that the LTC take a critical look at these incentive programs and other initiatives designed to encourage the construction of new affordable housing units before making major decisions. There are many such options that other islands have created but which have had little uptake. Due diligence for this issue could include:
 - Examine why/what units are illegal vs legal,
 - Survey why people haven't created the already allowable SSs
 - Ask home owners what would help to motivate the development of Secondary Suites and Alternative Dwelling Units. This could be done by reviewing the CRD's recent survey for property owners.
 - Review rezoning requests that have been made that were rejected
 - Many homeowners do not put in secondary suites because they are afraid of, and confused by, the onerous permitting process. The NP S-APC recommends that the publication of a pamphlet setting out the step-by-step process for building secondary suites and including links to possible grants or subsidies could clarify the process.

5. RECOMMENDATIONS REGARDING RVS

- The NP S-APC recommends that the NP LTC permit the use of RVs on appropriate properties considering set-backs, parking, access, septic, available water and visual aesthetics (**Suitable Land Analysis**). RVs are increasingly being used as primary dwellings or ADUs on Pender. Although this is not permitted by bylaws the NP LTC has deferred enforcement on this issue. This leaves the residents of such dwellings in an awkward position, subject to potential enforcement at any time.
- Mayne and Saturna Islands permit use of RVs as dwellings and cottages as long as they have water supply and are connected to sewage. Regularizing such dwellings on North Pender with similar provisions will have an immediate impact on the availability of affordable dwellings.
- Where connection to a septic system is problematic or too expensive we suggest that the LTC establish criteria for Island Health-approved Self Composting Privies.

6. RECOMMENDATIONS REGARDING TINY HOMES

- The NP S-APC recommends that the NP LTC permit the use of Tiny Homes on Wheels as ADUs on appropriate properties considering, set-backs, parking, access, septic, available water and visual aesthetics (**Suitable Land Analysis**). Like RVs, Tiny Homes are being used as primary dwellings on Pender. Where connection to a septic system is problematic or too expensive we suggest that the LTC establish criteria for Island Health-approved Self Composting Privies.
- The Trust's Regional Planning Committee [RPC] has an active project with the aim of regularizing Tiny Homes on Wheels (THOW) and has developed a THOW Guide. **The NP S-APC recommends** that the NP LTC work with the Regional Planning Committee to advocate for and implement its recommendations. Specifically, the RPC has received budgetary support to convene a steering committee and technical panels to explore enablement of Tiny Homes in the Islands Trust Area.

This project aims to convene a Steering Committee and two Technical Panels of experts to explore existing building codes and regulations, identify options to code modifications or exemptions for a Tiny Home standard, and develop recommendations for alternative regulatory frameworks, including zoning, siting and use, and servicing. These inter-agency working groups will include the IT and Regional districts and will contribute to the development of a robust and flexible regulatory environment that supports innovative and affordable housing solutions in the Trust Area.

- In drafting regulations for RV and Tiny Home ADUs the **APC recommends** that the LTC ask existing RV and Tiny Home users on North Pender to form an *ad hoc* advisory committee to provide LTC with practical aspects of such dwellings and best practices so that the ultimate recommendations are feasible and clear.
- The NP S-APC recommends that our LTC become informed of, and act on the work done on TINY HOMES on Salt Spring Island. See:
 - <https://saltspringexchange.com/2024/05/19/summary-of-current-housing-initiatives-on-salt-spring-island/>
 - AND
 - <https://islandstrust.bc.ca/document/salt-spring-tiny-homes-village-pilot-project-framework-criteria/>
- Of particular interest is the work of ***Salt Spring Solutions Society*** which is a registered non-profit volunteer-run community organization composed of islanders who care about protecting the remarkable natural environment, while at the same time ensuring they maintain a vibrant, diverse, and equitable community for all.
 - See:
 - <https://saltspringsolutions.com/wp-content/uploads/2023/07/SSS-IntegratedHousingFramework-V6.pdf>
 - AND
 - <https://saltspringsolutions.com/wp-content/uploads/2023/10/HomesforIslanders.pdf>

- In drafting regulations for RV and Tiny Home ADUs the APC also recommends that the LTC consult with Maïkan (Forest) Bordeleau of **Homes With Love Ecological Development Ltd.** In 2021 Mr Bordeleau was appointed by the Islands Trust Housing Action Program Taskforce (HAPTF) to report specifically on the health/safety, insurance liability and environmental impact of THOWs in the Gulf island context. He served for 2 years and produced a 50+ page report based on 15 interviews with staff/officials at all levels of government, plus industry professionals. His report is available on the Islands Trust website at:

<https://tinyurl.com/eyryy2bw>

See also:

- <https://www.homeswithlove.ca/welcome>
 - AND
 - <https://www.homeswithlove.ca/tiny-home-services>
- For expertise on the construction of Self Composting Privies that meet Island Health regulations the S-APC recommend consulting with Mr Gord Baird of EcoSense, (<https://eco-sense.ca/about/>)
 - The NP S-APC recommend that the LTC consider creating zoning for clusters of manufactured, THOWs that meet provincial and federal construction standards. Such parcels will need to show adequate water supply and have adequate sewage disposal capacity (or approved self composting privies).

7. RECOMMENDATIONS REGARDING MULTI-UNIT SUBSIDIZED HOUSING DEVELOPMENTS

- The NP S-APC recommends that the LTC continue to dialogue with the North Pender Island Housing Society, the Anglican Church and other community groups to explore potential parcels of land suitable for multi-unit below-market subsidized housing (rental or ownership).

- Specifically, the NP-SPC suggests that the LTC move immediately to rezone the Anglican Church property from Community Service (CSa) to Rental Housing (RH). It is hoped that rezoning now removes impediments so that affordable housing initiatives may proceed more rapidly in the future.
- Additionally, the NP-SPC recommends that any such rezoning would be contingent on the development of a housing agreement between the IT and the proponents similar to the one developed for such a development on Galiano.

See: <https://islandstrust.bc.ca/document/galiano-island-housing-agreement-bylaw-no-2023/>

Active Projects Report

North Pender Island

0. Major project - Housing Access and Affordability Project

Responsible

Dates

Activity:

Pre-project phase: establish project scope and submit business case for Trust Council approval

Rec'd: 26-May-2023

Target: 31-Dec-2023

0. Minor project - Update of Raptors Nest DPAs

Responsible

Dates

Activity:

To review and update DPA mapping, DPA provisions, undertake consultation and legislative process to adopt OCP amendment

Brad Smith

Rec'd: 26-May-2023

Target: 31-Mar-2024

Future Projects Report

North Pender Island

1. <i>Coastal Douglas Fir Ecosystem</i>	Responsible	Date Received
Consider implementation of toolkit and mapping - LPC to develop model bylaw in 2021-22		01-Feb-2019
2. <i>Raptors Nests</i>	Responsible	Date Received
To update the raptor nests mapping.		27-Jan-2022
3. <i>Affordable Housing Options</i>	Responsible	Date Received
A project to review affordable housing options.		24-Mar-2022
4. <i>Accessory Dwelling Units</i>	Responsible	Date Received
Review options for accessory dwelling units on North Pender.		26-May-2022
5. <i>Review DPAs</i>	Responsible	Date Received
To review the Development Permit Areas in the NP Official Community Plan to update guidelines, requirements, and outline options for new DPAs including forest cover, tree cutting and removal.		11-Aug-2022

Future Projects Report

North Pender Island

6. *Browning to Driftwood Corridor Plan*

Responsible

Date Received

Coordination on a transportation plan for the Driftwood to Port Browning corridor.

11-Aug-2022

7. *Soil Bylaw Project*

Responsible

Date Received

Work on Soil bylaw was undertaken in 2021 and 2022. Project deferred prior to bylaw readings

29-Apr-2021

8. *Public engagement on groundwater data*

Responsible

Date Received

Project to present information on groundwater project to public and educate landowners

26-May-2023

9. *Fire Inspection requirements for STVRs*

Responsible

Date Received

05-Apr-2024

Islands Trust

LTC EXP SUMMARY REPORT F2025

Invoices posted to Month ending September 2024

650 North Pender	Invoices posted to Month ending September 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-650	LTC "Trustee Expenses"	300.00	0.00	300.00
LTC Local				
65200-650	LTC - Local Exp - LTC Meeting Expenses	1,670.00	805.89	864.11
65210-650	LTC - Local Exp - APC Meeting Expenses	300.00	0.00	300.00
TOTAL LTC Local Expense		<u>1,970.00</u>	<u>805.89</u>	<u>1,164.11</u>
Projects				
73001-650-4132	North Pender Raptor Nest DPA update	5,000.00	0.00	5,000.00
73001-650-4137	North Pender Housing Access & Affordability	15,000.00	867.94	14,132.06
TOTAL Project Expenses		<u>20,000.00</u>	<u>867.94</u>	<u>19,132.06</u>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2023-040 (Standing)</p> <p>Proposed Bylaws 224 & 229 - 4606 Razor Point Rd</p> <p>That the North Pender Island Local Trust Committee move to suspend bylaw enforcement on the Industrial zoned portion of 4606 Razor Point Road until the completion of Bylaw 224 and 229.</p>	<p>Carried</p>	<p>11-Mar-2023</p>
<p>2022-002 (Standing)</p> <p>Travel Trailer Enforcement</p> <p>that the North Pender Island Local Trust Committee direct bylaw staff to defer enforcement on unlawful dwellings, except in the following circumstances:</p> <ul style="list-style-type: none"> a. There are concerns regarding health and safety; b. There are concerns that sewage is not being disposed of in an approved septic or sewage disposal system; or that septic or sewage disposal systems are beings used in excess of capacity or ability as a result of unlawful dwellings; c. There are concerns of possible contamination of wells or other drinking water sources; d. Unlawful dwellings are in environmentally sensitive areas; e. There are non-permitted campgrounds; and f. That the North Pender Island Local Trust Committee may give direction to resume enforcement on activities on any property that poses risk to the health and safety of the neighbouring residents or the residents on the property subject to enforcement. 	<p>Carried</p>	<p>27-Jan-2022</p>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2020-010 (Standing)</p> <p>15.1 Policy options for Bylaw Enforcement Compliance on unlawful uses</p> <p>that the North Pender Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:</p> <ul style="list-style-type: none"> a. Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased. b. The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease. c. Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue d. In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application. 	<p>Carried</p>	<p>30-Jan-2020</p>
<p>2019-074 (Standing)</p> <p>13.3 Model Cell Tower Strategy - Staff Briefing</p> <p>that the North Pender Island Local Trust Committee adopt the model cell tower strategy for future review and consideration of proposals.</p>	<p>Carried</p>	<p>04-Jul-2019</p>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2019-072 (Standing)</p> <p>13.2 Standing Resolution - Reconciliation Report</p> <p>that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.</p>	<p>Carried</p>	<p>04-Jul-2019</p>
<p>2019-061 (Standing)</p> <p>16.2. Rise and Report</p> <p>that the North Pender Local Trust Community refer Short Term Vacation Rental Temporary Use Permits in the Magic Lake sewer catchment to the Magic Lake Sewer and Water Committee to confirm infrastructure capacity.</p>	<p>Carried</p>	<p>30-May-2019</p>
<p>2019-030 (Standing)</p> <p>13.2 Advisory Planning Commission - Staff Memo</p> <p>that the North Pender Island Local Trust Committee request that prior to expiration of Advisory Planning Commission members terms of office, staff write to commissioners asking if they wish to be reappointed and also advertise for expressions of interest for new commissioners.</p>	<p>Carried</p>	<p>28-Feb-2019</p>

Standing Resolutions Log

North Pender Island

Resolution Number	Action	Date
<p>2019-016 (Standing)</p> <p>12.4 Adopted Policies and Standing Resolutions</p> <p>that the North Pender Island Local Trust Committee directs bylaw enforcement officers to commence bylaw investigations and enforcement without written complaint if bylaw violations related to disposal or storage of waste or recyclable materials or storage of vehicles or vehicle parts are observed by the bylaw enforcement officer while doing inspections for other issues or if it is reliably reported to the officer that such activity may be taking place.</p>	Carried	31-Jan-2019
<p>2018-070 (Standing)</p> <p>12.2 Retail Cannabis Licensing - Staff Report</p> <p>that the North Pender Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property, where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: o Name of the applicant and a description of the proposal in general terms. o The location of the proposed establishment and the subject site. o The place, date and time when, both a build meeting will be held and a resolution of the Local Trust Committee is considered. o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application. o How public comments may be submitted to the local trust committee.</p>	Carried	06-Sep-2018
<p>2006-080 (Standing)</p> <p>Communications Policy</p> <p>Policy Number NP-LTC-01-06 (Communications Policy) establishes guidance for the preparation and dissemination of routine non-statutory notices, extraordinary notices and trustee newsletters.</p>	Carried	25-May-2006



HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 23rd, 2024 BOARD MEETING

NOTE: For more detail on Islands Trust Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- Chair Smith spoke to the cancellation of the July 23rd ITC-EC Liaison Meeting stating that since the ITC Board had attended recent Executive Committee meetings, there wasn't a need to meet in July.
- Manager Stewart presented the Islands Trust Conservancy (ITC) Freedom of Information and Protection of Privacy Bylaw No. 4, advising that this bylaw brings the Conservancy in line with the way Freedom of Information and Protection of Privacy is done with other entities of the Islands Trust, and updates the fees.
- Trustee Elliott provided an update to the ITC Board from Executive Committee on ongoing conversations regarding the request to the Province for the review of Islands Trust.
- Trustee Elliott provided an update to the ITC Board from Financial Planning Committee reporting that Trust Council has been asked to decide on budget assumptions, principles, and guidelines to help set the budget. The 2025/26 budget will be discussed at the September Trust Council meeting.
- Chair Smith provided an update to the ITC Board on the ITC presentation delivered at Trust Council.
- Trustee Gauvreau provided an update to the ITC Board from Governance Committee including further detail about the aspects to be included in a request for a Provincial review, that the request will be worked on by a sub-committee using the original Request for Decision (2022) as a starting point, and noting key items likely to be raised.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board endorsed the Coastal Douglas-fir and Associated Ecosystem Conservation Partnership (CDFCP) revised Terms of Reference and Statement of Cooperation. The Chair of the ITC Board was directed to sign the Statement of Cooperation on behalf of ITC. The ITC Board continues to support the participation of staff on the CDFCP steering committee and/or working groups as authorized by the ITC Manager.
- The ITC Board approved the ITC 2025/26 Budget Submission for inclusion in the Islands Trust 2025/26 budget with the following amendment:
 - Increase the Board training and conference line to \$4,600.
- The ITC Board discussed the ITC 2024/25 Work Plan provided by Manager Stewart.
- Manager Stewart presented the ITC 5 Year Plan Engagement Plan Outline to provide additional detail about the engagement process for development of the 2026-2030 ITC Plan.
- The ITC Board requested staff to provide a briefing on potential disposition of ITC land to Indigenous Governing Bodies.



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

5. COMMUNICATIONS AND OUTREACH

- The ITC Board approved the 2024-2026 Islands Trust Conservancy Communications and Engagement Strategy, as amended.
- Manager Stewart provided a verbal update to the Board regarding a Referral for GB-TUP-2024.2 Burren's Acres, Gabriola Island.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Board approved an Opportunity Fund Grant of \$8,000 for the Bowen Island Conservancy.

Learn more about Islands Trust Conservancy: <https://islandstrust.bc.ca/conservancy/>

Subscribe for Islands Trust Conservancy updates: <https://islandstrust.bc.ca/subscribe/>



BRIEFING

To: All Local Trust Committees
Bowen Island Municipality

For the Meeting of: Next Available Meeting

From: Trust Area Services

Date Prepared: August 19, 2024

SUBJECT: Dark Sky Principles Adoption Advocacy

PURPOSE: To provide all local trust committees and Bowen Island Municipality with an RFD prepared by North Pender Trustee Morrison regarding Dark Sky Principles, and inviting LTCs and BIM to notify Trustee Morrison of interest in initiating conversations with relevant regional districts about adopting Dark Sky Principles.

BACKGROUND: At its June 2024 regular meeting, Trust Council received a request for decision from Trustee Morrison of North Pender Island regarding Dark Sky Principles. Trust Council passed the following resolution:

TC-2024-062

That Trust Council communicate to all Local Trust Committees to notify Trustee Morrison of interest to collectively engage in conversations around Dark Sky Principles Adoption with relevant Regional Districts.

ATTACHMENT(S):

- 1) Request for Decision: Dark Sky Principles Advocacy (June 18, 2024)

FOLLOW-UP: If LTCs or Bowen Island Municipality wish Islands Trust Council to pursue further discussion about Dark Sky Principles they should pass a resolution notifying Trust Morrison of their interest. An example resolution is as follows:

That [Island Name] Local Trust Committee/Bowen Island Municipality direct staff to notify Trustee Morrison of [Island Name] Local Trust Committee's/Bowen Island Municipality's interest in pursuing further exploration of policy and advocacy options relating to Dark Sky Principles.

Prepared By: Senior Policy Advisor, August 20, 2024

Reviewed By/Date: Director, Trust Area Services, August 21, 2024



REQUEST FOR DECISION

To: Trust Council

For the Meeting of: June 18, 2024

From: Trustee Morrison

Date Prepared: May 24, 2024

SUBJECT: Dark Sky Principles Adoption Advocacy

RECOMMENDATION FOR IMMEDIATE ACTION:

1. That Trust Council communicate to all Local Trust Committees to notify Trustee Morrison of interest to collectively engage in conversations around Dark Sky Principles Adoption with relevant Regional Districts.
2. That Trust Council encourages Trustees to work with their communities to develop and build awareness of the principles of Dark Sky International and encourage voluntary adoption of the principles of Dark Sky International.

RECOMMENDATIONS FOR FUTURE CONSIDERATION:

3. The Trust Council clarify its jurisdiction to control nighttime illumination in all contexts within the Trust Area for Official Community Plan and Bylaw adoption and enforcement across the Trust Area.
4. The Trust Council adopt and promote the principles of Dark Sky International.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

PURPOSE:

To protect and promote public and ecological health, safety, and welfare, quality of life, and the ability to view the night sky.

BACKGROUND:

“Over lighting” from dusk on into the darkness is a growing problem as it interferes with/pollutes the night sky, poses an annoying and invasive nuisance to neighbours, is harmful to wildlife who depend on darkness, and is a waste of electricity. May come from freighters in the region or from residential, industrial, or other land use related lighting not directed at ground or properly shielded.

Critical considerations with resources:

- Night skies are an important natural resource requiring protection. Action is being taken across a variety of contexts and scales globally, many of which are simple to enact.
 - [Dark Sky International Principles](#)
 - [How can you help preserve the night sky?](#)
 - [Model Lighting Ordinance](#)
 - [Vancouver Bylaw 10.2.2.10 Lighting in Residential Buildings](#)
- Night skies promote healthy humans and wildlife.
 - [Let's Talk Science – Light Pollution](#)
- Within the Trust Area, action has also been taken.
 - Example of regulation: [Bowen Island Municipality Bylaw No. 272, 2010 re protection of night sky](#)

The outstanding question is: How can non-municipal jurisdictions of the Trust Area provide protection for Night Skies?

Some regulation may be considered around:

- External lighting of buildings, gardens and driveways that is left on all night.
- External lighting of any building or grounds when it is not downward cast.
- Indoor lighting in accessory buildings not shaded that is left on during some or all of night.
- Indoor lighting of residences facing neighbouring residences that is not shaded.

Such regulation might involve regulation on:

- the type of lighting that is appropriate (e.g. energy efficient),
- the strength of light (low lighting versus high wattage lighting)
- the direction of lighting so as not to throw light off to neighbours or animals (e.g. downward cast)
- the length of time for certain types of lighting to be used (to depend on purpose with a view to
- limiting unnecessary or excessive accessory uses in particular), and
- means of enforcement of any regulations

In our role as a coordinator of jurisdictional overlapping authorities within the Trust Area, we need to get into conversation with multiple levels of government on this issue to provide clarity and enforcement on this issue as desired within communities and to support the mandate of preserving and protecting the unique amenities and environment of the Trust Area.

IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

FINANCIAL:

POLICY:

IMPLEMENTATION/COMMUNICATIONS:

FIRST NATIONS:

OTHER:

Circulated to MLA Adam Olsen and MP Elizabeth May.

RELEVANT POLICY(S):

ATTACHMENT(S):

RESPONSE OPTIONS

Recommendation:

Alternative:

Prepared By: Trustee Morrison in consultation with and at the request of community members.

Reviewed By/Date:



File No.: Policy Statement
Amendment Project (PSAP)

DATE OF MEETING: Fall 2024
TO: Local Trust Committees
Bowen Island Municipality
FROM: Trust Area Services
SUBJECT: Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP)

RECOMMENDATION

1. That [*name of LTC/Bowen Island Municipality*] select Engagement Option(s) [*Insert option #s here*] for Phase 4 community engagement about the new draft Islands Trust Policy Statement.

REPORT SUMMARY

The purpose of this report is to provide local trust committees (LTCs) and Bowen Island Municipality (BIM) with the opportunity to advise Trust Council which, if any, local public engagement activities the LTC/BIM would prefer used to seek community input to inform the LTC's/BIM's referral response to Trust Council about the draft new Policy Statement. Trust Council will refer the new Policy Statement to LTCs and Bowen Island Municipality for comment once Trust Council has provided approval in principle.

The project work plan anticipates that virtual and on-island engagement will take place between May and October 2025.

BACKGROUND

Through approval of the Policy Statement Amendment Project Charter, Islands Trust Council has confirmed its intent to support a six-month local engagement window once Trust Council grants the draft Policy Statement approval in principle.

The project charter for the Policy Statement Amendment Project envisions Phase 4 engagement taking place simultaneously at the federation-wide and local trust area/Bowen Island levels. At the federation-wide level, the following engagement activities are planned:

- A survey¹, available both online and in hard copy that can be picked up at key locations on the islands; and
- An online workshop open to all that wish to attend.

¹ There will be an opportunity for people to phone in their answers to the survey as well.

Options for on-island engagement are laid out in the table below.

This will be the fourth time that local communities have been engaged as part of the Policy Statement Amendment Project. Information about previous engagement phases is available in the “Project Library” on the [Islands 2050 webpage](#).

ANALYSIS

On-Island Engagement Options

Option Number	Option Type	Option Description	Trust Area Services Staff Participation	Option Cost (from PSAP budget)
1.	No formal on-Island engagement	LTC/BIM receives the draft policy statement and develops a referral response based on their own perspectives or information gathered informally in the community ²	N	\$0
2.	Town Hall during regular LTC/BIM meeting(s)	LTC/BIM allocates time within one or more regular LTC meetings to hear views of community members	N	\$0
3.	LTC/BIM-led Community Information Meeting prior to regular LTC meeting	LTC/BIM requests and advertises Community Information Meeting to be held on regular LTC/BIM meeting day specific to the draft new Policy Statement	N	\$XXX (advertising) \$XXX (engagement materials)
4.	Staff-led Community Information Meeting prior to regular LTC/BIM meeting	LTC/BIM requests and advertises for Community Information meeting to be held on regular LTC/BIM meeting day specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials)
5.	Staff-led Community Information Meeting outside of regular LTC/BIM meeting ³	LTC requests and advertises for special meeting to be held specific to the Policy Statement	Y	\$XXX (advertising) \$XXX (engagement materials) \$XXX (hall rental + catering) \$XXX (minute taker)

² Trustees are welcome to convene informal gatherings at their own cost, but use of project funds requires a more formal structure (minute taker/recorder etc).

³ On-Island engagement events that involve TAS staff will likely involve total overtime, travel, and potentially accommodation costs in the order of between \$250 and \$1,000.

6.	Staff-run info booth	Staff set up a booth at a popular community hub to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising) \$XXX (engagement materials)
7.	Staff-run info booth on the ferry	Staff set up a booth on the ferry to share information about the PSAP and gather feedback for presentation to LTC/BIM	Y	\$XXX (advertising) \$XXX (engagement materials)

Issues and Opportunities

Need for Local Engagement

LTCs/BIM considering Phase 4 local engagement for the Policy Statement Amendment Project should consider the nature of the information they hope to receive to inform their referral response. LTCs/BIM are under no obligation to pursue on-island engagement if they are satisfied they can comment on the draft Policy Statement without it. A survey option will be available to on-island residents regardless of an LTC's/BIM's on-island engagement selection.

Project Budget

Subject to Trust Council approval, the anticipated budget for Phase 4 on-island community engagement is \$20,000. This is not sufficient for staff-supported engagement on all 13 large islands or associated islands. Once all LTCs/BIM have submitted their engagement requests, staff will review the nature of each request, and if it does not seem feasible to deliver the type of engagement requested with the existing budget, staff will advise Executive Committee and propose options and alternatives.

Rationale for Recommendation

The purpose of this report is to solicit LTC/BIM direction so Trust Area Services staff can prepare appropriate opportunities and materials in support of local trust committee engagement on the Policy Statement. The content of any recommendations is at the LTC's/BIM's discretion.

ALTERNATIVES

1. Request alternative approach to engagement

The LTC/BIM may have ideas for local engagement that staff have not included above. If this is the case, and provided such ideas are feasible within both project budget and timeline, then LTC/BIM may request this approach. If this is the case, the following resolution is appropriate :

That the [name of LTC/Bowen Island Municipality] requests the following form of local engagement for Phase 4 community engagement about the new draft Policy Statement

NEXT STEPS

Staff will collate the on-island engagement requests of all LTCs/BIM and assess them for feasibility relative to project budget and staff resources. Depending on the results of that assessment, staff will draft a public engagement plan and schedule for Trust Council approval and/or seek direction from Executive Committee if LTC/BIM requests exceed budget or resourcing limits.

Submitted By:	Jason Youmans, Senior Policy Advisor	September 26, 2024
Concurrence:	Clare Frater, Director, Trust Area Services	October 2, 2024

ATTACHMENTS

- 1. Policy Statement Amendment Project Charter V9

Policy Statement Amendment Project - Project Charter V9

Purpose To support Trust Council’s update of the Islands Trust Policy Statement bylaw, incorporating feedback from Indigenous Governing Bodies, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with Indigenous Governing Bodies (IGBs) and the public in the process.

Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council’s commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, IGBs, and partner agencies.

In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- IGB engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

Workplan Overview

Major Deliverable/Milestone	Dates
<p>Past Years (FY 2019-20, 2021-22, 2022-23, 2023-24)</p> <ul style="list-style-type: none"> -IGB early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023) - IGB Early engagement Phase 3 	2019-2024
<p>Present (FY 2024-25)</p> <ul style="list-style-type: none"> - Review and revision of draft Policy Statement by Committee of the Whole 	May - December 2024
<p>Proposed Next Steps (FY 2024-25)</p> <ul style="list-style-type: none"> -Approval in principle by Trust Council -Six month public engagement (referrals to local trust committees and Island Municipalities for local engagement; Trust-wide survey; and virtual community workshop) - Amendments and First Reading - Bylaw referral to IGBs, regional districts, Conservancy Board and others 	Jan 2025 May– October 2025 Nov- Dec 2025 Dec 2025 - March 2026
<p>Final Adoption (FY 2025-26/2026-27)</p> <ul style="list-style-type: none"> -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/Second and Third Reading by Trust Council -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review - Ministerial Approval (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning 	April 2026 May 2026 May2026 Dec 2026 Dec 2026—Jan 2027

Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

Budget

Item	FY 24-25	FY25-26	FY26-27
Communications	\$10,000	\$26,000	\$10,000
Public Engagement	\$0	\$60,000	\$0
Legal Review	\$25,000	\$5,000	\$5,000
Capacity Funding	\$4,000	\$0	\$0
Total Activity Costs:	\$39,000	\$91,000	\$15,000

Approved by:

Clare Frater, Director, TAS

Endorsement: TC

Date: TC-2024-077, Sept, 25, 2024

*Timeline assumes Trust Council schedules special meetings between regular quarterly meetings.



MEMORANDUM

File No.: NP-NAP-2024.1

DATE OF MEETING: November 29, 2024
TO: North Pender Island Local Trust Committee
FROM: Islands Trust Conservancy
SUBJECT: NAPTEP Information Item

PURPOSE

The Islands Trust Conservancy has received a Natural Area Protection Tax Exemption Program (NAPTEP) application from landholders Sara Miles, Mike Timmins, and Vivian Mitchell, to covenant approximately 0.6 ha of a North Pender Island property, to protect sensitive dry ridge-top woodlands, large oak and arbutus, and connectivity to an adjacent protected area. As per NAPTEP policy, the North Pender Island Local Trust Committee is being advised of this application as an information item.

BACKGROUND INFORMATION

The landholders would like to protect the undeveloped northern portion of their property along the dry ridge-top of so-called “Mt Elizabeth” on the north end of North Pender Island, where it is adjacent to ITC’s Lisa Baile Nature Reserve. All plant communities identified on the property are considered at-risk by the BC Conservation Data Centre. There is one confirmed species-at-risk, Common Sharp-tailed Snake (BC Red-listed [S1S2], SARA Schedule 1 Endangered) and the landholder also reports Common Nighthawk (BC Blue-listed [S3S5B], SARA Schedule 1 Special Concern). Despite its small size, this property contains diverse habitat of high conservation priority and its adjacency to Lisa Baile Nature Reserve and proximity to other conservation areas increases the conservation value of this property.

The ITC Board agreed to hold a covenant on this property at its March 19, 2024 meeting. Pender Islands Conservation Association (PICA) connected this landowner with ITC and staff has confirmed their interest to co-hold the covenant. This application will be presented to Trust Council at its December 2024 quarterly meeting to determine whether or not to approve a Natural Area Exemption Certificate (to exempt a portion of the property tax). Approval will be subject to a conservation covenant being registered on the land title and a baseline report that is satisfactory to the Islands Trust Conservancy Board.

The Islands Trust Conservancy currently holds 10 NAPTEP covenants in the North Pender Island Local Trust Area (9 on North Pender Island, 1 on D’arcy Island).

Property Information

Address: 3330 Port Washington Road, North Pender Island, North Pender Island Local Trust Area

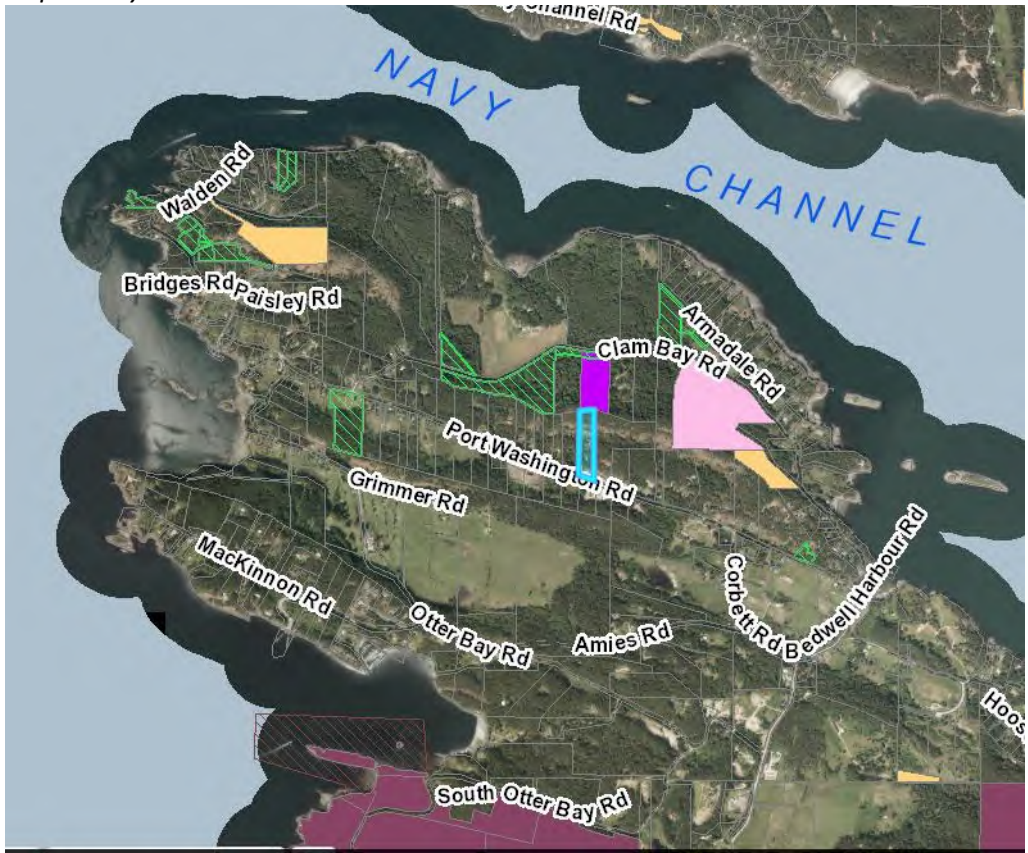
PID: 005-837-651

Legal Description: Lot 6, Sections 18 and 22, Pender Island, Cowichan District, Plan 6294

Property size: 2.43 ha.

Proposed protected area size: ~0.6 ha (excluding residential area; exact boundaries to be determined)

Figure 1. Subject property (blue outline) and landscape context of nearby Protected Areas on North Pender Island. Also shown are Lisa Baile Nature Reserve (purple), existing ITC covenants (green cross-hatch), community parks (solid gold), Federal parks (maroon), and the newly-protected Vulture Ridge Nature Reserve (pink) recently acquired by PICA.



NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation (Regulation 2[a])**
 - Woodland ecosystem
 - Terrestrial Herbaceous ecosystem
- 2 Areas that are relatively undisturbed by human activity¹ and are key habitat for rare native plant species or plant communities (Regulation 2[b])**
 - The entire proposed covenant area is mapped by the BC Conservation Data Centre as an ecological community considered at-risk (Red-listed) in British Columbia (Douglas-fir / Alaska Oniongrass (*Pseudotsuga menziesii* / *Melica subulata*) [G1 / S1 (Critically Imperiled)])
 - ITC’s Sensitive Ecosystem Mapping provides further refinement of this classification and maps polygons with two additional at-risk ecosystems (Wallace’s selaginella / reindeer lichens (*Selaginella wallacei* / *Cladina* spp.) [GNR / S3: Special Concern, Blue-listed]; Douglas-fir – Shore Pine – *Arbutus* [S1: Critically Imperiled, Red-listed])

¹ Islands Trust Conservancy notes that the Islands Trust Area has a rich history of human activity pre- and post-contact is an area of Indigenous cultural heritage, activity, and use.

- The property contains numerous small pockets of mossy balds, small cliffs, and rock outcroppings, supporting rare and sensitive plant communities

3 Areas that are critical habitat for native animal species in relation to breeding, rearing, feeding, or staging (Regulation 2[c])

- Rare and at-risk species confirmed for this property: Common Sharp-tailed Snake, and Common Nighthawk feeding

Other

- The proposed NAPTEP covenant area lies within the Woodland DPA.
- This conservation proposal has been referred to all First Nations within the BC Consultative Areas Database for this property (Semiahmoo First Nation, Tsawout First Nation, Tsawwassen First Nation, Pauquachin First Nation, Tsartlip First Nation, Tseycum First Nation, Snuneymuxw First Nation, Penelakut Tribe, Halalt First Nation, Ts’uubaa-asatx First Nation, Cowichan Tribes, Lyackson First Nation, Stz’uminus First Nation, Malahat Nation). Three responses were received, indicating no concerns regarding this application. Staff will update the ITC Board with information from the First Nations referrals before proceeding with covenant registration.
- This proposed covenant has received approval from the Minister of Municipal Affairs, as currently required during the absence of an approved ITC Plan.
- ITC’s Policy 2.2 [Assessing Conservation Proposals](#) provides for the Board to consider accepting covenants less than 2 hectares (4.9 acres) in size if they meet certain criteria, including that the property contains significant habitat for species at risk and the property adds area to an existing adjacent or nearby protected area

NEXT STEPS

- Comments from the NP LTC will be relayed to the ITC Board and Trust Council.
- Trust Council review of application, December 4-6, 2024.
- ITC staff will proceed as directed by Trust Council and the ITC Board, and will consult with the applicant and the potential covenant co-holder, PICA, to negotiate the conservation covenant.

Submitted By:	Kathryn Martell, RPBio Ecosystem Protection Specialist	October 15, 2024
Concurrence:	Carolyn Stewart, A/Manager, Islands Trust Conservancy	October 29, 2024

ATTACHMENTS

n/a



REQUEST FOR DECISION

To: North Pender Island Local Trust Committee
For the Meeting of: November 29, 2024

From: Meeting Administrator
Date Prepared: October 17, 2024

SUBJECT: Draft 2025/26 North Pender Island Local Trust Committee Annual Meeting Schedule

RECOMMENDATION: THAT North Pender Island Local Trust Committee approve their January, 2025 to March, 2026 Meeting Schedule.

DIRECTOR COMMENTS: The work of developing the proposed 2025 committee schedule has been centralized thereby allowing the Executive Coordinator and Meeting Administrator to consider, at length, the many factors involved in creating an effective schedule that meets the requirements of each committee, the chairpersons, and committee members. The proposed schedule allows decisions made by local trust committees to move onto the relevant standing committee's agenda to Executive Committee in a timely manner allowing for increased efficiency. Adoption of the proposed meeting schedule will increase productivity by allowing a seamless process in completing the work required to organize and publish the meetings without need for significant re-ordering of the schedule.

1 PURPOSE:

To approve the North Pender Island Local Trust Committee Business Meeting Schedule from January 1, 2025 to March 31, 2026

2 BACKGROUND:

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular annual business meeting schedule for 2035/26. Pending Trust Council's decision at its December meeting, Trust Council Bylaw No. 197, 2024 Section 5 proposes that local trust committee meetings be scheduled for the fiscal year instead of the calendar year. Therefore, if Bylaw No. 197, 2024 is adopted the local trust committee meetings will be scheduled from January 1, 2025 through March 31, 2026 and then April 1 through March 31 thereafter.

As part of this endorsement, the LTC will need to designate which meeting dates are anticipated to be electronic or in-person. This would allow staff to plan further in advance to accommodate meeting logistics, enable staff to book venues for the year and anticipate cancelling the bookings if the meetings get changed to electronic-only at a later date.

Factors that have been considered when putting together the schedule are as follows:

- LTC's preferred meeting days and times;
- Number of meetings held per year;
- Anticipated project commitments and application volumes;
- Chair and trustee availability and conflicts with Executive Committee and Trust Council Standing Committee meeting dates;
- Chair travel;
- Trust Council meeting dates;

- Trust Council Standing Committees including: Executive, Financial Planning and Audit Committee, Governance, Regional Planning, Trust Programs
- Flow of work from LTCs through standing committees to Financial Planning Committee to Executive Committee and then to Trust Council;
- Islands Trust Conservancy Board meetings, Bowen Island Municipality meetings, Union of BC Municipalities, Association of Vancouver Island and Coastal Communities, and other conferences;
- Other local trust committee meeting dates;
- Statutory holidays including Christmas closures;
- Preference to hold as few meetings in August as possible;
- Available staff and financial resources; and
- Ferry and travel schedules.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: If North Pender Island LTC makes significant amendments to the schedule there will be a substantial re-ordering of LTC and Council Committee meeting dates as a result.

FINANCIAL: LTCs decisions whether to hold electronic meetings or in-person meetings will affect budgets. Electronic meetings do not incur venue costs or travel status costs from trustees or staff.

POLICY:

Trust Council Bylaw No. 197 (Proposed).
LTC Meeting Procedure Bylaws.

IMPLEMENTATION/COMMUNICATIONS: Dates and locations of meetings will be posted immediately following adoption and as per LTC Meeting Procedures Bylaws.

FIRST NATIONS RELATIONS: Not applicable.

OTHER: Adoption of an April to March fiscal LTC meeting schedule will provide each LTC with advance notice of meeting dates for the following year as Trust Council and local trust committees will continue to adopt the schedule in November or December of the previous year.

4 RELEVANT POLICY(S):

Trust Council Bylaw No. 197 (Proposed).
LTC Meeting Procedure Bylaws.

5 ATTACHMENT(S):

1. ..\09 NP\2025-2026\NP-LTC_2025_MAR2026 Meeting Dates-DRAFT.pdf

RESPONSE OPTIONS

Recommendation: As provided.

Alternative: *THAT North Pender Island Local Trust Committee approve their January 1, 2025 to December 31, 2025 Business Meeting Schedule.*

Prepared By: Lisa Millard, Meeting Administrator

Reviewed By/Date: Stefan Cermak, Director, Planning Services / October 25, 2024



Islands Trust

DRAFT

North Pender Island Local Trust Committee January, 2025 – March, 2026 Regular Meetings

The North Pender Island Local Trust Committee will be meeting to consider land use applications, bylaws, correspondence, and various community planning topics.

DATE		TIME	MEETING TYPE	LOCATION
Friday	January 31, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	March 28, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	May 30, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	July 25, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	October 3, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	November 28, 2025	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	January 30, 2026	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)
Friday	March 27, 2026	10:00 a.m.	Regular	St. Peter's Anglican Church Hall 4703 Canal Road (or Electronic)

The proposed meeting agenda is generally available one week prior to the meeting and may be obtained at the Islands Trust office or on our website.

Please note that correspondence received from the public may become part of a meeting agenda that is published online.

VISIT OUR WEBSITE: <https://islandstrust.bc.ca/location/north-pender/>

CONTACT US AT 250-405-5151 OR: southinfo@islandstrust.bc.ca